

Submission Guidance

In preparing your submission to the Inquiry, you are encouraged to respond to the following questions and/or the Terms of Reference (located on page 5). You do not have to answer all of the questions or address all of the Terms of Reference.

Questions

1. *What do you think are the key environmental challenges which will impact the EPA in the future?*

- Rapid land use change and associated pressures on the environment associated with both demographic changes and climate change
- Climate change and associated changes to flood and fire frequency and/or intensity
- Water issues - frequency of fish kills, declining water quality in water bodies and blue green algae blooms are all likely to occur with higher temperatures, less runoff and land use pressures associated with climate change
- Waste
 - a) Landfill location, design and management, availability of sites and capacity of sites to deal with specific waste types
 - b) Increasing illegal dumping of commercial and domestic waste in response to increased landfill fees and distance to suitable licenced facilities
 - c) Lack of composting/other organics processing infrastructure in western Victoria, leading to inefficient use of landfill space and increased methane emissions. Need to improve separation of organic waste and look at more efficient processing methods – we could be recovering more energy (carbon) from organic waste by utilising biogas or other waste-to-energy systems compared to composting
- Failing wastewater management systems
 - a) Most septic systems within this local government area were installed prior to the introduction of Septic Permits in the 1970s. These systems are already and will increasingly become a source of water pollution in the future as they deteriorate, causing adverse impacts on health of humans and the environment. It is difficult to regulate domestic wastewater management without a Septic Permit
 - b) In our Shire there are many existing dwellings and businesses with septic systems on small blocks which are having difficulties maintaining their wastewater effluent onsite to prevent the contamination of waterways and soils. Some of these are in unsewered townships and others are within sewer districts but are not serviced by reticulated sewer. In the latter case, there appears to be no imperative or incentive for Water Authorities to connect properties to reticulated sewer
 - c) In our opinion the EPA Code of Practice for Onsite Wastewater Management supports development at the expense of environmental and public health, there is a lack of EPA technical support, lack of regulation by the Environmental Protection Act and lack of direction in the Water SEPP

- d) EPA's proposal to remove the Onsite Wastewater Management Systems Certificate of Approval and rely on the Australian Standards for Onsite Domestic wastewater management is creating significant issues for Councils. Australian Standards for Onsite Domestic wastewater management are minimal and leave large gaps which the EPA Certificate of Approval previously filled. An example is testing of the systems that manufacturers claim will comply with the Australian Standard but which fail EPA's effluent water quality testing

2. *What aspects of the EPA's work do you value and wish to preserve in the future?*

- Regulating the current environmental issues for which the EPA is responsible
- Availability of advice from EPA on technical matters – Councils, especially small rural Councils, do not have in-house expertise in many technical matters
- Continue to develop and review environmental protection policies, guidelines and codes of practice

3. *How can the EPA effectively work in partnership with other government agencies to meet the environmental challenges of the future?*

- Important to have a good relationship between Local Government and EPA. Prevention is better than cure but Councils need timely input from EPA at the Planning Permit stage and local support from EPA if Councils are to be involved in investigating pollution/other incidents
- EPA must provide dedicated client liaison staff to provide timely advice and access to EPA services. Need to ensure EPA locates staff within local communities across Victoria. Currently staff are based in Melbourne or Geelong and cannot effectively respond to incidents or community concerns in south-western Victoria
- EPA can effectively work in partnership with other government agencies by consulting, involving and collaborating with all stakeholders during the development and review of guidelines, code of practices, legislation to ensure the process and proposed changes are fair and viable
- EPA should consult, involve and collaborate with Municipal Councils in the prevention, management and remediation of major environmental protection issues within or impacting on local government areas, including response planning for environmental issues associated with major fire and flood events in future

4. *How can the EPA's role in safeguarding the community against the health impacts of pollution be clarified or strengthened?*

- EPA needs to provide support to identify and develop affordable solutions as a feasible alternative to the traditional gravity sewer, which cannot be justified in unsewered small townships with a low rate of population growth. Currently septic systems installed prior to permit requirements are an increasing source of water pollution and

development in unsewered townships is being hampered by the need for a large land area to retain waste water onsite.

