



Environment Institute
of Australia and
New Zealand Inc.

POLICY SUBMISSION

EIANZ feedback on Environment Protection Reforms: Shaping the next phase of environmental reforms, Consultation Paper 1: Streamlining single project approvals

October 2026

About EIANZ

The Environment Institute of Australia and New Zealand (EIANZ) is the peak not-for-profit, multidisciplinary association of environmental practitioners across Australia and New Zealand. Our members include scientists, ecologists, planners, engineers, lawyers, economists and policy specialists, many with direct experience in preparing, reviewing and assessing referrals and environmental assessments under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).

This submission has been prepared by the EIANZ Policy and Standards Committee, and has been endorsed by the EIANZ President.

Executive summary

EIANZ welcomes the opportunity to comment on *Consultation Paper 1: Streamlining Single Project Approvals* (DCCEEW 2026). EIANZ supports the intent of the proposed regulations to deliver more efficient, transparent and robust single project assessments, and in particular supports the move to base the choice of assessment pathway on the readiness of information rather than project complexity, the clearer information requirements for referrals and assessments, and, in principle, the prescription of National Environmental Standards as matters to be considered in approval decisions.

EIANZ has had regard to its previous submissions on EPBC Act reform, including its December 2025 submission to the Senate inquiry into the reform bills (EIANZ 2025) and its May 2026 feedback on supporting legislation commencing from 1 July 2026 (EIANZ

2026b; EIANZ 2026c). Building on those submissions, EIANZ recommends that the Department:

- require referral and assessment information to be signed off by a suitably qualified and experienced person, with a statement of qualifications and a declaration of any conflict of interest, and supporting technical assessments to be undertaken by suitably qualified and experienced persons who make similar declarations, and encourage independent peer review for complex or high-risk proposals seeking a streamlined assessment;
- encourage early, pre-referral engagement with the National Environmental Protection Agency (National EPA), and clarify how it will be offered and resourced and how early advice will carry through to assessment, and provide guidance on how community engagement information will be considered in decisions and scaled to the nature and scale of the action;
- confirm when the proposed First Nations Engagement Standard will be prescribed for approval decisions, and how First Nations engagement will be considered in the meantime;
- ensure the information requirements support rigorous application of the mitigation hierarchy, including documentation of the avoidance, mitigation and repair options considered before any compensation is proposed;
- support the new approval tests with clear guidance on unacceptable impacts and the distinction between offsetable and irreplaceable values, and require proponents to show how net gain has been calculated;
- include cumulative impacts and climate-related risks in the assessment information requirements, with guidance on what is expected at referral and for each pathway and how it will inform decisions and conditions, and explain how greenhouse gas emissions information will be considered, with guidance to help proponents of actions that are not fossil fuel actions estimate and report emissions;
- publish guidance, developed with industry and the profession including EIANZ, on how social and economic matters are to be addressed in an EIS, proportionate to the scale and risk of a proposal and coordinated with State and Territory requirements, with social impact assessment extending to people affected indirectly;
- require requests to vary or extend an approval to identify material changes in listing status, species distributions, threat profiles or scientific knowledge since the original approval, where the action has not substantially commenced or differs substantially from that approved;
- show in published decisions and recommendation reports how each approval test was applied and how community and First Nations engagement was considered; and

- release the draft amendments to the referral and assessment schedules for targeted practitioner review before commencement.

EIANZ also encourages the Department to show, in the Cost Recovery Implementation Statement, how assessment fee revenue will support the assessment capacity and capability of the National EPA, consistent with EIANZ's earlier recommendation for substantial and sustained funding (EIANZ 2025, Recommendation 13).

1. Introduction and scope

Consultation Paper 1 proposes amendments to the *Environment Protection and Biodiversity Conservation Regulations 2025* (EPBC Regulations) to support the new single project assessment pathways, referral and assessment information requirements, approval decision-making considerations and post-approval processes introduced by the *Environment Protection Reform Act 2025* (Cth), together with initial cost recovery measures (DCCEEW 2026, sections 1.1, 2 and 3).

EIANZ's comments focus on assessment information, approval tests and post-approval processes, where its members' practical experience is most directly relevant. EIANZ does not comment on the proposed wildlife trade fees or on the level of individual assessment fees.

