



New South Wales

Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to increase certain penalties and strengthen protections for the environment by amending the following—

- (a) the *Contaminated Land Management Act 1997*,
- (b) the *Dangerous Goods (Road and Rail Transport) Act 2008*,
- (c) the *Land and Environment Court Act 1979*,
- (d) the *Pesticides Act 1999*,
- (e) the *Plastic Reduction and Circular Economy Act 2021*,
- (f) the *Protection from Harmful Radiation Act 1990*,
- (g) the *Protection from Harmful Radiation Regulation 2013*,
- (h) the *Protection of the Environment Administration Act 1991*,
- (i) the *Protection of the Environment Operations Act 1997*,
- (j) the *Protection of the Environment Operations (General) Regulation 2022*,
- (k) the *Protection of the Environment Operations (Waste) Regulation 2014*.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Contaminated Land Management Act 1997 No 140

Schedule 1[2] inserts a definition of *related entity* consistent with the *Corporations Act 2001* of the Commonwealth. **Schedule 1[1] and [6]** make consequential amendments.

Schedule 1[3] clarifies that certificates of analysts are to be prepared for the Environment Protection Authority (the *Authority*) and provides for the admissibility of certificates of analysts and photographs approved by the Authority as evidence in proceedings under the *Contaminated Land Management Act 1997* (the *CLM Act*).

Schedule 1[4] amends the maximum penalty for offences under the CLM Act which may be dealt with summarily by the Local Court to 1,000 penalty units.

Schedule 1[5] and [7] provide that when an additional penalty is considered by the court, representing the amount of monetary benefits acquired by the offender or a related person as a result of the commission of an offence, the prosecutor may submit to the court a reasonable estimate of the amount of monetary benefits. The reasonable estimate may be calculated in accordance with a protocol prescribed by the regulations or another method, formula or approach considered appropriate by the prosecutor.

Schedule 1[8] amends the service requirements for documents authorised or required to be served on individuals or another person and inserts certain definitions relevant to service.

Schedule 1[9] contains savings and transitional provisions consequent on the enactment of the proposed Act.

Schedule 2 Amendment of Dangerous Goods (Road and Rail Transport) Act 2008 No 95

Schedule 2[1] and [2] amend the maximum penalties for offences under the regulations to 250 penalty units for individuals and to 500 penalty units for a body corporate.

Schedule 2[3] amends the service requirements for documents authorised or required to be served on individuals or another person and inserts certain definitions relevant to service.

Schedule 2[4] amends the maximum penalty for offences under the *Dangerous Goods (Road and Rail Transport) Act 2008* (the *Dangerous Goods Act*) that may be dealt with summarily in the Local Court to 1,000 penalty units.

Schedule 2[5] contains a transitional provision consequent on the enactment of the proposed Act.

Schedule 3 Amendment of Land and Environment Court Act 1979 No 204

Schedule 3[1] clarifies the jurisdiction of the Land and Environment Court (the *Court*) to hear environmental planning and protection appeals under the Dangerous Goods Act if the regulations under that Act prescribe the appeals are to be heard by the Court.

Schedule 3[2] provides that the Court has jurisdiction to make a prohibition order under the *Protection of the Environment Operations Act 1997*.

Schedule 3[3] provides that the Court's civil jurisdiction for proceedings involving a planning or environmental law includes the Dangerous Goods Act and regulations made under that Act.

Schedule 4 Amendment of Pesticides Act 1999 No 80

Schedule 4[1] inserts a definition of *related entity* consistent with the *Corporations Act 2001* of the Commonwealth. **Schedule 4[13]** makes a consequential amendment.

Schedule 4[2] amends the factors the Authority may consider when assessing whether a person is a fit and proper person to hold a licence.

Schedule 4[3] and [4] increase the maximum penalties for a person who wilfully or negligently uses a pesticide in a manner that injures, damages or is likely to injure or damage any other person to \$2,000,000 for a corporation and \$500,000 for an individual.

Schedule 4[5] and [6] increase the maximum penalties for a person who wilfully or negligently uses a pesticide in a manner that harms any non-target animal or plant, or any animal or plant if there is no approved label or permit for the pesticide, to \$2,000,000 for a corporation and \$500,000 for an individual.

