



# MEDIA RELEASE

## MINERALS COUNCIL OF AUSTRALIA

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### INTERIM REVIEW OF THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT

Statement by Mitchell Hooke, Chief Executive Officer, Minerals Council of Australia

The release of today's interim report on the operation of the Environment Protection and Biodiversity Conservation (EPBC) Act highlights the urgent need for more efficient and effective project approvals processes.

The report has identified significant duplication and a lack of coordination between State and Commonwealth approvals processes. This regulatory burden delivers little if any additional benefits to the environment, yet imposes significant costs to the taxpayer and industry.

The minerals industry spends millions of dollars per year meeting the significant administrative requirements of the EPBC Act and state approvals processes. There is no evidence the Commonwealth's administration of EPBC Act, separate to the States, delivers improved environmental outcomes above those achieved through existing State processes.

The Minerals Council of Australia has recommended a model for improved environmental outcomes and regulatory efficiency for the EPBC Act. This includes eliminating duplication by refocusing the Commonwealth's administration of the Act to strategic guidance within which the States would assess individual projects. This would include:

- the removal of the Commonwealth from project-by-project approval processes;
- the establishment and full implementation of bilateral agreements for assessment processes;
- establishment and endorsement of regional planning instruments that meet EPBC Act protection requirements under bilateral approvals, whereby other jurisdictions then subsequently review and regulate projects; and
- Commonwealth activities being focussed more appropriately on strategic investment and planning support and assessing outcomes through monitoring and auditing compliance.

Resolving the systemic inefficiencies in the administration of the Act should be a priority before additional layers of regulation including climate change and water use triggers are considered by the Federal Government.

As the Act is currently framed, any project that is likely to have significant greenhouse gas emissions or water use impacts would ordinarily be referred to the Federal Environment Minister due to impacts on other matters of national environmental significance. A second layer of climate change or water use triggers would only add to the regulatory burden of the EPBC Act.

The State and Commonwealth Governments are committed to reducing business red-tape and today's interim report reveals that little progress has been made in relation to project approvals.

The report clearly illustrates that there are no grounds for increasing regulation as there are adequate existing protection mechanisms for matters of national environmental significance under the EPBC Act.

Changes to the administration of the EPBC Act would facilitate improved environmental outcomes and greatly reduce the red tape burden on business.

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