

2011

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

ENVIRONMENT PROTECTION AMENDMENT REGULATION 2011 (No 1)

SL2011-1

EXPLANATORY STATEMENT

Circulated with the authority of
Simon Corbell MLA
Minister for the Environment, Climate Change and Water

Environment Protection Amendment Regulation 2011 (No 1)

Outline

This regulation amends Section 14 of the Environment Protection Regulation 2005.

It is a requirement of Section 42(1) of the *Environment Protection Act 1997* to hold an environmental authorisation for the sale or supply of firewood to the person who uses it unless the quantity of firewood sold or supplied is less than 100 kilograms or the firewood is sold under a scheme in which an annual fee is paid for the right to collect waste softwood in pine plantations and the sale or supply in the ACT of firewood to a person other than one mentioned above.

Section 10 of the Environment Protection Regulation 2005 contains provisions around burning certain substances and effectively bans the burning of wood that is painted, chemically treated or chemically contaminated.

Whilst it is currently an offence to burn wood that is painted, chemically treated or contaminated with a chemical, it is not an offence to sell or supply such firewood.

This regulation amends the Environment Protection Regulation 2005 through the addition of a new section to prohibit the sale or supply of painted, chemically treated or chemically contaminated firewood unless it is approved.

Regulation Notes

Clause 1 – Name of regulation – provides that the regulation is the Environment Protection Amendment Regulation 2011 (No 1).

Clause 2 – Commencement – provides that the regulation commences on the day after its notification day.

Clause 3 – Legislation amended – provides that this regulation amends the *Environment Protection Regulation 2005*.

Clause 4 – Section 10 (1) (a) (ii) – provides that it is an offence to burn wood that is painted, chemically treated or chemically contaminated unless it has been approved for sale or supply by the authority and chief health officer.

Clause 5 – New Section 14A – provides that it is an offence to sell or supply painted, chemically treated or chemically contaminated firewood without holding an environmental authorisation in accordance with schedule 1, section 1.2, item 44 or 45 of the Act and without written approval from the authority and the chief health officer.

Clause 6 – Dictionary, note 2 – provides for the insertion of the chief health officer into note 2 of the dictionary.