

TASMANIA

**ENVIRONMENTAL MANAGEMENT AND
POLLUTION CONTROL (GENERAL)
REGULATIONS 2017**

STATUTORY RULES 2017, No. 80

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**ENVIRONMENTAL MANAGEMENT AND
POLLUTION CONTROL (GENERAL)
REGULATIONS 2017**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Environmental Management and Pollution Control Act 1994*.

Dated 30 October 2017.

C. WARNER
Governor

By Her Excellency's Command,

ELISE ARCHER
Minister for Environment and Parks

PART 1 – PRELIMINARY

1. Short title

These regulations may be cited as the
*Environmental Management and Pollution
Control (General) Regulations 2017*.

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2. Commencement

These regulations take effect on the seventh day after the day on which their making is notified in the *Gazette*.

3. Interpretation

In these regulations, unless the contrary intention appears –

Act means the *Environmental Management and Pollution Control Act 1994*;

approved, in relation to a level 2 activity specified in Schedule 1, means one of the following is in force in respect of the activity:

- (a) a LUPAA permit;
- (b) an order in accordance with section 26 of the *State Policies and Projects Act 1993*;
- (c) an environment protection notice in accordance with section 27 or section 44 of the Act;
- (d) an environmental approval, as defined in the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*;

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capacity, in relation to a level 2 activity specified in Schedule 1, means the maximum capacity for processing, production, melting, consumption, application, treatment, receipt, handling, washing or generation that is specified in relation to the level 2 activity in –

- (a) a LUPAA permit; or
- (b) an order made in accordance with section 26 of the *State Policies and Projects Act 1993*; or
- (c) an environment protection notice issued, or caused to be issued, by the Director in accordance with section 27 or section 44 of the Act; or
- (d) an environmental approval, as defined in the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*;

GST has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth;

hourly rate means 75 fee units for each hour, or part of an hour, spent by the Board or Director on a matter to which a fee prescribed in these regulations relates;

inert waste means waste that is not –

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- (a) controlled waste; or
- (b) putrescible waste; or
- (c) likely to cause, either directly or indirectly, material environmental harm or serious environmental harm or environmental nuisance; or
- (d) contaminated with controlled waste or putrescible waste;

low-risk activity means an environmentally relevant activity determined by the Board to be a low-risk activity under regulation 10;

LUPAA permit means a permit –

- (a) granted or taken to have been granted under the *Land Use Planning and Approvals Act 1993*, with conditions attached by the Board; and
- (b) in respect of which the Board has carried out an environmental impact assessment;

permissible level 1 activity has the same meaning as in section 24 of the Act;

permissible level 2 activity has the same meaning as in section 25 of the Act;

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putrescible waste means waste containing major components that are likely to generate an offensive odour;

wastewater treatment works means works –

- (a) that are conducted to enable the discharge of treated or untreated sewage, septic tank effluent or industrial or commercial wastewater to land or water; and
- (b) that have a capacity to treat sewage, septic tank effluent or industrial or commercial wastewater.

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**PART 2 – FEES FOR LUPAA PERMITS, ORDERS AND
ENVIRONMENT PROTECTION NOTICES**

*Division 1 – Fees for LUPAA permits, orders and
environment protection notices*

**4. Annual fees for LUPAA permits and environment
protection notices**

- (1) The fee payable in respect of a LUPAA permit by the person responsible for a level 2 activity that is not a low-risk activity and is conducted under one LUPAA permit is the total of –
 - (a) the fixed fee in Column 2 of Schedule 1 corresponding to the level 2 activity in Column 1 of that Schedule; and
 - (b) the variable fee in Column 3 of Schedule 1 corresponding to the level 2 activity in Column 1 of that Schedule.
- (2) The fee payable in respect of a LUPAA permit, or for the issue and service of an environment protection notice issued in accordance with section 27(6) of the Act, by the person responsible for the level 2 activity that is a low-risk activity and is conducted under one LUPAA permit or one environment protection notice, respectively, is 250 fee units.
- (3) The fee payable in respect of a LUPAA permit by the person responsible for the permissible

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level 1 activity that is conducted under one LUPAA permit, the application for which is referred to the Board under section 24(1) of the Act, is 16 500 fee units plus a variable fee of 12 680 fee units.

- (4) The fees prescribed under this regulation are exempt from GST.

5. Fees for orders under *State Policies and Projects Act 1993*

- (1) The fee payable in respect of an order made under section 26 of the *State Policies and Projects Act 1993* by the person responsible for an environmentally relevant activity which is a level 3 activity, and in respect of which the order is made, is –
- (a) the fee prescribed under regulation 4(1) if the level 3 activity is also a level 2 activity; or
- (b) 16 500 fee units, plus a variable fee of 12 680 fee units, if the level 3 activity is not also a level 2 activity.
- (2) The fees prescribed under this regulation are exempt from GST.

6. Fees for environment protection notices

- (1) In this regulation –

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- (2) A person issued and served, in accordance with section 27(6) of the Act, with an environment protection notice that is in force, is liable to pay the relevant fee for all the actions taken by the Director or an authorized officer, during a relevant period, to ensure compliance with any conditions or restrictions contained in the notice.

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- (3) The person liable to pay the relevant fee under subregulation (2) is to pay that fee within 30 days after –
 - (a) the day on which the environment protection notice is issued and served on the person; and
 - (b) each 12-month anniversary of the day on which the environment protection notice is issued and served on the person.
- (4) The fees prescribed under this regulation are exempt from GST.

