



23 March 2021

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

Via e-mail: ec.sen@aph.gov.au

Environment Protection and Biodiversity Conservation Amendment (Standards and Assurance) Bill 2021

Thank you for the opportunity to provide a submission in response to the *Environment Protection and Biodiversity Conservation Amendment (Standards and Assurance) Bill 2021*.

This submission is provided on behalf of both the Property Council of Australia and the Urban Development Institute of Australia (UDIA) National – who collectively represent the full spectrum of the nation’s urban development sector.

We have had the opportunity to actively engage in the consultation undertaken by the Independent Review into the EPBC Act, chaired by Professor Graeme Samuel – and appreciate consultation on the legislation now before the Senate.

The Property Council and UDIA National welcomed the review and potential for legislative, regulatory and administrative reform of the EPBC Act as an opportunity to better balance economic, social and environmental objectives and outcomes.

This is essential given:

- The housing and construction sector accounts for approximately 7.5 per cent of the nation’s economic output – and directly and indirectly generates 750,000 jobs
- There is a consensus among all three tiers of government that peri-urban growth is essential to help meet the demands of growing state and local communities
- The industry fully supports the principles of Ecologically Sustainable Development (ESD) as it is the best approach to align environmental goals with economic and social objectives
- The industry makes a disproportionately strong contribution to creating jobs, 9 FTE per million dollars spent, and supporting Australia’s economic recovery from COVID-19.

It is also worth noting that the property industry is the largest user of the assessment and approvals pathways available under the existing Act – accounting for 27 per cent of all referrals in 2018-19.

We believe the principles outlined in the Bill are sound and consistent with the objectives of the reform agenda. Its benefits include:

- Ensuring bilateral agreements with the states and territories are underpinned by robust national environmental standards
- Giving effect to the Minister's capacity to make (or amend) national environmental standards
- Providing for regular review of the standards to ensure they are fit-for-purpose for each sector in balancing economic, social and environmental goals
- Establishing a new Environmental Assurance Commissioner that is independent of the Minister and the Government
- Giving the Commissioner capacity to monitor and audit the operation of bilateral agreements, as well as Commonwealth environmental assessment and approval processes under the Act
- Avoiding the Commissioner intervening in individual decisions, which would introduce unnecessary levels of risk for project proponents or replace existing legal review processes.

The Bill also neatly complements the EPBC Amendment (Streamlining Environmental Approvals) Bill 2020, which is essential in giving effect to the objectives of a more strategic and seamless approach to the effective delivery and functioning of bilateral arrangements. Our two organisations support the goal of devolution and single point of assessment.

To that extent, we do support progression of the legislation.

We would also encourage the Government, the Parliament and all policy makers involved in the evolution of the EPBC Act and its application to continue to extensively engage with the property and urban development sector given our standing as the largest user of the assessment and approvals pathways available under the Act.

We can always be reached via [Richard Lindsay, Government Relations Manager - Property Council of Australia on _____ or at _____

Yours faithfully

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