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ENVIRONMENT PROTECTION AUTHORITY

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Our Ref: EN-EM-EV-DE-256495/H959278/Proponent_1ABC_AssessClass

12 September 2018

Mr Sanjay Loyalka
Chairman
Shree Minerals Ltd
Unit 38, 18 Stirling Highway
NEDLANDS WA 6009

Email: Loyalka.sanjay@gmail.com

Dear Mr Loyalka

IRON ORE MINE, NELSON BAY RIVER DETERMINATION ON CLASS OF ASSESSMENT

I refer to permit application no. DA 18/059 for the above proposal, which was referred to the Board of the Environment Protection Authority (the Board) by Circular Head Council on 3 September 2018.

Acting under delegation from the Board, I have determined the proposal will be subject to environmental assessment under the *Environmental Management and Pollution Control Act 1994* (the EMPC Act).

The proposal is for a level 2 activity as defined in the EMPC Act, being Materials Handling (clause 6(a)(ii), Schedule 2 of the EMPC Act).

In accordance with section 27C of the EMPC Act, I advise that the class of assessment will be 2C.

The reason for this determination is that the proposal is subject to unusual or complex factors that are likely to demand additional time during the environmental impact assessment process and likely to generate a high level of public interest.

The statutory timeframes which apply to assessments of this class are prescribed in the EMPC Act, which can be viewed on the internet at www.legislation.tas.gov.au.

The EPA's guide to environmental impact assessment provides general information about the assessment process. The guide may be viewed on the internet at <http://epa.tas.gov.au/assessment/assessment-process/guidance-documents> or a printed copy can be provided on request (telephone EPA Tasmania on (03) 6165 4599).

As the activity is to be assessed, a once-off assessment fee will apply as specified in the *Environmental Management and Pollution Control (General) Regulations 2017*. An invoice will be sent to you once a permit has been granted under the *Land Use Planning and Approvals Act 1993*. If the application is withdrawn, an assessment fee will still apply.

Please note that in accordance with the *Environmental Management and Pollution Control (General) Regulations 2017* you will also be required to pay the costs of advertising associated with the proposal.

Once the proposal proceeds, an annual permit fee is also payable for the ongoing regulation of the activity, as prescribed in the *Environmental Management and Pollution Control (General Fees) Regulations 2007*. An invoice for the initial annual permit fee will be issued on determination of the application by the relevant authority.

I will soon provide you with the Board's guidelines to assist you to prepare a case for assessment.

Commonwealth Government involvement

I note that you make no reference in the permit application or supporting documentation as to whether the project is likely to be a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

Please note, in addition to State Government requirements, the Commonwealth Government may also have a role in the environmental assessment and approval of the project. Commonwealth approval is required for an action which is likely to have a significant impact on a matter of national environmental significance or on Commonwealth land.

With regard to matters of national environmental significance, it is noted that *Astacopsis gouldii* (listed as vulnerable under the EPBC Act) was observed or trapped in surveys of the Nelson Bay River undertaken in 2013 and 2016. The original assessment however, concluded that Nelson Bay River is outside the range of the species (DPEMP, 2011).

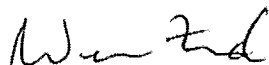
In considering that the above proposal is for a new development, incorporating the storage of PAF material above ground not contemplated in the original assessment (DPEMP, 2011), it is strongly recommended that you contact the Commonwealth Government for further advice on this matter.

[Information on the Commonwealth environmental legislation can be obtained on the internet at www.environment.gov.au/epbc/ or by telephoning the Commonwealth's Environment Department on 1800 803 772.

Finally, please note that the class of assessment may be reviewed and possibly changed where new information becomes available which shows that original determination was inappropriate.

If you have any queries regarding the above, please contact David Oldmeadow on (03) 6165 4503.

Yours sincerely



Wes Ford
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Delegate for the Board of the Environment Protection Authority

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