



Toodyay Friends of the River (Inc)



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Western Australia

### **Submission to the Senate Environment and Communications Legislation Committee**

We thank you for this opportunity to make a submission to the Inquiry into the Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020.

Toodyay Friends of the River Inc (TFOR) is one of a large number of community environmental groups seeking to conserve and restore precious ecosystems that are fundamental to the survival of native species, and the health of planet Earth.

Threats to these ecosystems come from many directions. There are competing priorities. Urban and infrastructure development, mining, waste disposal and many other industry sectors inevitably cause some environmental damage. Government agencies undertake the complex 'cost-benefit' analyses working within legislative frameworks to determine whether, and under what conditions, proposals may go ahead.

It is crucial that we have strong, cohesive and consistent government legislation across Australia. This is important for industry, which needs certainty, and not the additional cost of working with multiple jurisdictions. It is also important for the environment. Ecosystems do not respect state boundaries, nor do river systems. Cumulative affects can not be appropriately assessed on a state by state basis.

It is vitally important that the Federal Government provides strong and effective leadership in this field. This is emphasised, with supporting detailed analysis, in the Environmental Defenders Office report *Devolving Extinction? The risks of handing environmental responsibilities to state and territories* (<https://www.edo.org.au/wp-content/uploads/2020/10/201004-EDO-PYL-Devolving-Extinction-Report-FINAL.pdf>). The report concludes:

*This audit of core standards in state and territory legislation (Part 1), combined with the case studies (Part 2), highlight the need for comprehensive legislative and governance reform at all levels, and the importance of the Commonwealth in taking a long-term leadership role to protect and enhance our unique environment for future generations.*

Given the above, it seems inappropriate to proceed with the Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020.

It also seems premature to amend an Act before the Independent Review of that act is publicly available. I made a submission to that Review in good faith and

expected that the outcomes of the review would inform the amendment of the Act. Rhetorically, we ask 'What has gone wrong with due process?'. Unfortunately the extremely short time between the call for, and deadline for submissions and the fact that the final report from the Independent Review of the EPBC is not publicly available limit the scope of our response to the Bill.

We urge the Committee to conclude:

- that the Bill in its current form should be withdrawn
- that proper community consultation in relation to the findings of the Independent Review is essential
- that any amendments to the Act should be informed by the Independent Review and the community's response to that review
- that the timeframe for the consultation should be sufficient to allow for input from community groups.

Bridget Leggett  
Secretary, Toodyay Friends of the River Inc

17 November 2020