

Heron Island Research Station Environmental Duty of Care and Reporting

1. Duty of Care

The *Environmental Protection Act 1994* was enacted by the Queensland Parliament as a piece of legislation to provide protection for the Queensland Environment.

The Act incorporates the “general environmental duty”. Section 36 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 for both individuals and bodies corporate.

Penalties:

Individuals

- \$3,750 (minor breaches)
- Up to \$312,375 plus five years in prison (wilful and serious breaches)

Bodies Corporate

- Up to 1.56 million dollars.

For further information, see the [Enforcement guidelines for Environmental Protection Act 1994](#) in this section.

Examples of recent breaches of the EPA

The Environmental Protection Agency’s (EPA) website lists environmental breaches and their outcome:

- In June 2000 a former caravan park operator was found guilty and fined \$75,000, ordered to pay \$27,000 in costs to the EPA, and received an 18 month suspended jail sentence. The operator deliberately pumped four million litres of raw sewage and effluent from a Peregian Beach caravan park into Noosa National Park.
- In March 2000, a Brisbane company and its directors were ordered to pay a total of \$40,000 for polluting a tributary of the Brisbane River.
- The EPA’s establishment of a Legal Compliance Unit will further strengthen the Agency’s ability to prosecute environmental breaches.

Examples of environmental issues that could arise within the University:

- Chemicals being poured down a sink or drain.
- Waste not being disposed of in an appropriate manner.

2. Reporting

2.1 Duty of Notification

You have a duty to notify the Station Manager of Heron Island Research Station of The University of Queensland as soon as you become aware of any occurrence/accident that may cause material or serious environmental harm.

2.2 Breaches of Environmental Legislation

Upon your notification, the Station Manager, in association with the Environmental Engineer, Property and Facilities Division, will:

- Verify the extent and degree of the environmental occurrence;
- Advise you of the findings; and
- If the occurrence breaches the *Environmental Protection Act (1994)*, the Environmental Engineer will report the occurrence to the Queensland Environmental Protection Agency.
- The HIRS Station Manager will report findings to the Director of the Centre for Marine Studies.

Failure to notify the administering authorities may attract penalties of up to \$7500 under the *Environmental Protection Act (1994)*.

For further information, please contact the Environmental Engineer, Property and Facilities Division, Extension 51587 or 52076; or email: Unigreen@pf.uq.edu.au.