
ENVIRONMENT

EV301

Environmental Protection Act 1986

**Environmental Protection Amendment
Regulations (No. 2) 2020**

SL 2020/114

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Environmental Protection Amendment Regulations (No. 2) 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Environmental Protection Regulations 1987*.

4. Regulation 2C replaced

Delete regulation 2C and insert:

2C. Proposals of prescribed class (Act s. 38)

(1) In this regulation —

existing petroleum authority area has the meaning given in the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017* regulation 3A;

hydraulic fracturing has the meaning given in the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017* regulation 3;

petroleum activity has the meaning given in the PGER Environment Regulations regulation 4;

PGER Environment Regulations means the *Petroleum and Geothermal Energy Resources (Environment) Regulations 2012*.

(2) For the purposes of section 38(5)(b) and (5c)(b) of the Act a proposal is of a prescribed class if it involves a significant discharge of waste into the environment.

(3) For the purposes of section 38(5)(b) and (5c)(b) of the Act a proposal is of a prescribed class if it involves a significant emission of noise, odour or electromagnetic radiation into the environment.

(4) For the purposes of section 38(5)(b) and (5c)(b) of the Act a proposal is of a prescribed class if it involves a petroleum activity that —

(a) is the subject of —

(i) an environment plan submitted under the PGER Environment Regulations regulation 9; or

(ii) a revision of an environment plan submitted under the PGER Environment Regulations regulation 18, 19 or 20;

and

(b) is to be carried out in an existing petroleum authority area; and

(c) involves hydraulic fracturing.

R. NEILSON, Clerk of the Executive Council.
