



New South Wales

Protection of the Environment Operations (Clean Air) Amendment Regulation 2021

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

Minister for Energy and Environment

Explanatory note

The objects of this Regulation are as follows—

- (a) to provide for different levels of control of burning in local government areas, including for the Environment Protection Authority and local councils to approve burning in the open,
- (b) to update references to local government areas following the amalgamation of a number of areas.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 323 (the general regulation-making power) and Schedule 2.

Protection of the Environment Operations (Clean Air) Amendment Regulation 2021 [NSW]

Protection of the Environment Operations (Clean Air) Amendment Regulation 2021

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Clean Air) Amendment Regulation 2021*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2010

[1] Clause 3 Definitions

Omit “Cessnock City”, “Maitland City” and “Shoalhaven City” from paragraph (e) of the definition of *Greater Metropolitan Area* in clause 3(1).

Insert instead “City of Cessnock”, “City of Maitland” and “City of Shoalhaven”.

[2] Clause 3(1), definition of “Newcastle Metropolitan Area”

Omit “Lake Macquarie City and Newcastle City”.

Insert instead “City of Lake Macquarie and City of Newcastle”.

[3] Clause 3(1), definition of “Sydney Metropolitan Area”

Omit “Auburn,” “Blacktown City,” “Botany Bay City,” “Campbelltown City,” “Fairfield City,” “Hawkesbury City,” “Holroyd City,” “Liverpool City,” “Parramatta City,” “Penrith City,” “Randwick City,” “Rockdale City,” “Ryde City,” and “Willoughby City”.

Insert in appropriate order “Bayside,” “City of Blacktown,” “City of Campbelltown,” “Cumberland,” “City of Fairfield,” “City of Hawkesbury,” “City of Liverpool,” “City of Parramatta,” “City of Penrith,” “City of Randwick,” “City of Ryde,” and “City of Willoughby”.

[4] Clause 3(1), definition of “Sydney Metropolitan Area—B”

Omit “Auburn,” “Blacktown City,” “Blue Mountains City,” “Botany Bay City,” “Campbelltown City,” “Fairfield City,” “Hawkesbury City,” “Holroyd City,” “Liverpool City,” “Parramatta City,” “Penrith City,” “Randwick City,” “Rockdale City,” “Ryde City,” and “Willoughby City,”.

Insert in appropriate order “Bayside,” “City of Blacktown,” “City of Blue Mountains,” “City of Campbelltown,” “Cumberland,” “City of Fairfield,” “City of Hawkesbury,” “City of Liverpool,” “City of Parramatta,” “City of Penrith,” “City of Randwick,” “City of Ryde,” and “City of Willoughby,”.

[5] Clause 3(1), definition of “Wollongong Metropolitan Area”

Omit “Shellharbour City and Wollongong City”.

Insert instead “City of Shellharbour and City of Wollongong”.

[6] Schedule 8 Local government areas in which burning is prohibited

Omit “Ashfield”, “Auburn”, “Bankstown City”, “Blacktown City”, “Botany Bay City”, “Campbelltown City”, “Canterbury City”, “Fairfield City”, “Gosford City”, “Holroyd City”, “Hurstville City”, “Kogarah”, “Ku-ring-gai”, “Leichhardt”, “Liverpool City”, “Manly”, “Marrickville”, “Newcastle City”, “Parramatta City”, “Pittwater”, “Queanbeyan City”, “Randwick City”, “Rockdale City”, “Ryde City”, “Shellharbour City”, “Warringah”, “Willoughby City” and “Wollongong City” from Part 1.

Insert in appropriate order “Bayside”, “City of Blacktown”, “Camden”, “City of Campbelltown”, “Canterbury-Bankstown”, “Cumberland”, “City of Fairfield”, “Georges River”, “Inner West”, “City of Liverpool”, “City of Newcastle”, “Northern Beaches”, “City of Parramatta”, “City of Randwick”, “City of Ryde”, “City of Shellharbour”, “City of Willoughby” and “City of Wollongong” in Part 1.

public consultation draft

Protection of the Environment Operations (Clean Air) Amendment Regulation 2021 [NSW]
Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2010

[7] Schedule 8, Part 2

Omit “Armidale Dumaresq”, “Blue Mountains City”, “Boorowa”, “Camden”, “Cessnock City”, “Cooma-Monaro Shire”, “Dubbo City”, “Great Lakes”, “Greater Taree City”, “Hawkesbury City”, “Lake Macquarie City”, “Maitland City”, “Murray Shire”, “Penrith City”, “Tumut Shire” and “Wellington”.

Insert in appropriate order “Armidale Regional”, “City of Blue Mountains”, “Central Coast”, “City of Cessnock”, “Dubbo Regional”, “City of Hawkesbury”, “Ku-ring-gai”, “City of Lake Macquarie”, “City of Maitland”, “Mid-Coast”, “City of Penrith”, “Queanbeyan-Palerang Regional”, “Snowy Monaro Regional” and “Snowy Valleys”.

[8] Schedule 8, Part 3

Omit “Armidale Dumaresq”, “Blue Mountains City”, “Boorowa”, “Camden”, “Cessnock City”, “Cooma-Monaro Shire”, “Cootamundra”, “Dubbo City”, “Great Lakes”, “Greater Taree City”, “Guyra”, “Harden”, “Hawkesbury City”, “Lake Macquarie City”, “Maitland City”, “Murray Shire”, “Palerang”, “Penrith City”, “Shoalhaven City”, “Tumut Shire”, “Urana”, “Wakool”, “Wellington” and “Wyong”.

Insert in appropriate order “Armidale Regional”, “City of Blue Mountains”, “Central Coast”, “City of Cessnock”, “Dubbo Regional”, “Federation”, “City of Hawkesbury”, “Hilltops”, “Kempsey”, “Ku-ring-gai”, “City of Lake Macquarie”, “Lockhart”, “City of Maitland”, “Mid-Coast”, “Murray River”, “City of Penrith”, “Queanbeyan-Palerang Regional”, “City of Shoalhaven”, “Snowy Monaro Regional” and “Snowy Valleys”.