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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*;

"**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.

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

(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 by the person responsible for the level 2 activity that is a low-risk activity and is conducted under one LUPAA permit 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) The fee payable in respect of an assessment of an activity under section 27 of the Act by the person issued and served with an environment protection notice in accordance with section 27(6)(a) of the Act for –

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

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

(2) 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 is to pay that fee within 60 days after the day on which the LUPAA permit is granted and on each anniversary of that day while the permit 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 while the order remains in force.

(3) The person liable to pay the fee under regulation 6 is to pay that fee within 30 days after the day on which he or she is served with the notice and on each anniversary of that day, while the notice remains in force.

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 revoke an exemption granted under subregulation (1) if the Board considers it appropriate to do so.

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

9. Exemptions from variable fees on application of person

(1) A person liable to pay a variable fee referred to in regulation 4(1)(b), regulation 4(3), regulation 5(1) or regulation 6(1) 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 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 issue or service of the environment protection notice to which the variable fee relates; 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 revoke an exemption granted under subregulation (3) if the Board is satisfied that, in relation to the environmentally relevant activity –

(a) sufficient measures are not being taken to reduce any environmental harm caused by, or likely to be caused by, the environmentally relevant activity; or

(b) conditions imposed by the Board under subregulation (5)(d) are not being, or have not been, substantially complied with.

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

(8) Notice of the revocation of an exemption is to specify –

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

(b) the period during which that 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) A person who is the holder of a LUPAA permit or subject to an environment protection notice issued under section 27(6)(a) of the Act may apply in writing to the Board for a determination as to whether or not an environmentally relevant activity to which the permit or notice relates is a low-risk activity.

(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.

(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 holder of the LUPAA permit or the person subject to the environment protection notice.

(7) Notice of the revocation of an exemption 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 by the person responsible for that activity, is the hourly rate or 41 322 fee units, whichever is the lesser.

(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 by the person responsible for that activity, is the fee in Column 4 of Schedule 1 corresponding to that activity in Column 1 of that Schedule.

(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 responsible for that 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 responsible for that 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 to the Board the cost of any such consultation or newspaper advertisements.

(6) The fees prescribed under this regulation are inclusive of GST.

12. When fees for assessments payable

(1) The person liable to pay a fee under regulation 11(1) or (2) is to pay that fee within 60 days after the day on which the relevant LUPAA permit is granted or not granted.

(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.

(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 or amendment of an environment protection notice, or for inspection or other appropriate actions to ensure that such a notice is complied with, is –

(a) 200 fee units; and

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

(6) Subregulation (5) does not apply to an environment protection notice issued –

(a) under section 27(6) of the Act; or

(b) under section 44(1)(d) of the Act; or

(c) under 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.

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.

(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 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 revoking an exemption, the Board is to provide notice in writing of the revocation to the person granted the exemption.

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

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

(b) the period during which the person referred to in the notice cannot re-apply for an exemption.

18.

See Schedule 2.

SCHEDULE 1 - Fees for LUPAA permits and assessments

Regulations 4 and 11

Column 1

Column 2

Column 3

Column 4

Permit fee –fixed fee

Permit fee – variable fee

Assessment fee

(fee units)

(fee units)

(fee units)

1.

Petroleum and Chemical (Chemical Works) – Processing capacity in tonnes of raw material per year

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 200 but not more than 1 000

500

384

1320

(ii) More than 1 000 but not more than 10 000

1 000

769

Hourly rate or 4 132 whichever is lower

(iii) More than 10 000 but not more than 30 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 30 000 but not more than 100 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(v) More than 100 000 but not more than 200 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(vi) More than 200 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 200 but not more than 1 000

1 000

769

Hourly rate or 4 132 whichever is lower

(ii) More than 1 000 but not more than 10 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iii) More than 10 000 but not more than 30 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(iv) More than 30 000 but not more than 100 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(v) More than 100 000 but not more than 200 000

11 000

8 454

Hourly rate or 20 661 whichever is lower

(vi) More than 200 000

16 500

12 680

Hourly rate or 41322 whichever is lower

2.

Petroleum and Chemical (Coal-Processing Works) –Processing capacity in tonnes of raw material per year

(a) Not more than 1 000

1 000

769

Hourly rate or 4 132 whichever is lower

(b) More than 1 000 but not more than 50 000

3 400

2 613

Hourly rate or 20 661 whichever is lower

(c) More than 50 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

3.

