

South Australia

## **Environment Protection (Fees and Levy) Regulations 1994**

under the *Environment Protection Act 1993*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Environment Protection (Fees and Levy) Regulations 1994*.

### 3—Interpretation

In these regulations—

**accredited activity** means a prescribed activity of environmental significance carried on by a licensee in respect of which accreditation is granted under Part 3;

**the Act** means the *Environment Protection Act 1993*;

**authorisation fee** means—

(a) an authorisation fee payable under section 40(1) or 43(5) of the Act; or

(b) an annual authorisation fee payable under section 48(2) of the Act,

and **licence fee** has a corresponding meaning;

*authorisation fee payment date*, in relation to a licence, means the date of grant or renewal of the licence or the date, as fixed by condition of the licence, before which an annual authorisation fee is payable under section 48(2) of the Act;

*discharge* means discharge of liquid pollutants;

*licence period*, in relation to a licence, means the period from one authorisation fee payment date for the licence until the next such date;

*marine environment* means—

- (a) marine waters; or
- (b) land that is beneath marine waters (whether permanently or from time to time).

#### **4—Monetary value of fee unit**

In these regulations, the monetary value of a fee unit on or after 1 July 2007 is as follows:

- (a) for the purposes of regulation 14(1)(a)—\$11.70;
- (b) for the purposes of clause 3(5) and (6) of Part A of Schedule 3—\$24.60;
- (c) for the purposes of the remainder of Part A of Schedule 3—\$25.60;
- (d) for the purposes of Part B of Schedule 3—\$30.00;
- (e) for all other purposes—\$15.10.

## **Part 2—Application fees for environmental authorisations**

### **5—Application fee for works approval (section 38)**

- (1) Subject to this Part, the application fee for a works approval application under section 38(1) of the Act is the appropriate amount determined in accordance with Schedule 1.
- (2) For the purpose of determining the application fee in respect of a works approval, a reference in Schedule 1 to the estimated cost of the proposed works is a reference to the amount estimated by the Authority to be the total cost of the works to which the application relates excluding any part of the costs determined by the Authority to be attributable to—
  - (a) the purchase of land; or
  - (b) building or other work that will not contribute directly or substantially to the prescribed activity of environmental significance to which the application relates.
- (3) If a works approval is refused on an application, the Authority must refund to the applicant 50 per cent of the amount of the application fee under this regulation.

### **6—Application fee for licence (section 38)**

- (1) Subject to this Part, the application fee for a licence application under section 38(1) of the Act is the appropriate amount determined in accordance with Schedule 2.

- (2) For the purpose of determining the application fee in respect of a licence application, a reference in Schedule 2 to the amount of the licence fee if the application were granted is a reference to the amount of the licence fee that would be payable under section 40(1) of the Act before the Authority may grant a licence on the application.
- (3) No application fee is payable in respect of a licence to be granted as required under clause 5(1) of Schedule 2 of the Act.

### **7—Application fee for exemption (section 38)**

- (1) Subject to this Part, the application fee for an exemption application under section 38(1) of the Act is 10 fee units.
- (2) No application fee is payable in respect of an exemption to be granted as required under clause 5(2) of Schedule 2 of the Act.

### **8—Additional amount of licence fee for cost of public notice**

If public notice is to be given under section 39(1) or 39(1) and (2) of the Act in respect of an application for an environmental authorisation, the amount otherwise payable as the application fee under this Part is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—

- (a) if the notice and other similar notices are to be published together by the Authority—5 fee units;
- (b) in any other case—20 fee units.

## **Part 3—Authorisation fees**

### **9—No authorisation fee for works approval (sections 40 and 48)**

No authorisation fee is payable in respect of a works approval.

### **10—Authorisation fee for licence (sections 40 and 48)**

- (1) Subject to this Part, the authorisation fee payable in respect of a licence is the appropriate amount determined in accordance with Schedule 3.
- (2) Schedule 3 deals with licence fees in two separate parts—
  - (a) Part A which specifies for prescribed activities of environmental significance fee levels that are either flat amounts or amounts that vary according to indicators of levels of activity during licence periods; and
  - (b) Part B which specifies a method of licence fee calculation for discharges into the marine environment based on discharge impact levels during licence periods.
- (3) The references to prescribed activities of environmental significance in Part A of Schedule 3 are to be taken to be references to the corresponding activities as set out in Schedule 1 of the Act.

- (4) For the purpose of determining a licence fee (that is not a flat amount), the relevant indicator of the level of activity under Part A of Schedule 3 or the discharge impact level under Part B of that Schedule is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during the licence period (but subject to any necessary adjustment under regulation 12 after the end of the licence period).
- (5) Where an indicator of activity level or a discharge impact level is to be determined in relation to a licence period of less than 12 months, the determination is to be made as if the licence period continued for 12 months and, on determination of the amount payable as a licence fee on that basis, a pro rata adjustment is to be made by applying the proportion that the length of the licence period bears to 12 months.
- (6) Where an indicator of activity level or a discharge impact level is to be determined in relation to a licence period of more than 12 months, the determination is to be made (in relation to the first 12 months) as for a licence period of 12 months and then (in relation to the remainder of the licence period) as for a licence period of less than 12 months.
- (7) Where a licence fee for an activity is a flat amount and the licence period is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of the licence period bears to 12 months.
- (8) The fee levels set out in the columns in Part A of Schedule 3 apply for the calendar years specified at the head of the columns and, where the licence period in relation to which a licence fee is to be determined is not a calendar year, the fee levels are to be applied on a pro rata basis for the parts of calendar years within the licence period.
- (9) Where an activity authorised by a licence involves an activity of a kind referred to in Part A of Schedule 3 and also involves a discharge into the marine environment, the fee amount determined under Part A of Schedule 3 and the fee amount determined under Part B of that Schedule in respect of that activity will be aggregated for the purpose of determining the licence fee.
- (10) Where less than 10 fee units would (apart from this subregulation) be payable as a licence fee in accordance with Part B of Schedule 3, no amount will be payable in accordance with that Part in respect of the licence.
- (11) Where an amount exceeding 10 fee units would (apart from this subregulation) be payable as a licence fee in accordance with Part B of Schedule 3, 10 fee units are to be deducted from the licence fee.
- (12) Where a licence authorises prescribed activities of environmental significance of two or more different kinds referred to in Part A of Schedule 3 (whether or not the activities are to be undertaken at the same location), the fee amounts determined in accordance with that Part in respect of the different activities will be aggregated for the purpose of determining the licence fee unless the Authority determines that any of the activities is an inherent part of another, in which case, only the higher or highest of the amounts determined in accordance with that Part in respect of the activities concerned will be payable.
- (13) Where a licence authorises the holder of the licence to undertake the same prescribed activity of environmental significance at two or more different locations, the fee amounts determined in accordance with Part A of Schedule 3 in respect of the different locations will be aggregated for the purpose of determining the licence fee.

- (14) Any pro rata adjustments required to be made for the purpose of determining a licence fee are to be made on the basis of months, parts of a month being counted as a full month.
- (15) The amount of the application fee paid by a licence applicant is to be credited towards the amount of the licence fee required to be paid by the applicant for the grant of the licence concerned.
- (16) Despite subregulation (15), until the second anniversary of the day on which the Act comes into operation, the amount paid by a licence applicant under regulation 8 towards the cost of publishing notice of the application is not to be credited towards the amount of the licence fee.

### **11—Discounts from licence fee amount payable under Part A**

- (1) Where it is specified in Part A of Schedule 3 that a discount is applicable in relation to a particular prescribed activity of environmental significance, the following provisions apply in relation to such an activity as authorised by a licence:
  - (a) if the Authority is satisfied that the waste water produced in the course of the activity during a licence period will be or has been disposed of in one or more of the following ways:
    - (i) by sufficient spreading over land to achieve full or substantially full nutrient uptake by crops or other vegetation;
    - (ii) by means of a total evaporation system that is secure from leaking or flooding;
    - (iii) by disposal to a sewer or septic tank effluent disposal system,the Authority is to discount by 50 per cent the licence fee otherwise payable under Part A of Schedule 3 in relation to that activity for that licence period;
  - (b) if the Authority is satisfied that the waste water produced in the course of the activity during a licence period will be or has been treated and disposed of to a water body so as to keep concentrations of nutrients, suspended solids and potential toxicants at levels that will not adversely impact on the aquatic environment or users of that environment, the Authority is to discount by 30 per cent the licence fee otherwise payable under Part A of Schedule 3 in relation to that activity for that licence period;
  - (c) the Authority may, if it considers it appropriate to do so, discount by 50 per cent the licence fee otherwise payable under Part A of Schedule 3 in relation to the activity during a licence period for satisfactory compliance with an applicable environment protection policy or other acceptable practices.

### **11A—Accredited licences**

- (1) A licensee may apply to the Authority to be accredited as an accredited licensee in respect of a particular prescribed activity of environmental significance carried on at premises occupied by the licensee.
- (2) An application for accreditation must be made in a manner and form approved by the Authority and accompanied by any information required by the Authority.

- (3) Subject to this regulation, the Authority may grant accreditation if satisfied that—
  - (a) the activity is being carried on at the premises to a high level of environmental performance; and
  - (b) that performance can be maintained for the duration of the licence period.
- (4) In determining the level of environmental performance for the purposes of subregulation (3), the Authority may take into consideration the following:
  - (a) the licensee's record of compliance with the Act and statutory instruments under the Act;
  - (b) whether the licensee has an environment improvement program in place in respect of the activity;
  - (c) any other matter it considers relevant.
- (5) The Authority must not grant accreditation unless satisfied that the licensee has in place in respect of the activity the following:
  - (a) an environment management system approved by the Authority;
  - (b) an environmental audit and compliance program approved by the Authority.
- (6) The Authority must, within 14 days of granting an application for accreditation, publish a notice in the Gazette specifying the name of the accredited licensee, the premises at which the accredited activity is carried on and the nature of that activity.
- (7) An accreditation may, with the approval of the Authority, be transferred simultaneously with the transfer of a licence under section 49 of the Act.

