

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

(1) In these regulations, unless the contrary intention appears—

**accredited activity** means a prescribed activity of environmental significance carried on by a licensee in respect of which accreditation is granted under regulation 11A;

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

**Adelaide airshed** means the area described in Schedule 2 clause 2;

**approved estimation or monitoring technique** for an activity means—

- (a) an estimation technique set out in an EET manual for the activity; or
- (b) a technique or method approved by the Authority for the activity by condition of licence or otherwise;

**assessable site**—see subregulation (2);

**assessable vehicle**—each vehicle approved by the Authority for the transport of waste under a licence that authorises a waste transport business (category A) or (category B) is to be taken to be an assessable vehicle;

**copper** means copper and its compounds;

**designated air pollutant** means sulphur dioxide, nitrogen oxides, particulates, volatile organic compounds or lead, but does not include ethanol emitted in the course of a prescribed activity of environmental significance specified in Schedule 1 clause 6(2) or (11) of the Act (breweries, wineries and distilleries);

**designated water pollutant** means heat, suspended solids, nitrogen, phosphorus, organic matter, zinc, lead or copper;

**dredging** means the prescribed activity of environmental significance specified in Schedule 1 clause 7(4) of the Act;

**earthworks drainage** means the prescribed activity of environmental significance specified in Schedule 1 clause 7(6) of the Act;

**EET manual** for an activity means a manual setting out techniques for making estimates in relation to the activity published by the Commonwealth for the purposes of the National Pollutant Inventory—see [www.npi.gov.au](http://www.npi.gov.au);

**environment management component** means the environment management component of an annual authorisation fee for a licence (see regulation 10B and Schedule 1);

**EPA odour criteria** means the criteria specified in *EPA Guideline 373/06 Odour assessment using odour source modelling* as issued by the Authority in April 2007;

**flat fee component** means the flat fee component of an annual authorisation fee for a licence (see regulation 10);

**green waste** means waste comprised of plants or plant matter, including leaves, twigs, branches, tree trunks, prunings, grass clippings, fruit, vegetables and fruit or vegetable scraps;

**inert waste** means solid waste that has no active chemical or biological properties and is not subject to biological or chemical breakdown;

**lead** means lead and its compounds;

**licence period**, in relation to a licence, means the period of 12 months from the first anniversary of the grant or renewal of the licence and each subsequent period of 12 months;

**Note—**

This is to be distinguished from the term of the licence (which is a period determined by the Authority under section 43 of the Act).

**marine environment** means—

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

**metropolitan Adelaide** has the same meaning as in the *Development Act 1993*;

**metropolitan coastal waters** means the body of waters extending 3 nautical miles seaward from the coastline forming the western boundary of metropolitan Adelaide;

**Mount Gambier airshed** means the area described in Schedule 2 clause 3;

**Mount Lofty Ranges Water Protection Area** means the Mount Lofty Ranges Water Protection Area as declared under Part 8 of the Act;

**National Pollutant Inventory** means the inventory established as a result of the *National Environment Protection (National Pollutant Inventory) Measure*;

**nitrogen** means total nitrogen;

**organic matter**—see subregulation (3);

**particulates** means particulate matter 10 micro metres or less in diameter, and includes red dust particulates;

**phosphorous** means total phosphorus;

**pollutant load-based component** means the pollutant load-based component of the resource efficiency component of an annual authorisation fee for a licence (see regulation 10C);

**Port Pirie airshed** means the area described in Schedule 2 clause 4;

**Port River region** means the area described in Schedule 2 clause 5;

**prescribed activity of environmental significance**—see regulation 3A;

**prescribed environmental measure**—see regulation 3A;

**red dust particulates** means haematite or goethite;

**reporting period** means—

- (a) for a licence authorising an activity in respect of which a report is provided to the Authority for the purposes of the National Pollutant Inventory—the period to which the report relates; or
- (b) for any other licence—the 12 month period approved by the Authority for the licence by condition of the licence or by notice in writing to the licensee;

**resource efficiency component**—the resource efficiency component of the annual authorisation fee for a licence is comprised of the pollutant load-based component and the water reuse component (see regulation 10);

**resource recovery**, in relation to waste, means—

- (a) reusing the waste; or
- (b) recycling the waste; or
- (c) recovering part of the waste for reuse;

**South East Water Protection Area** means the South East Water Protection Area as declared under Part 8 of the Act;

**Upper Spencer Gulf** means the waters described in Schedule 2 clause 6;

**waste transport business (category A)** means the prescribed activity of environmental significance specified in Schedule 1 clause 3(5) of the Act;

**waste transport business (category B)** means the prescribed activity of environmental significance specified in Schedule 1 clause 3(6) of the Act;

**water reuse component** means the water reuse component of the resource efficiency component of an annual authorisation fee for a licence (see regulation 10D);

**Whyalla airshed** means the area described in Schedule 2 clause 7;

**zinc** means zinc and its compounds.

- (2) For the purposes of these regulations, the following principles apply in relation to an **assessable site**:
  - (a) each location specified in a licence at which a prescribed activity of environmental significance may be undertaken is to be taken to be an assessable site;
  - (b) if various places are specified in a licence as a single location, then the various premises are together to be taken to be an assessable site;
  - (c) if a licence authorises a prescribed activity of environmental significance to be undertaken by means of mobile works, then the various premises at which the mobile works are used are together to be taken to be an assessable site;
  - (d) the prescribed activities of dredging, earthworks drainage and a waste transport business (category A) or (category B) are not to be regarded as being undertaken at an assessable site.
- (3) A reference in these regulations to an amount of **organic matter** is a reference to the biochemical oxygen demand of the organic matter expressed in kilograms (determined in accordance with an approved estimation or monitoring technique for the activity that produces the organic matter).

### 3A—References in Schedule 1

- (1) A reference in Schedule 1 to a **prescribed activity of environmental significance** is to be taken to be a reference to the corresponding activity as set out in Schedule 1 of the Act.

- (2) A reference in Schedule 1 to a *prescribed environmental measure* means a reference to the following measures in place during the licence period:
- (a) for an activity specified in clause 1(6) of Schedule 1 of the Act (wood preservation works)—a system for the on-site containment of the preservatives used in the works and for monitoring whether groundwater is contaminated by a preservative used in the works;
  - (b) for an activity specified in clause 3(2) of Schedule 1 of the Act (sewage treatment works or septic tank effluent disposal scheme)—a system for the disposal of wastewater collected or otherwise managed in the works or scheme involving the sustainable reuse of the wastewater or disposal of the wastewater to an evaporation lagoon;
  - (c) for an activity specified in clause 3(3) of Schedule 1 of the Act (waste depot for solid waste)—a leachate and landfill gas management system that complies with the guidelines entitled *Environmental management of landfill facilities (municipal solid waste and commercial industrial general waste)* as issued by the Authority in January 2007;
  - (d) for an activity specified in clause 6(1) of Schedule 1 of the Act (abattoirs, slaughterhouses or poultry processing works)—measures that result in wastewater produced at the works complying with each of the following levels:
    - (i) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;
    - (ii) an oil and grease level that is at least 99 per cent less than that of the untreated wastewater;
    - (iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,assessed in accordance with an approved estimation or monitoring technique for the activity;
  - (e) for an activity specified in clause 6(3) of Schedule 1 of the Act (composting works)—a system for preventing the contamination of groundwater by chemical substances in the compost, by means, for example, of a suitable lining under the compost;
  - (f) for an activity specified in clause 6(7) of Schedule 1 of the Act (rendering or fat extraction works)—measures that result in wastewater produced at the works complying with each of the following levels:
    - (i) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;
    - (ii) an oil and grease level that is at least 99 per cent less than that of the untreated wastewater;
    - (iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,assessed in accordance with an approved estimation or monitoring technique for the activity;

- (g) for an activity specified in clause 6(11) of Schedule 1 of the Act (a winery or distillery)—measures that result in wastewater produced at the winery or distillery complying with each of the following levels:
- (i) an electrical conductivity or total dissolved solids load that is at least 50 per cent lower than that of the untreated wastewater;
  - (ii) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;
  - (iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,
- assessed in accordance with an approved estimation or monitoring technique for the activity.

#### 4—Monetary value of fee unit

- (1) In these regulations, the monetary value of a fee unit on or after 1 July 2008 is, for the purposes of the annual authorisation fee for a licence (including a projected annual authorisation fee under regulation 8)—
- (a) for the flat fee component—\$50.50;
  - (b) for the environment management component—\$529.00;
  - (c) for the pollutant load-based component—\$4.95;
  - (d) for the water reuse component—\$12.50.
- (2) In these regulations, the monetary value of a fee unit on or after 1 July 2008 is as follows:
- (a) for the purposes of regulation 14(1)(a)—\$12.10;
  - (b) for purposes not specified in this regulation—\$15.60.

## Part 2—Works approval fees

### 5—Application fee for grant of works approval

- (1) The application fee for a works approval payable under section 38(1) of the Act is the number of fee units determined according to the estimated cost of the proposed works as follows:

<b>Estimated cost of proposed works</b>	<b>Fee units</b>
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

- (2) However, if public notice is to be given under section 39(1) or 39(1) and (2) of the Act in respect of the application, the amount otherwise payable under subregulation (1) 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.
- (4) In this regulation, a reference to the estimated cost of 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.

#### **5A—No authorisation fee on grant or renewal of works approval and no annual authorisation fee**

No authorisation fee is payable under section 40 or 43 of the Act, and no annual authorisation fee is payable under section 48 of the Act, for a works approval.

### **Part 2A—Exemption fees**

#### **6—Application fee for grant of exemption**

- (1) The application fee for an exemption payable under section 38(1) of the Act is 10 fee units.
- (2) However, if public notice is to be given under section 39(1) or 39(1) and (2) of the Act in respect of the application, the amount otherwise payable under subregulation (1) 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.

#### **6A—Authorisation fee on grant or renewal of exemption and annual authorisation fee**

- (1) The authorisation fee payable under section 40 or 43 of the Act, and the annual authorisation fee payable under section 48 of the Act, for an exemption will be at 1 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.



