

Authorised Version No. 001
**Environment Protection (Scheduled
Premises) Regulations 2017**

S.R. No. 45/2017

Authorised Version as at
25 June 2017

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Part 1—Preliminary

1 Objectives

The objectives of these Regulations are—

- (a) to prescribe premises as scheduled premises for the purposes of the **Environment Protection Act 1970**; and
- (b) to specify scheduled premises in respect of which the Authority may require a financial assurance; and
- (c) to specify scheduled premises in respect of which the landfill levy is payable; and
- (d) to specify scheduled premises in respect of which the environment protection levy is payable; and
- (e) to provide for exemptions from provisions of the Act; and
- (f) to make consequential amendments to the Environment Protection (Fees) Regulations 2012.

2 Authorising provision

These Regulations are made under section 71 of the **Environment Protection Act 1970**.

3 Commencement

These Regulations come into operation on 25 June 2017.

4 Revocations

The following Regulations are **revoked**—

- (a) the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007¹;
- (b) the Environment Protection (Scheduled Premises and Exemptions) Amendment Regulations 2009²;
- (c) the Environment Protection (Scheduled Premises and Exemptions), (Industrial Waste Resource) and (Fees) Amendment Regulations 2015³.

5 Definitions

In these Regulations—

ambulance service has the same meaning as it has in the **Ambulance Services Act 1986**;

animal unit means one head of cattle or 5 of any other kind of mammal;

chemical process means any process where a chemical change occurs but does not include physical processes such as mixing or blending;

Class 2 indicator means a Class 2 indicator in the State environment protection policy (Air Quality Management);

Class 3 indicator means a Class 3 indicator in the State environment protection policy (Air Quality Management);

compost means an organic product that has undergone controlled aerobic and thermophilic biological transformation through the composting process to achieve pasteurisation and reduce phytotoxic compounds, and achieved a specified level of maturity required for compost;

contamination has the same meaning as it has in the National Environment Protection (Assessment of Site Contamination) Measure 1999 as in force from time to time;

digestate means the material remaining after the anaerobic digestion of organic waste;

EPU (equivalent passenger units), in relation to a type of tyre in column 2 of the Table in Schedule 2, means the corresponding value in column 3 of that Table;

health service has the same meaning as it has in the **Public Health and Wellbeing Act 2008**;

information technology and telecommunications equipment means products and equipment used for the collection, storage, processing, presentation, communication, transmission or receipt of sound, images, video or other information by electronic means or telecommunications;

odorous compound means any chemical compound, including a volatile organic compound, that is offensive to the senses of human beings when dispersed in the air;

particles means any particles referred to in the State environment protection policy (Air Quality Management) including the following indicators—

- (a) Particles as PM_{2.5};
- (b) Particles as PM₁₀;
- (c) total suspended particles;
- (d) TSP (nuisance dust);

pasteurised material means organic material with reduced pathogens and plant propagules following exposure to heat;

prescribed industrial waste has the same meaning as in the Environment Protection (Industrial Waste Resource) Regulations 2009;

reprocess means to change the physical structure or properties of a waste material to allow for further use;

source means a point from which wastes are emitted to the air environment;

specified electronic waste means waste rechargeable batteries, cathode ray tube monitors and televisions, flat panel monitors and televisions, information technology and telecommunications equipment, lighting and photovoltaic panels;

State environment protection policy (Air Quality Management) means the **Environment Protection Act 1970**: State environment protection policy (Air Quality Management) published in the Victoria Government Gazette S240 on 21 December 2001, as in force from time to time;

the Act means the **Environment Protection Act 1970**;

volatile organic compound means any chemical compound based on carbon with a vapour pressure of at least 0.010 kPa at a temperature of 25° Celsius or having a corresponding volatility under the particular conditions of use except carbon monoxide (CO), carbon dioxide (CO₂), carbonic acid, metallic carbides or carbonate salts;

waste tyres means whole rubber tyres which are considered waste for the purposes of the Act;

water corporation has the same meaning as it has in the **Water Act 1989**.

Part 2—Scheduled premises

6 Scheduled premises

For the purposes of paragraph (b) of the definition of *scheduled premises* in section 4(1) of the Act, a premises of a class described in column 2 of the Table in Schedule 1 is prescribed as a scheduled premises.

