

## Program guidelines

The 'Inspiring Environmental Solutions – EPA Community Funding Program' invites Victorian communities to propose fresh thinking and inspirational solutions to the important environmental challenges we face.

Proposals should tackle significant environmental issues or work with Victorian communities to bring about changes in the way people think and act around issues such as climate change, pollution, air or water quality or resource use.

### About the fund source

Funding for the Inspiring Environmental Solutions program is sourced through a legislative scheme where the 'polluter pays'. Under the *Environment Protection Act 1970* (Section 67AC), a company or individual found guilty of environmental pollution may be directed by a Magistrate to fund a community environmental project instead of paying a court fine.

Through the Inspiring Environmental Solutions program, EPA collates a pool of community based environmental projects which are assessed and recommended to the Courts to assign to appropriate prosecutions.

Individual prosecution orders generally range from \$10,000 to \$100,000 and applications are invited within this range. As funding is at the discretion of the Magistrate, following the successful prosecution of irregular pollution incidents, the total pool of funding on offer will vary each year.

Proposals accepted into the Inspiring Environmental Solutions program will not be assured funding within any one year, cannot be tied to a specific date and should have flexible implementation timelines.

### Application and assessment process

The Inspiring Environmental Solutions program has a two-part application process.

#### **Stage 1 - Expression of interest**

Applicants are invited to submit an expression of interest (EOI) detailing the key components and broad outcomes of their proposal using the selection criteria detailed in this guide.

The EOIs are assessed and ranked by an evaluation panel and successful applications are placed in a project pool awaiting a suitable prosecution.

All applicants are notified by email of the outcome of their assessment from Stage 1.

When a prosecution suitable under Section 67AC is identified, a selection of EOI proposals in the project pool will be invited to submit a detailed project plan.

#### **Stage 2 - Detailed project plan** (by invitation based on EOI)

Invitation to participate in Stage 2 is based on the ranking of the EOI proposals through Stage 1, as well as considering the location and nature of the incident being prosecuted and the expected fine.

Following Stage 2 assessment, EPA will submit a recommendation to the Magistrate presiding over the incident prosecution. The Magistrate will make the final decision on the proposal(s) to be funded.

### Fund objectives

The Inspiring Environmental Solutions program supports community led projects to tackle important environmental challenges facing Victorians.

Proposals must **enhance the environment in a public place, or undertake environmental activities for the benefit of the community**. High-quality proposals will:

- make a lasting, measurable difference to environmental issues such as climate change, pollution, air or water quality or resource sustainability
- involve significant community participation, partnerships or networks in the design and delivery of the program
- address a clearly identified environmental need or a high priority community
- support people to change the way they think and act about the environment
- demonstrate an innovative, creative and solutions focused approach to delivery
- use a multifaceted approach to the issue (*e.g. an education program that uses a range of different media to engage with different audiences or tackling both the upstream and downstream impacts on an environmental issue*).

### Fund categories

Proposals are invited across 6 categories

1. **climate change** – projects which address community understanding or action around climate change.
2. **waste reduction** – projects which enable a reduction in general or industrial waste.
3. **resource sustainability** – projects which encourage the sustainable use of water or energy resources by the community, business or industry.
4. **air quality** – projects which prevent or mitigate air pollution.
5. **water quality** projects which prevent or mitigate water pollution or enhance water quality.
6. **environmental rehabilitation** – projects which rehabilitate a significant environment affected by waste or pollution.

### What projects are eligible?

#### Eligible groups

Applications to the Inspiring Environmental Solutions program are invited from incorporated groups and organisations or other legal entities (other than individuals).

Examples of eligible applicants include:

- Incorporated community organisations (e.g. community-based cultural, religious, educational and environmental groups)
- Not-for-profit/Non-government organisations
- Indigenous Associations
- Businesses
- Peak/representative associations
- Schools/Universities
- Research groups
- Local and state government

Non-incorporated groups can apply under the auspice of an eligible group who must agree to take on financial accountability for the project.

Groups must consider if their project requires appropriate insurance to cover their activities.