- (2) The level of the authorisation fee and annual 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 for an exemption is to be credited towards the amount of the authorisation fee required to be paid under section 40 of the Act for the exemption.

#### **6B—Annual authorisation fee payment date for exemption**

- (1) For the purposes of section 48(2)(b) of the Act, the date in each year before which the holder of an exemption must pay the annual authorisation fee to the Authority is—
  - (a) if a date is specified for the purpose in the exemption—that date; or
  - (b) in any other case—the date falling 1 month after each anniversary of the grant of the exemption.
- (2) For the purposes of section 48(4) of the Act, the penalty for failure to pay an annual authorisation fee is \$20.00 plus 1 per cent of the annual authorisation fee for the first month (or part of a month) for which the default continues and 2 per cent of the annual authorisation fee for each further month (or part of a month) for which the default continues.

### **Part 3—Licence fees**

#### **7—Application fee for grant of licence**

- (1) The application fee for a licence payable under section 38(1) of the Act is the number of fee units determined according to the applicant's projected annual authorisation fee, calculated under regulation 8(1) by reference to the Authority's reasonable assumptions at the time of the application, as follows:

<b>Projected annual authorisation fee</b>	<b>Fee units</b>
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

**Note—**

An applicant for a licence for which an annual authorisation fee will not be payable under section 48 of the Act will nevertheless have a projected annual authorisation fee under regulation 8 for the purposes of calculating the amount of the application fee payable by the applicant.

- (2) However, if public notice is to be given under section 39(1) or 39(1) and (2) of the Act in respect of the application, the amount otherwise payable under subregulation (1) 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.

**8—Authorisation fee payable for grant or renewal of licence**

- (1) The authorisation fee payable under section 40 of the Act for the grant of a licence is the amount determined by the Authority to be the *applicant's projected annual authorisation fee*, being the amount of the annual authorisation fee (excluding the resource efficiency component) that would be payable by the applicant if the applicant were the holder of a licence liable to pay an annual authorisation fee under section 48 of the Act in respect of the projected licence period, calculated by reference to the Authority's reasonable assumptions as to what would be the nature and level of the applicant's activities if carried on for the whole of the period to which the calculations relate.
- (2) The authorisation fee payable under section 43 of the Act for renewal of a licence is the amount determined by the Authority to be the *applicant's projected annual authorisation fee*, being the amount of the annual authorisation fee that would be payable by the applicant if the applicant were the holder of a licence liable to pay an annual authorisation fee under section 48 of the Act in respect of the projected licence period, calculated by reference to the Authority's reasonable assumptions as to what would be the nature and level of the applicant's activities if carried on for the whole of the periods to which the calculations relate.
- (3) For the purposes of determining the applicant's projected annual authorisation fee—
  - (a) a reference in regulation 10 to an annual authorisation fee is to be read as if it were a reference to the projected annual authorisation fee; and
  - (b) subject to subregulation (4), a reference in these regulations to the current licence period is to be read as if it were a reference to the projected licence period; and
  - (c) a reference in these regulations to activities authorised by the licence is to be read as if it were a reference to activities to be authorised by the licence.
- (4) If the projected licence period is less than or more than 12 months—
  - (a) a pro rata adjustment is to be made to the amount of the environment management component, and, in the case of renewal, the resource efficiency component, by applying the proportion that the length of the projected licence period bears to 12 months; and

- (b) the pro rata adjustment is to be made on the basis of months, parts of a month being counted as a full month; and
- (c) for the purposes of determining the environment management component, if the number of fee units specified in Schedule 1 depends on an indicator of the level of activity during the licence period, the indicator is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during a period of 12 months rather than during the projected licence period.

**Examples—**

- 1 If the term of the licence is 3 months, the proportion that the length of the projected licence period bears to 12 months would be  $\frac{1}{4}$ .
  - 2 If the term of the licence is  $3\frac{1}{2}$  months, the proportion that the length of the projected licence period bears to 12 months would be  $\frac{1}{3}$ .
- (5) The amount of the application fee paid for a licence is to be credited towards the amount of the authorisation fee required to be paid under section 40 of the Act for the licence.
- (6) In this regulation—

***projected licence period*** means—

- (a) in the case of a licence for which the holder is not liable to pay an annual authorisation fee under section 48 of the Act (by reason of the fact that the term of the licence is less than 2 years or that it is an environmental authorisation of a prescribed class)—the term of the licence;
- (b) in the case of a licence for which the holder is liable to pay an annual authorisation fee under section 48 of the Act—the period between the grant or renewal of the licence and the commencement of the first licence period for which an annual authorisation fee will be payable.

## **9—Annual authorisation fee payment date for licence**

- (1) For the purposes of section 48(2)(b) of the Act, the date in each year before which the licensee must pay the annual authorisation fee to the Authority is—
- (a) if a date is specified for the purpose in the licence—that date; or
  - (b) in any other case—the date falling 1 month after each anniversary of the grant of the licence.
- (2) For the purposes of section 48(4) of the Act, the penalty for failure to pay an annual authorisation fee is \$20.00 plus 1 per cent of the annual authorisation fee for the first month (or part of a month) for which the default continues and 2 per cent of the annual authorisation fee for each further month (or part of a month) for which the default continues.

## **10—Annual authorisation fee for licence**

- (1) The annual authorisation fee payable under section 48 of the Act for a licence is the sum of—
- (a) the flat fee component determined in accordance with regulation 10A; and

- (b) the environment management component determined for the current licence period in accordance with regulation 10B; and
  - (c) the resource efficiency component comprising—
    - (i) if the pollutant threshold is exceeded in the reporting period immediately preceding the current licence period—the pollutant load-based component determined in accordance with regulation 10C; and
    - (ii) if the low salinity water threshold is exceeded in the reporting period immediately preceding the current licence period—the water reuse component determined in accordance with regulation 10D.
- (2) However, if a licence is renewed under section 43(6) of the Act and the activity undertaken pursuant to the licence has ceased, no environment management component or flat fee component is payable.
- (3) The *pollutant threshold* is exceeded in a reporting period if—
- (a) the amount of a designated air pollutant emitted to air during the period from an assessable site specified in the licence exceeds—
    - (i) in the case of sulphur dioxide or nitrogen oxides—10 000 kilograms; or
    - (ii) in the case of particulates or volatile organic compounds—1 000 kilograms; or
    - (iii) in the case of lead—100 kilograms; or
  - (b) the amount of a designated water pollutant discharged to waters during the period from an assessable site specified in the licence exceeds—
    - (i) in the case of heat—10 megawatts; or
    - (ii) in the case of suspended solids, nitrogen, phosphorus, organic matter or zinc—1 000 kilograms; or
    - (iii) in the case of lead or copper—100 kilograms,
- in each case, assessed in accordance with an approved estimation or monitoring technique for the activity that produces the pollutant.
- (4) The *low salinity water threshold* is exceeded in a reporting period if 10 megalitres or more of water is discharged to the marine environment during that period (whether directly or indirectly through pipes or channels) from an assessable site specified in the licence and the average salinity of water so discharged is less than 1 500 milligrams of total dissolved solids per litre (assessed in accordance with an approved estimation or monitoring technique for the activity that produces the water).
- (5) The pollutant threshold or low salinity water threshold is to be taken to have been exceeded in the reporting period immediately preceding the current licence period (the *relevant reporting period*) if—
- (a) the Authority is satisfied that the threshold has been exceeded in the relevant reporting period on the basis of information reported to the Authority in relation to the activities authorised by the licence (for the purposes of the National Pollutant Inventory, conditions of licence or otherwise); or

- (b) the Authority has not received information for the relevant reporting period or has not had an opportunity to determine whether it is satisfied as to the accuracy of information reported to the Authority for the relevant reporting period, but is satisfied that the threshold has been exceeded in the reporting period immediately preceding the relevant reporting period on the basis of information reported to the Authority in relation to the activities authorised by the licence (for the purposes of the National Pollutant Inventory, conditions of licence or otherwise); or
  - (c) the Authority is satisfied on the basis of its reasonable assumptions as to the nature and level of the activities authorised by the licence that the threshold would be exceeded if the activities were to be carried on over a 12 month period (whether or not they have in fact been carried on over such a period).
- (6) If discharges of liquid pollutants from 2 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 waters, the Authority is to—
- (a) determine the annual authorisation fee payable for the licence as if the discharge to waters 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 1 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.

#### **10A—Flat fee component**

- (1) The flat fee component is 1 fee unit.
- (2) If no environment management component is payable for the licence, no flat fee component is payable.

#### **10B—Determining environment management component**

- (1) The environment management component is comprised of—
  - (a) a separate amount payable for each assessable site specified in the licence as follows:
    - (i) if the licence authorises only 1 prescribed activity of environmental significance to be carried on at the site during the licence period—the number of fee units specified in Schedule 1 for the activity;

- (ii) if the licence authorises 2 or more prescribed activities of environmental significance to be carried on at the site during the licence period—the highest number of fee units specified in Schedule 1 for any of the activities (or the higher number, in the case of only 2 such activities); and
  - (b) if the licence authorises a waste transport business (category A) or a waste transport business (category B)—the number of fee units determined as follows:
    - (i) the number of fee units specified in Schedule 1 for the activity for each vehicle that is an assessable vehicle during the licence period adjusted, if the vehicle is not an assessable vehicle for the whole of the licence period, by applying the proportion that the number of months during the licence period for which the vehicle is an assessable vehicle bears to 12 months;
    - (ii) for the purposes of the adjustment, part of a month is to be counted as a full month;
    - (iii) if the same vehicle is an assessable vehicle for the purposes of both a waste transport business (category A) and a waste transport business (category B) and a different number of fee units is specified in Schedule 1 for the vehicle in those different businesses, the number of fee units for the vehicle is the higher number of fee units so specified adjusted, if the vehicle is not an assessable vehicle for the whole of the licence period, as set out in subparagraph (i); and
  - (c) if the licence authorises dredging—the number of fee units specified in Schedule 1 for the activity for each day on which the activity is undertaken during the licence period; and
  - (d) if the licence authorises earthworks drainage—the number of fee units specified in Schedule 1 for the activity for each day on which the activity is undertaken during the licence period.
- (2) If the number of fee units specified in Schedule 1 depends on an indicator of the level of activity during the licence period, the indicator is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during the licence period.
- (3) Amounts determined under this regulation are subject to any necessary adjustment under regulation 11 after the end of the licence period.

