

ENVIRONMENT — UNAUTHORISED DISCHARGES

**1364. Hon DIANE EVERS to the Minister for Environment:**

I refer to the Environmental Protection (Unauthorised Discharges) Regulations 2004, which provide for a \$5 000 fine for offences relating to the discharge of sediment in the course of or in connection with a business or commercial activity.

- (1) Will the minister review the penalties in these regulations in order to bring them into line with the costs that councils face when cleaning up around poorly managed sites; and, if not, why not?
- (2) Are councils provided with any funds or fine proceeds to assist in cleaning up these sites; and, if not, why not?
- (3) How many breaches of this regulation have occurred in the last three years and what was the result?
- (4) Have any council officers been trained and delegated as authorised officers by the director general of the Department of Water and Environmental Regulation to enforce the regulations; and, if not, why not?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question.

- (1) Penalties under regulations have not increased since the introduction of the Environmental Protection Act 1986. As part of the current review of the act, I will consider whether to increase the penalty for offences under regulations, including under the Environmental Protection (Unauthorised Discharges) Regulations 2004.
- (2) The fines from infringements and prosecutions issued by local government officers under the Environmental Protection (Unauthorised Discharges) Regulations 2004 are retained by the local government.
- (3) I am advised that this information is not required to be reported by local governments to the Department of Water and Environmental Regulation and no current records are held with this information.
- (4) DWER appoints local government officers as authorised officers under the Environmental Protection Act and provides training to assist them in the exercise of their delegated powers.