

SUBMISSION NO. 5
Environment Protection
Biodiversity Conservation

Minister for Environment, Parks and Heritage

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The Hon Dick Adams MP
Chair
House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry
PO Box 6021
Parliament House
Canberra ACT 2601

Dear Mr Adams

Dick

Thank you for your letter of 13 October to both Minister Green and myself regarding proposed amendments to the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). The opportunity to provide comments on behalf of the Tasmanian Government for the Committee's consideration of the matter is welcomed.

The Tasmanian Government recognises the importance of mining, agriculture and the maintenance of a quality water resource. Given the environmental concerns being raised with respect to coal seam gas extraction, it is understandable that there should be a desire for full and appropriate consideration of issues when assessing proposed developments. It should be noted that Tasmania does not appear to have any such significant or commercially viable coal seam gas resource.

The proposed amendments to the EPBCA would extend the coverage of the Act into issues not previously covered. This raises concerns that the application of such a broad definition of mining may capture more activities than necessary or appropriate to address the concerns of the impact on water resources. For example, as currently written, activities such as petroleum exploration/production and geothermal exploration/production drill holes could conceivably be captured by this amendment as well as many mining operations. It would appear contrary to the desired intent for water resource protection to potentially subject such activities to another form of assessment.

Tasmania already has significant and thorough assessment processes under environmental, mining and water management legislation. Adding an additional layer to such assessments is considered unnecessary, and would be contrary to the work occurring nationally for a Seamless National Economy and our efforts to reduce regulatory burden by streamlining and harmonisation. With the well established, integrated and effective Resource Management and Planning System in place in Tasmania, the proposed amendments would appear to do little to further protect Tasmania's water resources.

I also recognise that Tasmania has a bilateral agreement with the Commonwealth for the joint assessment of proposals being considered under the Commonwealth EPBCA and the Tasmanian *Environmental Management and Pollution Control Act 1994*. This highlights the fact that Tasmania already has a rigorous assessment process that is acceptable under the EPBCA, and therefore is already providing a suitably appropriate and adequate assessment of new development proposals for all their potential impacts – social, economic and environmental.

On behalf of the Tasmanian Government, I believe that Tasmanian water resources are already appropriately considered and managed, and that development proposals, including proposals for mining activities, are already subjected to rigorous assessment processes.

I do not believe the proposed amendments would achieve any additional protection of water resources in Tasmania, and would generally only serve to duplicate existing assessment processes for no gain, and create a degree of business uncertainty.

Once again, thank you for the opportunity to comment on the proposed amendments.

Yours sincerely

Brian Wightman MP
MINISTER FOR ENVIRONMENT, PARKS AND HERITAGE