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

Ref: C-CPLRC-100861421
EA: EPPR00510013
EEO: STAT-E-100864021

TAKE NOTICE: On 2 December 2025, the Department of the Environment, Tourism, Science and Innovation (the department) issued Environmental Enforcement Order (EEO) STAT-E-100864021 to Blackwater Quarries Pty Ltd (you) in relation to your activities conducted under environmental authority (EA) EPPR00510013 at Bedford Weir Quarry on Lot 10/SP308968 at 2403 Blackwater-Cooroorah Road, BLACKWATER QLD 4717 (the premises). This EEO was issued to you after it was identified you had conducted extraction activities beyond the proposed extraction area in Appendix A of your EA EPPR00510013.

A. Requirements

The requirements of this EEO were:

1. You must submit all reports and documents required by this notice to the department via email to CWES_Rockhampton@detsi.qld.gov.au.
2. Immediately on receipt of this notice, you must cease any clearing, extraction, or screening activities outside the **approved disturbance area** until you hold, or are acting under, an **effective** EA that authorises the activities.
3. You must not recommence any clearing, extraction, or screening activities outside the **approved disturbance area** until you hold, or are acting under, an effective EA that authorises the activities.
4. By **16 January 2026**, and for the duration of this notice, you must ensure that all **unauthorised disturbance areas** are:
    a. stabilised with erosion and sediment controls installed and maintained; and
    b. managed and maintained to prevent the release of contaminants from the site to waters; and
    c. are managed to prevent environmental nuisance caused by dust.
5. By **29 May 2026**, you must have lodged a **properly made application** for an EA, or an EA amendment, for the **unauthorised disturbance areas**; **and**
6. By **1 December 2026**, you must have obtained an **effective** EA for the **unauthorised disturbance areas**; **or**
7. By **29 May 2026**, you must submit to the department a Rehabilitation Plan, completed by an **appropriately qualified person (AQP)**, for the **unauthorised disturbance areas**. The Rehabilitation Plan must include, but not be limited to:
    a. rehabilitation objectives, performance indicators, and success criteria which will achieve a self-sustaining ecosystem with established native vegetation species consistent with the mapped precleared regional

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ecosystem;

b. a schedule of actions to be carried out to achieve the rehabilitation objectives, including, but not limited to the actions below, with completion timeframes for each action:

   i. remediating **unauthorised disturbance areas** contaminated by the activity;

   ii. re-shaping of **unauthorised disturbance areas** to establish drainage lines and a safe and stable landform;

   iii. except for any stable rock faces, reinstating topsoil consistent with surrounding soils;

   iv. earthen surfaces of the **unauthorised disturbance areas** are vegetated with native species consistent with the mapped pre-cleared regional ecosystem;

   v. active management of pest and weed species;

c. an ongoing monitoring and maintenance program, to be undertaken by an **AQP**, that will ensure the rehabilitation objectives, performance indicators, and success criteria are achieved;

8. By **1 December 2026**, you must have completed the schedule of actions specified in the Rehabilitation Plan and commenced implementation of the ongoing monitoring and maintenance program.

9. You must provide written evidence to the department demonstrating compliance with Required action 4, **and** either Required actions 5 and 6, ***or*** Required actions 7 and 8 by the dates specified in each respective requirement.

Definitions used in this EEO

Activity – Activity means the ERA to which the EA relates.

Administering authority – The administering authority is the Department of the Environment, Tourism, Science and Innovation, or its successor.

Appropriately Qualified Person (AQP) – Appropriately qualified person (AQP) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice, and analysis to performance relative to the subject matter using the relevant protocols, standards, methods, and/or literature.

Approved disturbance area – Approved disturbance area refers to the area on the premises identified in condition G1 (1) & (2) of EA EPPR00510013 and Appendix B of this EEO, in which the activities are authorised to be carried out.

EA – EA means environmental authority.

Effective – Effective means an EA that has taken effect under Section 200 of the *Environmental Protection Act 1994*.

ERA – Environmentally relevant activity. ERAs are prescribed under Schedule 2 of the Environmental Protection Regulation 2019.

The premises – The premises refers to Lot 10 on Plan SP308968.

Properly made application – Section 127 of the *Environmental Protection Act 1994* prescribes when an application for an EA is a properly made application. Section 227AAA of *Environmental Protection Act 1994* prescribes when an application for an EA amendment is a properly made application.

Unauthorised disturbance areas – For the purpose of this EEO, unauthorised disturbance areas are areas on the premises in which the activity (ERA 16) has been carried out without authorisation under an EA. Specifically, this includes disturbance areas indicated by red polygon depicted in Appendix B of this EEO.

You – You refers to Blackwater Quarries Pty Ltd, holder of EA EPPR00510013, and recipient of this EEO.

B. Compliance with the requirements

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

1. All submissions required by this notice were provided to the department via email to CWES_Rockhampton@detsi.qld.gov.au in accordance with required action 1.
2. On 14 November 2025 you advised the department on receipt of the draft EEO that you had already ceased (and would not recommence) any clearing, extraction, or screening activities outside the approved disturbance area.
3. The department has reviewed contemporary satellite imagery and satellite imagery from prior to issue of the EEO and has not identified further disturbance outside the approved disturbance area under the EA.
4. In accordance with required action 9, you were required to provide written evidence to the department by 16 January 2026 demonstrating compliance with required action 4. You did not meet this requirement of the EEO. During the site inspection conducted on 4 February 2026, authorised persons under the *Environmental Protection Act 1994* observed that the unauthorised disturbance area was in stable condition with adequate stormwater management and dust control measures in place. As such it is determined that you have substantially complied with the intent behind required action 4.
5. On 2 February 2026 an application was received by the department to amend EA EPPR00510013 in accordance with required action 5. This application was therefore received prior to the deadline of 29 May 2026. The application was assessed as properly made and the assessment level decision on 16 February 2026 was that the proposed amendment was a minor amendment.
6. The minor amendment to EPPR00510013 was approved with a decision on 3 March 2026, prior to the deadline of 1 December 2026. The department considers that you obtained an effective EA for the unauthorised disturbance areas on 3 March 2026.
7. Requirement not applicable as you elected in writing on 21 November 2025 to pursue required actions 5 and 6 rather than required actions 7 and 8.
8. Requirement not applicable as you elected in writing on 21 November 2025 to pursue required actions 5 and 6 rather than required actions 7 and 8.
9. You provided the department with written evidence demonstrating compliance with required actions 5 and 6 on 2 February 2026 and 3 March 2026, respectively. As mentioned above, you did not provide the department with written evidence demonstrating compliance with required action 4 prior to the deadline of 16 January 2026, however the department will not be taking any further action in this instance.

C. Obligations

In accordance with the above, the department has determined that you have satisfied the requirements of EEO STAT-E-100864021. Accordingly, this letter serves as a notice that EEO STAT-E-100864021 has been finalised and is therefore no longer in effect as of 4 March 2026.

You are reminded of your responsibilities under the *Environmental Protection Act 1994* and your legislative obligation to comply with all conditions of your EA EPPR00510013.

D. Issued by



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

4/03/2026

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