

## **Senate Finance and Public Administration Legislation Committee**

### **ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates Hearing 21-24 May 2012

Prime Minister and Cabinet Portfolio

**Department/Agency:** Department of the Prime Minister and Cabinet

**Outcome/Program:** 1.1.1 Domestic Policy

**Topic:** COAG - reducing duplication of double-handling of assessment and approval processes for environmental

**Senator:** Senator Payne

**Question reference number:** 123

**Type of Question:** Written

**Date set by the committee for the return of answer:** 6 July 2012

**Number of pages:** 2

**Question:**

With respect to COAG's announcement around reducing duplication of double-handling of assessment and approval processes for environmental standards, can you please provide further details about this proposal and outline the process that will be undertaken, including expected timeframes?

**Answer:**

**The proposal**

On 13 April 2012, COAG reaffirmed a commitment to high environmental standards, while reducing duplication and double-handling of assessment and approval processes. COAG further agreed the following milestones for reform:

- fast-track the development of bilateral arrangements for accreditation of State assessment and approval processes, with the frameworks to be agreed by December 2012 and agreements finalised by March 2013;
- develop environmental risk- and outcomes based standards with States and Territories by December 2012; and
- examine and facilitate removal of unnecessary duplication and reduce business costs for significant projects.

The objects of the EPBC Act include the cooperative implementation of Australia's international environmental responsibilities. In order to achieve its objects, the EPBC Act specifically provides for the intergovernmental accreditation of environmental assessment and approval processes. The EPBC Act provides various mechanisms for such accreditation. The most comprehensive of these mechanisms in the EPBC Act are bilateral agreements, which are designed to strengthen intergovernmental

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cooperation and minimise duplication between jurisdictions. In effect, bilateral agreements allow the Commonwealth, subject to certain considerations spelt out in the bilateral agreements, to delegate to the States and Territories the responsibility for assessing and approving proposed developments under the EPBC Act.

Before accrediting State and Territory regimes in bilateral agreements, the Commonwealth Minister is required by the EPBC Act to be satisfied that certain thresholds will be met. In general terms, the Minister must be satisfied that State and Territory regimes:

- are not inconsistent with Australia's obligations under each of the relevant international agreements;
- promote management in accordance with any Australian management principles for the relevant international agreement;
- promote the survival and/or enhance the conservation status of any relevant threatened or migratory species; and
- are not inconsistent with any relevant threat abatement plans or recovery plans.

The anticipated outcomes of this reform agenda fall into three related categories:

1. enhanced productivity;
2. environmental protection; and
3. good process.