

Environmental Management and Pollution Control (General Fees) Regulations 2007

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the Environmental Management and Pollution Control Act 1994.

3 December 2007

W. J. E. COX

Governor

By His Excellency's Command,

PAULA WRIEDT

Minister for Tourism, Arts and the Environment

PART 1 - Preliminary

1. Short title

These regulations may be cited as the Environmental Management and Pollution Control (General Fees) Regulations 2007.

2. Commencement

These regulations take effect 7 days after the day on which their making is notified in the *Gazette*.

3. Interpretation

In these regulations, unless the contrary intention appears –

Act means the Environmental Management and Pollution Control Act 1994;

approved, in relation to a level 2 activity specified in Schedule 1, means one of the following is in force in respect of the activity:

(a) a LUPAA permit;

(b) an order in accordance with section 26 of the State Policies and Projects Act 1993;

(c) an environment protection notice in accordance with section 27 or section 44 of the Act;

(d) an environmental approval, as defined in the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*;

capacity, in relation to a level 2 activity specified in Schedule 1, means the maximum capacity for processing, production, melting, consumption, application, treatment, receipt, handling, washing or generation that is specified in relation to the level 2 activity in –

(a) a LUPAA permit; or

(b) an order made in accordance with section 26 of the *State Policies and Projects Act 1993*; or

(c) an environment protection notice issued, or caused to be issued, by the Director in accordance with section 27 or section 44 of the Act; or

(d) an environmental approval, as defined in the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*;

GST has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth;

hourly rate means 75 fee units for each hour, or part of an hour, spent by the Board or Director on a matter to which a fee prescribed in these regulations relates;

inert waste means waste that is not –

(a) controlled waste; or

(b) putrescible waste; or

(c) likely to cause, either directly or indirectly, material or serious environmental harm or environmental nuisance; or

(d) contaminated with controlled waste or putrescible waste;

low-risk activity means an environmentally relevant activity determined by the Board to be a low-risk activity under regulation 10;

LUPAA permit means a permit –

(a) granted or taken to have been granted under the *Land Use Planning and Approvals Act 1993*, with conditions attached by the Board; and

(b) in respect of which the Board has carried out an environmental impact assessment;

permissible level 1 activity has the same meaning as in section 24 of the Act;

permissible level 2 activity has the same meaning as in section 25 of the Act;

putrescible waste means waste containing major components that are likely to generate an offensive odour;

Wastewater Treatment Works means works –

(a) that are conducted to enable the discharge of treated or untreated sewage, septic tank effluent or industrial or commercial wastewater to land or water; and

(b) that have a capacity to treat an average dry-weather flow of 100 kilolitres or more per day of treated or untreated sewage, septic tank effluent or industrial or commercial wastewater.

PART 2 - Fees for LUPAA Permits, Orders and Environment Protection Notices

Division 1 - Fees for LUPAA permits, orders and environment protection notices

4. Fees for LUPAA permits and environment protection notices

(1) The fee payable in respect of a LUPAA permit by the person responsible for the level 2 activity that is not a low-risk activity and is conducted under one LUPAA permit is the total of –

(a) the fixed fee in Column 2 of Schedule 1 corresponding to the level 2 activity in Column 1 of that Schedule; and

(b) the variable fee in Column 3 of Schedule 1 corresponding to the level 2 activity in Column 1 of that Schedule.

(2) The fee payable in respect of a LUPAA permit or for the issue and service of an environment protection notice issued in accordance with section 27(6) of the Act by the person responsible for the level 2 activity that is a low-risk activity and is conducted under one LUPAA permit or one environment protection notice, respectively, is 250 fee units.

(3) The fee payable in respect of a LUPAA permit by the person responsible for the permissible level 1 activity that is conducted under one LUPAA permit, the application for which is referred to the Board under section 24(1) of the Act, is 16 500 fee units plus a variable fee of 12 680 fee units.

(4) The fees prescribed under this regulation are exempt from GST.

5. Fees for orders under State Policies and Projects Act 1993

(1) The fee payable in respect of an order made under section 26 of the State Policies and Projects Act 1993 by the person responsible for an environmentally relevant activity which is a level 3 activity, and in respect of which the order is made, is –

(a) the fee prescribed under regulation 4(1) if the level 3 activity is also a level 2 activity; or

(b) 16 500 fee units, plus a variable fee of 12 680 fee units, if the level 3 activity is not also a level 2 activity.

(2) The fees prescribed under this regulation are exempt from GST.

