



Regulatory Strategy 2022–2027

Queensland's Environmental Regulator



Queensland
Government

Prepared by: Environmental Services and Regulation, Department of Environment and Science

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The Department of Environment and Science acknowledges Aboriginal peoples and Torres Strait Islander peoples as the Traditional Owners and custodians of the land. We recognise their connection to land, sea and community, and pay our respects to Elders past, present and emerging.

The department is committed to respecting, protecting and promoting human rights, and our obligations under the Human Rights Act 2019.

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Version history

Version	Date	Description of changes
1.00	February 2022	First version of the document.
2.00	October 2022	Updates to document to align with the Queensland Resources Industry Development Plan.
3.00	June 2023	Updates to deliverables and timeframes for several actions following completion of first progress report.

Acknowledgement of Country

The Department of Environment and Science acknowledges Aboriginal peoples and Torres Strait Islander peoples as the Traditional Owners and custodians of the land. We recognise their connection to land, sea and community, and pay our respects to Elders past and present.

The department is committed to respecting, protecting and promoting human rights, and our obligations under the Human Rights Act 2019.

We recognise and value the ongoing contributions of First Nation people and their culture and the opportunities that exist for shared ways of working to protect Queensland's environment.

We acknowledge that:

- Land and water are of spiritual, cultural and economic importance to First Nation people.
- All places in Queensland exist on the traditional country of First Nation people.
- First Nation people's interests, needs and aspirations are integral to the department's core business.

In recognising and respecting thousands of years of environmental stewardship, Queensland's First Nation people and their culture is integral to the department's objective to protect and sustainably manage Queensland's environment and natural, cultural and heritage values. As part of our regulatory approach, we seek to engage and work collaboratively to build a culturally safe work environment that is inclusive of First Nation people's perspectives and values.

The Department of Environment and Science is committed to working in genuine partnership with Queensland's First Nation people to achieve stronger outcomes for community and for all people. The department's Gurra Gurra Framework 2020–2026 was launched in April 2020. The framework will help us reframe the way we work by holding Country and people at the centre of our business operations and decision-making.



This artwork was developed by the department's Cultural Capability Action Plan working group in conjunction with our graphic designers to represent the department's Aboriginal and Torres Strait Islander cultural capability.

It features the artwork of Elaine Chambers—a Kuku Yalanji and Koa woman.

The artwork was designed with all elements in mind; water resources, land management, rural lands and coastal areas.

The hands around the main design signify our hands embracing the lands and waterways we care for.

The blue and green background represents the land and waters of our state.

Director-General’s foreword

The Department of Environment and Science (department) is responsible for safeguarding the state’s environment, its coasts and built heritage. We are committed to supporting ecologically sustainable development that creates jobs and prosperity for the community, while preventing and minimising impacts on the environment.

The Environmental Services and Regulation (ESR) division within the department is Queensland’s environmental regulator. ESR’s primary responsibility is administering and enforcing a range of legislation that manages the impact of regulated activities on natural systems and processes, and Queensland’s built heritage. ESR is also responsible for implementing a range of government priorities, including Reef protection regulations, mine rehabilitation reforms and waste levy implementation. These significant reforms will only be effective with appropriate education, regulation and enforcement.

This Regulatory Strategy (Strategy) sets out ESR’s vision for the delivery of its regulatory functions and activities. It outlines the direction and intent of ESR’s regulatory effort over the next five years and is based on the principle of continuous improvement.

It builds upon the previous strategies which resulted in a shift to a more outcomes-focused approach. This has seen the department moving from a focus on applying the standards (assessment function) to inclusion of enhanced monitoring, greater education and proactive response to performance issues (compliance function).

The 2022–2027 Strategy aligns with the department’s Strategic Plan and complements its service delivery statements. It is also supported by the department’s Annual Strategic Compliance Priorities and Enforcement Guidelines to protect the health of Queensland’s environment and communities.

The Strategy aims to address community expectations in relation to strong environmental management and greater transparency. It also seeks to address industry calls for greater certainty, through making more data available, efficient assessment processes and reduced regulatory burden. It also supports Queensland’s ongoing economic recovery and growth following COVID-19 while still maintaining strong environmental outcomes.

The independent statutory review (the Samuel’s review) of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) concluded that “Australia’s natural environment and iconic places are in an overall state of decline and are under increasing threat. The environment is not sufficiently resilient to withstand current, emerging or future threats, including climate change. The environmental trajectory is currently unsustainable.”¹ The Commonwealth Government response to Professor Samuel’s review, *The Nature Positive Plan: better for the environment, better for business* provides important context to work, roles and capacity of the Queensland regulator going forward.

