

## Appendix 3—Litigation 2018–19

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. The table below highlights significant prosecutions in 2018–19.

Matter	Date	Charge	Penalty
LIT1695	17 July 2018	One charge of bringing dogs into a recreation area and such dogs not being under control, contrary to section 122(1) of the <i>Recreation Areas Management Act 2006</i> .	\$300 fine \$250 legal costs No conviction recorded
LIT1672	19 July 2018	Two charges of contravening a condition of an environmental authority, contrary to section 430(3) of the <i>Environmental Protection Act 1994</i> .	\$68,000 fine \$1,500 legal costs \$2,081.10 investigation costs No conviction recorded
LIT1713	20 July 2018	Two charges of contravening a condition of an environmental authority, contrary to section 430(3) of the <i>Environmental Protection Act 1994</i> .	\$12,000 fine \$1,500 legal costs \$9,064 investigation costs No conviction recorded
LIT1679	27 July 2018	One charge of wilfully contravening a condition of an environmental authority, contrary to section 430(2) of the <i>Environmental Protection Act 1994</i> . One charge of wilfully and unlawfully causing serious environmental harm, contrary to section 437(1) of the <i>Environmental Protection Act 1994</i> .	\$160,000 fine \$2,215.68 legal costs \$2,044.33 investigation costs No conviction recorded
LIT1732	14 August 2018	One charge of entering or using a marine park for a prohibited purpose, contrary to section 109(1) of the <i>Marine Parks Regulation 2006</i> .	\$1,800 fine \$1,500 legal costs \$1,743 investigation costs No conviction recorded
LIT1681	7 September 2018	Six charges of wilfully contravening a condition of an environmental authority, contrary to section 430(2) of the <i>Environmental Protection Act 1994</i> .	\$250,000 fine \$1,500 legal costs \$2,000 investigation costs Conviction recorded
LIT1681	7 September 2018	Six charges of failing to ensure that a company complied with obligations under the <i>Environmental Protection Act 1994</i> , contrary to section 493 of the <i>Environmental Protection Act 1994</i> .	\$50,000 fine No conviction recorded
LIT1689	26 September 2018	One charge of wilfully and unlawfully causing serious environmental harm, contrary to section 437(1) of the <i>Environmental Protection Act 1994</i> .	\$75,000 fine \$1,500 legal costs \$3,115.10 investigation costs No conviction recorded
LIT1737	15 October 2018	One charge of littering, contrary to section 103(1) of the <i>Waste Reduction and Recycling Act 2011</i> .	Convicted, but not further punished No conviction recorded

Matter	Date	Charge	Penalty
LIT1756	24 October 2018	One charge of lighting, keeping or using a fire within a recreation area, prohibited by a regulatory notice, contrary to section 115(2) of the <i>Recreation Area Management Act 2006</i> .	\$750 fine \$250 legal costs No conviction recorded
LIT1647	2 November 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, contrary to section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> . One charge of harming Aboriginal cultural heritage that it knew or ought reasonably to have known was Aboriginal cultural heritage, contrary to section 24(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> .	\$188,000 fine \$2,519.95 legal costs Order that \$250,000 be paid to DATSIP towards repairing or restoring the site No conviction recorded
LIT1730	6 November 2018	19 charges of contravening a condition of an environmental authority, contrary to section 430(3) of the <i>Environmental Protection Act 1994</i> . One charge of providing a false or misleading document, contrary to section 480(1) of the <i>Environmental Protection Act 1994</i> .	\$75,000 fine \$1,500 legal costs \$1,715.64 investigation costs No conviction recorded
LIT1711	22 November 2018	One charge of contravening a condition of an environmental authority, contrary to section 430(3) of the <i>Environmental Protection Act 1994</i> .	\$12,000 fine \$750 legal costs \$5,000 investigation costs No conviction recorded
LIT1781	5 December 2018	Three charges of carrying out an environmentally relevant activity without an environmental authority, contrary to section 426 of the <i>Environmental Protection Act 1994</i> .	\$46,500 fine \$1,500 legal costs \$774.58 investigation costs No conviction recorded
LIT1749	18 December 2018	One charge of taking a natural resource for a protected area, contrary to section 62(1) of the <i>Nature Conservation Act 1992</i> .	\$2,500 fine No conviction recorded
LIT1806	17 January 2019	One charge of unlawfully camping in a recreation area without a relevant authorisation, contrary to section 108(1) of the <i>Recreation Areas Management Act 2006</i> .	\$126 fine \$250 legal costs No conviction recorded
LIT1780	23 January 2019	One charge of taking, driving or riding a motor vehicle into a recreation area without a vehicle access permit, commercial activity permit or commercial activity agreement, contrary to section 109(1) of the <i>Recreation Areas Management Act 2006</i> .	\$300 fine \$250 legal costs Conviction recorded

