



Blue Mountains Conservation Society Inc

ABN 38 686 119 087

PO Box 29 Wentworth Falls NSW 2782

Phone: 0490 419 779

E-Mail: bmcs@bluemountains.org.au Web Site: www.bluemountains.org.au

Nature Conservation Saves for Tomorrow

Date: 7 July 2026

Minister Watt

Minister for the Environment

DCCEW

submitted via online portal:

<https://consult.dcceew.gov.au/national-environmental-standard-data-and-information/survey?page=1>

Dear Minister Watt,

The Blue Mountains Conservation Society (the Society) is a community-based volunteer organisation with over 900 members. Our mission is to help protect, conserve and advocate for the natural environment of the Greater Blue Mountains. In fulfilling its mission the Society advocates for the protection of the Greater Blue Mountains World Heritage Area and adjoining natural, protected areas. The Society's members are deeply dedicated to the protection of Australia's biodiversity, and expect the Federal government to implement the strongest laws that will be effective in ensuring no further loss of our natural places, plants and animals.

The Society is commenting on the "National Environmental Standard (Data and Information) Exposure Draft" (the Exposure Draft) and the "DRAFT Policy Position Paper: National Environmental Standard for Data and Information" (the Policy Position Paper) in two separate uploaded documents.

The Society is pleased to see the release of this important Standard and the opportunity to provide feedback. It has long been a concern of the conservation community that assessments for actions affecting Matters of National Environmental Significance (MNES) are based upon inadequate data, which is largely outdated and incomplete. Informed decisions that will ensure adequate protection for Australia's natural places cannot be made if the data used is lacking.

The Society is not of the opinion that these draft Standards will adequately address these concerns and we have detailed our reasons in the following pages.

However, we are of the view that this draft is an important first step. The Society further recommends that this Standard, once implemented, be reviewed within three years to assess its effectiveness and determine what changes should be made.

The attached response addresses the DRAFT Policy Position Paper: National Environmental Standard for Data and Information (the Policy Position Paper).

Thank you for the opportunity to comment on this important Standard. The Society values the emphasis that your Department places on seeking public comment on the Standards.

Yours sincerely,

A handwritten signature in black ink, reading "Annette Sartor". The signature is written in a cursive style with a large initial 'A'.

Dr Annette Sartor
President
Blue Mountains Conservation Society
president@bluemountains.org.au

Comments on the “DRAFT Policy Position Paper: National Environmental Standard for Data and Information” (the Policy Position Paper)

“The Independent Review of the EPBC Act in 2020 by Graeme Samuel identified the need for a consistent and interoperable approach to data and information management to support robust, transparent and timely decisions.” (page 2 Policy Position Paper). The Society agrees with this identified need and welcomes the introduction of this Standard and its application by Environment Information Australia to use the Principles across a broad range of activities involving collection of environmental data.

This will hopefully go a long way to implementing scientifically rigorous, evidence-based decision making, improve data exchange, enable reuse of data and ensure the transparency and accountability that the Australian public has been calling for.

It is critical that the impact of the new standards are evaluated after introduction, to ensure that they are in fact, delivering on their promise.

The comments below address the Policy Position Paper only and do not repeat the comments provided for the **National Environmental Standard (Data and Information) Exposure Draft**.

Proposed application of the Standard

Under this section (page 3) it is stated:

“The D&I¹ Standard includes Principles that **may** apply to approval decisions such as individual project assessments, strategic assessments and bilateral agreements and Commonwealth accreditation, as well as the making of bioregional plans and bioregional guidance plans. The Act provides for Regulations to specify decisions where the National Environmental Standards (or parts of Standards) will apply.” (emphasis added)

The above statement does not appear to be consistent with the paragraph (see below) from the next section **Anticipated use of the Standard** (page 5):

“For assessments under bilateral agreements, or accredited processes, the Standard **will** also guide state and territory governments or the Commonwealth, in their assessment. Decisions to make or vary a bioregional guidance plan or bioregional plan are intended to be consistent with the Standard, which may also assist in the development of such plans.” (emphasis added).

¹ National Environmental Standard for Data and Information (D&I)

The Samuel Review made clear that these Principles are currently lacking and their implementation is important. It should therefore follow that the same standards are applied to decisions made by the States under any bilateral agreement. To not insist upon this would be a great weakness of the Law and could easily lead to the failure of the Standards to protect MNES.

