



**AUSTRALIAN
CONSERVATION
FOUNDATION**

Change today for
a sustainable future

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The Executive Director
Australian Law Reform Commission
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21 September 2015

Dear Sir/Madam

Submission to the *Freedom's Inquiry on Traditional Rights and Freedoms—Encroachments by Commonwealth Laws (ALRC Interim Report 127)*

Thank you for the opportunity to provide a submission to this Inquiry.

The Australian Conservation Foundation (ACF) is Australia's oldest national environmental organisation, being founded in the mid-1960s with the support of eminent Australians, the Australian community and the Australian government. Since that time, ACF has committed itself to promoting conservation causes throughout Australia and to the promotion of sustainable living, and has been honoured and privileged to be supported in its activities by eminent persons such as HRH Prince Philip, Malcolm Fraser, Gough Whitlam and Sir Garfield Barwick.

ACF has been, since its creation some 50 years ago, the leading national advocate for the environment. ACF protects, restores and sustains Australia's environment through research, consultation, education, partnerships and advocacy. ACF works with the community, business and government and is strictly non-politically partisan.

The attempted use of a human rights argument to demonise environmental law is nonsensical. Environmental laws exist to protect the environment and conserve natural resources in the public interest, for the benefit of all Australians, including property owners. Elevating the sanctity of private property rights is not a wise or viable policy option in Australia today and there is no public demand for such an individualistic approach.

Effective and integrated decision-making must appropriately balance economic concerns of private property owners with public interest benefits of different regulatory options. Effective decision-making recognises that environmental, social and economic factors are inherently intertwined. This means short-term private economic gains can lead to long-term or cumulative losses for the economy, environment and society.

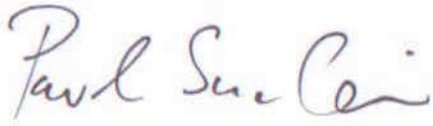
There is an expectation from the community that the Australian Government should safeguard our environment for present and future generations. For example, in one 2012 survey 85% of Australians surveyed agreed that the federal government should be able to block or require changes to major projects that could damage the environment.

Strong environmental laws are critical to addressing the major environmental, social and economic challenges that Australia faces. Instead of focusing solely on property rights, the ALRC should consider the right of all

Australians to a healthy environment. There are currently no Commonwealth environmental laws that unjustifiably interfere with vested property rights.

We support the submission made by the EDOs of Australia to this Inquiry, which will further elaborate of the above points and more.

Yours faithfully

A handwritten signature in blue ink that reads "Paul Sinclair". The signature is written in a cursive style with a large initial 'P' and a long, sweeping underline.

Paul Sinclair
Director of Campaigns
Australian Conservation Foundation