



Australian Government

Department of Education, Employment and Workplace Relations

MSS027002A Apply environmental legislation, codes and standards

Release: 1

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Modification History

Not applicable.

Unit Descriptor

This unit of competency covers the ability to interpret and apply the environmental legislation, codes and standards that are relevant to the work area, site, project or program. Personnel are required to access, review and interpret complex legal and technical documents; develop site or project-specific environmental management procedures if required, explain the implications of these documents to site personnel, monitor work activities to ensure compliance, and to prepare reports. They work under the supervision of an environmental scientist or engineer, site manager or enterprise environmental manager. Note that the ability to respond to environmental non-conformances and incidents is covered in *MSS027001A Coordinate environmental management activities*.

Application of the Unit

This unit of competency is applicable to environmental site coordinators, environmental managers and senior environmental officers working in a range of industry sectors, such as:

- environmental monitoring, sampling and field testing (e.g. air, water, soil and noise)
- geotechnical services
- natural resource management
- occupational hygiene monitoring (e.g. air, noise and radiation)
- water supply and treatment, storm and wastewater management
- solid and hazardous waste management
- site remediation or rehabilitation
- resource efficiency (e.g. energy, water, waste auditing).

Note that the term ‘manager’ is used to refer to management of a function, project and /or program and does not necessarily imply line management.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

Not applicable.

Elements and Performance Criteria Pre-Content

Not applicable.

Elements and Performance Criteria

1	Access and interpret relevant legislation, codes and standards	1.1	Review legislative, regulatory and licensing requirements and approvals that apply to site/project
		1.2	Analyse the broad significance of these requirements for the enterprise, key job roles and specific work activities
		1.3	Identify legal accountability, obligations and consequences of non-compliance
		1.4	Obtain advice from appropriate personnel about environmental law matters that impact on work area and are outside own scope of knowledge
		1.5	Clarify own scope of responsibility/authority for achieving specific environmental outcomes
2	Ensure project or site specific environmental management procedures comply with requirements	2.1	Review relevant enterprise environmental management policies, plans and procedures in conjunction with legislative requirements
		2.2	Assess the need for project or site-specific environmental management procedures in consultation with manager
		2.3	Draft new or revised procedures to address any gaps or deficiencies
		2.4	Provide draft documentation to appropriate personnel for review and/or approval prior to use

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| 3 | Promote compliance by site personnel | 3.1 | Distribute clear information about the environmental management roles and responsibilities of site personnel |
| | | 3.2 | Provide clear information about enterprise environmental management policies, plans and procedures and work instructions |
| | | 3.3 | Explain the implications of non-compliance to all site personnel in work area |
| | | 3.4 | Empower site personnel through coaching and mentoring to manage their own environmental responsibilities |
| 4 | Ensure that work activities meet compliance requirements | 4.1 | Plan work activities to ensure environmental compliance |
| | | 4.2 | Recognise when current or planned activities may require changes to existing licences/approvals and notify appropriate personnel |
| | | 4.3 | Implement environmental management policies, plans and procedures to ensure compliance and achieve environmental objectives and key performance indicators |
| | | 4.4 | Collect and collate environmental data to support preparation of required reports and compliance information |
| | | 4.5 | Review environmental data for completeness/accuracy and identify opportunities for improving compliance |
| | | 4.6 | Complete reporting requirements in accordance with enterprise procedures and legislative requirements |
| 5 | Maintain knowledge of legislative requirements | 5.1 | Monitor sources of information for changes to relevant legislation codes and standards |
| | | 5.2 | Regularly update information for site personnel and explain changes to legal requirements that impact on work area |

Required Skills and Knowledge

Required skills

Required skills include:

- accessing, interpreting and applying relevant legislative/regulatory requirements, standards, codes and guidelines
- analysing and reviewing enterprise environmental management plans, policies, procedures and work instructions for legislative compliance
- writing site, or project-specific environmental management procedures and/or work instructions in plain English
- clearly explaining environmental management concepts, principles and procedures to others
- monitoring the implementation of environmental management plans, policy and procedures, and work instructions by site personnel
- analysing site/project environmental data and compliance information, and verifying and reporting results
- seeking advice when issues/problems are beyond scope of competence/responsibility
- providing accurate, complete and timely reports
- maintaining compliance records

Required knowledge

Required knowledge includes:

- common legal terminology, such as statute, acts, regulations and ordinances
- common sources of environmental legal information
- relevant responsible bodies at federal and state/territory levels
- major features of federal and state/territory environmental legislation, regulations and local government by-laws, policies and plans that apply to the site, project or program
- enterprise environmental management plans, policies, procedures and work instructions that apply to the site, project or program
- enterprise procedures for the development, revision and improvement of environmental management policies, plans, procedures and work instructions
- enterprise environmental reporting requirements for the site, project or program and reporting procedures

