Purpose and scope

The purpose of this checklist is to assist applicants when preparing a Better Environment Plan (BEP) proposal under section 181 of the *Environment Protection Act 2017* (the Act) so they can check if their proposal meets all the mandatory and applicable additional information requirements.

Section 1 sets out the mandatory information requirements specified in subsection 181(2) of the Act.

Section 2 specifies additional information that applicants may include to support their BEP proposal. Provision of this information is not compulsory. However, it will assist Environment Protection Authority Victoria (EPA) when assessing a BEP proposal and may avoid section 182(3) requests for further information, and associated delays.

1. mandatory information requirements

|  |  |
| --- | --- |
| Section 181(2) of the Act requires that a submission of a proposed BEP must include the following information: | Check |
| 1. the objectives of the proposed BEP including, but not limited to, the risk of harm to human health or the environment that the proposed BEP addresses |  |
| 1. the participants in the proposed BEP |  |
| 1. any other person who is likely to be affected by the proposed BEP and whether that person has been consulted, or will be consulted, in relation to the proposed BEP |  |
| 1. the actions or responsibilities that each participant must undertake under the proposed BEP |  |
| 1. the reporting requirements for each participant under the proposed BEP |  |
| 1. the time or day by which the participants must undertake any action required under the proposed BEP |  |
| 1. the time period during which the proposed BEP is to be in force |  |

1. Supporting information

|  |  |
| --- | --- |
| Other information to support EPA’s assessment of BEP proposals, including: | Check |
| 1. how do the duty holder/s currently meet their relevant duties and obligations under the Act? How does the proposed BEP go beyond compliance or use innovation to deliver compliance? |  |
| 1. site details explaining the existing uses of the site, including any existing operations, facilities, process, and production rate |  |
| 1. the relevant history to the issue (e.g. compliance, community concerns, investments) |  |
| 1. any relevant or applicable policy and guidance produced by EPA or other recognised best practice guidance |  |
| 1. a stakeholder engagement plan (covering engagement throughout design and implementation of BEP) |  |
| 1. a communication plan that details how the proponent intends to share the learning from the BEP with industry peers |  |
| 1. scenario-based commitments and responses, where relevant. For example, how the duty holder will deal with:    * Changes in the land portfolio (for proposed BEP’s dealing with multiple sites)    * Changes in reasonable awareness (e.g. new information)    * Enquiries by EPA    * Disputes about adequacy of management actions taken    * Failure to disclose or other non-compliance scenarios    * Situations in which the BEP does not provide coverage (e.g. imminent risks, pollution, notifiable incidents, or those matter that would be subject to urgent EPA action). |  |
| 1. independent review of risk management methods (both scientific basis and prioritisation methods) or a review of the performance of the plan by a suitably qualified professional (i.e. must have qualifications that are relevant to the risk that the BEP is addressing). If required, details of the professional, their qualifications, and experience should be provided in the proposal. In some circumstances, EPA may require an appointed environmental auditor to be involved. |  |
| 1. any other information the duty holder would like EPA to consider when assessing the BEP proposal |  |