



Regulatory Strategy

July 2023 to June 2026

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it.

We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

DEECA is committed to genuinely partnering with Victorian Traditional Owners and Victoria's Aboriginal community to progress their aspirations.



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Contents

Foreword	2
About Recycling Victoria	3
Purpose of the Regulatory Strategy	5
Recycling Victoria’s regulatory role	6
Our regulatory focus	7
Our context	7
Key harms	7
Our regulatory priorities	8
Priority 1: Ensuring regulated waste and resource recovery services and schemes operate with integrity	9
Priority 2: Reducing significant risks of service disruption	10
Priority 3: Preparedness to respond to emerging issues	11
Our regulatory approach	12
Principles	12
Regulatory approach	14
Growing our capabilities	17
How will we know if our Regulatory Strategy has been successful?	18
Review	18

Foreword

Recycling Victoria was established on 1 July 2022 as part of the Victorian Government's once-in-a-generation reform of Victoria's waste and resource recovery system. As the Head of Recycling Victoria, I am honoured to contribute to our shared mission to make Victoria's waste system more effective, accountable and consistent with community expectations.


The role of Recycling Victoria is to oversee the waste, recycling and resource recovery sector and to support the development of a circular economy. We have been entrusted with new regulatory tools and powers under the *Circular Economy (Waste Reduction and Recycling) Act 2021* (the CE Act) to improve and protect the performance, reliability and integrity of waste and resource recovery services as we transition to a circular economy.

Our inaugural Regulatory Strategy will shape how we implement and apply our regulatory tools and powers to achieve our strategic objectives. As a new regulator, we are committed to working constructively with our regulated entities and with our partners such as the Environment Protection Authority Victoria (EPA), to encourage understanding and promote compliance with new regulatory objectives as they are introduced. You can also have confidence that we will take proportionate regulatory action against those who fail to meet their obligations, as and when needed.

We all have a role to play in achieving a circular economy. As outlined in the CE Act, it is the responsibility of all levels of government and industry, business, communities and the people of Victoria to support the development of a circular economy. I look forward to working with you as we continue to reform Victoria's waste and resource recovery system. Together, we can achieve our vision for a world class circular economy system that helps build a more sustainable future for all Victorians.

Tony Circelli
Head, Recycling Victoria





Our vision is for a world class circular economy system that helps build a more sustainable future for all Victorians.

About Recycling Victoria

We provide leadership and oversight to Victoria's waste and recycling sector to support Victoria's transition to a circular economy.

Our Strategic Plan 2023–2026 defines our purpose, vision and objectives for Victoria's waste, recycling and resource recovery services.

Our vision is for a world class circular economy system that helps build a more sustainable future for all Victorians.

Under section 16 of the CE Act, we must deliver various functions aimed at providing leadership, stewardship and oversight of waste, recycling

and resource recovery services in Victoria and to support the development of a circular economy.

Achieving a circular economy is a shared responsibility across all sectors of the economy – governments, industry and the community. We will work collaboratively across all levels of government, industry, business, and community to achieve our vision and purpose. We will engage with our stakeholders in line with our Charter of Engagement and Community Engagement Strategy.



This Strategy is intended to clarify what can be expected from Recycling Victoria as a regulator.

Purpose of the Regulatory Strategy

Recycling Victoria is required to deliver a Regulatory Strategy as part of its Strategic Plan under the CE Act. This Regulatory Strategy outlines how Recycling Victoria intends on applying its regulatory functions to achieve the objectives of the Strategic Plan and how Recycling Victoria will support, promote, monitor and enforce compliance with the CE Act. More specifically, it outlines how Recycling Victoria intends to:

- identify, monitor, manage and mitigate risks and harm associated with waste, recycling or resource recovery services;
- support, promote and monitor compliance with, and enforce, requirements under the CE Act;
- use a proportionate and graduated approach to address non-compliance with requirements under the CE Act.

This Strategy is intended to clarify what can be expected from Recycling Victoria as a regulator. It outlines our regulatory role and the key regulatory harms and priorities that we will focus on over the next three years.

