

2021

Annual Plan
2022

New environment protection laws in action

Purpose of 2021-22 Annual Plan

The Annual Plan outlines what we will do in the 2021-22 financial year to deliver on our organisational strategy, *Our environment, Our health*.

Detailed project and service planning to give effect to this plan is undertaken at the divisional and branch level within EPA.

Delivery of our core regulatory and enabling services, and our priorities and key projects outlined in this Annual Plan, enables us to achieve our performance targets (see Appendix 1) and meet our obligations under the Statement of Expectations (see Appendix 2 and 3).

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All images in this document were taken in accordance with relevant public health measures at the time.

MESSAGE FROM THE CEO



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EPA's people are our greatest asset and we will continue to build their capabilities and work together to find innovative and better ways of working.

With the introduction of Victoria's new environment protection laws on 1 July 2021, this annual plan reflects EPA's commitment to Victorians to proactively prevent harm from pollution and waste to our environment and human health.

Fittingly, this plan also marks the final year of our current organisational strategy, *Our environment, Our health*, and sets the foundation for a new chapter in EPA's history – a chapter that will undoubtedly bring new challenges and opportunities and a need to adapt to changes in our operating environment.

Already, EPA's preventative approach in 2021-22 has seen us increase our number of officers in the field and our inspections targeting sites that present the greatest environmental risks. We are also swiftly and assertively pursuing environmental crime and improving the environmental performance of the waste and resource recovery sector in support of the Victorian Government's *Recycling Victoria: A new economy* policy.

To support compliance, we are refreshing our approach to education and engagement with the introduction of industry forums, proactive place-based activity, and the relaunch of our citizen science program.

More than ever, EPA is focused on working with industry and business so that they understand and comply with our new laws and engaging better with communities to build partnerships and a shared understanding of environmental issues.

As a science led regulator, we will use enhanced intelligence and data systems to inform our compliance and enforcement actions, government policy and the environmental science advice we provide to Victorians. This advice extends to supporting our emergency management partners during critical events and emergencies.

An important focus for EPA in 2021-22 is building a diverse workforce that reflects and represents the communities we serve. This includes increasing representation of Aboriginal Victorians and Traditional Owners as part of the implementation of our Aboriginal Inclusion Action Plan. We are also committed to further developing our understanding of Victorian Aboriginal culture, perspectives and customs and matters of significance as we undertake our regulatory work.

EPA's people are our greatest asset and we will continue to build their capabilities and work together to find innovative and better ways of working. On 1 November, we implemented a new operating model that will help ensure we are clear on our purpose and priorities and build a culture of shared learning and teamwork.

We recognise that organisational transformation takes time and are committed to building on our existing stakeholder partnerships and fostering new relationships to improve our service quality.

I look forward to the year ahead as we work to achieve the best outcomes for Victorians and our environment.

Lee Miezis

Chief Executive Officer

Environment Protection Authority Victoria
7 December 2021

An important focus for EPA in 2021-22 is building a diverse workforce that reflects and represents the communities we serve.



EPA acknowledges Aboriginal people as the first peoples and Traditional custodians of the land and water on which we live, work and depend. We pay respect to Aboriginal Elders past and present.

As Victoria's environmental regulator, we pay respect to how Country has been protected and cared for by Aboriginal people over many tens of thousands of years.

We acknowledge the unique spiritual and cultural significance of land, water and all that is in the environment to Aboriginal people and Traditional custodians – and the continuing connection and aspirations for Country.

ABOUT EPA VICTORIA

Environment Protection Authority Victoria (EPA) is Victoria's environmental regulator. We're an independent statutory authority established in 1971.

We work to prevent and reduce the harmful effects of pollution and waste on Victorians and their environment. We work with community, government, industry and businesses.

Our Minister is the Hon. Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change and Minister for Solar Homes.

Our vision

A healthy environment that supports a liveable and prosperous Victoria now and always.

Our purpose

We protect the environment and people by preventing and reducing harm from pollution and waste.

Our role

We are a world class regulator of pollution and waste.

Our values

Successful implementation of our strategy requires every EPA staff member to live our values.

