



Department of
**Environment and
Heritage Protection**

Ref: CR79502; PIN6311, WARN7453, WARN7454

4 October 2017

Council of the City of Gold Coast
PO Box 5042
GOLD COAST MC QLD 9726
ABN: 84 858 548 460

Dear Directors

Infringement Notice Q200000040205212 issued for contravention of an environmental authority (EA) under section 430 of the *Environmental Protection Act 1994*

The Department of Environment and Heritage Protection (the department) recently conducted an investigation into alleged contraventions of the *Environmental Protection Act 1994* (the Act) for Council of the City of Gold Coast's (Council) activities at Suntown Waste Disposal located on Lot 3 SP217040 and Lot 10 Plan RP210089 under environmental authority EPPR00829313.

The department has identified that between 12 June 2017 and 5 July 2017, Council have failed to comply with the following conditions of EA EPPR00829313:

- Condition A14 by failing to maintain all plant, equipment and measures in a proper and efficient condition;
- Condition C5 by failing to prevent leachate being released to waters; and
- Condition C11 by failing to ensure that leachate pumps can operate without mains power if power failure occurs.

Under section 430(3) of the Act, it is an offence for a person to contravene a condition of an environmental authority.

The maximum penalty for this offence for a corporation is 22,500 penalty units, totalling \$2,742,750.

The department has finalised its investigation and has determined that the facts and circumstances warrant the issue of one (1) penalty infringement notice (PIN) and two (2)

Level 1, APVC Building, 14
Edgewater Court, Robina Town
Centre,
PO Box 4244 ROBINA
Queensland 4230 Australia
Telephone + 61 7 56266834
Website www.ehp.qld.gov.au
ABN 46 640 294 485

formal warnings as an alternative to proceeding by way of prosecution in court as detailed below.

1. One (1) PIN Q 200000040205212 for contravention of section 430(3) of the Act in relation to contravention of condition A15 of the EA by not maintaining all plant, equipment and measures in a proper and efficient condition at leachate pump SULE 5. In this condition, 'plant, equipment and measures' includes any monitoring equipment and associated alarms and any backup systems that act in the event of failure of a primary system;
2. One (1) formal warning WARN7453 for contravention of condition C5 of the EA by releasing leachate to a stormwater drain; and
3. One (1) formal warning WARN7454 for contravention of condition C11 of the EA by failing to ensure that the leachate pump associated with SULE 5 could operate in the event of power failure.

Please find enclosed one (1) PIN issued to Council of the City of Gold Coast for the amount of \$12,190.

Within 28 days, please:

- Pay the amount on the PIN; or
- Elect to have the matter heard in court.

Payment

Payment of this sum must be made within 28 days. Available payment options include cheque, money order, BPAY and BPOINT. For more information regarding your payment options please refer to the reverse side of the PIN or email infringement.notices@ehp.qld.gov.au.

Court Elect

As outlined in the information on the reverse side of the PIN, you have the right to elect to have this matter dealt with by a court. Should you wish to court elect this matter please complete the 'Elect for Court Hearing' section on the PIN and send the PIN to:

Infringement Notices Administration Team
GPO Box 2454
Brisbane QLD 4001

If No Action Is Taken

If no further correspondence is received or the PIN remains unpaid after 28 days, the matter will be referred to the State Penalties Enforcement Registry (SPER) for debt management. SPER add an additional administrative cost.

To assist you in complying with the *Environmental Protection Act 1994*, or for more information about the department's role in regulating Queensland's environment and heritage, please visit the department's website at www.ehp.qld.gov.au.