This Strategy also outlines the principles and approach we will apply in carrying out our role as a regulator and delivering on our priorities. By communicating clear objectives and taking a risk-based approach, our Regulatory Strategy ensures we are equipped to prevent, assess and respond to risks and harms while supporting our regulated entities to comply and move towards a more circular economy.

How the Regulatory Strategy underpins the delivery of our Strategic Plan





Recycling Victoria's regulatory role

Our regulated entities include local governments and Alpine Resorts Victoria as well as organisations in the waste and resource recovery industry. Our regulatory role commenced on 1 July 2022.

We have a range of regulatory powers and functions under the CE Act intended to improve and protect the performance, reliability and integrity of waste and resource recovery services as we support Victoria's transition to a circular economy. In doing so, we work to prevent and address risks that may undermine our transition or disrupt our waste, recycling or resource recovery services.

We have a role in setting direction and standards for the waste and recycling sector. We administer a range of critical regulatory schemes to improve the performance and quality of services in the sector, create higher quality resource recovery streams and reduce waste being sent to landfill. This includes oversight and administration of Victoria's Container Deposit Scheme, the Waste to Energy Scheme, the preparation and implementation of service standards, and a mandatory data reporting scheme.

We also work to ensure industry accountability by monitoring compliance of duties and obligations, and will intervene to respond to risks. We play a key role in ensuring the waste and resource recovery sector is strong and resilient, and that we make the most of our resources to achieve the right mix of recycling and other waste infrastructure to support a circular economy. We do this by increasing transparency, and improving sector risk management and strategic planning.

In establishing and administering our functions we will work alongside our partners including the EPA, Sustainability Victoria (SV), and the circular economy policy area of the Department of Energy, Environment and Climate Action (DEECA).

The EPA is responsible for regulating the waste and recycling sector under environmental legislation and regulations, to prevent harm from pollution and waste. Recycling Victoria provides strategic leadership, oversight and regulation of the waste and recycling sector to support market stability, planning and long-term circular economy objectives. We will work closely together to share data, coordinate public messaging and our operations and compliance activities. This may include working together in respect to undertaking compliance action, for example, where compliance issues are either referred to us or where we refer issues to the EPA.

Our regulated entities are also facing challenges and opportunities in the transition to a circular economy. They also need to respond to shifts and changes in community and government expectations, costs of doing business, waste streams, and technological advancements. Our regulated entities will be adapting to new obligations under the CE Act and a key part of our role is to support them through this transition.

This is our inaugural strategy. Over this three-year period, we will be building our regulatory capabilities and functions to deliver on our regulatory purpose. We will be working to ensure we have the people, processes and systems in place to enable us to become a best practice regulator that is trusted, transparent and accountable. We will continue to engage across state and local government, industry, business, and community as our regulatory capabilities mature and new functions and powers come into effect.

Our regulatory focus

Our context

Victoria's waste and recycling services suffered severe disruptions in 2019 following major service failures and changes in the international marketplace. These events showed how exposed Victoria's, and more broadly Australia's, resource recovery system has been to changes in global recycling markets and the consequential impact on local recycling service delivery and the environment.

Victoria, like many other states and nations, is vulnerable to the economic, social and environmental challenges that result from not fully utilising our resources. Unnecessary waste puts pressure on our natural resources, increases greenhouse gas emissions, increases our reliance on overseas markets, and impacts our local environments. Shifting to a circular economy presents opportunities and benefits for Victoria, including job creation and economic growth, reduced resource use, waste and pollution, and a robust and sustainable recycling system.

We have been established to prevent, reduce or mitigate risks of disruptions to our waste and resource recovery services while leading Victoria's transition to a circular economy. We also recognise that we have a shared responsibility in moving towards a circular economy. We will work with our state and local government partners, regulated entities, industry and community to make positive changes.

Key harms

Our Regulatory Strategy focuses on achieving Recycling Victoria's strategic objectives through reducing key risks of harm to the reliability of waste and resource recovery services and our transition to a circular economy. These harms are addressed by the Victorian Government's circular economy plan, *Recycling Victoria: A new economy*, the establishment of the CE Act, and they in turn underpin the role and initial focus of Recycling Victoria.