Also on page 3 is this statement:

“The implementation of the D&I Standard will be supported by a range of data and information governance and management elements including:

- a register of trusted environmental data and information assets (including key data and information used in decision making under the EPBC Act) and
- technical guidance (e.g. data format and data collection guidelines) that meet the D&I Standard.”

The inclusion of this register and guidelines are crucially important in meeting the goals; but there is no strategy to ensure that this occurs.

Recommendations:

- The inconsistency in language should be removed and the word “may” on page 3 be replaced with “will” to be consistent with the language on page 5.
- A strategy needs to be developed to create the register of trusted environmental data and information assets and technical guidance and publically advertised as a matter or priority.

Objective and Outcomes

Summary of intent

The summary of intent and overarching objective and outcomes of the standard are adequate.

Principles

Summary of intent

The decision to use the Standard and guidelines to “ensure that decisions are consistent with the Standard. By providing clearer up-front guidance, the D&I Standard will help proponents prepare a high-quality application that meets decision-maker requirements.” (page 11) is beneficial and hopefully will lead to an increase in high-quality data used in applications. It is particularly important that State and Territory bilateral agreements use high-quality, rigorous assessments to ensure that they meet the required Standards.

The Society is frequently dismayed by the low scientific quality of data (including survey data of fauna and flora) that is submitted in applications and will be keen to see whether there is an improvement in data quality following the introduction of this standard.

Application of the Principles

Principles 1, 2 and 3

The Society is of the view that the guidance and detail provided in these sections is adequate.

Principle 1: Representative– Data and information used in, or for the purposes of making a decision under the Act, adequately and accurately reflect and describe the relevant protected matters and environmental conditions

Principle 2: Transparent – Data and information used in, or for the purposes of, making a decision under the Act are reliable and sufficiently described to enable informed use

Principle 3: Comparable – Data and information used in, or for the purposes of, making a decision under the Act are internally consistent in the practices, formats, structures and measurements applied to enable ease of comparison

Principle 4: Reusable – Data and information used in, or for the purposes of, making a decision under the Act are collected, managed and provided in a way that enables reuse with minimal additional effort

Policy Intent page 18

“To ensure environmental data and information is treated as an asset and can be reused for other purposes to improve understanding of the environment and support prioritisation of policies, programs and effective delivery of on-ground environmental outcomes.

Collection of environmental data and information is often costly and time-consuming, and the lack of environmental data is often a hindrance to effective decision-making and prioritisation of on-ground programs to deliver environmental outcomes. This principle reinforces the importance of environmental data and information in decision making, thereby increasing the value it provides over time.”

The Society has long been concerned about the lack of quality environmental assessment that is used by proponents when performing assessments on actions that will affect MNES. It is therefore very welcome to read that there is an emphasis on addressing this problem in these standards.

Recommendation

To be genuinely effective in addressing this issue, the Environmental Information Agency needs to develop strategies to encourage organisations and individuals that collect such data (e.g. fieldworkers, citizen scientists, members of organisations such as BirdLife Australia, the Atlas of Living Australia) to follow the guidelines for reusable data. There is a wealth of biological data contained in the databases of these organisations.

Principle 5: Data and information used in, or for the purposes of, making a decision under the Act are collected, managed and used responsibly to minimise harm, protect rights and privacy, and, where possible, incorporate cultural values

This Principle includes the intention of ensuring “that data and information are collected, created, managed, and shared in compliance with legal, ethical, and, where possible, cultural obligations” (page 19). This includes supporting “First Nations communities and remote communities to support inclusive decision-making.”

The Standards and the Policy Position Paper both mention the CARE² and FAIR³ principles in ensuring ethical data principles. However, the depth of the legal obligation and ethical standards is hampered by weak language such as:

- “Make all reasonable efforts” to comply, obtain, identify
- “Consider ethical data principles”

It is not clear to the reader what constitutes a “reasonable effort” or the depth of consideration needed by the proponent to meet their obligations.

Recommendation

- Strengthen the language used by replacing:
 - “make all reasonable efforts” to “ensure actions comply with. . .”
 - “consider ethical data principles” to “implement ethical data principles”

² Collective Benefit, Authority to Control, Responsibility, Ethics (CARE)

³ Findable, Accessible, Interoperable, Reusable (FAIR)