

Protection of the Environment Operations (Penalty Notices) Regulation 1999

[1999-2001]



New South Wales

Status Information

Currency of version

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Does not include amendments by**
 - [Higher Education Act 2001 No 102](#) (not commenced)
 - [Environment Protection Legislation Amendment Act 2002 No 14](#) (not commenced)
Gazette No 87 of 17.5.2002, p 2954 (not commenced — to commence on 1.6.2002)
- **See also**
 - [Olympic Co-ordination Authority Dissolution Bill 2002](#)

Authorisation

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Protection of the Environment Operations (Penalty Notices) Regulation 1999



New South Wales

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Protection of the Environment Operations (Penalty Notices) Regulation 1999



New South Wales

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Penalty Notices) Regulation 1999*.

2 Commencement

This Regulation commences on 1 July 1999.

3 Definitions

In this Regulation:

penalty notice offence means an offence prescribed by clause 5.

the Act means the *Protection of the Environment Operations Act 1997*.

4 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

5 Penalty notice offences: section 222

- (1) Each offence created by a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence for the purposes of Division 3 of Part 8.2 of the Act.
- (2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences or to offences committed in specified circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.

6 Authorised officers: section 226

- (1) The officers or employees of the class specified in Column 3 of Schedule 1 are, subject to this clause, prescribed as authorised officers in relation to the penalty notice

offences concerned.

Note—

A person who is of a class of officers or employees prescribed as authorised officers for the purposes of this Regulation may exercise functions as such an authorised officer regardless of whether the person has been appointed as an authorised officer under section 187 of the Act.

- (2) Any such officer or employee of an authority is an authorised officer only if that authority has duly authorised that officer or employee to exercise the functions of an authorised officer under Division 3 of Part 8.2 of the Act.
- (3) Any such officer or employee of an authority is not an authorised officer in relation to a penalty notice offence alleged to have been committed by that authority.
- (4) In Schedule 1, a number included in Column 3 of Schedule 1 is a reference to an officer or employee of a class identified by that number.
- (5) The class of officers or employees in Schedule 1 are as follows:
 - (a) class 1—an officer or employee of a local authority,
 - (b) class 2—an officer or employee of the EPA,
 - (c) class 3—an officer or employee of the National Parks and Wildlife Service,
 - (d) class 4—an officer or employee of a Port Corporation within the meaning of the *Ports Corporatisation and Waterways Management Act 1995*,
 - (e) class 5—a police officer,
 - (f) class 6—an officer or employee of the Sydney Water Corporation, of the Hunter Water Corporation or of a Water Supply Authority within the meaning of the *Water Supply Authorities Act 1987* (other than a Water Supply Authority that is also the council of a local government area),
 - (g) class 7—an officer or employee of the Forestry Commission,
 - (h) class 8—an officer or employee of the Sydney Harbour Foreshore Authority or of the Darling Harbour Authority,
 - (i) class 9—an officer or employee of the Bicentennial Park Trust, of the Centennial Park and Moore Park Trust, of the Parramatta Stadium Trust, of the Parramatta Park Trust or of the Royal Botanic Gardens and Domain Trust,
 - (j) class 10—an officer or employee of a University (within the meaning of the *Higher Education Act 1988*),
 - (k) class 11—an officer or employee of the Sydney Olympic Park Authority or the Olympic Coordination Authority,

- (l) class 12—an officer or employee who is a marine park ranger within the meaning of the *Marine Parks Act 1997*,
 - (m) class 13—an officer or employee of NSW Fisheries,
 - (n) class 14—an officer or employee of the Sydney Catchment Authority,
 - (o) class 15—an officer or employee of the Waterways Authority.
- (6) A reference in subclause (5) to an officer or employee of the following authorities is taken to include a reference to an officer or employee of a body corporate providing services under an arrangement with that authority whereby the officer or employee is acting under the direction and control of the authority:
- (a) Sydney Harbour Foreshore Authority,
 - (b) Darling Harbour Authority,
 - (c) Olympic Coordination Authority,
 - (d) Sydney Olympic Park Authority.