7. When fees for LUPAA permits, orders and environment protection notices payable

- (1) The person liable to pay the fee under regulation 4 in respect of a LUPAA permit is to pay that fee within 60 days after –
 - (a) the day on which the LUPAA permit is granted; and
 - (b) each 12-month anniversary of the day on which the LUPAA permit is granted.
- (2) The person liable to pay the fee under regulation 4(2) in respect of an environment protection notice is to pay that fee within 30 days after –

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- (a) the day on which the order is made; and

Division 2 – Exemptions from variable fees

8. Exemptions from variable fees at Board's discretion

- (a) by notice in writing provided to the person; and

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- (c) for a period specified in the notice; and
 - (d) with or without any conditions specified in the notice that the Board considers appropriate.
- (2) The Board may vary or revoke an exemption granted under subregulation (1) if the Board considers it appropriate to do so.
- (3) Within 14 days after varying or revoking an exemption, the Board is to provide notice in writing of the variation or revocation to the person granted the exemption specifying the day on which the variation or revocation takes effect.

9. Exemptions from variable fees on application of person

- (1) Not less than 12 months after the day on which a person became liable to pay a variable fee referred to in regulation 4(1)(b), regulation 4(3), regulation 5(1) or regulation 6(1), the person may apply in writing to the Board for an exemption from liability to pay all or part of the variable fee.
- (2) An application is to –
 - (a) be made not less than 90 days before the next 12-month anniversary of –
 - (i) the day on which the LUPAA permit to which the variable fee

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- relates was granted or taken to have been granted; or
 - (ii) the making of the order under the *State Policies and Projects Act 1993* to which the variable fee relates; or
 - (iii) the day on which the environment protection notice to which the variable fee relates was served; and
 - (b) be in a form approved by the Board; and
 - (c) be accompanied by any documents that the Board considers appropriate; and
 - (d) contain any additional information that the Board considers appropriate.
- On receipt of an application, the Board may –
- (a) refuse to grant the exemption; or
 - (b) grant the exemption with or without any conditions that the Board considers appropriate.
- On considering an application, the Board must consider the following matters:
- (a) the measures taken by the applicant to reduce any environmental harm caused by, or likely to be caused by, the environmentally relevant activity;

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- (b) the applicant's history of compliance with any provision of the Act or these regulations;
 - (c) whether or not the applicant has substantially complied with any conditions imposed in respect of the LUPAA permit, the order or environment protection notice to which the variable fee relates;
 - (d) any other matter that the Board considers appropriate.
- (5) Within 14 days after determining an application, the Board, by notice in writing provided to the applicant, is to notify the applicant of the following:
 - (a) whether it has granted or refused to grant the exemption;
 - (b) the day on which the exemption takes effect;
 - (c) the period during which the exemption has effect;
 - (d) the conditions, if any, that are imposed on the exemption.
- (6) The Board may vary or revoke an exemption granted under subregulation (3) if the Board considers it appropriate to do so.

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- (a) the details of the variation or revocation; and
- (b) the day on which the variation or revocation takes effect; and
- (c) for a notice of the revocation of an exemption, the period during which the person may not re-apply for the exemption to which the revocation relates.

Division 3 – Determination of low-risk activity status

10. Low-risk activities

- (a) responsible for a level 2 activity conducted under a LUPAA permit; or
- (b) subject to an environment protection notice issued in accordance with section 27(6)(a) of the Act –

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the person may apply in writing to the Board for a determination as to whether or not an environmentally relevant activity that is a level 2 activity to which the permit or notice relates is a low-risk activity.

- (2) An application is to –
 - (a) be made not less than 90 days before the next 12-month anniversary of –
 - (i) the day on which the LUPAA permit to which the application relates was granted or taken to have been granted; or
 - (ii) the day on which the environment protection notice to which the application relates was served; and
 - (b) be in a form approved by the Board; and
 - (c) be accompanied by any documents that the Board considers appropriate; and
 - (d) contain any additional information that the Board considers appropriate.
- (3) On receipt of an application or at its discretion, the Board may determine that an environmentally relevant activity –
 - (a) is a low-risk activity; or
 - (b) is not a low-risk activity.

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- the Board considers appropriate.

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risk activity, the Board is to notify the applicant –

- (a) of its determination; and
 - (b) if the Board determines the activity to be a low-risk activity, of the day on which the determination takes effect.
- (7) If the Board determines that an environmentally relevant activity is a low-risk activity but is later satisfied that it is no longer a low-risk activity, the Board may revoke the earlier determination.
- (8) Within 14 days after revoking a determination, the Board is to provide notice in writing of the revocation to the person who is responsible for the level 2 activity conducted under the LUPAA permit or the person subject to the environment protection notice.
- (9) Notice of the revocation of a determination is to specify –
- (a) the day on which the revocation of the determination takes effect; and
 - (b) the period during which that person may not re-apply for low-risk status for the environmentally relevant activity; and
 - (c) the reasons for the revocation of the determination.

