

ENVIRONMENTAL PROTECTION ACT — NONCOMPLIANCE

3998. Mr C.J. Tallentire to the Minister for Environment:

- (1) How many prosecutions for non-compliance of Ministerial conditions or works approval and licence conditions occurred under the *Environmental Protection Act* in each of the last five years?
- (2) In each case, what were the circumstances and were the prosecutions successful?

**Mr A.P. Jacob replied:**

- (1) In the last five years the Department of Environment Regulation (DER) has initiated seven prosecutions for contraventions of licence conditions; two in 2010, one in 2011, four in 2012 and none between 2013 - 2015. DER has not initiated any prosecutions for contraventions of conditions of works approvals.

The Office of the Environmental Protection Authority (OEPA) has not initiated any prosecutions for non-compliance of Ministerial conditions in the last five years.

- (2) 3 June 2010 - Milind Pty Ltd (Non-Organics Disposals) contravened three licence conditions concerning the burning of waste, failure to extinguish fires and the acceptance and management of waste. Convicted of one offence.

20 October 2010 - Shire of Dardanup (Dardanup Landfill) contravened a licence condition relating to the burning of waste. Prosecution Withdrawn.

22 September 2011 - Cockburn Cement Limited contravened a licence condition relating to the disposal of lime kiln dust. Prosecution Withdrawn.

26 April 2012 - Eclipse Resources Pty Ltd, 16 contraventions of licence conditions by failing to pay landfill levies between 2009 and 2011 as per the *Waste Avoidance and Resource Recovery Act 2007* and the *Waste Avoidance and Resource Recovery Regulations 2008*. Prosecutions Withdrawn.

22 June 2012 - Rodney Arthur Howe contravened a licence condition by failing to submit annual report. Convicted.

17 October 2012 - Jongro Pty Ltd (Crown Mushrooms) contravened a licence condition by failing to ensure that odour from the premises did not unreasonably interfere with any person who was not on the premises. Prosecution Withdrawn.

21 December 2012 - Alcoa of Australia Limited contravened a licence condition by failing to ensure that no visible dust generated from the bauxite milling, storage, transfer or refining process crosses the boundary of the premises. Convicted.