7 Amounts of penalty payable: section 227

The prescribed penalty payable under a penalty notice in relation to a penalty notice offence is:

- (a) the amount specified in Column 4 of Schedule 1, or
- (b) if the person alleged to have committed the offence is a corporation, and if a greater amount is specified in Column 5 of Schedule 1, the amount specified in Column 5 of Schedule 1.

8 Service of penalty notices on owners of vehicles or vessels: section 224 (3)

- (1) This clause applies to offences under the Act or the regulations that apply specifically to the owner of a vehicle or vessel.
- (2) A penalty notice may, if it relates to an offence to which this clause applies, be served by leaving it on, or attaching it to, the vehicle or vessel.
- (3) A penalty notice may, if it relates to an offence to which this clause applies, be addressed to the owner of a vehicle or vessel without naming the owner or stating his or her address.

9 Short descriptions: section 145B of *Justices Act 1902*

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for a penalty notice offence is:

- (a) the expression specified in Column 2 of Schedule 1 in relation to the offence, or
- (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.

- (1A) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences or to offences committed in specified circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.
- (2) For the purposes of any proceedings for a penalty notice offence, the prescribed expression for the offence is taken to relate to the offence created by the relevant provision referred to in Column 2 of Schedule 1, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

10 Savings provision

An officer or employee duly authorised as referred to in clause 6 (2) by the Waterways Authority in relation to class 4 under clause 6 (5) immediately before the commencement of the [Protection of the Environment Operations Amendment \(Waterways Authority\) Regulation 2001](#) is taken to be duly authorised by the Waterways Authority in relation to class 15 under clause 6 (5).

Schedule 1 Penalty notice offences

(Clauses 5-9)

Protection of the Environment Operations Act 1997

Column 1	Column 2	Column 3	Column 4	Column 5
Provision of the Act	Short description	Officer	Penalty (individuals)	Penalty (corporations)
Section 47	Carry out unlicensed scheduled development work	2	\$750	\$1500
Section 48	Carry out unlicensed scheduled activity (premises-based)	2	\$750	\$1500

Section 49	Carry out unlicensed scheduled activity (not premises-based)	2	\$750	\$1500
Section 64	Contravene condition of licence	2	\$750	\$1500
Section 66 (2)	Licence holder supply false or misleading information	2	\$750	\$1500
Section 66 (4)	Supply false or misleading certificate	2	\$750	\$1500
Section 86	Contravene notice for breach of licensing requirements	2	\$750	\$1500
Section 88	Fail to pay waste facility contribution	2	\$750	\$1500
Section 91	Fail to comply with clean-up notice	1, 2, 12, 14, 15	\$750	\$1500
Section 94	Fail to pay clean-up notice fee	1, 2, 12, 14, 15	\$500	\$1000
Section 97	Fail to comply with prevention notice	1, 2, 12, 14, 15	\$750	\$1500
Section 100	Fail to pay prevention notice fee	1, 2, 12, 14, 15	\$500	\$1000
Section 120	Pollute waters/ cause/permit waters to be polluted	1, 2, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15	\$750	\$1500
Section 124	Cause air pollution by failure to maintain plant in efficient condition/operate plant in proper and efficient manner	1, 2	\$750	\$1500
Section 125	Cause air pollution by failure to carry out maintenance work in a proper and efficient manner	1, 2	\$750	\$1500
Section 126	Cause air pollution by failure to deal with materials in a proper and efficient manner	1, 2	\$750	\$1500
Section 128	Cause/permit emission of excess air impurities/failure to prevent/minimise air pollution	1, 2	\$750	\$1500

