



New South Wales

Protection of the Environment Operations Amendment (Waste) Bill 2007

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to extend the contribution payable under section 88 of the *Protection of the Environment Operations Act 1997* to certain types of liquid waste received at waste facilities. Currently the contribution is only payable in respect of solid waste received at those facilities.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 1 August 2007.

Clause 3 is a formal provision that gives effect to the amendments to the *Protection of the Environment Operations Act 1997* set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced.

Schedule 1 Amendments

Schedule 1 [1] amends section 88 of the *Protection of the Environment Operations Act 1997* to require contributions to be paid under that section by an occupier of a waste facility in respect of liquid waste received at the facility.

Schedule 1 [2] clarifies the facilities that are required to pay the contribution.

Schedule 1 [3] defines *liquid waste*.

First print



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New South Wales

Protection of the Environment Operations Amendment (Waste) Bill 2007

No. , 2007

A Bill for

An Act to amend the *Protection of the Environment Operations Act 1997* with respect to the contributions payable for liquid waste received at waste facilities.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Protection of the Environment Operations Amendment (Waste) Act 2007</i> .	3 4
2 Commencement	5
This Act commences on 1 August 2007.	6
3 Amendment of Protection of the Environment Operations Act 1997 No 156	7 8
The <i>Protection of the Environment Operations Act 1997</i> is amended as set out in Schedule 1.	9 10
4 Repeal of Act	11
(1) This Act is repealed on the day following the day on which this Act commences.	12 13
(2) The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	14 15

Schedule 1 Amendments

	1
	(Section 3)
[1] Section 88 Contributions by licensee of waste facility	3
Omit section 88 (1). Insert instead:	4
(1) This section applies to waste facilities that are required to be licensed under this Chapter, but it does not apply to a facility that the EPA determines is used solely for the purposes of re-using, recovering, recycling or processing waste other than liquid waste.	5 6 7 8
[2] Section 88 (2)	9
Omit “any such waste facility”.	10
Insert instead “a waste facility to which this section applies”.	11
[3] Section 88 (8)	12
Insert after section 88 (7):	13
(8) In this section:	14
<i>liquid waste</i> means any waste other than:	15
(a) non-liquid waste within the meaning of Schedule 1, or	16
(b) a gas.	17