The Queensland Government is committed to achieving improved environmental outcomes in Queensland while at the same time achieving more efficient regulation. It has committed to investigating and consulting on the establishment of an independent Environmental Protection Agency. If this results in establishment of an Environmental Protection Agency, the Strategy would be reviewed, noting that many of the same regulatory principles would likely still apply. So to, the Queensland Government response to the *Independent Review of the Environmental Protection Act (1994): an independent review into the adequacy of existing powers and penalties* by retired Environment and Planning Court judge Richard Jones and former Senior Crown Prosecutor Barrister Susan Hedge will have significant implications for DES as a regulator.

Implementation of the Strategy will help deliver more streamlined, efficient and cost-effective regulation that is proportionate to risk and will support Queensland’s economy. Crucially, it will better ensure that the state’s unique environment and cultural values are well-managed and protected now and into the future.

Jamie Merrick

Director-General

¹ Key messages of the Independent Review of the EPBC Act available at <https://epbactreview.environment.gov.au/resources/final-report/key-messages>

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Introduction

The ESR Division within the department provides targeted, consistent and transparent regulation that facilitates ecologically sustainable development in Queensland. ESR manages and monitors environmental risks through assessment, compliance, investigation and enforcement programs.

ESR is dedicated to safeguarding the state's environmental values and reducing impacts from environmental harm. It operates under a business model with staff located across Queensland that play critical roles in:

- assessing and deciding environmental authority applications in specialised business centres, each focused on particular industry sectors
- undertaking environmental impact assessments from a dedicated business centre
- enforcing regulations, responding to incidents and complaints and visiting sites to check on environmental performance and the protection of Queensland's built heritage
- answering customer enquiries and taking reports from the public on incidents or illegal activities for early resolution or referral to compliance centres for higher risk complex issues.

The previous Strategy for Queensland's environmental regulator was released in 2014. This strategy builds on lessons from the implementation of the previous strategy. Importantly, its development has also been informed by an understanding of contemporary trends in industries and technologies, and consideration of changing community and market expectations. This evolution is detailed in Figure 2.

The Strategy for 2022–2027 is structured around six key focus areas:

1. Regulate proportionate to risk
2. Assessment processes
3. Targeted compliance
4. Customer focus
5. Partnership, science and innovation
6. Communication and engagement.

These focus areas deliver on the departments' vision and responsibilities as a regulator, feedback from government and external stakeholders, and the Queensland Government's regulator model practices.² Each focus area includes targets, principles and actions. As illustrated in Figure 1, the principles outline how ESR will approach its regulatory activities while the actions are time specific deliverables. By undertaking its regulatory activities in accordance with the principles and delivering the actions within the timeframes, ESR aims to achieve the targets it has set for each focus area by 2027.

² Queensland Treasury, *The Queensland Government Guide to Better Regulation*, May 2019, Section 5.1

