

The Chief Executive  
Department of State Development, Infrastructure, Local Government and Planning  
Cc: Morag Elliott  
Cc. Phil Joyce

Via email: [morag.elliott@dsdilgp.qld.gov.au](mailto:morag.elliott@dsdilgp.qld.gov.au)  
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18<sup>th</sup> July 2023

Dear Sir/Madam

**Subject: RIDA RPI16/002/Rio Tinto – Section 55 RIDA Amendment Application**

As the holder of RIDA RPI16/002/Rio Tinto (the RIDA), Kestrel Coal Resources (Kestrel) requests an amendment to the RIDA under section 55(1) of the Regional Planning Interests Act 2014 (RPI Act).

The requested amendment is marked in track changes shown against the terms of the existing RIDA at **Attachment 1**.

Kestrel considers that the requested amendment is both:

- (a) a minor amendment for the purposes of section 55(1)(a); and
- (b) a change that would not adversely change the impact of the resource activity on the area of regional interest.

In deciding whether to make the requested amendment, we understand the chief executive must consider the matters mentioned in section 49 of the RPI Act to the extent the chief executive considers it is appropriate to do so. Kestrel has addressed the relevant criteria in the Supplementary Information report at **Attachment 2** to this amendment application.

Under an earlier RIDA assessment application, submitted 31 October 2022, Kestrel responded to a Requirement Notice and provided a number of documents specific to that application. That application is currently on hold, and those documents are not proposed to be re-submitted as part of this amendment application. Kestrel requests that the chief executive considers the material previously provided to the extent the chief executive considers it is appropriate to do so.

Under the RIDA, there is a requirement for a Soil Conservation Plan to be provided to address subsidence related impacts. To meet this condition, Kestrel provide a Soil Conservation Plan as **Attachment 3** to this amendment application.

Email advice provided by Mr Phil Joyce on 30 June 2023 (**Attachment 4**) also indicated that:

- no additional notice to notify will be proposed for this application, given the earlier application in relation to the same area of land was formally notified early in 2023 and did not result in any submissions being received; and,
- this amendment process could be used to give consideration to any other minor changes that may clarify the RIDA conditions. On this basis, **Attachment 1** has been prepared by Kestrel to include some proposed minor tracked changes to wording of the RIDA conditions as well as the replacement plan to give effect to the 'land swap' to incorporate LW500 while reducing the overall area of approved impacts under the RIDA.

This amendment application therefore incorporates the following documents:

1. This letter as written request for the chief executive to amend the RIDA under section 55 of the RPI Act
2. **Attachment 1** – Requested amendment marked in track changes against the existing RIDA
3. **Attachment 2** – Supplementary Information Report
4. **Attachment 3** - Soil Conservation Plan incorporating subsidence management
5. **Attachment 4** - Email provided by Mr Phil Joyce providing recommendations for progressing this RIDA amendment application

Kestrel would like to acknowledge the assistance that has been provided by a number of representatives from the relevant departments to progress this RIDA amendment process in relation to the inclusion of LW500 into the approved RIDA disturbance footprint.

Kestrel would like to confirm that we maintain interest in progressing a number of other matters, particularly in relation to the definition of subsidence as Permanent Impact, once the section 55 amendment application has been assessed and determined by the chief executive.

Yours sincerely,



Colleen Fish  
Manager Sustainability  
Kestrel Coal Resources