Environmental Enforcement Order

Environmental Protection Act 1994

Pursuant to section 362

ORDER ID	**STAT-E-101156580**
Date of issue	27 August 2026
Issued to (you)	DESIGNED LOGISTICAL SOLUTIONS PTY LTD (ACN 610 209 204)
Registered address	~~Lot 254 Buchanan Creek Rd Cow Bay QLD 4873 Australia~~ LOT 36 CAMELOT CLOSE, CAPE TRIBULATION, QLD, 4873
Site address (the premises)	36 Camelot Cl, Cape Tribulation QLD 4873
Land reference	LOT 35/RP733181, LOT 36/RP733181 and LOT 6/RP851327
CC to	
Issued by (the delegate)	Mark Cavicchiolo, Compliance Delivery Manager **Delegate of the Administering Authority** Chief Executive of the Department of the 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 the 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: Liam O'Connor, Minerals and Northern Compliance Cairns Email: ESTownsville@detsi.qld.gov.au Telephone: (07) 3087 8100
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?

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.

DELIVERING FOR QUEENSLAND | Queensland Government

The delegate for the department is issuing this EEO to you, pursuant to s362 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.

Immediate actions

1. Immediately on receipt of this EEO, you must commence, and continue taking, all reasonably practicable measures to prevent unauthorised releases of treated or untreated sewage effluent, or other prescribed water contaminants from the sewage treatment plant, irrigation system, irrigation area, pumps, pipework, storage and any other associated infrastructure to land or waters.

Intermediate actions

2. **By 5:00 pm, 11 September 2026**, you must:
   a. Ensure a current copy of Environmental Authority EPPR00886913 (EA) is kept at the premises and is readily accessible to employees and contractors responsible for operating or maintaining the sewage treatment plant or irrigation system.
   b. Provide written evidence to the administering authority that relevant employees and contractors have been instructed on the EA conditions relevant to monitoring, maintenance and notification obligations.
   c. Undertake vegetation maintenance necessary to ensure ongoing access to, and visibility of, irrigation infrastructure including sprinkler heads.
   d. Ensure that the pump located in the sewage treatment area is no longer leaking. Refer to Appendix A, Figure 1 for identification of the pump.
   e. Submit evidence to the administrating authority that you have completed requirements 2.a.-2. d.

Appointment of Appropriately Qualified Person

3. **By 5:00pm on 11 September 2026**, you must submit to the administering authority evidence that you have engaged an appropriately qualified person (AQP) with relevant skills, qualifications and experience to meet requirement 4 of this notice. The evidence must include:
   a. The AQP's name and employer or business name.
   b. The AQP's qualifications and relevant experience in relation to sewage treatment plants and effluent irrigation systems; and
   c. A copy of the scope of work for the assessment required by this EEO.

Site audit

4. **By 18 September 2026,** you must ensure the AQP commences an assessment of all infrastructure associated with the sewage treatment plant and irrigation system. The assessment must include:
   a. An assessment of whether the sewage treatment system is operating in accordance with

its design specifications and intended performance outcomes.

b. An investigation into whether effluent is leaking, seeping, overflowing or otherwise being unlawfully released from the sewage treatment plant.
c. An audit of compliance with EA conditions G3, G7, G8, G11, G12, L1, L4, L6, L9, L13 and any other conditions relevant to operation, monitoring and maintenance of the STP and irrigation system.
d. Recommendations for the implementation of reasonably practicable actions, including but not limited to: infrastructure repairs or upgrades, monitoring and maintenance measures and any other necessary works, to prevent any unauthorised release of contaminants and ensure the system operates in accordance with the requirements of the EA.
e. Nominated dates for the completion of each action identified under requirement 4.d.
f. Prioritisation of each action must consider the risk of further unauthorised releases to waters and have a completion date of no later than **30 November 2026.**

5. **By 5:00pm on 7 October 2026**, a report completed by the AQP must be submitted to the department which provides evidence that requirement 4 of this notice has been completed.
6. **By 5:00pm on 4 December 2026,** you must have completed implementation of all actions identified under requirements 4.d.

Additional requirements

7. You must provide a progress update for the actions identified under requirement 4.d. on the first business day of each month, including details of any delays and any measures being taken in response to those delays.
8. Through the duration of this EEO you must:
   a. Submit all reports and documents required by this EEO to the department via email to EStownsville@detsi.qld.gov.au; and
   b. Retain sufficient personnel, plant, equipment and resources to manage the premises in compliance with the EA and the requirements of this EEO.

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).
Appropriately Qualified Person	In the context of this notice an appropriately qualified person means a wastewater engineer or wastewater process specialist or other person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.
Land	This refers either to the cadastral reference of the premises referenced in this EEO; or In reference to a release, land means the definition given in Environmental Authority EPPR00886913: “Land means land excluding waters and the atmosphere”.
Prescribed water	Any contaminant listed under schedule 10 Prescribed water contaminants of the

contaminant	*Environmental Protection Regulation 2019.*
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.

Grounds for issuing this EEO:

1) The department is issuing you with an EEO pursuant to section 362(1) of the Act as it is satisfied that the following enforcement grounds exist:

   a) In accordance with section 359(c) of the Act, it is considered necessary to issue an EEO to secure compliance with the general environmental duty (GED). The GED is detailed in section 319 of the Act and 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."

   b) In accordance with section 359(e)(ii) of the Act, it is considered necessary to issue an EEO to secure compliance with conditions of an environmental authority (EA). Specifically, conditions G3, G12, L1, L4, L6, L9, L13 and W1 of Environmental Authority EPPR00886913. These conditions require, amongst other things:
      a. Prevention of unauthorised releases of contaminants to the environment; and
      b. Installation, maintenance, and operation of measures necessary to ensure compliance with the EA;

The facts and circumstances forming the basis for these grounds are:

2) You are the holder of Environmental Authority EPPR00886913 (EA) and are responsible for the operation and maintenance of the sewage treatment plant (STP) at the Ferntree Rainforest Lodge (the premises) located on land described as Lot 35/RP733181, Lot 36/RP733181 and Lot 6/RP851327.

