

9 September 2015



Environment Institute
of Australia and
New Zealand Inc.

Senator Anne Ruston
Chair
The Senate Environment and Communications Legislation
Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Senator Ruston

**Re: Inquiry into the Environment Protection and Biodiversity Conservation
Amendment (Standing) Bill 2015**

On behalf of the Environment Institute of Australia and New Zealand Inc (EIANZ), I am pleased to enclose a copy of a submission relating to the proposed amendment of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) to repeal the long standing provisions of Section 487.

The EIANZ understands that the effect of the proposed amendment is to reduce the range of parties that have standing under the EPBC Act, and thus restrict the range of circumstances in which judicial review of decisions under the EPBC Act can be initiated.

The standing provisions of the EPBC Act have been subject to previous review, first in 2009 in *The Australian Environment Act – Report of the Independent Review of the Environmental Protection and Biodiversity Conservation Act 1999* (Hawke 2009, pgs 261-265), and then again in the *Major Project Development Assessment Processes report* (Productivity Commission 2013, pgs 249-283). Both reports have favoured the retention of the extended standing provisions of the EPBC Act.

The EIANZ considers that the proposal to amend the EPBC Act to remove Section 487 is inconsistent with good practice in environmental assessment. It reduces transparency, rigour and accountability which in turn weakens governance in relation to environmental decision making. The EIANZ considers that the proposed repeal of Section 487 undermines the objectives of the EPBC Act, and is contrary to international good practice standards.

The EIANZ is the leading professional body for environmental practitioners in Australia and New Zealand, promoting independent and interdisciplinary discourse on good practice environmental management, and holding its members accountable to the *EIANZ Code of Ethics and Professional Conduct*.

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Representatives of the EIANZ would be pleased to appear before the Committee to give evidence if that would assist in its deliberations on the proposed legislation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Womersley', with a stylized flourish at the end.

Jon Womersley FEIANZ, CEnvP
Board Chair and
President