



Australian Government
Department of the Environment

Regulatory reform to enhance efficiency & effectiveness of Environmental Impact Assessment

Department of the Environment
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Overview

- The Australian Government is **streamlining environmental regulation** while maintaining environmental standards.
 - Overview of the One Stop Shop reforms & progress to date:
 - Approaches to streamlining to gain **greater efficiency** and **cost savings to business**
 - **Risk-based** regulation and how we are applying this to **assessment bilateral agreements**
 - **Outcomes based approvals** and **condition setting**; and
 - **Getting your thoughts** on future opportunities
-

A quick summary of environmental regulation at the national level

- Proposed actions that are considered to have a **potential significant impact** require detailed assessment.
- **Assessment** – stand-alone Cth process or using State/Territory processes through an **assessment bilateral agreement**
- If the action is considered to have **acceptable impact**, the project will be approved and may be subject to conditions
- Secondary approvals and **compliance monitoring**

The *Environment Protection and Biodiversity Conservation Act* (EPBC Act) protects **nine** matters of national environmental significance, which are based on Australia's international obligations.



A recap of the One- Stop Shop reforms

Accreditation of state and territory processes that meet the national environmental standards



The reform has two key outcomes:

- Reducing regulatory burden for business by removing the need for separate state and Commonwealth approvals.
- Maintaining environmental standards.

The reform is being delivered in three stages:

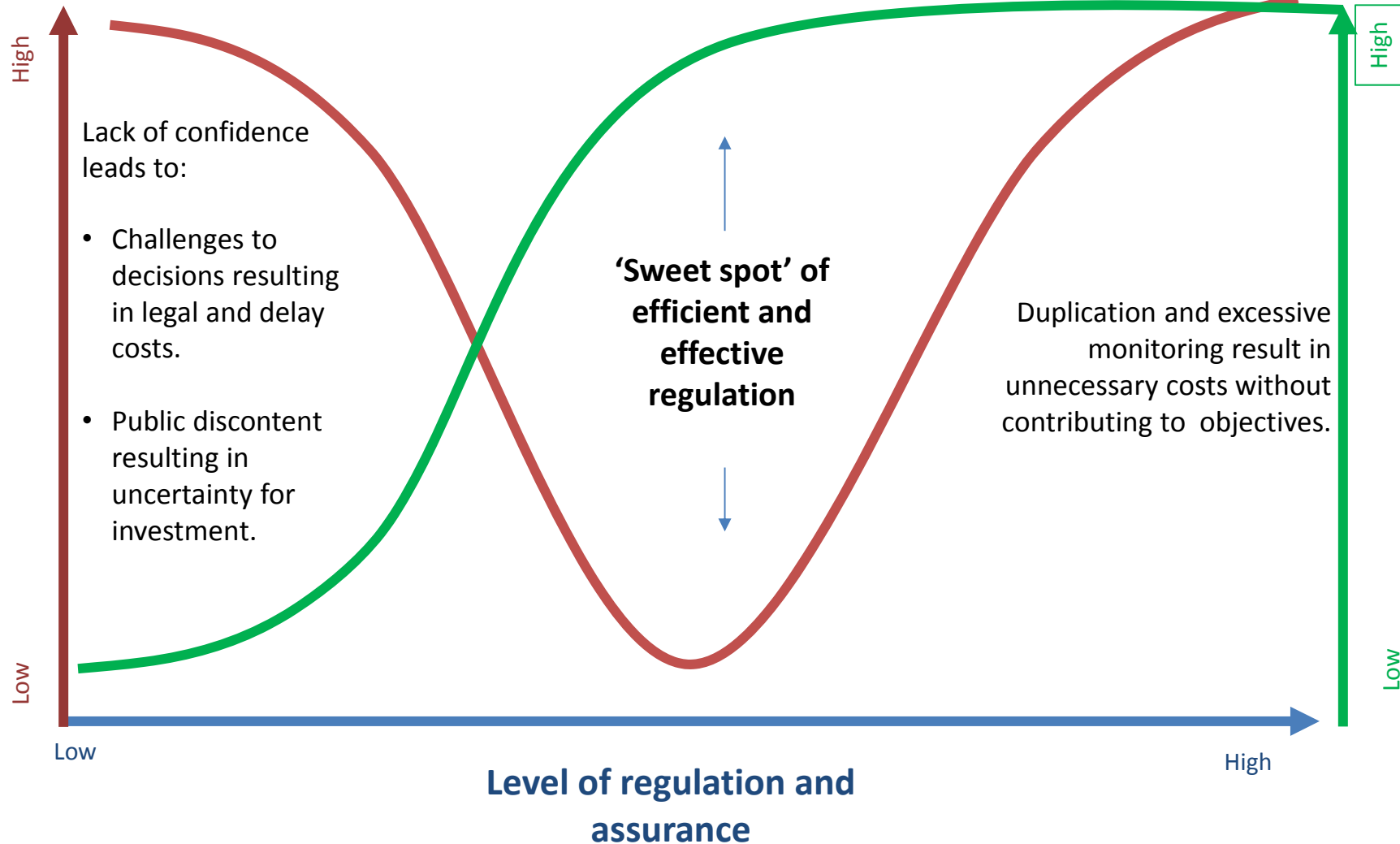
- MoUs with willing states and territories
- Assessment bilateral agreements
- Approval bilateral agreements