### **11B—Performance reports**

- (1) An accredited licensee must submit a performance report to the Authority within 60 days after the end of each financial year or such further period as the Authority may approve containing details of environmental performance at the premises at which the accredited activity is carried on during the financial year.
- (2) A performance report must—
  - (a) be prepared in a form approved by the Authority; and
  - (b) contain information or details required by the Authority; and
  - (c) be authorised by the licensee.

### **11C—Benefits of accreditation**

An accredited licensee is entitled to—

- (a) a 50 per cent reduction in the licence fee otherwise payable under Schedule 3 in relation to the accredited activity (however, an accredited licensee may not simultaneously claim a discount under regulation 11 in respect of the same activity); and
- (b) any other variations to the licence conditions favourable to the licensee considered appropriate by the Authority.

### **11D—Review of accreditation**

- (1) The Authority may, at any time, review the accreditation of an accredited licensee.

- (2) The Authority must give the licensee notice of its intention to conduct a review under this regulation.
- (3) The Authority may cancel an accreditation if of the opinion that—
  - (a) the accredited activity is no longer being carried on at the premises to a high level of environmental performance; or
  - (b) the licensee has contravened the Act or a statutory instrument under the Act; or
  - (c) the licensee no longer has in place or is implementing in respect of the accredited activity—
    - (i) an environment management system approved by the Authority; or
    - (ii) an environment improvement program approved by the Authority; or
    - (iii) an environmental audit and compliance program approved by the Authority.
- (4) If a licensee's accreditation is cancelled, the licensee must pay to the Authority an amount equal to the licence fee reduction resulting from the accreditation multiplied by the proportion that the number of days in the remainder of the current licence period bears to the number of days in the licence period.

## **12—Adjustment of licence fee at end of licence period**

- (1) Where the Authority is satisfied after the end of a licence period that the licence fee determined for the period, as based on estimates in relation to the activity to be undertaken pursuant to the licence during the relevant period, was an amount less than the amount calculated by reference to the activity as actually undertaken during that period, the Authority may, by notice in writing to the holder of the licence or by conditions of the licence, require the holder of the licence to pay to the Authority, within a specified period, the amount determined by the Authority to represent the difference between those two amounts.
- (2) Where the holder of a licence satisfies the Authority (by such evidence as the Authority may require) after the end of a licence period that the licence fee paid for the period, as based on the Authority's estimates in relation to the activity to be undertaken pursuant to the licence during the relevant period, was more than the amount calculated by reference to the activity as actually undertaken during that period, the Authority must refund to the holder of the licence the amount determined by the Authority to represent the difference between those two amounts.

## **13—Authorisation fee for exemption (sections 40 and 48)**

- (1) The authorisation fee payable in respect of an exemption will be at one of the following levels:
  - (a) 10 fee units;
  - (b) a multiple of 10 fee units up to 100 units;
  - (c) 100 fee units;
  - (d) a multiple of 100 fee units up to 2 500 units.



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- (2) The level of the authorisation fee for an exemption is to be determined by the Authority at its discretion having regard to the following:
- (a) the factors specified in section 25(2) of the Act;
  - (b) any relevant environment protection policy;
  - (c) whether the applicant will be bound by an environment improvement program;
  - (d) the time of the day and the period for which the exemption will operate;
  - (e) the number of people affected by, or the extent of any other environmental impact of, the activity to which the exemption will relate;
  - (f) any relevant matter arising under the *Development Act 1993* or a Development Plan or development authorisation under that Act in relation to the location of the activity to which the exemption will relate;
  - (g) any other matter considered relevant by the Authority.
- (3) The amount of the application fee paid by an exemption applicant is to be credited towards the amount of the authorisation fee required to be paid by the applicant for the grant of the exemption concerned.

## Part 3A—Enforcement fees

### 13A—Prescribed amount for registration or cancellation of registration of environment protection order

For the purposes of section 95(4a) of the Act—

- (a) the prescribed amount recoverable in respect of the registration of an environment protection order in relation to land from the person to whom the order was issued is—
  - (i) for the first entry made by the Registrar-General in registering the order—18 fee units; and
  - (ii) for each subsequent entry made by the Registrar-General in registering the order—5 fee units; and
- (b) the prescribed amount recoverable in respect of the cancellation of registration of an environment protection order in relation to land from the person to whom the order was issued is—
  - (i) for the first endorsement made by the Registrar-General in cancelling the registration of the order—13 fee units; and
  - (ii) for each subsequent endorsement made by the Registrar-General in cancelling the registration of the order—1 fee unit.

### 13AB—Prescribed amount for registration or cancellation of registration of clean-up order or clean-up authorisation

For the purposes of section 103(2a) of the Act—

- (a) the prescribed amount recoverable in respect of the registration of a clean-up order or clean-up authorisation from the person whose contravention gave rise to the issuing of the order or authorisation is—
  - (i) for the first entry made by the Registrar-General in registering the order—18 fee units; and
  - (ii) for each additional entry made by the Registrar-General in registering the order—5 fee units; and
- (b) the prescribed amount recoverable in respect of the cancellation of registration of a clean-up order or clean-up authorisation from the person whose contravention gave rise to the issuing of the order or authorisation is—
  - (i) for the first endorsement made by the Registrar-General in cancelling the registration of the order—13 fee units; and
  - (ii) for each subsequent endorsement made by the Registrar-General in cancelling the registration of the order—1 fee unit.

### Part 3B—Emergency authorisation fees

#### 13AC—Prescribed fee for emergency authorisation (section 105)

- (1) Subject to this regulation, the prescribed fee in respect of an emergency authorisation for the purposes of section 105(2)(a) is 37 fee units.
- (2) If the Authority is satisfied that—
  - (a) the circumstances giving rise to the issuing of the authorisation were within the control of the person to whom it is issued; and
  - (b) there is no need for inspection by an authorised officer of the place or vehicle in respect of which the authorisation is to apply,the prescribed fee is 26 fee units.
- (3) If the Authority is satisfied that the circumstances giving rise to the issuing of the authorisation were beyond the control of the person to whom it is issued, the prescribed fee is 0 fee units.

### Part 4—Waste depot levy

#### 13B—Interpretation

- (1) In this Part—
  - approved weighbridge* means a weighbridge—
    - (a) that is operated in accordance with a licence issued under the *Trade Measurement Act 1993*; or
    - (b) that is approved, in writing, by the Authority;
  - Metropolitan Adelaide* has the same meaning as in the *Development Act 1993*;

*waste fill* means waste consisting of clay, concrete, rock, sand, soil or other inert mineralogical matter in pieces not exceeding 100 millimetres in length and containing chemical substances in concentrations (calculated in a manner determined by the Authority) less than the concentrations for those substances set out in Schedule 6, but does not include waste consisting of or containing asbestos or bitumen.

- (2) The Authority may approve a weighbridge subject to such conditions as it thinks fit and may vary or revoke an approval at any time.
- (3) Without limiting the generality of subregulation (2), the conditions may specify requirements as to—
  - (a) maintenance of the weighbridge; and
  - (b) certification of the accuracy of the weighbridge.

#### **14—Waste depot levy (section 113)**

- (1) Subject to this Part, the levy payable by the holder of a waste depot licence in respect of waste that is received at the depot for the purpose of being disposed of at the depot is to be determined as follows:
  - (a) per tonne of solid waste (other than waste fill) disposed of at the depot—
    - (i) if the depot is situated outside of Metropolitan Adelaide and the waste has been brought to the depot from premises situated outside of Metropolitan Adelaide—1 fee unit;
    - (ia) if the depot is situated in Metropolitan Adelaide and the waste has been brought to the depot by or on behalf of a council the area of which lies wholly outside of Metropolitan Adelaide—1 fee unit;
    - (ii) in any other case—2 fee units;
  - (b) per kilolitre of liquid waste disposed of at the depot—0.65 fee units;
  - (c) per tonne of waste fill disposed of at the depot—0 fee units.
- (2) For the purposes of section 113(4) of the Act, the penalty for default in making a levy payment is 2 fee units plus one per cent of the amount due for the first month (or part of a month) for which the default continues and two per cent of the amount due for each further month (or part of a month) for which default continues.

#### **15—Reporting of mass or volume of waste received at depots**

- (1) This regulation applies only in relation to waste that is received at a waste depot for the purpose of being disposed of at that depot.
- (2) Subject to regulation 16, a person licensed to conduct a waste depot must, as soon as practicable after the last day of each month, furnish to the Authority a return showing—
  - (a) in respect of solid waste—
    - (i) the total mass (in tonnes) of waste received at the depot during each day of that month and the total received during the whole of that month; and

- (ii) if the depot is situated outside of Metropolitan Adelaide—the total mass (in tonnes) of waste received at the depot from premises situated outside of Metropolitan Adelaide during the whole of that month; and
  - (iia) if the depot is situated in Metropolitan Adelaide—the total mass (in tonnes) of waste brought to the depot by or on behalf of a council the area of which lies wholly outside of Metropolitan Adelaide during the whole of that month; and
  - (iii) if the mass of any waste received at the depot is determined in accordance with subregulation (5)(a)(ii), the classes of vehicles (as set out in Schedule 4), and the number of vehicles in each of those classes, on or in which that waste was delivered to the depot during each day of that month and during the whole of that month; and
- (b) in respect of liquid waste—the total volume (in kilolitres) of waste received at the depot during each day of that month and the total received during the whole of that month.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) For the purposes of a return under this regulation, the mass or volume of waste received at a depot must be determined in accordance with this regulation.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The mass or volume of waste received at a waste depot is to be calculated as the aggregate of the mass or volume of waste delivered on or in each vehicle to the depot measured (except where the mass is calculated by reference to Schedule 4 rather than by measurement)—

- (a) in the case of waste weighed on a weighbridge installed before the commencement of this subregulation—to the highest level of weighing accuracy for the particular design of weighbridge;
- (b) in any other case—to the nearest 0.02 tonnes or kilolitres.