Excellence

- We focus effort for best result
- We are evidence and risk based
- We learn from experience
- We are agile and innovative

Partnership

- We support each other
- We welcome diversity
- We listen and learn
- We involve people in decisions that affect them

Accountability

- We do what we say we will
- We make timely decisions
- We use sound judgement
- We are transparent and objective

We will also be exemplars of the Victorian Public Service values of:

- Responsiveness
- Integrity
- Impartiality
- Accountability
- Respect
- Leadership
- Human rights

STRATEGIC GOALS

To do our part in creating a healthy environment that supports a liveable and prosperous Victoria now and always, we are focused on five goals:



01. Prevent harm

We prevent harm from pollution and waste by leveraging good environmental performance across community, business, and government.



02. Equip community and business

We support Victorians to understand the condition of their environment and we work to ensure shared responsibility is accepted and understood by community and business.



03. Be an influential authority

We are a trusted source of advice on Victoria's environment and influential in working with others to address complex problems resulting from pollution and waste.



04. Respond to harm

We hold polluters to account and work with our partners to respond to pollution and emergency incidents and legacy contamination to minimise harm to Victoria's environment and people.



05. Organisational excellence

As an organisation, EPA commits to delivering on its goals by enabling a high-performance culture that values our people and supports them with fit-for-purpose systems and expertise.

EPA's organisational structure

AS AT 1 NOVEMBER 2021



MINISTER FOR ENERGY, ENVIRONMENT AND CLIMATE CHANGE

The Hon. Lily D'Ambrosio



EPA is organised into seven main divisions and branches:

Strategy <p>Defines and drives the regulatory direction, strategic priorities and capabilities across EPA and leads the organisation through changes in the regulatory and policy landscape.</p>	Operations <p>Leads EPA's frontline regulatory response to prevent harm to human health and the environment through engagement and education; inspections and monitoring; and enforcing duty holders to comply with the law.</p>	Quality <p>Drives and enables th equality of regulatory and enterprise decision making and operations through an independent quality and assurance function that works across EPA.</p>	Legal <p>Provides a legal centre of expertise, responsible for defining and overseeing legal policies and processes, providing legal advice and support on regulation and enforcement matters, and managing EPA's legal obligations.</p>	Science <p>Enables regulatory excellence at EPA, delivering innovative and targeted scientific advice to support strategy and policy development, and strategic and operational decision making.</p>	Public Affairs <p>Enables regulatory excellence through communications and engagement with communities and industry to promote understanding and compliance with the laws that prevent harm to human health and the environment.</p>	Corporate Services <p>Defines and drives the people, finance and information technology priorities for EPA, and enables a culture of high performance in the delivery of regulatory functions.</p>
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REGIONAL PRESENCE

Tree Ferns in Black Spur Drive,
Healesville, Victoria



EPA's regional presence, is focused on educating and engaging better with communities to build partnerships and a shared understanding of environmental issues.



EPA serves
Victorians

- **Wangaratta**
(North East Victoria Region)
- **Bendigo**
(North West Victoria Region)
- **Macleod** (Science Centre)
- **Preston** (Northern Metropolitan Melbourne Region)
- **Carlton**
Head office
- **Dandenong**
(Southern Metropolitan Melbourne Region)
- **Traralgon** •
(Gippsland Region)
- **Sunshine** •
(Western Metropolitan Melbourne Region)
- **Geelong West** •
(South West Victoria Region)



OUR FOCUS

This year's plan outlines what we want to achieve, where we want to go and the key initiatives we need to deliver to get there.



This year marks a once in generational change, resulting from the last five years of the most significant reform in EPA's history.

We are focused on supporting businesses and community through this transition.

Our areas of focus for stakeholder transition includes:

- Support for duty holder onboarding to new systems
- Support for existing and new permission holders during the transition period and follow up support for new registration and permit holders
- Support for industry's transition to the new waste tracker tool
- Support for environmental auditors' transition under the new framework
- Support for our partner councils to deliver on delegate powers relating to litter, noise and waste water
- Support for major transport infrastructure projects and the waste industry
- Raising awareness and understanding of the new laws, focusing businesses on understanding and managing their risks to prevent harm
- Making available industry specific guidance and information about risk controls.

We are also focused on setting ourselves up for the future to ensure we can successfully deliver for the Victorian community.

This includes:

- Designing and implementing a new operating model
- Establishing new governance frameworks and new ways of working
- Strengthening our place-based approach to regulation and building the capability of our frontline staff
- Implementing cultural competency programs to advance Aboriginal inclusion in environmental regulation
- Investing in our partnerships – at the state and local level – to ensure we are delivering together.

