



The Hon. Enver Erdogan MLC

Minister for Environment
Minister for Casino, Gaming and Liquor Regulation
Minister for Outdoor Recreation

PO Box 500, East Melbourne
Victoria, 8002 Australia

MBR-260502284

Professor Kate Auty
Chair
Environment Protection Authority Victoria
GPO Box 4395
MELBOURNE VIC 3000

Dear Professor Auty

STATEMENT OF EXPECTATIONS: MINISTERIAL GUIDANCE FOR ENVIRONMENT PROTECTION AUTHORITY VICTORIA

I am pleased to provide you with my expectations for the Environment Protection Authority (EPA) Victoria to guide its annual planning processes and inform a future 5-year strategic plan.

Legislative framework

As Minister for Environment, I am responsible for administering the *Environment Protection Act 2017* (EP Act), *Circular Economy (Waste Reduction and Recycling) Act 2021*, *Pollution of Waters by Oil and Noxious Substances Act 1986* and the *National Environment Protection Council (Victoria) Act 1995*.

This statement should be read in the context of these Acts and the EPA's functions.

Based on consultation with the Department of Energy, Environment and Climate Action (DEECA) and the EPA about the government's priorities and emerging risks, my expectations for the EPA are as follows.

Build community trust and confidence through transparent, preventative, science-led regulation

The Victorian community and industry must have confidence in the EPA as an effective regulator. The community must be assured that the EPA will act to prevent harm and under the *Circular Economy (Waste Reduction and Recycling) Act 2021*, by informing the community, providing guidance to industry and enabling safe innovation and development. I expect the EPA to maintain public trust and confidence by:

- using a risk-based and intelligence-led approach to direct resources to the areas of greatest risk, impact and benefit
- making decisions based on the best available evidence and science, and clearly explaining those decisions
- communicating decisions and regulatory actions proactively, transparently and accessibly
- clearly articulating its role, remit and regulatory approach.

Strengthen a culture of environment protection

The environment protection framework, underpinned by the General Environmental Duty, makes it clear that all Victorians have a role in protecting the environment by preventing harm and reducing the impact of their activities. I expect the EPA to:

- support businesses, communities and duty holders to understand their obligations
- provide clear, accessible guidance and tools to enable compliance



- promote a culture of responsibility for environment protection across the community.

Hold polluters to account with strong enforcement

The Victorian Government takes harm to human health and the environment from pollution and waste very seriously. The EP Act gives the EPA strong powers to protect Victorians and hold polluters to account for the harm they cause. I expect the EPA to take strong, consistent and visible compliance and enforcement action by:

- using its full suite of enforcement powers to address serious non-compliance
- ensuring enforcement is timely, proportionate and risk-based
- taking strong action where conduct is serious, repeated, wilful or poses significant risk.

Support community expectations, social licence and equity

The Victorian Government values socio-economic and spatial equity and the protection of vulnerable communities. Regulation of environmental risks is shared across governments - as it is, for example, in the land use planning system - and the EPA may act as a regulator, trusted advisor or technical advisor, depending on the issue. In exercising its functions, I expect the EPA to:

- work with co-regulators and responsible agencies to clarify how businesses can meet community expectations and build social licence to operate
- communicate openly and transparently with communities about EPA processes and decisions that may affect or concern them
- consider cumulative risks of harm and proximity of activities to communities, informed by the best available evidence on risks to human health and the environment
- consider socio-economic and spatial equity, recognising that some communities may be disproportionately impacted by pollution and industrial activity.

Strengthen Victoria's response to illegal dumping and waste crime

A growing trend of illegal dumping is polluting our public spaces, which should be preserved for the enjoyment of all Victorians. Unsafe and illegal waste management threatens the safety and wellbeing of Victorian communities. I expect the EPA to:

- work closely with co-regulators and other partners, to lead coordinated, system-wide responses to illegal waste dumping and high-risk waste sites
- strengthen prevention, detection and enforcement responses
- improve identification and prioritisation of hotspots, and support place-based interventions
- grow intelligence capability and information sharing with partner agencies, including local government.

