

LEGISLATIVE COUNCIL

Question On Notice

Wednesday, 19 August 2020

3141. Hon Robin Chapple to the Minister for Environment

I refer to the establishment of a bilateral approval agreement under the *Environment Protection and Biodiversity Conservation Act 1999*, the interim report of the *Environment Protection and Biodiversity Conservation Act 1999* review and noting the Minister's answer to question without notice 791, asked in the Legislative Council on 18 August 2020, and I ask:

- (a) can the Minister please provide the dates of any discussions with Federal Minister Ley about establishing a bilateral approval agreement between Western Australia and New South Wales;
- (b) when did the Western Australian Government start seeking advice from its departments about the drafting of such an agreement:
 - (i) will the Minister please table a list of the departments referred to at (b), including the date at which a given department was first contacted;
- (c) is the Minister aware that the Premier of Western Australia wrote to the Prime Minister, in November 2019, asking for a bilateral approval agreement:
 - (i) when was the Minister made aware of this letter; and
 - (ii) what were the outcomes of this correspondence as they relate to the establishment of a bilateral approval agreement under the *Environment Protection and Biodiversity Conservation Act 1999*; and
- (d) did the Minister undertake any correspondence on the subject, at either federal or state level, before 10 August 2020:
 - (i) if yes to (d), will the Minister please provide a list of correspondents and accompanying date(s)?

Answer

(a) I have not raised the establishment of bilateral approval agreement between Western Australia and New South Wales with anyone. The establishment of an approvals bilateral agreement between the Commonwealth and Western Australia has been raised on a number of occasions.

The McGowan Government is a strong advocate for the establishment of a bilateral approval agreement with the Commonwealth. The State Government has been undertaking assessments on behalf of the Commonwealth through a bilateral assessment agreement since 2014. An approval agreement will result in an average six-month reduction in decision-making timeframes and given that we have some of the best environmental assessment practices in the country, it makes sense that the State Government is able to assess and approve projects.

(b)-(b)(i) My office first sought advice from the Department of Water and Environmental Regulation in September 2019. I note that in 2014 the Commonwealth and previous State Government sought to establish bilateral approval agreement with a draft being released for public consultation.

c) Yes

i) I was aware of the letter around the time that it was sent.

ii) The key outcome of the correspondence is that the Commonwealth and Western Australian Government are currently working on a draft bilateral approval agreement for public consultation.

d) Yes

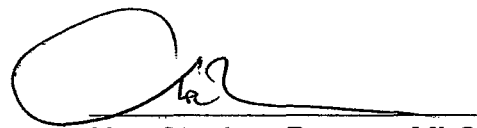
(i) I undertook formal correspondence on this matter on:

11 March 2020 – correspondence was received from Hon Sussan Ley MP, Minister for the Environment, and Hon Ben Morton MP, Assistant Minister to the Prime Minister and Cabinet.

30 April 2020 – I wrote to Federal Minister for the Environment, Hon Sussan Ley MP and the Assistant Minister to the Prime Minister and Cabinet, Hon Ben Morton MP.

26 May 2020 – correspondence was received from Hon Sussan Ley MP, Minister for the Environment.

31 July 2020 – two pieces of correspondence were received from Hon Sussan Ley MP, Minister for the Environment.



Hon Stephen Dawson MLC
**MINISTER FOR ENVIRONMENT;
DISABILITY SERVICES; ELECTORAL AFFAIRS**