

IMPLEMENTING GETTING THE GROUNDWORK RIGHT:

Better regulation of
mines and quarries

Program Delivery Update and Closure Report 2018–2020

INTRODUCTION

In January 2018 the Resources branch commenced a program of reforms aimed at improving regulatory practice within Earth Resources Regulation.

The reforms program addresses actions and recommendations from the Commissioner for Better Regulation's 2017 report *Getting the Groundwork Right: Better regulation of mines and quarries*.

The report and associated documents can be accessed at earthresources.vic.gov.au/legislation-and-regulations/regulation-review-and-reform/commissioner-for-better-regulation-report. These recommendations were designed to improve regulatory performance with a focus on the regulatory approval processes for mines and quarries.

As this program reaches its formal conclusion, it has given rise to a subsequent phase of important regulatory improvements which will be ongoing in the Resources branch of the Department of Jobs, Precincts and Regions. This includes the continued engagement with the earth resources industry through workshops and forums, and further development of existing and new guidelines. There is also ongoing refinement of processes and procedures through regulatory practice initiatives, the development of a new regulatory management system and cooperation with co regulators.

SCOPE

The main body of this closure report addresses the program of work arising from the Commissioner for Better Regulation's (the Commissioner) review of the Earth Resources Regulation approval processes. It is therefore focused on work plan regulatory approvals for mining and extractives. It does not cover petroleum regulation or mine and quarry rehabilitation functions of the regulator.

The report addresses the *Getting the Groundwork Right: Better regulation of mines and quarries* actions and recommendations, as well as the Resources branch Implementation Plan and the two periodic reviews undertaken by the Commissioner.

SECTIONS

1. Project delivery update for the actions and recommendations in *Getting the Groundwork Right: Better regulation of mines and quarries*
2. Review of Implementation Plan progress
3. Delivery update for periodic reviews
4. Phase 2 regulatory reforms – Building on Earth Resources.
A summary of the next phase of regulatory reform for Resources and additional work completed to date.

COMMISSIONER FOR BETTER REGULATION

Earth resources is an important sector of the Victorian economy. Mines and quarries are significant employers, particularly in regional Victoria, and supply vital materials to the construction sector.

In 2017, the Treasurer commissioned me to undertake a *'continuous improvement project'* with the Earth Resources Regulation (ERR) to identify short, medium and longer-term opportunities to improve how ERR operates and its regulatory framework. The Getting the Groundwork Right report was released in October 2017 and identified a range of actions and recommendations.

In 2018, ERR established a major reform program to address the outcomes of the report. Operationalising these outcomes has required extensive consultation with industry and involvement of Better Regulation Victoria.

It is pleasing that many of the actions and recommendations have been delivered, and I look forward to further implementation of key reforms in 2021 to ensure momentum is maintained and benefits to industry and the Victorian community continue to be realised.

The earth resources sector is playing a critical role in supporting economic recovery, particularly in supplying materials for the pipeline of private and public construction projects underway. But we can't afford to stand still: ERR's practices and its regulatory arrangements must continue to improve to enable the sector to support recovery while protecting the community from risks of harm.

Anna Cronin,
Commissioner for Better Regulation,
December 2020

SECTION 1: PROGRAM DELIVERY UPDATE 2018–2020

This update addresses agreed actions delivered by the Victorian Government in response to the Commissioner for Better Regulation's 2017 report, *Getting the Groundwork Right: Better regulation of mines and quarries*.

REFORM CHALLENGES

Increased demand for mine and quarry authorisations and regulation is being driven by rising minerals exploration and development activity, and growing demand for extractive resources to build affordable infrastructure.

An increased focus on balancing competing environmental, social and economic objectives is leading to **greater complexity in regulatory work**.

Concurrent reform and policy initiatives requiring the Regulator's expertise, and external performance audits have heightened the **need to balance the Regulator's capacity for business as usual activities** with competing priorities.



1. PwC, October 2019, Review of Work Plan Guidelines

2. Results from a poll of visitors to the Earth Resources website (earthresources.vic.gov.au) in August 2019

SECTION 1: PROGRAM DELIVERY UPDATE 2018–2020

DELIVERY STATUS AT DECEMBER 2020

The actions, summarised below and detailed from page 6, have focused on improving the performance of Earth Resources Regulation (the Regulator), Victoria’s regulator of earth resource activities including mines and quarries.

PROGRAM HIGHLIGHTS

The Regulator’s risk framework is clearly described, and supports contemporary practice in assessment of the risks in applications.

A new assessments pathway is focusing regulatory effort on operations that pose a greater risk, and giving operators more flexibility to manage their operations with proportionate regulatory oversight.

Consistent regulatory practice and decision making is underpinned by robust standard operating procedures and governance practices.

Clear industry guidance on the preparation of work plans, variations and rehabilitation plans is supporting operators to prepare applications which meet regulatory requirements.

Uplifted engagement with co-regulators is improving regulatory coordination across government.

Administrative processes are established which enable work authority or license holders to consolidate or modernise their work plans, to enhance their usability and compliance.

FUTURE AREAS OF FOCUS

Deliver the Resources Management System Victoria (RMSVIC) ([Action 14](#)).




Progress the legislative reform program to improve interactions between the earth resources and planning system ([Recommendations 3 and 12](#)).



Continue work to embed efficient regulatory practice, and prepare for a future review of cost recovery arrangements in line with the Victorian Government policy ([Recommendation 14](#)).




ACTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Delivered	✓	✓	✓	✓	✓	✓	🔄	✓	✓	✓	✓	✓	✓	🔄	✓
RECOMMENDATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Delivered	✓	✓	✓	🔄	...	🔄	✓	✓	✓	✓	✓	🔄	...	🔄	✓




