

Torom Coal Teleconf. Meeting

27/6/08

EPC 923 - Torom Coal - subsid of Wth Energy

ML application will be lodged for indicated area in sub EPC 923

Colony Coal, open cut. Torom Coal measures

All is USL. Local distal dls has lease for nearby land.

Transport route slither of ML to join lease to Churchill mine road.

Mapping Tim pulled up showed lots of referable wetlands, but these are not, at A, B or C areas.
(declared as)

Looking at up to 6 years (1.5 mT resource, now JRC?
250,000 → 500,000 tpa)

Will look to use Truck & Excavator for extraction, not draglines.

Washing plant, making dry cake reject tailings.

Overburden removal may require blasting, not so much the seam extraction

Strip ratio 7~8. Final depth, 40-50 m, <25 ha
area of void maybe 16 ha.

Talking To WBW about getting water, taking recycled water

Post Bunsberg.

Looking to use QLD sugar ~~water~~ loader, will need to construct new holding pool.

Card dust issues - part of Sundberg would look at these issues within the part.

Chadstone part at capacity = not preferred option

Recycled water could be being used. Small pipeline required. Solar power required. Talking to Eryon. Diesel gensets may be required at startup. Coal gas

Coal gas exploration permit is also held by Magellan over the same lease area. They are looking at much deeper ^{Section 1(1)(c) Business/commercial/professional financial affairs} than we are. Tomorrow Coal may look to use their gas if they set up.

Marine Alkal sediment in overborden

1 ~~assumed~~ un-named waterway on the site.
Nearest residence is 2km from mine on other side
of railway.

Alder-shet residences ~ 3 km from mine site.

* In many river attachment. Unroad water way $\rightarrow$
Saron River $\rightarrow$ many River

Would need to talk to Alex regarding interfacing with the un-named water course.

aw @ 6.15 wv

EC 5-13 mS/cm pH 6-7.4

Anticipated flow generation 6.8 - 4 L/sec from expl. wells.

CW study being commission to be done early July 08.

USE, only logging & exploration. No. grazing or other land use

Vegetation types - Community 1 RE 12.5.4 Eucalypt woodland
Com 2 - PE 12.3.5 / 12.3.11 85% / 15%
Melaleuca Eucalypt woodland
Com 3 - Melaleuca woodland AUW 12.3.11
p. 1015
Com 4 - 12.3.12

Referred wetlands mapping might not be applicable, not A, B, or C wetland area. Area appears to be more heathland, not wetland.
Tim said he would talk to planning / con. services.

Baseline noise & dust surveys being conducted, but only inside boundaries. Residences have noise monitoring next to houses.

Employment - maybe 30 employees - Small operation.

Applicant does not think it would appear to trigger EIS.
Tim asked if plant is mineral processing - washing plant not separate, this generally covered under mining activity.

Toolings - will they trigger haz. dom EIC trigger?

- EM Plan being prepared
- Well requires a non-code compliant Level 1 E4.
- Looking to submit in Sept 08.

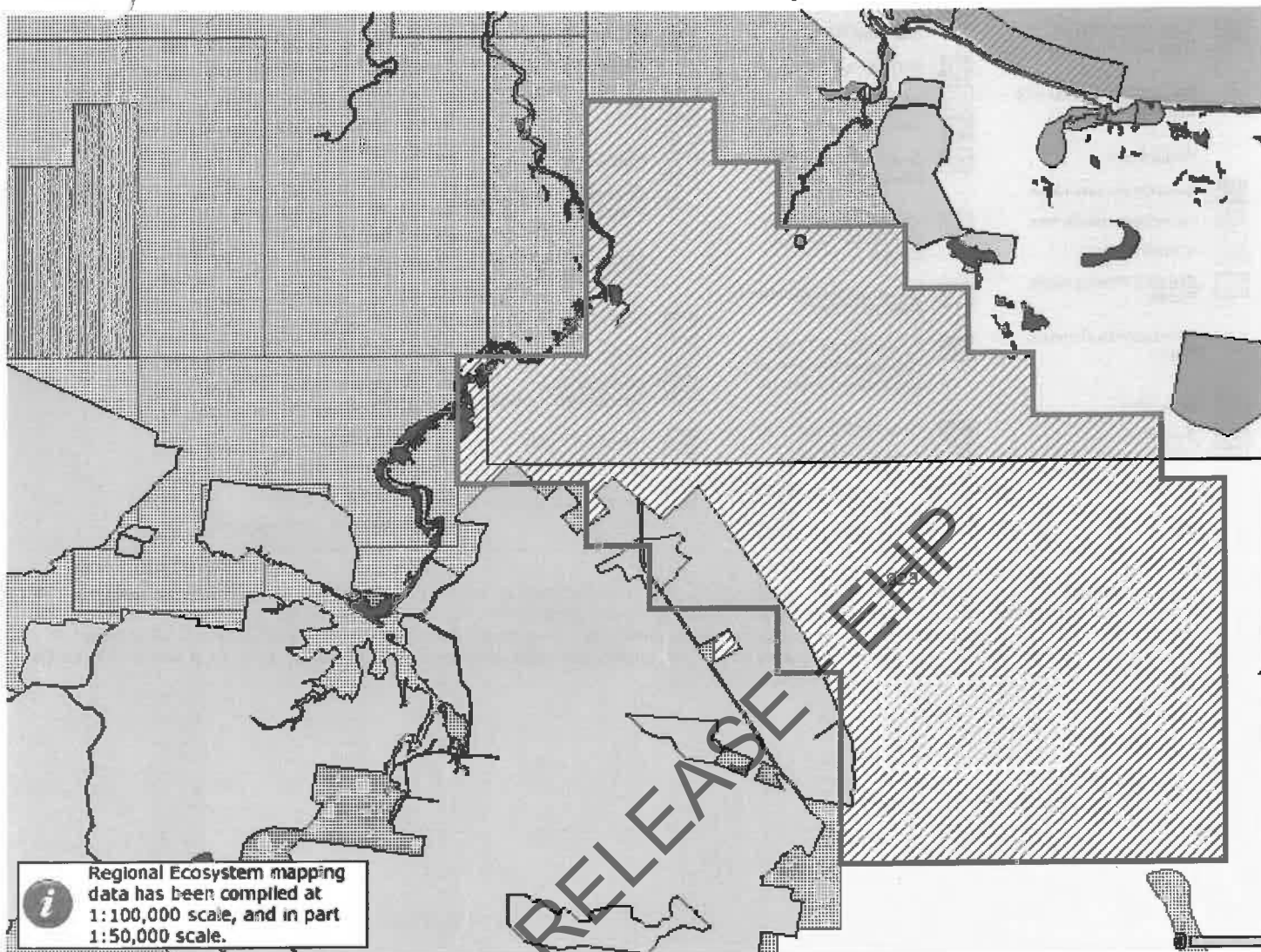
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27/06/

