

NSW



Environment Protection Authority

Guidelines on enforceable undertakings

March 2025





Acknowledgement of Country

As set out in the EPA's Statement of Commitment to Aboriginal People, the EPA acknowledges the Traditional Custodians of the land on which we live and work, honours the ancestors and the Elders both past and present and extends that respect to all Aboriginal people.

We recognise Aboriginal peoples' spiritual and cultural connection and inherent right to protect the land, waters, skies and natural resources of NSW. This connection goes deep and has since the Dreaming.

We also acknowledge our Aboriginal and Torres Strait Islander employees who are an integral part of our diverse workforce, and recognise the knowledge and wisdom embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and culture.

Aboriginal artwork by Worimi artist Gerard Black

Contents

1	Introduction.....	5
	What is an enforceable undertaking?.....	5
	Scope of EUs	5
	The EU process.....	6
	When will the EPA accept an EU?	6
2	Appropriateness of an EU.....	7
3	Key time frames	8
4	Process for proposing an EU.....	9
5	Key objectives of an EU.....	9
	EUs must drive tangible improvements in your environmental performance.....	9
	EUs must deliver real benefits to the local environment and/or community	10
	EUs must drive improvements in environmental performance industry-wide.....	10
	EUs must contain clear and defined obligations.....	11
	EUs must contain commitments to monitoring and reporting compliance.....	11
	EUs must contain indicative compliance costs	12
	EUs must contain a commitment that the relevant conduct has stopped and will not happen again .	12
	EUs must be made public	12
6	Standard conditions of EUs.....	13
7	Guidance on selecting an appropriate project	14
8	EPA monitoring of compliance	15
9	Variations and withdrawals.....	15
10	Completing obligations under an EU	16

The NSW Environment Protection Authority (EPA) can enter into enforceable undertakings with other parties in response to alleged breaches of environment protection legislation, or in relation to its regulatory functions generally under the *Protection of the Environment Operations Act 1997*.

These Guidelines tell you how to submit a proposal for an enforceable undertaking, what an undertaking should contain, and how the EPA will monitor compliance with an undertaking.

1 Introduction

What is an enforceable undertaking?

- 1.1 The NSW Environment Protection Authority (**EPA**) administers a range of environmental laws including the *Protection of the Environment Operations Act 1997* (**POEO Act**). The EPA has many regulatory options available for responding to an alleged incident, including a suspected breach of environmental legislation. One option is entry into an enforceable undertaking (**EU**). The EPA can also enter into an EU in relation to other matters connected to the EPA's functions (discussed at 1.3 below).
- 1.2 These Guidelines outline when the EPA will consider an EU an appropriate regulatory response.
- 1.3 An EU is a voluntary and legally binding agreement between the EPA and another party ('you'). The power to enter into an EU is in each of the following Acts:
 - a. POEO Act – s 253A¹
 - b. *Biodiversity Conservation Act 2016* – s 13.27
 - c. *Contaminated Land Management Act 1997* – s 96A
 - d. *Ozone Protection Act 1989* – as per s 213(2)(b) of the POEO Act
 - e. *Pesticides Act 1999* – s 110
 - f. *Plastic Reduction and Circular Economy Act 2021* – as per s 213(2)(d) of the POEO Act
 - g. *Protection from Harmful Radiation Act 1990* – s 24A
 - h. *Waste Avoidance and Resource Recovery Act 2001* – as per s 213(2)(c) of the POEO Act
 - i. any Act for which the EPA has a function under the POEO Act (e.g. the *Petroleum (Onshore) Act 1991*).
- 1.4 An EU includes commitments by you, in response to an alleged issue, incident or other matter, that are designed to improve environmental outcomes and address any environmental harm. These agreements are enforceable by the NSW Land and Environment Court.

Scope of EUs

- 1.5 Under s 253A of the POEO Act, the EPA can enter into an EU “in connection with a matter in relation to which the EPA has a function under the Act”. This means under the Acts in 1.3 (though not under the *Protection from Harmful Radiation Act 1990*), the EPA can enter into an EU for a range of matters, not only suspected breaches.

¹ The POEO Act provisions cover most scenarios where the EPA seeks enforceable undertakings. The enforceable undertaking provisions in other Acts tend to mirror those in the POEO Act. For simplicity, where these Guidelines refer to specific provisions, only the relevant POEO Act section is referenced.

