

Letter

Environmental Protection Act 1994

Finalisation of an Environmental Enforcement Order

Pursuant to section 362

Chum Street Pty Ltd [ACN 644 908 421]
1 Chum Street
NEW CHUM QLD 4303

Your reference: STAT-E-100800091_4

Our reference: C-CPLPO-100704445

TAKE NOTICE: that on Friday, 15 August 2025 under the *Environmental Protection Act 1994* (the Act) the administering authority issued an environmental enforcement order (EEO) to Chum Street Pty Ltd. The administering authority is the Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department).

The EEO was issued in respect to the activities of Chum Street Pty Ltd (**you**) at 1 Chum Street, NEW CHUM QLD on land described as Lot 201 on SP349441, Lot 102 on SP345679, Lot 89 on RP90564, Lot 273 on RP866881, and part of Lot 274 on SP207442 (previously Lot 89 on RP90564, Lot 1 on RP895110, Lot 271 on SP207443, Lot 273 on RP866881, Lot 2 on SP207444, Lot 25 on SP220030, Lot 27 on SP220033 and part of Lot 274 on SP207442), namely on mining leases, ML4553, ML4559, ML4714 and ML50077 (the premises).

A. Requirements

The requirements of this EEO were:

Required actions

1. From the **date of the EEO (15 August 2025) to the date on which paragraph 8 of the Required actions below is complied with**, you must take all reasonable and practicable active management actions to prevent erosion on the part of the premises comprising mining leases ML4559 and ML4553 located west of the Cunningham Highway only (the Site) and the release of sediment from the Site to waters.
2. By **two weeks from the date of the EEO**, you must provide written confirmation to the department that an independent and Appropriately Qualified Person (AQP) has been engaged to complete paragraph 3 of the Required actions of this EEO. This confirmation must include the name of the AQP and evidence of relevant qualification, experience and independence.
3. By **5pm on 22 August 2025**, you must have an independent and AQP audit the management of stormwater and erosion and sediment control at the Site. The audit must address the matters in paragraph 4 of the Required actions below and include—
 - (a) all calculations, data, analysis, drawings, references, modelling, dependencies and assumptions used to complete the audit.

- (b) an assessment of the conditions of the Site (Site Conditions) including soil properties, water movement, vegetation and topographic features;
 - (c) an assessment of all stormwater management infrastructure and stormwater management measures (including temporary infrastructure and measures) at the Site, to determine if these infrastructure and management measures are appropriately designed and constructed to control drainage from the Site having regard to the Site Conditions and any other relevant matter, and if not, recommendations to achieve this;
 - (d) an assessment of all erosion and sediment control measures installed at the Site to determine if the measures are appropriately designed and constructed having regard to the Site Conditions and any other relevant matter, and if not, recommendations to achieve this;
 - (e) a project plan (including a Gantt chart) with clear works, actions and dates that can be implemented by the recipient to achieve compliance with:
 - i. the AQP's recommendations in paragraphs 3(c) and (d) of the Required actions above, to the extent they are not inconsistent with the matters set out in paragraph 4 of the Required actions below. For the avoidance of doubt, any AQP recommendations which are in addition to the matters set out in paragraph 4 of the Required actions below will not be considered to be inconsistent with those matters; and
 - ii. the matters set out in paragraph 4 of the Required actions below; and
 - (f) a certification that the works and actions in paragraph 3(e) of the Required actions above, when implemented, will achieve compliance with the general environmental duty under section 319 of the Act.
4. The audit report must consider, and the project plan (which forms part of the audit report) must include, works, actions and dates to document and implement—
- (a) appropriate site management principles to manage impounded water, including for example, timely de-watering of sedimentation basins within 120 hours (5 days) of the cessation of the most recent rainfall event to facilitate their performance;
 - (b) appropriate design, sizing, operation and maintenance specifications for stormwater management measures, settlement ponds, and sediment basins [however described] on the Site to cater for at a minimum, a 24-hour rainfall event with an Average Recurrence Interval (ARI) of 1 in 10 years;
 - (c) minimum performance criteria of 80% persistent ground cover across all of the following areas:
 - i. the areas identified as CI-C14 (green in colour) on the Ground Cover Map contained in Appendix A to this EEO, excluding any existing stormwater management infrastructure within these areas;
 - ii. the two areas identified as 'Assume area defined as "batter" and drain' (yellow/green in colour) on the Ground Cover Map contained in Appendix A to this EEO; and
 - iii. all batters within the Site occurring in areas other than those referred to in paragraphs 4(c)(i) and (ii) of the Required actions above;

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- (d) weather-hardening [e.g. by means of rock barriers, lined chutes or other forms of armouring] of concentrated flow paths for water to reduce the mobilisation of sediment; and
 - (e) if compliance with section 440ZG cannot otherwise be achieved — treatment [flocculation] of sedimentation basins to reduce sediment concentrations.
5. By **5pm on 1 November 2025**, you must have implemented the project plan developed under Required action 3(e) of this EEO.
 6. By **5pm on 1 November 2025** you must have an independent and AQP design an operational erosion and sediment control plan for the Site. The erosion and sediment control plan must include procedures and instructions for ongoing maintenance, monitoring, investigation and management of erosion and sediment control on the Site to achieve compliance with section 440ZG of the Act or otherwise comply with the general environmental duty under section 319 of the *Environmental Protection Act 1994*.
 7. By **5pm on 1 November 2025**, you must have an independent and AQP design an operational stormwater management plan for the Site. The stormwater management plan must include procedures and instructions for ongoing maintenance, monitoring, investigation and management of stormwater on the Site.
 8. By **5pm on 1 December 2025**, you must provide a completion report that has been prepared by an independent AQP to the department. The completion report must include:
 - (a) a description of all works/actions and timing of those works/actions carried out under the project plan;
 - (b) an audit of all works and/or actions against the design, including presence of persistent ground cover across the Site;
 - (c) current photos or visual media of the Site;
 - (d) details of any QA/QC for the works.
 9. You must submit all reports and documents required by this notice to the department via email to ipswich.esr@detsi.qld.gov.au.

B. Compliance with the requirements

In determining compliance with these requirements of the EEO, the department has considered:

- The reported titled “25000039-R-01_AUDIT REPORT” (audit report) submitted on 17 October 2025.
- The report titled “25000039-R-02_AUDIT & COMPLETION REPORT” (completion report) submitted on 1 December 2025.
- The findings of a drone survey conducted by the Department of the Environment, Tourism, Science and Innovation (the department) on 9 December 2025.

C. Obligations

The department has determined that Chum Street Pty Ltd has failed to meet all of the requirements of the EEO, specifically Requirement 3 part (e) and Requirement 6 within the timeframes stated in the order. Each of the EEO requirements have now lapsed.

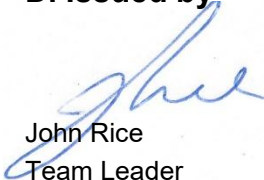
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By this notice, the EEO is finalised and no longer in effect.

Chum Street Pty Ltd is reminded of their responsibility to comply with conditions contained in Environmental Authority EPML00634213, duties under the Act, and any existing development approval. The department may pursue enforcement remedies should you contravene the Act, including the conditions of your EA.

The department refers to section 319 of the Act, which sets out the general environmental duty, and requires anyone who carries out an activity that causes or is likely to cause environmental harm to take all reasonable and practicable measures to prevent or minimise harm.

D. Issued by

John Rice

Team Leader

Delegate of the Administering Authority

Dept of the Environment, Tourism, Science and Innovation

3/09/2026

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