

Waste resource recovery changes

The commencement of the *Environment Protection Act 2017* (the Act), from 1 July 2021, includes important changes that waste and resource recovery facilities need to comply with to operate legally.

The Act introduces new environmental protections. The **general environmental duty (GED)** is at the centre of the new Act and it applies to all Victorians. The GED requires you to minimise the risk of your activities harming the environment or human health, so far as **reasonably practicable**. The [EPA website](https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/general-environmental-duty) has more information about your new legal obligations. (<https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/general-environmental-duty>).

Under the new laws, to perform a prescribed activity that may cause harm to human health and the environment, you must have a permission from EPA such as a **licence, permit or registration**. The [EPA website](https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/permissions) has more information about our permissions scheme (<https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/permissions>).

Your permission will have conditions attached, which will compliment your obligations to comply with the GED and will focus on the key risks of the prescribed activity.

Permissions for waste and resource recovery facilities

Depending on the size of your waste and resource recovery facility and the type of material you receive, you may now need a permission from EPA.

If you don't have a current licence or permit for your waste and resource recovery facility and your activity belongs to one of the following categories, you need to apply for a permission from 1 July 2021 and before October 2021 (or 2 January 2022 for registrations).

Table 1: Permission tiers for waste and resource recycling facilities

Facility size	Description*	Permission type
Large	A large waste and resource recovery activity includes receiving, storing or processing waste generated at another site, including specified combustible recyclable and waste material , if: <ul style="list-style-type: none"> • 4,000 tonnes or more waste is received in any month, or • 10,000 m³ or more waste is stored on the site at any time. 	Operating licence
Medium	A medium-sized activity includes receiving, storing or processing waste generated at another site, excluding combustible recyclable and waste material , if: <ul style="list-style-type: none"> • 4,000 tonnes or more waste is received in any month, or • 10,000 m³ or more waste is stored on the premises at any time. Or, receiving, storing or processing waste generated at another site, including specified combustible recyclable and waste material , if: <ul style="list-style-type: none"> • less than 4,000 tonnes of waste are received in any month; and • between 5,000 m³ and 10,000 m³ of waste is stored on the premises at any time. 	Permit
Small	A small-scale activity includes receiving, storing or processing waste generated at another site, including specified combustible recyclable and waste material if between 5 m ³ and 5000 m ³ of waste is stored on the site at any time.	Registration

*See the Environment Protection Regulations 2021 (Schedule 1) on the [EPA website](https://www.epa.vic.gov.au/about-epa/laws/new-laws/subordinate-legislation) (<https://www.epa.vic.gov.au/about-epa/laws/new-laws/subordinate-legislation>) for detailed descriptions of the prescribed activities in Table 1 before making an application for a new permission.

Changes to permissions in the waste and resource sector



How to apply for a permission

Apply for your new permission to comply with the new environment protection laws, by signing up to our new [EPA Portal](https://www.epa.vic.gov.au/portal) (<https://www.epa.vic.gov.au/portal>) from 27 May 2021.

Once you are signed up, apply for your permission from 1 July 2021.

Applications for a licence or permit will require you to provide details of your business, the activities you conduct on the site and evidence demonstrating how you have assessed and are managing risks to the environment and human health posed by your activity. You will also need to provide evidence that you meet EPA's requirements as a suitable person to hold a permission (fit and proper person).

Registrations only require you to provide details of your business and the activities you conduct on the site. For further application information and support, visit the [EPA website](https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/permissions) (<https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/permissions>).

What to do if you already have a permission

If you have an existing permission that is current, it will automatically transition when the new Act comes into effect on 1 July 2021. You will receive a notice of amendment from EPA on 1 July that will bring your existing permission into alignment with the new laws. The [EPA website](https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/permissions/changes-to-licences-permits) has more information (<https://www.epa.vic.gov.au/for-business/new-laws-and-your-business/permissions/changes-to-licences-permits>).

The Environment Protection Regulations 2021 include some changes to fees and permission types, with fees under the current Act continuing to apply until 1 July 2021.

Further information

Read more about the new laws at the [EPA website](https://www.epa.vic.gov.au/about-epa/laws/new-laws) (<https://www.epa.vic.gov.au/about-epa/laws/new-laws>).

Contact EPA on 1300 372 842 (1300 EPA VIC) or [epa.vic.gov.au](https://www.epa.vic.gov.au)

Give feedback about this publication online: [epa.vic.gov.au/publication-feedback](https://www.epa.vic.gov.au/publication-feedback)

Key dates

From 27 May 2021:

- Get ready to apply for your new licence, permit or registration by **signing up to our new EPA Portal**.

From 1 July 2021:

- Licences and permits must be applied for **between 1 July 2021 and October 2021**.
- If your activity needs a registration, you must apply **before 2 January 2022**.



For languages other than English, please call **131 450**. Visit [epa.vic.gov.au/language-help](https://www.epa.vic.gov.au/language-help) for next steps. If you need assistance because of a hearing or speech impairment, please visit [relayservice.gov.au](https://www.relay.service.gov.au)