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SPECIAL

Environment Protection Act 1970

ACT NO. 8056/1970

Industrial Waste Management Policy (Prescribed Industrial Waste)

The Governor in Council, under sections 16(1A) and 17(1A) of the **Environment Protection Act 1970**, and on the recommendation of the Environment Protection Authority declares the following *industrial waste management policy (Prescribed Industrial Waste)*.

Preamble

In line with community expectations this industrial waste management policy seeks to protect people and the environment from the risks posed by prescribed industrial waste. This is achieved by specifically providing a framework and tools to implement the waste management hierarchy for prescribed industrial waste, consistent with ecologically sustainable development.

This policy seeks to facilitate waste reduction and diversion of wastes from landfill for productive purposes and will ensure safe containment of remaining wastes.

1 Title

This order may be cited as the industrial waste management policy (Prescribed Industrial Waste) and is referred to below as the policy.

2. Commencement

This policy will come into operation upon publication in the Government Gazette.

3. Contents of Policy

This policy is divided into parts as follows:

1. Title
2. Commencement
3. Contents of Policy
4. Application of the Policy

PART I – POLICY FRAMEWORK

5. Objectives
6. Principles
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SCHEDULE 1: Classification of Prescribed Industrial Waste

SCHEDULE 2: Prescribed Industrial Waste Decision Framework

SCHEDULE 3: Classification of Solid Waste Storage and/or Containment Facilities

4. Application of the Policy

This policy applies throughout the State of Victoria including wastes transported into or from Victoria.

PART I – POLICY FRAMEWORK**5. Objectives**

The objectives of this policy are to:

- (a) protect human health, amenity and the environment from hazards that may be posed by prescribed industrial waste;
- (b) minimise the generation of prescribed industrial waste through all aspects of design, raw material selection, production and use of goods and services; and
- (c) eliminate as soon as practicable the disposal of prescribed industrial waste to landfill.

6. Principles

This policy applies the following principles which reflect community expectations about how prescribed industrial waste should be managed. These principles must be used to guide decisions about managing these wastes.

- (1) Waste management hierarchy: prescribed industrial waste should be managed in the following order of preference:
 - (a) avoidance
 - (b) reuse
 - (c) recycling
 - (d) recovery of energy
 - (e) repository storage
 - (f) treatment
 - (g) containment.
- (2) Eco-efficiency: Individuals and businesses should produce competitively priced goods and services that satisfy human needs and bring quality of life, while progressively reducing ecological impacts and resource intensity throughout their lifecycle to a level at least in line with the Earth's carrying capacity.
- (3) Product stewardship: producers and users of goods and services have a shared responsibility to manage the environmental impacts of goods and services throughout their life cycle, including the ultimate treatment and containment of any wastes.
- (4) Integration of Economic and Environmental Considerations:
 - (a) sound environmental practices and procedures should be adopted as a basis for ecologically sustainable development, which will benefit both the Australian people and environment, and the international community and environment. This requires the effective integration of economic and environmental considerations in Government decision-making processes at all levels, in order to improve community well-being and to benefit future generations.
 - (b) Measures adopted should be cost-effective, and not be disproportionate to the significance of the environmental problems being addressed.
- (5) Precautionary principle: where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by; careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and; an assessment of the risk-weighted consequences of various options.

- (6) Intergenerational equity: the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.
- (7) Conservation of biological diversity and ecological integrity: conservation of biological diversity and ecological integrity should be a fundamental consideration.
- (8) Valuation, Pricing and Incentive Mechanisms
 - (a) environmental factors should be included in the valuation of assets and services.
 - (b) those who generate pollution or waste should bear the cost of containment, avoidance or abatement.
 - (c) the users of goods and services should pay prices based on the full lifecycle costs of providing those goods and services, including the use of natural resources and assets and the ultimate treatment and containment of any wastes.
 - (d) environment goals, having been established, should be pursued in the most cost effective way by establishing incentive structures, including market mechanisms, which enable those best placed to maximise the benefits and/or minimise costs to develop their own solutions and responses to environmental problems.
- (9) Enforcement: Enforcement of environmental requirements should be actively undertaken to:
 - (a) better protect the environment and its associated environmental, economic and social beneficial uses;
 - (b) ensure no commercial advantage is obtained by failing to comply with the requirements; and
 - (c) influence the attitude and behaviour of those whose actions may have adverse environmental impacts, and those who develop, invest in, purchase or use goods and services which may have adverse impacts.
- (10) Accountability
 - (a) Community aspirations for environmental quality should drive environmental improvement. The community should therefore have a good understanding of environmental issues, share responsibility for policy and program development, and be willing to act to improve environmental quality.
 - (b) Reliable and comprehensible information is the basis of the community's understanding, aspirations and ability to make constructive inputs and informed decisions.
 - (c) Government should therefore:
 - (i) provide ready public access to useful information and advice on environmental quality, risks and improvement options;
 - (ii) ensure that policy development is open and transparent, and effectively involves all stakeholders;
 - (iii) invite public comment and feedback on its priorities, strategies and programs; and
 - (iv) ensure that its decisions and actions are accountable to the community and open to public review.