Schedule 4[7] and [8] increase the maximum penalties for a person who wilfully or negligently uses a pesticide in a manner that materially harms an animal that is a threatened species or a protected animal under the *Biodiversity Conservation Act 2016* to \$2,000,000 for a corporation and \$500,000 for an individual.

Schedule 4[9] amends the maximum penalty for proceedings under the *Pesticides Act 1999* (the *Pesticides Act*) that may be dealt with summarily in the Local Court to 1,000 penalty units.

Schedule 4[10] provides that a penalty notice issued to a person by an authorised officer is the amount prescribed by the regulations and must not exceed \$15,000 for a corporation and \$7,500 for an individual.

Schedule 4[11] and [14] provide that when an additional penalty is considered by the court, representing the amount of monetary benefits acquired by the offender or a related person as a result of the commission of an offence, the Authority may submit to the court a reasonable estimate of the amount of monetary benefits. The reasonable estimate may be calculated in accordance with a protocol prescribed by the regulations or another method, formula or approach considered appropriate by the Authority.

Schedule 4[12] clarifies that certificates of analysts are to be prepared for the Authority and provides for the admissibility of certificates of analysts and photographs approved by the Authority as evidence in proceedings under the *Pesticides Act*.

Schedule 4[15] amends the service requirements for documents authorised or required to be served on individuals or another person and inserts certain definitions relevant to service.

Schedule 4[16] allows regulations to be made in relation to requirements on purchasers of pesticides providing evidence of training in the use of pesticides, and recording, keeping and providing information shown by purchasers of pesticides and details of pesticide sales.

Schedule 4[17] and [18] amend the maximum penalties that can be prescribed for offences under the regulations to 500 penalty units for a corporation and 250 penalty units for an individual.

Schedule 4[19] contains a transitional provision consequent on the enactment of the proposed Act.

Schedule 5 Amendment of Plastic Reduction and Circular Economy Act 2021 No 31

Schedule 5[1] amends the service requirements for documents authorised or required to be served on individuals or another person and inserts certain definitions relevant to service.

Schedule 5[2] amends the authorisation of the Minister to delegate a function under the *Plastic Reduction and Circular Economy Act 2021* to the appropriate department.

Schedule 6 Amendment of Protection from Harmful Radiation Act 1990 No 13

Schedule 6[1] inserts a definition of *related entity* consistent with the *Corporations Act 2001* of the Commonwealth. **Schedule 6[8]** makes a consequential amendment.

Schedule 6[2] amends the factors the Authority may consider when assessing whether a person is a fit and proper person to hold a licence or accreditation under the *Protection from Harmful Radiation Act 1990* (the *PFHR Act*).

Schedule 6[4] contains the scheme and procedure for the Authority or another public body when the Authority or other public body exercises functions for which it is not the appropriate public body. **Schedule 6[3]** makes a consequential amendment.

Schedule 6[5] and [9] provide that when an additional penalty is considered by the court representing the amount of monetary benefits acquired by the offender or a related person as a result of the commission of an offence, the prosecutor may submit to the court a reasonable estimate of the amount of monetary benefits. The reasonable estimate may be calculated in accordance with a protocol prescribed by the regulations or another method, formula or approach considered appropriate by the prosecutor.

Schedule 6[6] and [7] amend the maximum penalties for a person who is convicted of an offence under the PFHR Act where it is proven beyond reasonable doubt that the person knew that the offence was likely to cause serious harm to a person, animal or thing or the environment by exposure to radiation to \$2,000,000 for a corporation and \$500,000 for an individual.

Schedule 6[10] amends the service requirements for documents authorised or required to be served on individuals or another person and inserts certain definitions for types of service.

Schedule 6[11] authorises regulations to be made that exempt certain classes of persons, premises, areas, activities or another matter or thing from a specified provision of the PFHR Act.

Schedule [12]–[16] make amendments authorising the Governor to make regulations—

- (a) that regulate activities of producing, manufacturing, supplying, keeping, using or otherwise dealing with regulated material, radiation apparatus and harmful non-ionising radiation,
- (b) that impose terms on accreditations issued without an expiry date,
- (c) for matters relating to courses required for licences, permits, authorities, consents, accreditation and exemptions,
- (d) for requirements relating to persons who are exempt from holding licences,
- (e) requiring the notification of incidents concerning regulated material,
- (f) for matters relating to devices used for monitoring levels of radiation exposure of persons,
- (g) for the setting of dose limits and the imposition of obligations on employers and others to ensure radiation safety in workplaces,
- (h) requiring the payment of fees, including the payment of different fees for the services provided based on the risk level of the activities or materials to which the services relate.

