

Appendix 2—Litigation 2017–18

The department seeks to ensure compliance with its environmental legislation by working with industry and individuals to promote sustainable behaviours. We have a strong record of enforcement and prosecution where there are significant breaches

of legislation. In 2017–18, the department secured a range of penalties totalling \$5,184,761.81 in fines and costs. The table below highlights significant prosecutions in 2017–18.

Matter	Date	Charge	Penalty
LIT1548	25 July 2017	One charge of carrying out an environmentally relevant activity without an environmental authority contrary to section 426 of the <i>Environmental Protection Act 1994</i> . Three charges of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$30,000 public benefit order imposed (note not included in fine total below) \$1,500 legal costs \$2,444.93 investigation costs No conviction recorded
LIT1602	9 August 2017	Two charges of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$17,500 fine \$2,000 legal costs \$3,932.50 investigation costs No conviction recorded
LIT1645	14 August 2017	One charge of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$4,000 fine \$250 legal costs \$2,500 investigation costs No conviction recorded
LIT1640	11 September 2017	Sixty-five charges of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$25,000 fine \$1,500 legal costs \$1,342.55 investigation costs Conviction recorded
LIT1620 (A)	22 September 2017	One charge of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> . One charge of failing to carry a document containing prescribed information in contravention of section 81(1) of the Environmental Protection Regulation 2008. One charge of failing to give to the receiver the prescribed information about waste being transported in contravention of section 81(2) of the Environmental Protection Regulation 2008. One charge of failing to keep prescribed information for at least five years in contravention of section 81(4) of the Environmental Protection Regulation 2008.	\$10,000 fine \$1,500 legal costs \$4,739 investigation costs No conviction recorded

LIT1620 (B)	22 September 2017	Four charges of failing to ensure that a company complied with obligations under the <i>Environmental Protection Act 1994</i> , in contravention of section 493 of the <i>Environmental Protection Act 1994</i> .	\$5,000 fine No conviction recorded
LIT1580	22 September 2017	Two charges of entering or using a marine park for a prohibited purpose contrary to section 109 of the Marine Parks Regulation 2006.	\$2,000 fine \$3,000 legal costs \$1,500 investigation costs No conviction recorded
LIT1603	10 October 2017	Two charges of taking a cultural or natural resource of a protected area contrary to section 62 of the <i>Nature Conservation Act 1992</i> .	\$500 good behaviour bond (note not included in total fine below) \$1,000 legal costs No conviction recorded
LIT956 (A)	10 October 2017	One charge of failing to comply with a court order made under the Environmental Protection Act 1994, under section 50 of the Magistrates Court Act 1921.	\$10,000 fine \$5,000 legal costs No conviction recorded
LIT956 (B)	10 October 2017	One charge of failing to comply with a court order made under the Environmental Protection Act 1994, under section 50 of the <i>Magistrates Court Act 1921</i> .	\$5,000 fine No conviction recorded
LIT1692	25 October 2017	One charge of bringing a vehicle into part of a marine park contrary to a regulatory notice in contravention of section 138 of the Marine Parks Regulation 2006.	\$900 fine \$250 legal costs \$746.75 investigation costs No conviction recorded
LIT1643	25 October 2017	One charge of unlawfully causing material environmental harm contrary to section 438 of the <i>Environmental Protection Act 1994</i> . Three charges of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$32,500 fine \$500 legal costs \$3,382.95 investigation costs No conviction recorded
LIT1629 (A)	16 November 2017	Two charges of carrying out an environmentally relevant activity without an environmental authority contrary to section 426 of the <i>Environmental Protection Act 1994</i> .	\$35,000 fine \$1,500 legal costs \$3,000 investigation costs Conviction recorded
LIT1629 (B)	16 November 2017	One charge of providing a false or misleading statement to an authorised person in contravention of section 481 of the <i>Environmental Protection Act 1994</i> .	\$9,000 fine No conviction recorded
LIT1619	27 November 2017	One charge of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$50,000 fine \$1,000 legal costs \$9,000 investigation costs No conviction recorded

LIT1667	15 December 2017	One charge of bringing a live animal into a protected area without the chief executive's written approval in contravention of section 124 of the Nature Conservation (Protected Areas Management) Regulation 2006.	\$500 good behaviour bond (note not included in total fine below) \$250 legal costs No conviction recorded
LIT1651	19 December 2017	Two charges of failing to notify of a relevant event in contravention of section 320D of the <i>Environmental Protection Act 1994</i> .	\$8,000 fine \$250 legal costs \$6,000 investigation costs No conviction recorded
LIT1658	11 January 2018	One charge of carrying out an environmentally relevant activity without an environmental authority contrary to section 426 of the <i>Environmental Protection Act 1994</i> .	\$5,000 fine \$250 legal costs \$10,764.60 monetary benefit order (note not included in total fine below) No conviction recorded
LIT1680	1 February 2018	One charge of taking a cultural or natural resource of a protected area contrary to section 62 of the <i>Nature Conservation Act 1992</i> .	\$2,500 fine No conviction recorded
LIT1642	12 February 2018	One charge of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i> .	\$30,000 fine \$1,500 legal costs \$3,591 investigation costs No conviction recorded
LIT1664	23 February 2018	One charge of failing to comply with a notice under section 451 of the <i>Environmental Protection Act 1994</i> , in contravention of section 470 of the <i>Environmental Protection Act 1994</i> .	\$7,500 fine No conviction recorded
LIT1581	23 February 2018	One charge of carrying out an environmentally relevant activity without an environmental authority contrary to section 426 of the <i>Environmental Protection Act 1994</i> . One charge of failing to give to the receiver the prescribed information about waste being transported in contravention of section 81(2) of the <i>Environmental Protection Regulation 2008</i> .	\$36,000 fine \$4,500 legal costs \$1,241.20 investigation costs No conviction recorded
LIT1695	27 February 2018	One charge of bringing dogs into a recreation area and such dogs not being under control in contravention of section 122 of the <i>Recreation Areas Management Act 2006</i> .	\$300 fine \$250 legal costs No conviction recorded
LIT1714	6 March 2018	One charge of littering at a place in contravention of section 103 of the <i>Waste Reduction and Recycling Act 2011</i> .	\$300 fine \$250 legal costs \$684.24 investigation costs No conviction recorded

