
From: <ecntorga@server.thewebhostingmachine.com>
Sent: Wednesday, 28 November 2018 6:29 AM
To: environment policy; Minister Lawler; Chief Minister
Subject: Submission on the draft Environment Protection Bill and Environment Protection Regulations

Dear Sir/Madam

I write to you as part of the public consultation on the draft Environment Protection Bill and Environment Protection Regulations

I support the NT Government's commitment to introducing modern and effective environmental laws for the Northern Territory, and welcome the opportunity to comment on the draft laws.

The draft laws represent an important step forward for environmental protection in the Territory. In particular, I support the following aspects of the proposed legislation:

- For the first time, a new environmental approval granted by the Environment Minister, with an independent environmental assessment process by the Environment Protection Authority.
- Improved opportunities for public participation and access to information.
- Strong enforcement and compliance provisions, including civil remedies.
- Requirement to consider the principles of ecologically sustainable development.
- Power to declare protected environmental areas and prohibited actions.
- Establishment of the environment protection levy and environment protection fund.

Overall, the draft laws provide a range of important new tools for environmental regulators and represent a welcome commitment to increased independence, transparency and accountability in environmental decision-making.

However, I am deeply disappointed at the announcement of a reduction in third party appeal rights before the public consultation period had closed. This policy reversal will reduce accountability, increase corruption risk and place important environmental values at risk, and significantly undermines trust in the future implementation of the draft laws.

There are a number of important opportunities to improve the draft laws before they are introduced to Parliament, including:

- Retaining open standing for judicial review appeals (cl 254) and third party merits appeal rights (cl 255).
- Removing the broad power to exempt people from complying with the new laws (cl 267 (f)).
- Limiting the Minister's broad power to amend environmental approval conditions (cl 104).
- Ensuring that the new Act includes appropriate recognition of, and public participation processes for, Aboriginal people and remote communities.
- Establish a clear process to ensure all actions currently being assessed will be transitioned into the new framework.

Finally, it is essential that adequate resources are allocated in the 2019-2020 budget for each agency responsible for implementation of the new laws, including environmental assessment, public consultation, monitoring, compliance and enforcement.

Thank you