

Environment Protection Act 1970

WASTE MANAGEMENT POLICY

(SITING, DESIGN AND MANAGEMENT OF LANDFILLS)

Order in Council The Governor in Council under section 16A(1) of the Environment Protection Act 1970 and on the recommendation of the Environment Protection Authority declares the Waste Management Policy (Siting, Design and Management of Landfills) contained in the Schedule to this Order.

Dated XX Month 2017

Responsible Minister: LILY D'AMBROSIO

Minister for Energy, Environment and Climate Change

Clerk of the Executive Council

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Environment Protection Act 1970

WASTE MANAGEMENT POLICY

(SITING, DESIGN AND MANAGEMENT OF LANDFILLS)

Preamble

In line with community expectations, this waste management policy seeks to protect people and the environment, including local amenity, from the inherent risks posed by the disposal of waste to landfill. This is achieved by providing a framework and tools to implement the wastes hierarchy, consistent with the broader objective of ecologically sustainable development.

A key objective of this framework is to drive more efficient use of resources throughout the whole life cycle of goods and services. This will reduce the adverse environmental and social impacts of resource consumption and generate economic benefits.

Landfills represent the least preferred waste management option, therefore as a general principle the disposal of waste to landfill must be minimised. However it is recognised that landfills will be required for the foreseeable future to manage wastes that cannot currently be recycled or reused. Future landfill development should therefore be minimised, taking into account the policy principles.

1. Title

This policy may be cited as the Waste management policy (Siting, Design and Management of Landfills) and is referred to below as “the policy”.

2. Commencement

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

3. Revocation of State environment protection policy (Siting and Management of Landfills Receiving Municipal Wastes)

The State environment protection policy (Siting and Management of Landfills Receiving Municipal Wastes) as published in the Government Gazette dated 5 July 1991, as amended by Order in Council published in the Government Gazette dated 15 July 1992, is revoked.

4. Application of the Policy

(1) The policy applies throughout the State of Victoria.

(2) Despite subclause (1), the policy only applies to those landfill sites that accept wastes determined by the Authority to be Category C prescribed industrial wastes and/or non-prescribed wastes for disposal to land.

5. Contents of the Policy

The policy is divided as follows:

1. Title.
2. Commencement.
3. Revocation of State environment protection policy (Siting and Management of Landfills Receiving Municipal Wastes).
4. Application of the Policy.
5. Contents of the Policy.
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LANDFILL SITING, DESIGN AND MANAGEMENT

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SCHEDULE A: Areas where landfill sites and cells must not be established or extended into.

6. Definitions

In this policy, unless inconsistent with the context or subject matter –

“Act” means the ***Environment Protection Act 1970***.

“Aquifer” has the meaning given to it in the State environment protection policy (Groundwaters of Victoria) 1997.

“Authority” means the Environment Protection Authority established under the Act.

“BPEM” means the Best Practice Environmental Management – Siting, Design, Operation and Rehabilitation of Landfills, Publication 788, dated 2001, and amended from time to time.

“Category C prescribed industrial waste” has the meaning given to it in the [Environment Protection \(Industrial Waste Resource\) Regulations 2009](#).

“Sustainability Victoria” means [Sustainability Victoria](#) established under the Act.

“E-waste” means waste equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields.

“Groundwater” has the meaning given to it in the State environment protection policy (Groundwaters of Victoria) 1997.

“Landfill cell” means a compartment within a tipping area in which waste is deposited, and enclosed by cover material.

“Landfill site” means a site for the disposal of waste to land.

“Licence” means a licence issued under the Act.

“National environment protection measure” means a measure made under section 14(1) of the **National Environment Protection Council (Victoria) Act 1995** and equivalent provisions of the corresponding Acts of the Commonwealth and each participating State or Territory.

“Neighbourhood environment improvement plan” has the meaning given to it in the Act.

“Notice” means any notice issued under the Act, including, but not limited to a notice under 31A and 62A.

“Occupier” has the meaning given to it in the Act.

“Operator of a landfill site exempt from licensing” includes a prospective or current operator of a premises described in Item 1(e) of Table A of the Environment Protection (Scheduled Premises and Exemptions) Regulations [2017](#) that is exempt from licensing.