TABLE KEY


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DELIVERED	DECISION FOR GOVERNMENT	IN PROGRESS


GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 1</p> <p>Implement a new internal system for prioritising and allocating regulatory applications.</p>	 DELIVERED	<p>Developed a system for prioritising and allocating applications: The system was developed to help the Regulator’s staff rank and allocate applications for processing internally, based on their complexity and a weighted score. This score was determined by evaluating the application against nine criteria, ranging from community interest to state economic significance and informed by statutory time frames and community service agreements.</p> <p>Triaged the backlog of applications sitting with the Regulator The system established a strategic approach for tackling the backlog. It continued to operate until June 2018, when it was superseded by the simplified administrative update (or notification) pathway for applications based on the risk of the proposed operations (see Action 5).</p>	<p>The backlog of applications was strategically prioritised for assessment according to:</p> <ul style="list-style-type: none"> • health and safety risk • processing time delay • state economic significance • community concerns • strategic extractive resource in a strategic location • industry risk • application complexity • environmental risk • cultural and infrastructure risk. <p>Complex applications continue to be allocated to more experienced staff for assessment.</p> <p>The backlog was reduced by 40% within 12 months and was subsequently cleared completely for work plan approval.</p>
<p>ACTION 2</p> <p>Increase capacity to assess applications and implement regulatory improvements.</p>	 DELIVERED	<p>Engaged additional staff and contractors to boost the Regulator’s capacity for assessing applications.</p> <p>Established a dedicated reform team to drive improvements in regulatory practice without reducing the Regulator’s capacity (see Recommendation 11).</p>	<p>The Regulator was better resourced to manage the increasing volume and complexity of applications for the duration of the two-year work program. Resources were increased for the two-year program; funding is being sought for ongoing delivery.</p> <p>The additional staff are funded until June 2020 under the 2018-19 State Budget initiative <i>Supporting Low Cost and Affordable Housing</i>.</p> <p>Regulatory practice improvements have been delivered and embedded without significantly impacting the Regulator’s capacity.</p>
<p>ACTION 3</p> <p>Commence a stocktake of standard operating procedures.</p>	 DELIVERED	<p>Delivered a stocktake of the Regulator’s existing standard operating procedures (for mines and quarries):</p> <p>The coverage and adequacy of existing procedures was assessed. This included the review and analysis of the Regulator’s business processes to ensure that interrelated procedures were identified, and opportunities to simplify and consolidate were captured.</p>	<p>The Regulator’s standard operating procedures are:</p> <ul style="list-style-type: none"> • developed, clear and support operational efficiency, they are in the process of being validated and formally approved, priority SOPs have been finalised and published • managed in a platform (compliant with the Department’s records management policy) which supports easy maintenance and governance into the future • in a best practice format and can be indexed quickly to allow for future revision. <p>Consistent regulatory practice and decision making is underpinned by more robust procedures.</p> <p>Regulatory decisions are more consistent across the state.</p> <p>Up-to-date guidance on internal procedures is available to Regulator staff.</p>



GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 4</p> <p>Develop a process to consolidate work plans with subsequent variations.</p>	 DELIVERED	<p>Developed a process to consolidate work plans and variations into a single document.</p> <p>Published guidance on the consolidation process in the Work Plan Guidelines (see Action 5).</p> <p>The consolidation service is now offered to work authority and license holders, free of charge:</p> <p>Selected work authority and license holders were approached by the Regulator to have their work plans consolidated.</p>	<p>Administrative processes are established which enables work authority or license holders to consolidate or modernise their work plans, without:</p> <ul style="list-style-type: none"> changing any regulatory requirements, or causing existing rights to be amended or revoked requiring a statutory approval process, or consultation with relevant planning or referral authorities involving a fee, where no variation is required. <p>The Regulator offers a service to focus the information contained in existing work plans and improve their usability.</p> <p>The benefits of consolidating or modernising work plans to support compliance and streamline future applications are clearly communicated.</p>
<p>ACTION 5</p> <p>Adopt a risk-based approach for processing changes to work plans, and develop supporting guidance.</p>	 DELIVERED	<p>Introduced a simplified administrative update (or notification) pathway, for changes to work plans that do not significantly increase risk, enabling the Regulator to take a proportionate approach to the risk of the proposed change:</p> <p>Previously a work plan variation was required for any change proposed.</p> <p>The new model was set out in three Statements of Operating Change (see Recommendation 1) and supported by the new guidance material described below.</p> <p>Published improved guidance in three Work Plan Guidelines, for:</p> <ul style="list-style-type: none"> extractive industry projects mineral exploration projects mining projects. <p>The Guidelines cover:</p> <ul style="list-style-type: none"> the different application types and information requirements the circumstances under which each application type is required the Regulator’s assessment processes how to undertake a risk assessment. <p>Delivered training to industry on the using the new Guidelines to prepare applications which meet regulatory requirements:</p> <p>Also see Action 12 – Improving education on regulatory obligations.</p>	<p>Application assessment processes are streamlined and risk-based to support leading regulatory practice.</p> <p>Operators have greater flexibility to manage their operations with proportionate regulatory oversight.</p> <p>Regulatory effort is more focused on proposed operations that pose a higher risk.</p> <p>The administrative update pathway is delivering time, effort and cost savings to industry. When compared to the work plan variation process, work plan administrative updates save applicants an average of:</p> <ul style="list-style-type: none"> 110 days in total elapsed time 6 days of effort in preparing and managing their application \$58,000 in total costs¹. <p>Accelerated assessments via the administrative update pathway are enabling industry to bring forward production:</p> <p>By up to 12 months in some cases, with reduced delay and opportunity costs also reported.¹</p> <p>The administrative update pathway and supporting guidance is enabling changes to work plans which do not increase risk to be made more easily, with proportionate regulatory oversight.</p> <p>Industry report that administrative updates can be prepared internally, reducing reliance on external consultants and their associated cost.¹</p> <p>The administrative update pathway is building trust between work authority and license holders and the Regulator.¹</p> <p>Guidance available in the Work Plan Guidelines is well-received and easy to understand.¹ Revised Extractives Work Plan Guidelines were released in October 2020 with a more proportional risk-based approach and clearer guidance.</p> <p>In collaboration with industry, this work will be ongoing to continue to identify and embed regulatory improvements.</p>




GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 6</p> <p>Develop standard risk management plans.</p>	 DELIVERED	<p>Modernised the Regulator’s framework for assessing the risks associated with quarrying, exploration and mining to support leading risk management practice.</p> <p>Published guidance on the suggested risk assessment process, to support applicants in preparing risk management plans for proposed operations.</p> <p>Released example risk templates, that applicants can use to develop their risk management plans.</p> <p>Published example controls (developed in consultation with referral authorities) that operators can choose to adopt or adapt to control hazards on site</p> <p>The updated risk materials above were published in the Work Plan Guidelines (see Action 5) to consolidate relevant information for applicants.</p> <p>This approach was agreed through consultation with stakeholders, as it afforded more flexibility than a standard risk management plan with a prescribed set of activities, hazards, receptors and controls that may not suit every operation and site.</p>	<p>The Regulator’s risk framework is contemporary and supports leading practice in assessment of the risks posed by mine and quarry operations.</p> <p>Clear guidance on the suggested risk assessment process is available to help applicants prepare applications which meet regulatory requirements that can be assessed rapidly by the Regulator.</p> <p>The Regulator provides templates that applicants can use to prepare their risk management plans – improved templates have been developed which reduce information duplication.</p>
<p>ACTION 7</p> <p>Review and amend the standard conditions for work authorities and licences.</p>	 IN PROGRESS	<p>An initial review of the standard conditions for work authorities and licences.</p> <p>Prepared a plan for their amendment, if required at a later date:</p> <p>The amendment project was placed on hold until there is a trigger to amend conditions, noting the amended conditions wouldn’t apply retrospectively.</p>	<p>The adequacy of existing standard conditions for work authorities and licences is clearly documented, with a plan for their amendment in future.</p>
<p>ACTION 8</p> <p>Introduce case managers for strategically significant and complex projects.</p>	 DELIVERED	<p>Introduced key contact and support mechanisms for applications for strategically significant and complex earth resources projects where required:</p> <p>The Regulator’s administrative update pathway and user-friendly guidance on regulatory requirements (see Action 5) have helped to simplify the application process, while maintaining proportionate regulatory oversight.</p> <p>Investment facilitation services for proposed earth resources projects is available from Invest Victoria (see Action 9), particularly for complex projects requiring extensive cross government coordination and negotiation.</p>	<p>Efficient handling of applications for strategically significant and complex earth resources projects is supported by a key contact approach where needed.</p>



GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 9</p> <p>Link with Invest Assist to facilitate investment in the earth resources sector.</p>	 DELIVERED	<p>Established linkage with Invest Victoria, to refer applicants to investment facilitation assistance for proposed earth resources projects.</p> <p>Transferred staff to Invest Victoria to support activation of the facilitation service.</p>	<p>Specialised project facilitation services are available to proponents and operators of strategically significant and complex earth resources projects.</p> <p>Simplified regulatory processes and user-friendly guidance on navigating the regulatory system (see Action 5) is helping to maintain Victoria's reputation as an attractive place to invest.</p>
<p>ACTION 10</p> <p>Improve engagement with councils and refresh guidance on earth resources assessment processes.</p>	 DELIVERED	<p>Lifted engagement with planning authorities including councils, to clarify earth resources assessment processes and drive improved interactions with the planning system.</p> <p>Delivered a series of dedicated sessions for planners across the State in partnership with DELWP, to jointly:</p> <ul style="list-style-type: none"> consult on proposed Stage 1 planning reforms to support Victoria's extractive industries, as outlined in the <i>Joint Ministerial Statement</i> (see Recommendation 2) engage with councils on related earth resources initiatives, including remaking of the extractive and mineral industries regulations, regulatory improvements and guidance on resources assessment processes published in the Work Plan Guidelines (see Action 5). 	<p>Councils have been engaged throughout, on efforts to improve regulatory practice, including:</p> <ul style="list-style-type: none"> consultation on proposed planning reforms to support Victoria's extractive industries what councils can expect during different types of applications for earth resources projects the support available to councils from the Regulator, to assist where earth resources applications are considered infrequently. <p>Clear guidance (see Action 5) is available to councils on:</p> <ul style="list-style-type: none"> the Regulator's risk-based approach to processing applications for earth resources projects earth resources assessment processes.
<p>ACTION 11</p> <p>Convene an Earth Resources Approvals Coordination Group to:</p> <ul style="list-style-type: none"> resolve logjammed applications consider streamlining of assessments across government advise on improvements to the overarching legislative and regulatory framework. 	 DELIVERED	<p>Established an Earth Resources Approvals Coordination Group which met four times in 2017-18, bringing together senior representatives from relevant agencies including:</p> <ul style="list-style-type: none"> Department of Premier and Cabinet Department Jobs, Precincts and Regions Department Environmental, Land, Water and Planning Environment Protection Authority Victorian Planning Authority <p>This Group served an important function as reform efforts commenced. However, as regulatory practice improved, the number of log jammed applications submitted to the Group dwindled. In 2019, it was agreed that the Group's remaining functions to consider cross-cutting strategic and regulatory earth resources policy issues should be progressed through existing interdepartmental committees with similar membership and purpose.</p>	<p>A clear pathway was available for escalating disputes about specific applications for earth resources projects while initial regulatory practice improvements were operationalised.</p> <p>Applications for earth resources projects rarely become log jammed in the regulatory system, which is underpinned by:</p> <ul style="list-style-type: none"> the simplified administrative updates (or notification) pathway introduced by the Regulator (see Action 5) appointment of case managers to applications for strategically significant and complex earth resources projects (see Action 8) efforts to increase transparency on the status of applications (see Action 15). <p>Strong linkages are established with co-regulators and open lines of communication enable rapid resolution of cross-cutting issues.</p>



GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 12</p> <p>Improve stakeholder engagement capability and communication practices, including:</p> <ul style="list-style-type: none"> • sharing guidance on policy and operational changes • educating industry on regulatory obligations • feedback management. 	<p> DELIVERED</p>	<p>Increased efforts to share guidance on regulatory and operational changes, and communicate changes more widely. This included:</p> <ul style="list-style-type: none"> • regular updates to stakeholders in an email newsletter covering the Regulator’s activities and changes impacting the sector • change support during transition to the remade mineral and extractive industries regulations in mid-2019 and early 2020 • timely development of industry guidance on changing or new regulatory obligations, such as: <ul style="list-style-type: none"> – Preparation of Rehabilitation Plans: Guideline for Mining and Prospecting Projects – Advertising Requirements: Guideline for Minerals Exploration, Mining and Prospecting License Applications. <p>Refreshed information and guidance on regulatory requirements, to provide a clearer understanding and improved compliance. This included:</p> <ul style="list-style-type: none"> • a refresh of content and increased visibility on the Earth Resources website (see Recommendation 7) • new Work Plan Guidelines and training sessions across the State on how to prepare applications and undertake risk assessments, to assist industry in transitioning to the risk-based approach (see Action 5). <p>Appointed an industry specialist to a senior stakeholder liaison role, to:</p> <ul style="list-style-type: none"> • liaise with earth resources stakeholders both internal and external to government, providing a case management approach to facilitate a speedy resolution of queries and feedback • update the internal complaints handling procedure, including appropriate escalation points • strengthen relationships and communication practices between the Regulator and its stakeholders • provide high level industry expertise to support delivery of effective regulatory practice improvements • drive industry familiarisation for internal staff. 	<p>Compliance with regulatory obligations is supported through up-to-date and easy to understand information on regulatory requirements on the Earth Resources website (see Recommendation 7):</p> <p>The information is written in plain English where possible and communicated in a visual and engaging format to improve understanding.</p> <p>Regulatory and operational changes are proactively communicated to stakeholders via a range of channels.</p> <p>Timely updates have been made to external guidance, forms, templates and the Regulator’s operational documents to maintain alignment with changing regulations.</p> <p>Stakeholders can sign up to receive regular updates on the Regulator’s activities and changes impacting the earth resources sector.</p> <p>Queries, feedback and complaints can be provided to the right person in the Regulator easily through clearly communicated contact details.</p> <p>Stakeholder feedback is being managed effectively by an industry specialist who is empowered to facilitate quick resolution where needed:</p> <p>Within 18 months, 110 queries have been resolved by the Principal Stakeholder Liaison within an average resolution time of approximately two days.</p> <p>The different query types and volumes are being used internally as an input to inform future areas of focus.</p> <p>Complaints are managed appropriately, in accordance with a transparent complaints policy and procedure:</p> <p>These efforts have been effective in strengthening relationships with stakeholders during a period of significant change in the Regulator.</p>



GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 13</p> <p>Build engineering, regulatory and technical expertise and offer internships for tertiary students with a focus on regional placements.</p>	<p></p> <p>DELIVERED AND ONGOING</p>	<p>Established a capability framework to identify skill development programs, using best practice learning and development methods. This included:</p> <ul style="list-style-type: none"> • an online (e-learning) induction program for new starters which includes operating context, regulatory framework and processes, as well as relevant internal information (also Recommendation 8) • profiling of existing capabilities to guide learning and development needs • development of capability framework that identifies core, performance, leadership and technical skills for each role from VPS3 to VPS6 level • a catalogue of training programs that can be accessed by all staff (also Recommendations 8 and 9). <p>Supported staff to undertake learning and development to build expertise:</p> <p>Engaged a dedicated staff member to provide learning and development and recruitment services, ensuring focus and structure in these areas.</p> <p>Over the past 24 months, training has included:</p> <ul style="list-style-type: none"> • customisation of a Certificate IV in Government Investigations qualification, completed by all Authorised Officers • recruitment of a Graduate Environmental Engineer • completion of technical training including understanding the legislative framework and obligations, client Interaction defensive tactics, risk assessment and management, integrity obligations, safety planning and regulatory decision making • on job training of four additional Assessment Officers. <p>See Recommendations 8, 9 and 10</p>	<p>The Regulator’s existing and required capabilities are set out in a comprehensive capability framework, which is guiding recruitment and learning and development planning for staff.</p> <p>A recruitment and workforce strategy is in place, which is ensuring recruitment efforts are targeted to attract candidates with the right expertise.</p> <p>An improved induction program is in place to ensure new staff understand the Regulator’s role, and interfaces with other regulators and agencies.</p> <p>Structured training programs and support is available to staff, and documented in a training catalogue.</p> <p>Regulator staff in compliance, technical services and statutory authorisations have recently upskilled in risk management through training on the ‘bow tie’ methodology.</p>



GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>ACTION 14</p> <p>Improve the Resource Rights and Allocation Management (RRAM) system to deliver greater functionality and user-friendliness.</p>	 <p>IN PROGRESS</p>	<p>Delivered 425 enhancements to the RRAM system, to:</p> <ul style="list-style-type: none"> • redevelop the web forms used by industry to support correct data entry • remove redundant and duplicative data fields • amend the document upload limitations and requirements • provide more guidance to support improved user experience • update the fee calculation functionality • improve internal data management. <p>Through the extensive technical analysis required to deliver these enhancements, it became apparent that the limitations of the dated platform on which the system is based means it cannot be further developed to meet industry or business needs.</p> <p>To make the best use of effort the enhancement project was closed, and system support reverted to business as usual levels. The project team in place were reassigned to begin gathering requirements, analysing and designing a new system to be based on a more recent and supported version of the Salesforce cloud service which can deliver the necessary functionality.</p>	<p>425 enhancements to the existing RRAM system have delivered some improvements and increased user-friendliness:</p> <p>86% of industry users believe these changes were positive.</p> <p>Further effort is not being invested in enhancing the existing system, which cannot be further developed to meet user needs.</p> <p>Design of a new system is progressing quickly due to assignment of a highly skilled team with a detailed understanding of the sector, business and system requirements gleaned through the initial enhancement project:</p> <p>The replacement system is being designed to provide workflow, customer interface and compliance functionality to enhance its use as a tool for contemporary regulation.</p> <p>This timing enables concurrent changes to earth resources policy, regulations, guidance, operating procedures and work instructions to be fully incorporated in the design.</p> <p>Foundation development that will be required for any new system is on track for delivery subject to budget decisions.</p>
<p>ACTION 15</p> <p>Increase transparency on the status of applications, by:</p> <ul style="list-style-type: none"> • sending weekly email updates to applicants • building real-time tracking of applications into RRAM. 	 <p>DELIVERED</p>	<p>Sent weekly email updates to applicants, advising them of the status of applications submitted to the Regulator:</p> <p>After the backlog of work plan applications was cleared (see Action 1) and transparency around the status of applications was increased through improved reporting, weekly update emails were no longer required.</p> <p>Scoped building real-time tracking of applications into RRAM:</p> <p>The enhancement project sought to deliver speedy changes to RRAM that would provide material improvements to end users. Through scoping and technical analysis of the proposed changes it was determined that building real-time tracking functionality into RRAM would require months of effort to develop, test and deploy successfully.</p> <p>It was agreed that this effort could not be justified and should instead be focused on building application tracking functionality into the design of the new system that will replace RRAM (see Action 14).</p>	<p>The status of applications sitting with the Regulator is more transparent. This has been supported by:</p> <ul style="list-style-type: none"> • streamlining the Regulator’s application handling practices as part of moving to a risk-based assessments model (see Action 5) • work to improve communication practices (see Action 12) and clarify what applicants can expect when interacting with the Regulator (see Recommendation 1). <p>Real-time tracking of applications is a fundamental requirement that has been incorporated into the design of the system that will replace RRAM.</p>

GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>RECOMMENDATION 1</p> <p>Release a Statement of Operating Change to explain the risk-based approach for processing changes to work plans.</p>	 DELIVERED	<p>Published three Statements of Operating Change on the Earth Resources website, setting out the Regulator’s risk-based approach for processing applications:</p> <ul style="list-style-type: none"> our New Approach to Earth Resources Regulation published on 30 May 2018 Extractives published on 31 July 2018 Minerals published on 16 October 2018. 	<p>The Regulator’s commitment to improving the way it regulates earth resources operations is explicit.</p> <p>The key principles followed by the Regulator in working towards a better regulatory system that focuses on outcomes, minimises costs to businesses, meets community expectations and supports government objectives are clear.</p> <p>Guidance on what stakeholders can expect when interacting with the Regulator is available.</p> <p>The Regulator’s risk-based approach for processing changes to work plans is clearly explained with supporting guidance (see Action 5).</p>
<p>RECOMMENDATION 2</p> <p>Work with DELWP to clarify interactions between the earth resources and planning systems, by delivering:</p> <ul style="list-style-type: none"> a planning practice note a joint statement from the Minister for Resources and the Minister for Planning. 	 DELIVERED	<p>Published Planning Practice Note 89: Extractive industry and resources. The Note provides information and guidance on:</p> <ul style="list-style-type: none"> current extractive industry assessment processes, to support their interaction with decisions under the planning system and the Regulator’s transition to a risk-based approach the Victorian Government’s initiatives to protect and expand extractive resources and improve regulation of the extractive industry to meet future demand. <p>Released the Joint Ministerial Statement on Extractive Resources, by the then-Minister for Resources with the Minister for Planning</p> <p>The Statement sets out six initiatives to implement planning-related priority actions from the Helping Victoria Grow: Extractive Resources Strategy.</p>	<p>Interactions between the earth resources and planning system are set out clearly in a planning practice note:</p> <p>Work to improve these interactions has commenced and is being progressed as part of the Department’s work program (see Recommendations 3 and 12).</p> <p>Tailored guidance on assessment processes is available to planning authorities (usually council) who may consider earth resources applications infrequently.</p> <p>A range of planning-related initiatives are being actioned across government to improve the regulation and protection of the extractive industry and resources.</p>
<p>RECOMMENDATION 3</p> <p>Work with DELWP to enable concurrent applications for work plans and planning permits.</p>	 IN PROGRESS	<p>Work is underway to better coordinate work plan and planning permit assessment processes This has included:</p> <ul style="list-style-type: none"> development of options for legislative and Victoria Planning Provisions amendments initial consultation on potential options with government stakeholders and co-regulators working with DELWP Planning to test and refine potential options. 	<p>Work is underway to better align work plan and planning permit assessment processes:</p> <p>Progression of this work continues to be heavily reliant on DELWP.</p>

GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>RECOMMENDATION 4</p> <p>Work with DELWP on guidelines for Strategic Resource Areas, to support the option of making the Minister for Planning the responsible authority for planning approvals in these areas.</p>	 <p>IN PROGRESS</p>	<p>The Victorian Government's Helping Victoria Grow: Extractive Resources Strategy commits to updating mapping and planning provisions, to better define areas for future potential extractive industries and secure them in the planning system.</p> <p>The Strategic Extractive Resource Areas (SERA) pilot project is a priority initiative of the Extractive Resources Strategy. The initial pilot is a partnership between the Victorian Government (DJPR and DELWP), Wyndham City Council and South Gippsland Shire Councils.</p> <p>The project is using existing provisions available in the Victorian planning system to help secure strategic extractive resources in defined locations.</p> <p>Planning provisions to underpin implementation of the strategic extractive resource areas are developed for the initial pilot projects. Public consultation on draft proposals has been undertaken.</p>	<p>SERA Pilot Project partners selected, and pilot projects launched in South Gippsland and Wyndham.</p> <p>Investigations for the SERA Pilot Projects are well advanced with public consultation on draft proposals.</p>
<p>RECOMMENDATION 5</p> <p>Create codes of practice to reinforce each standard risk management plan.</p>	<p>● ● ●</p> <p>DECISION FOR GOVERNMENT</p>	<p>Reviewed existing codes of practice to support introduction of the Regulator's risk-based assessments model (see Action 5):</p> <p>Example risk controls, guidance and templates that applicants could use or adapt to complete their risk management plan (see Action 6) were set out in three Work Plan Guidelines for extractives, exploration and mining (see Action 5).</p> <p>Through subsequent discussions with stakeholders, it was agreed that reinforcement of this approach in a code of practice was unlikely to deliver greater practical effect to the regulatory standards set out in the Guidelines and may be duplicative.</p> <p>Prepared a plan to create a code of practice which reinforces the standard risk management approach, if required at a later date.</p>	<p>The scope and operation of existing codes of practice has been recently reviewed and clearly documented.</p> <p>A plan to create code(s) of practice is available if it is needed in the future:</p> <p>Codes of practice will be revisited if an outcomes-based regulatory framework for earth resources is implemented (see Action 5).</p> <p>Implementing this framework would be reliant on legislative amendments and will be considered through the legislative program.</p>
<p>RECOMMENDATION 6</p> <p>Work with DELWP and councils to encourage local supply of construction materials for infrastructure projects.</p>	 <p>IN PROGRESS</p>	<p>See Recommendation 4</p>	

GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>RECOMMENDATION 7</p> <p>Revamp the Earth Resources website and include:</p> <ul style="list-style-type: none"> information on assessment processes for earth resources applications mapping and regulatory information from across government. 	 <p>DELIVERED</p>	<p>Reviewed and refreshed content published on the Earth Resources website to improve its usability and relevance.</p> <p>Launched a redeveloped Earth Resources website at earthresources.vic.gov.au:</p> <p>The redeveloped website lifts the visibility of information about earth resources assessment processes to the highest possible level.</p> <p>'Licensing & approvals' is the at the top level of the website's user-centric navigation menu. It is visible and accessible from all pages on the website.</p> <p>Elevated GeoVic's visibility on the Earth Resources website and refreshed information about how to use it, its features and functionality:</p> <p>GeoVic is a free online mapping application managed by the Geological Survey of Victoria.</p> <p>It provides information about earth resource tenements, geology, planning, water, native title boundaries, areas of cultural heritage sensitivity and more. New layers are added regularly.</p>	<p>Community, industry and government stakeholders have access to quality information about Victoria's earth resources and regulatory requirements:</p> <ul style="list-style-type: none"> respondents to a poll of website visitors in August 2019 showed that 84% of visitors found the information they needed <p>The Earth Resources website:</p> <ul style="list-style-type: none"> delivers improved user experience through user-centric design and greater functionality provides up-to-date content presented in a visual and engaging format, to improve user's understanding offers users a quick, easy and effective way to find content through a functional search with filter and refine options includes a responsive design which adapts to the device on which it is accessed, to lift usability reinforces brand identity as an authority in the Victorian resources sector is managed by a digital specialist, with a governance framework and content strategy to deliver continuous improvements meets Victorian Government digital standards and international accessibility standards. <p>Comprehensive maps and datasets relevant to earth resources are freely available to community and industry through GeoVic:</p> <p>Users can build tailored maps and also access, search and download data from a huge range of sources drawn from across government. More than 1200 layers are available and new layers are added frequently.</p>
<p>RECOMMENDATION 8</p> <p>Refine and extend induction and training programs for staff, focusing on:</p> <ul style="list-style-type: none"> role, regulatory functions and processes relationships with other regulators. 	 <p>DELIVERED AND ONGOING</p>	<p>Delivered an online (e-learning) induction program for new starters, as part of the Regulator's capability framework (see Action 13).</p> <p>Supported staff to undertake learning and development with other regulators and agencies (see Action 13 and Recommendation 9).</p> <p>Collaborated with other regulators and agencies to build relationships, identify training opportunities and enable shared learning (see Recommendation 9).</p>	<p>On commencing with the Regulator, new staff undertake an e-learning induction program which clearly explains:</p> <ul style="list-style-type: none"> the Regulator's operating context earth resources regulatory framework and processes interfaces with other regulators and agencies relevant interval information. <p>See Action 13, Recommendations 9 and 10</p>

GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>RECOMMENDATION 9</p> <p>Collaborate with other regulatory authorities and policy development areas on joint training and secondment opportunities.</p>	 DELIVERED AND ONGOING	<p>Offered secondments to and from the Regulator’s assessments, compliance and governance functions:</p> <p>With a focus on placements which enabled learning from other regulatory agencies, including from DELWP and Agriculture Victoria.</p> <p>Shared training resources from other regulators:</p> <p>Gained access to EPA’s Authorised Officer training resources, enabling the Regulator to continuously improve its training methods.</p> <p>See Action 13 and Recommendation 8</p>	<p>The Regulator is able to access training materials from other authorities.</p> <p>Uplifted engagement with other regulators is helping the Regulator to identify and leverage relevant training opportunities.</p> <p>Secondments to and from the Regulator have enabled staff to learn transferable skills from:</p> <ul style="list-style-type: none"> • DELWP Biosecurity and Agriculture Services • VicForests • EPA • VCGLR Policy • Transport for Victoria • Regional Development Victoria • DJPR Forestry & Game • DJPR Inclusion • Creative Victoria <p>See Action 13</p>
<p>RECOMMENDATION 10</p> <p>Embed stakeholder engagement by providing:</p> <ul style="list-style-type: none"> • site visits and industry information sessions • training on leading regulatory practice 	 DELIVERED	<p>Commenced an industry familiarisation program for Regulator staff:</p> <p>The program includes site visits and industry information sessions for all staff, to improve practical knowledge of mining and quarrying.</p> <p>The visits have provided staff with valuable first-hand experience of industry operations, and the opportunity to learn directly from operators.</p> <p>The program has included:</p> <ul style="list-style-type: none"> • Boral Quarries Deer Park and Montrose • Castlemaine Goldfields’ Ballarat Gold Mine • Holcim’s Oaklands Junction Quarry • Mandalay Resources’ Costerfield Gold and Antimony Mine <p>Established a capability framework to guide targeted ongoing learning and development (see Action 13).</p> <p>Utilised opportunities to learn from other regulators through a Community of Practice, joint training and secondments (see Recommendation 9).</p> <p>Supported staff to undertake training to improve regulatory practice (see Action 13):</p> <p>This has included training in regulatory decision making, risk assessment and management and government investigations for Authorised Officers.</p>	<p>An ongoing industry familiarisation program is building practical industry knowledge amongst Regulator staff:</p> <ul style="list-style-type: none"> • staff are supported to participate in and contribute to relevant industry conferences and forums and visit a new mine or quarry annually. Priority is given to new starters as part of their induction • six months into the program, 35% of staff have gained valuable first-hand experience of industry operations and benefited from discussions with experienced operators. <p>Regulator staff are better informed about leading regulatory practice, and can access structured training programs and support (see Action 13).</p> <p>Staff regularly assess their own performance against attributes associated with high performing environmental regulators on a regular basis, and provide input which guides areas for future improvement.</p> <p>Efforts to build stakeholder engagement capability and lift communication practices (see Action 12) are helping to build confidence in the Regulator.</p>

GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>RECOMMENDATION 11</p> <p>Ensure sufficient resources are in place to implement this report, with a focus on change management.</p>	 DELIVERED	<p>Developed a plan to implement Getting the Groundwork Right, with a focus on change management.</p> <p>Secured funding in the 2018-19 State Budget to deliver the planned work program and related regulatory practice improvements, between January 2018 and June 2020.</p> <p>Established a dedicated team to drive delivery of the work program and minimise impacts on the Regulator's capacity for core functions:</p> <p>Change management capability was recruited into the team. A key focus was ensuring that Regulator staff were supported to implement the critical regulatory improvements.</p> <p>Delivered the initiatives set out in this report, and identified opportunities for further improvement beyond June 2020.</p>	<p>Delivery of all the initiatives outlined in this document have been enabled by government's investment into Earth Resources Regulation and the Regulatory Transition Taskforce for the program to June 2020:</p> <p>This funding has achieved outcomes which benefit industry, community and support Victoria's infrastructure pipeline.</p> <p>Key outcomes from the program are set out on page 1 of this report:</p> <p>Stakeholder feedback on the changes delivered to date has been positive, acknowledging the progress made by the Regulator and the delivery of noticeable performance improvements. However, there is a strong expectation that reform momentum will be sustained and that further improvements will be delivered.</p> <p>Through this program, additional opportunities to deliver efficiencies and drive continuous improvement have been identified. These opportunities are being considered as part of the Department's.</p>
<p>RECOMMENDATION 12</p> <p>Examine the effectiveness of the current legislative framework and consider developing a new Act.</p>	 IN PROGRESS	<p>Analysed the existing legislative framework for mining and quarrying, including stakeholder concerns and process issues.</p> <p>Developed a staged approach to address the core policy problems identified:</p> <ul style="list-style-type: none"> extended timeframes for assessment processes excessive regulatory burden and uncertainty compromised public and stakeholder confidence. <p>Created a high-level proposal to reform the <i>Mineral Resource (Sustainable Development) Act 1990</i>, seeking to:</p> <ul style="list-style-type: none"> achieve better outcomes for industry, community, government, the economy and environment from mining and quarrying activities improve the efficiency of decision-making processes for works approvals improve the regulation of risks from mining and quarrying activities under all relevant legislation improve transparency in regulatory decision-making reduce duplication of government effort build community confidence in the sector, including by enabling early public input into decisions on land use and resource development. 	<p>A high-level proposal to reform the legislative framework for mining and quarrying has been developed, which can:</p> <ul style="list-style-type: none"> clarify interactions with other Acts create robust and efficient works approval processes enable an outcomes-based approach to decision making.

GETTING THE GROUNDWORK RIGHT REPORT REFERENCE	STATUS AT DEC 2020	ACTIONS TAKEN	OUTCOMES ACHIEVED
<p>RECOMMENDATION 13</p> <p>Assess whether the Regulator’s structure and governance arrangements support leading regulatory practice.</p>	<p>•••</p> <p>DECISION FOR GOVERNMENT</p>	<p>The key considerations in this decision would be the risks regulated, the degree of specialisation required and the balance between prescription and regulator discretion in the regulatory framework.</p> <p>An assessment would be able to highlight the possible regulatory improvements which could be obtained, the legislative changes which would be needed and the additional costs of establishing a new statutory authority.</p>	
<p>RECOMMENDATION 14</p> <p>Begin to increase cost recovery for regulatory activities, no earlier than July 2020.</p>	 <p>IN PROGRESS</p>	<p>Commenced a program of regulatory improvements to embed efficient regulatory practice:</p> <p>The work program includes recommendations from Getting the Groundwork Right, as set out in this report. Consistent with Victorian Government policy and this recommendation, further work is required to:</p> <ul style="list-style-type: none"> • consult with industry and other stakeholders on the right model for cost recovery • establish a clear baseline on the efficient cost base for the Regulator. <p>Once these actions are completed, the Department intends to make amending regulations to implement the preferred model for cost recovery. This would involve a comprehensive assessment of the royalty methodology, and establishment of fees that reflect the efficient cost base.</p>	

SECTION 2: REVIEW OF IMPLEMENTATION PLAN PROGRESS

An implementation plan was released in May 2018 to set out the regulator's approach to implementing the Getting the Groundwork Right report.

