



AUSTRALIAN CHAMBER OF
COMMERCE AND INDUSTRY

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

By email: ec.sen@aph.gov.au

23 January 2013

Dear Madam,

Re: Senate Inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012*

The Australian Chamber of Commerce and Industry (ACCI) welcomes this opportunity to make a submission to the Senate Inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012*.

The ACCI is Australia's largest peak council of Australian business organisations. As a member-based organisation, ACCI combines the strength of the international, national and local chamber of commerce movement with the capability of Australia's specialist industry associations, representing in excess of 300,000 private enterprises employing over three million people. Eight-five percent are small and medium businesses.

As a member of the COAG Business Advisory Forum (which is chaired by the Prime Minister, and includes all Premiers and Chief Ministers, the President of the Local Government Association and representatives of key business groups), ACCI supports efforts to improve the business operating environment which underpins economic growth and productivity outcomes. To this end, ACCI supports efforts to bring about efficiencies in the approvals processes for major projects and the environmental assessments so critical to these approvals.

It must be emphasised that the reforms being discussed by the COAG Business Advisory Forum are not about diluting any of the legal protections currently employed to protect the environment. However, a more efficient mechanism to obtain approvals for major projects and developments that ensure our nation's growth and prosperity is required and was being discussed by the COAG BAF. The duplication, in time and cost, associated with State and Commonwealth governments both approving environmental assessments for same major projects should be avoided for the negative consequences which result. What business is calling for is an end to costly, duplicative and inefficient decision making. What the system requires is a robust, single gateway for decision making, that is both efficient and effective, and which gives surety to business and its investors, and engages with the community early.

We know too well that unnecessary delays in the approvals processes for major projects adds both time and cost to those projects. The more difficult these processes are deemed to be, the less likely Australia is considered attractive for significant investment, notably in

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important economic and social infrastructure developments. Inevitably, any increase in the overall costs of the project will be passed onto the community. Minimising this outcome is also highly desirable.

Under the auspices of the COAG BAF regulatory reform agenda, the Commonwealth was recently negotiating an appropriate accreditation system with the States, to ensure that all environmental approvals met with the same standards that currently apply under the *Environment Protection and Biodiversity Conservation Act*, but without the duplication. Business supported this approach.

Following the last meeting of the COAG Business Advisory Forum, where expected progress on this reform issue did not proceed as originally anticipated, the commitment by the Commonwealth and the States to continue to work to streamline environmental regulation was welcomed. ACCI encourages the Government to continue its discussions to achieve results in this regard. Further, ACCI encourages the Government to progress the recommendations of the Hawke Review of the *Environment Protection and Biodiversity Conservation Act*, which itself stated that greater use of the bilateral agreements could reduce unnecessary duplication without harming the environment.

It is not expected the Government will support the *Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012* as proposed by the Greens. However, ACCI is concerned that the Government may be retreating from its previously stated intention to negotiate bilateral agreements for environmental approvals with the States and Territories. ACCI is a signatory to the National Productivity Compact, a recent initiative of the Business Advisory Forum to support competition and regulatory reforms. Environmental regulation is one of the priority areas in that Compact, and we encourage the Government to resume its dialogue with each of the States and Territories on bilateral environmental approvals agreements.

Thank you again for the opportunity to comment on this bill.

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