

**Retention and Disposal Authority for Records of Environment Protection Functions**

Authority number: PROS 19/10



PROS 19/10

**Retention and Disposal Authority for Records of  
Environment Protection Functions**

Issued Date: 28/11/2019

# **Retention and Disposal Authority for Records of Environment Protection Functions**

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## **INTRODUCTION**

### **Context**

#### **Environment Protection Function**

The scope of the RDA is the unique records of the Environment Protection function.

The Environment Protection function consists of the following responsibilities:

- responding to general enquiries from the public about pollution and waste issues
- setting standards in environmental protection
- registering, permitting, licensing and providing relevant approvals for industry and agencies in Victoria
- providing expert technical advice and informed solutions to industry
- undertaking inspections, investigations and audits to enforce compliance with relevant legislation
- working with other agencies and regulators to ensure industry and agencies are compliant and that the environment and the general public are protected
- publishing data and scientific papers for environmental practitioners
- monitoring the collection of environmental levies
- monitoring the work of industry and agencies to comply with the legislation
- monitoring and assessing environmental quality.

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### Retention and Disposal Authority for Records of Draft Environment Protection Functions

<b>Retention and Disposal Authority No</b>	PROS 19/10
<b>Scope</b>	This RDA is authorised for use by the Environment Protection Authority Victoria (EPA).
<b>Status</b>	Issued by Keeper
<b>Issue Date</b>	28 November 2019

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# Retention and Disposal Authority for Records of Environment Protection Functions

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## Introduction

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### Purpose of this Authority

The purpose of this Authority is to provide a mechanism for the disposal of public records in accordance with the *Public Records Act 1973*. The Authority:

- identifies records which are worth preserving permanently as part of Victoria's archival heritage
- prevents the premature destruction of records which need to be retained for a specified period to satisfy legal, financial and other requirements of public administration, and
- authorises the destruction of those records not required permanently.

### Context of this Authority

#### Public Record Office Victoria Standards

This Authority should be used in conjunction with the Standards issued by the Keeper of Public Records under Section 12 of the *Public Records Act 1973*. Copies of all relevant PROV standards, specifications and regulatory advice can be downloaded from [www.prov.vic.gov.au](http://www.prov.vic.gov.au). These documents set out the procedures that must be followed by Victorian public offices.

#### Disposal of records identified in the Authority

Disposal of public records identified in this Authority must be undertaken in accordance with the requirements of Public Record Office Standard PROS 10/13 *Disposal*.

It is a criminal offence to unlawfully destroy a public record under s 19(1) of the *Public Records Act 1973*.

The destruction of a public record is not unlawful if done in accordance with a Standard established under s 12 of the *Public Records Act 1973*.

This Standard (also known as an Authority) authorises the disposal of public records as described within its provisions. However, disposal is **not** authorised under this Standard if it is reasonably likely that the public record will be required in evidence in a current or future legal proceeding.

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For the purposes of this Retention and Disposal Authority, a 'legal proceeding' has the same meaning as the *Evidence (Miscellaneous Provisions) Act 1958*, and includes any civil, criminal or mixed proceeding and any inquiry in which evidence is or may be given before any court or person acting judicially, including a Royal Commission or Board of Inquiry under the *Inquiries Act 2014*.

If the public office identifies that public records must be retained under other applicable legislation for a period that exceeds the retention period specified under the Standards, then the longer retention period must apply.

### **Normal Administrative Practice**

The destruction of some public records is permitted without final authorisation under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative nature created, acquired or collected by public officers during the course of their duties.

The following material may be destroyed under NAP:

- working papers consisting of rough notes and calculations used solely to assist in the preparation of other records such as correspondence, reports and statistical tabulations
- drafts not intended for retention as part of the office's records, the content of which has been reproduced and incorporated in the public office's record keeping system
- extra copies of documents and published material preserved solely for reference.

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### **Transfer of records to Public Record Office Victoria**

Contact Public Record Office Victoria for further information on procedures for transferring permanent records to archival custody.

### **Use of Other Authorities**

In applying the disposal sentences set out in this Authority, reference should be made to other current Authorities where applicable. Where there is a conflict between two Authorities (for instance this Authority and the General Retention and Disposal Authority for Records of Common Administrative Functions), consult the Public Record Office Victoria for advice.

