

EPA Inquiry
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To whom it may concern

INDEPENDENT INQUIRY INTO THE EPA

Wimmera CMA thanks you for the opportunity to make comment to the inquiry.

Our comments focus on land and water management as they relate to the discussion paper but can equally apply to other environmental values and activities.

Wimmera CMA shares many goals with the EPA and many times has worked in partnership to deliver positive outcomes for the environment in our region and Victoria.

Agriculture and land use change

The Wimmera's agribusiness sector continues to expand. Value adding has led to the development of grain storage and processing facilities. Intensive animal husbandry is growing. These activities have environmental risks particularly where they occur in catchments of high value waterways or environmental values.

As agriculture operates in an international market, some jurisdictions around the world contemplate regulating carbon dioxide as a pollutant, it could be beneficial to explain EPA's policy position on the topic?

Anecdotally there appears to be confusion within some of the Wimmera agriculture community about how the *Environmental Protection Act 1970* (the Act) applies to the chemical and fertiliser use.

The Wimmera region has experienced dramatic land use change in the past 20 years as a result of a drying climate, commodity prices and social change. An example of this is the change from grazing to cropping in the south west of our region. This change has created numerous impacts on waterways such as drainage and sedimentation through runoff. It has also resulted in significant clearing of native vegetation. Wimmera CMA believe mechanisms such as Environmental Significant Overlays (ESO's), with appropriate referral to state government departments, could be used in many areas to manage these impacts. There is reluctance by many local governments to include ESOs in planning schemes. The EPA or DELWP, through the Planning Minister, could be given powers to compel these to be incorporated into planning schemes in high risk areas.

More effective regulation and statutory framework

The EPA could better identify and address past problems and minimise future hazards by partnering with local authorities and community groups. Councils and CMAs have a local presence and knowledge and with the appropriate training and resourcing could provide information to the EPA. We could also inform the EPA about previous activities that may pose risks.

The EPA and the community may also benefit from a permanent local EPA presence in the Wimmera, to be proactive in educating the community and dealing with reactive issues



promptly. Wimmera CMA and EPA may also wish to consider sharing resources to achieve this objective.

EPA role in reducing greenhouse gas emissions

The EPA should partner with agencies where there is a common goal. For example CMA have developed Natural Resource Management (NRM) Plans for Climate Change which identify priority NRM actions that can assist in the reduction in emissions and the capture of carbon. The EPA could partner with the CMAs to promote these best practices where they also result in outcomes related to the *Environmental Protection Act 1970*.

Environmental justice

The discussion paper suggests that elements of environmental justice have been incorporated into the EPA's Environmental citizenship strategy. This could be strengthened by promoting the aims of the strategy to Waterwatch volunteers and building their capacity to act as additional Environmental Citizens under the strategy.

Land-use planning

Please see comments above in relation to the use of overlays under local government planning schemes.

Regulatory approaches

Wimmera CMA suggests assessing the merits of using self-assessable mechanisms as a means to achieving a balanced risk based approach to regulation.

Self-assessable codes of practice have been used in many jurisdictions, for example Queensland, to regulate numerous activities relating to agriculture and forestry including the potential for pollution created from diffuse sources.

These code or standards would set performance requirements that would be linked to legislative requirements. The code could stipulate acceptable solutions that if followed demonstrate the proponents duty of care. In these cases the proponent may only be required to inform the authority that the activity will take place and the authority may randomly audit these activities. If a proponent sought to develop their own acceptable solution then it would be assessed. This would promote innovation and continual improvement, with appropriate penalties for breaches. Coupled with industry collaboration and other potential incentives such as labelling or access to NRM funding through CMAs, this could be a very powerful yet streamlined regulatory mechanism.

Wimmera CMA supports a concerted effort to improve the education of the Victorian community about our environment and the threats to it, thereby creating behaviour change with minimal need for regulation. CMAs are well placed to assist with this where there are mutual benefits.

As stated previously, the Wimmera would be better served having a permanent local EPA presence. This would greatly improve our regions ability to proactively support our community to prevent environmental impacts and also act as a reminder that there is a strong regulatory component of the environmental protection framework across Victoria.

Once again thank you for the opportunity to provide comment on the inquiry. Should you have any questions about our submission please contact [REDACTED] Manager Statutory and Strategy on [REDACTED] or [REDACTED]

Yours sincerely

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