### **10C—Determining pollutant load-based component**

- (1) The pollutant load-based component is comprised of a separate amount payable for each assessable site specified in the licence.
- (2) The amount payable for an assessable site is the sum of—
  - (a) the fee units for each designated air pollutant emitted to air from the site in the course of a prescribed activity of environmental significance during the designated reporting period determined in accordance with subregulation (3); and

- (b) the fee units for each designated water pollutant discharged to waters from the site (whether directly or indirectly through pipes or channels) in the course of a prescribed activity of environmental significance during the designated reporting period determined in accordance with subregulation (4).
- (3) The number of fee units for a designated air pollutant is to be determined in accordance with the following formula:

$$DAP = T \times N \times Z$$

where—

**DAP** is the number of fee units for the designated air pollutant;

**T** is the weight (in tonnes rounded to the nearest 0.1 tonne) of the pollutant emitted to air during the reporting period, assessed—

- (a) in accordance with an approved estimation or monitoring technique for the activity that resulted in the emission; or
- (b) if the pollutant threshold is taken to be exceeded under regulation 10(5)(c), on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities;

**N** is the number of fee units for the pollutant specified in Table 1;

**Z** is the zone weighting determined in accordance with Table 1 by reference to the pollutant and the location of the assessable site from which the pollutant is emitted (and if the site is located in 2 areas listed in the table, the higher zone weighting applies).

**Table 1—Fee units and zone weightings for designated air pollutants**

Pollutant	Fee units	Location of assessable site	Zone weighting
sulphur dioxide	1	All areas	1
nitrogen oxides	1	Adelaide airshed	2
		Other areas	1
particulates	10	Mount Gambier airshed	2
		In the case of red dust particulates—Whyalla airshed	4
		Other areas	1
volatile organic compounds	10	Adelaide airshed	1.5
		Areas outside the Adelaide airshed that are within a council area	1
		Other areas	0.5
lead	100	Port Pirie airshed	15
		Other areas	1

- (4) The number of fee units for a designated water pollutant is to be determined in accordance with the following formula:

$$DWP = T \times N \times Z$$

where—

**DWP** is the number of fee units for the designated water pollutant;

**T** is—

- (a) the weight (in tonnes rounded to the nearest 0.1 tonne); or
- (b) in the case of heat—the number of megawatts (rounded to the nearest megawatt),

of the pollutant discharged to waters during the reporting period, assessed—

- (c) in accordance with an approved estimation or monitoring technique for the activity resulting in the discharge; or
- (d) if the pollutant threshold is taken to be exceeded under regulation 10(5)(c), on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities;

**N** is the number of fee units for the pollutant specified in Table 2;

**Z** is the zone weighting determined in accordance with Table 2 by reference to the pollutant and the location of the waters into which the pollutant is discharged (and if the pollutant is discharged into 2 areas listed in the table, the higher zone weighting applies).

**Table 2—Fee units and zone weightings for designated water pollutants**

<b>Pollutant</b>	<b>Fee units</b>	<b>Location of waters</b>	<b>Zone weighting</b>
heat	1	All waters of the State	1
suspended solids	10	Metropolitan coastal waters	2
		All other waters of the State	1
nitrogen	10	Port River region or Metropolitan coastal waters	3
		All other waters of the State	1
phosphorus	10	Port River region	2
		All other waters of the State	1
organic matter	10	Lake Bonney (South East)	2
		All other waters of the State	1
zinc	10	Upper Spencer Gulf	2
		All other waters of the State	1
copper, lead	100	Upper Spencer Gulf	2
		All other waters of the State	1



- (5) If the pollutant threshold is taken to be exceeded under regulation 10(5)(b) or regulation 10(5)(c), the pollutant load-based component is subject to any necessary adjustment under regulation 11 after the end of the licence period.
- (6) In this regulation—
- designated reporting period* means—
- (a) if the pollutant threshold is taken to be exceeded under regulation 10(5)(a)—the reporting period immediately preceding the current licence period;
  - (b) if the pollutant threshold is taken to be exceeded under regulation 10(5)(b)—the reporting period immediately preceding the reporting period referred to in paragraph (a);
  - (c) if the pollutant threshold is taken to be exceeded under regulation 10(5)(c)—a hypothetical reporting period of 12 months.

### **10D—Determining water reuse component**

- (1) The water reuse component is comprised of a separate amount payable for each assessable site specified in the licence.
- (2) The water reuse component is 1 fee unit for each megalitre (rounded to the nearest megalitre) of wastewater discharged to the marine environment (whether directly or indirectly through pipes or channels) in the course of a prescribed activity of environmental significance during the designated reporting period—
- (a) measured in accordance with an approved estimation or monitoring technique for the activity; or
  - (b) if the low salinity water threshold is taken to be exceeded under regulation 10(5)(c)—estimated by the Authority on the basis of its reasonable assumptions as to the nature and level of the licensee's activities.
- (3) If the low salinity water threshold is taken to be exceeded under regulation 10(5)(b) or regulation 10(5)(c), the water reuse component is subject to any necessary adjustment under regulation 11 after the end of the licence period.
- (4) In this regulation—
- designated reporting period* means—
- (a) if the low salinity water threshold is taken to be exceeded under regulation 10(5)(a)—the reporting period immediately preceding the current licence period;
  - (b) if the low salinity water threshold is taken to be exceeded under regulation 10(5)(b)—the reporting period immediately preceding the reporting period referred to in paragraph (a);
  - (c) if the low salinity water threshold is taken to be exceeded under regulation 10(5)(c)—a hypothetical reporting period of 12 months.

## 11—Adjustment of annual authorisation fee or projected annual authorisation fee at end of licence period or projected licence period

- (1) If the Authority is satisfied after the end of a licence period that the annual authorisation fee determined for the period (as based on estimates made by the Authority under this Part or regulation 10 of the substituted regulations) was an amount less than the amount calculated by reference to the activity as actually undertaken during the licence period or the reporting period immediately preceding the licence 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 2 amounts.

**Note—**

If no resource efficiency component was payable because the pollutant threshold or low salinity water threshold was determined in accordance with regulation 10(5)(b) or (c) as not having been exceeded but information subsequently reported to the Authority shows that the threshold would have been exceeded under regulation 10(5)(a) if that information had then been available and the Authority had been satisfied as to its accuracy, this subregulation will apply and a resource efficiency component will become payable.

- (2) If 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 annual authorisation fee paid for the period (as based on estimates made by the Authority under this Part or regulation 10 of the substituted regulations) was more than the amount calculated by reference to the activity as actually undertaken during the licence period or the reporting period immediately preceding the licence period, the Authority must refund to the holder of the licence the amount determined by the Authority to represent the difference between those 2 amounts.

- (3) In this regulation—

*annual authorisation fee* includes a projected annual authorisation fee under regulation 8;

*licence period* includes a projected licence period under regulation 8;

*substituted regulations* means these regulations as in force immediately before the commencement of the *Environment Protection (Fees and Levy) Variation Regulations 2008*.

## 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 term of the licence.

- (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 authorisation fee otherwise payable under section 40 or 43 of the Act, or the annual authorisation fee otherwise payable under section 48 of the Act, in relation to the accredited 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.

## **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 or authorisation—18 fee units; and
  - (ii) for each additional entry made by the Registrar-General in registering the order or authorisation—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 or authorisation—13 fee units; and
  - (ii) for each subsequent endorsement made by the Registrar-General in cancelling the registration of the order or authorisation—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
    - (ia) 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

### 17A—Late fee for application for renewal of environmental authorisation

For the purposes of section 43(4) of the Act, the fee for late application for renewal of an environmental authorisation is \$20.00 plus 1 per cent of the authorisation fee payable on renewal for the first month (or part of a month) for which the application is late and 2 per cent of that authorisation fee for each further month (or part of a month) for which the application is late.

### 17B—Fee for renewal without application

If an environmental authorisation under which activities continue to be undertaken is renewed under section 43(6) of the Act (without application), the holder of the authorisation must pay the Authority the authorisation fee that would have been payable under section 43(5) had the authorisation been renewed on application.

### 17C—Conditions requiring approval of certain works and processes—prescribed fee

- (1) The prescribed fee payable for an application for an approval required by conditions of an environmental authorisation imposed under section 54C(2) of the Act in relation to—
  - (a) the construction or alteration of a building or structure, or the installation or alteration of plant or equipment, for use for an activity carried on under the authorisation (*works*); or
  - (b) a change in process undertaken under the authorisation,

is the number of fee units determined according to the cost of the works or change in process estimated by the Authority as follows:

Estimated cost of works or change in process	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

- (2) If the application relates to both works and a change in process, the prescribed fee payable for the application will be determined as if separate applications had been made, 1 in relation to the works and the other in relation to the change in process.
- (3) In this regulation, a reference to the estimated cost of works is a reference to the amount estimated 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.

### **17D—Recovery of administrative and technical costs associated with contraventions—fees**

- (1) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to investigate a contravention of the Act is—
  - (a) in the case of action commenced during business hours, the sum of—
    - (i) 11 fee units; and
    - (ii) if the action exceeds 2 hours in duration—
      - (A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
      - (B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours; and
  - (b) in the case of action commenced outside of business hours, the sum of—
    - (i) 21 fee units; and
    - (ii) if the action exceeds 2 hours in duration—
      - (A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
      - (B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours.
- (2) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to issue an order under Part 10 in respect of a contravention of the Act is 11 fee units.
- (3) In this regulation—

***business hours*** means the hours between 8.45 am and 5 pm on any day other than a Saturday, Sunday or public holiday.

