

Notice

Environmental Protection Act 1994

Information request

This information request is issued by the administering authority under section 140 of the Environmental Protection Act 1994 to request further information needed to assess an application for a proposed PRC plan.

To: Visy Glass Operations (Australia) Pty Ltd
C/- Sibelco Australia Limited
137 Montague Road
SOUTH BRISBANE QLD 4101
Email: stephen.kendall@sibelco.com

Attention: Steven Kendall

Your reference: EPML00349813

Our reference: 101/0005373; C-PRCP-100759427

Further information is required to assess an application for a PRCP schedule

1. Application details

The application for a proposed PRC plan, made by Sibelco Australia Limited on behalf of Visy Glass Operations (Australia) Pty Ltd was received by the administering authority on 31 October 2024. Written notice pursuant to section 128(2)(d) of the *Environmental Protection Act 1994* (EP Act), that action was taken to address the not properly made notice was received on 15 July 2025. The information request period was extended to 27 August 2025, pursuant to section 145(1) of the EP Act.

Application number: A-PRCP-NEW-100759407.

Land description: Mining Leases (ML) 1124 and ML7064.

2. Information request

The administering authority has considered the abovementioned application and is writing to inform you that further information is required to assess the application (an information request).

The information requested is provided in Appendix 1 of this notice.



3. Actions

The abovementioned application will lapse unless you respond by giving the administering authority -

- (a) all of the information requested; or
- (b) part of the information requested together with a written notice asking the authority to proceed with the assessment of the application; or
- (c) a written notice –
 - i. stating that you do not intend to supply any of the information requested; and
 - ii. asking the administering authority to proceed with the assessment of the application.

Should the information request require an EIS process or applicant to submit a progressive rehabilitation and closure (PRC) plan then it must be completed and submitted.

A response to the information requested must be provided by 3 March 2026 (the information response period). If you wish to extend the information response period, a request to extend the period must be made at least 10 business days before the last day of the information response period.

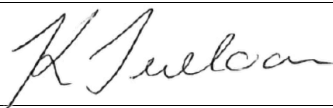
The response to this information request or a request to extend the information response period can be submitted to the administering authority by email to ESCairns@des.qld.gov.au.

If the information provided in response to this information request is still not adequate for the administering authority to make a decision, your application may be refused as a result of section 176 of the *Environmental Protection Act 1994*, where the administering authority must have regard to any response given for an information request.

4. Human rights

A human rights assessment was carried out in relation to this decision and it was determined that the decision is compatible with human rights.

If you require more information, please contact Minerals Business Centre on the telephone number listed below.



Signature

27 August 2025

Date

Kirstie Treloar
Department of the Environment, Tourism, Science
and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
PO Box 7230, Cairns QLD 4870
Phone: (07) 4222 5468
Email: ESCairns@detsi.qld.gov.au

Attachments

Appendix 1 – Additional information required for proposed PRC plan

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Item #	Relevant section (proposed PRC plan and/or PRCP Guideline)	Matter	Information Request
Rehabilitation planning part			
1	General	The PRCP planning part document (and the proposed PRCP schedule) makes reference to sections which appear to be incorrect. For instance, the PRCP schedule states that “<i>revegetation plan (Section 7.9.1 of the PRCP RPP)</i>”. The revegetation plan appears to be included in section 7.8.1 of the PRCP RPP.	Please update the PRCP RPP to ensure references are correct.
2	General rehabilitation practices	<u>A final landform design</u> The final landform design provided at section 7.6 of the PRC plan does not comply with the requirements of section 3.6.1 and 3.6.3 of the PRCP guideline, for example: • The information in Section 7.6 of the PRCP report is limited and does not incorporate local data for design. • The erosion estimates have not been sufficiently substantiated. • Section 7.6 (page 56) refers to Table 20, stating that 25-degree slopes have a Factor of Safety (FoS) of 1.34, without presenting local data or analysis on how structural stability was achieved. The expected FoS is 1.5. The Void Closure Plan report (2419A2) indicates the steepest slope as 18 degrees with an FoS of 2.0. Section 1.5.1 of the Void Closure Plan on Slope Stability relies on assumptions of soil data for stability without supporting data and analyses.	Provide a final landform design that addresses the matter or adopt the proposed PRCP schedule conditions 16 and 17 and relevant milestone criteria. Propose reasonable timeframes for consideration.

