

# Environment Checklist



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**Contents from this checklist are taken from the Environment compliance register.**

### About the Environment Compliance Register

The Environment compliance register informs Australian entities or organisations of their legislated legal obligations to the environment. The compliance register also demonstrates effective practical advice and assistance to the entity to implement procedures and processes that will ensure compliance and regulatory accountability throughout all levels of the entity. Furthermore, this register covers the role of the regulator as well as exemptions to the obligations, if applicable, and how they may or may not apply in particular circumstances.

## About the Expert

### Dr Rachel Baird

Director at Iceberg SRC



Dr Rachel Baird is an experienced environmental professional with a unique understanding of the interplay between state, commonwealth and international laws. Her major project experience provided a valuable practical lens to her legal skills and experience with social impact. Her research (Master's and PhD) addressed international environmental law including marine resource management, regional and high seas fisheries, and marine pollution.

Rachel has lectured on international environmental law covering topics such as climate change, resource management, and transboundary pollution. She has authored many articles and books addressing sustainability topics and is a regular expert reviewer for LexisNexis.

Rachel currently facilitates a Sustainability Law course run in partnership by Pearson and Oxford University and has provided ESG workshops/presentations for the CEO Institute, Governance Institute of Australia, Women on Boards and the Malaysian Institute of Accountants. Having now built a practice in governance advisory, Rachel has a particular interest in ESG and draws upon years of practice and academic research to advise boards and management teams on organisational sustainability strategies.

# ENVIRONMENT CHECKLIST

This checklist helps you identify your legislated legal obligations related to the environment.

## Overview

Requirement	Needs work	Don't know	Meets requirement
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Has the organisation met its environmental compliance obligations?

## Environmental Approvals

Requirement	Needs work	Don't know	Meets requirement
If the organisation undertakes activities on its premises that require authorisation, does it obtain environmental approval and does it comply with the conditions?			

Does the organisation obtain environmental approval before undertaking any activities on its premises that require authorisation?

Does the organisation comply with the conditions of environmental approvals?			
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Does the organisation submit an annual return and pay the renewal fee on the environmental approval anniversary date to the relevant state or territory regulator?

If the organisation is planning to change its activities, undertake new activities, move premises to conduct operations at a new location or acquire additional premises, does it amend any relevant environmental approvals?			
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Does the organisation transfer all environmental approvals to the new occupant when selling a business or adding a new approval holder?

If the organisation is ceasing activities under an environmental approval, does it apply to surrender the approval?			
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If the organisation is undertaking activities that impact native flora or fauna, does it obtain a permit and comply with the conditions?

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## Environmental Harm

Requirement	Needs work	Don't know	Meets requirement
Is the organisation conducting its operations in a way that avoids causing environmental harm? If the organisation has caused environmental harm above the reportable threshold, does it notify the regulator and assist with any investigations conducted by the regulator?			

Has the organisation notified the regulator of environmental harm it has caused, if the harm is at or above the reportable threshold?

Does the organisation cooperate with investigators, which includes complying with notices and directions, as well as providing requested information?			
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Do the organisation's directors and/or other corporate officers take steps to ensure that the organisation is complying with environmental obligations?

## Development Approvals

Requirement	Needs work	Don't know	Meets requirement
Does the organisation obtain all required development approvals for new development projects?			

Does the organisation obtain planning approval before commencing development work?

Does the organisation obtain Commonwealth approval for any proposed action that will or is likely to have a significant impact on a matter of national environmental significance?			
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Does the organisation protect native vegetation when conducting development activities?

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## Record-keeping and Reporting

Requirement	Needs work	Don't know	Meets requirement
Has the organisation put systems and processes in place to ensure that all record-keeping and reporting obligations applicable to the organisation's practices are understood and complied with?			
Does the organisation report on the use, transfer or emission of substances tracked in the National Pollutant Inventory (NPI) to the appropriate state or territory regulator?			
Does the organisation notify the regulator of environmental harm it has caused, if the harm is at or above the reportable threshold?			

Does the organisation notify the regulator of land contamination?

## Air Emissions Management

Requirement	Needs work	Don't know	Meets requirement
Does the organisation implement processes and procedures to ensure that air emissions from its activities do not exceed limits set in approval conditions or regulations, in order to avoid causing an environmental nuisance?			
Does the organisation have systems and procedures in place to ensure that it complies with the environmental approval conditions that authorise air emissions?			
Does the organisation have systems and procedures in place to ensure that its air emissions do not cause environmental harm, nor create an environmental nuisance?			
If the organisation emits greenhouse gases above the relevant threshold limit, or consumes or produces energy above the threshold limit, does it report on these activities to the Commonwealth Clean Energy Regulator each financial year?			
Does the organisation have systems and procedures in place to ensure that it complies with its obligations in respect of the release of odours?			