### **Explanation of Authority Headings**

#### **Class Number**

The class number or entry reference number provides citation and ease of reference.

#### **Description**

The description of each record class is specified in this entry. A record class is a group of records that relate to the same activity, function or subject and require the same disposal action.

#### **Status**

This entry provides the archival status of each class - either permanent or temporary.

#### **Custody**

This entry specifies whether the records are to be retained by the public office or transferred to the Public Record Office Victoria. Permanent electronic records are to be transferred in VERS Encapsulated Object (VEO) format according to PROS 99/007 - *Management of Electronic Records (Version 2)*. The storage of public records identified in this Authority must also be in accordance with the requirements of Public Record Office Standard PROS 11/01 *Storage*



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### **Establishment of Standard**

Pursuant to Section 12 of the *Public Records Act 1973*, I hereby establish these provisions as a Standard (also known as a Retention and Disposal Authority) applying to Environment Protection Authority. This standard as varied or amended from time to time, shall have effect from the date of issue unless revoked.

[signed]

**Justine Heazlewood**, Keeper of Public Records

Date of Issue: 28 November 2019

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No	Function/Activity	Description	Status	Disposal Action
1	<p><b>Environment Protection Program Development and Management</b></p>	<p>The development and management of programs to protect the environment and human health. They include long-term programs, programs which may run over a specific time period in response to a particular issue or event, or the implementation of national programs in Victoria. Includes the development of new programs, or changes to existing programs arising from/responding to recommendations made by inquiries or reviews.</p> <p>Types of environment protection programs include those which:</p> <ul style="list-style-type: none"> <li>• provide guidance to industry, the community, or other stakeholders on regulated activities (e.g. guidance to business on whether a licence or approval is required when planning facility/equipment upgrades or replacement; educational and awareness-raising programs and guidance on behavioural change)</li> <li>• receive and respond to reports of pollution, such as litter reporting hotlines</li> <li>• identify illegal activity, such as dumping or holding chemical or other restricted waste in non-registered premises/on unapproved sites</li> <li>• protect human health and wellbeing, including programs which monitor and advise on air or water quality</li> <li>• maintain healthy ecological systems or protect the value of natural environments for recreation, for example programs to develop and expand urban wetlands to assist in</li> </ul>		

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No	Function/Activity	Description	Status	Disposal Action
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*Environment Protection Program Development and Management*

		<p style="text-align: center;">capturing/diffusing pollutants before they enter major waterways.</p> <p>Activities undertaken to deliver environment protection programs include:</p> <ul style="list-style-type: none"> <li>• program design, including the design of services, eligibility criteria for the program (if applicable), and decisions regarding the mode of delivery for services i.e. in-house or outsourced</li> <li>• planning and implementation of the programs, including approvals for the acquisition of equipment or services</li> <li>• evaluation and review of programs to assess and/or ensure their quality, efficiency and efficacy is maintained or improved</li> <li>• the development of performance criteria, and reporting against those criteria</li> <li>• decommissioning of programs no longer required to deliver services.</li> </ul> <p><i>See PROS 17/02 RDA for Emergency Services Function</i> for records of programs which plan, prepare and test emergency responses, and records resulting from an emergency management program being put into action.</p> <p><i>See Records of Common Administrative Functions Policy</i> for records of policy and procedure development, and for the management of internal projects to improve the quality or effectiveness of</p>		
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*Environment Protection Program Development and Management*

		<p>services and processes.</p> <p><i>See Records of Common Administrative Functions</i></p> <p><b>Community Relations</b> for records of communications and marketing, or community relations events such as participating in Science Week activities.</p>		
1.1	<b>Records of Continuing Value - Environment Protection Program Development and Management</b>	<p>Records of continuing value documenting the development, management and review of environment protection programs.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• final approved program design documentation and implementation plans for environment protection programs devised by the agency. Includes those that are either long or short term and may or may not be in response to a particular issue or event. Includes establishing eligibility and performance criteria for programs</li> <li>• summaries of public and stakeholder consultation conducted during the design and/or review of programs</li> <li>• submissions from the public or stakeholders which significantly alter the scope, content and/or purpose of a program, including those which set precedent for the design of subsequent programs</li> <li>• final reports and recommendations arising</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV

