



Australian Government

Australian Government response to the
Senate Environment and Communications Legislation report:

Environment Protection and Biodiversity Conservation Amendment
(Standing) Bill 2015 [Provisions]

May 2024

Response

Recommendation 1

The committee recommends that the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015 be passed.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 1 (ALP)

Labor Senators recommend that the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015 not be passed.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 1 (Greens)

That the Environment Protection and Biodiversity Conservation Amendment (Standing) Bill 2015 not be passed.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 2 (Greens)

Expand the rights of ordinary Australians to enforce the law where their governments have failed by allowing merits review of approval decisions rather than only judicial review.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 3 (Greens)

Prohibit costs orders in public interest cases under our national environment laws or implement a presumption that each party bears their own costs.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 4 (Greens)

Remove the requirement to give security for costs and undertakings for damages in public interest cases under our national environment laws.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 5 (Greens)

Limit the Minister's discretion to approve environmentally destructive developments, and require that decisions under our national environment laws are consistent with the precautionary principle and consider cumulative impacts.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 6 (Greens)

Expand scope of our national environment laws by creating a "trigger" for all aspects of the environment when the impact is significant, including water, forests, global warming and national parks.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 7 (Greens)

Restore the \$5.2 million in funding cut from voluntary environment, sustainability and heritage organisations in the 2014 Budget.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 8 (Greens)

Restore federal funding to Environment Defenders Offices.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 9 (Greens)

Reverse the 26% staff cuts at the Department of Environment which are currently being implemented.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 10 (Greens)

Abandon the plan to hand federal environment powers to State, Territory and local governments.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.