

Notice

Environmental Protection Act 1994 Environmental Evaluation

Notice requiring further information

This notice requiring further information is issued by the administering authority pursuant to section 326F(2) of the Environmental Protection Act 1994.

Orica Australia Pty Ltd
Level 3, 1 Nicholson Street
EAST MELBOURNE VIC 3002

Our Reference: CR68468; STAT1160

17 January 2018

Take notice: that under the *Environmental Protection Act 1994* (the Act), a notice requiring further information on an environmental report is issued to Orica Australia Pty Ltd (you) by the administering authority. The administering authority is the Chief Executive of the Department of Environment and Science (the department).

This notice requiring further information is issued in respect of the activities by Orica Australia Pty Ltd on land described as Lot 138 on CTN2123 situated at Reid Road, Yarwun Industrial Estate QLD 4494 (the premises).

The further information is required in regard to a report on an environmental investigation submitted by you to the department on 15 December 2017.

A. Grounds

The notice requiring further information is issued on the following grounds:

- A notice to conduct or commission an environmental investigation was given to you by the department on 13 June 2017.
- An environmental report was submitted to the department by you on 15 December 2017.
- The report does not provide sufficient information to determine whether to approve the report because it does not fully discuss mitigation measures that are required to manage potential or actual contamination pathways.
- The department is satisfied that further information is required regarding the environmental evaluation and/or the report.
- The department requires you to provide the further information as requested.

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

- Further information is needed in regards to requirement 3(b) of environmental evaluation STAT1160 to decide whether to approve the environmental report.

B. Requirements

The further information you are required to provide is as follows:

- Demonstrate that the current and the proposed remediation system will be capable of treating the mass discharge of contaminants (nitrate, nitrite and ammonia) at the boundary of the site. This information must take into account the location of the preferential pathways, varying levels of hydraulic conductivity and the capacity of the proposed remediation infrastructure.
- Identify remediation strategies to minimise the presence of contaminants (nitrate, nitrite and ammonia) off-site and prevent environmental harm.
- Identify remediation strategies to minimise contaminants (nitrate, nitrite and ammonia) identified within the source zone (groundwater in the vicinity of the AN Plant Building).
- Identify an active remediation strategy to minimise cyanide levels present in groundwater at the site.

The further information must be submitted to the department on or before:

- **14 February 2018.**

Take notice:

- The requirements of the notice to provide further information take effect immediately upon service of this notice;
- this notice remains in force until further notice from the department; and
- you are responsible for meeting the costs of providing the further information to the department.

C. Reviews and appeals

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

A person who is dissatisfied with certain decisions of the department, may be able to apply to have the department review that original decision.

Generally, a request to have a decision reviewed must be made:

- within 10 business days of the decision being notified to the person;
- be supported by enough information to enable the department to decide the application for review; and
- be made using the application for review of an original decision form using the search term ([ESR/2015/1573](#)).¹

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.

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

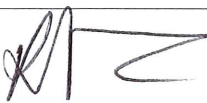
¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at <www.ehp.qld.gov.au>.

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For further information about reviews and appeals see the information sheet - internal review and appeal to the Planning and Environment Court ([ESR/2015/1572](#)). You may have other legal rights or obligations and should seek your own legal advice.

If you fail to provide the further information, the department may consider alternative compliance or enforcement action.

Should you have any queries in relation to this notice, please contact Kelly Cleary, Senior Departmental Officer of the department on telephone number (07) 4971 6506.



Signature



Date

Rebecca Munro

Manager (Compliance)

Delegate of the Chief Executive

Department of Environment and Science

Environmental Protection Act 1994

Enquiries:

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