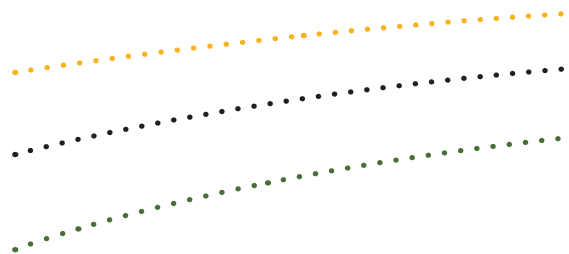




Australian Government

Department of Sustainability, Environment,  
Water, Population and Communities



# RUMOURS, MYTHS AND MISCONCEPTIONS... FARMING AND NATIONAL ENVIRONMENT LAW

Australia's national environment law is the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Australian farmers need to know about national environment law, as some farm activities may require federal environmental approval. There are many rumours, myths and misconceptions about the law and its impact on farmers. Let's set the record straight.

## There is no way this could affect my farm.....

National environment law applies to farm activities that could have a significant impact on parts of the environment that are nationally protected. These include nationally threatened and migratory species, nationally threatened ecological communities, wetlands of international importance and world and national heritage properties. If you have nationally protected matters on or near your property, you could be affected.

To find out whether you have nationally protected matters on or near your property contact the environmental liaison officer on 1800 704 520, or use the [environmental reporting tool](http://www.environment.gov.au/erin/ert/index.html) ([www.environment.gov.au/erin/ert/index.html](http://www.environment.gov.au/erin/ert/index.html)).

## Now I won't be able to do anything on my property.....

National environment law is not about stopping farming or other agricultural business activities.

You can continue routine farm activities without approval if they began before national environment law was introduced in July 2000.

Only new or expanded farm activities that are likely to have a **significant** impact on a nationally protected matter need federal approval. Note that state or local government approvals may also be needed.

A significant impact is anything that could affect the overall health and survival of a nationally protected matter, such as threatened species and ecological communities, migratory species, wetlands of international importance, and world and national heritage properties.

For more information on what constitutes a significant impact go to [www.environment.gov.au/epbc/guidelines-policies.html#guidelines](http://www.environment.gov.au/epbc/guidelines-policies.html#guidelines)

If you think your intended activity requires approval you should not proceed until you have checked with the environmental liaison officer (1800 704 520) at the federal environment department.



[environment.gov.au/farming](http://environment.gov.au/farming)



## What's the point in applying I won't ever get approval...

Australia's national environment law is not about stopping farm activity. While new activities that could have a significant impact on nationally protected matters may need to be submitted for federal assessment, it doesn't mean they won't be allowed to go ahead.

The outcome will depend on the level of impact your project is likely to have.

If the department finds your activity won't have a significant impact on a nationally protected matter, the department will let you know within 20 business days either:

- that your project can go ahead with no further assessment
- that your project can go ahead with no further assessment, as long as certain measures are in place to minimise its environmental impact

If your proposal is likely to have a significant impact on a nationally protected matter it will need to undergo further assessment. The department will help you navigate the assessment process and keep you informed of the progress of your submission. Once the assessment is completed your activity could still get the go ahead, as long as you carry it out in line with the conditions as described by the department.

Only new farm activity assessed as having unacceptable impacts on nationally protected matters that can't be minimised to an acceptable level may be refused approval.

## Paperwork, paperwork, paperwork...

There is not a lot of paperwork and it is available online. To get a decision under national environment law you need to fill in a referral form describing what activity you intend to carry out, where it is to occur and what the likely environmental impacts are.

The referral form is available at [www.environment.gov.au/epbc/assessments/referral-form.html](http://www.environment.gov.au/epbc/assessments/referral-form.html)

If you need help with the form you can contact the federal environment department's environment liaison officer on 1800 704 520. Within 20 business days of submitting the referral form, the department will determine whether further assessment and approval is required or whether the activity can proceed immediately. Once a decision is made you will be notified immediately.

## This is going to cost me money...

If your activity requires federal approval, you will not be charged for the approval process.

There are several Australian Government programs, including Caring for our Country, that provide funding to help farmers manage natural resources and nationally protected matters, such as threatened ecological communities. Contact the environment liaison officer for more information or go to [www.environment.gov.au/land/farmers.html](http://www.environment.gov.au/land/farmers.html).

Having a nationally protected environment matter such as a threatened ecological community or species on your farm is also a potential source of income for farmers and landowners, as it can potentially be sold to developers as a biodiversity offset.

When a project is approved under national environment law, the developer will often be required to compensate for unavoidable environmental impacts by protecting the same habitat or ecological community affected by their development.

If your farm contains such habitat or ecological community, developers could pay you to protect and manage the land in perpetuity. The payment and income structure is negotiated directly between you and the developer, and there are brokerage firms to help farmers and developers with this process.

