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### **North East Catchment Management Authority submission to the EPA Inquiry**

Thank you for the opportunity to provide a submission to the Inquiry into the Environment Protection Authority. As a regional Statutory Authority with powers under the Conservation and Land Protection Act 1994 and the Water Act 1989, our response centres on principles and challenges that are included in the North East *Regional Catchment Strategy (2013)*, the regional integrated planning framework for land, water and biodiversity management in North East Victoria. The development of the Regional Catchment Strategy included gathering local knowledge about landscapes within the region and how the community values and interacts with these. This knowledge was integrated with technical and formal knowledge to develop a more in depth understanding of the values and dynamics of the various landscapes in North East Victoria.

Responses have been made to the relevant questions outlined in the discussion paper. Please find these responses below:

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

The main environmental challenges into the future include:

- Increased population growth and contributing towards maintaining liveability across Melbourne and other population centres and continuing to improve environmental quality with a growing population.
- Ability to input strategically into land use planning at the appropriate scale. This would enable strategic input rather than at an individual development by development scale, and assist the EPA in the long term by having the conversation earlier about the proposed re / development in an area.
- Strengthening how the EPA implements the principle of environmental justice to ensure transparency and community participation in decision making.
- Challenges around the increased food and fibre production leading to intensified production systems. This leads to greater impacts to the surrounding environment, with the challenges of the regulatory framework protecting the environment and maintaining amenity.
- Pollution of inland waterways by diffuse water pollution, and land and groundwater contamination from past industrial activity.
- Climate change and how regulations can be adapted. A major challenge includes the environmental impact from pollution due to bushfires and droughts, as a result of climate change and also a determination of the resilience of an ecosystem to the impact of industrial activity.

- **What aspects of the EPAs work do you value and wish to preserve in the future?**
  - Maintain the original role when the EPA was set up in 1971 to include the two elements:
    - An effective environmental regulator
    - An influential authority on environmental impacts
  - Strengthen land use planning, and support other tiers of government to make robust decisions i.e. Local Government.
  - Maintain the environmental audit role as this supports information that feeds into land use planning.
  - Involvement in the smaller, unlicensed or diffuse sources of pollution, however there is a recognition that the current regulatory approaches are not currently effective.
  - Lead agency responding to inland waters pollution incidents.
  - Setting levels for reducing greenhouse gas emissions, and a framework to adjust the levels as society moves into a low carbon economy.
  - Maintain regional field based staff
  - Maintain the EPAs science and engineering capability.
  - Recognising that other organisations play a key role in environment protection issues i.e. *“Local Government plays a key role as many environment protection issues are local in nature and can be best managed by those with the greatest knowledge of the local community and environment”* (p17, EPA Inquiry Discussion Paper)
  - Continue to play a part in building the social licence for a business.
  - The continued implementation and strengthening of the EPAs *‘Environmental Citizenship Strategy’*
  - Role in ‘diffuse pollution’, and providing industry codes of practice to reduce this type of pollution entering the receiving waters.
  
- **How could statutory frameworks more effectively prevent future environmental risks and land use conflicts?**
  - By ensuring the EPA is a referral authority at the strategic land use scale inputting into planning schemes and relevant regional development planning, as well as Local Government scale planning. This can lead to a reduction in land use conflicts in the future with individual developments. This may mean increased resources are required to be provided to complete this function at an appropriate quality of service.
  - Move to a code of practice / self-reporting model for low risk activities and businesses.
  
- **What role should the EPA play in emergency management?**
  - Continue to play a role in emergency management and lead emergency response situations where the primary incident is environmental.
  - The EPA is currently the lead agency in relation to pollution into inland waters. This could be extended to also include land and air based pollution incidents.
  
- **What can the EPA do to avoid potential future problems?**
  - Involved in land use planning at the strategic level to reduce future land use conflicts.
  - Develop tools and approaches to be adaptable to the future changes in regulation.
  - Continue to remain connected to the national policy setting and remain involved in the Victorian governments announcement that it will *‘reposition Victoria as a national climate change leader’*
  - Recognise the role of the EPA in building the social licence for a business.

- **How do you see environmental justice being applied to the work of the EPA?**
  - Ensuring all members of society can enjoy the same degree of protection from environmental and health hazards and equal access to the decision making
  - Everyone has the right to access natural resources but that it is also everyone's responsibility to look after the natural resources including for the future generations.
  - Continuing to improve the transparency in relation to decision making and reporting.
  - Continue to educate the community about the opportunities to participate in regulatory decisions
  - Continue to improve how public participation in regulatory decisions occurs.
  - Strengthen the implementation of the principle of restorative justice within the Environment Protection Act. The North East Catchment Management Authority (CMA) was involved in a good example of this with the 'Positive Plume' project, where funding was provided to the CMA to complete environmental restoration works in an area where an environmental offences had occurred.
  - Continue to work in partnership with research institutions, other government organisations, businesses and the community to help find solutions to environmental problems.
  - Continue to implement the EPAs '*Environmental Citizenship Strategy*', and when the strategy is reviewed look to incorporate more elements of environmental justice.

Yours sincerely



Per Neil McCarthy

**Chief Executive Officer**