

## REPORT ON COMMENTS

As required by section 49A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), a draft Bilateral Agreement between the Commonwealth of Australia and South Australia was published on 30 June and 4 July 2007 with an invitation for any person to comment.

Five submissions were received on the draft South Australian assessment Bilateral Agreement from:

1. Environmental Defenders Office;
2. The Conservation Council of Australia;
3. The Nature Conservation Society of South Australia;
4. River, Lakes and Coorong Action Group Inc; and
5. Chris Bagley, a dry-land farmer with an active interest in local land care issues.

The EDO raised concerns regarding the review of decision making supported by the South Australian Government in relation to matters of national environmental significance. The EDO also submits that the assessment process is incomplete and provides suggested amendments to ensure the integrity of the EPBC Act process is maintained.

The Conservation Council of South Australia Inc suggests that the Agreement should strengthen the opportunity for public consultation and engagement in accordance with the objects of the EPBC Act. They also suggest that the Agreement needs to more clearly address the Commonwealth's obligations in relation to matters of national environmental significance.

The Nature Conservation Society of South Australia (NCSSA) raised concerns about the success of previous bilateral agreements and suggests that it would be unwise for the Federal Government to accredit the current South Australian *Development Act 1993*.

The River, Lakes and Coorong Action Group raise concerns about the role of public submission and impact assessment reports in the assessment process. They also argue that it is important to include assessment of social and economic impacts in assessing the impacts of a major development.

Chris Bagley opposes the Bilateral Agreement and outlines his concern that the Bilateral Agreement will fragment environmental regulations.

These comments were taken into account in further consultation with the South Australian Government and in my decision to enter into the Bilateral Agreement.

*SIGNED*

Minister for the Environment, Heritage and the Arts

29/03/2008