- (5) The mass of solid waste delivered on or in a vehicle must be determined as follows:

- (a) if the waste is delivered on or in a vehicle described in Schedule 4 as being of class 1, 2 or 3, the mass—
  - (i) may be measured by use of an approved weighbridge; or
  - (ii) if the mass is not so measured, will be taken to be the average net mass of waste for the relevant class of vehicle as set out in Schedule 4; or
- (b) in any other case, the mass must, subject to regulation 15A, be measured by use of an approved weighbridge.

- (6) The volume of liquid waste delivered on or in a vehicle—

- (a) may be determined by use of a dipstick pre-calibrated for the liquid waste container on the vehicle; or

- (b) may be measured by means of a volume measuring device, installed at the depot, the calibration of which has been approved in writing by the Authority; or
- (c) may be calculated—
  - (i) by measuring the net mass of the liquid waste by use of an approved weighbridge; and
  - (ii) by dividing that measurement by the predetermined mass per kilolitre of the particular liquid waste; or
- (d) may be taken to be that certified, in a cartnote signed by both the producer and transporter of the waste, to be the volume of liquid waste to be delivered on or in the vehicle to the depot; or
- (e) where a liquid waste container on the vehicle is full—
  - (i) may be calculated from the dimensions of the container; or
  - (ii) if the capacity of the container has been predetermined by a volume calibration method approved in writing by the Authority and has been marked on the container, may be taken to be that capacity.

### **15A—Exemption from weighbridge requirement**

- (1) The Authority may, by notice in writing, exempt the holder of a waste depot licence from regulation 15(5)(b) if satisfied that—
  - (a) the depot will receive less than 10 000 tonnes of solid waste for disposal at the depot in each financial year; and
  - (b) the depot uses adequate alternative methods of measuring the mass of solid waste received at the depot.
- (2) An exemption issued by the Authority under this regulation—
  - (a) may be subject to conditions; and
  - (b) may be varied or revoked by the Authority, by further notice in writing, at any time.

### **15B—Certain depots must have weighbridge**

- (1) Subject to this regulation, if a waste depot has, in a financial year, received 10 000 tonnes or more of solid waste for disposal at the depot, the holder of the waste depot licence must ensure that an approved weighbridge is installed at the depot—
  - (a) if the waste was received prior to the commencement of this regulation—within 4 months of the commencement of this regulation; or
  - (b) in any other case—within 4 months of the end of the financial year in which the waste was received.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) The Authority may, on application by the holder of a waste depot licence within the relevant 4 month period referred to in subregulation (1), extend the period within which an approved weighbridge must be installed at the depot by a further period of 2 months.

- (3) The Authority may, on application by the holder of a waste depot licence, exempt the holder of the licence from compliance with subregulation (1) if satisfied that the depot will cease operating within 12 months.
- (4) Despite subregulation (1), the holder of a waste depot licence is not required to comply with the requirement to have a weighbridge installed at the depot if—
  - (a) a weighbridge at a place other than the depot was used by the licence holder before 1 October 2000 for the purpose of weighing waste received for disposal at the depot; and
  - (b) the licence holder currently owns and operates the weighbridge for that purpose.

### 15C—Verification of returns by volumetric survey

- (1) If a waste depot has, during the financial year ending 30 June 2001 or any subsequent financial year, received 10 000 tonnes or more of solid waste for disposal at the depot, the holder of the waste depot licence must, within three months of the end of that financial year, provide the Authority with a volumetric survey of landfill at the depot prepared by an authorised person.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A volumetric survey provided to the Authority under this regulation must—
  - (a) show contour lines at not more than 1 metre intervals; and
  - (b) have an error margin of not more than 5 per cent.
- (3) In this regulation—

*authorised person* means—

- (a) a licensed or registered surveyor under the *Survey Act 1992*; or
- (b) a person who is a full member of at least one of the following bodies:
  - (i) the Institution of Surveyors, Australia Incorporated;
  - (ii) the Association of Consulting Surveyors South Australia Incorporated;
  - (iii) the Institution of Engineering and Mining Surveyors Australia Incorporated.

### 16—Special provision for certain councils for waste fees

- (1) This regulation only applies to a council if—
  - (a) the whole of the council area is outside of Metropolitan Adelaide; and
  - (b) all of the waste received for disposal at depots operated by the council has been brought to the depots from premises situated outside of Metropolitan Adelaide; and
  - (c) each depot operated by the council receives less than 10 000 tonnes of solid waste for disposal at the depot in any financial year.

- (2) For the purpose of determining the levy payable by a council under section 113 of the Act in respect of solid waste received at all depots operated by the council, the council may elect, by written notice to the Authority—

- (a) not to comply with regulation 15 in respect of solid waste received at those depots; and
- (b) to take the mass of solid waste received during each month at those depots to be the mass determined in accordance with the following formula:

$$M = \frac{P \times 0.4}{12}$$

Where—

*M* is the mass of solid waste in tonnes

*P* is the population of the area of the council as at the previous 30 June as given by the Australian Bureau of Statistics in its publication "Regional Population Growth, Australia" (Catalogue No. 3218.0).

- (3) Where a council makes an election under this regulation, regulation 15 does not apply in respect of solid waste received at any depot operated by that council.
- (4) Where the Authority is satisfied that recycling is operating in a council area so that waste disposed of to landfill is reduced, the Authority may reduce the levy payable by the council as determined in accordance with this regulation in proportion to the reduction (as estimated by the Authority) in the level of waste disposed of to landfill.

## Part 5—Miscellaneous

### 17—Fee for approval of certain works

- (1) The holder of a licence must, on making application (as required by a condition of the licence) for approval of works for the construction or alteration of a building or structure, or the installation or alteration of any plant or equipment, for use for the activity authorised by the licence, pay to the Authority an application fee of an amount equal to the application fee that would be payable for the purposes of section 38(1) of the Act in respect of an application for approval of those works.
- (2) Where an approval is refused on an application, the Authority must refund to the applicant 50 per cent of the amount of the application fee under subregulation (1).

### 18—Further fees

Further fees are payable for the purposes of the Act as set out in Schedule 5.

### 19—Recovery of fee instalments etc

The Authority may recover any instalment of a fee or other amount payable by a person under the Act or these regulations—

- (a) as a debt by action in a court of competent jurisdiction; or
- (b) by adding the amount so payable to a fee otherwise payable under the Act or these regulations by that person.

## 20—Additional interest charge on fees paid by instalments etc

The Authority may, in allowing the payment of a fee by instalments, add to each amount payable as an instalment a charge by way of interest as determined by the Authority with the approval of the Minister.

## Schedule 1—Works approval application fees

Estimated cost of proposed works	Application fee in fee units
Up to and including \$10 000	10
More than \$10 000 but not more than \$50 000	20
More than \$50 000 but not more than \$500 000	40
More than \$500 000 but not more than \$5 million	60
More than \$5 million but not more than \$50 million	100
More than \$50 million	200

## Schedule 2—Licence application fees

Amount of licence fee if application granted	Application fee in fee units
Up to and including \$2 000	10
More than \$2 000 but not more than \$5 000	20
More than \$5 000 but not more than \$10 000	30
More than \$10 000 but not more than \$50 000	50
More than \$50 000	100

## Schedule 3—Licence fees

### Part A

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
<b>1—Petroleum and chemical</b>					
1(1) <b>Chemical Storage and Warehousing Facilities</b> <i>Where total storage capacity exceeds 1 000 cubic metres</i>					
Materials handled for licence period—					
(i) up to and including 5 000 cubic metres	10	15	20	26	30
(ii) more than 5 000 cubic metres but not more than 10 000 cubic metres	15	23	30	39	45



Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) 10 000 cubic metres or more	55	85	110	140	165
1(2)(a) <b>Chemical Works — Inorganic</b> <i>Where total processing capacity exceeds 100 tonnes per year</i> Chemicals produced for licence period—					
(i) up to and including 1 000 tonnes	10	15	20	26	30
(ii) more than 1 000 tonnes but not more than 10 000 tonnes	23	28	34	40	45
(iii) more than 10 000 tonnes but not more than 100 000 tonnes	85	105	125	145	165
(iv) more than 100 000 tonnes but not more than 500 000 tonnes	230	280	340	400	450
(v) more than 500 000 tonnes	450	560	675	790	900
1(2)(b) <b>Chemical Works — Organic</b> <i>Where total processing capacity exceeds 100 tonnes per year</i> Chemicals produced for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 1 000 tonnes	23	28	34	40	45
(iii) more than 1 000 tonnes but not more than 10 000 tonnes	85	105	125	145	165
(iv) more than 10 000 tonnes but not more than 20 000 tonnes	230	280	340	400	450
(v) more than 20 000 tonnes	450	560	675	790	900
1(2)(c) <b>Chemical Works — Salt Production</b> <i>Where total processing capacity exceeds 5 000 tonnes per year</i> Salt produced for licence period—					
(i) up to and including 20 000 tonnes	8	11	14	17	20
(ii) more than 20 000 tonnes but not more than 50 000 tonnes	13	23	32	41	50
(iii) more than 50 000 tonnes but not more than 100 000 tonnes	25	44	63	81	100
(iv) more than 100 000 tonnes but not more than 500 000 tonnes	50	85	125	165	200
(v) more than 500 000 tonnes	125	220	315	410	500
1(3) <b>Coke Works</b> Coke produced for licence period—					