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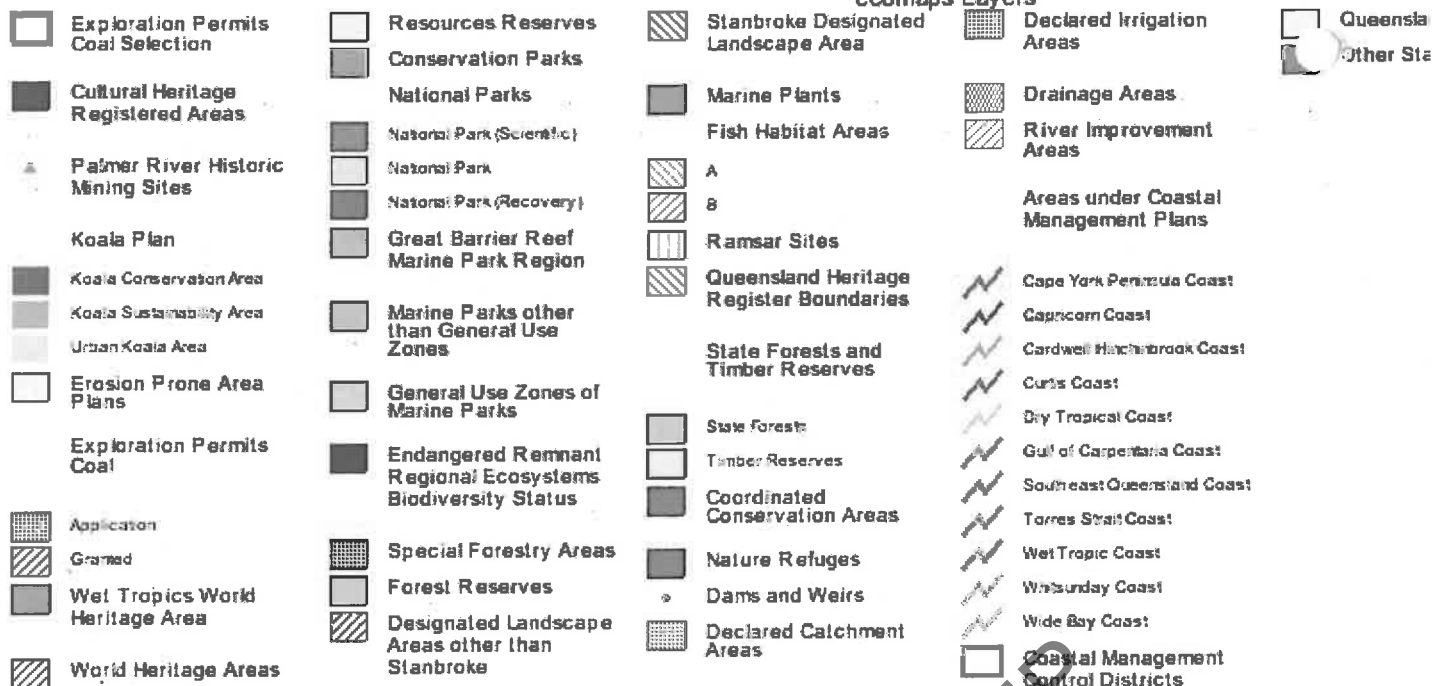
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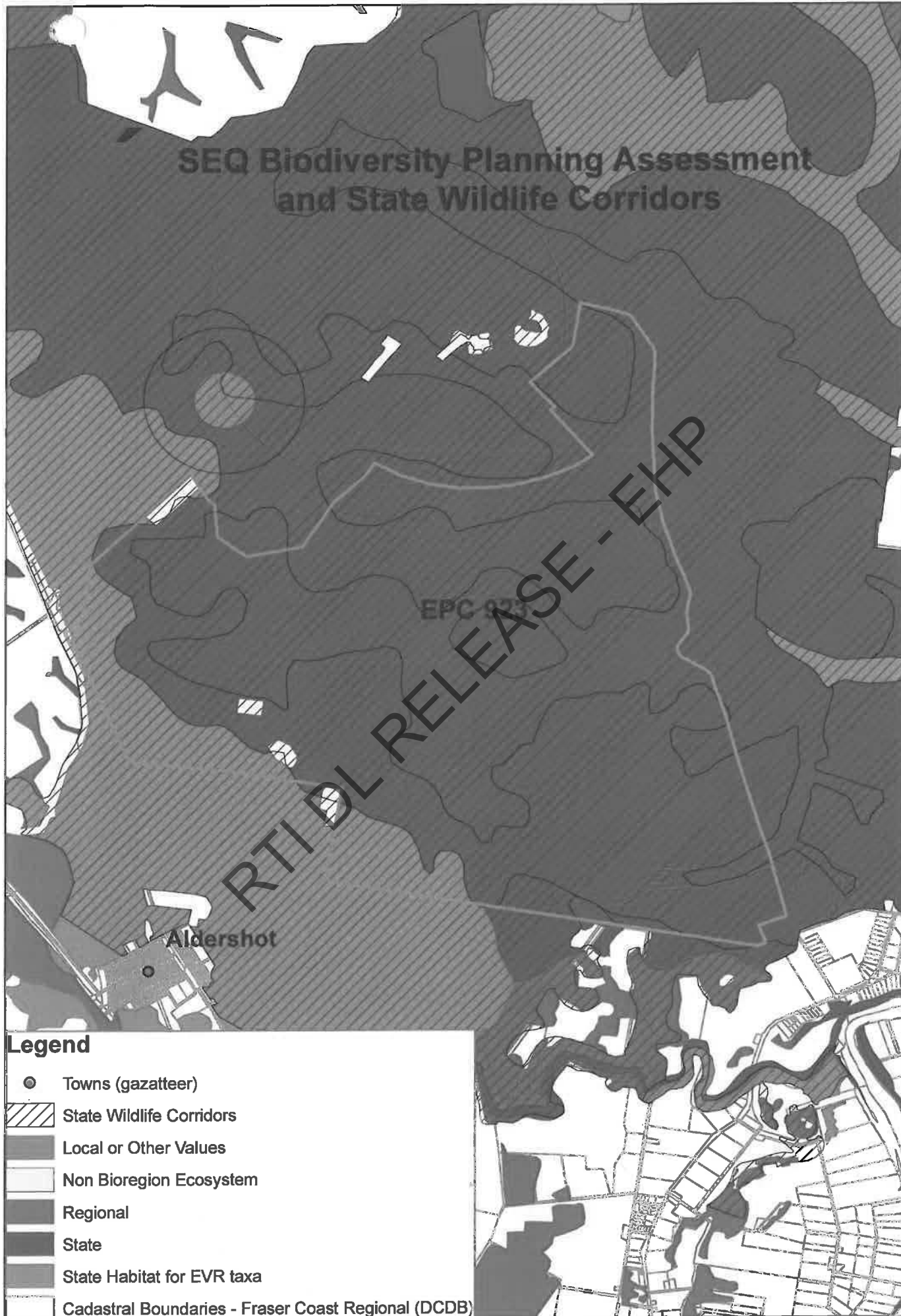
27/06/2008