Section 129	Cause/permit emission of offensive odours from premises licensed for scheduled activities	2	\$750	\$1500
Section 135	Fail to comply with air pollution (fire prohibition) order/notice	1, 2	\$200	\$400
Section 136:				
Sell article of prescribed class (other than a motor vehicle horn or motor vehicle intruder alarm) if, when in use or operation, the article emits noise that, when measured at any point specified in or determined in accordance with the regulations, is in excess of the level prescribed in respect of the class to which it belongs	Sell noisy article	2	\$200	\$400
Section 136:				
Sell article of prescribed class (other than a motor vehicle horn or motor vehicle intruder alarm) if, when in use or operation, the article emits noise that, when measured at any point specified in or determined in accordance with the regulations, is in excess of the level prescribed in respect of the class to which it belongs by 5dB(A) or more	Sell noisy article 5dB(A) or more above limit	2	\$400	\$800

Section 136:

Sell article of prescribed class (being a motor vehicle horn or a motor vehicle intruder alarm) if, when in use or operation, the article emits noise that, when measured at any point specified in or determined in accordance with the regulations, is in excess of the level prescribed in respect of the class to which it belongs

Sell noisy horn/alarm	2	\$300	\$600
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Section 137	Sell article without prescribed noise control equipment/with noise control equipment that has not been maintained	1, 2	\$200	\$400
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Section 139	Cause emission of noise by failure to maintain plant in efficient condition/operate plant in proper and efficient manner	1, 2	\$200	\$400
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Section 140	Cause emission of noise by failure to deal with materials in a proper and efficient manner	1, 2	\$200	\$400
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Section 143	Transport waste to a place not lawfully a waste facility for that waste	1, 2	\$750	\$1500
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Section 144	Permit land to be unlawfully used as a waste facility	1, 2	\$750	\$1500
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Section 145:

Deposit litter, being a small item including confectionary wrapper, cigarette packet, ATM statement, or bus or train ticket (excluding cigarette, and excluding litter deposited from vehicle)	Deposit litter (small item)	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$60	—
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Section 145:

Deposit litter (excluding cigarette, and excluding litter deposited from vehicle)	Deposit litter	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$200	\$400
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Section 145:

Deposit litter, being unlit or extinguished cigarette (excluding litter deposited from vehicle)	Deposit litter (extinguished cigarette)	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$60	—
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Section 145:

Deposit litter, being lit cigarette (excluding litter deposited from vehicle)	Deposit litter (lit cigarette)	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$200	—
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Section 145:

Deposit litter from vehicle	Deposit litter from vehicle	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$200	\$400
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Section 145A:

Deposit litter, for example syringe, or lit cigarette in dangerous circumstances	Deposit litter in circumstances of aggravation	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$375	\$750
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Section 146A

Deposit advertising material in place	Deposit advertising material in place	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$200	\$400
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Section 146B	Deposit advertising material on vehicle	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$200	\$400
Section 146C	Cause or ask person to contravene section 146A or 146B	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15	\$200	\$400
Section 146E (1)	Release 20 or more balloons	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15	\$200	\$400
Section 146E (2)	Cause/permit release of 20 or more balloons	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15	\$200	\$400
Section 146E (3)	Release/cause/ permit release of more than 100 balloons	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15	\$375	\$750
Section 152	Contravene Part 5.7 of Act (Duty to notify pollution incidents)	1, 2	\$750	\$1500
Section 155	Sell polluting vehicle	2	\$750	\$1500
Section 156	Sell vehicle without prescribed anti-pollution device fitted	2	\$750	\$1500
Section 157 (1)	Remove/disconnect/ impair/ cause/permit removal/ disconnection/ impairment of anti-pollution device	2	\$750	\$1500
Section 157 (2)	Adjust/modify/ cause/permit to be adjusted/modified anti-pollution device/part of vehicle so that vehicle emits excessive air impurities	2	\$750	\$1500
Section 161 (4)	Use vehicle/ cause/permit vehicle to be used in contravention of a section 161 notice	2	\$300	\$600
Section 161 (7)	Remove/ obliterate/ interfere with prescribed label	2	\$300	\$600