“Planning Authority” means any person or body that is given power under section 8 of the Planning and Environment Act 1987 to prepare a planning scheme or an amendment to a planning scheme.

“Prescribed waste” means a waste or mixture prescribed for the purposes of the Act.

“[Regional waste and resource recovery group](#)” has the meaning given to it in Division 2AA of Part IX of the Act.

“[Regional waste and resource recovery implementation plan](#)” has the meaning given to it in Division 2AC of Part IX of the Act.

“Responsible Authority” means that person who is responsible for the administration or enforcement of a planning scheme or a provision of a planning scheme as set out in section 13 of the Planning and Environment Act 1987.

“Segment A groundwater” has the meaning given to it in the State environment protection policy (Groundwaters of Victoria) 1997.

“Surface water” has the meaning given to it under the State environment protection policy (Waters of Victoria) 2003.

“Tipping area” means a place within a landfill site in which waste is, has been or will be deposited.

“Works approval” has the meaning given to it in the Act

PART I – POLICY FRAMEWORK

7. Policy Objectives

The objectives of this policy are to:

- (a) protect the environment, including human health and amenity, from risks that may be posed by the disposal of waste to landfill;
- (b) encourage innovation, cleaner production, resource efficiency and waste reduction, including promoting and facilitating the diversion of waste from landfill, in accordance with the wastes hierarchy; and
- (c) minimise the development and use of landfills, consistent with the policy principles.

8. Policy Principles

The policy is guided by the following principles of environment protection.

(1) Integration of Economic, Social and Environmental Considerations

- (a) Sound environmental practices and procedures should be adopted as a basis for ecologically sustainable development for the benefit of all human beings and the environment.

(b) This requires the effective integration of economic, social and environmental considerations in decision making processes with the need to improve community well-being and the benefit of future generations.

(c) The measures adopted should be cost-effective and in proportion to the significance of the environmental problems being addressed.

(2) Precautionary Principle

(a) If 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.

(b) Decision making should be guided by:

(i) a careful evaluation to avoid serious or irreversible damage to the environment wherever practicable; and

(ii) an assessment of the risk-weighted consequences of various options.

(3) 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.

(4) Conservation of Biological Diversity and Ecological Integrity

The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision making.

(5) Improved Valuation, Pricing and Incentive Mechanisms

(a) Environmental factors should be included in the valuation of assets and services.

(b) Persons who generate pollution and waste should bear the cost of containment, avoidance or abatement.

(c) Users of goods and services should pay prices based on the full life cycle costs of providing goods and services, including costs relating to the use of natural resources and the ultimate disposal of any wastes.

(d) Established environmental goals should be pursued in the most cost-effective way by establishing incentive structures, including market mechanisms, which enable persons best placed to maximise benefits or minimise costs to develop solutions and responses to environmental problems.

(6) Shared Responsibility

(a) Protection of the environment is a responsibility shared by all levels of Government and industry, business, communities and the people of Victoria.

(b) Producers of goods and services should produce competitively priced goods and services that satisfy human needs and improve quality of life, while progressively reducing ecological degradation and resource intensity throughout the full life cycle to a level consistent with the sustainability of biodiversity and ecological systems.

(7) Product Stewardship

Producers and users of goods and services have a shared responsibility with Government to manage the environmental impacts throughout the life cycle of the goods and services, including the ultimate disposal of any wastes.

(8) Wastes Hierarchy

Wastes should be managed in accordance with the following order of preference:

(a) avoidance;

(b) re-use;

- (c) re-cycling;
- (d) recovery of energy;
- (e) treatment;
- (f) containment;
- (g) disposal.

(9) *Integrated Environmental Management*

If approaches to managing impacts on one segment of the environment have potential impacts on another segment, the best practicable environmental outcome should be sought.

(10) *Enforcement*

Enforcement of environmental requirements should be undertaken for the purposes of:

- (a) better protecting the environment and its economic and social uses;
- (b) ensuring that no commercial advantage is obtained by any person who fails to comply with environmental requirements; and
- (c) influencing the attitude and behaviour of persons whose actions may have adverse environmental impacts or who develop, invest in, purchase or use goods and services which may have adverse environmental impacts.

