

**Australian Capital Territory
Environment Protection Act 1997
Accreditation of a Code of Practice
Explanatory Statement**

INSTRUMENT NO. 238 OF 1998

Subsection 31(1) of the *Environment Protection Act 1997* (the Act) provides that the Minister may accredit a code of practice that sets out ways of achieving compliance with the general environmental duty under the Act, when some or all of the activities of a particular industry are likely to cause environmental harm.

This instrument accredits the ACT Commercial Waste Industry Code of Practice (the Code of Practice).

Regulation 29 of the Environment Protection Regulations sets Zone Noise Standards (ZNS) for all areas of the ACT, based on land use under the Territory Plan. However, the combined effect of several provisions is that noise from the commercial collection of waste from commercial premises need not comply with the ZNS provided that it is carried out in accordance with an accredited code of practice.

Accreditation of the Code of Practice will permit noise generated by the collection of waste from commercial premises to exceed the ZNS during the hours set out in the Code of Practice, provided that the other provisions of the Code of Practice are adhered to. This is in recognition of the fact that parked motor vehicles often prevent access to commercial waste hoppers except in the small hours.

Subsection 31(2) of the Act requires that the Minister shall not accredit a code of practice unless satisfied that the code of practice has been prepared in consultation with the relevant industry and the public. This Code of Practice was prepared by the ACT commercial waste collection industry in conjunction with Environment ACT. Public comment on the draft Code of Practice was invited but no comments were received.

Circulated by authority of
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