

**Authorised Version No. 003**  
**Environment Protection (Fees)**  
**Regulations 2012**

**S.R. No. 115/2012**

Authorised Version incorporating amendments as at  
25 June 2017

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**Part 1—Preliminary**

**1 Objective**

The objective of these Regulations is to prescribe—

- (a) the fees payable under the **Environment Protection Act 1970**; and
- (b) other matters necessary to give effect to that Act.

**2 Authorising provision**

These Regulations are made under section 71 of the **Environment Protection Act 1970**.

**3 Commencement**

These Regulations come into operation on 28 October 2012.

**4 Revocation**

The Regulations set out in Schedule 1 are **revoked**.

**5 Definition**

In these Regulations—

*class 1 indicator* means a class 1 indicator as classified in State environment protection policy (Air Quality Management) as in force from time to time;

*class 2 indicator* means a class 2 indicator as classified in State environment protection policy (Air Quality Management) as in force from time to time;

*class 3 indicator* means a class 3 indicator as classified in State environment protection policy (Air Quality Management) as in force from time to time;

*the Act* means the **Environment Protection Act 1970**.

## **Part 2—Works approval**

### **6 Fee for works approval application**

- (1) For the purposes of section 19B(1)(b) of the Act, the prescribed fee for an application for a works approval is the greater of—
  - (a) one per cent of the estimated cost; or
  - (b) 81·83 fee units.
- (2) In this regulation—

*estimated cost* means the amount that the applicant estimates is required to carry out the works to which an application for a works approval relates, other than—

- (a) any amount required for the purchase of land associated with the works; or
- (b) any amount required to construct or modify any building which will not or does not contribute substantially to the control of pollution or to the production capacity of the plant.

#### **Note**

Section 24(4) of the Act provides that a fee calculated in accordance with this regulation shall not exceed 4500 fee units.

### **7 Fee for application to transfer works approval**

For the purposes of section 25(1)(b) of the Act, the fee for an application to transfer a works approval is 35 fee units.

## **Part 3—Licences**

### **8 Licence Fee**

The prescribed fee payable in respect of a licence under section 20 of the Act on its issue and annually is the sum of—

- (a) the highest of any applicable base fee relating to an activity specified in the Table in Schedule 2; and
- (b) all applicable component fees specified in Schedule 3.

#### **Note**

Section 24(2) of the Act provides that a fee calculated in accordance with this regulation must not exceed 42 000 fee units with respect to each element of the environment being the atmosphere, land or waters to which waste is licensed to be discharged, emitted or deposited.

### **9 Fee for licence for premises licensed to accept solid inert waste and putrescible waste**

The prescribed fee payable for a licence under section 20 of the Act on its issue and annually for a premises that is licensed to accept solid inert waste and putrescible waste for the deposit, reprocessing, treatment, storage, containment, disposal or handling of these wastes is the sum of—

- (a) the licence fee calculated in accordance with regulation 8; and
- (b) the greater of—
  - (i) the amount expressed in fee units calculated by multiplying 0·0103 by the number of tonnes of waste received by the premises in a year; or

(ii) 81·83 fee units.

**Note**

Section 24(2A) of the Act provides that the fee calculated in accordance with paragraph (b) of this regulation must not exceed 42 000 fee units.

**10 Fee for licence for premises licensed to accept prescribed industrial waste**

- (1) The prescribed fee payable for a licence under section 20 of the Act on its issue and annually for a premises that is licensed to accept prescribed industrial waste for the deposit, reprocessing, treatment, storage, containment, disposal or handling of that waste is the sum of—
  - (a) the licence fee calculated in accordance with regulation 8; and
  - (b) the greater of—
    - (i) the amount expressed in fee units calculated by multiplying 0·103 by the number of tonnes of waste received by the premises in a year; or
    - (ii) 81·83 fee units.

- (2) In this regulation, *prescribed industrial waste* has the same meaning as in the Environment Protection (Industrial Waste Resource) Regulations 2009<sup>1</sup>.

