

ENERGY SAVINGS SCHEME (ELECTRICITY LOAD EXEMPTIONS) ORDER 2023

Under the

ELECTRICITY SUPPLY ACT 1995

I, Penny Sharpe MLC, Minister for Energy, in pursuance of clauses 22(1)(b) of Schedule 4A of the *Electricity Supply Act 1995* (the Act) and being satisfied that each electricity load to which this Order applies is used in connection with an industry or activity that is both emissions intensive and trade exposed and that the exemptions are generally consistent with the objects of Part 1 of Schedule 4A of the Act, make the following Order.

Dated this 30 day of October 2023.



PENNY SHARPE, MLC
Minister for Energy

Explanatory note

The objects of this Order are:

- (a) to grant exemptions from the Energy Savings Scheme in respect of any electricity load used in connection with a specified activity, and
- (b) to specify allowances that may be made by scheme participants in applying the exemptions, and
- (c) to authorise the Scheme Regulator to make rules with respect to the exemptions granted by this Order (including rules relating to the assessment of deductions under Division 5 of Part 1 of Schedule 4A of the Act), and
- (d) to revoke the previous order granting exemptions from the Energy Savings Scheme dated 19 December 2022 and published in the *NSW Government Gazette* on 23 December 2022.

This Order is made under clauses 22(1)(b) and 25(2) of Schedule 4A of the Act.

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under the

ELECTRICITY SUPPLY ACT 1995

1 Name of Order

This Order is the *Energy Savings Scheme (Electricity Load Exemptions) Order 2023*.

2 Commencement

This Order commences on 1 January 2024 and is required to be published in the *NSW Government Gazette*.

3 Exemptions

(1) Any electricity load used in connection with a specified activity set out in Column 1 of Schedule 1, at the corresponding location specified in Column 2 of Schedule 1, is either fully or partially exempt from the Energy Savings Scheme in Schedule 4A of the Act as specified in Column 3 of Schedule 1.

(2) For partial exemptions, the exempt proportion of each electricity load is specified in Column 4 of Schedule 1 (expressed as a percentage).

4 Allowances

In applying an exemption granted by this Order, a scheme participant may deduct from the total value of its liable acquisitions an allowance of 5% of the exempt proportion (specified in Column 5 of Schedule 1) for electricity losses occurring between the purchase of the electricity by the scheme participant and its use by an end user.

5 Rules

The Scheme Regulator is authorised to make rules with respect to the exemptions granted by this Order (including rules relating to the assessment of deductions under Division 5 of Part 1 of Schedule 4A of the Act). For these purposes, the *Energy Savings Scheme – Scheme Regulator Exemptions Rule No. 1 of 2016*, unless revoked, is deemed to be a rule made by the Scheme Regulator with respect to the exemptions granted by this Order.

6 Revocation

The order made under clause 22(1)(b) of Schedule 4A of the Act, published on 23 December 2022 in *NSW Government Gazette* No 591 is revoked in accordance with clause 25(2). In accordance with clause 25(3) of Schedule 4A of the Act, this revocation will take effect on 1 January 2024.

Schedule 1 Table of Exemptions

Column 1 Specified Activity	Column 2 Location (address)	Column 3 Type of exemption	Column 4 Exempt proportion (for partial exemptions)	Reference
Tissue paper manufacturing	63 Redfern Street WETHERILL PARK NSW 2164	Partial Exemption	90%	A.B.C. Paper & Paper Mills Pty. Limited – ABN 41 003 879 098
Rendering of animal by- products	Regulator Road YANCO NSW 2703	Partial Exemption	90%	Baybrick Pty Limited – ABN 97 067 220 017
Rendering of animal by- products	Muffett Street SCONE NSW 2337	Partial Exemption	90%	Baybrick Pty Limited – ABN 97 067 220 017

Column 1 Specified Activity	Column 2 Location (address)	Column 3 Type of exemption	Column 4 Exempt proportion (for partial exemptions)	Reference
Integrated iron and steel manufacturing	Five Islands Road PORT KEMBLA NSW 2505	Partial Exemption	90%	Bluescope Steel (AIS) Pty. Ltd. – ABN 19 000 019 625
Production of clinker	125 Taylor Avenue NEW BERRIMA NSW 2577	Partial Exemption	90%	Boral Shared Business Services Pty Limited – ABN 31 000 373 660
Manufacture of reconstituted wood-based panels	Lowes Mount Road OBERON NSW 2787	Partial Exemption	90%	Borg Manufacturing Pty Limited – ABN 31 003 246 357
Production of magnesia	2 Park Avenue YOUNG NSW 2594	Partial Exemption	90%	Causmag Ore Company Pty Ltd – ABN 73 004 301 517
Production of clinker	Arawata Drive PORT KEMBLA NSW 2505	Partial Exemption	90%	Cement Australia Holdings Pty Ltd – ABN 99 001 085 561
Manufacture of carbon steel from cold ferrous feed	2 Maud Street WARATAH NSW 2298	Partial Exemption	90%	Commonwealth Steel Company Pty Limited – ABN 58 000 007 698
Production of glass wool	55 Stennett Road INGLEBURN NSW 2565	Partial Exemption	90%	CSR Building Products Limited – ABN 55 008 631 356
Rendering of animal by-products	Lot 11 Yarrandale Road DUBBO NSW 2830	Partial Exemption	90%	Fletcher International Exports Pty Ltd – ABN 64 003 213 652
Production of lime	Garthowen Road ATTUNGA NSW 2345	Partial Exemption	90%	Graymont (Australia) Pty Ltd – ABN 24 004 406 688
Production of lime	78 Charbon Road, CHARBON NSW 2848	Partial Exemption	90%	Graymont (Australia) Pty Ltd – ABN 24 004 406 688
Production of lime	342 Eubindal Road GALONG NSW 2585	Partial Exemption	90%	Graymont (Australia) Pty Ltd – ABN 24 004 406 688
Manufacture of carbon steel from cold ferrous feed	22 Kellogg Road ROOTY HILL NSW 2766	Partial Exemption	90%	InfraBuild NSW Pty Ltd – ABN 59 003 312 892
Manufacture of carbon steel from cold ferrous feed	Ingall Street MAYFIELD EAST NSW 2304	Partial Exemption	90%	InfraBuild (Newcastle) Pty Ltd

