

Media Release

Environment Protection Authority



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Middleton Developments Pty Ltd prosecuted and pay for clean up in successful EPA action.

The Environment Protection Authority has been successful in the prosecution of Middleton Developments Pty Ltd in the Environment Resources and Development Court yesterday.

The Directors of Middleton Developments entered a guilty plea to the charges of operating a waste depot without a licence between 1 March 2009 and 1 May 2009.

The company was convicted and fined \$7500 with court costs \$800 and Victim of Crime Levy \$160.

According to EPA Director of Strategy and Sustainability Tony Circelli yesterday's judgment is a good example of the EPA's commitment to ensuring people who do the wrong thing and are non-compliant are brought to justice.

"This is the second prosecution for the Illegal Dumping Unit since it was established in late January this year and the fourth prosecution for the EPA this financial year.

"It highlights the important work this unit is doing in taking a zero tolerance approach to illegal dumping and ensuring offenders are forced to pay clean-up costs as well as penalties imposed through the court system," said Mr Circelli.

This matter relates to the burial of waste at a rural property on Glenford Road Middleton. The land owner applied in 2008 for development approval to construct a horse arena on the property. Approval was granted to bring construction and demolition waste onto the property to elevate the site.

In April 2009 an inspection by the EPA found an excavation 65 x 25 meters and waste buried up to 8 metres deep. Middleton Developments were responsible for the earthworks on the site and for the burying of the waste. An Environment Protection Order (EPO) was issued by the EPA to clean up the site at a cost of \$100,000.

Sentencing took into account the amount associated with clean-up of the site.

"Not only is illegal dumping breaking the law, but it is also undermining the legitimate waste operators who dispose of their waste in a safe manner and in an appropriate licensed facility.

"It also undermines those who invest significant sums of money in modern waste landfill and resource recovery facilities," said Mr Circelli.

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