- 1.6 The EPA uses these Guidelines to decide whether to accept a proposed EU. It also considers its obligations as a prosecutor (by referring to the *EPA Prosecution Guidelines*, the *EPA Regulatory Strategy* and the *EPA Regulatory Policy*) and its objectives under s 6 of the *Protection of the Environment Administration Act 1991*. These documents can be found on the EPA website at <https://www.epa.nsw.gov.au/>.
-

The EU process

- 1.7 Your EU proposal is effectively an invitation, from you to the EPA, to begin the process of discussing a potential EU. The onus is on you to submit the proposal.
- 1.8 Where an EU is for an alleged breach of environmental legislation or an alleged incident, the EPA expects you to approach the EU process with genuine contrition for your role in the incident and an honest commitment to engage productively. You can show this by:
- taking responsibility for your actions
 - taking responsibility for the pollution incident and/or admitting to any wrongful acts, omissions or conduct
 - preparing a proposal that genuinely responds to the seriousness of the incident
 - genuinely cooperating with the EPA in response to the incident and any investigation.
- 1.9 An EU, if the EPA accepts it, will form part of your compliance history. The EPA publishes all EUs on its public register. When each EU is finalised, the EPA also issues a media release giving its details.
- 1.10 The EU process does not affect your other legal notification obligations, such as notifying the EPA of pollution incidents.
- 1.11 The EPA may accept an EU in one case but not in apparently similar cases. In each case, when considering whether to accept an EU, the EPA considers the factual context, the EU applicant's actions, and subjective features.
- 1.12 The EPA cannot and will not compel you to enter an EU. Likewise, you cannot compel the EPA to accept a proposed EU, even if the EPA has suggested you could apply for one.
-

When will the EPA accept an EU?

- 1.13 The EPA will only enter an EU when:
- the EPA's understanding of the facts and circumstances of the matter align with the considerations outlined in the 'Appropriateness of an EU' section below
 - the proposed EU meets the EPA's key objectives for EUs, outlined in the 'Key objectives of an EU' section below
 - the completed proposal is lodged in the approved form, which is available on the EPA's website, with all necessary accompanying information
 - the proposal is lodged according to the EPA's process and time frames, outlined in the 'Key time frames' and 'Process for proposing an EU' sections below.
- 1.14 It is unlikely the EPA will accept an EU proposal if it relates to an alleged 'serious environment protection offence' as defined under s 17(8) of the *Protection of the Environment Administration Act 1991*.

- 1.15 The EPA is also unlikely to accept an EU if it:
- e. contains a clause denying liability
 - f. leaves out any of the standard clauses detailed below
 - g. contains any clause that sets up defences for possible non-compliance with an EU
 - h. contains any clause that sets up defences for possible future contraventions of the POEO Act or other environmental legislation
 - i. contains any terms that will result in an unreasonable delay in environmental remediation
 - j. contains any terms that impose an obligation on the EPA or any other person without their consent
 - k. contains any commitments that depend on receiving third-party funding
 - l. contains any commitments that are contingent on receiving an approval from a third party and there is no reasonable alternative plan if the approval is not obtained.

2 Appropriateness of an EU

- 2.1 Generally, the EPA will only consider accepting an EU when:
- a. it considers you have breached one of the relevant Acts in 1.3 or it relates to a matter connected to EPA functions; and
 - b. you explicitly take responsibility for your actions and for the pollution incident, and/or explicitly admit to any wrongful acts, omissions or conduct in relation to the matter.
- 2.2 The EPA may also consider accepting an EU in circumstances where your conduct may not strictly constitute an environmental offence, but has still caused, or could have caused, a pollution incident and actual or potential harm to human health or to the environment, or it appears that a regulatory response in the form of an EU is appropriate.
- 2.3 The EPA will also assess whether an EU is an appropriate regulatory outcome by considering factors that include (but are not limited to) those in the table below.