For more information contact the environment liaison officer.

### **This is just another process that I have to work out myself...**

The environment liaison officer is here to help farmers and others in the agricultural sector navigate national environment law, and can help with any questions or uncertainties you may have in relation to the legislation.

The liaison officer is happy to take your calls or emails and can be contacted on

**Freecall: 1800 704 520** (including from mobiles) or 02 6273 3855 (NFF switch), or by email at: [environment@nff.org.au](mailto:environment@nff.org.au)

Both the federal environment department and the National Farmers Federation have information on national environment law and how it applies to farmers. For more information go to: [www.environment.gov.au/farming](http://www.environment.gov.au/farming) or [www.nff.org.au/policy/nrm.html](http://www.nff.org.au/policy/nrm.html)

### **Protecting tiny bits of land won't make a difference...**

The physical size of a nationally protected habitat is not the only factor, it is the quality and value of what is there. Even small parcels of land can provide valuable habitat to species under threat of extinction.

Threats to Australia's environment and biodiversity can include habitat loss, degradation, fragmentation, invasive species, and unsustainable use and management of natural resources.

Any reduction in these threats is an important step and will help improve the resilience and health of our environment. Biodiversity is best conserved by protecting existing natural habitats. Any action, no matter how small or large, you can take to protect the environment on your property is an important contribution to Australia's overall biodiversity.

For more information on national environment law contact the environment liaison officer.

### **These plants and animals are like pests and don't have any value...**

Every non-invasive species is important because all species form a crucial part of our biodiversity. Any changes in the delicate balance between individuals, species and population will affect the overall health of the environment.

A strong and healthy biodiversity is also vital for the long-term sustainability of our agricultural sectors. Healthy ecosystems help maintain healthy soils, regulate climate, protect against invasive pests, purify water, disperse seeds, and pollinate, all of which are vital to the agricultural sector.

The species that are protected under national environment law face a real threat of extinction, and that is why they need looking after.

For more information on national environment law contact the environment liaison officer.





## State, federal, local... what's the difference?

Federal, state and local governments work together to protect Australia's environment, but they all have different responsibilities.

National environment law protects parts of the environment of national significance, or which Australia is committed to protecting under international treaties. States and territories protect things that are significant or under threat at a state/territory level.

An approval under national environment law is not the same as an approval (or permit) under a state, territory or local government law. You may need approval from all levels of government depending on the activity proposed.

For contact details of your state, territory and local governments see [www.gov.au](http://www.gov.au).

## The advice I get keeps changing ...

The Australian Government has invested considerably in developing and implementing environment protection policies and programs. While the advice given to farmers may have changed over the years as new information has become available, the goal to protect the environment and Australia's unique biodiversity has remained the same.

Many important and practical lessons have been learnt from previous policies and practices, and there have also been important advances in knowledge and practices. By learning from the past and using the most up-to-date scientific thinking, the Australian Government is ensuring its advice to farmers will provide the best outcomes for both the environment and farmers.

## Stop blaming us for past farm practices...

Australia's national environment law is not about blaming anyone for past practices or activity. In many cases, supportive farming practices have helped to keep native vegetation in good condition, and have helped protect native species. You can continue routine farm activities without approval if they began before national environment law was introduced in July 2000.

## What do you mean I am already a conservationist?...

Many farmers are already using sustainable and supportive farm practices to help conserve threatened native environments and ecosystems.

Farmers manage 60 per cent of Australia's land and 70 per cent of its diverted water, and have a long history of working with their communities and the government for the sustainable development of the rural environment and natural resources. For example, about 40 per cent of Australia farmers are involved in the Landcare program.

There are several programs to help farmers manage our natural resources and nationally protected matters, such as threatened species and ecological communities. You can contact the environment liaison officer for more information.

**Image credits:** **pg 1:** Pasture & grazing management near Armidale, New South Wales (Dragi Markovic, DSEWPaC), Dairy cattle at South Riana, Tasmania (Michelle McAulay, DSEWPaC), Pasture of wheat and fenced area of Sheoaks near Elliston, South Australia (Dragi Markovic, DSEWPaC), **pg 2:** High quality pastures, the result of good management near Ringarooma, Tasmania (Dragi Markovic, DSEWPaC), Dairy cattle at South Riana, Tasmania (Michelle McAulay, DSEWPaC), Irrigating pasture using river and effluent water near Ringarooma, Tasmania (Dragi Markovic, DSEWPaC) **pg 3:** A good pasture on Hawksley Park near Deepwater, New South Wales (Dragi Markovic, DSEWPaC), Grazing cattle near Ringarooma, Tasmania (Michelle McAulay, DSEWPaC), NHT funded fencing separating paddocks to allow more selective grazing near Cargo, New South Wales (John Baker, DSEWPaC).

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