

South Australia

Environment Protection (Waste Reform) Variation Regulations 2019

under the *Environment Protection Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Environment Protection Regulations 2009*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 6—Prescribed bodies (sections 3, 4 and 5)
 - 6 Revocation of regulation 11
 - 7 Variation of regulation 13—Powers of authorised officers (section 87)
 - 8 Insertion of regulation 19A
 - 19A Conditions (section 45)
 - 9 Variation of regulation 22—Annual fees and returns (section 48)
 - 10 Variation of regulation 24—Conditions requiring financial assurance (section 51)
 - 11 Variation of Schedule 1—Forms
 - 1 Form of notice of execution of warrant (regulation 14)
 - 12 Variation of Schedule 2—Environmental authorisations—application and authorisation fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment Protection (Waste Reform) Variation Regulations 2019*.

2—Commencement

These regulations will come into operation on 1 June 2019, immediately after the *Environment Protection (Variation of Act, Schedule 1) (Waste Reform) Regulations 2019* come into operation.

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—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *resource recovery*—delete the definition
- (2) Regulation 3(1), definition of *vessel*—delete the definition
- (3) Regulation 3(1), definition of *waste transport business*—delete the definition

5—Variation of regulation 6—Prescribed bodies (sections 3, 4 and 5)

- (1) Regulation 6(1)—delete "For the purposes of section 5A of the Act, the following bodies are prescribed in relation to the making of a regulation declaring something to be a pollutant or to constitute environmental harm:" and substitute:

For the purposes of paragraph (d) of the definition of *pollutant* in section 3(1) of the Act, and for the purposes of section 5(1)(b) of the Act, the following bodies are prescribed:

- (2) Regulation 6(2)—delete "5A of the Act, the following bodies are prescribed in relation to the making of a regulation declaring something to be waste:" and substitute:

4(1)(b) of the Act, the following bodies are prescribed:

6—Revocation of regulation 11

Regulation 11—delete the regulation

7—Variation of regulation 13—Powers of authorised officers (section 87)

Regulation 13(a)—after "waste" insert:

or other matter

8—Insertion of regulation 19A

After regulation 19 insert:

19A—Conditions (section 45)

For the purposes of section 45(6) of the Act, the penalty for a failure by the holder of an environmental authorisation to comply with a reporting-deadline condition is—

- (a) in the case of an environmental authorisation granted for a term of 2 years or more—the higher of \$300 or 5% of the holder's annual authorisation fee for each month (or part of a month) for which the default continues; or
- (b) in the case of an environmental authorisation granted for a term of less than 2 years—the higher of \$300 or 5% of the holder's authorisation fee (paid on the grant of authorisation under section 40 of the Act) for each month (or part of a month) for which the default continues.

9—Variation of regulation 22—Annual fees and returns (section 48)

Regulation 22(3)—delete subregulation (3) and substitute:

- (3) For the purposes of section 48(4) of the Act, the penalty for—
- (a) a failure to lodge an annual return; or
 - (b) a failure to pay an annual authorisation fee,
- is \$300 or 5% of the annual authorisation fee (whichever is higher) for each month (or part of a month) for which the default continues.

10—Variation of regulation 24—Conditions requiring financial assurance (section 51)

Regulation 24—delete "51(4)" and substitute:

51(5)(b)

11—Variation of Schedule 1—Forms

Schedule 1 clause 1—delete clause 1 and substitute:

1—Form of notice of execution of warrant (regulation 14)

Notice of execution of warrant

Environment Protection Act 1993—section 88(7)

*TO: The occupier of [*insert address or description of place*]

*TO: The person apparently in charge of [*insert description of vehicle*]

TAKE NOTICE that—

- [*insert name of magistrate*], a magistrate, did at [*insert time*] on [*insert date*] issue a warrant to break into or open any part of, or anything in or on—
 - * the place described above.
 - * the vehicle described above.
- I [*insert name of authorised officer*], an authorised officer under the *Environment Protection Act 1993* did execute the warrant on [*insert date*].
- * No property was seized.
 - * The following items of property were seized:
[*insert details*]

Date:

Signature of authorised officer:

**Strike out whichever is inapplicable*

12—Variation of Schedule 2—Environmental authorisations—application and authorisation fees

- (1) Schedule 2, Part 2, clause 8(2)(a)—delete "wood" and substitute:

timber

- (2) Schedule 2, Part 2, clause 8(2)(b)—delete paragraph (b) and substitute:
- (b) for an activity specified in clause 3(4) of Schedule 1 Part A of the Act (wastewater treatment works)—a system for the disposal of wastewater collected or otherwise managed in the works involving the sustainable reuse of the wastewater or disposal of the wastewater to an evaporation lagoon;
- (3) Schedule 2, Part 2, clause 8(2)(c)—delete "clause 3(3) of Schedule 1 Part A of the Act (waste depot for solid waste)" and substitute:
- clause 3(3)(a) of Schedule 1 Part A of the Act (landfill depot)
- (4) Schedule 2, Part 2, clause 8(2)(d)—delete "abattoirs, slaughterhouses or poultry processing works" and substitute:
- meat processing works
- (5) Schedule 2, Part 2, clause 8(2)(e)—delete "6(3)" and substitute:
- 3(2)(a)
- (6) Schedule 2, Part 2, clause 9—delete clause 9 and substitute:

9—Environment management component

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
Clause 1	Petroleum and chemical	
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(5)(a)	Hydrocarbon storage works	3
cl 1(5)(b)	Hydrocarbon production works comprising—	
	(a) works or facilities emitting less than 500 tonnes of volatile organic compounds during the licence period	8

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(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)	Timber 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
<hr/>		
Clause 2	Manufacturing and mineral processing	
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

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 2(6)	Drum reconditioning or treatment works	3
cl 2(7)	Ferrous and non-ferrous metal melting works comprising— <ul style="list-style-type: none">(a) works producing emissions of more than 2 500 kilograms of volatile organic compounds during the licence period in respect of which—<ul style="list-style-type: none">(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(12)(a)	Surface coating works (metal finishing)	8
cl 2(12)(b)	Surface coating works (hot dip galvanizing) comprising— <ul style="list-style-type: none">(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)	Timber processing works comprising— <ul style="list-style-type: none">(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

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
Clause 3	Resource recovery, waste disposal and related activities	
cl 3(1)	Waste recovery facility comprising a depot, facility or works that, during the licence period, receives for preliminary treatment (or has the capacity for preliminary treatment of)—	
	(a) more than 200 000 tonnes of waste or other matter	50
	(b) more than 100 000 tonnes but not more than 200 000 tonnes of waste or other matter	20
	(c) more than 50 000 tonnes but not more than 100 000 tonnes of waste or other matter	12
	(d) more than 20 000 tonnes but not more than 50 000 tonnes of waste or other matter	8
	(e) more than 5 000 tonnes but not more than 20 000 tonnes of waste or other matter	4
	(f) more than 2 000 tonnes but not more than 5 000 tonnes of waste or other matter	3
	(g) more than 1 000 tonnes but not more than 2 000 tonnes of waste or other matter	2
	(h) 1 000 tonnes or less of waste or other matter	1
cl 3(2)(a)	Composting works comprising—	
	(a) depot, facility or works producing or capable of producing, during the licence period, compost from green waste only—	
	(i) in the case of depot, facility or 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 depot, facility or works	2
	(B) in any other case	4
	(ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater	2

Environment Protection (Waste Reform) Variation Regulations 2019

Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) depot, facility or works producing or capable of producing, during the licence period, compost from only animal manure or from only animal manure and green waste—	
	(i) in the case of depot, facility or 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 depot, facility or works	3
	(B) in any other case	8
	(ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater	3
	(c) depot, facility or works producing or capable of producing, during the licence period, compost from waste of any other kind (whether or not in addition to animal manure or green waste)—	
	(i) in the case of depot, facility or 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 depot, facility or works	4
	(B) in any other case	12
	(ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater	4
cl 3(2)(b)	Scrap metal treatment works	3
cl 3(2)(c)	Tyre waste treatment works comprising a depot, facility or works, that has, during the licence period, the capacity to treat—	
	(a) more than 200 000 tonnes of tyre waste	50
	(b) more than 100 000 tonnes but not more than 200 000 tonnes of tyre waste	20
	(c) more than 50 000 tonnes but not more than 100 000 tonnes of tyre waste	12
	(d) more than 20 000 tonnes but not more than 50 000 tonnes of tyre waste	8

