

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

Question No: 123
Hearing: Supplementary Budget Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic Amendment to the Environment Protection and Biodiversity Conservation Act
Hansard Page: n/a
Question Date: 31 October 2016
Question Type: Written

Senator McKim, Nick asked:

If so, have you done any analysis on the additional court costs that will be involved in requiring an additional court determination as to standing before any hearing of the merits of a legal challenge¹?

¹Many of the submissions to the Senate inquiry into the proposal to repeal s.487 raised the concern that this repeal would only lead to more litigation, not less.

Answer:

See response to Question 122. The length and associated cost of any court proceedings depends on a variety of factors, standing being only one. Standing itself can only be established on a case-by-case basis as it depends on the applicant.