

Elf Farm Supplies Pty Ltd convicted for pollution incident at Mulgrave

On 30 May 2017, Elf Farm Supplies Pty Ltd (**Elf Farm**) was convicted in the Land and Environment Court of NSW of *first*, polluting waters in breach of section 120(1) of the *Protection of the Environment Operations Act 1997 (POEO Act)*, and *second*, failing to carry out activities in a competent manner in breach of their licence conditions under section 64(1) of the POEO Act.

Elf Farm operates a business at Mulgrave Road, Mulgrave (**the Premises**). The business involves composting waste products to produce a mushroom substrate used by mushroom farmers. The Premises operates subject to an environment protection licence issued by the Environment Protection Authority (**EPA**).

On five occasions prior to and including 21 May 2015, in excess of approximately 480,000 litres of process water mixed with stormwater was pumped from a leachate dam at the Premises onto an adjoining paddock. Not all the process water mixed with stormwater infiltrated the paddock surface, and between 19 May 2015 and 21 May 2015, the process water mixed with stormwater flowed from the paddock, along a drainage line, and into the South/Wianarnatta Creek. The process water mixed with stormwater contained high levels of ammonia, which is potentially harmful for aquatic organisms living within the South/Wianamatta Creek.

Elf Farm was prosecuted by the EPA and pleaded guilty to both offences. On 30 May 2017 Elf Farm was ordered by the Land and Environment Court to:

1. Pay \$100,000 to Hawkesbury City Council to fund the South Creek Riparian Restoration Project.
2. Pay the EPA's legal costs of the prosecution.
3. Place and pay for this publication notice.