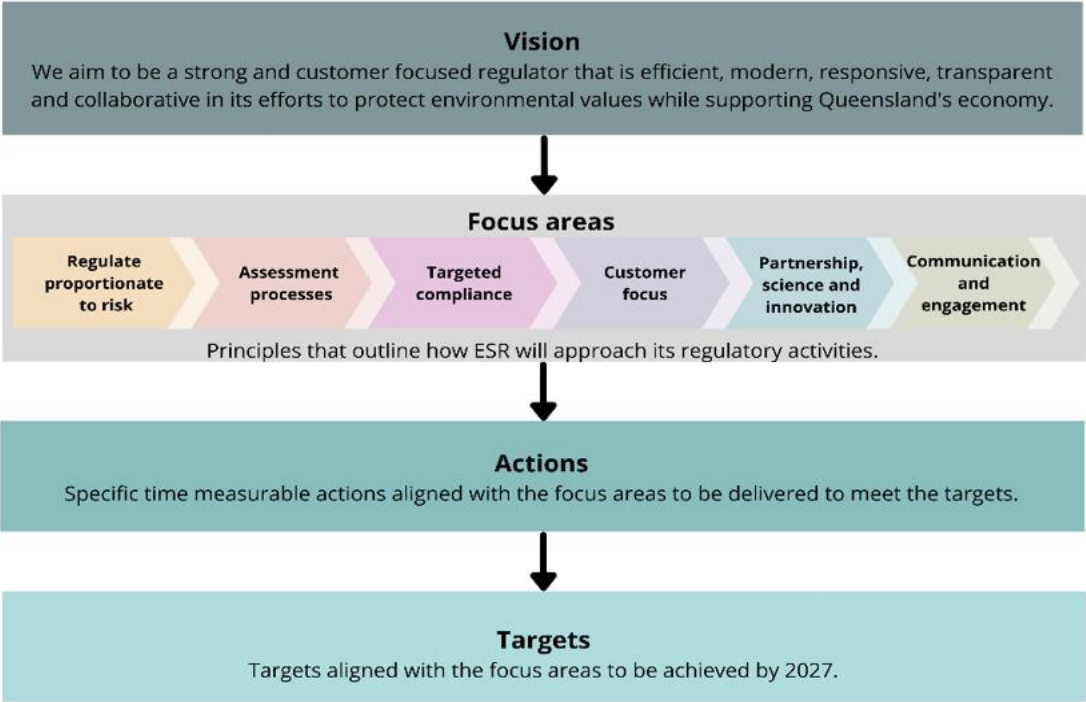


Figure 1: Structure of Strategy 2022—2027

Regulatory Strategy 2022 - 2027



Figure 2: Evolution of our regulatory approach

Purpose

The Strategy outlines ESR's vision as a regulator and outlines the direction of its regulatory effort over the next five years. It provides an overarching approach to regulating impacts to Queensland's environment and built heritage. It is focused on protecting Queensland's environment, Reef, coastal resources and built heritage from harm and ensuring a balance between economic development and sustainable management of the environment.

The Strategy:

- builds upon the lessons of the 2014 Strategy
- considers contemporary legislative and market settings, together with key industry and technology trends and drivers
- aligns with the increased expectations of the community for improved environmental performance of regulated entities
- builds on ESR's existing proficiency to improve how Queensland's environment and built heritage are regulated
- provides direction to government, stakeholders and customers and guides changes over the next five years
- targets priority areas to continuously improve ESR's performance as a regulator
- outlines actions to ensure sustainable management of the environment and help support Queensland's economy.

Vision

We aim to be a strong and customer-focused regulator that is efficient, modern, responsive, transparent and collaborative in its efforts to protect environmental values while supporting Queensland's economy.

Scope

This Strategy applies to ESR's regulated activities under the following Acts:

- *Coastal Protection and Management Act 1995*
- *Environmental Offsets Act 2014*
- *Environmental Protection Act 1994*
- *Queensland Heritage Act 1992*
- *Planning Act 2016*
- *State Penalties Enforcement Act 1999*
- *Waste Reduction and Recycling Act 2011*
- *Water Act 2000* (Chapter 3)
- *Wet Tropics World Heritage Protection and Management Act 1993*

In some circumstances, certain aspects of these Acts may be devolved or delegated to other regulators such as local government or other Queensland Government departments. The Strategy applies principally to the operations of the regulatory arm of the Department of Environment and Science and not other regulators.

The Australian Government has responsibility for matters of national environmental significance through the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). However, the Australian Government has a bilateral agreement with the Queensland Government which provides for Queensland to undertake certain assessments on behalf of the Commonwealth. A statutory review of the EPBC Act was completed in October 2020 and published in February 2021. The Australian Government response, 'Nature Positive Plan: *better for environment, better for business* was published in December 2022. The priorities and actions set out in the response provide important context and will enhance the approach to environmental regulation in Queensland.

This strategy also recognises the important context and obligations arising out of the Human Rights Act 2019 and the Path to Treaty Act 2023.

Embedding modern regulatory approaches

The Department of Environment and Science, ESR division recognises that its regulatory approach must be based on continuous improvement. To this end, the Strategy 2022–2027 embeds modern approaches and the Queensland Government’s regulator model practices³ to:

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.

The regulator model practices informed the identification of the Strategy’s six focus areas as shown in Figure 3.

