



Australian Government

# A pathway for reforming national environmental law

June 2021



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# Foreword

Australia's unique plants, animals, landscapes, and places are central to our nation's identity and quality of life, culturally significant to Indigenous peoples, and recognised for their global importance.

So much of Australia's economic activity is dependent on the services and benefits provided by nature. Industries like agriculture, fisheries, forestry, tourism, and manufacturing all depend on a healthy environment and benefit from Australia's international reputation for clean and green products.

The challenges of COVID-19 have created new pressures on our environment and economy. Staged reform to Australia's national environmental law offers the chance to ensure the right protection for our environment, while unlocking job-creating projects to strengthen our economy and improve the livelihoods of everyday Australians.

It is important that the pre-eminent national environment law, the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) is fit for meeting the challenges facing our environment to protect the rich natural and cultural values for future generations of Australians.

The EPBC Act has been subject to numerous reviews and inquiries since its inception over 20 years ago. These have included:

- The first independent review conducted by Dr Allan Hawke in 2009.
- The recently completed second Independent Review conducted by Professor Graeme Samuel AC in 2020 (Review).
- The Craik Review of the interactions between the EPBC Act and the agriculture sector conducted in 2018.
- Audits by the Australian National Audit Office and studies by the Productivity Commission into regulation of the agriculture and resources sectors.
- Parliamentary inquiries conducted by both House of Representatives and Senate Committees.

These reviews have all highlighted that the EPBC Act is dated and does not interact well with the environmental management arrangements of states and territories.

## **Reform is long overdue.**

To improve the function and outcomes of the EPBC Act, the Australian Government has already taken early steps to accelerate development by speeding up the time taken to issue Commonwealth environmental approvals.

Since November 2019, the Australian Government committed an additional \$54.5 million over 3 years to reduce unnecessary delays and speed up environmental approvals. This investment in congestion busting and service delivery has significantly accelerated environmental assessment and approval times. The Commonwealth, states and territories have also been working together

to support COVID 19 recovery by reducing the assessment and decision timeframes for 15 major projects which have national economic or strategic significance.

Furthermore, all states and territories have joined the Australian Government in recognising the need for change recommended by the Review and elsewhere. Following the Interim Report of the Review leaders agreed that the immediate priority is to implement single touch environmental approvals, underpinned by national environmental standards that reflect the current requirements of the EPBC Act. National environmental standards will ensure that Commonwealth requirements and obligations are upheld, regardless of who makes project approval decisions.

This Pathway document sets out the Morrison Government's first stages of reform. It builds on the early steps that are already underway and progresses the central pillars for improvement that were recommended by the Review. These early steps represent the first fundamental changes to the EPBC Act since its inception over 20 years ago.

In addition to these first stages of reform, the Government is committed to ensuring Australia's national environmental law is fit for current and future challenges facing our environment and iconic places. The Review found the EPBC Act is complex, a comprehensive reworking of the Act is required, and that fundamental reform should be delivered in stages. Consistent with these findings, the Government will take a staged approach to consider the far-reaching recommendations of the Review. This will be in consultation with states and territories, business, industry, environment groups, farmers, and Indigenous Australians to deliver lasting reforms.

To demonstrate the Government's commitment to meaningful reform, based on the themes of the recommendations of the Review, this Reform Pathway has been prepared to guide the implementation of the Government's reform priorities. I will also release a Reform Timeline that will serve to guide engagement with stakeholders on the government's proposed changes and improvements to the EPBC Act. Each stage of reform will culminate in the release of an updated Pathway that will detail the Government's commitments in the relevant stage of reform, including the proposed amendments to the EPBC Act. By adopting this staged approach, the government will provide a holistic response to the Review.

Importantly, the Government is well on the way to delivering the initial reforms set out in this first Pathway document:

- Amendments to the EPBC Act have already been introduced to the Parliament and once these have been enacted, the first national environmental standards are ready to be made.
- \$12.2 million has been committed for early priorities including the establishment of the Environment Assurance Commissioner and a pilot regional plan.
- Negotiations with states and territories are progressing well, and important conversations with Indigenous Australians have commenced.

