

A photograph of a diverse group of people, including children and adults, smiling and looking towards the camera. The photo is positioned at the top of the page, partially overlapping the Labor logo and the menu icon.

POSITIVE POLICY

Stronger Environmental Laws Fact Sheet

Labor understands that the environment isn't an impediment to our prosperity, it's an asset that underpins it. That is why a Shorten Labor Government will strengthen the Environmental Protection and Biodiversity Conservation (EPBC) Act and improve the policy architecture that underpins environmental protection in Australia.

Since the Abbott-Turnbull Government came to power in 2013, environmental policy and the Environmental Protection and Biodiversity Conservation (EPBC) Act have been under attack, threatening our environment and our prosperity. The Liberal Government's policy to hand over federal environmental approvals to the States and local councils has created uncertainty and dysfunction. The so-called 'one stop shop' is in fact an eight stop shop which has been divisive, complex and controversial, with no public or environmental benefit.

As the most recent *State of the Environment Report* ^[1] concluded:

“Our environment is a national issue requiring national leadership and action at all levels... The prognosis for the environment at a national level is highly dependent on how seriously the Australian Government takes its leadership role.”

Labor believes all Australian Governments have an enduring responsibility to protect matters of national environmental significance and a Shorten Labor Government will act on this belief.

Labor's plan

In order to improve environmental protection and streamline the environmental approval process, making it more efficient and transparent for developers and the public at large, a Shorten Labor Government will;

- Re-establish the Federal Government's responsibility for protection of matters of national environmental significance.
- Retain Federal Government powers of approval under federal laws.
- Streamline assessment processes with States and Territory Governments to remove unnecessary duplication.
- Develop new frameworks for truly national protection and management of Australia's natural environment.
- Explore options for an independent environment protection structure
- Reinstate the principles of democracy, respect and protection of rights for civil society involvement in environmental matters including funding for Environment Defenders Offices (EDOs).

Labor will convene an expert reference group within the first 100 days of forming government to work in partnership with environmental groups as well as industry to develop the detail of the new environment laws. This group will include environmental law experts, tourism, energy, mining, agriculture and other business groups, unions, community representatives as well as representatives from State and Local Governments.

Re-establish the Federal Government's responsibility for protection of matters of national environmental significance

The Federal Government has an enduring responsibility to protect matters of national environmental significance. 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 EPBC Act to State and Territory Governments.

Retain Federal Government powers of approval under federal laws

Since the change of Government in 2013 environmental policy and the EPBC Act has been under attack. The Liberal Government's policy to hand over federal environmental approvals to the States and local councils has created uncertainty and dysfunction. The so-called 'one stop shop' is in fact an eight stop shop which has been divisive, complex and controversial with no public or environmental benefit.

Streamline assessment processes with States and Territory Governments to remove unnecessary duplication

There is no doubt that the current system of environmental assessment and approval is complex and lengthy. For many years now concerns have been raised about the confusion between the role of the State and the role of the Commonwealth, the duplication of process and issues of audit and compliance.

Develop new frameworks for truly national protection and management of Australia's natural environment

Labor will develop new frameworks covering Matters of National Environmental Significance. We will strengthen the protection and management of Australia's natural environment through:

- Improving management, governance and decision making structures and responsibility, including the independence of institutions involved in environmental protection.
- Consistent standards and adequate data for decision making.
- Efficient and certain regulation including streamlined environmental assessment processes.
- Fair and efficient management of Australia's environment as a foundation for ecologically sustainable local jobs.
- Enhancing biodiversity for the benefit of current and future generations.
- Improved resilience in the natural environment.

Explore options for an independent environment protection structure

There is a growing public demand for greater transparency and independence in decision making following on from accusations and confirmed instances of coercion and corruption around project approvals at a political level. There are best practice examples around the world of clear, transparent and robust decision making through independent structures. A Shorten Labor Government will explore how an independent environmental structure could be implemented in Australia.

Reinstate the principles of democracy, respect and protection of rights for civil society involvement in environmental matters

EDOs have for decades provided expert legal services to a wide range of Australians, including farmers and Indigenous Australians. EDOs unequivocally provide 'frontline' services, and frequently act to ensure that Australian environmental laws are complied with by corporations and governments.

Labor will commit to re-establishing Commonwealth support to all nine Environment Defenders Offices (EDOs).

EDOs play a vital role in general environment protection work as well as providing access to justice for individuals and groups who could not otherwise afford to take on large companies whose proposed actions may have adverse impacts on those individuals and communities. This is particularly the case in regional Australia, where the majority of large-scale projects with potentially adverse environmental impacts are carried out.

There are nine EDOs in Australia: One in each State and Territory, except in Queensland which has an EDO in Brisbane and another in Cairns to service far north Queensland.

Since being elected in 2013 the Liberals have attempted to gag civil society advocates and cut off their access to the courts. Without appropriate resourcing, these groups are left unable to fight the Turnbull Government's cuts and ideological attacks which are impacting the people and places they represent. Stopping community groups, farmers and NGOs from challenging decisions in the courts is fundamentally undemocratic.

Registered Environmental Organisations contribute to the preservation of our natural environment and to the health of our democracy.

Labor's record

Labor has a strong history of acting to protect the environment. It was Labor who initiated the protection of the Great Barrier Reef during the Whitlam Government. It was the Hawke and Keating Governments that protected the Franklin, Kakadu and the Daintree as well as Antarctica. It was Labor that ended 30 years of conflict over Tasmania's forests and 120 years of disagreement over the Murray Darling Basin. We will continue to act.

Labor will take our proud and solid record of environment achievements and new, strong environmental policies to this election.

The Liberal alternative

The Liberal Government has repeatedly shown that it has little interest in Australia's environment.

The Liberals want to wash their hands of a decades old responsibility to protect environmental assets of national significance

by handing over protection to State and local Government. This extraordinary decision would hand over this Parliament's responsibility, for example, to protect the Great Barrier Reef – one of the Seven National Wonders of the World – to State and Local Governments.

The Liberals' disregard for the role of government in protecting the environment can be seen in their decision to defund Environmental Defenders Offices as a way to avoid being held to account on their poor environmental record.

They have also attempted to stop community groups, farmers and NGOs from challenging decisions in the courts.

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Financial Implications

Net Impact		
	2016-17	-\$2.7 Million
	2017-18	-\$2.7 Million
	2018-19	-\$2.7 Million
	2019-20	-\$2.7 Million
	Total ^[2]	-\$10.8 Million

[1] Available at: [Department of the Environment, *State of the Environment 2011*](#)

[2] Totals may not sum due to rounding



LABOR. WE'LL PUT PEOPLE FIRST.

These policies (including where relevant their costings from the independent Parliamentary Budget Office) were accurate at the time they were announced. Labor will publish the updated final cost of all policies and their combined impact on the Budget prior to election day.

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Website created by Principle Co, built on NationBuilder