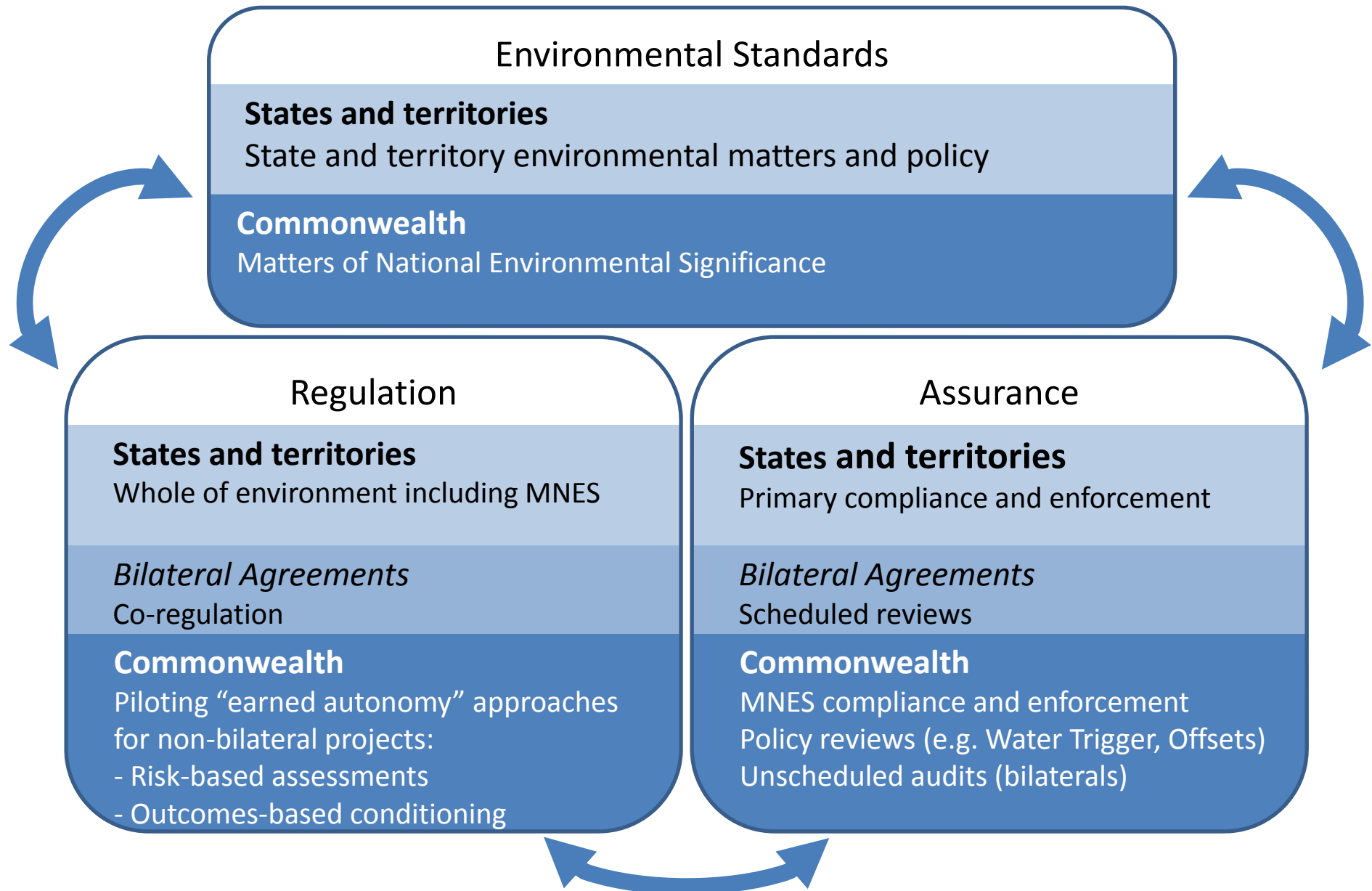
An effective regulatory system balances environmental, economic and community interests

