

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

**Question No:** 131  
**Hearing:** Budget Estimates  
**Outcome:** Outcome 1.5  
**Programme:** Environment Assessment and Compliance Division (EACD)  
**Topic:** Approval of decisions under the EPBC Act  
**Hansard Page:** 16  
**Question Date:** 25 May 2015  
**Question Type:** Spoken

**Senator Ludlam asked:**

**Senator LUDLAM:** You do not have to approve everything.

**Mr Thompson:** No; that is correct. There is a provision, as you know, in the EPBC Act for us to advise and for a minister to make a decision that a project has unacceptable impacts. As you probably know as well, there are very few projects that have fallen into that category. Nevertheless, I will have to take that on notice or answer that in 1.5. I am not aware of the number.

**Senator LUDLAM:** Could you take that on notice for us?

**Mr Thompson:** Sure.

**Senator LUDLAM:** In the entire history of the act since when, 1999—

**Mr Thompson:** Yes.

**Senator LUDLAM:** when it was first legislated, how many projects have actually been refused? If other Commonwealth ministers, or state ministers for that matter, have already announced that the project is going ahead, does that have any bearing on your assessment process?

**Answer:**

Since the commencement of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), nine proposals have been deemed as 'Action Clearly Unacceptable' under section 75 and ten have not been granted approval under section 133 of the EPBC Act.