Creating a shared understanding of the key risks of harm and their potential impact on the objectives we are seeking to achieve is essential to our role as a regulator. This understanding allows us to make informed choices in how we prioritise our efforts and apply our regulatory tools and functions to address the drivers of these harms most effectively.

The harms to the development of a circular economy identified here are broad. They reflect the fundamental problems that may undermine our successful transition to a circular economy.

A key issue is the **need for increased resilience** in the waste and resource recovery sector. Shocks and disruptions are driven by a range of factors, including single-point dependencies in processing infrastructure for certain wastes, lack of market

diversity, and insufficient contingency planning to ensure arrangements are in place to respond to change. Population growth, emergency events (such as floods, fires or diseases), climate change and changes in international or national waste markets all have the potential to impact the reliability and integrity of our waste and resource recovery services and systems. Increasing our resilience makes our waste sector less vulnerable to disruptions, including those we have seen in recent years.

Like other jurisdictions, Victoria has seen long-term stockpiling of recyclable materials and illegal dumping of waste, driven by business costs, market prices and the perception that the benefits of waste crime outweigh the risks of detection. These behaviours undermine the performance and integrity of Victoria's waste markets. **Improved waste management practices** require removing or reducing the incentives through improved data, reporting, detection and strengthening the standards that the sector must work within.

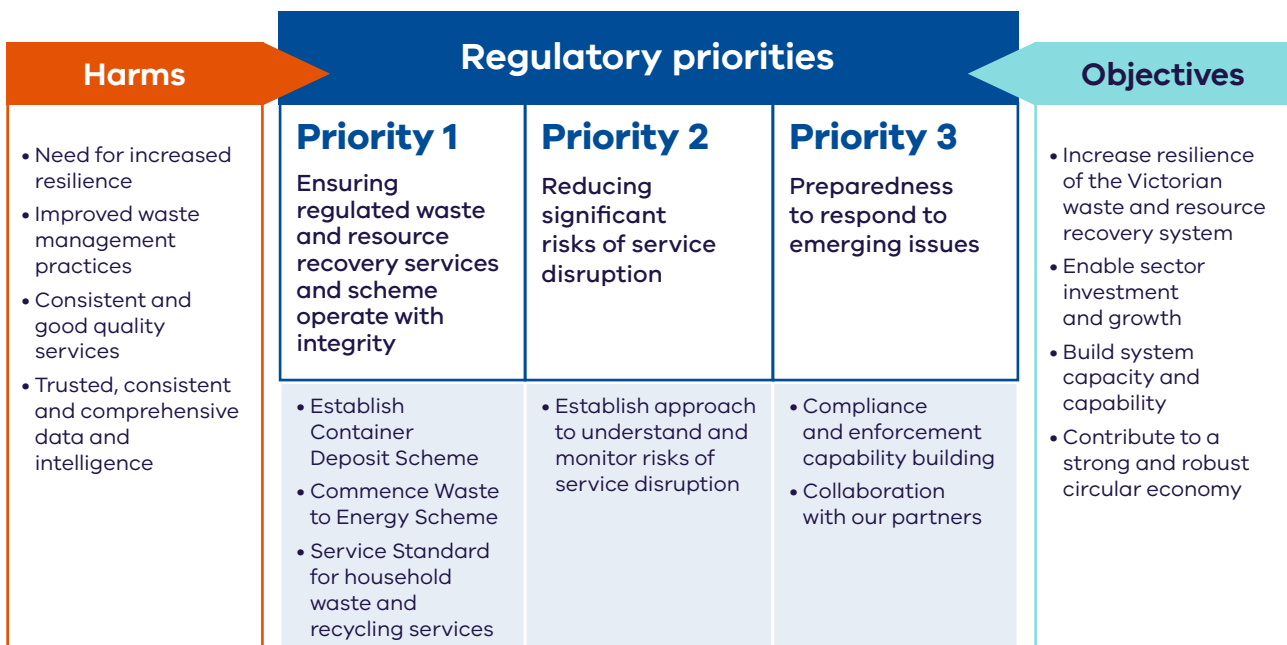
Our efforts to recover materials for reuse and recycling rely on **consistent and good quality services**. For household services, there are inconsistencies across local government areas in terms of which waste and recycling services are provided and within the specifications for what can be accepted in each waste stream, leading to inefficient recovery and excessive volumes of waste going to landfill. Addressing this, along with better incentives to recycle, will improve recovery rates and the quality of recovered materials from our waste streams, resulting in less waste going to landfill.