6. Fees for environment protection notices

(1) In this regulation –

relevant fee, in relation to an environment protection notice, means –

(a) in the case of a level 2 activity, the fee prescribed under regulation 4(1); or

(b) in the case of an environmentally relevant activity (other than a level 1 activity, level 2 activity or level 3 activity), 16 500 fee units plus a variable fee of 12 680 fee units;

relevant period, in relation to an environment protection notice, means –

(a) the first 12 month period after the environment protection notice is issued and served on a person; and

(b) each 12 month period after the period referred to in paragraph (a).

(2) A person issued and served in accordance with section 27(6) of the Act, with an environment protection notice that is in force, is liable to pay the relevant fee for all the actions taken by the Director or an authorised officer, during a relevant period, to ensure compliance with any conditions or restrictions contained in the notice.

(4) The person liable to pay the relevant fee under subregulation (2) in relation to a relevant period is pay the fee within 30 days after the day on which the relevant period ends.

(5) The fees prescribed under this regulation are exempt from GST.

7. When fees for LUPAA permits, orders and environment protection notices payable

(1) The person liable to pay the fee under regulation 4 in respect of a LUPAA permit is to pay that fee within 60 days after the day on which the permit is granted and on each anniversary of that day.

(1A) The person liable to pay the fee under regulation 4(2) in respect of an environment protection notice is to pay that fee within 30 days after the day on which the notice is granted and on each anniversary of that day while the notice remains in force.

(2) The person liable to pay the fee under regulation 5 is to pay that fee within 60 days after the day on which the order is made and on each anniversary of that day.

(3)

Division 2 - Exemptions from variable fees

8. Exemptions from variable fees at Board's discretion

(1) The Board, at its own discretion, may exempt a person from liability to pay all or part of a variable fee referred to in regulation 4(1)(b), regulation 4(3), regulation 5(1) or regulation 6(1) –

(a) by notice in writing provided to the person; and

(b) with effect from a day specified in the notice; and

(c) for a period specified in the notice; and

(d) with or without any conditions specified in the notice that the Board considers appropriate.

(2) The Board may vary or revoke an exemption granted under subregulation (1) if the Board considers it appropriate to do so.

(3) Within 14 days after varying or revoking an exemption, the Board is to provide notice in writing of the variation or revocation to the person granted the exemption specifying the day on which the variation or revocation takes effect.

9. Exemptions from variable fees on application of person

(1) Not less than 12 months after the day on which a person became liable to pay a variable fee referred to in regulation 4(1)(b), regulation 4(3), regulation 5(1) or regulation 6(1) the person

may apply in writing to the Board for an exemption from liability to pay all or part of the variable fee.

(2) An application is to –

(a) be made not less than 90 days before the next anniversary of –

(i) the day on which the LUPAA permit to which the variable fee relates was granted; or

(ii) the making of the order under the *State Policies and Projects Act 1993* to which the variable fee relates; or

(iii) the day on which the environment protection notice to which the variable fee relates was served; and

(b) be in a form approved by the Board; and

(c) be accompanied by any documents the Board considers appropriate; and

(d) contain any additional information the Board considers appropriate.

(3) On receipt of an application, the Board may –

(a) refuse to grant the exemption; or

(b) grant the exemption with or without any conditions the Board considers appropriate.

(4) In considering an application, the Board must consider the following matters:

(a) the measures taken by the applicant to reduce any environmental harm caused by, or likely to be caused by, the environmentally relevant activity;

(b) the applicant's history of compliance with any provision of the Act or these regulations;

(c) whether or not the applicant has substantially complied with any conditions imposed in respect of the LUPAA permit, the order or environment protection notice to which the variable fee relates;

(d) any other matter that the Board considers appropriate.

(5) Within 14 days after determining an application, the Board, by notice in writing provided to the applicant, is to notify the applicant of the following:

- (a) whether it has granted or refused to grant the exemption;
 - (b) the day on which the exemption takes effect;
 - (c) the period during which the exemption has effect;
 - (d) the conditions, if any, that are imposed on the exemption.
- (6) The Board may vary or revoke an exemption granted under subregulation (3) if the Board considers it appropriate to do so.
- (7) Within 14 days after varying or revoking an exemption, the Board is to provide notice in writing of the variation or revocation to the person granted the exemption.
- (8) Notice of the variation or revocation of an exemption is to specify –
- (a) the details of the variation or revocation; and
 - (b) the day on which the variation or revocation takes effect; and
 - (c) for a notice of the revocation of an exemption, the period during which the person cannot re-apply for the exemption to which the revocation relates.

Division 3 - Determination of low-risk activity status

10. Low-risk activities

- (1) Not less than 12 months after the day on which a person became –
- (a) responsible for a level 2 activity conducted under a LUPAA permit; or
 - (b) subject to an environment protection notice issued in accordance with section 27(6)(a) of the Act –

the person may apply in writing to the Board for a determination as to whether or not an environmentally relevant activity that is a level 2 activity to which the permit or notice relates is a low-risk activity.