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Part 3 – Fees for Assessments

PART 3 – FEES FOR ASSESSMENTS

11. Fees for assessments

- (1) The fee payable in respect of the assessment by the Board, under section 25A(1A) of the Act, of a permissible level 2 activity referred to the Board under section 25 of the Act is –
 - (a) the fee in Column 4 of Schedule 1 corresponding to that activity in Column 1 of that Schedule; and
 - (b) payable by the person proposing the activity to which the permit application under the *Land Use Planning and Approvals Act 1993* that gave rise to the assessment relates.
- (2) The fee payable in respect of the assessment by the Board, under section 25(2)(a) of the Act, of a permissible level 1 activity referred to the Board under section 24(1) of the Act is –
 - (a) the hourly rate or 41 322 fee units, whichever is the lesser; and
 - (b) payable by the person proposing the activity to which the permit application under the *Land Use Planning and Approvals Act 1993* that gave rise to the assessment relates.
- (3) The fee payable in respect of the assessment by the Board, under section 25(2)(a) of the Act, of a

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use or development that is, under section 25(1A) of the Act, not ancillary to an existing level 2 activity is –

- (a) the hourly rate or 41 322 fee units, whichever is the lesser; and
 - (b) payable by the person proposing the activity to which the permit application under the *Land Use Planning and Approvals Act 1993* that gave rise to the assessment relates.
- (4) The fee payable in respect of the assessment by the Board under section 25(2)(a) of the Act, of a permissible level 2 activity referred to the Board under section 25(1) of the Act, other than a use or development that is, under section 25(1A) of the Act, on the same land as, and not ancillary to, an existing level 2 activity, is –
 - (a) the fee in Column 4 of Schedule 1 corresponding to that activity in Column 1 of that Schedule; and
 - (b) payable by the person proposing the activity to which the permit application under the *Land Use Planning and Approvals Act 1993* that gave rise to the assessment relates.
- (5) The fee payable in respect of the assessment by the Board, under section 25(1A) of the Act, of a permissible level 1 activity referred to the Board under section 24 of the Act is –

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- (a) the hourly rate or 41 322 fee units, whichever is the lesser; and
 - (b) payable by the person proposing the activity to which the permit application under the *Land Use Planning and Approvals Act 1993* that gave rise to the assessment relates.
- (6) If a notice of intent is lodged under section 27B(1) of the Act, the fee referred to in subregulation (4) is to be calculated from the day on which the notice was lodged.
- (7) The fee payable in respect of the assessment by the Board under section 27(3) of the Act, of a level 2 activity referred to the Board under section 27(1) of the Act by the person proposing the activity, is the fee in Column 4 of Schedule 1 corresponding to that activity in Column 1 of that Schedule.
- (8) The fee payable in respect of the assessment by the Board under section 27(3) of the Act, of an environmentally relevant activity referred to the Board under section 27(2) of the Act by the person proposing the activity, is the hourly rate or 41 322 fee units, whichever is the lesser.
- (9) If, in the course of undertaking an assessment under subregulation (1), (2), (3), (4), (5), (7) or (8), the Board considers it necessary to consult with a person outside the Department or advertise in a newspaper circulating nationally, in addition to the fee payable under those

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subregulations, the Board may, by written notice provided to the person liable to pay that fee, require that person to pay the cost of any such consultation or newspaper advertisements.

- (10) The fees prescribed under this regulation are exempt from GST.

12. When fees for assessments payable

- (1) The person liable to pay a fee under regulation 11(1), (2), (3), (4) or (5) is to pay that fee within 60 days after the day on which –
- (a) the relevant LUPAA permit is granted; or
 - (b) the relevant LUPAA permit is not granted; or
 - (c) that person withdraws the application for the relevant LUPAA permit; or
 - (d) the Board becomes aware that the development proposal is not to be proceeded with.
- (2) The person liable to pay a fee under regulation 11(7) or (8) is to pay that fee –
- (a) in the case of an environment protection notice served on the person under section 27(6)(a) of the Act, within 30 days after receipt of that notice; or
 - (b) in the case of a notice served on the person under section 27(6)(b) of the Act,

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Part 3 – Fees for Assessments

- within 30 days after receipt of that notice; or
- (c) in the case of the person withdrawing the referral for the relevant activity before a notice referred to in paragraph (a) or (b) is served on the person, within 30 days after the day on which he or she withdraws that referral; or
- (d) in the case of a development proposal that is not to be proceeded with, within 30 days after the day on which the Board becomes aware that the development proposal is not to be proceeded with.
- (3) The person liable to pay a fee under regulation 11(9) is to pay that fee within 30 days after receipt of the written notice referred to in that regulation.

**PART 4 – FEES FOR ENVIRONMENTAL
IMPROVEMENT PROGRAMMES**

13. Fees for environmental improvement programmes

- (1) The fee payable, in respect of the approval under section 40 of the Act by the Board of a draft environmental improvement programme for an environmentally relevant activity, by the person who submits the draft programme for the activity to the Board, is the hourly rate or 41 322 fee units, whichever is the lesser.
- (2) The fee payable, in respect of the Board ensuring that an environmental improvement programme for an environmentally relevant activity is complied with, by the person responsible for the activity, is 5 000 fee units.
- (3) The fees prescribed under this regulation are exempt from GST.

14. When fees for environmental improvement programmes payable

- (1) The person liable to pay a fee under regulation 13(1) is to pay that fee within 30 days after the approval of the environmental improvement programme by the Board under section 40 of the Act.
- (2) The person liable to pay a fee under regulation 13(2) is to pay that fee within 30 days after the approval of the environmental

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Part 4 – Fees for Environmental Improvement Programmes

improvement programme by the Board under section 40 of the Act, and on each anniversary of that approval while the environmental improvement programme remains in force.

