

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice
Environment and Energy portfolio

Question No: 107
Hearing: Supplementary Budget Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic: Adani Mine
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Question Type: Spoken

Senator Waters, Larissa asked:

Senator WATERS: Can I move on now to a number of other issues. The Queensland government has just listed the Adani mine and associated infrastructure as what is called 'critical infrastructure' under the state development act. Was there any consultation with the authority in that decision-making process?

Dr Reichelt: Not to my knowledge, Senator.

Senator WATERS: To the knowledge of anyone else at the table?

Dr Reichelt: I am just checking. No.

Senator WATERS: So no-one asked you whether it should be considered critical infrastructure and hence sped up in the assessment process—

Dr Reichelt: No.

Senator WATERS: after we have just had the worst coral-bleaching event that the reef has ever seen?

Dr Reichelt: Correct. I understand the logical linkage, but it would not be a legislative responsibility of ours. I do not know that even the department would have that consultation. Certainly it is outside the legal bounds of the Great Barrier Reef Marine Park Authority. That kind of industrial decision would not come to us. It would be more likely to do with plans around development of, say, coastal aquaculture and other things where we have a stronger import and do get consulted.

Senator WATERS: Just while we are on that, did the Queensland government ask either the minister or the Commonwealth department?

Mr Knudson: Not as far as I know, Senator, but quite frankly that sort of decision to declare something a priority project is wholly a matter for the states in normal circumstances. But we will check on that. Environmental regulation comes later on and we can confirm that.

Answer:

The declaration of a project as 'critical infrastructure' by a state is a matter for that state. Such a decision has no effect on the Commonwealth Government's regulation of the project.

Neither the Minister for the Environment and Energy nor the Department of the Environment and Energy was consulted by the Queensland Government regarding its decision to declare the Carmichael Mine and Rail Project as 'critical infrastructure'.