



# Quarterly environmental enforcement statistics

*Environmental Protection Act 1986*

*Litter Act 1979*

1 October 2010 to 31 December 2010

January 2011



Department of  
**Environment and Conservation**

*Our environment, our future*



2011019

Department of Environment and Conservation  
168 St Georges Terrace  
Perth WA 6000  
Tel: +61-8-6467 5000  
Fax: +61-8-6467 5562

[www.dec.wa.gov.au](http://www.dec.wa.gov.au)

© Department of Environment and Conservation 2011

January 2011

All material is the copyright of the Department of Environment and Conservation. No part of the contents of the publication may be reproduced without the consent of this agency.

Questions regarding this report should be directed to:

Andrew Richardson

Analyst

Department of Environment and Conservation  
Locked Bag 104  
Bentley Delivery Centre  
Western Australia 6983

Phone: 6467 5106

Email: [andrew.richardson@dec.wa.gov.au](mailto:andrew.richardson@dec.wa.gov.au)

# Contents

Purpose of report .....	4
Quarterly statistics – since July 2009 .....	4
Key definitions.....	10

## Figures

Figure 1 Environmental complaints/incidents graphical analysis .....	5
Figure 2 Complaints/incidents graphical analysis (1 July 2010 to 30 September 2010).....	5
Figure 3 Complaints/incidents category by percentage .....	6

## Tables

Table 1 Environmental complaints/incidents by DEC region .....	4
Table 2 Environmental complaints/incidents reported by sub-category .....	7
Table 3 Enforcement sanctions undertaken 2009–2010 .....	8
Table 4 Enforcement sanctions undertaken 2006–2010 .....	8
Table 5 Long-term complaint, incident and sanction analysis .....	9

## Purpose of report

The purpose of this quarterly report is to provide statistics and supporting information to assist decision makers within the Department of Environment and Conservation to ensure the efficient allocation of resources and management of the environment. The report is prepared quarterly to update statistics and to provide trend analysis and other compliance information.

This is a summary report which has been prepared from more detailed reports. If required more detailed information may be made available through the Environmental Enforcement Unit Analyst.

## Quarterly statistics – since 1 October 2009

*Table 1 Environmental complaints/incidents by DEC region*

REGION	2nd quarter Oct 2009 – Dec 2009	3rd quarter Jan 2010 – Mar 2010	4th quarter Apr 2010 – Jun 2010	1 <sup>st</sup> quarter Jul 2010 – Sep 2010	2nd quarter Oct 2010 – Dec 2010
Christmas Island	1   2	0   10	1   1	0   0	0   0
Goldfields	22   54	28   30	23   42	16   51	20   28
Kimberley	1   14	2   10	1   16	1   10	0   2
Mid West	7   5	8   18	9   12	10   17	3   13
Perth	32   94	34   48	15   59	26   45	25   55
Pilbara	6   20	12   35	16   24	25   21	10   17
SRT	68   21	52   14	41   20	39   20	36   23
South Coast	7   10	9   13	8   10	11   18	6   12
South West	48   30	33   24	39   17	22   26	29   15
Swan	237   75	399   55	244   50	181   37	272   35
Warren	3   1	7   3	5   1	3   2	5   8
Wheat belt	2   1	4   10	10   9	2   4	14   9
<b>TOTAL</b>	<b>434   327</b>	<b>588   270</b>	<b>412   261</b>	<b>336   251</b>	<b>420   218</b>

