

Department of Environment and Science

Regulator Performance Framework 2019–20 Performance Report

Prepared by: Department of Environment and Science

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Introduction

The Department of Environment and Science (the department) has a range of functions related to Queensland's natural environment, historical heritage places, science and the arts. During the reporting period the department managed a wide regulatory portfolio, administering and making statutory decisions under a range of legislation. A full list of this legislation can be found in Appendix 1 of this report.

As a regulator, the department is responsible for:

- undertaking project assessments and approvals, including environmental approvals and Environmental Impact Statement processes
- delivering risk based and intelligence driven enforcement activities and compliance actions
- responding to environmental incidents and community reports
- providing guidance to licence holders to support approval processes and voluntary compliance
- administering licensing and permits, including issuing of fees and debt recovery
- places on the Queensland heritage register, and important archaeological and underwater cultural heritage artefacts
- the management, co-stewardship or joint management of approximately 13 million hectares of protected areas and forests
- supporting the protection of over 4.47 million hectares of private protected areas, managing 12,000 square kilometres of declared fish habitat areas and 356,000 square kilometres of Great Barrier Reef and state marine parks, with the Great Barrier Reef managed in collaboration with the Australian Government
- supporting 51.3 million domestic and 8 million international visits to national parks and forests each year, including over 1 million camper nights
- managing species listed under the *Nature Conservation Act 1992* (NC Act) and undertaking effective regulation within the bounds of the Acts subordinate legislation, with 1000 species of animals and plants listed as threatened (extinct in the wild, endangered or vulnerable) in Queensland
- regulating collection of native biological material, use of traditional knowledge for biodiscovery, and sharing of benefits of biodiscovery under the *Biodiscovery Act 2004* (Biodiscovery Act)
- contributing to managing risks to health and safety of people and to the environment by coordinating Queensland contributions to the National Gene Technology Scheme, which regulates dealings with genetically modified organisms.

About the Regulator Performance Framework

Regulation plays an important role in keeping Queenslanders safe and healthy, by ensuring business and individuals act in a way that is consistent with community expectations. Excessive regulation, however, can be an impediment to business growth and innovation, especially where the regulatory burden is not proportionate to the issues that regulation is trying to address.

To assist regulators in achieving their objectives while minimising unwarranted impacts on Queensland businesses, the Queensland Government has identified model practices that will lead to better interactions between regulators, their regulated community and other stakeholders, while reducing burden/costs for all parties. The model practices are consistent with similar principles adopted in other jurisdictions nationally and internationally.

The five model practices are:

1. ensure regulatory activity is proportionate to risk and minimises unnecessary burden
2. consult and engage meaningfully with stakeholders
3. provide appropriate information and support to assist compliance
4. commit to continuous improvement
5. be transparent and accountable in actions.

Each of these five practices has a number of supporting principles.

1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden

Supporting principles:

- a proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions
- regulations do not unnecessarily impose on regulated entities
- regulatory efforts are updated and informed by intelligence gathering so that effort is focused towards risk.

Evidence and relevant information that demonstrates the extent to which DES's regulatory practices aligned with the regulator model practices throughout 2019–20.

Maintaining compliance, regulatory enforcement and engagement

The department makes compliance and enforcement decisions in accordance with the department's Enforcement Guidelines, which are published on its [website](#). These guidelines set out principles that ensure, amongst other things, that enforcement actions are proportionate to the harm caused or the level of risk, and that such actions take into account the circumstances of the alleged offender where appropriate.

To support this approach, the department has a range of compliance tools available, which include formal warnings, formal direction orders and penalty infringement notices. This ensures that it is able to match its enforcement response to the seriousness of the conduct.

The department's Compliance Steering Committee (CSC) provides oversight of the application of the Enforcement Guidelines and Regulatory Strategy. The CSC seeks to ensure that the department's enforcement approach is strategic, agile and consistent across the broader geographic, community and political context.

Risk management approach

The department's compliance inspections of sites with environmental authorities under the EP Act are prioritised with the assistance of a compliance prioritisation model (CPM). The CPM assists officers in understanding the attributes of a licensed site allowing them to make informed decisions regarding which sites to inspect. Relevant attributes include the site's compliance history, the compliance history of the site operator and the intensity or complexity of the activity taking place on the site. This ensures that, in deciding which sites to inspect, officers are focusing their efforts on the sites where the risk of serious consequences as a result of non-compliance are greatest. Lower risk sites are less frequently flagged by the CPM for possible inspection, ensuring that the regulatory burden on operators of such sites is reduced.

