

**ENVIRONMENTAL PROTECTION****EP301****ENVIRONMENTAL PROTECTION ACT 1986****ENVIRONMENTAL PROTECTION AMENDMENT  
REGULATIONS (No. 6) 1996**

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

**Citation**

1. These regulations may be cited as the *Environmental Protection Amendment Regulations (No. 6) 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.  
For amendments to 26 November 1996 see Gazettes 13 September,  
11 October and 12 November 1996.]

**Regulation 5D amended**

3. Regulation 5D of the principal regulations is amended —

- (a) in subregulation (1) by inserting after “Subject to” the following —
  - “ subregulation (3) and ”;
- (b) in subregulation (1) (b) —
  - (i) by inserting after “12,” the following —
    - “ 14, ”;
  - (ii) by inserting after “tailings” the following —
    - “ , bitterns ”;

and

- (c) by inserting after subregulation (2) the following subregulation —

“

(3) No amount is payable under subregulation (1) (c) in respect of bitterns discharges or discharges from category 14 premises.

”.

#### **Regulation 5J amended**

4. Regulation 5J to the principal regulations is amended —

- (a) by inserting after the regulation designation “5J.” the subregulation designation “(1)”;
- (b) by inserting after “regulation 5D” the following —
- “ and subject to subregulation (2) ”; and
- (c) by inserting the following subregulation —

“

(2) Subregulation (1) does not apply to an application for a licence in respect of category 62, 63, 64, 65 or 66 premises.

”.

#### **Regulation 11 amended**

5. Regulation 11 (1) of the principal regulations is amended in the definition of “Tyre Landfill Exclusion Zone” by deleting “Schedule 4” and substituting the following —

“ Schedule 5 ”.

#### **Schedule 1 amended**

6. (1) Part 1 of Schedule 1 to the principal regulations is amended —

- (a) in column 2 of category 47 by deleting “44” and substituting the following —
- “ 45 ”; and
- (b) by inserting after category 67 the following category —

“

67A	Compost manufacturing and soil blending: premises on which organic material (excluding silage) or waste is stored pending processing, mixing, drying or composting to produce commercial quantities of compost or blended soils.	1 000 tonnes or more per year
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”.

- (2) Part 2 of Schedule 1 is amended by deleting item 71.

#### **Schedule 4 (Tyre Landfill Exclusion Zone) repealed**

7. Schedule 4 to the principal regulations immediately following Schedule 3 and entitled “Tyre Landfill Exclusion Zone” is repealed.

**Schedule 4 (Licence Fees) amended**

8. (1) Schedule 4 to the principal regulations entitled "Licence Fees" is amended in Part 1 by deleting the item "Categories 10, 11 and 34" and substituting the following item —

"

Categories 10, 11 and 34	Not more than 50 000 tonnes per year	75
	More than 50 000 but not more than 100 000 tonnes per year	150
	More than 100 000 but not more than 500 000 tonnes per year	250
	More than 500 000 but not more than 2 000 000 tonnes per year	400
	More than 2 000 000 tonnes per year	600

"

(2) Schedule 4 to the principal regulations entitled "Licence Fees" is amended in Part 1 by deleting the item "Category 64" and substituting the following item —

"

Categories 64 and 67A	Not more than 500 tonnes per year	Nil
	More than 500 but not more than 5 000 tonnes per year	40
	More than 5 000 but not more than 50 000 tonnes per year	160
	More than 50 000 but not more than 100 000 tonnes per year	320
	More than 100 000 tonnes per year	640

"

(3) Schedule 4 to the principal regulations entitled "Licence Fees" is amended in Part 2 by inserting after "TAILINGS" the following —

" , BITTERNS "

(4) Schedule 4 to the principal regulations entitled "Licence Fees" is amended in Table 2 in Part 3 by deleting item 1 and substituting the following item —

"

1. Liquid waste that can potentially deprive receiving waters of oxygen (for each kilogram discharged per day) —		
(a)	biochemical oxygen demand (in the absence of chemical oxygen demand limit)	0.5
(b)	chemical oxygen demand (in the absence of total organic carbon limit)	1
(c)	total organic carbon	0.5

"

**Schedule 5 added**

9. After Schedule 4 to the principal regulations the following Schedule is added —

“

**SCHEDULE 5 — TYRE LANDFILL EXCLUSION ZONE**

[regulation 11 (1)]

**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

”.

**Regulation 7 of *Environmental Protection Amendment Regulations (No. 3) 1996* amended**

10. Regulation 7 of the *Environmental Protection Amendment Regulations (No. 3) 1996*\* is amended by inserting after subregulation (2) the following subregulation —

“

(3) This regulation does not operate so as to prevent —

- (a) an occupier of an existing landfill site from applying for a licence in respect of those premises within the period of 6 months after the commencement of these regulations as if the principal regulations as amended by these regulations applied to that site; or
- (b) the granting of a licence under the Act, within the period of 6 months after the commencement of these regulations, in respect of those premises as if the principal regulations as amended by these regulations applied to that site,

and such an application or licence is to have the same effect as if the principal regulations as amended by these regulations applied to that site at the time the application was made or the licence was granted.

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[\* *Published in Gazette 13 September 1996, pp. 4545-67.*]

Recommended by the Environmental Protection Authority.

R. K. STEEDMAN.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.