Schedule 6[17] and [18] amend the maximum penalties that can be prescribed for offences under the regulations to 500 penalty units for a corporation and 250 penalty units in any other case.

Schedule 7 Amendment of Protection from Harmful Radiation Regulation 2013

Schedule 7 makes amendments consequent on provisions relating to the Authority or other public body exercising functions for which it is not the appropriate public body being inserted into the *Protection from Harmful Radiation Act 1990*.

Schedule 8 Amendment of Protection of the Environment Administration Act 1991 No 60

Schedule 8[1] makes it clear that an example used in environment protection legislation is not exhaustive and does not limit the meaning of the provision in which the example is used. If the provision and example are inconsistent, the provision prevails.

Schedule 8[2] provides that it is an objective of the Authority to reduce the risks to human health and prevent the degradation of the environment by taking action in relation to climate change.

Schedule 8[3] provides that the Authority has the power to enter into agreements in relation to carbon neutrality or achieving net zero emissions, and purchase property for the purposes of, or in relation to, carbon neutrality or achieving net zero emissions.

Schedule 8[4] inserts an example to explain the requirement for the Authority to develop environmental quality objectives, guidelines and policies to ensure environment protection.

Schedule 8[5] provides that amounts payable under penalty notices issued by officers or employees of the Authority are to be paid into the Environment Protection Authority Fund.

Schedule 8[6] makes it clear that no liability is incurred by the Crown and no personal liability is incurred by a protected person for certain statements, or fair reports or summaries of certain statements, made or issued in good faith. The definition of *liability* includes liability for defamation.

Schedule 8[7] inserts a definition of *electronic communication* consistent with the *Electronic Transactions Act 2000*. **Schedule 8[8]** makes a consequential amendment.

Schedule 8[9] contains savings, transitional and other provisions consequent on the enactment of the proposed Act.

Schedule 9 Amendment of Protection of the Environment Operations Act 1997 No 156

Schedule 9[2] provides that the Authority must publish a notice about a proposal to make a policy on the Authority's website, and in other ways the Authority is satisfied will bring the notice to the attention of members of the public. The notice must state the objects of the proposed policy and where a copy of the proposed policy may be obtained, and invite submissions not less than 3 months after the day on which it was published on the Authority's website. **Schedule 9[1]** makes a consequential amendment.

Schedule 9[5] and [6] increase the maximum penalty for corporations to \$2,000,000 for certain offences and to \$240,000 for certain continuing offences for each day the offence continues.

Schedule 9[7] and [8] increase the maximum penalty for individuals to \$500,000 for certain offences and to \$120,000 for certain continuing offences for each day the offence continues.

Schedule 9[9] provides that an environment protection licence (a *licence*) may be varied on application and payment of a fee prescribed by the regulations by the holder of the licence, or on the initiative of the appropriate regulatory authority.

Schedule 9[10] increases the maximum penalty for certain offences to \$1,000,000.

Schedule 9[11] provides that a reason for suspending or revoking a licence may include that the holder of the licence has contravened the *Protection of the Environment Operations Act 1997* (the *POEO Act*) or regulations made under the POEO Act.

Schedule 9[12] makes clear the factors to be considered by the appropriate regulatory authority when assessing whether a person is a fit and proper person to hold a licence.

Schedule 9[14] inserts proposed Part 4.1A, which provides that the Authority may issue a person, directors or related bodies corporate with a written notice for a preliminary investigation (a *preliminary investigation notice*) if the Authority suspects—

- (a) there are circumstances that pose a potential risk of harm to human health or the environment from a substance or the deposit of waste, or
- (b) there is a pollution incident that may be occurring at premises.

The proposed part provides that a preliminary investigation notice can be given orally or in writing and may require a person to assist the Authority, by collecting samples of a substance or providing a report about testing, or by preserving or preventing the disturbance of a substance or location. If a person fails to comply with a notice there is a maximum penalty of \$500,000 for an individual and \$2,000,000 for a corporation. For a continuing offence, there is a maximum penalty of \$120,000 for each day the offence continues for an individual and \$240,000 for each day for a corporation. The proposed part provides that if a person fails to comply with a notice, the Authority may take action to comply with the notice itself, require the person to pay all or any reasonable costs and expenses incurred by the Authority in issuing the notice, and recover unpaid amounts as a debt in court.

