

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 54
Hearing: Budget Estimates
Outcome: Outcome 1
Programme: Environment Assessment and Compliance Division (EACD)
Topic: QUEENSLAND LAND CLEARING
Hansard Page: 46
Question Date: 27 May 2014
Question Type: Spoken

Senator Pratt asked:

Senator PRATT: Can I go back to the previous example that I gave about Queensland land clearing. If that process itself is not up for assessment under the EPBC Act, if it has negative effects for example on the Great Barrier Reef, would the clearing of that land, hypothetically, have to be assessed for its impacts under an equivalent standard to the EPBC Act to see if it has a negative effect on the reef or not?

Dr Dripps: We might have to take that question on notice. We are aware of changes to the Queensland land clearing legislation and have been briefed that there are a special considerations in place in the reef catchments. I do not have the information precisely to hand, unless Mr Knudson or one of the colleagues from the EACD does.

Senator PRATT: Clearly, for the Commonwealth, under the EPBC Act, irrespective of what the state does with that, if that land is cleared and it is likely to have an impact then it becomes assessable, but it seems that what the state is doing could be entirely internally contradictory.

Dr Dripps: We will take that question on notice. I do take the point. However, the recollection I have of the briefing on Queensland land clearing legislation is that there are special provisions within the reef catchment that mean that the new native vegetation laws do not apply there, but we will have to take that on notice.

Answer:

Any action that is likely to have a significant impact on a matter of national environmental significance must be assessed and approved either under the EPBC Act or under an accredited state process before it can proceed. This includes impacts on the Great Barrier Reef World Heritage Area and Marine Park.

The draft Queensland approval bilateral agreement proposes the accreditation of three processes in the initial stage of accreditation:

- a new approval process for major projects under the *State Development and Public Works Organisation Act 1971* (Qld); and
- two processes for the approval of resource activities that require an Environmental Impact Statement under the *Environment Protection Act 1994* (Qld).

These processes primarily cover major projects in Queensland.

Schedule 4 of the draft Queensland approval bilateral agreement includes, as a future activity, the consideration of further Queensland assessment and approval processes.

The Federal Environment Minister will only accredit a process where the Minister is satisfied that the process is consistent with the objects of the EPBC Act and that projects approved under the process will not have unacceptable or unsustainable impacts on matters of national environmental significance.

The Australian Government will retain an assessment and approval role for projects not covered by an assessment and approval process accredited under the approval bilateral agreement.