

Submission to the Environment Protection Reform Bill 2025 and six related bills inquiry: A Pragmatic Set of Suggestions
11 November 2025

Dear Senators,

I am a professional civil (transport) engineer based in Brisbane, with extensive experience on major projects in Australia, Singapore and elsewhere. Through my specialist consultancy me and my team make our living from the development industry. Hence, we have extensive experience and understanding of the development application and approval processes at local, state and federal levels.

We are concerned that the EPBC Act in its current form is inadequate, both in terms of its ability to delay and frustrate the approvals processes of housing projects, renewables projects, agricultural projects and critical minerals projects.

The EPBC Act also does little ultimately to protect the amazing natural environment we share, which over my 58 years has noticeably been cleared, logged and degraded. This poor downward trajectory represents a fundamental failure of government. The Samuel Review and State of the Environment Reporting clearly document this decline.

That we as a species repeatedly prioritise our short-term prosperity over the longer-term negative impacts on the natural environment, our amazing wildlife, waterways, bushland and forests AND the environment we pass on to future generations is a travesty. To be clear when I go to vote, I do so with the protection of the environment top-of-mind.

Going bush is my church, time for rejuvenation of my spirit, and the places where I most feel alive – being in awe of life in it all its amazing forms, operating together!

We are heartened that finally legislation to amend the EPBC Act is in front of you all. However, it does fall short in some essential areas.

I implore you to work together on our behalf. And to also work for future generations, and for all the amazing lifeforms that do not have a say in how we treat them. There are no votes granted to any of the amazing lifeforms we share this wonderful, small blue rock with – you must vote for them too.

I wish each of you senators to work constructively and leave politics outside. Nature is not political, has no voice and is destroyed at our whim, and very rarely if ever properly repaired. Any amendments therefore should aim to improve the bill and at least first do no harm!

We also understand that pragmatically some improvements to the EPBC Act are better than no improvements, and that further improvements are likely to be needed if these amendments prove ineffective.

The following suggestions are provided in this spirit, if more comprehensive amendments are unable to garner sufficient support in the Senate or in the House of Representatives when required to sent back there.

These suggested areas for obvious improvement in our view, within the limits Minister Watt has publicly stated should include:

- a) Ensuring Scope 1, Scope & Scope 3 greenhouse gas emissions are all disclosed, monitored and discrepancies publicly reported annually.

If there is not to be a climate trigger, at least ensure the public know the ramifications of what is approved.

Such disclosure (and a serious penalty for misleading disclosures) will help inform the electorate each time we go to the polls, with voters free to care or not care. But without this information, those that care will be uninformed;

- b) Ensuring the Act sets a floor on the objects of the National Environmental Standards that is demonstrably better than current practice or “business as usual”.

For example, if an end to native forest logging is not included in this legislation (and we can understand the difficulties with this), then as a minimum, the application of the amended EPBC Act must:

- Protect ALL old growth and aging regrowth (> 70 years since last logged) forests. And the definition for “old growth” should err on the side of protection;
- Ensure a minimum 30% of each ecological sub-bioregion and EVC (Ecological Vegetation Class) per the JANIS criteria used in the RFA process) is protected - not the 15% that informed the RFAs when made. Areas outside the forest estate may need to be acquired and rehabilitated to meet the 30% target;
- Ensure that in all sub-bioregions with low levels of protection, that before any approvals for clearing are approved that 30% of each sub-bioregion and each vegetation community is protected in a formal reserve or legally binding mechanism. This will assist in achieving the governments 30 x 30 targets based on ecological communities, rather than “cheating” by

protecting large areas of desert and low productivity or degraded land to claim achievement of 30% protection levels;

- Allocate meaningful and ongoing funding to acquire and protect native forest and woodland on private lands (and/or to fund stewardship agreements if preferred) is made available to significantly increase the area under protection;

- c) The protection of threatened species and threatened species habitat is a stated object of the Act and is by default mapped as a “No Go” area.

Otherwise, much damage can be done in waiting for Regional Plans to be prepared, vested interests to seek to erode protections or get ahead of them (undermine the values) under transitional arrangements.

The precautionary principle should be applied here too. If a threatened species and its habitat have not been properly mapped or studied, the assumption should be to map any potential area as a “No Go” zone until and unless a thorough and truly independent assessment (not engaged by project proponents) proves otherwise.

Accelerated funding of threatened species recovery plans and acquisition funds to protect key habitat areas will be required to back this up.

- d) Ensure that in transport projects that impacts on native fauna mortality and movement are specifically required to be assessed and mitigated.

It seems silly that we try to protect animals in small patches of habitat surrounded by roads and leave them to try to crossroads to live their lives.

This is an area that largely gets “value engineered” out of projects or greatly reduced in its effectiveness, with only a couple of exceptions. If we want our grandchildren to see koalas, cassowaries, bandicoots and Tassie devils in the wild (not just enclosures attached to wildlife hospitals) we have to give this serious and urgent attention.

A National Environmental Standard (NES) focussed on this objective may be more appropriate than a specific amendment now. However the amendments should be read with such downstream intent in mind, to ensure it facilitates rather than frustrates such subordinate regulations.

- e) Reduce the Environment Minister’s decision-making powers.

Politics is unfortunately influenced by the media and big business. Big business has repeatedly shown that it cannot be trusted to prioritise nature (or society or paying a fair share of taxes) over its own profits and “shareholder value”.

It is a fair bet that big business and their lobby groups are aggressively pressing you good senators to make amendments to benefit themselves at the expense of the environment – even on the piece of legislation intended to protect the environment - mainly from their actions! This is one rare piece of legislation that should be limiting their reach, not increasing it. Please be wary of any loopholes – they will be trying to play you all for their advantage at every turn.

To ensure fossil fuel project developers do not get the ear of the Environment Minister of the Day, the list of reasons for the Minister to override the EPBC Act needs to be narrowed to exclude any and all fossil fuel projects, any and all broadacre irrigation projects (at least for fibre), and any and all fisheries and aquaculture projects.

This would retain a narrower list of reasons for the Minister to override a recommendation or decision (to just imminent defence and critical minerals developments). Some further work will be required to narrow the occasions where the Minister can step in to the decision-maker role.

This is not an exhaustive list but provided to the Senate Committee as constructive means of improving the draft legislation, without butting up against the boundaries Minister Watt has publicly stated. In doing so we trust such changes will have greater potential to unblock the impasse in the Senate and pass the EPBC Act reforms, so that nature can at least start to benefit from the changes, as incremental as some may be.

Yours sincerely

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