Section 167	Fail to maintain control equipment in an efficient condition/operate equipment in a proper and efficient manner	2	\$750	\$1500
Section 211 (1)	Neglect/fail to comply with requirement under Chapter 7 of the Act (Investigation)	1, 2, 4, 5, 14, 15	\$300	\$600
Section 265	Contravene noise control notice	1, 2, 4, 15	\$200	\$400
Section 277 (1) (a)	Fail to cause noise emission to cease in accordance with noise abatement direction	1, 2, 4, 5, 8, 15	\$200	\$400
Section 277 (1) (b)	Cause/permit noise emission within 28 days after noise abatement direction/the period specified in a noise abatement direction	1, 2, 4, 5, 8, 15	\$200	\$400
Section 277 (2) (a)	Fail to cease making/contributing to the making of noise in accordance with noise abatement direction	1, 2, 4, 5, 8, 15	\$200	\$400
Section 277 (2) (b)	Make/contribute to the making of noise within 28 days after/the period specified in a noise abatement direction is given	1, 2, 4, 5, 8, 15	\$200	\$400

Protection of the Environment Operations (General) Regulation 1998

Column 1	Column 2	Column 3	Column 4
Provision of Regulation	Short description	Officer	Penalty
Clause 47 (1)	Provide false or misleading information/statement in an application	2	\$1500
Clause 51 (1)	Failure to retain records	2	\$500

Protection of the Environment Operations (Control of Burning) Regulation 2000

Column 1	Column 2	Column 3	Column 4	Column 5
Provision of Regulation	Short description	Officer	Penalty (individuals)	Penalty (corporations)
Clause 5 (1)	Burn otherwise than to prevent or minimise air pollution	1, 2, 3	\$500	\$1,000

Clause 6 (1)	Burn prohibited article	1, 2, 3	\$500	\$1,000
Clause 7 (1)	Prohibited burning (Part 1 area)	1, 2, 3	\$500	\$1,000
Clause 7 (2)	Prohibited burning (Part 2 area)	1, 2, 3	\$500	\$1,000
Clause 7 (3)	Prohibited burning (Part 3 area)	1, 2, 3	\$500	\$1,000

Clean Air (Motor Vehicles and Motor Vehicle Fuels) Regulation 1997

Column 1	Column 2	Column 3	Column 4
Provision of Regulation	Short description	Officer	Penalty
Clause 13 (1)	Operate vehicle with over 0.2 grams lead per litre petrol	2	\$300
Clause 14 (1)	Sell petrol with over 0.2 grams lead per litre	2	\$300
Clause 21 (3) (a)	Sell unleaded fuel vehicle contrary to clause 21	2	\$300
Clause 21 (3) (b)	Use unleaded fuel vehicle/cause/allow use of unleaded fuel vehicle contrary to clause 21	2	\$300
Clause 21 (4)	Remove/deface words inscribed on/in relation to motor vehicle	2	\$300
Clause 22 (2) (a)	Sell unleaded fuel vehicle contrary to clause 22	2	\$600
Clause 22 (2) (b)	Use unleaded fuel vehicle/cause/allow use of unleaded fuel vehicle contrary to clause 22	2	\$600
Clause 22 (3)	Modify petrol filling pipe fitted to motor vehicle	2	\$600
Clause 23 (1) (a)	Petrol retailer fail to notify that vehicles to use unleaded petrol	2	\$300
Clause 23 (1) (b)	Petrol retailer fail to distinguish leaded from unleaded pumps	2	\$300
Clause 24 (a)	Leaded petrol pump nozzle too narrow	2	\$300
Clause 24 (b)	Unleaded petrol pump nozzle too wide	2	\$300
Clause 25 (2)	Fill vehicle/cause/allow filling of vehicle without petrol over-fill device	2	\$300
Clause 25 (3)	Petrol hose not fully inserted into fuel tank	2	\$300

Clause 27	Use motor vehicle/cause/allow use of motor vehicle emitting excessive air impurities	2	\$112
Clause 28	Use motor vehicle/cause/allow use of motor vehicle without anti-pollution device	2	\$300
Clause 29	Use motor vehicle/cause/allow use of motor vehicle that has not been serviced/ maintained/adjusted in specified manner	2	\$600
Clause 31 (1)	Put leaded fuel/leaded fuel additive in unleaded fuel vehicle	2	\$600
Clause 31 (2)	Use leaded fuel/leaded fuel additive in unleaded fuel vehicle	2	\$600