2. Elements EIANZ supports

EIANZ supports:

- the move to an assessment pathway chosen based on how ready the information is to support an approval decision, rather than on project complexity (DCCEEW 2026, section 2.1);
- clearer schedules setting out the information required for a streamlined assessment, providing a checklist for proponents and decision-makers (DCCEEW 2026, sections 2.2 and 2.3.2);
- the addition of repair to the mitigation hierarchy in referral information, and the consolidation of information on alternatives to the proposed action (DCCEEW 2026, section 2.3.1);
- the consolidation of data and information requirements so that they complement, rather than duplicate, the Data and Information Standard, and the requirement for referrals to specify how sensitive information will be managed (DCCEEW 2026, section 2.3.1);
- the inclusion of social and economic matters as an information grouping for EIS assessments (DCCEEW 2026, section 2.3.2);
- the requirement that requests to vary or extend an approval demonstrate continued consistency with the National Environmental Standards, no

unacceptable impacts and continued satisfaction of any applicable net gain requirements (DCCEEW 2026, section 2.3.3);

- the requirement for information on the environmental history of a proposed new approval holder when an approval is transferred (DCCEEW 2026, section 2.3.3); and
- improved transparency, including publication of approval decision recommendation reports, reasons when further information is required, and relevant post-approval decisions and notices (DCCEEW 2026, sections 2.2 and 2.3.3).

3. National Environmental Standards in approval decisions

Consultation Paper 1 proposes to prescribe the National Environmental Standards for Matters of National Environmental Significance (MNES), Environmental Offsets, Community Engagement, and Data and Information as matters the decision-maker must consider when making an approval decision under section 136A(1) of the EPBC Act (DCCEEW 2026, section 2.3.3). EIANZ supports, in principle, the prescription of these Standards for approval decisions.

Consultation Paper 1 does not list the proposed First Nations Engagement Standard among the Standards to be prescribed under section 136A(1) (DCCEEW 2026, section 2.3.3). In May 2026, EIANZ supported the proposal to prescribe the same Standards for Commonwealth accreditation as for the single project approval pathway, which the May 2026 Consultation Paper 3: Reducing duplication described as including a First Nations engagement Standard (EIANZ 2026c). EIANZ has also recommended that First Nations engagement include co-design and free, prior and informed consent (EIANZ 2025). EIANZ recommends that the Department confirm when the First Nations Engagement Standard will be prescribed for approval decisions, and how First Nations engagement will be considered in the meantime.

4. Quality of information and the streamlined assessment pathway

Consultation Paper 1 states that the streamlined assessment pathway will be available for projects that are not fossil fuel projects where sufficient information is provided upfront to assess the impacts of the action, and that a project could receive an approval within 50 business days of a valid referral (DCCEEW 2026, section 2.1). EIANZ supports this incentive to provide complete, high-quality information early.

The efficiency of the pathway will depend on decision-makers being able to rely on the information provided. A checklist can confirm that information is present, but not that it is technically sound. EIANZ has consistently recommended that environmental assessments be prepared and signed off by suitably qualified and experienced persons, with certification under EIANZ's Certified Environmental Practitioner (CEnvP) scheme or equivalent as evidence of competence (EIANZ 2025, Recommendation 14; EIANZ n.d.).

As EIANZ noted in its Senate submission, decision-makers should be able to trust that ecology assessments undertaken by certified specialists are fit for purpose, without needing to examine them forensically (EIANZ 2025). EIANZ has also recommended provisions to manage conflicts of interest and encouraged peer review for complex or high-risk proposals (EIANZ 2026a).

EIANZ recommends that the schedules setting out referral and assessment information require that this information be signed off by a suitably qualified and experienced person, with a statement of that person's qualifications and experience and a declaration of any conflict of interest. Because referrals are often prepared in-house or by teams, EIANZ focuses its earlier recommendation (EIANZ 2025, Recommendation 14) on review and sign-off.

