



Protection of the Environment Operations Amendment (Aquaculture) 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

Schedule 1 to the *Protection of the Environment Operations Act 1997* lists activities that are required to be licensed under the Act (these scheduled activities are divided into premises-based activities and activities that are not premises-based). This Regulation amends that Schedule to alter the aquaculture or mariculture activities that are required to be licensed. The requirement for such an activity to be licensed is to depend on the discharge of effluent, liquid sludge or other waste water to natural waterbodies, rather than on the capacity of the tanks or artificial waterbodies used for the activity.

This Regulation also amends Schedule 1 to the *Protection of the Environment Operations (General) Regulation 1998* (which specifies the licensing fees for scheduled activities) as a consequence of the above change.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 5 (3) and 323 (the general regulation-making power).

2000 No 249

Clause 1 Protection of the Environment Operations Amendment (Aquaculture)
Regulation 2000

Protection of the Environment Operations Amendment (Aquaculture) Regulation 2000

1 Name of Regulation

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

2 Commencement

This Regulation commences on 1 July 2000.

3 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.

4 Amendment of Protection of the Environment Operations (General) Regulation 1998

The *Protection of the Environment Operations (General) Regulation 1998* is amended as set out in Schedule 2.

5 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment of Protection of the Environment Operations Act 1997

(Clause 3)

Schedule 1 Schedule of EPA-licensed activities

Omit “involving supplemental feeding in tanks or artificial waterbodies with a total water storage area of more than 10 hectares or a total water volume of more than 400 megalitres.” from the matter relating to **Aquaculture or mariculture** in Part 1.

Insert instead:

involving:

- (a) supplemental feeding in tanks or artificial waterbodies, and
- (b) the discharge of effluent, liquid sludge or other waste water into natural waterbodies (such as rivers, streams, lakes, lagoons, swamps, wetlands, watercourses (including natural watercourses that have been artificially modified) or tidal waters (including the sea)), whether or not the discharge is by means of a pipe, drain, drainage depression, canal or other artificial form of conveyance.

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Protection of the Environment Operations Amendment (Aquaculture)
Regulation 2000

Schedule 2 Amendment of Protection of the Environment Operations (General)
Regulation 1998

**Schedule 2 Amendment of Protection of the
Environment Operations (General)
Regulation 1998**

(Clause 4)

[1] Schedule 1 Licensing fees—activities and assessable pollutants

Omit the matter relating to items 5 and 6 in the Index of classification of activities.

Insert instead:

5 Aquaculture or Mariculture

[2] Schedule 1 [5]

Omit the item. Insert instead:

[5] Aquaculture or Mariculture, being commercial activities that produce (by breeding, hatching, rearing or cultivation), marine, estuarine or freshwater aquatic plants or animals, involving supplemental feeding in tanks or artificial waterbodies and where effluent, liquid sludge or other waste water is discharged into natural waterbodies.

Units of measure (ML discharged)

Licence Administrative Fee

Volume of discharge	Number of Administrative Fee units
0–2,000	5
>2,000–20,000	15
>20,000	50

Assessable Pollutants and Fee Rate Threshold Factors

nil

Protection of the Environment Operations Amendment (Aquaculture)
Regulation 2000

Amendment of Protection of the Environment Operations (General)
Regulation 1998

Schedule 2

[3] Schedule 1 [6]

Omit the item.