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RE: Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015

I write to express my opposition to the Government's proposed repeal of section 487 of the Environmental Protection and Biodiversity Conservation Act 1999.

My opposition to this proposed change is based around three key points:

1) Matters of National Environmental Significance (MNES) impact every Australian;

Every Australian benefits from our environment. Whether the benefit is felt as clean air, productive land and water or from the pride of knowing that we are the custodians of spectacular and unique fauna, flora and ecosystems found nowhere else on earth, we all have a vested interest in protecting our environment. The EPBC Act does not deal with minor or trivial impacts to our environment. It applies only to environmental issues that are considered so important that they are of National significance. These issues matter to *all* Australians. Every Australian has standing and no Australian should be excluded from voicing their opinion.

2) There is a tremendous power imbalance between the proponents of major projects that trigger the EPBC Act and the community groups who strive to protect the environment; and without section 487 there are unlikely to be adequate 'watchdogs' to scrutinise proposed projects;

Many of the projects that are assessed under the EPBC Act are large, well funded projects that employ powerful lobby groups and teams of legal experts. In contrast, community groups are frequently poorly funded or run on the goodwill of volunteers. Unlike large project teams, few community groups have regular access to legal advice and many do not have full-time staff. This resource imbalance creates a power imbalance which is strongly in favour of major project proponents. If project proponents believe that they will not be adequately scrutinised or that their opposition is powerless, then they have an incentive to cut corners on their environmental approvals. Section 487 is an important safeguard that ensures that pro-environmental groups can join forces to counteract the powerful interests of a select few.

The most effective means to redress this power imbalance and ensure adequate scrutiny of proposed projects is for large environmental non-governmental organisations and societies to employ dedicated staff in major population centres. These staff may not be directly impacted by projects but they provide the expertise necessary to play the independent 'watchdog' role on proposed projects. These groups are an essential part of environmental protection in Australia and will be severely handicapped by the repeal of section 487 of the EPBC Act.

- 3) **Much of the environmental scientific and legal expertise is based in Australia's capital cities; if these experts are unable to comment on projects that will impact MNES, then decisions will not be made using the best available information.**

Much of the public discourse around the proposed repeal of section 487 has implied that local people are the only ones who should have the right to oppose proposed projects. However in many cases, particularly in remote communities, the local people may not even be aware of the conservation importance of species or ecosystems around them. For example, many endangered species are cryptic and hard to find, and experts are often the only people who know where they are. How many local people would have been aware of the Yakka Skink and Ornamental Snake in their neighbourhood before the recent Adani Carmichael court case? Adequate environmental regulation requires that all relevant experts have the ability to speak out for the protection of the environment.

This proposed bill will limit the rights of citizens to comment on matters that impact our unique environment for the convenience of a select few. I request that the bill to repeal section 487 of the EPBC Act be withdrawn.

Sincerely,

Dr. Sam Nicol