**Note**

Section 24(2A) of the Act provides that the fee calculated in accordance with subregulation (1)(b) of this regulation must not exceed 42 000 fee units.

**11 Fee for an application to amend a licence**

- (1) For the purposes of section 20A(2)(b) of the Act, the fee payable for an application to amend a licence is the lesser of—

- (a) 10% of the fee calculated in accordance with regulation 8, 9 or 10 (as applicable); or
  - (b) 85 fee units.
- (2) Despite subregulation (1), if the application relates to works for which a works approval application fee has been paid, no fee is payable.

**12 Fee for an application to transfer a licence**

For the purposes of section 25(1)(b) of the Act, the fee payable for an application to transfer a licence is the lesser of—

- (a) 10% of the fee calculated in accordance with regulation 8, 9 or 10 (as applicable); or
- (b) 35 fee units.

**13 Fee reduction for licence holder granted accreditation**

A licence holder granted accreditation under section 26B of the Act is entitled to a 25% reduction of the fee that is otherwise payable under regulation 8, 9 or 10 (as applicable).



## **Part 4—Permits**

### **14 Fee for permit to transport prescribed waste**

For the purposes of section 53G of the Act, the prescribed fee for an application for, or the annual renewal of, a permit to transport prescribed waste is the sum of all applicable vehicle fees as set out in Schedule 4.

#### **Note**

Section 53G(3) of the Act provides that the fee calculated in accordance with this regulation must not exceed 200 fee units in respect of each vehicle to which the permit applies.

### **15 Fee for temporary permit to transport prescribed waste**

The fee payable for a permit to transport prescribed waste for a period not exceeding one month is the greater of—

- (a) 25% of the fee calculated in accordance with regulation 14; or
- (b) 10·3 fee units.

### **16 Fee for application to transfer or amend a permit**

For the purposes of section 53G(1) of the Act, the fee payable for an application for the transfer or variation of a permit to transport prescribed waste is the greater of—

- (a) 10% of the fee calculated in accordance with regulation 14; or
- (b) 5·15 fee units.

## **Part 5—Environmental audit**

### **17 Fee for environmental audits**

For the purposes of section 53T(3) of the Act, the prescribed fee for a complete environmental audit is 131·1 fee units.

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedules

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**Schedules**

**Schedule 1—Regulations revoked**

<i>S.R. No.</i>	<i>Title</i>
119/2001	Environment Protection (Fees) Regulations 2001
75/2003	Environment Protection (Fees) (Amendment) Regulations 2003

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

Sch. 2  
amended by  
S.R. Nos  
25/2015 reg. 9,  
45/2017  
reg. 17.

## Schedule 2—Base fee information

Regulation 8(a)

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
1.	A02 (Other waste treatment)	Waste treatment works engaged in the immobilisation, thermal degradation, incineration or other treatment of waste	490·25 fee units
2.	A03 (Sewage treatment)	Premises on or from which sewage (including sullage) effluent is treated, discharged or deposited, exceeding a design flow rate of—	
		5000 litres per day or more but less than 100 000 litres per day;	70 fee units (or 35 fee units where disposal to land only)
		0·1 megalitres per day or more but less than 5 megalitres per day;	297·5 fee units (or 148·75 fee units where disposal to land only)
		5 megalitres per day or more but less than 50 megalitres per day;	490·25 fee units (or 245·13 fee units where disposal to land only)
		50 megalitres per day or more	910·25 fee units (or 455·13 fee units where disposal to land only)