7. Policy Intent

The intent of the policy is that:

- (a) Human health and the environment are protected through the avoidance, reuse and recycling of and recovery of energy from prescribed industrial waste.
- (b) The generation of prescribed industrial waste is avoided or minimised through product design, process design, selection of raw materials, process management, and use of goods and services consistent with the social and economic development of the State of Victoria.

- (c) Social and economic development of the State of Victoria is facilitated by avoidance, reuse and recycling of and recovery of energy from prescribed industrial waste, or where this is not practicable, the safe treatment and/or containment of prescribed industrial waste.
- (d) Those who commission and/or produce goods and services which give rise to prescribed industrial waste have the primary responsibility to:
 - (i) avoid the generation of that waste, and
 - (ii) maximise the reuse and recycling of, and recovery of energy from that waste for productive purposes.

Where this is not practicable the generator of prescribed industrial waste has the primary responsibility to ensure that the waste is treated and/or contained in a manner that protects people and the environment.

- (e) Prescribed industrial waste generators retain responsibility for their waste throughout its life cycle.
- (f) Meaningful and relevant information on all aspects of the generation, reuse, recycling, recovery of energy, treatment and containment of prescribed industrial waste is made available to the community, government and industry in a useable manner.
- (g) The efficiency of resource use through the lifecycle of products and services is be maximised through all aspects of the design, production, sale and use of products and services and through the management of any resulting prescribed industrial waste.
- (h) Prescribed industrial waste is managed to retain and realise its full economic value and to recognise the social, environmental and economic costs of poor management.
- (i) Prescribed industrial waste is treated, handled and stored so as to maximise practicable recovery options in accordance with this policy.
- (j) Prescribed industrial waste that is assessed as having no practicable reuse, recycling or recovery options available within the foreseeable future is made safe prior to long term containment. Containment systems at any facility receiving prescribed industrial waste for long term containment are to provide a significant margin of safety to protect human health and the environment.
- (k) Facilities receiving prescribed industrial waste are designed, operated and maintained to provide a high level of protection of people and the environment, and protection of the beneficial uses of the environment.
- (l) Design, operation and maintenance of facilities receiving prescribed industrial waste will have regard to:
 - (i) the nature and severity of the hazard posed by the waste; and
 - (ii) the environmental benefit achieved by reuse, recycling and energy recovery options, and through increased efficiency of resource use.

PART II – ATTAINMENT PROGRAM

GENERAL

8. Attainment Measures

- (1) The Authority will adopt a strategic approach to the attainment of the policy objectives, designed to inform, motivate, enable and require responsible decision makers to adopt improved management of prescribed industrial waste by:
 - (a) developing partnerships between industry and the Authority and between industry groups and the community to inform and develop a capacity for change;
 - (b) fostering the application of the product stewardship principle by business, in particular to provide information, assistance and facilities to achieve life cycle management (including its generation) of a waste;

- (c) seeking to use consumer preference and behaviour to influence the waste avoidance and management practices of providers of products and services;
 - (d) maximising awareness of and encouraging decision makers to respond to economic drivers which promote avoidance and sound management of prescribed industrial waste;
 - (e) auditing and public reporting of avoidance, reuse, recycling, energy recovery and treatment; and
 - (f) using enforcement and related measures including financial assurance to prevent and rectify environmental damage.
- (2) The Authority will employ a coordinated range of measures to achieve the policy objectives and intent including:
- (a) the provision of information;
 - (b) educating and informing industry, employees and consumers;
 - (c) incentives for change;
 - (d) economic measures (including financial assurance);
 - (e) use of statutory tools;
 - (f) monitoring and auditing;
 - (g) working with educational institutions; and
 - (h) working with agencies responsible for funding research.
- (3) The Authority will apply the policy intent and principles to achieve the best environmental outcome in making decisions about the minimisation and management of prescribed industrial waste.
- (4) The Authority will have regard to factors including environmental hazard, technical, logistical and financial considerations in making decisions about the practicability of options for the minimisation or management of prescribed industrial waste.
- (5) The Authority will establish an advisory committee to provide advice to the Authority on all aspects of the implementation of this policy and associated programs including consultative mechanisms to support decisions made under Clauses 10, 11 and 12 (6). This committee will be broadly representative of stakeholders in prescribed industrial waste management and will have access to high level technical advice through the establishment of a Technical Advisory Committee.
- 9. Responsibilities for Management of Prescribed Industrial Waste**
- (1) Prescribed industrial waste generators must ensure their waste is managed:
- (a) in accordance with the order of preference indicated in the policy principles and intent; and
 - (b) in a manner that achieves the best environmental outcome.
- 10. Establishing Waste Reduction Targets**
- (1) The Authority may establish, in consultation with generators of prescribed industrial waste and the community, specific targets for avoidance, reuse and recycling of and/or recovery of energy from prescribed industrial waste and targets for reduction in the need for long term containment of prescribed industrial waste.
- (2) The Authority will publish any target established in accordance with sub-clause (1) in the Authority's annual report to Parliament.