7 How conflict to be resolved if premises falls into more than one description

If a scheduled premises falls within 2 or more of the descriptions in column 2 of the Table in Schedule 1 and the premises is exempt in relation to at least one description but is not exempt in relation to one or more of the other descriptions, that exemption does not apply to the premises.

Part 3—General exemptions

8 Application of exemption provisions

Section 19A or 20(1) of the Act do not apply in respect to the occupier of any scheduled premises to the extent set out in—

- (a) regulations 9 to 12; or
- (b) column 3 of the Table in Schedule 1.

Notes

- 1 Regulations 9 to 12 set out general exemptions.
- 2 Column 3 of the Table in Schedule 1 sets out category specific exemptions.

9 Noise

- (1) A works approval under section 19A(1)(d) of the Act is not required with respect to emissions of noise from a source emitting less than 80dB(A) sound power level.
- (2) A works approval under section 19A(1)(d) of the Act is not required with respect to emissions of noise from premises that do not otherwise require works approval in respect of the premises.
- (3) Subregulation (2) does not apply with respect to emissions of noise from premises of a type numbered A08, D07, F02, F03, G03 or K01 in column 1 of the Table in Schedule 1.

10 Air

- (1) A works approval under section 19A(1) or (2) of the Act or a licence under section 20(1) of the Act is not required with respect to discharges or emissions to air from the following—
 - (a) a source, other than an incinerator or an afterburner, discharging or emitting less than—

- (i) 100 kilograms per day Oxides of Nitrogen; and
 - (ii) 10 kilograms per day Oxides of Sulphur; and
 - (iii) 100 kilograms per day Carbon Monoxide; and
 - (iv) 5 kilograms per day volatile organic compounds of which none are odorous compounds (except those substances referred to in subparagraphs (vii) and (viii)); and
 - (v) in the case of—
 - (A) a source that discharges or emits at any time during the 12 months before 25 June 2017, 10 kilograms per day particles (except lead, respirable crystalline silica and asbestos); and
 - (B) any other source, 10 kilograms per day particles (except lead, respirable crystalline silica and asbestos), including no more than 4 kilograms per day Particles as PM_{2.5}; and
 - (vi) 0.1 gram per minute of lead; and
 - (vii) 0.1 gram per minute of any substance classified as a Class 2 indicator (except Particles as PM_{2.5}); and
 - (viii) 0.1 gram per minute of any substance classified as a Class 3 indicator;
- (b) a standby engine;
 - (c) fire fighting training activities;

- (d) a spray booth, extractor vent system or fume cupboard used in product development or in a laboratory;
 - (e) a safety relief valve or rupture disc;
 - (f) a vent on a wastewater treatment system except at a sewage treatment plant;
 - (g) a general room or building ventilation point;
 - (h) a food cooker or kitchen range;
 - (i) an acid or alkali tank;
 - (j) vents on fuel storage tanks which meet technology specifications acceptable to the Authority;
 - (k) hand-held or other portable cleaning, maintenance and construction equipment;
 - (l) extractive industry or mining operating in accordance with the **Mineral Resources (Sustainable Development) Act 1990**.
- (2) A licence under section 20(1) of the Act is not required with respect to discharges or emissions to air from boilers fired solely by natural gas with a total rated capacity of less than 20 megawatts.

11 Land or water

A works approval under section 19A(1)(a) of the Act or a licence under section 20(1)(a) of the Act is not required with respect to discharges or deposits to land or water from the following—

- (a) an enclosed drain connected to a sewer;
- (b) a municipal stormwater drainage system;
- (c) an emergency relief structure or other installations in the sewers of a sewerage authority;

- (d) an effluent reuse scheme or activity which meets discharge, deposit and operating specifications acceptable to the Authority.

12 Wastes

- (1) A works approval under section 19A(1)(b) or (1)(c) of the Act or a licence under section 20(1) of the Act is not required with respect to the following—
 - (a) storage of 40 cubic metres or less of any biomedical waste not generated at the premises—
 - (i) by a council, a health service or an ambulance service; or
 - (ii) for a period of no more than 60 days in the event of an emergency, by any organisation or facility approved by the Authority;
 - (b) a temporary plant for the on-site treatment of waste generated at the premises if—
 - (i) the activity meets technology, deposit, discharge and emission specifications acceptable to the Authority; and
 - (ii) the operation of the temporary plant is limited to a maximum cumulative operating time of 12 months within any 3 year period;
 - (c) a biosolids reuse scheme or activity which meets deposit and operating specifications acceptable to the Authority;
 - (d) temporary storage of less than 10 cubic metres of double wrapped, non-friable asbestos not generated at the premises for a period of no more than 60 days on land—

