

KALGOORLIE CONSOLIDATED GOLD MINES PTY LTD - PROSECUTION FOR BREACHES OF  
LICENCE CONDITIONS

4707. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

I refer to a letter which I understand is dated 6 December 1988, from the Environmental Protection Authority addressed to John Bovard, Executive General Manager Operations, Bond Gold Australia, signed by Peter Brown Cooper, Director Pollution Control Division titled 'Sulphur Dioxide Emissions from Gold Roasters at Kalgoorlie Boulder' and question on notice number 2583, of 1 September 2005 -

- (1) Is it correct that part of the letter dated 6 December 1988 in part states 'The pollution problem at Kalgoorlie is the worst in Australia by a very large margin, we strongly suspect that it would be considered as severe when compared against other pollution problems experienced in Western countries. As has been discussed on many occasions, the severe pollution events occur on time scales of between five minutes and one hour, characteristically in summer when convective conditions bring plumes to ground in concentrated form very close to the stack'?
- (2) If no to (1), will the Minister quote the full text of the letter dated 6 December 1988?
- (3) Will the Minister table a copy of the letter dated 6 December 1988?
- (4) If no to (3), why not?
- (5) Has the letter dated 6 December 1988 been provided to the Environmental Enforcement Unit as evidence of the history of the licensee to prosecute KCGM for breaching the Environmental Protection Policy in May 2005, as referred to in answer to question on notice 2583 of 1 September 2005?
- (6) If no to (5), why not?

Hon SALLY TALBOT replied:

- (1) The letter in question is from 1988. I do not support the use of Department of Environment and Conservation resources to locate and retrieve files from that time to verify that such a letter exists and what it states.
- (2) Not applicable.
- (3) See the answer to (1).
- (4) Not applicable.
- (5) The previous history of an offender is taken into account when determining the appropriate sanction. DEC issued a Modified Penalty Notice to Kalgoorlie Consolidated Gold Mines for \$25,000 under Section 99A of the Environmental Protection Act 1986. The notice was issued in accordance with DEC's Prosecution and Enforcement Policy and included consideration of the previous history of the offender. The modified penalty was set at 20% of the maximum fine that could be imposed for the offence by the courts. The notice was served on 17 April 2007 and KCGM has 28 days to either pay this penalty or elect to have the matter heard before a court.
- (6) Not applicable.