SPECIFIC REQUIREMENTS

11. Prescribed Industrial Waste Management Decision Framework and Classification

- (1) The Authority may classify prescribed industrial waste in accordance with the criteria presented in Schedule 1 and will publish any such classification in the Government Gazette.

- (2) When making decisions affecting the management of prescribed industrial waste, the Authority will:
 - (a) Have regard to the waste classification in accordance with Schedule 1 and any classifications published by the Authority pursuant to sub-clause (1); and
 - (b) Apply the prescribed industrial waste management decision framework set out in Schedule 2.
- (3) The Authority will ensure that all licences and works approvals are consistent with any classification published by the Authority pursuant to sub-clause (1).
- (4) Subject to sub-clause (5), a prescribed industrial waste generator must manage its prescribed industrial waste in accordance with any relevant classification published by the Authority.
- (5) Where the Authority has classified a prescribed industrial waste in accordance with sub-clause (1), the Authority may allow an alternative classification on application from a prescribed industrial waste generator, where:
 - (a) the application is in a manner approved by the Authority;
 - (b) the alternative classification is consistent with the intent and principles of this policy; and
 - (c) the alternative classification achieves the best environmental outcome.
- (6) Where the Authority has not classified a prescribed industrial waste in accordance with sub-clause (1), a prescribed industrial waste generator:
 - (a) should classify its waste in accordance with the requirements of Schedule 1; and
 - (b) should manage its waste in accordance with the prescribed industrial waste management decision framework in Schedule 2.
- (7) Where a prescribed industrial waste generator fails to manage its waste in accordance with the prescribed industrial waste decision framework, the Authority may, by works approval, licence or notice, require the waste generator to:
 - (a) adopt a minimisation or management option specified by the Authority; or
 - (b) cease a waste generation or management activity.

12. Information, Reporting and Review

- (1) The Authority will collect information on the generation and management of prescribed industrial waste for purposes including:
 - (a) auditing of waste management practices;
 - (b) provision of information to the public;
 - (c) setting priorities for cleaner production programs;
 - (d) evaluating the effectiveness of this policy; and
 - (e) assisting planning of waste management infrastructure.
- (2) The Authority will:
 - (a) review aspects of the management of prescribed industrial waste;
 - (b) report on the generation of prescribed industrial waste and waste management practices; and
 - (c) develop programs focused on specific wastes or waste streams.
- (3) The Authority will provide information on the availability of facilities for the reuse, recycling, recovery of energy, treatment, storage, and containment of prescribed industrial waste.

- (4) Occupiers of premises receiving prescribed industrial waste for reprocessing, treatment, storage or containment, including premises receiving prescribed industrial waste discharged to sewer, must:
 - (a) prepare an annual environmental performance report including, but not limited to:
 - (i) the quantity and type of prescribed industrial waste received;
 - (ii) the treatment and fate of prescribed industrial wastes received;
 - (iii) results of environmental monitoring required by the Authority;
 - (iv) details of community liaison;
 - (v) a record of complaints; and
 - (vi) details of any enforcement action by the Authority;
 - (b) cause the report to be signed by the Chief Executive Officer of the occupier of the premises (or their delegate); and
 - (c) submit two copies of the report to the Authority.
- (5) The Authority will make available to the public all annual environmental performance reports received in accordance with Clause 12(4).
- (6) The Authority will:
 - (a) on an annual basis, set the priorities for the classification of prescribed industrial waste;
 - (b) review every three years, from the date of the commencement of this policy, progress toward meeting the policy objectives; and
 - (c) publish the results of any such reviews.
- (7) Notwithstanding any requirement for review of this policy under the Act, this policy will be reviewed if monitoring indicates that significant reduction in the generation and the need for long term containment of prescribed industrial waste is not being achieved.