### **18—Further fees**

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

## 19—Recovery of fee instalments

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

- (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 regulations by that person.

## 20—Additional charge on fee paid by instalments

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

## 21—Fee increase if instalment outstanding

If the Authority allows a fee to be paid by instalments, the fee is the amount that would be payable under the Act or the regulations under the Act apart from this regulation plus, for each instalment that is not paid by the date for payment, \$20 plus 1 per cent of the instalment for the first month for which the default continues and 2 per cent of the instalment for each further month for which the default continues.

## Schedule 1—Environment management component

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
<b>Clause 1</b>	<b>Petroleum and chemical</b>	
cl 1(1)	Chemical storage and warehousing facilities	3
cl 1(2)(a)(i)	Chemical works (inorganic) comprising—	
	(a) a soda ash plant	80
	(b) works associated with a uranium plant (where the main or a significant product is uranium)	20
	(c) works of any other kind	8
cl 1(2)(a)(ii)	Chemical works (organic) comprising—	
	(a) works emitting less than 100 tonnes of volatile organic compounds during the licence period	8
	(b) works emitting 100 tonnes or more of volatile organic compounds during the licence period	12
cl 1(2)(b)	Chemical works (salt production)	3
cl 1(3)	Coke works	80
cl 1(4)	Oil refineries	80
cl 1(5)(a)	Petroleum production, storage or processing works or facilities (storage)	3
cl 1(5)(b)	Petroleum production, storage or processing works or facilities (production) comprising—	

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Environment management component—Schedule 1

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(a) works or facilities emitting less than 500 tonnes of volatile organic compounds during the licence period	8
	(b) works or facilities emitting 500 tonnes or more but less than 1 000 tonnes of volatile organic compounds during the licence period	50
	(c) works or facilities emitting 1 000 tonnes or more of volatile organic compounds during the licence period	80
cl 1(6)	Wood preservation works comprising—	
	(a) works using, during the licence period, boron or other light organic solvents approved by the Authority as preservatives presenting a low environmental risk	8
	(b) works using, during the licence period, other preservatives (eg preservatives containing heavy metals or creosote)—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	20
	(ii) in any other case	50
<b>Clause 2</b>	<b>Manufacturing and mineral processing</b>	
cl 2(1)	Abrasive blasting comprising—	
	(a) mobile works	3
	(b) works other than mobile works	2
cl 2(2)	Hot mix asphalt preparation comprising—	
	(a) mobile works	12
	(b) works other than mobile works	8
cl 2(3)	Cement works comprising—	
	(a) works emitting less than 100 tonnes of particulates during the licence period	20
	(b) works emitting 100 tonnes or more of particulates during the licence period	50
cl 2(4)	Ceramic works comprising—	
	(a) glass works emitting 25 tonnes or more of particulates during the licence period	50
	(b) brick works emitting 2 tonnes or more of fluorides during the licence period	12
	(c) other glass works or brick works	8
	(d) works of any other kind (eg pottery works)	2
cl 2(5)	Concrete batching works (whether or not mobile)	2
cl 2(6)	Drum reconditioning works	3
cl 2(7)	Ferrous and non-ferrous metal melting works comprising—	

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

Schedule 1—Environment management component

<b>Schedule 1 of Act</b>	<b>Prescribed activity of environmental significance (including indicator of level of activity if applicable)</b>	<b>Fee units</b>
	(a) works producing emissions of more than 2 500 kilograms of volatile organic compounds during the licence period in respect of which—	
	(i) the Authority is satisfied of compliance by the licensee with the EPA odour criteria	12
	(ii) the Authority is satisfied of non-compliance by the licensee with the EPA odour criteria	50
	(b) works producing emissions of 2 500 kilograms or less of volatile organic compounds during the licence period	4
cl 2(8)	Metallurgical works	80
cl 2(9)	Mineral works	12
cl 2(10)	Pulp or paper works	80
cl 2(11)	Scrap metal recovery works	3
cl 2(12)(a)	Surface coating works (metal finishing)	8
cl 2(12)(b)	Surface coating works (hot dip galvanizing) comprising—	
	(a) works producing emissions to air during the licence period of 1 000 kilograms or more of zinc	12
	(b) works producing emissions to air during the licence period of 100 kilograms or more but less than 1 000 kilograms of zinc	8
	(c) works producing emissions to air during the licence period of less than 100 kilograms of zinc	4
cl 2(12)(c)	Surface coating works (spray painting or powder coating)	3
cl 2(13)	Wood processing works comprising—	
	(a) works producing emissions to air during the licence period of 50 tonnes or more of particulates	12
	(b) works producing emissions to air during the licence period of less than 50 tonnes of particulates	3
cl 2(14)	Maritime construction works	3
cl 2(15)	Vehicle production works	20
<b>Clause 3</b>	<b>Waste treatment and disposal</b>	
cl 3(1)(a)	Incineration works (chemical wastes)	50
cl 3(1)(b)	Incineration works (medical wastes, cytotoxic wastes, quarantine wastes)	50
cl 3(1)(c)	Incineration works (cremation)	2
cl 3(1)(d)	Incineration works (solid municipal waste)	50
cl 3(1)(e)	Incineration works (solid trade waste)	50
cl 3(2)(a)	Sewage treatment works or septic tank effluent disposal schemes (discharge to marine waters) comprising—	
	(a) works or a scheme discharging 1 000 megalitres or more of wastewater during the licence period	80

**1.6.2009 to 30.6.2009—Environment Protection (Fees and Levy) Regulations 1994**  
Environment management component—Schedule 1

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) works or a scheme discharging 500 megalitres or more but less than 1 000 megalitres of wastewater during the licence period	50
	(c) works or a scheme discharging 100 megalitres or more but less than 500 megalitres of wastewater during the licence period	12
	(d) works or a scheme discharging 50 megalitres or more but less than 100 megalitres of wastewater during the licence period	8
	(e) works or a scheme discharging 20 megalitres or more but less than 50 megalitres of wastewater during the licence period	4
	(f) works or a scheme discharging less than 20 megalitres of wastewater during the licence period	3
cl 3(2)(b)	Sewage treatment works or septic tank effluent disposal schemes (discharge to land or waters within the Mount Lofty Ranges Water Protection Area) comprising—	
	(a) works or a scheme discharging 500 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	50
	(ii) in any other case	80
	(b) works or a scheme discharging 100 megalitres or more but less than 500 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	20
	(ii) in any other case	50
	(c) works or a scheme discharging 50 megalitres or more but less than 100 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	8
	(ii) in any other case	12
	(d) works or a scheme discharging 20 megalitres or more but less than 50 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	4
	(ii) in any other case	8

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

Schedule 1—Environment management component

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(e) works or a scheme discharging less than 20 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	3
	(ii) in any other case	4
cl 3(2)(c)	Sewage treatment works or septic tank effluent disposal schemes (discharge to land or waters other than marine waters and other than within the Mount Lofty Ranges Water Protection Area) comprising—	
	(a) works or a scheme discharging 1 000 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	50
	(ii) in any other case	80
	(b) works or a scheme discharging 500 megalitres or more but less than 1 000 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	20
	(ii) in any other case	50
	(c) works or a scheme discharging 100 megalitres or more but less than 500 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	8
	(ii) in any other case	12
	(d) works or a scheme discharging 50 megalitres or more but less than 100 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	4
	(ii) in any other case	8
	(e) works or a scheme discharging 20 megalitres or more but less than 50 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	3
	(ii) in any other case	4
	(f) works or a scheme discharging less than 20 megalitres of wastewater during the licence period—	



Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	2
	(ii) in any other case	3
cl 3(3)	Waste or recycling depots (solid waste for on-site disposal) comprising—	
	(a) a depot receiving more than 200 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	50
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	80
	(b) a depot receiving more than 100 000 tonnes but not more than 200 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	20
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	50
	(c) a depot receiving more than 50 000 tonnes but not more than 100 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	12
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	20
	(d) a depot receiving more than 20 000 tonnes but not more than 50 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	8
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	12

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

Schedule 1—Environment management component

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(e) a depot receiving more than 5 000 tonnes but not more than 20 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	4
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	8
	(f) a depot receiving more than 2 000 tonnes but not more than 5 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	3
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	4
	(g) a depot receiving more than 1 000 tonnes but not more than 2 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	2
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	3
	(h) a depot receiving 1 000 tonnes or less of solid waste (other than waste fill) during the licence period—	
	(i) if—	1
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot	
	(ii) in any other case	2
cl 3(3)	Waste or recycling depots comprising a winery wastewater treatment works—the fee units payable are those that would be payable if the depot were a sewage treatment works or a septic tank effluent disposal scheme under clause 3(2) of Schedule 1 of the Act.	
cl 3(3)	Waste or recycling depots (for disposal of liquid waste) (other than winery wastewater treatment works) comprising—	
	(a) a depot receiving more than 100 000 kilolitres of liquid waste during the licence period—	

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	50
	(ii) involving disposal other than to a sewer	80
	(b) a depot receiving more than 50 000 kilolitres but not more than 100 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	20
	(ii) involving disposal other than to a sewer	50
	(c) a depot receiving more than 20 000 kilolitres but not more than 50 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	12
	(ii) involving disposal other than to a sewer	20
	(d) a depot receiving more than 5 000 kilolitres but not more than 20 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	8
	(ii) involving disposal other than to a sewer	12
	(e) a depot receiving more than 2 000 kilolitres but not more than 5 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	4
	(ii) involving disposal other than to a sewer	8
	(f) a depot receiving more than 1 000 kilolitres but not more than 2 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	3
	(ii) involving disposal other than to a sewer	4
	(g) a depot receiving 1 000 kilolitres or less of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	2
	(ii) involving disposal other than to a sewer	3
cl 3(3)	Waste or recycling depots (waste for resource recovery or transfer) comprising—	
	(a) a depot receiving more than 200 000 tonnes of waste during the licence period for resource recovery or transfer to another location	50