Queensland Envi

ecomaps Screen Plot



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Application form

Pre-design conference

OFFICIAL USE ONLY

DATE RECEIVED

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FILE REF

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PROJECT REF

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COMPLETE FORM

☐

ENTERED BY (SIGNATURE)

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DATE

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GUIDE

1. The 'applicant' is the persons, or registered legal entity (not a business trading name) intending to carry out the activity and in whose name the applicable permits or licences are to be issued.
2. If the applicant is a registered entity, enter name and title of the principal contact person for the application (e.g. John Jones, Managing Director).
3. All bodies registered under corporations law, will have an Australian Business Number (ABN).
4. Please make sure the contact details provided are those by which you can be contacted on a daily basis.

Important information for applicants

A pre-design conference will help you identify relevant environmental issues and the principles of sustainable development early in the planning stage of your proposal and will help the EPA understand the level of impact or significance of the project.

The Agency will assign a project manager to your project.

(Commercial and confidential information must be marked clearly)

Applicant Details

1. Name of applicant

PRINT FULL NAME:

Taroom Coal Pty Ltd

(100% owned subsidiary of Northern Energy Corporation Limited)

2. Responsible person/appointed signatory

PRINT FULL NAME/TITLE:

s.73

3. ABN

ABN:

Northern Energy 90 081 244 395

4. Address and contact details

FULL POSTAL ADDRESS:

GPO Box 5283

Brisbane

Qld 4001

TELEPHONE:

s.73

FACSIMILE:

s.73

MOBILE:

EMAIL:

s.73



Project

ecoaccession

environmental licences and permits

Briefly describe the proposal including any options being considered. Please indicate where there is scope for project modification. Technical reports or other planning work may be helpful in resolving issues about feasibility. Briefly describe the processes of your project as they relate to energy and water use and any other environmental issues that may be affected by the project. Attach any relevant information.

PROPOSAL DESCRIPTION:

Application for Mining Lease and Environmental Authority - coking coal mine and processing plant in the Maryborough Basin within EPC 923.

The Maryborough Coking Coal Project site covers an area of ~430 ha, located approximately 15 km to the north of Maryborough, Queensland.

