*Environmental Protection Act 1994*

Duty to notify of environmental harm

*This form is to be used for notifying the administering authority about matters listed in section 320A of the Environmental Protection Act 1994* (the EP Act)*, in accordance with the duty to notify provisions contained in sections 320 to 320G of the EP Act.. This form may also be used where a person is required to given written notice to owners or occupiers.*

*This form should be completed having regard to the guidance found in the Guideline:* ***The duty to notify of environmental harm****. This Guideline can be found by going to* [*Queensland Government (www.qld.gov.au)*](https://www.qld.gov.au/) *and searching “ESR/2016/2271). The details provided should address the nature of the matter as relevant. The form should be completed as fully as practicable in the circumstances. Indicate any sections of the notice that are not applicable or for which information is not currently available.*

*Circumstances could arise in which you are also obligated to provide a notice to the administering authority of a Notifiable Activity that has been, or is being carried out under Schedule 3 of the EP Act. If the Notifiable Activity has not been notified to the administering authority previously, please use the template for giving written notice about a notifiable activity*, *available by going to* [*Queensland Government (www.qld.gov.au)*](https://www.qld.gov.au/) *and searching “ESR/2015/1845”.*

*If the notification is in relation to meeting environmental authority notification requirements for non-mining resource activities, including petroleum and gas, greenhouse gas storage and geothermal activities use the template Incident notification (resource activities other than mining), available by going to* [*Queensland Government (www.qld.gov.au)*](https://www.qld.gov.au/) *and searching “ESR/2015/1753”.*

*Circumstances could also arise in which notice of a related event or change in condition of the land relating to contaminated land needs to be provided under the EP Act. This information is available by going to* [*Queensland Government (www.qld.gov.au)*](https://www.qld.gov.au/) *and searching for “ESR/2023/6639”.*

**Office use only**

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| --- | --- | --- | --- |
| Date entered in Dynamics: | Click here to enter text. | Relevant regional manager: | Click here to enter text. |
| Dynamics reference #: | Click here to enter text. | Date sent to regional manager: | Click here to enter text. |
| Relevant regional area: | Click here to enter text. | Officer actioning this item: | Click here to enter text. |

1. Person/Company/ Organisation giving notice

|  |  |
| --- | --- |
| Name  Click or tap here to enter text. | Telephone (business hours )  Click or tap here to enter text. |
| Telephone (after hours )  Click or tap here to enter text. |
| Company/Organisation Name (if applicable) INCLUDE THE ACN NUMBER  Click or tap here to enter text. | |
| POSITION IN COMPANY/ORGANISATION (if applicable)  Click or tap here to enter text. | |
| Postal Address  Click or tap here to enter text. | |
| Email  Click or tap here to enter text. | Facsimile  Click or tap here to enter text. |

1. Who is giving notice about the matter
   1. In what capacity are you giving notice?

Tick relevant box

* I am the owner of the land
* I am an occupier (e.g. lessor or tenant) of the land
* I am a representative of a local government
* I am an auditor performing an auditor’s function under EP Act
* I am an employer
* I am an employer of someone carrying out an activity
* I am an employee carrying out an activity and  have not been able to contact my employer
* Environmental Authority (EA) holder
* Other (specify) Click or tap here to enter text. 
  1. Please provide details of your involvement

For example, If you are a representative of a local government, describe the nature of the matter and how the local government became aware of the matter.

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| Click or tap here to enter text. |

1. Details of the affected land 
   1. Please provide details of the lot and plan description (and full street address if available).

|  |  |
| --- | --- |
| name by which the property is known  Click or tap here to enter text. | |
| FULL Street address OF THE SITE  Click or tap here to enter text. | |
| Any other information that will assist in quickly locating the location associated with the relevant matter  Click or tap here to enter text. | |
| Lot(s) Click or tap here to enter text. | Plan(s) Click or tap here to enter text. |
| Grid References Northing Click or tap here to enter text. easting Click or tap here to enter text. | |
| Local Government Authority Click or tap here to enter text. | |

* 1. Is a map or locality plan attached to this notification?

No  Yes

A map or locality plan that shows the affected land may greatly assist the processing of this notification.

* 1. Is the affected land the source of contamination?

Yes  No

* 1. What land has been impacted by the contamination?