Many of our processes are new or changing and we want feedback from businesses and community so we can continuously improve and innovate.

CORE REGULATORY & ENABLING SERVICES

In 2021-22, EPA will deliver our core regulatory and enabling services.

Statutory and strategic decisions, policy, and advice, including:

- Permissioning (licenses, permits and registrations)
- Major projects facilitation
- Planning referrals
- Industry guidance
- Scientific advice and recommendations
- Policy and regulation

People and governance, including:

- Health, safety, and wellbeing programs
- Recruitment and talent management
- Culture, diversity, and inclusion programs
- Finance and budget
- Procurement and contract management
- Enterprise strategy, planning and performance reporting management
- Enterprise risk management
- Facilities and fleet management
- Governing Board Secretariat
- Audit (internal and external)
- Integrity
- Freedom of information and privacy
- Briefing and correspondence coordination

Regulatory capability, standards, and appointments, including:

- Regulatory capability
- Regulatory standards
- Accredited consignor appointments
- Regulatory assurance and review
- Environmental audit program

Compliance and enforcement, including:

- Authorised officer appointments
- Investigations
- High risk site clean-up
- Compliance programs
- Infringement management
- Financial assurance and levies
- Preventative programs
- Incident coordination and response
- Legal support and advice
- Prosecutions
- Judicial review and VCAT applications

Relationships and engagement, including:

- Aboriginal inclusion and partnerships
- Citizen sciences
- Science partnerships
- Government and stakeholder relations
- Inter-governmental coordination
- Education and engagement
- Media and strategic communications
- Engagement strategy and support
- Communication channel management including customer contact centre

Data, intelligence, and platforms, including:

- IT strategy and support
- Data security
- Business improvement
- Data analytics
- Intelligence
- Contaminated land notifications
- Air and water quality monitoring

PRIORITIES & KEY PROJECTS

5-year goals:	Goal 01. Prevent harm	Goal 02. Equip business and community	Goal 03. Be an influential authority	Goal 04. Respond to harm	Goal 05. Organisational excellence
2021-22 PRIORITIES	Lean into our new regulatory tools and powers	Invest in critical relationships	Build for the future	Address problems of waste mismanagement	Embed new ways of working
2021-22 KEY PROJECTS	<ol style="list-style-type: none"> 1. Operationalise priority regulatory tools available under the <i>Environment Protection Act 2017</i> 2. Identify and realise improvements to the environmental protection framework 3. Finalise our regulatory approach 4. Drive improved efficiencies and effectiveness across the regulatory life cycle 5. Transition permissions to the <i>Environment Protection Act 2017</i> 6. Deliver the Waste Levy Audit Program 7. Deliver the Fire Prevention Program 8. Reduce regulatory barriers for safe reuse, recycling, and recovery of waste 	<ol style="list-style-type: none"> 1. Deliver the 'go-live command centre' to support industry transition to the <i>Environment Protection Act 2017</i> 2. Produce timely and accessible information on the condition of our environment through environmental monitoring and reporting 3. Deliver a campaign to raise awareness of the General Environmental Duty and new environment protection framework 4. Baseline community and stakeholder sentiment through Customer and Stakeholder Intelligence Research 5. Deliver commitments in our Aboriginal Inclusion Plan 6. Refresh our approach to industry education and engagement post commencement of the <i>Environment Protection Act 2017</i> 7. Make important information more readily accessible on our website 8. Support local government in the use of delegated powers for litter, noise and waste water 	<ol style="list-style-type: none"> 1. Deliver a new 5-year organisational strategy 2. Enhance our science partnerships, including citizen science 3. Design and implement a process for the timely completion of applications for internal reviews of remedial notices 4. Implement the Quality Assurance Program framework 5. Operationalise the Waste Intelligence Network (WIN) 6. Deliver transition pathways for major infrastructure projects to the new environment protection framework 7. Develop an implementation plan for third-party civil remedies commencing on 1 July 2022 8. Develop a data and intelligence strategy 	<ol style="list-style-type: none"> 1. Respond to reported pollution and emergency incidents within timeframes using our risk-based incident response triage system 2. Deliver our obligations in <i>Recycling Victoria: A new economy policy</i> 3. Prevent, detect and investigate environmental crime 4. Deliver enhancements to Waste Tracker 5. Support the transition of environmental auditors to the new environment protection framework 6. Develop and implement a co-designed plan to improve the environmental performance of the waste and resource recovery sector 7. Operationalise the framework for responding to contaminated land notifications 8. Deliver the clean-up and remediation of high-risk sites: <ul style="list-style-type: none"> • Lemon Springs • Thornycroft Road • Broderick Road 	<ol style="list-style-type: none"> 1. Design and implement our new operating model to ensure we can meet our roles and responsibilities under the <i>Environment Protection Act 2017</i> 2. Refresh our organisational values and behaviours 3. Baseline our organisational culture 4. Deliver critical enabling system functionality to enable: <ul style="list-style-type: none"> • operational and enterprise performance measuring and reporting • improved intelligence management • reduced reliance on legacy infrastructure and platforms 5. Commence leadership development program of all people managers 6. Enhance our enterprise risk management 7. Reform our approach to onboarding and development of frontline and investigation staff 8. Develop a new monitoring, evaluation and reporting framework