Clean Air (Plant and Equipment) Regulation 1997

Column 1	Column 2	Column 3	Column 4
Provision of Regulation	Short description	Officer	Penalty
Clause 8 (1)	Operate equipment in Sydney/Wollongong/ Newcastle/ Central Coast with fuel over 0.5 per cent sulphur	2	\$600
Clause 8 (2)	Operate equipment outside Sydney/ Wollongong/Newcastle/ Central Coast with fuel over 2.5 per cent sulphur	2	\$600
Clause 20A (1)	Use/operate/cause/allow to be used/ operated fuel burning equipment/industrial plant without prescribed control equipment	2	\$600
Clause 20A (2)	Fail to maintain/operate fuel burning equipment/industrial plant/prescribed control equipment in compliance with specifications	2	\$600
Clause 24 (2)	Use tank vehicle/allow tank vehicle to be used without control equipment	2	\$600
Clause 25 (2)	Fail to ensure delivery tank connected to vapour collection system	2	\$600
Clause 25 (3)	Fail to observe vapour reduction requirements during unloading	2	\$600
Clause 25 (4)	Leave open hatch/manhole/cover	2	\$600

Protection of the Environment Operations (Noise Control) Regulation 2000

Column 1	Column 2	Column 3	Column 4	Column 5
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Provision of Regulation	Short description	Officer	Penalty (individuals)	Penalty (corporations)
Clause 6 (1)	Sell vehicle when noise control equipment not securely in place/defective	2	\$300	\$600
Clause 11	Sell alarm with panic/override switch	2	\$300	\$600
Clause 12 (1)	Sell non-complying dual/variable/rising tone horn	2	\$300	\$600
Clause 13 (1): Cause/permit use of vehicle capable of emitting noise exceeding maximum level by up to 5 dB(A)	Cause/permit use of noisy vehicle	2	\$150	\$300
Clause 13 (1): Cause/permit use of vehicle capable of emitting noise exceeding maximum level by between 5 and 15 dB(A)	Cause/permit use of noisy vehicle	2	\$250	\$500
Clause 13 (1): Cause/permit use of vehicle capable of emitting noise exceeding maximum level by more than 15 dB(A)	Cause/permit use of noisy vehicle	2	\$500	\$1,000
Clause 14	Cause/permit vehicle to emit offensive noise in place (not road)	1, 2, 5	\$200	\$400
Clause 15 (1)	Cause/permit repeat of vehicle noise after warning	1, 2, 5	\$200	\$400
Clause 16 (1)	Cause/permit repeat of refrigeration unit noise after warning	1, 2, 5	\$200	\$400
Clause 17	Cause/permit offensive noise from motor vehicle sound system	1, 2, 5	\$150	\$200
Clause 18 (1)	Cause/permit vehicle to be used when noise control equipment not securely in place/defective	2, 5	\$200	\$400
Clause 18 (2) (a)	Remove/render less effective noise control equipment	2, 5	\$200	\$400

