

[Act 1996 No 132]



New South Wales

# Pollution Control Amendment Bill 1996

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.\*

### Overview of Bill

The object of this Bill is to amend the *Pollution Control Act 1970* to enable the Environment Protection Authority, when making decisions concerning a licence under a pollution control Act, including decisions concerning the imposition of conditions, to regulate the whole of the pollution caused by the activity concerned instead of being limited only to the kind of pollution dealt with in the particular pollution control Act. The pollution control Acts concerned are the *Pollution Control Act 1970*, the *Clean Air Act 1961*, the *Clean Waters Act 1970* and the *Noise Control Act 1975*.

The amendments overcome the decision of the Land and Environment Court in *Environment Protection Authority v Cleary Bros. (Bombo) Pty Limited*. (50046 of 1995) given on 28 August 1996.

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\* Amended in committee—see table at end of volume.

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## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision giving effect to the amendments to the *Pollution Control Act 1970* set out in Schedule 1.

**Clause 4** validates licences granted, and conditions of licences determined, before the date of assent to the proposed Act, other than the licence that was the subject of the Land and Environment Court's decision.

**Schedule 1** contains the amendments described above.