Petroleum and Chemical (Oil Refineries) –Tonnes of raw material refined per year

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) Not more than 2 000

500

384

Hourly rate or 4 132 whichever is lower

(ii) More than 2 000 but not more than 10 000

1 000

769

Hourly rate or 4 132 whichever is lower

(iii) More than 10 000 but not more than 50 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(iv) More than 50 000 but not more than 200 000

3 400

2 613

Hourly rate or 20 661 whichever is lower

(v) More than 200 000 but not more than 500 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(vi) More than 500 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) Not more than 2 000

1 000

769

Hourly rate or 4 132 whichever is lower

(ii) More than 2 000 but not more than 10 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iii) More than 10 000 but not more than 50 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(iv) More than 50 000 but not more than 200 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(v) More than 200 000 but not more than 500 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

(vi) More than 500 000

16 500

12 680

Hourly rate or 41 322 whichever is lower

4.

Petroleum and Chemical (Wood Preservation Works) – cubic metres produced per year

(a) Not more than 500

500

384

Hourly rate or 4 132 whichever is lower

(b) More than 500 but not more than 5 000

1 000

769

Hourly rate or 8 264 whichever is lower

(c) More than 5 000 but not more than 10 000

1 800

1 383

Hourly rate or 20 661 whichever is lower

(d) More than 10 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

5.

Manufacturing and Mineral Processing (Cement Works) –Tonnes produced per year

(a) Not more than 50 000

1 000

769

Hourly rate or 4 132 whichever is lower

(b) More than 50 000 but not more than 250 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(c) More than 250 000 but not more than 750 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(d) More than 750 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

6.

Manufacturing and Mineral Processing (Ceramic Works) – Production capacity in tonnes of product per year

(a) More than or equal to 200 but not more than 1 000

500

384

825

(b) More than 1 000 but not more than 10 000

1 000

769

990

(c) More than 10 000 but not more than 50 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(d) More than 50 000 but not more than 200 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(e) More than 200 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

7.

Manufacturing and Mineral Processing (Ferrous and Non-ferrous Metal Melting) – Capacity to melt metal in kg per working 8-hour day

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 500 but not more than 2 000

250

192

825

(ii) More than 2 000 but not more than 4 000

500

384

990

(iii) More than 4 000 but not more than 8 000

1 000

769

Hourly rate or 4 132 whichever is lower

(iv) More than 8 000 but not more than 20 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(v) More than 20 000 but not more than 60 000

3 400

2 613

Hourly rate or 20 661 whichever is lower

(vi) More than 60 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 500 but not more than 2 000

500

384

825

(ii) More than 2 000 but not more than 4 000

1 000

769

990

(iii) More than 4 000 but not more than 8 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 8 000 but not more than 20 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(v) More than 20 000 but not more than 60 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(vi) More than 60 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

8.

Manufacturing and Mineral Processing (Metallurgical Works) –Tonnes of raw material processed per year

(a) Not more than 500

500

384

825

(b) More than 500 but not more than 1 000

1 000

769

990

(c) More than 1 000 but not more than 5 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(d) More than 5 000 but not more than 20 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(e) More than 20 000 but not more than 75 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(f) More than 75 000 but not more than 125 000

11 000

8 454

Hourly rate or 20 661 whichever is lower

(g) More than 125 000

16 500

12 680

Hourly rate or 41 322 whichever is lower

9.

Manufacturing and Mineral Processing (Mineral Works) –Tonnes of raw material processed per year

(a) More than or equal to 1 000 but not more than 5 000

1 000

769

Hourly rate or 4 132 whichever is lower

(b) More than 5 000 but not more than 10 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(c) More than 10 000 but not more than 25 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(d) More than 25 000 but not more than 75 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(e) More than 75 000 but not more than 250 000

11 000

8 454

Hourly rate or 20 661 whichever is lower

(f) More than 250 000

16 500

12 680

Hourly rate or 41 322 whichever is lower

10.

Manufacturing and Mineral Processing (Pulp and Paper Works) –Tonnes of product produced per year

(a) Not more than 5 000

1 000

769

Hourly rate or 4 132 whichever is lower

(b) More than 5 000 but not more than 10 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(c) More than 10 000 but not more than 25 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(d) More than 25 000 but not more than 75 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(e) More than 75 000 but not more than 150 000

11 000

8 454

Hourly rate or 20 661 whichever is lower

(f) More than 150 000 but not more than 500 000

16 500

12 680

Hourly rate or 41 322 whichever is lower

(g) More than 500 000

41 322

31 770

Hourly rate or 41 322 whichever is lower

11.