Our efforts to transition to a circular economy will require better market-based information through **trusted, consistent and comprehensive data and intelligence**. Information is collected by a range of government and non-government organisations but there are gaps in what is collected, and it is not consistently collated and made available publicly. This undermines the certainty needed to encourage appropriate private sector investment and to support our ability to effectively mitigate risks, plan, coordinate and deliver high performing and resilient waste services.

As a new regulator, we are building our capability to identify issues, collect data and build intelligence to support our analysis and understanding of harms. As we mature and engage with the sector, we will grow a deeper understanding of the harms affecting our progress towards a circular economy and the behaviours and drivers behind these. We will continually sharpen our approach towards addressing these underlining drivers and harms.

Our priorities will be adjusted over time as external circumstances change and our internal capabilities grow.

Our regulatory priorities



In applying our regulatory tools and functions, we will be guided by the following priorities over the next three years. These priorities have been identified to address the key harms and deliver on our strategic objectives as outlined in our Strategic Plan.

These involve establishing our key regulatory functions, frameworks and capabilities; and supporting our regulated entities to comply with new requirements. Delivery of our priorities will make a strong contribution towards achieving our longer-term vision for Victoria.

In establishing and administering our functions we will work alongside our partners including the EPA, SV, and the circular economy policy area of DEECA.

Our priorities will be adjusted over time as external circumstances change and our internal capabilities grow. Our priorities will be informed by evaluations of our performance against our objectives, information and intelligence about regulated entity compliance and behaviours, as well as our annual review of risks under our Circular Economy Risk, Contingency and Consequence framework and other findings from market intelligence.

Priority 1: Ensuring regulated waste and resource recovery services and schemes operate with integrity

As we transition to a circular economy, we are seeking high value recovery of materials and products, ensuring they stay in productive use for as long as possible, to minimise waste generation and impacts to the environment. By reducing our waste, we also reduce our greenhouse gas emissions and build a circular, climate resilient economy.

We will ensure our regulatory schemes and functions adhere to requirements in the CE Act, operate transparently and ensure their performance meets community expectations. We will establish efficient and streamlined systems and processes to make it as easy as possible to comply with obligations.

We will set service standards for the quality and performance of waste and resource recovery services and monitor compliance with these requirements, taking action to address risks and non-compliance. Through our service standards and schemes, we will support the delivery of reliable and high-quality waste and resource recovery services, that maximise resource recovery in line with our broader circular economy objectives.

Priority Action 1A: Establish and oversee the Container Deposit Scheme

Victoria's Container Deposit Scheme will reward Victorians with a 10 cent refund for every eligible can, carton and bottle they return.

The scheme is an important part of our transition to a circular economy, ensuring we maximise the productive life of containers and reduce littering.

We will support the successful commencement and delivery of the Container Deposit Scheme by:

- overseeing delivery and performance of the scheme coordinator and network operators
- setting the processes and requirements for participation in the scheme by the beverage industry, materials recovery facilities (MRFs) and local government
- monitoring and enforcing obligations and requirements under the CE Act. This includes determinations – that is, statutory decisions – in relation to suitable eligible containers and who can supply them to the marketplace (first suppliers); and decisions relating to compliance, enforcement and related activities linked to this function.

Priority Action 1B: Implement and administer the Waste to Energy Scheme

Thermal waste to energy processing involves turning waste material into heat or electricity. After waste avoidance, reuse, and recycling, waste to energy is the final opportunity to retrieve value from material that would otherwise go to landfill.

