



Australian Government

Department of the Environment and Energy

Compliance Plan 2019–23



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(Front) Commonwealth fuel quality inspectors doing on-site fuel checks © Copyright Department of the Environment and Energy

(Back) Compliance officers inspecting land clearing in remote Queensland © Copyright Department of the Environment and Energy

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Introduction

The Office of Compliance was established on 1 July 2017, and provides a compliance and enforcement capability to the Commonwealth Department of the Environment and Energy.

We work within the Department's [Regulatory Framework](#) to support the delivery of our risk-based, intelligence-led compliance activity, with consistent and transparent decision making across the Department's regulatory responsibilities.

Other areas within the Department (Australian Antarctic Division, Climate Change Division, Energy Security and Efficiency Division and Parks Australia) also undertake compliance activities¹. You can find information about these on their respective internet pages. Serious matters are referred to the Office of Compliance for appropriate action.

The Office of Compliance focuses on serious non-compliance for a range of legislation including protection of threatened plants, animals and ecosystems, wildlife trade, hazardous waste, air quality and monitoring compliance with the conditions of approvals granted under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Serious non-compliance

Serious non-compliance is defined as any behaviour, action or omission that results in substantive harm (to the values protected by the legislation), an increased risk of substantive harm, or failure to prevent a substantive harm; and involves one of more of the following:

- Repeated actions of non-compliance
- Wilful or knowing misconduct
- Threatens the objectives of the regulatory system.

Purpose of this document

The Department's Compliance Plan 2019–23 sets out our priority compliance outcomes to ensure that our stakeholders are informed about the Department's compliance priorities.

The Plan should be read in conjunction with the Department's [Compliance Policy](#) which describes our approach to compliance, and aims to help the community understand how we encourage compliance and respond to potential contraventions of our laws, and with the [Compliance Framework](#) which outlines the range of compliance tools the Department applies to improve compliance with the laws we administer.

The Plan does not provide an exhaustive list of all our compliance activities. Issues regularly arise that need immediate attention, and responsive compliance activities will also be necessary.

¹ The Department will review this Plan in light of the machinery of government changes announced on 5 December 2019.

Establishing priority compliance outcomes

The Department's [Corporate Plan](#) sets out the Department's strategic priorities, purposes and intended results or outcomes. To establish our priority compliance outcomes we refer to the Department's strategic priorities.

The Department takes an 'outcomes-based' approach to compliance. This means that our compliance work is focussed on activities that help to achieve identified outcomes.

To identify our compliance priorities, we collect and analyse data from a range of information sources, including feedback from the community, co-regulators and industry partners; results from monitoring activity; trends in non-compliance; and open source information.

Our priority compliance outcomes for 2019–23

The Department's priority compliance outcomes for 2019–23 are presented in Table 1.

The Department will periodically review our priority compliance outcomes to ensure they remain relevant and consistent with the Department's Corporate Plan.

Contacting us

We can be contacted through the Department's Community Information Unit on 1800 803 772. To report a suspected breach of national environmental law you can also email compliance@environment.gov.au

More information about the legislation we administer and information about compliance with these Acts can be obtained from the Department's website at www.environment.gov.au/about-us/legislation and www.environment.gov.au/about-us/compliance.

Table 1: Department’s priority compliance outcomes for 2019–23

Compliance Outcome	Compliance Focus
<p>Increase compliance with the EPBC Act</p>	<p>Non-compliance with the EPBC Act can cause significant impacts to matters of national environmental significance.</p> <p>We will:</p> <ul style="list-style-type: none"> • Support landowners, in partnership with state based regulators, to consider state and national environmental laws in parallel when planning agricultural development • Monitor compliance with approval conditions, and take regulatory action as appropriate • Collaborate with domestic and international partners to detect and disrupt illegal wildlife trade.
<p>Disrupt hazardous waste crime</p>	<p>Illegal exportation and importation of hazardous waste can harm the environment and may pose serious risks to human health.</p> <p>We will increase our capacity, and collaborate with domestic and international partners, to detect and disrupt illegal trade in hazardous waste.</p>
<p>Reduce emissions from fuel, synthetic greenhouse gases and controlled products</p>	<p>Emissions from: poor quality fuel, synthetic greenhouse gases and prescribed power equipment which do not meet required standards, damage the environment and are dangerous to our health.</p> <p>We will collaborate with industry to address emerging issues, and take regulatory action as appropriate.</p>
<p>Increase compliance with energy efficiency legislation</p>	<p>The Greenhouse and Energy Minimum Standards (GEMS) legislation ensures minimum energy performance standards and labelling requirements are applied to a range of regulated products.</p> <p>We will engage with and educate regulated entities, monitor compliance with requirements, and take regulatory action as appropriate.</p>
<p>Minimise exposure to fraud</p>	<p>Fraud against programs administered by the Department can hinder our achievement of objectives.</p> <p>We will focus of our compliance activities on fraud awareness, as well as detecting and minimising the exposure of funds administered by the Department to fraud.</p>

