

**Authorised Version No. 005**  
**Environment Protection (Scheduled Premises  
and Exemptions) Regulations 2007**

**S.R. No. 77/2007**

Authorised Version incorporating amendments as at  
21 July 2016

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**S.R. No. 77/2007**

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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**;
- (b) to specify scheduled premises in respect of which the Authority may require a financial assurance;
- (c) to specify scheduled premises in respect of which the landfill levy is payable;
- (d) to specify scheduled premises in respect of which the environment protection levy is payable;
- (e) to provide for exemptions from provisions of the Act;
- (f) to make consequential amendments to the Environment Protection (Fees) Regulations 2001.

**2 Authorising provision**

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

### 3 Commencement

These Regulations come into operation on 1 July 2007.

### 4 Revocation

The Environment Protection (Scheduled Premises and Exemptions) Regulations 1996<sup>1</sup> are **revoked**.

### 5 Definitions

In these Regulations—

***animal unit*** means 1 head of cattle or 5 pigs 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;

***composting*** means causing the aggregation of one or more types of organic matter such that it undergoes decay;

***contaminated soil*** has the same meaning as it has in the Environment Protection (Industrial Waste Resource) Regulations 2009;

Reg. 5 def. of  
*contaminated  
soil*  
amended by  
S.R. No.  
152/2009  
reg. 5.

***EPU*** (equivalent passenger units), in relation to a type of tyre in column 1 of the Table in Schedule 3, means the corresponding value in column 2 of that Table;

Reg. 5 def. of  
*EPU*  
inserted by  
S.R. No.  
25/2015  
reg. 4(2).

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

- (a) Particles as PM<sub>2.5</sub>;
- (b) Particles as PM<sub>10</sub>;

(c) Total Suspended Particles;

(d) T.S.P. (nuisance dust);

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

Reg. 5 def. of  
***prescribed  
industrial  
waste***  
amended by  
S.R. No.  
152/2009  
reg. 5.

***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 amended 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 0.010kPa at a temperature of 25° celsius or having a corresponding volatility under the particular conditions of use except carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>), carbonic acid, metallic carbides or carbonate salts;

Reg. 5 def. of  
***volatile  
organic  
compound***  
amended by  
S.R. No.  
25/2015  
reg. 4(1).

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

Reg. 5 def. of  
***waste tyres***  
inserted by  
S.R. No.  
25/2015  
reg. 4(2).

## **Part 2—Scheduled premises**

### **6 Scheduled premises**

For the purposes of paragraph (a) of the definition of *scheduled premises* in section 4(1) of the Act, a premises 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 1 description**

If a 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 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 of any premises prescribed as scheduled premises by regulation 6 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 19A(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—
  - (a) a source, other than an incinerator or an afterburner, discharging or emitting less than—

- (i) 100kg per day Oxides of Nitrogen; or
  - (ii) 10kg per day Oxides of Sulphur; or
  - (iii) 100kg per day Carbon Monoxide; or
  - (iv) 10kg per day particles (except asbestos and heavy metals); or
  - (v) 5kg per day volatile organic compounds except for the emissions of odorous compounds or those substances referred to in subparagraph (vi); or
  - (vi) 0.1 gram per minute of any substance classified as a class 3 indicator in State environment protection policy (Air Quality Management);
- (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;



- (1) extractive industry or mining operating in accordance with the **Extractive Industries Development Act 1995** or 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—

- (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**

A works approval under section 19A(1)(b) or 19A(1)(c) of the Act or a licence under section 20(1) of the Act is not required with respect to—

- (a) storage of 40 cubic metres or less of any biomedical waste by a municipal council, a hospital, an ambulance service or any organisation appointed by the State Co-ordinator of DISPLAN;

- (b) a temporary plant for the onsite treatment of waste where the activity meets technology, deposit, discharge and emission specifications acceptable to the Authority and which 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.

## **Part 4—Landfill levy**

### **13 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 for each tonne of waste that is deposited onto land at the premises—

- (a) if 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**

Under section 50T of the Act, premises are not subject to the levy under section 50S of the Act—

- if the premises is a privately owned landfill that only receives wastes that consist of substances that were owned by the owner of the landfill before they became wastes;
- if the premises is a landfill that only receives the municipal wastes of an area with a population less than 5000 people, and that is owned by a municipal council.

## **Part 5—Financial assurances**

### **14 Scheduled premises requiring a financial assurance**

For the purposes of section 71(1)(ada) 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 6—Environment protection levy**

### **15 Scheduled premises required to pay 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 7—Temporary exemption**

Reg. 16  
substituted by  
S.R. No.  
25/2015 reg. 5.