13. Finance, Accounting and Business

- (1) The Authority will investigate and develop programs to influence the management of prescribed industrial waste designed to make best use of:
 - (a) the economic consequences of waste generation; and
 - (b) other factors in business decision making.
- (2) The Authority will establish partnerships with relevant organisations in the finance and accounting sectors to promote change in systems and practices to better recognise the costs and benefits associated with avoidance and management of prescribed industrial waste.
- (3) The Authority will work with other government agencies involved in planning, industry facilitation, development and the provision of infrastructure to assist in achieving the policy objectives.
- (4) Charges for the treatment and containment of prescribed industrial waste, including treatment through sewerage systems, should be set at levels that reflect the full cost of treatment and containment, including all measures necessary to protect human health and the environment.
- (5) All government agencies must have regard to the intent, principles and objectives of this policy in making decisions related to purchasing and/or provision of goods or services.

14. Facilities for Containment of Prescribed Industrial Waste

- (1) Facilities receiving prescribed industrial waste for containment must be designed, operated, and maintained throughout the life of the facility (including post closure) in accordance with any relevant environment protection guidelines approved by the Authority from time to time.
- (2) The Authority will classify all facilities for the containment of solid prescribed industrial waste in accordance with Schedule 3 to this policy.
- (3) The Authority may prohibit by licence, works approval or notice the deposit of specified prescribed industrial waste in containment facilities or landfill where a practical alternative exists.
- (4) The Authority may require, by licence, works approval or notice, treatment of specified prescribed industrial waste prior to containment in a containment facility if such treatment is both practicable and necessary to:
 - (a) maximise opportunities for reuse, recycling or recovery of energy;
 - (b) reduce the hazard; or
 - (c) reduce the requirement for ongoing management.

15. Environment Improvement Plans

- (1) A prescribed industrial waste generator must submit to the Authority an Environment Improvement Plan, in a manner approved by the Authority:
 - (a) when making an application for works approval; or
 - (b) if required to do so by the Authority by licence or notice.
- (2) To demonstrate that they are meeting the objectives, intent and principles of this policy, generators of prescribed industrial waste are encouraged to voluntarily develop an Environment Improvement Plan and to have that plan certified by an environmental auditor appointed by the Authority.

16. Other Requirements

- (1) Prescribed industrial waste must not be reused, recycled, used as a source of energy or otherwise minimised, stored, transported, reprocessed or treated in such a way that contaminants are transferred to other environmental media unless this results in the best practicable environmental outcome.
- (2) Prescribed industrial waste must not be diluted, mixed or otherwise treated where this reduces the potential for the reuse, recycling or recovery of energy of that waste unless:
 - (a) reuse, recycling or recovery of energy is not practicable; or
 - (b) the treatment is necessary to obtain the best practicable environmental outcome.

PART III – DEFINITIONS

In this policy, unless the contrary intention appears:

“Authority” means the Environment Protection Authority constituted under the **Environment Protection Act 1970**;

“fill material” means soil (sand, clay and silt), gravel or rock with contaminant concentrations less than those specified in Table 2 of Publication 448 entitled “Classification of Wastes” published by the Authority in 1995 as amended from time to time or republished by the Authority;

“municipal waste” includes putrescible wastes and solid inert wastes from manufacturing, commercial processing and service industries and waste generated within residential dwellings, but does not include liquid wastes, night-soil, prescribed waste or prescribed industrial waste;

“post closure” means the ongoing management of a landfill or long term containment facility following its closure, to ensure protection of human health and the environment, until such time as the landfill does not pose a hazard to human health or the environment;

“prescribed industrial waste” means a waste or mixture prescribed for the purposes of the **Environment Protection Act 1970**;

“prescribed industrial waste generator” means an occupier of premises at which prescribed industrial waste is generated.

“putrescible waste” means waste able to be decomposed by bacterial action;

“recovery of energy” means use of a prescribed industrial waste to generate heat energy;

“recycling” means use of prescribed industrial waste as an input into the manufacture of a product following any form of prior treatment or reprocessing;

“reuse” means use of a prescribed industrial waste as a direct input to the manufacture of a product without prior treatment or reprocessing;

“solid inert waste” means hard waste which has negligible activity or effect on the environment;

SCHEDULES

The following schedules are tools to assist in determining preferred management options in accordance with the policy principles and intent.

These schedules should be used together to:

- classify the prescribed industrial waste (*using Schedule 1*)
- determine the appropriate management option (*based on the classification derived from Schedule 1 and using the decision framework presented in Schedule 2*)
- determine the facilities able to receive the waste if the application of the decision framework determines that containment is required (*using the hazard classification from Schedule 1 together with the facility classification system in Schedule 3*).

SCHEDULE 1

CLASSIFICATION OF PRESCRIBED INDUSTRIAL WASTE

To apply the waste management hierarchy and the prescribed industrial waste decision framework, prescribed industrial waste must be classified in terms of opportunities for its reuse, recycling, recovery of energy and treatment.

In addition, prescribed industrial waste must be classified in terms of the hazard posed to human health and the environment. The hazard posed by a prescribed industrial waste determines the controls necessary to ensure safe reuse, recycling, energy recovery, treatment, storage or disposal. The nature of these controls may then affect opportunities for reuse, recycling, recovery of recovery or treatment.

