



Senator Andrew Bragg
Liberal Senator for New South Wales

27 March 2026

Dr Caralee McLiesh PSM
Auditor-General
Australian National Audit Office
GPO Box 707
Canberra ACT 2601

By email: ag1@anao.gov.au

Dear Dr McLiesh

Request for an Assessment of the Implementation of the EPBC Changes

I write to you to request an assessment of the implementation of the most recent *Environment Protection and Biodiversity Conservation Act (1999)* (EPBC Act) changes.

It is clear that the existing EPBC Act was not effective across the board. But it is not clear that the recent EPBC changes are adequate. These changes leave many details that are still unresolved, in particular under the supporting regulations and standards, which are still being developed. This is a convoluted and unclear process that does not provide certainty to stakeholders.

For example, existing environmental approvals have taken gas and oil projects up to eight years to get off the ground. There are thousands of houses which have been delayed in green tape. There has also been a lack of transparent decision-making. It is unclear if the EPBC changes will make any difference to this situation.

The recent EPBC changes have driven more fragmentation, such as the reliance on delegations and regulations. In addition, the changes rely on bilateral agreements with the states and territories, but these do not exist. Without any or effective bilateral agreements and state accreditation, projects may continue to face dual approval requirements at both state, territory and Commonwealth levels, increasing delays and red and green tape.

Industry stakeholders say the EPBC changes risk further delaying essential projects, including those desperately needed by Australians. For our housing needs and for our energy and resources security, especially given the current cost of living and oil crisis, specific attention should be given to:

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- A genuine and sustained effort to cut the current red and green tape that is holding back projects, supported by enough time for proper consultation with industry and all stakeholders,
- Clear and transparent settings for future development that is backed by evidence / data that provides certainty for stakeholders in terms of where development can take place safely and where conservation efforts are paramount,
- More transparency and accountability for the Minister and officials - to strengthen our democratic institutions, given the reliance on delegated authority under the EPBC changes.

I therefore ask that you urgently assess the EPBC development process and its outcomes.

Thank you for in advance for your consideration of this request.

Yours sincerely

A handwritten signature in black ink, appearing to be 'A Bragg', written in a cursive style.

Senator Andrew Bragg

Shadow Minister for Housing and Homelessness

Shadow Minister for the Environment

Liberal Senator for New South Wales

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