

18th January 2013

Committee Secretary
Senate Standing Committees on Environment and Communications
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Parliament House
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Re: [APPROVAL of the Environment Protection and Biodiversity Conservation Amendment \(Retaining Federal Approval Powers\) Bill 2012](#)

As a voter I thank you for the opportunity to comment on the upcoming bill, *Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012*.

I strongly support the idea of putting restrictions on the federal government's ability to bestow power to the states to make decisions regarding environmental protection particularly in matters of national significance.

I give the following reasons to support my viewpoint:

- Only the federal authority can be expected to review and rule upon the merits and negative impacts of a given project with the national interest in mind in regard to the natural environment and has the capacity to provide proper protection/conservation of the natural environment through legislative means.
- Only the federal authority has access to understanding the impacts at larger contextual levels on species, ecosystem and landscape. State authorities particularly when there are politically conservative forces in power seem to think that this is the responsibility of a higher authority especially when their focus is concerned with economic growth - sometimes at all costs. However, given the insular briefs, boundaries and focus of state authorities, it is easy to see why they have necessarily limited horizons and neglect to do more than pay lip service to looking after the environment.
- It is not surprising that state government environmental legislation can be and often is weaker in regard to protection. Here in Queensland, the unsatisfactory *Nature Conservation Act* protections are being worn away in the attempt to fast track projects. In current legislation a development outcome is favoured with:
 1. inadequately and even irresponsibly regulated EIS procedures,
 2. mechanisms to ensure that employment and investment are put ahead of environmental concerns,
 3. and excessive power of the Coordinator General to override conservation recommendations of consultancies and even government departments. In Queensland declaration of a project as having state significance allows and even obliges the rejection of environmental precedence. viz. The Qld Nature Conservation Act is in the process of being amended to allow the construction of eco-resorts within National Park boundaries. It is so poorly worded that large

scale developments could be allowed to proceed without environmental impact studies or public enquiry. For that reason alone it is imperative that the federal government have higher powers of intervention in matters of environmental concern to prevent and better monitor the impacts of development.

- State governments are much more likely to be swayed by the wishes of lobby groups (that are so strong and well-resourced these days) and private interests of the state, especially if these are linked to political sponsorship. While the same phenomenon can be expected to operate at the federal level, one hopes that scrutiny is greater at the national level from a variety of sources.
- One enormous problem is that state environmental legislation is inconsistent and incomplete across Australia. That is why the federal authority functions as an important unifier and equalizer of state legislation disparities.
- Furthermore, state governments are traditionally more 'provincial' in character than the Federal authority. Unlike in the USA with California and its former governor Arnold Schwarzenegger leading the way in the face of a frightened national government, in Australia new, important, confronting ideas only filter through to the general population via federal policy and federal legislation. With regard to the difficult question of properly addressing the challenges of climate change, biodiversity decline, extinction crisis, and transitioning to a sustainable economy, we can only look to the Federal government to ensure that these issues are taken into account nationally including the state and local government levels. The Queensland state government is a hundred years behind.
- Conflicts of interest which regularly arise over state or state based corporate projects on environmental matters can be avoided or more fairly adjudicated through Federal intervention.

In closing, I suspect this argument will have to be had again in the future, as the vested interests who want all "green tape" discarded are as persistent in lobbying for their projects as they are disinterested in the future of a healthy planet. This bill is crucial to improving environmental protection. While the federal authority is not infallible in its environmental decision making it has the capacity to enshrine improved environmental protection in legislation and it will be supported by the community voice for the environment. We are at a crucial time in history for our biodiversity - given predicted climate change impacts and the real prospect of total environmental collapse in a highly populated world – and it requires far greater certainty of protection and less exposure to risk than the recent political environment demonstrated. It is imperative that we further guarantee the protection of our flora, fauna, ecosystems and landscape features by giving teeth to what effective legislation and authority we have in place. Thank you for your attention to the outline of my concerns.

Yours sincerely,

Anna Bridle