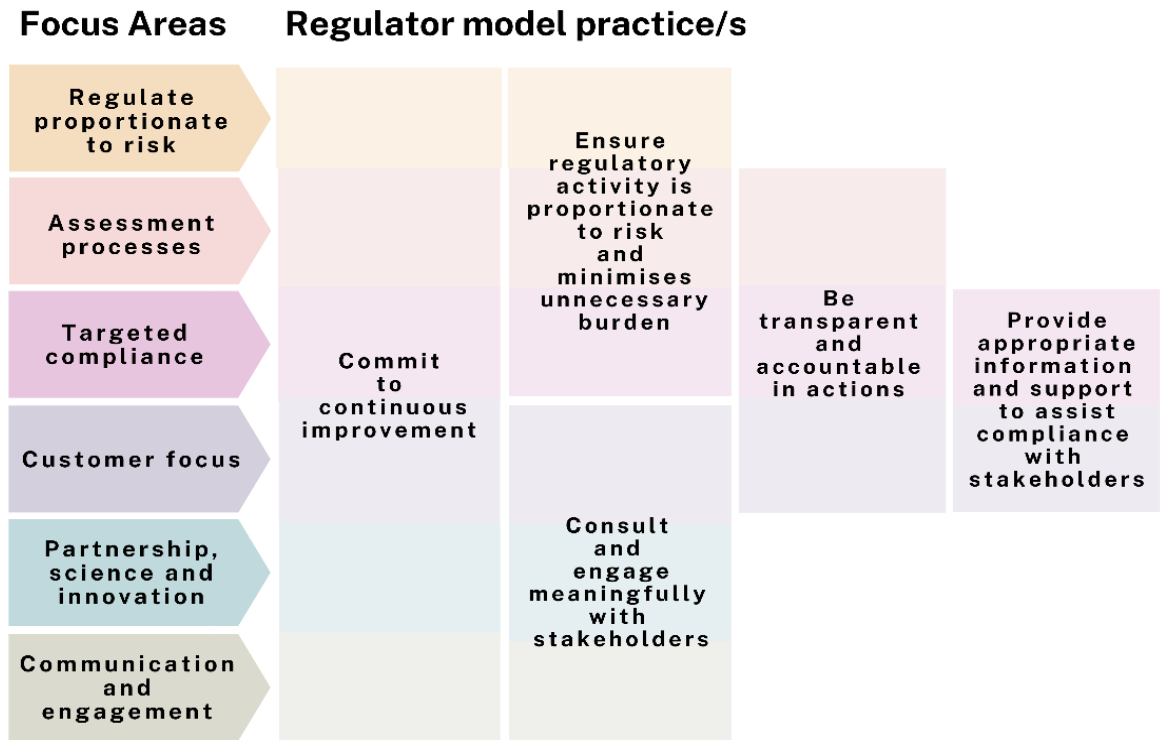


Figure 3: Relationship between Focus Areas and regulator model practices

³ Queensland Treasury, *The Queensland Government Guide to Better Regulation*, May 2019, Section 5.1

1. Regulate proportionate to risk

Targets: By 2027 ESR aims to have:

- Built on existing understanding about the potential risks of regulated activities and increased data sharing with industry to improve decision making and better ensure effort is focused towards risk.
- Improved the efficiency of its regulatory activities by prioritising resources towards activities that pose higher risks to the environment or built heritage.

Fundamental to ESR's vision as a regulator is strong risk-based regulation, which applies to its assessment and compliance activities. In simple terms, risk is determined through review and analysis and an assessment of the likelihood and consequence of the hazard occurring. Likelihood may be considered in relation to factors such as:

- the systems and controls the operator has in place to manage risk
- maturity of the industry
- past incidents and compliance history of the operator.

While consequence may consider such factors as:

- the scale of the activity
- the values present at the location of the activity
- the extent and duration of any actual or potential harm.

Consistent with the Queensland Government's Guide to Better Regulation⁴, ESR's regulatory approach to potential environmental or built heritage issues will be proportionate to the risk that the issue presents. The challenge for ESR, regulated entities and the community is acknowledging that not all risks can be eliminated through regulation and that a balance needs to be struck between risk reduction and regulatory burden.

Where the risks of an activity are lower, the activity may require less prescriptive regulation and may attract less compliance activity from ESR. For example, environmental authorities (EAs) for lower risk activities may include conditions that outline the environmental outcomes the operator must achieve. Where an activity is regulated with outcome-focused conditions, it is the responsibility of the operator to assess the most appropriate way to achieve these outcomes for their own circumstance. This approach creates efficiencies by allowing both ESR and the operator to devote more time and resources to activities that pose a higher risk or more productive activities.

Conversely for a higher-risk activity, where the consequences of a breach of regulatory obligations may have significant negative consequences, more prescriptive regulation and stronger compliance activity may be required to ensure the protection of the environment or built heritage. For example, EAs for higher-risk activities may include conditions that outline how the activity must be undertaken to ensure the risks are appropriately mitigated.

ESR's most valuable resource is its officers. ESR is committed to developing the technical knowledge and capability of its officers to drive continuous improvement and support better outcomes for Queensland's environment and built heritage. Building officer capability will support ESR to identify risks and prioritise resources towards activities that pose higher risks to the environment or built heritage.

Principles

- ESR will maintain an understanding of the environmental risks of the activities it regulates.
- Regulatory approaches will be updated and informed by review and analysis so that effort is focused towards risk.
- Regulatory activities will be proportionate to risk, minimise unnecessary burden and ESR will consistently seek out better and more efficient ways of regulating.
- Similar situations will be treated in a consistent manner so that operators can have confidence that ESR's regulatory actions are equitable and that comparable situations will have comparable outcomes.
- When conditioning EAs:
 - enforceable conditions will be included to ensure that there is not an unacceptable risk of harm to environment or built heritage
 - where outcome-focused conditions do not adequately address the risks posed by the activity, prescriptive conditions will be imposed
 - monitoring and reporting conditions may be imposed to validate assessment evaluations and provide assurance that outcome-focused conditions are working effectively.

