



Protection of the Environment Operations (General) Amendment (M5 East Tunnel) 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

The object of this Regulation is to increase the penalty payable for a penalty notice issued in respect of an offence under the *Protection of the Environment Operations (Clean Air) Regulation 2010* of using a heavy vehicle that emits excessive air impurities in the M5 East Tunnel from \$200 (or \$400 in the case of a corporation) to \$2,000.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 227 and 323 (the general regulation-making power).

2013 No 61

Clause 1

Protection of the Environment Operations (General) Amendment (M5 East Tunnel) Regulation 2013

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Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (General) Amendment (M5 East Tunnel) Regulation 2013*.

2 Commencement

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

3 Amendment of Protection of the Environment Operations (General) Regulation 2009

Schedule 6 Penalty notice offences

Omit the matter relating to clause 16 (1) of the *Protection of the Environment Operations (Clean Air) Regulation 2010* from Columns 1–4.

Insert instead:

Clause 16 (1) in relation to the emission of excessive air impurities by a heavy vehicle (within the meaning of the <i>Road Transport (Vehicle Registration) Act 1997</i>) being used in the M5 East Tunnel	3	\$2,000	—
Clause 16 (1) in any other case	3	\$200	\$400