

1990 - No. 641

**STATE POLLUTION CONTROL COMMISSION
ACT 197 - REGULATION**
(Relating to fees)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the State Pollution Control Commission Act 1970, has been pleased to make the Regulation set forth hereunder.

TIM MOORE
Minister for the Environment.

Commencement

1. This Regulation commences on 1 August 1990.

Amendments

2. The State Pollution Control Commission Regulation 1985 is amended:

(a) by inserting in clause 3 (1), in alphabetical order, the following definition:

"base fee", in relation to a licence or a renewal of a licence, means the fee set out in clause 5, 6 or 7 in respect of that licence or renewal;

(b) by omitting from clause 4 (2) the words "30 days" and by inserting instead the words "1 day";

(c) by omitting from clauses 5 (2) and 7 (2) the words "For the purposes of section 17B (1) of the Act, the prescribed fee"

wherever occurring and by inserting instead the words "The base fee";

- (d) by omitting from clause 6 (2) the words "for the purposes of section 17B (1) of the Act, the prescribed fee" and by inserting instead the words "the base fee";
- (e) by omitting from the Schedule to clause 7 (2) the words "*Prescribed fee*" and by inserting instead the words "*Base fee*";
- (f) by omitting clause 8 and inserting instead the following clause:

Prescribed fee

8. (1) For the purposes of section 17B (1) of the Act, the prescribed fee for a licence or a renewal of a licence is the base fee for that licence or renewal.

(2) If an application for a licence or a renewal of a licence relates to more than one of the following:

- (a) scheduled premises within the meaning of the Clean Air Act 1961;
- (b) the pollution of waters within the meaning of the Clean Waters Act 1970;
- (c) a drain which discharges or is likely to be used for discharging any pollutants into any classified waters within the meaning of the Clean Waters Act 1970;
- (d) scheduled premises within the meaning of the Noise Control Act 1975,

the prescribed fee in respect of the licence or renewal is the sum of the appropriate base fees for the licence or renewal.

(3) The prescribed fee for a renewal of a licence the subject of an application:

- (a) that is made 20 days or more, but less than 30 days, before the date on which the licence would expire if not renewed - is 150 per cent of the fee that would otherwise be payable under this clause in respect of the renewal; or
- (b) that is made less than 20 days before the date on which the licence would expire if not renewed - is 200 per cent of the fee that would otherwise be payable under this clause in respect of the renewal.

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to extend the time within which an application for a renewal of a licence may be made under section 17B of the State Pollution Control Commission Act 1970; and
- (b) to fix the fees for licences the subject of applications made within the extended time.

Applications made between 20 and 30 days before the expiry date of the licence concerned will attract fees 150 per cent of the fees otherwise payable. Applications made less than 20 days before that expiry date will attract fees 200 per cent of the fees otherwise payable.
