

**ENVIRONMENTAL PROTECTION**

EP301

**ENVIRONMENTAL PROTECTION ACT 1986****ENVIRONMENTAL PROTECTION AMENDMENT REGULATIONS  
(No. 4) 1996**

Made by His Excellency the Governor in Executive Council on the recommendation of the Environmental Protection Authority.

**Citation**

1. These regulations may be cited as the *Environmental Protection Amendment Regulations (No. 4) 1996*.

**Principal regulations**

2. In these regulations the *Environmental Protection Regulations 1987\** are referred to as the principal regulations.

[\* Reprinted as at 4 December 1995.]

**Regulation 11 amended**

3. Regulation 11 (1) of the principal regulations is amended —

(a) by inserting after “13,” the following —

“ 13A, ”;

(b) by inserting before the definition of “licensed premises” the following definition —

“

“approved site” means a landfill site —

(a) set apart by a local government under section 119 of the *Health Act 1911*;

(b) licensed under Part V of the Act; or

(c) approved by the Chief Executive Officer;

”;

(c) by deleting the full stop at the end of the definition of “tyre” and substituting a semicolon; and

(d) by inserting after the definition of “tyre” the following definitions —

“

“Tyre Landfill Exclusion Zone” means the area comprising the local government districts specified in Schedule 4;

“tyre retailer” means a person who carries on a business which principally consists of the sale of tyres by retail or the fitting of tyres, or a combination of those activities.

”.

**Regulation 12 amended**

4. Regulation 12 of the principal regulations is amended —

(a) by inserting after “For the purposes of” the following —

“ paragraph (c) of ”;

- (b) by inserting after "section 3" the following —
  - " (1) "; and
- (c) by deleting "kind of pollution" and substituting the following —
  - " alteration of the environment ".

#### **Regulation 13A inserted**

5. After regulation 13 of the principal regulations the following regulation is inserted —

"

#### **Tyre retailer not to damage used tyres**

**13A.** (1) A tyre retailer shall not, except in accordance with written approval given by the Chief Executive Officer —

- (a) cut or otherwise damage a used tyre; or
- (b) cause or permit a used tyre to be cut or otherwise damaged,

in such a manner as to render the tyre unsuitable for retreading.

Penalty: \$200.

(2) For the purposes of subregulation (1) the Chief Executive Officer may give approval subject to such conditions specified in the approval as the Chief Executive Officer thinks fit.

".

#### **Regulation 14 amended**

6. Regulation 14 of the principal regulations is amended —

- (a) by inserting after the regulation designation "14." the subregulation designation "(1)";
- (b) by deleting paragraph (b) and substituting the following paragraph —

"

- (b) by the method described in subregulation (2) at an approved site located —
  - (i) in the Tyre Landfill Exclusion Zone if the written approval of the Chief Executive Officer has first been obtained; or
  - (ii) in any local government district outside the Tyre Landfill Exclusion Zone;

";

- (c) in paragraph (c) by inserting before "any other method" the following —

" by "; and

- (d) by inserting the following subregulation —

"

(2) For the purposes of subregulation (1) (b) tyres may be disposed of by burial under a final soil cover of not less than 500 mm —

- (a) in batches separated from each other by at least 100 mm of soil and each consisting of not more than 40 cubic metres of tyres reduced to pieces;

- (b) in batches separated from each other by at least 100 mm of soil and each consisting of not more than 1 000 whole tyres; or
- (c) in the case of tyres in any volume or number in a dump existing on 4 December 1992, at the location of that dump,

in accordance with such conditions as are imposed by the Chief Executive Officer in respect of that burial for the purpose of ensuring that drainage, safety, soil erosion and soil stability at, and in the vicinity of, the site of that burial are adequately controlled.

”.

### Schedule 3 amended

7. Schedule 3 to the principal regulations is amended in item 1 (t) by inserting after “to be used as” the following —

“ used ”.

### Schedule 4 added

8. After Schedule 3 to the principal regulations the following Schedule is added —

“

#### SCHEDULE 4

[regulation 11 (1)]

#### TYRE LANDFILL EXCLUSION ZONE

##### PART 1 — METROPOLITAN

Armadale	Fremantle	Rockingham
Bassendean	Gosnells	Serpentine-
Bayswater	Kalamunda	Jarrahdale
Belmont	Kwinana	South Perth
Cambridge	Melville	Stirling
Canning	Mosman Park	Subiaco
Claremont	Mundaring	Swan
Cockburn	Nedlands	Victoria Park
Cottesloe	Peppermint Grove	Vincent
East Fremantle	Perth	Wanneroo

##### PART 2 — COUNTRY

Beverley	Gingin	Northam (Shire)
Boddington	Mandurah	Toodyay
Brookton	Murray	Wandering
Chittering	Northam (Town)	York

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Recommended by the Environmental Protection Authority.

R. STEEDMAN, Chairman.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.