

## **NEPM Reviews**

### **Establishing the need for a review**

It can be assumed that NEPMs may need to be reviewed from time to time as new issues arise. Presently some NEPMs acknowledge this likelihood and contain a provision for their review at some future date. The intent of this provision is to ensure that, after an appropriate period of time, formal consideration is given to assessing the relevance of the desired environmental goals and outcomes and the effectiveness of a NEPM in achieving those goals or outcomes.

The need for a NEPM review can be established by the:

- identification of significant issues arising regarding the relevance of the goal and desired environmental outcomes of the NEPM;
- identification of significant issues regarding the implementation of the NEPM; and
- availability of sufficient information for analysis of the significant issues identified.

### **Objectives of a Review**

A NEPM review should provide:

- an accurate description of significant issues regarding the NEPM;
- an accurate and transparent assessment of the impacts of a NEPM, its effectiveness, and the relevance of the goal and desired environmental outcomes of the NEPM; and
- recommendations for amending, revoking or continuing the NEPM.

### **Conducting a NEPM review**

Reviews should be initiated by NEPC, or where authorised by Council, NEPC Committee.

NEPM reviews should be conducted by a review team nominated by NEPC Committee. Project management should be provided by the NEPC Service Corporation. The review team would be responsible for consulting with jurisdictions and key stakeholders and providing recommendations for consideration by Council.

### **NEPM content and NEPM implementation relationships**

The implementation of NEPMs is the responsibility of jurisdictions. Issues arising during a review may be generally classified as:

- issues related to the content and/or structure of the NEPM; and
- issues related to jurisdictional approaches to implementation.

Both types of issues need to be considered in reviewing a NEPM. NEPC, however, can only address issues where the structure or content of a NEPM is impacting on implementation. Jurisdictions are responsible for addressing issues solely related to their implementation of a NEPM.

### **Procedures for reviewing a NEPM**

The review process should follow the steps outlined in Attachment 1 and would include:

- Preparation of an issues paper identifying significant issues and availability of essential information;
- NEPC determines the need for review;
- Should a review be required, a proposal for the conduct of the review (including the nomination of a review team and recommendations regarding the level of consultation required) would be prepared;
- Review team would examine jurisdictional annual reports, consult with key stakeholders, and evaluate other information relevant to the issues identified; and
- Review team would develop a review report that would make recommendations for amending, revoking, continuing a NEPM, and pass implementation issues not relevant to the structure and content of a NEPM to jurisdictions for evaluation and development of implementation recommendations.

Should Council decide to vary or revoke a NEPM, the relevant provisions of the NEPC Acts would apply.

# NEPC NEPM REVIEW PROCESS

Attachment 1

