

STATEMENT

Procedural Fairness

May 2021

In recent months it has become apparent to ALOA that regulatory bodies have, on occasions, been prematurely and unfairly issuing public statements after landfill operators have been accused of environmental non-compliance, prior to any evidence based conviction for either major or minor incidents. In the opinion of ALOA these circumstances do not provide the landfill operator with procedural fairness.

On occasions where such public statements have been issued, they have been unfairly exaggerated with the intention of drawing attention to the Regulator and have created undue uncertainty around these purported incidents.

ALOA unequivocally encourages all landfill operators to implement systems and processes to ensure 100% compliance with all legislation and regulations and to implement environmental best practice policies and procedures.

It must be said in no uncertain terms, that in the interests of procedural fairness, ALOA strongly discourages Regulators from making public statements following the issuing of a notice to a landfill operator and thereby avoid subjecting landfill operators to trial by media for such incidents.

The role of regulatory agencies is to issue licenses, assist operators and hold operators directly to account. ALOA strongly suggests that Regulators adhere to their role and purpose and that they cease drawing unwarranted, unfair and exaggerated attention to operators whilst matters are yet to be fully investigated and an outcome determined.

May 5, 2021
Colin Sweet CEO