This section summarises progress against that plan.

WORKSTREAM	STATUS
OUTCOMES-BASED APPROACH	Significant progress made with statements of operating change developed and released, and a risk-based streamlined approvals pathways implemented.
CAPABILITY UPLIFT	Improvements in application handling implemented, standard operating procedures being developed and rolled out and new catalogue of training packages rolled out for skills and capability uplift. The Earth Resources website has been redeveloped, and improvements have been made to RRAM and the approach to stakeholder management as flagged.
REGULATORY SYSTEM	Planning practice policy reform has made significant progress, with a Joint Ministerial Statement released to guide government actions across the mining and planning portfolios. Planning Practice Note PPN89 was released in 2019 and seven priority quarry projects have been approved through the Hot List process. The Department has also consulted with key stakeholders on more substantive legislative reform for works approvals and is using the feedback to inform a proposal for the government's consideration. There are also new regulations in place across the minerals and extractives sectors, the remake of both sets of regulations included reforms in response to the Getting the Groundwork Right report. The longer-term projects covering legislative reform, cost recovery and governance arrangements are for consideration by government and planning is in train.
EXTRACTIVE RESOURCES STRATEGY	Significant progress has been made to implement the efficient regulation theme of the Strategy, which commits to implementing the recommendations of the <i>Getting the Groundwork Right Report</i> . Longer term actions in the Getting the Groundwork Right Report as they relate to the extractives sector SERA program are being implemented under the Extractive Resources Strategy work program.

SECTION 3: DELIVERY UPDATE FOR PERIODIC REVIEWS

Two periodic reviews have been undertaken by the Commissioner for Better Regulation since the report was released. They were released in October 2019 and April 2020.

Each review identified areas of focus for the regulator in the continuing program to deliver the identified reforms. This section provides a brief update on the areas highlighted.

October 2019 First Periodic Review of Progress

Areas highlighted for delivery

FOCUS AREAS IDENTIFIED	STATUS
STATEMENTS OF OPERATING CHANGE	Released
RESOURCE RIGHTS ALLOCATION AND MANAGEMENT SYSTEM	New system in development to replace RRAM (Resources Management System Victoria – RMSVIC).
STANDARD RISK MANAGEMENT PLANS	Replaced by example risks which support work plan development and are published in work plan guidelines.
STANDARD OPERATING PROCEDURES	Suite of SOP produced.
JOINT MINISTERIAL STATEMENT FROM MINISTERS FOR PLANNING AND RESOURCES	Released
ERR'S CULTURE AND PRACTICE	Ongoing operational improvements and staff familiarisation program.
EARTH RESOURCES APPROVALS CO-ORDINATION GROUP	Group was established and met throughout 2018. Now disbanded.

SECTION 3: DELIVERY UPDATE FOR PERIODIC REVIEWS.

April 2020 Second Periodic Review
of Progress

Areas highlighted for delivery

FOCUS AREAS IDENTIFIED	STATUS
EVALUATION OF THE WORK PLAN AND NOTIFICATION GUIDELINES	In progress
REDEVELOPMENT OF THE RESOURCE RIGHTS ALLOCATION AND MANAGEMENT (RRAM) SYSTEM	In progress
FURTHER WORK TO GIVE EFFECT TO THE JOINT MINISTERIAL STATEMENT	In progress - Work is underway to better define Victoria's strategically important extractive resource areas, and to apply suitable planning provisions to secure these areas.
CHANGE MANAGEMENT PLAN TO IMPLEMENT SOPS	In progress - A SharePoint site has been set up for easy access to approved and in-effect Standard Operating Procedures. A revised SOP development process has been approved and is in place.
LEGISLATIVE CHANGE AGENDA	In planning
INDUSTRY FAMILIARISATION	Program in place – impacted by social distancing requirements.
ERR STAKEHOLDER CHARTER	The Regulator has finalised its Stakeholder Engagement Charter. The charter outlines their approach to stakeholder engagement within the boundaries of its roles and responsibilities as a regulator to drive better outcomes through improved working relations and encourage feedback to inform improvements and better ways of working. The Charter was developed with input from across the Regulator and in consultation with the Regulator's industry stakeholder reference group.
VICTORIA STATE BUDGET WILL SUPPORT THE IMPLEMENTATION OF THE EXTRACTIVE RESOURCES STRATEGY	In progress
INVESTMENT SUPPORT ROLE FOR INVEST ASSIST	In place

SECTION 4: ADDITIONAL REGULATORY REFORMS

The table below sets out additional work done or in progress to continue the reform effort against the identified actions and recommendations

FURTHER ACTIONS TAKEN OR IN PROGRESS			
<p>Action 1</p> <p>Updated the Regulator’s online portal for applications (RRAM) to clearly identify information considered during the allocation and prioritisation process.</p> <p>Introduced a simplified administrative update (or notification) pathway in the Regulator, with graduated pathways for applications based on their risk:</p> <p>The simplified pathways are part of an ongoing effort to embed a risk-based regulatory approach and focus effort on higher risk activities (see Action 5).</p>	<p>Action 3</p> <p>Redeveloped the Regulator’s standard operating procedures based on the stocktake findings:</p> <p>68 procedures were redeveloped, covering the Regulator’s licensing, assessment and compliance functions across the minerals, extractives and onshore petroleum sectors.</p> <p>Commenced development of supporting guidance material for staff:</p> <p>This includes work instructions, to sit underneath the procedures and provide additional step-by-step detail where required.</p> <p>Efforts to update the procedures for concurrent reforms and regulatory changes are ongoing.</p>	<p>Action 6</p> <p>Delivered training on the suggested risk assessment process to industry.</p> <p>Commenced work to scope joint guidance with co-regulators, to explore acceptance levels for joint controls and associated referral requirements.</p>	<p>Action 6</p> <p>Delivered training on the suggested risk assessment process to industry.</p> <p>Commenced work to scope joint guidance with co-regulators, to explore acceptance levels for joint controls and associated referral requirements.</p>
<p>Action 2</p> <p>Undertook workforce planning to clarify the staffing levels needed to continue to meet demands for assessments, licensing and other core functions performed by the Regulator.</p>	<p>Action 4</p> <p>Developed a complementary process to modernise work plans approved prior to 2015 into the risk-based format.</p> <p>Published guidance on the modernisation process in the Work Plan Guidelines (see Action 5)</p> <p>The modernisation service is now offered to work authority and license holders, free of charge.</p>	<p>Action 5</p> <p>Engaged PwC to undertake a preliminary independent review of the administrative update pathway after six months in operation.</p> <p>Engaged PwC to undertake an independent evaluation of the administrative update (or notification) pathways and risk approach for processing applications after 12 months in operation.</p> <p>Designed an outcomes-based regulatory framework, for consideration as part of the ongoing legislative reform program:</p> <p>This included a review of existing codes of practice to assess possibilities for their expansion, and assessment of the data needed to profile a low risk mine or quarry that would inform the new model.</p> <p>Opportunities to improve data collection are being progressed, through redevelopment of the RRAM system (see Action 14) and future regulatory changes. This data is needed to establish an evidence base which could inform and guide future reform.</p>	<p>Action 8</p> <p>Work is underway to better define Victoria’s strategically important extractive resource areas, and to apply suitable planning provisions to secure these areas (see Recommendation 4).</p>