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No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Program Development and Management</i>				
		<p>from the review and evaluation of programs</p> <ul style="list-style-type: none"> <li>records that document decisions to decommission a program including the decision to remove and/or transfer of program services to other organisations. Includes notification to and liaison with any funded service partners who may have had responsibility for the delivery of program services.</li> </ul>		
1.2	<b>Short-term Records of Environment Protection Program Development and Management</b>	<p>Records of short-term value documenting the delivery of environment protection programs including:</p> <ul style="list-style-type: none"> <li>project plans and other task management records for the commissioning, delivery or decommissioning of all programs. Includes communication strategies</li> <li>records that document the tailoring of program delivery within specific areas. Includes strategies and plans for the delivery of a program within a locality that tailor the program activities to reflect local conditions, circumstances or parameters (e.g. a strategy for monitoring water pollution in a wetland area vs an alpine area)</li> <li>review documentation including planning, development of surveys and other evaluation methods, the collection of service statistics, monitoring results and other data, and the</li> </ul>	Temporary	Destroy 10 years after administration use ceases

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*Environment Protection Program Development and Management*

		<p style="text-align: center;">analysis and collation of results</p> <ul style="list-style-type: none"> <li>• implementation plans, reports and other performance data for programs where the agency has been engaged or commissioned to implement and/or manage on behalf of another agency or the Commonwealth (e.g. the implementation of national programs funded by the Commonwealth within Victoria)</li> <li>• reports and other performance data received from funded service providers contracted to deliver program services</li> <li>• submissions from the public or stakeholders which do not alter the scope, content and/or purpose of a program, or set precedent for the design of subsequent programs</li> <li>• summary of applications received and decisions made for grant programs</li> <li>• successful applications for grants and other financial assistance made under a program.</li> </ul>		
1.3	<b>Administrative Records of Environment Protection Program Development and Management</b>	<p>Records of short term administrative value documenting environment protection program development and management including:</p> <ul style="list-style-type: none"> <li>• facilitative records supporting the design of a program, planning of its implementation or decommissioning, or the design of its review/evaluation (e.g. identification of resources required, mail-out lists and delivery tracking of communications with staff and</li> </ul>	Temporary	Destroy 2 years after action completed

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No	Function/Activity	Description	Status	Disposal Action
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*Environment Protection Regulation Management*

		<p>other stakeholders requesting participation or updating on progress)</p> <ul style="list-style-type: none"> <li>• program performance information prepared for delivery to the public</li> <li>• unsuccessful applications for grants or other financial assistance made under a program.</li> </ul>		
2	<p><b>Environment Protection Regulation Management</b></p>	<p>The function of managing regulatory responsibilities for environment protection.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• the development of reports on monitoring programs</li> <li>• the issuing of public safety warnings or notices issued based on incidents or emergencies</li> <li>• the issuing of public alerts based on air and water quality monitoring program results</li> <li>• responding to reports from the public about potential breaches of the regulations (e.g. littering from a motor vehicle)</li> <li>• the development and review of standard operating procedures for environmental fieldwork, investigation and assessment</li> <li>• the appointment of roles and delegation of powers (e.g. the appointment of authorised officers and the appointment of vehicle testers to conduct regulatory tests on vehicles suspected to be emitting noise or fumes above the allowed limits).</li> </ul>		

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No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Regulation Management</i>				
		<p>See 3.0 Environmental Audits for records of the regulation of environmental audits.</p> <p>See 6.0 Environment Protection Compliance Management for reports of alleged breaches by holders of licences, permits and/or approvals.</p> <p>See <i>PROS 16/06 RDA for Standard Setting and Organisational Performance Monitoring</i> for records of the development and review of regulatory guidelines, forms, fact sheets and other resources; for internal reviews, regulatory audits and compliance assessments; and for records of research and studies conducted or contributed to, including data collected and laboratory analysis and sampling reports created as part of monitoring programs.</p> <p>See <i>Records of Common Administrative Functions Legal Services</i> for records of litigation arising from infringements issued to members of the public.</p>		
2.1	<b>Records of Continuing Value - Environment Protection Regulation Management</b>	<p>Records of continuing value documenting environment protection regulation.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• standard operating procedures for conducting environmental fieldwork, investigations and assessments</li> <li>• final reports on monitoring programs prepared for publication including a summary of public alerts or safety notices issued as a result of monitoring.</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV



