

Officers for the Protection of the Local Environment - Pilot Program

Expression of Interest Guideline

Background

Local government and the Environment Protection Authority (EPA) play a vital role in responding to pollution and waste issues that compromise environmental and public health, and adversely impact liveability and amenity.

The Victorian Government, in its response to the independent inquiry into the EPA, commits \$4.8 million to implement a pilot program of Officers for the Protection of the Local Environment (OPLEs), commencing in 2017. OPLEs will address small-scale, lower risk and complexity pollution and waste complaints currently not being comprehensively addressed by local councils or the EPA.

Since release of its response, the Victorian Government has been engaging with key local government, industry and community stakeholders to gain their input into the design and rollout of the pilot program.

The Department of Environment, Land, Water and Planning (DELWP) is now seeking expressions of interest (EOI) from Victorian councils to participate in the pilot which will help shape future consideration of how enhanced environment protection can be delivered at the local level.

Program detail

This 15 month pilot will fund 10 OPLEs across a minimum of 10 councils. The number of councils involved may exceed the number of OPLEs, as the pilot may test the effectiveness and practicability of sharing an OPLE across two or more municipalities.

Ideally the pilot will involve a cross-section of metropolitan, peri-urban, regional and rural councils that encounter a range of different pollution and waste issues.

OPLEs will be direct employees of EPA embedded within local councils. All OPLEs will work from local council offices and be able to access support from both EPA and council business systems.

Role of OPLEs

OPLEs will work closely with the EPA and their local council(s) to respond to smaller-scale and lower risk waste and pollution complaints relating to small to medium scale illegal dumping, litter, noise, dust and odour arising from smaller business and industry. The precise scope and role of the OPLE will be finalised in consultation with the councils selected to participate in the pilot.

Based on this role definition, OPLEs will be appropriately authorised under the *Environment Protection Act 1970* to enable their effective response to complaints such as by requiring remedial action or abatement activities to be undertaken. They will be authorised to gather evidence to assist with sanctioning and prosecutions, however such activities will be led by the EPA regional office.

OPLEs will have clearly defined roles and responsibilities to avoid confusion with the work of the EPA and existing council officers. They will help to fill the gap between the local scale work currently undertaken by councils and the higher risk focus of the EPA. OPLEs will not undertake roles which are clearly that of local councils, but will complement the work councils already do in environment and public health protection. Issues which require highly complex or technical responses will be referred to the EPA regional office.

OPLEs' duties will include responding to complaints, information and education activities to support prevention of pollution, and proactive inspections of premises to support compliance.

The priorities and exact activities undertaken by OPLEs will be influenced by the unique local characteristics and needs of the municipality or municipalities which the OPLE is servicing, within the defined parameters of this pilot program.

Role of councils

Participating councils will need to host an OPLE in their offices, and actively support the day-to-day operations of the OPLE and integrate them into their council.

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Councils will need to contribute to the effective operation of their OPLE, including by:

- providing a manager to oversee the day-to-day activities of the OPLE, in consultation with the EPA.
- providing an appropriate desk within a council office where the OPLE will be located.
- providing suitable IT and phone access, stationary, OH&S support and transport for the OPLE to undertake their role effectively.
- supporting the OPLE to engage with other relevant areas of the council, such as local laws, environment protection and environmental health.
- inputting into pilot program reporting, monitoring and evaluation processes.
- providing OPLEs with information about key issues and characteristics of the municipality which relate to their role.

It is anticipated that councils will need to allocate approximately ten hours per month to participate in meetings, contribute to monitoring and evaluation reports, and provide general feedback on the progress of the pilot.

The above list is not exhaustive but provides an indication of the types of contribution participating councils are expected to make. A formal partnership agreement will detail the responsibilities and obligations of councils and the EPA.

Councils will also need to actively and regularly engage with the EPA and DELWP throughout the pilot program, and be both proactive in providing advice on matters including risks and improvements, and receptive to feedback from the EPA and DELWP.