Schedule 9[17] provides that consent or approval under the *Environmental Planning and Assessment Act 1979*, or an instrument under that Act, is not required for clean-up action.

Schedule 9[18] inserts proposed 4.2A, which provides that the Authority may, with the approval of the Minister, issue a notice (a *recall notice*) for—

- (a) a substance or activity involving a substance that poses a potential risk of harm to human health or the environment, or
- (b) a substance that is required to comply with a prescribed standard or requirements and is not compliant, or
- (c) environment protection legislation that has been contravened, or
- (d) another matter prescribed by the regulations.

The proposed part provides that a recall notice may apply to any supply chain participant, including directors and related bodies corporate, and may detail the actions that must be taken by a supply chain participant. A person involved in the supply chain of a substance may also initiate a voluntary recall of a substance. A recall notice must be published on the Authority's website and in other ways the Authority is satisfied will bring the notice to the attention of members of the public. Failure to comply with a recall notice is an offence that carries a maximum penalty of \$500,000 for an individual and \$2,000,000 for a corporation, and daily penalties will apply. The proposed part provides that the Authority or a public authority may require the person to pay all or any reasonable costs and expenses incurred by the authority in issuing the notice, and may recover unpaid amounts as a debt in court of competent jurisdiction. **Schedule 9[22]–[24]** make consequential amendments.

Schedule 9[19] provides that a single notice under Chapter 4 of the POEO Act may be given by the Authority that relates to multiple premises, the whole of the State, or part of the State, even if the Authority is not the appropriate regulatory authority for all of the areas.

Schedule 9[20] makes it clear that a notice under Chapter 4 may be given to a person in relation to an activity, thing or premises that is also the subject of proceedings for an offence.

Schedule 9[21] clarifies how a notice under Chapter 4 of the POEO Act may be varied.

Schedule 9[27]–[29] increases the maximum penalties for offences under Part 5.2 to \$10,000,000 for offences committed wilfully or \$4,000,000 for offences committed negligently by corporations, and \$2,000,000 for offences committed wilfully by individuals.

Schedule 9[30] updates the POEO Act to provide that if the Authority makes an order that prohibits the burning of fires in the open or in incinerators because it is likely to contribute to air

pollution, the order must be published in a reasonably practicable way that is most likely to bring the order to the attention of the people the order applies to.

Schedule 9[31] increases the maximum penalties for pollution of land. If the offence involves asbestos waste, the maximum penalty for a corporation is \$4,000,000, with a further penalty of \$240,000 for each day the offence continues. For an individual, a maximum penalty of \$1,000,000, with a further penalty of \$120,000 for each day the offence continues. If the offence does not involve asbestos waste, the maximum penalty for a corporation is \$2,000,000, with a further penalty of \$240,000 for each day the offence continues and, for an individual, the maximum penalty is \$500,000, with a further penalty of \$120,000 for each day the offence continues.

Schedule 9[32] increases the maximum penalty for transporting waste to a place that cannot be used as a waste facility. If the offence involves asbestos waste, the maximum penalty is \$4,000,000 for a corporation and \$1,000,000 for an individual, and daily penalties apply. For other circumstances, the maximum penalty is \$2,000,000 for a corporation and \$500,000 for an individual, and daily penalties apply.

Schedule 9[33] increases the maximum penalty for using a place as a waste facility without lawful authority. If the offence involves asbestos waste, the maximum penalty for corporations is \$4,000,000 with a further penalty of \$240,000 for each day the offence continues. For an individual, a maximum penalty of \$1,000,000 with a further penalty of \$120,000 for each day the offence continues. For other circumstances, the maximum penalty for a corporation is \$2,000,000 with a further penalty of \$240,000 for each day the offence continues. For an individual, a maximum penalty of \$500,000 with a further penalty of \$120,000 for each day the offence continues.

Schedule 9[34] amends the maximum penalty for disposing of asbestos waste at a site that cannot lawfully receive the waste. The maximum penalty is \$4,000,000 for a corporation and \$1,000,000 for an individual, and daily penalties apply.