Manufacturing and Mineral Processing (Wood-Processing Works) – Cubic metres of product produced per year

(a) More than or equal to 1 000 but not more than 5 000

500

384

825

(b) More than 5 000 but not more than 15 000

1 000

769

990

(c) More than 15 000 but not more than 30 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(d) More than 30 000 but not more than 50 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(e) More than 50 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

12.

Manufacturing and Mineral Processing (Textile Bleaching and Dyeing Factories) – Capacity to consume water, kL per working 8-hour day

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 200

500

384

825

(ii) More than 200 but not more than 500

1 000

769

990

(iii) More than 500 but not more than 3 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 3 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 200

1 000

769

825

(ii) More than 200 but not more than 500

1 800

1 383

990

(iii) More than 500 but not more than 3 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(iv) More than 3 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

13.

Manufacturing and Mineral Processing (Woodchip Mills) –Tonnes of product produced per year

(a) More than or equal to 1 000 but not more than 25 000

1 000

769

1 320

(b) More than 25 000 but not more than 100 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(c) More than 100 000 but not more than 500 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(d) More than 500 000 but not more than 1 000 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(e) More than 1 000 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

14.

Waste Treatment and Disposal (Sewage Treatment Works) – Design capacity to treat an average dry-weather flow, kL per day

(a) More than or equal to 100 but not more than 200

1 000

769

Hourly rate or 4 132 whichever is lower

(b) More than 200 but not more than 500

1 800

1 383

Hourly rate or 8 264 whichever is lower

(c) More than 500 but not more than 10 000

3 400

2 613

Hourly rate or 20 661 whichever is lower

(d) More than 10 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

15.

Waste Treatment and Disposal (Waste Depots) –Design capacity or likely quantity to be received (excluding materials for recycling), tonnes per year

(a) **Inert waste depots**

(i) More than or equal to 100 but not more than 500

500

192

825

(ii) More than 500 but not more than 2 500

500

192

990

(iii) More than 2 500 but not more than 10 000

900

692

Hourly rate or 4 132 whichever is lower

(iv) More than 10 000 but not more than 25 000

1 700

1 306

Hourly rate or 4 132 whichever is lower

(v) More than 25 000 but not more than 50 000

3 750

2 882

Hourly rate or 4 132 whichever is lower

(vi) More than 50 000

5 500

4 227

Hourly rate or 41 322 whichever is lower

(b) Other Waste Depots

(i) More than or equal to 100 but not more than 500

500

384

1 320

(ii) More than 500 but not more than 2 500

1 000

769

Hourly rate or 4 132 whichever is lower

(iii) More than 2 500 but not more than 10 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(iv) More than 10 000 but not more than 25 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(v) More than 25 000 but not more than 50 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(vi) More than 50 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

16.

Food Production, Animal and Plant Processing (Abattoirs or Slaughterhouses) –Tonnes of product produced per year

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 500

250

192

825

(ii) More than 500 but not more than 2 000

500

384

990

(iii) More than 2 000 but not more than 5 000

1 000

769

Hourly rate or 4 132 whichever is lower

(iv) More than 5 000 but not more than 10 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(v) More than 10 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 500

500

384

825

(ii) More than 500 but not more than 2 000

1 000

769

1 320

(iii) More than 2 000 but not more than 5 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 5 000 but not more than 10 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(v) More than 10 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

17.

Food Production, Animal and Plant Processing (Breweries and Distilleries) – Capacity to consume water, kL per working 8-hour day

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 200

1 000

769

1 320

(ii) More than 200 but not more than 500

1 800

1 383

Hourly rate or 8 264 whichever is lower

(iii) More than 500

3 400

2 613

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 200

1 800

1 383

Hourly rate or 4 132 whichever is lower

(ii) More than 200 but not more than 500

3 400

2 613

Hourly rate or 8 264 whichever is lower

(iii) More than 500

7 500

5 764

Hourly rate or 41 322 whichever is lower

18.

