



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF DECISION

Proposed Environment Protection (Scheduled Premises) Regulations 2017

I, Lily D'Ambrosio, Minister for Energy, Environment and Climate Change, give notice under section 12 of the **Subordinate Legislation Act 1994** that the proposed Environment Protection (Scheduled Premises) Regulations 2017 have been the subject of a Regulatory Impact Statement. Public comments and submissions were invited. Twenty-nine submissions were received and have been considered in accordance with section 11 of that Act.

After consideration of the submissions, I give notice of my intention to proceed with the making of the proposed regulations, with the following amendments:

- A definition of 'public utility depot' and sub-definitions of 'electricity distribution company', 'gas distribution company' and 'telecommunications carrier' have been added, to provide greater clarity.
- The definition of 'UN Number' and the reference to 'UN Number 30XY' have been deleted and definitions of 'designated waste' and 'waste code' have been added. The exemption relating to the temporary storage of designated wastes is described in terms of applicable waste codes. The method of storage must also be in accordance with specifications acceptable to EPA.
- In relation to organic waste processing, the output-based threshold for works approval and licensing requirements has been changed, and a definition of, and references to, 'pasteurised material' have been added in place of 'soil conditioner'. These changes have been made as it is recognised that material is sometimes added after processing (by aerobic or anaerobic biological conversion) has finished, so the end product matches a customer's specifications.
- Other, minor grammatical and wording changes have been made, including to the consequential amendments to the Environment Protection (Fees) Regulations 2012, to ensure the regulations are clear as to intent and do not cause confusion.

Some key issues raised by the submissions that have not led to amendments to the proposed regulations include:

- In relation to the temporary storage of asbestos at a transfer station or public utility depot without an EPA works approval or licence, concerns that the time and volumetric limits are too restrictive. The proposed limits are regarded as appropriate boundaries for exemptions from works approval and licensing requirements.
- In relation to larger-scale electronic waste reprocessors, concerns that works approval and licensing requirements are unwarranted for premises that use manual, rather than mechanical, reprocessing methods. The proposed application thresholds for works approval and licensing are regarded as appropriate given the risks that larger-scale manual reprocessing of electronic waste can pose to the environment and human health if not adequately designed and managed.
- In relation to organic waste processing, concerns that works approval and licensing requirements are unwarranted for premises that mainly, or only, compost timber or forestry residuals. Works approval and licensing requirements are regarded as warranted to ensure appropriate design and management controls are in place for larger-scale composting operations.

HON. LILY D'AMBROSIO MP
Minister for Energy, Environment and Climate Change

SPECIAL

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