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
3.	A04 (Industrial waste water treatment)	<p>Premises on or from which industrial wastewater effluent is treated, discharged or deposited, exceeding a design flow rate of—</p> <p>5000 litres per day or more but less than 100 000 litres per day;</p> <p>0.1 megalitres per day or more but less than 5 megalitres per day;</p> <p>5 megalitres per day or more but less than 50 megalitres per day;</p> <p>50 megalitres per day or more</p>	<p>70 fee units (or 35 fee units where disposal to land only)</p> <p>297.5 fee units (or 148.75 fee units where disposal to land only)</p> <p>490.25 fee units (or 245.13 fee units where disposal to land only)</p> <p>910.25 fee units (or 455.13 fee units where disposal to land only)</p>
4.	A06 (Land disposal)	Land disposal facilities for the disposal of nightsoil, septic tank sludge or sewage treatment plant sludge	140 fee units

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
5.	A07 (Organic waste processing)	Premises on which organic waste is processed by aerobic or anaerobic biological conversion and which—	
		accept up to 3600 tonnes or 7200 cubic metres of organic waste, or produce up to 1800 tonnes of pasteurised material, compost or digestate, per year	140 fee units
		accept more than 3600 and up to 12 000 tonnes or more than 7200 and up to 24 000 cubic metres of organic waste, or produce more than 1800 and up to 6000 tonnes of pasteurised material, compost or digestate, per year	297·5 fee units
		accept more than 12 000 and up to 36 000 tonnes or more than 24 000 and up to 72 000 cubic metres of organic waste, or produce more than 6000 and up to 18 000 tonnes of pasteurised material, compost or digestate, per year	490·25 fee units

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
		accept more than 36 000 tonnes or 72 000 cubic metres of organic waste, or produce more than 18 000 tonnes of pasteurised material, compost or digestate, per year	910·25 fee units
6.	A08 (Waste to energy)	Premises which recover energy from waste at a rated capacity of at least one megawatt with an installed capacity of—	
		less than 15 megawatts;	70 fee units
		15 megawatts or more but less than 100 megawatts;	490·25 fee units
		100 megawatts or more but less than 200 megawatts;	910·25 fee units
		200 megawatts or more	1820·5 fee units
6A.	A09 (Waste tyre storage)	Premises with more than 40 tonnes or 5000 EPU of waste tyres at any time	210 fee units
7.	B01 (Animal industries)	Premises on which are situated piggeries, cattle feedlots, sheep feedlots, goat feedlots, goat dairies or dairy freestalls, where more than 5000 animals are confined for the purposes of agricultural production	140 fee units

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
8.	B02 (Livestock saleyards or holding pens)	Livestock saleyards or holding pens which are designed to have a throughput of at least 10 000 animal units per year	70 fee units
9.	B03 (Fish farms)	Land based fish farms or other on-shore facilities for the cultivation of edible aquatic organisms with a design water flow rate of 0.2 or more megalitres per day, discharging to—	
		inland waters;	70 fee units
		marine waters	140 fee units
10.	C01 (Extractive industry and mining)	Extractive industry including mining and quarrying	70 fee units
11.	D01 (Abattoirs)	Abattoirs, knackereries or poultry processing works which are designed to have a throughput of—	
		up to 5000 tonnes per year;	140 fee units
		5000 tonnes or more per year	490.25 fee units
12.	D02 (Rendering)	Rendering works, being works for the manufacture or extraction of non-edible substances derived from animals with a total product input capacity of—	



Environment Protection (Fees) Regulations 2012  
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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
		less than 5 tonnes per hour;	140 fee units
		5 tonnes per hour or more, but less than 10 tonnes per hour;	490·25 fee units
		10 tonnes per hour or more, but less than 15 tonnes per hour;	910·25 fee units
		15 tonnes per hour or more	1820·5 fee units
13.	D03 (Animal skin tanning)	Animal skin tanning or re-tanning works in which—	
		chromium is used;	910·25 fee units
		chromium is not used	210 fee units
14.	D05 (Pet food processing)	Pet food processing or pet food manufacturing works, which are designed to produce—	
		up to 1000 tonnes per year;	140 fee units
		1000 tonnes or more per year	490·25 fee units
15.	D06 (Food processing)	Food processing works, being a works in which food is preserved, canned, bottled or dried by means of fuel fired plant and which are designed to produce at least 200 tonnes per year of food	70 fee units

