

To: [Committee, EC \(SEN\)](#)
Subject: EPBC Amendment (Standing) Bill 2015
Date: Saturday, 29 August 2015 11:42:03 AM

Dear Senators,

I urge you to reject the Bill because of its prejudicial nature. Third party appeal rights under the EPBC Act and similar laws are important features in the process of public accountability of governments and administrations. The Bill seeks to exclude third party appeals from those who it defines as not having sufficient or sufficiently legitimate interest to warrant such standing. The concept underpinning this approach fails to consider that many large proposals have 'global' effects that extend far beyond adjacent land owners. It is vital that third party appeal rights remain open to anyone who can make a case to the relevant court. The Court is best placed to determine if an appeal should be heard. This should not be a matter for government, especially when governments too often have a vested interest in proposals such as mines proceeding because the project would generate royalties, tax revenue, and often, political benefits such as actual or perceived employment increases. The data are very clear - third party appeal rights under the EPBC Act and associated Court processes, are already sufficiently restrictive to prevent vexatious appeals from proceeding, and of the relatively few appeals that are heard, most result in improved public interest outcomes from projects, and only a trivial percentage result in projects being blocked by Court. If anything, the appeals process is already too restrictive due to the costs associated with mounting a viable appeal, and the Act and associated processes tend to favour the approval of projects.

Sincerely,

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