Following the passage of the two amendment Bills currently before the Parliament, the Government will immediately commence its second stage of reforms. This will include additional national environmental standards for data and information, compliance and enforcement, and

Indigenous Engagement and participation, along with improvements to strengthen the Standard for matters of national environmental significance.

To build confidence in the EPBC Act and Australia's national framework for environmental protection, I will continue to constructively engage with states and territories, business, industry, environment groups, farmers and Indigenous Australians. This comprehensive engagement and consultation will ensure the government delivers enduring and meaningful reform that is effective, efficient, and that meets community expectations.

The Hon. Sussan Ley  
Minister for the Environment

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# Introduction

The 20 year old EPBC Act is dated and significant and fundamental reform is required. The Act is failing to protect the environment, and it is failing to support sustainable development which is essential to Australia's economy. The EPBC Act is highly prescriptive and process driven and does not effectively focus on outcomes.

The Australian Government and the National Cabinet are focused on accelerating economic recovery for Australians in response to the COVID-19 pandemic, while implementing environmental reforms.

The Morrison Government has identified early priority areas for change, and is committed to working with stakeholders to ensure that reforms are considered and staged in a sensible way.

The Government agrees with the central pillars of reform recommended by the Review. This includes:

- setting clear outcomes for the environment in legally codified National Environmental Standards.
- streamlining environmental approvals, particularly by accrediting states and territories to deliver single touch approvals that meet the requirements of the EPBC Act, underpinned by National Environmental Standards.
- strong and independent assurance, to give business and the Australian community confidence that arrangements for environmental approvals are working well.
- continuing to enhance the availability of data and information to support decision-making, and modernising the systems that underpin the efficient operation of the Act.

The Government acknowledges that we must do more to support the participation of Aboriginal and Torres Strait Islander people in the operation of the Act and is committed to advancing conversations with Indigenous peoples to achieve this.

As agreed by National Cabinet, the immediate priority is to streamline approval processes. We need to remove red tape that does not serve the interests of the environment or the interests of business, and we need to speed up approvals for job creating projects.

Single-touch approval decisions made by an accredited state or territory will remove duplication of processes, which the Review found causes unnecessary delays often without any appreciable environmental benefit. Single-touch approvals will be underpinned by National Environmental Standards. States and territories will need to demonstrate that their systems can deliver against the Standards, ensuring national requirements are met and Australia's international commitments continue to be upheld.

Agreements with states and territories will include strong monitoring and reporting requirements. The Commonwealth is committed to strong assurance and oversight to provide the community with confidence that the overall system, including single touch approval arrangements, is working well.

