



Australian Government

MSS027002 Apply environmental legislation, codes and standards

Release: 1

MSS027002 Apply environmental legislation, codes and standards

Modification History

Release 1. Supersedes and is equivalent to MSS027002A Apply environmental legislation, codes and standards

Application

This unit of competency covers the ability to interpret and apply relevant environmental legislation, codes and standards to activities associated with a work area, site, project or program. Personnel are required to access, review and interpret complex legal and technical documents, develop/revise site or project-specific environmental management procedures, explain the implications of these documents to site personnel, monitor work activities to ensure compliance, and to prepare reports. Personnel work under the supervision of an environmental scientist or engineer, site manager or organisation's environmental manager.

This unit of competency is applicable to environmental site coordinators, environmental managers and senior environmental officers working in all industry sectors. 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.

While no specific licensing or certification requirements apply to this unit at the time of publication, environmental monitoring and management activities are governed by relevant legislation, regulations and/or external accreditation requirements. Local requirements should be checked.

Pre-requisite Unit

Nil

Competency Field

Management

Unit Sector

Environmental

Elements and Performance Criteria

Elements describe the essential outcomes.

Performance criteria describe the performance needed to demonstrate achievement of the element.

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| 1 | Access and interpret relevant | 1.1 | Review legislative, regulatory and licensing requirements and approvals that apply to site/project. |
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legislation, codes and standards	1.2	Analyse the broad significance of these requirements for the organisation, 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 workplace 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.
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 workplace 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	4.1	Plan work activities to ensure environmental

	activities meet compliance requirements		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 workplace 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.

Foundation Skills

This section describes those required skills (language, literacy and numeracy) that are essential to performance.

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Range of Conditions

This field allows for different work environments and conditions that may affect performance. Essential operating conditions that may be present (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) are included.

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| Legislation, regulations, standards, codes, | <ul style="list-style-type: none"> federal legislation, such as the Environment Protection and Biodiversity Conservation Act, Australian Heritage Council Act, Native Title Act and National Environmental Protection Measures |
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workplace procedures and requirements include the latest version of one or more of:

- state/territory government legislation and local government by-laws, policies, regulations and plans dealing with land use; environmental protection; cultural/heritage sites; vegetation management; nature conservation and wildlife/plant protection; water and water management; soil conservation; pollution and contaminated sites; fisheries, forestry and mining operations
- legislation, standards and codes of practice for work health and safety (WHS), handling of dangerous goods, radiation protection
- Australian and international standards covering environmental management such as AS/NZS ISO 14000 Basic Set:2007 Environmental Management Basic Set
- registration/licensing and/or accreditation requirements
- workplace environmental management plans for specific sites and/or activities, monitoring/inspection procedures, management actions to prevent/control environmental impacts or risks
- site information, such as applicable legislative and approval requirements, site processes and work schedules, emergency preparedness and response, job hazard analyses, safe work procedures and work method statements
- workplace documents, such as standard operating procedures (SOPs); work schedules; recording and reporting procedures; equipment manuals and warranties; safety data sheets (SDS); and safety procedures; waste minimisation, containment, processing and safe disposal procedures.

Major features of legislation, codes and standards include one or more of:

- scope of application, objectives and policies
- assessment procedures
- works approval procedures
- 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 include one or more of:

- 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 include one or more of:

- weekly environmental reports
- monthly environmental reports
- regulatory agency reports as required by permit, approval or licence conditions.

Sources of information about legislative changes include one or more of:

- Environmental Defenders Office (EDO) Network
- Australasian Legal Information Institute
- industry forums
- compliance reports
- government/industry newsletters
- industry journals
- information updates from regulatory authorities
- websites.

WHS and environmental management requirements include:

- compliance with relevant federal/state/territory WHS legislation at all times
- assuming that samples are potentially hazardous and applying standard precautions
- accessing and applying current industry understanding of infection control issued by the National Health and Medical Research Council (NHMRC) and state/territory Departments of Health, where relevant.

Unit Mapping Information

Release 1. Supersedes and is equivalent to MSS027002A Apply environmental legislation, codes and standards

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5b04f318-804f-4dc0-9463-c3fb9a3fe998>

Assessment Requirements for MSS027002 Apply environmental legislation, codes and standards

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Performance Evidence

Evidence of competence in this unit must satisfy all of the requirements of the elements and performance criteria, and include demonstration of:

- reviewing the environmental compliance of work activities, policies, plans and/or procedures associated with a work area, site, project or program on at least two (2) occasions and reporting the findings
- researching and interpreting environmental legislative requirements, codes and standards for a site, project and/or program activities
- explaining environmental management roles, responsibilities, obligations and compliance requirements to site personnel
- analysing and reviewing workplace environmental management plans, policies, procedures and work instructions for legislative compliance
- analysing and verifying site or project environmental data and compliance information
- writing clear and concise site or project-specific environmental management procedures or work instructions
- promoting environmental compliance in a work area or site by explaining and distributing information, coaching and/or mentoring
- identifying opportunities for improving environmental compliance in a work area, site, project or program
- keeping up-to-date with changes in environmental compliance requirements relevant to job role
- seeking advice when issues/problems are beyond scope of competence/responsibility
- providing accurate, complete and timely reports
- maintaining environmental compliance records.

Knowledge Evidence

- Must provide evidence that demonstrates knowledge of:
- 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 work area, site, project or program

- organisation's environmental management plans, policies, procedures and work instructions that apply to the work area, site, project or program
- workplace procedures for the development, revision and improvement of environmental management policies, plans, procedures and work instructions

workplace environmental reporting requirements for the work area, site, project or program and reporting procedures.

Assessment Conditions

- Judgement of competence must be based on holistic assessment of the evidence. Assessment methods must confirm consistency of performance over time, rather than a single assessment event.
- This unit of competency is to be assessed in the workplace, or a simulated workplace environment. A simulated workplace environment must reflect realistic operational workplace conditions that cover all aspects of workplace performance, including the environment, task skills, task management skills, contingency management skills and job role environment skills.
- Foundation skills are integral to competent performance of the unit and should not be assessed separately.
- Assessment processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.
- Knowledge evidence may be collected concurrently with performance evidence or through an independent process such as workbooks, written assessments or interviews (provided a record is kept in each case).
- Holistic assessment methods include:
 - review of two reports and examples of environmental compliance records generated by the candidate
 - review of information, such as site or project-specific environmental management procedures and/or work instructions developed by the candidate and provided to site personnel
 - review of candidate's analysis of compliance issues contained in environmental management case studies or reports
 - feedback from manager(s) that the candidate is able to reliably apply and explain current environmental compliance requirements for a work area, site, project or program relevant to their job role
 - oral and/or written questions to assess the candidate's knowledge of legal and environmental management terms and principles, environmental compliance requirements and relevant workplace procedures.
- Access is required to all instruments, equipment, materials, workplace documentation, procedures and specifications associated with this unit including, but not limited to:
 - a standard work space equipped with basic computer equipment and access to organisation's information management system; maps, digital camera; and monitoring and sampling equipment
 - documentation, such as site/project history, relevant workplace environmental management policies, plans, actions, procedures and checklists.

- Assessors must satisfy the assessor competency requirements that are in place at the time of the assessment as set by the VET regulator.
- The assessor must demonstrate both technical competency and currency.
- Technical competence can be demonstrated through:
 - relevant VET or other qualification/Statement of Attainment AND/OR
 - relevant workplace experience
- Currency can be demonstrated through:
 - performing the competency being assessed as part of current employment OR
 - having consulted with an organisation providing environmental monitoring, management or technology related services about performing the competency being assessed within the last twelve months.

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