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**ENVIRONMENT**

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EV301\*

Environmental Protection Act 1986

**Environmental Protection Amendment  
Regulations 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Environmental Protection Amendment Regulations 2005*.

**2. The regulations amended**

The amendments in these regulations are to the *Environmental Protection Regulations 1987*.\*

[\* Reprint 5 as at 11 March 2005.]

**3. Regulation 5D amended**

(1) Regulation 5D(1a)(b) is amended as follows:

- (a) by deleting “53, 70 or 80,” and inserting instead —  
“ 53, 54A, 70, 80 or 85B, ”;

- (b) by deleting “waste consisting of tailings, bitterns, water to allow mining of ore or flyash” and inserting instead —
- “ Part 2 waste ”.
- (2) After regulation 5D(5) the following subregulation is inserted —
- “
- (6) In this regulation and Schedule 4 —
- “**Part 2 waste**” means waste consisting of —
- (a) tailings;
  - (b) bitterns;
  - (c) water to allow mining of ore;
  - (d) flyash; or
  - (e) waste water from a desalination plant.
- ”.

#### 4. Schedule 1 amended

Schedule 1 is amended by inserting the following items in the appropriate numerical positions —

“

54A	Water desalination plant: premises at which salt is extracted from water if —	10 gigalitres or more per year
	(a) waste water is discharged into marine waters; and	
	(b) the discharged waste water has a density greater than the average ambient density of the marine water at the discharge site.	
85B	Water desalination plant: premises at which salt is extracted from water if waste water is discharged onto land or into waters (other than marine waters).	0.50 gigalitres or more per year

”.

#### 5. Schedule 4 amended

- (1) Schedule 4 Part 1 is amended by inserting the following item after the item for Category 54 —

“

Category 54A	Not more than 20 gigalitres per year	20
	More than 20 but not more than 40 gigalitres per year	50
	More than 40 gigalitres per year	100

”.

- (2) The heading to Schedule 4 Part 2 is deleted and the following heading is inserted instead —

“

**Part 2 — Part 2 waste**

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By Command of the Lieutenant-Governor and Administrator,

G. M. PIKE, Clerk of the Executive Council.