Food Production, Animal and Plant Processing (Fish Processing) –Tonnes of product produced per year

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 500

250

192

825

(ii) More than 500 but not more than 2 000

500

384

990

(iii) More than 2 000 but not more than 5 000

1 000

769

Hourly rate or 4 132 whichever is lower

(iv) More than 5 000 but not more than 10 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(v) More than 10 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 500

500

384

825

(ii) More than 500 but not more than 2 000

1 000

769

1 320

(iii) More than 2 000 but not more than 5 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 5 000 but not more than 10 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(v) More than 10 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

19.

Food Production, Animal and Plant Processing (Milk-Processing Works) – Processing capacity in kilolitres of whole milk, skim milk or cream per working 8-hour day

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 3 but not more than 12

250

192

825

(ii) More than 12 but not more than 40

500

384

990

(iii) More than 40 but not more than 120

1 000

769

1 320

(iv) More than 120 but not more than 500

1 800

1 383

Hourly rate or 4 132 whichever is lower

(v) More than 500 but not more than 1 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(vi) More than 1 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 3 but not more than 12

500

384

825

(ii) More than 12 but not more than 40

1 000

769

1 320

(iii) More than 40 but not more than 120

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 120 but not more than 500

3 400

2 613

Hourly rate or 4 132 whichever is lower

(v) More than 500 but not more than 1 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(vi) More than 1 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

20.

Food Production, Animal and Plant Processing (Produce-Processing Works) – Processing capacity, kg per hour

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 50 but not more than 200

500

384

825

(ii) More than 200 but not more than 1 000

1 000

769

1 320

(iii) More than 1 000 but not more than 5 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 5 000 but not more than 15 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(v) More than 15 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 50 but not more than 200

1 000

769

990

(ii) More than 200 but not more than 1 000

1 800

1 383

1 320

(iii) More than 1 000 but not more than 5 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(iv) More than 5 000 but not more than 15 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(v) More than 15 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

21.

Food Production, Animal and Plant Processing (Rendering or Fat-Extraction Works) –Total processing capacity, kg per hour

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 50 but not more than 100

500

384

990

(ii) More than 100 but not more than 500

1 000

769

1 320

(iii) More than 500 but not more than 1 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 1 000 but not more than 5 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(v) More than 5 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 50 but not more than 100

1 000

769

1 320

(ii) More than 100 but not more than 500

1 800

1 383

1 320

(iii) More than 500 but not more than 1 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(iv) More than 1 000 but not more than 5 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(v) More than 5 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

22.

Food Production, Animal and Plant Processing (Wool Scourers, Tanneries or Fellmongeries) – Product produced in tonnes per year

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 200

1 000

769

1 320

(ii) More than 200 but not more than 1 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(iii) More than 1 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 200

1 800

1 383

Hourly rate or 4 132 whichever is lower

(ii) More than 200 but not more than 1 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(iii) More than 1 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

23.

Extractive Industries (Quarries) – Product produced in cubic metres per year

(a) More than or equal to 5 000 but not more than 10 000

500

384

825

(b) More than 10 000 but not more than 20 000

1 000

769

990

(c) More than 20 000 but not more than 75 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(d) More than 75 000 but not more than 250 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(e) More than 250 000 but not more than 500 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(f) More than 500 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

24.

Extractive Industries (Extractive Pits) – Product produced in cubic metres per year

(a) More than or equal to 5 000 but not more than 10 000

500

384

825

(b) More than 10 000 but not more than 20 000

1 000

769

990

(c) More than 20 000 but not more than 75 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(d) More than 75 000 but not more than 250 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(e) More than 250 000 but not more than 500 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(f) More than 500 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

25.

Extractive Industries (Mines) – Product produced in tonnes per year

(a) More than or equal to 1 000 but not more than 2 000

500

384

Hourly rate or 4 132 whichever is lower

(b) More than 2 000 but not more than 10 000

1 000

769

Hourly rate or 4 132 whichever is lower

(c) More than 10 000 but not more than 25 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(d) More than 25 000 but not more than 75 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(e) More than 75 000 but not more than 250 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(f) More than 250 000 but not more than 500 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

(g) More than 500 000

16 500

12 680

Hourly rate or 41 322 whichever is lower

26.

