



Rob Stokes MP

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MEDIA RELEASE

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HAPPY NEW YEAR FOR ENVIRONMENTAL SAFEGUARDS

Environment Minister Rob Stokes today said the new year will see the start of tough and clear new laws to protect the environment.

Mr Stokes said the *Protection of the Environment Legislation Amendment Act 2014* will take effect on January 1, providing new penalties for environmental offences and strengthening environmental protections across NSW.

“These changes will add to the NSW Government’s already formidable suite of legislation to protect the environment, protect human health and crack down on those who do the wrong thing,” Mr Stokes said.

“NSW has the toughest environmental protections in the country, and we have worked hard to ensure the NSW Environment Protection Authority is a feared and respected environmental watchdog.

“These new measures will enhance the capabilities of the NSW EPA and the courts to protect the environment and the community.”

Key changes include:

- An almost tenfold increase in *Contaminated Land Management Act* penalties. The maximum penalty for a corporation not complying with EPA direction will rise from \$137,500 to \$1 million.
- Clarifying a legislative requirement for industry to prevent or minimise fugitive air emissions, such as particulate emissions from coal mines and quarries.
- Clean-up notices can now be given to landowners as well as occupiers. This will ensure clean-up costs can be recovered in the event of a polluter’s insolvency. This would otherwise be funded by the taxpayer. Landowners who are innocent victims of illegal dumping will not be targeted.
- A duty to report pollution incidents, causing or likely to cause material harm, involving odour. The amendment is in response to several pollution incidents where odour was the only indicator of material harm.
- The EPA will be able to require problem waste transporters to install a GPS tracking device on their vehicles. This power will help remove non-complying operators from the waste sector and reduce illegal dumping and disposal.
- The additional sentencing option of a restorative justice order, which brings together an offender and a victim to agree on measures to repair harm caused.

NSW Environment Protection Authority Chair and CEO Barry Buffier said the new laws ensure the EPA and courts have extensive options to deal with environmental offences.

“Maximum penalties in the *Contaminated Land Management Act 1997* have been increased to align with penalties for similar offences in other environmental legislation,” Mr Buffier said.

“The penalty for a corporation responsible for contamination, which does not comply with a direction in an EPA management order, has been increased by over \$800,000.”

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