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Schedule 3—Licence fees

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(i) up to and including 10 000 tonnes	45	56	68	79	90
(ii) more than 10 000 tonnes but not more than 100 000 tonnes	85	105	125	145	165
(iii) more than 100 000 tonnes	230	280	340	400	450
<b>1(4) Oil Refineries</b> Hydrocarbons processed for licence period—					
(i) up to 100 000 tonnes	110	135	160	185	210
(ii) more than 100 000 tonnes but not more than 500 000 tonnes	230	280	340	400	450
(iii) more than 500 000 tonnes	450	560	675	790	900
<b>1(5)(a) Petroleum Production, Storage or Processing Works or Facilities — Storage</b> <i>Where total storage capacity exceeds 2 000 cubic metres</i> Petroleum products stored for licence period—					
(i) up to and including 4 000 cubic metres	15	21	28	34	40
(ii) more than 4 000 cubic metres but not more than 10 000 cubic metres	23	35	47	58	70
(iii) more than 10 000 cubic metres but not more than 20 000 cubic metres	30	45	60	75	90
(iv) more than 20 000 cubic metres	55	85	110	140	165
<b>1(5)(b) Petroleum Production, Storage or Processing Works or Facilities — Production</b> <i>Where total petroleum production rate exceeds 20 tonnes per hour</i> Petroleum products processed for licence period—					
(i) up to and including 100 000 tonnes	110	135	160	185	210
(ii) more than 100 000 tonnes but not more than 500 000 tonnes	230	280	340	400	450
(iii) more than 500 000 tonnes but not more than 2 500 000 tonnes	300	450	600	750	900
(iv) more than 2 500 000 tonnes	600	900	1 200	1 500	1 800
<b>1(6) Wood Preservation Works*</b> Volume of wood processed for licence period—					
(i) up to and including 1 000m <sup>3</sup>	14	25	34	40	48
(ii) more than 1 000 m <sup>3</sup> but not more than 2 500m <sup>3</sup>	28	49	67	80	95

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) more than 2 500m <sup>3</sup> but not more than 5 000m <sup>3</sup>	56	99	134	160	190
(iv) more than 5 000 m <sup>3</sup> but not more than 20 000m <sup>3</sup>	84	148	202	239	286
(v) more than 20 000m <sup>3</sup> but not more than 50 000m <sup>3</sup>	168	296	403	479	571
(vi) more than 50 000m <sup>3</sup>	280	493	672	798	952
* Discount applicable under regulation 11					
<b>2—Manufacturing and mineral processing</b>					
2(1) <b>Abrasive Blasting</b>	34	43	52	63	70
2(2) <b>Hot Mix Asphalt Preparation</b> Materials processed for licence period—					
(i) up to and including 1 000 tonnes	34	43	52	63	70
(ii) more than 1 000 tonnes but not more than 10 000 tonnes	45	56	68	79	90
(iii) more than 10 000 tonnes but not more than 100 000 tonnes	85	105	125	145	165
(iv) more than 100 000 tonnes	230	280	340	400	450
2(3) <b>Cement Works</b> Weight of production for licence period—					
(i) up to and including 100 000 tonnes	110	135	160	185	210
(ii) more than 100 000 tonnes but not more than 200 000 tonnes	175	220	260	300	350
(iii) more than 200 000 tonnes but not more than 500 000 tonnes	340	420	510	590	675
(iv) more than 500 000 tonnes	450	560	675	790	900
2(4) <b>Ceramic Works</b> <i>Where production capacity exceeds 100 tonnes per year</i> Weight of production for licence period—					
(i) up to and including 1 000 tonnes	23	28	34	40	45
(ii) more than 1 000 tonnes but not more than 50 000 tonnes	85	105	125	145	165
(iii) more than 50 000 tonnes but not more than 100 000 tonnes	175	220	260	300	350
(iv) more than 100 000 tonnes but not more than 200 000 tonnes	230	280	340	400	450
(v) more than 200 000 tonnes	450	560	675	790	900

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
<p>2(5) <b>Concrete Batching Works</b> <i>Where production capacity exceeds 0.5 cubic metres per production cycle</i></p> <p>Concrete produced for licence period—</p> <p>(i) up to and including 5 000 tonnes</p> <p>(ii) more than 5 000 tonnes but not more than 50 000 tonnes</p> <p>(iii) more than 50 000 tonnes but not more than 100 000 tonnes</p> <p>(iv) more than 100 000 tonnes</p>	10	15	20	26	30
<p>2(6) <b>Drum Reconditioning</b></p> <p>Numbers processed for licence period—</p> <p>(i) up to and including 10 000 drums</p> <p>(ii) more than 10 000 drums but not more than 30 000 drums</p> <p>(iii) more than 30 000 drums</p>	8	11	14	17	20
<p>2(7) <b>Ferrous and Non-ferrous Metal Melting</b> <i>Where furnace capacity to melt in excess of 500 kilograms of metal during normal cycle of operation</i></p> <p>Metal processed for licence period—</p> <p>(i) up to and including 200 tonnes</p> <p>(ii) more than 200 tonnes but not more than 2 000 tonnes</p> <p>(iii) more than 2 000 tonnes but not more than 10 000 tonnes</p> <p>(iv) more than 10 000 tonnes but not more than 50 000 tonnes</p> <p>(v) more than 50 000 tonnes</p>	10	15	20	26	30
<p>2(8) <b>Metallurgical Works</b></p> <p>Weight of annual production for licence period—</p> <p>(i) up to and including 10 000 tonnes</p> <p>(ii) more than 10 000 tonnes but not more than 100 000 tonnes</p> <p>(iii) more than 100 000 tonnes but not more than 200 000 tonnes</p> <p>(iv) more than 200 000 tonnes</p>	45	56	68	79	90

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
2(9) <b>Mineral Works</b> Weight of materials processed for licence period—					
(i) up to and including 50 000 tonnes	30	45	60	75	90
(ii) more than 50 000 tonnes but not more than 100 000 tonnes	55	85	110	140	165
(iii) more than 100 000 tonnes but not more than 500 000 tonnes	150	225	300	375	450
(iv) more than 500 000 tonnes	300	450	600	750	900
2(10) <b>Pulp or Paper Works*</b> <i>Where production capacity exceeds 100 tonnes</i> Weight of product processed for licence period—					
(i) up to and including 5 000 tonnes	14	25	34	40	48
(ii) more than 5 000 tonnes per year but not more than 20 000 tonnes	70	123	168	200	238
(iii) more than 20 000 tonnes per year but not more than 100 000 tonnes	280	493	672	798	952
(iv) more than 100 000 tonnes per year but not more than 250 000 tonnes	700	1 232	1 680	1 995	2 380
(v) more than 250 000 tonnes	1 400	2 464	3 360	3 990	4 760
* Discount applicable under regulation 11					
2(11) <b>Scrap Metal Recovery</b> Weight of materials processed for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 2 000 tonnes	45	56	68	79	90
(iii) more than 2 000 tonnes but not more than 10 000 tonnes	85	105	125	145	165
(iv) more than 10 000 tonnes	230	280	340	400	450
2(12)(a) <b>Surface Coating works for metal finishing</b> <i>Where works produce more than 5 kilolitres per day of effluent</i> Weight of coating materials used for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 2 000 tonnes	30	45	60	75	90

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) more than 2 000 tonnes but not more than 10 000 tonnes	55	85	110	140	165
(iv) more than 10 000 tonnes	150	225	300	375	450
<b>2(12)(b) Surface Coating — hot dip galvanising</b> Weight of coating materials used for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 2 000 tonnes	45	56	68	79	90
(iii) more than 2 000 tonnes but not more than 10 000 tonnes	85	105	125	145	165
(iv) more than 10 000 tonnes	230	280	340	400	450
<b>2(12)(c) Surface Coating — spray painting</b> <i>Where works capacity more than 100 litres per day of paint</i> Volume of coating material used for licence period—					
(i) up to and including 10 kilolitres	10	15	20	26	30
(ii) more than 10 but not more than 20 kilolitres	13	21	28	34	40
(iii) more than 20 kilolitres but not more than 40 kilolitres	23	35	47	58	70
(iv) more than 40 kilolitres	55	85	110	140	165
<b>Surface Coating — powder coating</b> <i>Where works capacity more than 10 kilograms per day of dry powder</i> Weight of powder used for licence period—					
(i) up to and including 2 000 kilograms	10	15	20	26	30
(ii) more than 2 000 kilograms but not more than 4 000 kilograms	13	21	28	34	40
(iii) more than 4 000 kilograms but not more than 10 000 kilograms	23	35	47	58	70
(iv) more than 10 000 kilograms but not more than 20 000 kilograms	30	45	60	75	90
(v) more than 20 000 kilograms	55	85	110	140	165
<b>2(13) Wood Processing Works</b> <i>Where total processing capacity exceeds 4 000 cubic metres per year</i> Weight of wood processed for licence period—					
(i) up to and including 2 000 tonnes	10	15	20	26	30