The CE Act provides for Recycling Victoria to establish and administer the Waste to Energy Scheme in Victoria. This builds on Victoria's Waste to Energy Framework, which recognises the role of converting waste to energy to divert waste from landfills. It aims to strike the right balance to focus on waste avoidance and recycling in Victoria's transition to a circular economy. Our role will support an appropriate level of investment in thermal waste to energy infrastructure in Victoria and that these facilities only process permitted or exempt waste.

Under the Waste to Energy Scheme, Recycling Victoria will issue licences to thermal waste to energy facilities. The licences will specify the amount and type of waste that can be thermally processed to produce energy. The Waste to Energy Scheme is being introduced in two stages – licences for existing operators and cap licences.

We will establish processes to ensure that obligations under licences are upheld and we will monitor compliance with these obligations and take action to address non-compliance.

Priority Action 1C: Prepare and implement the service standard for household waste and recycling services

Under the CE Act, the Head, Recycling Victoria has a general function to prepare and enforce service standards. The purpose of service standards is to improve the quality and performance of delivery of a waste, recycling or resource recovery service.

The first service standard will relate to municipal waste and recycling services provided by councils and Alpine Resorts Victoria. These services are the four-stream waste and recycling services, which mandates separate household services for glass recycling, food organics and garden organics (FOGO), mixed recycling, and residual waste.

Regulations will prescribe when councils and Alpine Resorts Victoria will have an obligation to provide the four-stream services to their communities and the service standard will set out how the services should be delivered. This first service standard will ensure our household waste recycling services meet community expectations and will support our transition to a circular economy by enabling better source separation and material recovery by households.

We will support councils and Alpine Resorts Victoria to understand and comply with new requirements before and when they come into effect. We will also use our enforcement powers, as needed, where compliance is not demonstrated. We will also work in alignment with partners such as SV in their work to encourage better source separation by households and further reduce contamination of our waste streams.

Over the life of this strategy, we will also consider other areas where the development of service standards is an appropriate regulatory response to identified risks or as a response to an opportunity for improvement in the sector. This will include consideration of the approach to business sorting of waste that is committed to in the circular economy policy. We will work alongside our colleagues in circular economy policy in DEECA regarding this approach.

Priority 2: Reducing significant risks of service disruption

We will monitor risks to the circular economy market. We will use market intelligence risk assessments, and intelligence about regulated entities' compliance and behaviours, to inform our regulatory decisions, including where we may focus our compliance and enforcement effort, as well as our future regulatory priorities.

We will do this by driving industry accountability and transparency including through requiring responsible entities to manage their risks and through mandatory collection and reporting of information and data.

Priority Action 2: Establish an approach to understand and monitor risks of service disruption

We will establish our capability to strategically identify and manage risks that may undermine the performance of our waste and resource recovery services. We will use data and intelligence from multiple and diverse sources to update our understanding of risk in the sector and the continued focus of our regulatory capacity.

We will build our internal capabilities to capture, analyse and share data and intelligence to enable effective oversight of the waste and recycling markets and prevent risks of disruption.

The Circular Economy Risk, Consequence and Contingency Plan will support and guide service providers to understand the risk context they operate within. We will support essential service providers and responsible entities to comply with their duties and requirements to manage their risks, including through the preparation of their Responsible Entity Risk, Consequence and Contingency Plans where mandated. We will provide guidance, information and advice as these requirements are developed and introduced.

We will also inform the development of regulations that will underpin reporting requirements for regular reporting entities and occasional reporting entities under Part 3 of the CE Act, taking care to avoid duplicating reporting requirements of other regulators. We will engage regular and occasional reporting entities as new requirements are developed and implemented to support them to comply.

Priority 3: Preparedness to respond to emerging issues

We have a range of general enforcement powers that we can apply to prevent and respond to risks of failure or disruption to waste, recycling and resource recovery services. These enforcement powers can also be applied to achieve compliance with regulatory obligations, such as service standards, mandatory reporting requirements, and risk management requirements.

Our priority is ensuring we are prepared to respond to emerging issues that may present a significant risk to our waste, recycling and resource recovery services. While we build capability, we will still work with the sector to ensure immediate issues and short-comings are addressed, such as recycling capacity, waste stream contamination and end-market viability issues.

