



**Public Health Association**  
AUSTRALIA

**Public Health Association of Australia  
submission on the  
Environmental Protection and Biodiversity  
Conservation Amendment (Bilateral  
Agreement Implementation) Bill 2014.**

Committee Secretary  
Senate Standing Committees on  
Environment and Communications  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Email: [ec.sen@aph.gov.au](mailto:ec.sen@aph.gov.au)

Contact for PHAA  
Michael Moore  
CEO  
[mmoore@phaa.net.au](mailto:mmoore@phaa.net.au)

**3 June 2014**

## **Introduction**

The Public Health Association of Australia Incorporated (PHAA) is recognised as the principal non-government organisation for public health in Australia and works to promote the health and well-being of all Australians. The Association seeks better population health outcomes based on prevention, the social determinants of health and equity principles.

## **Public Health**

Public health includes, but goes beyond the treatment of individuals to encompass health promotion, prevention of disease and disability, recovery and rehabilitation, and disability support. This framework, together with attention to the social, economic and environmental determinants of health, provides particular relevance to, and expertly informs the Association's role.

## **The Public Health Association of Australia**

PHAA is a national organisation comprising around 1900 individual members and representing over 40 professional groups concerned with the promotion of health at a population level.

Key roles of the organisation include capacity building, advocacy and the development of policy. Core to our work is an evidence base drawn from a wide range of members working in public health practice, research, administration and related fields who volunteer their time to inform policy, support advocacy and assist in capacity building within the sector. PHAA has been a key proponent of a preventive approach for better population health outcomes championing such policies and providing strong support for the Australian Government and for the Preventative Health Taskforce and National Health and Medical Research Council (NHMRC) in their efforts to develop and strengthen research and actions in this area across Australia.

PHAA has Branches in every State and Territory and a wide range of Special Interest Groups. The Branches work with the National Office in providing policy advice, in organising seminars and public events and in mentoring public health professionals. This work is based on the agreed policies of the PHAA. Our Special Interest Groups provide specific expertise, peer review and professionalism in assisting the National Organisation to respond to issues and challenges as well as a close involvement in the development of policies. In addition to these groups the Australian and New Zealand Journal of Public Health (ANZJPH) draws on individuals from within PHAA who provide editorial advice, and review and edit the Journal.

## **Advocacy and capacity building**

In recent years PHAA has further developed its role in advocacy to achieve the best possible health outcomes for the community, both through working with all levels of Government and agencies, and promoting key policies and advocacy goals through the media, public events and other means. outcomes for the community

## Submission response

PHAA is grateful for the opportunity to comment on the proposed amendments to the Environment Protection and Biodiversity Conservation Act (EPBC). In particular this submission will address the proposed devolution of Commonwealth approval responsibilities under the EPBC to States and Territories, particularly in relation to the revocation of the “Nuclear action” trigger and the regulation of the unconventional gas industry.

Whilst acknowledging the Explanatory Memorandum to the Bill which states that the amendments are designed “to facilitate the efficient and enduring implementation of the Australian Government’s one stop shop policy for environmental approvals”, PHAA maintains that this should not happen at the expense of core environmental and public health values.

In the case of the nuclear industry, there are significant and well recognised environmental and public health risks at all stages of the cycle and its radioactive legacy lasts for millions of years. PHAA does not support any proposed expansion of the industry in Australia and we advocate for a winding back of our nuclear industry. Should a nuclear action be proposed and reach an assessment stage then PHAA believes that it is in the national interest that the highest level of scrutiny apply. This should continue to be a federally coordinated and overseen exercise utilising the nation’s experts in these matters.

A devolution of federal oversight would leave major decisions in the hands of the States and Territories and potentially other non governmental regulators, which are known to have different policies and standards of assessment across the country. PHAA notes the recent assessment of the Wiluna uranium mine in Western Australia where the Commonwealth imposed around 35 conditions on the project, this highlights a significant number of environmental issues that the WA government had overlooked and demonstrates the need for Commonwealth oversight of nuclear actions.

PHAA further argues that the States and Territories should not be granted further review powers under the EPBC in relation to assessment of the fledgling unconventional gas industry. There are significant environmental and public health concerns nationwide, particularly in relation to water quality involving large underground aquifers, some of which cross State and Territory borders. There are widespread calls for further scientific research into these matters, such as by the Independent Scientific Expert Committee. It is therefore important that such “Water trigger” actions continue to be federally regulated with guidance from independent experts and that the powers for this not be handed over to the States.

An additional reason for maintaining federal oversight is to help ensure that Australia maintains its international obligations under the Ramsar Convention, the Biodiversity Convention and the World Heritage Convention where applicable.

## Conclusion

PHAA opposes the proposed devolution of Commonwealth approval responsibilities under the EPBC to States and Territories, particularly in relation to the revocation of the “Nuclear action” trigger and the regulation of the unconventional gas industry.

Whilst acknowledging that the amendments are designed “to facilitate the efficient and enduring implementation of the Australian Government’s one stop shop policy for environmental approvals”, PHAA maintains that this should not happen at the expense of core environmental and public health values.

PHAA appreciates the opportunity to make this submission and to be involved in any further consultation and review processes.

Please do not hesitate to contact me should you require additional information or have any queries in relation to this submission.



Dr Rosalie Schultz  
President  
Northern Territory Branch  
Public Health Association of Australia

3 June 2014



Michael Moore BA, Dip Ed, MPH  
Chief Executive Officer  
Public Health Association of Australia