Table 1 Factors the EPA considers when assessing EUs

Factor	An EU is more likely to be accepted when –
Nature of alleged breach or issue	<ul style="list-style-type: none"> • it was an accident or was caused inadvertently or was due to causes over which the applicant had no control • it was an isolated or one-off occurrence • it was not committed for or motivated by commercial gain or profit • it only lasted a short time • it happened despite high standards of operation • the cause of the alleged breach or issue was not reasonably foreseeable • its impact or risk of impact was not reasonably foreseeable
Environmental impact	<ul style="list-style-type: none"> • the extent of environmental harm and impact upon disadvantaged communities or other vulnerable persons was limited • the impact on human health was limited

Factor	An EU is more likely to be accepted when –
History of party	<ul style="list-style-type: none"> • you are likely to comply with the EU • you have no history of serious prior non-compliances with environmental legislation or similar legislation
Conduct of party	<ul style="list-style-type: none"> • you notified the EPA of the incident promptly after becoming aware of it • remediation was effective, or you made a genuine attempt to remediate • your remediation response was prompt and reasonable • you promptly submitted a proposed EU application with complete and detailed information (see Part 3 ‘Key time frames’ below) • you have shown a real and genuine commitment to ensuring your ongoing compliance with the relevant legislation • you have shown real and genuine contrition in relation to the incident • you genuinely cooperated in response to the incident and the EPA’s investigation
General circumstances	<ul style="list-style-type: none"> • there are good prospects for resolving the matter speedily • the investigation is at an early stage

- 2.4 If you are one of several parties involved in an alleged breach or issue, the EPA may find it appropriate to enter into an EU with one of the parties and take other regulatory action against others, or to enter into several EUs with different parties. The existing commitments made under any other agreements and the level of individual responsibility of each party will be considered when negotiating individual agreements.

3 Key time frames

- 3.1 If you are proposing an EU, submit an EU proposal form as soon as possible and no later than **one month** after the alleged breach or issue.
- 3.2 The EPA will aim to advise you whether the proposal will progress or not, within **one month** of it receiving the proposal.
- 3.3 Negotiations for an EU will need to end **no more than six months** after the alleged breach or issue. For an alleged breach of environmental legislation, this will leave enough time to prosecute if negotiations do not lead to an agreed EU.
- 3.4 It will only be in exceptional circumstances that:
- a. the EPA will consider a proposal where it is received more than **one month** after the alleged breach or issue
 - b. negotiations for an EU will continue more than six months after the alleged breach or issue.
- 3.5 If you don’t cooperate and provide complete information throughout the EU process, particularly in the proposal form, this will weigh heavily against your proposal progressing or being further considered.
- 3.6 While an EU is being negotiated, the EPA will continue its investigation. The EPA expects that an applicant will pay for the EPA’s investigation and legal costs as part of any EU.
- 3.7 While EU discussions are under way, you should not delay taking action to remedy the impacts of the alleged breach or issue. The EPA will look favourably on such actions.

4 Process for proposing an EU

- 4.1 When proposing an EU, submit your proposal to the EPA using the approved form. This is the EU proposal form which can be found on the EPA website at <https://www.epa.nsw.gov.au/>
- 4.2 While the EPA is investigating your matter, it may tell you about the option of submitting a proposal for an EU. You will still need to submit a proposal, and that will follow the standard process. There is no guarantee that the proposal will be accepted.
- 4.3 Once the EPA receives your proposal and decides whether it will enter negotiations, the EPA will contact you and advise you either:
 - a. that the proposal will progress, and you will need to provide extra information to negotiate
 - or
 - b. that the proposal will not progress, and the general reasons why.
- 4.4 The terms of an EU are not finalised or legally binding until the EPA's Chief Executive Officer, or delegate, has signed the EU agreement.

5 Key objectives of an EU

EUs must drive tangible improvements in your environmental performance

- 5.1 An EU must set out how you will address the alleged breach or issue and prevent it happening again. To achieve this, the EU will usually need to identify any failings in your operational systems and/or site management that led to the alleged breach or issue.
- 5.2 Action to prevent the issue happening again can include:
 - a. implementing staff training
 - b. carrying out works such as pollution studies or pollution reduction programs
 - c. carrying out works to upgrade plant or equipment
 - d. creating or amending operational procedures and guidelines
 - e. implementing or improving senior management reporting structures to oversee compliance
 - f. implementing a program to improve your overall compliance with the relevant legislation (i.e. implementing an internal compliance program).
- 5.3 An EU proposal must contain undertakings that go beyond simply complying with obligations under environment protection legislation in the future. Acceptable EUs must seek to drive tangible improvements in environmental performance over and above mere compliance.
- 5.4 Whenever possible, you should show a commitment to:

- g. improving onsite environmental performance beyond mere compliance – for example, investing in research and trialling of new technology to improve environmental outcomes
 - h. approaching environmental obligations in a proactive manner – for example, implementing regular compliance audits and processes for addressing the findings of those audits
 - i. developing and implementing innovative solutions to environmental issues – for example trialling pollution risk management systems that also benefit broader environmental outcomes, such as reducing pollution risks by recycling materials.
-