NEW ENVIRONMENT PROTECTION LAWS IN ACTION.

Clean air, water and land are essential for every Victorian.

This Annual Plan sets out the priority actions we will take to prevent harm to our environment and communities from pollution and waste.

This image was taken in accordance with relevant public health measures at the time.

OPERATING BUDGET

The budget has been developed to allow EPA to meet its role and responsibilities under the *Environment Protection Act 2017* following its commencement on 1 July 2021. The budget also enables EPA to continually improve its regulatory approach; build effective partnerships with community, industry, research organisations and governments and develop organisational capability and a high performing culture.

The consolidated deficit of \$51.8 million is a result of deferred expenditure to deliver the clean-up of high-risk sites. In addition, EPA's 2021-22 budget includes a number of additional investments which were announced through the State Budget.

Summary of 2021-22 budget		(\$million)
Revenue		
Municipal & industrial landfill distribution		33.3
Prescribed waste levies		68.2
High-risk site rehabilitation funding		53.1
Specific project funding / initiative funding		64.1
Fees, fines, licence levies, other		7.0
Total Revenue		225.7
Operating expenditure		
People costs (salaried & agency staff)		108.7
Contracted services		7.3
Contracted services – high-risk sites rehabilitation		92.1
Occupancy costs		9.9
Other expenses (include legal costs, grants, technology)		43.7
Depreciation		15.7
Total operating expenditure		277.4
Net result		(51.8)

Appendix 01

Performance measures and targets

Performance measure	2021-22 Target
Quantity	
Inspections that assess compliance, including permitted activities, where operations represent a significant risk to the environment and human health	400-450
Events and activities that engage business and community in environment protection	60-65
Environment condition notifications provided to Victorians via digital channels	>1,000
Quality	
EPA prosecutions are selected using a risk based approach, focused on environmental outcomes and are successful	90%
Environmental audits reviewed to ensure compliance with statutory requirements and guidelines	90%
Remedial notices complied with by due date or escalated in line with EPA's Compliance and Enforcement policy	90%
Timeliness	
Pollution reporters requesting follow up by EPA receive contact within three working days	80%
Applications for permissions completed within statutory timelines	96%
Planning matters responded to within agreed timeframes	80%
Applications for internal review of remedial notices completed within statutory timeframes	90%
EPA provides technical advice to lead agencies within agreed timelines during emergency incidents	90%
EPA responds within one day of notification to waste crime incidents identified for priority response	90%

Appendix 02

Minister's Statement of Expectations, EPA's obligations

Theme	Output or outcomes
Duty holder transition	Develop and deliver plan for proactive engagement of priority stakeholders to monitor and manage transition issues (working with CCD, Waste and Recycling, and other relevant policy areas).
	Proactively monitor and manage transition and readiness issues, in consultation with DELWP as appropriate.
	Develop and deliver readiness plan for provisions commencing 1 July 2022.
Finalising legislative reform	Develop a plan, in consultation with DELWP, for priority 2021-23 legislative instrument delivery, such as determinations, designations, compliance codes, position statements and orders for managers of land and infrastructure.
	Develop a plan, in consultation with DELWP, to operationalise priority tools available in the Act. The plan should include developing external communications and guidance for their use, and associated policies and procedures, for tools including but not limited to: <ul style="list-style-type: none"> • Site management orders. • Better environment plans. • Expanded financial assurance to contaminated land.
Strategic planning, reporting and budget	Outline plan for development and delivery of the new 5-year organisation strategy, including engagement with Minister, DELWP.
	*Note DELWP will prepare planning guidelines for the Secretary to issue to EPA to apply to the preparation of EPA strategic and annual plans – this will include commencement of strategic planning consultation approximately eight months prior to the proposed commencement date of the next iteration of the plan.
	In consultation with DELWP deliver a balanced budget aligned to the new 5-year organisation strategy.
	Engage with Minister, DELWP and other key stakeholders in development of strategy for July 2022.
	Deliver strategy and engage in accordance with annual budget and planning cycle.
Risk management	Work with DELWP to resolve, and document risk governance arrangements (including risk appetite statement / shared risks / material operational risks etc.).
	Implement agreed risk governance arrangements through relationship program.

