

Environmental Enforcement Order

NOTICE ID	E-100823763
Date of issue	30 April 2025
Issued to	Central SEQ Distributor-Retailer Authority t/a Urban Utilities
Registered address	Central SEQ Distributor-Retailer Authority t/a Urban Utilities Level 10, 31 Duncan Street Fortitude Valley QLD 4006
Site address (the land)	240 Donaldson Road, Rocklea, QLD 4106
Land reference	Lot 818 Plan SL5746, Lot 957 Plan SL7763, Lot 1207 Plan M3117, Lot 1 Plan RP99640, Lot 83 SP220962, Lot 82 SP220962, Lot 2 RP37416, Lot 2 RP99640, and Lot 100 SP1622583.
Administering Authority	Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department)
Legal reference	Pursuant to s362 the Environmental Protection Act 1994
Contact	If you have any questions about this EEO, please contact: Nick Delzoppo, Brisbane Moreton Compliance Email: ESComplianceBrisbaneMoreton@des.qld.gov.au Telephone: (07) 3330 6364

Please read the [Information Sheet - Recipient of an Environmental Enforcement Order \(desi.qld.gov.au\)](https://www.desi.qld.gov.au/information-sheet-recipient-of-an-environmental-enforcement-order) for further information (search for ESR/2024/6802 on www.detsi.qld.gov.au).

Terms used in this Environmental Enforcement Order (EEO) have their meaning defined in the **Definitions** section in **Appendix A** of the EEO or, if not defined, in the Environmental Protection Act 1994 (the Act).

Why the department is issuing this Order to you:

For the purpose of this Notice, “you” and ‘Urban Utilities’ means the recipient of this Notice or its authorised representative.

You have a proactive **general environmental duty** to prevent and minimise any environmental harm. You also have a proactive **duty to restore the environment** if environmental harm has been caused by you.



The department has responsibility for enforcing the Act. The delegate for the department is issuing this EEO to you, pursuant to s362 of the *Environmental Protection Act 1994* (the Act), to secure compliance with the Act in relation to activities being undertaken on the land.

This EEO is issued with respect to the activities undertaken on the land are in contravention of sections s319 and s430 of the Act.

This EEO is issued to you under:

1. s359(c) - It is necessary to issue an EEO to secure your compliance with the general environmental duty (GED).
2. s359(e)(ii) - It is necessary to issue an EEO to secure your compliance with a condition of an environmental authority (EA).

To secure compliance with GED:

1. The department believes you have not met the GED under s319 of the Act and measures are necessary to secure compliance with the GED.

To secure compliance with a condition or requirement:

2. The department believes you are not in compliance and measures are necessary to secure compliance with a condition of an environmental authority namely EPPR00521513 dated 8 July 2024. The relevant condition states:
 - a. GB1 - All reasonable and practicable measures must be taken to prevent the likelihood of environmental harm being caused.

Background and relevant matters:

1. You operate the sewage treatment plant and pump station infrastructure on the land, known as Oxley Creek Resource Recovery Centre (Oxley RRC) and SP196 respectively, under environmental authority (EA) EPPR00521513. You have management and control of the land.
2. On 12 November 2024, you submitted a notification to the department regarding a number of overflows in the sewerage network upstream of Oxley RRC as a result of a pump failure at the Oxley RRC pump station SP196 reducing hydraulic capacity.
3. Between 10 November 2024 and 19 December 2024, there were approximately 95 overflow events across 12 locations that were associated with asset failures experienced at Oxley RRC and SP196, some lasting over 24 hours.
4. These overflows are estimated to have released 29.66ML of sewage to the receiving environment.
5. Urban Utilities managed the risk to public health associated with the releases by installing warning signs at entry points to relevant waterways and by contacting key recreational user groups of the water.
6. An investigation report by Urban Utilities provided to the department on 21 January 2025 found that a number of equipment failures contributed to the releases in the Oxley RRC catchment, including:
 - a. Issues with wearing parts at the SP196 EMO screens including the rake teeth and main rope.
 - b. Broken shaft on one of the pumps at SP196.
 - c. Electrical faults at SP196
 - d. Issues at the inlet works wash press including brushes, screw and chassis.