- (i) permitted under a planning scheme made under the **Planning and Environment Act 1987** for use as a transfer station and which is allowed to accept asbestos; or
- (ii) used as a public utility depot, storing only asbestos generated by the public utility and which is 100 metres or more from sensitive land uses including residential premises, health services, child care centres and education centres—

on the condition that the asbestos is then transported to a premises licensed by the Authority to receive it;

- (e) temporary storage of 1000 litres or less of designated waste not generated at the premises—
 - (i) if—
 - (A) the storage is for a period of no more than 60 days; and
 - (B) the method of storage is in accordance with specifications acceptable to the Authority; and
 - (ii) on the condition that the substance is then transported to a premises licensed by the Authority to receive it.

(2) In this regulation—

designated waste means prescribed industrial waste, in liquid form with a waste code of D300, J100, J110, J120, J130, J150, K100, K120, K200, L100, L150 or T130;

electricity distribution company has the same meaning as distribution company has in the **Electricity Industry Act 2000**;

gas distribution company has the same meaning as it has in the **Gas Industry Act 2001**;

public utility depot means a depot used by—

- (a) an electricity distribution company or contractor of an electricity distribution company; or
- (b) a gas distribution company or contractor of a gas distribution company; or
- (c) a water corporation or contractor of a water corporation; or
- (d) a telecommunications carrier or contractor of a telecommunications carrier;

telecommunications carrier means the holder of a carrier licence granted under the Telecommunications Act 1997 of the Commonwealth;

waste code has the same meaning as it has in Schedule 3 to the Environment Protection (Industrial Waste Resource) Regulations 2009.

Part 4—Financial assurances

13 Scheduled premises requiring a financial assurance

For the purposes of sections 21(1)(ba)(i) and 31A(2A)(a) of the Act, a scheduled premises is prescribed as a scheduled premises requiring a financial assurance if column 4 of the Table in Schedule 1 in respect of those premises states that a financial assurance is required.

Part 5—Environment protection levy

14 Environment protection levy

For the purposes of section 24A(1) of the Act, a scheduled premises is prescribed as a scheduled premises in respect of which the environment protection levy is required to be paid if the premises—

- (a) stores, processes or uses in excess of the prescribed quantities and prescribed concentrations of notifiable chemicals; or
- (b) stores, processes, treats, disposes of or otherwise handles prescribed industrial waste.

Part 6—Landfill levy

15 Scheduled premises required to pay landfill levy

For the purposes of section 50S of the Act, a scheduled premises is prescribed as a scheduled premises in respect of which the landfill levy is required to be paid if—

- (a) the premises is of a type numbered A01 or A05 in column 1 of the Table in Schedule 1; and
- (b) the premises is required to be licensed.

Note

Certain premises are not subject to the levy—see section 50T of the Act.

Part 7—Temporary exemption

16 Transitional provision for certain premises reprocessing electronic and glass waste

- (1) Subject to subregulation (2), section 20(1) of the Act does not apply until 25 January 2018 to an occupier of premises, if that premises has the capacity to reprocess more than—
 - (a) 500 tonnes of specified electronic waste per year; or
 - (b) 10 000 tonnes of glass waste per year.
- (2) If an occupier of premises who is exempted under subregulation (1) applies for a licence under section 20 of the Act before 25 January 2018, that section does not apply to the occupier until—
 - (a) the Authority issues a licence to the occupier; or
 - (b) the Authority refuses to issue a licence to the occupier.

