

Notice

Environmental Protection Act 1994

Environmental Evaluation

Notice of decision on an environmental report for an environmental investigation

This notice is issued by the administering authority pursuant to section 326G(4) of the Environmental Protection Act 1994 to advise you that the administering authority has decided to accept an environmental report for an environmental investigation.

Aquarium Avenue Pty Ltd (ACN: 097 471 666)
ACN 067 471 666
Unit 3, 38 Wambool St
BULIMBA QLD 4171

Attn: Glenn Cross, Director
Email: cross.co@hotmail.com

Your reference: Greenacres Caravan Park

Our Reference: STAT1317; EPPR00754013

11 October 2019

Take notice: that under the *Environmental Protection Act 1994* (the Act), a notice of decision to accept an environmental report for an environmental investigation is issued to Aquarium Avenue Pty Ltd (ACN: 097 471 666) (you) by the administering authority. The administering authority is the Chief Executive of Department of Environment and Science (the department).

The notice of decision to accept an environmental report for an environmental investigation is issued in respect to the activities by you at Greenacres Caravan Park on land described as Lot 3, plan RP12375 situated at 508-520 Mt Cotton Road, Capalaba Qld 4157 (the premises).

The decision

The decision to accept an environmental report about a stated matter is based on the following grounds:

1. On 24 October 2018, a *Notice to conduct or commission an environmental investigation* was issued to you by the department on the grounds that an activity conducted by you is causing, or is likely to cause, environmental harm (the Notice).
2. On 29 April 2019, an environmental report was submitted to the department by Simmons and Bristow.
3. On 13 May 2019, the department issued a *Notice requesting further information* under section 326F(2) of the Act.
4. On 22 August 2019, the department received further information from Simmons & Bristow on your behalf.
5. The department is satisfied the reports reasonably address the relevant matters for the environmental investigation. However, it should be noted that the response in the environmental report to Requirement

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7 of the Notice is considered adequate for the scenario described in the environmental report with respect to land irrigation and the occasional release of treated sewage effluent to the creek during wet weather. The response to Requirement 7 is not adequate for the scenario discussed in the environmental report suggesting ongoing release of 100% of treated sewage effluent to the creek.

6. It should also be noted that the acceptance of the environmental report provides the department with the opportunity to amend your environmental authority (EPPR00754013) under section 326H (1)(ii) of the Act.

Review and appeal

The provisions regarding reviews of decisions and appeals are found in sections 519 to 539 of the Act but this does not generally apply to an original decision under section 326(g)(4)(a) of the Act to accept an environmental report for an environmental investigation.

A person whose interests are or would be adversely affected by a decision of the department may also be able to request a statement of reasons for a decision or a statutory order review under the *Judicial Review Act 1991*.

You may have other legal rights or obligations and should seek your own legal advice.

Should you have any queries in relation to this notice, please contact Rhoda Johanni of the department on telephone number (07) 5626 6893.



Signature



Date

Tim Brain

Manager (Compliance)

Delegate of the Chief Executive

Department of Environment and Science

Environmental Protection Act 1994

Enquiries:

Gold Coast Compliance Centre

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