

**Authorised Version No. 006**  
**Environment Protection (Distribution of  
Landfill Levy) Regulations 2010**

**S.R. No. 98/2010**

Authorised Version incorporating amendments as at  
16 September 2014

**TABLE OF PROVISIONS**

<i>Regulation</i>	<i>Page</i>
1 Objective	1
2 Authorising provisions	1
3 Commencement	1
4 Revocation	1
5 Interpretation	1
6 Landfill levy accounts	2
6A Distribution payments made on quarterly in arrears basis	3
7 Distribution of landfill levy by 15 July 2014	3
8 Distribution of landfill levy by 1 August 2014	5
9 Distribution of landfill levy by 15 October 2014	6
10 Distribution of landfill levy by 15 January 2015	7
11 Distribution of landfill levy by 15 April 2015	8

<b>ENDNOTES</b>	<b>10</b>
1. General Information	10
2. Table of Amendments	11
3. Explanatory Details	12

---

**Authorised Version No. 006**  
**Environment Protection (Distribution of  
Landfill Levy) Regulations 2010**

**S.R. No. 98/2010**

Authorised Version incorporating amendments as at  
16 September 2014

**1 Objective**

The objective of these Regulations is to specify how landfill levies are to be distributed for the purposes of section 70(6B) of the **Environment Protection Act 1970**.

**2 Authorising provisions**

These Regulations are made under sections 70 and 71 of the **Environment Protection Act 1970**.

**3 Commencement**

These Regulations come into operation on 30 September 2010.

**4 Revocation**

The Environment Protection (Distribution of Landfill Levy) Regulations 2002<sup>1</sup> are **revoked**.

**5 Interpretation**

- (1) In these Regulations, *the Act* means the **Environment Protection Act 1970**.
- (2) A reference in these Regulations to a quarter is a reference to the period of 3 months beginning on 1 January, 1 April, 1 July or 1 October in any year.

r. 6

## 6 Landfill levy accounts

Reg. 6(1)  
substituted by  
S.R. No.  
45/2011  
reg. 5(1).

- (1) Within the Environment Protection Fund, the Authority must maintain a general landfill levy account.

Note to  
reg. 6(1)  
revoked by  
S.R. No.  
45/2011  
reg. 5(2).

\* \* \* \*

- (2) The Authority must credit to the general landfill levy account all amounts paid into the Environment Protection Fund under section 70(3)(aba) of the Act on or after 30 September 2010.
- (3) The Authority must pay out of the general landfill levy account any refund the Authority is required to pay under Division 3 of Part IX of the Act (other than a refund attributable to any levy paid under section 50S(2) of the Act).

Note to  
reg. 6(3)  
amended by  
S.R. No.  
45/2011  
reg. 5(3).

### Note

Section 70(7) of the Act provides the authorisation of these refund payments from the Environment Protection Fund. Subregulation (3) is intended to ensure that those refunds come out of the general landfill levy account.

- (4) A requirement in these Regulations to pay or transfer an amount out of the general landfill levy account is to be read as requiring or authorising the payment of that amount out of the Environment Protection Fund.

r. 6A

**6A Distribution payments made on quarterly in arrears basis**

- (1) All distribution payments made under these Regulations are made on a quarterly in arrears basis.

**Example**

The distribution made in the quarter beginning on 1 July 2011 relates to the money paid to the Authority, in accordance with section 50SB of the Act, in the quarter beginning 1 April 2011.

- (2) Subregulation (1) does not apply to distribution payments made in accordance with regulations 7(2), 8 and 9(1)(b).

Reg. 6A  
inserted by  
S.R. No.  
45/2011 reg. 6,  
amended by  
S.R. No.  
92/2014 reg. 5  
(ILA s. 39B(2)).

Reg. 6A(2)  
inserted by  
S.R. No.  
92/2014 reg. 5.

