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20 December 2011

Environment, Agriculture, Resources and Energy Committee
Parliament House
George St
BRISBANE QLD 4000

Attention: The Research Director

Dear Sir/Madam

SUBMISSION REGARDING THE ENVIRONMENTAL PROTECTION (GREENTAPE REDUCTION) AND OTHER LEGISLATION AMENDMENT BILL 2011

Thank you for the opportunity to make a submission on the *Environmental Protection (Greentape Reduction) and Other Legislation Amendment Bill 2011* (the Greentape Reduction Bill).

This submission has been formulated for Council adoption and should be accepted as Council's formal response.

Please contact Steve Keks, Principal Environmental Health Officer, on 3412 5458 if you have any queries regarding Council's submission.

Yours faithfully

Nishu Ellawala
A/City Standards Manager
(on behalf of Chris Rose, Chief Executive Officer)

Policy objectives of the Bill

Logan City Council is committed to supporting local businesses in a way that protects the environment whilst minimising the regulatory burden on business. Consequently Council supports the following objectives of the Bill:

- Developing a licensing model proportionate to the environmental risk of an activity; and
- Reducing 'greentape' associated with the environmental protection legislation while maintaining environmental outcomes.

However, it is critical that any amendments to the environmental protection legislation enable local government to achieve full cost recovery (which is consistent with the user pays principle), and does not create an additional administrative burden on local government.

History of ERA regulation

Since Environmentally Relevant Activities (ERAs) were first regulated in 1995, the environmental protection legislation has been amended numerous times. Each substantive change has impacted on industry as they have had to learn about the changes and what each set of changes means to their business. Over time this has created an inordinate burden on industry, which will be repeated if this Bill proceeds in its current format.

To put this information in context, an overview of the changes to the regulation of devolved ERAs is shown below. Many of these changes were quite complex to implement and for industry to understand.

Years	Types of ERA approvals
1995-1998	• Types of Environmental Authorities: o Integrated authority (i.e. used for multiple ERAs and/or ERA/s on multiple sites); o Level 1 licence; o Provisional licence; and o Level 2 approval. • Deemed approval (level 2 ERAs).
1998-2004	• Types of Environmental Authorities: o Integrated authority; o Level 1 approval (without DA); o Level 1 approval (with DA); o Level 1 licence (without DA); o Level 1 licence (with DA); o Provisional licence; and o Level 2 approval (without DA). • Development approval for level 2 ERA. • Deemed approval (level 2 ERAs) Note: Several ERA levels and definitions changed with the introduction of the 1998 Regulation. Note: Chapter 4 Activities were introduced in 2001 (i.e. renaming of ERA type).
2004-2010	• DA or equivalent of DA (e.g. former licence/approval) and Registration Certificate. • Deemed approval. Note: From 1 January 2009 some ERAs were no longer regulated, thresholds and definitions for several ERAs changed, etc.
2011-current	• DA or equivalent of DA (e.g. former licence/approval) and Registration Certificate. Note: former 'deemed approvals' required a development approval from 1 January 2011.

Proposed for commencement in 2012	• Environmental authority obtained through:
	  ○ Standard application;
	  ○ Variation application;
	  ○ Site-specific application; or
	  ○ Conversion application.
	• Environmental authority that is a 'transitional authority' still operating under the former development permit conditions.
	• Amalgamated environmental authority (note: due to the limited scope of activities regulated by local government, local government would only be involved in the issuing of an 'amalgamated corporate authority').
	• All operators of Environmental Authorities are also required to be a 'registered suitable operator'.
	Note: these changes would mean the regulation of ERAs is reverting back to a process similar to the one that existed between 1998 and 2004 (i.e. conditions on environmental authority, operator requires separate licence/registration, integrated authorities now in for the form of 'ERA projects', 'amalgamated environmental authority', etc).

As you can see from the above table, there have been numerous reforms to the way devolved ERAs are regulated, with many changes designed to 'streamline' the process and reduce 'regulatory burden'. However, subsequent reforms have been needed as each amended process has had flaws. The system proposed in the Greentape Reduction Bill is similar to the process that existed between 1998 and 2004, which was replaced with the current system for a variety of reasons.

When the current system was introduced environmental authority conditions became development conditions. Now under the proposed s.677 of the Bill, the development conditions will revert back to being environmental authority conditions. So an ERA business that existed before 2004 was issued an environmental authority with conditions, was then advised in late-2004 their conditions are now development conditions, and will potentially be told in 2012 that they are returning to 'environmental authority' conditions. This type of change is not beneficial to industry.