Source  Adjacent land  Both

1. Details of the matter being notified
   1. Type of matter listed in s.320A EP Act

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| --- | --- | --- |
| * Is the matter related to an activity that is a resource activity (other than mining)?   Yes  No  *\*If yes, please go to section 5\**   * Is the matter related to an event that causes or threatens to cause serious or material environmental because of an act or omission in carrying out a primary activity?   Yes  No  *\*If yes, please go to section 6\**   * Is the matter related to the presence of, or happening of an event that involves a hazardous contaminant causing (or reasonably likely to cause) serious or material environmental harm?   Yes  No  *\*If yes, please go to section 6\**   * Is the matter related to a change in the condition of contaminated land that is causing (or is reasonably likely to cause) serious or material environmental harm?   Yes  No  *\*If yes, please go to section 7\**   * Is the matter related to Notifiable Activity listed under Schedule 3 of the EP Act?   Yes  No Unsure  If it is a notifiable activity that you are undertaking you are obligated to provide more information by *going to* [*Queensland Government (www.qld.gov.au)*](https://www.qld.gov.au/) *and searching (ESR/2015/1845).*  Can you provide more information about the notifiable activity?  Yes  No  If Yes, please provide more information here. | | |
| * Is the activity/event/matter currently occurring or did it occur previously? | Current | Previous |

* 1. Describe the nature of the matter being notified

If you require additional space attach the information on a separate sheet and make reference to that sheet here.

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| Click or tap here to enter text. |

* 1. State whether any activity (related to the matter) was being carried out under:

|  |  |
| --- | --- |
| * an environmental protection policy | Yes |
| * a transitional environmental program | Yes |
| * an environmental protection order | Yes |
| * an environmental authority | Yes |
| * a progressive rehabilitation and closure plan (PRCP) Schedule | Yes |
| * a development condition of a development approval | Yes |
| * a prescribed condition for carrying out a small scale mining activity | Yes |
| * an emergency direction | Yes |
| * an agricultural ERA standard | Yes |
| * a temporary emissions licence | Yes |

* 1. Please provide the identifying details of the relevant approval or authority for carrying out the activity (if known). If possible attach a copy of the relevant document.

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| Click or tap here to enter text. |

1. Special requirement for resource activities (petroleum and gas, geothermal and greenhouse gas storage activities but not a mining activity)

Does this notice relate to notification of an event that has occurred while carrying out a resource activity that has:

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| --- | --- | --- |
| * negatively affected, or is reasonably likely to negatively affect, the water quality of an aquifer; or | No | Yes |
| * has caused the connection of two or more aquifers | No | Yes |

1. Matters relating to events

If it is an event involving the release of contaminants, the following information should be provided

* 1. When did the event occur/start?

Time: Click or tap here to enter text. Click or tap to enter a date.

Is this time and date: accurate  approximate

* 1. Describe the circumstances in which the event has occurred.

Please provide details of the circumstances that led up to the event, any factors that may make the effects of the event worse, any preventive measures or cleanup up action taken and any other matters that may be relevant. If you require additional space attach the information on a separate sheet and make reference to that sheet here.

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| Click or tap here to enter text. |

* 1. Provide any additional information that may be relevant to this notification

If additional space is required attach the information on a separate sheet and make reference to that sheet here.

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| Click or tap here to enter text. |

* 1. Event type:

Spill  Discharge  Leakage  Exposure/uncovering

Fire  Fishkill  Other

* 1. Source of release:

Vehicle spill  Vessel spill  Pipeline breach  Dam/pond failure

Drain outlet  Bulk/tank  Vessel sinking  Dumping

Sewage discharge  Industrial activity  Cattle/sheep dip  Horticulture

Excavation  Landfill  Other

* 1. Contaminants (if known):

Solid chemicals  Liquid chemicals  Hydrocarbons  Gas/vapour

Pesticide/herbicide  Nutrients  BOD/COD  Dangerous goods

Other Click or tap here to enter text.

* 1. Details of contaminants (if known):

Substance(s): Click or tap here to enter text.

Quantity: Click or tap here to enter text. Litres/Kilograms/Tonnes/<other>

Area/extent affected:       m by       m

* 1. How did you become aware of the event

|  |
| --- |
| Click or tap here to enter text. |

* 1. What was the source of information about the event

|  |
| --- |
| own observation  information provided by a person with relevant competencies  information provided by an employee |

* 1. When did you first became aware of the event for which notice is given

|  |  |
| --- | --- |
| Time  Click or tap here to enter text. | Date  Click or tap to enter a date. |

1. Change in condition of land

If it is a change in the condition of land that is being notified, the following information should be provided.