LIT1588	7 March 2018	<p>Fifteen charges of contravening a condition of an environmental authority under section 430 of the <i>Environmental Protection Act 1994</i>.</p> <p>One charge of unlawfully causing serious environmental harm contrary to section 437 of the <i>Environmental Protection Act 1994</i>.</p> <p>One charge of providing a false or misleading document to an authorised person in contravention of section 480 of the <i>Environmental Protection Act 1994</i>.</p>	<p>\$130,000 fine (\$28,319.50 public benefit order inclusive)</p> <p>\$1,500 legal costs</p> <p>\$30,623.64 investigation costs</p> <p>Conviction recorded</p>
LIT1654	7 March 2018	<p>Fourteen charges of failing to ensure that a company complied with obligations under the <i>Environmental Protection Act 1994</i>, in contravention of section 493 of the <i>Environmental Protection Act 1994</i>.</p>	<p>\$40,000 fine</p> <p>No conviction recorded</p>
LIT1746	12 March 2018	<p>One charge of taking a protected animal, without authority, in contravention of section 88(2) of the <i>Nature Conservation Act 1992</i>.</p>	<p>\$1,000 fine</p> <p>\$7,798.50 conservation value (note not included in total fine below)</p> <p>No conviction recorded</p>
LIT1747	12 March 2018	<p>One charge of taking a protected animal, without authority, in contravention of section 88(2) of the <i>Nature Conservation Act 1992</i>.</p>	<p>\$500 fine</p> <p>\$7,798.50 conservation value (note not included in total fine below)</p> <p>No conviction recorded</p>
LIT1606 & LIT1669	12 March 2018	<p>One charge of carrying out an environmentally relevant activity without an environmental authority contrary to section 426 of the <i>Environmental Protection Act 1994</i>.</p> <p>One charge of failing to comply with a clean-up notice in contravention of section 363l of the <i>Environmental Protection Act 1994</i>.</p> <p>One charge of providing a false or misleading statement to an authorised person in contravention of section 481 of the <i>Environmental Protection Act 1994</i>.</p> <p>One charge of failing to give to the receiver the prescribed information about waste being transported in contravention of section 81(2) of the <i>Environmental Protection Regulation 2008</i>.</p>	<p>\$45,000 fine</p> <p>\$1,500 legal costs</p> <p>\$8,138.04 investigation costs</p> <p>Conviction recorded</p>
LIT1641	13 March 2018	<p>One charge of keeping a protected animal without authority in contravention of section 88(5) of the <i>Nature Conservation Act 1992</i>.</p>	<p>\$4,500 fine</p> <p>\$1,750 legal costs</p> <p>No conviction recorded</p>
LIT1682	13 March 2018	<p>One charge of entering or using a marine park for a prohibited purpose contrary to section 109 of the <i>Marine Parks Regulation 2006</i>.</p>	<p>\$7,500 fine</p> <p>\$2,250 legal costs</p> <p>Conviction recorded</p>

LIT1698	13 March 2018	One charge of entering or using a marine park for a prohibited purpose contrary to section 109 of the Marine Parks Regulation 2006.	\$5,000 fine No conviction recorded
LIT1697	19 March 2018	One charge of driving a vehicle in a recreation area in a way that would constitute an offence against the Queensland Road Rules, contrary to section 14(3) of the Recreation Areas Management Regulation 2007.	\$245 fine \$250 legal costs No conviction recorded
LIT1674	11 April 2018	One charge of taking a protected animal, without authority, in contravention of section 88(2) of the <i>Nature Conservation Act 1992</i> .	\$10,500 fine \$1,500 legal costs Conviction recorded
LIT1652	12 April 2018	One charge of unlawfully causing serious environmental harm contrary to section 437 of the <i>Environmental Protection Act 1994</i> .	\$4,500 fine \$250 legal costs No conviction recorded
LIT1723	18 April 2018	One charge of giving false or misleading information to an inspector contrary to section 89 of the <i>Nature Conservation Act 1992</i> .	\$4,000 fine \$2,000 legal costs No conviction recorded
LIT993	11 May 2018	Five charges of wilfully and unlawfully causing serious environmental harm contrary to section 437 of the <i>Environmental Protection Act 1994</i> .	\$4,500,000 fine Conviction recorded
LIT1748	18 May 2018	One charge of taking a protected animal, without authority, in contravention of section 88(2) of the <i>Nature Conservation Act 1992</i> .	\$2,000 fine \$1,500 legal costs \$7,000 conservation value (note not included in total fine below) No conviction recorded
LIT1709	24 May 2018	One charge of carrying out an activity and failing to take all reasonable and practicable measures to ensure the activity did not harm Aboriginal cultural heritage in contravention of section 23 of the <i>Aboriginal Cultural Heritage Act 2003</i> .	\$8,000 fine \$1,500 legal costs No conviction recorded
LIT1718	7 June 2018	One charge of taking a protected animal, without authority, in contravention of section 88(2) of the <i>Nature Conservation Act 1992</i> .	\$2,000 fine \$1,500 legal costs No conviction recorded
Total sum of fines ordered:			\$5,060,245.00
Total sum of costs ordered:			\$124,516.81