Letter

Environmental Protection Act 1994

Finalisation of an Environmental Enforcement Order

Pursuant to section 362

Blackwater Quarries Pty Ltd
20L Sheraton Road

Dubbo NSW 2830

Your reference: EPPR00510013

Our reference: C-CPLPO-100834724, STAT-E-100834725

TAKE NOTICE: that on 16 May 2025, the Department of the Environment, Tourism, Science and Innovation (the department) issued an Environmental Enforcement Order (EEO STAT-E-100834725) to Blackwater Quarries Pty Ltd ACN 632 994 542 (you) in relation to the activities at Bedford Weir Quarry. The EEO was issued to you after it was identified they had failed to implement and maintain erosion and sediment control measures in the quarry high road which resulted in the release of contaminants/ sediments such as gravel and earth materials to the Mackenzie River.

The EEO was issued in respect to the activities of Blackwater Quarries Pty Ltd at Bedford Weir Quarry on land described as Lot 10 Plan SP308968 situated at Blackwater Cooroorah Rd, Blackwater QLD 4717 (the premises).

The administering authority is the Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department).

A. Requirements

The requirements of this EEO were:

Actions relevant to erosion and sediment management

1. By **5:00pm on 02 July 2025**, you must engage an independent Appropriately Qualified Person(s) (AQP) to complete specified requirements of this notice and provide confirmation of the engagement to the department, including evidence of relevant qualifications and experience of the AQP.
2. By **5:00pm on 25 July 2025**, you must have required the AQP to complete an audit of all sediment and erosion control measures and stormwater infrastructure associated with the premises and submit a report to the department. The audit and associated report must:
    a) Include an assessment of all existing and planned sediment and erosion control measures, and stormwater management infrastructure, and whether they are adequate to achieve compliance with conditions WA1 and WA2 of the EA. Stormwater management infrastructure includes but is not limited to concentrated flow paths, clean water diversions, channels and batter chutes (where applicable), stormwater retention and detention ponds; and
    b) specify actions to be completed such that existing and planned erosion control measures and stormwater management infrastructure will achieve compliance with condition WA1 and WA2 of the EA. Actions must demonstrate conformance with the general environmental duty and consideration of the department's Stormwater and Environmentally Relevant Activity Guideline (ESR/2015/1653).

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c) specify actions to prevent contaminates originating from the premises from entering the Mackenzie River; and
d) specify actions to remove and/or stabilise sediment on and off the premises, which has been deposited by contaminated stormwater runoff from the premises that may be mobilised and discharged to waters. The actions must include any interim measures to prevent the ongoing release of deposited sediment to waters and must not result in impacts to vegetation and waterways, and must achieve a safe, stable and non-polluting landform.
e) Include all calculations and assumptions used to develop actions under requirements 2(a), 2(b), 2(c) and 2(d); and
f) Specify dates for completion of each action identified under requirements 2(a), 2(b), 2(c) and 2(d); that must consider the risk of further unauthorised releases to waters and have a completion date of no later than 30 September 2025.

3. By **5:00pm on 24 October 2025**, you must have completed the implementation of all actions identified under requirement 2.
4. By **5:00pm on 24 November 2025**, you must require the AQP to carry out an audit of all sediment and erosion control measures, stormwater management infrastructure, and routine erosion and sediment control inspection procedures associated with the premises and provide a report to the department discussing the integrity, design and adequacy of the measures to manage the erosion risk and stormwater of the site. The audit must identify and record any corrective actions or improvements, including timeframes for completion, to maintain the integrity of each control measure.
5. You must complete the corrective actions within the specified timeframe as identified by the AQP under requirement 4.
6. By **5:00pm on 01 December 2025**, you must require the AQP to produce an erosion and sediment control management plan as part of the written procedures required by condition G9 of the EA. This plan must include scheduled internal inspections to evaluate erosion risks and assess the effectiveness of the implemented sediment and erosion control measures to comply with conditions WA1 and WA2 of the EA.

Actions relevant to chemical storage

7. By **5.00pm on 23 May 2025**, you must conduct an inspection of the hydrocarbon bunds on the premises and assess their ability to comply with condition L2 of the EA.
8. By **5.00pm on 30 May 2025** you must provide evidence of the actions taken under requirement 7 to the department along with a timeline for any subsequent works if applicable.
9. By **5.00pm on 30 May 2025**, you must install a secondary containment system for all containers storing over 15 litres of chemicals or fuels or remove the containers from the premises. If in this action, you remove the waste from the premises, you must provide written documentation to the department to demonstrate the lawful removal and disposal of the waste from the premises by 30 May 2025. This may include transport receipts, waste tracking documentation for all regulated wastes and/or receipts from disposal locations.

