In support of "*Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012*"

The first and most obvious point to make is that ecosystems transcend state borders and thus environmental protection responsibility should be at a national level. The concept of states creating different environmental standards for ecosystems that overlap their borders is simply untenable in terms of environmental management, e.g. the history of the Murray-Darling Basin. Without Commonwealth jurisdiction recent advances such the Murray-Darling Basin plan, designation of marine parks and the moratorium on super trawlers would not have been possible.

Recent and previous history amply demonstrates that state governments relegate environmental concerns well behind short-term economic gains. Whether in boom times or otherwise, state governments of all persuasions always complain of being short-changed by the federal government – in terms of what they think is a fair allocation of GST, infrastructure funding and central tax collection in general. Thus state governments put considerable emphasis on maximizing state-level income, such as through mining royalties, property taxes, etc. This encourages hastened natural resource exploitation, for which rigorous adherence to sound environmental policies is considered a hindrance. There is a pervasive and persistent temptation to sacrifice long-term environmental sustainability to short-term (electoral cycle) economic gain.

Recent examples of environmental sacrifices for short-term economic gain for WA include:

- Natural gas development in the Kimberly, as at James Price Point;
- Approval of Toro uranium mining, despite an obviously flawed environmental assessment;
- Reluctance to regulate fracking
- Support of drilling near Ningaloo Reef; and
- Downgrading rail, in favour of more road, transport.

Recent examples for Queensland include the fracking free-for-all now in progress and the expansion of coal mining and plans to expand shipping of coal over the Great Barrier Reef.

The reason for devolving environmental regulation to states is given as the need to reduce the duplication and delay associated with "green tape". Firstly, if environmental regulation is to remain with both the Commonwealth and the states, surely it is possible to design an application and assessment procedure whereby requirements of both administrations can be addressed simultaneously or in parallel, rather than having a two-step process. If either the Commonwealth or the states is to be given sole responsibility for environmental regulation then it should be the Commonwealth for the reasons given in the first paragraph. It needs to be acknowledged that any meaningful environmental assessment does take time but surely it is possible to design minimum timeframes adequate to compromise environmental and mining considerations.

My assessment is that if environmental regulation is devolved to the states the already sad story of human-induced environmental degradation in this fragile continent would at least continue, if not be embellished. I would thus plead that the Senate help all of us in this matter.

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