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
16.	D07 (Milk processing)	Milk processing or dairy product manufacturing works, which are designed to produce at least 200 tonnes per year of product	70 fee units
17.	D08 (Edible oil)	Edible oil or fat processing works, where either seed crushing, solvent extraction or edible oil or fat deodorising takes place, which are designed to produce at least 2000 tonnes per year of product	910·25 fee units
18.	D09 (Beverage manufacturing)	Beverage manufacturing or processing works	70 fee units
19.	E01 (Textiles)	Textile manufacturing and processing works including carpet manufacturing, wool scouring, textile bleaching, textile dyeing and textile finishing works	210 fee units
20.	F02 (Fibreboard)	Fibreboard, plywood, or particle board works, being a works in which wood, wood products or other cellulose materials are processed to form fibreboard, plywood or particle board	910·25 fee units

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
21.	F03 (Paper pulp mills)	Pulp or paper mills being works in which wood, wood products, waste paper or other cellulose materials are processed to form pulp, paper or cardboard	1820·5 fee units
22.	G01 (Chemical works)	Chemical works with a design production rate of—	
		less than 500 tonnes per annum;	297·5 fee units
		500 tonnes per annum or more but less than 5000 tonnes;	490·25 fee units
		5000 tonnes per annum or more but less than 20 000 tonnes;	910·25 fee units
		20 000 tonnes per annum or more	1820·5 fee units
23.	G02 (Coal processing)	Coal processing works in which coal is converted to gaseous, liquid or solid products, with a design production rate of—	
		500 tonnes per annum or more but less than 5000 tonnes;	910·25 fee units
		5000 tonnes per annum or more	1820·5 fee units
24.	G03 (Oil and gas refining)	Oil or gas refinery works being works in which crude oil or gas is refined or hydrocarbon fractions are produced	1820·5 fee units

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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
25.	G04 (Bulk storage)	<p>Bulk storage facilities which store compounds of carbon (including petroleum products or oil) which contain at least one carbon to carbon bond as well as derivatives of methane and are liquid at Standard Temperature and Pressure or contain any substance classified as a class 3 indicator in State environment protection policy (Air Quality Management) and which have a total design capacity (in tanks exceeding 10 000 litres capacity) of—</p> <p>1 megalitre or more but less than 10 megalitres;</p> <p>10 megalitres or more</p>	<p>140 fee units</p> <p>490·25 fee units</p>
26.	G05 (Container washing)	<p>Premises receiving bulk transport containers for the purpose of internal washing or cleansing where the containers have contained—</p> <p>prescribed industrial waste; or</p> <p>any material that is a dangerous good as classified under the <b>Dangerous Goods Act 1985</b></p>	140 fee units

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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
27.	H01 (Cement)	Cement works in which— clays or limestone materials are used in either a furnace or a kiln in the production of cement clinker; or cement clinker or clays or limestone or like materials are ground	910·25 fee units
28.	H03 (Ceramics)	Ceramic works being works in which bricks, tiles, pipes, pottery goods or refractories are processed in dryers or kilns which are designed to produce at least 10 000 tonnes per year of ceramic product	490·25 fee units
29.	H04 (Mineral wool)	Mineral wool or ceramic fibre works	297·5 fee units
30.	H05 (Glass works)	Glass works, being works manufacturing glass by the melting of raw materials	490·25 fee units
31.	I01 (Primary metallurgical)	Primary metallurgical works, being works in which ores or ore concentrates are processed or smelted to produce metal, with a design production rate of—	

