



New South Wales

# Protection of the Environment Operations Amendment (Waste Facilities) Regulation 2000

under the

Protection of the Environment Operations Act 1997

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

BOB DEBUS, M.P.,  
Minister for the Environment

## Explanatory note

Part 1 of Schedule 1 to the *Protection of the Environment Operations Act 1997* specifies the “premises-based” activities that require a licence under the Act. Waste facilities are currently specified in Schedule 1, and contributions are payable to the EPA under section 88 of the Act in respect of waste received at a waste facility.

Certain premises are specified in Schedule 1 to the Act as not being waste facilities (and are therefore not subject to section 88 contributions). These “excluded” premises currently include mines and electricity generating works that are already required to be licensed under the Act, so long as the only waste disposed of on the premises is tailings, waste rock or inert waste (in the case of a mine) or ash (in the case of electricity generating works), being waste that is generated on the premises concerned.

The object of this Regulation is to provide that the licence for these “excluded” premises can authorise other types of waste to be disposed of on the premises without the premises being considered to be a waste facility for the purposes of the Act.

**2000 No 143**

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Explanatory note

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This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 5 (3) (Scheduled activities).

## **Protection of the Environment Operations Amendment (Waste Facilities) Regulation 2000**

### **1 Name of Regulation**

This Regulation is the *Protection of the Environment Operations Amendment (Waste Facilities) Regulation 2000*.

### **2 Amendment of Protection of the Environment Operations Act 1997**

The *Protection of the Environment Operations Act 1997* 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)

### **Schedule 1 Schedule of EPA-licensed activities**

Omit clause (3) (e) and (f) from the matter relating to **Waste facilities** in Part 1 of Schedule 1.

Insert instead:

- (e) mines referred to in this Part, where the only waste disposed of on the premises is either or both of the following:
  - (i) tailings, waste rock or inert waste generated on the premises,
  - (ii) any other type of waste that is authorised, under the licence for the premises, to be disposed of on the premises,
- (f) electricity generating works referred to in this Part, where the only waste disposed of on the premises is either or both of the following:
  - (i) ash generated on the premises,
  - (ii) any other type of waste that is authorised, under the licence for the premises, to be disposed of on the premises,

BY AUTHORITY