(11) *Accountability*

- (a) The aspirations of the people of Victoria for environmental quality should drive environmental improvement.
- (b) Members of the public should therefore be given:
 - (i) access to reliable and relevant information in appropriate forms to facilitate a good understanding of environmental issues; and
 - (ii) opportunities to participate in policy and program development.

9. Policy Intent

The intent of the policy is that:

- (1) the siting, design and management standards established for landfills in Victoria provide the highest practicable level of protection for the community and environment, including local amenity and aesthetic enjoyment.
- (2) management standards for landfills apply to all phases of a landfill's operation including construction, operation, rehabilitation and aftercare.
- (3) the development and use of landfills for the management of waste in Victoria be minimised, consistent with the policy principles.
- (4) wastes shall only be deposited to landfill if there is no other practicable waste management option higher up the wastes hierarchy that does not lead to inferior outcomes in terms of the protection of people and the environment.
- (5) the number of landfill sites exempt from licensing be progressively reduced and replaced with a system of resource recovery and waste transfer facilities to service local communities.
- (6) while certain parts of the environment will continue to be used for landfilling purposes in the foreseeable future, with consequent limitations on future beneficial uses, the development and use of landfills be cooperatively and strategically planned to minimise the adverse impacts of landfilling wastes.
- (7) [regional waste and resource recovery implementation plans](#) and municipal strategic statements be consistent with each other particularly with regard to the planning for and siting of landfills.

(8) scientific information, models, research and other knowledge will inform decisions that affect landfill operations made by people, governments and organisations and will be communicated in a manner that meets the needs of stakeholders.

PART II – ATTAINMENT PROGRAM POLICY RESPONSIBILITIES

10. Implementation

(1) When making decisions and formulating strategies, plans and programs that may affect existing or proposed landfill sites in Victoria, the Authority, [Sustainability Victoria](#), [regional waste and resource recovery groups](#), municipal councils, planning authorities, responsible authorities and other protection agencies will pursue the objectives and apply the principles and intent of the policy.

(2) The Authority will work in partnership with municipal councils, [regional waste and resource recovery groups](#), [Sustainability Victoria](#), industry and the community to:

(a) promote strategies and infrastructure developments for the segregation and diversion of reusable and recyclable waste from landfill; and

(b) divert waste from landfill through waste avoidance, re-use, recycling, recovery of energy, and treatment.

(3) The Authority will employ statutory and non-statutory instruments and measures in implementing the policy, including:

(a) licences, works approvals and notices issued under the Act;

(b) regulations and orders made under the Act;

(c) enforcement programs, including the investigation of complaints;

(d) guidelines for environmental management;

(e) risk assessment principles, practices and guidelines;

(f) environmental planning measures;

(g) landfill monitoring and auditing;

(h) environmental monitoring and auditing;

(i) economic instruments, including financial assurances;

(j) consultation with communities and other stakeholders;

(k) public information and education programs to encourage the wastes hierarchy; and

(l) programs of other organisations that may assist in meeting the objectives, principles and intent of the policy.

(4) [Sustainability Victoria](#), after consultation with the Authority and other relevant stakeholders, will:

(a) develop programs and strategies for Victoria on the generation and management of solid waste to assist in the implementation of the policy;

(b) work with industry to undertake research and promotion of market development opportunities for the diversion of wastes currently disposed to landfill; and

(c) support the development of resource recovery infrastructure.

(5) [Regional waste and resource recovery groups](#) will:

- (a) ensure their regional [waste and resource recovery implementation](#) plans are consistent with and assist in the implementation of the policy, including minimising the development and use of landfills;
 - (b) coordinate the activities of their members to assist in the implementation of the policy; and
 - (c) work in partnership with municipal councils and any other relevant agencies in the strategic planning, siting, and management of landfills to achieve the highest practicable level of protection of people and the environment.
- (6) Operators of landfill sites will site, design and manage their landfill to ensure the protection of all beneficial uses of the environment.