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PART 5 – MISCELLANEOUS FEES

15. Miscellaneous fees

- (1) The fee payable by a person for a search of a register under section 22(2) of the Act is 11 fee units.
- (2) The fee payable by a person for premises declared to be scheduled premises under section 22A of the repealed Act is 8 250 fee units.
- (3) The fee payable by a person for submission to the Board of a report on an environmental audit under section 30 of the Act is 5 500 fee units.
- (4) The fee payable by a person for the issue of a determination by the Board on a voluntary environmental audit under section 31 of the Act is 1 100 fee units.
- (5) The fee payable by a person for the issue of an environment protection notice in accordance with section 44 of the Act or the amendment of an environment protection notice under section 44(5) of the Act, is –
 - (a) 200 fee units; and
 - (b) the hourly rate or 41 322 fee units, whichever is the lesser.
- (6) The fee payable by a person issued with an environment protection notice in accordance with section 44 of the Act, for the assessment, inspection, or other appropriate actions, to

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Part 5 – Miscellaneous Fees

ensure that any measures specified in the notice or any requirements imposed by the notice are complied with, is the hourly rate.

- (7) The fee payable by a person under section 74N(1)(a) of the Act for the issue and service or amendment of a notice issued under section 74C of the Act is –
 - (a) 200 fee units; and
 - (b) the hourly rate or 41 322 fee units, whichever is the lesser.
- (8) The fee payable by a person under section 74N(1)(d) or (e) of the Act for inspection, review or other appropriate actions, to ensure that a notice issued under section 74C of the Act is complied with is the hourly rate.
- (9) Subregulation (5) and (6) do not apply to an environment protection notice –
 - (a) to which regulation 6 applies; or
 - (b) issued in accordance with section 44(1)(d) of the Act; or
 - (c) issued in accordance with section 44(2) of the Act.
- (10) The fees prescribed under this regulation are exempt from GST.

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16. When miscellaneous fees payable

- (1) The person liable to pay a fee under regulation 15(1) is to pay that fee at the time of the search.
- (2) The person liable to pay a fee under regulation 15(2) is to pay that fee on each anniversary of the day on which the premises were declared to be scheduled premises, while the declaration remains in force.
- (3) The person liable to pay a fee under regulation 15(3) is to pay that fee within 30 days after the Board receives the environmental audit report.
- (4) The person liable to pay a fee under regulation 15(4) is to pay that fee within 30 days after the Board receives the application for a determination.
- (5) The person liable to pay a fee under regulation 15(5) is to pay that fee within 30 days after the issue or amendment of the environment protection notice or when required, in writing, by the Board to pay the fee.
- (6) The person liable to pay a fee under regulation 15(6) is to pay the fee within 30 days after an invoice for the fee is issued or when required, in writing by the Board, to pay the fee.
- (7) The person liable to pay a fee under regulation 15(7) is to pay the fee within 30 days after the issue and service, or amendment, of the

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Part 5 – Miscellaneous Fees

notice or when required, in writing by the Board,
to pay the fee.

- (8) The person liable to pay a fee under regulation 15(8) is to pay the fee within 30 days after an invoice for the fee is issued or when required, in writing by the Board, to pay the fee.

**PART 6 – EXEMPTIONS FROM FEES PAYABLE
UNDER REGULATIONS**

17. Exemptions from fees payable under regulations

- (1) The Board, at its own discretion or on receipt of an application in accordance with subregulation (2), may exempt a person or an applicant from liability to pay all or part of a fee prescribed in these regulations.
- (2) An application is to –
 - (a) be in a form approved by the Board; and
 - (b) be accompanied by any documents that the Board considers appropriate; and
 - (c) contain any additional information that the Board considers appropriate.
- (3) In determining whether or not to grant an exemption, the Board may take into consideration any matters that it considers relevant.
- (4) An exemption –
 - (a) takes effect from a day specified by the Board; and
 - (b) is to be notified to the applicant; and
 - (c) is for a period specified by the Board; and

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Part 6 – Exemptions from Fees Payable under Regulations

- (d) is subject to any conditions that the Board considers appropriate.
- (5) The Board may vary or revoke an exemption –
 - (a) if the person in respect of whom the exemption was granted fails to comply with any condition imposed on the exemption; or
 - (b) if the Board otherwise considers it appropriate to do so.
- (6) Within 14 days after varying or revoking an exemption, the Board is to provide notice in writing of the variation or revocation to the person granted the exemption.
- (7) Notice of the variation or revocation of an exemption is to specify –
 - (a) the details of the variation or revocation; and
 - (b) the day on which the variation or revocation takes effect; and
 - (c) for a notice of the revocation of an exemption, the period during which the person may not re-apply for the exemption.

PART 7 – GUIDELINES

18. Guidelines

- (1) The Board may issue guidelines for the purpose of the administration of –
 - (a) exemptions from variable fees under regulation 8; and
 - (b) exemptions from variable fees under regulation 9; and
 - (c) determinations of low-risk activity status under regulation 10; and
 - (d) exemptions from fees payable under these regulations under regulation 17.
- (2) The guidelines may be made so as to apply differently according to the factors that are specified in the guidelines.
- (3) The guidelines may authorise any matter to be from time to time approved, determined, applied or regulated by the Board or the Director.

