

**Report on the administration of the
*Environmental Protection Act 1994***
(reporting period 1 July 2023 to 30 June 2024)



**Queensland
Government**

Prepared by: Department of Environment, Science and Innovation

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The Department of Environment, Science and Innovation acknowledges Aboriginal peoples and Torres Strait Islander peoples as the Traditional Owners and custodians of the land. We recognise their connection to land, sea and community, and pay our respects to Elders past and present.

The department is committed to respecting, protecting and promoting human rights, and our obligations under the Human Rights Act 2019.

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Reporting Period: 1 July 2023 to 30 June 2024

Acknowledgement of Country

The Department of Environment, Science and Innovation (DESI) acknowledges the Country and people of Queensland's First Nations. We pay our respect to Elders, past and present.

We recognise and value the ongoing contributions of First Nations people and their culture and the opportunities that exist for shared ways of working to protect Queensland's environment.

We acknowledge that:

- *Land and water are of spiritual, cultural and economic importance to First Nations people.*
- *All places in Queensland exist on the traditional country of First Nations people.*
- *First Nations people's interests, needs and aspirations are integral to the department's core business.*

In recognising and respecting thousands of years of environmental stewardship, Queensland's First Nations people and their culture is integral to DESI's objective to protect and sustainably manage Queensland's environment and natural, cultural and heritage values. As part of our regulatory approach, we seek to engage and work collaboratively to build a culturally safe work environment that is inclusive of First Nations people's perspectives and values.

DESI is committed to working in genuine partnership with Queensland's First Nations people to achieve stronger outcomes for community and for all people. DESI's Gurra Gurra Framework 2020–2026 was launched in April 2020. The Framework will help us reframe the way we work by holding Country and people at the centre of our business operations and decision-making.

Key supporting activities

During 2023–24, DESI continued to facilitate sustainable development in Queensland while delivering strong and consistent environmental regulation through the range of assessment, compliance, investigation and enforcement activities.

Several strategic priorities were delivered including in relation to waste management, continuing to address odour issues in the Swanbank area, and ongoing delivery of the Great Barrier Reef compliance program, including more than 250 compliance inspections of agricultural Environmentally Relevant Activities (ERAs).

A new *Greenhouse Gas Emissions Guideline* (Guideline) was published in May 2024 to support the Queensland Government's commitments to reducing greenhouse gas emissions and achieving Queensland's new legislated climate targets. The Guideline sets the minimum expectations for greenhouse gas emissions information to be provided with applications submitted under the *Environmental Protection Act 1994* (EP Act) for new environmental authorities (EAs) and applications to amend existing EAs.

Enhancements to the Public Register Portal allowing public access to a wider range of documents and data were delivered in 2023–24. The department also continued the development of a new interstate waste tracking system to improve the ability to monitor waste compliance in a timely manner .

The Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024 was passed by Parliament in June 2024. It implements the recommendations of an independent review that was carried out by retired Judge Richard Jones and Barrister Susan Hedge into the adequacy of powers and penalties under the EP Act, including for responding to persistent environmental nuisance. The changes address key challenges faced by the environmental regulator over many years. The amendments ensure there is now appropriate emphasis on human health, wellbeing and safety in our environmental laws, and shifts the focus to proactive prevention of environmental impacts. The Bill also clarifies that environmental 'nuisance' can be considered 'serious or material environmental harm'. This enables a greater range of enforcement tools and stronger penalties for persistent issues, such as odour, that are more proportionate to the impact on the community.

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Introduction

The object of the *Environmental Protection Act 1994* (the EP Act) is to protect Queensland's environment while allowing for development that improves the total quality of life, now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).

Section 546A of the EP Act requires that within four months after the end of each financial year, the chief executive must give to the Minister a report on the administration of this Act for the year.

Section 546A(2) of the EP Act requires the Minister to include a statement in the report about requests received by the Minister to prepare environmental protection policies. The Minister received nil requests for the 2023–24 financial year.

The EP Act is jointly administered by the Department of Environment, Science and Innovation (DESI) as the chief executive, the Department of Agriculture and Fisheries (DAF), the Department of Resources (Resources) and local governments as relevant administering authorities who have either delegated or devolved powers.

1 Assessment of Environmentally Relevant Activities (ERAs)

Under the EP Act, there are three categories of ERAs that DESI, DAF, Resources and local governments regulate:

1. Agricultural ERAs include sugar cane cultivation, banana cultivation and beef cattle grazing carried out on a commercial basis on land in the Great Barrier Reef catchment.
2. Resource activities include:
 - geothermal activities
 - mining activities (exploration, extraction, rehabilitation and similar activities) authorised under the *Mineral Resources Act 1989*
 - petroleum and gas activities authorised under the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* and the *Petroleum (Submerged Lands) Act 1982*
 - greenhouse gas storage activities authorised under the *Greenhouse Gas Storage Act 2009*.
3. Prescribed ERAs are other industrial or commercial activities that may release contaminants with the potential to cause environmental harm (excluding those which are part of a mining, petroleum or gas project).

Under the legislation, some prescribed ERAs are devolved or delegated to other authorities, including local governments and DAF. In these cases, these authorities are responsible for assessment, compliance, enforcement and management of fees. Resources handles the initial processing of some applications for ERAs that are resource activities.

1.1 Agricultural ERAs

Beef cattle graziers and sugar cane and banana growers in the Burnett Mary, Fitzroy, Mackay / Whitsunday, Burdekin and Wet Tropics regions must comply with commodity specific agricultural ERA standards (i.e. minimum practice standards) based on water quality priorities for commodities and regions.