The classification of a prescribed industrial waste assists generators to determine the preferred management option in accordance with the decision framework in Schedule 2 by addressing key questions incorporated in the decision framework.

Opportunity for Reuse, Recycling or Recovery of Energy

Prescribed industrial waste will be classified in terms of its potential for reuse, recycling or recovery of energy as follows:

1. *Currently Available:* The prescribed industrial waste has potential for reuse, recycling or recovery of energy and such reuse, recycling or recovery of energy is practicable. This means that the facilities necessary to realise this potential are available in the State of Victoria, or elsewhere in Australia in a location practicably accessible.
2. *Available in the foreseeable future:* The prescribed industrial waste has potential for reuse, recycling or recovery of energy, and facilities necessary to realise this potential are practicable, with the exception that the facilities required are not currently available in the State of Victoria, or elsewhere in Australia in a location practicably accessible.

3. *Not available in foreseeable future:*

- (a) **Developmental:** The prescribed industrial waste has potential for reuse, recycling or recovery of energy, but technology for the reuse, recycling or recovery of energy requires further development such that a practicable technology is unlikely to be available in the foreseeable future.
- (b) **No opportunity identifiable:** No practicable options for reuse, recycling or recovery of energy are identifiable at the time of assessment.

Opportunity for Treatment

Prescribed industrial waste will be classified in terms of its potential for treatment as follows:

1. *Currently Available:* The prescribed industrial waste may be treated to reduce the requirement for residual management and the necessary facilities are available in the State of Victoria, or elsewhere in Australia in a location practicably accessible.
2. *Available in the foreseeable future:* The prescribed industrial waste may be treated to reduce the requirement for residual management and the necessary facilities are practicable, with the exception that the facilities required are not currently available in the State of Victoria, or elsewhere in Australia in a location practicably accessible.
3. *Not available in foreseeable future:*
 - (a) **Developmental:** Technology for the treatment of prescribed industrial waste to reduce the requirement for residual management requires further development such that a practicable technology is unlikely to be available in the foreseeable future;
 - (b) **No opportunity identifiable:** No practicable options for treatment are identifiable at the time of assessment.