The Maryborough Project proposes open cut mining using truck and excavator techniques. An estimated 1.5 Million tonne (Mt) coking coal resource is contained within thinly bedded seams.

Drilling and blasting of some overburden may be a requirement of the Project. A coal handling and preparation plant and other associated infrastructure will also be constructed on the Site.

Recent land use of the Project Site includes selective logging and coal exploration. Associated infrastructure on the site includes access tracks and clearing for drill pads.

In April 2008, a wet season flora and fauna assessment was completed. No listed species of conservation significance and no endangered regional ecosystems were identified on the Site.

Air quality monitoring has commenced and noise modelling is currently underway for the Site.

No other Environmentally Sensitive Areas exist on the Project Site.

Consultation with Ergon Energy has commenced with a view to obtaining power from the local grid.

Wide Bay Water Corporation has indicated to NEC it can supply water from a local reservoir. Communications will continue

Coal transport options currently include trucking coal to the Port of Bundaberg and rail transport to the Port of Gladstone. Consultation with all parties has commenced and both options are currently under consideration.

6. Describe the proposed site location(s) of the project.

Where several site options are being considered, list all the alternative sites. Give as much information as possible to accurately locate the site(s), for example maps with contextual or boundary lines on plan or GPS boundary co-ordinates. Include surrounding areas. Attach any relevant information.

ML application is proposed for an area of 430 ha within EPC923.

See Attachments 1, 2 & 3

7. Applicant's certification

- I understand that information supplied on or with this application form may be disclosed publicly in accordance with the *Freedom of Information Act 1992* and the *Evidence Act 1977*.

PRINT NAME AND POSITION OF SIGNATORY (E.G. MANAGER, OWNER, PARTNER, CEO):

