

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: Greenvale Silicon Pty Ltd and
Diatomaceous Earth Investments Pty Ltd
Level 13 20 Bridge Street
SYDNEY NSW 2001

Email: jonathanr@agripower.com.au

ATTN: Jonathan Robbeson

Our reference: EPML00392513; 101/0008114

Further information is required to assess an application for a proposed PRC plan.

1. Application details

The application for a proposed PRC plan was received by the administering authority on 29 April 2021.

The application relates to environmental authority number EPML00392513 effective 28 September 2016 issued to Greenvale Silicon Pty Ltd and Diatomaceous Earth Investments Pty Ltd.

Land description: Mining lease (ML)10279, Lot 1 Plan MPH13840 and Lot 5 Plan MPH40800

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 outlined below:

- In accordance with the requirements of section 126C(e) of the *Environmental Protection Act 1994* (EP Act) for this type of application, further information is requested as follows:
 - Further detail regarding the rehabilitation methodologies and sources of rehabilitation materials, including but not limited to, methods of sourcing soils, the sequence of soil preparation and how it will be achieved, and subsequent management techniques to achieve a stable condition in a way that supports the rehabilitation milestones.

- In accordance with section 126C(j) of the EP Act, the application is required to include the 'other information' the administering authority reasonably considered necessary to decide whether to approve the PRCP schedule for the plan. As prescribed under section 550 of the EP Act, this includes information specified in the Guideline *Progressive Rehabilitation and Closure plans* (PRC plan) (ESR/2019/4965 – Version 2). Further information relating to the requirements of the PRC plan guideline is requested as follows:
 - PRC plan Guideline Section 3.6.1:
 - (e) Clarify the slope profile design and length and any considerations for mitigating potential erosion in areas where water will shed. Based on the expected slope length, clarify the stability risks associated with achieving the final landform design.
 - General rehabilitation practices – (a)
 - Further information on how the final landform will interact with the groundwater, considering the risks associated with the potential impacts on the rehabilitation on site (e.g. potential interaction between groundwater and surface water in the pit area, potential impacts on groundwater dependent ecosystems, if any).
 - General rehabilitation practices – (c)
 - Further information regarding the presence of sodic/dispersive surface and subsoils with the disturbance footprint and specification to whether they will be disturbed and require management
 - General rehabilitation practices – (h)
 - Further clarification on the information given in Appendix 7 with current conservation classifications and requirements and an update on weed and disturbance footprint information to reflect the current situation in the subject area (e.g. clarification with respect to field records of foxes and *Bettongia tropica*)
 - PRC plan Guideline Section 3.6.5:
 - (a) Identification of infrastructure that will be decommissioned and the methods for decommissioning.
 - (b) Evidence of agreement (e.g. landholder agreement) for any infrastructure that will have ownership transferred (e.g. Fencing that is operationally installed for the protection of livestock).
 - PRC plan Guideline Section 3.7.1:
 - Further information on the trial design including, but not limited to, the location, underlying land characteristics and potential issues, and where the trials have previously been carried out by the applicant
 - Further information on the objective of Trial #1 that is planned as part of the proposed PRC Plan. Specifically in regards to the milestone criteria for rehabilitation milestone (RM)3 that is reliant on the trial informing the application of ameliorants and fertilisers.
 - PRC plan Guideline Section 4.1, Step 5:

- Rehabilitation Milestone (RM)3 - Further information on the distinction between the topsoil material to be placed and the surface treatment soil to be applied over the whole footprint area.
- RM4, RM5 and RM6 - Further information on the location and characteristics of reference/analogues sites that the milestone criteria are associated with.
- RM11 - Further information on the rehabilitation methodology, to support the integration of natural ground level with the backfilled pit profile.
- RM11 - Further information of the function and longevity of water management devices to be installed around the permitter area.
- RM12 - Further information on the scope and the criteria of the assessment process conducted by a suitability qualified geotechnical engineer to demonstrate that the backfilled pits are geotechnically stable.

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.

A response to the information requested must be provided by no later than **17 December 2021** (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 using email address 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.

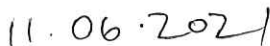
4. Review and appeal rights

Information about your review rights is attached to this notice or search 'DES Internal review and appeals' at business.qld.gov.au. This information is guidance only and you may have other legal rights and obligations.

If you require more information, please contact the department using the contact details provided below.



Signature



Date

Chris Wake
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
PO Box 7230, Cairns QLD 4870
Phone: 07 4222 5334
Email: ESCairns@des.qld.gov.au

Privacy statement

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Attachments

Information sheet: Internal review and appeals (ESR/2015/1742)