**7 Distribution of landfill levy by 15 July 2014**

- (1) Subject to subregulation (2), the Authority must distribute money standing to the credit of the general landfill levy account as at the end of the quarter ending 30 June 2014 in the following way—
- (a) it must pay the Metropolitan Waste Management Group one quarter of \$3 904 206;
- (b) it must pay a regional waste management group specified in column 1 of the Table following this subregulation, one quarter of the amount specified in column 2 of the Table opposite the name of the group;
- (c) it must pay Sustainability Victoria one quarter of \$17 743 739;

Reg. 7  
amended by  
S.R. No.  
45/2011  
reg. 5(4),  
revoked by  
S.R. No.  
52/2012 reg. 5,  
new reg. 7  
inserted by  
S.R. No.  
92/2014 reg. 6.

r. 7

(d) it must pay itself one quarter of \$29 494 324.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Barwon	\$349 142
Calder	\$302 473
Central Murray	\$284 523
Goulburn Valley	\$339 908
Grampians	\$284 523
Greater Gippsland	\$441 416
Highlands	\$339 566
Mildura	\$222 425
Mornington Peninsula	\$234 998
North Eastern	\$326 948
South Western	\$302 473
Wimmera Mallee	\$231 502

- (2) The Authority must distribute money standing to the credit of the general landfill levy account as at the end of the quarter ending 30 June 2014 by paying a regional waste management group specified in column 1 of the Table following this subregulation, one twelfth of the amount specified in column 2 of the Table opposite the name of the group.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Barwon	\$357 856
Calder	\$310 022
Central Murray	\$291 624
Grampians	\$291 624
Greater Gippsland	\$452 433
Goulburn Valley	\$348 391
Highlands	\$348 041

<i>Column 1</i>	<i>Column 2</i>
Mildura	\$227 976
Mornington Peninsula	\$240 863
North Eastern	\$335 108
South Western	\$310 022
Wimmera Mallee	\$237 280

- (3) After making all the distributions required by subregulations (1) and (2) the Authority must transfer any remaining money standing to the credit of the general landfill levy account into the Sustainability Fund Account.
- (4) The Authority must make all distributions required under this regulation by 15 July 2014.

## **8 Distribution of landfill levy by 1 August 2014**

- (1) The Authority must distribute money standing to the credit of the general landfill levy account as at 31 July 2014 by paying a Waste and Resource Recovery Group specified in column 1 of the Table following this subregulation, one twelfth of the amount specified in column 2 of the Table opposite the name of the group.

Reg. 8  
substituted by  
S.R. No.  
45/2011 reg. 7,  
revoked by  
S.R. No.  
52/2012 reg. 5,  
new reg. 8  
inserted by  
S.R. No.  
92/2014 reg. 6.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Barwon South West	\$612 221
Gippsland	\$414 730
Goulburn Valley	\$319 359
Grampians Central West	\$803 866
Loddon Mallee	\$760 487
North East	\$307 182

- (2) The Authority must make all distributions required under this regulation by 1 August 2014.

r. 9

Reg. 9  
inserted by  
S.R. No.  
45/2011 reg. 7,  
revoked by  
S.R. No.  
63/2013 reg. 5,  
new reg. 9  
inserted by  
S.R. No.  
92/2014 reg. 6.

Reg. 9(1)(b)  
amended by  
S.R. No.  
124/2014  
reg. 3.

## 9 Distribution of landfill levy by 15 October 2014

- (1) The Authority must distribute money standing to the credit of the general landfill levy account as at the end of the quarter ending 30 September 2014 in the following way—
  - (a) it must pay the Metropolitan Waste and Resource Recovery Group one quarter of \$4 222 551;
  - (b) it must pay a Waste and Resource Recovery Group specified in column 1 of the Table following this subregulation, one sixth of the amount specified in column 2 of the Table opposite the name of the group;
  - (c) it must pay Sustainability Victoria one quarter of \$18 138 945;
  - (d) it must pay itself one quarter of \$26 635 914;
  - (e) it must transfer any remaining amount into the Sustainability Fund Account.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Barwon South West	\$612 221
Gippsland	\$414 730
Goulburn Valley	\$319 359
Grampians Central West	\$803 866
Loddon Mallee	\$760 487
North East	\$307 182

- (2) The Authority must make all distributions required under this regulation by 15 October 2014.

**r. 10**

\* \* \* \*

Reg. 9A  
inserted by  
S.R. No.  
52/2012 reg. 6,  
amended by  
S.R. No.  
63/2013 reg. 6,  
revoked by  
S.R. No.  
92/2014 reg. 6.