We also have an important role to play alongside our government and regulatory partners, such as EPA, SV and the broader DEECA. We will focus on building our relationships and ways of working with our partners to work towards a circular economy as well as to support our regulated entities to comply with government regulation. We will coordinate and streamline our approaches towards shared objectives.

Priority Action 3A: Compliance and enforcement capability building

We will develop and publish a compliance and enforcement policy that will outline how we will exercise our regulatory powers to support and direct compliance, and the principles and criteria that will underpin our decision-making.

We will equip an authorised officer cohort to monitor compliance and apply our compliance and enforcement policy and tools to respond to significant emerging risks and issues, supported by training, clear processes and guidance. We will support our officers to apply the law consistently, transparently, and fairly and to effectively engage with our regulated entities to build their understanding of what they need to do to comply.

Priority Action 3B: Collaboration with our partners

We will work with our government partners, such as the EPA and SV, to ensure we are effectively engaging with our regulated entities and key stakeholders and managing risks and emerging issues. Our role complements the role of other regulators, such as the EPA who will continue to regulate the waste and resource recovery sector to protect human health and the environment by reducing the harmful effects of pollution and waste.

We will identify, establish and maintain effective approaches to areas of shared responsibility, with a focus on reducing regulatory burden where possible and coordinating our actions to achieve the shared objectives we are seeking.



Our regulatory approach

Principles

In administering the CE Act and regulations, Recycling Victoria will have regard to the principles set out in the CE Act. Those principles relate to us, but also to others in respect to the objectives of the CE Act. Where we have regulatory discretion, the regulatory principles outlined below will guide our regulatory actions and decisions.

Objectives focused
Risk based and precautionary
Intelligence led and evidence based
Proportionate and graduated
Consistent and predictable approach
Transparent and accountable
Timely

Objectives focused

Our regulatory approach aims to achieve the clearly defined objectives as set out in our Strategic Plan. This means we focus on our impact, rather than just on setting and following rules.

We will carefully apply our regulatory principles, approach and tools to achieve our objectives and address risks.

Recognising that achieving a circular economy is a shared responsibility, we will use a range of interventions, including provision of information, and collaboration and engagement to encourage and influence more sustainable results.

Risk based and precautionary

Our effort is focused on addressing the risks that pose the greatest harm to the outcomes we are seeking to achieve. We gather intelligence, monitor and assess strategic and emerging risks to inform our regulatory actions and decisions. Our sector risk and market intelligence functions will support us to identify risks in the sector and inform how we prioritise our efforts to prevent and mitigate risks.

We are required to have regard to the precautionary principle in undertaking our role. We will not hesitate to prevent and respond to threats of serious or irreversible harm because of a lack of full scientific certainty.

Intelligence led and evidence based

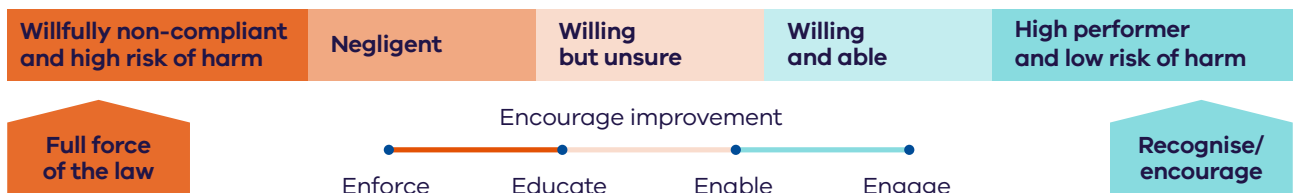
We draw on data and intelligence including from local government, community, industry and other state and national government agencies, to identify emerging risks and opportunities. We use evidence and insights to inform our decisions and actions.

Proportionate and graduated

Our regulatory actions to support compliance or respond to non-compliance will be proportionate to the harm or risk of harm that we are addressing, the characteristics of regulated entities, and their responsiveness to co-operating with Recycling Victoria in meeting their obligations. We use a fit for purpose approach that is tailored to the circumstances, the attitudes of those who need to comply and the harms we are addressing. We consider a range of factors in our decision making such as whether breaches of the law were intentional or repeated, and the impact of the breach. We will provide support to those that need it and take strong enforcement in response to intentional non-compliance.