Relative costs to business

Environmental outcomes



The Commonwealth has been increasing its role in assurance, reducing regulatory functions



Current status of the One- Stop Shop reforms

Progressing assessment and approval bilaterals with States and Territories



- **MoUs** signed with all States & Territories.
- **Assessment bilateral** agreements in place with all States & Territories.
- **Draft approval bilateral** agreements released for public comment – ACT, NSW, QLD, SA, TAS, WA
- **EPBC Act amendments** before the Senate



Supporting reforms – risk-based approaches & condition setting

What other opportunities are being explored to streamline assessments while maintaining standards?



- **Risk-based approaches** to assessments and post-approval monitoring.
- **Condition setting:**
 - Outcomes-based conditions
 - Reducing duplication with State/Territory conditions
- Other **streamlining** opportunities



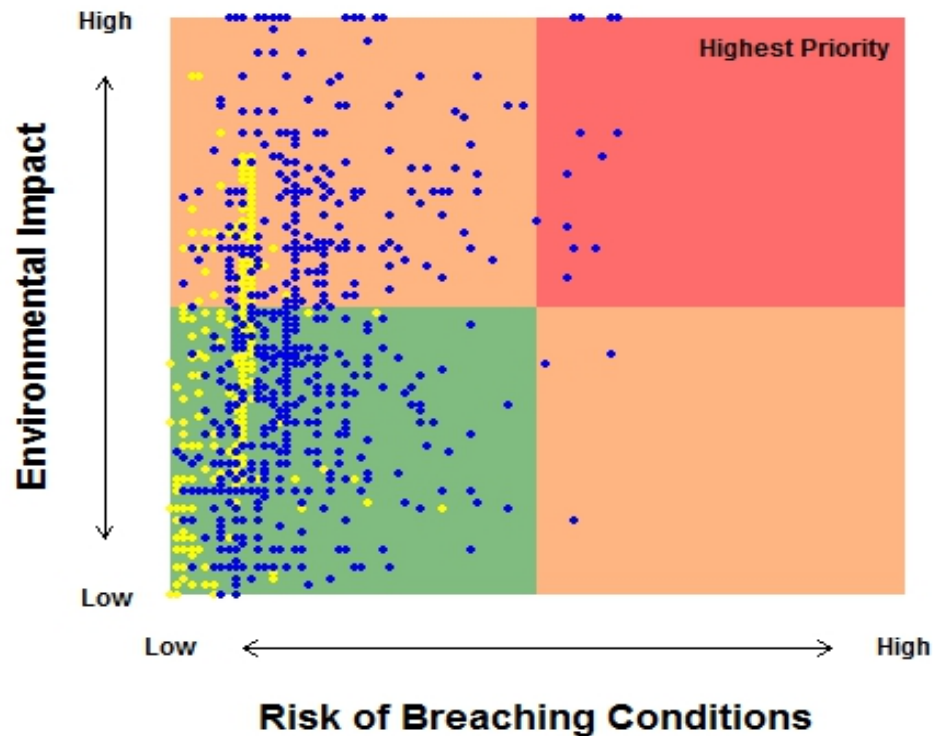
Risk-based approaches

- Helps us **engage** with approval holders of high-risk projects at the **earliest possible stage** and encourage compliance at the outset.
- Can be updated with new information so compliance monitoring effort remains **appropriate and targeted** as projects progress and circumstances change.
- **Strategic monitoring effort** is directed to the projects and industry sectors that pose the greatest risk to the environment.
- Ensures our activities are **cost effective** and that we **reduce the regulatory burden** on projects that are low risk or people who consistently do the right thing.



