

Please attach the following one-page summary to your submission.

Comments on the Interim Report for the Independent Review of the Environment  
Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Summary

Name of author/organisation:

Australasian Environmental Law Enforcement & Regulators Network (AELERT).

Contact details:

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Canberra, 2601

Telephone :

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Date:

3 August 2009

Which chapter(s) of the interim report are you commenting on?

Chapter 21: Enforcement, Compliance, Monitoring and Audit

Key points of submission

AELERT is a multi-jurisdictional network of environmental regulatory agencies. In its role of promoting best practice in environmental regulation, AELERT supports the Independent review's efforts to improve the efficacy of the Act and notes the points contained in Chapter 21: Enforcement, Compliance, Monitoring and Audit.

AELERT notes that some of the themes identified in Chapter 21 are consistent with AELERT's objectives and ongoing work being undertaken by the AELERT sub-committees.

AELERT will continue to follow the Independent review with interest, and hopes to play a role in helping to progress some of themes raised in relation to compliance and enforcement.

References

N/A

Confidentiality statement:

Note that all submissions unless otherwise indicated will be published on this website. You MUST indicate on your submission if you wish for your submission not to be published. If you wish for your submission to not be published please mark your submission as 'Confidential'. You should note that even if your submission is not published, the title of your submission and the name of the submitting organisation or individual will be published on the web site. If you wish to not have your details published please contact the Secretariat before making a submission. Contact details from of individuals making submissions will be limited to name, suburb and State/Territory.

Do you want this submission to be treated as confidential?

No

These comments contain personal information of a third party individuals. The third party individual consents to the publication of their information.



# AELERT

The Australasian Environmental Law Enforcement and Regulators Network

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31 July 2009

Independent Review of the EPBC Act  
GPO Box 787  
Canberra ACT 2601  
Australia

Dear Sir/Madam,

I am writing, on behalf of the Australasian Environmental Law Enforcement and Regulators neTwork (AELERT), to offer comment on the interim report of the Independent review of the *Environment Protection and Biodiversity Conservation Act 1999*.

As a multi-jurisdictional network of environmental regulatory agencies, AELERT is not in a position to judge the legislative policies of individual jurisdictions. However, in its role of promoting best practice in environmental regulation, AELERT supports the Independent review's efforts to improve the efficacy of the Act and notes the points contained in *Chapter 21: Enforcement, Compliance, Monitoring and Audit*.

AELERT has a number of projects incorporated into its Sub-Committee work plans, which are in alignment with some of the themes contained within Chapter 21. These include:

- the implementation of nationally accredited training packages, such as Certificate IV in Government (Statutory Compliance), Certificate IV in Government (Investigations) and Diploma of Government (Investigations) to enhance the 'professional development of compliance and enforcement staff';
- the promotion of inter-agency cooperation, cross-pollination of compliance and enforcement expertise, the provision of a web-based resource library and cooperative forums to raise professional standards in environmental regulation;

- the design of a cross-jurisdictional database relating to prosecution and sentencing records of environmental matters, which will allow network members to assess and monitor the effectiveness of various enforcement tools and remedies;
- a network of operational contacts that facilitate cross-jurisdictional cooperation; and
- guidance on the drafting of effective conditions, which are legally enforceable, able to be monitored, easy to understand and unambiguous, achievable and widely accepted.

Without pre-empting the outcomes of the final report, it is considered that AELERT, through its network of Commonwealth, State and Local environmental enforcement agencies, could meaningfully assist in achieving 'on-ground' regional enforcement presence or implementation of the outcomes.

AELERT will continue to follow the Independent review with interest, and hopes to play a role in helping to progress some of the themes raised in relation to compliance and enforcement.

I thank you for the opportunity to comment on the interim report.

Yours sincerely,

Greg Sullivan

**Chairman**

**Australasian Environmental Law Enforcement and Regulators neTwork (AELERT)**