Schedule 9[35] increases the maximum penalty for causing or permitting asbestos waste to be re-used or recycled to \$4,000,000 for a corporation and \$1,000,000 for an individual. For a continuing offence, a further penalty of \$240,000 applies for each day the offence continues for a corporation, and a further penalty of \$120,000 applies for each day the offence continues for an individual.

Schedule 9[36] increases the maximum penalty for a person who supplies information to another person in the course of dealing with waste that is false or misleading to \$1,000,000 for a corporation and \$500,000 for an individual. For a continuing offence, a further penalty of \$240,000 applies for each day the offence continues for a corporation, and a further penalty of \$120,000 applies for each day the offence continues for an individual.

Schedule 9[37] increases the maximum penalty for a person who supplies information to another person in the course of dealing with waste that is false or misleading where the person knows the information is false or misleading to \$2,000,000 for a corporation and \$1,000,000 for an individual. For a continuing offence, a further penalty of \$240,000 applies for each day the offence continues for a corporation, and a further penalty of \$120,000 applies for each day the offence continues for an individual.

Schedule 9[38] amends the definition of a *repeat waste offence* to include additional offences.

Schedule 9[39] increases the maximum penalty for a person who fails to comply with a notice for an approved GPS tracking device on vehicles used to transport waste to \$44,000 for a corporation and \$22,000 for an individual.

Schedule 9[40] inserts proposed Chapter 5, Part 5.6AA, which provides for a new offence of illegal dumping. A person is guilty of an offence if they deposit litter or waste in an amount of more than 50L or 50kg in or on a public place or an open private place. If the offence is committed in a place defined as a *sensitive place*, the maximum penalty is \$50,000 for an individual and \$100,000 for a corporation. For any other place, the maximum penalty is \$25,000 for an individual

and \$50,000 for a corporation. The proposed part provides for certain exceptions and for an expansion of clean-up notice powers to allow a clean-up notice to be issued in relation to depositing of litter or waste. An authorised officer may direct the person who deposited the waste or who caused or permitted the deposit of the litter or waste in a public place to remove the waste. Failure to comply with a direction is an offence, with a maximum penalty of \$5,000 for an individual and \$10,000 for a corporation if the waste is no more than 50kg or 50L. If the waste is more than 50kg or 50L, the maximum penalty is \$10,000 for an individual and \$20,000 for a corporation. **Schedule 9[55], [56], [62] and [63]** make consequential amendments.

Schedule 9[41] increases the maximum penalty for littering to \$5,000 for individuals and \$10,000 for corporations.

Schedule 9[42] omits the offence of aggravated littering and makes it an offence to litter *dangerous material*, which is defined in the proposed Act. A person who deposits litter that is or includes dangerous material in or on a public place or an open private place is guilty of an offence, with a maximum penalty of \$25,000 for an individual and \$50,000 for a corporation.

Schedule 9[43], [44] and [50] increases the maximum penalty for certain general offences.

Schedule 9[46] authorises regulations to be made for the carrying out of environmental audits by environmental auditors, including the protection of documents prepared and the admissibility of documents in proceedings. **Schedule 9[47]** makes a consequential amendment.

Schedule 9[48] updates the list of Acts in relation to which PEO Act investigation powers can be used to include the Dangerous Goods Act and regulations made under that Act, reflecting legal arrangements already allowed by the Dangerous Goods Act.

Schedule 9[49] allows an authorised officer appointed by the Authority to seize anything the authorised officer reasonably suspects is connected with an offence under the POEO Act or may present a risk of harm to human health or the environment during the course of an investigation when at a lawfully entered premises.

Schedule 9[51] clarifies how a notice under the POEO Act, Chapter 7 may be varied.

Schedule 9[52] increases the maximum penalty for offences under the POEO Act that may be dealt with summarily by the Local Court to 2,000 penalty units.

Schedule 9[53] provides that 2 or more contraventions of a provision of environment protection legislation that arise out of the same factual circumstances or the same activity being carried on at the same premises may be charged as a single offence or separate offences.

Schedule 9[54] provides for the persons who may institute proceedings for a littering offence, being an offence under Chapter 5, proposed Part 5.6AA or Part 5.6A.

Schedule 9[57] and [60] provide that when an additional penalty is considered by the court representing the amount of monetary benefits acquired by the offender or a related person as a result of the commission of an offence, the prosecutor may submit to the court a reasonable estimate of the amount of monetary benefits. The reasonable estimate may be calculated in accordance with a protocol prescribed by the regulations or another method, formula or approach considered appropriate by the Authority or other appropriate regulatory authority.