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

Schedule 1—Environment management component

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) a depot receiving more than 100 000 tonnes but not more than 200 000 tonnes of waste during the licence period for resource recovery or transfer to another location	20
	(c) a depot receiving more than 50 000 tonnes but not more than 100 000 tonnes of waste during the licence period for resource recovery or transfer to another location	12
	(d) a depot receiving more than 20 000 tonnes but not more than 50 000 tonnes of waste during the licence period for resource recovery or transfer to another location	8
	(e) a depot receiving more than 5 000 tonnes but not more than 20 000 tonnes of waste during the licence period for resource recovery or transfer to another location	4
	(f) a depot receiving more than 2 000 tonnes but not more than 5 000 tonnes of waste during the licence period for resource recovery or transfer to another location	3
	(g) a depot receiving more than 1 000 tonnes but not more than 2 000 tonnes of waste during the licence period for resource recovery or transfer to another location	2
	(h) a depot receiving 1 000 tonnes or less of waste during the licence period for resource recovery or transfer to another location	1
cl 3(3)	Waste or recycling depots (battery recycling)	1
cl 3(4)	Activities producing listed wastes comprising—	
	(a) an activity producing medical waste and no other listed waste during the licence period	1
	(b) in any other case—	
	(i) an activity producing more than 250 tonnes of listed waste during the licence period	8
	(ii) an activity producing more than 100 tonnes but not more than 250 tonnes of listed waste during the licence period	3
	(iii) an activity producing more than 5 tonnes but not more than 100 tonnes of listed waste during the licence period	2
	(iv) an activity producing 5 tonnes or less of listed waste during the licence period	1
cl 3(5)	Waste transport business (category A)—	
	(a) for each vehicle that is an assessable vehicle during the licence period and is not used other than to collect and transport medical waste not exceeding 40 litres at any 1 time	0.3
	(b) for each vehicle that is an assessable vehicle during the licence period other than a vehicle referred to in the preceding paragraph	0.9

**1.6.2009 to 30.6.2009—Environment Protection (Fees and Levy) Regulations 1994**

Environment management component—Schedule 1

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 3(6)	Waste transport business (category B)—for each vehicle that is an assessable vehicle during the licence period	0.3
<b>Clause 4</b>	<b>Activities in specified areas</b>	
cl 4(1)	Brukung mine site and associated acid neutralisation plant	30
cl 4(2)(a)	Discharge during the licence period of stormwater to underground aquifers by means other than a stormwater drainage system from land or premises situated in the area of the City of Mount Gambier or the Western Industrial Zone of the area of the District Council of Mount Gambier (as defined in the relevant Development Plan under the <i>Development Act 1993</i> )	12
cl 4(2)(b)	Discharge during the licence period of stormwater to underground aquifers from a stormwater drainage system situated in the City of Mount Gambier or the Western Industrial Zone of the area of the District Council of Mount Gambier (as defined in the relevant Development Plan under the <i>Development Act 1993</i> )	12
cl 4(2)(c)	Discharge during the licence period of stormwater to underground aquifers from a stormwater drainage system situated in metropolitan Adelaide—	
	(a) if 50 megalitres or more is discharged during the licence period	4
	(b) if 10 megalitres or more but not more than 50 megalitres is discharged during the licence period	3
	(c) if less than 10 megalitres is discharged during the licence period	2
<b>Clause 5</b>	<b>Animal husbandry, aquaculture and other activities</b>	
cl 5(1)	Cattle feedlots	4
cl 5(3)	Saleyards comprising—	
	(a) a saleyard located within the South East Water Protection Area—	
	(i) if 20 megalitres or more of effluent is produced at the saleyard during the licence period	12
	(ii) if less than 20 megalitres is produced at the saleyard during the licence period	4
	(b) a saleyard located outside the South East Water Protection Area—	
	(i) if 20 megalitres or more of effluent is produced at the saleyard during the licence period	8
	(ii) if less than 20 megalitres is produced at the saleyard during the licence period	3
cl 5(4)	Piggeries comprising—	
	(a) a piggery producing more than 200 000 kilograms of nitrogen during the licence period	12

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

## Schedule 1—Environment management component

<b>Schedule 1 of Act</b>	<b>Prescribed activity of environmental significance (including indicator of level of activity if applicable)</b>	<b>Fee units</b>
	(b) a piggery producing more than 100 000 kilograms but not more than 200 000 kilograms of nitrogen during the licence period	8
	(c) a piggery producing more than 50 000 kilograms but not more than 100 000 kilograms of nitrogen during the licence period	4
	(d) a piggery producing more than 20 000 kilograms but not more than 50 000 kilograms of nitrogen during the licence period	3
	(e) a piggery producing not more than 20 000 kilograms of nitrogen during the licence period	2
<b>Clause 6</b>	<b>Food production and animal and plant product processing</b>	
cl 6(1)	Abattoirs, slaughterhouses or poultry processing works comprising—	
	(a) an abattoir and rendering plant producing 100 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the plant or that all the wastewater is discharged to a sewer or to some other off-site wastewater treatment plant subject to a licence	12
	(ii) in any other case	20
	(b) an abattoir and rendering plant producing less than 100 megalitres of wastewater during the licence period	12
	(c) works not associated with a rendering plant producing 100 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority that all the wastewater is discharged to a sewer or to some other off-site wastewater treatment plant subject to a licence	3
	(ii) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	4
	(iii) in any other case	8
	(d) works not associated with a rendering plant producing less than 100 megalitres of wastewater during the licence period	3
cl 6(2)	Breweries comprising—	
	(a) a brewery producing 20 megalitres or more of wastewater during the licence period	20
	(b) a brewery producing less than 20 megalitres of wastewater during the licence period	4
	(c) a brewery disposing of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act during the licence period	3
cl 6(3)	Composting works comprising—	

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(a) works receiving, during the licence period, only green waste—	
	(i) in the case of works the floor of which is 15 metres or less above groundwater—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	2
	(B) in any other case	4
	(ii) in the case of works the floor of which is more than 15 metres above groundwater	2
	(b) works receiving, during the licence period, only animal manure or only animal manure and green waste—	
	(i) in the case of works the floor of which is 15 metres or less above groundwater—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	3
	(B) in any other case	8
	(ii) in the case of works the floor of which is more than 15 metres above groundwater	3
	(c) works receiving, during the licence period, waste of any other kind (whether or not in addition to animal manure or green waste)—	
	(i) in the case of works the floor of which is 15 metres or less above groundwater—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	4
	(B) in any other case	12
	(ii) in the case of works the floor of which is more than 15 metres above groundwater	4
cl 6(4)	Fish processing works comprising—	
	(a) works disposing of wastewater to marine or inland waters during the licence period	8
	(b) works disposing of wastewater to land (and not to marine or inland waters) during the licence period	4
	(c) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act or not disposing of wastewater at all during the licence period	3
cl 6(5)	Milk processing works comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act	8

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

Schedule 1—Environment management component

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) works of any other kind	12
cl 6(6)(a)	Produce processing works (deep fat frying, roasting or drying)	4
cl 6(6)(b)	Produce processing works (disposing, during the licence period, of wastewater otherwise than to sewer or septic tank effluent disposal system) comprising—	
	(a) olive processing works	12
	(b) works of any other kind	8
cl 6(7)	Rendering or fat extraction works comprising—	
	(a) works producing 100 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or that all the wastewater is discharged to a sewer or to some other off-site wastewater treatment plant subject to a licence	12
	(ii) in any other case	20
	(b) works producing less than 100 megalitres of wastewater during the licence period	12
cl 6(8)	Curing or drying works	3
cl 6(9)	Tanneries or fellmongeries comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act	3
	(b) works of any other kind—	
	(i) if the works produce more than 10 megalitres of wastewater during the licence period	12
	(ii) if the works produce 10 megalitres or less of wastewater during the licence period	3
cl 6(10)	Woolscouring or wool carbonising works comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act	3
	(b) works of any other kind	8
cl 6(11)(a)	Wineries or distilleries (works outside the Mount Lofty Ranges Water Protection Area) comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act	3
	(b) works of any other kind (ie works not disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act)—	
	(i) in the case of works producing 20 megalitres or less of wastewater during the licence period—	



Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	3
	(B) in any other case	4
	(ii) in the case of works producing more than 20 megalitres but no more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	12
	(B) in any other case	20
	(iii) in the case of works producing more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	20
	(B) in any other case	50
cl 6(11)(b)	Wineries or distilleries (works within the Mount Lofty Ranges Water Protection Area) comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act	4
	(b) works not disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment plant licensed under the Act—	
	(i) in the case of works producing 10 megalitres or less of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	4
	(B) in any other case	8
	(ii) in the case of works producing more than 10 megalitres but no more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	12
	(B) in any other case	20
	(iii) in the case of works producing more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	20
	(B) in any other case	50

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**

Schedule 1—Environment management component

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
<b>Clause 7</b>	<b>Materials handling and transportation</b>	
cl 7(1)	Bulk shipping facilities	8
cl 7(2)	Railway operations	8
cl 7(3)(a)	Crushing, grinding or milling works (chemicals or rubber)	4
cl 7(3)(b)	Crushing, grinding or milling works (agricultural crop products) comprising—	
	(a) olive processing works (whether or not mobile)	12
	(b) mobile works other than olive processing works	8
	(c) works of any other kind	4
cl 7(3)(c)	Crushing, grinding or milling works (rock, ores or minerals)	4
cl 7(4)	Dredging—for each day on which dredging occurs during the licence period	1
cl 7(5)	Coal handling and storage	3
cl 7(6)	Earthworks drainage—for each day on which earthworks drainage takes place during the licence period	0.25
cl 7(7)	Extractive industries—	
	(a) within the Mount Lofty Ranges Water Protection Area	4
	(b) in any other area	3
<b>Clause 8</b>	<b>Other</b>	
cl 8(1)	Aerodromes	3
cl 8(2)(a)	Fuel burning comprising—	
	(a) the burning of coal or wood—	
	(i) at premises within the Adelaide airshed—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	80
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	50
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	12
	(ii) at premises in any other area—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	50
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	12
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	4
	(b) the burning of diesel in internal combustion engines for a total of less than 25 hours during the licence period	1