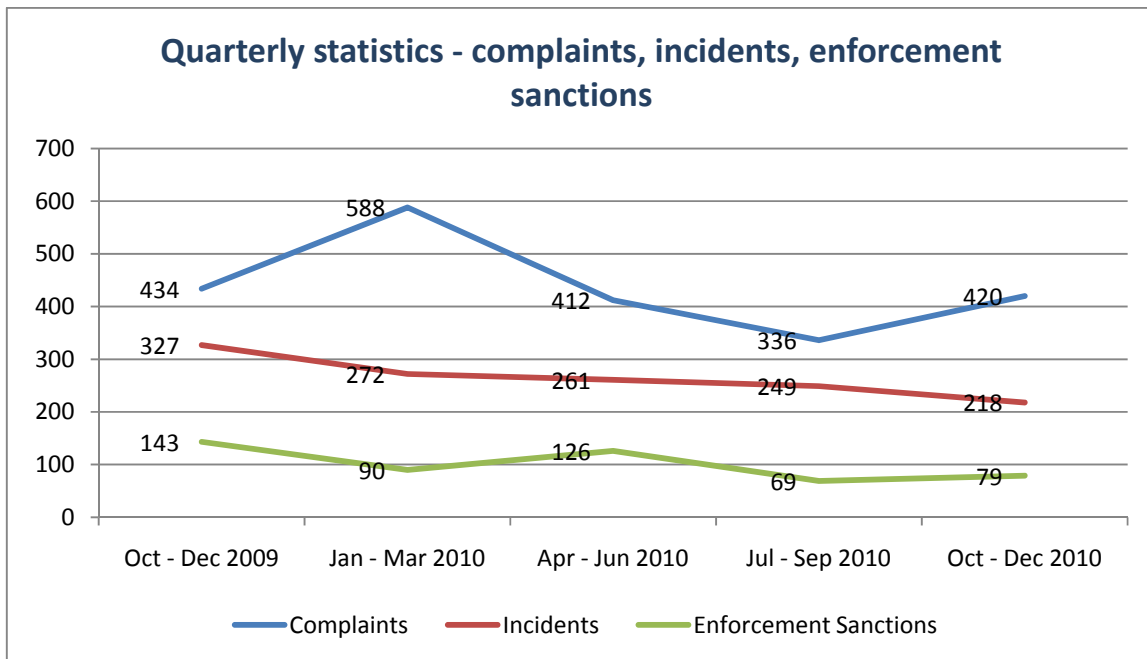


Figure 1 Environmental complaints/incidents graphical analysis

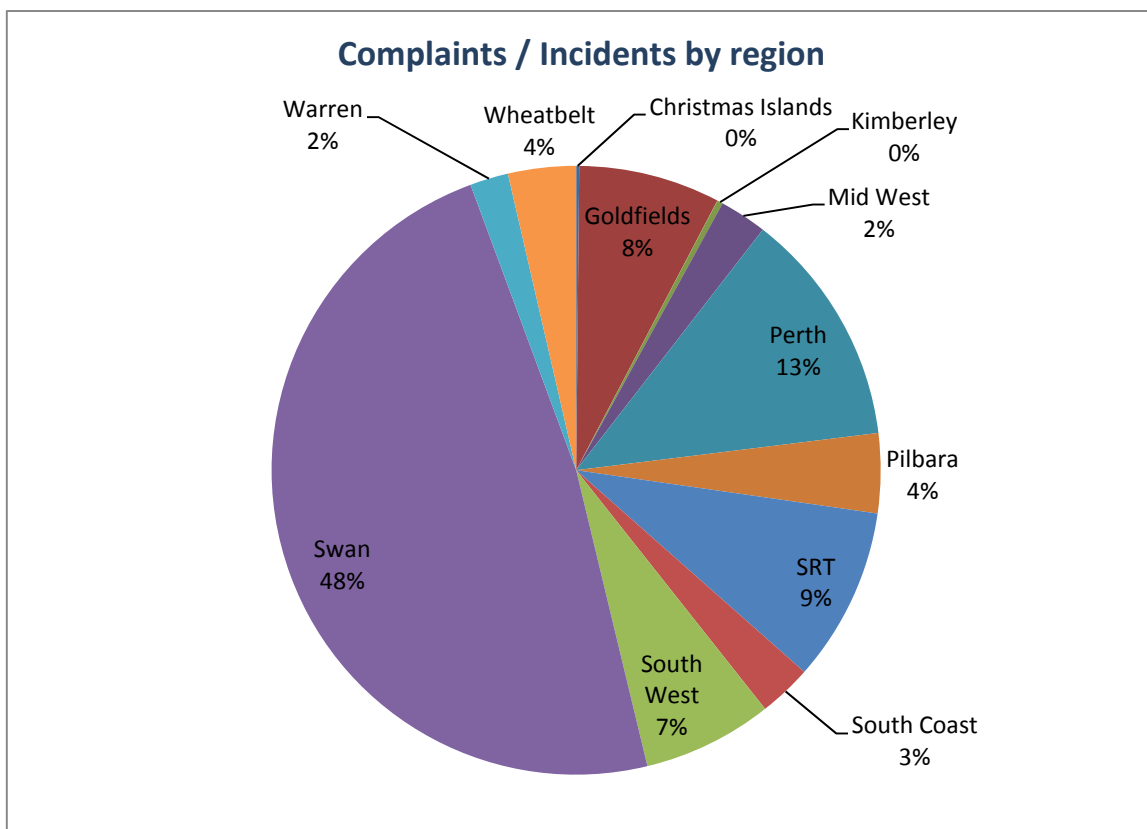


Figure 2 Complaints/incidents graphical analysis (1 October 2010 to 31 December 2010)