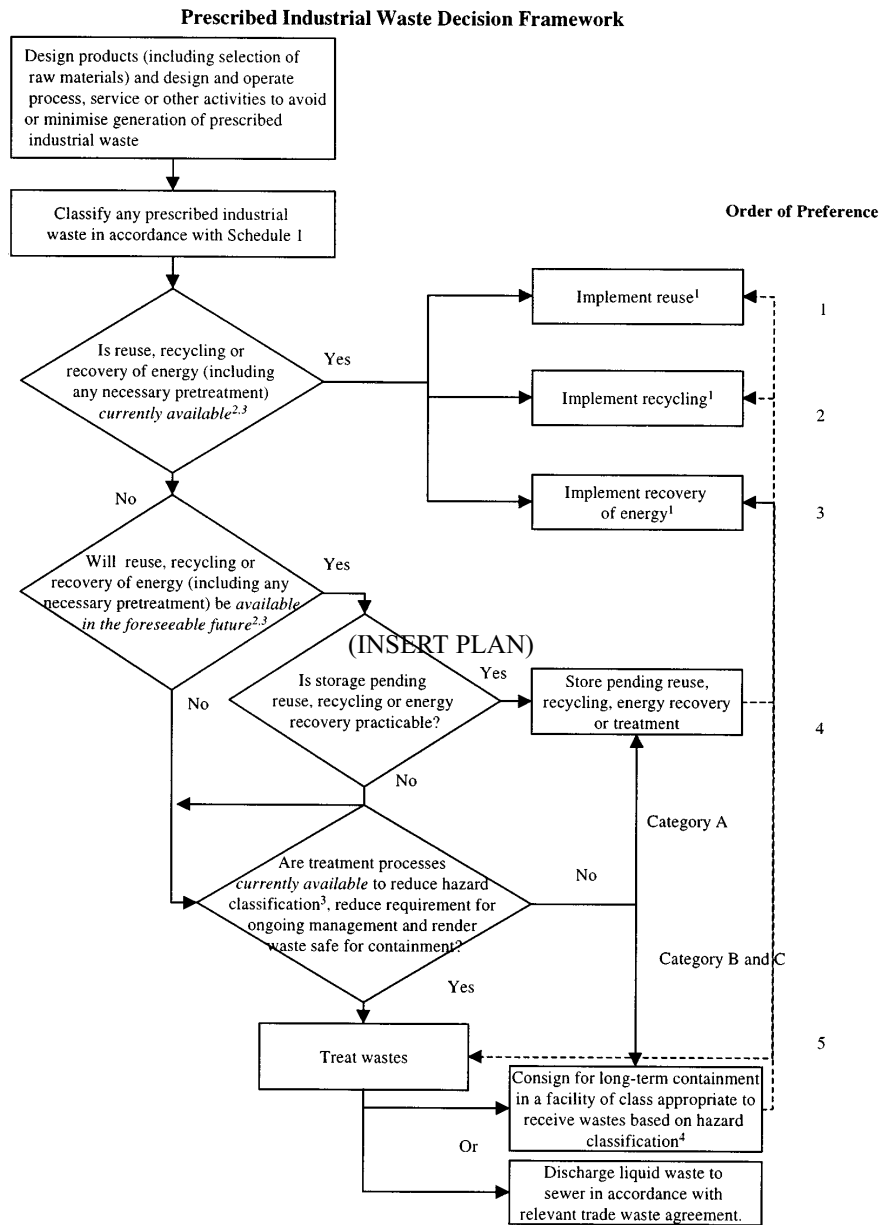
Hazard Classification

The hazard posed by a prescribed industrial waste is used to determine the level of control, including the design and operation of facilities for management of prescribed industrial waste, necessary to protect human health and the environment. Hazard categories are defined as follows:

Category	Description
A	Prescribed industrial wastes which require a very high level of control and ongoing management to protect human health and the environment. For solid prescribed industrial waste the level of control exceeds that able to be achieved in a Class 1 facility (refer Schedule 3) without prior treatment to reduce or control the hazard.
B	Prescribed industrial wastes which require a high level of control and ongoing management to protect human health and the environment.
C	Prescribed industrial wastes which pose a low hazard or only exhibit any offensive aesthetic properties and which require control and/or ongoing management to protect human health and the environment. Category C is sub-divided into two classes based on the different management requirements of the waste: <ul style="list-style-type: none"> ● C (1) – waste with potential amenity effects, non-persistent organic wastes ● C (2) – other low environmental risk wastes

**SCHEDULE 2
PRESCRIBED INDUSTRIAL WASTE DECISION FRAMEWORK**

Prescribed industrial waste must be managed in accordance with the prescribed industrial waste decision framework shown below.



- Notes:
1. Including any necessary pretreatment.
 2. Reuse must be consistent with hazard category of the waste.
 3. Refer Schedule 1 Classification of Wastes. Text in italics refers to classifications based on status of opportunities for reuse, recycling, recovery of energy or treatment.
 4. Refer Schedule 3 Classification of Solid Waste Storage and/or Containment Facilities.

SCHEDULE 3**CLASSIFICATION OF SOLID WASTE STORAGE AND/OR CONTAINMENT FACILITIES**

The design, construction, operation and maintenance of each class of facility must reflect the measures necessary to protect the beneficial uses of the environment, giving consideration to the nature of the wastes accepted for containment at each facility.

Class	Description	Waste Accepted
	<u>Short term prescribed industrial waste storage facilities</u> <ul style="list-style-type: none"> ● Facilities for the short-term storage of prescribed industrial waste pending reuse, recycling, recovery of energy or treatment. ● Designed and operated to ensure protection of human health and the environment. 	<ul style="list-style-type: none"> ● Category A, B or C prescribed industrial waste as specifically licensed
1	<u>Prescribed industrial waste containment facility</u> <ul style="list-style-type: none"> ● Reflects best available technology in siting, design, construction, operation, maintenance and long term post-closure care, with the aim of eliminating the release of contaminants to the wider environment. ● Dedicated to containment of prescribed industrial waste. ● Operated in accordance with an appropriate management system that ensures adequate supervision, control on waste receipt, safe handling, record keeping and placement of prescribed industrial waste in accordance with requirements for that waste. 	<ul style="list-style-type: none"> ● Category B or C prescribed industrial waste¹
2	<u>Municipal landfill</u> <ul style="list-style-type: none"> ● Reflects the best available technology for a municipal landfill in siting, design, construction, operation, maintenance and post-care. ● Operated in accordance with an appropriate management system that ensures adequate supervision, control on waste receipt, safe handling, record keeping and placement of prescribed industrial waste in accordance with requirements for that waste 	<ul style="list-style-type: none"> ● Category C prescribed industrial waste², including prescribed industrial waste posing an aesthetic hazard (as specifically licensed) ● Municipal waste (including solid inert waste), fill material.

Notes: 1. May include treated prescribed industrial waste which, prior to treatment, was a Category A prescribed industrial waste, and which requires a high level of residual management.

2. May include treated prescribed industrial waste which, prior to treatment, was a Category B prescribed industrial waste, and which requires a high level of residual management.

This Order is effective from the day on which it is made.