SECTION 4: ADDITIONAL REGULATORY REFORMS

The table below sets out additional work done or in progress to continue the reform effort against the identified actions and recommendations

FURTHER ACTIONS TAKEN OR IN PROGRESS			
<p>Action 10</p> <p>See Recommendations 2 and 3</p> <p>Commenced work to improve interactions between the Regulator, EPA and DELWP:</p> <p>Issues and opportunities for improvement are being investigated in cooperation with the relevant agency. This includes consideration of administrative updates (see Action 5).</p> <p>Once any underlying problems have been resolved, the preferred solution will be implemented using the best available tools or reflected in the relevant memorandum of understanding as appropriate.</p>	<p>Action 12</p> <p>Commenced a refresh of the Regulator’s technical guidance:</p> <p>This guidance is intended to assist applicants who must provide further information about certain activities to the Regulator as part of their work plan or variation, in order to meet regulatory requirements.</p> <p>A geotechnical guideline for terminal and rehabilitated quarry slopes is in progress, and a blasting guideline is being scoped.</p>	<p>Action 13</p> <p>Implemented a recruitment and workforce strategy:</p> <p>The strategy identified and coordinated recruitment activities against regulatory priorities. However, staff turnover predominantly created by recruitment policy changes is an ongoing challenge which continues to hinder capability building and industry familiarisation efforts.</p> <p>Strategies are in place to improve retention and prepare for the upcoming workforce relocation to the Latrobe Valley GovHub in early 2021, including a staging location in Ellinbank to facilitate recruitment within the Gippsland region prior to relocation.</p> <p>Developed a Community of Practice:</p> <p>Working with learning and development staff from other regulators is providing ongoing support in identifying technical training providers, plus access to Authorised Officer training material.</p> <p>Organisational structural changes in Technical Services:</p> <ul style="list-style-type: none"> creation and recruitment of Assistant Director, Technical Services reporting to the Executive Director filled the long-standing Geotechnical Engineer vacancy currently recruiting the long-standing Petroleum Engineer vacancy recruitment of a Graduate Geotechnical Engineer is targeted for the 2020-21 graduate intake. <p>Opportunities for tertiary students:</p> <p>Applied for two Stepping Into internships via the Australian Network on Disability, providing opportunities for students with a disability who are completing their degree to gain industry experience for two to three months.</p>	<p>Action 15</p> <p>Cleared the backlog of applications sitting with the Regulator (see Action 1).</p> <p>Clarified the steps in the assessment process in the Work Plan Guidelines (see Action 5).</p> <p>Refreshed the Regulator’s performance reporting:</p> <p>The refreshed reports include a monthly snapshot of activities relating to licensing and work plan assessments. The snapshot includes details aimed at increasing transparency on the status of applications, such as:</p> <ul style="list-style-type: none"> which stage of the application process each item is at when it was submitted whether it is sitting with the applicant or the Regulator for action the number of days it has been sitting with the Regulator. <p>Elevated GeoVic’s visibility on the Earth Resources website to support easy access to information about earth resources tenements (see Recommendation 7).</p>

SECTION 4: ADDITIONAL REGULATORY REFORMS

The table below sets out additional work done or in progress to continue the reform effort against the identified actions and recommendations

FURTHER ACTIONS TAKEN OR IN PROGRESS			
<p>Recommendation 1</p> <p>The Statements also set out the Regulator’s commitment to:</p> <ul style="list-style-type: none"> implement actions approved by the Victorian Government in response to Getting the Groundwork Right apply a proportionate approach to regulation by focusing effort where it is needed build confidence in the regulatory system through clear guidance to support consistent decision making target regulatory intervention address risks consistently work cooperatively with stakeholders simplify regulatory requirements and processes helping operators to make administrative changes to modernise their work plans, to provide flexibility while maintaining compliance with regulatory obligations. <p>See Actions 5 and 6</p>	<p>Recommendation 4</p> <p>Public consultation on draft proposals for the SERA Pilot Projects.</p> <p>Implementation of SERAs in Wyndham and South Gippsland in the planning system expected in 2021 (subject to public consultation and the Minister for Planning’s approval):</p> <p>Any guidelines to support implementation of the planning provisions for the proposed SERAs would be developed following consultation and confirmation of provisions.</p> <p>Progressive roll out of SERAs in other strategic supply locations over the short to medium term, building on the learnings from the pilot projects.</p>	<p>Recommendation 9</p> <p>Contributed to a Community of Practice:</p> <p>Developed new, and maintained existing, relationships with other enforcement agencies and regulators to identify and leverage joint training opportunities.</p> <p>Utilised Authorised Officer training opportunities with other regulators:</p> <p>Where the Regulator does not have the critical mass to deliver group training, opportunities with other regulators have been utilised. Examples include:</p> <ul style="list-style-type: none"> a Compliance staff member is completing Certificate IV Authorised Officer training with a group from Agriculture Victoria a Compliance staff member is completing a Diploma in Investigations with the Victorian Fisheries Authority. <p>This approach has the additional benefit of developing relationships and networks at the officer level.</p>	<p>Recommendation 10</p> <p>Continued regular self-assessments of capability against attributes of high performing environmental regulators:</p> <p>The AELERT Modern Regulator Improvement Tool is used by the Regulator on a regular basis to identify strengths and areas for improvement, through self-assessment against a range of attributes associated with leading regulatory practice.</p> <p>The findings are an indicator used by the Regulator to gauge progress in achieving development objectives and focus development activities.</p> <p>Appointed an industry specialist to a senior stakeholder liaison role in the Regulator, to industry familiarisation amongst staff and strengthen relationships with stakeholders (see Action 12).</p> <p>Investigating higher education opportunities to further build industry knowledge amongst staff Such as the Certificate IV in Surface Extraction through Box Hill Institute for Authorised Officers.</p>