s.73

APPLICANT'S SIGN

s.73

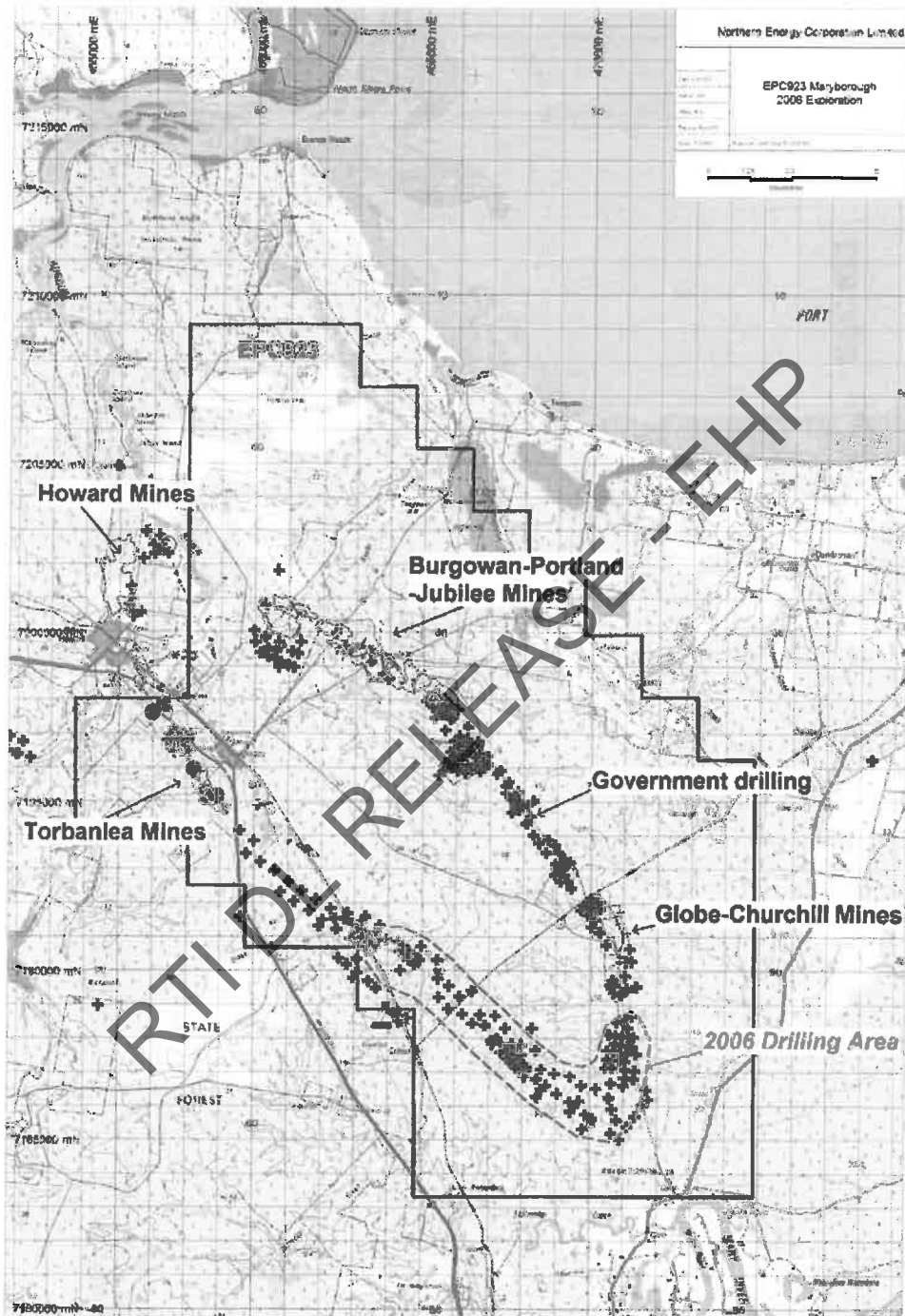
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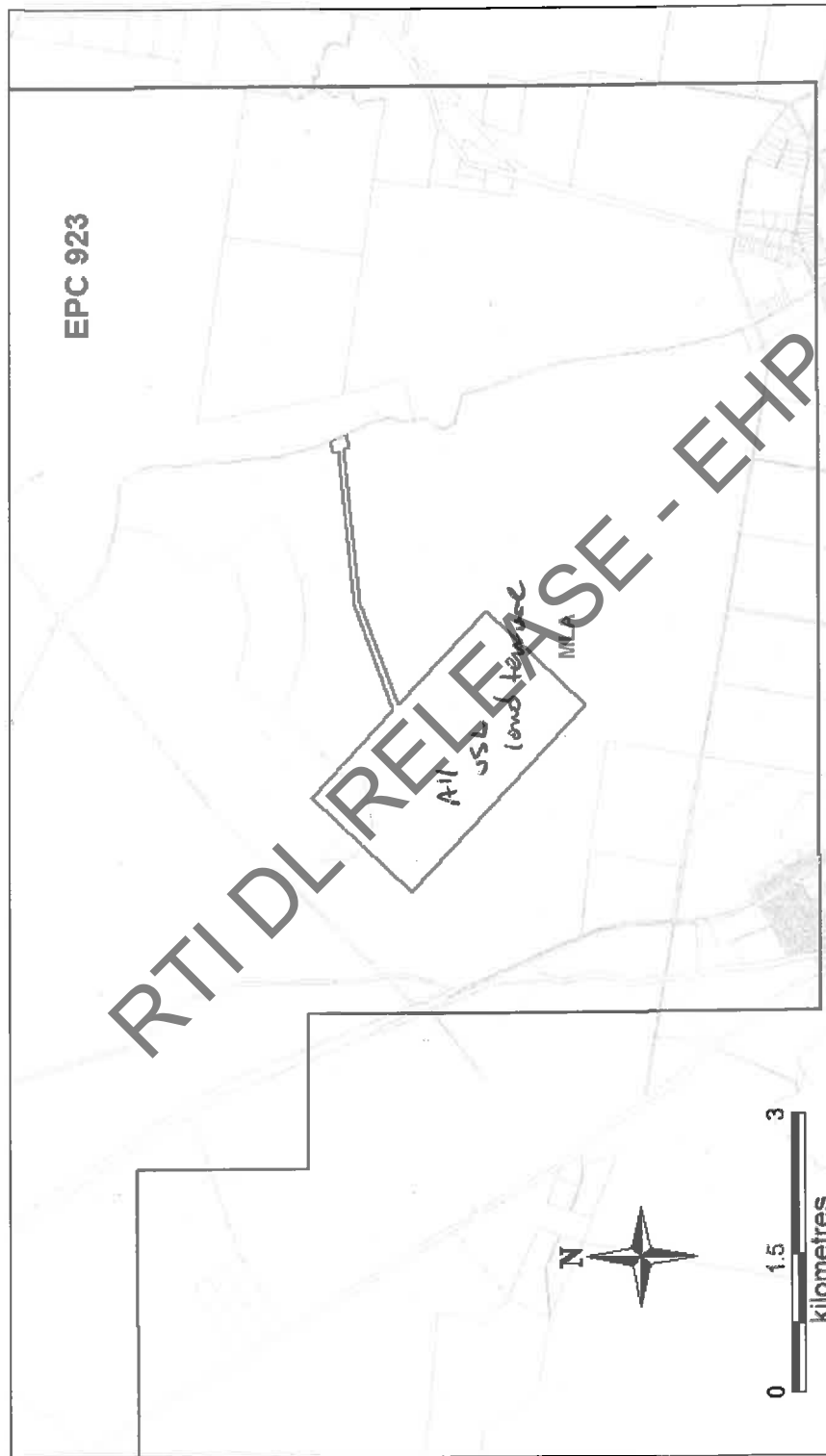
Page 2 18 June 2008

Environmental Protection Agency

Thank you for taking the time to complete this form. An officer will contact you to arrange a pre-design

Attachment 2 EPC 923





Memorandum



Queensland Government
Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

Enquiries
Telephone
Your reference
Our reference

Daniel Cohen
(07) 4121 1816
MBH2111

29 July 2008

To: Steve Barry; Doug Schulz, Manager, Planning Wide Bay Burnett; Senior Ranger; Sunshine Coast/Burnett Region

Through: Tim Brain, Regional Manager, Wide Bay Burnett Region

From: Daniel Cohen, Environmental Officer

Subject: Pre-design conference outcomes - Taroom Coal (Howard) Mine Proposal

Dear Doug and Steve,

Tim Brain and I sat in on a pre-design conference phone hook up for a new coal mining operation near Howard (see attached location maps below).

The purpose of this memo is to request your input in relation to the environmental sensitivity of these areas where the mine is proposed to be located. Recently the new referable wetland trigger was placed into the *Integrated Planning Act 1998* to trigger EPA Planning assessment of development applications that have areas mapped as or within 200m of referable wetlands, but this has not been formally extended to assessment of mining environmental authority applications. At this stage the application in question has not yet been lodged so initially the information should be focused on issues that may be relevant to the potential impacts on the area of an open cut mining operation.

