



**AUSTRALIAN CAPITAL TERRITORY
ENVIRONMENT PROTECTION ACT 1997
REVOCATION AND DETERMINATION OF FEES
INSTRUMENT NO. 129 OF 1999
EXPLANATORY STATEMENT**

The *Environment Protection Act 1997* provides for the regulation of the discharge of pollutants and hazardous substances into the air, land or water consistent with maintaining environmental quality. It controls the generation, storage, collection, transportation, treatment and disposal of waste with a view to reducing, minimizing and where practical, eliminating harm to the environment.

Under Section 165 of the Environment Protection Act 1997, ('the Act') the Minister may, by notice published in the Gazette, determine the amount of a fee payable under the Act.

Under section 47 of the Act a fee is payable when a person applies for an environmental authorisation.

Under Section 53 of the Act the holder of a standard environmental authorisation, granted for an unlimited period, is liable to pay a fee in respect of each year or part of a year that the authorisation is in effect. As the *Environment Protection Act 1997* commenced on 1 June 1998, the second annual period of authorisations has commenced and annual fees are now payable for the first time.

Under Section 69 of the Act a person required to submit a draft environment improvement plan must submit the plan together with the determined fee.

Under Section 76 of the Act a person submitting an environmental audit report must submit the report together with the determined fee.

Under section 83 of the Act a person submitting a draft emergency plan must submit the plan together with the determined fee.

Under Division 1 Part XIII of the Act an administrative charge is payable in addition to the on-the-spot fine when a final notice is issued.

The fees are based on the principle of full cost recovery for administrative fees and on “polluter-pays” basis for environmental authorisations. The amounts in brackets are the previous fees.

The fees payable under the Act have been reviewed and increased generally in line with the Consumer Price Index.

The fees are set out below; the amounts in the brackets are the previous fees.

Provision for purposes for which fee is payable	Description of matter in respect of which fee is payable	Fee payable \$
Schedule 1 Section 2 (a)	The manufacture, sale, storage, supply, transport, use, servicing or disposal of, or other dealing with an ozone depleting or other substance or a thing containing an ozone depleting or other substance	154.00 (150.00)
Schedule 1 Section 2 (b)	In-stream extraction - where the amount extracted is:	
	– less than 30,000 tonnes per year	3072.00
	– 30,000 to 100,000 tonnes per year	(3000.00)
	– over 100,000 tonnes per year	4096.00
		(4000.00)
		5632.00
		(5500.00)
Schedule 1 Section 2 (c)	Commercial incineration	1536.00
		(1500.00)
Schedule 1 Section 2 (d)	The conduct of a crematorium	154.00 (150.00)
Schedule 1 Section 2 (e)	Commercial landfill	1536.00
		(1500.00)

Schedule 1	Sewage treatment where the amount of effluent discharged	
Section 2 (g)	is:	
	– less than 100 megalitres per year	154.00 (150.00)
	– 100 to 1,000 megalitres per year	512.00 (500.00)
	– 1,001 to 5,000 megalitres per year	1536.00
	– 5,001 to 10,000 megalitres per year	(1500.00)
	– 10,001 to 25,000 megalitres per year	3072.00
	– over 25,000 megalitres per year	(3000.00)
		4096.00
		(4000.00)
		5632.00
		(5500.00)
Schedule 1	Commercial aquaculture	307.00 (300.00)
Section 2 (h)		
Schedule 1	The Conduct of a feedlot where the capacity of the feedlot is:	
Section 2 (j)	–less than 500 animals	154.00 (150.00)
	–500 to 2500 animals	307.00 (300.00)
	–over 2500 animals	1024.00
		(1000.00)

