# Proposed timeline for EPBC Act reform

Alternative text for diagram

Australian Government, June 2021

## Introduction

The ‘Proposed timeline for EPBC Act reform’ diagram shows the 4 stages of reform to the EPBC Act the government is proposing from mid 2020 to the end of 2024. For each stage of reform the following steps are described: our commitments; EPBC Act reform milestones; and engagement and delivery.

## Stage 1: mid 2020 to mid 2021

### Our commitments: delivering the foundations for reform

In Stage 1, the government delivers the foundations for reform of Australia’s national environmental law. The Stage 1 reforms will set the framework for the government’s reform pathway and timeline. As an initial step, the EPBC Act will be amended to establish the framework for making national environmental standards and to deliver single touch approvals underpinned by strong assurance, which aligns with the Independent Review of the EPBC Act (hereafter the Independent Review).

### EPBC Act reform milestones

Between mid 2020 and mid 2021 milestones are delivered in the following order:

* Independent Review Interim report released
* National Cabinet reform commitment to single touch approvals, underpinned by standards and assurance
* Streamlining Bill introduced to Parliament
* Ministerial Indigenous Heritage roundtable
* National Cabinet reform re-commitment to single touch approvals, underpinned by standards and assurance
* Independent Review Final Report released
* Standards and Assurance Bill introduced to Parliament
* Final draft Matters of National Environmental Significance (hereafter MNES) standards released
* Environment Ministers Meeting held
* Pathway for priority reforms (Stages 1 and 2) released
* Single touch accreditation criteria released
* Timeline for EPBC Act reforms released

### Engagement and delivery

Engagement on the EPBC Act occurred in the first half of 2020 as part of the Independent Review. The introduction of amendment bills occurred between mid 2020 and early 2021.

## Stage 2: mid 2021 to late 2022

### Our commitments: delivering priority reforms and engaging on further reform

In Stage 2, the government will deliver its priority reforms, focussed on implementing single touch approvals underpinned by effective protections through national environmental standards and strong assurance. This stage will also see the government working in consultation with states, territories, the Parliament of Australia and stakeholders on key themes and recommendations of the Independent Review to deliver the priority reforms and set the agenda for the next stage of improvements to the EPBC Act.

### EPBC Act reform milestones

Between mid 2021 and late 2022 the following milestones will be delivered in the following order:

* Government response to Senate committee reports
* Passage of enabling bills
* Minister to convene stakeholder roundtable to commence consultation on further standards
* Commence engagement on pilot regional plan
* First standard for MNES made
* Publication of key decision (referral) information
* Review of Statutory Committees commenced
* Continue engagement on modernising Indigenous cultural heritage protection
* Environment Assurance Commissioner established
* First approval bilateral agreements in place
* Digital environmental assessment pilot commences
* Biodiversity data repository developed
* Publication of key decision information (assessment method final decision)
* Pathway and timeline for Stage 3 released (mid 2022)
* Prototype National Environmental Offsets Register developed
* Potential further amendment bill introduced
* Pathway for implementing modernised Indigenous cultural heritage protections released (end of quarter 4, 2022)

### Engagement and delivery

Delivery of priority reforms (Stages 1 & 2) will occur between mid 2021 and late 2022.

Engagement on further Standards, regulatory efficiency, transparency and compliance reforms and engagement on environmental data and information will occur between mid 2021 and mid 2022. This engagement will provide input to the pathway and timeline for Stage 3.

A partnership approach with Indigenous people and the government will be endorsed between early 2021 and mid 2021. Following this, engagement on modernisation of Indigenous cultural heritage protection and participation in decision-making, with the timing dependent on the partnership process, will occur between mid 2021 and mid 2022. This engagement will lead to the release of a pathway for implementing modernised Indigenous cultural heritage protections.

## Stage 3: late 2022 to end 2023

### Our commitments: building on the foundations for reform

In Stage 3, the government will deliver its next stage of reforms, which will include making a final MNES Standard and the first set of other Standards developed by the Independent Review. The government will continue to implement its reform pathway, informed by the key reform areas in the Independent Review and stakeholder consultation and feedback.

### EPBC Act reform milestones

Between late 2022 and end 2023 the following EPBC Act reform milestones are proposed to be delivered in the following order:

* Final MNES Standard made
* First standard for Indigenous Engagement and Participation made
* First standard for Data and Information made
* First standard for Compliance and Enforcement made
* Pathway and timeline for Stage 4 released (quarter 4, 2023)
* Potential further amendment bill introduced
* National Environmental Offsets Register finalised
* Pilot regional plan delivered

### Engagement and delivery

Delivery of Stage 3 reforms, legislative amendments and modernisation of Indigenous cultural heritage protection will occur between late 2022 and end 2023.

Engagement on:

* other Independent Review recommendations, including other potential standards,
* planning, environmental restoration and offsets, and
* accreditation of Commonwealth agencies

This will result in the delivery of a pathway and timeline for Stage 4.

## Stage 4: 2024

### Our commitments: completing the reform

In Stage 4, the government will complete its reform of the EPBC Act in response to the Independent Review. The focus will be on improving the operation of Australia’s environmental law and the effectiveness of national protections, while improving overall efficiency, and alignment creating greater certainty. Ongoing reform will continue following Stage 4.

### EPBC Act reform milestones

During 2024 the following milestones are proposed to be delivered by the government in the following order:

* Other National Environmental Standards made
* Pilot regional plan evaluated
* Potential further amendment bill introduced
* Pathway and timeline for overhaul of the EPBC Act released (quarter 4, 2024)

### Engagement and delivery

Delivery of Stage 4 reforms and legislative amendments will occur during 2024. Engagement on the overhaul of the EPBC Act will occur during 2024. This engagement will lead to the development of a pathway and timeline for the overhaul of the EPBC Act that will be released at the end of 2024.