



New South Wales

Protection of the Environment Operations (Waste) Amendment Regulation 2022

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*.

JAMES GRIFFIN, MP
Minister for Environment and Heritage

Explanatory note

The object of this Regulation is to amend the *Protection of the Environment Operations (Waste) Regulation 2014* to continue the effect of the exemption of mixed waste organic outputs from the calculation of waste contributions payable by licensees of scheduled waste disposal facilities under the *Protection of the Environment Operations Act 1997*. The exemption is limited to waste processed at facilities approved by the Environment Protection Authority by notice published in the Gazette and not exceeding the amount of waste specified in the notice.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 88(5), 286 and 323 (the general regulation-making power).

Protection of the Environment Operations (Waste) Amendment Regulation 2022

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Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Waste) Amendment Regulation 2022*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Protection of the Environment Operations (Waste) Regulation 2014

- [1] **Clause 21A Mixed waste organic outputs exempted from calculation of contributions**
Omit clause 21A(1).
- [2] **Clause 21A(2)**
Insert “for the period for which the contribution is” before “payable”.
- [3] **Clause 21A(4A) and (4B)**
Omit clause 21A(4A). Insert instead—
- (4A) The notice may specify the period during which the approval under subclause (4)(a) is to have effect, being a period that ends on a date on or before this clause is repealed.
- (4B) If the notice is varied during the approval period, the variation must not extend the end of the period to a date that is after the date this clause is repealed.
- [4] **Clause 21A(9)**
Insert after clause 21A(8)—
- (9) This clause is repealed on 1 November 2023.
- [5] **Schedule 1A Savings and transitional provisions**
Insert at the end of the Schedule, with appropriate Part and clause numbering—

Part Provision consequent on commencement of Protection of the Environment Operations (Waste) Amendment Regulation 2022

Effect of repeal of clause 21A

The repeal of clause 21A on 1 November 2023 (the *repeal date*) does not affect the calculation of a contribution that becomes payable after the repeal date if the waste was received by a scheduled waste disposal facility before the repeal date.