⁴ Queensland Treasury, *The Queensland Government Guide to Better Regulation*, May 2019, Section 1.4

Actions

Action	Description	Timeframe
1.1	Identify areas of the legislation operationalised by ESR, including the <i>Environmental Protection Act 1994</i> , that would benefit from a more contemporary regulatory approach proportionate to risk and consider potential legislative changes in consultation with industry and the community.	2022
1.2	Develop guidance (available externally) to support officers to consider risk as part of regulatory decision making.	2023
1.3	Review conditions that are commonly applied across industry sectors and consider the feasibility of incorporating these conditions in the legislation or a statutory instrument published by the Chief Executive to ensure greater consistency.	2023
1.4	Contribute to a scientific and technical review of the environmental risk of resource activities regulated under the <i>Environmental Protection Act 1994</i> .	2023
1.5	Undertake a review of the financial assurance framework for prescribed environmentally relevant activities (ERAs).	2024

2. Assessment processes

Targets: By 2027 ESR aims to have:

- Improved external guidance material that clearly defines the standard of information required in applications and sets customer expectations.
- Improved the quality of applications to carry out ERAs received.
- Improved consistency and efficacy of assessment processes for operators and ESR.

ESR is responsible for administering a number of assessment processes. These processes rely on applicants providing sufficient and relevant information to enable ESR officers to undertake an assessment of the potential risks posed by the activity. ESR is committed to providing clear guidance about requirements to applicants and undertaking assessments in a timely manner. It encourages applicants to seek pre-lodgement advice so that they can fully understand the application process and the information that they must provide. This also assists ESR to take a consistent approach to the assessment of applications.

An application for an EA must be refused if the applicant is not a registered suitable operator (RSO). The intent is to ensure that only fit and proper persons are RSOs and can hold an environmental authority. However, there is a need to improve the RSO process to ensure repeat offenders do not continue to operate, for example, under different company names.

To assist applicants to understand the conditions that may be imposed on an EA, numerous model condition sets and a set of common conditions for prescribed ERAs have been developed. Model and common conditions are prototype conditions that may be applied to EAs if a site-specific (or amendment) application is made. They provide guidance on ESR's expectations for managing risks to the environment and help ensure consistency. Eligibility criteria and standard conditions (ERA standards) have also been developed for some lower risk ERAs which are suitable for the standard application process. The conditions included in model conditions sets or ERA standards may be prescriptive, outcome-focused, or a mix of both, depending on the specific risks being addressed through the conditions (refer to the focus area 'Regulate proportionate to risk' for additional information).

Principles

- Clear and timely guidance and support is accessible and tailored to meet the needs of the target audience.
- It is clear what information is required from applicants to support efficient and timely assessment processes.
- ESR will not accept applications that are not 'properly made' or where the information supplied is insufficient to allow appropriate conditions to be imposed.
- ESR will only ask for information that is necessary to assess the potential risks posed by an activity and the adequacy of the proposed management practices to decide an application.
- Where appropriate, regulatory approaches will be tailored to ensure activities do not disproportionately burden particular stakeholders.
- Advice will be consistent and, where appropriate, decisions will be communicated in a manner that clearly articulates what is required to achieve compliance.
- ESR will assess applications as efficiently as possible noting that the time taken to assess an application varies depending on:
 - the quality of information provided
 - the risk associated with the activity
 - whether technical advice is required to assess the application.

Actions

Action	Description	Timeframe
2.1	Take actions to implement the outcomes of the review of the EPBC Act as applicable to Queensland including progressing towards a 'single touch' approval process.	Timeframes to be determined in consultation and negotiation with Australian Government