### **16 Transitional provision relating to premises used to store waste tyres**

- (1) Subject to subregulation (2), section 20(1) of the Act does not apply to an occupier of premises of a type numbered A09 in column 1 of the Table in Schedule 1 until 29 October 2015.
- (2) If an occupier of premises who is exempted under subregulation (1) applies for a licence under section 20 of the Act before 30 October 2015, 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 2001**

### **17 Revocation of regulation 10**

Regulation 10 of the Environment Protection (Fees) Regulations 2001<sup>2</sup> is **revoked**.

### **18 Amendment of Schedule 2**

The Environment Protection (Fees) Regulations 2001 are amended as set out in Schedule 2.

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
Schedules

## Schedules

Sch. 1  
amended by  
S.R. Nos  
152/2009  
reg. 6,  
25/2015 reg. 6.

### Schedule 1—Scheduled Premises Table

Regs 6, 7, 8(b), 9(3), 13, 14

<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>
<b>A: Waste treatment, disposal and recycling</b>			
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)	Waste treatment works engaged in the immobilisation, thermal degradation, incineration or other treatment of waste.	No	No

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

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



Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
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 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
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.	No	No

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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 wastes and in accordance with the <b>Extractive Industries Development Act 1995</b> or the <b>Mineral Resources (Sustainable Development) Act 1990</b> .	Municipal landfill facilities occupied by a municipal council 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

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
A07 (Composting)	Premises with aerobic or anaerobic composting which is designed to or has a capacity to process more than 100 tonnes of waste per month.	No	No
A08 (Waste to energy)	Premises which recover energy from waste at a rated capacity of at least 1 megawatt.	No	No
A09 (Waste tyre storage)	Premises with more than 40 tonnes or 5000 EPU of waste tyres at any time.	No	No
<b>B: Primary industry and allied operations</b>			
B01 (Intensive animal industry)	Intensive animal industry, being premises upon which are situated piggeries or cattle feedlots and the like, 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

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
B02 (Livestock saleyards)	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)	Fish farms or other 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
<b>C: Mining</b>			
C01 (Extractive industry and mining)	Extractive industry including mining and quarrying but excluding eductor dredging.	Premises, with solely land discharges or deposits, used only for the discharge or deposit of mining wastes and that are in accordance with the <b>Extractive Industries Development Act 1995</b> or the	No

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

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

### Schedule 1—Scheduled Premises Table

**D: Animal  
derived by-  
products and  
food**

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

Environment Protection (Scheduled Premises and Exemptions)  
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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>
D02 (Rendering)	Rendering works, being works for the manufacture or extraction of non-edible substances derived from animals.	No	No
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.	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

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
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
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 manufactur- ing)	Beverage manufacturing or processing works; except wineries processing less than 300 tonnes per year of grapes and retaining all wastes on site.	Premises discharging or depositing waste solely to land are exempt from licensing under section 20(1) of the Act.	No

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
<b>E: Textiles</b>			
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
<b>F: Wood and wood derivatives</b>			
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	No	No

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

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



Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
	processed to form fibreboard, particle board or plywood.		
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
<b>G: Chemicals including petroleum</b>			
G01 (Chemical works)	Chemical works— (i) where products are manufactured by any chemical process, and which are designed to produce at least 2000 tonnes per year of chemical products; or	No	No

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
	(ii) where acrylic compounds, herbicides, insecticides or pesticides are manufactured by any chemical process.		
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 1·0 megalitres (in tanks exceeding 10 000 litres capacity) and which store compounds of carbon (including petroleum products or oil) which—	No	Yes

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
	(i) contain at least one carbon to carbon bond, as well as derivatives of methane; and		
	(ii) are liquid at Standard Temperature and Pressure; or		
	(iii) contain any substance classified as a class 3 indicator in State (environment protection policy (Air Quality Management)).		
G05 (Container Washing)	Premises receiving bulk transport containers for the purpose of internal washing or cleansing where the containers have contained— (i) prescribed industrial waste; or	No	Yes

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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>
	(ii) any material that is classified as dangerous goods under the <b>Road Transport (Dangerous Goods) Act 1995.</b>		
<b>H: Non-metallic minerals</b>			
H01 (Cement)	Cement works in which— (i) clays or limestone materials are used in either a furnace or a kiln in the production of cement clinker; or (ii) cement clinker or clays or limestone or like materials are ground.	No	No

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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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)	Glass works, being works manufacturing glass by the melting of raw materials.	No	No
<b>I: Metals and engineering</b>			
I01 (Primary metallurgical)	Primary metallurgical works, being works in which ores or ore concentrates are processed or smelted to produce metal.	No	No

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
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

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
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 exempt from licensing under section 20(1) of the Act.	No
I06 (Vehicle assembly)	Vehicle assembly or sub-assembly works which are designed to produce at least 2000 units per year.	No	No
<b>J: Printing</b>			
J01 (Printing)	Printing works emitting more than 100 kilograms per day of volatile organic compounds.		

