

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.

JBS Australia Pty Ltd (ACN: 011 062 339)
62 McRoyle Steet
WACOL QLD 4076

Your reference: STAT1153; EPPR00767413

Our Reference: CA45444; 101/0008424

3 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 JBS Australia Pty Ltd (ACN: 011 062 339) (you) by the administering authority. The administering authority is the Chief Executive of the Department of Environment and Science (the department).

The notice of decision to accept an environmental report for an environmental investigation is issued with respect to the activities by JBS Australia Pty Ltd on land described as Lot 105 on Plan SP253485 situated at Bruce Highway, Stuart 4811 (the premises).

The decision

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

1. A notice to conduct or commission an environmental investigation was given to you by the department on 19 April 2018;
2. An environmental report was submitted by you to the department on 1 August 2019; and
3. The department is satisfied the report submitted generally addresses Requirement 5 of the Environmental Investigation to which the report relates.

Please note:

Whilst the department is satisfied that Requirement 5 of the environmental investigation (the EE) has been met with the report generally addressing the relevant matters, a number of issues with the environmental report's findings were identified and will need to be considered in any future dealings for the site. These issues are listed below. Please be advised that following acceptance of the report the department reserves the right to take action as outlined in section 326H of the Act.

1. A number of issues were identified in the information provided with respect to requirements 2 - 4 of the EE, and consequently with requirement 5. These included:

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- a) Omitted details in regard to whether groundwater bores were constructed in accordance the "Minimum Construction Requirements for Water Bores in Australia" (Third edition) - National Uniform Drillers Licensing Committee 2011 (Requirement 3(a));
 - b) Evidence that groundwater sampling was conducted in accordance with AS5667.11:1998 (Requirement 4(c)) to ensure reliable results;
 - c) Some missing information relating to water data and determinations of groundwater quality for the characteristics of pH and Electrical Conductivity (EC) which were required to be measured in-situ, for each of the permanent and temporary groundwater bores (Requirement 4(a);
 - d) The additional evidence required to support the reports suggestion that there is a confined aquifer at the site (Requirement (2(b));
 - e) The integrity of background or up gradient bores and their validity for background monitoring purposes (Requirement 3(c)); and
 - f) The limited duration of the EE and the impact upon the number of groundwater samples able to be used to collect monitoring data from both shallow and deep bores over time (Requirement 4).
2. The MEDLI modelling conducted also had some limitations:
- a) The use of model predictions has limited value for comparing nitrogen leaching rates, largely due to the limited time period used by the consultant for the modelling of the nitrogen leaching;
 - b) The soil model parameters used in the modelling required further verification of hydraulic conductivity of the lowest soil layers; and
 - c) Due to modelling discrepancies, a detailed reassessment of MEDLI data provided in the report was unable to be conducted.

Review and appeal

The provisions regarding reviews of decisions and appeals are found in sections 519 to 539 of the Act.

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 Brendan Meale of the department on telephone number (07) 4722 5357.



Signature



Date

Tim Brain

Manager (Compliance)

Delegate of the Chief Executive

Department of Environment and Science

Environmental Protection Act 1994

Enquiries:

Level 10, Verde Tower

445 Flinders Street

TOWNSVILLE QLD 4810

Ph: (07) 4722 5357

Email: brendan.meale@des.qld.gov.au