



**Please progress *all* the Nature Positive Plan reforms, together, as a whole**

The Conservation Council ACT Region is the leading environmental advocacy organisation and representative for community groups in the ACT region. Our mission is to protect nature and create a safe climate future in the ACT and region.

We are concerned nature took a very serious indirect hit on Tuesday 16 April when the Australian Government announced plans to progress the second stage—only—of its *Nature Positive Plan*. This appears to be code for: during this term of office, we (the Australian Government) are not going to introduce to the Parliament any of the other vital legislative reforms that are needed.

While an increased focus in stage two on information, compliance and enforcement is welcome, it is clearly not the urgent transformational change needed to reverse the extinction crisis.

All around Australia, Conservation Councils have expressed their dismay at the fragmentation of long-awaited nature laws and are urging Minister Plibersek to follow through on her promise to deliver the whole of the *Nature Positive Plan* in this term of government.<sup>1</sup>

Enclosed are the Conservation Council ACT Region's primary concerns with the announcement. I would welcome an opportunity to meet in person to discuss our concerns.

Yours sincerely

A handwritten signature in black ink that reads "Elle Lawless". The signature is written in a cursive, flowing style.

Elle Lawless

Executive Director  
Conservation Council ACT Region

1 May 2024

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<sup>1</sup> Conservation Council (16 April 2024) *Fragmented nature laws a 'major disappointment': Conservation Councils*.

[https://assets.nationbuilder.com/ecnt/pages/1072/attachments/original/1713852139/Conservations\\_Councils\\_-\\_EPBC\\_release\\_FINAL\\_%281%29.pdf?1713852139](https://assets.nationbuilder.com/ecnt/pages/1072/attachments/original/1713852139/Conservations_Councils_-_EPBC_release_FINAL_%281%29.pdf?1713852139)

## Primary concerns with the announcement on 16 April 2024

The Conservation Council ACT Region recommends that the Australian Government introduce and progress the Nature Positive (Environment) Bill during this term of office, and that (as you do) you simultaneously increase substantially the resources dedicated to protecting nature.

Included in this recommendation are multiple essential reforms:

1. we thought were progressing:
  - a. definitions for 'nature positive' and 'unacceptable impacts'
  - b. clear outcomes in strong National Environmental Standards
  - c. protection of what must be clearly-delineated 'critical protection areas' for threatened species and ecological communities, and migratory species
2. that are urgently needed:
  - a. a climate related object and controlling provision
  - b. a requirement (if/where actions expected to harm threatened species are approved) to maintain and improve population numbers of the same threatened species
  - c. 'protection statements' for protected matters, such as threatened ecological communities, that decisions must 'not be inconsistent with'
  - d. an end to Regional Forest Agreements - because these agreements have been completely ineffective at protecting forests from deforestation and reversing species extinction.

We oppose any weakening in consultation arrangements. Enabling proponents to decide, for example, who are 'relevant persons' to be consulted would not be acceptable. Also unacceptable are the short periods (as few as 14 calendar days) within which people must respond to invitations to comment on what are frequently lengthy referral and assessment documents.

We oppose enabling developers to 'pay to destroy'. If this is not accepted and 'restoration contributions' are ever allowed, then we recommend a requirement that all actions undertaken with 'restoration contribution' must benefit only the same protected matter attribute impacted at an impact site, i.e., an action impacting Gang-gang Cockatoo breeding trees must plant and care for new, and restore *and protect existing*, Gang-gang Cockatoo breeding trees. We reject the notion that compensation for serious and irreversible impacts needs to endure for as few as 25 years.

Focussing on legislation the Australian Government *is* still planning to introduce, we recommend:

1. an Environment Protection Authority with real teeth:
  - a. To empower an independent and effective regulator: a 'Governance board model' should be adopted, the EPA's purpose should be expanded to include restoration, the EPA should be given clear duties to protect the environment, and mechanisms should be made available to the EPA to strengthen transparency and accountability.
2. that a well-resourced Environment Information Australia brings together and makes accessible authoritative data from a range of sources, including to establish a baseline and report on nature positive progress and outcomes.