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

Finding a balance between protecting the community and environment and allowing for industry to grow; this does not mean that the footprints of industry should be increasing in size, it means that waste should be reduced in size and deposited more in line with technologically advanced ways. More research is required in Australia for this to be introduced.

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

I have not decided on this matter yet. Perhaps when my multitude of detrimental impacts on my land which is situated next door to a landfill, have been fixed i may answer this question.

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

Provide clear delineation of responsibilities with overlapping permits and licences. For example the landfill next door has a planning permit from the Hume City Council and a licence from the EPA. When there are non compliances, the matters are reported to local council who in turn state that it is the responsibility of the EPA. Needless to say the matters are still not fixed. The conditions of each of the statutory requirements should not overlap; this is one of the basic requirements when drafting a planning permit. As the current partnerships dealing with current environmental challenges are still not effective, these would need to be fixed before any future partnership considerations are assessed. When i first began my career as a planner 15 years ago, it was a greatly mooted point that the relevant authorities should be working in partnership; and still today this is not happening. As a community member next to a landfill that continuously does not comply with both their licence and planning permit, I am shuffled from one authority to the next. Whilst the EPA has been the most responsive – the issues of non compliance are still not totally fixed. An effective partnership may mean that the environment and the community will no longer be threatened. Include in the relevant acts of Parliament that when a Works Approval or licence or planning permit is sought that it is a statutory requirement that each of the relevant authorities notifies the other. (The landfill next door applied for an amendment to allow them to continue for eternity, the local council did not refer the application nor notify the EPA formally or informally until after the matter was before VCAT and i would imagine that they were given legal advice to do so. The current statements from both the EPA and Council 'we are working together to work through the issues' is not working nor is it entirely accurate. Clearly, there is a need to make this a statutory requirement.

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

I keep hearing of 'natural justice', this is a fantastic word; but this only seems to apply to the offender rather than the innocent. When there is a non compliance of a licence or works approval it is generally the community that report it (the independent auditors never find any issue with problems that even 'blind freddy' can see exist); this should be acted on promptly

as any non action from the EPA is seen as an acceptance of the non compliance from the operator. Furthermore, if there is no action then the community and the environment is further threatened which in-turn increases the fear levels in the community. My personal experience with living next door to a landfill for over 20 years and having a local government background in planning is that Council do not want to deal with any non compliance issues with strong willed companies and the EPA 3 years ago adopted the dismissive approach to evidenced and alleged non compliances with the operator's licence conditions. The non compliance issues were put into the public realm and were escalating further and now the EPA has increased their role in safeguarding the community against health impacts. Why do matters need to escalate before any action is taken in the year 2015. This is not a progressive and effective means of protecting people and the environment as a great deal of damage to both has already occurred in the time taken from the inception of complaints to escalating the matter; circa 2 years. It was recently stated by someone high up in the EPA ranks that amendments to the licence would further strengthen their control of the operators business operations. I stated 'it would be fantastic if you could make them comply with their existing licence conditions'. On this basis it is not the conditions of licence, nor the many powerful acts of parliament, or the policy guidelines that need to be strengthened it is the powers of enforcing these policies, Acts, and licence conditions that should be further strengthened. Give the EPA the power to act on MUST and not MAY to protect the environment and the community. We now have contaminated ground water, illegally dumped asbestos and industrial waste on our property + more – if the EPA were afforded greater power we would not still be waiting 2.5 years later for the illegally dumped material from the landfill to be removed from our land. Another point that comes to mind – when a licence or Works approval is applied for and advertised some realistic statement should be provided. For example there shall be no dust /odour beyond the boundary of the premises (licence condition), there will be no dust/odour beyond the boundary of the premises (consultants report) – and we all know that there will be dust and odour beyond the boundary of the premises. Realistic on the ground approaches are required here. And furthermore, the current statutory frameworks let everyone know what and how a business operation should be done but there is no clear process to show what and how compliance should be reached.

