
26 September 2022

Conviction and penalty for operator of unlicensed waste site at Beverley

A company that operated an unlicensed waste receipt site at Beverley has been convicted and fined \$24,700 in the Environment, Resources and Development Court.

It was also convicted of another offence involving a fire in a vehicle being moved by heavy equipment.

Belington Pty Ltd, trading as Old Red Brick Company, entered guilty pleas to both offences.

The Environment Protection Authority had charged that, between January 2021 and January 2022, Belington undertook a prescribed activity of environmental significance, namely the conduct of a waste facility, without an EPA licence as required under the *Environment Protection Act 1993*.

During that time, it received – or was capable of receiving - for preliminary treatment more than 100 tonnes of solid waste at Lot 2021 McLean Street, Beverley.

In sentencing today, Judge Evans said Belington had used that site as an extension of its adjacent premises, which did have an EPA licence. This made it difficult for the EPA to regulate the waste activities.

He said the company knew it needed development approval and an EPA licence but continued to stockpile material. It had since moved the construction and demolition waste from the licensed and unlicensed sites to its new premises at Gillman.

Belington was convicted and fined \$24,700 for operating the unlicensed site and convicted with no further penalty over the vehicle fire, which contravened an environment protection policy.

It will also pay \$1,030 in prosecution costs.

EPA Acting Director Operations Steven Sergi said EPA licences are in place to reduce risks to human health and the environment.

“They include conditions to ensure that potential impacts and risks are minimised and require enterprises to meet their environmental and community engagement obligations,” he said.