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Part 8 – Environmental Infringement Notices

**PART 8 – ENVIRONMENTAL INFRINGEMENT
NOTICES**

19. Prescribed offences

- (1) For the purposes of section 72 of the Act –
 - (a) an offence under a provision of an Act specified in Schedule 2 is a prescribed offence; and
 - (b) an offence under section 53(2) of the Act constituted by conduct specified in Schedule 3 is a prescribed offence.
- (2) A penalty specified in column 2 of a table in item 1, item 2 or item 3 of Schedule 2 is prescribed as the penalty payable by an individual for the relevant prescribed offence specified in column 1 of the relevant table.
- (3) A penalty specified in column 3 of a table in item 1, item 2 or item 3 of Schedule 2 is prescribed as the penalty payable by a body corporate for the relevant prescribed offence specified in column 1 of the relevant table.
- (4) A penalty specified in column 2 of the table in Schedule 3 is prescribed as the penalty payable by an individual for the relevant prescribed offence specified in column 1 of that table.
- (5) A penalty specified in column 3 of the table in Schedule 3 is prescribed as the penalty payable

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Part 8 – Environmental Infringement Notices

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by a body corporate for the relevant prescribed offence specified in column 1 of that table.

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Part 9 – Rescission

PART 9 – RESCISSION

20. Legislation rescinded

The legislation specified in Schedule 4 is rescinded.

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**SCHEDULE 1 – ANNUAL FEES AND ASSESSMENT
FEES**

Regulations 4 and 11

	Column 1	Column 2	Column 3	Column 4
	Level 2 activity	Fixed fee	Variable fee	Assessment fee
		(fee units)	(fee units)	(fee units/hourly rate)
1.	PETROLEUM AND CHEMICAL			
	(a) Chemical Works (Processing capacity, in tonnes of raw material per year)			
	(i) Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 200 but not more than 1 000	500	384	1 200
	More than 1 000 but not more than 10 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 30 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 30 000 but not more than 100 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 100 000 but not more than 200 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser

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	More than 200 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 200 but not more than 1 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 1 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 30 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
	More than 30 000 but not more than 100 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 100 000 but not more than 200 000	11 000	8 454	Hourly rate or 20 661 whichever is the lesser
	More than 200 000	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
(b)	Coal-Processing Works (Processing capacity, in tonnes of product per year)			
	Not more than 1 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 1 000 but not more than 50 000	3 400	2 613	Hourly rate or 20 661 whichever is the lesser

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	More than 50 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(c)	Oil Refineries (Processing capacity of raw material refined, produced or reprocessed, in tonnes per year)			
	(i) Works discharging all wastewater to external approved wastewater treatment works			
	Not more than 2 000	500	384	Hourly rate or 4 132 whichever is the lesser
	More than 2 000 but not more than 10 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 50 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 50 000 but not more than 200 000	3 400	2 613	Hourly rate or 20 661 whichever is the lesser
	More than 200 000 but not more than 500 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			

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	Not more than 2 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 2 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 50 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 50 000 but not more than 200 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 200 000 but not more than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
	More than 500 000	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
	(d) Wood Preservation Works (Production capacity, in cubic metres of product per year)			
	Not more than 500	500	384	Hourly rate or 4 132 whichever is the lesser
	More than 500 but not more than 5 000	1 000	769	Hourly rate or 8 264 whichever is the lesser
	More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 20 661 whichever is the lesser
	More than 10 000	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
2.	MANUFACTURING AND MINERAL PROCESSING			

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(a) Cement Works (Production capacity, in tonnes of product per year)	Not more than 50 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 50 000 but not more than 250 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 250 000 but not more than 750 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 750 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(b) Ceramic Works (Production capacity, in tonnes of product per year)	More than or equal to 200 but not more than 1 000	500	384	750
	More than 1 000 but not more than 10 000	1 000	769	900
	More than 10 000 but not more than 50 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 50 000 but not more than 200 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 200 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(c) Ferrous and Non-ferrous Metal Melting (Capacity to melt metal, in kg per working day of 8 hours)				

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	(i) Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 500 but not more than 2 000	250	192	750
	More than 2 000 but not more than 4 000	500	384	900
	More than 4 000 but not more than 8 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 8 000 but not more than 20 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 20 000 but not more than 60 000	3 400	2 613	Hourly rate or 20 661 whichever is the lesser
	More than 60 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 500 but not more than 2 000	500	384	750
	More than 2 000 but not more than 4 000	1 000	769	900
	More than 4 000 but not more than 8 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser

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	More than 8 000 but not more than 20 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 20 000 but not more than 60 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 60 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(d)	Metallurgical Works (Processing capacity, in tonnes of raw material per year)			
	Not more than 500	500	384	750
	More than 500 but not more than 1 000	1 000	769	900
	More than 1 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 20 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 20 000 but not more than 75 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 75 000 but not more than 125 000	11 000	8 454	Hourly rate or 20 661 whichever is the lesser
	More than 125 000	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
(e)	Mineral Works (Processing capacity, in tonnes of raw material per year)			

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	More than or equal to 1 000 but not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 25 000 but not more than 75 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 75 000 but not more than 250 000	11 000	8 454	Hourly rate or 20 661 whichever is the lesser
	More than 250 000	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
(f)	Pulp and Paper Works (Processing capacity, in tonnes of raw material per year)			
	Not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 25 000 but not more than 75 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser

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	More than 75 000 but not more than 150 000	11 000	8 454	Hourly rate or 20 661 whichever is the lesser
	More than 150 000 but not more than 500 000	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
	More than 500 000	41 322	31 770	Hourly rate or 41 322 whichever is the lesser
(g)	Wood-Processing Works (Processing capacity, in cubic metres of product per year)			
	More than or equal to 1 000 but not more than 5 000	500	384	750
	More than 5 000 but not more than 15 000	1 000	769	900
	More than 15 000 but not more than 30 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 30 000 but not more than 50 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 50 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(h)	Textile Bleaching and Dyeing Factories (Capacity to consume water, in kL per working day of 8 hours)			
	(i) Works discharging all wastewater to external approved wastewater treatment works			