Clause 18 (2) (b)	Fit less effective noise control equipment	2, 5	\$200	\$400
Clause 19 (1)	Cause/permit motor cycle to be used with unlabelled noise control equipment	2, 5	\$200	\$400
Clause 20	Modify/repair engine/air intake system/exhaust system so that noise level exceeds limit	2	\$200	\$400
Clause 21 (1) (a)	Attach noisy horn with single loudness and pitch	2	\$200	\$400
Clause 21 (1) (b)	Attach noisy horn with varying loudness and pitch	2	\$200	\$400
Clause 21 (2) (a)	Cause/permit use of motor vehicle with noisy horn of single loudness and pitch	2	\$200	\$400
Clause 21 (2) (b)	Cause/permit use of motor vehicle with noisy horn of varying loudness and pitch	2	\$200	\$400
Clause 23	Cause/permit motor vehicle intruder alarm with panic/override switch	1, 2, 5	\$200	\$400
Clause 24 (1): Cause/permit use of noisy alarm (for up to 24 hours)	Cause/permit use of noisy alarm	1, 2, 5, 8	\$200	\$400
Clause 24 (1): Cause/permit use of noisy alarm (for 24 to 48 hours)	Cause/permit use of noisy alarm	1, 2, 5, 8	\$400	\$800
Clause 24 (1): Cause/permit use of noisy alarm (for more than 48 hours)	Cause/permit use of noisy alarm	1, 2, 5, 8	\$600	\$1,200
Clause 25 (1)	Cause/permit use of non-complying motor vehicle intruder alarm	2	\$200	\$400
Clause 26 (5)	Use/cause/permit vehicle to be used contrary to defective vehicle notice	2, 5	\$300	\$600
Clause 27 (4)	Remove/obscure/ deface defective vehicle label	2, 5	\$300	\$600

Clause 27 (5)	Cause/permit vehicle to be used when defective vehicle label has been removed/ obscured/ defaced	2, 5	\$300	\$600
Clause 29	Cause/permit siren/whistle/ hooter/fog horn/bell to be sounded	1, 4, 5, 15	\$200	\$400
Clause 30	Cause/permit vessel to emit offensive noise on navigable waters	1, 4, 5, 15	\$300	\$600
Clause 31 (1)	Cause/permit powered vessel to be used when noise control equipment not securely in place/defective	4, 5, 15	\$200	\$400
Clause 31 (2) (a)	Remove/render less effective noise control equipment	4, 5, 15	\$200	\$400
Clause 31 (2) (b)	Fit less effective noise control equipment	4, 5, 15	\$200	\$400
Clause 32 (1)	Cause/permit use of musical instrument/sound system after warning	1, 4, 5, 15	\$300	\$600
Clause 33 (5)	Cause/permit vessel to be used contrary to defective vessel notice	4, 5, 15	\$300	\$600
Clause 34 (4)	Remove/obscure/ deface defective vessel label	4, 5, 15	\$300	\$600
Clause 34 (5)	Cause/permit vessel to be used when defective vessel label has been removed/ obscured/defaced	4, 5, 15	\$300	\$600
Clause 50 (1)	Cause/permit repeat of power tool/swimming pool pump noise after warning	1, 5	\$200	\$400
Clause 51 (1)	Cause/permit repeat of musical instrument/sound equipment noise after warning	1, 5	\$200	\$400
Clause 52 (1)	Cause/permit repeat of air conditioner noise after warning	1, 5	\$200	\$400

Clause 53 (1): Cause/permit use of noisy intruder alarm (for up to 24 hours)	Cause/permit use of noisy intruder alarm	1, 2, 5	\$200	\$400
Clause 53 (1): Cause/permit use of noisy intruder alarm (for 24 to 48 hours)	Cause/permit use of noisy intruder alarm	1, 2, 5	\$400	\$800
Clause 53 (1): Cause/permit use of noisy intruder alarm (for more than 48 hours)	Cause/permit use of noisy intruder alarm	1, 2, 5	\$600	\$1,200

Ozone Protection Act 1989

Column 1	Column 2	Column 3	Column 4
Provision of the Act	Short description	Officer	Penalty
Section 14 (3)	Fail to provide information/confer with EPA	2	\$300

Ozone Protection Regulation 1997

Column 1	Column 2	Column 3	Column 4
Provision of Regulation	Short description	Officer	Penalty
Clause 9 (1)	Fail to make/retain authorised supplier's records	2	\$300
Clause 9 (5)	Fail to make supplier's records available to authorised officer	2	\$300
Clause 10 (1)	Fail to forward authorised supplier's return to EPA	2	\$300
Clause 10 (2)	Fail to forward authorised copies of supplier's records to EPA	2	\$300
Clause 12 (1)	Fail to make/retain authorised purchaser's records	2	\$300
Clause 12 (5)	Fail to make purchaser's records available to authorised officer	2	\$300
Clause 22	Fail to attach label to refrigeration equipment	2	\$300
Clause 24 (1)	Fail to attach label to air conditioning equipment	2	\$300
Clause 25 (1)	Fail to attach label to motor vehicle air conditioning equipment	2	\$300

