



POLICY SUBMISSION

EIANZ feedback on Environment Protection Reforms: Shaping the next phase of environmental reforms, Consultation Paper 2: Enabling Landscape Scale Pathways

October 2026

1. 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 designing, assessing, approving, delivering, monitoring, and enforcing environmental assessments, approvals and regional plans under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

This submission has been prepared by the EIANZ Strategic Environmental Assessment Community of Practice, with coordination and input from the Policy and Standards Committee, and has been endorsed by the EIANZ President.

2. Introduction

The Environment Institute of Australia and New Zealand (EIANZ) welcomes the opportunity to provide comment on the Australian Government's Consultation Paper 2: Enabling Landscape Scale Pathways (DCCEEW 2026). The following comments and recommendations build upon positions previously articulated in EIANZ's submissions on the Draft Gulf Plains and Draft Brigalow Belt North Bioregional Guidance Plans (EIANZ 2026c; EIANZ 2026b) and the EIANZ Strategic Environmental Assessment Community of Practice's Regional Planning and the Mitigation Hierarchy guide (EIANZ SEA CoP n.d.).

EIANZ supports the overall direction of the proposed reforms and considers the introduction of statutory bioregional planning pathways to potentially be an effective mechanism for holistically understanding and managing cumulative impacts at a landscape scale. This holistic approach allows developers and regulators to have a landscape scale understanding of the importance and significance of impacts which the current ‘development – by – development’ approval approach does not readily allow. This presents a significant opportunity to assess and manage impacts, including cumulative impacts, at a systems level, as well as to shorten environmental approval timeframes.

EIANZ has previously identified the appropriate respective roles and benefits of undertaking regional planning and strategic environmental assessment together (EIANZ 2025b). Used together, regional planning and strategic environmental assessment provide certainty by clarifying development and conservation priorities; reduce duplication and delays, supporting an ‘early no’ in sensitive areas and an ‘early go’ in low-risk zones; apply the mitigation hierarchy at a regional scale; enable large-scale restoration aligned with ecological and social priorities; and address cumulative impacts across landscapes (EIANZ 2025b).

EIANZ considers several components essential to the success of this reform, set out in the sections below. These are in addition to the core requirement that each bioregional plan be funded sufficiently to implement measures and achieve the intended outcomes (EIANZ 2025b).

3. Strategic Bioregional Planning

What EIANZ Supports

EIANZ supports bioregional plans with regulatory zones, including the formal designation of development and conservation zones, and the proposed regulations to support their making and administration. EIANZ also supports the proposal that the regulations prescribe all four National Environmental Standards for the making of bioregional plans (DCCEEW 2026, section 2.2), consistent with its position that the Standards should apply to all decision-making under the Act (EIANZ 2024). The proposed framework aligns closely with EIANZ guidance advocating application of the mitigation hierarchy at landscape scales through strategic avoidance, holistic restoration planning and coordinated cumulative impact management. EIANZ has previously cautioned, however, that areas between development and conservation zones, which have ongoing uses and may incur impacts, require a principles-based approach to land use decisions rather than simple binary zoning (EIANZ 2025a).

Areas Requiring Clarification or Strengthening

While the consultation paper provides considerable detail regarding spatial components of bioregional planning, greater attention should be given to implementation mechanisms (including use of existing regulatory frameworks/processes), stewardship obligations, performance expectations and how the mitigation hierarchy continues to apply at project scale.

While zones will specify where development can and cannot occur (prohibiting restricted classes of action in conservation zones, and exempting priority classes of action in development zones from project-level approval, subject to the conditions of the plan), the regulatory zones will be most valuable in regulating how development should take place and the location and standards of ecological restoration (offsets). EIANZ recommends that these standards be developed with input from industry, environmental practitioners, local communities and Traditional Owners (EIANZ 2025a).

Consultation Paper 2 states that guidance-type plans are retained as bioregional guidance plans, and that making a guidance plan must be consistent with the Community Engagement and the Data and Information Standards (DCCEEW 2026, sections 2.1 and 2.2). EIANZ has previously noted that bioregional plans must be robust, up to date and sufficiently detailed to support practical regulatory decisions (EIANZ 2026a). In its July 2026 submissions on the Draft Brigalow Belt North and Draft Gulf Plains Bioregional Guidance Plans, EIANZ recommended that each plan be treated as the first stage of a stronger regulatory framework, including a future statutory bioregional plan, strategic assessment or other enforceable mechanism (EIANZ 2026b; EIANZ 2026c). The regulations or supporting guidance should set out how a bioregional guidance plan can progress to a bioregional plan with regulatory zones.