Growers need to obtain an environmental authority (EA) for an agricultural ERA before starting or expanding commercial cropping and horticulture in a Reef region if the activity will be on five hectares or more of land that does not have a cropping history.

Standards do not apply to the Cape York region as water quality targets are being met in that region.

EAs issued for prescribed ERA agricultural activities listed under Schedule 2 of the Environmental Protection Regulation 2019 (EP Regulation) are captured in **Figure 5** as part of all the prescribed ERAs regulated by DESI and DAF.

1.2 Resource activities

All resource activities require an EA under the EP Act to operate (with the exception of prospecting and certain small-scale mining activities). Some higher risk activities also require an environmental impact statement (EIS) as part of the assessment and approval process.

DESI administers all resource activities, excluding small-scale mining activities, which are administered by Resources.

Figure 1 gives the number of new and existing resource EAs for 2023–24. New EAs are those that were issued after 30 June 2023 and are still current at 30 June 2024. Existing EAs are those current at 30 June 2023 and are still current at 30 June 2024.

Under powers delegated by DESI, Resources has issued five EAs for mining claims during the 2023–24 financial year. **Figure 1** also outlines the number of small-scale mining claim tenure approvals that do not require an EA, but must adhere to conditions outlined in the EP Regulation.

Over 360 amendments relating to resource activities were processed in 2023–24 including administrative dealings and amendments by application. **Figure 2** gives the number of amendment applications for resource EAs processed in 2023–24, broken up according to the assessment level decision made under Section 228 of the EP Act (i.e. a major or minor amendment).

Figure 1: EAs for resource activities for 2023–24

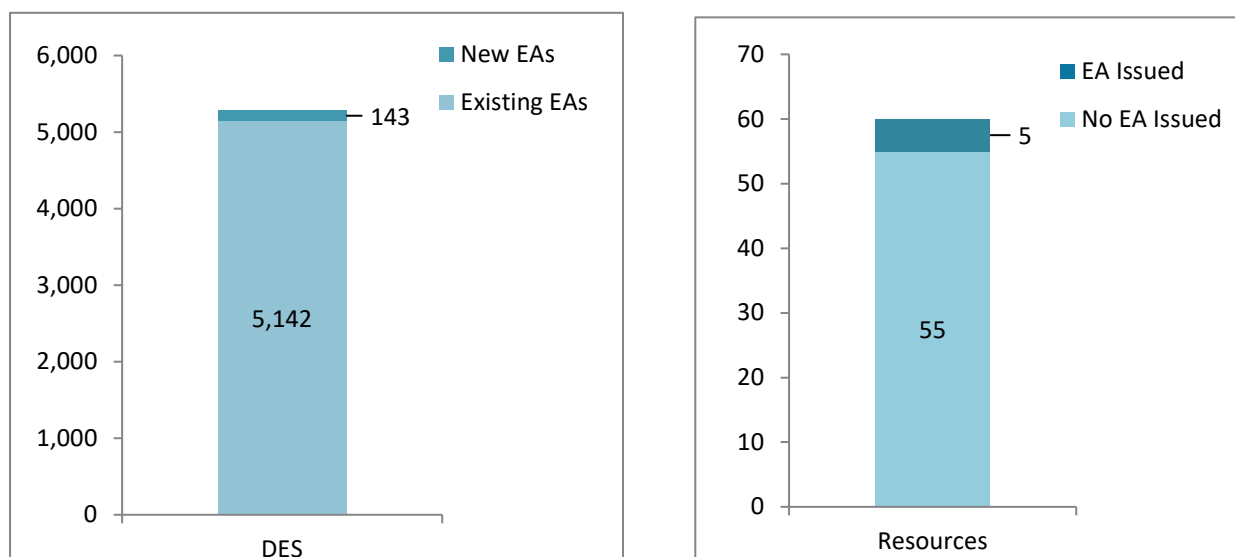
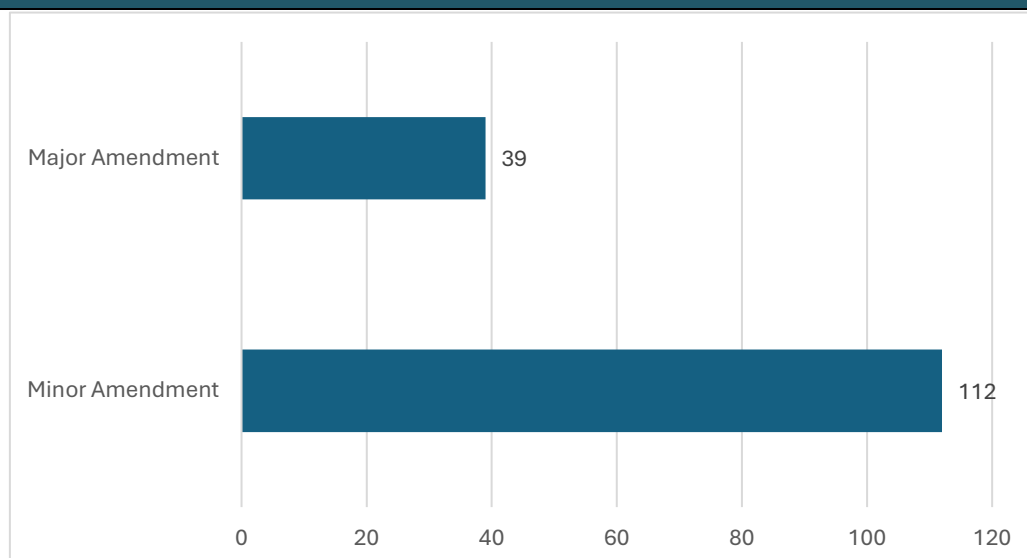


