

Officers for the Protection of the Local Environment Pilot Program

Frequently Asked Questions

The following information relates to the expression of interest application process for councils interested in participating in the Officers for the Protection of the Local Environment (OPLE) pilot program. These FAQs should be read alongside information contained in the EOI Guideline and EOI Application Form.

1. What is the closing time and date for applications?

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

2. If I am not able to submit my application by the due time and date, can I be granted an extension?

No - extensions to applicants to lodge submissions later than the published closing time will not be given. The Department of Environment, Land, Water and Planning (DELWP) may reject any application that is lodged after the stated closing date and time.

If an application is late, or DELWP is requested to approve a lodgement after the closing date, DELWP may determine that there are exceptional circumstances beyond the applicant's control that meant they could not meet the deadline. Applicants are encouraged to contact DELWP via epa.reform@delwp.vic.gov.au or on 9412 4423 if they become aware of circumstances which may result in their inability to lodge by the deadline.

3. Who is eligible to apply?

Victorian local councils as defined by the *Local Government Act 1989*.

4. Is there on-going funding available for employing an OPLE beyond the pilot?

No. Funding is only available to complete a pilot program of OPLEs. Provision of further funding will be considered depending on the results of an evaluation of the pilot program.

5. When will I know the outcome of my application?

You will be notified of the outcome of your application at the end of the selection process. To treat all applicants fairly and equally, it is not possible to provide information about the status of individual applications during the assessment process. The assessment process will be carried out as rapidly as possible.

6. Where should I go for further information?

Please email your inquiries to epa.reform@delwp.vic.gov.au.

7. What will the role of the OPLE be and how does this relate to the role of environmental health officers (EHOs)?

The OPLE will have a complementary role to that of an EHO. In some municipalities there may be some overlap, however the OPLE is to be an additional resource for councils to utilise to increase their ability to respond to complaints and issues relating to waste and pollution. Responding to issues regarding food health and safety, septic tank system approval and amenity issues arising from residential premises will strictly be the role of the EHO. An OPLE will focus on responding to issues relating to noise, dust and odour from small to medium size enterprises, and litter and smaller scale illegal dumping. There may be additional strategic and



Officers for the Protection of the Local Environment Pilot Program

educational work addressing septic systems depending on, and leveraging upon, existing programs in the participating council's region. The EOI Guideline provides more detailed information.

8. How will EPA provide support to OPLEs in such variable geographic locations?

The pilot program is an opportunity to test the effectiveness of the mechanisms to manage and support OPLEs in disparate locations with differing waste and pollution issues. Supporting each OPLE will be a joint responsibility of EPA and participating local councils, to ensure that they can effectively and efficiently undertake their role. EPA has received resources to ensure provision of:

- training of OPLEs, covering their regulatory powers and ensuring they have the necessary technical skills to deal with issues they are likely to encounter in the job, e.g. ability to monitor and assess noise levels
- guidance, policy and procedural material to inform the OPLE of their scope of responsibilities and operating protocols
- technical support and guidance to aid in effective OPLE decision-making and discharge of their roles
- a direct line to EPA for queries relating to procedural, technical and enforcement matters
- EPA regional officer support to allow more challenging and complex issues (including issues outside the scope of OPLE responsibilities) to be referred to EPA for response
- regional mentoring of OPLEs by senior EPA authorised officers, with potential for joint inspections
- coordination of a peer learning support group for OPLEs to facilitate shared learnings and expertise
- access to and support in utilising environmental monitoring equipment such as noise meters and sampling equipment
- laboratory facilities and logistical support for sample analysis

Supporting OPLEs is not EPA's responsibility alone - participating councils will be expected to provide day-to-day management and support to OPLEs, including for their safety and wellbeing. DELWP and EPA expect that each OPLE will be integrated into existing council teams, through inductions and training, ensuring they have access to necessary council assets and systems.

9. What support will be provided to councils to ensure the OPLE is effectively supported?

During the initial establishment of the program, EPA will engage regularly with councils to ensure they have the systems and processes in place to support an incoming OPLE. EPA will provide guidance as to how the OPLE is to undertake their role, while giving space for the activities of the OPLE to adapt to the unique characteristics of the municipality or municipalities in which their work is focused.

Councils will play an important role in contributing to the monitoring and evaluation of the program, and will be invited and expected at regular intervals throughout the duration of the pilot program to give their feedback on progress, and to identify any issues or risks that they are experiencing. Councils and EPA are expected to work in partnership to identify regulatory program improvements and find opportunities to implement these.

10. How will you ensure consistency across the OPLEs in the network?

EPA will play a strong role in supporting consistency across the OPLE network. All OPLEs will receive the same level of training, providing them with a common understanding and approach to responding to pollution and waste issues as they arise in their municipality. EPA will limit the powers delegated to OPLEs to reflect the tasks required to respond to pollution issues. This will prevent any overreach into issues that EPA already address due to their severity, risk or complexity. As the pilot progresses, the OPLEs' activities will continue to be monitored, through regular reviews of the work conducted against set performance and consistency criteria and, where necessary, corrective actions will be implemented and additional training can be provided. There will also be a complaints review procedure provided with any remedy notice issued by OPLEs. There will be variation within the range of activities that the OPLEs are involved with, appropriately reflecting the unique characteristics and challenges experienced across Victoria's diverse municipalities.



Officers for the Protection of the Local Environment Pilot Program

11. Is this program just about increasing compliance and enforcement activities?

Each OPLE will have a role in compliance and enforcement, but this will not be their sole focus. Taking proactive action, and preventing pollution incidents from occurring, is far more effective than responding to incidents after they arise. As such, the role will be a mix of compliance and enforcement, education and information dissemination, and proactive investigations.

12. How will the program monitor the impacts and experiences of business, industry and community?

All sectors - community, business, industry and government - will be invited to be involved in the monitoring and evaluation process of the program. It is important that the experiences of each sector are captured to inform decisions regarding a statewide rollout of the program. We encourage and invite all sectors to participate and be involved in the evaluation of this pilot program.

13. Will the statewide OPLE network definitely be rolled out?

The pilot program offers a unique opportunity to test the effectiveness and practicability of an OPLE network based in local councils. The learnings from this pilot will directly inform decisions regarding a rollout of a statewide network.

14. Why are the OPLEs being employed by EPA rather than local government?

This will help reduce the administrative and HR responsibilities and associated costs of local government, and maximise program efficiencies. DELWP and EPA do not consider that this will in any way restrict OPLEs from effectively addressing pollution and waste issues of importance to local communities.

15. What will councils need to provide?

Information is provided in the EOI Guideline. Councils will need to provide both physical resources, such as desk space and access to transport, as well as supporting the pilot and its evaluation through reporting, monitoring and evaluation processes. 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.

16. Can I partner with another council in my EOI?

Yes. The pilot program will test the effectiveness and practicability of both sharing a OPLE across multiple councils as well as appointing one OPLE to a single council. Sharing an OPLE may be a practical solution for smaller and/or regional councils. The application form allows for councils to nominate to share an OPLE.

17. Where can I find out more information about the broader EPA reforms?

The Andrews Labor Government's response to the Independent Inquiry into to EPA is available via: www.environment.vic.gov.au/sustainability/independent-inquiry-into-the-epa.

The Independent Inquiry's Report, its terms of reference, public submissions and general background information is available at: www.epa-inquiry.vic.gov.au/.

For specific inquiries, please email epa.reform@delwp.vic.gov.au.