

# Video transcript: Works Approval Process



Environment  
Protection  
Authority Victoria

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Environment Protection Authority Victoria is Victoria's environmental regulator. Our role is to prevent and reduce the harmful effects of pollution and waste on Victorians and their environment. We work with community, industry and businesses, and we're the decision maker on works approvals applications.

A works approval is a legal document, we issue that permits the construction of facilities, installation of equipment, or modification of a process that has potential environmental impacts.

Works approvals are required for certain industrial or commercial activities before they are built or modified. In particular when activities may result in discharge of waste into the environment, an increase in, or alteration to, an existing discharge - and changes to the way waste is treated or stored

Without works approvals there is an increased risk of industrial projects causing pollution issues. They help to avoid expensive retrofitting. Works approvals are an opportunity to save energy and water, and to reduce waste at the project design stage, creating value for a business.

Our works approval process is designed to ensure the best and most cost-effective environmental outcomes on projects are achieved.

The application process is split into three distinct phases - Pre-application, assessment and post-determination.

Pre-application begins when an applicant provides us with their initial concept proposals. We'll review the information and provide the applicant with feedback and request more details if required.

In some cases, the proposal may not need a works approval. If that happens, we'll let the applicant know if any other approvals are needed.

We encourage applicants to undertake early consultation with local community and stakeholders likely to be affected or interested in their proposal.

Once we receive a complete application and the fees are paid, we'll begin the assessment phase.

Our assessment process aims to provide transparency and inclusiveness, while using evidence and risk-based judgement. We use specialists with technical knowledge and engage external expertise if we need to.

In undertaking our assessments, we consider the design and operation of the proposal, best practice, and other relevant policies and guidance.

If there's similar existing approved plants, we may use these as a reference. We also take into account the applicant's history and whether they are a fit and proper person.

We are required to make a decision on works approval applications within four months of receiving a complete application. We may request further information during the process or seek an extension of time to complete the assessment.

Community consultation is an integral part of the assessment process and is legally required for all works approvals applications.



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We advertise the application in newspapers, on our social media channels and refer it to other government agencies for comment. Applications are also published on the Engage Victoria website where the public can review them and make a submission.

We will consider all submissions and we're interested to hear from both supporters and objectors. It's important for us to understand why you feel the way you do, and we ask that you clearly explain the basis for your opinion. You should also highlight any areas within the application where you think further information is needed.

If an application receives significant concerns or issues within the local community, we may decide to hold a community conference, also referred to as a 20B. We host them, but they are moderated by an independent facilitator.

20B conferences assist the assessment process by helping us to better understand concerns and issues local community members and stakeholders may have. Conferences also aim to increase understanding for everyone in possible solutions or next steps for concerns.

Following a 20B conference, the independent facilitator will prepare a conference report that is published on the Engage Victoria webpage.

We are obliged to consider any recommendations in the report.

We will complete our assessment, taking into account any public comments received and any applicant responses. We'll then decide whether to issue a works approval and whether to attach any conditions to the approval. We'll discuss the proposed conditions with the applicants.

After we make a decision on the application, anyone who objects to the decision, or it's conditions, may lodge an appeal with the Victorian Civil and Administrative Tribunal.

If VCAT agree to the appeal, the works approval decision is put on hold and VCAT become the decision-maker of the application. EPA can no longer provide comment on the application.

After all appeals are resolved, and if approved, the developer can undertake construction and commissioning within the processes and conditions stipulated in the works approval. Upon completion, we will inspect the site to ensure compliance.

A works approval does not authorise the operation of a facility.

Once construction is complete, developers will need to apply for a licence to operate from EPA.

We're committed to providing a transparent, consultative and rigorous application process that ensures all Victorians are protected from harmful environmental impacts.

To find out more information on works approvals applications visit [engage.vic.gov.au](https://engage.vic.gov.au).