



Image courtesy of Tourism Qld.

FACT SHEET environmental inspections and investigations

Environmental inspections and investigations fact sheet

This fact sheet is designed to provide business operators and members of the community with an outline of the role and general powers of Environmental Officers and the enforcement process that can be expected.

Environmental Officers

Cassowary Coast Regional Council Environmental Officers (EOs) are responsible for providing a wide range of services with the aim of maintaining, protecting and improving the health of the environment and our community as a whole. Environmental Officers play an important role in providing education and advice to business and the community, as well as enforcing relevant components of state and local government legislation.

Environmentally Relevant Activities (ERAs)

A range of activities require licensing under the Environmental Protection Act 1994. Local Governments are responsible for administering businesses/activities including but not limited to;

- Metal recovery
- Metal forming
- Plastic product manufacturing
- Asphalt manufacturing
- Surface coating
- Boat maintenance or repair carried out at a boat maintenance or repair facility
- Waste incineration and thermal treatment

Environmental Officers carry out routine inspections of these activities to ensure they are operating in compliance with relevant requirements.

Investigation of complaints

A number of complaint types are dealt with by local government. Council Environmental Officers attend to complaints regarding but not limited to;

- Businesses that hold a relevant ERA
- Environmental harm and nuisances
- Public health matters
- Waste matters
- Local laws

Generally Environmental Officers have an obligation to investigate non compliances with relevant legislation both within businesses and the community whether received via a complaint or other means.

Are complainant's details revealed to the person about whom the complaint is made?

When Council receives a complaint it is important that the complainant's details are available to the Environmental Officer in case clarification or follow-up information is required. The details of the complainant however are not given to the person about whom the complaint is made. Queries regarding this should be directed to the Freedom of Information section of Council.

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Will Environmental Officers make appointments for routine inspections or during investigations?

Generally Environmental Officers will conduct unannounced routine inspections of licensed activities. Unannounced inspections allow the officer to get an idea of how the premise operates on a day to day basis. It is important that businesses operate in accordance with the requirements of their environmental authority all of the time, not just when they know an inspection is going to occur.

Additionally, during a general investigation, commonly Environmental Officers will also conduct unannounced inspections. Unannounced investigations allow the officer to assess the circumstances surrounding a situation without interference from implicated parties.

Powers of Authorised Officers

Powers of authorised officers vary between the various Acts. Generally an authorised officer has the power to;

- Enter a place or premises (with or without a warrant)
- Search a place or premises
- Take photographs
- Require information or documents
- Seize items or articles
- Require assistance during an inspection or investigation

Enforcement

Different legislation contains different provisions for enforcing the requirements. Enforcement action may include the Environmental Officer issuing one or more of the following;

- Verbal/written advice or instruction
- Penalty infringement notice (on the spot fine)
Penalty Unit \$126.15
- Statutory notice
- Suspension or cancellation of a license

Or in a small number of cases, prosecution in Court.

Education and advice

In addition to their regulatory role, Environmental Officers provide information and advice to both businesses and the community on a range of issues. Such information can be obtained by contacting the officers directly or by accessing information available on Council's we site (cassowarycoast.qld.gov.au) including fact sheets, guidelines, and application forms.

Further Information

For further information regarding a particular investigation, contact the responsible officer. For general information, regarding these issues please contact Council on 1300 763 903
enquiries@cassowarycoast.qld.gov.au
cassowarycoast.qld.gov.au