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ARTICLES

A Tale of Two Rivers: Navigating a Rights of Nature Approach to River Governance in South-Eastern Australia – *Eliza Saville*

The Rights of Nature movement has emerged as a transnational idea in recent years. However, one does not necessarily need to look to lands afar to observe this novel legal concept in action. The current paper takes a deep dive into *Victoria's Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* (Vic). In an Australian first, the Victorian Parliament recognised the iconic Birrarung (Yarra River) as a living and integrated entity. This conceptualisation is not only more ecocentric but also recenters a First Nations ontology within water governance. Could this unprecedented approach be implemented in New South Wales? Using a comparative methodology, the paper answers this question through a case study on Sydney's highly polluted Cooks River and finds that Cooks River governance is wanting of reform and importantly, that the approach taken in Victoria could in fact be practicably integrated within Cooks River governance. 3

Groundhog Day: The EPBC Act Reform Process – *Justine Bell-James, Martine Maron, Phillipa C McCormack and James EM Watson*

Despite the enactment of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) 25 years ago, biodiversity has continued to decline in Australia, at an alarming rate. At the time of writing, the Act is under reform, although the prospects of passing amended legislation appear slim. This article traces the history of the Act, highlighting its key failures in three aspects of the assessment and approval process: largely unfettered Ministerial discretion, overreliance on offsets, and the single-project focus of the Act. It then analyses in detail the past five years of proposed reform. Although we acknowledge political challenges, we conclude by urging governments on both sides of the political spectrum to commit to meaningful environmental law reform, to reverse the serious trend of biodiversity loss in Australia. 19

Environmental Restorative Justice: Creating Spaces for Traditional Owner Knowledge and Cultural Values in Regulatory Environment Protection – *Miranda Forsyth, Deborah Hollingworth, Felicity Tepper and Corey Walker*

This article explores why and how environmental regulators in Australia should include First Nations Australians' knowledge and justice within their regulatory institutions and system. It argues that using environmental restorative justice practices and values is one pathway towards enhancing inclusion of First Nations perspectives. Through a case study with the Environment Protection Authority Victoria, we uncover emerging pathways for meaningful engagement and institutional change across many parts of the regulatory spectrum. The article illustrates how restorative values can guide a regulator's transition from awareness to action, inspiring a regulatory approach that respects Indigenous knowledge and advances environmental justice. 41

