

Environment Protection (Fees) Regulations Review

The new Environment Protection (Fees) Regulations came into force on 6 November 2001. The new regulations replace the Environment Protection (Fees) Regulations 1991. The regulations establish new fee structures for fees applicable under the Environment Protection Act 1970 (Vic) including licence and works approval application fees, fees for transferring or amending a licence, fees for payment of environmental auditors and fees for transporting prescribed waste. The Regulations also make transitional provisions for existing licence holders which state that where a fee is due before 30 June 2002 on an existing licence the fee shall be calculated according to the Environment Protection (Fees) Regulations 1991.

Revised Ozone Policy

The majority of the new Industrial Waste Management Policy (Protection of the Ozone Layer) commenced on 5 November 2001. The policy was revised partly in response to changes in the Montreal Protocol and to replace the existing policy which was due to expire. The key changes to the policy include identifying an extended range of ozone depleting substances and requiring the suppliers of these substances to be placed on a register, as well as allowing the use of environment improvement plans to address issues relating to the protection of the ozone layer.

Variation to Noise Policy

The State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 has been amended to encourage commerce, industry and trade groups to develop environment improvement plans (EIPs). EIPs will outline the actions that a company will need to undertake in order to improve on noise emission levels which do not comply with environmental objectives as set out in the policy. The EIPs must be approved by the Environment Protection Authority.

Financial Assurances for Landfill Licence Holders

New guidelines released by the Environment Protection Authority entitled 'Determination of financial assurance for landfills' will require all Victorian landfill licence holders to obtain financial assurance to cover the cost of any post-closure liabilities, including any costs associated with remediation and site closure. The aim of requiring financial assurances is to ensure that the community does not have to bear the associated costs in the event that a landfill operator becomes insolvent, is otherwise unable to pay for, or abandons a landfill site.

Hazardous Waste Siting Committee

As part of a pre-election commitment to introduce an industrial waste management strategy, the Department of Major Projects is overseeing a new policy for dealing with hazardous waste which involves diverting hazardous waste from landfill to treatment facilities. Three types of waste treatment facilities will be established including soil recycling and remediation, short term storage and long term containment facilities. The Hazardous Waste Siting Committee has been formed to oversee the tenders for the establishment of these facilities. Currently the Committee is assessing expressions of interest from major corporations seeking to establish contaminated soil treatment facilities. Committee members include representatives from industry, environment groups and local government.

Victorian Courts Using Increased Penalty Options

A judgement by the Geelong Magistrates' Court against a fertiliser company shows some indication that Victorian courts are beginning to use the increased penalty options that are available to them under the Environment Protection Act 1987 (Vic). The company was found guilty of three air pollution offences and fined \$15,000, and in addition was ordered to pay \$35,000 to the local council to be spent at the council's discretion on restoration and improvement of the local environment.

Greenhouse Gas Criteria for Coal Tender

In October, as part of the Victorian Government's brown coal policy, the Department of Natural Resources and Environment released a public tender for exploration rights over the brown coal fields of the La Trobe Valley where tenderers will be assessed on a triple bottom line basis. The successful tenderer will need to show a balance between the social, economic and environmental benefits and affects of the project. Two out of the four key criteria are:

- (a) The tenderer must demonstrate that it will have appropriate technologies and processes that are consistent with, or exceeding, relevant international best practice standards for managing greenhouse gas emissions.
- (b) The tenderer must demonstrate that it has the ability to meet current environmental expectations.

Planning Schemes Online

A new website launched by the Victorian Department of Infrastructure entitled 'Planning Schemes Online' provides free access to Victorian planning scheme information, including the planning scheme text for each local government area in Victoria, and maps which illustrate the zoning and overlay provisions. The site can be accessed from the Department of Infrastructure website at www.doi.vic.gov.au.