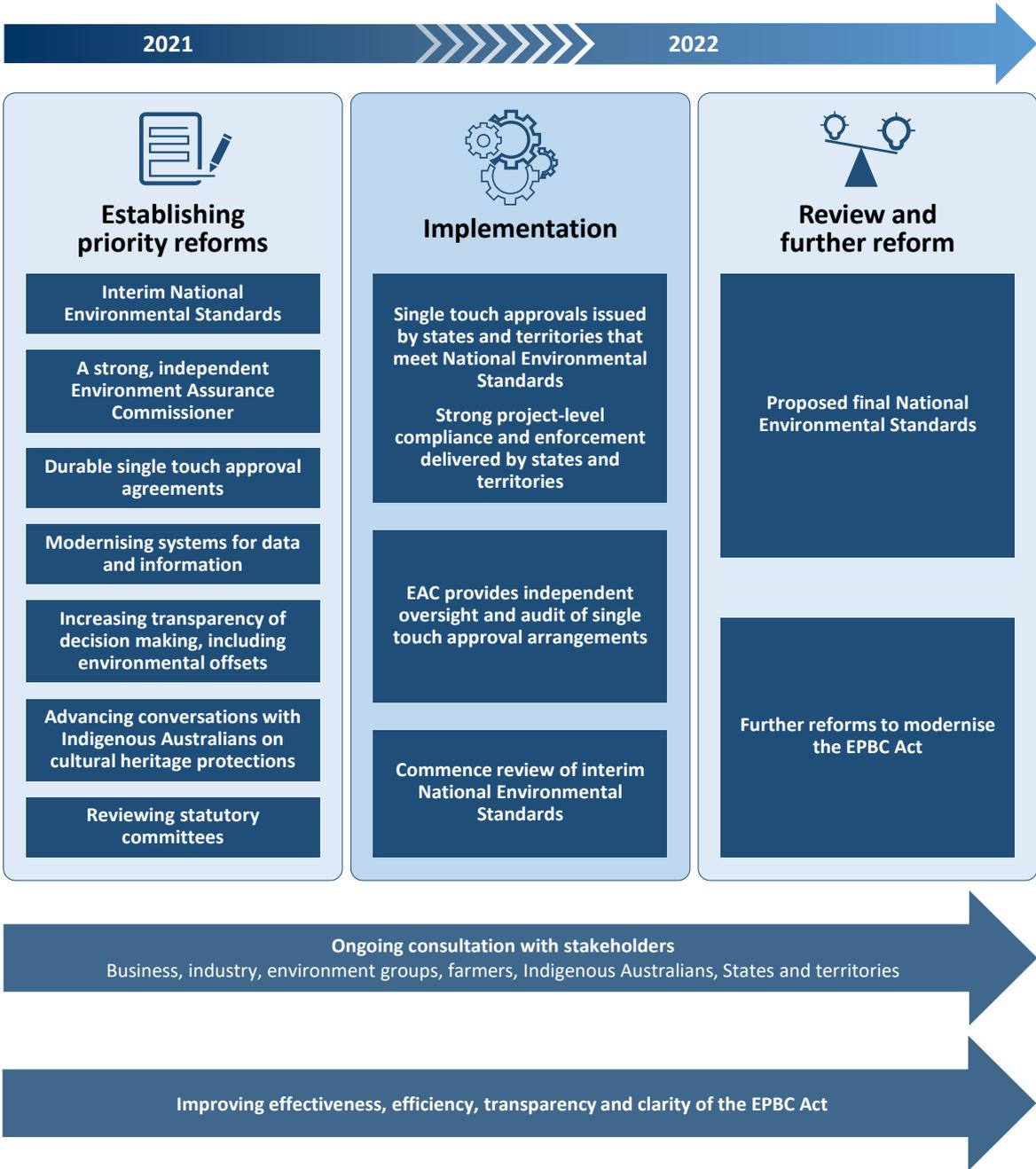
Codifying the current requirements of the EPBC Act in concise and clear National Environmental Standards will lift the environmental performance of the EPBC Act. National Environmental Standards will ensure that project approval decisions made by states and territories are consistent with the rules that the Commonwealth applies in its own decision-making.

To support early progress on outcomes, the Interim Standards will initially reflect current requirements of the EPBC Act. This is consistent with the agreement of National Cabinet. Standards will provide greater clarity for proponents and the community, as thousands of pages of rules will be distilled into clear and concise requirements. This will increase efficiency for proponents and support improved community understanding of the EPBC Act.

The Australian Government is committed to delivering the reforms needed to modernise the EPBC Act. As the Review highlighted, reform is not a once-off opportunity, but an ongoing process. The Government has already commenced laying the framework for change, including by introducing amendments to the Act to ensure that single touch approval agreements are robust, to establish National Environmental Standards in law, and to provide for strong independent assurance to ensure that states and territories uphold Commonwealth requirements.

The Morrison Government is committed to a clear pathway for reform that builds on our early priorities as it considers and shapes its long-term reform agenda (Figure 1).