Provide leadership, stewardship and oversight of the waste and resource recovery sector to support Victoria's circular economy

The Victorian Government's response to the Independent Review of the Victorian Public Service announced that Recycling Victoria will be absorbed into EPA. The integration of Recycling Victoria and EPA from 30 June 2026 will therefore need to be a key focus for EPA in the near to medium term.

It is my expectation that EPA will ensure the important long term planning functions, regulatory powers and services under the *Circular Economy Waste Reduction and Recycling Act (2021)* are delivered

effectively. It is also my expectation that EPA uses its existing regulatory experience and resources to support compliance with circular economy regulatory requirements such as the Circular Economy Risk, Consequence and Contingency Plan.

I expect the EPA to:

- integrate the Recycling Victoria and EPA functions and review the organisation's operating model to ensure it can coherently deliver on this expanded remit, effective governance for any actual or perceived conflicts and separation of any market facing functions and regulation with environment protection functions and regulation if required and ensuring these are understood by industry and the community
- deliver the market and infrastructure planning functions under the *Circular Economy (Waste Reduction and Recycling) Act 2021* in close engagement and collaboration with government, industry and communities
- address complex waste challenges through strategic interventions, data and intelligence gathering and planning
- prepare for my consideration the next Strategic Plan under section 21 of the CE Act, including a fit for purpose Regulatory Strategy, and Community Engagement Plan, through close engagement and collaboration with relevant stakeholders, industry, government and the community
- facilitate the continued success of CDS Vic.

Support housing, infrastructure and economic growth

The EPA has an important role in supporting the Victorian Government's economic and investment priorities by supporting safe innovation and the timely delivery of needed housing and infrastructure through appropriate whole-of-government land use planning decisions. I expect the EPA to:

- support priority projects with a collaborative and facilitative approach, with early engagement leading to streamlined assessments
- engage early to support efficient land use approvals and better planning outcomes with timely, practical and science-based regulatory advice
- ensure that development proceeds in a manner that protects human health and the environment.

Respond to climate change

Climate change presents growing risks to human health and the environment. I expect the EPA to:

- incorporate climate change mitigation and adaptation considerations into its regulatory approach under the EP Act as required by the *Climate Action Act 2017* and outlined in the EPA's Statement of Regulatory Intent on Climate Change
- support the achievement of Victoria's emissions reduction targets and climate adaptation objectives, including the Victorian Government's pledge to reduce methane emissions from landfill
- provide guidance to industry, businesses and the community to meet obligations under the EP Act to manage climate-related risks of harm.

Traditional Owner self-determination and caring for Country

The Victorian Government has a commitment to Aboriginal Self-Determination, Treaty and Truth and Victoria's Traditional Owners have caring for Country responsibilities and commitments. The EP Act provides a new framework, including new tools for the prevention of harm and protection of human health and the environment. It is my expectation that the EPA will continue to embed Traditional Owner cultural values as part of the state of knowledge for the protection of the environment. To achieve this outcome, it is my expectation that EPA will work to achieve long-term sustainable collaborations with Traditional Owners and co-design initiatives that ensure the opportunities of the EP Act support the prevention of harm to Country from pollution and waste and the healing of Country where harm has occurred.

Organisational capability and performance

I expect the EPA to continue to strengthen its organisational capability to deliver its functions effectively, including:

- maintaining an expert, capable and safe workforce
- fostering an inclusive, culturally capable and high-performing organisational culture
- ensuring strong governance, financial management and operational performance
- embedding continuous improvement in regulatory practice, including growing capability in data and intelligence.

Working collaboratively

While appreciating and valuing the independent regulatory role of the EPA, I expect the organisation will continue to work collaboratively with other entities in the environment portfolio, and across the Victorian Government more generally, to support the delivery of legislative requirements and Victorian Government priorities.

Conclusion

I request that the EPA incorporates these expectations into its corporate and business planning processes and include milestones to enable monitoring and reporting on progress.

These plans should also include appropriate review points to advise when this Statement of Expectations should be updated or renewed.

I look forward to working with you and the Governing Board to progress these priorities.

If you have any questions, please contact Stan Krpan, Acting Deputy Secretary, DEECA
stan.krpan@deeca.vic.gov.au

Yours sincerely



The Hon. Enver Erdogan MLC
Minister for Environment

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