Action	Description	Timeframe
2.2	<p>Collaborate with the Department of Resources and the Office of the Coordinator-General to improve guidance for the resources industry about assessment processes, including customer journey maps and additional training and guidance materials. Consider extending this work to non-resources sector.</p> <p>(Links to Key Focus Area 6: Improve regulatory efficiency (Action 36), of the Queensland Resources Industry Development Plan)</p>	2023
2.3	<p>Review and improve the department's pre-lodgement approach and encourage all applicants, other than those making standard applications, to have a pre-lodgement meeting prior to submitting an application.</p> <p>(Links to Action 2.2)</p>	2023
2.4	<p>Develop and implement a process to ensure model and common conditions are contemporary and consistent.</p>	2023
2.5	<p>Identify opportunities for new ERA standards for low-risk activities.</p>	2022
2.6	<p>Support the resources industry to contribute to Queensland's climate action targets through to decarbonisation of operations by:</p> <ul style="list-style-type: none"> • contributing to the development of a decarbonisation plan policy that: <ul style="list-style-type: none"> ○ results in substantial and consistent reductions in Scope 1 and 2 emissions ○ is outcomes-based, allowing companies to achieve least-cost abatement from across their portfolio of Queensland assets ○ includes transparent and regular reporting on progress ○ is adaptive, providing a basis for future actions to ensure new technologies, approaches and progress can be taken into account ○ enables the energy system to plan Queensland's renewable energy requirements. • engaging with industry to establish a framework for decarbonisation plans to be developed and implemented • taking account of changes proposed to Commonwealth Government settings such as the Safeguard Mechanism to ensure effectiveness and avoid undue burden • building capacity and skills in the environmental regulator to assess decarbonisation plans and provide additional guidance to applicants (over a 5 year period). <p>(Links to Key Focus Area 2: Strengthen ESG credentials and protect the environment (Action 22) of the Queensland Resources Industry Development Plan)</p>	2023
2.7	<p>Review the current processes around RSOs to ensure that compliance history is better taken into account to avoid repeat offenders being able to hold EAs. Consider greater consistency with fit and proper person test processes across other regulatory agencies.</p>	2023
2.8	<p>Consider opportunities to revise EA conditions for some existing authority holders (e.g where the EA is older/higher risk) in targeted industries including composting, aquaculture and landfills to ensure contemporary best practice standards are applied.</p>	Ongoing

Action	Description	Timeframe
2.9	Educate operators about their application and environmental authority requirements under the Reef protection regulations for new or expanded activities.	2022
2.10	Review and assess the suitability of all external guidance material to provide upfront expectations of information requirements to better support EIS and EA applications and enable effective conditioning. (Links to Action 2.2)	Ongoing
2.11	Develop the capability of ESR officers through regular internal and external knowledge sharing sessions to better understand the operational and technical aspects of the regulated activities. (Links to Action 5.11)	Ongoing

3. Targeted compliance

Targets: By 2027 ESR aims to have:

- Implemented a dynamic compliance prioritisation framework.
- Enhanced remote sensing and monitoring capability utilising emerging technologies.

ESR's compliance effort protects the health of Queensland's environment, built heritage and communities. As Queensland's environmental regulator, ESR proactively manages and monitors environmental risks through a range of compliance, investigation and enforcement programs.

Its compliance work is critical to enforcing the standards set by law that allow for sustainable development in Queensland and safeguards Queensland's environmental values by minimising or preventing environmental harm.

ESR's compliance program will target its efforts at activities based on risk and intelligence. It already uses a range of data, tools and intelligence to take a risk-based approach to compliance, which will be built upon over time.

ESR's dedicated litigation team supports enforcement actions and prosecutions to ensure strong action is taken against illegal operators.

Principles

- The best available science and intelligence will be used to assess risk to the environment and the community.
- Information will inform individuals, operators and industry about environmental obligations and acceptable performance.
- Compliance will be monitored using a combination of initiatives and partnerships with community and industry (e.g. Local Government Illegal Dumping Partnerships Program).
- Enforcement interventions will be responsive, proportionate and consistent with the department's Enforcement Guidelines.
- Where appropriate, tailored compliance strategies will be developed to ensure that the regulatory approach is proportionate to the level of environmental risk.
- Voluntary compliance will be expected, and recognition provided to those performing beyond minimum compliance standards.
- Resources will be prioritised towards the greatest risk.
- Advice will be consistent, and decisions will be communicated in a manner that clearly articulates the environmental outcome or risk that needs to be managed to achieve compliance.
- New technologies will complement our traditional compliance strengths.

Actions

Action	Description	Timeframe
3.1	Develop and publish a Dynamic Compliance Prioritisation Framework which will outline ESR's compliance approach and will be informed by the following: <ul style="list-style-type: none"> • Annual Strategic Compliance Priorities • Compliance prioritisation inputs—Compliance Prioritisation Model (CPM), Unplanned Compliance Events (UCEs), intelligence reports • Targeted compliance projects • Reef Compliance Strategy. 	Ongoing
3.2	Deliver an enhanced intelligence and science-based assessment capability to inform risk, this will include: <ul style="list-style-type: none"> • strategic and operational intelligence assessment and reporting • enhanced information sharing between agencies • enhanced information collection, storage and access. 	Ongoing
3.3	Deliver compliance and educational activities in relation to Reef protection regulations as outlined in the Reef Compliance Strategy.	2023

Action	Description	Timeframe
3.4	Improve reporting on compliance outcomes to build the trust and respect of industry and the community through improved transparency: <ul style="list-style-type: none"> • publish enforcement notices on the public register portal • promote to the public opportunities to report illegal activities through the pollution hotline. 	Ongoing
3.5	Better utilise a range of technologies to support compliance: <ul style="list-style-type: none"> • improve the use of geospatial systems and technologies including geographic information systems (GIS) and remotely piloted aircraft systems (RPAS) • develop a departmental surveillance capability, through additional technology, equipment and training including remote sensing, use of drones and other emerging technologies. (Links to Action 5.1)	Ongoing

4. Customer focus

Targets: By 2027 ESR aims to have:

- Facilitated a responsive and streamlined approach to support Queensland's economy.
- Improved guidance material and training for ESR's customers.

