

Under Victoria's environmental laws, all committees of management have obligations regarding a "General environmental duty" and "Contaminated land duties."

## Victoria's environmental laws (the *Environment Protection Act 2017*)

The *Environment Protection Act 2017* (EP Act) came into force in Victoria on 1 July 2021. The Act aims to protect human health and the environment from pollution and waste. It includes a range of measures to address pollution and waste by businesses, organisations and individuals.

### General environmental duty

A centrepiece of the EP Act is the "General Environmental Duty." It applies to all Victorians. If you conduct activities that pose a risk to human health and the environment, you must understand those risks. You must also take reasonably practicable steps to eliminate or minimise them.

### Contaminated land duties

Of particular relevance to committees of management are the measures in the EP Act relating to contaminated land. "Contaminated land duties" address risk of harm from contamination of land and groundwater. They work alongside the general environmental duty. In the event of land (including groundwater) your committee manages being contaminated, your duties and obligations may include:

- Your general environmental duty to eliminate or minimise risks that your activities involving contaminated land pose
- Your duty to manage contaminated land
- Your duty to notify the Environment Protection Authority (EPA) of contamination.

### Further information and assistance

Often, it is not immediately evident if land is contaminated, although certain types of current or past activities suggest a higher likelihood of contamination (for example gun clubs, mining, fire stations).

The Department of Environment, Land, Water and Planning (DELWP) has processes in place to identify potential high- risk public land sites. If the Crown land reserve(s) your committee manages are identified by DELWP as "high-risk" for potential land contamination, a DELWP staff member will be in contact with you to discuss options for further assessment and the actions you and your committee may need to undertake. If you have any immediate concerns regarding potentially contaminated land, please contact the DELWP Land and Built Environment (LBE) Team in your part of the state.

Further background is available from [the website of the Environment Protection Agency \(EPA\)](#) , including:

- [About contamination \(EPA website\)](#)
- [Understanding your contaminated land duties \(EPA website\)](#)
- [The EPA's Contaminated land policy \(EPA website\)](#)