Environmental Enforcement Order

Environmental Protection Act 1994

Pursuant to section 362

ORDER ID	**STAT-E-101124757**
Date of issue	26 June 2026
Issued to (you)	Dexus Asset Management Limited (ACN: 080 674 479) *For the purpose of this Environmental Enforcement Order (EEO), 'you' means the recipient of this EEO.*
Registered address	Quay Quarter Tower, Level 30, 50 Bridge Street, SYDNEY NSW 2000
Site address (the premises)	3201 Old Cleveland Road, Chandler, QLD 4155
Land reference	Lot 26 on SL11115 and Lot 5 on RP82069
CC to	Precise Environmental Pty Ltd Suite 7 / 14 Fremantle Street, BURLEIGH HEADS QUEENSLAND, Qld, 4220
Issued by (the delegate)	Elena Moeller, Compliance Delivery Manager Southeast Compliance **Delegate of the Administering Authority** Chief Executive of the Department of Environment, Tourism, Science and Innovation (the department)
Relevant Grounds	• s359(c) To secure compliance with the general environmental duty. • s359(e)(ii) To secure compliance with conditions of an environmental authority.
Service method	☒ Registered post ☐ Hand delivered ☒ Also by email ☐ Orally (s369(2))
Contact	If you have any questions about this EEO, please contact: Pitter Costa, Southeast Queensland Compliance Email: ESComplianceBrisbaneMoreton@detsi.qld.gov.au Telephone: (07) 3164 3656
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 EEO have their meaning defined in the **Definitions** section of the EEO or, if not defined, in the *Environmental Protection Act 1994* (the Act).

Why are we writing to you?

Under the Environmental Protection Act 1994 (the Act), 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.

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The delegate for the department is issuing this EEO to you, pursuant to Section 362 of the Act, to secure compliance with the Act in relation to activities being undertaken at the premises.

The delegate reasonably suspects that you have not met your general environmental duty under section 319 of the Act, and you have contravened section 430 of the Act at the premises. The delegate has issued this EEO to you under section 362 of the Act to remedy the contravention, avoid further contraventions, and keep the department informed.

What are you required to do?

The required actions listed below are to be remedied 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. **By 5pm on 29 June 2026**, you must stop any releases to land that are not authorised under EA EA0002293.
2. **By 5pm on 6 July 2026**, you must submit to the administering authority a written summary of the measures taken to meet requirement 1.
3. From the date this EEO is issued and for the period it is in effect, you must engage a licensed regulated waste transporter to lawfully remove sewage, sewage residues, and sewage effluent from the premises.
4. From the date this EEO is issued and for the period it is in effect, you must ensure all sewage, sewage residues, and sewage effluent is transported to a facility lawfully able to receive it.
5. From the date this EEO is issued and for the period it is in effect, you must keep all waste tracking certificates for sewage, sewage residues, and sewage effluent removed from the premises, for a period of 5 years and provide copies to the administering authority upon request.
6. This EEO remains in effect until you demonstrate, to the satisfaction of the administering authority, that releases from the activity comply with the limits and conditions of EA EA0002293.
7. **By 5pm on 7 October 2026**, you must submit to the administering authority a receiving environment monitoring program (REMP) that fully complies with conditions G7 and G8 of EA EA0002293.

Any submissions required by this EEO are to be sent via email: ESComplianceBrisbaneMoreton@detsi.qld.gov.au or via mail to Department of the Environment, Tourism, Science and Innovation, GPO Box 2454 BRISBANE QLD 4001

Background and relevant matters:

Definitions used in this EEO *(that are not exactly as the Act defines or implies them)*

Authorised representative	A representative that has been nominated by the person this EEO 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).
Business Day	Business day means a day other than a Saturday, Sunday, or public holiday in Queensland.
Land	This refers to the cadastral reference of the premises referenced in this EEO.
Resource	Waste being a *resource* 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.

1. You are the holder of environmental authority (EA) EA0002293 dated 7 September 2023.
2. The department is satisfied that you are responsible for the operation and maintenance of the premises under the EA.
3. You occupy and have management and control of the site since November 2021. Precise Environmental (PE) was engaged as a consultant by Dexus in late 2024.
4. On 5 August 2025, PE submitted to the department an annual monitoring report for the period of 2024-2025, as required under Condition G12 of EA EA0002293. The report identified multiple non-compliant effluent monitoring results with exceedances noted for total suspended solids (TSS), total nitrogen (TN), and total phosphorus (TP). It also indicated potential exceedances of the 5,000L/day discharge limit, attributed to the absence of a device to regulate effluent flow. This assessment was based on the average daily water usage over a one-month period.
5. On 30 September 2025, PE notified the department of non-compliant effluent sampled on 23 September 2025. The test results showed exceedances in TSS, TN, TP, 5-day Biochemical Oxygen Demand (BOD5), conductivity and e. coli levels.