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(ii) more than 2 000 tonnes but not more than 10 000 tonnes	13	21	28	34	40
(iii) more than 10 000 tonnes but not more than 50 000 tonnes	55	85	110	140	165
(iv) more than 50 000 tonnes	115	175	230	290	345
2(14) <b>Maritime Construction</b> <i>Where works capacity for ships etc of mass exceeding 80 tonnes</i>	25	44	63	81	100
2(15) <b>Vehicle production</b> <i>Where works capacity exceeds 2 000 vehicles per year</i> Vehicles produced for licence period—					
(i) up to and including 5 000 vehicles	15	23	30	39	45
(ii) more than 5 000 but not more than 20 000 vehicles	55	85	105	140	165
(iii) more than 20 000 but not more than 50 000 vehicles	150	225	300	375	450
(iv) more than 50 000 vehicles	300	450	600	750	900
<b>3—Waste treatment and disposal</b>					
3(1)(a) <b>Incineration — chemical wastes</b> Weight of materials incinerated for licence period—					
(i) up to and including 200 tonnes	15	19	23	27	30
(ii) more than 200 tonnes but not more than 500 tonnes	23	28	34	40	45
(iii) more than 500 tonnes but not more than 1 000 tonnes	45	56	68	79	90
(iv) more than 1 000 tonnes but not more than 5 000 tonnes	85	105	125	145	165
(v) more than 5 000 tonnes	175	220	260	300	345
3(1)(b) <b>Incineration — medical wastes, cytotoxic wastes, quarantine wastes</b> Weight of materials incinerated for licence period—					
(i) up to and including 200 tonnes	15	19	23	27	30
(ii) more than 200 tonnes but not more than 500 tonnes	23	28	34	40	45
(iii) more than 500 tonnes but not more than 1 000 tonnes	45	56	68	79	90

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iv) more than 1 000 tonnes but not more than 5 000 tonnes	55	85	105	140	165
(v) more than 5 000 tonnes	175	220	260	300	350
<b>3(1)(c) Incineration — cremation</b> Number of cremations for licence period—					
(i) up to and including 1 000 cremations	15	19	23	27	30
(ii) more than 1 000 cremations but not more than 2 000 cremations	23	28	34	40	45
(iii) more than 2 000 cremations but not more than 4 000 cremations	45	56	68	79	90
(iv) more than 4 000 cremations	85	105	125	145	165
<b>3(1)(d) Incineration — solid municipal waste</b> Weight of materials incinerated for licence period—					
(i) up to and including 2 000 tonnes	10	15	20	26	30
(ii) more than 2 000 tonnes but not more than 10 000 tonnes	23	28	34	40	45
(iii) more than 10 000 tonnes but not more than 20 000 tonnes	45	56	68	79	90
(iv) more than 20 000 tonnes but not more than 100 000 tonnes	85	105	125	145	165
(v) more than 100 000 tonnes but not more than 200 000 tonnes	175	220	260	300	350
(vi) more than 200 000 tonnes	340	420	510	590	675
<b>3(1)(e) Incineration — solid trade waste</b> <i>Where processing capacity exceeds 100 kilograms per hour</i> Weight of materials incinerated for licence period—					
(i) up to and including 2 000 tonnes	10	15	20	26	30
(ii) more than 2 000 tonnes but not more than 10 000 tonnes	23	28	34	40	45
(iii) more than 10 000 tonnes but not more than 20 000 tonnes	45	56	68	79	90
(iv) more than 20 000 tonnes but not more than 100 000 tonnes	85	105	125	145	165
(v) more than 100 000 tonnes but not more than 200 000 tonnes	175	220	260	300	350
(vi) more than 200 000 tonnes	340	420	510	590	675



Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
<p>3(2)(a) <b>Sewage Treatment Works or Septic Tank Effluent Disposal Schemes — discharge to marine waters*</b></p> <p>Volume of effluent discharged to marine waters for licence period—</p> <p>(i) up to and including 100 megalitres</p> <p>(ii) more than 100 but not more than 300 megalitres</p> <p>(iii) more than 300 but not more than 500 megalitres</p> <p>(iv) more than 500 but not more than 1 000 megalitres</p> <p>(v) more than 1 000 but not more than 1 500 megalitres</p> <p>(vi) more than 1 500 but not more than 2 000 megalitres</p> <p>(vii) for each additional 100 megalitres above 2 000 megalitres</p> <p>* fee amount payable in addition to fee for discharges to marine environment under Part B of this Schedule</p>	8	13	19	25	30
<p>3(2)(b)(c) <b>Sewage Treatment Works or Septic Tank Effluent Disposal Schemes — discharge to land or waters other than marine waters*</b></p> <p><i>Where works with peak loading capacity for more than 100 persons per day in a Water Protection Area or more than 1 000 persons per day elsewhere in State</i></p> <p>Volume of effluent discharged to land or waters for licence period—</p> <p>(i) up to and including 20 megalitres</p> <p>(ii) more than 20 megalitres but not more than 50 megalitres</p> <p>(iii) more than 50 megalitres but not more than 100 megalitres</p> <p>(iv) more than 100 megalitres but not more than 300 megalitres</p> <p>(v) more than 300 megalitres but not more than 500 megalitres</p> <p>(vi) more than 500 megalitres but not more than 1 000 megalitres</p> <p>(vii) for each additional 100 megalitres more than 1 000 megalitres</p>	21	37	50	60	71
	35	62	84	100	119
	63	111	151	180	214
	119	209	286	339	405
	231	407	554	658	785
	336	591	806	958	1 142
	14	25	34	40	48

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
* Discount applicable under regulation 11					
<b>3(3) Waste or Recycling Depots</b> Tonnes of waste received for licence period—					
(i) up to and including 2 000 tonnes	8	11	14	17	20
(ii) more than 2 000 tonnes but not more than 5 000 tonnes	16	22	28	34	40
(iii) more than 5 000 tonnes but not more than 20 000 tonnes	24	33	42	51	60
(iv) more than 20 000 tonnes but not more than 50 000 tonnes	40	55	70	85	100
(v) more than 50 000 tonnes but not more than 100 000 tonnes	80	110	140	170	200
(vi) more than 100 000 tonnes but not more than 200 000 tonnes	160	220	280	320	400
(vii) more than 200 000	320	440	560	640	800
<b>3(4) Activities Producing Listed Wastes</b> Tonnes of listed waste produced for licence period—					
(i) up to and including 100 tonnes	8	11	14	17	20
(ii) more than 100 tonnes but not more than 250 tonnes	16	22	28	34	40
(iii) more than 250 tonnes	24	33	42	51	60
<b>3(5) Waste Transport Business (Category A)</b> Vehicles with registered unladen mass of less than 3 tonnes used in licence period—					
(i) Base fee (includes fee for first vehicle)	8	11	14	17	20
(ii) Additional fee for each vehicle in excess of 1	8	11	14	17	20
Vehicles with registered unladen mass of 3 tonnes or more used in licence period—					
(i) Base fee (includes fee for first vehicle)	16	22	28	34	40
(ii) Additional fee for each vehicle in excess of 1	16	22	28	34	40
<b>3(6) Waste Transport Business (Category B)</b> Vehicles with registered unladen mass of less than 8 tonnes used in licence period—					

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(i) Base fee (includes fee for first vehicle)	8	9	9	10	10
(ii) Additional fee for each vehicle in excess of 1	8	9	9	10	10
Vehicles with registered unladen mass of 8 tonnes or more used in licence period—					
(i) Base fee (includes fee for first vehicle)	8	11	14	17	20
(ii) Additional fee for each vehicle in excess of 1	8	11	14	17	20
<b>4—Activities in specified areas*</b>					
4(1) <b>Brukung Mine Site and Associated Acid Neutralisation Plant</b>	350	616	840	998	1 190
* Discount applicable under regulation 11					
4(2)(a) <b>Discharge of Stormwater to Underground Aquifers*</b>					
Where stormwater drains from land or premises in area of City of Mount Gambier or Western Industrial Zone of the District Council of Mount Gambier, being land or premises on which business carried on—					
(i) land or premises greater than 1 hectare and less than 5 hectares	20	27	35	42	50
(ii) land or premises greater than 5 hectares	50	87	125	162	200
* Discount applicable under regulation 11					
4(2)(b) <b>Discharge of Stormwater to Underground Aquifers*</b>					
Where stormwater drains from drainage system in City of Mount Gambier or Western Industrial Zone of District Council of Mount Gambier—					
(i) District Council of Mount Gambier	10	20	30	40	50
(ii) City of Mount Gambier	150	238	325	413	500
* Discount applicable under regulation 11					
4(2)(c) <b>Discharge of Stormwater to Underground Aquifers*</b>					
Where stormwater drains from drainage system in Metropolitan Adelaide—volume of storm water discharged to aquifer for licence period—					
(i) less than 10 megalitres	10	13	15	17	20
(ii) 10 megalitres and up to 50 megalitres	25	32	38	44	50

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) 50 megalitres or more. * Discount applicable under regulation 11	50	63	75	88	100
<b>5—Animal husbandry, aquaculture and other activities</b>					
5(1) <b>Cattle Feedlots*</b> <i>Where average of 500 or more cattle held per day or, in Water Protection Area, average of 200 or more cattle held per day</i>  Average number of cattle held per day for licence period—					
(i) up to and including 500 cattle	14	25	34	40	46
(ii) more than 500 cattle but not more than 1 000 cattle	28	70	96	114	95
(iii) more than 1 000 cattle but not more than 2 000 cattle	49	86	118	140	162
(iv) more than 2 000 cattle but not more than 5 000 cattle	91	160	218	259	309
(v) more than 5 000 cattle but not more than 10 000 cattle	140	246	336	399	476
(iv) more than 10 000 cattle * Discount applicable under regulation 11	168	296	403	479	571
5(2) <b>Aquaculture or Fish Farming*</b>  Total weight of fish or organisms harvested for licence period—					
(i) more than 1 tonne but not more than 10 tonnes	8	11	14	17	20
(ii) more than 10 tonnes but not more than 25 tonnes	16	22	28	34	40
(iii) more than 25 tonnes * Discount applicable under regulation 11	24	33	42	51	60
5(3) <b>Saleyards*</b> <i>Where yards have throughput of more than 50 000 sheep equivalent units per year</i>  Throughput in sheep equivalent units for licence period—					
(i) up to and including 100 000 units	14	25	34	40	48
(ii) more than 100 000 sheep equivalent units but not more than 200 000 sheep equivalent units	21	37	50	60	71

