



Queensland

# Environmental Protection Amendment Regulation (No. 1) 2015

## Subordinate Legislation 2015 No. 129

made under the

*Environmental Protection Act 1994*

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**1 Short title**

This regulation may be cited as the *Environmental Protection Amendment Regulation (No. 1) 2015*.

**2 Commencement**

This regulation commences on 30 September 2015.

**3 Regulation amended**

This regulation amends the *Environmental Protection Regulation 2008*.

**4 Omission of s 115C (Prescribed criteria—Act, s 568)**

Section 115C—  
*omit.*

**5 Omission of ss 135 and 136**

Sections 135 and 136—  
*omit.*

**6 Insertion of new ch 9, pt 10**

Chapter 9—  
*insert—*

**Part 10**

**Transitional provisions  
for Environmental  
Protection Amendment  
Regulation (No. 1) 2015**

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**177 When shortfall in fee for particular major amendment application payable**

- (1) This section applies to a major amendment application made, but not decided, before the commencement if, immediately before the commencement, previous section 135 applied to the application.
- (2) Despite the *Environmental Protection Amendment Regulation (No. 1) 2015*, section 5, previous section 135 continues to apply to the application.
- (3) In this section—  
*previous section 135* means section 135 as in force immediately before the commencement.

**178 Refunding overpayment of fee for particular major amendment applications**

- (1) This section applies to a major amendment application made, but not decided, before the commencement if, immediately before the commencement, previous section 136 applied to the application.
- (2) Despite the *Environmental Protection Amendment Regulation (No. 1) 2015*, section 5, previous section 136 continues to apply to the application.
- (3) In this section—  
*previous section 136* means section 136 as in force immediately before the commencement.

**7 Amendment of sch 2 (Prescribed ERAs and aggregate environmental scores)**

Schedule 2, part 6, section 25(2)—

*omit, insert—*

[s 8]

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- (2) The relevant activity does not include processing meat or meat products that—
  - (a) involves only chilling, curing, drying, freezing, packaging or smoking the meat or meat products; or
  - (b) does not involve any of the following—
    - (i) slaughtering animals;
    - (ii) rendering the meat or meat products;
    - (iii) the release of waste to waters;
    - (iv) the treatment of waste using anaerobic or facultative systems.

**8 Replacement of sch 3B (Approved eligibility criteria for environmentally relevant activities)**

Schedule 3B—

*omit, insert—*

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## **Schedule 3B      Approved eligibility                                  criteria for                                  environmentally                                  relevant activities**

section 24B

Eligibility criteria and standard conditions—Geothermal exploration activities – version 2

Eligibility criteria and standard conditions—Petroleum exploration activities – version 2

Eligibility criteria and standard conditions—Petroleum pipeline activities – version 2

Eligibility criteria and standard conditions—Petroleum survey activities – version 2

Eligibility criteria and standard conditions for cattle feedlotting (ERA 2) – version 2

Eligibility criteria and standard conditions for sheep feedlotting (ERA 2) – version 2

Eligibility criteria and standard conditions for pig keeping (ERA 3) – version 2

Eligibility criteria and standard conditions for poultry farming (ERA 4) – version 2

Eligibility criteria and standard conditions for chemical manufacturing (water based paint) (ERA 7) – version 2

Eligibility criteria and standard conditions for chemical manufacturing (soap, surfactants or cleaning or toiletry products) (ERA 7) – version 2

Eligibility criteria and standard conditions for retreading tyres (ERA 13) – version 2

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Eligibility criteria and standard conditions for extracting material (ERA 16) – version 2

Eligibility criteria and standard conditions for screening (5000 tonnes to 100,000 tonnes of material in a year) (ERA 16) – version 2

Eligibility criteria and standard conditions for screening (more than 100,000 tonnes but not more than 1 million tonnes of material in a year) (ERA 16) – version 2

Eligibility criteria and standard conditions for screening (more than 1 million tonnes of material in a year) (ERA 16) – version 2

Eligibility criteria and standard conditions for bottling or canning food (ERA 23) – version 2

Eligibility criteria and standard conditions for meat processing (not including rendering) (ERA 25) – version 2

Eligibility criteria and standard conditions for meat processing (including rendering) (ERA 25) – version 2

Eligibility criteria and standard conditions for milk processing (ERA 26) – version 2

Eligibility criteria and standard conditions for metal foundry (ERA 29) – version 2

Eligibility criteria and standard conditions for surface coating (ERA 38) – version 2

Eligibility criteria and standard conditions for tyre recycling (ERA 59) – version 2

Eligibility criteria and standard conditions for sewage treatment works (ERA 63) – version 2

## **9 Amendment of sch 5 (Environmental objective assessment)**

- (1) Schedule 5, part 1, section 1, definition *regulated structure*, from ‘the’ to ‘published’—

*omit, insert—*

the ‘Manual for assessing consequence categories and hydraulic performance of structures’ published

- (2) Schedule 5, part 3, table 2, entry for Critical Design Requirements, under the heading ‘Performance Outcomes’, item 2(b), from ‘the ‘Manual’ to ‘published’—

*omit, insert—*

the ‘Manual for assessing consequence categories and hydraulic performance of structures’ published

**10 Amendment of sch 10 (Fees)**

- (1) Schedule 10, item 7—

*omit, insert—*

7	amendment application for environmental authority (Act, s 226(1)(c)) . . . . .	295.60
7A	assessment fee for amendment application for environmental authority (Act, s 228(3)) . . . . .	30% of the annual fee for the authority that is the subject of the application

- (2) Schedule 10, item 13—

*omit.*

**11 Amendment of sch 12 (Dictionary)**

- (1) Schedule 12, part 2, definitions *high hazard dam* and *significant hazard dam*—

*omit.*

- (2) Schedule 12, part 2—

*insert—*

***high consequence dam*** means a dam that is assessed as being in a high consequence category within the meaning of the document ‘Manual for

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assessing consequence categories and hydraulic performance of structures’ published by the department.

*significant consequence dam* means a dam that is assessed as being in a significant consequence category within the meaning of the document ‘Manual for assessing consequence categories and hydraulic performance of structures’ published by the department.

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#### ENDNOTES

- 1 Made by the Governor in Council on 17 September 2015.
- 2 Notified on the Queensland legislation website on 18 September 2015.
- 3 The administering agency is the Department of Environment and Heritage Protection.

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Authorised by the Parliamentary Counsel