



Climate and Nature Law Reform Priorities for the 48th Parliament – July 2025

As the 48th Parliament of Australia begins its term, it must act urgently to deliver essential and overdue law reform to address the ongoing climate and extinction crises.

The Parliament must deliver laws to ensure a safe and liveable climate, protect precious wildlife and at-risk ecosystems, and uphold community rights in environmental decision-making. This briefing paper sets out the law reform priorities of Environmental Defenders Office (**EDO**), informed by our work supporting communities to stand up for nature, climate and Country.

In response to the climate and extinction crises, the 48th Parliament must:

- **Protect wildlife and at-risk ecosystems by urgently reforming our national nature laws; and**
- **Ensure integrity in Australia's climate laws and prevent new climate polluting projects.**

Protect wildlife and at-risk ecosystems by urgently reforming our national nature laws.

Biodiversity across Australia is declining. The number of species listed as threatened continues to grow, and species remain under increasing threat, including from habitat loss, climate change and invasive species. Our key national environmental legislation, the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**) is ineffective and unable to deliver improved outcomes for nature. We urgently need reformed nature laws.

The [Nature Positive Plan](#) (the Federal Government's response to the [Independent Review](#) of the EPBC Act, conducted by Professor Graeme Samuel AC) must be implemented as a minimum, with key improvements in line with our international commitments and necessary to protect nature, the climate and community rights. Robust legislation to overhaul our environmental laws should be introduced into, and passed by, the Parliament within 18 months.

<i>What is needed?</i>	<i>What does this look like?</i>
Best practice environmental decision-making by an independent decision-maker	The establishment of an independent, expert Environment Protection Authority (EPA) that has responsibility for

according to robust environmental laws.	compliance, enforcement, and science-based decision-making under the Act.
Transparent and outcome focused processes for environmental decision making under nature laws.	National Environmental Standards that are comprehensive, outcome-focused and apply to decision-making at all levels. Clear legislative provisions should provide the Minister with the power to create these National Environmental Standards, safeguarded by a non-regression clause that means environmental protection can't be reduced in subsequent Standards.
Clear decision-making and protection for nature provided by a quick no for unacceptable impacts , giving certainty to business and communities.	Strengthened existing provisions to ensure that impacts which are clearly unacceptable – for example destruction of habitat critical to survival of a threatened species – are identified upfront and not permitted to proceed.
Limit the use of biodiversity offsets and prevent weakening of offsets policy that would result in a 'net loss' of nature.	Opposing expansion of the use of indirect offsets or compensatory measures, including any introduction of the option to make monetary payments in lieu of genuine offsets. Putting in place clear limits on the use of offsets, such as the robust application of the mitigation hierarchy and recognition some impacts are just not amenable to offsetting.
Stronger accountability, transparency and integrity measures to uphold community rights.	Community rights – the right to know, the right to participate, and the right to challenge – are key elements of robust and transparent environmental decision making and should be effectively embedded in the law. This means rights to make submissions and be consulted, have access to information, broad standing to seek enforcement of breaches of the law, and to review decisions (on their merits) made by the Minister or EPA.
National environmental laws properly address one of the biggest threats to nature – climate change .	Environmental laws must require emissions estimates for new projects, mandatory assessment of climate impacts and alignment with Australia's climate targets. No new fossil fuel projects should be permitted under national nature laws.

Destructive and illegal deforestation is properly assessed under our nature laws, including by removing loopholes and exemptions.	Regional Forest Agreement (RFA) areas must be brought under national nature laws, destructive land clearing properly assessed, and exemptions and loopholes fixed.
Conservation planning mechanisms ensure protection of threatened species.	Conservation planning mechanisms should be fixed to ensure nature protection. For example, through mandatory identification and protection of critical habitat and other areas of high conservation value, requiring decisions to be consistent with conservation documents, and ensuring that laws are reactive to climate impacts or natural disasters.

Ensure integrity in Australia's climate laws and prevent new climate polluting projects.

The climate crisis is already impacting communities across Australia, with increased [intensity and frequency](#) of fire, floods and droughts. The science tells us the every tonne of CO₂e emitted results in worsening climate impacts, and that to keep temperature rise below the [agreed](#) thresholds, mitigation efforts must significantly increase.

Australia should soon have a new 2035 emissions target, and may host international climate negotiations in 2026, putting us in the global spotlight. But to reach our legislated targets, and do our fair share of climate mitigation, the Parliament must fix the gaps and loopholes currently in our climate regime. This includes through ensuring integrity in reporting and emissions assessment, and by ensuring polluters are responsible for their climate pollution. In line with the climate science, no new or expanded fossil fuel projects should be permitted under national laws.

<i>What is needed?</i>	<i>What does this look like?</i>
Legislate a strong 2035 emissions target and plan to reach it , by integrating climate across all areas of decision-making.	Climate targets must be made enforceable and mandatory in relevant decision-making by government, with clear plans to reach them, while targets should be set for both methane and downstream emissions to capture the full extent of Australia's contribution to climate change. Parliament should set our domestic target at 75% by 2030 and net zero 2035.
Ensure our national environmental laws properly address one of the biggest	Environmental laws must require emissions estimates for new projects, mandatory assessment of climate impacts and

threats to nature – climate change .	alignment with Australia’s climate targets. No new fossil fuel projects should be permitted under national nature laws.
Improved monitoring and reporting of climate pollution.	National greenhouse gas accounting should capture all direct and downstream emissions, and monitoring, reporting and verification of methane emissions must be accurate, so the Parliament can adequately respond to the scale of Australia’s contribution to global climate change.
Preserve and protect carbon sinks.	Through the identification and protection of carbon sinks as areas of high environmental value and through proper referral and assessment of land clearing under national nature laws, as well as the protection of precious native forests across the country.
Ensure efficacy of the Safeguard Mechanism .	Making sure the Safeguard Mechanism is truly effective at reducing emissions, through reducing use of carbon credits in the scheme and improving credit integrity, ensuring that emissions reductions are meaningful and guaranteed, closing loopholes and ambiguities when it comes to application of emissions limits.
Phase out fossil fuel use, approvals, and export.	There is no room in the carbon budget for new fossil fuel projects. National laws should stipulate a legislated timeframe for phase-out of fossil fuel projects, and a ban on new fossil fuel approvals under both offshore and onshore regulatory regimes should be legislated. We must start taking responsibility for Australia’s contribution to global climate change including through restricting fossil fuel exports.
Prevent greenwashing by requiring companies to back up their environment and climate claims.	Implement legally enforceable standards on environmental and sustainability claims, based on the best available scientific knowledge, and ensure that public interest challenges to protect consumers are not limited by cost or immunity.

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