

Report on Statement of Expectations 2025-26

ACT Environment Protection Authority

1 July 2025 to 30 June 2026

1. Introduction

The Environment Protection Authority (the Authority) is responsible for administering the *Environment Protection Act 1997* and the *Water Resources Act 2007* (collectively referred to as the EP legislation¹).

Through this legislation, the ACT Government establishes a clear and enduring obligation on the Authority to protect and enhance the quality of the environment and human health, and to support the management of a sustainable, safe and liveable Territory. In fulfilling this role, the Authority operates as an independent statutory decision-maker, ensuring that its compliance, enforcement and advisory functions are exercised impartially and in accordance with legislative objectives and principles.

The Authority is supported by the Office of the Environment Protection Authority (EPA), which operates within Access Canberra. Following Machinery of Government changes during 2025–26, the EPA transitioned into the newly established City and Environment Directorate (CED), within the Environment and Specialised Regulation branch. This is important opportunity to strengthen alignment between regulatory, policy and delivery functions, while maintaining the Authority’s operational independence and statutory decision-making role. It also enables increased collaboration across regulatory areas, supporting a more integrated and consistent approach to environmental regulation within the ACT Government.

Throughout 2025–26, the EPA operated within a complex and evolving regulatory landscape characterised by increasing environmental pressures, heightened stakeholder expectations, and sustained operational demand. In this context, the EPA maintained the delivery of its core regulatory functions while progressing a significant program of reform aimed at strengthening governance, improving decision-making, and enhancing regulatory maturity. This dual focus—maintaining operational delivery while embedding systemic improvement—has been a defining feature of the reporting period and positions the EPA to operate as a modern, resilient and effective regulator.

2. Purpose

This report provides an account of the work undertaken by the Authority to deliver against the priorities established in the 2025–26 Statement of Expectations (the Statement), and outlines the outcomes achieved during the reporting period.

¹ While the Authority also administers the *Lakes Act 1976* and the *Clinical Waste Act 1990*. The Statement of Expectations and this report only covers the EP Legislation.

The Statement was jointly agreed between the Authority and Access Canberra to guide both regulatory activity and organisational development. The priorities reflect a deliberate focus on strengthening the EPA's capability as a modern, risk-based regulator, while continuing to deliver core environmental protection functions.

The key priority areas for 2025–26 are articulated in full [here](#), but in short, they were:

- participate in the review of the Environment Protection Authority
- participate in the review of the *Environment Protection Act 1997*
- industry engagement and capacity building
- community environmental monitoring tools
- regulatory maturity uplift, and
- delivery of priority regulatory activities.

This report addresses each of these areas in turn, outlining the work undertaken, the outcomes achieved, and the broader implications for the EPA's ongoing development.

3. Key Outcomes for 2025–26

Across all areas of focus, the EPA achieved several significant and interrelated outcomes during the 2025-26 reporting period. Key achievements include:

- the development of clearer decision-making frameworks, strengthened oversight mechanisms, and the commencement of a comprehensive uplift of policies and procedures.
- improved alignment across regulatory, policy and delivery functions, while supporting greater integration and coordination across government.
- Significant progress toward a more proactive and prevention-focused regulatory model.
- Targeted engagement with industry, particularly in the construction and waste sectors to improve awareness of environmental obligations and support consistent compliance behaviours.
- The delivery of targeted regulatory programs addressing priority environmental risks, including PFAS management, water resource compliance, waste sector oversight, and pollution prevention initiatives such as the Summer Rainy Day Program.

The EPA also strengthened its use of data and evidence to inform decision-making, supported by improved intelligence functions. This has enhanced the EPA's ability to identify, prioritise and respond to environmental risks in a more systematic and coordinated manner.

Taken together, these improvements reflect a clear progression in the EPA's development as a regulator. The Authority has moved beyond foundational reform toward embedding more structured, intelligence-led and prevention-focused approaches to regulation. This positions the EPA to deliver more consistent, effective and transparent regulatory outcomes, and to continue its evolution as a modern, capability-driven and outcomes-focused environmental regulator.