Consultation Paper 2 also proposes transitional rules under which bioregional guidance plans developed and consulted on before the new tests take effect can be made without the Minister being satisfied that they are consistent with the National Environmental Standards (DCCEEW 2026, section 2.3). Consistent with that recommendation, EIANZ recommends that any plan made under these rules state that consistency with the Standards was not required, and that supporting guidance establish a process for assessing and addressing any inconsistency with the Standards when the plan is next reviewed or varied, or used to inform a bioregional plan.

Part 12A of the EPBC Act, inserted by the Environment Protection Reform Act 2025, does not require an assessment of the impacts of a bioregional plan when it is made. However, before making a plan the Minister must be satisfied that it will not have an unacceptable impact on a protected matter and that it will, or will be likely to, result in the residual significant impacts of each priority class of actions being compensated to a net gain (section 177AP(d) and (e)). These tests are difficult to apply with confidence without an assessment of the plan's impacts. EIANZ has long recommended that

regional plans be supported by an assessment of impacts prepared iteratively with the plan (EIANZ 2024), and Part 10 strategic assessments under the EPBC Act provide a suitable mechanism. EIANZ supports the proposal that bioregional plans include justifications for key plan elements, including the plan boundary, the development and conservation zone boundaries and the conservation objectives (DCCEEW 2026, section 2.2).

Recommendation

Bioregional plans should include clear procedural and performance-based requirements, including reference to environmental standards, that guide how development, mitigation, restoration and stewardship activities are undertaken within different zones. The regulations should also require that the justifications for the plan boundary, zone boundaries and conservation objectives be supported by an assessment of the impacts of the plan, prepared iteratively with the plan itself (EIANZ 2024).

4. Environmental Outcomes and Measuring Success

What EIANZ Supports

EIANZ supports the consultation paper's emphasis on environmental outcomes, restoration planning, monitoring and periodic review (DCCEEW 2026, section 2.2).

Areas Requiring Clarification or Strengthening

The consultation paper includes monitoring and review requirements, but provides limited guidance regarding the environmental outcome measures, indicators and targets that should be used to evaluate success. This topic was explored during the "Making Effective Use of Regional Planning" session at the EIANZ 2026 Impact Assessment Symposium held in Canberra in September 2026. It was identified at this session that success should be measured against environmental outcomes rather than administrative efficiency alone. EIANZ considers that success should be measured primarily through outcomes for protected matters, including whether a plan has delivered a net gain and achieved its objectives (section 177CD(4)(b) and (c)), within the principles of ecologically sustainable development (section 177AM(a)).

Key performance indicators for monitoring the relative success of bioregional planning should include measures of natural, social and economic capital.

Natural capital measures should at least include biodiversity outcomes, environmental condition trends, habitat connectivity, restoration success, cumulative impact trends for key values and climate resilience. Social capital would be understood as the relationships, networks, trust and capacity for collective action that enables people and organisations to work together to manage a bioregion and respond to change, with stakeholder confidence and engagement in outcomes also measured.

Recommendation

The regulations should require the monitoring plan for each bioregional plan (DCCEEW 2026, section 2.2) to set measurable environmental objectives, indicators and outcome targets against which overall performance and relative success can be monitored and publicly reported.

5. Cumulative Impact Assessment

What EIANZ Supports

EIANZ strongly supports landscape-scale planning as a means of managing cumulative impacts.

Areas Requiring Clarification or Strengthening

The Consultation Paper does not refer to cumulative impacts, and provides no guidance regarding cumulative impact assessment methodologies, environmental and social thresholds, limits of acceptable change, allocation of development capacity across a region and management responses if thresholds are exceeded.

The paper's closest mechanism is the assumed development level. Consultation Paper 2 proposes that, before registering a priority action, the Minister must be satisfied that it would not exceed the assumed development level specified by the plan, and that reviews consider whether the assumed development level remains appropriate (DCCEEW 2026, section 2.2). The paper does not explain how assumed development levels will be derived, or how they relate to cumulative impact thresholds for the protected matters in a plan area.

Recommendation

Supporting guidance should establish clear cumulative impact assessment principles supported by guidance on methodologies, environmental and social thresholds, limits of acceptable change and adaptive management responses. This will be required if practitioners and government are to apply cumulative impact concepts consistently across regions. Each bioregional plan should also explain how its assumed development levels were derived from a cumulative impact assessment, and how together they remain within cumulative impact thresholds for relevant protected matters (see EIANZ 2026b).

6. Environmental Data, Monitoring and Adaptive Management

What EIANZ Supports

EIANZ supports the National Environmental Standard for Data and Information, which

has now been made, and the emphasis on monitoring and plan review. EIANZ's July 2026 submission on the Exposure Draft and Policy Position Paper for the Standard sets out its detailed position (EIANZ 2026d).

