

## 1. Duty of Care

The [Environmental Protection Act 1994](#) (the Act) was enacted by the Queensland Government as a piece of legislation to provide protection for the Queensland Environment.

The Act incorporates the “General environmental duty”. Section 319 defines this duty as “A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm”.

Breaches of this section will be met by hefty penalties, as per section 437 of the Act.

### Penalties:

#### Serious environmental harm

- up to 6250 penalty units or five years imprisonment

#### Material environmental harm

- up to 4500 penalty units or two years imprisonment

#### Environmental nuisance

- up to 1665 penalty units

The [penalty unit value](#) in Queensland is \$133.45 (current from 1 July 2020).

For further information, refer to the [Department of Environment and Science Enforcement Guidelines](#) (July 2019).

## 2. Reporting Environmental Incidents

### 2.1 Duty of Notification

**You have a duty to notify the Program Manager Environment and Sustainability (PMES)**, Property and Facilities Division (P&F), as soon as you become aware of any occurrence/accident that may cause material or serious environmental harm. You should:

- contact
  - PF Assist during business hours on 336 52222,
  - Security anytime on 336 51234 for general/non-urgent matters or 336 53333 for emergencies
- follow all instructions from PF Assist/Security,
- try to minimise harm if safe to do so, and
- after the incident, contact P&F to complete the incident investigation process.

### 2.2 Breaches of Environmental Legislation

Upon your notification, P&F will:

- verify the extent and degree of the environmental occurrence,
- advise you of the findings, and

- if the occurrence breaches the Act, P&F will report the occurrence to the Department of Environment and Science (DES).

Failure to notify the administering authorities may attract penalties under the Act.

### 2.2.1 Notification to the Department of Environment and Science

P&F (on behalf of The University of Queensland) shall advise DES in writing of any activity that is in breach of any environmental legislation to which the University is liable. The Act provides protection against prosecution based on the information disclosed for any breach.

### 2.2.2 Liaising with the Department of Environment and Science

P&F will liaise with DES and the manager/responsible person of the non-conforming activity with respect to legislative requirements, licence conditions, environmental regulations and other matters pertinent to the activity.

### 2.2.3 Corrective Actions

- If the breach relates to environmental harm, the activity, if it continues to harm or has potential to continue to harm, should be stopped immediately.
- If the breach is caused by an accident, the activity (upon agreement by DES) may continue to operate but may be subject to conditions enforced by DES or P&F to minimise environmental impacts.

For further information, please contact [sustainability@uq.edu.au](mailto:sustainability@uq.edu.au)