**Figure 1 A pathway for the initial stages of reform**



The Government is committed to working through further opportunities for reform, including those recommended by the Review. We will do this in consultation with business, industry, environment groups, farmers, Indigenous Australians, and states and territories to deliver lasting reforms to national environmental law.

# 1 Setting clear environmental outcomes in National Environmental Standards

The EPBC Act is largely unchanged since it was first introduced 20 years ago. The EPBC Act is very process driven and, as the Review concluded, it fails to set clear outcomes for Australia's rich environment and heritage. The Government agrees that changes to the EPBC Act are needed to set clear outcomes for these important natural and cultural environments.

## 1.1 National Environmental Standards

The Government is committed to the centrepiece reform recommended by the Review, National Environmental Standards made in law. National Environment Standards will set clear outcomes and requirements for decision-making.

National Environmental Standards will underpin the agreements with states and territories that enable them to make single touch approval decisions. Standards will codify the rules for states and territories and provide confidence they meet the requirements of the EPBC Act when they conduct project assessments and make approval decisions. Underpinning bilateral agreements with National Environmental Standards will ensure that the Commonwealth's requirements, obligations and international commitments are upheld by states and territories.

Standards will also support better integration of the environmental responsibilities of the Commonwealth with those of the states and territories in how the environment is managed. As the Review highlighted, this provides the opportunity for more holistic environmental management.

The Government has already introduced amendments to the EPBC Act to enable National Environmental Standards to be legally made. In the first instance, interim Standards for matters of national environmental significance will be made that reflect the existing requirements of the Act. This is consistent with the decision of National Cabinet. The Minister for the Environment will make these interim Standards, following the passage of the necessary amendments.

National Environmental Standards will bring clarity to the requirements of the EPBC Act, and distil requirements from thousands of pages of legislation and regulation into concise statements.

The Government's amendments to the EPBC Act will require the interim standards to be reviewed within 2 years.

In addition to Standards for matters of national environmental significance, the Review recommended 8 additional standards. The detailed standards developed by the Review go well beyond existing EPBC Act requirements, and are not consistent with the agreement of National Cabinet to develop interim standards that reflect the current Act.

Accordingly, adopting these in the immediate term may add more process and more uncertainty, which will delay implementation of the approval bilateral agreements with the states and territories.

However, the Government is committed to working with stakeholders to consider the suite of Standards that may be needed for the effective operation of the Act as further reforms are considered.

As the Review highlighted, the EPBC Act works in concert with other activities of the Commonwealth to protect and conserve the environment. The Australian Government makes substantial and long-running investments to maintain and improve the environment (Box 1). National Environment Standards that set clear outcomes for matters of national environmental significance can also support better targeting of the Australian Government's significant and ongoing investment programs.

#### **Box 1 Australian Government investment in the environment**

The Australian Government has invested approximately \$2 billion dollars in natural resource management since 2017-2018. This includes \$1.2 billion invested in the National Landcare Program, which funds a number sub-programs, including those invested in through the Natural Heritage Trust.

The Natural Heritage Trust includes programs such as the Environmental Small Grants, Regional Land Partnerships, Smart Farms, new Indigenous Protected Areas, 20 Million Trees, Bush Blitz, Threatened Species Recovery Fund, Reef 2050, and the Centre for Invasive Species. Additional National Landcare Program investments include those for Indigenous Protected Areas, funding to support the management of World Heritage Properties and Yellow Crazy Ant Control.

A further \$800 million is invested in natural resource management activities to support programs such as the Environment Stewardship Program, Green Army, Improving your Local Parks and Environment, the Biodiversity Fund, Reef Trust, funding for the Great Barrier Reef Foundation for water quality and crown-of-thorns starfish control, the Communities Environment Program and Environment Restoration Fund.

The Australian Government has committed \$200 million to help native wildlife and their habitats recover from the devastating impacts of the 2019-20 bushfires across eastern and southern Australia. This includes \$110 million over two years directed to strategic on-ground support for the most impacted native species, ecological communities, and natural assets in seven fire-affected regions across south-eastern Australia.