Clause 31 (1)	Fail to notify EPA of halon discharge	2	\$300
Clause 39 (1) (a)	Fail to supply container for reclaiming CFC/HCFC	2	\$300
Clause 39 (1) (b)	Fail to accept delivery of container of CFC/HCFC	2	\$300
Clause 40 (1)	Fail to use appropriate container for reclaiming CFC/HCFC	2	\$300

Waste Minimisation and Management Act 1995

Column 1	Column 2	Column 3	Column 4	Column 5
Provision of the Act	Short description	Officer	Penalty (individuals)	Penalty (corporations)
Section 39 (4)	Fail to rectify breach of IWRP	2	\$300	\$600

Protection of the Environment Operations (Waste) Regulation 1996

Column 1	Column 2	Column 3	Column 4
Provision of Regulation	Short description	Officer	Penalty
Clause 15 (3)	Fail to provide initial details	2	\$500
Clause 15 (4)	Fail to return form	2	\$500
Clause 15 (5)	Fail to provide information	2	\$500
Clause 16 (2) (a)	Fail to store waste safely	1, 2	\$500
Clause 16 (2) (b)	Waste stored/in contact with other waste	1, 2	\$500
Clause 16 (2) (c)	Fail to provide information	1, 2	\$500
Clause 16 (2) (d) (i)	Fail to obtain consignment number	1, 2	\$500
Clause 16 (2) (d) (ii)	Fail to complete/give copy of waste data form	1, 2	\$500
Clause 16 (2) (e) (i)	Fail to complete waste data form accurately	1, 2	\$500
Clause 16 (2) (e) (ii)	Fail to retain waste data form	1, 2	\$500
Clause 16 (2) (e) (iii)	Fail to make waste data form available	1, 2	\$500
Clause 16 (2) (f)	Fail to ensure transporter licensed	1, 2	\$500
Clause 16 (2) (g)	Fail to comply with Measure	1, 2	\$500
Clause 16 (2) (h)	Fail to ensure waste transported lawfully	1, 2	\$500
Clause 16 (2) (i)	Fail to identify waste/advise transporter	1, 2	\$500

Clause 16 (2) (j)	Fail to advise of breach of Act/Regulation	1, 2	\$500
Clause 16 (4) (a) (i)	Fail to record details of contractor	1, 2	\$500
Clause 16 (4) (a) (ii)	Fail to retain record/agreement	1, 2	\$500
Clause 16 (4) (a) (iii)	Fail to make record/agreement available	1, 2	\$500
Clause 16 (4) (b) (i)	Fail to identify waste/advise contractor	1, 2	\$500
Clause 16 (4) (b) (ii)	Fail to inform about receipt	1, 2	\$500
Clause 16 (4) (b) (iii)	Fail to keep receipt	1, 2	\$500
Clause 16 (4) (b) (iv)	Fail to make receipt available	1, 2	\$500
Clause 17 (2) (a) (i)	Fail to keep clean vehicle	1, 2	\$500
Clause 17 (2) (a) (ii)	Fail to prevent spillage	1, 2	\$500
Clause 17 (2) (b)	Fail to secure container safely	1, 2	\$500
Clause 17 (2) (c)	Fail to sufficiently cover load	1, 2	\$500
Clause 17 (2) (d)	Mix incompatible waste	1, 2	\$500
Clause 17 (2) (e)	Mix waste with other waste/material	1, 2	\$500
Clause 17 (2) (f)	Mix segregated material	1, 2	\$500
Clause 17 (2) (g) (i)	Fail to obtain waste data form	1, 2	\$500
Clause 17 (2) (g) (ii)	Fail to keep waste data form in vehicle	1, 2	\$500
Clause 17 (2) (g) (iii)	Fail to complete waste data form	1, 2	\$500
Clause 17 (2) (g) (iv)	Fail to provide waste data form to occupier/ operator	1, 2	\$500
Clause 17 (2) (g) (v)	Fail to retain waste data form	1, 2	\$500
Clause 17 (2) (h)	Transport waste to unlawful destination	1, 2	\$500
Clause 17 (2) (i)	Fail to advise type of waste before unloading	1, 2	\$500
Clause 17 (2) (j)	Fail to provide information	1, 2	\$500
Clause 17 (2) (k)	Fail to advise of breach of Act/Regulation	1, 2	\$500
Clause 21 (2)	Fail to record details	2	\$500
Clause 21 (3) (a) (i)	Fail to ensure records are accurate	2	\$500
Clause 21 (3) (a) (ii)	Fail to ensure records are retained	2	\$500
Clause 21 (3) (b)	Fail to make records available	2	\$500
Clause 22 (4) (a)	Fail to record details	2	\$500