Figure 2: Resource EA amendments by application in 2023–24



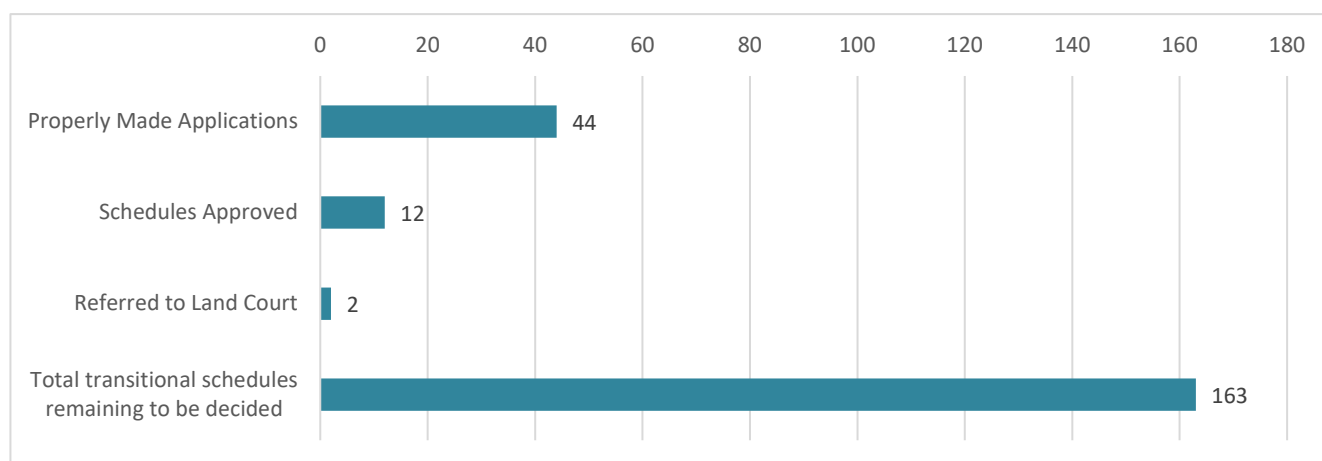
1.3 Progressive Rehabilitation and Closure Plans (PRCP)

Following the introduction of the Queensland Mined Land Rehabilitation Policy, all site-specific mines are required to prepare a PRCP. The holders of resource EAs issued before 1 November 2019 were provided with a three-year transition period to submit a PRCP. As a result, DESI has seen a large influx in PRCPs lodged in the past 12 months. Assessment of these PRCPs is highly technical and complex work given the need to ensure post-mine land uses are safe, non-polluting and meet the requirements of the desired land use.

Since commencement of the PRCP provisions, more than 200 transition notices have been issued and more than 170 applications submitted. Of these, over 30 schedules have been approved, 2 schedules have been referred to the Land Court, 6 no longer require transition and approximately 48 required resubmission.

Figure 3 shows the status and outcomes of PRCP applications during the 2023–24 financial year.

Figure 3: Statuses of PRCP applications for 2023–24



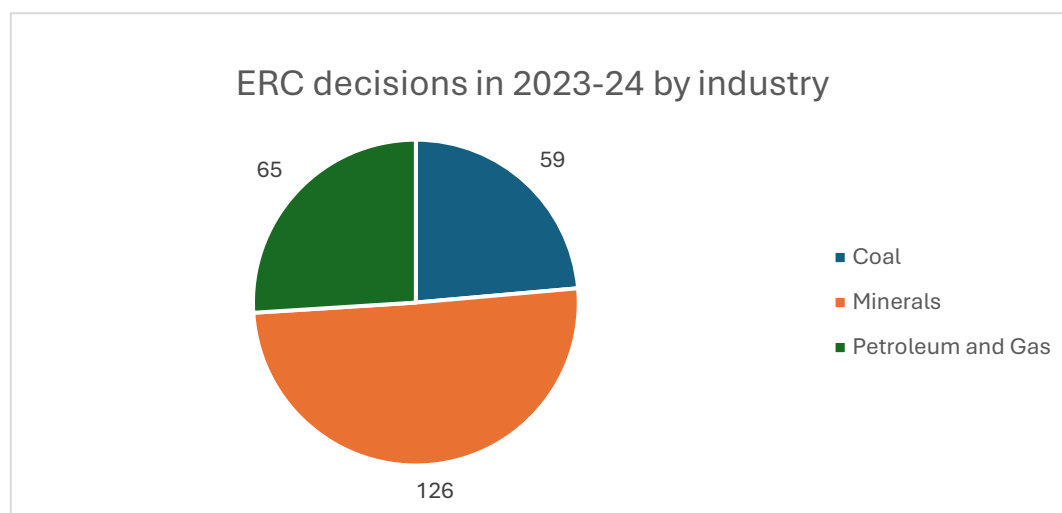
1.4 Estimated rehabilitation cost (ERC)

ERC is the estimated cost of:

- rehabilitating the land on which a resource activity is carried out, and
- preventing or minimising environmental harm, or rehabilitating or restoring the environment, in relation to the resource activity.

In 2023–24, there were 250 ERC decisions made. 59 were for coal, 126 were for minerals and 65 were for petroleum and gas, as depicted in **Figure 4** below.

Figure 4: ERC decisions in 2023–24 broken up by industry



1.5 Prescribed ERAs

Prescribed ERAs are activities other than resource ERAs that have the potential to cause harm to the environment. They are listed in Schedule 2 of the EP Regulation. To operate an ERA, an EA issued under the EP Act is required.