Provision for purposes for which fee is payable	Description of matter in respect of which fee is payable	Fee payable \$
Schedule 1 Section 2 (k)	The conduct of stock saleyards	154.00 (150.00)
Schedule 1 Section 2 (m)	Woolscouring or wool carbonising	307.00 (300.00)
Schedule 1 Section 2 (n)	Outdoor concert activities	154.00 (150.00)
Schedule 1 Section 2 (p)	The management of a concert venue	
	- Exhibition Park In Canberra	512.00 (500.00)
	- Others	154.00 (150.00)
Schedule 1 Section 2 (q)	The generation of electricity where the generating capacity of the plant is:	
	– less than 450 gigawatts per hour	512.00 (500.00)
	– 450 to 1,000 gigawatts per hour	1536.00
	– over 1,000 gigawatts per hour	(1500.00)
		4096.00
		(4000.00)
Schedule 1 Section 2 (r)	Motor racing events	154.00 (150.00)
Schedule 1 Section 2 (s)	The management of a motor racing venue	154.00 (150.00)
Schedule 1 Section 2 (u)	The commercial use of chemical products	154.00 (150.00)
Schedule 1 Section 2 (v)	The storage or production of a petroleum product	1536.00 (1500.00)
Schedule 1 Section 3 (a)	The commercial production of alcoholic or non-alcoholic beverages	154.00 (150.00)
Schedule 1 Section 3 (b)	The manufacture of things in furnaces or kilns where the capacity of the plant is:	
	–less than 5,000 tonnes per year	154.00 (150.00)
	–5,000 to 50,000 tonnes per year	512.00 (500.00)
	– over 50,000 tonnes per year	1536.00 (1500.00)
Schedule 1 Section 3 (c)	The preservation of wood where the capacity of the plant is:	
	–less than 5,000 tonnes per year	154.00 (150.00)
	–5,000 to 50,000 tonnes per year	512.00 (500.00)
	– over 50,000 tonnes per year	1536.00 (1500.00)

Provision for purposes for which fee is payable	Description of matter in respect of which fee is payable	Fee payable \$
Schedule 1 Section 3 (d)	The production of concrete or concrete products where the capacity of the plant is: –less than 10,000 tonnes per year –10,000 to 50,000 tonnes per year – over 50,000 tonnes per year	154.00 (150.00) 307.00 (300.00) 1024.00 (1000.00)
Schedule 1 Section 3 (e)	Forestry activities	1536.00 (1500.00)
Schedule 1 Section 3 (f)	Major land development or construction activities where the is: – less than 1 hectare – 1 to 2 hectares – over 2 to 5 hectares – over 5 to 20 hectares – over 20 hectares	358.00 (350.00) 614.00 (600.00) 922.00 (900.00) 1536.00 (1500.00) 2458.00 (2400.00)
Schedule 1 Section 3 (g)	Management of municipal services maintenance on unleased land	1536.00 (1500.00)
Schedule 1 Section 3 (h)	Wastewater recycling activities	154.00 (150.00)
Schedule 1 Section 3 (j)	The commercial collection of waste from commercial premises	154.00 (150.00)
Section 69 (2)	Submission to the Environment Management Authority of an Environment Improvement Plan	154.00 (150.00)
Section 76 (2)	Submission to the Environment Management Authority of an Environmental Audit	154.00 (150.00)
Section 83	Submission to the Environment Management Authority of an Emergency Plan	154.00 (150.00)
Schedule 1 Section 2 (a)	Annual fee - the manufacture, sale, et cetera of an ozone depleting or other substance	154.00 (new)
Schedule 1 Section 2 (c)	Annual fee - commercial incineration	1536.00 (new)
Schedule 1 Section 2 (d)	Annual fee - the conduct of a crematorium	154.00 (new)
Schedule 1 Section 2 (n)	Annual fee - outdoor concert activities	154.00(new)
Schedule 1 Section 2 (p)	Annual fee - the management of a concert venue Exhibition Park In Canberra Others	512.00 (new) 154.00 (new)
Schedule 1 Section 2 (r)	Annual fee - motor racing events	154.00(new)
Schedule 1 Section 2 (s)	Annual fee - the management of a motor racing venue	154.00 (new)

Provision for purposes for which fee is payable	Description of matter in respect of which fee is payable	Fee payable \$
Schedule 1 Section 2 (u)	Annual fee - the commercial use of chemical products	154.00 (new)
Schedule 1 Section 3 (b)	Annual fee - the manufacture of things in furnaces or kilns where the capacity of the plant is:	
	-less than 5,000 tonnes per year	154.00 (new)
	-5,000 to 50,000 tonnes per year	512.00(new)
	- over 50,000 tonnes per year	1536.00 (new)
Schedule 1 Section 3 (j)	Annual fee - the commercial collection of waste from commercial premises	154.00 (new)