Schedule 1 of Act	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(c) the burning of diesel in any other circumstances or for any other purpose or the burning of any fuel other than coal, wood or diesel—	
	(i) at premises within the Adelaide airshed—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	50
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	20
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	8
	(ii) at premises in any other area—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	20
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	8
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	3
cl 8(2)(b)	Fuel burning comprising the burning of fuel to stove enamel or to bake or dry substances releasing dust or air impurities	3
cl 8(3)	Helicopter landing facilities	1
cl 8(4)(a)	Marinas and boating facilities (moorings or dry storage)	2
cl 8(4)(b)	Marinas and boating facilities (repair and maintenance facilities)	3
cl 8(5)	Motor racing or testing venues	3
cl 8(6)	Shooting ranges	1
cl 8(7)	Discharges to marine or inland waters (heat, or antibiotic or chemical water treatments)—	
	(a) for discharges of 100 megalitres or more during the licence period	20
	(b) for discharges of 10 megalitres or more but less than 100 megalitres during the licence period	8
	(c) for discharges of less than 10 megalitres during the licence period	4

## Schedule 2—Descriptions and maps of areas

### 1—Interpretation

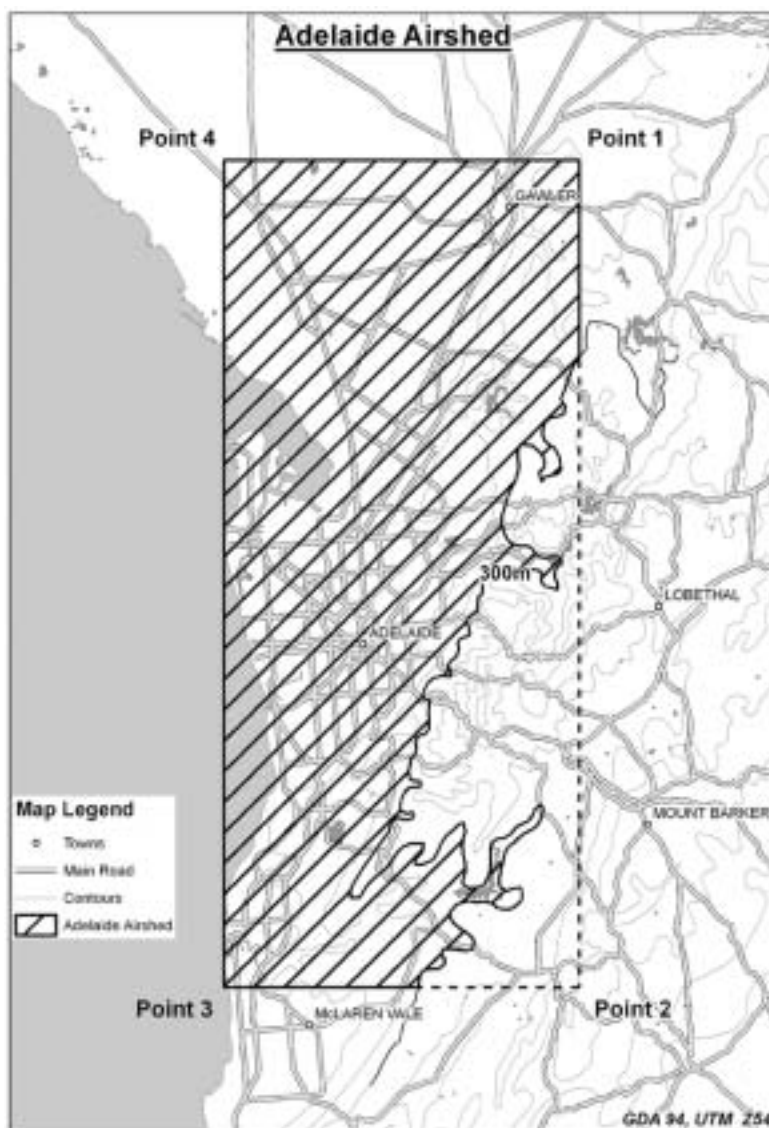
(1) For the purposes of the descriptions in this Schedule—

- (a) all lines are geodesic lines based on the Geocentric Datum of Australia 1994 (GDA94) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995; and

- (b) all coordinates are given according to the Map Grid of Australia 1994 (a projection of the geographical coordinate set (latitude and longitude) of GDA94 by Universal Transverse Mercator, using the GRS80 ellipsoid, according to the relevant zone).
- (2) The point references given in a description in this Schedule are references to the corresponding points in the map that follows the description.
- (3) The maps included in this Schedule are provided for convenience of reference only.

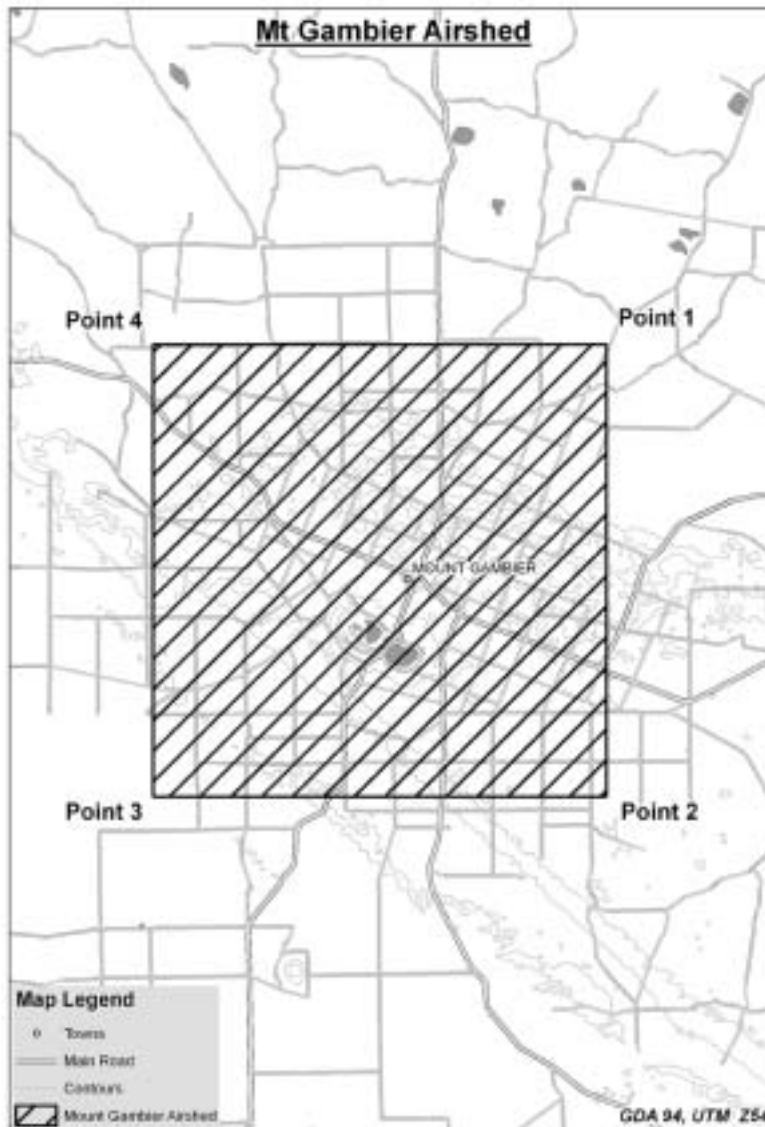
## **2—Adelaide airshed**

The Adelaide airshed is comprised of the area contained within and bounded by a line commencing (in zone 54) at East 299000m, North 6173000m (point 1), then southerly to East 299000m, North 6103000m (point 2), then westerly to East 269000m, North 6103000m (point 3), then northerly to East 269000m, North 6173000m (point 4), then easterly to the point of commencement, but excluding that part of the area that is more than 300 metres above sea level.



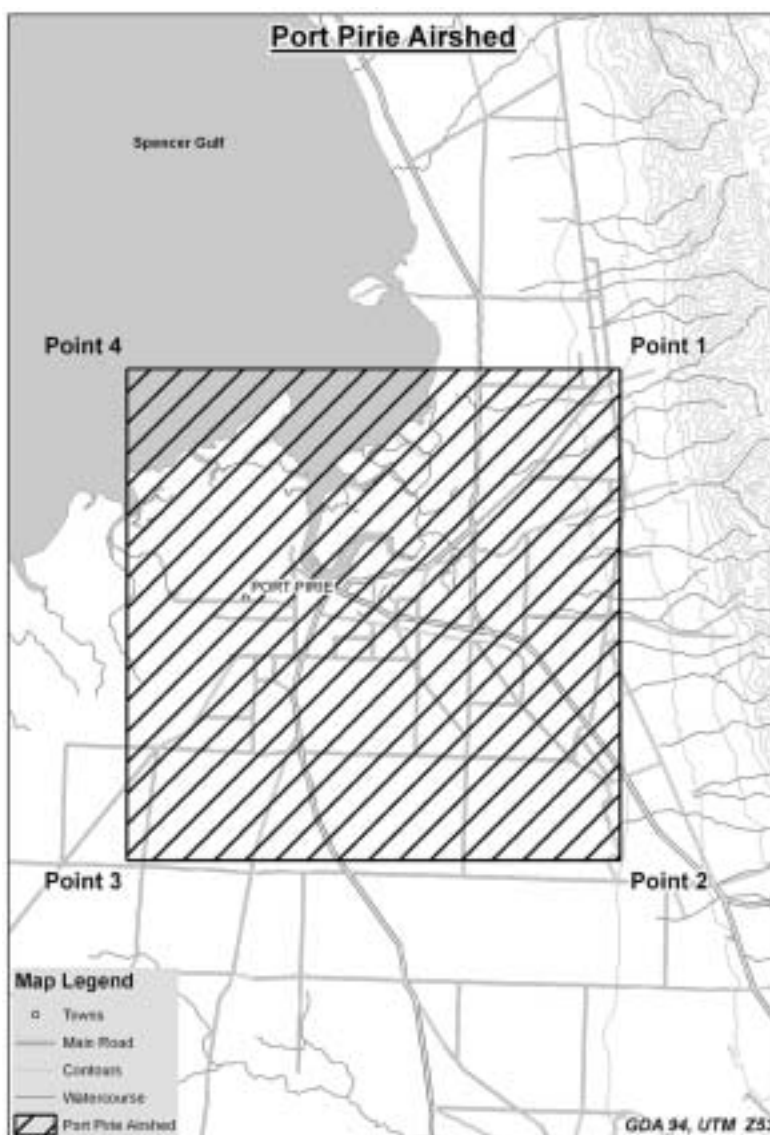
### 3—Mount Gambier airshed

The Mount Gambier airshed is comprised of the area contained within and bounded by a line commencing (in zone 54) at East 487100m, North 5821300m (point 1), then southerly to East 487100m, North 5806300m (point 2), then westerly to East 472100m, North 5806300m (point 3), then northerly to East 472100m, North 5821300m (point 4), then easterly to the point of commencement.



