

ASBG's Ideas for Improving NSW's Environmental Framework

1. Review of the public consultation processes to revitalise stakeholder involvement in the deteriorated process on changes to environmental and climate change laws and policies with appropriate business representative groups.

- Re-establish a quarterly meeting with the industry and other key stakeholder groups
- Improve consultation processes to include all business sectors on environmental policy, not a cherry picked few
- Establish a special stakeholder email service to advise on policy and regulatory developments
- Improve the access to EPA officers to assist business groups to improve communication and education to members

2. Improve the customer culture within NSW environmental agencies: Improve attitudes towards one of working with business to achieve better environmental outcomes and sustainable development in a practical and a low cost manner. Prepare a '*Customer charter*' in which businesses are seen as '*customers*' – note you can still have good and bad customers. To ensure that customer satisfaction is measured and improved. For example, using surveys of its main licensed customers [environmental managers] to review the implementation of the environmental agency's customer charter.

- Cost effectiveness and performance based outcomes must be part of implementing all environmental controls from legislation to on-site issues. Environmental protection comes first, but cost effectiveness second. Its application must be practical, flexible and low cost while maintaining the required environmental outcomes. [See EPA Victoria's Corporate Environmental Licensing as an example]
- Introduce a client manager for each licensed site so that manager coordinates the internal administrative issues within EPA a one-stop-contact for licence holders with EPA.
- Separate educative and informative initiatives and actions from the environmental agencies policing role.

3. Develop a risk based approach to environmental policy. Review environmental regulation to provide an efficient and transparent regulatory structure, which addresses scientifically based risks with appropriate outcomes based end points.

For example ranking Environment Protection License holders using a Risk Index is used to rank sites. This could be based on similar risk indices such as Sydney Waters Risk Index. A risk index would:

- Rank licensed sites according to a publically available criteria which contains no hidden factors, permitting companies to seek to lower their risk rank
- Require that high risk sites will be inspected more frequently, required to monitor more frequently and perhaps pay higher administrative fees
- Require that lower risk sites will be inspected less frequently, required to monitor less frequently and perhaps pay lower administrative fees

4. Develop a whole of government policy on the balance between local and greenhouse emissions as they are often in conflict.

Local air pollutants such as oxides of nitrogen often conflict with low carbon initiatives. Embedded generation and higher efficient thermodynamic cycles, while improving energy efficiency can produce higher levels of oxides of nitrogen.

5. Introduce special air management controls for the Sydney area to combat ozone levels in summer months. Motor vehicles are by far the largest contributor to ground level ozone exceedences. Some US cities have used 'leave the car at home' on days of forecast high smog. Other weather based action could be considered.

6. Provide a competent regulator for environmental matters. Ensure the quality of skills and experience, especially industry experience, in environmental agencies is maintained and continuously improved. – handing over environmental responsibilities to an ill-equipped and under skilled Council leads to paralysis or poor decisions.

Supplement this with a variety of measures such as:

- An EPA and industry secondment program
- Training programs to instill a better customer relationship outcome and implant appreciation of other issues, especially financial constraints on businesses.
- Undertake independent customer feedback programs to ensure quality service levels are reached and maintained in accordance to the customer charter.

An agency with poor skills and knowledge lacks confidence which impedes its decision making process. Commonly this results in excessive use of third party consultants to cover this lack of confidence, which also shifts the risks to outside the agency. A more confident agency will make better decisions based on their own knowledge rather than another's. It is therefore critical to retain skills and knowledge and to also ensure decisions are made within a reasonable timeframe.

7. Create more funds available for jobs by reducing greentape, such as practical implementation of regulations, licenses, controls, improved decisiveness and review of duplicative and excessive environmental reporting.

A broader scoped green tape review to be undertaken with a focus on NSW environmental legislation, licensing and compliance approaches. It is also linked to the roundtable process above. A key point is to improve the quality of Regulatory Impact Assessments to improve the assessment of cost impacts of regulatory change on businesses.

8. Review the structure of the waste levy to:

- Review its application to various wastes and facility types as well as locational application
- Provide for a reasonable reallocation back to the waste management sector to stimulate green jobs especially in the waste sector.
- Ensure the levy does not result provide economic incentives to drive wastes and recycling out of NSW.

Businesses pay 68% of the waste levy but receive a tiny fraction back. Grant programs from the levy program should be proportional to the sector paying the levy. This issue is being addressed by the Review of the Waste and Environment Levy, but still has to be finalised. Removal of Queensland's waste levy should mean reassessment of the levy and its application around NSW. Transport of wastes and recyclates out of NSW are already resulting in perverse environmental outcomes.

9. Generate a separate environmental fund from the environmental taxes under load based licensing to improve the efficiency of industrial process to generate less emissions and use less natural resources.

Reallocation of funds should be proportional to the areas from where the funding was sourced. Areas for funding require careful assessment includes appropriate waste technologies and emissions reduction. One option is to consider the *Sustainable Victoria* model.

10. Improve the efficiency of Sydney's transport considering design, infrastructure and management of from town planning to the bus stop.

Efficiency is directly related to improved environmental outcomes. Motor vehicles contribute to over 80% of air pollution, so better roads, improved public transport and better town planning to improve the efficiency of urban areas is required.

11. Aim for uniform environmental legislation across state jurisdictions especially waste regulations. Work with other Governments and agencies to coordinate effective schemes, which minimise duplication and maximise budgetary value and environmental outcomes and measure these improvements.

Organisations with operations in multiple States and Territories have to contend with different and sometimes conflicting legislation and regulations. The current excessive and duplicative environmental reporting requirements are a major burden on environmental professionals working in industry. Removal of duplicated reporting and requirements to drive for regulatory efficiency.

Pursue with vigor COAG's goal of harmonisation of environmental regulations. Areas to focus on include: standardisation of environmental data measurement, collection and compilation, harmonization of a range of regulatory areas including waste, contaminated land, water, etc.