Evidence Guide

Overview of assessment	Competency must be demonstrated in the ability to perform consistently at the required standard.
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Assessors must be satisfied that the candidate can competently and consistently apply the skills covered in this unit of competency in new and different situations and contexts. Critical aspects of assessment and evidence include:</p> <ul style="list-style-type: none"> • researching, interpreting and applying relevant environmental legislative requirements, codes and standards to the site, project or program activities • explaining environmental management roles, responsibilities, obligations and compliance requirements to site personnel • writing clear and concise site or project-specific environmental management procedures or work instructions • monitoring and promoting environmental compliance in work area • identifying opportunities for improving compliance in work area • keeping up-to-date with changes in compliance requirements for the site, project or program.
Context of and specific resources for assessment	<p>This unit of competency is to be assessed in the workplace or a simulated workplace environment.</p> <p>Assessment should emphasise a workplace context and procedures found in the candidate's workplace.</p> <p>This unit of competency may be assessed with:</p> <ul style="list-style-type: none"> • <i>MSS027001A Coordinate environmental management activities</i> • <i>other MSS027000 series units dealing with specific environmental management activities.</i> <p>The competencies covered by this unit would be demonstrated by an individual working alone or as part of a team.</p> <p>Resources may include:</p> <ul style="list-style-type: none"> • site/project history • relevant legislation, codes, standards, enterprise environmental management policies, plans, actions, procedures and checklists • laptop computer and access to enterprise information management system.

Method of assessment	<p>The following assessment methods are suggested:</p> <ul style="list-style-type: none"> • review of environmental records and reports generated by the candidate • review of environmental information developed by the candidate and provided to site personnel • feedback from peers and managers that the candidate is able to consistently apply relevant environmental compliance requirements to site/project/program activities • oral/written tests involving compliance requirements and environmental management terms, principles and procedures • analysis of case studies/reports of relevant environmental compliance issues • observation of the candidate providing environmental management information and instruction to other personnel. <p>In all cases, practical assessment should be supported by questions to assess underpinning knowledge and those aspects of competency which are difficult to assess directly.</p> <p>Where applicable, reasonable adjustment must be made to work environments and training situations to accommodate ethnicity, age, gender, demographics and disability.</p> <p>The language, literacy and numeracy demands of assessment should not be greater than those required to undertake the unit of competency in a work-like environment.</p>
Guidance information for assessment	

Range Statement

Codes of practice	Where reference is made to industry codes of practice, and/or Australian/international standards, it is expected the latest version will be used
Legislation, standards, codes, procedures and/or enterprise requirements	<p>Legislation, standards, codes, procedures and/or enterprise requirements may include:</p> <ul style="list-style-type: none"> • federal legislation, such as: • Environment Protection and Biodiversity

	<p>Conservation Act 1999</p> <ul style="list-style-type: none"> • Australian Heritage Council Act 2003 • Native Title Act 1993 • state/territory government legislation and regulations and local government by-laws, policies, and plans dealing with: <ul style="list-style-type: none"> • land use, acquisition, planning and protection • environmental protection • cultural/heritage protection • vegetation management • nature conservation and wildlife/plant protection • water and water management • soil conservation • pollution and contaminated sites • fisheries, forestry and mining operations • Australian and international standards, such as: <ul style="list-style-type: none"> • AS/NZS ISO 14000 Set:2005 Environmental management standards set • Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Codes of Practice • Australian Dangerous Goods Code ADG7 • occupational health and safety (OHS) national standards and codes of practice • environmental management plans, policies and procedures • site information about applicable legislative requirements and approval requirements • information about site processes, work schedules • information about emergency preparedness and response • monitoring/inspection procedures and management actions to prevent/control environmental impacts or risks • sampling and in-situ measurement procedures (e.g. water, air, noise and soils) • job hazard analyses • safe work procedures and work method statements • material safety data sheets (MSDS)
<p>Major features of legislation, codes and standards</p>	<p>Major features of legislation, codes and standards may include:</p> <ul style="list-style-type: none"> • scope of application, objectives and policies • assessment procedures • works approval procedures

	<ul style="list-style-type: none"> • permits • regulation of activities • licensing procedures, terms and conditions • environment protection notices, offences and penalties • notification requirements • auditing requirements • powers of investigation • courts, enforcement provisions and sentencing options
Site personnel	<p>Site personnel may include:</p> <ul style="list-style-type: none"> • enterprise employees • contractors and subcontractors • consultants, such as environmental scientists, planners, engineers and external auditors • suppliers and service providers • government/regulator representatives and inspectors • visitors, members of the public, community representatives and landowners
Reports	<p>Reports may include:</p> <ul style="list-style-type: none"> • weekly environmental reports • monthly environmental reports • regulatory agency reports as required by permit, approval or licence conditions
Sources of information about changes to legislative requirements	<p>Sources of information about changes to legislative requirements may include:</p> <ul style="list-style-type: none"> • Environmental Defenders Office (EDO) Network • Australasian Legal Information Institute • industry forums • compliance reports • government/industry newsletters • industry journals • information updates from regulatory authorities • websites
OHS and environmental management requirements	<p>OHS and environmental management requirements:</p> <ul style="list-style-type: none"> • all operations must comply with enterprise OHS and environmental management requirements, which may be imposed through state/territory or federal legislation - these requirements must not be compromised at any time • all operations assume the potentially hazardous

	<p>nature of samples and require standard precautions to be applied</p> <ul style="list-style-type: none">• where relevant, users should access and apply current industry understanding of infection control issued by the National Health and Medical Research Council (NHMRC) and State and Territory Departments of Health
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Unit Sector(s)

Environmental

Custom Content Section

Not applicable.