

31 March 2011

Senate Inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Bioregional Plans) Bill 2011*

The Australian Conservation Foundation (ACF) welcomes the opportunity to make this submission to the Senate Environment and Communications Legislation Committee Inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Bioregional Plans) Bill 2011* (“**The Bill**”).

ACF is a national, community-based environmental organisation that has been a strong voice for the environment for over 40 years, promoting solutions through research, consultation, education and partnerships. We work with the community, business and government to protect, restore and sustain our environment.

ACF believes The Bill will adversely affect the consultation processes and outcomes of the marine bioregional planning process, and recommends that it not be passed.

Consultation and certainty

The existing provisions for the marine bioregional planning process contained within the *Environment Protection and Biodiversity Conservation Act 1999* were designed to give the community opportunities to provide meaningful input into the development of strategic marine plans for Commonwealth waters.

These marine plans in turn were intended to provide industry with greater certainty on what sort of development or resource use is appropriate or inappropriate within Commonwealth waters. The proposed amendments would undermine this certainty for both the community and industry.

The Bill risks politicization of the marine process by making the bioregional plans disallowable. The disallowance of such plans also undermines the good faith, input and efforts with which the community has engaged in the planning process, leaves the community with uncertainty about the future management of these areas, and the possibility of having to revisit the process again.

This further risks community consultation fatigue, disenchantment and cynicism with the value of such government processes.

Credible science-based plans

The marine bioregional planning process also seeks to develop plans that are based on science. To deliver plans in which the community and industry can have faith, it is critical that the plans continue to be developed with a solid science base and reflect community aspirations, on whose behalf the environment and its resources are managed.

Parliamentary scrutiny

No case has been made by the proponents of The Bill as to why public consultation and the science base are inadequate for the development of such plans or why they are more appropriately replaced with further parliamentary scrutiny. Under current *EPBC Act* provisions the management plans from Commonwealth marine reserves can be reviewed and disallowed by Parliament.

Financial impacts

The uncertainty that The Bill creates for industry, coastal communities, conservation groups and the public will likely have a financial impact.

The increased costs and inevitable delays created by The Bill would undermine the delivery of the bioregional plan and progress towards the protection of our ocean life in marine reserve networks.

International obligations

The Bill would hinder Australia's ability to meet its international obligation, agreed to by the former Coalition Government, to establish a network of marine reserves by the end of 2012. The obligation was developed and agreed to because marine reserves are recognized worldwide as a best-practice management tool to protect our oceans.

The Australian Conservation Foundation is committed to achieve a healthy environment for all Australians. We work with the community, business and government to protect, restore and sustain our environment.

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