Please note the square area shown in Fig 1 below is the where the mining lease is intended to be located. The other circled areas in the other figures are just to show roughly where the area is.

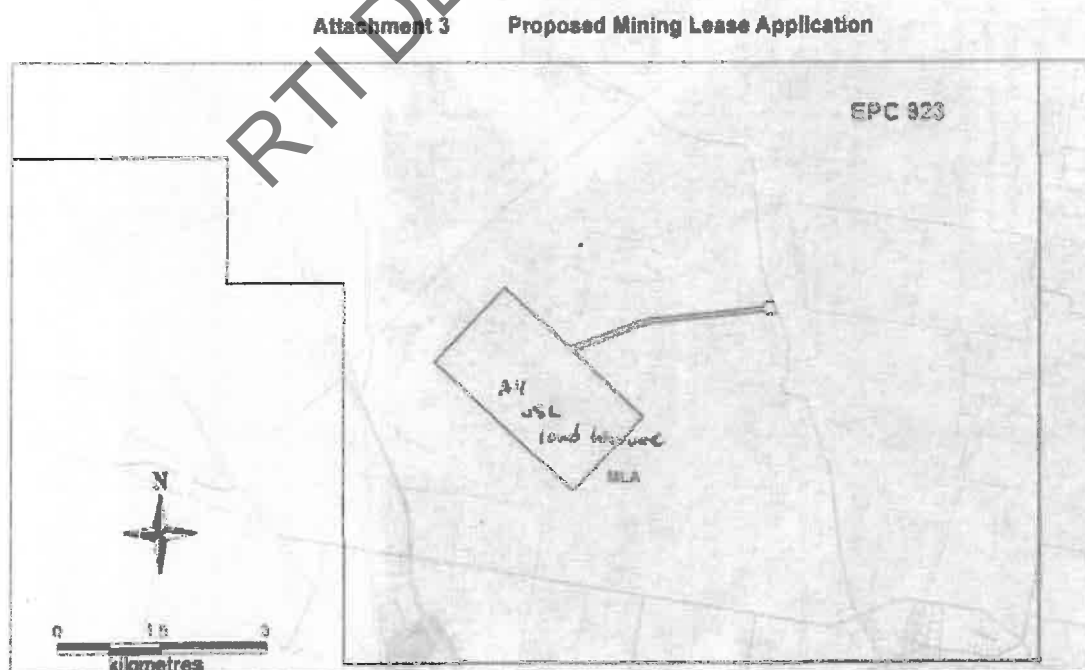


Fig 1 – Intended location of the Mining Lease inside the exploration lease (EPC 923) area

The mine will be working the Burrum Coal Measures and will be located within an area of exploration lease EPC923 on Unallocated State Land between Aldershot and Takura, and is has pretty much blanket coverage of EPA Referable Wetland mapped over it (see second attached map with highlighted pink showing the area of referable wetland).

Attachment 2 EPC 923

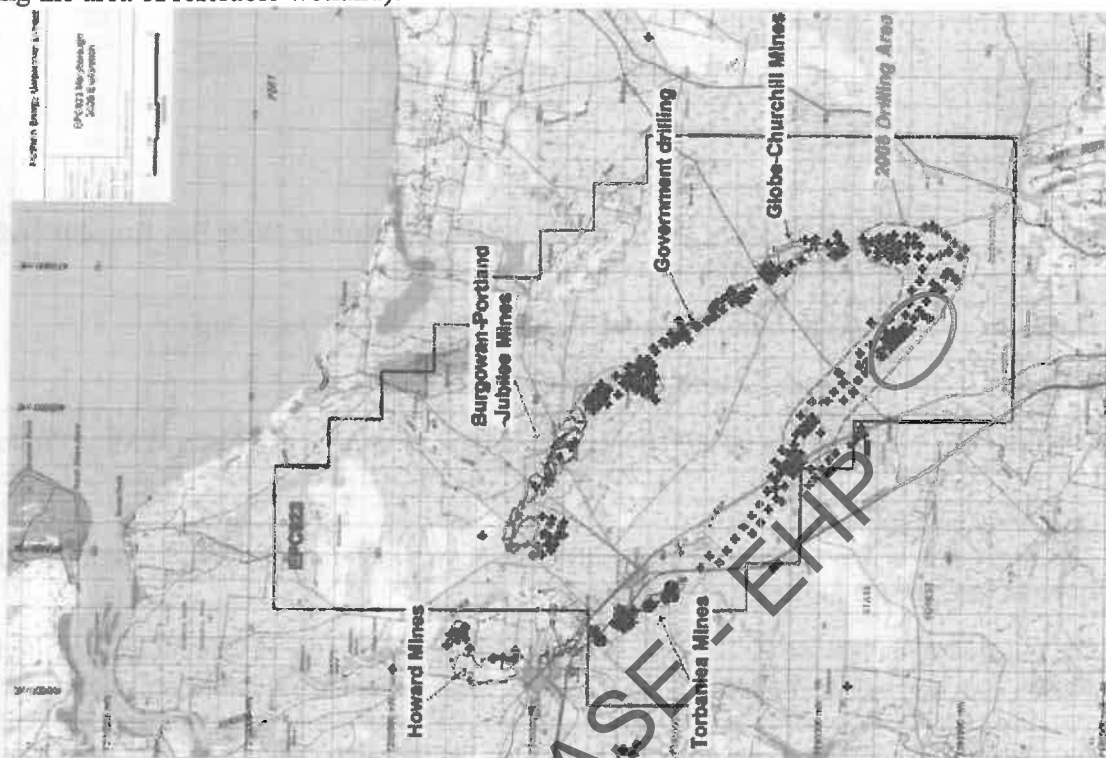


Fig 2 – Regional location of where the mining lease will roughly go (round circle), showing the past drilling (black crosses)

