



**Committee Secretary  
Senate Standing Committee on Environment and Communications  
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Parliament House  
Canberra ACT 2600**

By email: [ec.sen@aph.gov.au](mailto:ec.sen@aph.gov.au)

Dear Sir/Madam

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WWF-Australia one of the world's largest conservation organizations, welcomes the opportunity to provide the following submission to this Senate inquiry.

WWF-Australia is a supporter of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), and welcomes the opportunity it provides for the Federal Minister for Environment to intervene on Matters of National Environmental Significance (MNES). We are concerned at any efforts to erode these powers, and are particularly concerned by the agenda proposed by COAG to see Federal Approval powers for MNES handed over to the states and territories. WWF supported the introduction and passage of the EPBC Act through Parliament in 1999 and have continued to advocate for its full and effective implementation, including maintaining the central role of the Federal Environment Minister.

We feel strongly about the retention of the role of the Federal government in environmental regulation and seek assurance that mechanisms are in place that ensure that Federal government is not able to hand over its approval powers under the EPBC Act to the States and territories, such as those proposed in this Bill.

We do not want to see the Federal Environment Minister "outsource his job" and believe it is vital that the Federal government retain control of environmental approvals decisions on projects that impact upon matters of national or international significance.

This is important in a number of significant ways:

1. National environmental issues need national leadership. Our rivers and threatened species do not keep neatly within State borders and in many cases cross over a number of State and Territory boundaries. Only the Federal government has the ability to properly consider national or cross-border issues and make decisions in the national interest.
2. We believe that the Federal government is best placed to deliver on Australia's international environmental obligations. Australia has obligations that have arisen from the signing of treaties and conventions dealing with such topics as threatened species, migratory species, wetlands and world heritage areas. It is not only appropriate that our national government continues to have primary responsibility for ensuring compliance with these obligations, but it is difficult to imagine how timely reporting would be achieved if these roles were delegated, either fully or partially.

3. We believe that many state legislative and impact assessment regimes fall far short of the standards of assessment, approval and protection provided by the Federal EPBC Act and therefore that handing over approval powers to the states and territories would be a notable step backwards.
4. The pipeline of major projects in Australia includes a number of major infrastructure ventures including those driven by state related entities. Retention of approval decisions for major projects by the Federal Environment Minister ensures a greater independence of decision-making than if the decision were being made by a State Agency. The requirement for Federal approval also adds a valuable process for consistent review assessment and approval across all states and territories, despite differences among various state and territory legislation.

The above reasons are not intended to be comprehensive but provide illustrations why WWF believes it is not appropriate for the Federal government to hand over their federal approval powers to the States

Yours sincerely

Ghislaine Llewellyn  
Conservation Director