

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	DA35/98-Mod-6 Orica Chlor-Alkali Plant – Chlorine Liquefaction Plant
Applicant	IXOM Operations Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Acting Director under delegation from the Minister for Planning and Public Spaces has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the Instrument of Modification is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

Date of decision

21 July 2026

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- the considerations under s 7.17(2) of the *Biodiversity Conservation Act 2016* (NSW);
- all information submitted with the modification application during the assessment and information considered in the Department's assessment report;
- the findings and recommendations in the Department's assessment report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- the modification would provide a range of benefits for the State and the nation, as it would improve national supply chain resilience for critical water treatment chemicals;
- the modification is permissible with consent and is co-located with existing chlorine manufacturing in an existing industrial complex;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards, including:
 - the hazard and risks of the modified facility would comply with the land use safety risk criteria detailed in the Department's *Hazardous Industry Planning and Advisory Paper No.4 Risk Criteria for Land Use Safety Planning* (HIPAP 4);
 - the modified facility would meet air quality impact assessment criteria at all off-site receiver locations
 - the modified facility would comply with the existing noise limits for the IXOM facility;
 - the additional traffic movements would be adequately accommodated on the road network;
 - the site can be remediated to be made suitable for the proposed industrial land use; and

- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of consent. Engagement on the project is considered to be in line with the *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification application from 3 September 2025 until 23 September 2025 (20 days) and received 17 submissions, including 10 objections, primarily from residents living within 5 kilometres of the project site.

The Department visited the site and liaised with Government agencies regarding the modification.

The key issues raised by the community (including in submissions) and considered in the Department's assessment report and by the decision maker include hazards and risk, cumulative impacts, emergency notification, independent review and national supply chain resilience. Other issues are addressed in detail in the Department's assessment report.

Issue	Consideration
Hazards and Risk - Unacceptable fatality risks - No buffer to residences - Not in the public interest	Assessment The hazard and risks studies showed the modified facility would improve the management of chlorine storage on site, by enclosing all chlorine storage, handling and filling activities inside a containment building fitted with air quality treatment equipment. The risks of the modified facility, including the existing Chlor-Alkali Plant and the Chlorine Liquefaction Plant considered cumulatively, would remain below the land use safety risk criteria at all off-site receivers under all operating conditions. The dangerous goods transport risk assessment demonstrated the modification would have little effect on the risk profile, as dangerous goods transport risk is dominated by liquefied petroleum gas (LPG) tanker movements unrelated to the IXOM facility. Recommended conditions: - pre-construction studies to ensure the risk reduction measures and critical safeguards for the CLP are implemented in the detailed design - pre-commissioning studies covering emergency and safety management - post-commissioning verification monitoring on the air quality treatment equipment - limits on storage quantities and transport routes 3 yearly independent hazard audits 5 yearly quantitative risk assessments to verify the extent of risk from the overall facility does not extend beyond that assessed for this modification.
Cumulative impacts - Interaction with other industrial operations - Interaction with legacy contamination	Assessment IXOM is the only chemical manufacturer remaining in the Botany Industrial Park, with Qenos and Indorama closing their operations in 2025. These closures have reduced the overall risk profile from the BIP. The modification would not increase off-site risk from the IXOM facility and would comply with all land use safety risk criteria. The modification includes remediation works to ensure contaminated soils are contained and a vapour barrier is installed to prevent contaminated vapour intrusion into the containment building. An accredited Site Auditor reviewed the Remediation Action Plan and issued interim audit advice confirming the RAP is suitable for remediating the site for the proposed industrial use. Recommended conditions: Appoint an accredited Site Auditor to independently validate the remediation works.

Issue	Consideration
	Remediate the site and provide a Site Audit Statement to confirm the site is suitable for the proposed industrial use.
Emergency notification	Assessment As above for hazards and risks. Recommended conditions: pre-commissioning studies covering emergency and safety management.
Independent review	Assessment As above for hazards and risks. Recommended conditions: 3 yearly independent hazard audits 5 yearly quantitative risk assessments to verify the extent of risk from the overall facility does not extend beyond that assessed for this modification.
National supply chain resilience	Assessment The modification would improve supply chain resilience by providing a second liquid chlorine production facility to supply critical water treatment chemicals. The modification would minimise risks associated with disruption in supply from IXOM's Laverton facility and reduce reliance on imports.