

6 June 2014

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

By email: ec.sen@aph.gov.au

Dear Secretary

Re: Inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Bilateral Implementation) Bill 2014*

The National Farmers' Federation (NFF) welcomes the opportunity to make a submission to the Senate Standing Committee on Environment and Committee's inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Bilateral Implementation) Bill 2014*.

NFF is the peak national body representing farmers and the agriculture sector across Australia. The NFF's membership comprises all Australia's major agricultural commodities. Operating under a federated structure, individual farmers join their respective state farm organisation and/or national commodity council. While our members address state-based 'grass roots' or commodity specific issues, the NFF's focus is representing the interests of agriculture and progressing our national and international priorities.

NFF has long advocated for changes to the EPBC Act to reduce the duplication between State & Commonwealth environmental legislation. The current Government has committed to establishing "one-stop shops" with the States and Territories, to significantly streamline environmental approvals. This is reform that NFF and its members have welcomed and supported, and we continue to welcome and support.

Currently the EPBC Act specifically prevents the Commonwealth from entering into bilateral agreements that accredit the states to approve projects that trigger the water trigger. The 'water trigger' is the only matter of national environmental significance that cannot be the subject of an approvals bilateral agreement.

On the 14th May, Minister Hunt tabled The Environment Protection and Biodiversity Conservation Amendment (Bilateral Agreement Implementation) Bill 2014 (The Bill). The Bill includes an amendment to allow the Minister to accredit state and territory government to approve decisions on mining and coal seam gas developments that "trigger the water trigger". Specifically, the bill seeks to amend section 46(2A).

Farmers have long been concerned about the potential for coal mining and coal seam gas developments to have a significant – and potentially irreversible - impact on both ground and surface water resources. The “water trigger” in the EPBC Act provides a mechanism that ensures that proposed mining and CSGs developments are closely scrutinised by the Commonwealth Government in terms of the potential to negatively impact water resources. We need to make sure that this scrutiny is not diminished in the establishment of the one stop shop.

NFF and its members are seeking that the government puts the appropriate safeguards in place to provide farmers with the assurance that the Commonwealth’s water trigger standards will be upheld by the States. Our view is that, unlike other Matters of National Environmental Significance, Commonwealth approval of the “water trigger” matter of national environmental significance is in its infancy and as such assurances in addition to the general assurance framework on these matters is warranted.

We are seeking amendments to the *Bilateral Implementation Bill* that will enable the Commonwealth to keep a close watch on the performance of the State when assessing and approving coal mining and coal seam gas applications, and to ensure that the Commonwealth intervenes when the States fail to deliver on their end of the agreement. Specifically, we seek amendments to enhance the role of the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development to ensure that projects that trigger the water trigger are appropriately scrutinised.

Should you require clarification on any issue arising from this submission, please do not hesitate to contact Ms Jack Knowles, Manager NRM Policy on 02 6269 5666 or by email jknowles@nff.org.au

Yours sincerely



MATT LINNEGAR
Chief Executive Officer