Part 8—Environment Protection (Fees) Regulations 2012

17 Amendment of Schedule 2

In the Table in Schedule 2 to the Environment Protection (Fees) Regulations 2012⁴—

(a) for item 5 **substitute**—

"5.	A07 (Organic waste processing)	Premises on which organic waste is processed by aerobic or anaerobic biological conversion and which—	
		accept up to 3600 tonnes or 7200 cubic metres of organic waste, or produce up to 1800 tonnes of pasteurised material, compost or digestate, per year	140 fee units
		accept more than 3600 and up to 12 000 tonnes or more than 7200 and up to 24 000 cubic metres of organic waste, or produce more than 1800 and up to 6000 tonnes of pasteurised material, compost or digestate, per year	297.5 fee units
		accept more than 12 000 and up to 36 000 tonnes or more than 24 000 and up to 72 000 cubic metres of organic waste, or produce more than 6000 and up to 18 000 tonnes of pasteurised material,	490.25 fee units

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		compost or digestate, per year	
		accept more than 36 000 tonnes or 72 000 cubic metres of organic waste, or produce more than 18 000 tonnes of pasteurised material, compost or digestate, per year	910.25 fee units";
(b) for items 7 to 9 substitute —			
"7.	B01 (Animal industries)	Premises on which are situated piggeries, cattle feedlots, sheep feedlots, goat feedlots, goat dairies or dairy freestalls, where more than 5000 animals are confined for the purposes of agricultural production	140 fee units
8.	B02 (Livestock saleyards or holding pens)	Livestock saleyards or holding pens which are designed to have a throughput of at least 10 000 animal units per year	70 fee units
9.	B03 (Fish farms)	Land based fish farms or other on-shore facilities for the cultivation of edible aquatic organisms with a design water flow rate of 0.2 or more megalitres per day, discharging to—	
		inland waters;	70 fee units
		marine waters	140 fee units".

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Schedule 1—Scheduled premises table

Schedule 1—Scheduled premises table

Regulations 6, 7, 8(b), 9(3), 13, 15

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
A: Waste treatment, disposal and recycling			
A01 (PIW management)	Storage, treatment, reprocessing, containment or disposal facilities handling any prescribed industrial waste not generated at the premises.	No	Yes
A02 (Other waste treatment)	Premises on which waste is immobilised, thermally degraded or incinerated, or with the capacity to reprocess more than 500 tonnes of specified electronic waste per year.	No	No
A03 (Sewage treatment)	Premises on or from which sewage (including sullage) effluent, exceeding a design or actual flow rate of 5000 litres per day, is treated, discharged or deposited.	Premises occupied by a water corporation are exempt from works approval under section 19A of the Act in relation to	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
A04 (Industrial wastewater treatment)	Premises on or from which industrial wastewater effluent not generated at the premises, exceeding a design or actual flow rate of 5000 litres per day, is discharged or deposited.	modification works in accordance with specifications acceptable to the Authority. Premises discharging or depositing waste solely to land at a design capacity of not more than 100 000 litres per day in accordance with specifications acceptable to the Authority are exempt from licensing under section 20(1) of the Act.	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
A05 (Landfills)	Landfills used for the discharge or deposit of solid wastes (including solid industrial wastes) onto land except premises with solely land discharges or deposits, used only for the discharge or deposit of mining or extractive industry wastes and in accordance with the Mineral Resources (Sustainable Development) Act 1990 .	Municipal landfill facilities occupied by a municipal council, in use before 25 June 2017 and serving less than 500 people are exempt from works approval under section 19A of the Act. Municipal landfill facilities occupied by a municipal council and serving less than 5000 people are exempt from licensing under section 20(1) of the Act.	Yes
A06 (Land disposal)	Land disposal facilities for the disposal of nightsoil, septic tank sludge or sewage treatment plant sludge.	No	No

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A07 (Organic waste processing)	Premises on which organic waste is processed by aerobic or anaerobic biological conversion and which— (a) accept more than 100 tonnes or 200 cubic metres of organic waste in any month; or (b) accept more than 70 tonnes or 140 cubic metres of organic waste in any month and produce more than 50 tonnes of pasteurised material, compost or digestate in any month.	Premises that process organic waste generated at the premises and retain the processed organic waste on the premises are exempt from works approval under section 19A of the Act and licensing under section 20(1) of the Act.	No
A08 (Waste to energy)	Premises which recover energy from waste at a rated capacity of at least 3 megawatts of thermal capacity or at least 1 megawatt of electrical power.	No	No
A09 (Waste tyre storage)	Premises with more than 40 tonnes or 5000 EPU of waste tyres at any time.	No	No

