

South Australia

Environment Protection (Fees) Variation Regulations 2011

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) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Environment Protection Regulations 2009*

4—Substitution of regulation 4

Regulation 4—delete the regulation and substitute:

4—Monetary value of fee unit

In these regulations, the monetary value of a fee unit is as follows:

- (a) for the purposes of the annual authorisation fee for a licence (including a projected annual authorisation fee under regulation 27(4) and (5))—
 - (i) for the flat fee component—\$55.50;
 - (ii) for the environment management component—\$586.00;
 - (iii) for the pollutant load-based component—\$5.45;
 - (iv) for the water reuse component—\$13.80;
- (b) for the purposes of the waste depot levy under regulation 70(1)(a)—\$13.40;
- (c) for all other purposes—\$17.30.

5—Variation of regulation 46—Annual returns for collection depots and super collectors (section 69A)

- (1) Regulation 46(1)—after "lodge an annual return with the Authority" insert:
 , or pay the annual fee to the Authority,
- (2) Regulation 46(2)—delete subregulation (2) and substitute:
 - (2) For the purposes of section 69A(2) of the Act, the penalty for failure to lodge an annual return or pay the annual fee is \$300 or 5% of the annual fee (whichever is higher) for each month (or part of a month) for which the default continues.

Note—

If there has been a failure to lodge an annual return and pay the annual fee, the penalty for default is payable in respect of each failure.

6—Variation of regulation 70—Waste depot levy (section 113)

Regulation 70(1)(a)—delete paragraph (a) and substitute:

- (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—1.31 fee units;

- (ii) 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—1.31 fee units;
- (iii) in any other case—2.62 fee units;

7—Substitution of Schedule 4

Schedule 4—delete the Schedule and substitute:

Schedule 4—Miscellaneous fees

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|---|---|---------------|
| 1 | Application for approval of the transfer of an environmental authorisation (section 49(5) of the Act)— | |
| | (a) if the authorisation fee last paid or payable was less than \$1 000 | 5 fee units |
| | (b) if the authorisation fee last paid or payable was not less than \$1 000 but not more than \$1 999 | 10 fee units |
| | (c) if the authorisation fee last paid or payable was not less than \$2 000 but not more than \$4 999 | 20 fee units |
| | (d) if the authorisation fee last paid or payable was not less than \$5 000 but not more than \$9 999 | 30 fee units |
| | (e) if the authorisation fee last paid or payable was not less than \$10 000 but not more than \$49 999 | 50 fee units |
| | (f) if the authorisation fee last paid or payable was \$50 000 or more | 100 fee units |
| 2 | Beverage container approvals and annual fees (Part 8 Division 2 of the Act)— | |
| | (a) application for approval of a class of containers as category A or category B containers (section 68 of the Act)— | |
| | (i) for 1 class of container | 15 fee units |
| | (ii) for 2 to 5 classes of container (inclusive) | 25 fee units |
| | (iii) for 6 to 10 classes of container (inclusive) | 37 fee units |
| | (iv) for 11 to 20 classes of container (inclusive) | 61 fee units |
| | (v) for more than 20 classes of container | 109 fee units |
| | (b) application for approval to operate a collection depot (section 69 of the Act)— | |
| | (i) for a collection depot other than a reverse vending machine | 7 fee units |
| | (ii) for a reverse vending machine | 18 fee units |

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Part 2—Variation of *Environment Protection Regulations 2009*

	(c)	application for approval to carry on business as a super collector (section 69 of the Act)	43 fee units
	(d)	annual fee for operating a collection depot (section 69A of the Act)—	
	(i)	for a collection depot within metropolitan Adelaide	15 fee units
	(i)	for a collection depot outside metropolitan Adelaide	7.5 fee units
	(e)	annual fee for carrying on business as a super collector (section 69A of the Act)	32 fee units
3		Accreditation as site contamination auditor (section 103V of the Act and Part 5 Division 2 of these regulations)—	
	(a)	application for accreditation (regulation 54)	\$421.00
	(b)	grant of accreditation (regulation 55) or renewal of accreditation (regulation 59)	\$4 330.00
	(c)	annual fee for accreditation (regulation 58)	\$2 504.00
	(d)	replacement of certificate of accreditation or identity card (regulation 62)	\$55.50
4		Inspection of the register (section 109(5) of the Act)—	
	(a)	each manual inspection	1 fee unit
	(b)	each inspection requiring access to a computer—	
	(i)	for the first 10 minutes (or part of that 10 minutes) of access	1 fee unit
	(ii)	for each additional 10 minutes (or part of that 10 minutes) of access	1 fee unit
5		Copy of part of the register (section 109(6) of the Act)—	
	(a)	first page	\$4.40
	(b)	each additional page	\$1.50

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 9 June 2011

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