



Department of Jobs, Precincts and Regions

Earth Resources Regulation
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Mr Jozef Patarica
Chief Executive Officer
Kalbar Operations Pty Ltd
48 Bailey Street
Bairnsdale VIC 3875
By email: [REDACTED]

Dear Mr Patarica,

WORK PLAN APPLICATION – SECTION 8C ENVIRONMENTAL EFFECTS ACT 1978 - RETENTION LICENCE 2026 – KALBAR OPERATIONS

I refer to the work plan application PLN001521 lodged by Kalbar Operations Pty Ltd (**Kalbar**) on 16 November 2020, for retention licence RL2026.

I have determined that a decision cannot be made under section 40A *Mineral Resources (Sustainable Development) Act 1990*, pursuant to section 8C of the EE Act, after considering the work plan application, supporting information provided by the licensee (8 January 2021) and referral agency advice.

As previously indicated, section 8C of the *Environmental Effects Act 1978 (EE Act)* requires that no decision can be made under an Act or law in relation to works subject to an assessment under the EE Act, until the Minister for Planning has considered that assessment.

In this case, the work plan application includes work currently being assessed under the EE Act including the extraction of ore and overburden within the proposed mine footprint. The application also includes the removal of some native vegetation.

Notwithstanding the above, we have provided Kalbar with an informal assessment of the work plan application should you decide to resubmit the application once the Minister for Planning has delivered his assessment on the Environmental Effects Statement.

Please contact Laura Helm on [REDACTED] or at [REDACTED] if you have any further queries regarding this matter.

Yours sincerely

[REDACTED]
Anthony Hurst
Executive Director
Earth Resources Regulation

11 February 2021