



Ms Penny Armytage
Chairperson
Ministerial Advisory Committee
Inquiry into Environmental Protection Authority
PO Box 21428
Little Lonsdale St
Melbourne VIC 8011
Via email: info@epa-inquiry.vic.gov.au

Thursday 5 November 2015

Dear Ms Armytage,

RE: INQUIRY INTO THE ENVIRONMENTAL PROTECTION AUTHORITY (EPA)

Thank you for the opportunity to make a submission to this important inquiry regarding the future role of the EPA. Thank you also for your time recently when you presented to the Executive Council of the Victorian Trades Hall Council (VTHC) about this inquiry. Your presentation was warmly received by all our union affiliates present.

VTHC is the peak body for the union movement in Victoria, representing approximately 40 affiliates and over 400,000 union members across the state. These unions cover both the public and private sectors.

VTHC is a keen participant in the Community Advisory Committee established to inform this review, and will continue to be actively involved. We welcome this timely review of the EPA and wish to make a few comments below regarding this inquiry as a whole. We note also the detailed submission of our affiliate, Community and Public Sector Union (CPSU – SPSF) and commend them for work here.

VTHC welcomes the EPA's new focus on public health particularly in light of recent events such as the Hazelwood and Fiskville incidents that put workers, their families and communities at risk.

The EPA must be properly funded and resourced.

We are concerned that substantial funding cuts under the previous Coalition Government have resulted in key functions of the EPA going undelivered, due to budgetary restraints. VTHC also questions whether the current model of funding (through fines, for example) is a sustainable revenue source. The EPA must be well funded and well resourced, plus adequately staffed, particularly across regional and rural Victoria.

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The EPA must have clear purpose and legislative power to protect the community.

We note that the relevant act relating to the EPA's establishment has been amended numerous times, leaving a document that is unwieldy and without clarity of purpose. This results in confusion around the role and responsibility of different parties including the EPA during moments of crisis (such as Hazelwood). The Act should be reviewed, and rewritten to provide for the EPA's new, proactive role in our community. The Act should also be updated to include relevant segments of Occupational Health and Safety (OHS) legislation. We would hope this review would deliver modernisation of the legislation, urgently needed.

The EPA should be a regulator that focuses on compliance.

Further, we would expect the EPA as a regulator to focus on compliance and enforcement activities including where necessary, prosecutions. For example, the EPA regulates disposal of asbestos, which obviously the union movement is hugely committed to safe eradication from all buildings. There have been numerous examples of asbestos being illegally dumped, creating a risk for the community. Where asbestos has been correctly disposed of, the EPA must also ensure it has been treated properly, as did not occur in the recent case at Bulla Tip and Quarry.

The EPA should empower workers to be involved in environmental protection and public health.

VTHC believes there is an opportunity for the EPA to take a proactive stance against environmental destruction by empowering employees in their workplace to identify and alert their employer and the EPA of environmental threats. This would operate similar in practice to PINs, or Provisional Improvement Notices, issued by Health and Safety Representatives (HSRs) under the auspices of the relevant OHS legislation. Similar to PINs, the relative legislation surrounding this would need to have teeth to ensure compliance by business.

Thank you again for the opportunity to submit to this inquiry. Should you wish to discuss this submission further, please do not hesitate to contact [REDACTED] or [REDACTED] or [REDACTED]

Yours Sincerely,

[REDACTED]

Luke Hilakari
Secretary

LH: DB