\* \* \* \*

Reg. 9B  
inserted by  
S.R. No.  
63/2013 reg. 7,  
revoked by  
S.R. No.  
92/2014 reg. 6.

## **10 Distribution of landfill levy by 15 January 2015**

- (1) The Authority must distribute money standing to the credit of the general landfill levy account as at the end of the quarter ending 31 December 2014 in the following way—

- (a) it must pay a Waste and Resource Recovery Group specified in column 1 of the Table following this subregulation, one quarter of the amount specified in column 2 of the Table opposite the name of the group;
- (b) it must pay Sustainability Victoria one quarter of \$18 138 945;
- (c) it must pay itself one quarter of \$26 635 914;
- (d) it must transfer any remaining amount into the Sustainability Fund Account.

Reg. 10  
inserted by  
S.R. No.  
45/2011 reg. 7,  
substituted by  
S.R. Nos  
52/2012 reg. 7,  
63/2013 reg. 8,  
92/2014 reg. 6.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Barwon South West	\$612 221
Gippsland	\$414 730
Goulburn Valley	\$319 359
Grampians Central West	\$803 866



r. 11

<i>Column 1</i>	<i>Column 2</i>
Loddon Mallee	\$760 487
Metropolitan	\$4 222 551
North East	\$307 182

- (2) The Authority must make all distributions required under this regulation by 15 January 2015.

## 11 Distribution of landfill levy by 15 April 2015

- (1) The Authority must distribute money standing to the credit of the general landfill levy account as at the end of the quarter ending 31 March 2015 in the following way—
- (a) it must pay a Waste and Resource Recovery Group specified in column 1 of the Table following this subregulation, one half of the amount specified in column 2 of the Table opposite the name of the group;
  - (b) it must pay Sustainability Victoria one half of \$18 138 945;
  - (c) it must pay itself one half of \$26 635 914;
  - (d) it must transfer any remaining amount into the Sustainability Fund Account.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Barwon South West	\$612 221
Gippsland	\$414 730
Goulburn Valley	\$319 359
Grampians Central West	\$803 866
Loddon Mallee	\$760 487
Metropolitan	\$4 222 551
North East	\$307 182

- 
- (2) The Authority must make all distributions  
required under this regulation by 15 April 2015.
-

---

## ENDNOTES

### 1. General Information

The Environment Protection (Distribution of Landfill Levy) Regulations 2010, S.R. No. 98/2010 were made on 28 September 2010 by the Governor in Council under sections 70 and 71 of the **Environment Protection Act 1970**, No. 8056/1970 and came into operation on 30 September 2010: regulation 3.

The Environment Protection (Distribution of Landfill Levy) Regulations 2010 will sunset 10 years after the day of making on 28 September 2020 (see section 5 of the **Subordinate Legislation Act 1994**).

## 2. Table of Amendments

This Version incorporates amendments made to the Environment Protection (Distribution of Landfill Levy) Regulations 2010 by statutory rules, subordinate instruments and Acts.

---

Environment Protection (Distribution of Landfill Levy) Amendment Regulations 2011, S.R. No. 45/2011

*Date of Making:* 28.6.11

*Date of Commencement:* 1.7.11: reg. 3

Environment Protection (Distribution of Landfill Levy) Amendment Regulations 2012, S.R. No. 52/2012

*Date of Making:* 18.6.12

*Date of Commencement:* 1.8.12: reg. 3

Environment Protection (Distribution of Landfill Levy) Amendment Regulations 2013, S.R. No. 63/2013

*Date of Making:* 18.6.13

*Date of Commencement:* 1.8.13: reg. 3

Environment Protection (Distribution of Landfill Levy) Amendment Regulations 2014, S.R. No. 92/2014

*Date of Making:* 1.7.14

*Date of Commencement:* Regs 5, 6 on 1.7.14: reg. 3

Environment Protection (Distribution of Landfill Levy) Further Amendment Regulations 2014, S.R. No. 124/2014

*Date of Making:* 16.9.14

*Date of Commencement:* 16.9.14

---

<b>Endnotes</b>
-----------------

---

### **3. Explanatory Details**

<sup>1</sup> Reg. 4: S.R. No. 131/2002.