

EPA Approvals Review – Draft Report
Template for written comments

Your details

Please provide your name and your job title and organisation (if relevant), and indicate if your comments are confidential.

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Confidential:	No

Please send your comments to approvals.review@epa.vic.gov.au by Friday 7 December 2012.

Your comments

A new risk-based assessment system (Chapter 4 of Draft Report)

A. EPA will use a risk-based selection tool to determine the level of assessment required for each development proposal.

Melbourne Water believes that risk should be based on potential impacts activities may have on the beneficial uses defined in SEPP. Efforts to clearly change activities to reduce negative impacts to beneficial uses (in line with EPA guidance) should be supported through a clear path to opportunities for exemptions from formal regulatory processes

Streamlined and efficient (Chapter 5 of Draft Report)

B. EPA will consistently, confidently and efficiently apply exemptions where allowed under the EP Act. The exemption pathway will have a four week turn-around, from submission of a proposal to a response in writing from EPA notifying the applicant of the decision.

Melbourne water believes that if an exemption is clearly available and in accordance with EPA guidance that the four week turnaround period could be reduced to an “as off right” process connected to organisational excellence. This could be implemented instead of the proposed “awards” based change to the accredited licence system.

C. EPA will introduce a new fast track works approval pathway for low-risk proposals.

Melbourne Water supports a fast track approach where the risk is low and where the activities are clearly designed to reduce impacts to beneficial uses and in accordance with EPA guidance.

D. EPA will reduce pre-application timeframes for standard works approvals and RD&D approvals.

This is supported.

E. In response to an excessive number of section 30A emergency approval applications related to increased variability in rainfall patterns, EPA proposes to amend certain licences – relating to sewage treatment (A03) and extractive industry and mining (C01) scheduled premises – to allow discharges under restricted conditions, and to require these discharges to be reported in the licensee’s annual performance statement (APS). Emergency approvals will still be required outside of the restricted conditions, including for major upset conditions and unforeseen events.

This is supported in particular when improvement processes are in place to achieve more robust treatment processes designed to better cope with climate change outcomes such as increased rainfall variability. This could also be supported by EPA in regulatory processes such as those require by the ESC.

F. EPA will seek to improve the coordination of approvals by working with other agencies.

This is supported.

Effective at protecting the environment (Chapter 6)

G. EPA will become more effective at protecting and enhancing the environment.

This is supported and noted that an efficient way to do this when resources are limited is through the active support of those subject to licensing/works approvals/exemptions processes.

H. EPA will introduce a systematic process to periodically review standard conditions and EPA licences.

This is supported and it is suggested that this review process is supported with adequate scientific data and monitoring data from licence holders.

I. EPA will work with business, community and government stakeholders to develop an alternative program to allow for recognition of excellence in environmental performance across all EPA licensed sites.

Melbourne Water believes that the accredited licence system has been effective in recognising management that reduces environmental impacts rather than recognising excellence. The proposed “awards based process” may not be viewed as having enough value related to the effort required in developing improved environmental management. It would be preferable to establish a system that defines levels of performance based on agreed environmental outcomes and then reward this performance with stronger incentives such as exempting licence holders from formal processes, including approvals processes. Environmental outcomes should include activities designed to improve SEPP beneficial uses. This could be applied across industry for broader impact rather than be restricted to “accredited” licence holders.

Transparent, consistent and accountable (chapter 7)

J. EPA will increase the transparency and accountability of its approvals system.

Melbourne Water supports this as well as supporting applicant driven engagement processes to meet regulatory engagement processes.

Inclusive and Accessible (chapter 8)

K. EPA will seek opportunities for improved interaction between the community and industry.

Melbourne Water supports the recognition of applicant driven engagement processes used to support and to comply with formal approval processes.

Further comments and suggestions

Melbourne Water supports the risk based approach to approvals processes and the application of the complete set of environmental protection principles in the *EP Act (1970)*.

Exemptions accorded to organisations that show uptake of risk based assessments in determining environmental improvement activities need to be significant in the organisational benefits that arise to make them attractive for uptake.