Balancing both regulation with supportive practice within the *Biodiscovery and other Legislation Amendment Act 2020* (the Biodiscovery Amendment Act), the requirement to apply for and obtain an approved biodiscovery plan has been removed, thus simplifying the approval process without compromising the State's ability to negotiate benefit sharing agreements. This has been done on the basis that all required information can be collected through the collection authority and benefit sharing agreement process.

The Biodiscovery Amendment Act supports the Queensland Government's commitment to enable the commercialisation of bio-products and improve the business environment for biodiscovery. The amendments addressed compatibility of the Biodiscovery Act with the access and benefit sharing requirements under the Food and Agriculture Organisation (FAO) of the United Nations International Treaty on Plant and Genetic Resources for Food and Agriculture by exempting plants listed under Annex 1 of the FAO Treaty. This exemption avoids imposing duplicate

requirements where the resources or knowledge are used for food or agricultural purposes.

Reducing unnecessary burden

The department implemented a project to improve the Environmental Impact Statement process and ensure it is streamlined.

The department also reviewed the annual return requirements to reduce unnecessary or duplicated reporting. This will reduce reporting for more than 3,000 environmental authority holders.

The department commenced the Better Regulation of Resource Activities (BRR) project in 2019, which aims at improving the regulation of resource activities under the EP Act. Part of the BRR project involves reviewing and identifying the contemporary risks associated with resource activities and delivering a regulatory approach proportionate to the risk of the activities. This project will consider both the 'assessment' risks and the 'compliance' risks associated with the activities and feed into the CPM through changes to the Aggregate Environmental Scores.

Intelligence gathering

An intelligence team within the department is responsible for gathering information and intelligence on activities to inform compliance.

A pollution hotline is in place and is promoted to the public to report issues and non-compliances. Over 8,000 community reports were received in 2019—20. This hotline is also the means by which the community reports concerns about places on the Queensland heritage register that are being neglected or where unapproved development is occurring.

The department collates data on matters related to protected plants and animals in an Enquiries and Compliance Register based on reports from both the departmental Wildlife hotline and 1300 Animal hotline. This data supports compliance and enforcement action and enables spatial and temporal patterns in wildlife matters to be analysed. Over 5,200 enquiries and compliance matters were received in 2019—20.

An Odour Abatement Taskforce and proactive community engagement program have been established to gather intelligence from the community about odour matters in Southeast Queensland.

A trial of remote, real-time monitoring of air, noise and water quality was rolled out near sites regulated by the department. Real-time monitoring has been an important tool for monitoring environmental issues in response to COVID-19 and complements a range of other high-tech tools that compliance officers use such as Remotely Piloted Aircraft Systems (drones) and remote sensing. The monitors are able to feed real-time data 24 hours a day, 7 days a week back to compliance officers, allowing them to take swift action to prevent environmental harm. Six monitors were deployed in Southeast Queensland with a further eight in Moranbah, Ayr, Home Hill and on the northern Gold Coast.

The department regularly receives reports about discoveries of important archaeological and underwater cultural heritage artefacts. These discoveries are investigated, advice given about management options, and details recorded in the Living Heritage Information System or the Australian Government's Australasian Underwater Cultural Heritage Database.

