



3 May 2012

Committee Secretary
Senate Standing Committee on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

Email: ec.sen@aph.gov.au

Dear Secretary

Re: Senate Committee Review - EPBC Amendment (Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development) Bill 2012

Thank you for the opportunity to provide a submission to the Senate Standing Committee on Environment and Communications, Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal seam Gas and Large Coal Mining Development) Bill 2012.

The Western Australian Department of Mines and Petroleum (DMP) is the State's lead agency in attracting private investment in resources exploration and development and also carries prime responsibility for regulating these extractive industries ensuring environmental standards are consistent with relevant State and Commonwealth legislation, regulations and policies.

Currently, Western Australia accounts for 57 per cent, on a value basis, of Australia's production of minerals and energy. Western Australia currently produces 77 per cent of Australia's petroleum, 63 per cent of its gas and 46 per cent of Australia's merchandise exports.

DMP does not support the Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal seam Gas and Large Coal Mining Development) Bill 2012.

DMP's primary concerns are as follows:

Regulatory Uncertainty

- Western Australia is a non-signatory party to the National Partnership Agreement on Coal Seam Gas and Large Coal Mine Developments between the Commonwealth, States and Territories. As such there is significant uncertainty in this Bill as to how, if at all, non-signatory States and Territories are treated. (Section 505E)
- It is not clearly defined in this Bill how a significant impact on water resources will be determined.

- It is unclear how or what projects that are not CSG or coal mining related will be included. (Section 505D(2)(a))

Duplication of Process

- The key aspects of the Bill are already addressed in the State's legislation and policies and through the State's integrated approvals process.
- This Bill will duplicate the State's integrated approval process and will likely result in increased, costs, complexity and project approval uncertainty to industry.

Contradictory Policy Objectives

- The Bill contradicts the Productivity Commission's review of Regulatory Burden on the Upstream Petroleum (oil and gas) Sector and recommendations regarding the streamlining of state and federal environmental approvals. (Recommendation 6.1)
- The Bill contradicts the recent April 12, 2012 announcement by the COAG Business Advisory Forum, which agreed to reduce regulatory burden to industry, particularly the reduction of "red" and "green" tape.

Yours sincerely

Richard Sellers
Director General