LANDFILL PLANNING AND SITING

11. Strategic Land Use Planning

- (1) All persons involved in the planning and siting of landfills must comply with the provisions of each relevant [regional waste and resource recovery implementation plan](#).
- (2) Each planning scheme amendment or any review of a municipal strategic statement by a planning authority, must be consistent with the policy and each relevant [regional waste and resource recovery implementation plan](#), especially with regard to landfill siting and scheduling.
- (3) In considering a planning permit application in relation to an existing or proposed landfill site, responsible authorities must make decisions consistent with the policy and the BPEM, especially with regard to landfill site selection.

12. Waste Management Planning

- (1) In developing a schedule for the proposed sequence for filling of available landfill sites, as required by the Act, each [regional waste and resource recovery group](#) must consider the potential to utilise landfill airspace available in surrounding regions.
- (2) Each [regional waste and resource recovery group](#) must, prior to submitting a draft plan to the Authority, consult with people likely to be affected by:
 - (a) the scheduling and evaluation of existing and prospective landfill sites; and
 - (b) the proposed sequence for filling of available landfill sites within the relevant region.
- (3) Each [regional waste and resource recovery group](#) and [Sustainability Victoria](#) must have regard to local planning provisions and requirements in preparing or amending any waste [and resource recovery implementation](#) plans.

13. Landfill Site Selection

- (1) Each [regional waste and resource recovery group](#) in the strategic planning and siting of prospective landfills must take into account siting considerations established in the BPEM including:
 - (a) alternative potential uses for the site;
 - (b) community needs;
 - (c) landfill type;
 - (d) buffer distances;
 - (e) groundwater;
 - (f) surface water;
 - (g) flora and fauna;
 - (h) infrastructure;

- (i) geology; and
- (j) land ownership.

(2) Landfill sites must not be established or extended into any area listed in Schedule A to the policy.

(3) New landfill sites must not be established or extended into any area where an aquifer contains Segment A groundwater, unless the:

- (a) landfill operator satisfies the Authority that sufficient additional design and management practices will be implemented; and

- (b) the Authority determines that regional circumstances exist that warrant the development of a landfill in the area.

14. Works Approval and Licensing

(1) Applications for works approvals and licences must comply with the provisions of the policy.

(2) All premises that are exempt from either works approvals or licensing must comply with the provisions of the policy.

(3) The Authority will progressively amend existing landfill licences so that they are consistent with the policy.

LANDFILL SITING, DESIGN AND MANAGEMENT

15. General Requirements

(1) Where any provision of the BPEM is inconsistent with the policy, the policy shall prevail.

(2) This clause applies to an applicant for or holder of a works approval or licence for a landfill site, unless provided for in Clause 17.

(3) An applicant for or holder of a works approval or licence for a landfill site must:

- (a) comply with the policy as well as all other relevant State environment protection policies and waste management policies;

- (b) meet the objectives of the BPEM; and

- (c) meet each required outcome of the BPEM.

(4) An applicant for or holder of a works approval or licence for a landfill site should use the suggested measures in the BPEM to demonstrate that subclause (3) will be met.

(5) If an applicant for a works approval, licence or licence amendment proposes measures alternative to the suggested measures of the BPEM, the Authority shall not issue the works approval, licence or licence amendment unless the applicant satisfies the Authority that the alternative measures:

- (a) meet the requirements of subclause (3); and

- (b) provide at least an equivalent environmental outcome to that provided by the suggested measure.

16. Specific Requirements

(1) The Authority may require, by licence, works approval or notice, the segregation of a specified waste within a landfill cell or elsewhere on site to:

- (a) enable the recovery of this material in the future; or

- (b) ensure the highest level of protection of people and the environment at any point in time.

(2) All new landfill sites must deposit waste at least two metres above the long term undisturbed depth to groundwater, unless the:

(a) landfill operator satisfies the Authority that sufficient additional design and management practices will be implemented; and

(b) the Authority determines that regional circumstances exist that warrant the development of the landfill.

(3) The holder of a licence for a landfill site in a municipality listed in Schedule C of the Act which is subject to the landfill levy payable under the Act must, within three years of the policy being gazetted, use a weighbridge to measure the quantity of waste accepted at the site.

