

Senate Committee Submission

on

Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012.

Lyndon DeVantier, PhD

To the Senate Committee, I wish to express my support for the above Bill. In my opinion, it is imperative that the federal government retains its approval powers in respect of the EPBC Act 1999. There are numerous valid reasons for this, several of which are listed below:

1. International obligations: The various international treaties and conventions relevant to the Act (eg. UN CBD) were ratified by the federal government and hence operate at national level. It would thus seem that the appropriate level of government to approve matters under EPBC in respect of our international obligations is the federal, rather than the state, level.
2. National obligations: In respect of Australia's national obligations (eg. to Threatened species), these are also listed at national level, even though many such species have distribution ranges restricted to small areas within one or more states. Again it would seem that the appropriate level of government to approve such matters would be at the federal level.
3. Objectivity: It is my opinion that the federal government has a critical role to act as the final independent decision-maker in respect of EPBC approvals, in part because of points 1 and 2 above, and also because of point 4 below.
4. Resources for determining approvals: In my opinion the federal government has a stronger capacity to properly resource the approvals process.

Many thanks,

Yours sincerely,

Lyndon DeVantier, PhD