



Protection of the Environment Operations (Waste) Amendment (Contributions) Regulation 2013

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

ROBYN PARKER, MP
Minister for the Environment

Explanatory note

Clause 5 of the *Protection of the Environment Operations (Waste) Regulation 2005* prescribes the contributions that occupiers of waste facilities are required to pay under the *Protection of the Environment Operations Act 1997* for waste received at those facilities. The object of this Regulation is to provide for discounts in the rates used to calculate those contributions where the waste concerned is:

- (a) virgin excavated natural material that is received on or after 1 September 2013, or
- (b) residual waste that is generated directly, at premises approved by the Environment Protection Authority, from the shredding of scrap metal and is received between 1 September 2013 and 30 June 2018.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 88 and 323 (the general regulation-making power).

2013 No 497

Clause 1 Protection of the Environment Operations (Waste) Amendment
(Contributions) Regulation 2013

**Protection of the Environment Operations (Waste)
Amendment (Contributions) Regulation 2013**

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations
(Waste) Amendment (Contributions) Regulation 2013*.

2 Commencement

This Regulation commences on 1 September 2013 and is required to be
published on the NSW legislation website.

Schedule 1 Amendment of Protection of the Environment Operations (Waste) Regulation 2005

[1] Clause 5 Contributions payable in relation to scheduled waste facilities where adequate records kept

Insert after clause 5 (8):

- (8A) The SMA amount, ERA amount or RRA amount, in respect of virgin excavated natural material received on or after 1 September 2013, is 90 per cent of the amount otherwise applying under this clause (as calculated under subclause (6), (7) or (8) and following any rounding under subclause (16)).
- (8B) The SMA amount, ERA amount or RRA amount, in respect of residual waste generated directly (at approved premises) from the shredding of scrap metal, is as follows:
 - (a) in the case of any such waste received during the period commencing on 1 September 2013 and ending on 30 June 2016—50 per cent of the amount otherwise applying under this clause (as calculated under subclause (6), (7) or (8) and following any rounding under subclause (16)),
 - (b) in the case of any such waste received in a year beginning on or after 1 July 2016 and ending on or before 30 June 2018—75 per cent of the amount otherwise applying under this clause (as calculated under subclause (6), (7) or (8) and following any rounding under subclause (16)).

[2] Clause 5 (16)

Insert “This subclause does not apply to the SMA amount, the ERA amount or the RRA amount, calculated in accordance with subclause (8A) or (8B).” at the end of the subclause.