### Eligible projects

Proposals must **enhance the environment in a public place, or undertake environmental activities for the benefit the community.**

- ✓ Projects must be based in Victoria
- ✓ Projects must be not-for-profit
- ✓ Activities on private or public land must be developed in consultation with the appropriate land manager/owner
- ✓ Projects must be delivered within 12–18 months of funding
- ✓ Funding cannot be retrospective (existing projects that can be successfully expanded to other audiences will be considered)
- ☒ Proposals that are the funding responsibility or core business of another State or local government department will not be considered.
- ☒ Projects that are considered to mainly beautify or improve amenities such as in school grounds or parks and reserves will not be funded.
- ☒ Activities inconsistent with local, State or national frameworks, policies or standards for the environment will not be funded.

### Eligible activities

The Magistrate decides on the value of the penalty that will apply to the incident. Recently the values of projects that Courts have ordered for an individual prosecution have usually ranged between \$50,000 and \$100,000. Expressions of Interest within this range will have a greater likelihood of funding.

Proposals outside this range are eligible, but should consider how they can be staged or propose several options for delivery.

Eligible project activities can include:

- ✓ Personnel, including salaries (cash/in-kind contribution of an equal amount would be expected)
- ✓ Consultants (eg professional artist)
- ✓ Professional fees (eg accounting and auditing costs)
- ✓ Local travel
- ✓ Supplies and materials
- ✓ Printing and communication costs
- ✓ Minor equipment (up to \$1500 total)
- ✓ Vehicle costs (up to \$1500 total)
- ✓ Capital works (plans and approvals would be required)
- ✓ Research

Funding cannot be used to:

- ☒ purchase large equipment and assets (eg vehicles, property)
- ☒ travel interstate or overseas
- ☒ offset normal operational costs of the applicant.

### How to apply

The Inspiring Environmental Solutions proposals are funded through the successful prosecution of irregular pollution events, so an expression of interest process is used to reduce the amount of work for applicants.

Proposals which are assessed as highly suitable through Stage 1, will be invited to be placed in a project pool. As funding becomes available, a selection of project pool applicants will be invited to further expand their application.

### Stage 1 – Expression of interest (EOI) form

In Stage 1, applicants submit an expression of interest form detailing the broad outcomes of the proposal, the degree of innovation and the importance of the environmental issue it will address.

An EOI is not a full project plan. It is simply an overview of the proposal idea, the outcomes and how it will be delivered.

Complete the expression of interest (EOI) form, paying close attention to the objectives of the Inspiring Environmental Solutions program and demonstrating evidence against the selection criteria.

### Expression of interest selection criteria

- |                              |   |
|------------------------------|---|
| Eligibility criteria         | <ul style="list-style-type: none"><li>▪ Project meets fund purpose - to enhance the environment in a public place, or undertake environmental activities for the benefit the community</li><li>▪ Eligible applicant and eligible activities</li><li>▪ EOI completed and signed</li></ul>  |
| 1. Innovation                | <ul style="list-style-type: none"><li>▪ Project proposes a creative and solutions focused approach (using new technologies or strongly innovative methodologies)</li><li>▪ Project creatively harnesses local resources (eg in-kind or other resources) or partnerships and creates synergies with other local activities</li><li>▪ Project method and learnings are transferable</li><li>▪ Project will deliver a lasting impact</li></ul> |
| 2. Community participation   | <ul style="list-style-type: none"><li>▪ Project uses a process which is highly collaborative and strongly supports community involvement</li><li>▪ Project processes enable community capacity building to support project longevity</li><li>▪ Project delivered <u>with</u> the community, not <u>to</u> the community</li></ul>   |
| 3. Importance of the project | <ul style="list-style-type: none"><li>▪ Project will deliver significant environmental benefits for the community and can identify flow on social and economic benefits</li><li>▪ Project can demonstrate why the participants are high-need or priority</li><li>▪ Project importance is backed by evidence (eg. reports or research into environmental need)</li></ul>   |
| 4. Quality of concept        | <ul style="list-style-type: none"><li>▪ Project is well planned, identifies its key partners, articulates a clear method for achieving its outcomes</li><li>▪ Project provides good value for money</li><li>▪ Budget and activities are flexible, yet achievable</li></ul>  |

### Submitting your expression of interest

#### 1. Who can submit an expression of interest?

The expression of interest form must be signed by the elected office bearer/manager of the applicant. Financial partners or land managers/owners must also be consulted in preparing the EOI. Ineligible and incomplete EOIs will not be assessed.