Figure 1 shows our approach to determining proportionate and graduated compliance activities or when and how we enforce the law.

Figure 1: How we consider compliance attitude and behaviour in our regulatory approach



Consistent and predictable approach

We will uphold fairness, equity, and consistency in every case we handle. To achieve this, we will provide our officers with the necessary tools and training to apply the law consistently in line with the CE Act, regulations and Recycling Victoria policies. We will establish efficient systems and operational policies to support them making sure that we work alongside our co-regulators and streamline as much as we can.

Transparent and accountable

We are committed to being transparent and accountable in exercising our regulatory powers.

We will share information with the public about our role, responsibilities and activities, because we recognise the importance of public trust.

We will provide clear guidance on our objectives, approaches, decision making principles and reasons for our decisions.

We will be clear about when and how people or organisations affected by our regulations can request a review of our decisions, provide feedback, or make complaints.

We will ensure that sharing information about our regulatory work doesn't make it harder for us to enforce rules or impose penalties.

Timely

We will listen, communicate, respond and act in a timely fashion. We will endeavour to provide sufficient time for regulated entities to comply and will respond swiftly to non-compliance that presents a significant risk of harm.

“Our effort is focused on addressing the most significant risks in order to maximise the outcomes achieved.”

DEECA Regulatory Framework

Regulatory approach

Our regulatory approach enables us to draw on a range of tools and methods to encourage and require compliance. It has 7 **key elements** (see Figure 2), including:

- set standards
- influence
- inform and educate
- support to comply
- monitor compliance
- enforce the law
- encourage higher performance.

Our part of the shared responsibility to drive towards a circular economy is reflected in the way we will work within the system to influence more sustainable outcomes alongside our partners.

Our approach will enable us to tailor the tools we apply to the individual circumstances. We may draw on one or more of these elements at the same time, in any combination or in any series, so that we are able to achieve the right outcome. Our actions and decisions will be targeted at addressing the biggest risks to achieving the outcomes we are seeking in line with our regulatory principles and priorities.



Figure 2: Our regulatory approach

Set standards

We will set clear standards and provide guidance on how to comply with the law and how we intend to apply the law as a regulator. We will do this in a range of ways, including through legislative instruments such as mandatory service standards under Part 5 of the CE Act, mandatory reporting requirements, risk, consequence and contingency management requirements, permission frameworks such as waste to energy cap licences and conditions, administrative settings for the Container Deposit Scheme and guidelines issued by the Head, Recycling Victoria.

Influence

Achieving a circular economy is a shared responsibility and requires commitment and action across all sectors of the economy – governments, industry and the community. We will influence the community, industry and government to make positive changes to deliver on our Strategic Plan objectives and more broadly our longer-term vision. We will do this through engagement, partnerships and collaboration. We will promote best practice. The principle of shared responsibility also informs the standards we set and what we expect of our regulated entities.

Inform and educate

We will work with our partners, such as SV, to inform and educate community and industry to promote awareness of our role as a regulator, as well as the key risks and issues facing the waste and resource recovery sector and the actions they can take to contribute to a more circular economy.

Support to comply

We will give practical and constructive support and advice to regulated entities to encourage compliance. We aim to support voluntary compliance through supporting regulated entities to improve their understanding of the law, as well as their capabilities to address areas or risks of non-compliance. We will engage early and often with our regulated entities.

Monitor compliance

We will actively monitor, assess and investigate regulated entities' compliance with the law and requirements that we set. We draw on information, intelligence and data from community, local government and industry and source information through, for example, mandatory and voluntary reporting, inspections, audits and reviews. Where a potential non-compliance is detected, we will apply our Regulatory Strategy to prioritise and inform our response. This may include working together with our partners such as the EPA in respect to undertaking compliance action, for example, where compliance issues are either referred to Recycling Victoria or we refer to the EPA.