Figure 5 gives the total numbers of new and existing EAs for prescribed ERAs during the financial year for both DESI and DAF. New EAs are those that were issued after 30 June 2023 and are still current at 30 June 2024. Existing EAs were those current as at 30 June 2023 and that are still current at 30 June 2024.

Over 270 amendments relating to prescribed ERAs were processed in 2023–24 including administrative dealings and amendments by application. **Figure 6** gives the number of amendment applications for prescribed ERA EAs processed in 2023–24, broken up according to the assessment level decision made under Section 228 of the EP Act (i.e. a major or minor amendment).

Figure 5: EAs for prescribed ERAs for 2023–24

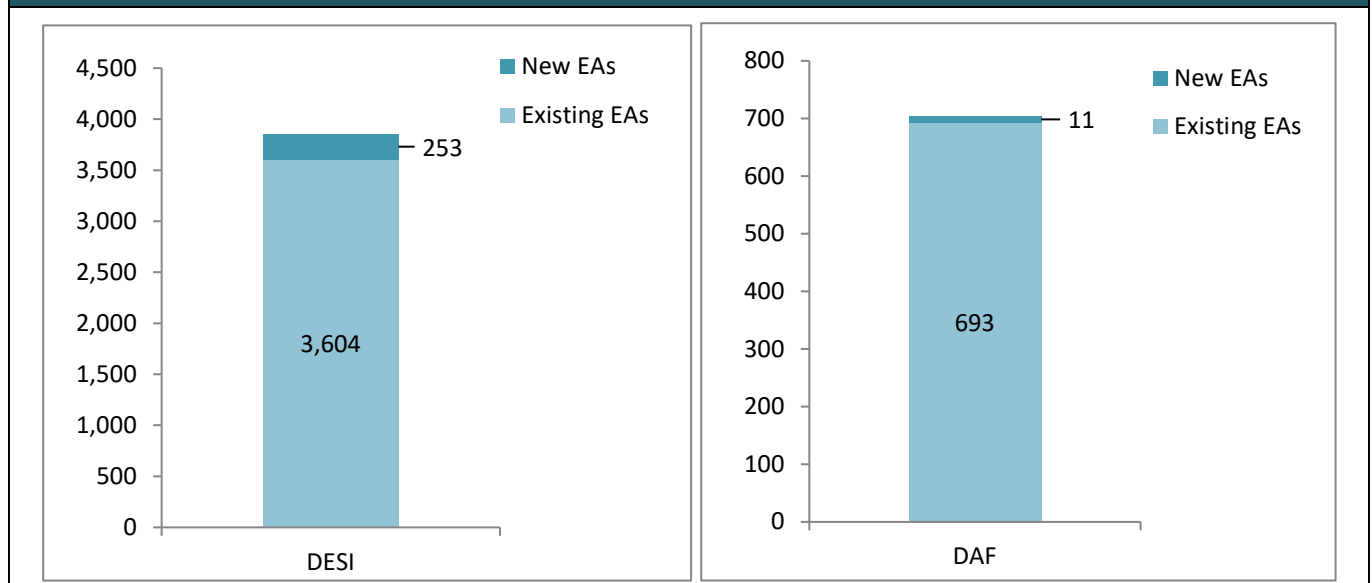
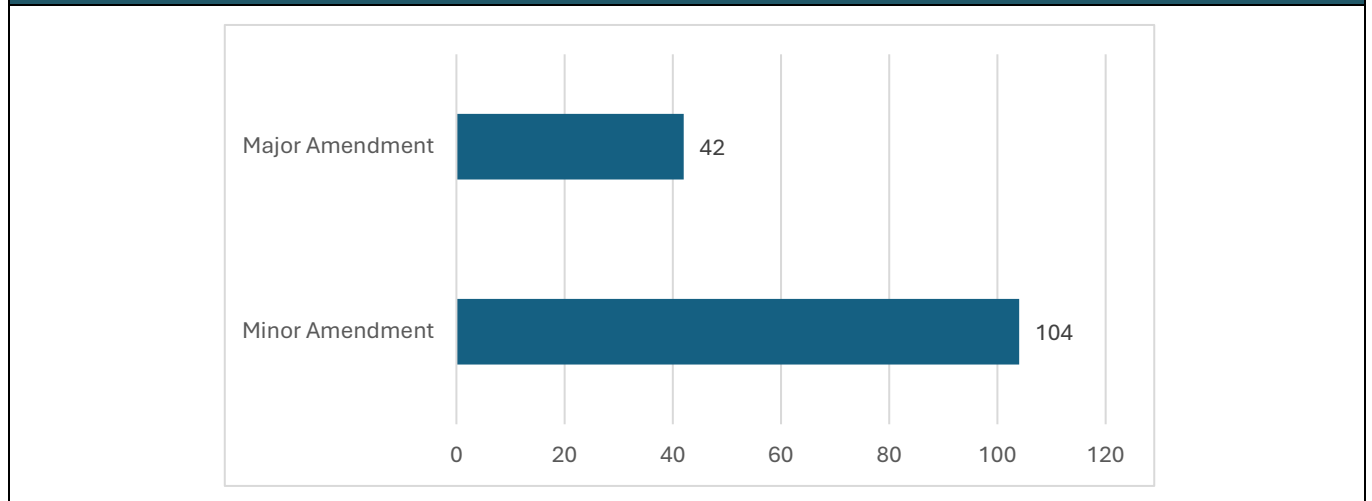


Figure 6: Prescribed ERA EA amendments by application in 2023–24



1.6 Environmental Impact Statements (EIS)

The EIS process is set out in Chapter 3 of the EP Act. Assessment through the EIS process may be required by legislation, requested by the administering authority or undertaken voluntarily by the applicant.