In the explanatory notes that were released prior to the current system being implemented (available via http://www.legislation.qld.gov.au/Bills/50PDF/2003/EnvProtLAB03Exp.pdf) the following statements were made (emphasis added in places):

> ***Reasons for the Bill***
> The Bill incorporates legislative changes necessary to improve the integration of the EP Act and the IPA. The amendments will **reduce red tape for industry** through streamlined approval processes, provide for consistent regulation and administration of all ERAs and provide for significant administrative efficiencies for administering authorities.
>
> ***Achieving the Objective***
> The objective of the Bill will be achieved by enacting amendments to the Acts that provide the following—
> - A single approval type for ERAs: transitioning conditions of environmental authorities as development conditions of development approvals.
> - A single approval process for ERAs: changing IPA so that mobile and temporary ERAs are assessed and conditioned in the integrated development assessment system (IDAS) and amending the EP Act so that all conditioning powers associated with the ERAs are linked to the development approval.
> - A single approval requirement: replacing the requirement for the person carrying out an ERA to hold an environmental authority with the requirement for the operator to be a registered operator. ...
>
> ***Alternatives to the Bill***
> ... The proposed amendments significantly reduce the number of approval types and processes in relation to environmentally relevant activities and provides for one approval type and approval

process to be consistently applied to all activities. This will achieve greater efficiencies and environmental outcomes for administering authorities and their customers. ...

Administrative costs and savings to Government

Removing the need to maintain multiple approval processes and approval types will provide **significant administrative savings** to administering authorities, and to **industry**. Savings include removing the need to maintain multiple administrative systems, processes and forms. These changes will consequently reduce training requirements for new and existing administering authority officers.

The replacement of the environmental authority with the system of operator registration will provide significant cost savings to administering authorities. The registration system is simple and requires reduced assessment considerations.

The codes of environmental compliance will provide administrative savings through:

- application of a standard set of conditions for each ERA outlined in the code; and
- reduced individual assessment of development applications for these standard activities.

This will provide cost savings for both industry and administering authorities and enable more time to be devoted to compliance programs and assessment of applications for higher risk activities. ...

The current system was introduced to overcome issues associated with multiple approval processes, conditions being split onto 2 documents (which confused operators), etc. The model proposed in the Greentape Reduction Bill incorporates characteristics that have been problematic in the past. This indicates that implementing the proposed model is likely to reintroduce a complexity that will add to the burden on industry and reintroduce problems that the current system has addressed. Consequently, the introduction of the Greentape Reduction reforms in their current format is likely to result in further amendments being needed in the future. It is critical that we learn from history and do not subject industry to changes that are likely to fail.

The objectives of the Greentape Reduction Bill could be implemented through amendments to the existing process for ERA approvals. For example, the introduction of 'Codes of Environmental Compliance' under the current system for specific ERAs would achieve the same outcomes (e.g. reduced approval times, consistent conditions, etc) as 'standard applications' with 'standard conditions'.

Several Logan City Council staff have worked in the environmental protection area since the introduction of the EPAct. Consequently we are aware that some historical licence/approval options were beneficial to industry, Council and the environment. Based on this extensive experience of the strengths and weaknesses of each of the historical ERA approval processes, the officers recommend the existing system be retained with minor amendments (as detailed below) and Codes of Environmental Compliance are developed for the majority of Chapter 4 Activities.

The minor amendments to the existing system that would be supported are the inclusion of:

- A process equivalent to 'Level 1 approvals' which were issued to ERA operators who were compliant with the EP legislation and their conditions. These approvals spanned several years, so good operators who posed a low risk to the environment were inspected less often and paid lower fees. Consequently the financial burden was reduced based on the risk of the operator. Level 1 approvals also provided a strong incentive for non-compliant businesses to improve their standards (so they could pay lower fees and have less disruption to their business from Council inspections). It is requested that s.308 contained in the Bill is amended to enable Administering Authorities to issue renewals for multiple years to environmentally responsible operators. This would further reduce the 'Greentape' for good operators, which is consistent with purpose of the Bill.
- Authorities issued to a single company for operating multiple ERAs and/or operating on multiple sites. These were historically known as 'integrated authorities'. The inclusion of 'amalgamated environmental authorities' and 'ERA projects' in the Greentape Reduction Bill serves the same purpose as the historical integrated authorities. LCC supports the inclusion of these provisions that reduce the 'Greentape' burden on industry.