ESR's customer base is diverse and includes applicants, existing operators, community reporters, interested members of the public and the broader Queensland community. Improving customer experience has the potential to deliver better regulatory outcomes. The way that people access information is changing and ESR needs to ensure that it is providing information in ways that best serve the needs of all its customers. It also recognises that customers may have preferred ways of providing information to ESR. For this reason, ESR is examining its customer experience and delivering improvements where possible.

ESR is committed to empowering its customers to provide accurate and relevant information to support sound decision making. To ensure customers understand legislative requirements and their obligations, ESR will make available easy-to-understand educational resources and information guidelines.

Principles

- Information will be collected and provided in an efficient way, taking advantage of new technologies.
- Processes will be as simple as possible to provide certainty for customers and minimise administrative processes to ensure efficient decision-making.
- Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to customers.
- Indicators of regulator performance are publicly available to build transparency and confidence in regulatory decisions made by ESR.

Actions

Action	Description	Timeframe
4.1	Publish service delivery standards and timeframes online for customer response actions including, for example, public register requests and community reports.	2022
4.2	Improve reporting on performance including making more data about assessment processes and timeframes available publicly. (Links to Key Focus Area 6: Improve regulatory efficiency of the Queensland Resources Industry Development Plan)	Ongoing
4.3	Improve online customer experience and encourage the engagement of customers in regulatory processes (e.g. public register portal, Online Services for authority holders, community reporting of nuisance issues, dedicated web page development for significant environmental matters of community interest).	Ongoing
4.4	Better inform the community on ESR's role as a regulator and the community's ability to help protect Queensland's environment including: <ul style="list-style-type: none"> • how to report alleged illegal activities • the actions that may be taken in response to community reports. 	Ongoing

5. Partnerships, science and innovation

Targets: By 2027 ESR aims to have:

- Further developed an enhanced intelligence and science-based regulatory capability.
- Improved data accessibility to provide information to the public and interest groups.
- Partnered with industry, the community and other regulators to promote continuous improvement and innovation while ensuring strong environmental outcomes.

ESR acknowledges the value of partnerships, science and innovation in ensuring the protection of the environment and built heritage.

Partnerships allow for sharing knowledge and innovation across sectors and can help to ensure effective use of resources. Partnerships can also deliver more timely, or higher quality, outcomes than could be delivered individually.

Best available science and accurate, reliable and timely data are the foundations of environmental management. ESR uses scientific advice, research, data and analysis to make its environmental management decisions. Environmental data is collected from various sources including background data submitted in EIS processes and industry-monitoring data. Without robust monitoring data, which is shared with ESR, the effectiveness of environmental management controls may be undermined. Improved access to data also increases the transparency and confidence in regulatory decisions made by ESR.

Principles

- The best available science and intelligence is used to inform regulatory action.
- Partnerships are used to leverage knowledge and expertise on environmental matters.
- Innovation is supported where it can be demonstrated that environmental values are protected.
- Data will be shared with the Queensland community where possible (while respecting individual privacy) and the lag between data creation and availability will be minimised to the fullest extent practicable.
- The process for accessing data will be improved to take advantage of new technologies and integrated with other monitoring programs where possible.

Actions

Action	Description	Timeframe
5.1	Continue to innovate around the use of remote sensing, drones and other emerging technologies in assessment and compliance. (Links to Action 3.5)	Ongoing
5.2	Partner with industry on a Moreton Bay sand scientific study to help inform future sand allocations.	2022
5.3	Continue to take action on emerging contaminants including for example setting out a clear operational policy position on regulation of PFAS.	Ongoing
5.4	Continue development of ESR's capability to deal with emerging industries such as carbon capture, use and storage (CCUS) and hydrogen activities. (Links to Key Focus Area 1: Grow and diversify the industry of the Queensland Resources Industry Development Plan)	Ongoing
5.5	Develop an operational policy, in consultation with stakeholders, that requires, for certain activities, the use of real-time monitoring equipment and a requirement to share the monitoring data publicly.	2023