The purpose of an EIS process is to identify and assess the potential adverse and beneficial environmental, economic and social impacts of the project; and the effectiveness of the management, monitoring, planning and other measures proposed to avoid and minimise any adverse impacts of the project.

Two EIS assessments under the EP Act were completed in 2023–24: the Lake Vermont Meadowbrook project, which was approved; and the Surat Basin Carbon Capture and Storage project, which was determined not suitable to proceed. Four projects were declared coordinated projects by the Office of the Coordinator General in 2023–24, to be assessed under the *State Development and Public Works Organisation Act 1971* (see **Table 1**). There were three EIS assessments under the EP Act in progress as of 30 June 2024 (see **Table 2**).

Table 1: EIS applications declared a coordinated project by the Office of the Coordinator-General to be assessed by DESI under the *State Development Public Works Organisation Act 1971*

Project name	Type of project	Status as at 30 June 2024
Borumba Pumped Hydro Energy Storage project	Pumped hydro energy storage (PHES) project	Coordinator General is assessing comments received on Draft Terms of Reference during public notification
Cape Flattery Silica Sand Project	Silica sand mine	Public notification of the Draft Terms of Reference
Capricornia Pumped Hydroelectric Energy Storage and Transmission Project	Pumped hydro energy storage (PHES) and transmission project	Coordinator General is preparing Draft Terms of Reference
Northern Silica Project	Silica sand mine	Public notification of the Draft Terms of Reference

Table 2: EIS assessments under the EP Act in progress in 2023–24

Project name	Type of project	Status as at 30 June 2024
Aurukun Bauxite Project	Bauxite Mine	Proponent responds to submissions received on the EIS
Baralaba South Project	Coal Mine	Proponent responds to submissions received on the EIS
Saraji East Mining Lease Project	Coal Mine	Proponent responds to submissions received on the EIS
Lake Vermont Meadowbrook Project	Coal Mine	EIS process completed
Surat Basin Carbon Capture and Storage Project	Greenhouse gas storage	EIS process completed

1.7 Suitable operator registration

It is a requirement of the EP Act that a person carrying out an ERA be registered as a suitable operator. An EA cannot be approved unless all of the proposed authority holders are registered suitable operators.

DESI is responsible for approving suitable operators and adding their details to the online register of suitable operators, available here: <https://apps.des.qld.gov.au/public-register/search/rso.php>.

Table 3 provides the total number of suitable operators registered as at 30 June 2024. It also provides the number received during 2023–24 and the various outcomes as at 30 June 2024.

Table 3: Suitable operator registration 2023–24

Action	2023–24
Current as at 30 June 2024	13,701
Received	581
Approved	577
Withdrawn	3
Refused	1
Cancelled	0

1.8 Temporary Emissions Licence (TEL)

The holder of an EA may apply for a TEL. A TEL is a permit that temporarily allows the release of a contaminant into the environment in response to an event, either natural or caused by sabotage, that was not foreseen (or did not have conditions applied because there was a low probability of it occurring) when particular conditions were imposed on an EA or transitional environmental program (an applicable event).

No TELs were issued by DAF in 2023–24. Twelve TELs were issued by DESI in 2023–24.

2 Environmental Incident Response

Pollution incidents and activities that cause or threaten to cause serious environmental harm or material environmental harm must be reported quickly to the department as required under sections 320 to 320G of the EP Act.

DESI operates a 24-hour response capability through the Incident Response Unit and the State Incident Response Network (SIRN), including DESI's pollution hotline. DESI maintains supporting arrangements with other response and recovery agencies, as well as relevant environmental jurisdictions.

2.1 Pollution Hotline Calls received after-hours

For the 2023–24 financial year, 570 calls were received by the afterhours service provider. Approximately 14% of calls received were escalated to the SIRN on-call officers, either for urgent immediate action or to determine if urgent action is required. Approximately 79% of calls received required a next day response and approximately 8% were determined to be administrative (i.e. not deemed an incident or risk of pollution and no further action required).

2.2 Community reports

The administration and enforcement of the following matters have been devolved to local governments under the EP Regulation:

- environmental nuisance
- noise standards
- prescribed water contamination, and
- certain ERAs administered by local government.

DAF responds to reports about the ERAs it administers including dairy farming, livestock holding facilities and intensive animal feedlotting.

DESI responds to reports about the remaining ERAs that are not devolved to local government, and reports of serious and material environmental harm that are not associated with an ERA.

Responses to community reports can include issuing enforcement actions requiring measures to be taken, issuing a penalty infringement notice (PIN), or prosecution. **Section 3** of this report has details of enforcement undertaken by the State in 2023–24.

Since July 2018, DESI has been responding to a number of community concerns about the waste industry and odour issues prevalent in and around the Swanbank community. Community members were encouraged to provide reports on odour and other nuisance issues. During 2023–24, DESI received over 5,700 individual community reports in relation to waste operations undertaken in Swanbank.

