



Review of the interaction between the *Environment Protection and Biodiversity Conservation Act 1999* and agriculture and food production

Terms of reference

The Australian Government recognises that the sustainable development of a productive and internationally competitive agriculture and food production sector is vital to our economy and regional communities, and is committed to reducing barriers to its growth.

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) promotes the ecologically sustainable use of natural resources, and provides a regulatory framework to manage and protect matters of national environmental significance.

The Review is to examine the interaction between the EPBC Act and the agriculture and food production sector, in order to identify regulatory and non-regulatory improvements to assist this sector while maintaining environmental standards.

The Review will be carried out by an independent person with relevant experience in the agricultural industry, law and public administration. The Review will:

1. Undertake targeted consultation to identify concerns and areas of potential efficiencies.
2. Provide an overview of the appropriateness of current regulatory settings of the EPBC Act in regard to their impact on the agriculture and food production sector with consideration to the objects of the EPBC Act.
3. Outline options to improve how the agriculture and food production sector is regulated under the EPBC Act and reduce the regulatory burden faced by farmers and applicants, including but not limited to:
 - a. making recommendations in relation to environmental referrals, assessment and approval requirements, and listing and delisting processes for species and ecological communities under the EPBC Act;
 - b. identifying opportunities for harmonisation between the EPBC Act and each state and territories' native vegetation management regimes; and
 - c. identifying opportunities to enhance the EPBC Act to support agriculture and food production to take advantage of domestic and international demand for sustainable agriculture, such as certification schemes and 'clean and green' foods.
4. In making recommendations and advising on new initiatives, take into account the objects of the EPBC Act.
5. As far as possible, consider the costs and benefits of the recommendations as required by the Australian Government. See guidance at pmc.gov.au/resource-centre/regulation/independent-reviews-and-ris-process-guidance-note.
6. Consider relevant material including the Productivity Commission Inquiry Report on the Regulation of Australian Agriculture, the *Agriculture Competitiveness White Paper* and *Our North, Our Future: White Paper on Developing Northern Australia*.
7. Provide a report to Government by mid 2018.