Consistent with EIANZ's recommendation that assessments be undertaken by suitably qualified and experienced ecologists (EIANZ 2026a), technical assessments supporting a referral or assessment should be undertaken by suitably qualified and experienced persons, and their authors should provide similar declarations. As EIANZ noted in its Senate submission, evidence of suitable qualifications and experience may take various forms, including [CEnvP certification](#), Associate, Full or Fellow [membership of EIANZ](#), or recognition by another relevant industry body or certification scheme (EIANZ 2025). EIANZ also encourages independent peer review for complex or high-risk proposals seeking a streamlined assessment (EIANZ 2026a; EIANZ 2026d).

Consultation Paper 1 states that proponents will have the opportunity to demonstrate alignment with the National Environmental Standards in referral documentation, but that this will not be mandatory until after the controlled action decision (DCCEEW 2026, section 2.3.1). Consultation Paper 1 also states that consistency with the National Environmental Standards is one of the new approval tests (DCCEEW 2026, section 2.1). Under section 87(5A) of the EPBC Act (inserted by the *Environment Protection Reform Act 2025*), a streamlined assessment may be chosen only if the Minister is satisfied that the approach will allow an informed decision on whether to approve the action. Consultation Paper 1 states that the information needed for that decision must accompany the referral (DCCEEW 2026, section 2.2). Proponents seeking that pathway will therefore generally need to provide enough information at referral for the decision-maker to consider alignment with the Standards, even though a separate demonstration of alignment is not mandatory until after the controlled action decision (DCCEEW 2026, section 2.3.1). For other pathways, proponents can demonstrate alignment through responses to requests for further information and the assessment documentation. EIANZ encourages the Department to explain in guidance what alignment information is expected at referral for each pathway.

EIANZ has noted that streamlining is most likely to be effective where engagement is early enough to identify issues before proposal design, assessment pathways and

mitigation measures are effectively settled (EIANZ 2026e). For a streamlined assessment, as noted above, the information needed for the approval decision must accompany the referral, and the Community Engagement Standard is proposed to be prescribed for approval decisions (DCCEEW 2026, section 2.3.3). Where engagement is needed to demonstrate alignment with that Standard, proponents seeking a streamlined assessment will therefore generally need to undertake it before referral. What is not yet clear is how engagement information will be considered and used in decision-making. EIANZ recommends that guidance explain this, and how the expected scope of engagement will be aligned with the nature and scale of the action (EIANZ 2026e).

Streamlining is also likely to depend on proponents being able to engage with the National EPA early, before a project and referral are fully formed, to align expectations about the information needed. Consultation Paper 1 does not address this. Such engagement would occur largely outside the statutory process, which may place additional demands on National EPA resources, and the officers engaged early may not be the assessing officers. EIANZ recommends that the Department encourage early engagement and clarify how it will be offered and resourced, and how advice given early will carry through to assessment, for example through continuity of case officers. This reinforces EIANZ's call for substantial and sustained funding for the National EPA (EIANZ 2025, Recommendation 13).

EIANZ also recommends that the requirement for referrals to specify how sensitive information will be managed expressly cover Indigenous cultural and intellectual property and the locations of threatened species and ecological communities, consistent with its submission on the Data and Information Standard (EIANZ 2026d).

5. The mitigation hierarchy in referral and assessment information

Consultation Paper 1 proposes to clarify information on measures to avoid and reduce impacts in referrals, and to shift the requirement to provide information on benefits such as offsets to the assessment documentation (DCCEEW 2026, section 2.3.1). EIANZ supports this sequencing, which reflects the mitigation hierarchy: avoidance, mitigation and repair measures inform whether impacts are likely to be significant at referral, and offsets are relevant to residual significant impacts at assessment. EIANZ has previously noted research indicating that irreplaceability should serve as a first filter in identifying 'no-go' zones for development (EIANZ 2025) and recommended transparent criteria for determining whether values are offsetable or irreplaceable (EIANZ 2025, Recommendation 4).

EIANZ has also recommended rigorous gatekeeping so that proponents cannot bypass avoidance and minimisation without demonstrating genuine impracticability (EIANZ 2025, Recommendation 3), and that offsets be a last resort applicable only after

avoidance and minimisation have been demonstrably exhausted (EIANZ 2026a). EIANZ recommends that the assessment information requirements under the grouping ‘Demonstrating avoidance, mitigation and repair measures’ require proponents to document the avoidance, mitigation and repair options considered, the reasons any feasible option was not adopted, and how residual impacts were determined, before any compensation is proposed.

