

# Environment Protection (Fees) Determination 2023

## Disallowable instrument DI2023-125

made under the

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

## EXPLANATORY STATEMENT

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

The purpose of this instrument is to determine the fees for goods and services under the Act for the 2023-24 financial year.

The regulatory fees in the determination have been increased by 3.75% for the 2023-24 financial year based on the wage price index as per government's advice.

The instrument commences on 1 July 2023.

This determination also includes amendments to the following matters for which a fee is payable, as listed in column 2 of the schedule of the 2022-23 fee instrument (DI2022-208):

- Operation of an incineration facility
- Conduct of a crematorium
- Transport of controlled waste
- Treatment, handling or storage of more than 1,000 cubic metres of contaminated soil
- Treatment of more than 10,000 cubic metres of contaminated soil
- Acceptance of soil on land

The above matters for which a fee is payable, as listed in column 2 of the schedule for this 2023-24 fee instrument, are amended as follows:

- Operation of an incineration facility for the destruction of waste by thermal oxidation
- Conduct of a crematorium by means of thermal oxidation

- Transport of controlled waste between States and Territories
- Treatment, handling or storage of contaminated soil
- Treatment of contaminated soil
- Acceptance of soil on certain land

This instrument revokes the *Environment Protection (Fees) Determination 2022 (No 2)* (DI2022-208).

A determination made under section 165 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001* (Legislation Act).

### **Regulatory Impact Statement (RIS)**

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

### **Human Rights**

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.