As a result of the frequent changes to ERA definitions, thresholds, approval types, etc, there has been a significant administrative burden on local government. There has also been a significant regulatory and administrative burden imposed on industry. One of the most effective ways to reduce the burden on

industry is to prevent future changes to approval/registration/licence types. This can only be achieved by taking the time to get the system right and maintaining that system through good communication and legislative standards.

Terminology introduced by the Bill

One of the greatest challenges for industry is to understand the jargon used in legislation. The environmental protection legislation already contains many terms that are not readily understood. The Bill will introduce a lot of new jargon that industry will have to learn. Examples of new jargon relevant to devolved ERAs are:

- Standard application;
- Variation application;
- Site-specific application;
- Conversion application;
- Amalgamated environmental authority;
- Eligibility criteria;
- Standard conditions;
- ERA project;
- Significant project;
- Registered suitable operator.

While some of the terminology is necessary to implement the proposed changes, others appear to have no benefit, for example, changing the 'holder of a registration certificate' to a 'registered suitable operator'.

To genuinely reduce the regulatory burden on industry we should try to use readily understood terms. For example, people understand that a car has to be registered to be driven on public roads and that the driver has to be licensed. It would therefore be easier for industry to understand the need to hold two types of ERA approvals (currently a development permit and a registration certificate, proposed in the Bill to be an environmental authority and registration as a suitable registered operator) if the activity was registered for the land and the operator was licensed, i.e. terms used in other common contexts.

Regulation development

A significant amount of detail associated with the regulation of devolved ERAs is contained within the Regulations. It is therefore critical that any new regulations are developed through extensive and meaningful consultation with local government. Key issues that local government needs to be consulted on are ERA definitions and inclusions/exclusions; the ability for local governments to set their own fees, etc.

Cost reduction

Significant emphasis has been placed on reducing costs to industry and regulators through the Greentape Reduction reforms. However, how the projected savings have been calculated is not clear. For example, many local government set annual fees for devolved ERAs that are lower than those in the regulation, so if the fees in the regulation have been used to project industry savings, the projections will not be accurate. Also, do the time savings projected through the 'standard approval' process take into account that the operator still has to wait to become a 'registered suitable operator' and in many instances will also have to wait for a development permit to be issued?

The costs and benefits of the initiatives should also encompass officer training, industry advice and guidance, changes to local government computer systems, forms and procedures, etc.

Comments regarding specific provisions in the Bill

LCC would like to highlight the following concerns and recommended solutions if the reforms do go ahead in a similar format to the Bill.

Section	Comment / Concern	Recommended solution
s.120	In the past the EP legislation has not given Administering Authorities the power to refuse an ERA application if a development approval for the land use has not been granted (this has since been rectified). The inclusion of s.120 prevents this issue reoccurring and is a practical inclusion that will reduce industry confusion.	n/a
s.140(2)	This subsection includes information that must be included in an information request. It relates to the content of s.141. Separating notice requirements across two sections increases the likelihood omissions will be made.	Move the content of s.140(2) into s.141.
s.204	This section requires that the Administering Authority place a condition on specific Environmental Authorities that the holder of the authority takes 'all reasonable steps' to ensure the activity complies with the eligibility criteria for the activity. The term 'reasonable steps' is very ambiguous. To ensure environmental standards are maintained and fair regulation, operators of ERAs should be required to comply with the eligibility criteria for standard or variation applications, or lodge a site-specific application, i.e. it should be a requirement to comply, not a requirement to take 'all reasonable steps'. The current provision provides little/no disincentive for operators who aren't complying with the eligibility criteria to do the right thing and apply for a site-specific Environmental Authority.	Remove the wording 'to take all reasonable steps' from s.204(2). Include an offence for ERA operators that are operating under an Environmental Authority obtained through a standard or variation application and that do not comply with the eligibility criteria (unless operating under an approved Transitional Environmental Program (TEP) and the only non-compliance/s with the eligibility criteria are covered by the TEP). Also include this offence in the State Penalty Enforcement Regulation so a Penalty Infringement Notice can be issued for this offence.
s.201	This section states that the term of an Environmental Authority will lapse after a stated period.	As indicated previously, Council would like this section and s.308 to be amended to enable local government to issue fully compliant ERA operators with environmental authorities for multiple years. This would create an incentive to comply with environmental standards and reduces the burden on compliant businesses.
s.253 and s.262	The requirements for a transfer application are detailed in s.253. The requirements for a surrender application are detailed in s.262. There is no information regarding what action is to be taken if a transfer or surrender application does not comply with s.253 or s.262 (i.e. no section similar to s.128).	The inclusion of a section similar to s.128 for transfer and surrender applications. If necessary a section regarding lapsed applications should also be included. The provisions should enable the Administering Authority to charge an additional fee to cover the cost of reassessing the application. This would enable full cost recovery and lower fees for applicants who lodge a 'properly made application' the first time.
s.256	After an Environmental Authority is	Amend s.256 to require the operator to send

