

## **Bayside City Council**

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

Bayside City Council believes the population growth in Victoria, particularly increasing the housing density of residential premises makes the current Environmental Protection (Residential Noise) Regulations 2008 challenging to administer. This is due to increasing number of amenity related complaints, the high expectations of residents, and the lower threshold of tolerance observed from the public. Bayside City Council believes the EPA will need to address the increasing concerns and impacts on the amenity within mixed use zones, large scale residential sites, and residences living amongst business, such as shop-top dwellings.

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

Bayside City Council values the strong cooperative approach taken between EPA field officers and Local Government authorised officers, and believes this should continue to achieve positive outcomes for the public. Bayside City Council highly values the technical advice provided from EPA officers and wishes to preserve this resource.

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

Bayside City Council believes there needs to be a collaborative approach to amenity complaints, such as noise, dust, and odour complaints between Local Government Authorities, Victoria Police and the EPA. As an example; Bayside City Council strongly believe a Memorandum of Understanding should be considered between the MAV on behalf of Local Government Authorities, Victoria Police and the EPA to deal with residential noise complaints falling within the Prohibited times of the Environmental Protection (Residential Noise) Regulations 2008. Bayside City Council believes the distribution of information regarding amenity complaints, such as dust, noise, and odours, should be in consultation with the MAV and Local Government Authorities to ensure consistent and accurate information is provided to the community of what can be achieved to address complaints amongst the community based on what is reasonable. As an example, the Public Health and Wellbeing Act 2008 (Vic) has removed the term 'annoying' from what can be defined as a nuisance and a risk to public health.

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

Bayside City Council believes the EPA's role in safeguarding the community against health impacts requires strengthening and clarification; particularly given the move towards higher density living; taking into consideration any agents-of-change and the levels of amenity that can be provided. The various guidance materials, Regulations and the Legislation should reflect the need to protect the amenity of communities. As an example, the Noise Control Guidelines (Publication 1254 October 2008) can be updated to reflect current community standards, shifting expectations, and ongoing move of residences in mixed use zones, business zones and high

density precincts. The Noise Regulations should take into account shop top residential dwellings, residences near business precincts and to deal with lowering the high expectations of what is perceived as an acceptable amenity and what is reasonable.

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

Bayside City Council believes clear roles should be defined for administering the Legislation and Regulations to allow for consistent approaches to noise complaints and other environmental risks associated with Local Government Authorities. Bayside City Council believes the EPA has a role in continuing to provide valuable education to the public to assist Local Government Authorities in administering legislation and the Regulations in the community.

**What role should the EPA play in emergency management?**

Bayside City Council believes the EPA can take a key advisory and monitoring role to assist other key stakeholders when of emergency. Bayside City Council believes that if emergency management incident occurs on a site that is a licensed and regulated with the EPA, such as a waste disposal facility; then the EPA must take a lead role in enforcement, monitoring and the provision of advice to the community and other stakeholders, with the full assistance and cooperation of key Health authorities.

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

Bayside City Council believes the EPA must ensure a register of contaminated sites is maintained to mitigate the risk to the community. Bayside City Council believes the EPA must be a lead agency in any incidents involved with contaminated sites, including the clean ups and on-going monitoring of contaminated sites throughout Victoria. Bayside City Council believes the EPA and Local Government Authorities can work cooperatively to identify historical sites of concern to safeguard the community.

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

Bayside City Council believes the EPA should continue to prioritise the safeguard of human health.

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

Bayside City Council believes the EPA should continue to contribute to the efforts undertaken by the various Victorian State Government agencies and Australian Government to address pollution and emissions.

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

Not applicable.

**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?**

Bayside City Council believes the EPA Compliance and Enforcement Policy (Publication 1388 June 2011) used by the EPA is an extensive policy document that can achieve positive outcomes for the community.

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

Bayside City Council highly values the State Government website, 'Asbestos in Victoria' ([asbestos.vic.gov.au](http://asbestos.vic.gov.au)), that the EPA has a key role in developing, as it is of high value to the community and Local Government Authorities. This website should be continued to operate to provide valuable education and accurate advice to the community when dealing with asbestos. Bayside City Council believes the register of licensed asbestos removalists is a key role that the EPA should continue to maintain and regulate to ensure the safe removal and disposal of asbestos from the community. Bayside City Council believes a cooperative approach towards investigations of minor non-compliances, such as noise control breaches from commercial sites and businesses, needs to be strengthened. There are clear and defined roles required to ensure consistent approaches are taken, relative to risk based scenarios. Bayside City Council believes the Yarra and Bay water quality monitoring program ([yarraandbay.epa.vic.gov.au](http://yarraandbay.epa.vic.gov.au)) administered by the EPA is of high community value to protect human health, and we encourage the ongoing monitoring and reporting of the health and safety levels of recreational water bodies and beaches.

**What can the EPA do to avoid potential future problems?**

Bayside City Council believes the EPA should consider high density communities when developing regulations and legislation when dealing with amenity controls. This is to ensure the administration of any regulations and legislation can be achieved and the amenity of the existing community is maintained and not detrimentally impacted.