Column 1 Specified Activity	Column 2 Location (address)	Column 3 Type of exemption	Column 4 Exempt proportion (for partial exemptions)	Reference
				– ABN 50 623 285 718
Production of chlorine gas and sodium hydroxide (caustic soda) solution	16-20 Beauchamp Road MATRAVILLE NSW 2036	Partial Exemption	90%	Ixom Operations Pty Ltd – ABN 51 600 546 512
Production of ceramic floor and wall tiles	175 Racecourse Road RUTHERFORD NSW 2320	Partial Exemption	90%	National Ceramic Industries Australia Pty Limited – ABN 83 100 467 267
Packaging and industrial paper manufacturing	1891 Botany Road MATRAVILLE NSW 2036	Partial Exemption	90%	Opal Packaging Australia Pty Ltd – ABN 77 636 682 883
Production of ammonia	75 Greenleaf Road KOORAGANG ISLAND NSW 2304	Partial Exemption	90%	Orica Australia Pty Ltd – ABN 99 004 117 828
Production of ammonium nitrate	75 Greenleaf Road KOORAGANG ISLAND NSW 2304	Partial Exemption	90%	Orica Australia Pty Ltd – ABN 99 004 117 828
Production of ethene (ethylene)	16-20 Beauchamp Road BOTANY NSW 2036	Partial Exemption	90%	Qenos Pty Ltd – ABN 62 054 196 771
Production of polyethylene	16-20 Beauchamp Road BOTANY NSW 2036	Partial Exemption	90%	Qenos Pty Ltd – ABN 62 054 196 771
Production of polymer grade propene (polymer grade propylene)	16-20 Beauchamp Road BOTANY NSW 2036	Partial Exemption	90%	Qenos Pty Ltd – ABN 62 054 196 771
Production of dried distillers grains with solubles	160 Bolong Road BOMADERRY NSW 2541	Partial Exemption	90%	Honan Holdings Pty Ltd – ABN 31 000 392 727
Production of high purity ethanol	160 Bolong Road BOMADERRY NSW 2541	Partial Exemption	90%	Honan Holdings Pty Ltd – ABN 31 000 392 727
Production of hydrogen peroxide	20-22 McPherson Street BANKSMEADOW NSW 2019	Partial Exemption	90%	Solvay Interlox Pty. Ltd. – ABN 70 000 882 137
Production of high purity ethanol	461 Beelbanger Road BEELBANGERA NSW 2680	Partial Exemption	90%	Tarac Technologies Pty Ltd – ABN 28 007 513 813
Rendering of animal by- products	1 Dampier Street WAGGA WAGGA NSW 2650	Partial Exemption	90%	Teys Australia Southern Pty Ltd – ABN 53 084 034 695

Column 1 Specified Activity	Column 2 Location (address)	Column 3 Type of exemption	Column 4 Exempt proportion (for partial exemptions)	Reference
Rendering of animal by- products	51-89 Phoenix Street WESTDALE NSW 2340	Partial Exemption	90%	Thomas Foods International Tamworth Pty Ltd – ABN 82 089 140 634
Aluminium smelting	638 Tomago Road TOMAGO NSW 2322	Partial Exemption	90%	Tomago Aluminium Company Pty Ltd – ABN 68 001 862 228
Production of glass containers	170 Andrews Road PENRITH NSW 2750	Partial Exemption	90%	Visy Glass Operations (Australia) Pty Ltd – ABN 94 004 230 326
Packaging and industrial paper manufacturing	158 McCredie Road SMITHFIELD NSW 2164	Partial Exemption	90%	Visy Industries Australia Pty Ltd – ABN 74 004 337 615
Packaging and industrial paper manufacturing	436 Gadara Road TUMUT NSW 2720	Partial Exemption	90%	Visy Industries Australia Pty Ltd – ABN 74 004 337 615