

## National environmental law

47. The Australian government has an enduring responsibility to protect Australia's environment and natural resources. Labor has a proud history of national environmental protection laws. These have been instrumental in protecting Australia's greatest natural treasures for decades. Labor will not support handing approval powers under the *Environment Protection and Biodiversity Act 1999* to state and territory governments and will terminate any arrangements that give states these powers.
48. Australia needs new frameworks for truly national protection and management of Australia's natural resources to enshrine federal leadership in proactive and systemic protection of our environment from threats such as climate change, and to protect the value of heritage sites: Labor will:
- Establish an Australian Environment Act within the first term of government;
  - Ensure the knowledge and rights of Aboriginal and Torres Strait Islander peoples are central in environment protection laws, programs and policies;
  - For the purposes of managing matters of national environmental significance, create strong, well resourced, science based institutions to administer the law: including a federal Environmental Protection Agency to conduct public inquiries, provide transparent and timely advice to the Minister within a clear decision-making framework and enforcement; and
- ensure there is the capacity in the public service to provide federal leadership on the environment;
- Implement clear management, governance and decision making structures that are transparent, efficient and streamlined;
  - Improve regulation and streamline environmental assessment processes;
  - Manage Australia's environment fairly and efficiently as a foundation for ecologically, socially and economically sustainable jobs;
  - Protect biodiversity and support resilience in the natural environment; and
  - Direct the Environment Department to establish National Environment Plans that set targets and approaches to proactively protect the environment.
49. Labor will deliver on our international obligations including Sustainable Development, to protect biodiversity, to protect heritage, restore landscapes, control plastic pollution and improve air quality and water quality to protect human health and productivity. Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. For development to be sustainable, it needs to meet the test of the triple bottom line: Social sustainability, ecological sustainability and economic sustainability. Environment institutions will have a remit to promote our international obligations including sustainable development.
50. Labor will create a land clearing trigger in the Environment Protection and Biodiversity Act 1999 and/or successor framework, in the context of a comprehensive response to land clearing and climate change. Labor will also consider a National Parks trigger to protect Australia's system of National Parks. Labor will expand the water trigger to apply to shale or tight formation gas developments that impact on water resources.



The Labor Environment Action Network (LEAN) is a group of Labor members and supporters that works to influence environmental policy making within the Australian Labor Party.

LEAN is deeply committed to Federal environment law reform. It believes the current legal framework fails to deliver environmental outcomes and has no obligation to do so while also delivering business uncertainty with long delays and lack of clarity that do not deliver commensurate environmental outcomes.

LEAN's policy position on Federal environment law is as follows:

*Australia needs new frameworks to deliver truly national protection and management of our natural resources to protect Australia's environment from escalating threats including climate change. This is essential to ensure our people's health and well-being. The principles to underpin that are:*

- *Rewrite a new Federal Environment Act that enshrines Federal leadership in proactively and systematically dealing with the environmental challenges of the 21<sup>st</sup> century such as climate change.*
- *Establish National Environment Plans that set binding standards and approaches to prevent extinctions, preserve biodiversity, end deforestation, deliver re-forestation, eliminate invasive species, reduce plastic pollution and ensure critical foundations for human health and production including air, water and soil quality are improved.*
- *Ensure the knowledge and rights of Aboriginal and Torres Strait Islander peoples are central in environment protection laws, programs and policies.*
- *Create strong, well resourced, science based, independent institutions to administer the law: a federal Environment Protection Authority to provide transparent and timely development approvals within a clear decision-making framework and enforcement and a National Environment Commission to provide federal leadership on environmental policy and create legally binding national plans and standards to proactively protect the environment including conducting independent inquiries on key environmental and resource issues.*
- *Implement clear management, governance and decision-making structures and responsibilities that are transparent, efficient and streamlined, relating not only to development applications but also priorities for proactive protection.*
- *Improve regulation and streamline environmental assessment processes.*
- *Restore democracy, respect and protection of rights for civil society involvement in environmental matters.*
- *Manage Australia's environment fairly and efficiently as a foundation for ecologically sustainable jobs and protect biodiversity and support resilience in the natural environment.*

Our full policy position is available in the report co-written by LEAN and Labor's official think-tank, the Chifley Research Centre: **Protecting the Future: Federal Leadership for Australia's Environment**. It is available [here on the LEAN website](#).

Felicity Wade and David Tierney,  
National Co-convenors, LEAN. April 15, 2020