- e. Blockages in pumps, screens and presses caused by rag.
7. The release event on 26 November 2024, which resulted in the release of 29.7kL of sewage across five locations, was not related to wet weather and was the result of equipment failures and network inhibiting to facilitate associated maintenance.
8. During the site inspection conducted by the department on 31 January 2025, you informed authorised persons from the department that spare parts for the EMO screens, pump shaft and wash press were not stored on site or readily available which caused delays to return to normal operations.
9. Monitoring conducted as part of the response to the release events showed the following:
- a. Ammonia exceeded the relevant aquatic ecosystem water quality objectives for Oxley Creek in many instances at numerous locations, and the ANZG 2018 95% species protection guideline on seven occasions;
 - b. Enterococci levels were above the 1000 enterococci per 100mL Warning Trigger for secondary recreation in the majority of results;
 - c. Dissolved oxygen in receiving waters, which can be depleted by sewage, was below 2mg/L on fourteen occasions which can cause fish stress and mortality.
10. These monitoring results indicate that the releases had the potential to cause environmental harm.
11. Section 319(5) of the EP Act provides the following example of matters that may be considered in deciding whether the GED has been contravened:
- a. Install, use and maintain plant, equipment, processes or systems in a way that minimises risks of environmental harm that may arise in connection with the activity; and
 - b. Use and maintain systems for the identification, assessment and control of risks of environmental harm that may arise in connection with the activity, and for the evaluation of the effectiveness of controls.
 - c. Use and maintain systems to ensure that all substances are handled, stored, used or transported in a way that minimises risks of environmental harm that may arise in connection with the activity
 - d. Use and maintain systems to ensure that information, instruction, supervision and training is provided to any person engaging in the activity in a way that minimises risks of environmental harm that may arise in connection with the activity.
12. Condition GB1 of EA EPPR00521513 stipulates: *All reasonable and practicable measures must be taken to prevent the likelihood of environmental harm being caused.*
13. The department notes your comments that parts such as the wash press chassis and pump shaft are not generally considered wearing parts that require regular maintenance, however, it is the department's view that the wearing of parts such as the EMO screen rake teeth and main rope were foreseeable. Had the EMO screens remained fully operational, the impact of rag on the pumps would have been reduced.
14. The department considers that the likelihood of environmental harm being caused could have been prevented or minimised if sufficient measures had been in place to monitor the condition of critical equipment and parts, store or have timely access to spare equipment and parts in anticipation of failures and maintain plant and equipment at the premises.

15. In summary, the department considers that, given the facts and circumstances detailed above, you have contravened condition GB1 of EA EPPR00521513 and not met GED by failing to take all reasonably practicable measures to prevent or minimise the risk of environmental harm.

Required actions:

Requirements take effect from the date of service and remain in force until the date specified, unless this Order is amended, repealed, finalised or stayed beforehand.

1. **By 5:00pm on 2 May 2025**, you must provide evidence to the department that spare parts for the main pump shaft have been ordered.
2. **By 5:00pm on 30 May 2025**, you must provide a summary report of the investigation into the replacement of the SP196 main pumps with equipment designed for additional rag handling, including the implementation schedule for the upgrade or any alternate solutions.
3. **By 5:00pm on 29 August 2025**, you must review your current methodology for evaluating the Consequence Category of incidents to determine if environmental values, including human health and aquatic ecosystems, are being appropriately considered and provide this review to the department.
4. **By 5:00pm on 31 October 2025**, for all critical inlet works and pump station infrastructure at the premises, including but not limited to the wash presses, pumps, and screens, you must:
 - (a) Conduct an assessment to determine if the infrastructure remains fit for purpose with critical spare parts available within a reasonable timeframe (approximately 4 weeks).
 - (b) Conduct a review of maintenance procedures to ensure that they are sufficient to reasonably maintain hydraulic capacity at the Oxley Creek RRC.
5. **By 5:00pm on 14 November 2025**, you must provide the department with a report that demonstrates requirements 4(a) and 4(b) have been completed and details all outcomes.
6. **By 5:00pm on 30 November 2025**, you must commence the delivery of the project described as *The Oxley Creek STP (ST022) SP196 Capacity Enablement - Inlet Chamber Grit Accumulation Improvements* as described in the Environmental Investigation Report submitted to the department on 21 January 2025.
7. **Within 10 business days** of the practical completion of *The Oxley Creek STP (ST022) SP196 Capacity Enablement – Inlet Chamber Grit Accumulation Improvements* project you must notify the department confirming its completion.
8. **By 5:00pm on 10 April 2026**, you must undertake a review of sewage release public notifications undertaken across the sewerage service providers in other states' capital cities in Australia, and provide the outcomes of this review to the Department, including any changes that Urban Utilities will implement to improve its current community notification protocols to enhance the reach of public health messages to potentially affected communities.