Environment Protection (Fees) Regulations 2012  
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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
		500 tonnes per annum or more, but less than 5000 tonnes;	490·25 fee units
		5000 tonnes per annum or more but less than 20 000 tonnes;	910·25 fee units
		20 000 tonnes per annum or more	1820·5 fee units
32.	I02 (Metal melting)	Metal melting works being works in which metal melting is performed in furnaces having a total design rate of at least 10 tonnes per hour for ferrous foundries or 2 tonnes per hour for non-ferrous foundries, with a design production rate of—	
		1000 tonnes per annum or more, but less than 20 000 tonnes;	297·5 fee units
		20 000 tonnes per annum or more but less than 100 000 tonnes;	490·25 fee units
		100 000 tonnes per annum or more	910·25 fee units
33.	I03 (Metal galvanising)	Metal galvanising works which are designed to have a throughput of at least 5000 tonnes per year of steel	297·5 fee units

Environment Protection (Fees) Regulations 2012  
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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
34.	I04 (Metal finishing)	Metal finishing works including electroplating of metal or plastic, anodising, electroforming or printed circuit board manufacturing	490·25 fee units
35.	I05 (Can and drum coating)	Can and drum coating works in which surface coating is applied to metal before or after the metal is formed into cans, closures, coils or drums	297·5 fee units
36.	I06 (Vehicle assembly)	Vehicle assembly or sub-assembly works	910·25 fee units
37.	J01 (Printing)	Printing works emitting more than 100 kilograms per day of volatile organic compounds	210 fee units
38.	K01 (Power stations)	Power stations which generate electrical power from the consumption of fuel at a rated capacity of at least 5 megawatt electrical power, with an installed capacity of—	
		less than 15 megawatts;	70 fee units
		15 megawatts or more but less than 100 megawatts;	210 fee units
		100 megawatts or more but less than 200 megawatts;	490·25 fee units
		200 megawatts or more	1820·5 fee units

Environment Protection (Fees) Regulations 2012  
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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
39.	K02 (Carbon geosequestration)	Premises which capture, separate, process or store waste carbon dioxide for the purposes of geological disposal	910·25 fee units
40.	K04 (Water desalination plants)	Premises at which salt is removed from water for potable or other uses that have a design capacity to process—	
		1–10 megalitres per day;	140 fee units
		10–50 megalitres per day;	297·5 fee units
		50 megalitres or more per day	490·25 fee units
41.	L01 (General emissions to air)	Premises which discharge or emit, or from which it is proposed to discharge or emit to the atmosphere any of the following—	210 fee units
		at least 100 kilograms per day of—	
		volatile organic compounds; or	
		particles; or	
		sulphur oxide; or	
		nitrogen oxides; or	
		other acid gases (excluding carbon dioxide);	
		at least 500 kilograms per day of carbon monoxide;	



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Schedule 2—Base fee information

<i>Item</i>	<i>Scheduled premises type number and summary description</i>	<i>Activity</i>	<i>Fee</i>
		any quantity of the following substances from industrial plant or fuel burning equipment— any substance classified as a class 3 indicator in State environment protection policy (Air Quality Management)	
42.	L03 (Tunnel ventilation systems)	Road tunnel ventilation systems	297.5 fee units

## Schedule 3—Component fee information

Regulation 8(b)

### 1 Discharges to the atmosphere

- (1) For the purposes of this Schedule, the *annual load* is the maximum amount of waste permitted under a licence to be discharged into the atmosphere, expressed in tonnes per year—
- (a) as specified in the licence; or
  - (b) in the case that the licence specifies a maximum amount of waste permitted to be discharged in grams per minute, calculated by converting that amount to tonnes per year; or
  - (c) calculated using an emissions estimation technique which has been approved in writing by the Authority.
- (2) For the purposes of regulation 8, the component fee for discharges to the atmosphere is the amount expressed in fee units calculated in accordance with the formula—

$\text{Annual load} \times C$

Where—

- C is the component rate specified in column 2 of Table 1 that corresponds to the class indicator for the component to be discharged under the licence specified in column 1 of Table 1.
- (3) Despite subclause (2), if the component fee calculated under subclause (2) is less than one fee unit, the component fee is one fee unit.