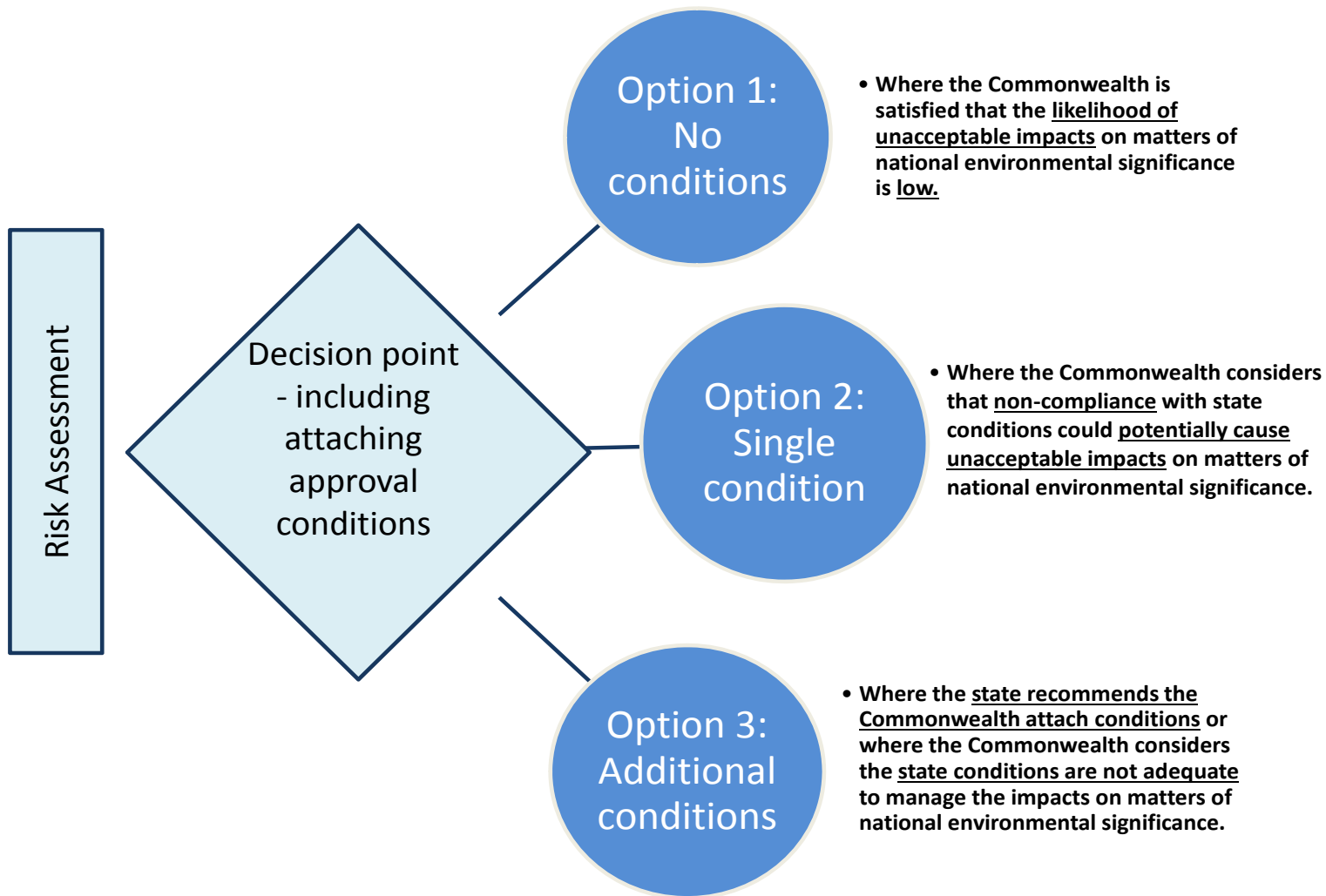
NESTRA

- We are implementing the **National Environmental Significance Threat and Risk Assessment (NESTRA)** tool.
- NESTRA provides a **transparent** and **repeatable method** for justifying our degree of involvement, condition setting, monitoring and compliance approaches

