

Environmental Enforcement Order

Environmental Protection Act 1994

Pursuant to section 362

ORDER ID	STAT-E-101013215
Date of issue	15 January 2026
Issued to (you)	JLLT MANAGEMENT PTY LTD ACN 629 800 684 <i>For the purpose of this Environmental Enforcement Order (EEO), you' means the recipient of this EEO.</i>
Registered address	22 BAYSWATER AVENUE, VARSITY LAKES, QLD, 4227
Site address (the premises)	1513 OLD BRUCE HIGHWAY, KYBONG, QLD, 4570 – Rest Easy Village
Land reference	Lot 10 on RP139458
CC to	N/A
Issued by (the delegate)	Rod Garner, Senior Environmental Officer  Delegate of the Administering Authority Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department)
Relevant Grounds	s359(e)(ii) To secure compliance with a condition of an environmental authority (EA).
Service method	☒ Registered post ☐ Hand delivered ☒ Also by email ☐ Orally (s369(2))
Contact	If you have any questions about this EEO, please contact: Rod Garner, DETSI Sunshine Coast Compliance Email: sunshinecoast.esr@detsi.qld.gov.au Telephone: (07) 54 596 132
Further information	Please read the Information Sheet - Recipient of an Environmental Enforcement Order (detsi.qld.gov.au) 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 of the EEO or, if not defined, in the <i>Environmental Protection Act 1994</i> (the Act).

Why are we writing to you?

You have a proactive **general environmental duty** to prevent and minimise any environmental harm.

The department has the responsibility for enforcing the *Environmental Protection Act 1994*.

This Environmental enforcement order (EEO) is issued on the following grounds that relate to the relevant matter.

Grounds

Under section 362(1) of the *Environmental Protection Act 1994* (the Act) the administering authority may issue an order (an environmental enforcement order) to a person if the authority believes an enforcement ground exists for the person.

Under section 359 of the Act, each of the following is a ground (an enforcement ground) on which to issue an environmental enforcement order to a person.

Section 359(c) of the Act states *it is necessary to issue an environmental enforcement order to secure the person's compliance with the general environmental duty.*

The department requires that you take reasonable measures to secure compliance with the general environmental duty. The general environmental duty is detailed in section 319 of the Act which states '*A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonably practicable measures to prevent or minimise the harm (the general environmental duty).*

Section 359(e) of the Act states *it is necessary to issue an environmental enforcement order to secure the person's compliance with*

(ii) *a condition of an environmental authority – namely, L1 The only contaminant permitted to be released to land from the sewage treatment works is treated sewage effluent via sub-surface irrigation to the 'Approved Irrigation Areas' (Schedule 1).*

The department requires that you take reasonable measures to secure compliance with condition L1 of environmental authority EPPR00515613 (the EA) dated 24 April 2019.

What are you required to do?

The required actions listed below are to be implemented in full by the required dates.

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

1. The duration of this notice is from **15 January 2026 to 30 June 2026**.
2. For the duration of this notice, you must not allow the release of any **contaminant** from the sewage treatment works (STW) to any location at the premises that is not currently approved under Schedule 1 – Approved Irrigation Areas of the current EA.
3. By **23 January 2026**, you must engage an **appropriately qualified person (AQP)** to:
 - a) Develop measures, procedures and preventative controls (for example, padlocks, flow meters, written documents, etc.), to ensure that **contaminants** are not released from the STW to any unapproved areas.
 - b) Develop measure and procedures to ensure irrigation application rates in approved irrigation areas are reviewed and adjusted to ensure that they comply with condition L4 of the EA, which states:

The treated effluent must be evenly distributed over the irrigation areas stated in Table 2 – Irrigation area requirements, 4mm/day maximum irrigation rate, minimum land required 3,000m².

To comply with EA condition L4, you may need to pump-out and remove excess treated effluent from the premises to avoid exceeding the permitted irrigation application rates.