On 1 October 2020, the Government announced \$33.5 million to fund conservation work and infrastructure upgrades across 23 National and World heritage sites as part of the \$1 billion COVID-19 Relief and Recovery Fund to create jobs, boost local tourism and preserve our environment as part of Australian's economic recovery plan.

Matters of national environmental significance are priorities for Australian Government funding. For example, more than \$500 million for projects supporting outcomes for threatened species and threatened ecological communities has been invested since 2014.

The Australian Heritage Grants program provides \$5.3 million per year to support National Heritage List places which have been recognised for their natural, Indigenous, or historic heritage values.

## 2 Reducing regulatory burden

The Review concluded that the EPBC Act results in unnecessary duplication of state and territory development assessment and approval processes. It also concluded that the regulatory system is cumbersome for proponents and the broader community that seek to interact with it.

At National Cabinet's direction, major projects that drive economic recovery from the COVID pandemic have been prioritised, with projects undergoing joined-up assessments with states to accelerate the process.

Since November 2019, the Government has committed an additional \$54.5 million over 3 years to reduce unnecessary delays in environmental approvals under the EPBC Act. This investment in congestion busting and service delivery has significantly accelerated environmental approvals, supporting development while ensuring the protection of Australia's unique heritage and environment.

In the December 2019 quarter, just 19 per cent of key assessment decisions were made on time. By the December 2020 quarter, this had improved to 99 per cent of key decisions on time. The backlog of overdue key decisions has also been cleared and new projects entering the system are now meeting statutory timeframes, giving business certainty about the time to expect to get an EPBC approval.

While these early initiatives have improved the performance of the Commonwealth's system for environmental approvals, more needs to be done to reduce unnecessary regulatory burden and to better streamline with states and territories.

### 2.1 Single touch approvals

Duplication with state and territory project approval processes delays the delivery of projects which meet environmental standards. The Australian Government is committed to cutting red tape.

National Cabinet has committed to progressing single touch approval bilateral agreements that accredit the environmental regulatory systems put forward by states and territories. This will enable states and territories to carry out environmental assessments and issue approvals on behalf of the Commonwealth.

Single-touch approvals will provide for a simpler, faster assessment and approval process. This will increase certainty for investors, reduce costs for business, boost productivity and create jobs while protecting the environment.

To ensure that the environment is protected single touch approvals will be underpinned by new National Environmental Standards. The Commonwealth will also provide essential oversight and assurance. Bilateral agreements will include checks and balances to ensure that the agreements protect the environment consistent with the requirements of the EPBC Act.

The Streamlining Environmental Approvals Bill, which the Government has already introduced to the Parliament, is an essential step towards implementing the commitment made by the Commonwealth and all states and territories. This Bill includes essential technical amendments

to the existing provisions of the Act relating to bilateral agreements to ensure that single touch approval agreements are efficient, effective and enduring.

## **2.2 Providing clarity and reducing unnecessary regulation**

The Australian Government is committed to ensuring that the regulatory system is efficient, while ensuring that current environmental protections are maintained. The Government is already improving information, systems, processes and policies to support better performance and help business navigate environmental approvals.

The Review identified that immediate improvements could be made to the EPBC Act, to fix known inconsistencies, gaps and conflicts. The Review also identified opportunities to reduce duplication with other regulatory systems and those where the requirements of the Act result in regulatory burden that does not contribute to achieving environmental outcomes.

The Government will work with stakeholders to take steps to improve the workability and efficiency of the EPBC Act, improving clarity for business, industry and the community.

## **2.3 Expanding coverage of regional plans to streamline approvals and focus environmental investment**

The Review concluded that regional plans are an effective approach to strike the right balance for sustainable development and a sustainable environment. The Review highlighted that a regional approach can also help accelerate approvals by providing clear rules for development.