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		<u>Rehabilitation program</u> Condition F2-1 of the EA requires that the EA holder “<i>Maintain a rehabilitation program of disturbed areas (including landform design criteria) to meet the outcomes in (F2-1)</i>”. The rehabilitation plan provided with the PRCP is dated November 2009.	
3	Landholder agreement/s	<u>Evidence of agreement for any infrastructure that will have ownership transferred</u> The Landholder agreement (dated 5 November 2019) has been included in Appendix L of the PRC plan. It is noted that the agreement relates to other areas of Minjerribah (Kounpee, Glass and Dunwich), two of which are not associated to this EA. The infrastructure listed to be retained in the landholder agreement is not consistent with the PRC plan listed infrastructure. For example: Access tracks are proposed to be retained per the Landholder agreement provided. However, there is also a second agreement ‘Minjerribah TFMS’ which the retainment of specific tracks associated with the Minjerribah Township Fire Management Strategy. The map of the access tracks to be retained, shown in Figure 12 of the PRC plan is inconsistent with the Landholder agreement (Appendix L) and the spatial information provided.	<u>Evidence of agreement</u> Provide an updated Rehabilitation Planning Part that includes clear and contemporary information and a landholder agreement that is consistent with the PRCP schedule and PRC plan, and meets the requirements of section 3.6.5 of the PRCP guideline. The agreement should itemise the relevant infrastructure that will be retained by the landholder. The agreement should be easily interpreted and use agreed naming of infrastructure as identified in the EA and PRCP schedule. Maps may also assist in providing this level of clarity. If an updated landholder agreement cannot be provided then include appropriate rehabilitation milestones and criteria to return the land to a native ecosystem PMLU.

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		Communications infrastructure has been mentioned in the Landholder agreement (Appendix L) but has not been addressed in the PRC plan.	
		<u>A description of infrastructure that will remain post rehabilitation and the identification of ongoing maintenance requirements</u> The PRC plan indicates that the infrastructure to be retained (subject to a Landholder agreement) is the Maintenance workshop, Bore 1 and Bore 3 and all sealed and unsealed roads. It appears the Landholder agreement (Appendix L) is currently being negotiated and it is unclear if the Maintenance workshop Ongoing maintenance requirements for infrastructure to be retained have not been detailed.	<u>Infrastructure that will remain post rehabilitation and ongoing maintenance requirements</u> Provide details of rehabilitation and maintenance requirements for infrastructure to be retained. Update Table 26 of the PRC plan to remove the reference relating to the Landholder's responsibility. Provide advice on the status of the testing that was proposed to be carried out to determine the extent of residual contamination.
4	Surface water and Groundwater	The PRCP schedule proposes rehabilitation outcome criteria for surface and groundwater limits as specified in Schedule C of the EA to demonstrate the achievement of	Either adopt the proposed WQOs in the attached PRCP consultation schedule, or propose appropriate site specific

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		post mining land use to a stable condition (native ecosystems). Limits included in the PRCP schedule must be fit for purpose (closure, not operation), site-specific and based on WQOs, guidelines and background data. As monitoring data has not been provided to support the proposed limits, water quality objectives (WQOs) have been included in the attached PRCP consultation schedule.	parameters and include supporting data in the format specified (attached). Limits proposed must be fit for purpose (closure, not operation), site-specific and based on WQOs, guidelines and background data. Background data can be used to determine site-specific limits as follows: (a) For surface water, the 80th percentile of data for upstream/reference sites should be used for phys-chem indicators and the 95th percentile for toxicants. For groundwater, the 95th percentile of baseline (ideally pre mining) data can be used to determine site-specific limits for all indicators. See DES 2021 Groundwater Guideline https://www.publications.qld.gov.au/dataset/groundwater-quality-assessment-guideline/resource/472cc88a-000a-4bb8-a60d-204cfe7e0238.
5	Erosion monitoring requirements	Section 7.5.1.3 of the Rehabilitation Planning Part provides information regarding an erosion monitoring program that was carried out up until 2012. Conditions F2-1 and F2-2 of the EA require a rehabilitation outcome whereby areas are progressively rehabilitated to a native ecosystem with landforms that are stable, with erosion comparable to analogue sites. Section 5.1.2 of the Rehabilitation program provided as Appendix B to the Rehabilitation Planning Part indicated that soil erosion monitoring to quantify erosion rates, and be done every 12 months. Contemporary results of this monitoring program have not been provided, presumably	Either adopt the proposed PRCP conditions 14 and 15 and relevant rehabilitation milestone criteria proposed in the schedule or, alternatively, provide data and interpretation of analogue and final landform erosion monitoring program with a view to proposing appropriate target erosion threshold for annual erosion rates based on that monitoring.

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		the same monitoring program mentioned at section 7.5.1.3 of the Rehabilitation Planning Part.	
6	PRCP consultation schedule	The department has attached an early draft of a proposed PRCP schedule for the purpose of consultation and to communicate how the information requested would be considered in further revision of a draft PRCP schedule. The PRCP assessment process is an iterative process whereby ongoing awareness of the site's rehabilitation needs will lead to additions and variations to the draft schedule. Amendments proposed by the department in the provided draft are provided with a view to ongoing engagement towards the development of SMART criteria.	Consider the proposed amendments and where dates and or timeframes are not yet proposed, consider appropriate timeframes for further discussion. Consider the proposed amendments more broadly with a view to further engagement with the department.
7	Rehabilitation Planning Part	Changes to the RPP may be required.	Provide an updated Rehabilitation Planning Part as necessary to provide consistency.