



New South Wales

State Environmental Planning Policy (Infrastructure) Amendment (Disposal of Drug Exhibit Waste) 2016

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ROBERT STOKES, MP
Minister for Planning

State Environmental Planning Policy (Infrastructure) Amendment (Disposal of Drug Exhibit Waste) 2016

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Infrastructure) Amendment (Disposal of Drug Exhibit Waste) 2016*.

2 Commencement

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

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of State Environmental Planning Policy (Infrastructure) 2007

Clause 121A

Insert after clause 121:

121A Disposal of drug exhibit waste

- (1) Development for the purposes of the incineration of drug exhibit waste in a facility that has the written approval of the NSW Police Force is exempt development if the development is carried out in compliance with the following requirements:
 - (a) the only drug exhibit waste incinerated is waste received from the NSW Police Force,
 - (b) that waste is contained in drug bags made of polyethylene, or polypropylene, that is chlorine-free,
 - (c) the combustion chamber used for the incineration of that waste and its casing is as airtight as reasonably possible,
 - (d) during the incineration of that waste in that combustion chamber, combustion gases within the chamber are at or above 850°C for a minimum of 2 seconds,
 - (e) the plant used for the incineration is fitted with monitoring and control equipment to monitor and ensure compliance with paragraph (d) and that equipment is maintained in working condition and used during any incineration of that waste,
 - (f) no more than 50 kilograms of that waste is placed into, or otherwise contained in, the combustion chamber for incineration at any one time.
- (2) In this clause:

drug exhibit waste means any prohibited drug or prohibited plant:

 - (a) that is listed in Schedule 1 to the *Drug Misuse and Trafficking Act 1985*, and
 - (b) that was collected, seized or confiscated by, or surrendered to, the NSW Police Force, and
 - (c) that is no longer required by the NSW Police Force.

Note. Part 3A of the *Drug Misuse and Trafficking Act 1985* contains provisions about the destruction of exhibits (including the disposal of prohibited plants and prohibited drugs) and requires the destruction of exhibits to occur in the presence of police officers.