Section	Comment / Concern	Recommended solution
	transferred, the *new operator* is required to send the land owner/s a copy of the Environmental Authority. This places a burden on the new operator at a time when they are moving into a new business and have numerous other tasks to complete. A more streamlined approach would be for the Administering Authority to send a copy of the Environmental Authority at the time it is issued.	a copy of the Environmental Authority to the property owner/s if the Administering Authority has not already done so. Require the Administering Authority to advise the new operator if they are required to send the property owner/s a copy of the Environmental Authority. (Note: this allows Administering Authorities to adopt a process that is appropriate for the industry, etc).
s.269	s.269 places restrictions on when an Administering Authority may approve a surrender application. In some instances (e.g. a surrender application for ERA8 Chemical Storage for a service station) the local government will require information from DERM to be able to assess the requirements of s.269(c). To ensure compliance with the relevant timeframes, DERM would have to provide this information quickly. This will require a streamlined process with strict timeframes for DERM (e.g. 10 business days).	No amendment to the legislation recommended. Require DERM to develop a streamlined process in which they will provide LG the information required to be considered under s.269(c) within 10 business days free of charge.
s.278(e)	s.278 details when an Administering Authority may cancel or suspend an Environmental Authority. s.278(e) includes the grounds that the environmental authority holder's registration as a suitable operator '... is proposed to be cancelled or suspended' (i.e. under ss.318K-318Q). In its current form this provision appears to lack natural justice, i.e. another decision can be made based on the *proposed* cancellation/suspension of the registration. It is believed that the intent of this provision is to enable both the Environmental Authority and the Registration to be cancelled/suspended at the same time.	Amend s.278(e) to: • remove the wording 'is proposed to be cancelled or suspended' from; and • insert provisions that state notices of proposed suspension/cancellation can be issued under s.280 and s.318L at the same time.
s.311(2)	s.311(2) allows the Administering Authority to change the anniversary day for an Environmental Authority if the holder agrees in writing. Currently ERA renewals are scattered throughout the year, resulting in numerous batches of renewals having to be processed. This decreases efficiency, resulting in increased administration costs to local government. These costs are usually incorporated in the annual fees paid by ERA operators.	To increase efficiency and therefore decrease costs to industry, there should be a provision that enables local government to amend the anniversary date to a consistent date for all ERAs in that local government area, without the need for written consent. To ensure fairness the local government should be required to give the ERA operator 40 business days notice of the proposed change and charge pro-rata fees.
s.314	This section requires the ERA operator to replace an environmental authority through a site-specific application if they do not comply with the eligibility criteria. This provision essentially gives someone	Refer to recommended solution for s.204.

Section	Comment / Concern	Recommended solution
	additional time to comply when they have falsely stated their business complies with the eligibility criteria or they have failed to ensure the business continues to comply with the eligibility criteria. In the absence of a penalty for failing to comply with the eligibility criteria (refer to comments on s.204) there is little disincentive to apply for a site-specific application. A business who wants an approval quickly can obtain an authority through a standard application and then if they are caught, apply for a site-specific application after they are given a notice under s.314(4). These provisions in their current form protect non-compliant businesses.	
s.318C(4)	s.318C requires the Chief Executive (i.e. DERM) to give a notice of proposed standard conditions. s.318C(4) requires that the Chief Executive must give a written notice of the proposed standard conditions to the holder of a relevant existing authority. This implies one of four things: • DERM is not intending to develop standard conditions for devolved ERAs which would be ill-advised and would prevent Greentape achieving its purpose; • DERM is going to deregulate devolved ERAs which is definitely not supported as the regulation of devolved ERAs has resulted in improved environmental standards; • DERM is going to require the postal addresses of all ERA operators regulated by local government and then undertake massive mail-outs; or • DERM is going to require local government do the mail-out on their behalf, which will create an additional administrative burden on local government.	Genuine engagement with local government regarding devolved ERAs. A realistic process is developed to comply with s.318C that does not create an additional administrative burden on local government unless DERM funds this work.
s.318E	This provision is broad in nature allowing the creation of a code of practice '... for an activity that causes, or is likely to cause, environmental harm'. This could potentially include activities regulated by local government (e.g. roof cleaning businesses that regularly discharge wastewater to stormwater). s.318E(3) requires the Administering Authority to keep a copy of the code of practice available on its website. If the code of practice is for an activity regulated by local government, this section requires every local	s.318E(3) be amended to require that all codes of practice made under subsection (1) are made available on the DERM website (i.e. replace 'Administering Authority' with the State agency primarily responsible for environmental protection.