6. Condition L1 of EA EA0002293 states:

   The only contaminants to be released to land are treated effluent in accordance with Table 1 – Treated effluent limits and associated requirements.

Table 1 - Treated effluent release limits

Release Point Name	Quality Characteristic	Release Limit [units]	Limit Type	Frequency
Flow meter	Volume	5000 L	maximum	daily
		1825 KL	maximum	annually
Monitoring location**	**BOD5**	20 mg/L	maximum	3 monthly*
	Total Suspended Solids	30 mg/L	maximum	3 monthly*
	Total Nitrogen (as N)	30 mg/L	maximum	3 monthly*
	Total Phosphorus (as P)	10 mg/L	maximum	3 monthly*
	pH	6.0-8.5 pH units	range	3 monthly*
	E.coli	<1000 CFU/100ml	maximum	3 monthly*
	Electrical Conductivity	1600 µS/cm	maximum	3 monthly*

Associated requirements

1) Monitoring must be in accordance with the **administering authority's** Monitoring and Sampling Manual and all monitoring devices must be effectively calibrated and maintained,
2) Releases of treated effluent must not be outside of the **land application area**,
3) Monitoring must be undertaken when treated sewage effluent is being applied, unless effluent application has ceased for longer than the relevant parameters specified minimum frequency (e.g. if TSS was only required to be monitored once a week, then a TSS sample would not be required after the first week following cessation of the release),
4) Samples must be representative of the release,
5) Indicators for TN and TP are recommended to be done as grab samples.

* Monitoring frequency may be undertaken annually where the previous four (4) consecutive samples comply with all limits in Table 1, If annual monitoring indicates exceedance of limits in Table 1, monitoring must be undertaken quarterly (3 monthly).

** Monitoring location is a 300mm check port, which drains to the second holding/pump-out tank shown in Attachment 2 – *Wastewater Treatment and Effluent Disposal Plan*, dated 03/03/2020,

7. On 13 October 2025, PE notified the department of system upgrades, which were implemented to improve the AES performance and effluent treatment. A flow meter was installed along with a larger distribution box.
8. On 13 January 2026, PE notified the department of non-compliant effluent sampled on 22 December 2025. The test results revealed exceedances in TSS, TN, TP, BOD5, and E. coli levels.
9. On 9 February 2026, PE contacted the department, providing updates and stating that the AES underground system terminates in earthen material. Furthermore, it was disclosed that no groundwater monitoring wells have been installed to assess the potential lateral or horizontal migration of effluent beyond the approved irrigation area.
10. On 27 February, following a review of the monitoring data and associated information, the department issued formal correspondence to Dexus regarding alleged non-compliance with EA EA0002293, conditions L1, G4, G7, and G8.
11. On 9 March 2026, PE submitted an initial response addressing the alleged non-compliances. An additional update was provided on 13 March 2026, which included site photographs, Dexus's official

response to the pre-enforcement letter, and the latest REMP document, dated 12 March 2026 (reference number TE170551 – Revision B).

12. On 26 March 2026, PE notified the department of non-compliant effluent sampled on 13 March 2026. The test results indicated exceedances for all parameters analysed (conductivity, TSS, TN, TP, BOD5 and E. coli) except for pH. E.coli results were 250,000cfu/100ml.
13. In summary, monitoring results from November 2024 to March 2026 revealed exceedances across all EA parameters listed by Condition L1 of the EA EA0002293, except for pH.
14. A summary of effluent sample results from November 2024 to March 2026 is provided below:

Parameter	EA release limit	Effluent sample date					
		22 Nov 2024	21 Mar 2025	19 Jun 2025	23 Sep 2025	22 Dec 2025	13 Mar 2026
pH	6.0 - 8.5	7.80	8.18	7.55	7.19	6.88	8.09
conductivity (uS/cm)	1,600	534	400	1,390	**1,610**	1,540	**1,610**
total suspended solids (mg/L)	30	**2,330**	**35,700**	13	**5,180**	**1,580**	**100**
total nitrogen (mg/L)	30	**4.2**	**64.7**	**54.4**	**69.4**	**127**	**137**
total phosphorus (mg/L)	10	1.02	**13.9**	**11.7**	**14.6**	**23.6**	**20.5**
5-day BOD_5 (mg/L)	20	1	1	20	**117**	**172**	**437**
E.coli (cfu/100 mL)	<1,000	1,000	100	10	**9,000**	**270,000**	**250,000**

