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Council of Australian Governments' Communique 7 November 1997

The Council of Australian Governments today held its seventh meeting, in Canberra. The Council, comprising the Prime Minister, Premiers and Chief Ministers and the President of the Local Government Association, had wide ranging discussions on two important areas of the national interest - illicit drugs and the environment.

The Communique sets out the agreed outcomes of the discussions on these and other issues.

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Native Title

The Council reiterated the importance of achieving effective reform to the existing national native title legislation to deliver certainty of outcomes.

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Illicit Drugs

Heads of Government agreed on the need for strong and concerted national action to tackle head-on the social and economic impacts of illicit drug use on the Australian

community.

Australians are looking for co-operative national action on this issue and Heads of Government agreed to join in a National Illicit Drug Strategy, founded on a partnership between governments and the broader community, including volunteer and community organisations.

The Strategy will make a balanced attack on both demand and supply and on minimising the harm drugs cause. It will be the next major phase of the current National Drug Strategy, which deals with both licit and illicit drugs.

The Ministerial Council on Drug Strategy, in consultation with the Ministerial Council on Employment, Education, Training and Youth Affairs in respect to drug education in schools, will prepare an early report to Heads of Government on the development and implementation of relevant aspects of the first instalment of the National Illicit Drug Strategy announced by the Prime Minister on 2 November 1997.

The Ministerial Council on Drug Strategy will also report on additional measures which could be developed as part of the Strategy, including a more general community-wide education and information campaign; sentencing practices including approaches to the diversion of users from gaol to treatment; expanding existing cost-shared funding arrangements for treatment services; and improved intelligence-sharing and co-operation between Australian law enforcement agencies.

Heads of Government noted that the Commonwealth Minister for Justice will review the deployment of Australian Federal Police resources with regard to Western Australia and the Northern Territory.

Recognising the specialised knowledge and expertise of volunteer and community organisations and others working in the field, Heads of Government noted the Commonwealth's intention to establish an Australian National Council on Drugs.

Heads of Government agreed to provide high-level direction and co-ordination of the National Illicit Drug Strategy.

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Climate Change

The Council endorsed the Commonwealth's international negotiating position on climate change to achieve an effective

environmental outcome based on comprehensive coverage, negotiating differentiated targets to ensure an equality of effort across all OECD countries and having the Kyoto outcome provide for procedures and timeframes for negotiating developing country commitments. including the principles of differentiation and developing country participation.

The Prime Minister outlined a package of measures to reduce Australia' s greenhouse gas emissions including:

- encouraging reduction of residential emissions;
- reduction of industry emissions, including through expansion of the Greenhouse Challenge Programme, and improving energy codes and standards;
- reducing transport emissions, including those from private cars;
- reducing energy sector emissions, including by accelerating energy market reform, and encouraging use of renewables;
- establishing and further enhancing carbon sinks and in particular the encouragement of plantation establishment; and
- reducing emissions in the Commonwealth' s own operations.

State and Territory leaders were supportive of the initiatives and indicated their willingness to work with the Commonwealth in their implementation. These detail of the Commonwealth measures will be announced prior to the Kyoto conference. State and Territory leaders pointed to measures they were undertaking.

The Prime Minister acknowledged the contribution of the States and Territories in the development to date of the revised *National Greenhouse Strategy*. The Prime Minister emphasised that all levels of Government would need to contribute to a national response to reducing Australia' s greenhouse gas emissions.

The Council agreed to establish a high level working group, chaired by the Commonwealth, to ensure a coordinated approach to climate change response and to take forward the further development of the revised *National Greenhouse Strategy*. The Strategy will involve the additional Commonwealth measures and eurther State-based measures, with a view to finalisation and agreement by end June 1998. It was noted that the States will consult with local government in this process.

Environmental Reform

The Council gave in-principle endorsement to a Heads of Agreement which will result in fundamental reform of Commonwealth/State roles and responsibilities for the environment. These reforms will deliver more effective measures to protect the environment. It will also remove duplication and result in a more efficient development approvals process.

The Heads of Agreement provides the following benefits:

- Commonwealth responsibilities and interests to be focussed on matters which are of genuine national environmental significance;
- Significant streamlining, greater transparency and certainty in relation to environmental assessment and approval processes;
- Rationalisation of existing Commonwealth/State arrangements for the protection of places of heritage significance through the development of a co-operative national heritage places strategy;
- Improved compliance by the Commonwealth and the States with State environment and planning legislation; and
- Establishment of more effective and efficient delivery mechanisms and accountability regimes for national environmental programs of shared interest.

The Council agreed that governments will seek to finalise the details of the Heads of Agreement with a view to signing within two weeks.

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Gas Reform

Heads of Government signed the [Natural Gas Pipeline Access Agreement](#) which will deliver competition to the natural gas sector. The Agreement represents a further major step in competition reform which will ensure free and fair trade in the natural gas sector.