* 1. Nature of change in the condition of the land (that has caused or is reasonably likely to cause or involve serious or material environmental harm)

|  |  |  |  |
| --- | --- | --- | --- |
| * Dispersal of contaminants in soil | No | Yes |  |
| * Dispersal of contaminants in groundwater | No | Yes |  |
| * Dispersal of contaminants in surface waters | No | Yes |  |
| * Accumulation of gases or vapour in soil or structures | No | Yes |  |
| * Change in surface features (e.g. vegetation) | No | Yes |  |

* 1. Details of change in the condition of the land

Describe what the change in condition involves

|  |
| --- |
| Click or tap here to enter text. |

If additional space is required attach the information on a separate sheet and make reference to that sheet here.

* 1. Cause of change in condition (if known)?

Describe the known factors that have led to the change in condition

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| Click or tap here to enter text. |

If additional space is required attach the information on a separate sheet and make reference to that sheet here.

* 1. Timeframe of change in condition

Outline what is known of the timeframe in which the change in condition has occurred

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| --- |
| Click or tap here to enter text. |

* 1. Type of environment affected:

What is the type of environment that has been affected by the matter or change in condition?

Waterway/drain Marine Estuarine Freshwater

Land contamination Urban area Air/fallout Vegetation

Protected area Other Click or tap here to enter text.

* 1. How did you become aware of the change of condition

|  |
| --- |
| Click or tap here to enter text. |

* 1. What was the source of information about change in condition

|  |
| --- |
| own observation  information provided by a person with relevant competencies  information provided by an employee |

* 1. When did you first became aware of the change in condition for which notice is given

|  |  |
| --- | --- |
| Time  Click or tap here to enter text. | Date  Click or tap to enter a date. |

1. Details of registered owners or occupiers of affected land to which notice has been given

**Note:** Registered owners or occupiers of affected land do not need to be notified before notifying the administering authority.

* 1. Have any registered owners or occupiers of affected land been notified of this incident?

I am the sole owner/occupier of the land  Yes  No

\*If no, please provide details of the occupiers and registered owners of land affected, or potentially affected, by this incident including details of how notice to those persons was given.

|  |  |
| --- | --- |
| Name  Click or tap here to enter text. | Telephone  Click or tap here to enter text. |
| Postal Address  Click or tap here to enter text. | |
| DESCRIPTION OF HOW NOTICE WAS GIVEN  Click or tap here to enter text. | |

If you require additional space you may attach the information on a separate sheet.

1. Declaration

**Note:** If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge. I understand that it is an offence under s. 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know is false, misleading or incomplete in a material particular.

I understand that all information supplied on or with this notification form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

|  |  |
| --- | --- |
| NOTIFYING PERSON’S SIGNATURE  Click or tap here to enter text. | DATE  Click or tap to enter a date. |

1. Phoning the pollution hotline

In addition to providing the written notice if you become aware of a matter which has caused or threatens serious or material environmental harm you should immediately call the pollution hotline on **1300 130 372 and report the matter. Reporting the matter through the pollution hotline allows the administering authority to take necessary measures to prevent further harm and to mitigate the effects of an incident or event.**

In addition to notifying the administering authority, and where that is not the relevant local government, it is good practice to notify the local government for the area where the event has occurred*.*

1. Sending the written notice

Please return the completed notice to Permit and Licence Management at the Department of Environment and Science by:

|  |  |
| --- | --- |
| Pollution hotline 1300 130 372 **AND** written notification via email, or registered post: Email: [pollutionhotline@des.qld.gov.au](mailto:pollutionhotline@des.qld.gov.au)Note: Include ‘Duty to notify of environmental harm’ in the subject line of the email and attach a completed copy of the template. | Registered post: Permit and Licence Management  Department of Environment and Science GPO Box 2454  Brisbane QLD 4001 |

1. Further information

The latest version of this publication is available at [www.qld.gov.au](http://www.qld.gov.au) using the publication number ESR/2015/2230 as a search term or by contacting Permit and Licence Management on 13 QGOV (13 74 68).

**Privacy statement**

*The Department of Environment and Science (DES) will use the personal information collected on this form in accordance with the Information Privacy Act 2009. The information will only be accessed and used by authorised employees within DES in the context of the disclosure and will not be otherwise used or disclosed unless required or authorised by law.  For queries about privacy matters email:* [*privacy@des.qld.gov.au*](mailto:privacy@des.qld.gov.au) *or telephone: 13 74 68.*

*Pursuant to section 540 of the Environmental Protection Act 1994 (EP Act), DES is required to maintain a register of certain documents and information authorised under the EP Act. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents or information that are required to be kept on the register are published in their entirety unless alteration is required by the EP Act. For more information on the Department’s public register, follow the link or search ‘public register’ at* [*www.qld.gov.au*](http://www.qld.gov.au).