Material Handling (Crushing, Grinding or Milling)

(a) **Chemicals and rubber** – Materials processed, tonnes per year

(i) More than or equal to 200 but not more than 1 000

500

384

825

(ii) More than 1 000 but not more than 5 000

1 000

769

1 320

(iii) More than 5 000 but not more than 20 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 20 000 but not more than 50 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(v) More than 50 000 but not more than 200 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(vi) More than 200 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

(b) **Rocks, ores or minerals** – Materials processed, cubic metres per year

(i) More than or equal to 1 000 but not more than 2 500

500

384

825

(ii) More than 2 500 but not more than 5 000

1 000

769

1 320

(iii) More than 5 000 but not more than 20 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(iv) More than 20 000 but not more than 50 000

3 400

2 613

Hourly rate or 4 132 whichever is lower

(v) More than 50 000 but not more than 200 000

7 500

5 764

Hourly rate or 8 264 whichever is lower

(vi) More than 200 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

27.

Material Handling (Coal Handling and Washing)—Handling or washing capacity, tonnes per day

(a) More than or equal to 100 but not more than 500

1 000

769

Hourly rate or 4 132 whichever is lower

(b) More than 500 but not more than 1 000

1 800

1 383

Hourly rate or 4 132 whichever is lower

(c) More than 1 000 but not more than 2 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(d) More than 2 000

7 500

5 764

Hourly rate or 41 322 whichever is lower

28.

Other (Fuel Burning) –Capacity to consume fuel, tonnes per hour

(a) More than or equal to 1 but not more than 5

1 000

769

825

(b) More than 5 but not more than 25

1 800

1 383

1 320

(c) More than 25 but not more than 50

3 400

2 613

Hourly rate or 4 132 whichever is lower

(d) More than 50

7 500

5 764

Hourly rate or 41 322 whichever is lower

29.

Other (Racing or Testing Venues)

(a) A venue used for racing or testing as part of an event organised by a community service organisation and operated on a not-for-profit basis

0.00

0.00

0

(b) A venue where fewer than 3 events per year are held

250

192

990

(c) A venue where more than 2 but not more than 5 events per year are held

500

384

1 320

(d) A venue where more than 5 events per year are held

1 000

769

Hourly rate or 41 322 whichever is lower

30.

Other (Laundries) – Capacity to consume water, kL per day

(a) Premises discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 300

250

192

825

(ii) More than 300 but not more than 1 000

500

384

825

(iii) More than 1 000 but not more than 5 000

1 000

769

1 320

(iv) More than 5 000

1 800

1 383

Hourly rate or 41 322 whichever is lower

(b) Premises not discharging all wastewater to an external treatment plant approved by the Board

(i) More than or equal to 100 but not more than 300

500

384

825

(ii) More than 300 but not more than 1 000

1 000

769

990

(iii) More than 1 000 but not more than 5 000

1 800

1 383

1 450

(iv) More than 5 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

31.

Other (Pre-mix Bitumen Plants) – Product produced in tonnes per year

(a) More than or equal to 1 000 but not more than 5 000

500

384

825

(b) More than 5 000 but not more than 10 000

1 000

769

990

(c) More than 10 000 but not more than 50 000

1 800

1 383

1 320

(d) More than 50 000

3 400

2 613

Hourly rate or 41 322 whichever is lower

32.

Other (Disposing of Wastes in Internal Marine Waters) – Design capacity or likely quantity to be deposited, tonnes per year

(a) More than or equal to 100 but not more than 500

500

384

1 320

(b) More than 500 but not more than 2 500

1 000

769

Hourly rate or 4 132 whichever is lower

(c) More than 2 500 but not more than 10 000

1 800

1 383

Hourly rate or 8 264 whichever is lower

(d) More than 10 000 but not more than 25 000

3 400

2 613

Hourly rate or 8 264 whichever is lower

(e) More than 25 000 but not more than 50 000

7 500

5 764

Hourly rate or 20 661 whichever is lower

(f) More than 50 000

11 000

8 454

Hourly rate or 41 322 whichever is lower

SCHEDULE 2

The amendments effected by [Regulation 18](#) and this Schedule have been incorporated into authorised versions of the following Statutory Rules:

(a) *Environmental Management and Pollution Control (Environmental Improvement Programme Fees) Regulations 1994;*

(b) *Environmental Management and Pollution Control (General Fees) Amendment Regulations 1996;*

(c) *Environmental Management and Pollution Control (General Fees) Amendment Regulations 1998;*

(d) *Environmental Management and Pollution Control (General Fees) Amendment Regulations 2001;*

(e) *Environmental Management and Pollution Control (General Fees) Regulations 1995.*

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.