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) more than 200 000 sheep equivalent units but not more than 500 000 sheep equivalent units	28	49	67	80	95
(iv) more than 500 000 sheep equivalent units	49	86	118	140	167
* Discount applicable under regulation 11					
5(4) <b>Piggeries*</b> <i>Where 5 000 or more pigs kept at any one time or, in Water Protection Area, 500 or more pigs kept at any one time</i>  Number of pigs at piggery at any one time during licence period—					
(i) up to and including 5 000 pigs	14	25	34	40	48
(ii) more than 5 000 pigs but not more than 10 000 pigs	35	62	84	100	119
(iii) more than 10 000 pigs but not more than 20 000 pigs	70	123	168	200	238
(iv) more than 20 000 pigs	140	246	336	399	476
* Discount applicable under regulation 11					
<b>6—Food production and animal and plant product processing</b>					
6(1)(a) <b>Abattoirs, Slaughterhouses or Poultry Processors*</b> <i>Where rate of production of poultry meat or poultry meat products exceeds 200 tonnes per year</i>  Poultry or poultry meat products for licence period—					
(i) more than 200 tonnes but not more than 500 tonnes	21	37	50	60	71
(ii) more than 500 tonnes but not more than 2 000 tonnes	28	49	67	80	95
(iii) more than 2 000 tonnes but not more than 5 000 tonnes	56	99	134	160	190
(iv) more than 5 000 tonnes but not more than 20 000 tonnes	140	246	336	399	476
(v) more than 20 000 tonnes	280	493	672	798	952
* Discount applicable under regulation 11					

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
<p>6(1)(b) <b>Abattoirs, Slaughterhouses or Poultry Processors*</b> <i>Where rate of production of meat or meat products (other than poultry) exceeds 100 tonnes per year</i></p> <p>Meat or meat product production for licence period—</p> <p>(i) more than 100 tonnes but not more than 200 tonnes</p> <p>(ii) more than 200 tonnes but not more than 500 tonnes</p> <p>(iii) more than 500 tonnes but not more than 2 500 tonnes</p> <p>(iv) more than 2 500 tonnes but not more than 10 000 tonnes</p> <p>(v) more than 10 000 tonnes but not more than 20 000 tonnes</p> <p>(vi) more than 20 000 tonnes</p> <p>* Discount applicable under regulation 11</p>					
<p>6(2) <b>Breweries*</b> <i>Where beer production capacity exceeds 5 000 litres per day</i></p> <p>Volume of beer produced for licence period—</p> <p>(i) up to and including 2 megalitres</p> <p>(ii) more than 2 megalitres but not more than 10 megalitres</p> <p>(iii) more than 10 megalitres but not more than 30 megalitres</p> <p>(iv) more than 30 megalitres but not more than 100 megalitres</p> <p>(v) more than 100 megalitres but not more than 500 megalitres</p> <p>(vi) more than 500 megalitres</p> <p>* Discount applicable under regulation 11</p>					
<p>6(3) <b>Composting Works</b> <i>Where production or production capacity exceeds 200 tonnes per year</i></p> <p>Tonnes of waste received for licence period—</p> <p>(i) up to and including 2 000 tonnes</p> <p>(ii) more than 2 000 tonnes but not more than 5 000 tonnes</p>					

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) more than 5 000 tonnes but not more than 10 000 tonnes	25	44	63	81	100
(iv) more than 10 000 tonnes	50	85	125	165	200
6(4) <b>Fish Processing involving discharge of wastewater into marine waters*</b>					
* Fee amount payable in addition to fee for discharges to marine environment under Part B of this Schedule	8	11	14	17	20
6(4) <b>Fish Processing where wastewater not discharged to marine waters</b>					
Weight of fish processed for licence period—					
(i) more than 100 tonnes but not more than 1 000 tonnes	16	22	28	34	40
(ii) more than 1 000 tonnes	32	44	56	68	80
* Discount applicable under regulation 11					
6(5) <b>Milk Processing Works*</b>					
<i>Where processing is greater than 5 million litres of milk per year</i>					
Volume of milk processed for licence period—					
(i) more than 5 megalitres but not more than 10 megalitres	21	37	50	60	71
(ii) more than 10 megalitres but not more than 30 megalitres	28	49	67	80	95
(iii) more than 30 megalitres but not more than 100 megalitres	56	99	134	160	190
(iv) more than 100 megalitres but not more than 500 megalitres	140	246	336	399	476
(v) more than 500 megalitres	350	616	840	998	1 190
* Discount applicable under regulation 11					
6(6)(a) <b>Produce Processing Works — Deep Fat Frying, Roasting or Drying</b>					
<i>Where processing capacity exceeds 30 kilograms per hour</i>					
Weight of agricultural crop materials processed for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 500 tonnes	15	21	28	34	40
(iii) more than 500 tonnes but not more than 2 000 tonnes	23	35	47	58	70

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iv) more than 2 000 tonnes but not more than 5 000 tonnes	55	85	110	140	165
(v) more than 5 000 tonnes	115	170	230	290	345
6(6)(b) <b>Produce Processing Works — Wastewater disposed of otherwise than to sewer or septic tank effluent disposal system*</b> <i>Where more than 10 million litres of wastewater disposed of per year</i>  Volume of wastewater disposed of for licence period—					
(i) up to and including 20 megalitres	21	37	50	60	69
(ii) more than 20 megalitres but not more than 50 megalitres	35	62	84	100	119
(iii) more than 50 megalitres but not more than 100 megalitres	63	111	151	180	214
(iv) more than 100 megalitres	119	209	286	339	405
* Discount applicable under regulation 11					
6(7) <b>Rendering or Fat Extraction Works</b> <i>Where total processing capacity exceeds 250 kilograms per hour</i>  Weight of materials processed for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 500 tonnes	17	23	29	34	40
(iii) more than 500 tonnes but not more than 2 000 tonnes	34	43	52	61	70
(iv) more than 2 000 tonnes but not more than 5 000 tonnes	85	105	125	145	165
(v) more than 5 000 tonnes	175	220	260	300	345
6(8) <b>Curing or Drying Works</b> <i>Where total processing capacity exceeds 250 kilograms per hour</i>  Weight of materials processed for licence period—					
(i) up to and including 200 tonnes	10	15	20	26	30
(ii) more than 200 tonnes but not more than 500 tonnes	17	23	29	34	40
(iii) more than 500 tonnes but not more than 2 000 tonnes	34	43	52	61	70



Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iv) more than 2 000 tonnes but not more than 5 000 tonnes	85	105	125	145	165
(v) more than 5 000 tonnes	175	220	260	300	345
6(9) <b>Tanneries or Fellmongeries*</b> <i>Where more than 5 tonnes of skins or hides processed per year</i>  Weight of skins or hides produced for licence period—					
(i) more than 5 tonnes but not more than 20 tonnes	21	37	50	60	71
(ii) more than 20 tonnes but not more than 50 tonnes	45	79	108	128	152
(iii) more than 50 tonnes but not more than 100 tonnes	84	148	202	239	286
(iv) more than 100 tonnes	140	246	336	399	476
* Discount applicable under regulation 11					
6(10) <b>Wool Scouring or Wool Carbonising Works*</b>  Weight of wool processed for licence period—					
(i) up to and including 200 tonnes	14	25	34	40	48
(ii) more than 200 tonnes but not more than 500 tonnes	28	49	67	80	95
(iii) more than 500 tonnes but not more than 2 000 tonnes	56	99	134	160	190
(iv) more than 2 000 tonnes but not more than 5 000 tonnes	168	352	480	570	571
(v) more than 5 000 tonnes but not more than 10 000 tonnes	350	616	840	998	1 190
(vi) more than 10 000 tonnes	700	1 232	1 680	1 995	2 380
* Discount applicable under regulation 11					
6(11) <b>Wineries or Distilleries</b> <i>Where works process more than 500 tonnes of grapes or produce per year</i>  Weight of grapes or other produce processed for licence period—					
(i) more than 500 tonnes but not more than 1 000 tonnes	15	15	15	15	15
(ii) more than 1 000 tonnes but not more than 10 000 tonnes	50	50	50	50	50
(iii) more than 10 000 tonnes	120	120	120	120	120

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
<b>7—Materials handling and transportation</b>					
7(1) <b>Bulk Shipping Facilities</b> <i>Where materials handled or handling capacity into or from vessels exceeds 100 tonnes per day</i> Weight of cargo handled for licence period—					
(i) up to and including 50 000 tonnes	23	28	34	40	45
(ii) more than 50 000 tonnes but not more than 100 000 tonnes	45	56	68	79	90
(iii) more than 100 000 tonnes but not more than 500 000 tonnes	85	105	125	145	165
(iv) more than 500 000 tonnes but not more than 4 000 000 tonnes	230	280	340	400	450
(v) more than 4 000 000 tonnes	450	560	675	790	900
7(2) <b>Railway Systems</b> Kilometres of train movements for licence period—					
(i) up to and including 100 000 kilometres	10	13	18	20	20
(ii) more than 100 000 kilometres but not more than 500 000 kilometres	25	44	63	81	100
(iii) more than 500 000 kilometres but not more than 2 million kilometres	50	85	125	165	200
(iv) more than 2 million kilometres but not more than 5 million kilometres	125	220	315	410	500
(v) more than 5 million kilometres	250	440	630	810	1 000
7(3) <b>Crushing, Grinding or Milling</b>					
(a) <i>Chemicals or rubber where processing exceeds 100 tonnes per year</i>					
(b) <i>Agricultural crop products where processing exceeds 500 tonnes per year</i>					
(c) <i>Rock, ores or minerals where processing exceeds 1 000 tonnes per year</i>					
Weight of materials processed for licence period—					
(i) up to and including 1 000 tonnes	10	15	20	26	30
(ii) more than 1 000 tonnes but not more than 10 000 tonnes	45	56	68	79	90

