

Australian Environment Business Network (AEBN) Webinar

The first 12 months of Victoria's new environment protection framework

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5 October 2022



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Who are we?

Environment Protection Authority Victoria (EPA) is the state's independent environmental regulator.

We work with community, industry, business and governments to prevent and reduce the harmful effects of pollution and waste on Victoria's environment and people.

The environment is everyone's business.

epa.vic.gov.au

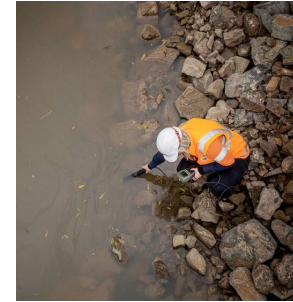


The Environment Protection Act 2017



A focus on prevention of harm

Activities



Harm to human health or the environment

2017 Act focus

Preventing harm by making **risk management** a positive legal obligation

1970 Act focus

Protecting human health and the environment by **punishing polluters** that **cause** harm



Refinements to the framework

Refinements made since 1 July 2021

- several legislative instruments - including a waste determination and a waste designation
- Amendments to the Act – to clarify and refine various powers, functions and processes
- Amendments to the Regulations – use of waste tyres to weigh down silage, single use plastic ban (from February 2023)

Further changes ahead

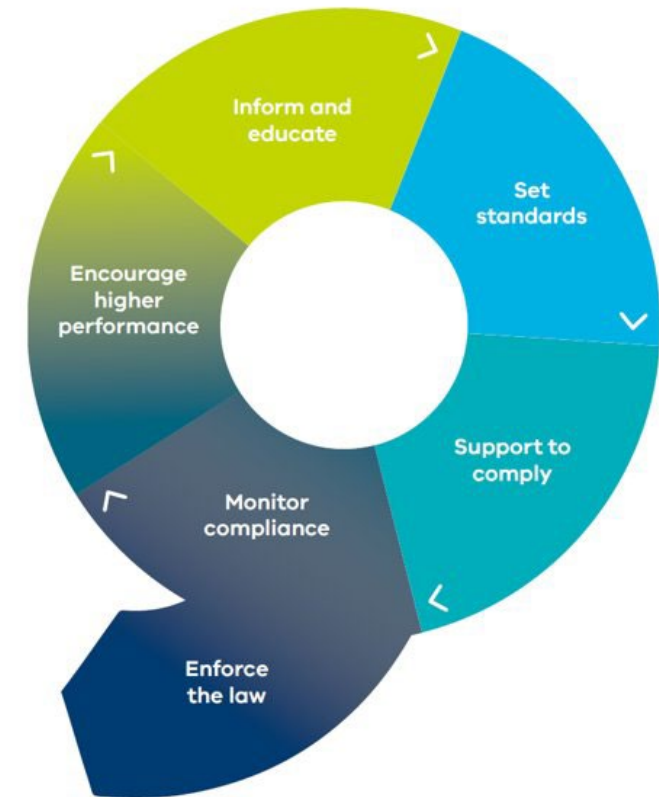
- further amendments to the Regulations – noise from wind turbines
- Waste designation – transport and storage of used lead-acid batteries

Stay in touch with these changes

- www.engage.vic.gov.au and via EPA's website

Focus of the first 12 months

- Activities that pose a significant risk to the environment and human health
- Promoting an understanding and building knowledge of:
 - New laws and duties
 - Hazard and risk identification and management
- For permission holders:
 - Support the transition
 - Compliance with conditions
 - Risk management and monitoring plans



Statement of regulatory intent

- ✓ Raise awareness and build knowledge
- ✓ Work with industry on what compliance looks like
- ✓ If we see non-compliance, our response will be measured and proportionate
- ✓ Deliberate and criminal non-compliance will be taken seriously

Succeeded by EPA's Regulatory Approach:

<https://www.epa.vic.gov.au/about-epa/what-we-do/epa-regulatory-approach>



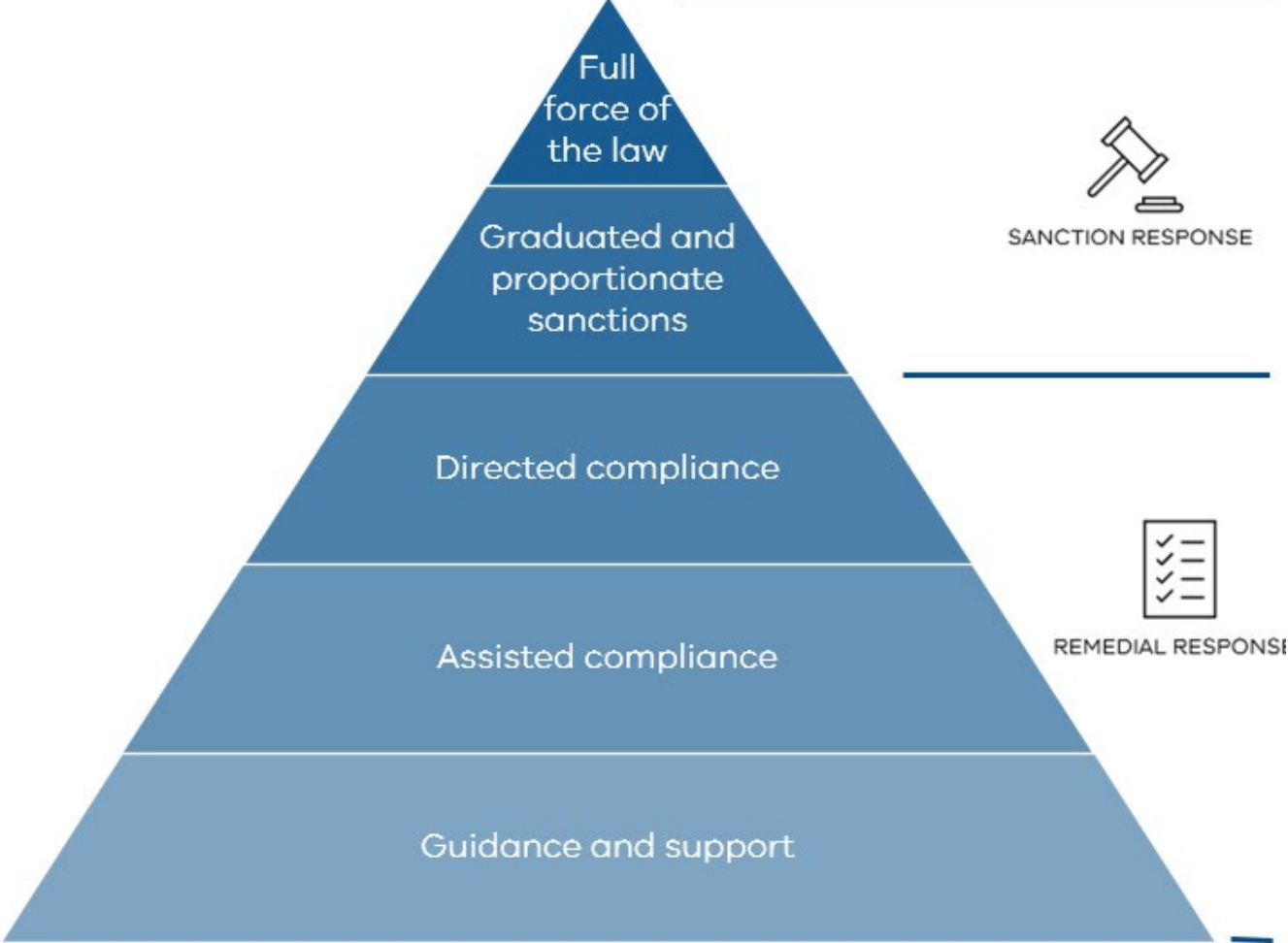
Guidance for business

- **Foundational state of knowledge**, for example:
 - Assessing and controlling risk: A guide for business (16 languages)
 - Self-assessment tool for small business (10 languages)
- **Hazards and risk**, for example:
 - Liquid storage and handling guidelines
- **Industry or sector guidance**, for example:
 - Retail – Guide to preventing harm to people and the environment
 - Auto Recyclers Guideline (co-branded with VACC)

Visit <https://www.epa.vic.gov.au/for-business/find-a-topic> to find information and guidance on topics of importance to industry.