EUs must deliver real benefits to the local environment and/or community

- 5.5 An EU must set out how you will rectify consequences of the alleged breach or issue, on the local environment and/or local community including any disproportionate impact on disadvantaged communities or other vulnerable persons. This is more than committing to clean-up or remediation and may include:
 - j. allocating funds to an existing or new project that improves the local environment or benefits the local community including those that are disadvantaged or vulnerable
 - k. making a public and genuine apology to the communities affected by the alleged breach.
 - 5.6 Where your proposal will include a project to deliver local environmental or community benefits, it is recommended you contact the EPA before you submit it. The EPA may be able to identify worthy environmental and community projects across NSW that could benefit from being part of your proposal.
 - 5.7 Where the proposal includes a project that will be delivered by a third party, you must satisfy the EPA that enough arrangements will be put in place to make sure the third party carries out the project. Any failure by a third party to complete its contracted services will place you in breach of your agreement.
 - 5.8 Part 9 gives further guidance on negotiating appropriate projects for the benefit of the local environment or community.
-

EUs must drive improvements in environmental performance industry-wide

- 5.9 When proposing an EU you should consider whether the alleged breach or issue affected others in the industry and whether the outcomes of the EU could help in improving the environmental performance of others within the industry.
- 5.10 Actions that show a commitment to improving environmental performance industry-wide could include:
 - a. sharing the outcomes of your research or trials – for example, by publishing articles in industry journals, presenting at industry conferences
 - b. actively engaging in industry forums to communicate the outcomes of the EU and/or knowledge you gained through complying with its terms

- c. educating other businesses and helping them to implement similar processes or infrastructure changes.
-

EUs must contain clear and defined obligations

- 5.11 As EUs are legally binding agreements, the EPA will monitor compliance to make sure you complete the agreed obligations.
 - 5.12 Accordingly, the commitments and obligations in the agreement must be clearly articulated, measurable and enforceable. Obligations must be drafted in a way that is prescriptive and details how you will meet them, the measures against which completion will be assessed, and the time frames within which actions will be completed.
 - 5.13 Where specific performance measures involve sampling or testing, you may agree with the EPA on acceptable sampling and analysis methods and specify these in the agreement. Alternatively, independent sampling or analysis may be required. This too can be specified in the agreement.
-

EUs must contain commitments to monitoring and reporting compliance

- 5.14 If your EU includes a commitment to carry out works or put in place any program, it should have:
 - a. details of the monitoring and reporting obligations you will adopt
 - b. time frames for the monitoring and reporting obligations you will adopt
 - c. if you are a company – demonstrated commitment of your Board and senior management to, and involvement with, the entire program, including providing appropriate resources
 - d. the name of a senior manager in your organisation who will be responsible for delivering and completing the works or program.
- 5.15 The EPA prefers compliance commitments that allow for information to be released publicly, such as by publishing audit reports on your website.
- 5.16 You need to show your commitment to monitoring and reporting on your progress in carrying out your EU obligations. You can do this by:
 - a. providing details of the monitoring and reporting mechanisms you will adopt
 - b. stating when you will deliver interim progress reports
 - c. identifying what detail will be included in any progress or final completion reports
 - d. specifying the manner in which interim progress reports or final completion reports will be provided to the EPA
 - e. assigning responsibility for monitoring and reporting to a named senior manager in your organisation
 - f. if you are publicly releasing information on monitoring or compliance, specifying where and when this material will be published

- g. including a statement in your annual report of the status of compliance with your EU obligations
 - h. committing to engaging an independent auditor, at your cost, to review your compliance with the terms of the EU and report on your compliance with each component of it²
 - i. your CEO committing to certify that the agreement has been completed once all obligations under the EU have been met.
-

EUs must contain indicative compliance costs

- 5.17 You should break your cost estimate down into the cost of implementing each separate commitment under the EU and any logical subcomponents of each commitment.
 - 5.18 You will need to provide the EPA with detailed costs for completing your obligations under the EU. There should be clear figures for the funds allocated to compliance and the funds allocated to improvements.
 - 5.19 In some cases, allocated funds may not be wholly used by the nominated organisation under an EU. If this happens, the unspent funds they should be returned to the EPA so that it may retain and redirect them to another organisation or entity for administration.
 - 5.20 The EPA will view your proposal favourably if it includes a commitment by you to compensate any third parties who have incurred costs as a result of your conduct that led to the alleged breach or issue. An example would be payment to a landlord who has incurred costs to remove waste material from their premises.
-

