

# Notice requiring payment of reasonable costs and expenses – clean-up notice

«AcctPartyName»  
«AcctPartyTradingName»  
«AcctPartyACN»  
«PostalAddressStreet»  
«PostalAddressSuburb» «PostalAddressState» «PostalAddressPostcode»

Attention: <insert contact name>

Notice Number «NoticeNumber»

File Number "FileNumber"

Date «NoticeIssueDate»

## Notice requiring payment of reasonable costs and expenses – clean-up notice

### Why is the <insert regulatory authority name> writing to you?

The <insert regulatory authority name> issued clean-up notice «LinkedNoticeNo» (the **clean-up notice**) to you on «LinkedNoticeIssuedDate» and has incurred costs and expenses in connection with <monitoring/compliance/other associated matters [delete as appropriate]>. The <insert authority name> is requiring repayment of the reasonable costs and expenses in accordance with s 104(1) of the *Protection of the Environment Operations Act 1997* (the POEO Act).

### What are you required to do?

Please read this notice carefully and make payment to the <insert authority name> by the date required. If you have any queries about this matter, please contact <insert contact name> on <insert contact number>.

### Background

1. The <insert regulatory authority name> has responsibility for enforcement of the POEO Act.
2. Section 104(1) of the POEO Act enables the <insert relevant authority>, where it has issued a clean-up notice under s 91 to a person, to require that person to pay all or any reasonable costs associated with <monitoring action under the notice/ensuring compliance with the notice/other associated matters [delete as appropriate]>.
3. On <enter date> a <describe pollution incident e.g. fire, chemical spill etc> occurred at <enter location - Use Lot/DP or be as specific as possible> (**the premises**).

4. The <insert authority name> issued a clean-up notice to «AcctPartyName» on «LinkedNoticeIssuedDate».
5. The <insert authority name> undertook the following <monitoring actions / compliance action / associated action [delete as appropriate]>:
  - a. <list monitoring/compliance/associated action>
  - b. <list monitoring/compliance/associated action>
  - c. <list monitoring/compliance/associated action>.
6. The <insert authority name> has incurred the following costs and expenses:

Quantity	Description	Unit Price (inc. GST)	Total (inc. GST)
		\$	\$
		\$	\$
<b>Total (inc. GST)</b>			<b>\$</b>

### Requirement to pay reasonable costs and expenses

I, «NoticeAuthorisingOfficer», sub-delegate of the <insert authority name>, require «AcctPartyName» («AcctPartyACN») to:

7. Pay the following costs and expenses incurred by the <insert authority name>, which the <insert authority name> considers to be reasonable in the circumstances:
 

\$<total amount inc. GST if applicable> in connection with the <monitoring/compliance/associated [delete as appropriate]> actions carried out by the <insert authority name> by <insert date – specify an exact day/month/year, at least 14 days from date of notice; can be longer for larger payments>.
8. Make payment to the <insert authority name> by either [include as appropriate]:
  - a. sending a cheque for the total amount to:
 

<insert authority name>  
<insert authority postal address>
  - b. depositing the total amount into the following bank account:
 

Account name:  
BSB:  
Account No:

OR
  - c. [specify alternative means of payment].

.....

**<NoticeIssuingOfficer>**

**<NoticeIssuingOfficerTitle>**

**<NoticeIssuingOfficerSection>**

(by Delegation)

### Information about this notice

This notice is issued under section 104(1) of the *Protection of the Environment Operations Act 1997*.

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## **What you can do if you are not the polluter**

If you comply with this compliance cost notice but you are not the person who caused the pollution or pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the pollution or incident.

## **Non-compliance with this notice**

If you do not pay the costs and expenses set out in this notice by the due date specified in the notice, the <insert authority name> will consider taking legal action to recover the amount owing.

## **Registration of the notice in relation to land**

The <insert authority name> may apply to the Registrar-General to register the notice in relation to any land owned by you. If the Registrar-General registers the notice on any land owned by you, then this will create a charge on the land to secure payment to the <insert authority name> for the amount specified in this notice.

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