Environment Protection Authority: Statistics and highlights



Our strategic directions

- ✓ Protect the community and environment
- ✓ Strengthen regulatory controls
- ✓ Improve the licensing and compliance framework
- ✓ Contemporise environmental standards
- ✓ Meet community expectations
- ✓ Meet new and emerging environmental challenges



395 building sites
inspected



3844 environmental
complaints received



256 contaminated
sites recorded



354 development applications received
85 erosion and sediment control plans approved
37 infringement notices issued
15 environment protection orders issued
1 prosecution



125,000
cubic metres
of soil approved
for reuse

Environmental authorisations

112 reviewed
38 granted
54 varied
13 cancelled



Water Regulations

18 water meter inspections
280 lake inspections
10 waterway works licences granted



ACT
Government

**Access
Canberra.**

*Report contains further context for these statistics

4. Areas of Focus

Focus Area 1: Participate in the review of the Environment Protection

Authority

The intent of this focus area was to ensure that the EPA is best positioned to deliver its regulatory responsibilities within a changing ACT Government environment.

Throughout 2025-26 the Authority actively participated in a range of whole-of-government and internal processes that collectively contributed to a review of its role, structure and delivery model.

This included:

- participation in machinery of government changes and engagement with the establishment of the City and Environment Directorate;
- input into the design and implementation of these arrangements to ensure that environmental regulatory functions were appropriately positioned to support effective delivery of its statutory responsibilities
- An internal review of structure, roles and delegations (ongoing).

These processes enabled the Authority to assess how environmental regulatory functions are positioned within government, and how they can contribute to coordinated policy, planning and delivery outcomes.

In parallel, the EPA undertook targeted internal review and planning activities to examine its operating model, including the alignment of regulatory functions within the newly established Environment and Specialised Regulation branch, the efficiency of workflows, and the clarity of roles, responsibilities and decision-making authority. This work also involved consideration of how the EPA interfaces with policy, planning, and other regulatory functions across government, with a view to strengthening integration while maintaining regulatory independence.

Through these combined activities, the EPA has actively contributed to ensuring that it is well-positioned to meet its regulatory responsibilities in a contemporary and evolving governance environment. This includes improved clarity regarding its role within the Directorate, stronger alignment with related regulatory and policy functions, and identification of priority areas for capability uplift—particularly in relation to governance, systems, and decision-making frameworks.

While not culminating in a single formal review product, this work represents a substantive and practical review of the EPA's operating environment and provides a clear foundation for ongoing organisational refinement, improved regulatory effectiveness, and alignment with broader ACT Government priorities.

Focus Area 2: Participate in a review of the *Environment Protection Act 1997*

This focus area recognised the importance of ensuring that the EP Act remains contemporary and capable of supporting effective, modern environmental regulation.

During 2025–26, the EPA contributed to ongoing legislative reviews conducted by its policy partners within the Territory. This included providing advice on how legislative settings influence regulatory

practice, identifying practical implementation challenges, and supporting policy development processes within government.

By drawing on its direct experience in administering the legislation, the EPA was able to highlight areas where greater clarity, flexibility or alignment with modern regulatory approaches would support improved outcomes. This contribution has helped to bridge the gap between legislative intent and operational delivery, ensuring that future reforms are informed by practical regulatory insights.

While a broader legislative review of the EP Act remains an ongoing process, the EPA has raised and prioritised key legislative amendments to ensure the EP Act provides appropriate mechanisms for effective regulation. This includes work on amendments to noise offence provisions to support rapid intervention and reduce the need for complex evidentiary investigations by the EPA, in addition to contributions to reviews of entertainment noise regulation as part of night-time economy reforms.

This ongoing engagement with policy and legislative reform positions the EPA well to support implementation of any future changes and to adapt its regulatory approach accordingly.