Section	Comment / Concern	Recommended solution
	government to keep the same document on their website which is a logistical nightmare, particularly if the code is updated.	
s.318K(b)	s.318K identifies when an Administering Authority may cancel or suspend a registration. s.318K(b) states the Administering Authority may cancel of suspend a registration if it '... is satisfied the operator is not a suitable person to be registered as a suitable operator having regard to the applicant's environmental record'. This provision mirrors several existing provisions that are vague in nature. Greater guidance is required in relation to this provision.	Clear guidelines are developed to ensure all Administering Authorities interpret and implement this provision in a consistent manner. Inclusion of explanatory notes under s.318K(b) to guide the interpretation of the provision.
s.318R	This section allows Administering Authorities to investigate applicant suitability by requesting information from other relevant agencies. This section allows information to be obtained from other State environmental protection agencies, etc, but does not make any provision for local government to request relevant information from DERM. DERM could also not request information from other State agencies (e.g. DPI&F) that also regulate ERAs.	s.318R be amended to allow an Administering Authority to obtain information from another Administering Authority within Queensland.
s.318T	This section requires the Administering Authority issue a notice to the applicant before using information in a suitability report. This provides natural justice which is supported. However, this adds a step in the process without extending the timeframes (which is only 20 business days) to make the decision.	s.318G be amended to extend the timeframe to make a decision if a notice under s.318T is issued.
s.318U	This section deals with confidentiality in relation to suitability reports. Currently the provisions cover public service employees and employees of a local government. Several local governments and State agencies use contractors to implement legislation and process applications. There is no definition of 'employee' and contractors are generally not considered employees of the relevant Administering Authority. Therefore the implementation of this provision would be problematic if contractors are not included in this section.	Amend s.318U(1) and (3)(b) to include contractors employed by an Administering Authority.
ss.321-326I	These sections detail the provisions for environmental evaluations. Most of these provisions replicate existing provisions of the EPAct. These sections will continue the current approach of having two types of environmental evaluations – environmental	Consolidate these provisions to create one type of environmental authority. Include the ability for the Administering Authority to specify the minimum qualifications of the person completing the environmental evaluation (e.g. an auditor approved under the EPAct) in the

Section	Comment / Concern	Recommended solution
	audits and environmental investigations. Both types of environmental evaluations are designed to achieve similar outcomes. The primary difference is that an environmental auditor must conduct an environmental audit. There are several situations in which an environmental audit or environmental investigation could be issued. The Greentape Bill presents an opportunity for the two types of environmental evaluations to be consolidated which would reduce the regulatory burden on Administering Authorities and industry.	consolidated provisions.
s.323	s.323 details some of the circumstances in which and Administering Authority may require an environmental audit including: • Non-compliance with a Direction Notice (used to regulate nuisances, illegal discharges to stormwater systems, etc); • Contravening a noise standard; and • Depositing prescribed water contaminants into a stormwater system or in place where they could move into a water body. These provisions deal with some of the non-compliances that have a smaller or shorter-term impact on the environment. Therefore requiring an environmental auditor undertake the environmental evaluation is unnecessary and increases the cost to comply. In some instances another type of professional (e.g. acoustic engineer) may be better qualified than an environmental auditor to provide expert advice to achieve the desired outcome.	If the above recommendation is not implemented, move the content of s.323(1)(b) into s.326B, i.e. move the 'nuisance' type provisions to be included under the environmental investigation provisions.
s.326G(2)	This provision states that the Administering Authority must accept the report submitted by the environmental auditor. This doesn't take into account that auditors may make errors (not deliberately), etc.	Amend this provision so that Administering Authorities can require the report be amended if there are errors or omissions. Also include a provision that the report can be disallowed/refused if the Administering Authority if the report is seriously flawed and action is taken under s.574H (Who may make complaint about an auditor).
Clause 12 and 13 of the Bill	These clauses will amend ss.330-331 in relation to Transitional Environmental Programs (used to support a business transition to an appropriate standard, becoming compliant over a fixed period of time). These clauses do not currently include standard conditions. Consequently, an ERA operator who intends to transition to comply with the standard conditions must obtain a site-specific approval in the meantime. This doesn't appear consistent with the intent of	Clauses 12 and 13 be amended to include 'standard conditions'.