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) more than 10 000 tonnes but not more than 100 000 tonnes	85	105	125	145	165
(iv) more than 100 000 tonnes	175	220	260	300	345
7(4) <b>Dredging</b> Fee per day	20	20	20	20	20
7(5) <b>Coal Handling and Storage</b> <i>Where total handling capacity exceeds 100 tonnes per day or storage capacity exceeds 5 000 tonnes</i> Weight of materials handled for licence period—					
(i) up to and including 50 000 tonnes	23	28	34	40	45
(ii) more than 50 000 tonnes but not more than 100 000 tonnes	45	56	68	79	90
(iii) more than 100 000 tonnes but not more than 500 000 tonnes	85	105	125	145	165
(iv) more than 500 000 tonnes	230	280	340	400	450
7(6) <b>Earthworks Drainage</b> <i>Where more than 100 kilolitres of waste water containing suspended solids in a concentration exceeding 25 milligrams per litre discharged</i> Fee per day	5	5	5	5	5
7(7) <b>Extractive Industries*</b> <i>Where production rate exceeds 100 000 tonnes</i> Weight of material extracted for licence period—					
(i) more than 100 000 tonnes but not more than 200 000 tonnes	40	70	96	114	136
(ii) more than 200 000 tonnes but not more than 500 000 tonnes	70	123	168	200	238
(iii) more than 500 000 tonnes but not more than 1 000 000 tonnes	154	271	370	439	524
(iv) more than 1 000 000 tonnes	280	493	672	798	952
* Discount applicable under regulation 11					
8(2)(a) <b>Fuel Burning</b> <i>Where rate of heat release exceeds 5 megawatts</i> Rate of heat release during licence period—					
(i) more than 5 MW but not more than 20 MW	13	20	27	33	40

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Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(ii) more than 20 MW but not more than 100 MW	34	43	52	61	70
(iii) more than 100 MW but not more than 400 MW	85	105	125	145	165
(iv) more than 400 MW but not more than 800 MW	175	220	260	390	345
(v) more than 800 MW	230	280	340	400	450
8(2)(b) <b>Fuel Burning — stoving enamel and baking or drying materials</b> <i>Where rate of heat release exceeds 500 kilowatts</i>  Rate of heat release during licence period—					
(i) more than 500 kW but not more than 1 MW	10	15	20	26	30
(ii) more than 1MW but not more than 10 MW	15	20	27	33	40
(iii) more than 10 MW but not more than 20 MW	34	43	52	61	70
8(3) <b>Helicopter Landing Facilities</b>  Distance from unassociated residential premises and number of flight movements during licence period—					
(a) Where the facility is located less than 150 metres from residential premises not associated with the facility					
(i) up to and including 60 flight movements	8	13	19	25	30
(ii) additional fee for every 2 flight movements in excess of 60	1	1	1	1	1
(b) Where the facility is located more than 150 metres but less than 1 kilometre from residential premises not associated with the facility					
(i) up to and including 600 flight movements	8	13	19	25	30
(ii) additional fee for every 20 flight movements in excess of 600	1	1	1	1	1
8(4) <b>Marinas and Boating Facilities</b>  Facilities provided during licence period—					
(i) moorings or dry storage for 50 or more vessels	10	15	20	25	30
(ii) repair and maintenance facilities	10	15	20	25	30

Prescribed activity of environmental significance— Indicator of level of activity	Calendar year—licence fee in fee units				
	1995	1996	1997	1998	1999 and subsequent years
(iii) both (i) and (ii)	15	20	27	33	40
8(5) <b>Motor Racing or Testing Venues</b>	8	11	14	17	20
8(6) <b>Shooting Ranges</b>	8	11	14	17	20
8(7) <b>Discharges to Marine or Inland Waters</b> <i>Where total volume of discharges exceeds 50 kilolitres per day</i>					
(a) For discharges to marine waters*	8	11	14	17	20
* Fee amount payable in addition to fee for discharges to marine environment under Part B of this Schedule					
(b) For discharges to inland waters					
(i) Base fee	8	11	14	17	20
(ii) For each 100 megalitres discharged during licence period	3	4	5	6	6

## Part B—Licence fees for discharges to the marine environment

### 1—General provision for licence fee for discharge

- (1) Subject to this Part, for a licence that authorises an activity or activities involving any discharge to the marine environment a number of fee units will be payable as a licence fee equal to the discharge impact level determined under subclause (2).
- (2) For the purposes of subclause (1), the discharge impact level is to be determined in accordance with the following formula:

$$\text{discharge impact level} = \frac{F \times S \times PC \times IA}{2.25}$$

where—

- (a) *F* (flow) is the average daily discharge in megalitres pursuant to the licence during the licence period, as measured in the manner specified for that purpose by conditions of the licence;
- (b) *S* (salinity factor) is the factor determined in accordance with the following table by reference to the number of parts per thousand by weight of dissolved salts in the discharge pursuant to the licence during the licence period, as measured in the manner specified for that purpose by conditions of the licence;

Salinity of discharge (parts per 1000 by weight)	Salinity factor
Less than 5	5
5 or more but less than 30	3

Salinity of discharge (parts per 1000 by weight)	Salinity factor
30 or more	1

- (c) **PC** (pollutant class factor) is the factor determined in accordance with the table below—
- (i) by taking into account from the pollutants present in the discharge pursuant to the licence during the licence period only such pollutants as are required by conditions of the licence to be taken into account; and
  - (ii) by choosing from those pollutants the class of pollutants that has, in the opinion of the Authority, the greatest environmental impact:

Pollutant class	Pollutant class factor
Nutrients	16
Faecal wastes	16
Particulates	16
Exotic organisms	16
Metals	16
Chemicals - process	16
Chemicals - agricultural	8
Oil	6
Bitterns	4
Thermal	1

- (d) **IA** (impact area factor) is the factor determined in accordance with the following table by reference to the area of marine environment determined by the Authority to be subject to environmental harm caused wholly or in part by the discharge pursuant to the licence during the licence period:

Area affected by discharge (hectares)	Impact area factor
More than 30	5
30 or less but more than 1	3
1 or less	1

## 2—Fees where single discharge from separate activities

Where discharges from two or more activities authorised by separate licences (whether or not held by the same person) are mixed by use of the same pipe or channel or otherwise so as to constitute a single discharge to the marine environment, the Authority is to—

- (a) determine a licence fee under clause 1 as if the discharge to the marine environment were the result of activities authorised by a single licence; and
- (b) apportion the amount so determined between the separate licences concerned—

- (i) on such basis as may be nominated by the holder of the licences, or, if there is more than one holder, on such basis as may be agreed by the holders; or
- (ii) in the absence of such a nomination or agreement, on a basis determined by the Authority having regard to the respective environmental impacts of the discharges resulting from the activities authorised by the separate licences.

### 3—Fees where separate discharges from related activities have overlapping impact areas

Where the Authority determines—

- (a) that separate discharges to the marine environment from an activity or activities authorised by a single licence have overlapping areas of impact on the marine environment; or
- (b) that—
  - (i) separate discharges to the marine environment from activities authorised by separate licences (whether or not held by the same person) have overlapping areas of impact on the marine environment; and
  - (ii) the activities are interrelated to a significant degree (whether by common ownership or control, contractual relations or functional interaction),

the Authority is, in determining the amount payable as a licence fee under clause 1 in respect of each discharge, to fix the impact area factor as the aggregate area subject to environmental harm resulting in whole or in part from the discharges taken together.

### Schedule 4—Classes of vehicles and average net mass of waste for each class

Class Number	1	2	3
Class description	Cars and station wagons	Car-type utilities, panel vans and single box axle trailers	Large utilities, large vans and multiple axle trailers
Average net mass of solid waste per vehicle	0.2 tonnes	0.7 tonnes	1.3 tonnes

### Schedule 5—Miscellaneous fees

- 1 On application for approval of the transfer of an environmental authorisation (section 49(5)) for which the authorisation fee last paid or payable—

	Fee units
(a) was less than \$1 000	5
(b) was not less than \$1 000 but not more than \$1 999	10
(c) was not less than \$2 000 but not more than \$4 999	20

	(d) was not less than \$5 000 but not more than \$9 999	30
	(e) was not less than \$10 000 but not more than \$49 999	50
	(f) was \$50 000 or more	100
2	For inspection of the register (section 109(5))—	
	(a) for each manual inspection	\$7.70
	(b) for each inspection requiring access to a computer—	
	(i) for the first 10 minutes of access	\$7.70
	(ii) for each additional 10 minutes or part thereof of access	\$7.70
3	For a copy of part of the register (section 109(6))—	
	(a) for the first page	\$3.80
	(b) for each additional page	\$1.30

## **Schedule 6—Concentrations of chemical substances in waste**

<b>Chemical substance</b>	<b>Concentrations (milligrams per kilogram of waste)</b>
Aldrin/dieldrin (total)	2
Arsenic	20
Barium	300
Benzene	1
Benzo(a)pyrene	1
Beryllium	20
Cadmium	3
Cobalt	170
Chlordane	2
Chromium (III)	400
Chromium (VI)	1
Copper	60
Cyanides (total)	500
DDT	2
Ethylbenzene	3.1
Heptachlor	2
Lead	300
Manganese	500
Mercury	1
Nickel	60
Petroleum hydrocarbons TPH C6-C9 (total)	65
Petroleum hydrocarbons TPH>C9	1000
Phenolic compounds (total)	0.5



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<b>Chemical substance</b>	<b>Concentrations (milligrams per kilogram of waste)</b>
Polychlorinated biphenyls (PCBs)	2
Polycyclic aromatic hydrocarbons (PAH) (total)	5
Toluene	1.4
Xylene (total)	14
Zinc	200

