

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

**Question No:** 132  
**Hearing:** Budget Estimates  
**Outcome:** Outcome 1.5  
**Programme:** Environment Assessment and Compliance Division (EACD)  
**Topic:** Proposed decision approvals  
**Hansard Page:** 17  
**Question Date:** 25 May 2015  
**Question Type:** Spoken

**Senator Ludlam asked:**

**Senator LUDLAM:** I will ask you more tomorrow, although I understand the schedule is a bit more congested. Finally from me, on notice, could you identify whether under your act you have ever knocked back a proposal of which a state or federal government was the proponent, even one single time.

**Mr Thompson:** Sure. Just to clarify: whether we have ever found a project sponsored by a state or federal government—or where a state or federal government was the proponent—to be clearly unacceptable under the EPBC Act?

**Senator LUDLAM:** Yes. I appreciate that.

**Senator WATERS:** Or was refused approval at the end of the process.

**Mr Thompson:** Okay.

**Senator WATERS:** Either.

**Senator LUDLAM:** If there is a distinction—

**Mr Thompson:** Yes, there is.

**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 of the EPBC Act. Two of these proposals had a State government as the proponent.

Under section 133 of the EPBC Act, ten proposals have not been granted approval, including two with State government as the proponent.