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<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
B: Primary industry and allied operations			
B01 (Animal industries)	Premises upon which are situated piggeries, cattle feedlots, sheep feedlots, goat feedlots, goat dairies or dairy freestalls, where more than 5000 animals are confined for the purposes of agricultural production.	Premises discharging or depositing waste solely to land are exempt from licensing under section 20(1) of the Act.	No
B02 (Livestock saleyards or holding pens)	Livestock saleyards or holding pens which are designed to have a throughput of at least 10 000 animal units per year.	Premises discharging or depositing waste solely to land are exempt from licensing under section 20(1) of the Act.	No
B03 (Fish farms)	Land based fish farms or other on-shore facilities for the cultivation of edible aquatic organisms with a design water flow rate of 0.2 or more megalitres per day.	Premises discharging or depositing waste solely to land are exempt from licensing under section 20(1) of the Act.	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
C: Mining			
C01 (Extractive industry and mining)	Extractive industry and mining but excluding eductor dredging.	Premises, with solely land discharges or deposits, used only for the discharge or deposit of mining or extractive industry wastes and that are in accordance with the Mineral Resources (Sustainable Development) Act 1990 are exempt from works approval under section 19A of the Act and licensing under section 20(1) of the Act.	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
D: Animal derived by-products and food			
D01 (Abattoirs)	Abattoirs, knackereries or poultry processing works which are designed to have a throughput of more than 200 tonnes per year.	Premises discharging less than 100 000 litres per day of treated wastewater solely to land in accordance with specifications acceptable to the Authority are exempt from licensing under section 20(1) of the Act.	No
D02 (Rendering)	Rendering works, being works for the manufacture or extraction of substances derived from animals that are not suitable for human consumption and which are designed to have a throughput of more than 200 tonnes per year.	No	No

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<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
D03 (Animal skin tanning)	Animal skin tanning, or re-tanning works.	No	No
D04 (Seafood processing)	Seafood processing works with a processing capacity of more than 200 tonnes per year of seafood.	These premises are exempt from licensing under section 20(1) of the Act.	No
D05 (Pet food processing)	Pet food processing or pet food manufacturing works, which are designed to produce at least 200 tonnes per year of pet food.	No	No
D06 (Food processing)	Food processing works, being works in which food is preserved, canned, bottled, or dried by means of fuel fired plant, and which are designed to produce at least 200 tonnes per year of food.	No	No
D07 (Milk processing)	Milk processing or dairy product manufacturing works, which are designed to produce at least 200 tonnes per year of product(s).	No	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
D08 (Edible oil)	Edible oil or fat processing works, where seed crushing, solvent extraction or edible oil or fat deodorising takes place, which are designed to produce at least 2000 tonnes per year of product(s).	No	No
D09 (Beverage manufacturing)	Beverage manufacturing or processing works except for— (a) wineries that process less than 300 tonnes per year of grapes and discharge or deposit waste solely to land; and (b) other types of beverage manufacturing or processing works with a production capacity of less than 300 kilolitres per year and that discharge or deposit waste solely to land.	Premises discharging or depositing waste solely to land are exempt from licensing under section 20(1) of the Act.	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
E: Textiles			
E01 (Textiles)	Textile manufacturing and processing works including carpet manufacturing, wool scouring, textile bleaching, textile dyeing and textile finishing works.	Premises are exempt from licensing under section 20(1) of the Act for discharges or emissions to the atmosphere, except those premises engaging in textile finishing using chemical treatment.	No
F: Wood and wood derivatives			
F01 (Timber preservation)	Timber preserving works.	These premises are exempt from licensing under section 20(1) of the Act.	No
F02 (Fibreboard)	Fibreboard, particle board, or plywood works, being works in which wood, wood products or other cellulose materials are processed to form fibreboard, particle board or plywood.	No	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
F03 (Paper pulp mills)	Paper pulp mills, being works in which wood, wood products, waste paper or other cellulose materials are processed to form pulp, paper or cardboard.	Premises producing less than 30 000 tonnes per year of pulp, paper or cardboard are exempt from licensing under section 20(1) of the Act.	No
G: Chemicals including petroleum			
G01 (Chemical works)	Chemical works— (a) where products are manufactured by any chemical process, and which are designed to produce at least 2000 tonnes per year of chemical products; or (b) where acrylic compounds, herbicides, insecticides or pesticides are manufactured by any chemical process.	No	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
G02 (Coal processing)	Coal processing works, being works in which coal is converted to gaseous, liquid or solid products.	No	No
G03 (Oil and gas refining)	Oil or gas refinery works, being works in which crude oil or gas is refined or hydrocarbon fractions are produced.	No	No
G04 (Bulk storage)	Bulk storage facilities which have a total design capacity of more than 1 megalitre (in tanks exceeding 10 000 litres capacity) and which store compounds of carbon (including petroleum products or oil) which— (a) contain at least one carbon to carbon bond, as well as derivatives of methane; and (b) are liquid at Standard Temperature and Pressure; or (c) contain any substance classified as a Class 3 indicator.	No	Yes