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1994	213	<i>Gazette 15.12.1994 p2202</i>	1.5.1995 except r 11—1.5.1997: r 2
1995	32	<i>Gazette 13.4.1995 p1438</i>	1.5.1995: r 2
1996	130	<i>Gazette 30.5.1996 p2796</i>	1.7.1996: r 2
1996	222	<i>Gazette 26.9.1996 p1244</i>	26.9.1996: r 2
1997	111	<i>Gazette 13.5.1997 p1930</i>	1.7.1997: r 2
1998	103	<i>Gazette 28.5.1998 p2413</i>	1.7.1998: r 2
1998	127	<i>Gazette 11.6.1998 p2512</i>	1.7.1998: r 2
1999	104	<i>Gazette 27.5.1999 p2909</i>	1.7.1999: r 2
2000	114	<i>Gazette 25.5.2000 p2823</i>	1.7.2000: r 2
2000	231	<i>Gazette 14.9.2000 p2010</i>	1.10.2000: r 2
2001	56	<i>Gazette 31.5.2001 p1962</i>	1.7.2001: r 2
2002	56	<i>Gazette 20.6.2002 p2521</i>	1.7.2002: r 2
2002	152	<i>Gazette 8.8.2002 p3025</i>	8.8.2002: r 2
2002	172	<i>Gazette 29.8.2002 p3265</i>	1.9.2002: r 2
2003	118	<i>Gazette 29.5.2003 p2307</i>	1.7.2003: r 2
2004	97	<i>Gazette 27.5.2004 p1606</i>	1.7.2004: r 2
2005	4	<i>Gazette 20.1.2005 p261</i>	1.2.2005: r 2
2005	62	<i>Gazette 26.5.2005 p1419</i>	1.7.2005: r 2
2006	88	<i>Gazette 15.6.2006 p1720</i>	1.7.2006: r 2
2006	267	<i>Gazette 7.12.2006 p4295</i>	7.4.2007: r 2
2007	158	<i>Gazette 7.6.2007 p2559</i>	1.7.2007: r 2
<b>2007</b>	<b>293</b>	<b><i>Gazette 6.12.2007 p4743</i></b>	<b>6.12.2007: r 2</b>
2008	49	<i>Gazette 22.5.2008 p1724</i>	1.7.2008: r 2
2008	133	<i>Gazette 5.6.2008 p2131</i>	1.7.2008 immediately after 49/2008: r 2

## Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
<i>r 2 before omission</i>		
<i>r 2(2)</i>	<i>varied by 32/1995 r 3</i>	<i>1.5.1995</i>
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Regulations 2002</i>	<i>1.7.2004</i>
r 3		
r 3(1)		
accredited activity	inserted by 118/2003 r 4(1)	1.7.2003
authorisation fee payment date	inserted by 118/2003 r 4(2)	1.7.2003
licence period	substituted by 118/2003 r 4(3)	1.7.2003
r 4		
	varied by 130/1996 r 3	1.7.1996
	varied by 111/1997 r 3	1.7.1997
	varied by 103/1998 r 3	1.7.1998
	substituted by 104/1999 r 3	1.7.1999
	substituted by 114/2000 r 3	1.7.2000
	substituted by 56/2001 r 3	1.7.2001
	substituted by 56/2002 r 3	1.7.2002
	substituted by 172/2002 r 3	1.9.2002
	substituted by 118/2003 r 5	1.7.2003
	substituted by 97/2004 r 4	1.7.2004
	substituted by 62/2005 r 4	1.7.2005
	substituted by 88/2006 r 4	1.7.2006
	substituted by 158/2007 r 4	1.7.2007
Pt 2		
r 7		
r 7(1)	varied by 130/1996 r 4	1.7.1996
r 8	varied by 32/1995 r 4	1.5.1995
Pt 3		
r 10		
r 10(10)	varied by 130/1996 r 5(a)	1.7.1996
r 10(11)	varied by 130/1996 r 5(b), (c)	1.7.1996
r 10(16)	inserted by 32/1995 r 5	1.5.1995
rr 11A—11D	inserted by 118/2003 r 6	1.7.2003
Pt 3A	inserted by 267/2006 r 4	7.4.2007
Pt 3B	inserted by 267/2006 r 4	7.4.2007
Pt 4		
r 13B	inserted by 231/2000 r 3	1.10.2000

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r 13B(1)		
waste fill	inserted by 152/2002 r 3	8.8.2002
r 14		
r 14(1)	varied by 222/1996 r 3	26.9.1996
	varied by 127/1998 r 3	1.7.1998
	varied by 231/2000 r 4(a), (b)	1.10.2000
	varied by 152/2002 r 4	8.8.2002
	varied by 118/2003 r 7	1.7.2003
	varied by 4/2005 r 4	1.2.2005
r 14(2)	varied by 130/1996 r 6	1.7.1996
<i>r 14(3)</i>	<i>deleted by 231/2000 r 4(c)</i>	<i>1.10.2000</i>
r 15		
r 15(2)	varied by 231/2000 r 5(a), (b)	1.10.2000
	varied by 4/2005 r 5	1.2.2005
r 15(3)	varied by 231/2000 r 5(c), (d)	1.10.2000
r 15(4)	substituted by 152/2002 r 5	8.8.2002
r 15(5)	substituted by 231/2000 r 5(e)	1.10.2000
r 15(6)	varied by 231/2000 r 5(f)	1.10.2000
r 15A	inserted by 231/2000 r 6	1.10.2000
r 15B	inserted by 231/2000 r 6	1.10.2000
r 15B(4)	inserted by 152/2002 r 6	8.8.2002
r 15C	inserted by 231/2000 r 6	1.10.2000
r 15C(1)	varied by 152/2002 r 7(a)	8.8.2002
r 15C(3)	substituted by 152/2002 r 7(b)	8.8.2002
r 16		
r 16(1)	substituted by 231/2000 r 7(a)	1.10.2000
r 16(2)	varied by 231/2000 r 7(b)	1.10.2000
Sch 3		
Pt A		
Pt A	heading varied by 127/1998 r 4	1.7.1998
Item 1		
Item 1(3)	varied by 32/1995 r 6(a)	1.5.1995
Item 2		
Item 2(12)	varied by 32/1995 r 6(b)	1.5.1995
Item 2(15)	varied by 32/1995 r 6(c)	1.5.1995
Item 3		
Item 3(2)	varied by 32/1995 r 6(d)	1.5.1995
Item 4		
Item 4(2)	varied by 32/1995 r 6(e)—(h)	1.5.1995
Item 5		
Item 5(3)	varied by 32/1995 r 6(i)	1.5.1995
Item 5(4)	varied by 32/1995 r 6(j)—(o)	1.5.1995
Item 6		

Item 6(1)	varied by 32/1995 r 6(p), (q) <b>varied by 293/2007 r 4</b>	1.5.1995 <b>6.12.2007</b>
Item 6(2)	varied by 32/1995 r 6(r)	1.5.1995
Item 6(3)	varied by 32/1995 r 6(s)	1.5.1995
Item 6(4)	varied by 32/1995 r 6(t)	1.5.1995
Item 6(5)	varied by 32/1995 r 6(u)	1.5.1995
Item 6(6)	varied by 32/1995 r 6(v), (w)	1.5.1995
Item 6(9)	varied by 32/1995 r 6(x)	1.5.1995
Sch 4	substituted by 231/2000 r 8	1.10.2000
<i>Sch 5 before substitution by 97/2004</i>		
<i>Item 2</i>	<i>varied by 130/1996 r 7(a), (b)</i> <i>varied by 111/1997 r 4(a), (b)</i> <i>varied by 103/1998 r 4(a)</i> <i>varied by 104/1999 r 4(a)</i> <i>varied by 114/2000 r 4(a)</i> <i>varied by 56/2001 r 4</i> <i>varied by 56/2002 r 4(a)</i> <i>varied by 118/2003 r 8(1)</i>	<i>1.7.1996</i> <i>1.7.1997</i> <i>1.7.1998</i> <i>1.7.1999</i> <i>1.7.2000</i> <i>1.7.2001</i> <i>1.7.2002</i> <i>1.7.2003</i>
<i>Item 3</i>	<i>varied by 130/1996 r 7(c)</i> <i>varied by 111/1997 r 4(c)</i> <i>varied by 103/1998 r 4(b)</i> <i>varied by 104/1999 r 4(b)—(d)</i> <i>varied by 114/2000 r 4(b), (c)</i> <i>varied by 56/2002 r 4(b), (c)</i> <i>varied by 118/2003 r 8(2), (3)</i> <i>(c) deleted by 114/2000 r 4(c)</i>	<i>1.7.1996</i> <i>1.7.1997</i> <i>1.7.1998</i> <i>1.7.1999</i> <i>1.7.2000</i> <i>1.7.2002</i> <i>1.7.2003</i> <i>1.7.2000</i>
Sch 5	substituted by 97/2004 r 5 varied by 62/2005 r 5 varied by 88/2006 r 5 varied by 158/2007 r 5	1.7.2004 1.7.2005 1.7.2006 1.7.2007
Sch 6	inserted by 152/2002 r 8	8.8.2002

## **Transitional etc provisions associated with regulations or variations**

### ***No 231 of 2000***

#### **9—Transitional provision—Variation of conditions of authorisation (section 45)**

The Authority may impose or vary a condition of an environmental authorisation in the form of a waste depot licence granted prior to the commencement of these regulations if satisfied that it is necessary to impose or vary the condition for the proper implementation of Part 4 of the principal regulations as varied by these regulations.

## **Historical versions**

1.7.2004

1.2.2005

1.7.2005

1.7.2006

7.4.2007

1.7.2007