#### 2. When can an expression of interest be submitted?

Expressions of interest are invited for the months of March and September each year.

### 3. How to submit your application

Download the expression of interest form and complete electronically. Only electronic applications can be accepted.

Email applications (under 5 MB) or copy the application onto a CD and post.

**The file must be saved in Word format.** Please do not convert your application to pdf as it makes it difficult to upload into the program database.

Email: [ies@epa.vic.gov.au](mailto:ies@epa.vic.gov.au)

EOI Inspiring Environmental Solutions - EPA Community Funding Program  
Community and Stakeholder Engagement Unit

Post: EPA Victoria  
GPO Box 4395QQ  
Melbourne VIC 3001

Information: Ph: 9695 2722

### Assessment of expressions of interest

Expressions of Interest are assessed in the month following the closure (April/October) by an evaluation panel. The applications are assessed against the selection criteria and ranked.

Top ranking proposals, which best meet the objectives of the Inspiring Environmental Solutions program and the selection criteria will be placed in a project pool, awaiting potential prosecutions.

Successful and unsuccessful EOIs will be notified and applicants can request feedback.

### Project pool term

Successful EOIs are registered in a project pool for 12 months. Funding into the Inspiring Environmental Solutions program varies greatly from year to year so not all proposals in the project pool will be funded.

Shortly before expiring, the pool applicants will be contacted by EPA with the option of having their proposal automatically reassessed in the current EOI round, or removing their proposal from the program. A proposal can be resubmitted multiple times, however it would be advisable to get feedback each year to ensure the proposal is addressing contemporary priorities.

### Invitation to Stage 2

When EPA becomes aware that a prosecution may become the subject of a s.67AC order, it will select a number of proposals from within the pool and invite applicants to submit a detailed project plan. The detailed project plans are assessed by an evaluation panel, and the Magistrate will decide on the project to be funded.

The selection of proposals from within the pool will depend on the ranking from Stage 1 and will also consider the:

- nature of the offence (e.g. water quality proposals for a water pollution offence)
- likely penalty amount
- location of the offence.

It is important to note that proposals are chosen on overall merit based on the selection criteria. Successful proposals will not necessarily address the environmental damage caused by the incident being prosecuted.

### **Can an expression of interest be resubmitted?**

Unsuccessful EOIs from previous rounds can be resubmitted; however, we strongly advise you to seek feedback from EPA prior to reapplying.

## **Other Information**

### **Total fund variations**

Due to the random nature of pollution incidents, EPA cannot guarantee that proposals accepted into the project pool will be funded within any one year.

### **Tax and GST**

The Magistrate will instruct prosecuted organisations to pay their allocated penalty directly to the funding recipient organisation. As the payment is a criminal penalty, it is not subject to GST. Groups should seek independent financial advice on taxation obligations in relation to declaring and expending this type of income.

### **Insurances and indemnity**

The applicant would be required to hold a broad form public liability insurance policy and where applicable, professional indemnity and workers compensation insurance. The applicant will be required to indemnify EPA for any losses/damage arising from the project.

### **Project agreement**

The successful applicant will be required to enter a funding agreement with the EPA which will outline the project's reporting, evaluation and financial responsibilities. The successful applicant will be required to complete their project including all reporting and evaluation within 12 to 18 months of signing the project agreement.

### **Private information**

Details of the successful applications will be made public in reporting prosecutions, media releases, media articles, on the EPA website and on the offender's website or in its publications. EPA will ensure that all private and commercial information is managed according to the *Information Privacy Act 2000*.

### **Program changes**

EPA reserves the right to, at any time, modify the eligibility and selection criteria for the Inspiring Environmental Solutions Program. The most current version of criteria will be available on the EPA website.

The Environment Protection Authority ('EPA' or 'EPA Victoria') works with government agencies, businesses, industry and people in the community to control and reduce waste and pollution and to protect and improve the Victorian environment.

The *Environment Protection Act 1970* forms the legal basis for EPA's activities.

EPA is responsible for ensuring that companies and individuals comply with the *Environment Protection Act 1970* and may prosecute any offenders. The outcome of a successful prosecution can include a monetary penalty directed to one or more community environmental projects.