

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 (EP Act) to advise whether a proposed amendment to an environmental authority and a PRCP schedule is a major or minor amendment.

MMG Dugald River Pty Ltd
Level 6, 445 Upper Edward Street
Spring Hill, QLD 4000

cc: The Mining Registrar
Department of Resources
Mineral Assessment Hub
PO Box 1752, Townsville QLD 4810

ATTN: Gemma Green
Email: gemma.green@mmg.com.au

Your reference: EPML00731213, A-EA-AMD-100480009
Our reference: 101/0008757

Assessment level decision for an application to amend an environmental authority and a PRCP schedule

1. Application details

The application to amend the environmental authority and PRCP schedule **EPML00731213** was received by the administering authority on **7/12/2023**.

The application reference number is: **A-EA-AMD-100480009**.

Land description: Mineral Development License (MDL) 79, Mining Lease (ML) 2467, ML2468, ML2469, ML2470, ML2471, ML2477, ML2478, ML2479, ML2480, ML2481, ML2482, ML2496, ML2497, ML2498, ML2499, ML2500, ML2501, ML2502, ML2556, ML2557, ML2558, ML2559, ML2596, ML2599, ML2601, ML2638, ML2684, ML2685, ML7496, ML90047, ML90049, ML90050, ML90051, ML90211, ML90212, ML90213, ML90218, ML20220, ML90230 and ML90237.

2. Decision

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



IMPORTANT ACTION REQUIRED

You are required to pay the major amendment fee before the application can progress.

3. Reasons for the decision

Application information has been considered and pursuant to section 223 of the *Environmental Protection Act 1994*, the administering authority has decided that the proposed amendment is a major amendment on the following basis:

- The application proposes to include a new condition to conduct exploration activities within a reduced buffer zone from a category B environmentally sensitive area. As such, the proposed amendment constitutes a change to standard condition A13 of the *Eligibility criteria and standard conditions for exploration and mineral development projects*.
- The application proposes to include a wind farm facility and supporting infrastructure (renewables project). This constitutes a change to the current activities undertaken at the Dugald River Mine, and it is considered to significantly increase the level of environmental harm caused by the activity and significantly increase the scale and intensity of the relevant activity.
- The application proposes an additional 88.44 hectares (ha) of disturbance. This involves an addition to the surface area for the relevant activity of more than 10% of the existing area.
- The application proposes to include rehabilitation area (RA) 7 for the renewables project. This involves the addition of a post mining land use (PMLU) not previously approved under the current progressive rehabilitation and closure plan (PRCP) Schedule. The renewables project rehabilitation objectives include removal of all infrastructure above and below ground, landform shaped to a convex slope profile during construction and the area will be ripped and seeded. Based on the information provided with the application, the administering authority is unable to determine if a stable condition can be achieved for all components of the renewables projects.
- It is identified that several RA sizes and mine features have been amended which has resulted in the change of the previously approved PMLU for these features. For example, the footprint of RA5 (Mining and Processing Areas) is proposed to be increased to 209.55ha from 19.52ha by relocating a number of features previously under RA1 (Ancillary Infrastructure and Services). As a result, the relocated mine features have been amended from the PMLU of native ecosystem to low intensity grazing. This change is determined to significantly change the way the post mining land use will be achieved in a way likely to result in significantly different impacts on environmental values compared to the impacts on the values previously approved under the PRCP Schedule.
- As stated above, several mine features' PMLUs have been amended from native ecosystem to low intensity grazing. Based on the information provided with the application the administering authority considers this change has the potential to affect whether a stable condition will be achieved for the land.

4. Notification stage applies

The notification stage in Chapter 5, Part 4 of the EP Act will apply to this amendment application.

Further information regarding the public notification requirements under Chapter 5, Part 4 can be accessed at www.business.qld.gov.au using the search term 'public notification requirements for environmental authority applications'.

5. Assessment fee

The administering authority has determined that the proposed amendment to the environmental authority and PRCP schedule 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 9 of the *Environmental Protection Regulation 2019*.

The assessment fee to be paid is identified on the attached invoice along with payment methods.

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

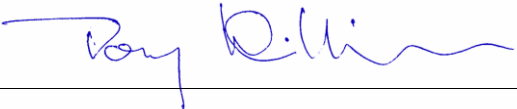
6. Human rights

A human rights assessment was carried out in relation to this decision and it was determined that **the decision is compatible with human rights.**

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

23 January 2024

Date

Tony Williams
Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
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Attachments

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

Assessment fee invoice