

Communities have greater say in Environmental Management

In May 2001, the Victorian Parliament passed the *Environment Protection (Livable Neighbourhoods) Act 2001* which amended the *Environment Protection Act 1970*. The Act came into operation on 1 July 2001. It is aimed at providing communities with greater input into the management of key environmental issues in their region by initiating and preparing Neighbourhood Environment Improvement Plans (NEIP). An NEIP must be prepared at a local level with the involvement of a local authority, and then approved by the Environment Protection Authority (EPA). NEIPs are based on a voluntary model designed to facilitate cooperation between all key stakeholders including industry and the community. However, industry cannot be compelled to participate.

New Auditing Provisions

The *Environment Protection (Livable Neighbourhoods) Act 2001* also provides a legislative basis for the appointment and regulation of environmental auditors, as well as the issuing of Certificates of Environmental Audit and Statements of Environmental Audit. The Act requires an environmental auditor to notify the EPA of any imminent environmental hazards identified during the course of an environmental audit. It also requires an occupier of a property which has been issued with a Statement of Environmental Audit to notify any future occupier of the site. Guidelines have been released which aim to provide auditors with detailed guidance on the conduct of audits and the issuing of Certificates and Statements of environmental audit. Failure to give proper regard to the guidelines may be considered by the EPA in reviewing the appointment of an auditor.

New Sentencing Provision utilised

The Melbourne Magistrate's Court has utilised a new power under section 67AC of the *Environment Protection Act 1970* to impose a penalty other than a fine or imprisonment. On 7 June 2001, Terminals Pty Ltd was convicted on one charge of air pollution and ordered to undertake an ambient air monitoring program at three local sites approved by the EPA. The company was also ordered to give \$5,000 to enhance the quality of life in the local community through a project nominated by workers exposed to odours. (*See the case note on Victorian prosecutions on page 30.*)

Amendments to Fees Proposed

On 2 August 2001, the EPA released a Regulatory Impact Statement (RIS) for public consultation in relation to proposed new fees under the *Environment Protection Act 1970*. The proposed new fees reflect the user pays and polluter pays principles. The RIS is open for public comment under 7 September 2001.

Review of Environmental Assessment

The Department of Infrastructure expects to release an issues and options paper at the end of August in relation to its review of environmental assessment procedures. It is expected that the paper will be open for public consultation for two months.

SEPP on Air Quality Management The State Environment Protection Policy (SEPP) for air quality management is expected to go to Cabinet in September and commence operation in October 2001. Protocols for Environmental Management (PEM) will be prepared to cover the specifics of the SEPP. A PEM for mining and extractive industries has been given a high priority by the EPA.