EUs must contain a commitment that the relevant conduct has stopped and will not happen again

- 5.21 One key objective of EUs is to prevent similar incidents in the future. An EU should make a positive commitment to:
 - a. stop the conduct or issue that concerns the EPA (for example, the conduct likely to have contributed to an alleged breach); and
 - b. not start the conduct again.
-

EUs must be made public

- 5.22 EUs are a matter of public record. Section 156(e) of the Protection of the Environment (General) Regulation 2022 provides that details or summaries of EUs must be recorded in the EPA's public register. The EPA prefers that EUs be made available in full, rather than as summaries. The EPA will not accept EUs in confidence.
 - 5.23 Your EU will remain on the public register and will indicate when you have complied with all its obligations.
-

² In the context of legislation other than the POEO Act, there may be extra requirements about the qualifications of the auditor. For example, under the *Contaminated Land Management Act 1997*, in certain cases an independent auditor will need to be a site-accredited auditor.

5.24 The EPA will issue a media release publicising the details of each EU that is entered into.

6 Standard conditions of EUs

6.1 All EUs will contain the following conditions:

- a. you take responsibility for your actions
- b. you take responsibility for the pollution incident and/or admit to any wrongful acts, omissions or conduct and provide detail of the alleged breach
- c. a positive commitment by you to stop the conduct of concern and not do it again
- d. how you will address your responsibility for the alleged breach or issue, rectify the consequences and prevent it happening again
- e. you acknowledge that EUs are public and that the EPA will post a copy of the agreement on its public register and may publicise the agreement in other forums, such as media releases
- f. you acknowledge the EPA's acceptance of the EU does not affect its power to investigate a contravention arising from future conduct or to pursue criminal prosecution or civil remedies or use other regulatory powers under relevant environmental legislation for that conduct in future
- g. you acknowledge the EU does not affect the rights or remedies available to any other persons or entity, nor does it affect any other statutory obligations under the POEO Act or other environmental legislation
- h. you acknowledge that any of your communication referring to projects delivered as part of the EU will clearly link the project to the EU and the fact it was entered into as a result of an alleged breach or issue
- i. you declare the EU does not include any expenditure commitments that existed or were budgeted for before the agreement (i.e. the EU contains only new commitments)
- j. you acknowledge the agreement has no operative force until formally accepted by the Chief Executive Officer of the EPA
- k. you acknowledge the EU may be varied only with the EPA's agreement, in the form of a deed of variation and according to the POEO Act or other environmental legislation
- l. you acknowledge EUs, as varied from time to time, will remain in force until completed or withdrawn according to the POEO Act or other environmental legislation
- m. you understand the EPA will take into account an EU in future regulatory matters under the POEO Act and other environmental legislation.

6.2 EUs will also include conditions that you will pay the EPA's reasonable costs in:

- a. investigating the alleged breach or issue
- b. starting and progressing the matter in court if proceedings are started and then subsequently withdrawn following acceptance of an EU
- c. negotiating and finalising the agreement

- d. monitoring compliance with the agreement.

7 Guidance on selecting an appropriate project

- 7.1 When you make an EU proposal, the most common scenario will be that you include details of proposed projects in your application.
- 7.2 Depending on the circumstances, local government, the community or stakeholder groups may be consulted on appropriate projects. Where appropriate, environmental justice principles should be considered such as the disproportionate impact of an alleged offence or issue on disadvantaged communities and other vulnerable persons.
- 7.3 A proposed project should include:
 - a. a project outline and terms of reference
 - b. a full and itemised cost schedule and details outlining who is responsible for costs
 - c. a project plan with specific milestones
 - d. provisions for interim and final monitoring and reporting to the EPA
 - e. an environmental benefit that is tied to the impacts of the conduct of concern
 - f. a benefit that is local to the community/environment affected by the conduct of concern
 - g. details of any necessary approvals and a reasonable contingency plan in case you cannot get the approval.
- 7.4 A project should not:
 - a. depend on unsecured third-party funding
 - b. include works or a funding commitment you have already made outside of the proposed EU (that is, it should be a fresh commitment).
- 7.5 The specific circumstances of the case will determine what the EPA considers an appropriate amount for you to contribute to any proposed project(s). Relevant considerations include (but are not limited to):
 - a. the likely penalty a court would impose if you were prosecuted and convicted of any alleged breach
 - b. the legal costs and negative public exposure you will avoid by not being prosecuted
 - c. the extent of environmental harm caused or potential harm likely to have been caused by the alleged breach or issue
 - d. any monetary benefit you received through the alleged breach or issue
 - e. the likely benefit to the environment, industry or community of any other commitments made under the EU
 - f. the nature and size of commitments the EPA has accepted in previous EUs involving similar facts.

