

Notice

Environmental Protection Act 1994

Assessment level decision

This notice is issued by the administering authority pursuant to section 229 of the Environmental Protection Act 1994 to advise whether a proposed amendment to an environmental authority is a major or minor amendment.

To: FITZROY (CQ) PTY LTD
Comalco Place
Level 14 12 Creek St
BRISBANE CITY
QLD 4000
Australia

cc: The Mining Registrar
Department of Resources
Coal Assessment Hub
PO Box 245, Emerald QLD 4720

ATTN: Sophie Bereyne

Our reference: EPML00959213

Assessment level decision for an application to amend an environmental authority

1. Application details

The application to amend the environmental authority EPML00959213 was received by the administering authority on **22/11/2021**.

The application reference number is: A-EA-AMD-100166269

Land description: ML70340, ML30374, ML70375 and ML70339.

2. Decision

The assessment level decision for this application is that the proposed amendment to the environmental authority is a **major** amendment.

3. Reasons for the decision

The application is not an a minor amendment (condition conversion) under s. 223 of *the Environmental Protection Act 1994*. The application relates to the inclusion of a new relevant resource tenure for the authority that is a new mining lease on the Carborough Downs environmental authority EPML00959213. Therefore, the application does not meet the definition of a minor amendment (threshold) as per s. 223, and thus, the application is a major amendment.

4. Public notification required

The notification stage in Chapter 5, Part 4 of the *Environmental Protection Act 1994* will apply to this amendment application.

In making this decision under section 230 of the EP Act, the administering authority is satisfied that the amendment application is for an environmental authority for a new mining lease.

5. Assessment fee

The administering authority has determined that the proposed amendment to the environmental authority is a major amendment therefore further fees for the assessment of this application are required to be paid to the administering authority.

The assessment fee for a major amendment is 30% of the annual fee for the environmental authority that is the subject of the application prescribed under Schedule 15, Part 2, Item 8 of the *Environmental Protection Regulation 2019*.

The assessment fee to be paid is \$70,812.00.

If applying through online services, you can pay the assessment fee by credit card. Alternatively, the assessment fee can be paid by cheque or money order to the Department of Environment and Science.

Under section 229(2)(b) of the EP Act, the assessment of the amendment application will not proceed until the assessment fee is paid.

6. Human rights


A human rights assessment was carried out in relation to this decision/action and it was determined that no human rights are engaged by this decision.

7. Review and appeal rights

You may apply to the administering authority for a review of this decision within 10 business days after receiving this notice. You may also appeal against this internal review decision to the Land Court.

Information about your review and appeal rights is attached to this notice. This information is guidance only and you may have other legal rights and obligations.

Should you have any questions in relation to this notice, please contact the department using the contact details provided below.



Signature

Juliana McCosker
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

3/12/2021

Enquiries:
Coal Business Centre
PO Box 3028, Emerald QLD 4720
Phone: (07) 4987 9320
Email: CRMining@des.qld.gov.au

Attachments

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