

# Environmental Enforcement Order

## Environmental Protection Act 1994

Pursuant to section 362

|                                |                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ORDER ID                       | STAT-E-101153266                                                                                                                                                                                                                                                                                                                                                                                  |
| Date of issue                  | 6 August 2026                                                                                                                                                                                                                                                                                                                                                                                     |
| Issued to<br>(you)             | ADZ Energy (Queensland) Pty Ltd [ACN 607 504 905]<br><i>For the purpose of this Environmental Enforcement Order (EEO), 'you' means the recipient of this EEO.</i>                                                                                                                                                                                                                                 |
| Registered address             | ADZ Energy Pty Ltd<br>Level 27, 1 Eagle Street<br>BRISBANE CITY QLD 4000                                                                                                                                                                                                                                                                                                                          |
| Site address<br>(the premises) | Former Authority to Prospect (ATP) 2029                                                                                                                                                                                                                                                                                                                                                           |
| Land reference                 | Former ATP2029 including part of: L41/EG190, L8&9/RG452, L44/EG190, L15,16 &18/RG130, L15/EG146, L14/EG145, L16/EG147, L20&24/RG572, L4&6/EG133, L5/PG303, L5/EG134, L39/PG264                                                                                                                                                                                                                    |
| CC to                          |                                                                                                                                                                                                                                                                                                                                                                                                   |
| Issued by<br>(the delegate)    | Lindsay Webber, Principal Environmental Officer<br><b>Delegate of the Administering Authority</b><br>Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department)                                                                                                                                                                                       |
| Relevant Grounds               | <ul style="list-style-type: none"><li>s359(e)(viii) To secure compliance with a surrender notice for an environmental authority.</li></ul>                                                                                                                                                                                                                                                        |
| Service method                 | <input checked="" type="checkbox"/> Registered post <input type="checkbox"/> Hand delivered <input checked="" type="checkbox"/> Also by email <input type="checkbox"/> Orally (s369(2))                                                                                                                                                                                                           |
| Contact                        | If you have any questions about this EEO, please contact:<br>Dean Menzies, Toowoomba Compliance Centre<br>Email: southwest.es@detsi.qld.gov.au Telephone: (07) 3101 2229                                                                                                                                                                                                                          |
| Further information            | Please read the <a href="#">Information Sheet - Recipient of an Environmental Enforcement Order (detsi.qld.gov.au)</a> for further information (search for ESR/2024/6802 on <a href="#">www.detsi.qld.gov.au</a> ). Terms used in this EEO have their meaning defined in the <b>Definitions</b> 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. 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.

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 at the premises.

This EEO is issued as a result of non-compliance with section 260 of the Act ('Failure to comply with surrender notice') in relation to EA0001165.

## What are you required to do?

**The required actions listed below are to be completed by the required dates.**

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

In accordance with this EEO, you are required to do the following:

1. **By no later than 5:00pm on 6 August 2027**, you must submit to the administering authority, a valid surrender application (as per the requirements of section 262 of the *Environmental Protection Act 1994*) for environmental authority EA0001165 to the extent that it relates to former tenure ATP2029 and;
2. **Within 10 business days of your application being deemed as 'valid' by the administering authority as per requirement 1 of this EEO**, you must provide written notification of this to the Toowoomba Compliance Centre via email: [southwest.es@detsi.qld.gov.au](mailto:southwest.es@detsi.qld.gov.au)

## Background and relevant matters:

### Grounds for issuing this EEO:

In accordance with Section 359 of the *Environmental Protection Act 1994* the following is a ground (*an enforcement ground*) on which to issue an environmental enforcement order to a person-

Section 359(e)(viii) – It is necessary to issue an environmental enforcement order to secure the person's compliance with a surrender notice for an environmental authority.

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

1. You are the holder of Environmental Authority EA0001165 as issued 2 March 2018 which enabled you to undertake authority to prospect (ATP) activities upon petroleum tenure ATP2029.
2. Petroleum tenure ATP2029 expired on 31 July 2019.
3. Under section 258 of the *Environmental Protection Act 1994* the administering authority issued you a 'Requirement to make a surrender application for an environmental authority' Notice on 23 April 2024, requiring you to submit a valid surrender application for EA0001165 by 3 June 2024.
4. On 3 June 2024, you sought extension to this surrender period to 30 June 2025 and this was approved by the administering authority on the basis that you required additional time to plug and abandon the 'Ungabilla 1' well on ATP2029.

5. On 13 March 2025, you sought further extension to this surrender period until 30 June 2026 and this was approved by the administering authority on the basis that you required additional time to plug and abandon the 'Ungabilla 1' well on ATP2029
6. On 17 December 2025, you sought a further extension to this surrender period until 30 June 2027 and on this occasion the administering authority was not satisfied with your grounds for extension (i.e. logistical issues around the plug and abandonment of 'Ungabilla 1') and therefore did not accede to the extension request.
7. On 27 May 2026, you met with the administering authority to discuss an alternative proposal to the plugging and abandonment of 'Ungabilla 1'. The department consulted with the administering authority for the *Petroleum and Gas (Production and Safety) Act 2004* and determined that the proposal to transfer this well was not possible under the petroleum legislation and that the well required plug and abandonment due to the ATP2029 tenure expiring.
8. On 29 May 2026 the administering authority issued you correspondence in relation to the point above and advised that it did not accede to any further extension of the surrender notice period.
9. On 29 June 2026 you acknowledged the administering authorities correspondence and made further commitment to the plugging and abandonment of 'Ungabilla 1'.
10. As of close of business (COB) 30 June 2026 'Ungabilla 1' has not been plugged and abandoned and you have not submitted a valid surrender application for EA0001165 to the administering authority.
11. The administering authority issued you with a natural justice letter on 10 July 2026 seeking representations (any reasonable excuse) as to why you did not submit a valid surrender application for EA0001165 by 30 June 2026.
12. You replied to the administering authority on 22 July 2026, sighting issues around logistical delays in plug and abandoning 'Ungabilla 1'. The department does not consider those representations to be a 'reasonable excuse' given the extended timeframes since the surrender notice was first issued to you on the 23 April 2024.
13. As you have not submitted a valid surrender application to the administering authority by close of business 30 June 2026 as per the 'Requirement to make a surrender application for an environmental authority' Notice as last issued to you on the 24 March 2025, it is alleged that you have breached section 260 of the *Environmental Protection Act 1994*:

Section 260 Environmental Protection Act 1994

Failure to comply with surrender notice

*"The holder of an environmental authority to whom a surrender notice has been given must comply with the notice unless the holder has a reasonable excuse".*

14. An Environmental Enforcement Order is required to ensure that you meet your obligations going forward under section 258 of the *Environmental Protection Act 1994* by making a valid surrender application (as per the requirements of section 262 of the *Environmental Protection Act 1994*) for EA0001165.

### Considerations

The department has considered the standard criteria as stipulated in Section 363 of the Act, as well as human rights in accordance with the *Human Rights Act 2019* 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](http://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](http://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](mailto: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 to 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](http://www.qld.gov.au). For queries about privacy matters, please email [privacy@detsi.qld.gov.au](mailto: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](#)