	<p>The department participates in the National Underwater Cultural Heritage Program (2020—23) and in doing so conducts periodical inspections of the state’s most important historic ship and aircraft wrecks, many of which are located in the Great Barrier Reef.</p> <p>Stakeholder engagement and community responsiveness</p> <p>To increase stakeholder and community awareness about its compliance priorities The department has developed and published compliance priorities for the forthcoming 2020—21 year, highlighting the department’s targeted approach to compliance based on risk and intelligence. These priorities can be found on the department’s website and include:</p> <ul style="list-style-type: none"> • waste management and waste levy compliance, • coal seam gas, and • estimated rehabilitation costs. <p>The department will also continue to focus on:</p> <ul style="list-style-type: none"> • responding to community reports/environmental incidents, • reef regulation compliance, • Odour Abatement, • pre-wet season inspections, • cracking down on illegal operators • ongoing heritage and coastal compliance. <p>The department proactively engaged with a broad range of communities regarding the assessment of cultural heritage significance, designing for adaptive reuse of heritage places, and terrestrial and maritime archaeology to raise community awareness about the protections in place for Queensland’s cultural heritage and how this varied resource is managed. Lectures, talks and short courses are provided to tertiary students as well as local community groups.</p>
<p>Examples and/or case studies that highlight the extent to which DES’s regulatory practices in 2019–20 aligned with the regulator model practices or could be enhanced in line with the model practices.</p>	<p>Demonstrating adaptability in regulation in response to COVID-19 impacts the department worked with authority holders to provide flexibility in meeting conditions where health directions made implementation a challenge. Two new provisions were included in the EP Act to assist industry in balancing their compliance obligations and health directives.</p> <p>In the event of a COVID-19 emergency, the new provisions allow for:</p> <ol style="list-style-type: none"> 1. a ministerial declaration exempting compliance with certain conditions of an environmental approval 2. a licensed or unlicensed operator to request a temporary authority where their operations change environmentally relevant activity thresholds.
<p>Actions taken in 2019–20 or currently being taken by DES to improve regulatory activities and business practices to reflect the</p>	<p>Throughout 2019—20 the department:</p> <ul style="list-style-type: none"> • developed an automatic reporting system that links compliance incidents reported in the Compliance Information Management System under the NC Act, <i>Recreation Areas Management Act 2006</i> (RAM Act), <i>Marine Parks Act 2004</i> (Marine Parks Act), <i>Forestry Act 1959</i> (Forestry Act), <i>Wet Tropics World Heritage Protection and Management Act 1993</i> (Wet Tropics Act). The reports provide an analysis of incident details such as key offences and high incident locations to allow for risk assessments to be completed. • migrated its wildlife enquiries and compliance register to SharePoint 365 to improve its functionality for both reporting and supporting targeted compliance

<p>regulatory model practices.</p>	<ul style="list-style-type: none"> • conducted a number of targeted wildlife compliance programs including: <ul style="list-style-type: none"> - regulatory monitoring of Tin Can Bay Dolphin feeding - monitoring rehabilitation permit holders in western Queensland - commercial macropod species Damage Mitigation Permit Audits - commercial wildlife trade inspection program and commercial crocodile farm audits • established new capability to progress targeted compliance activities in relation to the department’s responsibilities related to the protection of koala habitat under the Planning regulation 2017 and the amended Nature Conservation (Koala) Conservation Plan 2017 • continued to respond to community concerns about odour in Swanbank and surrounding communities in the Ipswich area. The Odour Abatement Taskforce’s work is supported by intelligence analysis of community reports, weather data and records from operators of waste and composting facilities to better target inspections and enforcement activity. • commenced development of model conditions for development of Queensland heritage places, aquaculture and sewage pump stations in 2019—20 to streamline approval processes • visited and recorded places nominated to, and already on the Queensland heritage register to contribute to the conservation, management and interpretation of these places by keeping information about them current.
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2. Consult and engage meaningfully with stakeholders

Supporting principles:

- formal and informal consultation mechanisms are in place to allow for the full range of stakeholder input and government decision-making circumstances
- engagement is undertaken in a way that helps regulators develop a genuine understanding of the operating environment of regulated entities
- cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Evidence and relevant information that demonstrates the extent to which DES’s regulatory practices aligned with the regulator model practices throughout 2019–20.

The department is committed to consulting and engaging with its stakeholders. It conducts regular discussions with industry peak bodies such as the Queensland Resources Council, the Australian Petroleum Production and Exploration Association, Timber Queensland, AgForce, Cement, Concrete and Aggregates Australia, macropod industry bodies and the Waste Recycling Industry Queensland. These meetings provide opportunities to discuss operational matters and for two-way feedback between the department and its regulated community and stakeholders. In addition to addressing specific needs, the department meets regularly with a broad range of community, wildlife and conservation groups.

All new significant regulatory documents (such as new statutory guidelines) are available for public comment through the department’s website.

The Australasian Environmental Law Enforcement and Regulators network (AELERT) is a well-respected and internationally recognised professional network for environmental regulators across Australia and New Zealand. The department is a [member agency](#) of AELERT, along with other local, state and federal government agencies that implement and administer environmental legislation. The department provides the Queensland representative to the AELERT steering committee and has departmental officers as members of a number of working groups. This provides the department with access to a range of opportunities to learn from other regulators and to gain exposure to best practice approaches to environmental regulation and where possible improve efficiency and effectiveness.

