To:

**WHEREAS <Insert Authorised Officer>** “Authorised Officer” as per Local Government Act 1989, Section 98, is delegated to carry out the power and duty or functions of the **<Insert Litter Authority> (“**Litter Authority”) in regards to Section 45Y of the Environment Protection Act 1970.

**NOW TAKE NOTICE** that you are required to comply with each of the requirements specified in attachment A by **<time> <date>.**

Your attention is drawn to the following provisions of the *Environment Protection Act 1970*: -

*45Y. Person may be directed to remove disorderly etc. objects or things*

 *(1) This section applies if any object or thing is deposited on or in any place under the control or management of the litter authority and—*

 *(a) In the opinion of the litter authority—*

 *(i) The object or thing is detrimental to the health, safety or welfare of members of the public while it remains in that place; or*

 *(ii) The object or thing is unduly offensive to the senses of human beings while it remains in that place; or*

 *(iii) The object or thing is a hazard to the environment while it remains in that place; or*

 *(b) The size, shape, nature or volume of the object or thing makes the place where it is deposited disorderly, or detrimentally affects the proper use of that place.*

 *(2) The litter authority may, by written notice, direct any person who deposited the object or thing to do one or more of the following—*

 *(a) To remove or dispose of the object or thing;*

 *(b) To restore any place affected by the object or thing to a state as close as practicable to the state it was in immediately before the object or thing was deposited;*

 *(c) To take any other action in relation to the object or thing that is specified in the notice - within the time specified in the notice.*

 *(3) A person who receives such a direction must comply with it.*

1. *40 penalty units.*

 *(4) If the person who deposited the object or thing cannot be found, the litter authority may, by written notice, direct the occupier of any premises on which the object or thing was deposited to remove or dispose of the object or thing within the time specified in the notice.*

 *(5) An occupier who receives such a direction must comply with it, unless he, she or it has reasonable cause not to do so.*

1. *40 penalty units.*

Date: <Insert Date>

……………………………………………

**<Insert Authorised Officer>**

<Role>

**<Litter Authority>**

**NOTE: FAILURE TO COMPLY WITH THIS NOTICE MAY RENDER YOU LIABLE TO AN INFRINGEMENT NOTICE OF $1,983 OR SENTENCED BY A COURT TO A MAXIMUM PENALTY OF $6,609**

**ATTACHMENT “A”**

**NOTICE REQUIREMENTS**

1. You are required to remove and dispose of all <insert materials> by <insert location>and restore any place affected by the object or thing to state as close as practicable to the state it was in immediately before the object or thing was deposited.

*The objective in issuing this notice is to prohibit and regulate the deposit of litter in the environment of Victoria. This includes meeting the general provisions of the Environment Protection Act 1970.*

*This notice contains several requirements which must be complied with by the date shown on the front of this notice, unless a different date is specified in the requirement.*