(4) Once a licensed landfill site has closed, the Authority will require, through a notice, the occupier of the site to undertake ongoing aftercare until such time as the site does not pose a risk to human health or the environment, as determined by the Authority.

17. Landfills Exempt from Licensing

(1) The Authority will work in partnership with local government and [regional waste and resource recovery groups](#) to:

(a) develop and implement a strategic program for the management of landfill sites exempt from licensing; and

(b) develop guidelines on the design and management of landfill sites exempt from licensing.

(2) The operator of a landfill site exempt from licensing should use any guidelines developed under subclause (1b) to demonstrate compliance with the policy.

(3) Once a landfill site exempt from licensing has closed, the Authority may, through a notice, require the occupier of the site to undertake ongoing aftercare until such time as the site does not pose a risk to human health or the environment, as determined by the Authority.

18. Recycling Facilities

The Authority may require, by licence, works approval or notice, a landfill operator to provide, operate and maintain facilities for the segregation and collection of reusable and recyclable wastes received at the landfill site.

19. Prohibited Waste to Landfill

(1) The Authority will encourage the diversion of waste from landfill where a higher practicable waste management option exists consistent with the policy.

(2) The Authority may prohibit the disposal of specified wastes to landfill where the Authority determines that a higher practicable waste management option exists consistent with the policy or where a significant environmental risk exists.

(3) Prior to prohibiting specified wastes to landfill in accordance with subclause (2), the Authority will consult with key stakeholders.

(4) The Authority will have regard to the following factors in making decisions about prohibiting the disposal of specified wastes to landfill:

- (a) environmental risk; and
- (b) practicability of avoidance, reuse and recycling, including:
 - (i) existing and potential secondary markets; and
 - (ii) technical, logistical and financial considerations.

(5) The Authority will publish any specified wastes prohibited under subclause (2) in the Government Gazette.

(6) In addition to any waste prohibited under subclause (2) the following wastes must not be deposited for disposal at landfill sites:

- (a) ~~category A~~ prescribed wastes under ~~the Environment Protection (Prescribed Wastes) Regulations 1998 other than wastes classified as suitable under the Environment Protection (Industrial Waste Resource) Regulations 2009~~ Industrial waste management policy (Prescribed Industrial Waste) 2000;
- (b) liquid wastes;
- (c) automotive batteries;
- ~~(d) small batteries, except where they are dispersed in small quantities on disposal, such as those from domestic origins;~~
- (e) night soil;
- ~~(f)~~ pneumatic automotive tyres (including any tyre which is made either wholly or partly of natural or synthetic rubber or similar material) unless the tyres have been shredded into pieces not exceeding 250 millimetres in size in any dimension;
- ~~(g)~~ radioactive substances except where the landfill operator has approval or where an exemption has been given in accordance with the requirements of the Health Act 1958; ~~and~~
- ~~(h)~~ wastes prohibited for disposal to landfill by a national environment protection measure
- ~~(i)~~ e-waste.

20. Landfill Gas

(1) In addition to the obligations contained in Clause 15, the Authority may require a landfill operator to install a landfill gas collection system in existing and/or new landfill cells where:

- (a) landfill gas emissions are causing or may cause odours;
- (b) landfill gas emissions represent or may represent a hazard; or
- (c) it is necessary to reduce greenhouse gas emissions.

21. Environment Improvement Plan

(1) The Authority will require the holder of a licence for a landfill site to develop and submit an environment improvement plan.

(2) The Authority will encourage the operator of a landfill site exempt from licensing to develop an environment improvement plan.

(3) In preparing an environment improvement plan, operators of landfill sites must take into consideration any relevant neighbourhood environment improvement plan, [and any relevant regional waste and resource recovery implementation plan](#).