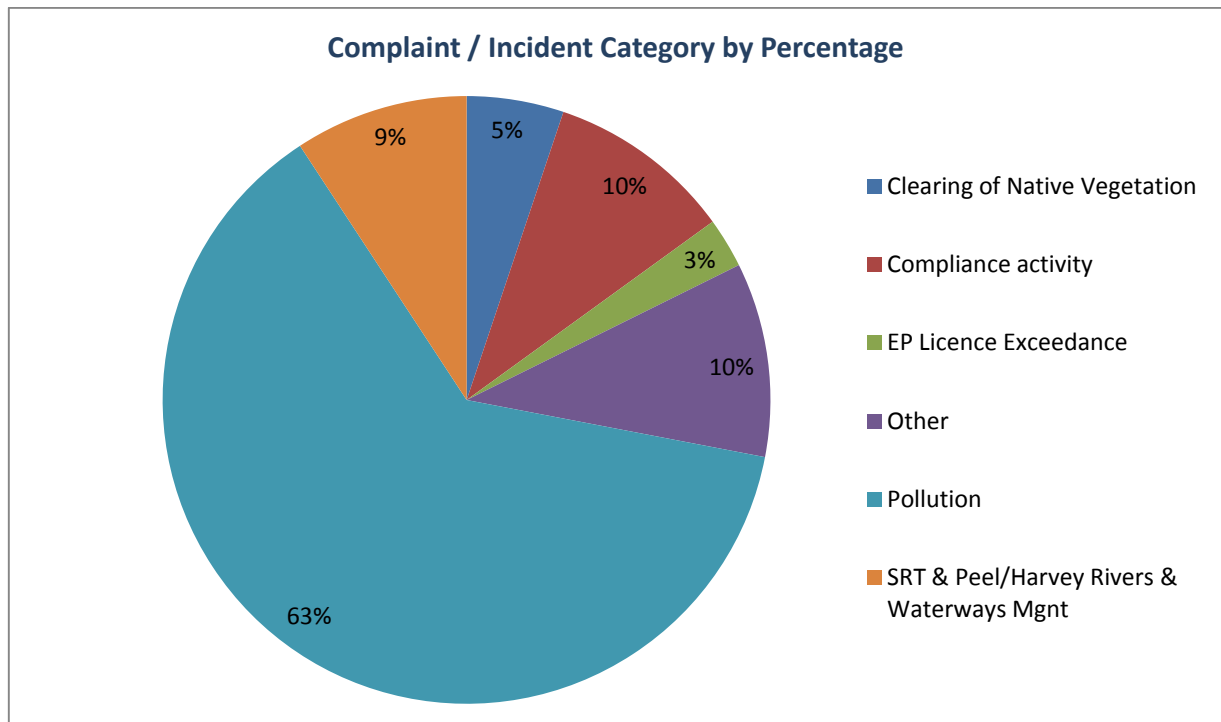


Figure 3 Complaints/incidents category by percentage

Table 2 Environmental complaints/incidents reported by sub-category

	Complaints received	Enforcement actions undertaken
<b>Clearing of Native Vegetation</b>	<b>33</b>	<b>415</b>
Burning	1	
Cutting	22	
Flooding	0	
Grazing	0	
Poisoning	0	
Unspecified	10	
<b>EP Licence Exceedence</b>	<b>17</b>	<b>112</b>
Discharges to land (quality)	7	
Discharges to land (quantity)	0	
Discharges to water (quality)	0	
Discharges to water (quantity)	0	
Emissions to air (quality)	2	
Emissions to air (quantity)	1	
Unspecified	7	
<b>Pollution</b>	<b>401</b>	<b>3825</b>
Air quality	4	
Controlled waste	1	
Dust	98	
Hazardous material	7	
Liquid waste	11	
Noise	11	
Odour	173	
Pesticide	0	
Smoke	7	
Solid Waste	9	
Unauthorised discharge	60	
Unspecified	20	
<b>Compliance activity</b>	<b>63</b>	<b>530</b>
-		
<b>Rivers and waterways management</b>	<b>59</b>	<b>1351</b>
Algal blooms	0	
Aquatic deaths	0	
Chemical spills	2	
Destruction of vegetation	12	
Foaming	1	
Foreshore damage	1	
General complaints	14	
Herbicide/pesticide spraying	1	
Industrial discharge/dewatering	0	
Offensive odour	0	
Oil slicks/fuel spills	5	
River discolouration	4	
Sewage discharge	2	
Unauthorised development	4	
Waste/rubbish dump	13	
Watercraft nuisance	1	
Weed	0	
Unspecified	0	
<b>KABC</b>	<b>-</b>	<b>1069</b>
Illegal dumping	37	
<b>Other</b>	<b>66</b>	<b>188</b>
<b>TOTAL</b>	<b>639</b>	<b>7490</b>