4. By **30 January 2026**, you must submit evidence to the department of the measures, procedures and preventative controls you have developed under **requirement 3**.
5. By **6 February 2026**, you must implement the measures, procedures and preventative controls developed under requirements 3 and ensure that:
 - a) **contaminants** are not released from the STW to any unapproved areas; and
 - b) operations of the STW are compliant with the EA condition L4.
6. For the duration of this notice, you must undertake and record daily inspections of the STW and maintain a daily logbook or digital record of the inspections. Each entry must include:
 - a) the date, time and name of the person conducting the inspection.
 - b) the daily volumes irrigated; and
 - c) photographs documenting the inspection and flow meter readings.
7. A copy of the records required under requirement 6 must be submitted to the department fortnightly.
8. In the event of a non-compliance with the requirements of this EEO, you must submit a written notification to the department within 24 hours of becoming aware of the non-compliance.

NOTE: It is an offence to fail to comply with the requirements of this EEO.

All submissions to the department required by this EEO are to be sent via email: sunshinecoast.esr@detsi.qld.gov.au or via mail to Department of the Environment, Tourism, Science and Innovation, PO Box 362 MAROOCHYDORE QLD 4558

Background and relevant matters:

1. You, JLLT Management Pty Ltd, are the holder of EA EPPR00515613 dated 24 April 2019 (the EA).
2. EA condition L1 states: *The only contaminant permitted to be released to land from the sewage treatment works is treated sewage effluent via sub-surface irrigation to the 'Approved Irrigation Areas' (Schedule 1).*
3. The department is satisfied that you are the responsible person for the operation and maintenance of the premises at 1513 Old Bruce Highway, Kybong, QLD, 4570, known as the Rest Easy Village and the operation of the sewage treatment plant approved under the EA.
4. Section 319, EP Act – general environmental duty states that: A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonably practicable measures to prevent or minimise the harm (the general environmental duty).
 - (a) A person applies to any individual or corporation carrying out an activity in Queensland, and includes staff/employees of JLLT Management Pty Ltd.
 - (b) Any activity includes any act or omission, doing something or failing to do something.
 - (c) Cause or likely to cause environmental harm is any adverse effect or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance.
 - (d) Take all reasonably practicable measures is interpreted as a proactive obligation to put controls in place before harm occurs, rather than just reacting to incidents.

5. On 25 July 2025 during a meeting with you, the department expressed concerns about the new irrigation area being used without an approval and advised that the EA amendment process needed to be finalised before any new irrigation areas are commissioned.
6. On 11 September 2025, a letter was issued to you by the department advising you that the EA amendment process needed to be finalised prior to any new irrigation areas being commissioned. The letter specifically advised that operating the new irrigation area prior to the EA amendment being finalised may result in a breach of your EA conditions resulting in further enforcement action.
7. On 20 October 2025, authorised persons from the department visited the premises and observed:
 - (a) A valve on the sewage treatment plant open and discharging to an unapproved sub-surface irrigation area located in the south-west area of the premises. This area of the premises is not authorised under the EA conditions to receive contaminants from the sewage treatment plant. EA condition L1 states that the only contaminant permitted to be released to land from the sewage treatment works is treated sewage effluent via sub-surface irrigation to the 'Approved Irrigation Areas' (Schedule 1); and
 - (b) The release of contaminants to land that has not been approved for the release of contaminants may result in environmental harm to the soil and potentially groundwater, leading to negative impacts on water quality and threatens biodiversity and ecosystem health; and
 - (c) When informed by authorised persons that discharging contaminants to this unapproved area of the premises was unlawful, you took immediate action and turned off the valve and stopped discharging to this area.
8. On 18 November 2025, the department issued you a letter reiterating the discussion from 25 July 2025, where we explained that changes to your approved irrigation areas under EA condition L1 will require assessment through an EA amendment process. We expressed concerns about the suitability of the new irrigation area and advised you not to use it until departmental approval was granted following an assessment by the EA team. You were provided with an opportunity to provide a written response to this allegation, and no response was received from you.
9. The department considers it necessary to issue this notice requiring that you undertake these actions because you have been advised in writing and verbally that you cannot discharge effluent from the sewage treatment plant to any location on the premises that is not approved in the EA for irrigation and you have not complied with this advice.
10. Under section 319 of the *Environmental Protection Act 1994* (Qld), the General Environmental Duty (GED) requires individuals and businesses take all reasonable and practicable measures to prevent or minimise harm to the environment caused by their activities. Failing to comply with this duty can result in significant harm to the environment, including pollution of land, water, and air.
11. Section 14 of the Act defines environmental harm is identified under section 14 of the EP Act as "any adverse effect, or potential adverse effect (whether temporary or permanently and of whatever magnitude, duration or frequency) on an environmental value and includes environmental nuisance."
12. Section 9 of the Act, prescribes an environmental value as —
 - a quality or physical characteristic of the environment conducive to ecological health or public amenity or safety; or
 - another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