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SCHEDULE A: AREAS WHERE LANDFILL SITES MUST NOT BE ESTABLISHED OR EXTENDED INTO

(1) Areas where landfill sites must not be established or extended into:

(a) high value wetlands including wetlands of international importance listed under the convention on wetlands (Ramsar, Iran 1971) and listed in a directory of important wetlands in Australia (Environment Australia 2001);

(b) areas of significance for spawning, nursery, breeding, roosting and feeding areas of aquatic species, and fauna listed under the China–Australia Migratory Bird Agreement and Japan–Australia Migratory Bird Agreement, the Convention on Migratory Species of Wild Animals (Bonn, Germany, 1979) and under the Flora and Fauna Guarantee Act 1988;

(c) marine and coastal reserves listed in the National Parks Act 1975;

(d) water supply catchments proclaimed under the Catchment and Land Protection Act 1994, unless otherwise approved by the Authority;

(e) state wildlife reserves listed under the Wildlife Act 1975;

(f) critical habitats of taxa and communities of flora and fauna listed under the Flora and Fauna Guarantee Act 1988;

(g) areas identified by the Water Act 1989 as water supply protection areas, unless otherwise approved by the Authority;

(h) groundwater protection zones prescribed in Schedule A of the State environment protection policy (Groundwaters of Victoria) 1997;

(i) matters of national environmental significance as identified in the Environment Protection and Biodiversity Conservation Act 1999 (Cth); and

(j) surface waters.

SCHEDULE B: EXAMPLES OF ELECTRICAL OR ELECTRONIC EQUIPMENT PROHIBITED FROM LANDFILL

Large appliances	Professional tools & equipment	Small household tools & appliances	Computers, TVs, IT	Lighting & mobile phones	Leisure, PV
<ul style="list-style-type: none"> - refrigerators - washing machines - cookers - microwaves - electric fans - air conditioners 	<ul style="list-style-type: none"> - welding, soldering, milling - medical devices - monitoring and control equipment - automatic dispensers 	<ul style="list-style-type: none"> - irons - toasters - coffee machines - hair dryers - electric tools - sewing machines - musical instruments - batteries 	<ul style="list-style-type: none"> - computers - monitors - laptops - mice, keyboards, routers - printers - CRT TVs - Flat screen TVs (LCD, LED, plasma) 	<ul style="list-style-type: none"> - fluorescent lamps - high intensity discharge lamps - compact fluorescent lamps - LEDs - mobile phones 	<ul style="list-style-type: none"> - toys - game consoles - cameras - portable audio & video - remote controls - photosensitive semiconductor devices

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EXPLANATORY NOTES

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

BACKGROUND TO POLICY

This policy updates and refines Victoria's established framework for the siting, management and rehabilitation of landfills. This policy provides an improved framework to encourage the minimisation of the development and use of landfills and the diversion of waste materials for re-use and recycling as opposed to disposal. The policy also promotes continuous improvement in the siting, design and management of landfills in Victoria, to ensure that residual waste is managed in a way that protects the environment and human health.

Title

Clause 1 states that the policy title is Waste Management Policy (Siting, Design and Management of Landfills).

Commencement

Clause 2 states when the policy comes into effect.

Revocation of State environment protection policy (Siting and Management of Landfills Receiving Municipal Wastes)

Clause 3 revokes the State environment protection policy (Siting and Management of Landfills Receiving Municipal Wastes).

Application of the Policy

Clause 4 states that the policy applies throughout the State of Victoria, but only applies to landfill sites accepting non-prescribed wastes and/or Category C prescribed industrial wastes.

Contents of the Policy

Clause 5 outlines the content and structure of the policy.

Definitions

Clause 6 provides specific definitions of various words and terms used throughout the policy.

PART I POLICY FRAMEWORK

Policy Objectives

Clause 7 sets out the objectives of the policy, which underlies the specific requirements of the policy.

Policy Principles

Clause 8 indicates the environment protection principles applied by the policy, and are to be used to guide decisions about the siting, design and management of landfills.

Policy Intent

Clause 9 indicates what is to be achieved through the implementation of the policy.

PART II ATTAINMENT PROGRAM

POLICY RESPONSIBILITIES

Implementation

Clause 10 outlines the policy responsibilities and commitments of municipal councils, [regional waste and resource recovery groups](#), [Sustainability](#) Victoria, EPA Victoria and other protection agencies, and industry.