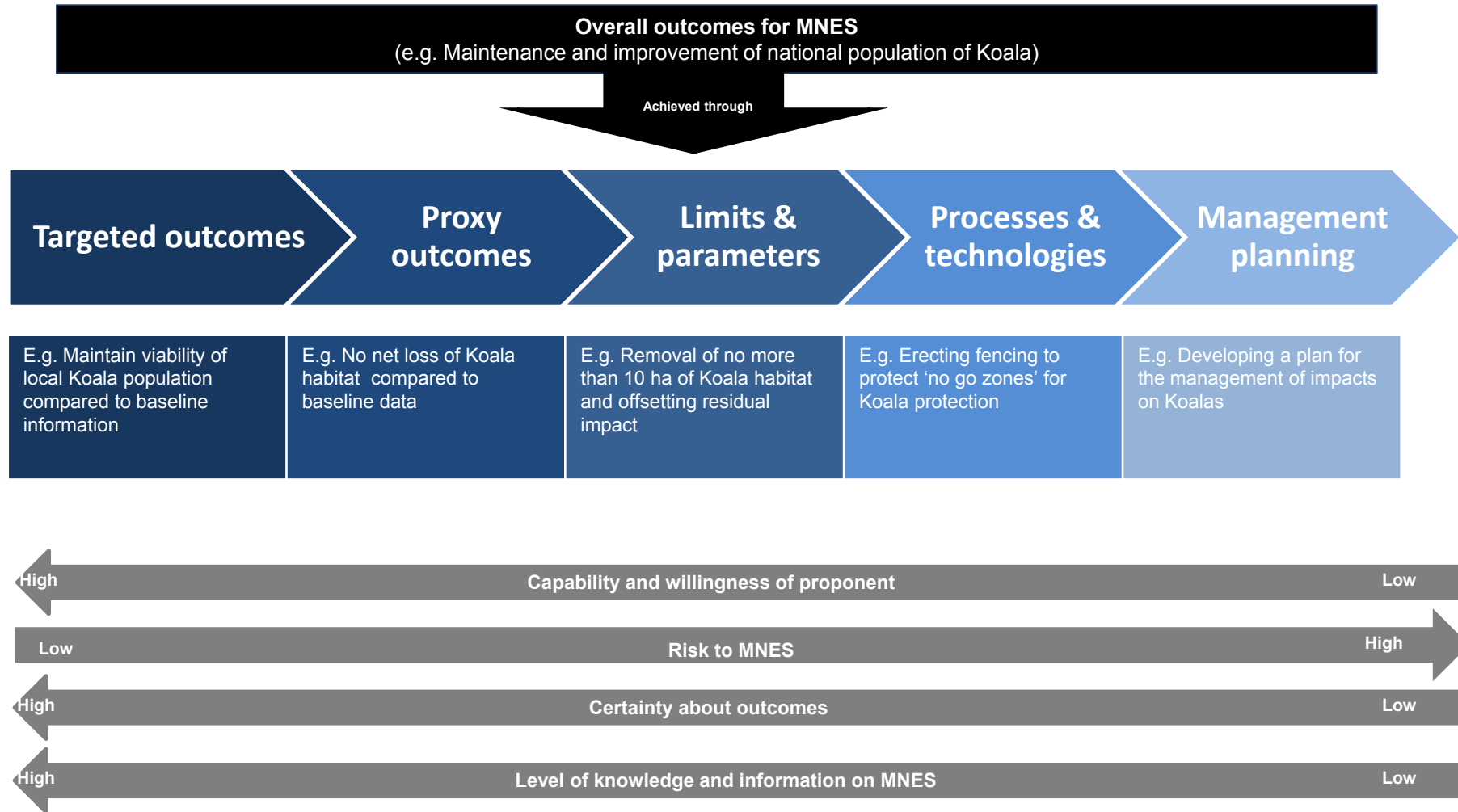


Condition setting policy

Hierarchy of condition setting options

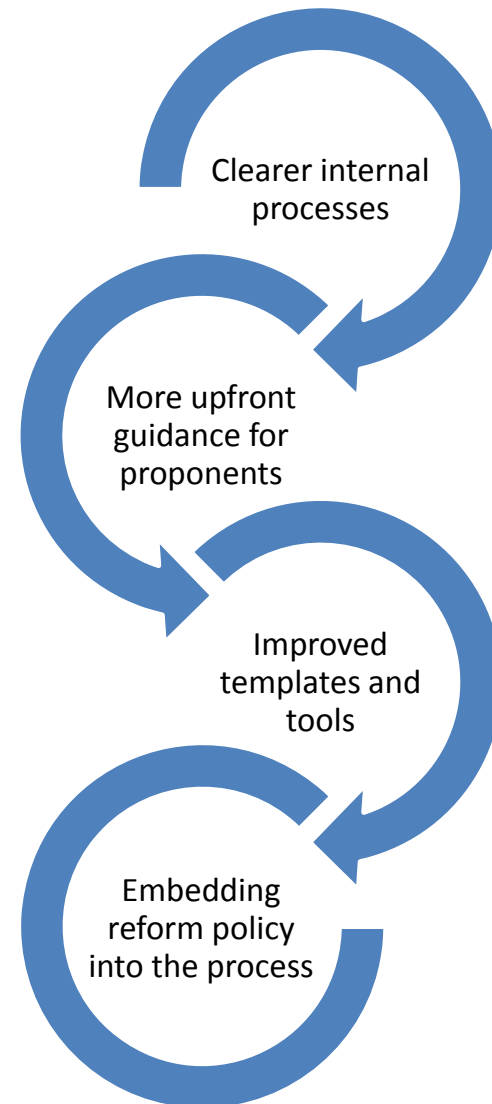


Outcomes-based conditions approach



How else can we do our business better?

- Looking at all stages – pre-referral, referral, assessment and approval
- **Supporting** staff and delegates – reduce time spent on process means more time focussing on environmental outcomes
- **Embedding** reform policy into business as usual
- Supports the move from rules-based model to a **risk-based approach** to regulation, focussing on environmental outcomes
- **Simpler and quicker assessments** – less time wasted seeking information, consistent application of regulation and policies
- **Cost savings to business** – through clearer, up front guidance and support
- Working with **assessment teams, consultants** and **proponents** to realise opportunities for improvements



Where to from here?

- Further **streamlining** of environmental regulation and processes
- **Continuous improvement** through monitoring, review, consultation and adaptive management
- Cementing the oversight role of the Commonwealth through **providing policy advice and expert guidance** e.g. Offsets
- What can **EIA practitioners** bring to the table to support **streamlining and continuous improvement???**



Questions?

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