#### 4—Port Pirie airshed

The Port Pirie airshed is comprised of the area contained within and bounded by a line commencing (in zone 53) at East 790400m, North 6330700m (point 1), then southerly to East 790400m, North 6315700m (point 2), then westerly to East 775400m, North 6315700m (point 3), then northerly to East 775400m, North 6330700m (point 4), then easterly to the point of commencement.



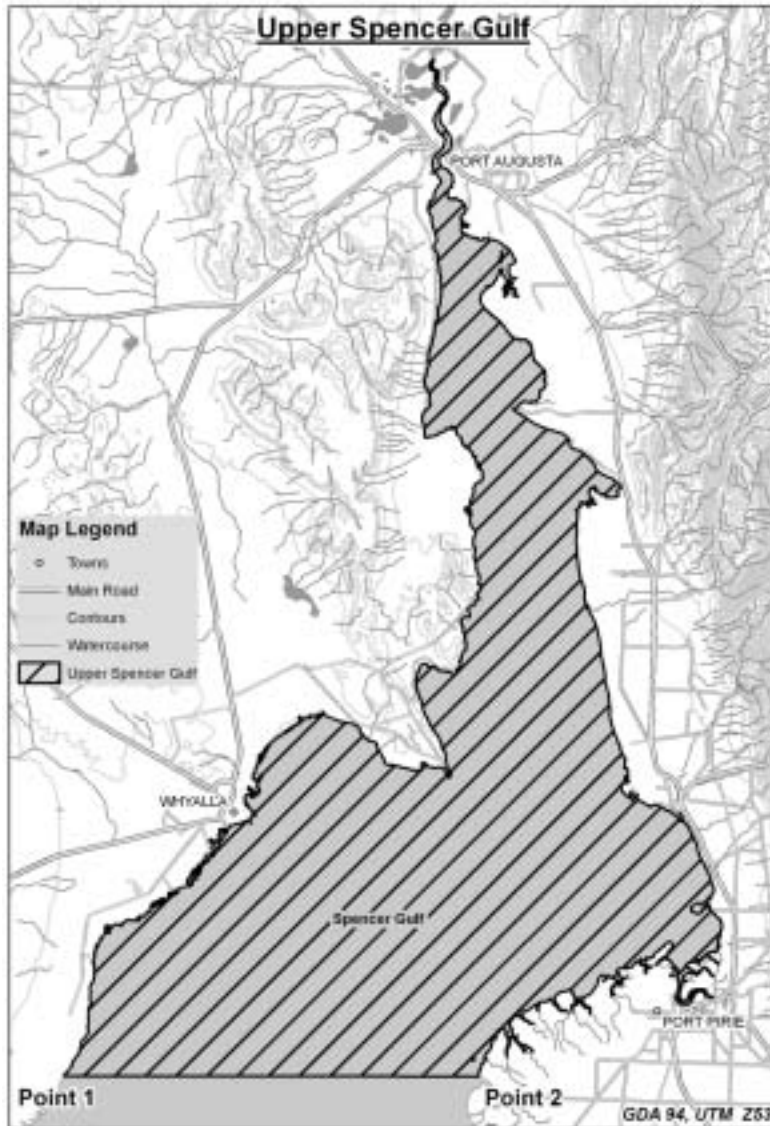
## 5—Port River region

The Port River region comprises the waters (within the limits of the State and vested in the Crown) of the Adelaide Dolphin Sanctuary established by the *Adelaide Dolphin Sanctuary Act 2005* as at the date of commencement of these regulations.



## 6—Upper Spencer Gulf

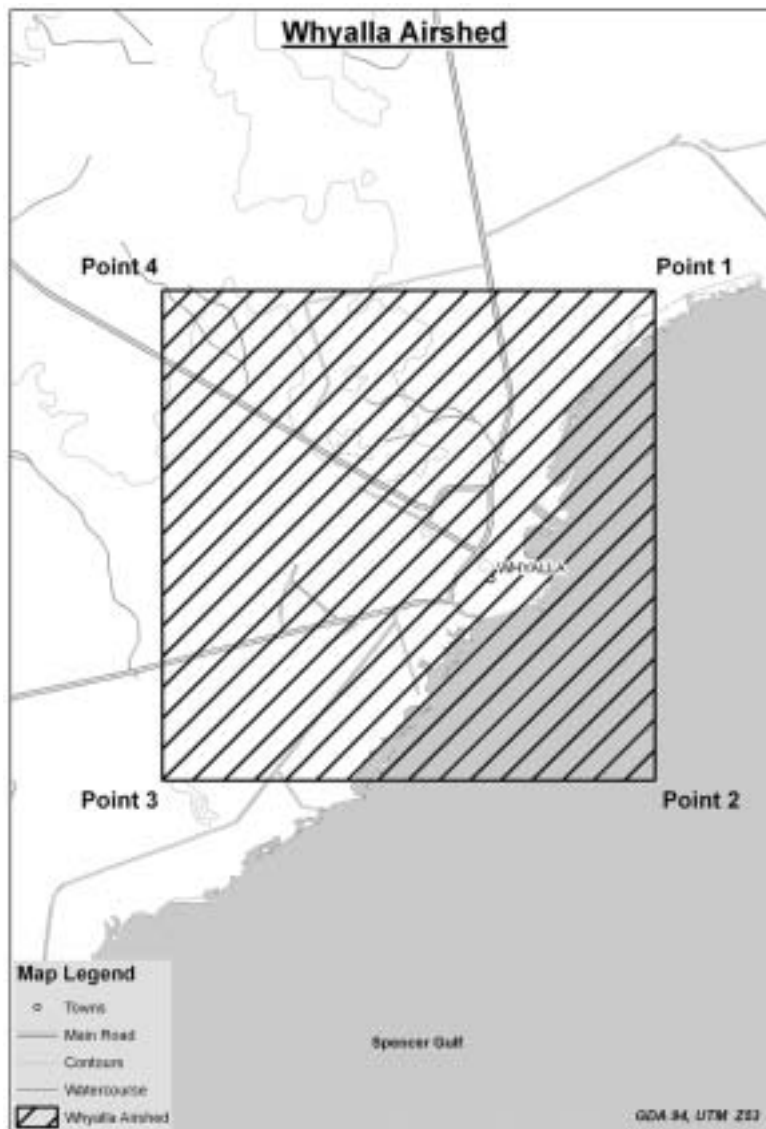
The Upper Spencer Gulf is comprised of the waters contained within and bounded by a line commencing (in zone 53) at the location on mean high water springs closest to East 725057m, North 6317924m (point 1), then following the line of mean high water springs (initially proceeding northerly) to a location on that line closest to East 762853m, North 6317892m (point 2), then westerly to the point of commencement.





## 7—Whyalla airshed

The Whyalla airshed is comprised of the area contained within and bounded by a line commencing (in zone 53) at East 790400m, North 6330700m (point 1), then southerly to East 790400m, North 6315700m (point 2), then westerly to East 775400m, North 6315700m (point 3), then northerly to East 775400m, North 6330700m (point 4), then easterly to the point of commencement.



## 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	\$7.95
	(b) for each inspection requiring access to a computer—	
	(i) for the first 10 minutes of access	\$7.95
	(ii) for each additional 10 minutes or part thereof of access	\$7.95
3	For a copy of part of the register (section 109(6))—	
	(a) for the first page	\$3.95
	(b) for each additional page	\$1.35

## Schedule 6—Concentrations of chemical substances in waste

Chemical substance	Concentrations (milligrams per kilogram of waste)
Aldrin/dieldrin (total)	2
Arsenic	20
Barium	300
Benzene	1
Benzo(a)pyrene	1
Beryllium	20
Cadmium	3

**1.6.2009 to 30.6.2009—Environment Protection (Fees and Levy) Regulations 1994**  
Concentrations of chemical substances in waste—Schedule 6

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<b>Chemical substance</b>	<b>Concentrations (milligrams per kilogram of waste)</b>
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
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
2007	293	<i>Gazette 6.12.2007 p4743</i>	6.12.2007: r 2
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
<b>2009</b>	<b>7</b>	<b><i>Gazette 29.1.2009 p492</i></b>	<b>29.1.2009 except new r 17D (as inserted by r 7)—1.6.2009: r 2</b>