If you have any queries in relation to this letter or require more information about the accompanying PIN, please contact Eugene Immisch, Compliance Delivery Manager of the department on telephone 07 56266838 or via email at eugene.immisch@ehp.qld.gov.au

Yours sincerely,

sch4p4(6) Personal information

Rebecca Munro
Delegate of the Chief Executive
Department of Environment and Heritage Protection
Environmental Protection Act 1994

Enc – Penalty infringement notice 2000000040205212



Queensland
Government

Penalty Infringement Notice

State Penalties Enforcement Act 1999

Alleged Offender's copy

No. Q 20000000 4020521 2

Alleged offender details

Family/Business/Company name and ACN Given name/s (If Individual)

Company of the Coast

Male ☐
Female ☐

Current address/ Registered office

P.O. Box 5042
GOLD COAST NSW QLD
Postcode 9706

Date of birth

Phone Number

Driver ☐

Passenger ☐

Please specify

Owner ☐

Other ☐

Identification details

Licence/Permit (type)

State

Number

Date of expiry

Environmental Protection Act 1994

QLD

EPPA 1994/33

1/1/11

Issued by

Date of Issue

Dept. Environment & Heritage Protection

25/1/11

Vessel / Vehicle/Aircraft details

Vessel ☐

Vehicle ☐

Aircraft ☐

Commercial ☐

Private ☐

Registration number

State

Make

Colour

Body type

VIN/Chassis number

Registration expires

Alleged offence details

Committed ☒

Time (hours)

Day of week

Date

Permitted ☐

At

on

and

Or (do not use between dates for offences involving vehicles)

Start date

End date

Between

1/2/2011

and

1/2/2011

Location/Lot & Plan/ Other details (including address or GPS coordinates where appropriate)

Lot 3 Plan SP217040 - Lot 10
Plan RP210789
Caprian Cook Drive ARUNDEL

Act or Regulation breached

Act breached

ENVIRONMENTAL PROTECTION ACT 1994

Code

Identifying particulars of the offence (Nature of alleged offence)

Penalty

EPA 64 Contamination of
conduct of environmental
authority (s430)

\$ 2,000

☒ By Mail

☐ In Person

Issuing officer's details

Authorised officer's name (print)

Rebecca M. M. M.

Office / Department

I.D. number

MACKAY EPP

7026103

Signature

sch4p4(6) Personal info

Date

25/1/11



Department of
Environment and Science

Enquiries: Eugene Immisch
Phone: 07 5626 6865
Ref: 101/0008026; CR81960, PIN6361; WARN7666

20 March 2018

The Chief Executive Officer
Gold Coast City Council (ABN: 84 858 548 460)
135 Bundall Road
SURFERS PARADISE 4217

CC: PO Box 5042
GOLD COAST MC 9729

Attention: Dale Dickson

CC: Kylie Catterall
KCATTERALL@goldcoast.qld.gov.au

Dear Mr Dickson

Infringement Notice 2000000 40321753 issued for contravention of a condition of an environmental authority (EA) under section 430 of the *Environmental Protection Act 1994*

The Department of Environment and Science (the department) recently conducted an investigation into alleged contraventions of the *Environmental Protection Act 1994* (the Act) regarding the activities of Gold Coast City Council (Council) at Stapylton Waste Disposal Facility located on Lot 2 RP1536365, Lot 2 & 3 RP209307, Lot 1 RP6936 and Lot 466 W312186 under EA EPPR00829313.

The department has identified that on 4 December 2017, Council failed to comply with the following conditions of EA EPPR00829313 (dated 25/11/2014):

- Condition WT3 by failing to prevent the release of contaminants to stormwater; and
- Condition WT20 by failing to install and maintain effective erosion protection and sediment control measures.

Under section 430(3) of the Act, it is an offence for a person to contravene a condition of an environmental authority.

The maximum penalty for this offence for a corporation is 22,500 penalty units, totalling \$2,742,750.

The department has finalised its investigation and has determined that the facts and circumstances warrant the issue of one (1) penalty infringement notice and one (1) formal warning as an alternative to proceeding by way of prosecution in court as detailed below:

Level 1, 14 Edgewater Court
PO Box 4244
Robina QLD 4230
Telephone + 61 7 5626 6865
Email: goldcoast.es@des.gov.au
Website www.des.qld.gov.au
ABN 46 640 294 485

1. One (1) PIN 2000000 40321753 for contravention of section 430(3) of the Act in relation to condition WT3 of the EA for the release of contaminants to stormwater on 4 December 2018 above the release limits specified in Table 2 for suspended solids at release point STSW1.
2. One (1) formal warning WARN7666 for contravention of condition WT20 for failing to install and maintain, for all stages of the activity, erosion protection and sediment control measures to effectively minimise any likelihood of erosion and release of sediments from the approved place on 4 December 2018.