- (1A) An application is to –
- (a) be made not less than 90 days before the next anniversary of –
 - (i) the day on which the LUPAA permit to which the application relates was granted; or
 - (ii) the day on which the environment protection notice to which the application relates was served; and

(b) be in a form approved by the Board; and

(c) be accompanied by any documents the Board considers appropriate; and

(d) contain any additional information the Board considers appropriate.

(2) On receipt of an application or at its discretion, the Board may determine that an environmentally relevant activity –

(a) is a low-risk activity; or

(b) is not a low-risk activity.

(2A) A determination made under subregulation (2)(a) may be made with or without any conditions the Board considers appropriate.

(3) In making a determination, the Board may take into consideration any one or more of the following matters:

(a) whether or not the applicant has substantially complied with any conditions imposed by the Board on the LUPAA permit or environment protection notice;

(b) the size, scale, nature and character of works conducted as part of the environmentally relevant activity;

(c) whether or not emission limits or emission monitoring requirements are conditions of the LUPAA permit or environment protection notice in respect of the environmentally relevant activity;

(d) the proximity of the environmentally relevant activity to any land the use of which, in the opinion of the Board, is sensitive;

(e) any other matter the Board considers appropriate.

(4) Within 14 days after determining whether or not the environmentally relevant activity is a low-risk activity, the Board is to notify the applicant –

(a) of its determination; and

(b) if the Board determines the activity to be a low-risk activity, the day on which the determination takes effect.

(5) If the Board determines that an environmentally relevant activity is a low-risk activity but is later satisfied that it is no longer a low-risk activity, the Board may revoke the earlier determination.

(6) Within 14 days after revoking a determination, the Board is to provide notice in writing of the revocation to the person who is responsible for the level 2 activity conducted under the LUPAA permit or the person subject to the environment protection notice.

(7) Notice of the revocation of a determination is to specify –

(a) the day on which the revocation takes effect; and

(b) the period during which that person cannot re-apply for low-risk status for the environmentally relevant activity.

PART 3 - Fees for Assessments

11. Fees for assessments

(1) The fee payable in respect of the assessment by the Board under section 25(2)(a) of the Act, of a permissible level 1 activity referred to the Board under section 24(1) of the Act is –

(a) the hourly rate or 41 322 fee units, whichever is the lesser; and

(b) payable by the person proposing the activity to which the permit under the Land Use Planning and Approvals Act 1993 that gave rise to the assessment relates.

(1A) The fee payable in respect of the assessment by the Board under section 25(2)(a) of the Act, of a use or development that is, under section 25(1A) of the Act, not ancillary to an existing level 2 activity, is –

(a) the hourly rate or 41 322 fee units, whichever is the lesser; and

(b) payable by the person proposing the activity to which the permit under the Land Use Planning and Approvals Act 1993 that gave rise to the assessment relates.

(2) The fee payable in respect of the assessment by the Board under section 25(2)(a) of the Act, of a permissible level 2 activity referred to the Board under section 25(1) of the Act, other than a use or development that is, under section 25(1A) of the Act, on the same land as, and not ancillary to, an existing level 2 activity, is –

(a) the fee in Column 4 of Schedule 1 corresponding to that activity in Column 1 of that Schedule; and

(b) payable by the person proposing the activity to which the permit under the Land Use Planning and Approvals Act 1993 that gave rise to the assessment relates.

(2A) If a notice of intent is lodged under section 27B(1) of the Act, the fee referred to in subregulation (2) is to be calculated from the day on which the notice was lodged.

(3) The fee payable in respect of the assessment by the Board under section 27(3) of the Act, of a level 2 activity referred to the Board under section 27(1) of the Act by the person proposing the activity, is the fee in Column 4 of Schedule 1 corresponding to that activity in Column 1 of that Schedule.

(4) The fee payable in respect of the assessment by the Board under section 27(3) of the Act, of an environmentally relevant activity referred to the Board under section 27(2) of the Act by the person proposing the activity, is the hourly rate or 41 322 fee units, whichever is the lesser.

(5) If, in the course of undertaking an assessment under subregulation (1), (2), (3) or (4), the Board considers it necessary to consult with a person outside the Department or advertise in a newspaper circulating nationally, in addition to the fee payable under those subregulations, the Board may, by written notice provided to the person liable to pay that fee, require that person to pay the cost of any such consultation or newspaper advertisements.

(6) The fees prescribed under this regulation are exempt from GST.

12. When fees for assessments payable

(1) The person liable to pay a fee under regulation 11(1), (1A) or (2) is to pay that fee within 60 days after the day on which –

(a) the relevant LUPAA permit is granted; or

(b) the relevant LUPAA permit is not granted; or

(c) that person withdraws the application for the relevant LUPAA permit; or

(d) the Board becomes aware that the development proposal is not to be proceeded with.