Heads of Government have agreed that each jurisdiction will

establish nationally consistent and uniform arrangements governing third party access to natural gas pipelines, by legislating to give effect to a national gas pipelines access law and a national third party access Code.

The national access arrangements will foster competition in the delivery of gas, leading to lower prices, greater choice for consumers and environmental benefits. Implementation of the national access regime will provide the certainty required to encourage additional investment in resource exploration and development and in pipeline infrastructure leading to an integrated gas pipeline network. Lower prices through competition reform will also increase the competitiveness of our gas-consuming industries, thereby stimulating investment and generating jobs. To the extent that competition in gas stimulates energy substitution, increased gas usage could also contribute to the reduction in Australia's CO₂ emissions.

Under the new arrangements, any supplier, retailer or gas consumer will be able to contract with pipelines owners on "fair and reasonable terms" to transport gas across a pipeline, such as the Moomba-Sydney pipeline. It will also facilitate the development of new pipelines, such as the Wagga-Wodonga Interconnect or the Eastern Gas Pipeline, which would connect the Victorian and New South Wales markets, promoting competition between the Cooper Basin and Bass Strait in the eastern Australian gas market.

South Australia will introduce lead legislation establishing the third party access regime for gas pipelines with a view to its enactment by 31 December 1997. Other States and Territories will introduce legislation establishing similar arrangements in their own jurisdictions as soon as possible, but no later than 6 months, after the enactment of the South Australian legislation. The Commonwealth will also submit to its Parliament in the current sittings, application legislation to facilitate the establishment of the new national access regime for gas pipelines.

These reforms promise to deliver substantial economic and environmental benefits for all Australians.

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Marine Safety

Heads of Government also signed an Intergovernmental Agreement for a National Marine Safety Regulatory Regime.

The Agreement establishes improved coordination arrangements

for maritime safety regulation and administration aimed at improving safety outcomes and reducing duplication, inconsistency and the costs of regulation.

Maritime accidents cost around \$320 million annually, representing about 4 per cent of transport-related accident costs. Fatalities and serious injuries account for around one third of these costs, with vessel and cargo damage accounting for about half. Around 70 fatalities and 900 serious injuries are recorded annually, mostly involving occupants of small boats.

Australian marine safety agencies have cooperated for many years in identifying appropriate safety standards for vessels and crews. The introduction of the Uniform Shipping Laws Code in 1979 was a major achievement in harmonising the approach to marine safety. Since then, rapid changes in technology, international standards and the roles of governments has led to a growing divergence in the methods various authorities now use to administer marine safety.

The Agreement will help to reduce unnecessary costs to governments, industry and the community by:

- removing multiple inspections and charges for vessels and crews crossing State/Territory boundaries;
- reducing inconsistencies in standards that add to the costs of interstate trade and inhibit the movement of vessels and qualified seafarers around the nation; and
- improving arrangements for modernising standards to recognise new technologies and operating procedures, thereby assisting full exploitation of trading opportunities.

The Agreement requires regulators to address regulatory and operational differences by developing common, although not necessarily identical standards and legislation, and by mutual recognition of different arrangements for implementation of the agreed standards.

The Agreement will be implemented by the National Marine Safety Committee, comprising heads of all Australian marine safety administrations. The Committee was established earlier this year and recently released a draft National Marine Safety Strategy for public consultation.

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National Standard Setting and

Regulatory Action

Heads of Government endorsed the report, *Monitoring and Compliance with the COAG Principles and Guidelines for National Standard Setting*. The report sets out monitoring arrangements for compliance by Ministerial Councils and national regulatory bodies with the *COAG Principles and Guidelines for National Standard Setting and Regulatory Action* which was endorsed by Heads of Government in April 1995. The report establishes a role for the Commonwealth Office of Regulation Review (ORR) in reviewing and advising on draft regulation impact statements prepared by Ministerial Councils and national regulatory bodies. The ORR will report on the number and quality of completed regulation impact statements and, if appropriate, propose that the COAG Committee on Regulatory Reform raise any concerns with Heads of Government.

The 1995 *COAG Principles and Guidelines* establish best practice processes for the development of standards by Ministerial Councils and national regulatory bodies (for example, the Australia New Zealand Food Authority). The requirements include the preparation of regulation impact statements for all proposed standards and regulations including an analysis of the costs and benefits of the proposed action. The *COAG Principles and Guidelines* complement similar requirements for the regulatory impact assessment of proposed standards and regulations at the State level, for state-specific regulations, and at the Commonwealth level for Commonwealth regulations.

Related Documents

- [National Domestic Violence Summit: Statement of Principles Agreed by Heads of Government](#)
- [Natural Gas Pipeline Access Agreement](#)
- [Treaties Council Meeting Communique](#)

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