



Environment Institute
of Australia and
New Zealand Inc.

15/05/2025

Via email to:



Dear Sir/Madam

Re: Submission to Approvals Fast Track Taskforce

About EIANZ

The Environment Institute of Australia and New Zealand (EIANZ) represents environmental professionals working in environmental science, land management and related professional services such as cultural heritage, legal, community engagement and the social sciences. EIANZ has about 2500 members across Australia and New Zealand with Divisions in each Australia state and territory as well as NZ. One, of course, is in the Northern Territory.

The Northern Territory EIANZ Division (EIANZ NT) has a keen interest in environmental policy and legislation development and appreciates the opportunity to make this submission. In the last 10 years, EIANZ NT has made 24 submissions to government guidelines, regulations, policies and papers.

The context of EIANZ NT's submission

The Approvals Fast Track Taskforce (the Taskforce) has been established to provide advice on ways to achieve a 50% reduction in timeframes for regulatory approvals.

Given its membership we expect the Taskforce to be focused on small to medium-sized business activities. We typically comment on regulation affecting larger projects such as mining, renewables, and infrastructure and residential development but feel that we can make an important contribution to the Taskforce's discussion on approvals and timeframes.

EIANZ NT Submission

EIANZ members include both regulators and those who work for regulated entities (i.e. consultants). Members aspire to see regulatory reform make processes easier to navigate while maintaining regulatory function but also fundamentally recognise that regulation was put in place for a purpose (see point 1 below). Regulation is, amongst other things, about understanding and mitigating risk - this could be a risk to human health and safety or to the environment. Any reform needs to understand the need for regulation (point 1 below), develop an understanding of inefficiencies in the existing process and then look for opportunities within the risk profile to optimise the regulatory process, (point 2 below). Linked to this point, while we all aspire to reform, we also need to ensure that we are reforming the right lever to achieve the desired outcome (point 3 below gives an example of a recent reform in the NT where EIANZ asks this question). Finally, regulation requires skilled and experienced public servants, and this is

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where we see significant opportunity to optimise and streamline the approvals process. (point 4 below).

1. Regulation fills a need

Regulation is developed to address community and/or government concern. Thus, if a concern is still relevant, can a streamlined regulatory process address the concern sufficiently? Understanding what are the implications of not regulating a concern or not regulating it sufficiently is important? Or, to put it another way, understanding risk is critical.

But risk operates at several levels: there is the risk about regulating an activity or not but there is also a risk within the activity, point 2 discusses this.

2. Risk assessment drives the process and is the opportunity

If a regulation applies to a project, can a streamlined assessment process ensure that this concern is properly assessed? This generally depends on risk.

The NTEPA introduced a pre-referral checklist some years ago. The checklist gives a high-level assessment of a project's impact and is a useful communication tool between proponents and regulators. These types of initiatives are critical and create efficiencies for proponents. Similar tools could be developed for other regulations.

The introduction of the Standard Conditions (SC) for the mining exploration and extractives industries in 2024 highlights how understanding of an industry, and its regulatory needs can be optimised. The SC framework potentially allows for low-risk activities to avoid a licensing requirement if the proponent implements a suite of standard conditions. Generally, these conditions are considered best practice and not onerous. The framework clearly articulates the requirements and benefits to proponents and potentially offers a streamlined assessment process for these low-risk activities. The streamlined assessment of low-risk activities allows regulators the benefit of focusing assessment on the high-risk components of a project.

The salient lesson here is understanding the activity and associated risks presents opportunities to an improved process.

3. Are you asking the right question

In EIANZ NT's 2025 submission to the Territory Coordinator Bill which, in part, aimed at optimising the environmental approval process under the *Environment Protection Act 2019*, we asked if delays to large projects are a result of the environmental approvals process? We pointed out that there is an opportunity to reduce approvals timeframes, but approval delays have been a result of project approvals explicitly excluded from the Territory Coordinator's ambit. We recommended that, for these very large projects, a review be undertaken of the stages of each project to identify critical bottlenecks and inefficiencies so that attention can be focused on these areas.

This example also relates to point 2 above: during a reform process do we have a complete understanding of what causes bottlenecks and inefficiencies, and how they can be appropriately addressed?

4. Attracting and retaining the right staff is the key.

Processing permits and licenses is contingent on the capacity and technical capability within departments. Having the right people with the necessary skills and experience to make risk-based decisions will reduce processing times. Retaining these staff is a challenge, it takes quite a while for a permitting/licensing officer to fully understand their portfolio. When skilled, experienced people leave, the loss of corporate knowledge is a loss for us all, and a frustration for business.

The Taskforce should consider this point: regardless of the reform, without experienced public servants delays in permitting/licensing will remain.

In conclusion

In conclusion, EIANZ NT would like to congratulate the NTG for the continuing reform process and appreciate the opportunity to make a submission to this reform. We wish the Taskforce best of luck with their deliberations.

Yours sincerely,

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President,
Northern Territory Division

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