

Andrews Labor Government Response to the Independent Inquiry into the Environment Protection Authority: an overview

The Independent Inquiry into Victoria's Environment Protection Authority (EPA) was the first comprehensive review of the EPA since it commenced operations in 1971. The Inquiry was completed over ten months by an Independent Ministerial Advisory Committee chaired by Penny Armytage. The final report released in May 2016 made 48 recommendations to government about how the EPA can be equipped to meet the environmental and human health challenges of today and the future.

Through the inquiry, government heard from experts, community, industry and stakeholders about the importance of a strong, modern and mature EPA within a growing and transitioning Victoria. An EPA that delivers efficient, proportionate and consistent regulation is vital for business and to ensure Victoria is an attractive place for investment. The Victorian community expects an EPA that proactively and effectively protects their health and their environment from harm.

The government response sets out a five-year reform program to set up Victoria's EPA to protect Victorians, our environment, our liveability and our economic prosperity into the future.

This environment protection reform agenda will deliver:

- a proactive and strategic EPA focussed on preventing harm to human health and the environment
- increased clarity and guidance for industry about their responsibilities
- modern, fit-for-purpose legislation
- greater responsiveness to local issues that matter to communities
- strengthened governance for the EPA, providing independence and accountability
- a trusted and authoritative source of scientific and technical knowledge and advice.

Legislative changes to modernise the EPA's governance and overhaul the *Environment Protection Act 1970* will be introduced in 2017 and 2018. These will strengthen the EPA's independence and scientific expertise and deliver a landmark shift towards preventing harm to the health of Victorians and our environment – building on well-established models from other jurisdictions and Victoria's Occupational Health and Safety framework.

The cornerstone of the changes will be a new 'preventative duty' that will deliver a more level

playing field for business and industry, and increased clarity and guidance about their environment protection responsibilities.

Government has committed \$45.5 million to kick start these reforms over the next 18 months and deliver key initial priorities, commencing in 2017, including:

- appointing of an interim advisory Board to guide the EPA through this significant reform process
- expanded, specialist environmental public health capability in the EPA to better identify, manage and communicate environmental health risks in Victoria (\$4.8 million)
- commencing the appointment process for a Chief Environmental Scientist and resources to boost the EPA's intelligence-gathering on new and emerging risks (\$2.1 million)
- establishing a pilot program of local government environment protection officers to respond more effectively to local issues affecting liveability and amenity, such as noise, dust and odour (\$4.8 million)
- developing a prosecution strategy and increased resources to hold polluters to account (\$6.5 million)
- developing a robust digital platform for better information to support better regulation (\$3.3 million)
- strengthening the EPA's strategic role in land use planning (\$1.5 million).

These and other changes will transform Victoria's approach to environment protection over a number of years. Engagement with business, local government, other key stakeholders and the Victorian community will help to inform the reform process.

The EPA has played a vitally important role for Victoria since it came into operation in 1971. These reforms will ensure that it continues to do so.

Summary of the government response

The government response supports in full 40 of the inquiry's 48 recommendations, with seven supported in principle, and one supported in part.

Inquiry Recommendations	Government Support		
	Full	Part	Principle
Clarifying the EPA's objective, principles and functions			
Recommendations 5.1 to 5.5	✓		
The EPA as a science-based regulator			
Recommendations 6.1 to 6.3	✓		
The EPA's role within Victoria's environment protection regime			
Recommendations 7.2 and 7.3	✓		
Recommendations 7.1, 7.4 and 7.5			✓
Responding to the challenge of climate change			
Recommendations 8.1 and 8.2	✓		
EPA's role in emergency management			
Recommendations 9.1 and 9.2	✓		
Taking a strategic approach to land use planning			
Recommendations 10.1, 10.3, 10.4 and 10.5	✓		
Recommendation 10.2			✓
Strengthening prevention			
Recommendations 12.1 and 12.3	✓		
Recommendation 12.2			✓
Holding polluters to account			
Recommendations 13.1 to 13.4	✓		
Managing legacy risks			
Recommendations 14.1 to 14.3	✓		
A new approach to standard setting			
Recommendation 15.1	✓		
Deploying a wider range of instruments			
Recommendations 16.1 to 16.3	✓		
Strengthening mining regulation			
Recommendation 17.1			✓
A broader and more effective local response			
Recommendations 18.1 to 18.3	✓		
Establishing effective governance arrangements			
Recommendation 19.1	✓		
Recommendation 19.2		✓	
The EPA's capability needs			
Recommendations 20.1 and 20.2	✓		
Funding for the future			
Recommendations 21.1, 21.3 and 21.4	✓		
Recommendation 21.2			✓