The Craik Review also recommended increasing the use of regional plans, including those designed and implemented collaboratively between the Commonwealth, states and territories and other organisations.

A number of long-standing regional planning initiatives of the Australian Government support a regional planning type approach including:

- **Strategic assessments** which are landscape scale assessments that can deliver better planning and environmental outcomes than project-by-project assessments and approvals. Strategic assessments can deliver more effective and holistic protection of matters of national environmental significance, regulatory efficiency and business certainty as environmental considerations are considered up-front in early planning. The Commonwealth has engaged in a number of strategic assessments which consider both development and ecological needs on a landscape scale.
- **Bioregional plans**, including plans which have been developed for 4 of Australia's marine regions. Marine bioregional plans describe the marine environment and values of each region, they set broad objectives and identify the priority strategies and actions to achieve these.
- **The Geological Bioregional Assessment Program**, which invests in understanding the potential impacts of gas development on water resources and the environment. This program is building understanding of shale and tight gas developments in three priority onshore areas — the Cooper, the Isa and the Beetaloo regions.

As recommended by the Review, expanding the use of regional plans can ensure comprehensive protection of the important environmental assets, streamlined regulatory processes, and support well-targeted investments in environmental management and restoration.

Regional planning approaches can also expand the coverage of single touch approvals to areas and activities beyond those accredited in an approval bilateral agreement. They enable other parties to bring forward their plans for accreditation under the EPBC Act.

The Australian Government, in consultation with states and territories, will continue to pursue regional plans that:

- reduce the need for development assessment and approval for individual projects. This will include regional plans developed by states and territories or other parties.
- help to identify the most appropriate location in the landscape for development to occur, and where any impacts of development are best offset.
- support the Commonwealth to prioritise its investments in environmental restoration and management.

The Commonwealth will identify a priority region to pilot a regional plan in partnership with a willing state or territory. This pilot will support and accelerate development by providing businesses in the region with greater clarity and certainty regarding their approval requirements. A regional plan accredited by the Commonwealth will also broaden the scope of developments that can be undertaken without additional Commonwealth approval. The Australian Government has committed \$2.7 million over 3 years to deliver this pilot regional plan.

## **2.4 Digital transformation to accelerate environmental approvals and share information**

Reducing regulatory burden is more than just amending laws and regulations. It is also about interacting with the regulatory system as quickly and effectively as possible. Modernised systems are required to increase the accessibility of environmental information for environmental assessments and approvals.

The Australian Government is investing \$26.8 million over 3 years from 2019-20 in the Digital Environmental Assessment Program. This is a key initiative that will transform the environmental assessment and approval process to a user-focused digital platform that integrates systems and data across jurisdictions by:

- establishing a single online portal for proponents to interact with the environmental assessment process making the pathway clearer and simpler.
- developing a digital environment assessment system to deliver a streamlined, digital process for proponents and assessors that reduces the complexity and makes it faster and easier to complete the assessment process.
- building a biodiversity data repository to store and share information collected by proponents (e.g. wildlife surveys) to enable reuse of data and reduce costs.

The program is being jointly implemented with work to capture standardised data from recipients of Australian Government funding programs to provide a consolidated source of biodiversity information.

The Digital Environment Assessment Program is on track, with positive results from early scoping and design. All states and territories have been positively engaged to date. The pilot of the online portal, assessment system and data repository is due for completion in mid-2022. Outcomes from this pilot will be tested and shared with other jurisdictions to ensure alignment with state and territory approaches and that it is fit for purpose.

The new Digital Environment Assessment Program capabilities will help drive efficiency in assessments and approvals and support the efficient exchange of information between the Commonwealth, states and territories. Modernised systems are necessary to enable states and territories to more efficiently incorporate national-level data and information when making single touch approval decisions. They can also support strong Commonwealth assurance of these decisions.

Where single touch approval agreements are not in place, modernised systems provide a single reference point for industry and the community.