(2) The person liable to pay a fee under regulation 11(3) or (4) is to pay that fee –

(a) in the case of an environment protection notice served on the person under section 27(6)(a) of the Act, within 30 days after receipt of that notice; or

(b) in the case of a notice served on the person under section 27(6)(b) of the Act, within 30 days after receipt of that notice; or

(c) in the case of the person withdrawing the referral for the relevant activity before a notice referred to in paragraph (a) or (b) is served on the person, within 30 days after the day on which he or she withdraws that referral.

(3) The person liable to pay a fee under regulation 11(5) is to pay that fee within 30 days after receipt of the written notice referred to in that regulation.

PART 4 - Fees for Environmental Improvement Programmes

13. Fees for environmental improvement programmes

(1) The fee payable, in respect of the approval under section 40 of the Act by the Board of a draft environmental improvement programme for an environmentally relevant activity by the person who submits the draft programme for the activity to the Board, is the hourly rate or 41 322 fee units, whichever is the lesser.

(2) The fee payable, in respect of the Board ensuring that an environmental improvement programme for an environmentally relevant activity is complied with by the person responsible for the activity, is 5 000 fee units.

(3) The fees prescribed under this regulation are exempt from GST.

14. When fees for environmental improvement programmes payable

(1) The person liable to pay a fee under regulation 13(1) is to pay that fee within 30 days after the approval of the environmental improvement programme by the Board under section 40 of the Act.

(2) The person liable to pay a fee under regulation 13(2) is to pay that fee within 30 days after the approval of the environmental improvement programme by the Board under section 40 of the Act and on each anniversary of that approval, while the environmental improvement programme remains in force.

PART 5 - Miscellaneous Fees

15. Miscellaneous fees

(1) The fee payable by a person for a search of a register under section 22(2) of the Act is 11 fee units.

(2) The fee payable by a person for premises declared scheduled premises under section 22A of the repealed Act is 8 250 fee units.

(3) The fee payable by a person for submission to the Board of a report on an environmental audit under section 30 of the Act is 5 500 fee units.

(4) The fee payable by a person for the issue of a determination by the Board on a voluntary environmental audit under section 31 of the Act is 1 100 fee units.

(5) The fee payable by a person for the issue of an environment protection notice in accordance with section 44 of the Act or the amendment of a notice under section 44(5) of the Act, is –

(a) 200 fee units; and

(b) the hourly rate or 41 322 fee units, whichever is the lesser.

(5A) The fee payable by a person issued with an environment protection notice in accordance with section 44 of the Act, for the assessment, inspection, or other appropriate actions, to ensure that any measures specified in the notice or any requirements imposed in the notice are complied with, is the hourly rate.

(5B) The fee payable by a person under section 74N(1)(a) of the Act for the issue and service or amendment of a notice issued under section 74C of the Act is –

(a) 200 fee units; and

(b) the hourly rate or 41 322 fee units, whichever is the lesser.

(5C) The fee payable by a person under section 74N(1)(d) or (e) of the Act for inspection, or other appropriate actions, to ensure that a notice issued under section 74C of the Act is complied with is the hourly rate.

(6) Subregulations (5) and (5A) do not apply to an environment protection notice –

(a) to which regulation 6 applies; or

(b) issued in accordance with section 44(1)(d) of the Act; or

(c) issued in accordance with section 44(2) of the Act.

(7) The fees prescribed under this regulation are exempt from GST.

16. When miscellaneous fees payable

(1) The person liable to pay a fee under regulation 15(1) is to pay that fee at the time of the search.

(2) The person liable to pay a fee under regulation 15(2) is to pay that fee on each anniversary of the day on which the premises were declared to be scheduled premises, while the declaration remains in force.

(3) The person liable to pay a fee under regulation 15(3) is to pay that fee within 30 days after the Board receives the environmental audit report.

(4) The person liable to pay a fee under regulation 15(4) is to pay that fee within 30 days after the Board receives the application for a determination.

(5) The person liable to pay a fee under regulation 15(5) is to pay that fee within 30 days after the issue or amendment of the environment protection notice or when required, in writing, by the Board to pay the fee.

(6) The person liable to pay a fee under regulation 15(5A) is to pay the fee within 30 days after an invoice for the fee is issued or when required, in writing by the Board, to pay the fee.

(7) The person liable to pay a fee under regulation 15(5B) is to pay the fee within 30 days after the issue and service, or amendment, of the notice or when required, in writing by the Board, to pay the fee.

(8) The person liable to pay a fee under regulation 15(5C) is to pay the fee within 30 days after an invoice for the fee is issued or when required, in writing by the Board, to pay the fee.