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
G05 (Container washing)	Premises receiving bulk transport containers for the purpose of internal washing or cleansing where the containers have contained— (a) prescribed industrial waste; or (b) any material that is classified as dangerous goods under the Dangerous Goods Act 1985 .	No	Yes
H: Non-metallic minerals			
H01 (Cement)	Cement works in which— (a) clays or limestone materials are used in either a furnace or a kiln in the production of cement clinker; or (b) cement clinker or clays or limestone or like materials are ground.	No	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
H02 (Bitumen (asphalt) batching)	Bitumen or asphalt batching works which are designed to have a throughput of at least 100 tonnes per week.	These premises are exempt from licensing under section 20(1) of the Act.	No
H03 (Ceramics)	Ceramic works, being works in which bricks, tiles, pipes, pottery goods or refractories are processed in dryers or kilns, which are designed to produce at least 10 000 tonnes per year of ceramic product(s).	No	No
H04 (Mineral wool)	Mineral wool or ceramic fibre works.	No	No
H05 (Glass works)	Premises on which glass is manufactured by the melting of raw materials or premises with the capacity to reprocess more than 10 000 tonnes of glass waste per year.	No	No
I: Metals and engineering			
I01 (Primary metallurgical)	Primary metallurgical works, being works in which ores or ore concentrates are processed or smelted to produce metal.	No	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
I02 (Metal melting)	Metal melting works, being works in which any metal melting is performed in furnaces, having a total design rate of at least 10 tonnes per hour for ferrous foundries, or 2 tonnes per hour for non-ferrous foundries.	No	No
I03 (Metal galvanising)	Metal galvanising works which are designed to have a throughput of at least 5000 tonnes per year of steel.	No	No
I04 (Metal finishing)	Metal finishing works, including electroplating of metal or plastic, anodising, electroforming or printed circuit board manufacturing.	These premises are exempt from licensing under section 20(1) of the Act for discharges or emissions to the atmosphere.	No
I05 (Can and drum coating)	Can and drum coating works, in which surface coating is applied to metal before or after the metal is formed into cans, closures, coils or drums.	Premises which discharge or emit to the atmosphere less than 100 kilograms per day of volatile organic compounds are	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
		exempt from licensing under section 20(1) of the Act.	
I06 (Vehicle assembly)	Vehicle assembly or sub-assembly works which are designed to produce at least 2000 units per year.	No	No
J: Printing			
J01 (Printing)	Printing works emitting more than 100 kilograms per day of volatile organic compounds.	No	No
K: Utilities			
K01 (Power stations)	Premises which generate electrical power from the consumption of a fuel at a rated capacity of at least 5 megawatts of electrical power.	Premises using solely natural gas turbines and which have a total rated capacity of less than 20 megawatts are exempt from licensing under section 20(1) of the Act.	No

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
K02 (Carbon geosequestration)	Premises which capture, separate, process or store waste carbon dioxide for the purpose of geological disposal.	Premises used only for greenhouse gas sequestration operations, as defined by the Greenhouse Gas Geological Sequestration Act 2008 , and carried out in accordance with that Act, are exempt from works approval under section 19A of the Act and licensing under section 20(1) of the Act.	No
K04 (Water desalination plants)	Premises at which salt is removed from water for potable or other uses that have a design capacity to process more than 1 megalitre per day of feed water.	No	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
L: Other			
L01 (General emissions to air)	<p>Premises which discharge or emit, or from which it is proposed to discharge or emit, to the atmosphere any of the following—</p> <p>(a) at least 100 kilograms per day of—</p> <p>(i) volatile organic compounds; or</p> <p>(ii) particles; or</p> <p>(iii) sulphur oxides; or</p> <p>(iv) nitrogen oxides; or</p> <p>(v) other acid gases (excluding carbon dioxide);</p> <p>(b) at least 500 kilograms per day of carbon monoxide;</p>	No	No

