



## **Australian Government**

Updated Australian Government Response

Environment and Communications References  
Committee Inquiry Interim Report:

Australia's Faunal Extinction Crisis

October 2020

## Introduction

On 27 June 2018, the Senate referred the following matter to Environment and Communications References Committee (the committee) for inquiry and report by 4 December 2018.

Australia's faunal extinction crisis, including:

- a. the ongoing decline in the population and conservation status of Australia's nearly 500 threatened fauna species;*
- b. the wider ecological impact of faunal extinction;*
- c. the international and domestic obligations of the Commonwealth Government in conserving threatened fauna;*
- d. the adequacy of Commonwealth environment laws, including but not limited to the Environment Protection and Biodiversity Conservation Act 1999, in providing sufficient protections for threatened fauna and against key threatening processes;*
- e. the adequacy and effectiveness of protections for critical habitat for threatened fauna under the Environment Protection and Biodiversity Conservation Act 1999;*
- f. the adequacy of the management and extent of the National Reserve System, stewardship arrangements, covenants and connectivity through wildlife corridors in conserving threatened fauna;*
- g. the use of traditional knowledge and management for threatened species recovery and other outcomes as well as opportunities to expand the use of traditional knowledge and management for conservation;*
- h. the adequacy of existing funding streams for implementing threatened species recovery plans and preventing threatened fauna loss in general;*
- i. the adequacy of existing monitoring practices in relation to the threatened fauna assessment and adaptive management responses;*
- j. the adequacy of existing assessment processes for identifying threatened fauna conservation status;*
- k. the adequacy of existing compliance mechanisms for enforcing Commonwealth environment law; and*
- l. any related matters.*

The reporting date for the inquiry was subsequently extended to the second sitting Wednesday of 2021.

The Australian Government has considered the recommendations of the Committee's Interim Report and has provided the response below.

### **Recommendation 1**

The committee recommends that to limit the drivers of faunal extinction, the Commonwealth develop new environmental legislation to replace the *Environment Protection and Biodiversity Conservation Act 1999*.

### **Response to Recommendation 1**

Noted.

The Government welcomes the opportunity to improve the effectiveness of environment protections under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act). An independent review of the Act is currently underway, and the interim report of the review has been published.

In the interim report, Professor Graeme Samuel AC proposes a number of key reform directions to improve the effectiveness of the Act. Professor Samuel will now consult on the interim report before submitting a final report to Government in October 2020.

In response to Professor Samuel's interim report, the Australian Government has announced that it will commit to a number of priority areas for reform, including:

- developing Commonwealth led national environmental standards which will underpin new bilateral agreements with State Governments;
- commencing discussions with willing states to enter agreements for single touch approvals (removing duplication by accrediting states to carry out environmental assessments and approvals on the Commonwealth's behalf); and
- exploring market based solutions for better habitat restoration that will significantly improve environmental outcomes while providing greater certainty for business, and establishing an environmental markets expert advisory group.

Work is already underway on a national digital transformation program commencing with an initial partnership with the West Australian Government. This will mean access to one online portal to submit an application through both tiers of Government and access to a single database of biodiversity studies that can, in turn, be rolled out nationally.

The biodiversity database will provide better access to information such as wildlife surveys, allow faster and more comprehensive data for project assessments, and provide a baseline that can be used by Government to better measure conservation outcomes.

The Australian Government has in place several important measures to safeguard Australia's fauna. This includes protection under the Act, policies such as the Strategy for Nature and the Threatened Species Strategy (lead by the Threatened Species Commissioner), investment in research through the National Environmental Science Program, and programs to support on-ground activities including through the \$1 billion National Landcare Program, the Environment Restoration Fund, the Communities Environment Program, and more recently through the Wildlife and Habitat Bushfire Recovery package.

The Australian Government looks forward to the Final Report from the committee.

**Recommendation 2**

The committee recommends that the Commonwealth establish an independent Environment Protection Agency (EPA), with sufficient powers and funding to oversee compliance with Australia's environmental laws.

**Response to Recommendation 2**

Not agreed.

In response to the interim report of the independent review of the Act, the Australian Government has announced that it will take steps to strengthen compliance functions and ensure that all bilateral agreements with States and Territories are subject to rigorous assurance monitoring.