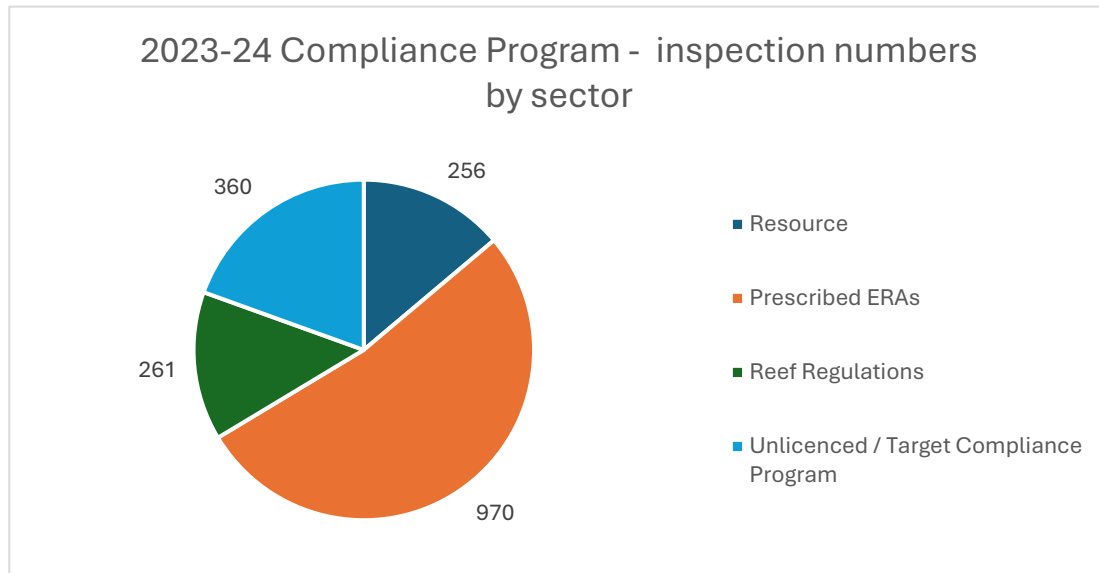
In 2023–24, DESI also received more than 3,400 industry notifications, over 490 reports of environmental incidents and over 170 reports of alleged compliance issues. In addition to the reports received by DESI, DAF received 107 community reports relating to the administration of the EP Act in 2023–24.

3 Compliance and Enforcement Summary

3.1 Compliance Inspections

During the 2023–24 financial year, DESI undertook more than 1,800 compliance inspections for matters relating to the administration of the EP Act, as summarised in **Figure 7** below.

Figure 7: Compliance program inspection numbers by sector



3.2 Enforcement Action

DESI and DAF can undertake a range of enforcement actions to reduce the risk of environmental harm or to remedy harm done to the environment. See **Appendix 1** for a list of available enforcement actions under the EP Act. DAF did not issue any enforcement notices in 2023–24. The enforcement actions undertaken by DESI during 2023–24 are provided in **Figure 8**.

Local government can use the same statutory notices (other than the clean-up and cost recovery notices) as well as prosecutions, restraint orders and warrants. Figures for local government are not provided in this report.

Figure 8: Enforcement actions undertaken by DESI for 2023–24

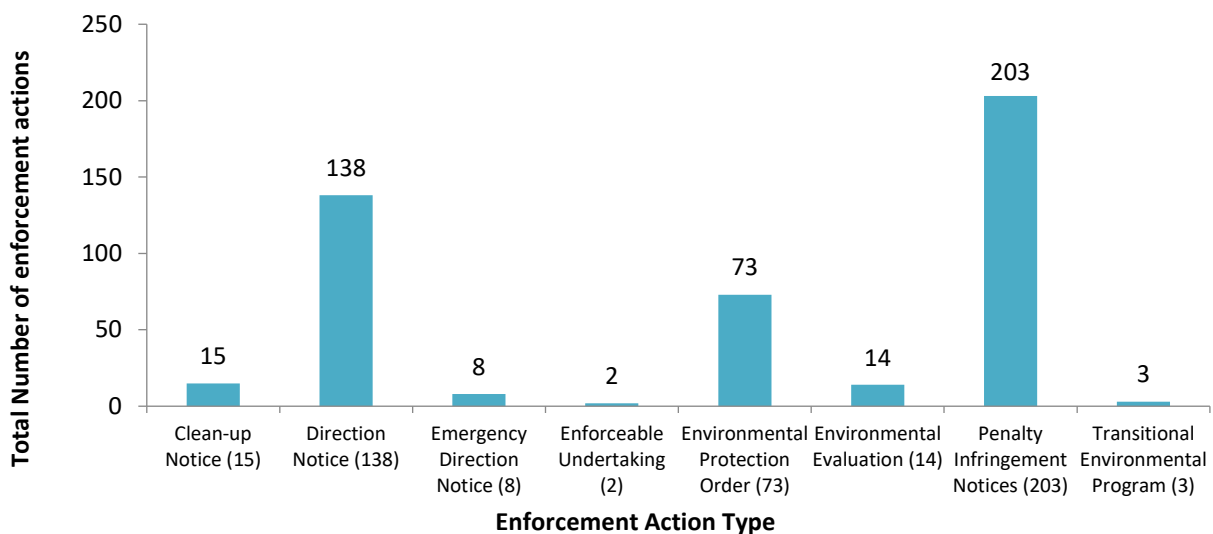


Table 4: Breakdown of the number of PINs issued by relevant State administering authority based on the offence type for 2023–24

No. PINs	Description
DESI issued PINs under the EP Act	
9	Failure to apply for new ERC decision – Corporation
1	Failure to reapply for ERC decision – Corporation
2	Failure to submit annual return – Corporation
3	Contravention of an Environmental Protection Order - Corporation
1	Contravention of an Environmental Protection Order – Individual
3	Failure to comply with a direction notice – Corporation
7	Failure to comply with a direction notice – Individual
1	Fail to comply with clean-up notice – Corporation
55	Carry out ERA without an authority for that ERA – Corporation
8	Carry out ERA without an authority for that ERA – Individual
80	Contravention of condition of environmental authority – Corporation
2	Contravention of condition of environmental authority – Individual
1	Carry out or allow the carrying out of activities without PRCP schedule for activity – Corporation
1	Contravention of Transitional Environmental Program – Corporation
1	Unlawfully cause an environmental nuisance – Corporation
2	Unlawful deposit of prescribed water contaminants in waters etc. if the deposit or release is done other than wilfully – Corporation
13	Unlawfully and other than wilfully deposit a prescribed water contaminant in waters etc. other than earth from a small building site – Corporation
1	Fail to comply with the notice under section 451 – Corporation
2	Fail to comply with the agricultural ERA standard by contravening a requirement to make or keep a record – Individual
1	Fail to comply with the agricultural ERA standard, other than by failing to make or keep a record – Individual