6. Approval tests and assessment information

Consultation Paper 1 states that the information requirements for Environmental Impact Statement (EIS) assessments will be updated to address National Environmental Standards, unacceptable impacts, net gain requirements, condition-setting considerations and other approval tests (DCCEEW 2026, section 2.3.2). EIANZ supports this alignment.

Unacceptable impacts

EIANZ supports the requirement to avoid unacceptable impacts on protected matters. EIANZ has recommended that definitions of unacceptable impacts for each MNES be scientifically robust, clearly articulated and subject to adaptive management (EIANZ 2025, Recommendation 2), and that guidance explains how unacceptable impact criteria interact with Protection Statements, Rulings, conservation advice and recovery planning documents (EIANZ 2026b). EIANZ also identified a practical risk of inconsistent interpretation of ‘critical habitat’, ‘registered critical habitat’ and ‘habitat critical to the survival of a species’ (EIANZ 2026b). EIANZ recommends that the Department publish guidance, with practical examples, on how these terms apply in referral and assessment information.

Net gain

EIANZ supports net gain as superior to the previous no net loss position (EIANZ 2025). The information grouping ‘Demonstrating the residual significant impact obligations meet the net gain test’ (DCCEEW 2026, section 2.3.2) will only be effective if the method for calculating net gain is clear. EIANZ has recommended that net gain calculation methodologies be clarified and transparent criteria established for determining whether values are offsetable or irreplaceable (EIANZ 2025, Recommendation 4; EIANZ 2026c). Applying that position to the information requirements, EIANZ recommends that proponents be required, under this grouping, to show how net gain has been calculated and the basis for treating each affected value as offsetable, supported by guidance.

Cumulative impacts, climate change and emissions

Consultation Paper 1 lists proposed assessment information groupings without expressly naming cumulative impacts or climate change (DCCEEW 2026, section 2.3.2). EIANZ has previously recommended that cumulative impact assessment be required at

appropriate spatial and temporal scales, including clarification of how existing approved but unimplemented actions are considered, and that assessments consider climate-related risks to MNES, including altered fire regimes, drought, flooding, sea-level rise and shifting species distributions (EIANZ 2026a). EIANZ recommends that the assessment information requirements include cumulative impacts, including how existing actions and approved but unimplemented actions have been considered, and climate-related risks to the protected matters affected.

Individual proponents, particularly of smaller projects using the streamlined or preliminary documentation pathways or seeking a not controlled action decision, may find this difficult to apply in practice. Guidance should explain the level of cumulative impact and climate risk assessment expected at referral and for each assessment pathway, and how that information will inform decisions and approval conditions. EIANZ has also recommended that recovery, restoration and offset proposals demonstrate climate resilience over relevant ecological timeframes, and that restoration and recovery actions have measurable, time-bound performance criteria (EIANZ 2026a). Consistent with this, assessment information should specify measurable, time-bound performance criteria, monitoring arrangements and adaptive management responses where outcomes are not achieved.

In May 2026, EIANZ supported the disclosure of scope 1 and scope 2 greenhouse gas emissions under section 84A of the EPBC Act as a sensible starting point and called for guidance on how emissions information will be considered in assessment (EIANZ 2026c). EIANZ recommends that the assessment information requirements and supporting guidance explain how that information will be considered. This information, being a reasonable estimate of scope 1 and scope 2 emissions or a statement that they are below any amount prescribed by the regulations (section 84A(2)), must be provided before a streamlined assessment can be chosen, and may be included in a referral (sections 87(5A)(c) and 72(4) of the EPBC Act, inserted by the *Environment Protection Reform Act 2025*). Guidance should also help proponents of actions that are not fossil fuel actions, such as those whose main emissions come from vegetation clearing during construction, to estimate and report emissions, as many will not ordinarily report emissions in this way.