**Table 3 Enforcement sanctions undertaken 2009–2010**

Type of action	Number of sanctions			
	1 January 2010 - 31 March 2010	1 April 2010 - 30 June 2010	1 July 2010 - 30 September 2010	1 October 2010 – 31 December 2010
Environmental field notice	38	69	37	40
Environmental protection notice	N/A	1	N/A	N/A
Infringement notices	23	30	15	20
Keep Australia Beautiful Council infringements	1510	1131	1005	1069
Stop work order	0	0	0	0
Letter of warning	25	20	12	14
Statutory direction/notice	2	5	1	4
Modified penalty	0	0	0	0
Prosecutions	2	6	2	4

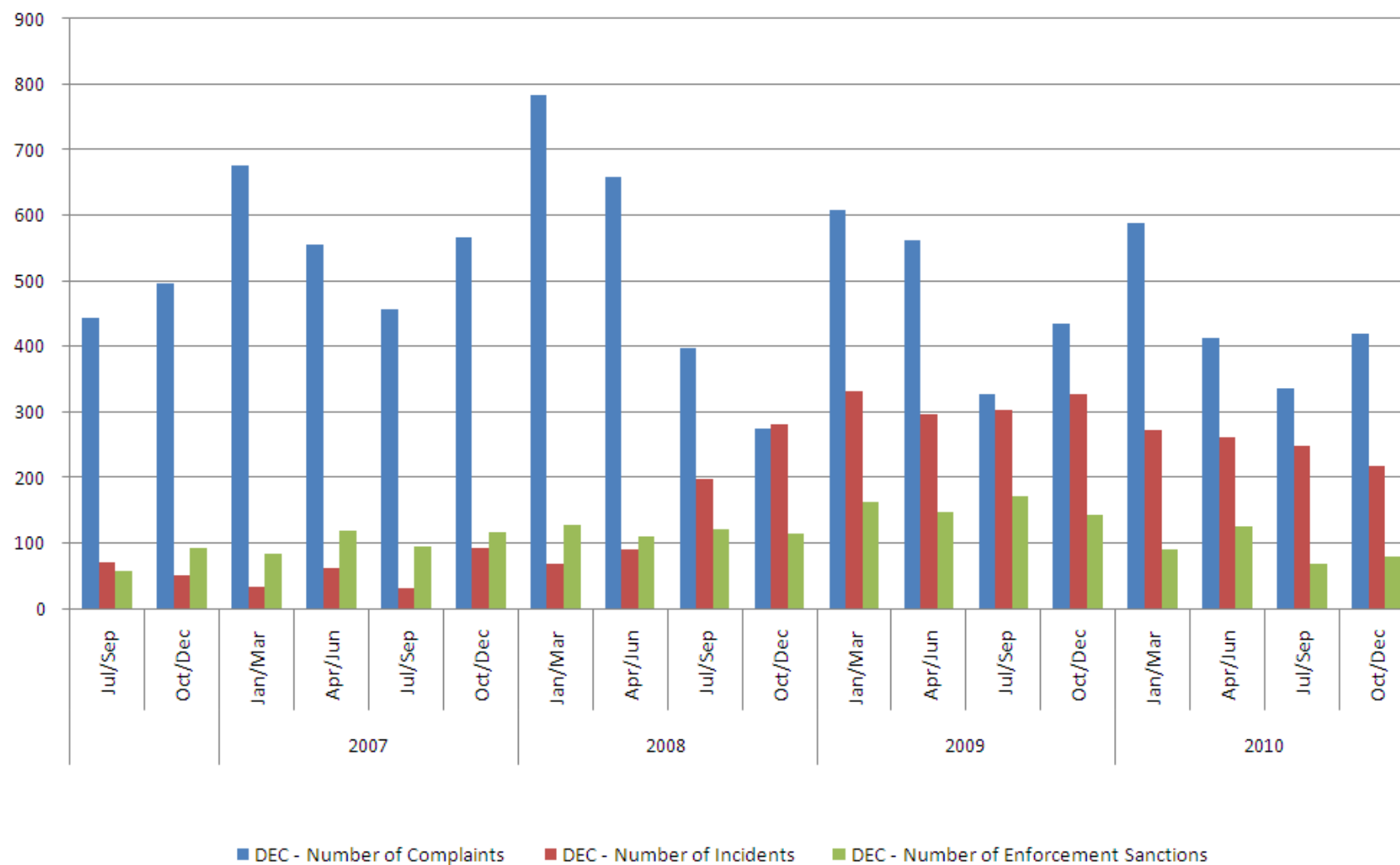
**Table 4 Enforcement sanctions undertaken 2006–2010**