# 3 Enhancing trust and assurance

## 3.1 A strong and independent Environment Assurance Commissioner

A strong and independent oversight of single touch approvals is needed to provide the community with confidence that the requirements of the EPBC Act are being upheld by states and territories.

The Morrison Government is committed to strong Commonwealth assurance to give overall confidence that the system is working, and is delivering for the environment, for the community and for business.

The Australian Government has introduced amendments to the EPBC Act to establish a new statutory position of Environment Assurance Commissioner (EAC). The EAC will be appointed by the Governor General and be independent. While the Minister will issue a statement of expectations for the EAC, the EAC will ultimately decide its work program, and audits will be fully independent of Government.

The EAC will audit the operation of single touch approval and other bilateral agreements, including project level compliance and enforcement activities delivered by the state or territory under these agreements. It will also audit the Department of Agriculture, Water and the Environment's systems for development assessment and approval. Where the Commonwealth makes approval decisions, the EAC will audit the effectiveness of the department's approach to project level compliance and enforcement.

The operation of the EAC will be fully transparent. The EAC's annual work plan will be publicly available, and all audit reports will be required to be published. An annual report will be required to be tabled in the Parliament.

Consistent with the recommendations of the Review, the EAC will not be a new and costly bureaucracy, but an independent statutory position housed within the Department of Agriculture, Water and the Environment. The EAC will be supported by a dedicated audit team.

In addition to a work program of recurring audits, the EAC will be resourced to enable it to respond to specific requests from the Minister or other information, including from the public. This will enable the EAC to proactively audit arrangements or activities of concern.

The role of the EAC is to provide overall assurance of the regulatory system. It is clearly separate to the delivery of proportionate and consistent compliance and enforcement activities. Under single touch approvals, states and territories will be responsible for project-level compliance and enforcement activity. Approval bilateral agreements will require states and territories to commit to strong compliance and enforcement and the EAC will audit the effectiveness of these activities.

The Australian Government retains responsibility for compliance and enforcement of all activities regulated under the EPBC Act, including projects that receive Commonwealth approval, the Commonwealth marine area and wildlife trade. These compliance and

enforcement activities are delivered by the specialised compliance division of the Department of Agriculture, Water and the Environment. This division is totally separate from that area of the department that delivers project level assessment and approval and permitting functions.

### **3.2 Improving advice and information for decision-making**

The Review concludes that decision-makers do not have the best available social, economic and environmental information available when key decisions are made. This includes, for example, information about the social and economic impacts of a project approval decision or how the social or economic impacts of a decision to list a threatened species or ecological might be mitigated or managed.

The Review's recommendation to establish a new Sustainable Development Committee has merit and the Government will further investigate and scope the focus of this area of reform. For example, the Committee could provide the Minister with balanced advice on the:

- environmental, social, cultural and economic information available for decision-making.
- outcomes resulting from the implementation of the interim National Environmental Standards to help support reviews of the standards.

The Australian Government will canvass the views of stakeholders on the potential role and functions of a Sustainable Development Committee, including its relationship with existing statutory committees that provide advice to the Minister.

### **3.3 Increasing transparency of decision-making, including environmental offsets**

The new independent Environment Assurance Commissioner will introduce greater transparency, by conducting regular audits of performance, and in doing so will shed light on and give confidence to decisions made by the Commonwealth, and states and territories under single touch approval agreements. Furthermore, the Digital Environmental Assessments Program will provide proponents and the community with easily accessible information about project proposals as they progress through the assessment and approval process.

The Government will also take immediate additional steps to increase the transparency of project approval decisions made under the EPBC Act, including routine publication of information about key decisions. This will support greater transparency for the community. The Review found that routinely publishing this type of information can reduce legal action that unnecessarily slow down projects.

