

Australian Greens' additional comments

1.1 The Australian Greens believe the evidence and findings contained in this interim report are highly significant. We would like to thank the hundreds of organisation and individuals who made submissions and attended hearings across the country.

1.2 The inquiry has heard evidence that the scale and speed of decline for Australian threatened fauna is nothing short of scandalous. We are in the midst of the sixth great mass extinction event.

1.3 What is clear from the evidence so far is that there is nothing inevitable about species extinction, it is a choice. With adequate laws and funding, we can ensure that not one more Australian species goes extinct.

1.4 But our existing laws and compliance mechanisms are little more than processes to be stepped through by project proponents. They have failed to prevent faunal extinction and species decline.

1.5 The scope for ministerial discretion and overturning of expert advice, the ad-hoc nature of species protection and funding, the lack of mandatory action to limit key threatening process and protect critical habitat; all point to a framework that is facilitating rather than reversing faunal extinction.

1.6 The committee recommendations contained in this report are an important step forward on the path to reform. The Australian Greens welcome the findings of the committee that we need new environmental legislation that will actually limit the drivers of faunal extinction and the creation of an independent environmental protection authority (EPA) to ensure compliance with environmental laws.

An independent environment commission

1.7 While the committee has agreed upon the need for an arms length EPA to ensure compliance with and enforcement of the law, multiple witnesses and submitters have also identified the need for a separate independent body, a national environment commission.

1.8 Such a body would sit independent of government and set national standards, conduct strategic planning, and provide long term evaluation and monitoring of the state of our environment and the efficacy of our laws and programs. This role is distinct from the regulatory and compliance function identified in the committee's report for the EPA.

1.9 Some have argued that these strategic functions are already provided by the Department of the Environment and Energy, however the Greens believe that structural separation from the Minister for the Environment and government of the day is needed to provide frank and independent advice, standards and review.

1.10 The paper on Environmental Governance by the Australian Panel of Experts on Environmental Law came to a similar conclusion:

It can be argued that the most effective implementation of the scheme would be likely to be achieved through having it administered by an independent, expert institution that is, and is perceived to be, free of political or other influence.¹

1.11 The determination of the specific roles and responsibilities of a national environment commission is a significant task, and the Australian Greens look forward to exploring this issue further both within this inquiry and with broader stakeholder consultation throughout the development of new environmental legislation.

Recommendation 1

1.12 The Australian Greens recommend that the Australian Government create an independent national environment commission alongside new environmental legislation.

**Senator Janet Rice
Chair
Senator for Victoria**

1 The Australian Panel of Experts on Environmental Law, *Environmental Governance*, Technical Paper 2 (2017), p. 65.