

Australian Capital Territory

Environment Protection (Fees) Determination 2007 (No 1)

Disallowable Instrument DI2007— 164

made under the

Environment Protection Act 1997, Section 165 - Determination of Fees

EXPLANATORY STATEMENT

Section 165 of the *Environment Protection Act 1997* (the Act) allows for the Minister to determine fees for the Act.

The purpose of this determination is to revoke Disallowable Instrument 2006-110 which set fees for the 2006-2007 financial year and to determine fees from 1 July 2007.

Schedule 1 of the instrument sets the fees payable in respect to an application for an environmental authorisation under section 47 of the Act.

Schedule 2 of the instrument sets the annual fees payable where an environmental authorisation is in effect. Section 53 of the Act requires the holder of a standard environmental authorisation granted for an unlimited period to pay an annual fee for each year or each part of a year the authorisation is in effect. The annual fee for sewerage treatment (Table 1.2, item 12 of the Act) may be paid in quarterly instalments.

Schedule 3 of the instrument sets load based fees for certain pollutants released into the environment (an “Annual Pollutant Fee”). The Annual Pollutant Fee is only payable if the fee payable is greater than the fee payable in Schedule 2 of the instrument for the activity. If an Annual Pollutant Fee is payable, the fee payable is reduced by the fee payable for the activity in Schedule 2 of the instrument.

The determination increases the fees payable under the Act by the current wage price index for Canberra issued by the Australian Bureau of Statistics from 1 July 2007 (4.0%), consistent with the Government’s announcement on indexing of fees and charges as part of the 2006-07 ACT Budget. Where appropriate, the increases are rounded down to the nearest 5 cents.

This determination takes effect on 1 July 2007.