

## PARTNERSHIPS AND ADVICE

*The EPBC Act enables cooperative partnerships to be established with states and territories, Indigenous Australians and private landowners. Advisory committees are established under the Act. They provide advice to the Minister on specific issues.*

### STATES AND TERRITORIES

The Act allows for cooperation and partnerships between the Commonwealth and state and territory governments. This is in the form of bilateral agreements and requirements for informing and consulting with state and self-governing territories.

### BILATERAL AGREEMENTS

Part 5 of the Act provides for assessment bilateral agreements and approval bilateral agreements to be made by the Minister.

An assessment bilateral agreement provides for a single environmental assessment process conducted by the state. At the completion of the assessment the state provides a report to the Australian Government assessing the likely impacts of the project on matters of national environmental significance. Assessment bilateral agreements are in place for all states and territories.

Following the assessment stage, the state and the Australian Government each make a decision on project approval and conditions to meet differing requirements.

Under an approval bilateral agreement, the state assesses the likely impacts of a project on the environment and makes a decision on approval, accounting for both state matters and matters of national environmental significance. Only one decision is made and includes conditions (if appropriate). There are currently no approval bilateral agreements in place between the Commonwealth and any state or territory.

### INDIGENOUS AUSTRALIANS

Australia's natural environment plays a significant role in supporting Aboriginal and Torres Strait Islander peoples' connection to Country. More than 20 per cent of Australia is owned or managed by Traditional Owners, who have a significant role to play in the protection and management of Australia's natural and cultural environment.

The Act supports partnerships with Indigenous Australians. It provides for the establishment of an Indigenous Advisory Committee, the listing and management of areas with Aboriginal heritage values, and supports joint management of Kakadu, Uluru-Kata Tjuta and Booderee National parks by Traditional Owners and the Director of National Parks.

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The Act is not the only mechanism by which Indigenous Australians are involved in the protection and management of the environment and heritage. For example:

- Traditional heritage can be protected under registered Indigenous land use agreements under the *Native Title Act 1993*.
- There are Indigenous protected areas (IPAs), subject to voluntary agreements between Traditional Owners and the Commonwealth to protect biodiversity and cultural resources. IPAs comprise over 44 per cent of Australia's National Reserve System.
- Indigenous ranger programs support the protection and management of the environment, tourism and cultural sites in IPAs.

### PRIVATE LANDOWNERS

The main mechanism for facilitating partnerships with private land owners under the Act is through conservation agreements.

Under the Act, conservation agreements have been used to facilitate voluntary efforts by landholders to protect threatened species on their land. These agreements have included financial, technical or other assistance from the Commonwealth or for remediation of environmental damage caused by contraventions to the Act. The aim of a conservation agreement is to provide a legally binding basis for conservation and protection of the biodiversity of a particular place. More information on conservation agreements can be found on the [Department's website](#).

More broadly, the Australian Government forms partnerships with private land owners to achieve positive biodiversity outcomes through a range of policies and funding programs (e.g. National Landcare Program, Regional Land Partnerships, Great Barrier Reef Trust).

### ADVISORY BODIES

Part 19 of the Act establishes advisory bodies that report to and assist the Minister to administer the Act. For some decisions, such as listing decisions, the Minister must have regard to the advice of the relevant advisory body. These bodies include:

- The [Threatened Species Scientific Committee](#) (TSSC) – established under the Act to provide advice to the Minister on the amendment and updating of lists for threatened species, threatened ecological communities, and key threatening processes together with the making or adoption of recovery plans and threat abatement plans.
- The [Indigenous Advisory Committee](#) (IAC) – established under the Act to provide advice to the Minister on the operation of the Act, taking into account the significance of Indigenous peoples' knowledge of the management of land and the conservation and sustainable use of biodiversity.
- The [Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development](#) (IESC) – established under the Act to provide scientific advice to decision makers on the impact that coal seam gas and large coal mining development may have on Australia's water resources.

The [Australian Heritage Council](#) (AHC) is established under the *Australian Heritage Council Act 2003*. The AHC has specific roles in the EPBC Act, including to provide advice to the Australian Government on heritage matters

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including: nominations for the National Heritage List, the Commonwealth Heritage List, and the List of Overseas Places of Historic Significance to Australia. The Council also maintains the Register of the National Estate.

Areas of ecological, cultural and/or heritage significance are identified, protected and managed under the EPBC Act. These include world and national heritage properties, Ramsar wetlands and wetlands of national importance, biosphere reserves and Commonwealth land and marine reserves (National Parks).

*The review acknowledges the Traditional Owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.*

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