Please find enclosed one (1) PIN issued to Gold Coast City Council for the amount of \$12,615.

Within 28 days, please:

- Pay the amount on the PIN; or
- Elect to have the matter heard in court.

Payment

Payment of this sum must be made within 28 days. Available payment options include cheque, money order, BPAY and BPOINT. For more information regarding your payment options please refer to the reverse side of the PIN or email infringement.notices@des.qld.gov.au.

Court Elect

As outlined in the information on the reverse side of the PIN, you have the right to elect to have this matter dealt with by a court. Should you wish to court elect this matter please complete the 'Elect for Court Hearing' section on the PIN and send the PIN to:

Infringement Notices Administration Team
GPO Box 2454
Brisbane QLD 4001

If No Action Is Taken

If no further correspondence is received or the PIN remains unpaid after 28 days, the matter will be referred to the State Penalties Enforcement Registry (SPER) for debt management. SPER add an additional administrative cost.

To assist you in complying with the *Environmental Protection Act 1994*, or for more information about the department's role in regulating Queensland's environment, please visit the department's website at www.des.qld.gov.au.

If you have queries in relation to this letter or require more information about the accompanying PIN, please contact Eugene Immisch, Compliance Delivery Manager of the department on 07 5626 6865 or via email at goldcoast.es@des.qld.gov.au .

Yours sincerely

sch4p4(6) Personal information

Tim Brain
Manager (Compliance)
Delegate of the Chief Executive
Department of Environment and Science
Environmental Protection Act 1994

Encl – Penalty Infringement Notice 2000000 40321753

Published on DES Disclosure Log
RTI Act 2009



Alleged offender details

Family/Business/Company name and ACN Given name/s (If Individual)

GOLD COAST CITY COUNCIL

Male ☐
Female ☐

Current address/ Registered office

135 BUNDALL ROAD

SURFERS PARADISE, QLD

Postcode **4217**

Date of birth

Phone Number

Driver ☐

Passenger ☐

Please specify

Owner ☐

Other ☐

Identification details

Licence/Permit (type)

State

Number

Date of expiry

**ENVIRONMENTAL
AUTHORITY**

QLD

EPPR00829613

Issued by

Date of Issue

**DEPARTMENT OF ENVIRONMENT
AND HERITAGE PROTECTION**

25/11/14

Vessel / Vehicle/Aircraft details

Vessel ☐

Vehicle ☐

Aircraft ☐

Commercial ☐

Private ☐

Registration number

State

Make

Colour

Body type

VIN/Chassis number

Registration expires

Alleged offence details

Committed ☒

Time (hours)

Day of week

Date

Permitted ☐

At

14/11/17

on

MONDAY

and

04/12/17

Or (do not use between dates for offences involving vehicles)

Start date

End date

Between

and

Location/Lot & Plan/ Other details (including address or GPS coordinates where appropriate)

**LOT 2 ON RP153665; LOTS 2 and 3 ON RP209307; LOT 1 ON
RP6136; LOT 466 ON W32186.32 ROSSMANS RD, STAPYLTON**

Act or Regulation breached

ENVIRONMENTAL PROTECTION ACT 1994

Offence Code

Description of offence

Penalty

EPA04

**CONTRAVENTION OF
CONDITION OF ENVIRONMENTAL
AUTHORITY - CORPORATION (CONDITION WT3)**

\$ 2,615

Animal involved

Dog ☐

Dingo ☐

Other (specify) ☐

☒ By Mail

☐ In Person

Authorised officer's details (print name)

