

## SUBMISSION GUIDE

# Have your say: National MNES standards

Until **Friday 29 May 2026**, the federal government is asking for feedback on a key part of Australia's new environment laws – the National Environmental Standard for Matters of National Environmental Significance (MNES).

This is the final chance to influence the outcome before the Standard is settled.

## Why this matters

The Matters of National Environmental Significance (MNES) Standard sets the rules for how animals, plants and places are protected under the law. It's meant to define the environmental outcomes decision-makers must meet when approving projects.

But the government's current draft MNES standard is too weak. In our view, key parts no longer require decision makers to actually achieve those outcomes. If passed as is, it could weaken key protections and undermine progress made in last year's reforms.

## Tips for a strong submission

Good submissions generally:

- Are concise and well-structured
- Emphasise the key points so that they are clear
- Outline concerns as well as suggesting recommendations to address them
- Only include information and documents that are directly relevant to your key points.

Your perspective matters – personal, thoughtful submissions carry weight.

You can find more advice from EJA on how to write a good submission, [here](#).

## About the consultation

In November 2025, the federal government passed the biggest changes to Australia's national environment laws in over 25 years.

These reforms update the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). They create a new system where the Environment Minister can create National Environmental Standards – legally enforceable rules that guide decisions and are meant to strengthen protections for matters of national environmental significance.

One of the most important is the *Matters of National Environmental Significance (MNES) Standard*. It governs what animals, plants and places are protected under the law and is central to how the new laws will work on the ground.

You might remember that a first version of this Standard was drafted and consulted on in earlier this year. **Right now, there is a revised version open for community input – and it's the final chance to have your say.**

## Why this moment matters now

It's unusual for the Government to consult on legislation and policy more than once – but they're doing it for this Standard. That shows just how important it is.

The *MNES Standard* is a legal document that will shape how decisions are made under the new laws. It's meant to set the environmental outcomes + objectives that decision-makers, developers and the community can expect of projects, agreements, and plans. Because the laws give the Minister broad discretion, this Standard effectively sets the bar for how protective the system will be in practice.

It also sets out core principles for decision-making, alongside outcomes which are meant to be designed to provide clarity and consistency.

This is the last real opportunity to shape this Standard – and whether these laws end up stronger or weaker for nature.

**If you have any questions, feedback on this toolkit, need additional support or want to share your submission with us, get in touch at [hello@envirojustice.org.au](mailto:hello@envirojustice.org.au).**

# Getting started

## 1. Draft your response

### You can either:

Option 1: Write your answers directly into the survey

Option 2: Draft a short a written submission and upload it. We recommend using this method so that you can tailor your comments to suit your concerns.

Keep your submission short and clear – who you are, why you care, the issues you're concerned about, and any changes you want to see.

If you're using the survey, make sure you copy and paste your responses into a separate document before submitting, so you have a record.

Draft your submission and save it to your desktop using a file name you will remember. If you're planning to answer only using the survey prompts, you can skip this step.

## 2. Lodge your submission – it only takes 10 minutes

**Open the consultation page:** <https://consult.dcceew.gov.au/national-environmental-standard-for-matters-of-national-environmental-significance-mnes>

### Start the survey

- Scroll to the bottom of the page and click **'Take the survey'**.

### Agree to the privacy statements

- **Enter your details, then click next**
- **Read the overview, then scroll down and click next**
- You'll see an overview of the survey. Scroll down and click **'Next'**.

### Give your feedback on the Standard

- Rate your level of support for the draft Standard (1–5). You'll need to do this even if you're uploading a written submission.
- Indicate whether you plan to use the MNES Standard. You may be prompted to provide more detail depending on your answer.
- Add any further comments in the box at the bottom. If you're not uploading a document, this is the best place to include your submission.

### Give your feedback on the policy paper

- Add any comments in the box provided.

### **Upload your submission**

- Click **'Choose a file'** and upload your document. You'll be prompted to attach files for both the exposure draft and the policy paper – if you only have one document, you can upload it twice.

### **Submit your response**

- Press **'Submit'**.

## **3. Email your MP (optional)**

Sending your submission to your local MP helps show there is strong community concern.

You can find their contact details [here](#). (please cc us in this email! We love to read what you've written).

# Key issues

EJA's legal experts are concerned the draft Standard is so weak, it will undermine any progress made in last year's reforms.

A big part of the problem is how it is written.

It includes "objectives and outcomes", which are meant to set clear goals for protecting nature. These were key recommendations from the Samuel Review and something the government promised to deliver.

But in this draft, those goals don't carry real weight. They will amount to aspirations or intentions not backed up by clear enforceable pathways to achieve them.

That's because the Standard says the objectives and outcomes are met if a proposal follows a set of "Principles".

The Principles are vaguely worded and don't clearly connect back to the goals. There is no requirement to show that following them will actually protect nature or achieve the intended outcomes.

In practice, this means projects can meet weak process requirements without delivering strong environmental outcomes. Developers can design projects to meet weak Principles, rather than stronger, clearer, Objectives and Outcomes.

In our view, the Standard in its current form can be fixed by simple changes to the section that currently overrides the objectives and outcomes.

# Recommendations

If you share our concerns, you may wish to include recommendations like:

## **Critical recommendation:**

In its current form, the MNES Standard is not fit for purpose. This can be addressed through straightforward redrafting to ensure the objectives and outcomes operate independently.

For example:

- Reword section 7(2) to require that the Principles are applied in a way that is consistent with the outcomes, and that promotes or supports the objectives.

## **Other recommendations:**

- Ensure objectives are outcomes-based, clear, enforceable and specific, as recommended by the Samuel Review;
- Account for cumulative impacts, not just individual project impacts;
- Apply the Standard to all relevant decisions under the Act;
- Strengthen protections for threatened and migratory species, ecological communities, and their habitat.
- At minimum, ensure Indigenous engagement under the Standard and forthcoming First Nations Engagement Standard meets Australia's international legal obligations, including UNDRIP and free, prior and informed consent.

