

Environment and Communications Legislation
Answers to questions on notice
Climate Change, Energy, the Environment and Water Portfolio

Inquiry: Protecting the Spirit of Sea Country Bill 2023
Question No: IQ24-000152
Hearing Date: 26 August 2024
Division/Agency: Heritage Division
Topic: First Nations Engagement and Participation Standard
Question Date: 10 September 2024
Question Type: Written

Senator Thorpe asked:

1. In regard to the First Nations Engagement and Participation Standard, can you please provide further information regarding the planned process for the targeted consultation on the Standard that your Department will be undertaking?
2. If it is to be included in Stage 3 reforms, does that mean that all stakeholders involved in Stage 2 reforms will be invited to give feedback on the Standard?
3. Who will be involved in these targeted consultations?
4. Have any First Nations individuals or stakeholders, outside of the Department of the Heritage Protection Alliance, seen the draft Standard? If so, who?
5. Will the Standard be released publicly?
6. How has DCCEEW engaged with NOPSEMA around its review of its regulatory framework to ensure that any reform to NOPSEMA's consultation standards will not undermine the framework that new legislation and the First Nations Standard intends to create?

Answer:

1. The Department of Climate Change, Energy, the Environment and Water is undertaking targeted consultations on a draft National Environmental Standard for First Nations Engagement with First Nations organisations, jurisdictions and peak bodies.
2. The First Nations Engagement Standard is part of the Stage 3 reforms.
3. See response to question 1.
4. The department has consulted the Indigenous Advisory Committee and the North Australian Indigenous Land and Sea Management Alliance on the draft standard.
5. A comprehensive exposure draft of the new laws will be released for public consultation before they are introduced to Parliament.
6. Department officials meet regularly with NOPSEMA and the Department of Industry, Science and Resources to discuss issues of common interest.