TIMOTHY BRAIN

Signature

Date

sch4p4(6) Personal informat

20/03/18

Office

Department

ID number or region

MARYBOROUGH

EHP ☒

Other (specify) ☐

NPRSR ☐

7020492



Department of
Environment and Science

Enquiries: Eugene Immisch
Phone: 07 5626 6865
Ref: 101/0008026; CR82570 and CR83053, PIN6402; WARN7936 and WARN7937

19 October 2018

The Chief Executive Officer
Gold Coast City Council
(ABN: 84 858 548 460)
135 Bundall Road
SURFERS PARADISE 4217

CC: PO Box 5042
GOLD COAST MC 9729

CC: Kylie Catterall
KCATTERALL@goldcoast.qld.gov.au

Attention: Dale Dickson

Dear Mr Dickson

Infringement Notice 2000000 4017766 8 issued for contravention of a condition of an environmental authority (EA) under section 430 of the *Environmental Protection Act 1994*

The Department of Environment and Science (the department) has conducted an investigation into alleged contraventions of the *Environmental Protection Act 1994* (the Act) regarding the activities of Gold Coast City Council (Council) at Stapylton Waste Disposal Facility located on Lot 2 RP153665, Lot 2 & 3 RP209307, Lot 1 RP6936 and Lot 466 W312186 under EA EPPR00829313.

The department has identified that on **24 February 2018**, Council failed to comply with conditions G1-3, G2-2, G2-3 and G2-4 of EA EPPR00829313, dated 14 December 2017, by failing to collect and convey leachate from the landfill unit to an appropriate leachate storage facility for either treatment, reuse or disposal at a licensed facility.

The department has identified that on **8 March 2018**, Council failed to comply with conditions P2-G2, P2-G3 and P2-G4 of EA EPPR00829313, dated 5 March 2018, by failing to collect and convey leachate from the landfill unit to an appropriate leachate storage facility for either treatment, reuse or disposal at a licensed facility.

Further, the department has identified that on **9 March 2018**, Council failed to comply with condition P1-G2 of EA EPPR00829313, dated 5 March 2018, by failing to notify the department of the breaches of 8 March 2018 within the timeframe stipulated by this condition, being, at most, within 24 hours of becoming aware of the breaches.

Under section 430(3) of the Act, it is an offence for a person to contravene a condition of an environmental authority.

The maximum penalty for each offence for a corporation is 22,500 penalty units, totalling \$2,838,375.

Level 1, 14 Edgewater Court
PO Box 4244
Robina QLD 4230
Telephone + 61 7 5626 6865
Email: goldcoast.es@des.qld.gov.au
Website www.des.qld.gov.au
ABN 46 640 294 485

The department has finalised its investigation and has determined that the facts and circumstances warrant the issue of one (1) penalty infringement notice (PIN) and two (2) formal warnings, as an alternative to proceeding by way of prosecution in court, as detailed below:

1. One (1) **PIN 2000000 4017766 8** for contravention of section 430(3) of the Act in relation to condition P1-G2 of EA EPPR00829313, dated 5 March 2018, for failing, from **9 March 2018**, to notify the department of the breaches of 8 March 2018 within the timeframe stipulated by this condition.
2. One (1) formal warning **WARN7936** for contravention of conditions G1-3, G2-2, G2-3 and G2-4 of EA EPPR00829313, dated 14 December 2017, for failing, on **24 February 2018**, to collect and convey leachate from the landfill unit to an appropriate leachate storage facility for either treatment, reuse or disposal at a licensed facility.
3. One (1) formal warning **WARN7937** for contravention of conditions P2-G2, P2-G3 and P2-G4 of EA EPPR00829313, dated 5 March 2018 for failing, on **8 March 2018**, to collect and convey leachate from the landfill unit to an appropriate leachate storage facility for either treatment, reuse or disposal at a licensed facility.

Please find enclosed one (1) PIN issued to Gold Coast City Council for the amount of \$12,615.

Within 28 days, please:

- Pay the amount on the PIN; or
- Elect to have the matter heard in court.