PART 6 - Exemptions from Fees Payable under Regulations

17. Exemptions from fees payable under regulations

(1) The Board, at its own discretion or on receipt of an application in accordance with subregulation (2), may exempt a person or an applicant from liability to pay all or part of a fee prescribed in these regulations.

(2) An application is to –

(a) be in a form approved by the Board; and

(b) be accompanied by any documents the Board considers appropriate; and

(c) contain any additional information the Board considers appropriate.

(3) In determining whether or not to grant an exemption, the Board may take into consideration any matters it considers relevant.

(4) An exemption –

(a) takes effect from a day specified by the Board; and

(b) is to be notified to the applicant; and

(c) is for a period specified by the Board; and

(d) is subject to any conditions the Board considers appropriate.

(5) The Board may vary or revoke an exemption –

(a) if the person in respect of whom the exemption was granted fails to comply with any condition imposed on the exemption; or

(b) if the Board otherwise considers it appropriate to do so.

(6) Within 14 days after varying or revoking an exemption, the Board is to provide notice in writing of the variation or revocation to the person granted the exemption.

(7) Notice of the variation or revocation of an exemption is to specify –

(a) the details of the variation or revocation; and

(b) the day on which the variation or revocation takes effect; and

(c) for a notice of the revocation of an exemption, the period during which the person cannot re-apply for the exemption.

PART 7 - Guidelines

19. Guidelines

(1) The Board may issue guidelines for the purpose of the administration of –

(a) exemptions from variable fees under regulation 8; and

(b) exemptions from variable fees under regulation 9; and

(c) determinations of low-risk activity status under regulation 10; and

(d) exemptions from fees payable under these regulations under regulation 17.

(2) The guidelines may be made so as to apply differently according to the factors that are specified in the guidelines.

(3) The guidelines may authorise any matter to be from time to time approved, determined, applied or regulated by the Board or the Director.

18. Legislation rescinded

The legislation specified in Schedule 2 is rescinded.

SCHEDULE 1 - Annual Fees and Assessment Fees

Regulations 4 and 11

Level 2 activity	Fixed fee (fee units)	Variable fee (fee units)	Assessment fee (fee units/hourly rate)
1. PETROLEUM AND CHEMICAL			
(a) Chemical Works (Processing capacity, in tonnes of raw material per year)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 200 but not more than 1 000	500	384	1 200
More than 1 000 but not more than 10 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 30 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 30 000 but not more than 100 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 100 000 but not more than 200 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 200 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 200 but not more than 1 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 1 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 30 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 30 000 but not more than 100 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 100 000 but not more than 200 000	11 000	8 454	Hourly rate or 20 661 whichever is lower
More than 200 000	16 500	12 680	Hourly rate or 41 322 whichever is lower
(b) Coal-Processing Works (Processing capacity, in tonnes of product per year)			
Not more than 1 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 1 000 but not more than 50 000	3 400	2 613	Hourly rate or 20 661 whichever is lower
More than 50 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(c) Oil Refineries (Processing capacity of raw material refined, produced or reprocessed, in tonnes per year)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
Not more than 2 000	500	384	Hourly rate or 4 132 whichever is lower
More than 2 000 but not more than 10 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 50 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 50 000 but not more than 200 000	3 400	2 613	Hourly rate or 20 661 whichever is lower
More than 200 000 but not more than 500 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
Not more than 2 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 2 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 50 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 50 000 but not more than 200 000	7 500	5 764	Hourly rate or 20 661 whichever is lower

More than 200 000 but not more than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
More than 500 000	16 500	12 680	Hourly rate or 41 322 whichever is lower
(d) Wood Preservation Works (Production capacity, in cubic metres of product per year)			
Not more than 500	500	384	Hourly rate or 4 132 whichever is lower
More than 500 but not more than 5 000	1 000	769	Hourly rate or 8 264 whichever is lower
More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 20 661 whichever is lower
More than 10 000	3 400	2 613	Hourly rate or 41 322 whichever is lower
2. MANUFACTURING AND MINERAL PROCESSING			
(a) Cement Works (Production capacity, in tonnes of product per year)			
Not more than 50 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 50 000 but not more than 250 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 250 000 but not more than 750 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 750 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(b) Ceramic Works (Production capacity, in tonnes of product per year)			
More than or equal to 200 but not more than 1 000	500	384	750
More than 1 000 but not more than 10 000	1 000	769	900
More than 10 000 but not more than 50 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 50 000 but not more than 200 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 200 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(c) Ferrous and Non-ferrous Metal Melting (Capacity to melt metal, in kg per working day of 8 hours)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 500 but not more than 2 000	250	192	750
More than 2 000 but not more than 4 000	500	384	900
More than 4 000 but not more than 8 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 8 000 but not more than 20 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 20 000 but not more than 60 000	3 400	2 613	Hourly rate or 20 661 whichever is lower
More than 60 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 500 but not more than 2 000	500	384	750
More than 2 000 but not more than 4 000	1 000	769	900
More than 4 000 but not more than 8 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 8 000 but not more than 20 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 20 000 but not more than 60 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 60 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(d) Metallurgical Works (Processing capacity, in tonnes of raw material per year)			
Not more than 500	500	384	750

