



EPBC Ref: 2016/7773

Mr Brent Jiang
Chief Executive Officer
Chinova Resources Cloncurry Mines Pty Ltd
PO Box 1534
MILTON QLD 4064

Dear Mr Jiang

**Decision on referral
Cloncurry Heap Leach Copper Project, Queensland (EPBC 2016/7773)**

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the referral of the proposed action to construct and operate a copper mine, heap leach extraction plant and associated infrastructure on Lot 5364, Mount Dore, 110km south of Cloncurry, Queensland.

As a delegate of the Minister for the Environment and Energy, I have decided under section 75 of the EPBC Act that the proposed action is a controlled action and, as such, it requires assessment and a decision about whether approval for it should be given under the EPBC Act.

The information that I have considered indicates that the proposed action is likely to have a significant impact on listed threatened species and communities (s18 & s18A).

Based on the information available in the referral, the proposed action is likely to have a significant impact on the following matters of national environmental significance, but not limited to:

- Carpentarian antechinus (*Pseudoantechinus mimulus*) – vulnerable

The proposed action involves the clearing of 57 hectares of known habitat for the above species.

Please note that this decision only relates to the potential for significant impacts on matters protected by the Australian Government under Chapter 2 of the EPBC Act.

I have also decided that the project will need to be assessed by preliminary documentation.

Each assessment approach requires different levels of information and involves different steps. All levels of assessment include a public consultation phase, *in which any third parties can comment on the proposed action.*

Indigenous communities may also need to be consulted during the assessment process. For more information on how and when indigenous engagement should occur

during environmental assessments, please refer to the indigenous engagement guidelines at <http://www.environment.gov.au/epbc/publications/engage-early>.

Please note, under subsection 520(4A) of the EPBC Act and the *Environment Protection and Biodiversity Conservation Regulations 2000* your assessment is subject to cost recovery. Please find attached a copy of the fee schedule for your proposal and an invoice for Stage 1. Fees will be payable prior to each stage of the assessment proceeding. Further details on cost recovery are available on the Department's website at: <http://www.environment.gov.au/epbc/cost-recovery>.

If you disagree with the fee schedule provided, you may apply under section 514Y of the EPBC Act for reconsideration of the method used to work out the fee. The application for reconsideration must be made within 30 business days of the date of this letter and can only be made once in respect of a fee. Further details regarding the reconsideration process and an application form for reconsideration can be found on the Department's website at: <http://www.environment.gov.au/epbc/cost-recovery>.

Details on the assessment process for the project and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the Department's website at <http://www.environment.gov.au/topics/environment-protection/environment-assessments>.

A copy of the document recording these decisions is enclosed.

While I have determined that your project will be assessed by preliminary documentation, some further information will be required to be able to assess the relevant impacts of the action. You should expect to receive a letter from the Department within 10 business days of the payment of Stage 1 fees, outlining the information required.

The project manager will contact you shortly to discuss the assessment process.

I have also written to the following parties to advise them of this decision:

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- Senator the Hon. Matt Canavan, Minister for Resources and Northern Australia.
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You may elect under section 132B of the EPBC Act to submit a management plan to be considered during the assessment at any time before an approval decision is made. If a management plan is submitted or revised after approval it may incur additional fees under cost recovery. Please refer to [Attachment A](#) for more details.

Please also note that once a proposal to take an action has been referred under the EPBC Act, it is an offence under section 74AA to take the action while the decision making process is on-going (unless that action is specifically excluded from the referral or other exemptions apply). Persons convicted of an offence under this provision of the EPBC Act may be liable for a penalty of up to 500 penalty units. The EPBC Act is available on line at: <http://www.environment.gov.au/epbc/about/index.html>

The Department has recently published an *Environmental Impact Assessment Client Service Charter* (the Charter) which outlines the Department's commitments when undertaking environmental impact assessments under the EPBC Act. A copy of the Charter can be found at: <http://www.environment.gov.au/epbc/publications/index.html>.

If you have any questions about the referral process or this decision, please contact the project manager, Sheryl Sibley, by email to sheryl.sibley@environment.gov.au, or telephone (02) 6274 1756 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely



Chris Murphy
A/g Assistant Secretary
Assessments (QLD, TAS, VIC) and Sea Dumping Branch

10 October, 2016

