



# We need environmental laws that work

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In the wake of the COVID-19 pandemic, it is understandable that the federal government desires to balance environmental protection with economic growth. Still, the crisis facing the natural world now arguably poses an even greater risk to the health, wellbeing, and prosperity of Australians. Therefore, our nation's policies and legislation must safeguard all Australians and future generations against an impending environmental catastrophe.

*Australia's Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)* should be our fundamental legislative means of ensuring assessment and approval processes for all major projects protect, and manage threats to Australia's flora and fauna.

The EPBC Act contains a statutory requirement to review the operation of the Act every ten years. Accordingly, in October 2019, the Minister for the Environment appointed Professor Graeme Samuel AC to conduct an independent review.

Professor Samuel's *Final Report*, released in October 2020, presents 38 recommendations. The Report states, "Australia's natural environment and iconic places are in an overall state of decline and are under increasing threat. The country is not on a trajectory to achieving the fundamental objective of the EPBC Act to protect the environment, conserve biodiversity and ensure that future

development is ecologically sustainable. Nor is the Act set up to do so."

Professor Samuel's dire warning should have prompted the government to overhaul the Act as a matter of urgency. The proposed recommendations would lead to more robust and legally enforceable National Environmental Standards. These Standards would ensure protective mechanisms, such as climate change considerations, Aboriginal and Torres Strait Islander engagement and participation, environmental monitoring, restoration, and off-sets.

However, the reality is that the Minister for the Environment introduced the amended Bill to Parliament in August 2020, almost two months before the *Final Report* was complete. The Bill cherry-picks recommendations from the *Final Report* and includes a re-hash of the current, insufficient National Environmental Standards.

Although a 2021 Senate Inquiry into the Bill recommended that the re-hashed Standards be subject to review and only be interim, it left room for the interim Standards to remain in place if Parliament could not agree on a new set of Standards. The continuation of weak Standards will pose a significant risk to already threatened species and ecological communities.

We cannot afford this.

Under the current *EPBC Act*, 18 species

of Australian fauna have this year been confirmed as extinct. Furthermore, a recently published paper by 35 scientists found that 19 Australian-Antarctic ecosystems are at risk of collapse. Biodiversity provides functioning ecosystems; when these are threatened, so too is food production, safe drinking water, clean air and national security. The UNESCO World Heritage Committee is currently planning to classify the Great Barrier Reef as an endangered World Heritage site.

The *Laudato si'* Action Platform has been launched at this crucial juncture in Australian history. As many lament the lack of solid leadership from the government to halt and reverse the ecological crisis we face, paralysed by the seeming enormity of the task ahead, the Platform has the potential to reinvigorate the Australian Catholic Church and subsequently, lead to a much broader impact.

Through the many sectors of the Church committing to ecological action from the ground up, we not only renew our own ecological approach but can become witnesses of hope for all Australians. Our actions will serve as a reminder that we are all "a single family dwelling in a common home" (LS, 17) and that hope prevails as "God continues to sow abundant seeds of goodness in our human family" (FT, 54).

As a witness of this hope, Catholic Religious Australia recently took the

opportunity to respond to the 2021 Senate Inquiry into the Bill. In our submission, we urged the Government to seriously reconsider the proposed Bill. We called for stronger National Environmental Standards; greater Federal support of States and Territories to implement the Standards; and, the appointment of a genuinely independent National Environment Assurance Commissioner who has strong regulatory powers to enforce compliance. Fortunately, key Senate crossbenchers remain opposed to parts of the proposed Bill, and the Senate will continue to debate the legislation in the first week of August.

The Australian Church must continue to speak up, sending an urgent message to our leaders to protect our natural environment.

As we approach Social Justice Sunday on 29 August, we must heed the "cry of the Earth" and the "cry of the poor," taking seriously the Catholic Bishops' call to the whole church community to take up Pope Francis' invitation of a seven-year journey towards total ecological sustainability

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