Payment

Payment of this sum must be made within 28 days. Available payment options include cheque, money order, BPAY and BPOINT. For more information regarding your payment options please refer to the reverse side of the PIN or email infringement.notices@des.qld.gov.au.

Court Elect

As outlined in the information on the reverse side of the PIN, you have the right to elect to have this matter dealt with by a court. Should you wish to court elect this matter please complete the 'Elect for Court Hearing' section on the PIN and send the PIN to:

Infringement Notices Administration Team
GPO Box 2454
Brisbane QLD 4001

If No Action Is Taken

If no further correspondence is received or the PIN remains unpaid after 28 days, the matter will be referred to the State Penalties Enforcement Registry (SPER) for debt management. SPER add an additional administrative cost.

To assist you in complying with the *Environmental Protection Act 1994*, or for more information about the department's role in regulating Queensland's environment, please visit the department's website at www.des.qld.gov.au.

If you have queries in relation to this letter or require more information about the accompanying PIN, please contact Eugene Immisch, Compliance Delivery Manager of the department on 07 5626 6865 or via email at goldcoast.es@des.qld.gov.au.

Yours sincerely

sch4p4(6) Personal information

Paul Butcher
Manager (Compliance)
Delegate of the Chief Executive
Department of Environment and Science
Environmental Protection Act 1994

Encl – Penalty Infringement Notice 20000000 4017766 8



Queensland
Government

Alleged Offender's copy

Penalty Infringement Notice

State Penalties Enforcement Act 1999

No. Q 2000000 4017766 8

Alleged offender details

Family/Business/Company name and ACN Given name/s (If Individual)

GOLD COAST CITY COUNCIL

Male ☐

Female ☐

Current address/ Registered office

135 BUNDALL ROAD
SURFERS PARADISE
QLD Postcode 4217

Date of birth

Phone Number

Driver ☐

Passenger ☐

Please specify

Owner ☐

Other ☐

Identification details

Licence/Permit (type)

State

Number

Date of expiry

ENVIRONMENTAL
AUTHORITY

QLD

EPPR00829313

Issued by

Date of Issue

DEPT OF ENVIRONMENT
AND HERITAGE PROTECTION

05/03/18

Vessel / Vehicle/Aircraft details

Vessel ☐

Vehicle ☐

Aircraft ☐

Commercial ☐

Private ☐

Registration number

State

Make

Colour

Body type

VIN/Chassis number

Registration expires

Alleged offence details

Committed ☒

Time (hours)

Day of week

Date

Permitted ☐

At

on

and

Or (do not use between dates for offences involving vehicles)

Start date

End date

Between

09/03/18

and

26/03/18

Location/Lot & Plan/ Other details (including address or GPS coordinates where appropriate)

32 ROSSMANS RD, STAPYLTON - LOT 2 ON
RP153665; LOTS 2 and 3 ON RP209307;
LOT 1 ON RP6936; LOT 466 ON N312186

Act or Regulation breached

Act breached

ENVIRONMENTAL PROTECTION ACT 1994

Code

Identifying particulars of the offence (Nature of alleged offence)

Penalty

EPAD4 CONTRAVENTION OF
CONDITION OF ENVIRONMENTAL
AUTHORITY - CORPORATION (CONDITION
PI-62)

\$12,615

☒ By Mail

☐ In Person

Issuing officer's details

Authorised officer's name (print)

PAUL BUTCHER

Office / Department

I.D. number

MAROOCHYDORE

7019567

Signature

sch4p4(6) Personal information

Date

19/10/18

Payment must be received within 28 days from the date of service of this Notice

Enquiries relating to the issue of this Notice should be directed to the Department of Environment and Heritage Protection in writing to infringement.notices@ehp.qld.gov.au or GPO Box 2454 BRISBANE QLD 4001, or to pay or discuss payment arrangements phone 13 74 68.

Payment options (send this whole Notice with payment by the due date.)