As part of the COVID-19 response, the department has also worked closely with other regulators in Queensland to ensure appropriate flexibility was put in place for industries impacted by COVID-19 or health directions. This included regular and close engagement with the Department of Natural Resources, Mines and Energy (DNRME).

Examples and/or case studies that highlight the extent to which DES’s regulatory practices in 2019–20 aligned with the regulator model practices or could be enhanced in line with the model practices.

In 2019—20, the department worked closely with industry to identify opportunities to support economic recovery and remove unnecessary requirements, for example simplifying annual returns for more than 3,000 authority holders.

The department offers a complaints mechanism for customers. Customers may lodge a complaint with the department if they are not satisfied with the service delivery, services, decisions or actions. Customers are encouraged to contact relevant staff to resolve the matter in the first instance. However, if a matter is unable to be resolved, the customer may lodge a complaint. Complaints may be lodged:

- on-line
- in a printed format (either posted or emailed)
- in person

	<ul style="list-style-type: none"> • anonymously. <p>Information regarding how complaints are managed is available on the department’s website, as is the Customer Complaints Management Policy and Procedure.</p> <p>Specific examples of meaningful stakeholder engagement includes the following:</p> <ul style="list-style-type: none"> • The Odour Abatement Taskforce was established to engage the Ipswich/Swanbank community in relation to odour issues. The taskforce has been working with community reporters, along with regulated businesses to address community concerns. • Wildlife and Threatened Species Operations established formal Interagency Compliance Interaction agreements with DNRME, Department of Agriculture and Fisheries and RSPCA Queensland to provide a consistent framework for information sharing and joint-agency compliance activities in matters where individual agency portfolio interests and legislated responsibilities cross jurisdictions. • The department implemented the Gurra Gurra Framework to better engage First Nations people in relation to activities of the department. • The Macropod Management Unit within the department held a stakeholder meeting in November 2019 with key industry players to discuss current and ongoing compliance activities and concerns. The Macropod Management Unit achieved all compliance targets outlined in the Commonwealth approved Wildlife Trade Management Plan. • In 2019—20, as part of the BRRR project, the department undertook workshops with resource industry representatives and interest groups to analyse the risks associated with resource activities within the State. Relevant stakeholders were identified through peak industry bodies, interest groups, academia and associated government departments. Stakeholders were invited to attend a briefing on the project and to express their level of interest and nominated workshop participants. • To develop the Biodiscovery Act reforms, extensive consultation was undertaken with members of the Traditional Knowledge Stakeholder Roundtable and biodiscovery entities. This collaborative approach will continue for the development of the Traditional Knowledge Code of Practice and supporting guidelines. This collaborative approach ensures that the regulation reflects the practical realities of biodiscovery operations. The consultation also increases stakeholder understanding of the reforms and the likelihood of entities being able to comply with the regulation, and therefore the prospects of the regulation achieving its objectives. • Growth in biodiscovery presents a unique chance for First Nations peoples to both harness business opportunities and help maintain their connection to country at the same time. The Biodiscovery Amendment Act enabled First Nations peoples to participate in biodiscovery by ensuring they are engaged and negotiated with to obtain their consent and that there is fair and equitable sharing of any benefits that may arise.
<p>Actions taken in 2019–20, or currently being taken by DES to improve regulatory activities and</p>	<p>The department developed a stakeholder engagement framework in 2019—20 to better ensure all stakeholders are engaged in key activities of the department.</p> <p>The department works closely with DNRME, which has a co-regulatory role for the resources sector. The two departments meet regularly to discuss operational matters, and exchange information as needed (and as permitted by privacy and confidentiality considerations) to ensure that each regulator is able to better inform</p>

business practices to reflect the regulatory model practices.	<p>its activities. The departments continue to assess operational linkages between the two departments and review practices to ensure efficiencies when dealing with the resource industry.</p> <p>During 2019—20 the department contributed to a review of the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes.</p>
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3. Provide appropriate information and support to assist compliance

Supporting principles:

- Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience
- Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance
- Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice

Evidence and relevant information that demonstrates the extent to which DES's regulatory practices aligned with the regulator model practices throughout 2019–20.