- (4) If volatile organic compounds or total organic compounds are specified in a licence, the component fee is calculated using the component rate for class 2 indicators.
- (5) If particles are specified in a licence, but the particle size or the particle chemical composition is not specified, the component fee is calculated using the component rate for class 1 indicators.

**TABLE 1**

<i>Component</i>	<i>Component rate</i>
class 1 indicator	0.412
class 2 indicator	4.12
class 3 indicator	412

## **2 Discharge to water and land**

- (1) For the purposes of this Schedule, the ***annual flow*** is the volume of water permitted under a licence to be discharged onto land or into water, expressed in megalitres per year, calculated by—
  - (a) multiplying the mean daily flow rate as specified in the licence by 365; or
  - (b) using an emissions estimation technique which has been approved in writing by the Authority.
- (2) For the purposes of subclause (1), if the licence does not specify a mean daily flow, the maximum daily flow specified in the licence will be used.
- (3) For the purposes of regulation 8, the component fee for discharges onto land or into water is the amount expressed in fee units calculated in accordance with the formula—

$$\text{Annual flow} \times C$$

where—

C is the component rate specified in column 2 of Table 2 that corresponds to the component to be discharged under the licence specified in column 1 of Table 2.

- (4) Despite subclause (3), if the component fee calculated under subclause (3) is less than one fee unit, the component fee is one fee unit.
- (5) For the purposes of Table 2—
  - organic matter** means total organic carbon, biochemical oxygen demand, or chemical oxygen demand that may be discharged under a licence;
  - temperature above ambient** means for any particular season, any temperature level higher than the average temperature for that season of the waters receiving the licensed discharge;
  - toxicant** means a substance which is poisonous to living things.
- (6) If a discharge of any of components in Table 2 is licensed to be discharged on to land rather than into water, the relevant fee for that component must be reduced by 50%.
- (7) If a licence specifies electrical conductivity, the fee is the component fee for total dissolved solids multiplied by two thirds of the electrical conductivity specified under licence.
- (8) If a licence specifies both electrical conductivity and total dissolved solids, no fee is to be charged for electrical conductivity.
- (9) If more than one of the parameters defined as organic matter is specified under licence, the greater limit must be used for fee calculations.

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S.R. No. 115/2012  
Schedule 3—Component fee information

**TABLE 2**

<i>Component</i>	<i>Component rate</i>
Where the licence specifies an amount of waste permitted to be discharged under the licence—	
for each milligram per litre of the amount of waste permitted to be discharged under the licence of—	
total dissolved solids, discharged to anywhere other than the ocean; <small>(see clauses 2(7) and (8))</small>	0·000618
suspended solids;	0·00309
organic matter; <small>(see clause 2(9))</small>	0·00309
total phosphorus;	0·00515
total nitrogen (excluding ammonia);	0·00515
ammonia;	0·0515
toxicant (including heavy metals);	0·309
any other waste component, not specified elsewhere	0·0515
for each platinum cobalt unit of colour that may be discharged under licence	0·000309
for each degree of Celsius of temperature above ambient that may be discharged under licence	0·00309
Where a licence permits discharges of bacteria (E coli) at a concentration of—	
greater than 10 organisms per 100 millilitres or more but not greater than 200 organisms per 100 millilitres;	0·00103
greater than 200 organisms per 100 millilitres or more, but not greater than 2000 organisms per 100 millilitres;	0·0103
greater than 2000 organisms per 100 millilitres	0·103

**Note**

The amount of waste is the median amount of waste permitted to be discharged under the licence. If the median amount is not specified in the licence, the next lowest value specified in the licence should be used.

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 3—Component fee information

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**Examples**

1. Where a licence specifies that 20mg/L of suspended solids is permitted to be discharged, the component fee is calculated by multiplying the annual flow  $\times 20 \times 0.00309$ .
2. Where a licence permits a discharge of 5 platinum units of colour, the component fee is calculated by multiplying the annual flow  $\times 5 \times 0.000309$ .
3. Where a licence permits the discharge at a temperature 2 degrees above ambient temperature, the component fee is calculated by multiplying the annual flow  $\times 2 \times 0.00309$ .
4. Where a licence permits the discharge of bacteria, specifying that a concentration of 250 organisms per 100 millilitres may be discharged, the component fee is calculated by multiplying the annual flow  $\times 0.0103$ .