Actions relevant to all

10. You must provide a progress update for the actions identified under requirement 2 and 9 within 3 days of the first business day of each month via CWES_Rockhampton@des.qld.gov.au, including details of any delays and any measures being taken in response to those delays.
11. You must submit all reports and documents required by this notice to the department via email to CWES_Rockhampton@des.qld.gov.au

Definitions used in this EEO

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of the Environment, Tourism, Science and Innovation or its successor or predecessors.

Appropriately qualified person(s) (AQP) means someone with professional qualifications, training, skills and experience relevant to the requirements of this notice. The person or persons must be able to give authoritative assessment, advice and analysis using the appropriate protocols, standards, methods and literature.

The appropriately qualified person(s) should have, or collectively have, the following capabilities:

a) A detailed understanding of relevant sections of the following guidelines and legislation:
    i) *Environmental Protection Act 1994* and *Environmental Protection Regulation 2019*
    ii) *Environmental Protection (Water and Wetland Biodiversity) Policy 2019*
    iii) *Stormwater and Environmentally Relevant Activity Guideline 2024*
    iv) *Queensland Urban Drainage Manual 2017*
    v) *IECA (2008) Best Practice Erosion and Sediment Control*

b) An understanding of hydrology and hydraulics, including the ability to size and determine stabilisation requirements of drainage structures and treatment devices.

c) An understanding of soil as it relates to revegetation and erosion. Specifically, the ability to conduct an effective soil sampling program, interpret results and design management strategies to address problems soils (pH, sodic, dispersive, and saline).

d) An understanding of appropriate use of the revised universal soil loss equation (RUSLE) to estimate soil loss.

e) An understanding of the erosion, drainage and sediment controls considered best practice in Australia, and knowledge on the correct installation, operation and maintenance of these controls.

General environmental duty means anyone who carries out an activity that causes or is likely to cause environmental harm is responsible to take all reasonable and practicable measures to prevent or minimise the harm (in accordance with section 319 of the *Environmental Protection Act 1994*).

Land means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes tidal land).

Measures means as defined under the Environmental Authority EPPR00510013

Premises means Lot 10 Plan SP308968

Release of a contaminant into the environment means as is defined under the Environmental Authority EPPR00510013

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Waters means as defined under the Environmental Authority EPPR00510013

B. Compliance with the requirements

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

- The correspondence provided by you on 12 May 2025, which confirmed engagement of an appropriately qualified person (AQP) Strategic Environmental and Engineering Consulting (SEEC), in accordance with Requirement 1 of the EEO.
- The correspondence provided by you on 3 July 2025, which confirmed the completion of ERSED site audit inspection by the AQP.
- The findings of the assessment undertaken by SEEC, including the report titled "*Inspection of Erosion and Sediment Controls; Bedford Weir Quarry; 11 June 2025"*, and corrective actions and milestone priorities provided in Table 1 of the report submitted by you on 18 August 2025. The submission of the report was not within the timeframe mentioned in the Requirement 2 of the EEO. However, considering the fact that the purpose of the EEO Requirement 2 has been met, it is considered that Blackwater Quarries has substantially satisfied the Requirement 2 of the EEO.
- The evidence and correspondence submitted by you on 21 November 2025, in the final AQP report titled "*Inspection of Erosion and Sediment Controls; Bedford Weir Quarry; 11 November 2025*" in accordance with Requirements 4 and 5 of the EEO.
- The Erosion and Sediment Control Management Plan submitted by you on 18 August 2025 in accordance with Requirement 6 of the EEO.
- The evidence and correspondence submitted by you on 30 April 2025 confirming completion of the inspection of the hydrocarbon bunds on the premises and implementation of actions in accordance with Requirements 7 and 8.
- As per the EEO Requirement 9, you were required to provide documentation to demonstrate the lawful removal and disposal of waste from the premises by 30 May 2025. However, you submitted the waste tracking docket on 3 July 2025. You provided the following justification for the delay:
    - The removal of excavated hydrocarbon waste from the site was delayed due to the remote location of the site and the distances required to transport the waste to a licensed disposal facility.
    - The waste was removed by a licensed contractor on 6 June 2025 and taken to a lawful point of disposal.

  Considering the fact that the purpose of the EEO Requirement 9 has been met, it is considered that Blackwater Quarries has substantially satisfied the Requirement 9 of the EEO.

C. Obligations

The department has determined that Blackwater Quarries Pty Ltd has satisfied the requirements of the EEO. Accordingly, this letter serves as a notice that this EEO is finalised and no longer in effect.

Blackwater Quarries Pty Ltd is reminded of their responsibility to comply with conditions contained in Environmental Authority EPPR00510013, duties under the Act, and any existing development approval.

D. Issued by



Louise Pinn
Compliance Delivery Manager
Delegate of the Administering Authority
Dept of the Environment, Tourism, Science and Innovation

23/02/2026

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