22 November 2006

Standing Committee on Environment, Communications, Information Technology and the Arts
PO Box 6100
Parliament House
Canberra ACT 2600

By facsimile: 02 6277 5818

Dear Committee Members,

Report of the Senate Committee on the Environment and Heritage Legislation Amendment Bill (No. 1) 2006

We refer to the Report on the Environment and Heritage Legislation Amendment Bill (No. 1) 2006 by the Standing Committee on Environment, Communications, Information Technology and the Arts, November 2006.

The Australian Network of Environmental Defender's Offices Inc (ANEDO) is deeply concerned that the Report does not accurately reflect the position of ANEDO on proposed changes in relation to the streamlining of assessment processes.

On page 11 of the Report, in para 2.27, it states:

2.27 A number of organisations welcomed the majority of changes proposed by the amendments, arguing that these changes would give more certainty to existing provisions and streamline the efficiency of approvals, referrals, assessment and administrative processes to protect matters of national environmental significance, while reinforcing a commitment to sustainable development.17

Footnote 17 refers to:

17 Tasmanian Government Department of Tourism, Arts and the Environment, Submission 20, p2; Minerals Council of Australia, Submission 65, p 2; The Association of Mining and Exploration Companies, Submission 1, p 1; Australian Network of Environmental Defenders Offices, Submission 17, p 5.

On page 5 of the ANEDO submission, we state:

"ANEDO supports the efficient and effective implementation of the Act, however has a number of key concerns regarding the purposes of the Bill.

In terms of the amendments aimed at streamlining the referrals and assessment process, ANEDO submits that a lack of DEH resources and capacity to undertake statutory functions is not an excuse to streamline the assessment requirements. Where issues involve potentially significant impacts on matters of national environmental significance, it is crucial that resources are available for comprehensive, transparent and accountable environmental impact assessment to be undertaken."
The attempt to cater for 'development interests' must not be at the expense of accountability, public participation and full consideration of environmental impacts.”

While we would support an efficient and effective EPBC Act regime, we do not state our support for the proposed streamlining amendments. The ANEDO submission (pages 22 to 32) provides further detail in relation to our concerns regarding the streamlining of the referrals and assessment process under the proposed amendments.

ANEDO is disappointed that our position is incorrectly recorded in the Report. We have been informed that the Report has been finalised, and therefore cannot be corrected. We therefore, request that the Committee note our concern on the public record.

Yours sincerely,
Environmental Defender's Office Ltd

Jeff Smith
CEO
EDONSW
On behalf of ANEDO