More than 500 but not more than 1 000	1 000	769	900
More than 1 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 20 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 20 000 but not more than 75 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 75 000 but not more than 125 000	11 000	8 454	Hourly rate or 20 661 whichever is lower
More than 125 000	16 500	12 680	Hourly rate or 41 322 whichever is lower
(e) Mineral Works (Processing capacity, in tonnes of raw material per year)			
More than or equal to 1 000 but not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 75 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 75 000 but not more than 250 000	11 000	8 454	Hourly rate or 20 661 whichever is lower
More than 250 000	16 500	12 680	Hourly rate or 41 322 whichever is lower
(f) Pulp and Paper Works (Processing capacity, in tonnes of raw material per year)			
Not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 75 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 75 000 but not more than 150 000	11 000	8 454	Hourly rate or 20 661 whichever is lower
More than 150 000 but not more than 500 000	16 500	12 680	Hourly rate or 41 322 whichever is lower
More than 500 000	41 322	31 770	Hourly rate or 41 322 whichever is lower
(g) Wood Processing Works (Processing capacity, in cubic metres of product per year)			
More than or equal to 1 000 but not more than 5 000	500	384	750
More than 5 000 but not more than 15 000	1 000	769	900
More than 15 000 but not more than 30 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 30 000 but not more than 50 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 50 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(h) Textile Bleaching and Dyeing Factories (Capacity to consume water, in kL per working day of 8 hours)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 200	500	384	750
More than 200 but not more than 500	1 000	769	900
More than 500 but not more than 3 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 3 000	3 400	2 613	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 200	1 000	769	750

More than 200 but not more than 500	1 800	1 383	900
More than 500 but not more than 3 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 3 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(i) Woodchip Mills (Processing capacity, in tonnes of product per year)			
More than or equal to 1 000 but not more than 25 000	1 000	769	1 200
More than 25 000 but not more than 100 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 100 000 but not more than 500 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 500 000 but not more than 1 000 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 1 000 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
3. WASTE TREATMENT AND DISPOSAL			
(a) Wastewater Treatment Works (Capacity to treat an average dry-weather flow of sewage or wastewater, in kL per day)			
More than or equal to 100 but not more than 200	1 000	769	Hourly rate or 4 132 whichever is lower
More than 200 but not more than 500	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 500 but not more than 10 000	3 400	2 613	Hourly rate or 20 661 whichever is lower
More than 10 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(b) Waste Depots (Capacity to receive waste, not including materials for recycling, in tonnes of waste per year)			
(i) Inert Waste Depots			
More than or equal to 100 but not more than 500	500	192	750
More than 500 but not more than 2 500	500	192	900
More than 2 500 but not more than 10 000	900	692	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 25 000	1 700	1 306	Hourly rate or 4 132 whichever is lower
More than 25 000 but not more than 50 000	3 750	2 882	Hourly rate or 4 132 whichever is lower
More than 50 000	5 500	4 227	Hourly rate or 41 322 whichever is lower
(ii) Other Waste Depots			
More than or equal to 100 but not more than 500	500	384	1 200
More than 500 but not more than 2 500	1 000	769	Hourly rate or 4 132 whichever is lower
More than 2 500 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 50 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 50 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(c) Resource Recovery: the conduct of works for –			
(i) Production of compost or mushroom substrate (Production capacity, in tonnes of product per year)			
More than or equal to 100 but not more than 500	500	384	1 200
More than 500 but not more than 2 500	750	576	Hourly rate or 4 132 whichever is lower
More than 2 500 but not more than 10 000	1 350	1 038	Hourly rate or 8 264 whichever is lower

