

# Notice

*Water Act 2000*

## Notice of approval of underground water impact report

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*This statutory notice is issued by the chief executive<sup>1</sup> pursuant to section 385(4) of the Water Act 2000 to advise you of the decision to approve your underground water impact report.*

Fitzroy (CQ) Pty Ltd  
Level 20, 324 Queen Street  
BRISBANE, QLD 4000

Reference: Fitzroy-ML700024-11/22

Attention: Sophie Bereyne  
SBereyne@FitzroyOZ.com

Dear Sophie

**Re: Notice of approval of underground water impact report**

The chief executive received the underground water impact report described below.

### 1. Report details

Date underground water impact report received: 17 August 2023

In relation to: ML700024

### 2. Decision

The chief executive has approved the underground water impact report without conditions. Please find attached the conditions of approval (Attachment A). The report takes effect on 8 November 2023.

### 3. Public notice

As per section 386 of the *Water Act 2000*, within 10 business days after receiving this notice of approval, you must:

- publish a notice about the approval on your website that states that copies of the approved report may be obtained from you and how the copies may be obtained; and
- give a copy of this notice of approval to each bore owner of a water bore within the area to which the report relates.

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<sup>1</sup> The Department of Environment and Science is the chief executive for Chapter 3 of the *Water Act 2000*.



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Within 15 business days after receiving this notice of approval, you must advise the chief executive that you have complied with the requirements outlined above.

### 4. Penalties

Under section 386(1) of the *Water Act 2000*, failure to comply with this direction notice is an offence.

- A maximum penalty for an individual is 50 penalty units, totalling \$7,740.
- A maximum penalty for a corporation is 250 penalty units, totalling \$38,700

### 5. Human rights

A human rights assessment was carried out in relation to this decision and it was determined that no human rights are reasonably expected to be engaged by the decision.

If you have any questions regarding this notice please contact Susan Richards on the telephone number listed below.

Yours sincerely,



7 November 2023

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Signature

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Date

Kate Grayson  
Manager (Assessment)  
Department of Environment and Science  
Delegate of the chief executive  
*Water Act 2000*

**Enquiries:**  
Energy and Extractive Resources  
GPO Box 2454, BRISBANE QLD 4001  
Telephone: 3330 5715

### Attachments

Attachment A - Conditions of approval

**Attachment A- Conditions of approval****Existing conditions****Annual Review**

- (1) The responsible entity must submit to the chief executive a summary of the annual review required under section 376(e)(ii) of the *Water Act 2000*, within 20 business days after each anniversary day, or another date agreed to in writing by the chief executive. The annual review must provide an analysis and a statement of whether there has been a material change in the information or predictions used to determine the areas included in the UWIR in accordance with sections 376(1)(b)(iv) and (v) of the *Water Act 2000*.

**Monitoring**

- (2) All monitoring required of the responsible entity under the UWIR must be undertaken by a suitably qualified person.
- (3) All laboratory analyses and tests of monitoring undertaken under the UWIR must be carried out by a laboratory that has NATA accreditation for such analyses and tests.
- (4) Notwithstanding condition (3), where there are no laboratories that have NATA accreditation for a specific analyte or substance, then duplicate samples must be sent to at least two separate laboratories for independent testing or evaluation.
- (5) The methods of groundwater sampling required by the UWIR must comply with the latest edition of the *Queensland Monitoring and Sampling Manual*, AS/NZS 5667:11 1998 *Water Sampling Guidelines – Part 11 Guidance on sampling groundwater*, and the Australian Government's *Groundwater Sampling and Analysis – A Field Guide* (2009:27 GeoCat #6890.1) as relevant as may change from time to time.

**New conditions (dated 8 November 2023)**

- (6) The responsible entity must report the implementation and results of the water monitoring strategy to the Office of the Groundwater Impact Assessment (OGIA) within 20 business days after each anniversary day, or another date agreed to in writing by the chief executive.

**Obligations**

- (7) By 1 May 2024, the responsible entity must compile a register, in a format specified by the administering authority, that includes all obligations of the responsible entity stipulated in the UWIR.
- (8) At all times, the register in condition (7) must be maintained with the status of current progress on each of the obligations listed in the register.
- (9) The register in conditions (7) & (8) must be:
- (a) provided to the administering authority upon request, within the timeframe specified in the request; and
  - (b) updated as requested by administering authority, within the timeframe specified in the request.
- (10) The annual review submitted in accordance with condition (1) must identify any non-compliances with the obligations specified in condition (7).

**DEFINITIONS**

**Administering authority** means the Department of Environment and Science, or its predecessors or successors.

**Anniversary day** means each anniversary of the day the first UWIR took effect – 8 November.

**Chief executive** means the Director-General of the department responsible for administering Chapter 3 of the *Water Act 2000* or the persons delegated the powers of the chief executive as stated in the *Water Act* (DES-Chief Executive) Delegation (No 1) 2021 or subsequent versions.

**NATA accreditation** means accreditation by the National Association of Testing Authorities Australia.

**Responsible entity** means Fitzroy (CQ) Pty Ltd in accordance with section 368 of the *Water Act 2000*.

**Suitably qualified person** means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

**UWIR** means the underground water impact report prepared by Age Consultants for Fitzroy (CQ) Pty Ltd for ML700024 dated August 2023.