The Australian Government is also committed to improving the availability of information to improve understanding about the operation of the Act. This includes:

- A new EPBC Act information kit which has been developed and published to improve the availability of information about the Act to proponents and the community. This is available at <http://environment.gov.au/epbc/information-kit>.
- Publishing a quarterly assessment performance report, including key highlights of decisions made and an online dashboard of on-time performance, available at

<http://environment.gov.au/protection/environment-assessments/quarterly-performance-report>.

- Publishing guidance documents to support landowners and proponents to understand their obligations under the Act, consistent with the recommendations of the Craik Review. For example, a factsheet to clarify what agricultural actions are exempt from approval under national environmental law is available:  
<http://environment.gov.au/epbc/publications/agricultural-actions-exempt-from-approval-under-national-environmental-law>

Work is also underway to progress a centralised repository of information about EPBC Act environmental offsets. This will increase the Commonwealth's transparency of offsetting arrangements while providing proponents and the community with improved access to information about existing offset locations.

# 4 Supporting the participation of Aboriginal and Torres Strait Islander peoples

## 4.1 Supporting the participation of Aboriginal and Torres Strait Islander peoples in decision-making

The Australian Government will continue to advance the conversation with Indigenous peoples to improve Indigenous engagement and participation in decision-making. Ongoing engagement with states and territories will also be essential, to ensure that Commonwealth indigenous heritage protection laws work well with those of other jurisdictions.

The 'Engage Early – Guidance for proponents on best practice Indigenous engagement for environmental assessments under the EPBC Act' (the Guidelines) aim to improve how proponents engage and consult Indigenous peoples during the environmental assessment process under the EPBC Act. This resource provides guidance to project proponents on when Indigenous communities should be consulted. It also sets out expectations on how Indigenous engagement should occur as part of EPBC Act processes, which is in addition to the requirements for public consultation periods required under Part 8 of the EPBC Act.

The Review concluded that a specific National Environmental Standard that sets out clear requirements for involving Aboriginal and Torres Strait Islander people in decision-making processes is the best way to achieve this in the context of the EPBC Act.

The processes for involving Indigenous communities in decision-making must work well for them. The Government will engage with Indigenous organisations and Aboriginal and Torres Strait Islander peoples to further canvass options and determine the key priorities and a pathway for this important area of reform.

## 4.2 Building Parks Australia's partnership with Traditional Owners

The Australian Government has a long-standing partnership with the Traditional owners of three Commonwealth National Parks - Uluru-Kata Tjuṯa, Kakadu and Booderee. The Review concluded that the arrangements under the EPBC Act that support this partnership should be reconsidered by the Government and Traditional Owners.

The Government has established a Senior Advisory Group to examine current joint management arrangements for Booderee, Kakadu and Uluru-Kata Tjuṯa. The Group comprises six highly experienced members who have been chosen for their experience and expertise in governance and Indigenous affairs.

The Senior Advisory Group will explore alternative management models and recommend practical reforms to improve the involvement of Traditional Owners in the management of jointly managed Parks. The Senior Advisory Group will engage closely with Traditional Owners,

including Land Councils and Boards of Management, to ensure their views directly inform the Group's advice.

The Group will provide its advice to the Minister for the Environment in 2021.

## 5 Methodically staging reform

While the Review concluded that the EPBC Act needed fundamental reform, it also recommended that this be pursued in staged tranches, taking time to deliver well considered adjustments.

The Government has already commenced this first stage of reform, by introducing amendments to establish the central pillars recommended by the Review. These include the delivery of robust single touch approval agreements that are underpinned by National Environmental Standards and subject to strong and independent assurance. The Australian Government is committed to delivering the fundamental reforms needed to improve the Act, in a methodical, well planned and staged way.

The Australian Government will assess progress from the priority early reforms through avenues such as the 2 year review of interim National Environmental Standards and the outcomes of pilot programs. Further stages of reform will build on these efforts and ongoing discussion with stakeholders. The Australian Government is committed to pursuing fundamental improvements to the EPBC Act, including those based on the recommendations of the Review.