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(e) more than 5 000 tonnes but not more than 20 000 tonnes of tyre waste	4
	(f) more than 2 000 tonnes but not more than 5 000 tonnes of tyre waste	3
	(g) more than 1 000 tonnes but not more than 2 000 tonnes of tyre waste	2
	(h) 1 000 tonnes or less of tyre waste	1
cl 3(2)(d)	Waste lead acid battery treatment works	1
cl 3(2)(e)	Any other waste reprocessing facility comprising a depot, facility or works that, during the licence period, receives or has the capacity to treat—	
	(a) more than 200 000 tonnes of waste or other matter	50
	(b) more than 100 000 tonnes but not more than 200 000 tonnes of waste or other matter	20
	(c) more than 50 000 tonnes but not more than 100 000 tonnes of waste or other matter	12
	(d) more than 20 000 tonnes but not more than 50 000 tonnes of waste or other matter	8
	(e) more than 5 000 tonnes but not more than 20 000 tonnes of waste or other matter	4
	(f) more than 2 000 tonnes but not more than 5 000 tonnes of waste or other matter	3
	(g) more than 1 000 tonnes but not more than 2 000 tonnes of waste or other matter	2
	(h) 1 000 tonnes or less of waste or other matter	1
cl 3(3)(a)	Landfill depot comprising—	
	(a) a depot, facility or works 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, facility or works	
	(ii) in any other case	80

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) a depot, facility or works 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, facility or works	
	(ii) in any other case	50
	(c) a depot, facility or works 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, facility or works	
	(ii) in any other case	20
	(d) a depot, facility or works 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, facility or works	
	(ii) in any other case	12
	(e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of solid waste (other than waste fill) during the licence period—	

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(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, facility or works	
	(ii) in any other case	8
(f)	a depot, facility or works 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, facility or works	
	(ii) in any other case	4
(g)	a depot, facility or works 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, facility or works	
	(ii) in any other case	3
(h)	a depot, facility or works 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, facility or works	
	(ii) in any other case	2

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 3(3)(b)	Liquid waste depot comprising—	
	(a) a depot, facility or works receiving 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	50
	(ii) involving disposal other than to a sewer	80
	(b) a depot, facility or works 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, facility or works 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, facility or works 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, facility or works 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

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(f) a depot, facility or works 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, facility or works 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)(c)	Incineration depot, facility or works—	
	(a) for disposal of chemical waste	50
	(b) for disposal of medical waste, cytotoxic waste and quarantine waste	50
	(c) for disposal of solid municipal waste	50
	(d) for disposal of solid trade waste	50
cl 3(4)(a)	Wastewater treatment works located wholly or partly within the Mount Lofty Ranges Water Protection Area involving—	
	(a) the discharge of 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) the discharge of 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) the discharge of 50 megalitres or more but less than 100 megalitres of wastewater during the licence period—	

Environment Protection (Waste Reform) Variation Regulations 2019

Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	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	8
	(ii) in any other case	12
	(d) the discharge of 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
	(e) the discharge of 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(4)(b)	Wastewater treatment works located wholly outside of the Mount Lofty Ranges Water Protection Area or any other water protection area involving—	
	(a) the discharge of 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) the discharge of 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) the discharge of 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

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(ii) in any other case	12
	(d) the discharge of 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) the discharge of 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) the discharge of 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	2
	(ii) in any other case	3
cl 3(5)(a)	Activity producing listed waste 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)(b)	Reception or storage of listed waste comprising—	

Environment Protection (Waste Reform) Variation Regulations 2019

Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(a) a depot, facility or works receiving more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	50
	(b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	20
	(c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	12
	(d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	8
	(e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	4
	(f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	3
	(g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	2
	(h) a depot, facility or works receiving 1 000 tonnes or less of listed waste during the licence period for resource recovery or transfer to another location	1
cl 3(5)(c)	Treatment of listed waste comprising—	
	(a) a depot, facility or works receiving more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	50
	(b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	20