Community engagement and data

Consultation Paper 1 proposes that approval decisions consider the Community Engagement and the Data and Information Standards (DCCEEW 2026, section 2.3.3). EIANZ has supported the Data and Information Standard and the intent of the Community Engagement Standard, while recommending clearer guidance on matters including the competency and assurance expected for data relied on in regulatory decisions, and when proponents may need suitably qualified engagement practitioners

(EIANZ 2026d; EIANZ 2026e). EIANZ recommends that the assessment information requirements be aligned with that guidance as it is developed.

Social and economic matters

Consultation Paper 1 lists social and economic matters as a proposed information grouping for EIS assessments (DCCEEW 2026, section 2.3.2). EIANZ supports this. EIANZ recommends that the Department publish guidance setting out what the regulations expect for the description, assessment and management of social and economic impacts in an EIS. The guidance should be developed in collaboration with industry and the profession, including EIANZ, consistent with EIANZ's recommendation for ongoing consultation with environmental practitioners on implementing regulations (EIANZ 2025, Recommendation 15). EIANZ can contribute specialist practitioner expertise to this guidance through its CEnvP scheme, which offers a global-first specialist certification in social impact assessment (CEnvP 2023). The assessment of social impacts in an EIS should not be limited to affected persons as defined in section 4 of the Community Engagement Standard as made. It should also consider people affected indirectly by a proposal. This reflects the broader approach EIANZ recommended for identifying who should be engaged under that Standard (EIANZ 2026e). The guidance should be proportionate to the scale and risk of a proposal, coordinated with State and Territory social impact assessment requirements to minimise unnecessary duplication, and clear about how social and economic impacts relate to the matters that can be considered under the EPBC Act (EIANZ 2026e).

7. Post-approval changes

As noted in section 2, EIANZ supports the requirement that requests to vary or extend an approval demonstrate continued consistency with the approval tests (DCCEEW 2026, section 2.3.3). In its May 2026 feedback on lapsing not controlled action decisions, EIANZ noted that environmental conditions, species distributions, listing status, threat profiles, land use context and scientific knowledge can change over time (EIANZ 2026b). Consistent with that feedback, EIANZ recommends that requests to extend or vary an approval also identify any material change since the original approval in listing status, species distributions, threat profiles or scientific knowledge relevant to the protected matters affected, where the action has not substantially commenced or the action as proposed differs substantially from that approved, so that existing works, such as retention basins that have since become habitat for protected matters not previously present, are not treated as new impacts.

8. Transparency of decisions

EIANZ supports the transparency measures proposed (DCCEEW 2026, sections 2.2 and 2.3.3). EIANZ has previously recommended that decisions clearly document how ecological evidence and uncertainty have been considered (EIANZ 2026a). EIANZ has

also recommended guidance on how engagement evidence will be considered by decision-makers (EIANZ 2026e). Building on that position, EIANZ recommends that published decisions show how community and First Nations engagement information has been considered and, where proponents are required to provide such information, how it informed the decision.

EIANZ recommends that published decisions and recommendation reports show how each approval test has been applied, including the National Environmental Standards, unacceptable impacts and the net gain test.

9. Cost recovery and regulator capability

EIANZ notes the proposed cost recovery measures (DCCEEW 2026, section 3). EIANZ has previously recommended substantial and sustained funding increases for the National EPA and supporting departments, including capacity and capability uplift for officers (EIANZ 2025, Recommendation 13), and encourages the Department to show, in the Cost Recovery Implementation Statement, how assessment fee revenue will support assessment capacity and capability.

Conclusion

EIANZ supports the intent of Consultation Paper 1 and the move to clearer, more consistent information requirements and approval tests for single project assessments. The key opportunity is to ensure that faster pathways are matched by reliable information, reviewed and signed off by suitably qualified practitioners, and by rigorous and transparent application of the mitigation hierarchy, unacceptable impact and net gain tests.

Consultation Paper 1 describes the proposed changes to the referral and assessment schedules but does not include the draft amendments (DCCEEW 2026, sections 2.3.1 and 2.3.2). EIANZ recommends that the Department release the draft amendments and associated guidance for targeted practitioner review before commencement, consistent with EIANZ's recommendation that practitioners be involved in developing implementing regulations (EIANZ 2025, Recommendation 15).

EIANZ would welcome the opportunity to discuss this submission with the Department and to assist, within its areas of expertise, with the development of guidance on assessment information requirements.

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