Enforce the law

We may take enforcement action to compel regulated entities to meet their legal obligations when requirements are not followed. Our enforcement response will take the most appropriate form of action based on our regulatory principles, including the principle of proportionate and graduated response.

We have specific enforcement powers in relation to the oversight and administration of the Container Deposit Scheme, Waste to Energy Scheme, service standards, risk consequence and contingency framework and reporting requirements. We also have general enforcement powers that may be applied, when necessary, across our regulatory functions to prevent the failure of, or disruption to, waste, recycling or resource recovery services.

Enforcement actions may require regulated entities to remedy non-compliance, or we may seek redress for any harms that resulted from non-compliance, or impose a penalty or punishment.

Examples include the following:

- We may issue an information gathering notice (s. 117) to regulated entities as part of an investigation into non-compliance.
- We may issue an improvement notice (s. 125) if we have reason to believe a regulated entity is not complying with the law and require that entity to take actions to remedy the non-compliance.
- We may issue a show cause notice (s. 121) if we have reason to believe a regulated entity has not complied with the law, proposing remedial actions and requiring a regulated entity to respond.
- We may issue a prohibition notice (s. 127) prohibiting a regulated entity from engaging in an activity if that activity is likely to cause a failure of, or disruption to, waste, recycling or resource recovery services.
- We may seek a court order (s. 129) if a regulated entity does not comply with a prohibition notice; or an improvement notice.
- We may seek financial penalties such as fines and monetary benefit orders (s. 147A). A monetary benefit order may require a regulated entity to pay from profit made from breaking the law.

The CE Act enables us to seek civil penalties for non-compliance in certain circumstances.

Encourage higher performance

We will work with industry, local government and community leaders and partners to encourage higher performance, to promote best practice and inform future standards. We will provide support and guidance to our regulated entities to encourage compliance and improve performance, drawing on examples of best practice in the sector.

Collaborate and engage

Our approach to collaborating and engaging is guided by our Charter of Engagement and Community Engagement Strategy, which in turn is aligned to the Victorian Government Public Engagement Framework, and the DEECA Community Charter. We are committed to engaging meaningfully and transparently.

We recognise that being a successful regulator requires strong relationships, and that collaboration leads to better outcomes. We seek to build strong relationships with our partners, stakeholders and communities, as well as with those we regulate. We will maintain a position of neutrality across our regulatory practice and act in a fair and transparent manner to build trust over time.

Growing our capabilities

In line with our Strategic Plan, we will invest in growing our capabilities and systems to deliver our regulatory role and achieve Recycling Victoria's objectives. Developing our people is critical, as our most valuable asset. We will support our staff to exercise their regulatory functions in line with this Strategy by providing the systems, processes, tools and training they need to apply the law consistently, transparently, and fairly. We will also support our staff to look for the opportunities in the system to influence for positive circular economy outcomes, as well as addressing harms.

We will continue to grow and learn over the life of our strategy. We will embed continuous improvement into our regulatory operations to ensure we remain effective, efficient and consistent.

In line with our Charter of Engagement and the Community Engagement Strategy, we will continue to engage across government, industry, business, and community as our regulatory capabilities mature to ensure our stakeholders know what to expect from us, to build trust and accountability.



How will we know if our Regulatory Strategy has been successful?

We will know if our Regulatory Strategy has been successful if:

- our regulated entities understand our regulatory purpose and how Recycling Victoria will support, promote, monitor and enforce compliance with the CE Act
- feedback from stakeholders confirms we act in accordance with our regulatory principles and approach
- engagement with our regulated entities and stakeholders shows that we provide timely and quality compliance advice and support, and respond to compliance issues in a proportionate way
- the delivery of our regulatory priorities makes a tangible contribution to our strategic objectives and reduces the harms we are seeking to address.

Specific performance measures will be developed at a later stage.

Review

This Regulatory Strategy is a statutory requirement under the CE Act and is incorporated with our Strategic Plan.

Our Strategic Plan provides Recycling Victoria's objectives over the next three years. Along with our Strategic Plan, the Regulatory Strategy will be regularly reviewed as Recycling Victoria and waste and resource recovery markets evolve, and to proactively respond to potential risks.