## Schedule 4—Fees for prescribed waste transport permits

Regulation 14

- (1) The fee payable for a vehicle which is a prime mover or passenger vehicle to transport prescribed waste, provided the prescribed waste is not carried within that vehicle, is 10·3 fee units.
- (2) The fee payable for any other vehicle to transport a type or class of prescribed waste described in column 2 of the Table is the relevant fee set out in the Table corresponding to the vehicle gross combination load carrying capacity.
- (3) Despite clause (2), if 2 or more categories of prescribed waste are transported by the same vehicle the fee payable is the higher of the relevant fees in the Table.

**TABLE**

<i>Item</i>	<i>Type or Class of prescribed waste</i>	<i>Vehicle Gross Combination Load Carrying Capacity</i>		
		<i>Less than 1·5 tonnes</i>	<i>Equal to or more than 1·5 tonnes but less than 30 tonnes</i>	<i>Equal to or more than 30 tonnes</i>
		<i>Fee</i>	<i>Fee</i>	<i>Fee</i>
1.	Putrescible organic wastes or inert sludges or slurries, clinical and related wastes	19·5 fee units	39·25 fee units	103 fee units
2.	Prescribed waste not specified elsewhere in this table	29·5 fee units	49 fee units	142 fee units

Environment Protection (Fees) Regulations 2012  
S.R. No. 115/2012  
Schedule 4—Fees for prescribed waste transport permits

<i>Item</i>	<i>Type or Class of prescribed waste</i>	<i>Vehicle Gross Combination Load Carrying Capacity</i>		
		<i>Less than 1·5 tonnes</i>	<i>Equal to or more than 1·5 tonnes but less than 30 tonnes</i>	<i>Equal to or more than 30 tonnes</i>
		<i>Fee</i>	<i>Fee</i>	<i>Fee</i>
3.	Prescribed waste which is explosive, flammable or highly reactive	34·25 fee units	58·75 fee units	161·75 fee units



## Endnotes

### 1 General information

See [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Environment Protection (Fees) Regulations 2012, S.R. No. 115/2012 were made on 23 October 2012 by the Governor in Council under section 71 of the **Environment Protection Act 1970**, No. 8056/1970 and came into operation on 28 October 2012: regulation 3.

The Environment Protection (Fees) Regulations 2012 will sunset 10 years after the day of making on 23 October 2022 (see section 5 of the **Subordinate Legislation Act 1994**).

### INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

#### Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

#### References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

#### Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

Environment Protection (Fees) Regulations 2012  
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## 2 Table of Amendments

This publication incorporates amendments made to the Environment Protection (Fees) Regulations 2012 by statutory rules, subordinate instruments and Acts.

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Environment Protection (Scheduled Premises and Exemptions), (Industrial Waste Resource) and (Fees) Amendment Regulations 2015, S.R. No. 25/2015

*Date of Making:* 14.4.15

*Date of Commencement:* Reg. 9 on 29.4.15: reg. 3

Environment Protection (Scheduled Premises) Regulations 2017, S.R. No. 45/2017

*Date of Making:* 14.6.17

*Date of Commencement:* Reg. 17 on 25.6.17: reg. 3

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### **3 Amendments Not in Operation**

There are no amendments which were Not in Operation at the date of this publication.

#### 4 Explanatory details

<sup>1</sup> Reg. 10(2): S.R. No. 77/2009.

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##### Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2016 is \$13.94. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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##### Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 115/2012 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5	State environment protection policy (Air Quality Management) (published in the Victoria Government Gazette S240 on 21 December 2001 and as in force from time to time)	Schedule A