More than 10 000 but not more than 25 000	2 550	1 959	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 50 000	5 625	4 323	Hourly rate or 20 661 whichever is lower
More than 50 000	8 250	6 340	Hourly rate or 41 322 whichever is lower
(ii) Application to land of Class 2 or Class 3 biosolids, within the meaning of the Tasmanian Biosolids Re-Use Guidelines 1999, as amended from time to time (Application capacity, in wet tonnes per hectare every 3 years)			
More than 50 wet tonnes per hectare every 3 years	250	192	Hourly rate or 41 322 whichever is lower
(iii) Application to land of Class 2 or Class 3 biosolids, within the meaning of the Tasmanian Biosolids Re-Use Guidelines 1999, as amended from time to time (Nitrogen Limited Application Rate)			
More than 50% of the Nitrogen Limited Application Rate every 3 years	250	192	Hourly rate or 41 322 whichever is lower
(iv) Anaerobic digesters (Production capacity of solid or liquid fertilizer product, in tonnes of product per year)			
More than or equal to 100 but not more than 500	500	384	1 200
More than 500 but not more than 2 500	750	576	Hourly rate or 4 132 whichever is lower
More than 2 500 but not more than 10 000	1 350	1 038	Hourly rate or 8 264 whichever is lower
More than 10 000 but not more than 25 000	2 550	1 959	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 50 000	5 625	4 323	Hourly rate or 20 661 whichever is lower
More than 50 000	8 250	6 340	Hourly rate or 41 322 whichever is lower
4. FOOD PRODUCTION AND ANIMAL AND PLANT PROCESSING			
(a) Abattoirs or Slaughterhouses (Production capacity, in tonnes of product per year)			
(i) Meat premises discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 500	250	192	750
More than 500 but not more than 2 000	500	384	900
More than 2 000 but not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 10 000	3 400	2 613	Hourly rate or 41 322 whichever is lower
(ii) Meat premises not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 500	500	384	750
More than 500 but not more than 2 000	1 000	769	1 200
More than 2 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 10 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 10 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(b) Breweries and Distilleries (Capacity to consume water, in kL per working day of 8 hours)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 200	1 000	769	1 200
More than 200 but not more than 500	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 500	3 400	2 613	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			

More than or equal to 100 but not more than 200	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 200 but not more than 500	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 500	7 500	5 764	Hourly rate or 41 322 whichever is lower
(c) Fish Processing (Processing capacity, in tonnes of product per year)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 500	250	192	750
More than 500 but not more than 2 000	500	384	900
More than 2 000 but not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 10 000	3 400	2 613	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 500	500	384	750
More than 500 but not more than 2 000	1 000	769	1 200
More than 2 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 10 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 10 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(d) Milk-Processing Works (Processing capacity, in kL of whole milk, skim milk or cream per working day of 8 hours)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 3 but not more than 12	250	192	750
More than 12 but not more than 40	500	384	900
More than 40 but not more than 120	1 000	769	1 200
More than 120 but not more than 500	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 500 but not more than 1 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 1 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 3 but not more than 12	500	384	750
More than 12 but not more than 40	1 000	769	1 200
More than 40 but not more than 120	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 120 but not more than 500	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 500 but not more than 1 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 1 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(e) Produce Processing Works (Processing capacity, in kg of product per hour)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 50 but not more than 200	500	384	750
More than 200 but not more than 1 000	1 000	769	1 200
More than 1 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is lower

More than 5 000 but not more than 15 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 15 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 50 but not more than 200	1 000	769	900
More than 200 but not more than 1 000	1 800	1 383	1 200
More than 1 000 but not more than 5 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 5 000 but not more than 15 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 15 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(f) Rendering or Fat-Extraction Works (Processing capacity of product, in kg per hour or kg per batch)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 50 but not more than 100	500	384	900
More than 100 but not more than 500	1 000	769	1 200
More than 500 but not more than 1 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 1 000 but not more than 5 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 5 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 50 but not more than 100	1 000	769	1 200
More than 100 but not more than 500	1 800	1 383	1 200
More than 500 but not more than 1 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 1 000 but not more than 5 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 5 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(g) Wool Scourers, Tanneries or Fellmongeries (Processing capacity, in tonnes of product per year)			
(i) Works discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 200	1 000	769	1 200
More than 200 but not more than 1 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 1 000	3 400	2 613	Hourly rate or 41 322 whichever is lower
(ii) Works not discharging all wastewater to external approved Wastewater Treatment Works			
More than or equal to 100 but not more than 200	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 200 but not more than 1 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 1 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
5. EXTRACTIVE INDUSTRIES			
(a) Quarries (Production capacity, in cubic metres of product per year)			
More than or equal to 5 000 but not more than 10 000	500	384	750
More than 10 000 but not more than 20 000	1 000	769	900
More than 20 000 but not more than 75 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 75 000 but not more than 250 000	3 400	2 613	Hourly rate or 4 132 whichever is lower