Focus Area 3: Industry Engagement and Capacity Building

A central priority during 2025–26 was to strengthen industry capability in order to prevent environmental harm, with a particular focus on the land development and construction and waste sectors. This work aligned with the Statement of Expectations requirement to engage with industry peak bodies and build capacity in priority areas through targeted education, collaboration and practical engagement.

The EPA continued to expand its use of engagement and education as core regulatory tools, complementing traditional compliance and enforcement approaches. A structured program of targeted industry engagement was implemented, including site-based visits to land development agreement holders and direct engagement with builders, civil contractors and site managers. These interactions provided an opportunity to communicate environmental obligations in real time, identify emerging risks, and address compliance issues at an early stage.

In parallel, the EPA delivered a range of education and training initiatives designed to build baseline environmental capability across the construction sector. This included the design of a course for industry entitled *Preventing Pollution from Building Sites*. Work has commenced with industry peak bodies, including the Master Builders Association (MBA) and the Housing Industry Association (HIA), to embed this training into broader industry programs and promote consistent environmental messaging across the sector.

To support practical learning, the EPA progressed discussions to implement a sediment control display site, providing a hands-on demonstration of correctly installed erosion and sediment controls. This will include both standard practices and emerging methods, allowing industry participants to better understand and apply effective environmental controls on active sites.

These initiatives were supported by the establishment of a more structured and consistent approach to industry engagement led by a new Industry Liaison Officer position. This work included regular site visits, coordinated training delivery, and closer collaboration with other regulators, training providers and peak industry bodies. The approach has helped to align expectations, reinforce

consistent regulatory messaging, and embed environmental considerations into routine industry practice.

This work reflects a broader shift toward prevention-focused regulation. By supporting industry participants to understand and meet their obligations, the EPA aims to reduce the likelihood of environmental harm and improve overall compliance outcomes.

Outcomes from this program have included increased awareness of regulatory obligations—particularly in relation to sediment control, stormwater management and site compliance—and observable improvements in industry practices. The integration of training into formal qualifications ensures that new entrants to the industry are equipped with baseline environmental knowledge from the outset, while site-based engagement and practical training have supported improved implementation of controls on active construction sites.

The EPA has also strengthened its relationships with industry stakeholders through ongoing collaboration with CIT, MBA, HIA and direct engagement with operators. Positioning the EPA's industry liaison role as both a regulator and educator has enabled a more cooperative compliance environment, while maintaining clear expectations and accountability.

Importantly, this approach has supported a more efficient use of regulatory resources. In several areas, proactive engagement and early intervention have reduced the need for reactive enforcement, demonstrating the value of capability-building and partnership-based approaches as part of a modern regulatory framework.

Focus Area 4: Community Environmental Monitoring Tools

This focus area sought to improve community understanding of environmental impacts and empower individuals to engage more effectively with environmental issues. While the original intent was to provide monitoring tools to the community, research and engagement soon revealed that these would be ineffective without a concerted push to prioritise community education and engagement.

As such, throughout 2025-26 the EPA placed greater emphasis on improving communication, building understanding, and supporting constructive resolution pathways between affected parties. This reflects a broader recognition that effective environmental outcomes are often achieved through informed engagement and early intervention, rather than reliance on monitoring equipment alone.

This was achieved through a concerted engagement program led by the strategic regulation team, designed to engage key community groups and interested parties in how and why the EPA operates and regulates the way it does. Key partners engaged during this process were Rural Lease holders through the Industry Liaison Officer, and first nations groups through a newly created, dedicated Cultural Liaison Officer position within the strategic regulation team. The Cultural Liaison Officer worked with traditional land custodians to progress work on exempting smoking ceremonies, regulate and promote cultural burning, and include cultural flow matters in EPA decision making on soil placement and sediment control, as well as participating in ACT Government cultural advisory meetings, first nation employee network gatherings and yarning circles. This early and exploratory work puts the EPA in a strong position to engage more deeply in the following years.