Information and support to assist compliance includes the department publishing information to assist environmental authority holders in understanding their obligations and support compliance. For activities regulated by the EP Act, the department has developed model operating conditions (such as composting, quarrying and sewage treatment), information on the intent of each model condition, as well as how an operator can comply with it. This information is contained in documents on the [Queensland Government's Business and Industry Portal](#).

Other published documents include:

- technical guidelines to assist applicants in applying for an environmental authority and provide all the necessary information to the department;
- information to assist operators in managing their environmental risks and comply with their obligations;
- guidelines about the statutory enforcement tools, which may be issued in the event of non-compliance, so operators are made aware of the potential consequences of non-compliance; and
- information about the roles, powers and activities of the department's authorised officers under the EP Act.

The department also publishes information online concerning how to lodge an application for a permit or authority it administers.

Applicants for an environmental authority are encouraged to undertake a pre-lodgement meeting to discuss proposed activities. This provides all parties with a sound understanding of the nature of the activity, where and when it is to be conducted, and to be in a position to assess the risk of the proposed activities.

In relation to environmental authority assessment decisions, these are communicated to applicants and conditions are set out clearly. Where appropriate, risk and outcome-based conditions are used to provide environmental authority holders flexibility in achieving compliance.

As the *Queensland Heritage Act 1992* (Heritage Act) includes provisions about protecting local heritage places, the department provides advice to the Planning Group about how local governments might achieve this through application of the State Planning Policy to their local planning instruments.

Applicants seeking to make an exemption certificate application under the Heritage Act are encouraged to seek pre-lodgement advice about the proposed development through an exchange of information or meeting.

When places are entered in the Queensland heritage register, the department engages with their owners/managers about establishing exemption certificates that activate on entry and approve a range of routine work that will occur at the place

	<p>over an extended period. This process informs new place owners and managers of their responsibilities, while also reducing the risk of future non-compliance.</p> <p>Exemption certificates given under the Heritage Act include conditions that assist future compliance efforts and provide those doing development clarity about how the approved work must be carried out. A suite of standard or model conditions to apply to exemption certificates (as well as other approvals) began in 2019—20.</p>
<p>Examples and/or case studies that highlight the extent to which DES’s regulatory practices in 2019–20 aligned with the regulator model practices could be enhanced in line with the model practices.</p>	<p>The department regularly publishes information to help inform and educate operators and the community about its compliance and enforcement activities.</p> <p>The enforcement register provides details of statutory enforcement tools issued where an individual or company has not complied with a condition of an environmental authority or has committed a breach of the EP Act.</p> <p>In response to the COVID-19 pandemic, the department has been working with a number of industry stakeholders, other government agencies and community groups in an effort to understand and resolve emerging COVID-19 related issues and provide additional guidance, resources and tools to support environmental authority holders.</p> <p>During 2019—20, the department undertook a substantial review of the General Exemption Certificate made under the Heritage Act, and as a result, published a new version online. The General Exemption Certificate provides upfront approval for a wide range of minor, low impact development occurring routinely at all places on the Queensland heritage register. This approval means applications are not needed. The department has since engaged with users of the General Exemption Certificate about further updates to be implemented early in 2021.</p> <p>The department also provides Queensland heritage place advice to the Queensland Government and other relevant agencies on major infrastructure projects, including Cross River Rail, about how to appropriately manage impacts on places as well as important terrestrial archaeology. In 2019—20, the department assisted the Cross River Rail Delivery Authority develop and implement a project-wide Archaeological management plan. This type of document establishes a framework for project partners to appropriately manage discoveries of archaeological artefacts in conjunction with construction schedules. During 2019—20, ongoing advice has been provided to the Department of Education and associated contractors in relation to upgrades and new additions planned for a number of State heritage-listed schools, including the Brisbane Central State School and the Ithaca Creek State School.</p>
<p>Actions taken in 2019–20, or currently being taken by DES to improve regulatory activities and business practices to reflect the regulatory model practices.</p>	<p>In 2019–2020 the department’s Compliance Optimisation team continued to maintain and manage the online Ranger base – Compliance and Enforcement page which provides updated compliance policies, tools and practices under the NC Act, RAM Act, Marine Parks Act, Forestry Act, and the Wet Tropics Act.</p> <p>Wildlife operations supported a major regulation change through the Native Animal Licencing Framework project and the introduction of the Nature Conservation (Animal) Regulation 2020 and Nature Conservation (Plant) Regulation 2020 which has modernised the effective regulation of all wildlife, with a focus on the keeping and trading of native animals in Queensland. This is the culmination of stakeholder and industry group consultation over many years.</p> <p>The department has worked with stakeholders to develop codes of practice for low-risk activities that do not require a licence under the EP Act but are still subject to the general environmental duty under the legislation. Compliance with these codes is a way for businesses to demonstrate that they have complied with their general</p>

environmental duty. Codes exist for concrete batching, motor vehicle workshops and various other activities.