More than 250 000 but not more than 500 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(b) Extractive Pits (Production capacity, in cubic metres of product per year)			
More than or equal to 5 000 but not more than 10 000	500	384	750
More than 10 000 but not more than 20 000	1 000	769	900
More than 20 000 but not more than 75 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 75 000 but not more than 250 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 250 000 but not more than 500 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(c) Mines (Production capacity, in tonnes of minerals per year)			
More than or equal to 1 000 but not more than 2 000	500	384	Hourly rate or 4 132 whichever is lower
More than 2 000 but not more than 10 000	1 000	769	Hourly rate or 4 132 whichever is lower
More than 10 000 but not more than 25 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 75 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 75 000 but not more than 250 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 250 000 but not more than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
More than 500 000	16 500	12 680	Hourly rate or 41 322 whichever is lower
6. MATERIALS HANDLING			
(a) Crushing, Grinding or Milling			
(i) Processing capacity of chemicals or rubber, in tonnes per year			
More than or equal to 200 but not more than 1 000	500	384	750
More than 1 000 but not more than 5 000	1 000	769	1 200
More than 5 000 but not more than 20 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 20 000 but not more than 50 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 50 000 but not more than 200 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 200 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(ii) Processing capacity of rocks, ores or minerals, in cubic metres per year			
More than or equal to 1 000 but not more than 2 500	500	384	750
More than 2 500 but not more than 5 000	1 000	769	1 200
More than 5 000 but not more than 20 000	1 800	1 383	Hourly rate or 4 132 whichever is lower
More than 20 000 but not more than 50 000	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 50 000 but not more than 200 000	7 500	5 764	Hourly rate or 8 264 whichever is lower
More than 200 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(b) Coal Handling and Washing (Capacity to handle or wash, in tonnes per day)			
More than or equal to 100 but not more than 500	1 000	769	Hourly rate or 4 132 whichever is lower
More than 500 but not more than 1 000	1 800	1 383	Hourly rate or 4 132 whichever is lower

More than 1 000 but not more than 2 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 2 000	7 500	5 764	Hourly rate or 41 322 whichever is lower
7. OTHER			
(a) Fuel Burning (Capacity to consume fuel, in tonnes per hour)			
More than or equal to 1 but not more than 5	1 000	769	750
More than 5 but not more than 25	1 800	1 383	1 200
More than 25 but not more than 50	3 400	2 613	Hourly rate or 4 132 whichever is lower
More than 50	7 500	5 764	Hourly rate or 41 322 whichever is lower
(b) Pre-mix Bitumen Plants (Production capacity, in tonnes of material per year)			
More than or equal to 1 000 but not more than 5 000	500	384	750
More than 5 000 but not more than 10 000	1 000	769	900
More than 10 000 but not more than 50 000	1 800	1 383	1 200
More than 50 000	3 400	2 613	Hourly rate or 41 322 whichever is lower
(c) Dumping of dredge spoil in waters within the limits of the State (Design capacity or maximum quantity to be dumped, in tonnes per year)			
Less than or equal to 500	500	384	1 200
More than 500 but not more than 2 500	1 000	769	Hourly rate or 4 132 whichever is lower
More than 2 500 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 50 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 50 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(d) Dumping or sinking of boats, aircraft, platforms or other man-made structures in waters within the limits of the State or placement of artificial reefs in waters within the limits of the State (Weight of dumped, sunk or placed item, in tonnes)			
Less than or equal to 500	500	384	1 200
More than 500 but not more than 2 500	1 000	769	Hourly rate or 4 132 whichever is lower
More than 2 500 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is lower
More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is lower
More than 25 000 but not more than 50 000	7 500	5 764	Hourly rate or 20 661 whichever is lower
More than 50 000	11 000	8 454	Hourly rate or 41 322 whichever is lower
(e) Wind Energy Facilities (Generating capacity, in megawatts)			
More than or equal to 30 but not more than 200	11 000	8 454	Hourly rate or 41 322 whichever is lower
More than 200	16 500	12 680	Hourly rate or 41 322 whichever is lower

SCHEDULE 2 - Legislation rescinded

Regulation 18

Fees) Regulations 1994 (No. 219 of 1994)

Environmental Management and Pollution Control (General Fees) Regulations 1995 (No. 165 of 1995)

Environmental Management and Pollution Control (General Fees) Amendment Regulations 1996 (No. 90 of 1996)

Environmental Management and Pollution Control (General Fees) Amendment Regulations 1998 (No. 17 of 1998)

Environmental Management and Pollution Control (General Fees) Amendment Regulations 2001 (No. 109 of 2001)

Displayed and numbered in accordance with the [Rules Publication Act 1953](#).

Notified in the *Gazette* on 12 December 2007.

These regulations are administered in the Department of Tourism, Arts and the Environment.

Table Of Amendments

Citation	Serial Number	Date of commencement
Environmental Management and Pollution Control (General Fees) Regulations 2007	S.R. 2007, No. 115	19.12.2007
Environmental Management and Pollution Control (General Fees) Amendment Regulations 2009	S.R. 2009, No. 175	30.12.2009
Environmental Management and Pollution Control (General Fees) Amendment Regulations 2013	S.R. 2013, No. 88	27.11.2013