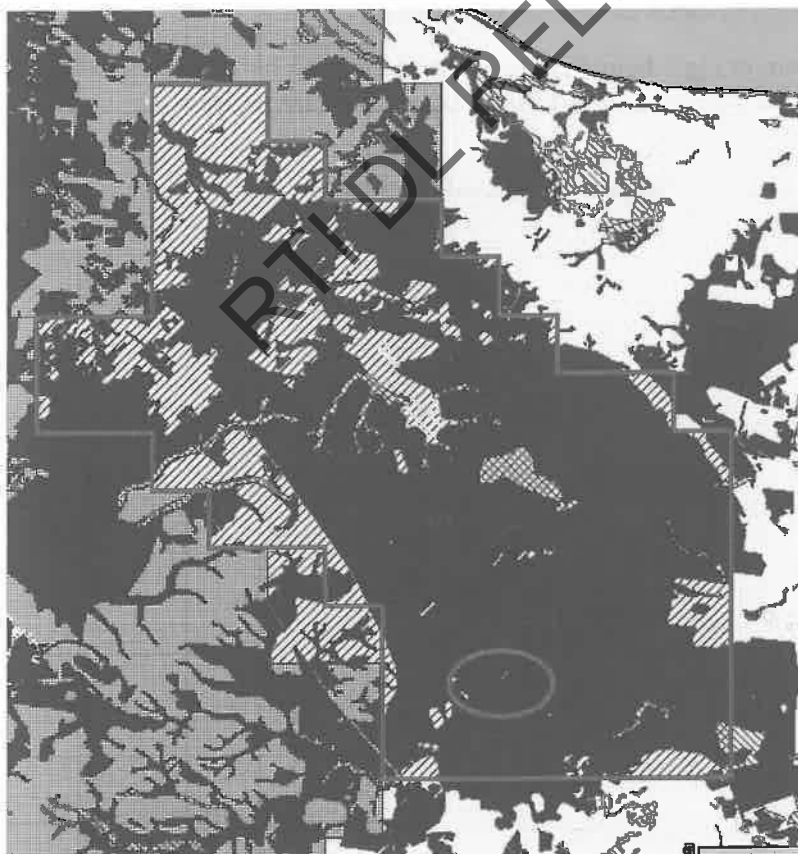


Fig 3 – EPA Referable Wetlands mapping over the area, with rough location of the mining lease shown as a red circle

The meeting was organised by Bill Dixon, Manager of Integrated Assessment from EPA Environmental Services in Brisbane, who was initially assigned as the Project Director on the basis it appeared to be a fairly major project. It turns out that the operation will not be that large (around 30 employees), however the operation is open cut (and will thus have a relatively large area of disturbance) and will be significant in terms of the impact from the disturbance of the land.

Steve, is there any chance you could also provide me with informal advice similar to what would be provided for a normal referable wetland application that might come in for this area to assist in the assessment that I will have to undertake for the mining approval application?

It would be appreciate if you could provide any response to me by the 19th August 2008.

Many thanks for your assistance.

Daniel Cohen
Environmental Officer

RTI DL RELEASE - EHP

Jun 08



environmental licences and permits

Northern Energy
(Taroom Coal)
Pre-lodgement for Open
cut Coal mine @ Howard

CAC Detail Report

Project Ref	Project Office
248999	ES - Reg Serv - Wide Bay Burnett - MBorough - EPA

Application Date	CAC Review Date	Application Type
	01-JUL-2008	Pre-Design

Primary Applicant/s

Client ref	Client name
403720	Taroom Coal Pty Ltd

Location/s

Location name	Location description	Location type
EPC923	APPROX 20 KM WEST OF HERVEY BAY	Mining Tenure

Permit/s

Permit type/s	Environmental Authority (Mining Lease) Non Code Compliant Level 1 Mining Project
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Activity/ies

Activity/ies	Mining Lease
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Interest/s

Type	Rating	Comment
Heritage - Aboriginal and Torres Strait Islander cultural sites	Unknown (default)	
Biodiversity - riparian buffer zones	Unknown (default)	
National and International - national estate	Unknown (default)	

Recommendations

Recommending officer	Rhonda Zande
Project Director	Ahmad Rahman
Project Manager	Tim Brain
Decision Level	Level 2
EIS Required	N
Comments	<p>An application for Mining Lease and Environmental Authority for coking coal mine and processing plant in the Maryborough Basin within EPC923.</p> <p>The Maryborough Coking Coal Project site covers an area of 430ha and is located approximately 15km to the north of Maryborough Queensland. The project proposes to open cut mining using truck and excavator techniques. An estimated 1.5 million tonne (Mt) coking coal resource is contained within thinly bedded seams and drilling and blasting of some overburden maybe a requirement of the project. A coal handling And preparation plant and other associated infrastructure will also be constructed on the site.</p> <p>Recent use of the land of the project site includes selective logging and coal exploration. Associated infrastructure on the site includes access tracks and clearing for drill pads. In April 2008 a wet season flora and fauna assessment was completed. No listed species of conservation significance and no endangered regional ecosystems were</p>