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

Given my experience with the current statutory frameworks that is EP Act, BPEM, WMP, Asbestos handling and disposal policy WPG611, Planning & Environment Act 1987, Planning Scheme +42 acts and their lack of effectiveness for compliance the inclusion of 'must' rather than discretionary powers should be incorporated into the acts for the responsible authority. ALL PREMISES MUST INCLUDE THEIR BUFFERS AND THEIR OPERATIONS ON SITE WITHIN THE DEFINED FOOTPRINT. IF THERE IS GROWTH BEYOND THE SITES CAPACITY – THE PREMISES MUST BE CLOSED or the surrounding land is acquired. IF THERE ARE QUESTIONS THAT THE SITE IS NOT SUITABLE FOR THE POPOSED USE DO NOT PROVIDE A LICENCE OR WORKS APPROVAL. We are currently assuming the buffer distances for the landfill. They have all the development and use rights associated with their use but we do not have all the development and use rights associated with green wedge zoned land. We have been limited in our earnings from the land, but the landfill is not limited in their earnings. We currently have a canyon asbestos pit that was a 30 drop right on the boundary with a face on the landfill site of another 20m. Where are the buffers, where is the safety for us as landowners, where is the protection for my 10yo child and his friends, what about our environment, where is the

consideration for all our health because these operators consistently do not comply with their licence conditions? The conditions on both the our land and the landfill and the surrounding area have not changed but it is clear that the current statutory frameworks are not effective. I have been to a number of urban growth boundary forums over the years with all relevant consultants and authorities attending – it becomes a power struggle rather than dealing with the on the ground issues. It is great in theory to have your industrial area boxed at the western end of a suburb and assume that no other more fragile use and development would set up outside this area, but the reality is that it does. The green wedge zoned areas allow a number of industrial uses as the land is considered more robust, but it is clear that in 10 or 15 or 20 years this may not be considered robust as development and change will impact and encroach on these areas. Payment from the operators that currently hold licences and Works approvals to affected land holders would be an effective means to prevent future environmental risks. This should be a statutory requirement on a scale of negligence; illegally dumped asbestos and waste (high premium), dust continuously for 3 months (medium premium), litter continuously for 3 months (low premium). The existing PAN's at about \$7,500 does not mean a great deal to a company that turns over 2 million and above annually; but having to pay the next door neighbour would carry further weight.

What role should the EPA play in emergency management?

None. The documentation for all major infrastructure projects, businesses and operations should be available to all the emergency services for them to deal with in their line of expertise. If the on the ground knowledge is required for emergency management then the EPA should be consulted. Authorities do not seem to communicate effectively enough for this to work; clear delineation of roles of responsibility are required again.

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

Create a data base using amongst other records; local government planning records as a planning permit was required for most industrial uses from the 1960's onwards. Any enforcement proceeding should be in council's records also – this may further identify illegal dumping or illegal industrial operations. In order to address the problems of past activity create a user friendly standardised approach to deal with contamination. Pollutants and their availability are generally consistent to; a time, an area, a place and a common industry (iE. Ballarat and mining). The easier and more economical the process is made the greater the likelihood of problems being addressed openly by the land manager / owner.

What can the EPA do to avoid potential future problems?

Firstly ensure that the licensed operators are strictly monitored and issued with Notices without bias, and ensure that the unlicensed operators are issued Notices with some leniency. The licensed operators have been given the luxury of making loads of money and yet many are not good corporate citizens; it is time to shift this mindset. Do impromptu inspections, change the inspectors regularly, ensuring that everything is documented and double checked by both officers to avoid having to amend PAN's, thoroughly reviewing the independent audit report for each premises, when consistent complaints from community appear – do an independent audit on the operator. We are in a world of 'fairy dust'; when an operator is increasing an income stream by not complying with the multitude of regulations the EPA should be entitled to 'take the gloves off'. The best deterrent would be to adopt the 3 strike approach – when major non compliance of a licence and or works approval has been

evidenced then the operator loses his licence and business must close down. The damage to our farm and the surrounding environment can never be repaired; contaminated ground water, illegally dumped asbestos and industrial waste (can it be guaranteed that every asbestos particle is removed from our site?) and leachate – we are in effect assuming the responsibility of the landfill operator without the financial benefit.

What role should the EPA play in improving environmental outcomes beyond those necessary to safeguard human health?

Provide on the ground experience/ advice to scientists, Water and catchment management authorities.

What role should the EPA play in reducing greenhouse gas emissions?

Co-ordinate policy development with the scientists as this is their area of expertise.

How do you see environmental justice being applied to the work of the EPA?

Clear parameters for development and use of industry should be refined on a yearly basis to work towards a zero net loss to the environment. 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?

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As the problems are global - a world wide search for models and approaches are required.