In 2019–20, the department delivered on a commitment to commission an independent review into the composting industry in Queensland. This commitment was made in response to emerging issues and community concerns about some industry practices. The report recommendations will be used to inform future regulatory actions for new and existing operators to achieve improved environmental, compliance and community outcomes.

<p>4. Commit to continuous improvement</p> <p>Supporting principles:</p> <ul style="list-style-type: none"> • Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators, to ensure it is appropriately risk-based, leverages technological innovation and remains the best approach to achieving outcomes • To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community • Staff have the necessary training and support to effectively, efficiently and consistently perform their duties 	
<p>Evidence and relevant information that demonstrates the extent to which DES's regulatory practices aligned with the regulator model practices throughout 2019–20.</p>	<p>The department's membership of AELERT provides it with ongoing opportunities to learn from other regulators and to gain exposure to best practice approaches to environmental regulation.</p> <p>Officers from the department also participate in functions hosted by the ANZSOG National Regulators Community of Practice (NRCoP). The NRCoP is an active network of public sector regulators from all three levels of government and from every regulatory sector, professional background, role and level of seniority.</p> <p>As part of the BRRR project, existing regulation of resource activities under the EP Act are being reviewed to ensure the regulatory approach is proportionate to the risk associated with the activity and forms part of the department's commitment to ensuring a regular review of the approach taken for regulatory activities.</p> <p>As part of the COVID-19 response, the department has also been actively working with industry to identify other areas for regulatory improvement.</p> <p>The department actively monitors its regulatory performance and has a range of indicators that are reported through its Service Delivery Standards (e.g. percentage of identified unlicensed operators who have become licensed or enforcement action taken within 60 days). Performance results are available in the "Service standards" section with the department's annual reports.</p>
<p>Examples and/or case studies that highlight the extent to which DES's regulatory practices in 2019–20 aligned with the regulator model practices could be enhanced in line with the model practices.</p>	<p>The department has a training program for its officers covering all aspects of the regulatory process. This includes training in the lawful use of statutory powers held by officers authorised under its administered legislation, and in-depth training for assessment and compliance officers using interactive, scenario-driven online training modules developed specifically for the department.</p> <p>The department has developed and implemented the Remotely Piloted Aircraft Systems capability that it is using in a variety of applications, including undertaking volumetric surveys at landfills to confirm the integrity of the Queensland waste levy framework. The department has also trialled the use of a real-time monitoring program (as mentioned above in Principle 1).</p> <p>The department has worked to develop its social media presence and encourage members of the public to report incidents or illegal activities through the pollution hotline. This has been reinforced by publishing content in relation to compliance outcomes as a result of community reports.</p> <p>The department has progressed a Wildlife Management Regulation Strategy mentoring program through a series of Co-ordinated Compliance Activities (CCA). Six</p>