Clause 22 (4) (b)	Fail to record details	2	\$500
Clause 22 (4) (c)	Fail to record details	2	\$500
Clause 22 (4) (d) (i)	Fails to ensure records are accurate	2	\$500
Clause 22 (4) (d) (ii)	Fail to ensure records are retained	2	\$500
Clause 22 (4) (e)	Fail to make record available	2	\$500
Clause 23 (1)	Fail to record details	2	\$500
Clause 23 (2)	Fail to record details	2	\$500
Clause 23 (3) (a)	Fail to keep record	2	\$500
Clause 23 (3) (b)	Fail to make record available	2	\$500
Clause 23A	Fail to provide information	2	\$500
Clause 24 (1) (a)	Fail to carry out June survey	2	\$500
Clause 24 (1) (b)	Fail to carry out December survey	2	\$500
Clause 24 (1A) (a)	Fail to keep copy of survey results	2	\$500
Clause 24 (1A) (b)	Fail to make survey results available	2	\$500
Clause 25 (1)	Fail to install weighbridge	2	\$500
Clause 25 (2) (a)	Fail to submit plan	2	\$500
Clause 25 (2) (a1)	Fail to submit revised plan	2	\$500
Clause 25 (2) (b)	Fail to ensure vehicle uses weighbridge	2	\$500
Clause 25 (2) (c)	Fail to maintain weighbridge	2	\$500
Clause 25 (2) (d)	Fail to certify weighbridge	2	\$500
Clause 25 (2) (d1)	Fail to keep copy of plan/weighbridge certificate/make plan/certificate available	2	\$500
Clause 25 (2) (e)	Fail to notify non-operation of weighbridge	2	\$500
Clause 25 (2) (f)	Fail to use alternative recording method	2	\$500
Clause 25 (2) (g)	Fail to comply with installation/operation requirement	2	\$500
Clause 26 (2) (a)	Fail to install monitoring system	2	\$500
Clause 26 (2) (b)	Fail to keep monitoring records	2	\$500
Clause 26 (2) (c)	Fail to make records available	2	\$500
Clause 27	Provide false information	2	\$500
Clause 28 (11)	Fail to comply with conditions of approval	2	\$500

Clause 29 (2)	Fail to comply with requirement	1, 2	\$500
Clause 29 (6)	Use asbestos waste for road making	1, 2	\$500
Clause 30 (a)	Dispose clinical waste unlawfully	1, 2	\$500
Clause 30 (b)	Fail to obtain approval	1, 2	\$500
Clause 30 (c)	Dispose clinical waste unlawfully	1, 2	\$500
Clause 30 (d)	Material contained in clinical waste	1, 2	\$500
Clause 30 (e)	Fail to package clinical waste	1, 2	\$500
Clause 30 (f)	Dispose clinical waste in excess of 40 kg	1, 2	\$500
Clause 30 (g)	Fail to bury/contain clinical waste	1, 2	\$500