



New South Wales

Local Government (Approvals) Amendment (Exemption) Regulation 1997

under the
Local Government Act 1993

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

ERNIE PAGE, M.P.,
Minister for Local Government

Explanatory note

Under section 68 of the *Local Government Act 1993*, the transporting of waste for fee or reward over or under a public place is an activity that requires the prior approval of the local council of the area in which the activity is to be carried out. However, the regulations under that Act may provide that the activity may be carried out without that approval.

The objects of this Regulation are as follows:

- (a) the present exemption under the *Local Government (Approvals) Regulation 1993* which allows the transporting of waste for fee or reward to be carried out without the prior approval of the relevant local council if the activity is liable to be licensed under the *Waste Recycling and Processing Service Act 1970* is modified so that it refers to the *Waste Minimisation and Management Act 1995* (that latter Act now deals with the licensing of commercial waste transporters),

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- (b) the transporting of waste for fee or reward in the Sydney metropolitan area, and the transporting of waste for fee or reward through a local government area (provided the waste is not being collected or deposited in that area), will also be activities for which the prior approval of the relevant local council will not be required.

This Regulation is made under the *Local Government Act 1993*, including sections 68 and 748 (the general regulation making power).

Local Government (Approvals) Amendment (Exemption) Regulation 1997

1 Name of Regulation

This Regulation is the *Local Government (Approvals) Amendment (Exemption) Regulation 1997*.

2 Amendment of Local Government (Approvals) Regulation 1993

The *Local Government (Approvals) Regulation 1993* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 98 Activities for which approval is not required

Omit clause 98 (a). Insert instead:

(a) **Transport waste**

The transporting of waste over or under a public place for fee or reward if:

- (i) the activity is liable to be licensed under the *Waste Minimisation and Management Act 1995*, or
- (ii) the activity is being carried out in the Sydney metropolitan area within the meaning of the *Waste Minimisation and Management Regulation 1996*, or
- (iii) the waste is being transported through the area of the council and is not being collected or deposited in that area.