

Infocus

interview with Dr Brian Robinson, former Chairman of the Victorian Environmental Protection Agency

Because this is our home

How do you garnish the enthusiasm of 86% of Victorian households for kerbside recycling and redirect it towards other key environmental problems? The phenomenal success of the kerbside-recycling program in Victoria, first introduced in the mid 1980s, has been reviewed in an effort to replicate it in other areas. Dr Robinson summed up the findings on the review of community attitudes to the environment, stating issues became important when they touched the community. They became important simply because 'this is our home'

Clearly, environmental issues which directly affect the community or to which there is a feeling that some kind of tangible difference can be made, are more likely to gain community support. This was the basis of the Neighbourhood Environment Improvement Plans (NEIPs) introduced on 1 July 2001.

Through involvement in the NEIPs the community gains a sense of ownership of the environment and their locality. An NEIP is an action plan to improve the local environment and will be developed in partnership with all parts of the wider community: local residents, special interest groups, local Government, local industry and the EPA and Department of Natural Resources and the Environment.

Dr Robinson said three to four pilot NEIPs would be developed and implemented over the next year to phase in the NEIP legislation and provide opportunities to gain insight and draft guidelines for future NEIPs. A Workshop conducted in May 2001 identified a number of criteria for the selection of pilot NEIPs. These include:

- an identifiable environmental problem,
- a high level of community concern,
- a definable 'neighbourhood',
- the likelihood that achievable liveability improvements can be achieved over a reasonable time,
- existing approaches not working or non-existent,
- the transferability of lessons learnt; and
- reasonableness of costs.

Some likely pilot neighbourhoods with existing problems include: Altona (air), Bright (air-from prescribed burning), the city link project (air), Coode island (air), Anglesea Estuary (water), the Elizabeth Street main drain (catchment issues), and Stony Creek. For a complete listing of identified areas and issues see the EPA web site at:

www.epa.vic.gov.au/Neighbourhood/potential_NEIPs.asp

Whilst taking measures to pro-actively involve the community in environmental management, at the other end of the spectrum, the EPA continues to seek industry compliance with environmental legislation through the use of a range of discretionary tools. From PINs (with a recently increased maximum of \$5,000 for body corporates, up from \$800) which are issued on the spot for infringements; to working cooperatively with industry via environmental improvement plan (EIPs); to the use of alternative penalties; these tools are being employed with increasing success.

The option of ordering alternative penalties was introduced in 2000 by the *Environmental Protection (Enforcement and Protection) Act 2000* (Vic). Section 67AC states that in addition to or instead of any other penalty it may impose, a Court may choose to require a person to publicise the offence, carry out a specified project for the restoration or enhancement of the environment in a public place or for the public benefit, or carry out a specified audit of business activities. Importantly, the Court may make such order *on the application of the EPA*, or on its own motion.

Dr Robinson is encouraged by the use of alternative penalties in the early cases being decided under the new penalty regime effective from 9 July 2000. In June 2001 one company was ordered to undertake an air monitoring program at three approved EPA locations and to contribute \$5,000 to enhance the quality of life in the local community through a project to be nominated by workers exposed to chemical odours. Later in August, a chemical company was ordered to publish a public apology in local newspapers. In September 2001, again related to air pollution offences, a fertiliser producer was ordered to direct \$35,000 to the City of Greater Geelong Council to be spent at the Council's discretion to improve and restore the area surrounding the factor site. In the latter two cases mentioned above, the alternative orders were made in addition to financial penalties being imposed.

As Dr Robinson said in a September 2001 media release: “*Making the punishment fit the crime makes a lot of sense. It is pleasing therefore that the Court saw fit to impose a penalty that compensates those that live near the Pivot site.*”

The use of alternative penalties involves the community in important local environmental issues and forces industry to face up to the fact that it is not acceptable to commit or allow acts of pollution, ‘*because this is our home*’.