	<p>CCA’s taskforce activities were run in most regional locations to build skills consistently across the state.</p>
<p>Actions taken in 2019–20, or currently being taken by DES to improve regulatory activities and business practices to reflect the regulatory model practices.</p>	<p>In 2019–20 the Compliance Optimisation team trained and authorised approximately 70 Queensland Police officers. Police officers who are trained and authorised under the NC Act, RAM Act, Marine Parks Act, Forestry Act, and the Wet Tropics Act gain additional powers to act upon non-compliant incidents that occur both on and off park.</p> <p>This collaborative activity between the department and Queensland Police Service ensures actions are appropriately risk based and leverages technological innovation for the best approach to achieving outcomes.</p> <p>With the commitment of ensuring training remains relevant and effective, an officer from the Compliance Optimisation team is a subject matter expert on the department’s project to develop and deliver an authorised officer training course.</p> <p>This will allow internal training capacity to be re-directed towards more specialised and emerging compliance and enforcement related training subjects.</p> <p>This will allow internal training capacity to be re-directed towards more specialised and emerging compliance and enforcement related training subjects.</p> <p>The department has a range of resources available to support its staff, including procedural guides, guidelines, forms and templates. Officers in central teams are available to provide advice to frontline officers in relation to questions associated with the execution of powers and delegations under our legislation, and the Litigation Unit provides legal advice for complex compliance matters.</p> <p>The department has also recently partnered with industry to prepare to deliver a number of industry-specific online training webinars to departmental officers. These webinars are intended to build officers’ knowledge and understanding of key activities regulated by the department under the EP Act. These webinars are delivered live to allow a question and answer function. The webinars are also recorded and shared on internal systems for later reference.</p> <p>The department protects Queensland’s heritage by recognising its value through the entry of places in the Queensland heritage register, and ensuring it is conserved, adaptively re-used and its value is promoted for present and future generations. The department promotes and builds awareness of the state’s heritage through multiple interactions with a range of stakeholders. As clients and stakeholders become more aware of the requirements of the Heritage Act and other applicable legislation, they understand the need to incorporate heritage requirements in their development planning and the consequences of not complying with the legislation.</p> <p>The department regularly engages with Queensland Treasury about the policy and practice aspects of its provision of technical advice about <i>Planning Act 2016</i> development applications that affect places on the Queensland heritage register. This engagement is focused on enhancing interactions between the agencies and identifying areas for future improvement.</p>

<p>5. Be transparent and accountable in actions</p> <p>Supporting principles</p> <ul style="list-style-type: none"> • Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders • Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions • Indicators of regulator performance are publicly available 	
<p>Evidence and relevant information that demonstrates the extent to which DES's regulatory practices aligned with the regulator model practices throughout 2019–20.</p>	<p>To promote transparency and demonstrate open accountability the department's Enforcement Guidelines, compliance priorities and Regulatory Strategy are publicly available on the department's website, providing the regulated community and stakeholders with an understanding of how decisions related to enforcement and regulation are made.</p> <p>Most of the enforcement decisions made under the EP Act require reasons for the decision to be provided to the person affected by the decision. The EP Act also provides a statutory right to have most enforcement actions internally reviewed and a right to appeal those decisions to either the Planning and Environment Court or the Land Court.</p> <p>In March 2020, the Macropod Management Unit published the Annual Report for the macropod management program including a summary of all compliance activities undertaken during the 2019 harvest period.</p>
<p>Examples and/or case studies that highlight the extent to which DES's regulatory practices in 2019–20 aligned with the regulator model practices could be enhanced in line with the model practices.</p>	<p>The department publishes information about its regulatory activities in both its departmental annual report and in the annual reports on the administration of the EP Act, the NC Act and the Marine Parks Act.</p> <p>The department also regularly publishes information to help inform and educate operators and the community about its compliance and enforcement activities.</p> <p>The Environmental Regulatory Update is a regular e-mail bulletin sent to subscribers providing the latest information about important compliance and enforcement information.</p> <p>Prosecution bulletins summarise the facts and outcomes of prosecutions finalised by the department.</p> <p>The department maintains a Public Register that provides information and documentation related to the administration and enforcement activities it undertakes in line with the EP Act .</p>
<p>Actions taken in 2019–20, or currently being taken by DES to improve regulatory activities and business practices to reflect the regulatory model practices.</p>	<p>The department is improving the provision of information required to be made available on the public register under the EP Act through an improved online portal.</p> <p>The department has commenced publishing annual strategic compliance priorities. These priorities are the key strategic and operational priorities for the next 12 months. The department's ongoing compliance work continues to be informed by community, industry and scientific intelligence.</p>

Appendix 1

Legislation managed and administered by DES in a regulatory capacity:

- *Biodiscovery Act 2004*
- *Biodiscovery and other Legislation Amendment Act 2020*
- *Coastal Protection and Management Act 1995*
- *Environmental Offsets Act 2014*
- *Environmental Protection Act 1994*
- *Forestry Act 1959*
- *Marine Parks Act 2004*
- *Marine Parks (Great Sandy) Zoning Plan 2017*
- *Marine Parks (Moreton Bay) Zoning Plan 2008*
- *Nature Conservation Act 1992*
- *Queensland Heritage Act 1992*
- *Recreation Areas Management Act 2006*
- *Waste Reduction and Recycling Act 2011*
- *Water Act 2000 (Chapter 3)*
- *Wet Tropics World Heritage Protection and Management Act 1993*