5. *How could statutory frameworks more effectively prevent future environmental risks and land use conflicts?*

- More consultation with local government when developing frameworks
- Timely advice/referral responses from the EPA at the planning permit stage of developments
- Strengthen environmental protection by authorising local government, as well as state government, to issue improvement/prohibition/clean-up/penalty infringement notices as occurs in NSW under the *Protection of the Environment Operation Act*
- In relation to the Waste and Wastewater Management section of Water SEPP, *Section 32 - Onsite domestic wastewater management* requirements need to be expanded to include domestic wastewater management systems without a Septic Permit. Most septic systems within the local government area have been installed prior to introduction of Septic Permits

6. *What role should the EPA play in emergency management?*

- Consult, involve and collaborate with all emergency management and Government authorities during emergency management preparation, response and recovery phases
- EPA should be on the frontline during emergency management providing data such as air quality and water quality data, technical advice (forecasting and pollution remediation advice) to all emergency management agencies and provide technical input when required

7. *How can the EPA better identify and, where necessary, address problems that are the result of past activity?*

- It is important for the EPA to work with local government as Councils often have historical data and knowledge of past incidents that could assist EPA in dealing with the problem
- To do this, EPA must provide locally based staff who can develop a good rapport with Council and the community within a locality
- EPA can effectively work in partnership with other government agencies in dealing with past incidents by consulting, involving and collaborating with all stakeholders

8. *What can the EPA do to avoid potential future problems?*

- EPA needs to consult, involve and collaborate with all stakeholders including Municipal Councils, Catchment Management Authorities (CMAs), Water Authorities, the Department of Environment, Land, Water and Planning (DELWP) and the community.

- Develop additional practical guidelines to assist Councils and community to deal with issues such as recreational vehicle noise, timber harvesting, domestic use of pesticides/herbicides, domestic removal of asbestos and hazardous/offensive industry construction/development (e.g. service stations)
 - Ensure that there are adequate licenced sites for disposal of asbestos for commercial and domestic quantities within a reasonable distance to avoid illegal dumping and disposal
9. *What role should the EPA play in improving environmental outcomes beyond those necessary to safeguard human health?*
- EPA's main role should be in protecting the environment in accordance with the Environmental Protection Act 1970: "The purpose of this Act is to create a legislative framework for the protection of the environment in Victoria having regard to the principles of environment protection". It is critical that, in conjunction with protecting against human health impacts, the EPA focuses on protecting the natural environment
10. *What role should the EPA play in reducing greenhouse gas emissions?*
- EPA needs to prioritise the reduction of methane emissions from landfills by assisting Councils to divert organic waste through community education and provision of infrastructure.
 - Changes to the Climate Change Act are expected – Victoria is a high polluting state due to the large proportion of electricity generated from brown coal so it is critical that emissions are monitored and lowered but this could potentially be achieved through provisions in the Climate Change Act. Legislative and organisational clarity is required to ensure community confidence around the monitoring and reporting of emissions
11. *How do you see environmental justice being applied to the work of the EPA?*
- EPA needs to ensure that all members of the community, including those in rural areas, have equal access to environmental protection and that remoteness from a major centre does not lead to lax environmental protection standards and services. The provision of personnel (possibly even part-time positions) could contribute to the "economic viability and growing sustainable jobs" in regional economies, and address this aspect of the Advisory Committee's brief
12. *What can we adopt from other regulators and regulatory models to implement best-practice approaches and ensure that the EPA can rise to key future challenges?*
- Consider following the NSW *Protection of the Environment Operation Act* in allowing local government as well as state government to issue improvement/prohibition/clean-up/penalty infringement notices. If so, this will require support to LGAs to resource this function.
 - Other states provide very good guidelines/best practice documents that assist Councils in decision making (e.g. ACT Environmental guidelines for service station sites and

hydrocarbon storage, May 2009). The provision of such guidance would assist Councils who do not have in-house expertise in specialised fields

13. *Are there any other issues relevant to the Terms of Reference that you would like to raise?*

Relating to the funds received by the EPA from the landfill levy – the EPA website states that “One of the key purposes of the landfill levy is to provide additional and ongoing funding to support efforts by government, industry and the community to reduce waste”:

- The landfill levy needs to be used to improve waste management, particularly to deal with organic waste, where the levy was raised
- At present our community is paying the landfill levy and seeing little in return, as the money leaves the region and the utilisation of the funds is not transparent
- Requirements for landfill rehabilitation are continuously being increased by EPA, leading to increased unplanned costs to Councils and other landfill operators. Management of landfill rehabilitation is very prescriptive and not risk-based.