Regulatory actions

Regulatory Action	2021-22
Completed Prosecutions	21
Waste Crime Investigations	40
Infringement Notice (Environmental)	49
Infringement Notice (HV Litter)	6,933
Infringement Notice (HV Vehicle)	975
Official Warnings	64
Remedial Notices Issued	1,055
Advisory Interactions	>2,000
Total Inspections	3,987



Preventative inspections

Fire Prevention Program

Result

565 risk-based inspections across **275** sites in 2021-22

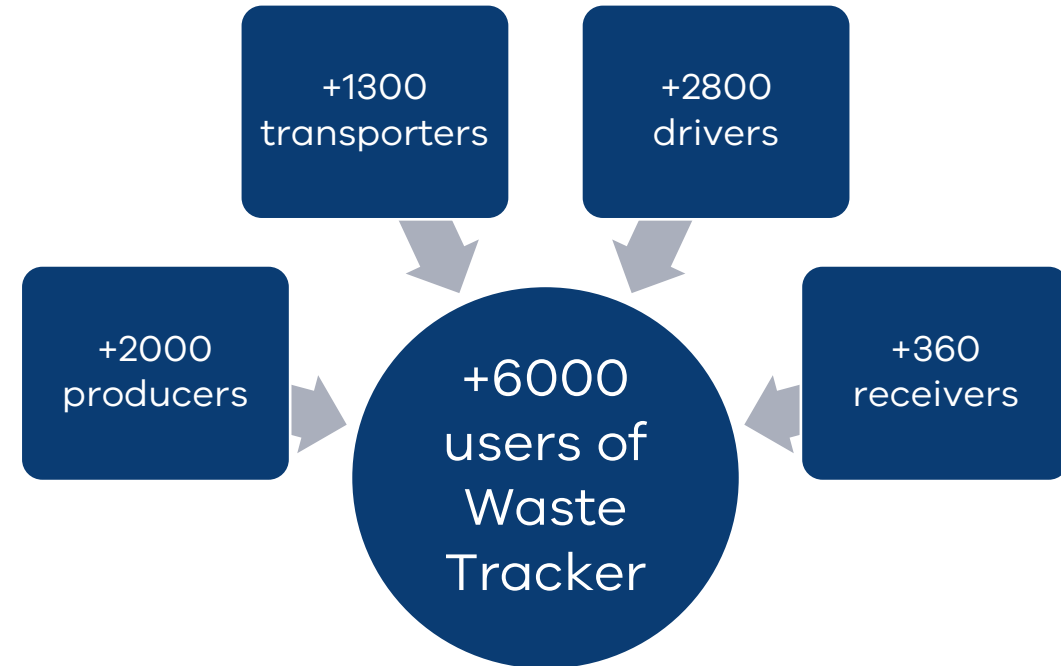
- **192** remedial notices
- **8** sanctions
- **15** prohibition notices



Fire Prevention Program
Zero fires, zero tolerance

Waste Tracker

- Waste Tracker is EPA's system to track
- reportable priority waste.
- There are now +6,000 users of Waste Tracker
- Since 1 July, more than 425,000 waste records have been completed using Waste Tracker.
- Our focus is shifting from onboarding to compliance.



Permissioning

Permission type	Number
Permit (Waste transport, noise & other activities)	2,328
Exemption (Permit)	5
Designation	212
Pilot Project Licence	9
Development Licence	16
Exemption (Development Licence)	55
Operating licence	109
Exemption (Operating Licence)	1
Landfill cell / Landfill cap construction approval	69
Registration	9,290

Reflections

- First 12 months was as expected, based on experience with introduction of OHS laws 10 years ago
- Variable knowledge of environmental regulation and risk management
- Most businesses want to do the right thing...but bad actors exist
- Increased focus and changed behavior – particularly in relation to General Environmental Duty and waste duties
- Continue to learn from and review implementation of new environment protection framework
- EPA to continue to work with business to work with each other to build state of knowledge
- Precedent setting though the courts to occur

Continuous improvement

- More knowledge and intelligence sharing
- More engagement
- More inspections and use of new tools
- New technology
- Better data and analytics
- Proactive and complex investigations



Questions?

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