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
<b>K: Utilities</b>			
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
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 <b>Greenhouse Gas Geological Sequestration Act 2008</b> , and carried out in accordance with that Act, are exempt from works approval under section 19A and	No

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

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



Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
		licensing under section 20(1) of the Act.	
K03 (Potable water treatment plants)	Potable water treatment plants which are designed to have a throughput of more than 1 megalitre per day.	These premises are exempt from 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
<b>L: Other</b>			
L01 (General emissions to air)	Premises which discharge or emit, or from which it is proposed to discharge or emit, to the atmosphere any of the following— (i) at least 100 kilograms per day of—	No	No

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
	<ul style="list-style-type: none"> <li>• volatile organic compounds; or</li> <li>• particles; or</li> <li>• sulphur oxides; or</li> <li>• nitrogen oxides; or</li> <li>• other acid gases (excluding carbon dioxide); or</li> </ul>		
	(ii) at least 500 kilograms per day of carbon monoxide; or		
	(iii) any quantity from any industrial plant or fuel burning equipment of any substance classified as a class 3 indicator in State		

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

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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
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>
	environment protection policy (Air Quality Management).		
L02 (Contaminated sites—onsite soil containment)	On-site retention of contaminated soil on premises that are designed to or have a capacity to hold at least 1000m <sup>3</sup> in an engineered facility.	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)

## **Schedule 2—Amendment of Environment Protection (Fees) Regulations 2001**

Reg. 18

In the Table in Schedule 2 to the Environment Protection (Fees)  
Regulations 2001—

- (a) in the item commencing "Premises on or from which  
sewage" for "effluent is" **substitute** "effluent or industrial  
wastewater effluent is treated,";
- (b) after the item commencing "Land disposal facilities for the  
disposal of nightsoil" and ending "sewage treatment plant  
sludge" **insert**—
- |  |        |
|--|--------|
| "Premises with aerobic or anaerobic composting which<br>are designed to or have a capacity to process more than<br>100 tonnes of waste per month | 206    |
| Premises which recover energy from waste at a rated<br>capacity of at least 1 megawatt with an installed capacity<br>of—                         |        |
| less than 15 megawatts   | 103    |
| 15 megawatts or more but less than 100 megawatts   | 643·75 |
| 100 megawatts or more but less than 200 megawatts  | 1287·5 |
| 200 megawatts or more  | 2575"; |
- (c) in the item commencing "Animal skin tanning" for  
", curing and finishing" **substitute** "or re-tanning";
- (d) in the item commencing "Edible oil or fat processing  
works" after "either" **insert** "seed crushing,";
- (e) in the item commencing "Fibreboard, chip board, or  
particle board works," for "chip board" (wherever  
occurring) **substitute** "plywood";
- (f) in the item commencing "Bulk storage facilities" after  
"Pressure" **insert** "or contain any substance classified as a  
class 3 indicator in State environment protection policy  
(Air Quality Management)";

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
Schedule 2—Amendment of Environment Protection (Fees) Regulations  
2001

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- (g) after the item commencing "Bulk storage facilities" and ending "10 megalitres or more" **insert**—
- "Premises receiving bulk transport containers                      51·5";  
for the purpose of internal washing or cleansing  
where the containers have contained—  
    prescribed industrial waste; or  
    any material that is a dangerous good as  
    classified under the **Road Transport**  
    **(Dangerous Goods) Act 1995**
- (h) in the item commencing "Printing works"—
- (i) for "using" **substitute** "emitting";
- (ii) for "organic compounds that have a boiling range  
between 50 degrees Celsius and 260 degrees  
Celsius" **substitute** "volatile organic compounds";
- (i) after the item commencing "Power stations" and ending  
"200 megawatts or more" **insert**—
- "Premises which capture, separate, process or                      1287·5  
store waste carbon dioxide for the purposes of  
geological disposal  
Premises at which salt is removed from water  
for potable or other uses that have a design  
capacity to process—  
    1–10 megalitres per day    309  
    10–50 megalitres per day    643·75  
    50 megalitres or more per day    1287·5";
- (j) in the item commencing "Premises which discharge or  
emit"—
- (i) for "total organic compounds" **substitute** "volatile  
organic compounds";
- (ii) for "particulate matter" **substitute** "particles";
- (iii) for—  
    "asbestos;  
    benzene;  
    mercury;