LANDFILL PLANNING AND SITING

Strategic Land Use Planning

Clause 11 requires those persons involved in the planning and siting of landfills to comply with the policy [and](#) any relevant [regional waste and resource recovery implementation plan](#). This will provide a co-ordinated approach to the planning and siting of landfills and ensure that plans reflect local, regional and State priorities, directions and approaches.

Waste Management Planning

Clause 12 requires [regional waste and resource recovery groups](#) to consider the available landfill airspace, both existing and planned, in surrounding regions when determining the need for additional landfill airspace within their region. [Regional waste and resource recovery groups](#) are also required to consult with those affected by their plans. When preparing or amending their plans, [Sustainability](#) Victoria and [regional waste and resource recovery groups](#) must take into consideration local planning requirements.

Landfill Site Selection

Clause 13 outlines a number of siting considerations that [regional waste and resource recovery groups](#) must take into account in the strategic planning and siting of prospective landfills for their region. This clause specifically states that new landfill sites must not be located in areas where an aquifer contains Segment A groundwater. However as certain regions of the State contain large areas of Segment A groundwater, such as East Gippsland, a landfill may be approved where the operator satisfies the Authority that sufficient additional design and management practices will be implemented and the Authority determines that a specific regional circumstance exists that warrants the development of a landfill in such an area. This clause also refers to Schedule A of the policy, which lists those areas where a landfill must not be established or extended into.

Works Approval and Licensing

Clause 14 requires applications for works approval and/or licence to be consistent with the policy and those landfill sites not subject to these requirements must also comply with the policy.

LANDFILL SITING, DESIGN AND MANAGEMENT

General Requirements

Clause 15 applies to landfills serving 5000 persons or more and requires landfill operators to meet the objectives and required outcomes outlined in the BPEM. This clause also provides a process for alternative measures than those specified in the suggested measures in the BPEM to be evaluated and approved.

Specific Requirements

Clause 16 enables the Authority to require a landfill operator to segregate a specific waste in a landfill cell or elsewhere on site. This clause also requires that all new landfill sites must deposit waste at least two metres above the long term undisturbed depth to groundwater. This means the naturally occurring depth to groundwater that has not been disturbed by human activities or seasonal or climatic variations. A lesser distance may be approved where additional design and management practices will be implemented and the Authority determines that regional circumstances exist that warrant the development of the landfill. This clause requires weighbridges to be used at all licensed landfill sites that are subject to the landfill levy and are located in a municipality listed in Schedule C of the **Environment Protection Act 1970**.

This clause also allows the Authority to require ongoing aftercare of a licensed landfill once it has closed until such time that the site has stabilised and no longer poses a threat to the environment or the community.

Landfills Exempt from Licensing

Clause 17 requires the Authority to work with municipal councils and [regional waste and resource recovery groups](#) in the strategic management of unlicensed landfill sites. This will include the development a guideline to assist operators to improve the operation and rehabilitation at these sites, to ensure the environment and community are protected and that the objectives, principles, and intent of the policy are met.

Recycling Facilities

Clause 18 enables the Authority to require a landfill operator to provide, operate and maintain facilities, where practicable, for the segregation and collection of reusable and recyclable wastes received at the site.

Prohibited Waste to Landfill

Clause 19 allows the Authority to prohibit certain wastes from being disposed to landfill if there is a higher waste management option practicably available or the waste poses an unacceptable risk to the environment. It also outlines the factors to which the Authority will have regard in making such a

determination and that consultation is required with key stakeholders prior to prohibiting a waste. This clause also outlines those wastes that cannot be disposed of to landfill.

Landfill Gas

Clause 20 allows the Authority to require a landfill operator to install and manage a landfill gas collection system in existing and/or new landfill cells to control odour, where the emissions pose a hazard or to reduce greenhouse gas emissions.

Environment Improvement Plan

Clause 21 requires a licensed landfill operator to prepare and submit an environment improvement plan (EIP) to the Authority. For unlicensed landfill operators, they may voluntarily develop an EIP.

SCHEDULE A – AREAS WHERE LANDFILL SITES MUST NOT BE ESTABLISHED OR EXTENDED INTO.

Identifies areas where a landfill site must not be established or extended into.

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