This work represents a shift toward a more inclusive and engagement-led model of regulation, recognising the important role that the community plays in environmental protection, and provides a

strong foundation for the continued refinement of community monitoring and engagement initiatives in future reporting periods.

Focus Area 5: Regulatory Maturity

The uplift of regulatory maturity remained a central focus during 2025–26, reflecting a commitment to strengthening the EPA’s capability as a contemporary, risk-based regulator.

Building on the findings of the Modern Regulators Improvement Tool (MRIT) assessment, the EPA progressed implementation of a structured Maturity Action Plan. This plan addressed key areas for improvement, including governance, decision-making consistency, performance reporting, and organisational clarity.

Throughout the year, the EPA undertook a coordinated program of reform aimed at embedding more consistent and transparent regulatory systems. This included the commencement of a comprehensive review of standard operating procedures and policy frameworks, the development of clearer decision-making pathways, and the strengthening of governance arrangements through internal advisory and oversight mechanisms. These efforts were further supported by the establishment and ongoing use of forums such as the Environment Protection Regulatory Advice Committee, which has played an important role in ensuring consistent, informed decision-making in relation to complex and serious compliance matters.

This work was undertaken in the context of broader machinery of government changes, including the transition of the EPA into the newly established City and Environment Directorate and the creation of the Environment and Specialised Regulation branch. This structural change provided an opportunity to embed improved processes, align regulatory practices, and leverage knowledge and experience across regulatory functions.

In parallel, the EPA worked to strengthen its approach to regulatory intelligence and prioritisation, including engagement with the newly established CED Intelligence and Intake Committee. This has supported a more coordinated and informed approach to case triage, issue identification, and allocation of regulatory effort across the Directorate.

The EPA also invested in building internal capability through targeted training and quality assurance initiatives, supporting greater consistency in regulatory practice and reducing reliance on individual knowledge and judgement. This has been complemented by learning from established practices across the broader branch, establishing communities of practice alongside other regulators and advisory bodies, ultimately contributing to a more cohesive and mature regulatory approach.

These reforms have delivered tangible improvements in the clarity and defensibility of regulatory decisions, as well as strengthening oversight and accountability. More broadly, they represent an important step in transitioning the EPA toward a system-based model of regulation, characterised by consistency, transparency and resilience.

This work provides a strong foundation for continued maturity uplift and will underpin further improvements in regulatory effectiveness in the coming years.

Focus Area 6: Delivery of Priority Regulatory Activities

Alongside its reform agenda, the EPA continued to deliver a comprehensive program of regulatory activities aimed at protecting human health and the environment.

A key area of focus was the ongoing implementation of the ACT PFAS Action Plan. The EPA actively contributed to national coordination efforts, adopted updated environmental management standards, and worked closely with ACT agencies to manage contaminated sites and support remediation activities. Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) considerations were also integrated into environmental authorisations and routine regulatory processes, strengthening the ACT's approach to managing this complex and evolving risk.

The EPA also maintained its water regulation program, including targeted monitoring and compliance activities. Water use was assessed against licence conditions through both prescribed and proactive reviews, with instances of non-compliance addressed through a graduated regulatory response. This approach included follow-up monitoring, licence reviews, and targeted engagement with water users, supporting improved compliance and stronger regulatory oversight.

This work supported the implementation of the ACT Government's Non-Urban Water Metering program, strengthening the monitoring of water use and improving the accuracy and reliability of metering across regulated entities. In parallel, the EPA progressed the review and updating of Licences to Take Water, ensuring alignment with current Australian Standards and improving consistency in licensing conditions and regulatory expectations.

Targeted compliance initiatives were also delivered in other high-risk areas. These included an audit of the waste tyre sector, which combined industry engagement with data from other jurisdictions to improve understanding of waste management practices and risks. Due to the complex nature of the waste sector, the 2025–2026 audit strategically focused on waste tyre businesses to examine compliance and strengthen recycling and resource recovery outcomes.