8 EPA monitoring of compliance

- 8.1 The EPA monitors implementation of obligations under EUs, including reviewing interim progress reports and final compliance reports.
- 8.2 If the EPA has reason to believe you have not complied with a term of your EU, the EPA may apply to the NSW Land and Environment Court for appropriate orders under section 253A(3) of POEO Act. The EPA will make public its application to the Court and seek legal costs from you when appropriate.
- 8.3 Under section 253(4) of the POEO Act, the Court can order:
- a. you to comply with a term of the agreement
 - b. you to pay to the State an amount representing the financial benefit you gained as a result of your breach of the agreement
 - c. you to compensate any other person who has suffered loss or damage as a result of your breach of the agreement
 - d. suspension or revocation of your environment protection licence
 - e. you to prevent, control, abate or mitigate any actual or likely harm to the environment caused by the breach of the agreement
 - f. you to make good any actual or likely harm to the environment caused by the breach
 - g. any other order it considers appropriate.
- 8.4 If you breach an EU, this is not itself an offence under the POEO Act. However, if the EPA successfully gets a court order as a result of proceedings brought because of your breach of an EU, then a breach of that court order may constitute contempt of court.

9 Variations and withdrawals

- 9.1 Under s 253A(2) of the POEO Act, an EU may be withdrawn or varied only with the EPA's written consent. This process can be completed through a deed of variation. Your written request should be clear and give reasons for the request.
- 9.2 The EPA will consider your request to vary or withdraw an EU only if you make it in writing, and:
- h. compliance with the original undertaking is found to be impractical; or
 - i. there has been a material change in the circumstances.
- 9.3 Any request to vary an EU must not alter the spirit of the original undertaking.
- 9.4 The EPA will record withdrawals and variations on the public register.
- 9.5 Only very rarely will the EPA consider it appropriate to withdraw an agreement. Completion of your obligations under an agreement is not a reason for withdrawing an EU.

10 Completing obligations under an EU

- 10.1 An EU will remain in force for the period stated in the agreement. You will generally be required to submit a final report detailing compliance with all of your obligations under the agreement within one month of the final terms being completed.
- 10.2 If the EPA is satisfied you have complied with all its terms, it will notify you in writing.
- 10.3 An EU will remain on the EPA's public register after you have completed your obligations, and will continue to be part of your compliance record.



Published by NSW Environment
Protection Authority

Visit:
6 Parramatta Square
10 Darcy Street
Parramatta NSW 2150

Mail:
Locked Bag 5022,
Parramatta NSW 2124

Phone:
+61 2 9995 5000 (switchboard)

TTY users:
Phone 133 677, then ask for 131 555

Speak and listen users:
Phone 1300 555 727, then ask for 131 555

Email:
info@epa.nsw.gov.au

Website:
epa.nsw.gov.au

Report pollution and
environmental incidents

Environment Line:
131 555 (NSW only) or
info@epa.nsw.gov.au

ISBN 978 1 923328 12 9
EPA 2025P4579
February 2025

© 2025 State of NSW and the NSW
Environment Protection Authority

With the exception of photographs, the
State of NSW and the NSW Environment
Protection Authority (EPA) are pleased to
allow this material to be reproduced in
whole or in part for educational and non-
commercial use, provided the meaning is
unchanged and its source, publisher and
authorship are acknowledged. Specific
permission is required for the reproduction
of photographs.

All content in this publication is owned by
the EPA and is protected by Crown
Copyright, unless credited otherwise. It is
licensed under the Creative Commons
Attribution 4.0 International (CC BY 4.0),
subject to the exemptions contained in the
licence. The legal code for the licence is
available at Creative Commons.

The EPA asserts the right to be attributed as
author of the original material in the
following manner: © State of New South
Wales and the NSW Environment Protection
Authority 205.