Do not mail cash. Payment can be accepted by mail, (Cheque or money order) payable to the Department of Environment and Heritage Protection, GPO Box 2454, BRISBANE, QLD 4001, in person at any Customer Service Centre of the Department, or see over page for BPAY option.

☐ **Full payment**

☐ **Voluntary Instalment Plan:** If the fine is \$200 or more, an initial instalment of at least \$60 can be made by the due date. An Instalment Plan Notice will be forwarded to you by the State Penalties Enforcement Registry (Department of Justice and Attorney-General) for payment of the balance.

Signature _____ Date ____/____/____

If payment is not received within 28 days of service, enforcement action may be taken to recover the balance and additional costs incurred.

If relevant, any demerit points will be taken to be allocated on the day the offence was committed.

This notice may be withdrawn before or after the penalty is paid. In the event that this Notice is withdrawn the issuing authority may determine that further prosecution is warranted in lieu.

Have you changed your name or address?

If you have changed your name or address please inform the Department as soon as possible.

You may tell the Department of your updated address on 13 74 68 for the cost of a local call within Queensland. (Higher rates apply from mobile phones and payphones. If calling outside of Queensland, STD rates will apply).

Privacy Statement: The Department of Environment and Heritage Protection collects the information on this form under the *State Penalties Enforcement Act 1999* so that the identity of the person who is alleged to have committed the offence may be established. This information is accessible by the other Queensland government departments and may be used for law enforcement purposes. The information is also accessible by authorised departmental officers and some information may be disclosed to other Queensland government departments and interstate Government authorities. The Department of Environment and Heritage Protection will not disclose your personal details to other third parties without your consent unless authorised by law.

☐ **Electing for Court Hearing**

You have the right to elect to have this matter dealt with by a court. This Election for Court Hearing must be completed and forwarded to the Department of Environment and Heritage Protection within the 28 day period from the date of service of this Infringement Notice.

To be completed by the alleged offender

I, _____
Given name(s) Family name

elect to have this matter dealt with by a Court of Law and understand a summons will be issued to me.

Signature _____ Date ____/____/____

Send completed notice to: **Department of Environment and Heritage Protection**
GPO Box 2454
BRISBANE QLD 4001



Biller Code: 35436
Reference No: 2000000 4017766 8

If an infringement Notice is served on the person who is the owner of the vehicle at the time of the offence, the owner is taken to have committed the offence even though the actual offender may have been someone else.

If you were not responsible for the offence you should supply the Department of Environment and Heritage Protection within 28 days of the service of this Notice, a Statutory Declaration (below) giving the name and address of the person in charge of the vehicle at the time of the offence or the person depositing the litter at the time of the offence.

Failure by you as the registered owner of the vehicle to provide a statutory declaration may result in you being deemed as responsible for the alleged offence.

Statutory Declaration (Do not forward payment if completing this Statutory Declaration)

I, _____
Full name (in the case of a corporation, the full name of authorised person completing this Declaration)
of, _____
Residential address (Corporation name in the case of a corporation) Postcode
declare that at the time of the offence as stated in the Notice, I was not the driver of the vehicle.
I further declare that at the time of the
offence, motor vehicle registration number _____

- ☐ the driver was
☐ the passenger was
☐ had been disposed of by
me on ____/____/____ to

Family name Given name(s)
Residential address Postcode
Licence number State of Issue Date of birth

☐ Male
☐ Female

☐ was driven by a person whose name and address I have been unable to ascertain after reasonable and diligent enquiries.

☐ was stolen or illegally taken at the time of the offence and the matter was reported to _____ police station ____/____/____.

I have completed all details and make these solemn declarations conscientiously believing the same to be true, and by virtue of the Oaths Act 1867. _____
Signature (Do not forward payment)

Declared at _____ In the state of _____ this _____

day of _____ 20 _____ before me _____
Justice of the Peace, Commissioner for Declarations or
Legal Practitioner

Send completed notice to: **Department of Environment and Heritage Protection**
GPO Box 2454
BRISBANE QLD 4001