Dated 5 December 2000

Responsible Minister

SHERRYL GARBUTT MP

Minister for Environment and Conservation

HELEN DOYE
Clerk of the Executive Council

Industrial Waste Management Policy (Prescribed Industrial Waste)**EXPLANATORY NOTES**

Industrial waste management policies (IWMPs) are declared by the Governor in Council under section 16 (1A) of the **Environment Protection Act 1970**. IWMPs specify requirements to be observed in managing industrial waste.

BACKGROUND TO THE POLICY

This policy establishes management framework and sets specific requirements for the management of prescribed industrial waste in an environmentally responsible manner.

Prescribed industrial wastes may pose a risk to human health and the environment if managed inappropriately. In order to minimise such risks this policy provides a framework and tools that will facilitate a reduction in waste generation and disposal to landfill.

Title

Clause 1 states that the policy title is Industrial Waste Management Policy (*Prescribed Industrial Waste*).

Commencement

Clause 2 states when the policy comes into effect.

Contents of Policy

Clause 3 outlines the contents and structure of the policy.

Application of the Policy

Clause 4 states that the policy applies throughout the State of Victoria, including wastes transported into or from Victoria.

PART 1 – POLICY FRAMEWORK**Objectives**

Clause 5 sets out the objectives of the policy, which underlies the specific requirements of the policy.

Principles

Clause 6 indicates the principles applied by the policy, and are to be used to guide decisions about the management of prescribed industrial waste. Disposal is not included as an option under the waste management hierarchy however, during the transition period between use of landfills and containment facilities, some disposal to landfill is expected to occur.

Policy intent

Clause 7 indicates what is to be achieved through the implementation of this policy.

PART II - ATTAINMENT PROGRAM**General****Attainment measures**

Clause 8 states the attainment measures which the Authority will use to achieve the policy objectives and intent.

Responsibilities for management of prescribed industrial waste

Clause 9 requires prescribed industrial waste generators to manage their waste in line with the policy principles and intent, and in a manner that achieves the best environmental outcome.

Establishing waste reduction targets

Clause 10 empowers the Authority to establish specific targets for the avoidance, reuse, recycling, recovery of energy, and reduction in disposal of prescribed industrial waste. Any targets established will be published in the Authority's annual report to parliament.

Specific Requirements**Prescribed industrial waste management decision framework and classification**

Clause 11 empowers the Authority to classify a prescribed industrial waste in accordance with Schedule 1 and Schedule 2. A generator may develop a waste classification in accordance with the

requirements of Schedule 1, or develop an alternate classification to that provided by the Authority subject to the Authority's approval.

Information, reporting and review

Clause 12 requires the Authority to collect and provide information on the generation and management of prescribed industrial waste, facilities available for the reuse, recycling, recovery of energy, treatment and containment of wastes and review aspects of prescribed industrial waste management.

Finance, accounting and business

Clause 13 states the Authority will work with the finance and accounting sectors to bring about improvements in prescribed industrial waste management, by identifying the true costs and benefits associated with avoidance and management of prescribed industrial waste.

The clause also encourages waste receivers to charge the full cost of waste treatment and containment, including waste sent to sewer.

Facilities for containment of prescribed industrial waste

Clause 14 allows the Authority to prohibit prescribed industrial waste from being placed in containment facilities or landfill where a practical alternative exists. The Authority may also require wastes to be treated before being placed in containment facilities or landfill.

This clause also requires facilities receiving prescribed industrial waste to be designed, operated, maintained and subject to post-closure care in accordance with environment protection guidelines approved by the Authority.

Environment improvement plans

Clause 15 requires prescribed industrial waste generators to prepare and submit an environment improvement plan (EIP) to the Authority when applying for a works approval or if required to do so by the Authority.

For those prescribed industrial waste generators who are not required to develop an EIP, they may voluntarily develop an EIP and may have the plan certified by an EPA appointed environmental auditor.

Other requirements

Clause 16 prohibits waste to be transferred into other environmental media as a result of reuse, recycling, recovery of energy, storage, transportation, reprocessing, or treatment unless this results in the best practicable outcome.

This clause also prohibits wastes from being diluted, mixed or otherwise treated if this results in a reduced potential for reuse, recycling or recovery of energy. Wastes may be diluted mixed or otherwise treated if reuse, recycling or recovery of energy is not practicable or if treatment provides the best environmental outcome.

PART III - DEFINITIONS

Part III provides definitions of various words and terms used throughout the policy.

SCHEDULES

Classification of prescribed industrial waste

Schedule 1 requires prescribed industrial waste to be classified in terms of its opportunity for reuse, recycling or recovery of energy, its opportunity for treatment and level of control required due to the hazard associated with the waste.

Prescribed industrial waste decision framework

Schedule 2 requires prescribed industrial waste to be managed in accordance with the decision framework.