The Consultation Paper proposes requirements for environmental information, monitoring and review.

Areas Requiring Clarification or Strengthening

Additional clarity is needed regarding data governance, sharing arrangements, custodianship responsibilities, monitoring governance and management responses where environmental outcomes are not achieved, and how Indigenous Cultural and Intellectual Property will be protected when engaging Traditional Owners and knowledge holders (EIANZ 2026d).

Recommendation

The regulations and supporting guidance should establish a comprehensive regional environmental information framework supported by standardised data requirements, environmental reporting systems and clearly defined adaptive management arrangements. This should include a publicly accessible regional environmental database for each plan area, to which proponents are required to contribute relevant survey and monitoring data within a specified timeframe, subject to appropriate protection of sensitive information. Plans should be supported by independent scientific review (EIANZ 2026b; EIANZ 2026c). Statutory reviews, each of which must commence within five years of the plan commencing or of the previous review report being given to the Minister (section 177CD), should not prevent more frequent updates to mapping, species information and thresholds (EIANZ 2026b; EIANZ 2026c). The regulations should also prescribe, under section 177CD(4)(d) of the EPBC Act, that reviews assess performance assurance (whether the plan has been implemented as expected), alongside the outcome matters required by section 177CD(4)(a) to (c) (EIANZ 2024). The regulations should also prescribe, under section 177CD(4)(d), that a review consider whether variation, suspension or revocation of the plan is warranted where it is not delivering its outcomes, and supporting guidance should provide for the Government's response to the review (section 177CD(7)) to address this, consistent with EIANZ's earlier recommendation that such a finding trigger revision of the plan (EIANZ 2024).

7. Stakeholder Participation and Collaborative Governance

What EIANZ Supports

EIANZ supports the proposed requirement for each bioregional plan to include a Consultation Statement, and the application of the Community Engagement Standard

to the making of bioregional plans and bioregional guidance plans (DCCEEW 2026, section 2.2).

Areas Requiring Clarification or Strengthening

Successful regional planning depends on ongoing collaboration, trust and governance well beyond initial plan preparation. This theme has been raised by EIANZ practitioners in discussions regarding regional planning and impact assessment, including the "Making Effective Use of Regional Planning" session at the EIANZ 2026 Impact Assessment Symposium. Effective implementation will depend on stakeholder confidence, trust and a shared commitment to regional outcomes. Early engagement during plan preparation is therefore critical to establishing the governance foundations required for successful implementation.

Stakeholder participation should continue through implementation, monitoring, adaptive management and review.

Recommendation

The framework should support ongoing collaborative governance arrangements that facilitate meaningful participation by governments, Traditional Owners, industry, and affected communities and environmental stakeholders throughout the life of a bioregional plan. Consistent with EIANZ's previous recommendations, this should include a standing stakeholder advisory group, including representatives from the environmental profession, to support plan development, oversight, evaluation and review (EIANZ 2025b).

8. Integration with Existing Planning Systems

What EIANZ Supports

EIANZ supports the objective of improving strategic decision-making and reducing duplication between environmental planning and assessment processes. EIANZ considers that the effectiveness of Landscape Scale Pathways will depend significantly on their ability to align with existing planning and environmental assessment frameworks rather than introducing parallel or duplicative approval processes.

EIANZ also recognises that strategic planning improves avoidance decisions at landscape scale, but site-level assessment remains important for validating assumptions, identifying local constraints and refining mitigation measures where necessary. Consistent with EIANZ's previous submissions, regional mapping should be treated as a screening tool only and should not replace appropriately designed site-specific assessment by suitably qualified and experienced practitioners, such as Certified Environmental Practitioners (EIANZ 2025b; EIANZ 2026b; EIANZ 2026c).

Areas Requiring Clarification or Strengthening

Greater clarity is required regarding interaction with Part 10 strategic assessments, state and territory planning systems, local government planning systems and project-level assessment pathways. It is assumed that a project proponent will need to satisfy the constraints and requirements of both the applicable bioregional plan and the relevant existing State/local statutory planning scheme, and that there will be clear mechanisms to deal with any overlaps and conflicts.

Because priority actions in development zones that meet the conditions of a plan will not need project-level approval (DCCEEW 2026, section 2.1), the regulations or supporting guidance should set out the site-specific evidence required before a priority action is registered, including how unmapped protected matters, mapping errors and new information will be dealt with.

