

ENVIRONMENT — OFFSET CONDITIONS — NONCOMPLIANCES

3994. Mr C.J. Tallentire to the Minister for Environment:

- (1) How many non-compliances of offset conditions were there in 2012–2013 and 2014–2015 to date (under Part IV and Part V of the *Environmental Protection Act*)?
- (2) Which entities were found to be non-compliant?
- (3) What were the detailed circumstances of the non-compliance in each case?
- (4) Was the Minister for Environment informed in every case?
- (5) What action was taken in every case?

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

**Office of the Environmental Protection Authority**

- (1) 2012–2013 — one  
2014–2015 — nil to date
- (2) Silver Lake Resources Limited.
- (3) The company has not purchased land for inclusion in the conservation estate or contributed funding to the Western Shield fox baiting project as required by the condition.
- (4) Yes
- (5) The proposal has not yet been implemented. The timing by when the offset must be implemented is being reviewed.

**Department of Environment Regulation**

- (1) 2012–2013 — Nil  
2014–2015 — Four
- (2) Bunbury Harvey Regional Council, Cooperative Bulk Handling, J. A. Giumelli, Shire of Kulin.]
- (3)
  - (i) **Bunbury Harvey Regional Council** - Permit holder had not executed and returned the conservation covenant, agreement to reserve or some other binding undertaking as required by condition.
  - (ii) **Cooperative Bulk Handling** - Offset Rehabilitation site had been cropped and generally not implemented in accordance with condition. Permit holder had changed the areas of the offset without amending the clearing permit.
  - (iii) **J. A. Giumelli** - Offset area not implemented as per submitted management plan under condition 3, property ownership had also changed. An offset area had been established in a different location.
  - (iv) **Shire of Kulin** - An offset proposal, dated 30 September 2012, was received by the Department of Environment Regulation (DER) on 8 October 2012, while technically a breach of this condition it is of a trivial nature (eight days late).
- (4) No for all listed non-compliances.
- (5)
  - (i) An application to amend the clearing permit was submitted to DER to extend the due date of condition, allowing the permit holder to comply with the condition.
  - (ii) An application to amend the clearing permit was submitted with an amended Management Plan.
  - (iii) An application to amend the clearing permit was submitted to DER to change the owner's details and amend the location of the offset.
  - (iv) This offset proposal was not approved by the CEO. It was revised, re-submitted and approved on 11 December 2014.