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## Water Management

Requirement	Needs work	Don't know	Meets requirement
Does the organisation avoid polluting water, obtain a works approval before it has undertaken any works that interfere with water resources, and possess a licence to use or take water?			
Does the organisation take steps to ensure that its activities do not cause water pollution?			

Does the organisation have procedures in place to ensure that all activities using water or that interfere with a body of water are undertaken with approval from the regulator?

## Waste Management

Requirement	Needs work	Don't know	Meets requirement
Does the organisation have policies and procedures in place to ensure that waste is stored where it will not enter the environment, that waste is transported and disposed of by licensed companies, and that controlled waste is monitored and reported on to the appropriate regulator?			

Does the organisation develop, implement and apply waste storage procedures that prevent the release of waste into the environment?

Does the organisation have systems and procedures in place to ensure that waste it generates is only disposed of at licensed facilities? Does the organisation ensure that the transporter has the appropriate environmental approval?			
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If the organisation plans to transport controlled waste, does it monitor the waste and report this activity to the state/territory regulator of every state/territory through which the waste will be transported?

Does the operator of a waste facility or disposal premises in New South Wales, Queensland and Victoria ensure that the correct levy amount is paid within the required time period and all surveys, measurements, reports and returns have been completed and appropriate records retained?			
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Does the operator of a waste facility or disposal premises in South Australia, Western Australia and Tasmania ensure that the correct levy amount is paid within the required time period and all surveys, measurements, reports and returns have been completed and appropriate records retained?

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## Noise Management

Requirement	Needs work	Don't know	Meets requirement
Does the organisation have policies and procedures in place to ensure that noise emissions from all activities conducted by the organisation do not exceed permitted levels, and that any goods manufactured, sold or hired out by the organisation conform to relevant noise standards?			

Does the organisation have systems and procedures in place to ensure that noise emissions from all activities conducted on the organisation's premises do not exceed permitted levels?

If an organisation is carrying out construction activities, does it have systems and procedures in place to ensure that noise emissions from the construction work do not exceed legislative standards, local council by-laws or development approval conditions?			
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Does the organisation have in place systems and procedures to ensure that any goods or equipment manufactured, sold or hired out by the organisation comply with relevant noise standards?

## Contaminated Land

Requirement	Needs work	Don't know	Meets requirement
If the organisation occupies contaminated land, does it follow all directions from the regulator, notify the regulator when required and notify any buyer that the land is contaminated?			

Does the organisation comply with the regulator's notices and directions in relation to its management of contaminated land?

Does the organisation notify the regulator of land contamination?			
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## Environmental Audits

Requirement	Needs work	Don't know	Meets requirement
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Does the company enter into a debt restructuring process by appointing a qualified restructuring practitioner if it becomes insolvent or is likely to become insolvent at some future time?

Does the insolvent company develop a restructuring plan containing all the required information and propose it to its creditors?

## Banning Single-Use Plastics

Requirement	Needs work	Don't know	Meets requirement
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Does the business observe state and territory legislation banning the use of single-use plastics and does it transition to phasing out use in those jurisdictions yet to introduce bans?

Does the organisation comply with legislation banning the use of single-use plastics in the Australian Capital Territory, Queensland and South Australia? (ACT, TAS, SA)

Does the organisation plan to transition to comply with bans on single-use plastic in New South Wales, Victoria and Western Australia scheduled to commence from 2022? (NSW, VIC, WA)

Does the organisation comply with legislation banning the use of plastic bags in the Northern Territory and Tasmania?

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## Reuse and Recycling

Requirement	Needs work	Don't know	Meets requirement
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Does an organisation undertaking a role in the container deposit scheme ensure compliance with the scheme agreement and the regulatory requirements of the jurisdiction and does an organisation undertaking waste or resource recovery activities comply with the requirements governing the management and operation of the activities?

Does an organisation in Victoria, South Australia or Western Australia undertaking a role in the container deposit scheme ensure compliance with the scheme agreement and the regulatory requirements of the jurisdiction?

Does an organisation in Tasmania or the Northern Territory undertaking a role in the container deposit scheme ensure compliance with the scheme agreement and the regulatory requirements of the jurisdiction?

Does an organisation in New South Wales, Queensland or the Australian Capital Territory undertaking a role in the container deposit scheme ensure compliance with the scheme agreement and the regulatory requirements of the jurisdiction?

Does an organisation undertaking waste or resource recovery activities in South Australia, Victoria or Tasmania comply with the requirements governing the management and operation of the activities?

Does an organisation undertaking waste or resource recovery activities in New South Wales or Queensland comply with the requirements governing the management and operation of the activities?

## Your Free Demonstration

If you would like a demonstration of the Environment Compliance register, click or scan the QR code. →



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- Explore your compliance obligations under a particular regulator, or a particular compliance source, with SourceData.
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