Schedule 9[58] provides that a court may order that an offender is prohibited from being involved in scheduled activities or from applying for or holding a licence.

Schedule 9[61] allows the Authority to make an application to the Court for an order prohibiting a person from involvement in scheduled activities or from applying for or holding a licence in certain circumstances.

Schedule 9[64] makes clear that certificates signed by the CEO or a designated officer are admissible in proceedings under the regulations and that matters can be certified in relation to instruments and exemptions made under the regulations. **Schedule 9[65]** makes a consequential amendment.

Schedule 9[66] clarifies that certificates of analysts are to be prepared for the Authority and provides for the admissibility of certificates of analysts and photographs approved by the Authority as evidence in proceedings under the POEO Act.

Schedule 9[67] provides that the Authority may exempt a person from a provision of the POEO Act in circumstances prescribed by the regulations.

Schedule 9[68] enables the Authority to impose requirements through a resource recovery order on a person in relation to the supply by the person of waste to which an exemption (a *resource recovery exemption*) relating to resource recovery applies and includes and clarifies offences related to resource recovery orders and exemptions that were previously included in regulations under the POEO Act.

The maximum penalty for failing to comply with the requirements of a resource recovery order if the offence involves asbestos waste is \$1,000,000 for an individual and \$4,000,000 for a corporation, and a further penalty of \$120,000 for each day the offence continues for an individual and \$240,000 each day for a corporation. The maximum penalty for otherwise failing to comply with the requirements of a resource recovery order is \$500,000 for an individual and \$2,000,000 for a corporation, and a further penalty of \$120,000 for each day an offence continues for an individual and \$240,000 for each day for a corporation.

The maximum penalty for a person who fails to comply with certain record keeping requirements under a resource recovery exemption or resource recovery order is \$500,000 for an individual and \$1,000,000 for a corporation if the offence relates to asbestos waste. If the offence does not relate to asbestos waste the maximum penalty is \$250,000 for an individual and \$500,000 for a corporation. The maximum penalty for a person who is required to give another person information or records relating to asbestos waste and does not do so on request or within a specified time period is \$500,000 for an individual and \$1,000,000 for a corporation. For any other waste, the maximum penalty is \$250,000 for an individual and \$500,000 for a corporation.

Schedule 9[69] enables the Authority to make or issue a public warning statement about specified activities, persons, substances or complaints of concern.

Schedule 9[70] expands the offence to include making a false or misleading statement about orders or exemptions or meeting a requirement of certain orders. The maximum penalty is increased to \$500,000 for an individual and \$2,000,000 for a corporation.

Schedule 9[71] amends the service requirements for documents authorised or required to be served on individuals or another person, and inserts certain definitions relevant to service.

Schedule 9[72] and [73] increase the maximum penalties that can be imposed for offences under the regulations to 250 penalty units for an individual and 500 penalty units for a corporation.

Schedules 9[78] and [79] authorise regulations to be made for a scheme for the accreditation of persons to classify or assess waste and the requirements in relation to keeping information, records and other documents about pollution.

Schedule 9[80] contains savings, transitional and other provisions consequent on the enactment of the proposed Act.

Schedule 9[82]–[84] insert or amend certain definitions consequent on other amendments. **Schedule 9[45] and [59]** make consequential amendments.

Schedule 9[3], [4], [13], [15], [16], [25], [26], [74]–[77] and [81] make miscellaneous minor amendments, including to update references to legislation and the names of departments.

Schedule 10 Amendment of Protection of the Environment Operations (General) Regulation 2022

Schedule 10[1], [2] and [4]–[6] insert references to the correct department.

Schedule 10[3] amends the fees payable in relation to a clean-up notice issued in relation to the depositing of litter or waste for the financial years 2023–2024, 2024–2025, 2025–2026 and 2026–2027.

Schedule 10[7] and [8] amend the amount payable for penalty notices issued by an enforcement officer for offences under the POEO Act and the *Protection of the Environment Operations (Waste) Regulation 2014*.

Schedule 11 Amendment of Protection of the Environment Operations (Waste) Regulation 2014

Schedule 11[1]–[14] make amendments consequent on provisions relating to resource recovery exemptions and orders being inserted into the POEO Act.