

Australian Capital Territory

Environment Protection (Fees) Determination 2008 (No 1)

Disallowable Instrument DI2008-148

made under the

Environment Protection Act 1997, section 165 (Determination of fees etc)

EXPLANATORY STATEMENT

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

This determination revokes the previous fee determination (DI2007 – 164) that set fees for the 2007-2008 financial year and establishes fees from 1 July 2008.

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

Schedule 2 of the determination 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 (item 10, of table 1.2 of the schedule to the Act) may be paid in quarterly instalments.

Schedule 3 of the determination 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 determination 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 determination.

The determination increases fees in accordance with the Wage Price Index estimate for 2008-09 of 4.25%, consistent with the Government’s announcement, made as part of the 2006-07 ACT Budget, on the indexing of government fees and charges. The descriptions in the determination to various regulated activities described in the Act’s schedule have been updated to reflect amendments to the Act’s schedule introduced in December 2007.

The determination takes effect on 1 July 2008.