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No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Regulation Management</i>				
2.2	<b>Medium-term Records of Environment Protection Regulation Management</b>	<p>Records of medium term administrative value documenting environment protection regulation.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• public safety warnings or notices issued based on incidents or emergencies (e.g. fires or spills that give clear instructions or advice to be followed by the affected public). Notices or warnings typically detail the area/region that they apply, preventative action that should be taken by those living or working in the area, signs or symptoms to look for that indicate a person has been affected by a pollutant or conditions arising from the incident/emergency, what actions to take if impacted and when to seek medical assistance.</li> </ul>	Temporary	Destroy 25 years after action completed
2.3	<b>Administrative Records of Environment Protection Regulation Management</b>	<p>Records of short term administrative value documenting environment protection regulation.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• responses to reports from the public about potential breaches of the regulations (e.g. littering from a motor vehicle). Includes correspondence, warnings, infringements issued, and any decisions regarding litigation</li> <li>• public alerts issued based on monitoring program results that do not contain incident specific instructions or advice to be followed</li> </ul>	Temporary	Destroy 7 years after administrative use has concluded

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No	Function/Activity	Description	Status	Disposal Action
<i>Environmental Audit Management</i>				
		<p>by the affected public (e.g. smog alerts)</p> <ul style="list-style-type: none"> <li>• drafts and working papers produced during the development of final reports on monitoring programs</li> <li>• instruments of delegation and instruments of appointment, including the appointment of vehicle testers.</li> </ul>		
3	<b>Environmental Audit Management</b>	<p>The function of assessing the nature and extent of harm, or risk of harm, to the environment posed by an industrial process or activity, waste, substance or noise.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• review of draft environmental audit reports received from appointed environmental auditors</li> <li>• approval of environmental audit reports for release as publicly available statutory documents</li> <li>• managing the appointment of auditors to conduct environmental audits, including subsequent appointments (renewals).</li> </ul> <p>See 2.0 for follow up actions arising from environmental audit report recommendations, such as the issue of a notice to a site owner to clean up contamination on a site.</p> <p>See 6.0 for records of managing the compliance of environmental auditors with the requirements of</p>		

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No	Function/Activity	Description	Status	Disposal Action
<i>Environmental Audit Management</i>				
		<p>their appointment.</p> <p>See PROS 09/05 RDA for the Records of Local Government Authorities <b>9.5 Enforcement (Land Use Planning)</b> for records of the enforcement actions undertaken by local government following the conduct of an environmental audit.</p> <p>See <i>Records of Common Administrative Functions Committees</i> for records of appointment of members to the selection panel that appoints environmental auditors.</p>		
3.1	<b>Records of Continuing Value - Environmental Audit Management</b>	<p>Records of continuing value that document environmental audit management.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• approved environmental audit reports and appendices</li> <li>• certificates and statements issued for a site following an environmental audit</li> <li>• records of outcome reviews conducted of selected environmental audit reports (content and conclusions). These reviews are undertaken if the auditor is under investigation, or there are performance issues with the auditor. They may also be undertaken if the site is considered to have a complex history of use and is considered likely to be contaminated</li> <li>• records of decisions to withdraw an</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV

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No	Function/Activity	Description	Status	Disposal Action
<i>Environmental Audit Management</i>				
		environmental audit report and any associated certificate/statement issued.		
3.2	<b>Medium-term Records of Environmental Audit Management</b>	<p>Records of medium term administrative value that document environmental audit management.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• summary record of appointed environment auditors. The summary includes name, business address and contact details; dates of application, appointment and renewals; category/categories of appointment i.e. area/s of audit expertise, such as industrial facilities, natural resources, contaminated land; conditions placed on the appointment (e.g. if the period of appointment is shorter than is standard); compliance history (summary of issue and resolution/outcome); date of expiry/non-renewal/lapse or termination and any further notes about the appointment.</li> </ul> <p>See 6.0 for records of managing the compliance of environmental auditors with the requirements of their appointment.</p>	Temporary	Destroy 25 years after administrative use has concluded
3.3	<b>Administrative Records of Environmental Audit Management</b>	<p>Records of short term administrative value documenting:</p> <ul style="list-style-type: none"> <li>• records of applications, renewals and supporting documentation provided by those who become appointed/renewed as environmental auditors</li> </ul>	Temporary	Destroy 7 years after administrative use has concluded

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No	Function/Activity	Description	Status	Disposal Action
<i>Environmental Planning Referral Management</i>				
		<ul style="list-style-type: none"> <li>• records of examinations and interviews conducted as part of the selection process</li> <li>• details of experts nominated by the applicant to provide technical/specialised support during the conduct of audits (e.g. soil scientists, geologists, toxicologists, chemists, air/water/noise quality sampling/monitoring experts)</li> <li>• unsuccessful applications made by those who are not appointed as environmental auditors</li> <li>• advertising arrangements to call for interested parties to apply for appointment as an environmental auditor</li> <li>• correspondence with environmental auditors to update or maintain contact details, details of referees, evidence of training/professional development or expertise such as membership or accreditation by relevant professional associations</li> <li>• applications received under mutual recognition schemes, and correspondence with other jurisdictions to confirm applicant suitability.</li> </ul>		
4	<b>Environmental Planning Referral Management</b>	<p>The function of receiving referrals made to the agency in its capacity as a referral authority under planning and environment legislation.</p> <p>Referrals are received from planning authorities for expert advice, recommendations or determinations</p>		

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*Environmental Planning Referral Management*

		<p>on environmental protection requirements for a particular site/location regarding:</p> <ul style="list-style-type: none"> <li>• proposed amendments to planning schemes or provisions in relation to the site/location, or</li> <li>• changes in planned use of land, or</li> <li>• proposed changes resulting from other strategic planning processes, or</li> <li>• proposed major public infrastructure projects.</li> </ul> <p>Referrals are received where there is a potential impact on the environment, amenity or human health due to pollution or waste at a site/location. The pollution or waste may either already be present due to a past use, or have the potential to arise from a new proposed use.</p>		
4.1	<b>Records of Continuing Value - Environmental Planning Referral Management</b>	<p>Records of continuing value documenting environmental planning referrals.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• detailed responses to planning referrals including discussion of the issues and analysis leading to advice, recommendations or determinations</li> <li>• preparation and participation in appeal processes which result in a change to the response to/outcome of the referral</li> <li>• records that summarise the receipt, consideration and response to planning</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV

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No	Function/Activity	Description	Status	Disposal Action
<i>Environmental Planning Referral Management</i>				
		<p>referrals. Summary record includes the referral number, date received, referrer details, reason for the referral, clauses in planning and environment legislation that require the referral to be made, site/location details, applicable planning schemes, date of response, outcome, conditions, and any appeal details.</p> <p>See 6.0 for records of breaches of determination requirements.</p>		
4.2	<b>Short-term Records of Environmental Planning Referral Management</b>	<p>Records of short-term value documenting:</p> <ul style="list-style-type: none"> <li>• the preparation and participation in appeals to a planning referral response which do not result in a change to the advice provided and/or in which the outcome of the referral is upheld.</li> </ul>	Temporary	Destroy 15 years after administrative use has concluded
4.3	<b>Administrative Records of Environmental Planning Referral Management</b>	<p>Records of short term administrative value documenting:</p> <ul style="list-style-type: none"> <li>• covering notes, delivery messages and other adjuncts to the receipt of referrals for environment protection advice</li> <li>• drafts and other operational or facilitative records supporting the consideration of the referral and development of the response</li> <li>• subsets of summary information on planning referrals prepared for delivery to the public.</li> </ul>	Temporary	Destroy 2 years after administrative use has concluded

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*Environment Protection Licensing, Permits and Approvals Management*

