

# Private Property Rights & Resources



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From the President & Private Property Rights and Resources Committee of the PGA of WA (Inc).

## ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The Independent Review of the EPBC Act was announced by the Minister for the Environment, Heritage and the Arts on the 31<sup>st</sup> October 2008. The review will examine the operation of the Act and the extent to which it is achieving its objectives. The Review to be completed by 31<sup>st</sup> October 2009 is being undertaken by Dr Allan Hawke supported by a panel of four.

On 31<sup>st</sup> October the review published a discussion paper which provided an explanation of the key provisions of the Act, a summary of how the provisions have been implemented since the Act came into effect in 2000, and posed key questions regarding the operation of the Act. The purpose of the discussion paper was to encourage input from the public into the review by inviting written submissions.

PGA was one of the 221 respondents. It should be noted that the highest percentage (38%) of submissions received came from environmental non-government organizations.

Government bodies represented another 14% of the submissions received. Submissions that were not confidential are available at <http://www.environment.gov.au/epbc/review/submissions/index.html>

## NATIVE VEGETATION REVIEW

The regulation review on Clearing of Native Vegetation conducted by Prof. Gary Middle has now been presented to the Environment Minister Donna Faragher. There were 23 submissions presented and a total of 17 recommendations put forward by the reviewing committee. A number of these recommendations dealt with improving the regulatory framework and the decision making process and not the specific issues that have a significant impact on our members.

While some were mentioned as part of the report we felt that they had not been dealt with adequately. The panel recommended that the 10 year limit remain for clearing restriction which is contrary to PGA's policy and the one (1) hectare rule was also considered adequate.

We are astounded that the committee viewed our concerns on the criminal conviction penalties for tier one and two offences as of less significance. There appears to be an inconsistency in the EPA regulations. Environmental pollutant can be dealt with in a Civil court if you so wish but removing native vegetation without a permit, no matter how minor, can only be dealt with under a criminal court arrangement.

It appears we will need to continue to pursue our issues with the relevant Departments.

## ECONOMIC REGULATION AUTHORITY

The WA Treasurer Troy Buswell has requested the Economic Regulation Authority undertake an inquiry into Water Resource Management and Planning charges.

A round table meeting organised by the ERA was held at the Hyatt Regency on 10<sup>th</sup> August 2009. It was attended by 46 interested stakeholders including PGA.

A draft report is to be available for further public consultation. The ERA is to complete a final report by the end of the year.

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**Property Rights & Natural Resources**  
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