

# Process

## Melbourne Regional Landfill works approval application

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### What is a works approval?

A works approval is a statutory approval issued by Environment Protection Authority Victoria (EPA). It permits, subject to certain conditions, the construction of a plant (such as an industrial facility or landfill), installation of equipment or modification of a process.

Approval is required for industrial and waste management works that may result in any of:

- discharge of waste into the environment (air, water or land)
- an increase in, or alteration to, an existing discharge
- a change in the way waste is treated or stored.

### Why is a works approval required?

The proposed landfill extension is a 'scheduled premise' as per the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007, being an A05 (Landfills) activity, 'landfills used for the discharge or deposit of solid wastes (including solid industrial wastes) onto land...'. Accordingly, under section 19A(1) of the *Environment Protection Act 1970*, Cleanaway must obtain a works approval from EPA prior to construction of the landfill extension.

Additionally, to operate any landfill extension, should a works approval and planning permission be granted, Cleanaway would also need either a new EPA licence or an amendment to its existing EPA licence. A works approval is a precursor to a licence application.

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### Obtaining a works approval

Cleanaway will need to demonstrate to the technical satisfaction of EPA that its proposed landfill activities:

- are permitted by the land use planning scheme and/or have a valid planning permit
- will not adversely affect the interests of any person other than the applicant
- will not adversely affect the quality of any segment of the environment
- will comply with relevant state environment protection policies, Regulations and guidelines, in particular –
  - the Statewide Waste and Resource Recovery Infrastructure Plan
  - the Metropolitan Waste and Resource Recovery Implementation Plan
  - the Waste Management Policy (Siting, Design and Implementation of Landfills) (2004)
  - EPA's *Siting, design, operation and rehabilitation of landfills* (publication 788, 2015)
- will comply with environment protection principles in the *Environment Protection Act 1970*.

### Refusing the works approval application

Grounds for refusing the works approval include any of:

- a statutory referral body (such as Department of Health & Human Services) objecting to the application
- the application failing to comply with relevant state environment protection policies and waste management policies
- the applicant being, in the opinion of EPA, not a fit and proper person
- the proposal being inconsistent with the Statewide Waste and Resource Recovery Infrastructure Plan or the Metropolitan Waste and Resource Recovery Implementation Plan
- the proposal resulting in pollution or an environmental hazard.

### What will the works approval assessment consider?

EPA's assessment will consider the expert views of specialist EPA staff, the expert views of staff at referral agencies such as Sustainability Victoria, Department of Health & Human Services (DHHS), Department of Environment, Land, Water and Planning (DELWP), Melton City Council, Brimbank City Council and the Metropolitan Waste Resource Recovery Group, as well as submissions from the community.

In addition, EPA will consider the recommendations of the independent planning panel, as the panel hearing will also act as a section 20B community conference under the Environment Protection Act.