Theme	Output or outcomes
Capability and culture transformation	Engage Minister and DELWP on action to maintain and develop regulatory capability through the legislative transition to 30 June 2022.
	Resolve a plan that outlines multi-year priorities for regulatory capability and culture transformation – the Board's plan should include: <ul style="list-style-type: none"> • Initiatives to improve internal knowledge and advice relating to the General Environmental Duty. • Engagement with partner organisations to improve knowledge and advice relating to the General Environment Duty. • To consolidate and improve EPA's risk culture, and ensure it is applied consistently, in line with expectations of government and the community. Board oversight of regulatory capability and culture transformation.
Portfolio support and oversight	Relationship managers to review and document portfolio relationship arrangements. I expect these to include: <ul style="list-style-type: none"> • Quarterly oversight discussions for monitoring delivery against this SOE and risk management plans above. • Regular oversight discussions to monitor and manage emerging risk and issues as frequently as required.
	Relationship managers agree responsibility assignment for relevant instruments and other outputs.
Monitoring framework performance	Resolve a monitoring, evaluation, reporting and improvements (MERI) framework in consultation with DELWP, including the use and effectiveness of key new tools and functions.
	Monitor and evaluate framework performance, implement improvements.
	Work with DELWP to deliver a 'horizon scanning' approach for emerging environment and pollution issues, bringing EPA's science and data as an evidence base.

Appendix 03

Recycling Victoria: A new economy Statement of Expectations, EPA-led programs

Program	Outcomes	Key deliverables	Expectations
Illegal waste disposal	Reduced environmental impact or harm from mismanagement of waste through stockpiling for long periods or illegal disposal of waste.	Establish the compliance team by 2020-21. Business as usual compliance operations in place by 2021-22.	Program will build on existing work to address illegal dumping impacts, targeted at large scale.
Landfill levy auditing	Landfill levies collected in accordance with legislation.	By 2020-21 the landfill levy audit program commences, with business as usual audit operations in place by 2021-22.	Program provides reliable and useful data on landfill levy collection and compliance.
Recycling Markets Acceleration package	Victorian businesses increase use of recycled materials in ways that support: <ul style="list-style-type: none">• strong domestic markets for recovered materials• business growth• new markets for recycled materials• innovation for advanced manufacturing and construction sectors.	By 2020-21 regulatory and policy barriers identified; commence development of regulatory tools.	Program closely aligns with the goals and priorities of the Business Innovation Centre and product development/ commercialisation opportunities.
Addressing waste crime	Reduce risk of harm to the environment and the community through effective preventative detection of, and enforcement against, waste crimes.	By 2020-21 establish Waste Crime Prevention Inspectorate and begin monitoring, compliance and enforcement action.*	Program will build on existing work. Inspectorate will work across government to address illegal activities and combat waste crime. Inspectorate will be designed and built in collaboration with the Coordination Committee for high-risk sites.
High-risk sites management	Safe management of high-risk and hazardous wastes.	By 2019-20 a High-risk Recovery Team established.	High-risk site Recovery Team to coordinate whole-of-government actions/ response, with specialist hazardous waste knowledge and operational capabilities across key agencies and local government.

* EPA has established an environmental crime capability and a dedicated team overseeing regulatory actions at high-risk sites to work across government to address illegal activities and combat waste crime. EPA's new Environmental Crime Branch, headed by a Chief Investigator, commenced on 1 November 2021 under EPA's new operating model, and will provide the capabilities previously delivered by the Waste Crime Directorate.



This image was taken in accordance with relevant public health measures at the time.



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