Recommendation

The final framework should clearly articulate how bioregional plans interact with strategic assessments (particularly Part 10 assessments under the EPBC Act), project-level assessments and other planning systems, with a strong focus on reducing duplication and improving decision-making efficiency.

Consultation Paper 2 also proposes that decisions to approve strategic assessments be consistent with the National Environmental Standards for Matters of National Environmental Significance, Community Engagement, Environmental Offsets, and Data and Information (DCCEEW 2026, section 3.2). EIANZ supports this, consistent with its established position that the National Environmental Standards should apply to all decision-making under the Act (EIANZ 2024) and its recommendation that strategic environmental assessment have strong statutory foundations (EIANZ 2025b).

9. Indigenous Knowledge and Long-Term Stewardship

EIANZ considers there is significant opportunity to strengthen the framework through greater recognition of Indigenous knowledge systems, cultural landscapes, Caring for Country approaches and the role of Traditional Owners in ongoing implementation and stewardship. Consultation Paper 2 does not refer to First Nations participation or Indigenous knowledge. Consistent with EIANZ's previous submissions, plan development should include genuine co-design with Traditional Owners (EIANZ 2025a), and Indigenous knowledge should be incorporated only with free, prior and informed consent and appropriate protection of culturally sensitive information (EIANZ 2026b; EIANZ 2026c). The paper states an intent that plans be consistent with future National Environmental Standards as appropriate, once made (DCCEEW 2026, section 2.2). EIANZ recommends that the proposed First Nations Engagement Standard, once made, be prescribed for the making of both bioregional plans and bioregional guidance plans.

Recommendation

The regulations or supporting guidance should require bioregional plans to incorporate Indigenous knowledge systems (with free, prior and informed consent) and Caring for Country principles as core elements of plan development, implementation and review.

10. Climate Resilience and Landscape Ecology

What EIANZ Supports

EIANZ supports the use of landscape-scale planning as a mechanism for improving long-term environmental resilience.

Areas Requiring Clarification or Strengthening

Landscape Scale Pathways should be informed, not only by site-specific data (reductionist information: species location records, conservation status, habitat quality, etc) but also by broad scale holistic concepts applicable to the Australian context (land systems, corridors, cyclic variability and climate change considerations, refugia in the medium and long term etc.) and the principles of conservation biology and landscape ecology.

While the Consultation Paper addresses restoration actions and conservation objectives, it does not refer to climate change. Part 12A of the EPBC Act, inserted by the *Environment Protection Reform Act 2025* and not yet commenced, will require the Minister to be satisfied that a bioregional plan includes consideration of the expected impacts of climate change and appropriate adaptation and resilience measures (section 177AP(f)), but the paper does not say how the regulations will give effect to this, or how bioregional plans will be sufficiently robust and adaptable to respond to climate change. This is particularly so in respect to restoration actions. EIANZ has identified climate change as one of the top three threats to biodiversity (EIANZ 2025c) and has recommended that the National Environmental Standard for Matters of National Environmental Significance require assessments to consider climate-related risks to those matters, and restoration and offset proposals to be demonstrably climate-resilient over relevant ecological timeframes (EIANZ 2026e). As the MNES Standard, with which the regulations will require bioregional plans to be consistent (DCCEEW 2026, section 2.2), does not refer to climate change, the regulations and supporting guidance provide an opportunity to specify how plans should give practical effect to section 177AP(f).

Future plans should more explicitly consider climate refugia, ecological connectivity, changing species distributions, climate-resilient restoration and long-term adaptation.

Recommendation

To give effect to section 177AP(f), the regulations should require bioregional plans to document the climate scenarios considered, identify climate refugia and ecological connectivity, require restoration actions to be demonstrably climate-resilient over relevant ecological timeframes (EIANZ 2026e), and include monitoring indicators linked to adaptation responses.

11. Conclusion

Many of the recommendations provided here build upon issues previously identified by EIANZ in its submissions on the Draft Gulf Plains and Draft Brigalow Belt North Bioregional Guidance Plans and through the EIANZ SEA Community of Practice's Regional Planning and the Mitigation Hierarchy Guide.

EIANZ supports the overall direction of the Landscape Scale Pathways reforms. The principal opportunity for improvement lies in strengthening implementation arrangements (including link to existing State/local regulatory processes), cumulative impact assessment, monitoring, collaborative governance, integration with existing planning systems, climate resilience and community and Indigenous participation.

Improvements in assessment efficiency and regulatory streamlining will be beneficial, provided environmental standards are maintained, but they should not be the central goal. The ultimate test of success will be whether the reforms deliver measurable improvements in environmental condition, support ecologically sustainable development and effectively manage cumulative impacts at the scales at which ecological systems function.

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