13. The receiving environment has designated environmental values under the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 (EPP Water) that are likely to be adversely impacted by the contaminants released.
14. The EPP Water identifies the waterways in the vicinity of the premises as being Mary River lowland freshwaters – moderately disturbed. Relevant environmental values identified include:

Table 1: Environmental values for Mary River lowland freshwater catchment

	Environmental values ^{1, 2, 3, 4, 5}													
	Aquatic ecosystems	Seagrass	Irrigation	Farm Supply/use	Stock water	Aquaculture	Human consumer	Oystering	Primary recreation	Secondary recreation	Visual recreation	Drinking water	Industrial use	Cultural and spiritual values
Water														
Mary River – lowland freshwater	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓

15. Water Quality Objectives for this catchment identified in the EPP Water include:

Table 2: Water quality objectives to protect aquatic ecosystem environmental values in Mary River lowland freshwater catchments

Water area/type (refer Plan WQ1381)	Management intent (level of protection)	Water quality objectives to protect aquatic ecosystem EV ¹⁻¹¹
Lowland freshwater	Aquatic ecosystem – moderately disturbed	- turbidity: <50 NTU - suspended solids: <6 mg/L - chlorophyll a: <5 µg/L - total nitrogen: <500 µg/L - oxidised N: <60 µg/L - ammonia N: <20 µg/L - organic N: <420 µg/L - total phosphorus: <50 µg/L - filterable reactive phosphorus (FRP): <20 µg/L - dissolved oxygen: 85% – 110% saturation - pH: 6.5 – 8.0 - secchi depth: n/a

16. As a result of the previous advice being disregarded regarding compliance with the current EA conditions and the ongoing concerns about the new irrigation being used without the necessary approvals in place, the department considers it necessary to issue this notice to ensure that you take actions to secure your compliance with the general environmental duty.

17. Definitions

Contaminant as per the definition of Section 11 of the *Environmental Protection Act 1994*.

AQP - An Appropriately Qualified Person is 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 or literature.

Considerations

The standard criteria (schedule 4 of the Act), principles of environmental protection, 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.

Section 369A Offence not to comply with environmental enforcement order

The recipient of an environmental enforcement order must not wilfully contravene a requirement of the order unless the person has a reasonable excuse.

Maximum penalty -

(a) if the order was issued on a prescribed ground or under section 362(2)(a) - 6,250 penalty units or 5 years imprisonment; or

(b) otherwise - 1,655 penalty units.

(2) The recipient of an environmental enforcement order must not contravene a requirement of the order unless the person has a reasonable excuse.

Maximum penalty -

(a) if the order was issued on a prescribed ground or under section 362(2)(a) - 4,500 penalty units; or

(b) otherwise - 600 penalty units.

(3) In a proceeding for an offence against subsection (1), if the court is not satisfied the defendant is guilty of the offence charged but is satisfied the defendant is guilty of an offence against subsection (2), the court may find the defendant guilty of the offence against subsection (2).

(4) In this section - prescribed ground means -

(a) an enforcement ground mentioned in section 359(c) or (d) involving serious or material environmental harm; or

(b) an enforcement ground mentioned in section 359(e)(ii), (iii), (iv), (v), (vi), (xii) or (xiii) or (f)(i).

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 Permits and Licensing, Department of the Environment, Tourism, Science and Innovation via email at palm@detsi.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 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@detsi.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](#)