No. PINs	Description
DESI issued PINs under the EP Regulation	
4	Failure to give information to administering authority (Generator) – Corporation
3	Failure to give information to administering authority (Receiver) – Corporation
2	Trackable waste given to unlicensed transporter – Corporation
DAF issued PINs	
0	Penalty infringement notices

3.3 Prosecutions

Prosecutions may be progressed in the courts where an environmental offence is believed to have been committed and DESI considers that such action is warranted and is consistent with its enforcement guidelines.

DESI's Litigation unit finalised four prosecutions with a conviction by a court in 2023–24, involving offences under the EP Act and subordinate legislation. These prosecutions resulted in fines and other orders totalling \$340,596.40 and \$26,397.51 in legal, investigation and court costs. A breakdown of information on the prosecutions is provided below in **Table 5**.

Table 5: Prosecutions by relevant state administering authority for 2023–24

Matter Reference	Court date	Brief Description	Penalty	Costs
LIT2047	17 July 2023	Two charges of contravening a condition of an environmental authority, contrary to section 430(3) of the <i>Environmental Protection Act 1994</i> .	\$32,500 fine No conviction recorded	\$1,500 legal costs \$3,367 investigation costs
LIT2026	27 July 2023	One charge of carrying out an environmentally relevant activity without an environmental authority contrary to section 426(1) of the <i>Environmental Protection Act 1994</i> . One charge of failing to comply with a direction notice contrary to section 363E of the <i>Environmental Protection Act 1994</i> .	\$40,000 fine \$1,720 monetary benefit order No conviction recorded	\$5,250 legal costs \$922.38 investigation costs
LIT1983	6 March 2024	One offence of carrying out assessable development without the necessary development permits (tidal works) contrary to section 163(1) of the <i>Planning Act 2016</i> . One offence of carrying out unauthorised works in a protected area contrary to section 144 of the <i>Nature Conservation (Protected Areas Management) Regulation 2017</i> . One offence of taking a natural resource of a protected area contrary to section 62 of the <i>Nature Conservation Act 1992</i> . One offence of wilfully and unlawfully causing serious environmental harm contrary to section 437(1) of the <i>Environmental Protection Act 1994</i> .	\$20,000 fine \$120,000 public benefit order No conviction recorded	\$202.80 court fees \$4,125 legal costs \$730.08 investigation costs

Matter Reference	Court date	Brief Description	Penalty	Costs
LIT2036	7 March 2024	One charge of carrying out an environmentally relevant activity without an environmental authority contrary to section 426(1) of the <i>Environmental Protection Act 1994</i> .	\$100,000 fine \$26,376.40 monetary benefit order No conviction recorded	\$1,500 legal costs \$8,800.25 investigation costs
		TOTAL	\$340,596.40	\$26,397.51

3.4 Planning and environment court orders

Where environmental harm has been or is likely to be caused, the court may make a restraint order under the EP Act. Restraint orders may also be issued for a threatened or anticipated offence. No restraint orders were made under the EP Act in 2023–24.

3.5 Warrants

Entry of premises is a sensitive issue that requires a balance between people's rights to privacy and the needs of an investigation. Authorised persons have powers of entry in a range of circumstances. When entry of premises is necessary, but not possible through the authorised person's powers, an authorised person may obtain a warrant from a magistrate to gain entry. A warrant allows an authorised person, with necessary and reasonable help and force, to enter a place and exercise those powers as provided for in the warrant.

Four warrants were executed under the EP Act by relevant State administering authorities in 2023–24.

3.6 Reviews and Appeals

There are several review and appeal provisions provided for under the EP Act as part of fair, transparent and accountable environmental regulation. These include internal review processes by decision-makers separate to the original decision, as well as court-based appeal processes. In 2023–24 there were 24 internal review decisions made under section 521 of the EP Act with 23 decisions confirmed or varied, and one decision revoked.

4 Contaminated Land

DESI manages two registers for contaminated land; the Environmental Management Register (EMR) and the Contaminated Land Register (CLR):

- The EMR is a land-use planning and management register which provides information on historic and current land use. It records land parcels where a notifiable activity is (or has been) conducted or land parcels which are contaminated by a hazardous contaminant. The site may be managed under a site management plan.
- The CLR is a register of land parcels with proven contamination of the land that is causing, or may cause, serious environmental harm. Land is recorded on the CLR when scientific investigation shows it is contaminated and action needs to be taken to remediate the land to prevent serious environmental harm.

In order to amend the details of a land parcel listed on the EMR or CLR, a contaminated land investigation document must be prepared by a suitably qualified person and then certified by an approved contaminated land auditor. The site investigation report details the extent of any contamination, includes a suitability statement advising the appropriate land uses for the property, and determines whether:

- the contamination is best managed under the conditions of a site management plan to achieve the proposed land use;
- the contamination was either insignificant or remediated successfully and the land can be removed from the EMR or CLR; or
- the contamination will not affect the current or proposed land use and the land is fit for the stated use.

Searches to find out if a particular land parcel is listed on the EMR or the CLR can be conducted online at <https://products.des.qld.gov.au/shopping/home>.

