



Australian Capital Territory

Environment Protection (Prescribed Activities) Regulations 2000

Subordinate Law 2000 No 31

The Australian Capital Territory Executive makes the following regulations
under the *Environment Protection Act 1997*.

Dated 11 July 2000.

BRENDAN SMYTH
Minister

BILL STEFANIAK
Minister

Environment Protection (Prescribed Activities) No 31, 2000

1 Name of regulations

These regulations are the *Environment Protection (Prescribed Activities) Regulations 2000*.

2 Commencement

These regulations commence on the day they are notified in the Gazette.

3 Amendments of Environment Protection Act—sch 1

Schedule 1 amends Schedule 1 of the *Environment Protection Act 1997*.

SCHEDULE 1

(See reg 3)

AMENDMENTS OF ENVIRONMENT PROTECTION ACT

[1.1] Clause 1—

Insert the following definitions:

“*live animal weight*, for animals, means the weight of the animals calculated on the basis that—

- (a) for birds—555 layer chickens, 1,100 broiler chickens, 310 ducks, 165 geese, 110 turkeys or 17 emus represent 1t; or
- (b) for a stock feedlot—2 cattle, 13 goats, 2 horses or 22 sheep represent 1t; or
- (c) for a stock saleyard—2 cattle, 13 goats, 2 horses, 22 sheep, 5 deer, 17 emus, 13 kangaroos, 5 breeding sows, 17 porker pigs or 11 baconer pigs represent 1t.

logging includes the cutting and removal of pulpwood.

mobile plant, for the processing of agricultural crops, means plant operated on a temporary basis at a place for not more than 6 months in a year.

year means any 12 month period.”.

[1.2] Paragraphs 2 (b) and (c)—

Omit the paragraphs, substitute the following paragraphs:

- “(b) the extraction of material (other than water) from a waterway;
- (ba) the operation of equipment designed to extract more than 30 000t per year of material (other than groundwater) from land outside a waterway;
- (c) the operation of a commercial incineration facility for the destruction of waste by thermal oxidation (including biological, veterinary, medical, dental, quarantine and municipal wastes);”.

[1.3] Paragraph 2 (e)—

Omit the paragraph, substitute the following paragraph:

- “(e) the operation of a commercial landfill facility that receives, or is intended by the operator to receive, more than 5 000t of waste per year;”.

SCHEDULE 1—continued

[1.4] New paragraphs 2 (ga) to (ge)—

After paragraph 2 (g), insert the following paragraphs:

- “(ga) the treatment (other than by incineration), storage or handling of more than 1 000m³ of contaminated soil from land outside the parcel of land where the contaminated soil is treated, stored or handled;
- (gb) the treatment (other than by incineration), storage or handling of more than 10 000m³ of contaminated soil from land;
- (gc) the operation of a facility at which more than 800 animals per day may be milked;
- (gd) the operation of a facility designed to process more than 30 000kL of milk or milk products per year;
- (ge) the operation of a facility designed to process more than 30 000t of agricultural crops per year, other than—
 - (i) the processing of grapes or grape products, milk or milk products or forestry products; or
 - (ii) the processing of agricultural crops by a mobile plant on a farm;”.

[1.5] Paragraphs 2 (j) and (k)—

Omit the paragraphs, substitute the following paragraphs:

- “(j) the operation of a stock feedlot—
 - (i) for the rearing or fattening of stock fed entirely or largely on prepared or manufactured feed; and
 - (ii) that is designed to accommodate at any one time more than 200t live animal weight of stock in a confinement area;
other than a feedlot operated for drought or similar emergency relief or for the holding of stock at an abattoir or saleyard;
- (ja) the keeping of poultry, game birds or emus if the premises where the birds are kept is designed to accommodate at any one time more than 180t live animal weight of birds;
- (k) the operation of commercial stock saleyards (including associated transport loading facilities) that sells or exchanges, or is intended by the operator to sell or exchange, more than 10 000t live animal weight of animals per year;

SCHEDULE 1—continued

- (ka) the operation of an abattoir or another facility for the processing of the products of slaughtered animals (other than for the tanning of animal skins or fellmongery) designed to process more than 3 000kg of live animals per day;”.

[1.6] Paragraph 2 (m)—

Omit the paragraph, substitute the following paragraphs:

- “(m) the commercial cleaning or carbonising of wool at a facility designed to process more than 200t of wool per year;
- (ma) the processing of animal skins or other animal products (including fellmongery) to produce leather or other similar products;”.

[1.7] Paragraph 2 (v)—

Omit the paragraph, substitute the following paragraphs:

- “(v) the operation of a facility designed to store more than 500m³ of petroleum products;
- (w) the production of petroleum products (other than the recovery, processing or disposal of petroleum product waste) at a facility designed to produce more than 100t of petroleum products per year;
- (x) the operation of a facility that recovers, processes or disposes, or is intended by the operator to recover, process or dispose, of more than 20t of waste petroleum products per year;
- (y) the operation of an aerodrome for helicopters (other than a facility used only for the emergency medical evacuation, retrieval or rescue of people by helicopter) if—
 - (i) the aerodrome is operated for more than 2 weeks; and
 - (ii) the number of take-offs and landings by helicopters is, or is intended by the operator to be, more than 30 per week; and
 - (iii) the aerodrome is located less than 1 kilometre from a dwelling not associated with the aerodrome;
- (z) the conduct of a logging operation that logs, or is intended by the operator to log, more than 5 000t of timber per year;
- (za) the commercial production of alcoholic beverages or distilled alcohol at a facility designed to produce more than 100kL of alcoholic beverages or distilled alcohol per year;

SCHEDULE 1—continued

- (zb) the conduct of an operation that applies to land, or is intended by the operator to apply to land, more than 500t per year of organic products produced by the treatment of sewerage for the improvement of soil;
- (zc) the operation of a facility that composts, or is intended by the operator to compost, more than 200t of animal waste, or 5 000t of plant waste, per year;
- (zd) timber chipping, pulping or milling at a facility (other than at a joinery or retail timber yard) designed to process or produce more than 30 000m³ of timber or wood products per year;
- (ze) the manufacture of things in furnaces or kilns (including bricks, glass, pipes, pottery goods and tiles) at a facility designed to produce 10 000t or more of things per year;
- (zf) the preservation of wood for commercial purposes using chemicals (including copper, chromium, arsenic and creosote) at a facility designed to process 10 000m³ or more of wood per year;
- (zg) the production of concrete or concrete products at a facility designed to produce more than 7 000m³ of concrete per year;
- (zh) the production of road building materials by the mixing of ground rock aggregate and bituminous materials at a production facility that—
 - (i) is, or is intended to be, located at the one site for more than 1 year; and
 - (ii) is designed to produce more than 30 000t of road building materials per year;
- (zi) the operation of a facility for the crushing, grinding or separating of materials (including sand, gravel, rock, minerals, slag, road base, concrete, bricks, tiles, asphaltic material, metal or timber) into different sizes, if the processing facility is designed to produce more than 10 000t of processed materials per year.”.

[1.8] Paragraphs 3 (a) to (d)—

Omit the paragraphs, substitute the following paragraphs:

- “(a) the manufacture of things in furnaces or kilns (including bricks, glass, pipes, pottery goods and tiles) at a facility designed to produce between 100t and 10 000t of things per year;

SCHEDULE 1—continued

- (b) the preservation of wood for commercial purposes using chemicals (including copper, chromium, arsenic and creosote) at a facility designed to process less than 10 000m³ of wood per year;”.

Endnote

Notification

- 1 Notified in the Gazette on 20 July 2000.