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	More than or equal to 100 but not more than 200	500	384	750
	More than 200 but not more than 500	1 000	769	900
	More than 500 but not more than 3 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 3 000	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 200	1 000	769	750
	More than 200 but not more than 500	1 800	1 383	900
	More than 500 but not more than 3 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
	More than 3 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(i)	Woodchip Mills (Processing capacity, in tonnes of product per year)			
	More than or equal to 1 000 but not more than 25 000	1 000	769	1 200
	More than 25 000 but not more than 100 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser

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	More than 100 000 but not more than 500 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 500 000 but not more than 1 000 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 1 000 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
3.	WASTE TREATMENT AND DISPOSAL			
	(a) Wastewater Treatment Works (Capacity to treat an average dry-weather flow of sewage or wastewater, in kL per day)			
	More than or equal to 100 but not more than 200	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 200 but not more than 500	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 500 but not more than 10 000	3 400	2 613	Hourly rate or 20 661 whichever is the lesser
	More than 10 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
	(b) Waste Depots (Capacity to receive waste, not including materials for recycling, in tonnes of waste per year)			
	(i) Inert waste depots			
	More than or equal to 100 but not more than 500	500	192	750

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	More than 500 but not more than 2 500	500	192	900
	More than 2 500 but not more than 10 000	900	692	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 25 000	1 700	1 306	Hourly rate or 4 132 whichever is the lesser
	More than 25 000 but not more than 50 000	3 750	2 882	Hourly rate or 4 132 whichever is the lesser
	More than 50 000	5 500	4 227	Hourly rate or 41 322 whichever is the lesser
	(ii) Other waste depots			
	More than or equal to 100 but not more than 500	500	384	1 200
	More than 500 but not more than 2 500	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 2 500 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 25 000 but not more than 50 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 50 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(c)	Resource Recovery: the conduct of works for –			

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(i) Production of compost or mushroom substrate (Production capacity, in tonnes of product per year)			
More than or equal to 100 but not more than 500	500	384	1 200
More than 500 but not more than 2 500	750	576	Hourly rate or 4 132 whichever is the lesser
More than 2 500 but not more than 10 000	1 350	1 038	Hourly rate or 8 264 whichever is the lesser
More than 10 000 but not more than 25 000	2 550	1 959	Hourly rate or 8 264 whichever is the lesser
More than 25 000 but not more than 50 000	5 625	4 323	Hourly rate or 20 661 whichever is the lesser
More than 50 000	8 250	6 340	Hourly rate or 41 322 whichever is the lesser
(ii) Application to land of Class 2 or Class 3 biosolids, within the meaning of the Tasmanian Biosolids Reuse Guidelines 1999, as amended from time to time (Application capacity, in wet tonnes per hectare every 3 years)			
More than 50 wet tonnes per hectare every 3 years	250	192	Hourly rate or 41 322 whichever is the lesser

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(iii) Application to land of Class 2 or Class 3 biosolids, within the meaning of the Tasmanian Biosolids Reuse Guidelines 1999, as amended from time to time (Nitrogen Limited Application Rate)			
More than 50% of the Nitrogen Limited Application Rate every 3 years	250	192	Hourly rate or 41 322 whichever is the lesser
(iv) Anaerobic digesters (Production capacity of solid or liquid fertilizer product, in tonnes of product per year)			
More than or equal to 100 but not more than 500	500	384	1 200
More than 500 but not more than 2 500	750	576	Hourly rate or 4 132 whichever is the lesser
More than 2 500 but not more than 10 000	1 350	1 038	Hourly rate or 8 264 whichever is the lesser
More than 10 000 but not more than 25 000	2 550	1 959	Hourly rate or 8 264 whichever is the lesser
More than 25 000 but not more than 50 000	5 625	4 323	Hourly rate or 20 661 whichever is the lesser
More than 50 000	8 250	6 340	Hourly rate or 41 322 whichever is the lesser

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4.	FOOD PRODUCTION AND ANIMAL AND PLANT PROCESSING			
	(a) Abattoirs or Slaughterhouses (Production capacity, in tonnes of product per year)			
	(i) Meat premises discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 500	250	192	750
	More than 500 but not more than 2 000	500	384	900
	More than 2 000 but not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 10 000	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
	(ii) Meat premises not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 500	500	384	750
	More than 500 but not more than 2 000	1 000	769	1 200

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	More than 2 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 10 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 10 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(b)	Breweries and Distilleries (Capacity to consume water, in kL per working day of 8 hours)			
	(i) Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 200	1 000	769	1 200
	More than 200 but not more than 500	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 500	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 200	1 800	1 383	Hourly rate or 4 132 whichever is the lesser

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	More than 200 but not more than 500	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 500	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(c)	Fish Processing Works (Processing capacity, in tonnes of product per year)			
	(i) Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 500	250	192	750
	More than 500 but not more than 2 000	500	384	900
	More than 2 000 but not more than 5 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 10 000	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 500	500	384	750

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	More than 500 but not more than 2 000	1 000	769	1 200
	More than 2 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 10 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
	More than 10 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(d)	Milk-Processing Works (Processing capacity, in kL of whole milk, skim milk or cream per working day of 8 hours)			
	(i) Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 3 but not more than 12	250	192	750
	More than 12 but not more than 40	500	384	900
	More than 40 but not more than 120	1 000	769	1 200
	More than 120 but not more than 500	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 500 but not more than 1 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 1 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser

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(ii)	Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 3 but not more than 12	500	384	750
	More than 12 but not more than 40	1 000	769	1 200
	More than 40 but not more than 120	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 120 but not more than 500	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
	More than 500 but not more than 1 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 1 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(e)	Produce-Processing Works (Processing capacity, in kg of product per hour)			
(i)	Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 50 but not more than 200	500	384	750
	More than 200 but not more than 1 000	1 000	769	1 200

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	More than 1 000 but not more than 5 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 15 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 15 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
	(ii) Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 50 but not more than 200	1 000	769	900
	More than 200 but not more than 1 000	1 800	1 383	1 200
	More than 1 000 but not more than 5 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
	More than 5 000 but not more than 15 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 15 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(f)	Rendering or Fat-Extraction Works (Processing capacity of product, in kg per hour or kg per batch)			

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(i) Works discharging all wastewater to external approved wastewater treatment works	More than or equal to 50 but not more than 100	500	384	900
	More than 100 but not more than 500	1 000	769	1 200
	More than 500 but not more than 1 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 1 000 but not more than 5 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 5 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(ii) Works not discharging all wastewater to external approved wastewater treatment works	More than or equal to 50 but not more than 100	1 000	769	1 200
	More than 100 but not more than 500	1 800	1 383	1 200
	More than 500 but not more than 1 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
	More than 1 000 but not more than 5 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser

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	More than 5 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(g)	Wool Scourers, Tanneries or Fellmongeries (Processing capacity, in tonnes of product per year)			
(i)	Works discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 200	1 000	769	1 200
	More than 200 but not more than 1 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 1 000	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
(ii)	Works not discharging all wastewater to external approved wastewater treatment works			
	More than or equal to 100 but not more than 200	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 200 but not more than 1 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 1 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
5.	EXTRACTIVE INDUSTRIES			

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(a) Quarries (Production capacity, in cubic metres of product per year)			
More than or equal to 5 000 but not more than 10 000	500	384	750
More than 10 000 but not more than 20 000	1 000	769	900
More than 20 000 but not more than 75 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
More than 75 000 but not more than 250 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
More than 250 000 but not more than 500 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
More than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(b) Extractive Pits (Production capacity, in cubic metres of product per year)			
More than or equal to 5 000 but not more than 10 000	500	384	750
More than 10 000 but not more than 20 000	1 000	769	900
More than 20 000 but not more than 75 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
More than 75 000 but not more than 250 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser

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	More than 250 000 but not more than 500 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(c)	Mines (Production capacity, in tonnes of minerals per year)			
	More than or equal to 1 000 but not more than 2 000	500	384	Hourly rate or 4 132 whichever is the lesser
	More than 2 000 but not more than 10 000	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 10 000 but not more than 25 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 25 000 but not more than 75 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 75 000 but not more than 250 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 250 000 but not more than 500 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
	More than 500 000	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
6.	MATERIALS HANDLING			
	(a) Crushing, Grinding or Milling			

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(i) Processing capacity of chemicals or rubber, in tonnes per year			
More than or equal to 200 but not more than 1 000	500	384	750
More than 1 000 but not more than 5 000	1 000	769	1 200
More than 5 000 but not more than 20 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
More than 20 000 but not more than 50 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser
More than 50 000 but not more than 200 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
More than 200 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(ii) Processing capacity of rocks, ores or minerals, in cubic metres per year			
More than or equal to 1 000 but not more than 2 500	500	384	750
More than 2 500 but not more than 5 000	1 000	769	1 200
More than 5 000 but not more than 20 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
More than 20 000 but not more than 50 000	3 400	2 613	Hourly rate or 4 132 whichever is the lesser

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	More than 50 000 but not more than 200 000	7 500	5 764	Hourly rate or 8 264 whichever is the lesser
	More than 200 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
	(b) Coal Handling and Washing (Capacity to handle or wash, in tonnes per day)			
	More than or equal to 100 but not more than 500	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 500 but not more than 1 000	1 800	1 383	Hourly rate or 4 132 whichever is the lesser
	More than 1 000 but not more than 2 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 2 000	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
7.	OTHER			
	(a) Fuel Burning (Capacity to consume fuel, in tonnes per hour)			
	More than or equal to 1 but not more than 5	1 000	769	750
	More than 5 but not more than 25	1 800	1 383	1 200
	More than 25 but not more than 50	3 400	2 613	Hourly rate or 4 132 whichever is the lesser

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	More than 50	7 500	5 764	Hourly rate or 41 322 whichever is the lesser
(b)	Pre-mix Bitumen Plants (Production capacity, in tonnes of material per year)			
	More than or equal to 1 000 but not more than 5 000	500	384	750
	More than 5 000 but not more than 10 000	1 000	769	900
	More than 10 000 but not more than 50 000	1 800	1 383	1 200
	More than 50 000	3 400	2 613	Hourly rate or 41 322 whichever is the lesser
(c)	Dumping of dredge spoil in waters within the limits of the State (Design capacity or maximum quantity to be dumped, in tonnes per year)			
	Less than or equal to 500	500	384	1 200
	More than 500 but not more than 2 500	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 2 500 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 25 000 but not more than 50 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser

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	More than 50 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(d)	Dumping or sinking of boats, aircraft, platforms or other man-made structures in waters within the limits of the State or placement of artificial reefs in waters within the limits of the State (Weight of dumped, sunk or placed item, in tonnes)			
	Less than or equal to 500	500	384	1 200
	More than 500 but not more than 2 500	1 000	769	Hourly rate or 4 132 whichever is the lesser
	More than 2 500 but not more than 10 000	1 800	1 383	Hourly rate or 8 264 whichever is the lesser
	More than 10 000 but not more than 25 000	3 400	2 613	Hourly rate or 8 264 whichever is the lesser
	More than 25 000 but not more than 50 000	7 500	5 764	Hourly rate or 20 661 whichever is the lesser
	More than 50 000	11 000	8 454	Hourly rate or 41 322 whichever is the lesser
(e)	Wind Energy Facilities (Generating capacity, in megawatts)			
	More than or equal to 30 but not more than 200	11 000	8 454	Hourly rate or 41 322 whichever is the lesser

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More than 200	16 500	12 680	Hourly rate or 41 322 whichever is the lesser
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SCHEDULE 2 – OFFENCES SPECIFIED IN ACTS

Regulation 19

**1. *Environmental Management and Pollution
Control Act 1994***

	Column 1	Column 2	Column 3
	Section of Act	Penalty – individual	Penalty – body corporate
		(penalty units)	(penalty units)
1.	Section 32(1)	5	10
2.	Section 32(2)	10	20
3.	Section 32(3)	20	40
4.	Section 45(1)	2	4
5.	Section 45(3)	5	10
6.	Section 51B	5	10
7.	Section 74B(1)	5	10
8.	Section 74P	5	10
9.	Section 74Q	2	4
10.	Section 74R(9)	5	10
11.	Section 92A	1	2
12.	Section 94(2)	2	4
13.	Section 95(1)(a)	2	4

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14.	Section 95(1)(b)	2	4
15.	Section 95(1)(c)	2	4
16.	Section 95(1)(d)	2	4

2. Land Use Planning and Approvals Act 1993

	Column 1	Column 2	Column 3
	Section of Act	Penalty – individual (penalty units)	Penalty – body corporate (penalty units)
1.	Section 63(2)(c)	5	10

3. Plastic Shopping Bags Ban Act 2013

	Column 1	Column 2	Column 3
	Section of Act	Penalty – individual (penalty units)	Penalty – body corporate (penalty units)
1.	Section 4(1)	2	5
2.	Section 4(2)	5	10
3.	Section 5(3)	2	5

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**SCHEDULE 3 – OFFENCES UNDER SECTION 53(2) OF
ENVIRONMENTAL MANAGEMENT AND POLLUTION
CONTROL ACT 1994 CONSTITUTED BY SPECIFIED
CONDUCT**

Regulation 19			
	Column 1	Column 2	Column 3
	Type of conduct	Penalty – individual	Penalty – body corporate
		(penalty units)	(penalty units)
1.	Unlawfully causing an environmental nuisance by the emission or discharge from –		
	(a) residential premises of a pollutant in water, wastewater or any other form of liquid; or	2	4
	(b) any premises or place, other than residential premises, of a pollutant in water, wastewater or any other form of liquid; or	5	10
	(c) residential premises of a solid, liquid or gaseous pollutant, including offensive odours, into the atmosphere; or	2	4
	(d) any premises or place, other than residential premises, of a solid, liquid or gaseous pollutant, including offensive odours, into the atmosphere; or	5	10

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(e) residential premises of noise which is unreasonable having regard to –	2	4
(i) its volume, intensity or duration; and		
(ii) the time, place and other circumstances in which it is emitted; and		
(iii) whether it is, or is likely to be, audible in a habitable room of any other residential premises; or		
(f) any premises or place, other than residential premises, of noise which is unreasonable having regard to –	5	10
(i) its volume, intensity or duration; and		
(ii) the time, place and other circumstances in which it is emitted; or		
(g) residential premises of a pollutant in the form of energy, other than noise, including radioactivity and electromagnetic radiation; or	2	4
(h) any premises or place, other than residential premises, of a pollutant in the form of energy, other than noise, including radioactivity and electromagnetic radiation; or	5	10
(i) residential premises of a pollutant which comprises solid material; or	2	4

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	(j) any premises or place, other than residential premises, of a pollutant which comprises solid material; or	5	10
	(k) any vehicle of a pollutant, other than noise, including solids, liquids and gases; or	2	4
	(l) any vehicle, not on a public street, of noise.	2	4
2.	Unlawfully causing an environmental nuisance by the deposit of a solid or liquid pollutant in or on –		
	(a) residential premises; or	2	4
	(b) any premises or place other than residential premises.	5	10
3.	Unlawfully causing an environmental nuisance by the disturbance of a solid, liquid or gaseous pollutant in or on –		
	(a) residential premises; or	2	4
	(b) any premises or place other than residential premises.	5	10

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SCHEDULE 4 – LEGISLATION RESCINDED

Regulation 20

*Environmental Management and Pollution Control (General
Fees) Regulations 2007 (No. 115 of 2007)*

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 8 November 2017.

These regulations are administered in the Department of Primary Industries, Parks, Water and Environment.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe the fees payable in respect of certain permits under the *Land Use Planning and Approvals Act 1993*, orders under the *State Policies and Projects Act 1993*, environment protection notices, environmental improvement programmes and certain other matters; and
- (b) prescribe the times when, or periods within which, those fees are payable; and
- (c) provide for certain exemptions from liability to pay those fees; and
- (d) prescribe certain offences as offences in relation to which an environmental infringement notice may be served; and
- (e) rescind the *Environmental Management and Pollution Control (General Fees) Regulations 2007*.