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**ENVIRONMENT**

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EV301\*

Environmental Protection Act 1986

**Environmental Protection Amendment  
Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Environmental Protection Amendment Regulations 2016*.

**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 1 July 2016.

**3. Regulations amended**

These regulations amend the *Environmental Protection Regulations 1987*.

**4. Regulation 2AA amended**

- (1) In regulation 2AA delete the definition of *Departmental library*.
- (2) In regulation 2AA in the definition of *head office* delete “George’s” and insert:

Georges

Note: The heading to amended regulation 2AA is to read:

**Term used: head office**

**5. Regulation 2A amended**

In regulation 2A delete paragraph (a) and insert:

- (a) the places at which a draft policy will be available for public inspection are —
  - (i) the head office; and
  - (ii) Lot 3 Anderson Road, Karratha Industrial Estate, Karratha, Western Australia, 6714; and

- (iii) 181-205 Davey Street, Booragoon, Western Australia, 6154; and
  - (iv) the corner of Dodson Road and South Western Highway, Bunbury, Western Australia, 6230; and
  - (v) 1<sup>st</sup> Floor, The Foreshore Centre, 201 Foreshore Drive, Geraldton, Western Australia, 6530;
- and

**6. Regulation 2B amended**

In regulation 2B(5) delete “office and the Departmental library.” and insert:

office.

**7. Regulation 4 amended**

In regulation 4(5) delete “5D,” and insert:

5D(5),

**8. Regulation 5C replaced with regulations 5BA, 5BB and 5C**

Delete regulation 5C and insert:

**5BA. Fees prescribed for works approval (Act s. 54(1))**

- (1) The fee prescribed for the purposes of section 54(1)(b) of the Act is the appropriate fee specified in Schedule 3 determined on the basis of the cost of the works that are the subject of the application.
- (2) In determining the cost of works for the purposes of this regulation, no account is to be taken of —
  - (a) the cost of land; or
  - (b) the cost of buildings to be used for purposes unrelated to the purposes in respect of which the premises are, or will become, prescribed premises; or
  - (c) consultancy fees paid or to be paid in relation to those works.

**5BB. Fees prescribed for amending works approval or licence (Act s. 59B(1))**

- (1) For the purpose of section 59B(1)(b) of the Act, the fee prescribed for an application for an amendment to a

works approval or licence is based on a unit value for 2016-2017 of \$3.40 per unit, calculated —

- (a) for a single category of prescribed premises to which the works approval or licence relates — by using the unit number corresponding to the prescribed premises category in Schedule 4 Part 1; or
- (b) for multiple categories of prescribed premises to which the works approval or licence relates — by using the highest unit number corresponding to the prescribed premises categories in Schedule 4 Part 1.

**5C. Fees prescribed for transfer of works approval or licence (Act s. 64(1))**

For the purpose of section 64(1)(b) of the Act the fee prescribed for the transfer of a works approval or licence is 2 units.

**9. Regulation 18 amended**

In regulation 18 delete “section 62(1)(h)” and insert:

section 62(2)

Note: The heading to amended regulation 18 is to read:

**Conditions prescribed (Act s. 62(2))**

**10. Regulation 40 amended**

In regulation 40 delete “the Departmental library.” and insert:

Level 4, The Atrium, 168 St Georges Terrace, Perth, Western Australia, 6000.

**11. Schedule 4 amended**

In Schedule 4, Part 3, Table 1, item 7 delete “benzene” and insert:

benzene,

**12. Various references to “shall” amended**

- (1) In regulation 2 delete “shall”.
- (2) In regulation 11(2):
  - (a) delete “shall be deemed” (each occurrence) and insert:

are to be taken

(b) delete “shall be calculated” and insert:

are calculated

(3) In regulation 11(3) delete “shall” and insert:

is to

(4) In the provisions listed in the Table delete “shall” (each occurrence) and insert:

must

**Table**

r. 3(1) and (2)	r. 7(1)
r. 8(1)	r. 9
r. 13(1)	r. 13A(1)
r. 15	r. 16(1), (2) and (3)

N. HAGLEY, Clerk of the Executive Council.