

Brooklyn Residents Action Group Submission

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

Climate Change is by far the biggest environmental challenge.

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

EPA's role out of the enforcement policy and the work done by EPA Chairman and previous CEO to instil and revitalise great change in the organisation MUST be reinstated. During this period, the community saw EPA with:

- 1. More involvement in issues;***
- 2. More prosecutions; and***
- 3. A determination to make the environment better.***

Within Brooklyn Industrial Estate, the community saw EPA with:

- 1. Aggressive attitude to issues;;***
- 2. Concentrated effort to reduce dust and odour;***
- 3. Meetings with the community to outline wins/opportunities/future direction; and***
- 4. Money for roads through the State Government***

Recently EPA's involvement with the Brooklyn community has diminished as shown by:

- 1. Reduced contact with community/industry;***
- 2. Brooklyn Community Reference Group (BCRG) meeting frequency reduced;***
- 3. Responsibility for reporting at BCRG downgraded from Manager to Officer;***
- 4. EPA sit-back attitude and nowhere near as aggressive or proactive as in the past;***
- 5. No community meetings despite requests by Brooklyn Residents Action Group (BRAG);***
- 6. Failure to implement mobile dust measurement program – Mobile truck from Gippsland;***
- 7. Lack of communication re Court case v's Australian Tallow;***
- 8. Aggressive to community request for information; and***
- 9. Failure to know or report on business operations in Brooklyn.***

Where has the EPA gone?

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

EPA did not entirely in the past nor currently appear to work effectively with other Government Agencies at present nor do other agencies work well with EPA.

Three examples are cited below but these are just the tip of the iceberg examples!

- 1. Health Department has consistently failed to get involved with the health issues relating to the Brooklyn dust problem. Left it all with EPA to resolve!***
- 2. Local Government and other Government Agencies and EPA continually and currently buck-pass issues thus ignoring community concerns and issues.***
- 3. Metropolitan Waste and Resource Recovery Group (MWRRG) when addressing a BCRG forum had no knowledge of the Brooklyn Evolution Strategy which is based mainly on the need to clean-up and resolve the issues emanating for three waste and recovery organisations based in the Brooklyn Industrial Estate.***

All agencies need to lift their game in the future!

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

- 1. EPA financing MUST be fully independent from industry. EPA is not seen to be totally independent of Government and industry especially as 60 percent of EPA revenue comes from landfill levies. Through this reliance on landfill levies, the independence of the EPA is threatened. Issues relating to landfill operations sees the EPA in a conflict with its aims and goals. This must not be allowed to continue!***
- 2. Outmoded laws, rights need to be able to be updated by EPA when the latest technology / information becomes available.***
 - A. 'As of right conditions' and 'Existing use' in planning permits allows industries to flout up to date information by operating under conditions that today would be considered illegal or environmentally unacceptable.***
 - B. Planning permit conditions allow some industries to operate under 1950 rules when other industries, forced to operate under up-to-date conditions, are at a financial disadvantage to the old industries. In some cases, environmental issues cannot be addressed because of these outmoded rules. – a ridiculous state of affairs- 1950 rules in 2015!***

3. EPA Works Approvals that do not address limiting issues of dust outside premises.

4. EPA is required to protect the health and safety of the communities impacted by pollution whilst workers who are equally at risk or in some cases more at risk are ignored by EPA.

Dust in Brooklyn is a major health and safety issue to the local community but workers in the dusty industries and other workers in local businesses are far more impacted than the community but no one is looking out for their rights to a clean working environment!

Either EPA MUST take this responsibility or be able to DEMAND that organisations such as Worksafe and the Health Department are involved.

This does not occur and it is essential that this issue to protect ALL citizens is addressed.

Many of these legacies are the result of practices which are no longer acceptable today due to better scientific knowledge and a greater awareness of potential public health impacts.

Specific legislative instruments need to be enacted to enable shutdown of major incidents /industries while assessments can be made and situations remedied.

**Where is the Health Department and Worksafe
in the Brooklyn Industrial Estate issues resolution?**

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

EPA and Government Agencies need to be able to change outdated legislation/policies/works approvals/licences as technology / information / health data / etc. becomes available that will ensure greater protection for all in 2015.

What role should the EPA play in emergency management?

EPA MUST be available to respond to all emergencies to ensure the community is protected.

The EPA hotline is NOT an emergency response tool but an incident recording device that offers no emergency response. There is no emergency response / incident investigation response available 24/7.

The community however mistakenly believe that the hotline is a direct line to emergency response. This issue must be addressed URGENTLY!

An incident at 64 McArthurs Road, Altona North, during 2015, where white chemical powder was spread along a residential road is a case in point. A call to the EPA hotline recorded the incident but no attendance by an EPA Officer despite impassioned pleas! It was only after that it became obvious that to get a response it was necessary to call OOO that an immediate response was forthcoming.

The EPA hotline needs to be part of the OOO emergency call up facility to ensure that issues are addressed properly.

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

All industry and polluters need to have the current laws and regulations under which they currently operate updated to world's best practice and standards. Have the EPA lead in the adoption and enforcement of world's best practices and standards by current and new industries.

What can the EPA do to avoid potential future problems?

All industry and polluters need to have the current laws enforced and have the EPA lead in the adoption of world's best practices and standards by current and new industries.

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

Look to world best practice, emerging issues and research with a view to being a leader in implementation of these practices.

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

EPA MUST take a major role as climate change is by far the biggest environmental challenge. Reducing greenhouse gas emissions must be an all of government approach led by the EPA.

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

Environmental Justice is about ensuring that that impacts on amenity and public health do not fall disproportionately on certain communities. Low socio economic communities are most impacted by poor environmental conditions with slow Government response to resolve the issues.

EPA has pulled out all stops to help the Brooklyn community but Government is too slow to react to assist impacted communities. It is not the EPA's fault that these issues occurred in Brooklyn but it is essential that once an issue is identified that the Government step in with all resources to fix the issue thus mitigating the impact on the local community.

This has not occurred and the affected community has been allowed to suffer the consequences. This is hardly environmental justice!

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?

EPA need to ensure that world's-best-practice is researched and MUST be given the power to implement and enforce this practice in industry to ensure the health and safety of all, both community and workers alike.

An independent environmental court would be a decided advantage to prosecute EPA duties to protect the community.

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

No.



ADDITION TO OUR WRITTEN AND VERBAL SUBMISSION

After further discussion, Bert Boere and I realised we had missed an important issue that has perplexed us over the years.

In the event of an incident, EPA Officers cannot appear in Court as witnesses and have to rely on the public becoming involved to supply the evidence for the Court.

I recently appeared in Court and testified that I smelled an odour. I had no idea as to who or where the odour emanated and I lost one whole day of my (valuable!) time giving this ridiculous evidence.

EPA Officers are embarrassed by this need to get the community involved and do not understand why they cannot be witnesses in Court to any incident especially when they are usually the only ones present!!

Surely the EPA Officers should be able to act like the police and be able to give evidence in their own right.

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