2009 122 *Gazette* 4.6.2009 p2569

1.7.2009: 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>
<i>r 3 before substitution by 49/2008</i>		
<i>r 3(1)</i>		
<i>accredited activity</i>	<i>inserted by 118/2003 r 4(1)</i>	<i>1.7.2003</i>
<i>authorisation fee payment date</i>	<i>inserted by 118/2003 r 4(2)</i>	<i>1.7.2003</i>
<i>licence period</i>	<i>substituted by 118/2003 r 4(3)</i>	<i>1.7.2003</i>
<b>r 3</b>	<b>substituted by 49/2008 r 4</b>	<b>1.7.2008</b>
<b>r 3A</b>	<b>inserted by 49/2008 r 4</b>	<b>1.7.2008</b>
<b>r 4</b>		
<b>r 4(1)</b>	<b>inserted by 49/2008 r 5(3)</b>	<b>1.7.2008</b>
<b>r 4(2)</b>	<b>r 4 varied by 130/1996 r 3</b>	<b>1.7.1996</b>
	<b>r 4 varied by 111/1997 r 3</b>	<b>1.7.1997</b>
	<b>r 4 varied by 103/1998 r 3</b>	<b>1.7.1998</b>
	<b>r 4 substituted by 104/1999 r 3</b>	<b>1.7.1999</b>
	<b>r 4 substituted by 114/2000 r 3</b>	<b>1.7.2000</b>
	<b>r 4 substituted by 56/2001 r 3</b>	<b>1.7.2001</b>
	<b>r 4 substituted by 56/2002 r 3</b>	<b>1.7.2002</b>
	<b>r 4 substituted by 172/2002 r 3</b>	<b>1.9.2002</b>
	<b>r 4 substituted by 118/2003 r 5</b>	<b>1.7.2003</b>
	<b>r 4 substituted by 97/2004 r 4</b>	<b>1.7.2004</b>
	<b>r 4 substituted by 62/2005 r 4</b>	<b>1.7.2005</b>
	<b>r 4 substituted by 88/2006 r 4</b>	<b>1.7.2006</b>
	<b>r 4 substituted by 158/2007 r 4</b>	<b>1.7.2007</b>
	<b>r 4 (b)—(d) deleted by 49/2008 r 5(1)</b>	<b>1.7.2008</b>
	<b>r 4 varied by 49/2008 r 5(2)</b>	<b>1.7.2008</b>
	<b>r 4 redesignated as r 4(2) by 49/2008 r 5(3)</b>	<b>1.7.2008</b>
	<b>substituted by 133/2008 r 4</b>	<b>1.7.2008</b>
<i>Pt 2 before substitution by 49/2008 r 6</i>		
<i>r 7</i>		

**Environment Protection (Fees and Levy) Regulations 1994—1.6.2009 to 30.6.2009**Legislative history

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<i>r 7(1)</i>	<i>varied by 130/1996 r 4</i>	<i>1.7.1996</i>
<i>r 8</i>	<i>varied by 32/1995 r 4</i>	<i>1.5.1995</i>
Pt 2	substituted by 49/2008 r 6	1.7.2008
<i>r 5</i>		
<i>r 5(3)</i>	<i>deleted by 7/2009 r 4</i>	<i>29.1.2009</i>
Pt 2A	inserted by 49/2008 r 6	1.7.2008
Pt 3		
heading	substituted by 49/2008 r 6	1.7.2008
ss 7—9	substituted by 49/2008 r 6	1.7.2008
<i>r 10 before substitution by 49/2008 r 6</i>		
<i>r 10(10)</i>	<i>varied by 130/1996 r 5(a)</i>	<i>1.7.1996</i>
<i>r 10(11)</i>	<i>varied by 130/1996 r 5(b), (c)</i>	<i>1.7.1996</i>
<i>r 10(16)</i>	<i>inserted by 32/1995 r 5</i>	<i>1.5.1995</i>
r 10	substituted by 49/2008 r 6	1.7.2008
rr 10A—10D	inserted by 49/2008 r 6	1.7.2008
r 11	substituted by 49/2008 r 6	1.7.2008
r 11A	inserted by 118/2003 r 6	1.7.2003
<i>r 11A(3)</i>	<i>varied by 49/2008 r 7</i>	<i>1.7.2008</i>
r 11B	inserted by 118/2003 r 6	1.7.2003
r 11C	inserted by 118/2003 r 6	1.7.2003
	<i>varied by 49/2008 r 8</i>	<i>1.7.2008</i>
r 11D	inserted by 118/2003 r 6	1.7.2003
<i>rr 12 and 13</i>	<i>deleted by 49/2008 r 9</i>	<i>1.7.2008</i>
Pt 3A	inserted by 267/2006 r 4	7.4.2007
<i>r 13AB</i>	<i>varied by 7/2009 r 5(1), (2)</i>	<i>29.1.2008</i>
Pt 3B	inserted by 267/2006 r 4	7.4.2007
Pt 4		
r 13B	inserted by 231/2000 r 3	1.10.2000
<i>r 13B(1)</i>		
waste fill	inserted by 152/2002 r 3	8.8.2002
r 14		
<i>r 14(1)</i>	<i>varied by 222/1996 r 3</i>	<i>26.9.1996</i>
	<i>varied by 127/1998 r 3</i>	<i>1.7.1998</i>
	<i>varied by 231/2000 r 4(a), (b)</i>	<i>1.10.2000</i>
	<i>varied by 152/2002 r 4</i>	<i>8.8.2002</i>
	<i>varied by 118/2003 r 7</i>	<i>1.7.2003</i>
	<i>varied by 4/2005 r 4</i>	<i>1.2.2005</i>
<i>r 14(2)</i>	<i>varied by 130/1996 r 6</i>	<i>1.7.1996</i>
<i>r 14(3)</i>	<i>deleted by 231/2000 r 4(c)</i>	<i>1.10.2000</i>
r 15		
<i>r 15(2)</i>	<i>varied by 231/2000 r 5(a), (b)</i>	<i>1.10.2000</i>

	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
Pt 5		
r 17	<i>deleted by 7/2009 r 6</i>	29.1.2009
rr 17A and 17B	inserted by 49/2008 r 10	1.7.2008
r 17C	inserted by 7/2009 r 7	29.1.2009
<b>r 17D</b>	<b>inserted by 7/2009 r 7</b>	<b>1.6.2009</b>
r 19	varied by 49/2008 r 11(1), (2)	1.7.2008
r 20	varied by 49/2008 r 12(1), (2)	1.7.2008
r 21	inserted by 49/2008 r 13	1.7.2008
Schs 1 and 2	substituted by 49/2008 r 14	1.7.2008
<i>Sch 3 before deletion by 49/2008</i>		
<i>Pt A</i>		
Pt A	<i>heading varied by 127/1998 r 4</i>	1.7.1998
<i>Item 1</i>		
Item 1(3)	<i>varied by 32/1995 r 6(a)</i>	1.5.1995
<i>Item 2</i>		
Item 2(12)	<i>varied by 32/1995 r 6(b)</i>	1.5.1995
Item 2(15)	<i>varied by 32/1995 r 6(c)</i>	1.5.1995
<i>Item 3</i>		
Item 3(2)	<i>varied by 32/1995 r 6(d)</i>	1.5.1995
<i>Item 4</i>		
Item 4(2)	<i>varied by 32/1995 r 6(e)—(h)</i>	1.5.1995
<i>Item 5</i>		
Item 5(3)	<i>varied by 32/1995 r 6(i)</i>	1.5.1995
Item 5(4)	<i>varied by 32/1995 r 6(j)—(o)</i>	1.5.1995
<i>Item 6</i>		
Item 6(1)	<i>varied by 32/1995 r 6(p), (q)</i>	1.5.1995
	<i>varied by 293/2007 r 4</i>	6.12.2007
Item 6(2)	<i>varied by 32/1995 r 6(r)</i>	1.5.1995

<i>Item 6(3)</i>	<i>varied by 32/1995 r 6(s)</i>	<i>1.5.1995</i>
<i>Item 6(4)</i>	<i>varied by 32/1995 r 6(t)</i>	<i>1.5.1995</i>
<i>Item 6(5)</i>	<i>varied by 32/1995 r 6(u)</i>	<i>1.5.1995</i>
<i>Item 6(6)</i>	<i>varied by 32/1995 r 6(v), (w)</i>	<i>1.5.1995</i>
<i>Item 6(9)</i>	<i>varied by 32/1995 r 6(x)</i>	<i>1.5.1995</i>
Sch 3	<i>deleted by 49/2008 r 14</i>	<i>1.7.2008</i>
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>1.7.1996</i>
	<i>varied by 111/1997 r 4(a), (b)</i>	<i>1.7.1997</i>
	<i>varied by 103/1998 r 4(a)</i>	<i>1.7.1998</i>
	<i>varied by 104/1999 r 4(a)</i>	<i>1.7.1999</i>
	<i>varied by 114/2000 r 4(a)</i>	<i>1.7.2000</i>
	<i>varied by 56/2001 r 4</i>	<i>1.7.2001</i>
	<i>varied by 56/2002 r 4(a)</i>	<i>1.7.2002</i>
	<i>varied by 118/2003 r 8(1)</i>	<i>1.7.2003</i>
<i>Item 3</i>	<i>varied by 130/1996 r 7(c)</i>	<i>1.7.1996</i>
	<i>varied by 111/1997 r 4(c)</i>	<i>1.7.1997</i>
	<i>varied by 103/1998 r 4(b)</i>	<i>1.7.1998</i>
	<i>varied by 104/1999 r 4(b)—(d)</i>	<i>1.7.1999</i>
	<i>varied by 114/2000 r 4(b), (c)</i>	<i>1.7.2000</i>
	<i>varied by 56/2002 r 4(b), (c)</i>	<i>1.7.2002</i>
	<i>varied by 118/2003 r 8(2), (3)</i>	<i>1.7.2003</i>
	<i>(c) deleted by 114/2000 r 4(c)</i>	<i>1.7.2000</i>
Sch 5	substituted by 97/2004 r 5	1.7.2004
	varied by 62/2005 r 5	1.7.2005
	varied by 88/2006 r 5	1.7.2006
	varied by 158/2007 r 5	1.7.2007
	varied by 49/2008 r 15	1.7.2008
	substituted by 133/2008 r 5	1.7.2008
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.



***Environment Protection (Fees and Levy) Variation Regulations 2009 (No 7 of 2009), Sch 1***

**1—Transitional provision**

Regulation 5(3) of the *Environment Protection (Fees and Levy) Regulations 1994* in force immediately before the commencement of regulation 4 continues to apply in relation to an application made before the commencement of regulation 4.

**Historical versions**

1.7.2004  
1.2.2005  
1.7.2005  
1.7.2006  
7.4.2007  
1.7.2007  
6.12.2007  
1.7.2008  
29.1.2009