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	12
	(d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	8
	(e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	4
	(f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	3
	(g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	2
	(h) a depot, facility or works receiving 1 000 tonnes or less of listed waste during the licence period for resource recovery or transfer to another location	1
cl 3(6)(a)	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 paragraph (a)	0.9
cl 3(6)(b)	Waste transport business (category B)—for each vehicle that is an assessable vehicle during the licence period	0.3
<hr/>		
Clause 4 Activities in specified areas		
cl 4(1)	Brukung mine site and associated acid neutralisation plant	30

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
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	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	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
Clause 5	Animal husbandry, aquaculture and other activities	
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 (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(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
Clause 6	Food production and animal and plant product processing	
cl 6(1)	Meat 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 works that are licensed or carried on under 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 works that are licensed or carried on under 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

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(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 works that are licensed or carried on under a licence during the licence period	3
cl 6(4)	Fish processing works comprising—	
	(a) works disposing of wastewater to land (and not to marine or inland waters) during the licence period	4
	(b) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence or works 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 works that are licensed or carried on under a licence	8
	(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 a sewer or community wastewater management 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—	

Environment Protection (Waste Reform) Variation Regulations 2019
 Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	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 that all the wastewater is discharged to a sewer or other off-site wastewater treatment works that are licensed or carried on under 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 works that are licensed or carried on under a licence	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 works that are licensed or carried on under a licence	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 works that are licensed or carried on under a licence	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 works that are licensed or carried on under a licence)—	

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(i) in the case of works producing 20 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	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 works that are licensed or carried on under a licence	4
	(b) works not disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence—	
	(i) in the case of works producing 10 megalitres or less of wastewater during the licence period—	

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	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	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
Clause 7	Materials handling and transportation	
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)	
	(i) in the case of works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	3
	(ii) in any other case	12
	(b) mobile works other than olive processing works	8
	(c) works of any other kind	4

Environment Protection (Waste Reform) Variation Regulations 2019

Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
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 is carried on 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
Clause 8	Other	
cl 8(1)	Aerodromes	3
cl 8(2)(a)	Fuel burning comprising—	
	(a) the burning of coal or timber—	
	(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

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	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, timber 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(6a)	Desalination plants comprising—	
	(a) a desalination plant that discharges wastewater to the marine environment—	
	(i) for discharges of more than 2 megalitres but not more than 1 000 megalitres of wastewater during the licence period	5

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(ii) for discharges of more than 1 000 megalitres but not more than 10 000 megalitres of wastewater during the licence period	12
	(iii) for discharges of more than 10 000 megalitres during the licence period	30
(b)	a desalination plant that discharges wastewater to a wastewater lagoon—	
	(i) for discharges of more than 2 megalitres but not more than 50 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon	1
	(B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon	2
	(C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon	3
	(D) in any other case	4
	(ii) for discharges of more than 50 megalitres but not more than 500 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon	3
	(B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon	4

Environment Protection (Waste Reform) Variation Regulations 2019
Variation of *Environment Protection Regulations 2009*—Part 2

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon	5
	(D) in any other case	6
	(iii) for discharges of more than 500 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon	9
	(B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon	10
	(C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon	11
	(D) in any other case	12
	(c) a desalination plant that discharges wastewater to inland waters or land (other than to a wastewater lagoon)—	
	(i) for discharges of more than 2 megalitres but not more than 50 megalitres of wastewater during the licence period—	
	(A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge	3
	(B) in any other case	4
	(ii) for discharges of more than 50 megalitres but not more than 500 megalitres of wastewater during the licence period—	

Environment Protection (Waste Reform) Variation Regulations 2019Part 2—Variation of *Environment Protection Regulations 2009*

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge	5
	(B) in any other case	6
	(iii) for discharges of more than 500 megalitres of wastewater during the licence period—	
	(A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge	11
	(B) in any other case	12
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
cl 8(8)	Cremation or incineration of human or animal remains	2

Made by the Governorwith the advice and consent of the Executive Council
on 17 January 2019

No 2 of 2019

18EWEPACS0009