The EPA conducted a telephone survey targeting local and interstate businesses who dealt with waste tyres on a regular basis. The EPA further corroborated the survey results by comparing them with records from other ACT government bodies and the NSW EPA. The audit found that during 2025-2026:

- The waste tyre industry had a high level of engagement with the recycling industry;
- Most waste tyres, if not all, produced in the ACT were collected from local businesses and transported and recycled at recycling facilities in NSW by three main waste transporting companies; and
- The movement of the waste tyres was mostly followed in accordance with the requirements of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure.

In addition, the EPA implemented the Summer Rainy Day Program, an intelligence-led initiative focused on erosion and sediment control during high-risk rainfall periods. This program integrated weather forecasting, spatial data and community reporting to prioritise inspections and deploy resources effectively. These activities also supported improved environmental outcomes across key water catchments, combining targeted compliance with outreach and engagement initiatives to reduce pollution risks and promote better environmental practices.

Across all these activities, the EPA demonstrated an increasing use of data and intelligence to inform regulatory decisions, as well as a more targeted and proactive approach to risk management. These efforts have contributed to improved compliance outcomes and enhanced protection of the ACT's environment and water resources.

5. Ongoing Regulatory Functions

In addition to delivering on the priorities outlined in the Statement of Expectations, the EPA continued to undertake a substantial and ongoing program of core regulatory work throughout 2025–26.

This work represents the foundation of the Authority's role and includes:

- licensing and authorisations;
- compliance and enforcement;
- advice on development applications;
- water resource management; and
- responses to environmental incidents and community complaints.

These functions are continuous in nature and were delivered throughout the reporting period alongside reform and targeted regulatory programs.

The EPA maintained a strong level of operational performance across this baseline workload, managing a high volume of applications, inspections and complaints, while responding to emerging risks and maintaining statutory timeframes. This reflects a sustained level of demand consistent with growth in development activity and community expectations.

At the same time, the EPA progressed internal structural and operational changes aimed at improving efficiency, consistency and coordination across regulatory functions. This includes the alignment of roles and workflows within the City and Environment Directorate, clearer decision-making pathways, and greater use of intelligence and prioritisation mechanisms to direct effort to areas of highest risk.

Together, these changes are expected to support the EPA in managing increasing workload and complexity more effectively over time. This ongoing work ensures that the EPA continues to deliver consistent regulatory oversight, respond to emerging risks, and support the protection of environmental and human health outcomes for the ACT community.

6. Conclusion and Looking Forward

The EPA made solid progress in delivering the priorities set out in the 2025–26 Statement while maintaining a high level of core regulatory activity in a complex and evolving operating environment.

During the reporting period, the Authority strengthened its foundations as a contemporary, risk-based regulator. This included implementation of governance and decision-making reforms, improved alignment following machinery of government changes, expanded industry engagement and prevention-focused initiatives, and more targeted use of data and intelligence to address priority environmental risks. Importantly, this work represents a transition from establishing key frameworks toward embedding more consistent, structured and outcomes-focused approaches to

regulation. The EPA is now better positioned to deliver clearer, more defensible and more targeted regulatory outcomes.

At the same time, the operating environment remains dynamic, with increasing development activity, growing community expectations, and increased pressures—particularly in relation to housing, planning and climate—continuing to shape regulatory demand.

Over the next 12 months the EPA will have a clear focus on:

- maintaining core statutory functions and regulatory responsiveness,
- targeting effort toward the highest environmental risks, and
- strengthening integration across planning, regulatory and service delivery functions.

The Authority also recognises the need to continue embedding regulatory maturity and data-driven approaches, while ensuring these initiatives support, rather than compete with, delivery of core regulatory outcomes.

In this context, the EPA will focus on consolidating and applying the capability built over recent years to deliver measurable impact, maintaining consistency in decision-making, and responding effectively to increasing demand. This positions the EPA to operate as a more mature, integrated and outcomes-focused regulator, capable of meeting its statutory responsibilities and supporting broader ACT Government priorities in a constrained and evolving environment.