

Letter

Environmental Protection Act 1994

Finalisation of an Environmental Protection Order

This letter of finalisation of an environmental protection order is issued by the administering authority to advise that the environmental protection order issued pursuant to section 360 of the Environmental Protection Act 1994 is no longer in effect.

South Stradbroke Caretaking Services Pty Limited
ACN 643 864 804
Morton + Lee Insolvency
Level 10, 388 Queen Street
BRISBANE QLD 4001

CC: GPO Box 3486
SYDNEY NSW 2001

Attn: William Bayfield Doolen – Director
wbd1945@gmail.com

CC: Gavin Charles Morton – Current Appointed Liquidator
info@mlinsol.com.au

Your reference: EPPR00805313

Our reference: E-100412733

Friday, 31 May 2024

Dear Sir/Madam

Take notice: that on Wednesday, 31 May 2023 under the *Environmental Protection Act 1994* (the Act) the administering authority issued an environmental protection order (EPO) to South Stradbroke Caretaking Services Pty Limited (SSCS). The administering authority is the Chief Executive of the Department of Environment, Science and Innovation (the department).

The EPO - E-100412733 (2023) was issued with respect to the activities of SSCS at Couran Cove Island Resort on land described as Lot 10 on Plan MCP106985 situated at Esplanade, South Stradbroke Island, QLD (the premises). The environmental authority EPPR00805313 dated 14 April 2021 (the EA) authorises environmentally relevant activities (ERAs) 16 -1(a) (extraction and Screening) and ERA 63 -1(b)(i) (Sewage Treatment) to be conducted at the premises. This notice is related to ERA 63 -1(b)(i) (Sewage Treatment) (the activity).

A. Requirements

The requirements of the EPO (2023) were:

1. By **1:00pm on 21 July 2023**, you must engage an appropriately qualified person to:



Notice

Finalisation of an Environmental Protection Order

- a) Conduct groundwater monitoring up-gradient and down-gradient of the sewage treatment plant and irrigation area in accordance with conditions W7 and W8 for ERA 63 of the EA; and
- b) Utilising the groundwater monitoring results, (from requirement 1(a) above) and historical groundwater monitoring, assess whether groundwater contamination has occurred and if so, the level of environmental harm caused as a result of the activity.
2. By **1:00pm on 8 September 2023**, submit a written report to the department by the appropriately qualified person which must include the groundwater monitoring results and the assessment of harm from requirement 1 (a) and (b) above.
3. By **1:00pm on 15 September 2023**, you must engage an appropriately qualified person to:
 - a) Undertake soil and sub-soil analysis of the irrigation area marked on Schedule 1 of the EA 'Effluent Irrigation area'; and
 - b) Include an assessment of the soils with respect to types, structure, phosphorus adsorption capacity, nutrient status, salinity and sodicity, cation exchange capacity and sodium adsorption ratio; and
 - c) A minimum of five representative sites must be sampled in the irrigation area and analysed by a National Association of Testing Authorities (NATA) laboratory.
4. By **1:00pm 20 October 2023**, submit a copy of the monitoring results and an assessment of the soils from requirement 3 a) - c) above.
5. By **1:00pm 16 March 2024**, you must complete all necessary repairs to the irrigation system (or construct a new system) to ensure that when irrigating the minimum land requirements stipulated in Table 1 (below) are achieved within the area marked on the EA Schedule 1 'Effluent Irrigation area'.
6. By **1:00pm 23 March 2024**, you must submit to the department written demonstration providing evidence of all actions taken to achieve compliance with requirement 5 above including at least:
 - a) All repairs and/or installation of new equipment; and
 - b) Evidence that that an even spread of effluent irrigation is being achieved, and the methods employed to ensure this; and
 - c) Details of the volumes of effluent to land per day; and
 - d) A map depicting the specific irrigation area that has been utilised under the EPO.

Table 1. Minimum Irrigation requirements for disposal of effluent to the land area marked in Schedule 1 'Effluent Irrigation area' of the EA EPPR00805313. Please note the requirements in this table only remain in effect while the EPO is active.

Irrigation rate (KL/day)	Minimum land required (ha)	Maximum irrigation rate (mm/day)
< 39	2	2
40-49	2.5	2
50-59	3	2
60-69	3.5	2
70-89	4	2
90-99	5	2
100-109	5.5	2
110-119	6	2
120-129	6.5	2

7. All submissions made under the requirements of this EPO must be made to goldcoast.es@des.qld.gov.au.

B. Compliance with the requirements

In determining compliance with these requirements of the EPO (2023), the department has considered the following:

- On 6 June 2023 a spokesperson for SSCS advised the department that the Sewage Treatment Plant (STP) was shut down on 2 June 2023 at 5:00 pm.
- Site inspections conducted by departmental officers on the 6 June and 20 June 2023 confirmed that SSCS has ceased operating the STP.
- SSCS ceased to trade on the date of liquidation (9 June 2023) as ordered by the Queensland Supreme Court on 12 June 2023
- Correspondence received from Morton + Lee Insolvency on 24 July 2023 details that SSCS does not have the ability to achieve compliance with the EPO (2023).

Compliance with the EPO was not achieved, however it is determined that the EPO (2023) no longer serves a purpose and can be finalised.

C. Obligations

The department has elected to finalise the EPO (2023).

Accordingly, this letter serves as a notice that the **EPO (2023)** issued on **31 May 2023** is being finalised and is no longer in effect.

Should you have any queries in relation to this notice, please contact Henry Hunt on telephone number (07) 5626 6871.



Signature

Eugene Immisch
Compliance Delivery Manager
Department of Environment and Science
Delegate of the Chief Executive
Environmental Protection Act 1994

31 May 2024

Date

Enquiries:
Henry Hunt
Compliance Centre: Gold Coast
Mail: PO Box 4244 ROBINA QLD 4230
Email: GoldCoast.ES@des.qld.gov.au
Telephone: 07 5626 6871