Section	Comment / Concern	Recommended solution
	the Act to encourage improved environmental performance or the intent of the Bill to decrease Greentape for industry.	
s.334A	This section enables the Administering Authority to require information relevant to a submitted Transitional Environmental Program. There are currently not details to identify what action should be taken if the information is not provided by the person/public authority. There is also no maximum time period set before the process lapses.	Inclusion of more process requirements including the maximum time period the person/public authority has to submit the information, that the process lapses if the person/public authority fails to provide the required information during that time period, etc.
Clause 24	This clause will amend s.347 which relates to the disposal (e.g. sale) of a business that is not covered by an environmental authority and that has an approved Transitional Environmental Program (TEP). It is unclear why a business operating under an Environmental Authority that has a TEP is not subject to the same requirements.	Do not amend s.347 so all holders of a TEP have to tell potential purchasers of the TEP.
Clause 36	These amendments to s.452 are very similar to the existing provisions regarding an authorised person's power to enter places. These provisions do not provide suitable powers of entry when a business is operating, but is not 'open' for business (e.g. noisy work conducted after hours).	s.452(2)(c)-(f) should be amended to include powers of entry when the activity is being conducted (even if the business is not 'open' for trade or to the public). These powers of entry should apply to places where ERAs and other regulated activities are occurring, and where ERAs are being conducted without the necessary approvals (i.e. don't have reduced powers of entry for illegally operating ERAs). However, these powers of entry should not apply to residential premises or parts of a building lawfully used as residential premises.
s.540(1)(c)	The proposed changes in clause 47 are similar to the existing content of these sections. There is no definition of 'monitoring programs' which can lead to different interpretations of this requirement.	Include a definition of 'monitoring program' in Schedule 4 (Dictionary).
s.677	This section provides transitional arrangements for Chapter 4 Activities, including devolved ERAs. s.677(4) states that 'the anniversary day for the environmental authority is the anniversary day of the day the development permit was given'. In accordance with s.316 of the current EPAct, local government has to issue an annual notice (i.e. renewal) prior to the anniversary day for the *registration certificate*. The proposed requirements relate to the anniversary day of the *development permit*. This date is often different to the anniversary of the registration certificate. To implement the proposed provision would require each Administering Authority of Chapter 4 Activities	Amend s.677(4) to state that the anniversary day for the environmental authority is the anniversary day for the registration certificate. This will ensure ERA renewal dates remain unchanged.

Section	Comment / Concern	Recommended solution
	to go through every relevant development permit and amend the anniversary day of each ERA. In many cases this will result in changed periods covered by the fee which is unfair to industry and an unbeneficial administrative burden on local government.	
ss.694-695	s.694 defines 'transitional authority' and includes development permits for Chapter 4 activities devolved to local government that exist before the commencement of the Greentape Reduction provisions. s.695 states that the holder of a transitional authority may apply to convert the conditions to the standard conditions for the relevant activity. To do this the ERA operator would have to pay a fee. Consequently most ERA operators will not apply to convert the conditions. This will result in varying minimum standards existing within each industry. Current development permits which become an Environmental Authority under s.677 will remain in effect for the lifetime of the activity occurring on the site. Therefore multiple standards could exist for decades. This reduces some of the regulatory efficiency the Greentape Reforms intended to achieve. However, it is recognised that changing the requirements of existing ERAs is problematic. However, a better balance is needed and the bulk of devolved ERAs will operate in a similar way and therefore are likely to comply with the eligibility criteria to be developed in the future.	Include provisions that: • Require the Administering Authority give the holder of each 'transitional authority' a notice within 1 year of relevant standard conditions being developed. • State the conditions will automatically change to the standard conditions 1 year after the notice is served, unless the operator advises the Administering Authority they want to retain their existing conditions. • If the holder of the transitional authority advises the Administering Authority that they want to retain their existing conditions, the Administering Authority cannot change their conditions unless specifically permitted by the EPAct (e.g. the provisions to amend conditions if the holder is convicted of an environmental offence). This would be consistent with s.213 that states that the holder of an environmental authority has one year to comply with any new standard conditions that apply to existing authorities.