

30 July 2015

Response via email to: EUconsultation@ehp.qld.gov.au

EU Consultation
Compliance Support
Environmental Services and Regulation
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001



Environment
Institute of
Australia and
New Zealand
SOUTH EAST QLD DIVISION

Re: EIANZ's Comments on the Enforceable Undertakings under the Environmental Protection Act 1994 Guideline

The Environment Institute of Australia and New Zealand (EIANZ) Southeast Queensland Division is pleased to submit its comments on the *Enforceable Undertakings under the Environmental Protection Act 1994* Guideline and thanks the Department for the opportunity.

The EIANZ is the leading professional body in Australia and New Zealand for environmental practitioners, and promotes independent and interdisciplinary discourse on environmental issues. On all issues and all projects the Institute advocates good practice environmental management delivered by competent and ethical environmental practitioners.

EIANZ comments on the guideline are as follows:

- Enforceable undertakings seem to be a pragmatic approach to addressing serious contraventions of the *Environmental Protection Act 1994*, with the potential for good environmental outcomes without incurring the significant costs of litigation.
- In general the guideline clearly articulates the purpose and requirements for enforceable undertakings.
- The EIANZ is pleased to note the emphasis on transparency, in particular that EUs are to be available on the Department's website.
- The focus on outcomes beyond compliance are seen as a vital component of the process.
- However, it is not clear how the value and appropriateness of mitigation and compensation is to be determined.
- It is acknowledged that the Act does not provide a timeframe for the department to decide whether to accept or reject an EU. It would however be helpful if the guideline provided some indication of the general timeframes that the department aims for.
- It is unclear if there is scope for public comment on draft EUs or will they only made public once finalised? We would appreciate clarification on this point.

We acknowledge and thank you for the opportunity to contribute to the consultative process. Please contact me on 07 5429 8480 or at seq@eianz.org if you have any questions regarding our submission.

Yours faithfully,

A handwritten signature in black ink that reads "Vicki Brady". The signature is written in a cursive, flowing style.

Vicki Brady
EIANZ SEQ
President