5	<p><b>Environment Protection Licensing, Permits and Approvals Management</b></p>	<p>The function of receiving and assessing applications for licences, permits and other approvals related to environmental protection. Includes the management of renewals and exemption approvals. Also includes registrations of prescribed activities which require regulatory oversight.</p> <p>In general (this may vary in some cases):</p> <p>A <b>licence</b> is issued to enable the conduct of a scheduled activity (i.e. the ability to perform the activity is licensed.). The activity may be conducted at a scheduled premises (i.e. the premises are licensed). Licences are issued to control the conduct of an activity or operation of a premises so that adverse effects on the environment are managed. Conditions address areas such as waste acceptance and treatment, air and water discharges, noise and odour. Licences may be issued per activity, per premises, or in the case of an organisation operating multiple premises to conduct an activity, as an amalgamated licence.</p> <p>A <b>permit</b> is issued for a type of event or activity to occur (such as the transport of a particular category of waste from a site to a waste treatment facility), or for particular vehicles or equipment to be used for a particular purpose (such as a vehicle used to transport liquid chemical waste).</p> <p>Development <b>approvals</b> are granted for works to establish a new scheduled premises or activity, or to alter existing processes, plant or equipment at a scheduled premises. Approvals may be granted for</p>		
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*Environment Protection Licensing, Permits and Approvals Management*

		<p>works which permanently alter the processes, plant or equipment (e.g. an upgrade or replacement, or works that test the temporary alteration of processes, plant or equipment in order to develop a better process and/or gain a better result).</p> <p><b>Approvals</b> may also be granted for the movement of prescribed goods (e.g. the transport of prescribed industrial waste in or out of the state).</p> <p>A <b>registration</b> is made by a person or business where required by legislation. It is generally for the purposes of alerting the agency to the (temporary or otherwise) location of potential pollutants, and to provide an opportunity for the provision of education and advice regarding how to prevent pollution from occurring and/or site inspections for ongoing monitoring purposes.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• processes for the receipt of applications and supporting documentation</li> <li>• assessment of applicants, including background, probity, credit and other checks</li> <li>• assessment of proposed processes, transport arrangements, safety and incident management procedures, and any other operations that are the subject of licensing, permits or approvals</li> <li>• decisions on whether an application is approved or not, including if any restrictions or conditions are to be imposed on the</li> </ul>		
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*Environment Protection Licensing, Permits and Approvals Management*

		<p>licence, permit or approval</p> <ul style="list-style-type: none"> <li>• processes to manage the cancellation or suspension of a licence, permit or approval following compliance enforcement action</li> <li>• processes to manage the exclusion of a person or entity from holding, or being granted a licence, permit or approval for a period of time following compliance enforcement action</li> <li>• renewals.</li> </ul> <p>The renewal process may vary from the initial application process by:</p> <ul style="list-style-type: none"> <li>• using a condensed application process that updates details previously supplied</li> <li>• a review of restrictions or conditions on licences, permits or approvals, including those arising from disciplinary action and/or prosecution.</li> </ul> <p>Also includes:</p> <ul style="list-style-type: none"> <li>• appeals against a refusal to license, permit or approve, or against restrictions or conditions placed on a licence, permit or approval</li> <li>• the surrender of licences, permits and approvals by the holder</li> <li>• the transfer of licences, permits or approvals by the holder (e.g. as part of the sale of a</li> </ul>		
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*Environment Protection Licensing, Permits and Approvals Management*

		<p style="text-align: center;">business)</p> <ul style="list-style-type: none"> <li>• applications that are withdrawn before a decision is reached.</li> </ul> <p>A person who is required by legislation to hold a licence, permit or approval, or is required to register a risk (e.g. the storage of prescribed chemicals, or is otherwise obliged to meet a duty under legislation for the protection of the environment) is referred to as a 'duty holder'.</p>		
5.1	<b>Records of Continuing Value - Environment Protection Licensing, Permits and Approvals Management</b>	<p>Records of continuing value documenting licensing, permit, registration and approvals management.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• the development and review of licensing, permit and approvals criteria, including for determining the suitability of an applicant, and those under which the application of conditions or limits to a licence, permit or approval is triggered</li> <li>• applications for (including the issuing of) licences, permits or approvals which set precedent, led to policy change or a major review of processes, or that apply to activities that are assessed as <b>high risk</b> for long term, ongoing and/or recurring harmful effects on the environment or public health (e.g. landfills and on site waste repositories)</li> <li>• reports to Parliament or the Minister</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV

## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Licensing, Permits and Approvals Management</i>				
		<p>concerning changes to licensing requirements and criteria, the history of individual licensees or permit/approval holders, or characteristics of a category/class of licence/permit/approval</p> <ul style="list-style-type: none"> <li>Ministerial directions regarding any of the above.</li> </ul>		
5.2	<b>Long-term Records of Environment Protection Licensing, Permit and Approvals Management</b>	<p>Records of long-term significance documenting licensing, permit and approvals management including:</p> <ul style="list-style-type: none"> <li>summary register of licences, permits and approvals issued</li> <li>applications for (including the issuing of) licences, permits or approvals which have been cancelled or suspended following the conclusion of a compliance management process</li> <li>reports on an individual or organisation whose conduct or affiliations while holding a licence/permit/approval the agency wishes to investigate.</li> </ul>	Temporary	Destroy 65 years after expiry or conclusion of licence, permit or approval
5.3	<b>Administrative Records of Environment Protection Licensing, Permit and Approvals Management</b>	<p>Records of short term administrative value from licensing, permits and approvals management, including:</p> <ul style="list-style-type: none"> <li>applications for (including the issuing of) licenses, permits or approvals that <b>did not</b> set precedent, lead to policy change or to a major review; were <b>not</b> assessed to be of</li> </ul>	Temporary	Destroy 7 years after expiry or action completed (if application is withdrawn)

## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Compliance Management</i>				
		<p>high risk to the environment/public health; or have <b>not</b> been cancelled or suspended following the conclusion of a compliance management process; or are of a routine or transactional nature (e.g. waste transport certificates)</p> <ul style="list-style-type: none"> <li>• evidence supplied by applicants or holders of licences, approvals or permits of industry based registrations and accreditations; insurance and safety documentation; site, plant and equipment information or other related policy and procedures</li> <li>• personal identification and background checks</li> <li>• declarations regarding past relevant offences</li> <li>• proof of payment.</li> </ul> <p>Also includes records of applications to surrender a licence, permit or approval, or applications which are withdrawn prior to a decision being made.</p>		
6	<b>Environment Protection Compliance Management</b>	<p>The function of ensuring that regulated activity is compliant.</p> <p>A person who is required by legislation to hold a licence, permit or approval, or is required to register a risk (e.g. the storage of prescribed chemicals, or is otherwise obliged to meet a duty under legislation for the protection of the environment) is referred to as a 'duty holder'.</p> <p>Includes:</p>		

## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
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*Environment Protection Compliance Management*

		<p>- processes that monitor duty holders to ensure:</p> <ul style="list-style-type: none"> <li>• the requirements of relevant legislation, standards, and other mandatory frameworks are met. Includes any specific requirements of regulations, compliance standards, or records such as licences, permits and other approvals</li> <li>• conditions and/or limitations imposed on activities are met</li> <li>• duty holders remain fit and proper persons</li> <li>• appropriate enforcement action is taken where required to reduce/remove the risk of future non-compliance by any duty holder</li> <li>• complaints received are acted on as appropriate.</li> </ul> <p>- processes that ensure persons appointed to provide a particular service, such as environmental audit services or vehicle testing, are compliant with the requirements of their appointment.</p> <p>- processes that act upon complaints or information received regarding offences under legislation that are committed by members of the public (e.g. littering, illegal waste collection, stockpiling or dumping, or owning/driving a vehicle that does not meet emissions requirements).</p> <p>Compliance management processes include:</p> <ul style="list-style-type: none"> <li>• compliance audits</li> <li>• inspections</li> </ul>		
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## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
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*Environment Protection Compliance Management*