15. Condition G4 of EA EA0002293 states:

Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
The definition of a release of contaminants, as outlined in the EA EA0002293, is as follows:

(a) deposit, discharge, emit or disturb the contaminant

(b) cause or allow the contaminant to be deposited, discharged, emitted or disturbed

(c) fail to prevent the contaminant from being deposited, discharged, emitted or disturbed

(d) allow the contaminant to escape

(e) fail to prevent the contaminant from escaping

16. Correspondence from PE on 9 February 2026 stated:

<…> since late 2024, primary treated effluent generated from onsite toilets, hand basins and sinks has been released from the onsite 20,000 L septic tank to the approved subsurface AES treatment area as permitted in the EA. <…> By design, the septic tank does not provide any nutrient reduction

or pathogen reduction. It removes solids from the sewage stream. <…> The AES underground extents by design terminate in earthen material and there are no groundwater monitoring wells installed to assess the potential lateral or horizontal migration of effluent beyond the approved irrigation area.

17. Based on a review of the monitoring data submitted to the department to date (summarised in the table above), it is reasonable to conclude that non-compliant effluent releases have likely occurred to native soil since late 2024. These releases are associated with elevated levels of nutrients (TN, TP) and pathogenic loads. Additionally, high levels of TSS, BOD5, and conductivity are also likely, given the trends observed in previous results.
18. Condition G8 of EA EA0002293 states:

    The receiving environment monitoring program (REMP) required by condition G7 must comply:

    (a) Be undertaken annually;

    (b) Monitor the capacity of the land application area to sustainably assimilate nutrient loads from the daily inflow to the AES infiltration beds;

    (c) Include soil samples taken within one (1) metre of the AES infiltration beds, and at the depth of the base of the AES infiltration beds;

    (d) Include comparative soil and sub-soil analysis of soils from a reference site and representative locations within the land application area, including monitoring for:

    - soil type, soil structure, pH, phosphorus adsorption level and capacity, nutrient status, salinity and sodicity, and cation exchange capacity;

    (e) Be able to detect whether the water balance of the soil within, and in the immediate vicinity of the land application area, is adversely affected by the disposal of treated effluent;

    (f) Ensure that no migration of effluent beyond the land application area designated for the release of effluent occurs; and

    (g) Have monitoring results analysed and interpreted by an appropriately qualified person annually, and this information must be provided to the administering authority in the annual monitoring report.
19. REMP Report No. TE170551, dated 12 March 2026 and received by the department on 13 March 2026, lacks sufficient information to demonstrate the land's capacity to sustainably assimilate nutrient loads from daily inflows to the AES trenches. The report does not provide information on soil type, soil structure, nutrient status, and a water balance assessment. Furthermore, the report does not provide soil quality monitoring results or any analysis of the activity's impact on the receiving environment.

Grounds for issuing this EEO:

1. Section 362 of the Act says:

   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.

   Enforcement grounds include:

   Section 359(c) To secure compliance with the general environmental duty.

   Section 359(e)(ii) To secure compliance with a condition of an environmental authority.

2. The department is the administering authority and has responsibility for enforcing the Act.
3. Section 319 of the Act says:
   *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**).*
4. Releases to land of "treated effluent" is currently being carried out in non-compliance with the conditions of your EA EA0002293, thus exceeding the assessed risk level undertaken by the department when the EA application was made. The continued release of high concentrations of nutrients and pathogens to land, in exceedance of authorised limits and without an appropriate REMP, may result in the discharge of contaminants to the environment causing harm.
5. Section 430 of the Act says:
   A *person must not contravene a condition of the authority*.
6. The department alleges you have failed to comply with Conditions L1, G4, G7 and G8 of EA EA0002293.
7. In summary, the delegate considers you have contravened section 430 of the Act and it is reasonable to require you to take measures to review practices in carrying out the activity to secure compliance with those conditions and assess impact/s to the environment to ensure all reasonably practicable measures are taken to prevent or minimise the harm in accordance with your obligations under the general environmental duty.
8. The delegate has considered the circumstances (including the standard criteria and human rights) and determined that the required actions above are reasonable to address the relevant matter.
9. This EEO takes effect from the date of service and remains in force until stayed, amended, revoked or finalised.

Considerations

The standard criteria 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.

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