Classification of solid waste storage and / or containment facilities

Schedule 3 specifies the class of storage or containment facility into which prescribed industrial waste can be placed, dependent on which category the waste belongs to. Category C wastes (low level hazard) may be contained in a Class 2 municipal landfill, as this class of landfill is considered to be capable of containing low level hazard prescribed industrial waste.

Melbourne City Link (Miscellaneous Amendments) Act 2000

PROCLAMATION OF COMMENCEMENT

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2 (2) of the **Melbourne City Link (Miscellaneous Amendments) Act 2000**, fix 6 December 2000 as the day on which sections 4 (6), 7, 11, 20, 21, 24, 25, 28, 35 and 44 of that Act come into operation.

Given under my hand and the seal of Victoria on 5 December 2000.

(L.S.) JAMES GOBBO
Governor

By His Excellency's Command

PETER BATCHELOR MP
Minister for Transport

shown on the plan numbered LEGL./99-196 lodged in the Central Plan Office) which is shown diagonally hatched on the plan numbered LEGL./99-202 lodged in the Central Plan Office;

2. Crown Allotment 5, Section 19D, at East Melbourne, City of Melbourne, Parish of Melbourne North as shown on the plan numbered LEGL./99-196 lodged in the Central Plan Office;
3. Crown Allotment 5C, Parish of Jika Jika as shown on the plan numbered LEGL./99-196 lodged in the Central Plan Office; and
4. Crown Allotment 1A, Section 39A, City of Richmond, Parish of Jika Jika as shown on the plan numbered LEGL./99-196 lodged in the Central Plan Office.

Dated 5 December 2000

Responsible Minister:
PETER BATCHELOR
Minister for Transport

HELEN DOYE
Clerk of the Executive Council

Melbourne City Link Act 1995

ORDER REVOKING TEMPORARY RESERVATIONS OF LAND FOR THE PURPOSES OF THE MELBOURNE CITY LINK PROJECT — BURNLEY TUNNEL

The Governor in Council —

- a. after receiving the recommendation of the Minister for Transport under section 59 (1) of the **Melbourne City Link Act 1995** that the temporary reservations of the licensed land described in the Schedule be revoked on the termination of the licence as to that land, and
- b. under section 59 (2) of the **Melbourne City Link Act 1995** —

revokes the temporary reservations under the **Crown Land (Reserves) Act 1978** of the land described in the Schedule.

SCHEDULE —

BURNLEY TUNNEL LAND

The following land and strata of land that were temporarily reserved for the purposes of the Melbourne City Link Project by operation of section 26 (3) of the **Melbourne City Link Act 1995** on publication in Government Gazette No S 189 on 21 December 1999 of an Order in Council under section 26 (2) of that Act:

1. The part of Crown Allotment Q2, City of Melbourne, Parish of Melbourne South (as

Office of the Regulator General Act 1994

ELECTRICITY RE-DETERMINATION

On 1 December 2000, the Office of the Regulator-General Victoria (the Office) issued the 2001 Electricity Distribution Price Review Re-Determination (the Re-Determination).

The Re-Determination amends Volume II Price Controls of the Electricity Distribution Price Determination 2001-05 (Price Determination) which was issued on 21 September 2000. The amendments have been made pursuant to section 38(6) of the **Office of the Regulator General Act 1994** in order to implement the decision made on 16 October 2000 of the Appeal Panel established under section 38 and to correct certain clerical errors in Volume II.

This Re-Determination has been issued by the Office to implement the Appeal Panel's decision relating to the appeals lodged by four of the five Victorian electricity distributors on 2 October 2000 regarding the Price Determination. In its decision, the Appeal Panel remitted 5 matters to the Office for amendment. The Appeal Panel affirmed 9 of the 15 matters raised

as grounds of appeal by the distributors and one matter was withdrawn during the hearing.

The Price Determination as amended by the Re-Determination will take effect on 1 January 2001 and will be in effect until 31 December 2005, unless substituted in accordance with section 6.3 of the Victorian Electricity Supply Industry Tariff Order 1995.

A schedule of the amendments made by the Re-Determination is provided at Appendix F of the Re-Determination. The effect of the Re-Determination is, in general terms:

- (a) Amendment of the price controls in accordance with the Appeal Panel's decision. This includes the amendment of the Xt factors that apply to charges in the first year of the new regulatory period for each of the distributors and other consequential amendments.
- (b) Correction of a number of clerical errors in various Price Control Implementation Mechanisms identified by the distributors.

This notice is made pursuant to section 27 of the Act. Copies of the Re-Determination may be viewed on the web site of the Office at <http://www.reggen.vic.gov.au> and are available from the Office by contacting Robyn Keely (robyn.keely@reggen.vic.gov.au) or telephone (03) 9651 0206.

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