



Protecting, Promoting, Restoring Wilderness

Committee Secretary
Senate Standing Committees on Environment and Communications
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17 January, 2014

The Wilderness Society appreciates the opportunity to submit our views on the *Environment Legislation Amendment Bill 2013*.

The Wilderness Society is a national not-for-profit organization focused on protecting the natural environment. We have approximately 40,000 financial members and are active in each state and territory. Our organisation has been a leading advocate for nature for four decades.

Our primary interest in the *Environment Legislation Amendment Bill 2013* is the part which “addresses implications arising from the Federal Court’s decision in *Tarkine National Coalition Incorporated v Minister for Sustainability, Environment, Water, Population and Communities* [2013] FCA 694 by ensuring the validity of specified decisions made prior to 31 December 2013 that require the minister to have regard to any relevant approved conservation advice...”¹.

The Wilderness Society has a long-standing interest in the Australian environment including significant environmental assets such as those contained in the Tarkine region of north-west Tasmania.

Our specific interest here relates to the attempt to dilute the requirements for the federal Minister to consider (“has had regard to...”) scientific advice via approved conservation advices or in any other relevant form. The *Environment Legislation Amendment Bill 2013* tries to weaken the already weak requirement for the Minister to have “regard to” this advice and is inconsistent with sections 3 and 3A of the *Environment Protections and Biodiversity Conservation Act 1999*, the objects and the principles of ecologically sustainable development.

The reason for an approved conservation advice and other scientific information is to ensure informed decisions are being made. It also allows for review of the decision making process.

¹<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query%3DId%3A%22legislation%2Fbillhome%2Fr5128%22>

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While the existing process is far from best practice, to further denigrate the process as is the case in the *Environment Legislation Amendment Bill 2013* means Australia walks further away from the agreed objects of the EPBC Act and any notion of ecologically sustainable development.

We support the removal of the prospective application of this part of the *Environment Legislation Amendment Bill 2013*. This reflects the failure of this part of the *Bill* and the provision should be removed.

Thank you for the opportunity to make comment.

Yours sincerely

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