\*2010–2011 figures based on period between 1 July 2010 and 31 December 2010.

Type of action	Number of actions andertaken by financial year			
	2007–2008	–2008–2009	–2009–2010	2010–2011*
EFN	257	278	286	89
EPN	6	3	3	0
E-mail	1747	3257	3019	1413
Further investigations	937	1218	1129	478
Infringement notices	74	103	96	39
Keep Australia Beautiful Council infringements	4313	4705	4672	2074
Letter	537	563	606	250
Letter of warning	87	128	112	40
Licence review/amendment	5	36	17	4
Modified penalty brief	1	3	0	0
Phone call	2972	3389	3652	1771
Prescribed action	2	7	12	3
Prosecution brief	20	25	25	5
Provided advice	79	129	139	35
Site inspection	503	482	553	194
Site visit	689	902	1004	376
Statutory direction/notice	4	8	32	5
Stop work order	1	6	0	0
Pending prosecutions	-	-	-	27
Currently before the courts			2	4



Table 5 Long-term complaint, incident and sanction analysis



## Key definitions

---

<b>COMPLAINT</b>	A complaint is when a person informs the DEC of an environmental event. This includes events such as strong odours, high amounts of smoke, noise pollution, illegal dumping, fish kill in a waterway etc
<b>ENFORCEMENT SANCTION</b>	administered by DEC at the conclusion of an investigation. Enforcement sanctions can include EFNs, environmental protection notices (EPN), infringement notices, letters of warning, prosecution briefs, modified penalty briefs, statutory direction/notices, and stop work orders.
<b>ENFORCEMENT ACTION</b>	An enforcement action is an activity undertaken by DEC during the investigation process. Enforcement actions include enforcement sanctions plus emails, further investigations, letters, licence reviews, phone calls, prescribed actions, provision of advice, site inspections and site visits.
<b>ENVIRONMENTAL FIELD NOTICE (EFN)</b>	An environmental field notice (EFN) is a non-statutory based written notice of an offence. An EFN instructs the recipient to take immediate remedial actions.
<b>INCIDENT</b>	An incident is a single event verified by DEC (which may have been verified by visual inspection, photographic evidence etc) that has resulted in an environmental impact (such as an odour, dust exiting the facility etc).
<b>INFRINGEMENT NOTICE</b>	An infringement notice is a modified penalty for an alleged offence requiring the payment of a fine or election to have the matter heard in court.
<b>LETTER OF WARNING</b>	A letter of warning is a non-statutory notice to an offender that a legislative breach has occurred.
<b>LICENCE REVIEW /AMENDMENT/ REVOCATION</b>	DEC may amend or revoke an existing licence for the conservation, preservation, protection, enhancement and management of the environment.
<b>MODIFIED PENALTY</b>	A modified penalty is a statutory notice that an offence has occurred and that, in the opinion of the DEC, the offence has met the prescribed legislative requirements to minimise and remedy the environmental impact.
<b>PROSECUTION</b>	A DEC prosecution action commences when a complaint is made (or sworn) that an entity has committed an offence under the legislation.
<b>REFERRED TO OTHER AGENCY</b>	A matter determined after preliminary investigation to fall under regulatory responsibility of an agency other than DEC.
<b>STATUTORY DIRECTION/ NOTICE</b>	A statutory direction/notice is a written direction requiring certain action be taken or ceased within a specified time. Examples include Environmental protection notice and a pollution prevention notice.

---