Matter	Date	Charge	Penalty
<b>LIT1727A, LIT1727B and LIT1793</b>	4 February 2019	<p>(The charges below were commenced by way of three different complaints)</p> <p>Two charges of failing to attend a stated reasonable place at a reasonable time, contrary to section 476(2) of the <i>Environmental Protection Act 1994</i>.</p> <p>Two charges of providing a false or misleading document to the administering authority, contrary to section 480 of the <i>Environmental Protection Act 1994</i>.</p> <p>38 charges of failing to provide the prescribed information, or within the prescribed time, contrary to section 81K(2) of the <i>Environmental Protection Regulation 2008</i>.</p> <p>Five charges of contravening an environmental protection order, contrary to section 361(2) of the <i>Environmental Protection Act 1994</i>.</p> <p>Nine charges of failing to obtain a consignment authority to move waste into Queensland, contrary to section 81N(1) of the <i>Environmental Protection Regulation 2008</i>.</p> <p>Two charges of failing to carry information from the waste generator and failure to give the receiver of waste the information, contrary to sections 81J(1) and 81J(2) of the <i>Environmental Protection Regulation 2008</i>.</p>	<p>\$305,000 fine</p> <p>\$1,500 legal costs</p> <p>\$1,516.49 investigation costs</p> <p>Conviction recorded</p>
<b>LIT1765</b>	5 February 2019	One charge of unlawfully taking a live animal into a national park without written approval from the chief executive, contrary to section 131(1) of the <i>Nature Conservation (Protected Areas Management) Regulation 2017</i> .	<p>\$500 fine</p> <p>\$250 in legal costs</p> <p>No conviction recorded</p>
<b>LIT1688</b>	15 February 2019	One charge of wilfully contravening a condition of an environmental authority, contrary to section 430(2) of the <i>Environmental Protection Act 1994</i> .	<p>\$50,000 fine</p> <p>\$2,500 legal costs</p> <p>\$1,500 investigation costs</p> <p>No conviction recorded</p>
<b>LIT1783</b>	18 February 2019	One charge of littering, contrary to section 103(1) of the <i>Waste Reduction and Recycling Act 2011</i> .	<p>\$252 fine</p> <p>\$250 in legal costs</p> <p>No conviction recorded</p>
<b>LIT1813</b>	25 March 2019	One charge of parking a vehicle in a way that may cause damage to, or disturb, a recreation area contrary to section 15(1)(c) of the <i>Recreation Areas Management Regulation 2017</i> .	<p>\$500 fine</p> <p>\$250 legal costs</p> <p>No conviction recorded</p>
<b>LIT1828</b>	25 March 2019	Two charges of carrying out an environmentally relevant activity without an environmental authority, contrary to section 426(1) of the <i>Environmental Protection Act 1994</i> .	<p>\$25,000 fine</p> <p>\$1,500 legal costs</p> <p>\$884.55 investigation costs</p> <p>No conviction recorded</p>
<b>LIT1724</b>	28 March 2019	<p>One charge of wilfully contravening a condition of an environmental authority, contrary to section 430(2) of the <i>Environmental Protection Act 1994</i>.</p> <p>One charge of contravening an environmental protection order, contrary to section 361(2) of the <i>Environmental Protection Act 1994</i>.</p>	<p>\$70,000 fine</p> <p>\$4,127 legal costs</p> <p>No conviction recorded</p>