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
Schedule 2—Amendment of Environment Protection (Fees) Regulations  
2001

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vinyl chloride monomer;  
toluene-2, 4 di-isocyanate (TDI); or  
diphenylmethane di-isocyanate (MDI)"

**substitute—**

"any substance classified as a class 3 indicator in  
State environment protection policy (Air Quality  
Management)";

(k) after the last item **insert—**

"Road tunnel ventilation systems 1287·5".

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
Schedule 3—EPU Values Table

## Schedule 3—EPU Values Table

Reg. 5

Sch. 3  
inserted by  
S.R. No.  
25/2015 reg. 7.

<i>Column 1</i> <i>Type of tyre</i>	<i>Column 2</i> <i>EPU</i> <i>value</i>
Motorcycle	0.5
Passenger car	1
Light truck	2
Truck	5
Super single	10
Solid small (diameter $\leq 0.3\text{m}$ high)	3
Solid medium (diameter $> 0.3\text{m} \leq 0.45\text{m}$ )	5
Solid large (diameter $> 0.45\text{m} \leq 0.6\text{m}$ )	7
Solid extra large (diameter $> 0.6\text{m}$ )	9
Tractor small (diameter $\leq 1\text{m}$ high)	15
Tractor large (diameter $> 1\text{m} \leq 2\text{m}$ )	25
Forklift small (diameter $\leq 0.3\text{m}$ high)	2
Forklift medium (diameter $> 0.3\text{m} \leq 0.45\text{m}$ )	4
Forklift large (diameter $> 0.45\text{m} \leq 0.6\text{m}$ )	6
Grader	15
Earthmover small (diameter $\leq 1\text{m}$ high)	20
Earthmover medium (diameter $> 1\text{m} \leq 1.5\text{m}$ )	50
Earthmover large (diameter $> 1.5\text{m} \leq 2\text{m}$ )	100
Earthmover extra large (diameter $> 2\text{m} \leq 3.0\text{m}$ )	200
Earthmover giant (diameter $> 3\text{m} \leq 4\text{m}$ )	400
Bobcat	2

## Endnotes

### 1 General information

See [www.legislation.vic.gov.au](http://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 and Exemptions) Regulations 2007, S.R. No. 77/2007 were made on 26 June 2007 by the Governor in Council on the recommendation of the Authority under section 71 of the **Environment Protection Act 1970**, No. 8056/1970 and came into operation on 1 July 2007: regulation 3.

The Environment Protection (Scheduled Premises and Exemptions) Regulations 2007 will sunset 10 years after the day of making on 26 June 2017 (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).

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
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Endnotes

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## 2 Table of Amendments

This publication incorporates amendments made to the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007 by statutory rules, subordinate instruments and Acts.

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Environment Protection (Scheduled Premises and Exemptions) Amendment  
Regulations 2009, S.R. No. 152/2009

*Date of Making:* 1.12.09  
*Date of Commencement:* 1.12.09: reg. 3

Environment Protection (Scheduled Premises and Exemptions), (Industrial Waste  
Resource) and (Fees) Amendment Regulations 2015, S.R. No. 25/2015

*Date of Making:* 14.4.15  
*Date of Commencement:* Regs 4–7 on 29.4.15: reg. 3

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### **3 Amendments Not in Operation**

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

#### 4 Explanatory details

<sup>1</sup> Reg. 4: S.R. No. 66/1996 as extended by S.R. No. 56/2006.

<sup>2</sup> Reg. 17: S.R. No. 119/2001. Reprint No. 1 as at 14 April 2005. Reprinted to S.R. No. 88/2004.

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#### Table of Applied, Adopted or Incorporated Matter

Note that the following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
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.	Part IV
Regulation 10(1)(a)(vi)	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
Schedule 1—Table (Premises types)—G04 (Bulk Storage)—L01 (General emissions to air)	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

Environment Protection (Scheduled Premises and Exemptions)  
Regulations 2007  
S.R. No. 77/2007  
Endnotes

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<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Schedule 2 (amending Schedule 2 to the Environment Protection (Fees) Regulations 2001).	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