All reports and documentation must to be sent via email: ESComplianceBrisbaneMoreton@des.qld.gov.au or via mail to Department of the Environment, Tourism, Science and Innovation to GPO Box 2454 BRISBANE QLD 4001.

Issued by



Nick Delzoppo
A/ Principal Environmental Officer
Delegate of the Administering Authority

Department of the Environment, Tourism, Science
and Innovation
PO Box 2454
Brisbane QLD 4001

Considerations

The standard criteria and human rights were considered prior to issuing this EEO.

Offences

Failure to comply with this EEO is an offence unless you have a reasonable excuse. The maximum penalties are significant and are provided in s369A of the Act.

Appendix A: Definitions used in this Order (that are not exactly as the Act defines or implies them)

Authorised representative	Is a representative that has been nominated by the person this Order relates to, for acting on their behalf when dealing with the Queensland Government to manage matters. For more information, read the guideline Authorisation letter to nominate an Authorised Holder Representative (available at www.qld.gov.au using the publication number ESR/2019/5168 as a search term).
Land	This refers to the cadastral reference of the land referenced in this Order.
Resource	Waste being a <i>resource</i> is not a waste, only if it complies with an end of waste code. For more information, go to End of waste codes Business Queensland .

Penalties and obligations

It is important that you know the impact to you personally as an individual or as a corporation for not meeting your obligations.

- If you propose to dispose of the place or business to which the EEO relates, you must advise the buyer of the existence of this EEO. **Failure to provide a written notice to the buyer of the existence of the order is an offence.** The maximum penalty is provided in s369C of the Act.
- If you cease to carry out the activity to which this EEO relates, you must give written notice of ceasing to carry out the activity to the department within 10 days of ceasing the activity. **Failure to provide written notice to the department within 10 business days of ceasing the activity to which an EEO relates is an offence.** The maximum penalty is provided in s369D of the Act.

Right of review and appeal

The provisions regarding reviews of decisions and appeals are found in s519 to s539 of the Act.

A person who is dissatisfied with an original decision made by the department may apply to have that decision internally reviewed. Information about initiating an appeal in relation to this notice is contained within the [Internal Reviews and Appeals Information Sheet](#) (available at www.qld.gov.au using the publication number ESR/2015/1742 as a search term). A request for review or appeal is to be made using the approved form [Application for review of original decision](#) (available at www.qld.gov.au using the publication number ESR/2015/1573 as a search term).

Applications for reviews are to be sent to Permit and Licence Management, Department of Environment, Science and Innovation via email at palm@des.qld.gov.au, or by mail to the following address: GPO Box 2454, BRISBANE QLD 4001.

Where an application has been made for a decision to be reviewed, the applicant may also apply to the relevant court for a stay of the decision to secure the effectiveness of the review.

Once the original decision has been reviewed, a person who is dissatisfied with the review decision may be able to appeal against that decision to the relevant court within 22 business days after receiving notice of the review decision.

For a decision that is not an original decision, there are no formal review and appeal rights for a person who is dissatisfied with the decision made by the administering authority. The person may have other legal rights and may wish to seek legal advice.

Privacy statement

Section 540 of the Act requires the department to maintain a register of certain documents and information authorised under the Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts or copies of the documents from the register.

Documents that are required to be kept on the register are published in their entirety unless redaction in part is required by the Act. There is no general discretion allowing the department to withhold documents or information required to be kept on the public register.

For more information on the department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters, please email privacy@des.qld.gov.au or telephone 13 74 68.

Accessibility

Contact us if you need this information in an accessible format such as large print or audio.

Interpreter assistance

If you need interpreter assistance or want this document translated, please contact us and advise your preferred language. If you are deaf, or have a hearing or speech impairment, contact us through the [National Relay Service](#)