3) The premises is located adjacent to the Daintree National Park and Wet Tropics World Heritage Area in Queensland. The premises contains a stream that flows to Noah Beach and supports critical habitat for endangered species. These environmental values are of significant cultural importance to the Eastern Kuku Yalanji people and underpin the region's tourism-based economy.

4) On 28 May 2026, the department received a complaint through the Pollution Hotline alleging that sewage effluent from the STP had been released into a nearby creek. The complaint was accompanied by video evidence of the release event.

5) On 2 June 2026, authorised persons of the department, conducted a compliance inspection at the site. During the inspection, the site's general manager Sonny Singh (Mr. Singh) confirmed that an effluent release incident had occurred on 28 May 2026 resulting from a failure of the float system associated with the STP. Mr. Singh advised that the failure caused effluent to enter the adjacent creek and that an electrician was subsequently engaged to rectify the issue later that day. Mr. Singh also stated that no copy of the EA was kept on site, and that staff were unfamiliar with the requirement to notify the department of any unauthorised releases.

6) The department considers that the absence of the EA on the premises, the unauthorised release into waters, and the failure to notify the department of that release, are contraventions of conditions G3, W1 and G12 of the EA, respectively.

7) During the inspection of the irrigation area, authorised persons observed that approximately half of the

approved contaminant release area had been gravelled and repurposed as a construction laydown area for the storage and movement of vehicles and equipment. This use is inconsistent with the approved purpose of the contaminant release area. Additionally, authorised persons observed that the irrigation area was heavily overgrown and sprinkler heads could not be located by either authorised persons or site personnel. The inability of site personnel to readily locate irrigation infrastructure raised concerns regarding the maintenance and management of the effluent disposal system and associated infrastructure.

8) The failure to maintain the irrigation area in an accessible and operable condition is a failure to take reasonably practicable measures to prevent or minimise the risk of environmental harm, contrary to the general environmental duty under section 319 of the Act.

9) During the inspection, the operator was unable to demonstrate to the department that the effluent is being irrigated (released) as per the requirements of condition L6 of the EA. Further, the use of a significant portion of the contaminant release area for the storage and movement of vehicles and equipment contravenes Condition L4 of the EA, which prohibits the area from being used as a traffic thoroughfare.

10) During the inspection of the STP, authorised persons observed a pump associated with the irrigation system continuously leaking grey-coloured liquid, resulting in pooling and discharge onto surrounding land. Authorised persons also observed saturated ground conditions and strong sewage odours within the STP area despite the absence of recent rainfall, indicating potential seepage or leakage from the treatment system.

11) The location of the STP and the observed release pathways indicated that contaminants released from the treatment system could be mobilised during rainfall events and transported downgradient towards the adjacent creek. The previous release event of 28 May 2026 further demonstrates the existence of this release pathway. Sewage effluent, whether treated or untreated is a prescribed water contaminant listed under schedule 10 of *the Environmental Protection Regulation 2019*.

12) These circumstances indicate that the activity is not being operated using all reasonably practicable measures necessary to prevent or minimise releases of contaminants to land or waters as required under the EA, specifically conditions L1 and W1.

13) During the inspection, Mr. Singh advised authorised persons that no effluent quality monitoring had been undertaken at the facility and thus no records were produced demonstrating compliance with contaminant release limits specified in condition L9 of the EA.

14) The department considers the lack of water quality monitoring of effluent intended for release to land to represent a breach of condition L13.

15) During the inspection, authorised persons collected a sample from the effluent irrigation monitoring point for laboratory analysis. The sample returned a faecal coliform concentration of 24,000 MPN/100 mL. Condition L9 of the EA requires treated effluent released to land to contain no more than 1,000 faecal coliform organisms per 100 mL. The sample result exceeded the prescribed release limit by approximately 24 times.

16) The monitoring result demonstrates that treated effluent released from the STP did not comply with the effluent quality requirements of condition L9 of the EA. This has further increased concerns relating to the potential environmental harm originating from effluent released via irrigation and the aforementioned unauthorised releases.

17) The department considers that the observed leakage, seepage, release of effluent to waters, reduction and repurposing of the contaminant release area, deterioration of the irrigation system, exceedance of effluent quality limits, absence of required monitoring and deficiencies in incident notification procedures demonstrate that you have not adequately implemented measures necessary to ensure compliance with the conditions of the EA or your General Environmental Duty under the Act.

18) The department considers that regulatory action is necessary to secure compliance with the conditions of the EA, General Environmental Duty, and to prevent further releases of contaminants to land and waters that may cause environmental harm.

19) Based on the facts and circumstances above, the administering authority considers it necessary to issue a statutory notice to:

    a) secure compliance with your EA conditions and your General Environmental Duty.

    b) require you to investigate and rectify deficiencies associated with the sewage treatment plant and effluent irrigation system, including its setup, operation, maintenance and monitoring; and

    c) prevent future unauthorised releases of contaminants to land and waters and minimise the risk of environmental harm.

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



Appendix A: Relevant figures



Figure 1: Photo of leaking pump located in the sewage treatment plant area, referenced in requirement 2.d. of this notice