		<ul style="list-style-type: none"> <li>• investigations, including testing processes</li> <li>• issuing infringements</li> <li>• prosecutions</li> <li>• cancellation, suspension or restriction of a licence, permit or approval</li> <li>• issuing notices or orders.</li> </ul> <p>Notices or orders issued may include those that require:</p> <ul style="list-style-type: none"> <li>• the duty holder to meet their obligations (e.g. to prevent risks to the environment and human health by managing waste or controlled contaminated land risks)</li> <li>• abatement of pollution resulting from an activity</li> <li>• remedial action where pollution or contamination has occurred to prevent further pollution or contamination</li> <li>• clean up (e.g. of a site where pollution or contamination has occurred)</li> <li>• immediate action to cease and desist a dangerous activity (e.g. improper handling of chemical waste)</li> <li>• an undertaking given by a duty holder to be met.</li> </ul> <p>Includes appeals against:</p>		
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## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Compliance Management</i>				
		<ul style="list-style-type: none"> <li>• notices or orders issued</li> <li>• conditions or restrictions imposed on a duty holder resulting from a compliance enforcement action.</li> </ul> <p>Includes annual performance statements submitted by a duty holder to demonstrate holder compliance (or not) with the requirements.</p> <p>See <i>PROS 16/01 RDA for Accredited Training Function</i> and <i>PROS 16/02 RDA for Non-Accredited Training Function</i> for records of training undertaken by personnel.</p> <p>See <i>Records of Common Administrative Functions</i> <b>Community Relations</b> for records of complaints (misconduct) received about a member of staff from the public.</p> <p>See <i>PROS 16/06 RDA for Standard Setting and Organisational Performance Monitoring 1.0. Development of Standards and Codes</i> for records of environment protection standards and other mandatory frameworks and/or associated guides.</p>		
6.1	<b>Records of Continuing Value - Environment Protection Compliance Management</b>	<p>Records of continuing value documenting environment protection compliance management.</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• audits and inspections that lead to regulatory policy change, the development and issue of guidance or standards, or otherwise significantly change the assessment of</li> </ul>	Permanent	Retain as State Archives, Transfer to PROV



## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
<i>Environment Protection Compliance Management</i>				
		<p>compliance</p> <ul style="list-style-type: none"> <li>• investigations or prosecutions which set precedent and/or change policy or processes</li> <li>• summary record of prosecutions which includes party name, proceeding number, date and location of offence, type of offence, background of offence, date of court hearing and order, court magistrate/judge, court location, proceeding number, remedial action taken, reason for prosecutions and court orders made</li> <li>• analysis of compliance risks that provides strategic advice on a compliance issue of state or major regional significance.</li> </ul>		
6.2	<b>Long-term Records of Environment Protection Compliance Management</b>	<p>Records of long-term value documenting compliance management including:</p> <ul style="list-style-type: none"> <li>• audits, inspections, investigations, and enforcement which lead to registration or licence suspension or revocation, injunctions, and/or prosecution</li> <li>• risk assessment of duty holders, companies or persons of interest connected with individual duty holders to assess continuing suitability to perform a duty (e.g. does a licence holder have close ties or links to known criminals).</li> </ul>	Temporary	Destroy 65 years after date action completed
6.3	<b>Administrative Records of</b>	<p>Records of short term administrative value documenting compliance management including:</p>	Temporary	Destroy 7 years after action completed

## Retention and Disposal Authority for Records of Environment Protection Functions

**Authority number: PROS 19/10**

No	Function/Activity	Description	Status	Disposal Action
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*Environment Protection Compliance Management*

	<p><b>Environment Protection Compliance Management</b></p>	<ul style="list-style-type: none"> <li>• audit records of a licence, permit or approval holder which do not lead to further action. Includes any analysis, recommendations or responses to the holder</li> <li>• routine audits to check statements and calculations submitted by a licence, permit or approval holder in order to satisfy licence, permit or approval conditions</li> <li>• audits or investigations where the initial complaint/cause for concern was not substantiated or the result is to undertake no further action</li> <li>• records of planned site inspections, including any advice or information issued, where no further action is required</li> <li>• records of investigation, including information provided by the licence, permit or approvals holder (show cause), where the outcome was the issue of a warning or infringement</li> <li>• appeals and reviews of compliance management actions which result in no change.</li> </ul>		
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