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Schedule 1—Scheduled premises table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Type number and summary description</i>	<i>Description of scheduled premises*</i>	<i>Does a category specific exemption from works approval under section 19A or licensing under section 20(1) apply?†</i>	<i>Is a financial assurance required?</i>
	(c) any quantity from any industrial plant or fuel burning equipment of any substance classified as a Class 3 indicator.		
L02 (Contaminated sites—onsite soil containment)	On-site retention of contaminated soil in a facility designed for the purpose of containing, or preventing further, contamination and which can hold at least 1000 m ³ of contaminated soil.	These premises are exempt from licensing under section 20(1) of the Act.	Yes
L03 (Tunnel ventilation systems)	Road tunnel ventilation systems.	No	No
L04 (Contaminated sites—long term management)	Premises on which there is soil or groundwater contamination in respect of which a notice has been issued under the Act requiring long term management.	These premises are exempt from works approval under section 19A of the Act and licensing under section 20(1) of the Act.	Yes

**(Note—these premises require works approvals or licences)*

†(Note that a general exemption may also apply under regulations 9 to 12)

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Schedule 2—EPU values table

Schedule 2—EPU values table

<i>Column 1</i> Item	<i>Column 2</i> Type of tyre	<i>Column 3</i> EPU value
1.	Motorcycle	0.5
2.	Passenger car	1
3.	Light truck	2
4.	Truck	5
5.	Super single	10
6.	Solid small (diameter ≤ 0.3 m high)	3
7.	Solid medium (diameter > 0.3 m ≤ 0.45 m)	5
8.	Solid large (diameter > 0.45 m ≤ 0.6 m)	7
9.	Solid extra large (diameter > 0.6 m)	9
10.	Tractor small (diameter ≤ 1 m high)	15
11.	Tractor large (diameter > 1 m \leq to 2 m)	25
12.	Forklift small (diameter ≤ 0.3 m high)	2
13.	Forklift medium (diameter > 0.3 m ≤ 0.45 m)	4
14.	Forklift large (diameter > 0.45 m ≤ 0.6 m)	6
15.	Grader	15
16.	Earthmover small (diameter ≤ 1 m high)	20
17.	Earthmover medium (diameter > 1 m ≤ 1.5 m)	50
18.	Earthmover large (diameter > 1.5 m ≤ 2 m)	100
19.	Earthmover extra large (diameter > 2 m ≤ 3 m)	200
20.	Earthmover giant (diameter > 3 m ≤ 4 m)	400
21.	Bobcat	2

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Environment Protection (Scheduled Premises) Regulations 2017, S.R. No. 45/2017 were made on 14 June 2017 by the Governor in Council under section 71 of the **Environment Protection Act 1970**, No. 8056/1970 and came into operation on 25 June 2017: regulation 3.

The Environment Protection (Scheduled Premises) Regulations 2017 will sunset 10 years after the day of making on 14 June 2027 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule.

This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms.

See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

2 Table of Amendments

There are no amendments made to the Environment Protection (Scheduled Premises) Regulations 2017 by statutory rules, subordinate instruments and Acts.

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Reg. 4(a): S.R. No. 77/2007 as amended by S.R. Nos 152/2009 and 25/2015.

² Reg. 4(b): S.R. No. 152/2009.

³ Reg. 4(c): S.R. No. 25/2015.

⁴ Reg. 17: S.R. No. 115/2012 as amended by S.R. No. 25/2015.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2016 is \$13.94. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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Endnotes

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 45/2017 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5, definition of <i>Class 2 indicator</i>	State environment protection policy (Air Quality Management) published in the Victoria Government Gazette S 240 on 21 December 2001 and as in force from time to time	Part IV
Regulation 5, definition of <i>Class 3 indicator</i>	State environment protection policy (Air Quality Management) published in the Victoria Government Gazette S 240 on 21 December 2001 and as in force from time to time	Part IV
Regulation 5, definition of <i>contamination</i>	National Environment Protection (Assessment of Site Contamination) Measure 1999 of which notice of making was published in the Commonwealth Government Gazette Number GN 51 on 22 December 1999 at page 4246 and as in force from time to time	Clause 3, definition of <i>contamination</i>
Regulation 5, definition of <i>particles</i>	State environment protection policy (Air Quality Management) published in the Victoria Government Gazette S 240 on 21 December 2001 and as in force from time to time	The whole