Matter	Date	Charge	Penalty
LIT1725	28 March 2019	One charge of wilfully contravening a condition of an environmental authority, contrary to section 430(2) of the <i>Environmental Protection Act 1994</i> . One charge of contravening an environmental protection order, contrary to section 361(2) of the <i>Environmental Protection Act 1994</i> .	\$70,000 fine \$4,127 legal costs Conviction recorded
LIT1701	29 March 2019	One charge of contravening a condition of an environmental authority, contrary to section 430(3) of the <i>Environmental Protection Act 1994</i> .	\$20,000 fine \$500 legal costs \$1,000 investigation costs No conviction recorded
LIT1739	3 April 2019	Application for punishment for contempt of court.	\$2,000 fine \$7,000 legal costs A court order was made that must be complied with by 30 June 2019 or the Respondent is required to appear in Court on 10 July 2019 to show cause as to why he should not be imprisoned for his further contempt Conviction recorded
LIT1777	16 April 2019	One charge of wilfully contravening a condition of an environmental authority, contrary to section 430(2) of the <i>Environmental Protection Act 1994</i> .	\$18,000 fine \$750 legal costs \$6,006.89 investigation costs No conviction recorded
LIT1759	3 May 2019	One charge of wilfully entering or using a marine park for a prohibited purpose, contrary to section 43(1)(a) of the <i>Marine Parks Act 2004</i> .	\$11,000 fine \$500 legal costs \$1,741.13 investigation costs No conviction recorded
LIT1827	15 May 2019	One charge of camping in a protected area without a permit, contrary to section 82(1) of the Nature Conservation (Protected Areas Management) Regulation 2006. One charge of driving or riding a vehicle in a way that causes or may cause damage to a protected area, contrary to section 120(1) of the Nature Conservation (Protected Areas Management) Regulation 2006. One charge of bringing a live animal into a protected area without approval, contrary to section 124(1)(a) of the Nature Conservation (Protected Areas Management) Regulation 2006. One charge of leaving human waste unburied in a protected area, contrary to section 133(2)(c) of the Nature Conservation (Protected Areas Management) Regulation 2006. One charge of depositing litter in a protected area, contrary to section 135(3) of the Nature Conservation (Protected Areas Management) Regulation 2006.	\$2,500 fine \$250 legal costs No conviction recorded

Matter	Date	Charge	Penalty
<b>LIT1789</b>	15 May 2019	<p>Two charges of interfering with a natural resource in a protected area, contrary to section 62(1) of the <i>Nature Conservation Act 1992</i>.</p> <p>One charge of offence of camping in a protected area without a permit, contrary to section 82(1) of the Nature Conservation (Protected Areas Management) Regulation 2006.</p> <p>One charge of driving or riding a vehicle in a way that causes or may cause damage to a protected area, contrary to section 120(1) of the Nature Conservation (Protected Areas Management) Regulation 2006.</p> <p>One charge of bringing a live animal into a protected area without approval, contrary to section 124(1) (a) of the Nature Conservation (Protected Areas Management) Regulation 2006.</p> <p>One charge of leaving human waste unburied in a protected area, contrary to section 133(2)(c) of the Nature Conservation (Protected Areas Management) Regulation 2006.</p> <p>One charge of depositing litter in a protected area, contrary to section 135(3) of the Nature Conservation (Protected Areas Management) Regulation 2006.</p> <p>One charge of unlawfully possessing or using appliances (firearm), contrary to section 137(1) of the Nature Conservation (Protected Areas Management) Regulation 2006.</p>	<p>\$3,000 fine</p> <p>\$250 legal costs</p> <p>No conviction recorded</p>
<b>LIT1794</b>	15 May 2019	One charge of littering, contrary to section 103(1) of the <i>Waste Reduction and Recycling Act 2011</i> .	<p>\$252 fine</p> <p>No conviction recorded</p>
<b>LIT1807</b>	20 June 2019	Four charges of contravening a requirement of a transitional environmental program, contrary to section 432(2) of the <i>Environmental Protection Act 1994</i> .	<p>\$45,000 fine</p> <p>\$1,500 legal costs</p> <p>\$2,245 investigation costs</p> <p>No conviction recorded</p>
<b>LIT1779</b>	27 June 2019	<p>One charge of taking, using, keeping or interfering with a cultural or natural resource of a protected area contrary to section 62(1) of the <i>Nature Conservation Act 1992</i>.</p> <p>One charge of erecting and keeping a structure and carrying out works in a protected area contrary to section 114 of the Nature Conservation (Protected Areas Management) Regulation 2017.</p>	<p>\$10,000 fine</p> <p>\$500 legal costs</p> <p>No conviction recorded</p>
Total sum of fines ordered:			\$1,575,280
Total sum of costs ordered:			\$85,171