



New South Wales

Clean Air (Domestic Solid Fuel Heaters) Amendment (Standards) 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

The object of this Regulation is to amend the *Clean Air (Domestic Solid Fuel Heaters) Regulation 1997*:

- (a) to take account of the replacement of certain Australian Standards relating to emissions from domestic solid fuel heaters, and
- (b) to provide for more stringent emission standards in respect of the sale of domestic solid fuel heaters (with such standards taking effect on 5 July 2001).

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

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Clause 1 Clean Air (Domestic Solid Fuel Heaters) Amendment (Standards)
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Clean Air (Domestic Solid Fuel Heaters) Amendment (Standards) Regulation 2000

1 Name of Regulation

This Regulation is the *Clean Air (Domestic Solid Fuel Heaters) Amendment (Standards) Regulation 2000*.

2 Amendment of Clean Air (Domestic Solid Fuel Heaters) Regulation 1997

The *Clean Air (Domestic Solid Fuel Heaters) Regulation 1997* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 3 Definitions

Omit “AS 4013:1992” wherever occurring in the definitions of *accredited testing laboratory* and *central heating appliance*.

Insert instead “Standard 4013”.

[2] Clause 3

Omit the definitions of *AS 4012: 1992*, *AS 4013: 1992* and *AS 4014: 1992*.

[3] Clause 3

Insert in appropriate alphabetical order:

Standard 4012 means:

- (a) before 5 July 2001—the document entitled “*AS 4012/NZS 7402:1992 Domestic solid fuel burning appliances—method for determination of power output and efficiency*”, published by Standards Australia and as in force at the commencement of this Regulation, and
- (b) on and from 5 July 2001—the document entitled “*AS/NZS 4012:1999 Domestic solid fuel burning appliances—Method for determination of power output and efficiency*”, published by Standards Australia and as in force at the commencement of this Regulation.

Standard 4013 means:

- (a) before 5 July 2001—the document entitled “*AS 4013/NZS 7403:1992 Domestic solid fuel burning appliances—method for determination of flue gas emission*”, published by Standards Australia and as in force at the commencement of this Regulation, and

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- (b) on and from 5 July 2001— the document entitled “*AS/NZS 4013:1999 Domestic solid fuel burning appliances—Method for determination of flue gas emission*”, published by Standards Australia and as in force at the commencement of this Regulation.

Standard 4014 means:

- (a) before 5 July 2001—the document entitled “*AS 4014/NZS 7404:1992 Domestic solid fuel burning appliances-test fuels*”, published by Standards Australia and as in force at the commencement of this Regulation, and
- (b) on and from 5 July 2001—the document entitled “*AS/NZS 4014:1999 Domestic solid fuel burning appliances—Test fuels*”, published by Standards Australia and as in force at the commencement of this Regulation.

[4] Clauses 4, 6, 9, 10, 16 and 21

Omit “AS 4013:1992” wherever occurring in clauses 4 (2) (c), 6 (1) (a), 9 (1), (2) (b), (5) (e) (ii) and (6), 10 (1) (a) and (d) (iii), 16 (1) (a) and 21 (2) (c).

Insert instead “Standard 4013”.

[5] Clause 8 Requirement as to maximum smoke emission

Insert “before 5 July 2001” after “sell a heater” in clause 8 (1).

[6] Clause 8 (1A)

Insert after clause 8 (1):

- (1A) A person must not sell a heater on or after 5 July 2001 unless:
 - (a) for a heater that has a catalytic combustor, the heater has an average particulate emission factor of not more than 2.25 grams for each kilogram of oven dry fuel mass, or

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Amendments

Schedule 1

- (b) for a heater that does not have a catalytic combustor, the heater has an average particulate emission factor of not more than 4.0 grams for each kilogram of oven dry fuel mass.

Maximum penalty: 200 penalty units in the case of a corporation, or 100 penalty units in the case of an individual.

[7] Clauses 8 and 10

Omit “AS 4014:1992” wherever occurring in clauses 8 (2) (a) and 10 (1) (d) (iv).

Insert instead “Standard 4014”.

[8] Clause 9 Applications for certificates of compliance

Omit “AS 4012:1992” in clause 9 (2) (b). Insert instead “Standard 4012”.