



# Victoria Government Gazette

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By Authority of Victorian Government Printer

## Environment Protection Act 2017

### NOTICE OF MAKING OF A DETERMINATION IN ACCORDANCE WITH REGULATION 5(5) OF THE ENVIRONMENT PROTECTION REGULATIONS 2021

Determination under Regulation 5(3)(a) of the Environment Protection Regulations 2021

EPA Determination – Specifications Acceptable to the Authority for  
Receiving Recycled Aggregates

#### 1. Citation

This Regulation 5(3)(a) determination is 01 of 2021 and may be cited as EPA Determination – Specifications acceptable to the Authority for receiving recycled aggregates.

#### 2. Summary

This determination is made by the Environment Protection Authority (Authority) under Regulation 5(3)(a) of the Environment Protection Regulations 2021 (the Regulations). It specifies when a person, or place or premises is authorised to receive recycled aggregates for the purposes of Regulation 63(b) of the Regulations.

The effect of this determination is that if recycled aggregates are received at a place or premises in accordance with the specifications set out in this determination, then that place or premises is authorised to receive that industrial waste.

#### 3. Definitions

In this determination, words or phrases have the same meaning as in the Environment Protection Act 2017 (the Act) and the Regulations unless otherwise specified, and –

**recycled aggregates** means industrial waste or a mix of industrial wastes that comprise of: concrete (waste code Y100), brick (waste code Y110), glass (waste code Z100), asphalt (waste code Y140), natural rock or ceramics;

**receiving site** means the place or premises which receives, or will receive the recycled aggregates;

**waste generator** means the person in management or control of the site at which the recycled aggregates were generated;

**waste receiver** means the person in management or control of the receiving site.

#### 4. Application

(1) This determination applies to industrial waste that is—

- (a) recycled aggregates within the definition set out in this determination; and
- (b) classified as recycled aggregates in a designation issued by the Authority under Regulation 86 of the Regulations.

(2) This determination does not apply to –

- (a) any activity that requires a permission (as defined in the Act); or
- (b) the receipt of not more than 5m<sup>3</sup> of recycled aggregates that are not priority waste, where receipt of that waste at the place or premises is not a permission activity under the Act.

#### 5. Specifications

For the purposes of Regulation 63(b) of the Regulations, a person or a place or premises is authorised to receive recycled aggregates provided –

- (a) all the conditions in Clause 6 of this determination are satisfied; and
- (b) the recycled aggregates do not contain any industrial waste that is also a priority waste or reportable priority waste; and

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- (c) the waste generator has –
  - (i) so far as reasonably practicable, removed from the recycled aggregates all industrial wastes that are not recycled aggregates including plastics, metal or wood; and
  - (ii) for recycled aggregates other than glass, crushed or processed the recycled aggregates so as to make them suitable for use as an aggregate in building or construction works; and
  - (iii) for recycled aggregates that contain glass –
    - (A) removed, so far as reasonably practicable, all combustible contaminants; and
    - (B) crushed or processed the glass into glass sand so as to make it suitable for use as a substitute for sand in building or construction works.

#### 6. Conditions or limitations

- (1) The waste receiver must inspect each consignment of recycled aggregates when received at the receiving site and –
  - (a) confirm the consignment meets the specifications in Clause 5 of this determination; and
  - (b) make a record of that inspection.
- (2) The waste receiver must only receive recycled aggregates for the purpose of building or construction works.

#### 7. Duration

This determination commences on 1 July 2021 and remains in effect until the revocation of the Regulations, unless earlier revoked by the Authority.

#### 8. Notes

- (1) This determination does not include geotechnical considerations for use of recycled aggregates.
  - (2) For the purposes of this determination, the following publications are relevant guidance –
    - (a) *Management and storage of combustible recyclable and waste materials*, published by the Authority on 30 October 2018 (as amended from time to time) and available on its website (Publication 1667); and
    - (b) *Fact sheet: Use of glass fines* published by the Authority on 12 July 2019 (as amended from time to time) and available on its website (Publication 1748).
  - (3) The Authority may amend or repeal this determination by way of written notice published in the Government Gazette.
  - (4) This determination does not satisfy, alter or remove any requirement under the Act, except to the extent the determination expressly states otherwise.
  - (5) This determination and others can be found on the Authority's website: [www.epa.vic.gov.au](http://www.epa.vic.gov.au)
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