Table 6 provides both a count of land parcels listed on the EMR and CLR registers and describes the type and number of contaminated land management activities for 2023–24.

For land parcels listed on the EMR, these are classified as either base parcels or new parcels. Base parcels are the original lot and plans that are listed on the EMR. Over time, base parcels may be the subject of administrative dealings such as subdivisions, which means that any new lot and plans created from the base parcel assumes the original EMR listing of the base parcel, so as to ensure the contamination status remains over the subsequent subdivisions. New listings occur when base parcels or lot and plans are listed as a consequence of the establishment of a notifiable activity or that a hazardous contamination exists following the statutory processes outlined within the EP Act.

Table 6: Contaminated land sites and management activities undertaken for 2023–24

Contaminated land parcels	2023–24
Number of land parcels on the CLR as at 30 June 2024*	14
Number of <i>base</i> land parcels on the EMR as at 30 June 2024	29,316
Number of <i>new</i> land parcels on the EMR as at 30 June 2024	200,615
Number of <i>total</i> land parcels on the EMR as at 30 June 2024	229,931
Contaminated land management activities	2023–24
Land parcels removed from the CLR or EMR	55
Site management plans approved	10
Soil disposal permits issued	178
Searches of the environmental management and contaminated land registers	74,595

*Cadastral information relating to base parcels (sites) can have linked new parcels because of administrative dealings over the base parcels. When the linked parcels are included, cadastral information indicates 14 lot on plans. This does not mean an increase in the number of land parcels as a new parcel will be part of the original contaminated land parcel.

Appendix 1 – Enforcement Actions

The following enforcement actions were available to DESI under the EP Act in 2023–24. Legislative changes made to the EP Act in 2023–24 through the *Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024* mean that for 2024–25, a number of these enforcement notices will be consolidated. A new 'Environmental Enforcement Order' will be used to replace Clean-Up Notices, Direction Notices and Environmental Protection Orders.

Clean-up notices can be issued to a person or organisation that is prescribed as responsible for a contamination incident. The notice will require various actions to be undertaken to restore or rehabilitate the environment, or assess the nature and extent of the environmental harm through monitoring and sampling. If the recipient does not comply with the notice, the administering authority can conduct the clean-up and use a cost recovery notice to recover the costs from the responsible person.

Direction notices can be issued to a person or organisation if contravention of a prescribed provision has occurred, or is likely to occur, and requires the recipient to remedy the contravention.

An **emergency direction** can be issued:

- where an emergency is considered to exist; and
- either human health or safety is threatened, or serious or material environmental harm has been or is likely to be caused; and
- urgent action is required to remedy the situation.

Enforceable undertakings are a voluntary binding agreement between the relevant state administering authority and the person or company that is alleged to have contravened the EP Act. It is a tool capable of being entered into as an alternative to prosecution and specifies the obligations and terms to be undertaken to secure compliance with the EP Act and enhance the protection of the environment.

An **environmental evaluation** of an activity or event is undertaken to determine the source, cause or extent of environmental harm being caused; or the extent of environmental harm likely to be caused by the activity or event; or the need for further enforcement action in relation to the activity or event.

Environmental protection orders are issued to ensure a person or organisation complies with the EP Act. The order may require the recipient to stop or start a stated activity for a stated period or duration.

A **transitional environmental program** is a specific program that, when complied with, achieves compliance with the EP Act for the activity to which it relates.

Penalty infringement notices can be issued for minor breaches of the EP Act or of a condition of an approval and require the recipient to pay a fine.

Prosecutions can be undertaken for more serious offences.

Appendix 2 – Definitions and Acronyms

CLR	Contaminated Land Register
DAF	Department of Agriculture and Fisheries
DESI	Department of Environment, Science and Innovation
EA	Environmental Authority
EIS	Environmental Impact Statement
Environmental harm	Any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance
EMR	Environmental Management Register
Environmental Nuisance	Unreasonable interference (or likely interference) with an environmental value caused by emissions of aerosols, fumes, light, noise, odour, particles (including dust) or smoke; or Unhealthy, offensive or unsightly conditions caused by contamination.
EP Act	<i>Environmental Protection Act 1994</i>
EP Regulation	Environmental Protection Regulation 2019
ERA	Environmentally Relevant Activity
ERC	Estimated Rehabilitation Cost
ESR	Environmental Services and Regulation Division within the Department of Environment, Science and Innovation
FTE	Full time equivalent
Material environmental harm	Environmental harm (other than environmental nuisance)— (a) that is not trivial or negligible in nature, extent or context; or (b) that causes actual or potential loss or damage to property of an amount of, or amounts totalling, more than the threshold amount but less than the maximum amount; or (c) that results in costs of more than the threshold amount but less than the maximum amount being incurred in taking appropriate action to— (i) prevent or minimise the harm; and (ii) rehabilitate or restore the environment to its condition before the harm.
PIN	Penalty Infringement Notice
PRCP	Progressive Rehabilitation and Closure Plans
Serious environmental harm	Environmental harm (other than environmental nuisance)— (a) that is irreversible, of a high impact or widespread; or (b) caused to— (i) an area of high conservation value; or (ii) an area of special significance, such as the Great Barrier Reef World Heritage Area; or (c) that causes actual or potential loss or damage to property of an amount of, or amounts totalling, more than the threshold amount; or (d) that results in costs of more than the threshold amount being incurred in taking appropriate action to— (i) prevent or minimise the harm; and (ii) rehabilitate or restore the environment to its condition before the harm.
SIRN	State Incident Response Network
TEL	Temporary Emissions Licence