Role of the EPA

The EPA will play a strong oversight and coordination role for the OPLE network, and will provide technical support and guidance materials to support the OPLEs. The presence of an OPLE will not affect the EPA's commitment and responsibilities for compliance, enforcement and preventative action to minimise pollution and waste from larger, more complex sites and situations, including scheduled (e.g. licensed) premises. The EPA will continue to triage pollution reports and respond, ensuring there is no reduction in the services currently provided, whilst increasing support and resourcing to councils through the pilot.

The EPA will also be responsible for providing councils with any specialised technical equipment necessary for the OPLE to undertake their role, and linkages into the EPA's IT systems to assist with reporting incidents and facilitating effective responses. The EPA will also provide technical day-to-day instruction to OPLEs, and a central help desk which OPLEs can directly access to support them in their role. There will also be a clear process for OPLEs and councils to refer more complex and higher risk issues to the EPA for response. Where there is a potential conflict of interest with other council operations, the EPA will remain responsible for any investigative action.

Role of DELWP

DELWP will provide high level oversight of the program and will play a particular role in the selection process for identifying councils who will be invited to participate in the pilot. It will also oversee the monitoring and evaluation of the program.

Key program dates

The table below outlines the key dates for delivering the pilot program.

Activity	Due Date
Expressions of interest open	12 May 2017
Expressions of interest close	5pm on 9 June 2017
Notification of successful councils	Anticipated by early July 2017
Pilot commences	September 2017
Pilot finishes	December 2018

Expression of interest process

Eligibility

All Victorian local councils, as defined by the *Local Government Act 1989*, are eligible to submit an expression of interest to participate in the pilot program. To be considered, an application must be submitted using the "Expression of Interest Application Form" found on: engage.vic.gov.au/reform-epa.

Applications received which do not utilise this application form will not be considered.

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Selection criteria

The key selection criteria will be assessed against information provided in the "Expression of Interest Application Form". The selection criteria broadly cover:

- the environmental and public health risks and challenges experienced in the council area.
- the value likely to be derived by the council, its communities and businesses from having an OPLE embedded in the council, and how this OPLE would assist in responding to pollution and waste.
- the capacity of the council to demonstrate its commitment to improving its response to pollution and waste arising within its municipality.
- willingness of the council to actively support and participate in the reporting, monitoring and evaluation of the pilot program.

Closing Date

Applications must be submitted by **5pm on 9 June 2017** to epa.reform@delwp.vic.gov.au.

Implementation of pilot program

Funding and agreement

A partnership agreement will be agreed between the EPA and each participating council, which will clearly state the obligations of councils and the EPA in delivering this pilot program. This will be consistent with information provided in this guideline and the "Expression of Interest Application Form".

Training of officers

All OPLEs will be trained by the EPA and authorised under the *Environment Protection Act 1970*. Authorisation will be limited to specific areas for the purposes of the pilot only. The training program is currently being developed and will likely constitute two

weeks of face-to-face training for all OPLEs in Melbourne at the commencement of their employment, followed up with mentoring and additional periodic training.

Once training is successfully completed, OPLEs will be authorised officers, with specific roles and responsibilities relating to responding to smaller scale and lower risk waste and pollution issues as defined in the position description and stated in the partnership agreement between EPA and participating councils.

The EPA will provide ongoing support and further training modules as required to support OPLEs to effectively undertake their role.

Local councils participating in the program will be expected to induct OPLEs into their organisation to support their effective integration and day to day work.

Record Keeping

OPLEs and councils will be expected to maintain accurate records of the activities of the OPLE, and input into reporting utilising established EPA systems and processes.

Evaluation

An external contractor will be engaged by DELWP to undertake an independent evaluation of the pilot. All participating pilot sites will be required to collect, store and provide quantitative and qualitative data to facilitate the evaluation process. Further details regarding the data to be collected will be clarified with councils selected to participate in the pilot program.

Further information

Applicants are required to complete the application form. All applications must be submitted via email to epa.reform@delwp.vic.gov.au by **5pm on 9 June 2017**.

For further information regarding this initiative, please contact Nicole O'Donnell, Senior Policy Officer at DELWP on (03) 9412 4423 or nicole.o'donnell@delwp.vic.gov.au.



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