Action	Description	Timeframe
5.6	Work with the Australian Government, through the Digital Environmental Assessment Program, to better share assessment, biodiversity and other data holdings to inform environmental assessment and management	Timeframes to be determined in consultation and negotiation with Australian Government
5.7	Continue to investigate and implement a database to capture information and data used in the assessment of major EIS projects through a partnership with the Queensland University of Technology's Science Information Services.	2023
5.8	Investigate options to enable innovative operators to test and trial new projects while continuing to protect environmental values.	2023
5.9	Develop and implement a repository for storing data (e.g. a data lake) for certain industries (e.g. resources sector) to provide monitoring and other data to government and better share information to reduce costs and assessment timeframes. (Links to Action 5.6)	2024
5.10	Maintain collaborative working relationships with the Australian Government, local government, industry and other stakeholders to facilitate sharing of data, knowledge and expertise on environmental matters. (Links to Action 6.4)	Ongoing
5.11	Review/develop technical assessment support material (e.g. industrial processes and management) to build the capacity and capability of ESR officers. (Links to Action 2.11)	Ongoing
5.12	Utilise behavioural science to improve the effectiveness of regulatory activities, including through pilot projects.	Ongoing
5.13	Provide data to the Queensland Mine Rehabilitation Commissioner to inform best practice and support improved public reporting on resource rehabilitation.	Ongoing
5.14	Develop and implement a 5-year roadmap for improving transparency of monitoring data over time. This will include undertaking a stocktake of existing data that could be released, benchmarking against other jurisdictions and developing a roadmap for sharing more data. To support this, DES will also develop a policy on sharing of data to clearly set out the principles and criteria for sharing monitoring information.	2023

6. Communication and engagement

Targets: By 2027 ESR aims to have:

- Established a new model of engagement for working with the community and industry.
- Increased stakeholder satisfaction about engagement and engagement mechanisms.
- Increased collaboration with other environmental regulators to enable better regulation and implement continuous improvements.
- Implemented a deliberate communication and education program that aims to build greater trust and respect of the community and industry.

ESR recognises the need for ongoing and transparent communication and engagement mechanisms with its stakeholders and partners. This includes operators, the community, landholders, environmental groups, First Nations people and other government agencies.

When preparing new legislation, amendments to legislation or updating policies, consultation will be undertaken, where appropriate, with industry associations, other government agencies and the community. Discussions will focus on the practical implications of any proposed changes and facilitate an understanding of regulatory requirements.

ESR encourages all Queenslanders to take part in its consultation processes to ensure that decisions about its policies, programs and services represent a wide range of views and needs.

Principles

- Formal and informal consultation and engagement mechanisms are in place to allow for the full range of stakeholder input in regulatory decision making.
- Consultation and engagement mechanisms with stakeholders and Queenslanders about regulatory issues and environmental management are genuine and continuously improved.
- Stakeholders feel encouraged to engage with ESR about regulatory issues and environmental matters.
- Engagement is undertaken in ways that helps ESR develop a genuine understanding of the operating environment of regulated entities and stakeholder views.
- Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Actions

Action	Description	Timeframe
6.1	Publish a charter on stakeholder communication and engagement processes including the use of a variety of engagement techniques to gather stakeholder feedback.	2022
6.2	Conduct an evaluation of the effectiveness of the introduction of the charter by undertaking a review with key stakeholders and partners that ESR has engaged with over the previous 12 months.	Annually
6.3	Engage other regulators across Queensland Government and Australia to ensure lessons can be learned across jurisdictions and agencies.	Ongoing
6.4	Industry, community and ESR work together to implement policies and programs by establishing working groups for regular engagement. (Links to Action 5.10)	Ongoing
6.5	Work with First Nations people and communities through various forums to ensure engagement in ESR programs. For example, through implementation of ESR's Aboriginal and Torres Strait Islander Council Engagement Program.	Ongoing

Monitoring and review

ESR has incorporated lessons learnt from the 2014 strategy into a strengthened approach to deliver this Strategy 2022–2027 and its regulatory approach in Queensland over the next five years.

ESR will develop and monitor its regulatory performance against a suite of measures including:

- Tracking progress and delivery of the actions for each of the focus areas within the stated timeframes.
- Tracking progress and delivery of targets for each focus area by 2027.
- Obtaining feedback from customers in relation to the quality of information being provided by ESR and its performance.
- Evaluating ESR's regulatory performance against the Queensland Government's regulator model practices.
- Tracking ESR's support for ecologically sustainable development that prevents and minimises impacts on the environment while supporting jobs and a strong economy by considering the number of EA applications and amendments that are supported.

ESR will report annually on its progress against the performance measures to drive continuous improvement. These reports will be made publicly available and may be standalone documents or integrated within other reporting mechanisms.

While this Strategy applies to a five-year period, this document will be reviewed periodically to ensure that it continues to reflect the key priorities for Queensland's environment, its coasts and built heritage.