	<p>identified on the site.</p> <p>Air quality monitoring has commenced and noise modelling is currently underway for the site. No other environmentally sensitive areas exist on the site.</p> <p>Consultation with Ergon Energy has commenced with a view to obtaining power from the local grid.</p> <p>Wide Bay Water Corporation has indicated to NEC it can supply water from a local reservoir. Coal transport options currently include coal to the Port of Bundaberg and rail transport to the Port of Gladstone. Consultation with all parties has commenced and both options are currently under consideration.</p>
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CAC Outcome

Project Director	Ahmad Rahman
Project Manager	Tim Brain
Decision level	Level 2
EIS Required	N

Date	Comments
01-JUL-2008	It was advised at CAC that Maryborough staff suggest a 556 - "exposure to public" and that Port issues be addressed.
01-JUL-2008	<p>An application for Mining Lease and Environmental Authority for coking coal mine and processing plant in the Maryborough Basin within EPC923.</p> <p>The Maryborough Coking Coal Project site covers an area of 430ha and is located approximately 15km to the north of Maryborough Queensland. The project proposes to open cut mining using truck and excavator techniques. An estimated 1.5 million tonne (Mt) coking coal resource is contained within thinly bedded seams and drilling and blasting of some overburden maybe a requirement of the project. A coal handling And preparation plant and other associated infrastructure will also be constructed on the site.</p> <p>Recent use of the land of the project site includes selective logging and coal exploration. Associated infrastructure on the site includes access tracks and clearing for drill pads. In April 2008 a wet season flora and fauna assessment was completed. No listed species of conservation significance and no endangered regional ecosystems were identified on the site.</p> <p>Air quality monitoring has commenced and noise modelling is currently underway for the site. No other environmentally sensitive areas exist on the site.</p> <p>Consultation with Ergon Energy has commenced with a view to obtaining power from the local grid.</p> <p>Wide Bay Water Corporation has indicated to NEC it can supply water from a local reservoir. Coal transport options currently include coal to the Port of Bundaberg and rail transport to the Port of Gladstone. Consultation with all parties has commenced and both options are currently under consideration.</p>

Chairperson:	Cathy BIRT
Signature of Chair:	
Date:	

Daniel Cohen

From: Daniel Cohen
Sent: Monday, 4 August 2008 3:07 PM
To: Tim Brain
Subject: RE: Aldershot mine proposal - ABC Wide Bay queries
Attachments: webmap.pdf

Hi Tim,

A start on this:

The EPA has had an early stage pre-design conference meeting with a mining company in relation to a coal mine proposal for an area around 5km north west of Aldershot near Maryborough.

An environmental authority under the *Environmental Protection Act 1995* would be issued for any such mining operation, but to date the EPA has not received an application in relation to the project. The application may or may not require the preparation an Environmental Impact Statement (EIS) depending on certain triggers published by the EPA.

Under the provisions of the *Environmental Protection Act 1995*, a public notification process will be required for the application for environmental authority, and public submissions (objections) in relation to the proposal can be made at this time.

significant biodiversity classification land', a wildlife corridor

 Daniel Cohen
 Environmental Officer
 Environmental Services – Regional Services
 Wide Bay Burnett Region, Maryborough
 Environmental Protection Agency

Ph: (07) 4121 1816
 Fax: (07) 4121 1650
 E-mail: daniel.cohen@epa.qld.gov.au

Visit us online at www.epa.qld.gov.au

From: Andrea Dobbyn
Sent: Monday, 4 August 2008 11:27 AM
To: Tim Brain
Cc: Daniel Cohen; Paul Michaels; Jack Saunders
Subject: Aldershot mine proposal - ABC Wide Bay queries

Tim

As per my phone call earlier when I spoke to Daniel:

Nicole Bond of ABC Wide Bay is seeking info from the Agency about a mine proposal near Aldershot. Roger Currie has said that the mine would be on a 'state significant biodiversity classification land', a wildlife corridor. She is seeking some clarification.

Deadline for response to questions below is 12.00 but I've said we'll get back to her asap.

She understands from Mr Currie that the mine is a project of Northern Energy Corp, that the EPA is discussing an EMP with the company, and the company is doing surveys re dust and noise for the EMP. Roger Currie says there should be an EIS for such projects and the Conservation Council will be lobbying harder for that.

Nicole's questions:

- What is 'State-significant biodiversity classification'? Is the land under proposal classified that way? Is that a Qld

4/08/2008

Govt or Commonwealth classification?

- Does the EPA have anything to do with this coal mine proposal?
- If land is classified as a biodiversity corridor, what does that mean?

Sorry these questions are a bit vague. Nicole is trying to clarify what she already has from Mr Currie.

Thanks
andrea

.....<.....

Andrea Dobbyn

Senior Communications Officer, Media Unit

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Mobile: (6) Personal information

Media Unit email: media.unit@epa.qld.gov.au

visit us online at: www.epa.qld.gov.au

1908 - 2008 Celebrating 100 years of national parks in Queensland

RTI DL RELEASE - EHP

Date: Monday 4 August 2008

For: Nicole Bond
ABC Wide Bay

DEADLINE: cob Monday 4 August

Issue: Coalmine proposal in 'State-significant biodiversity classification' area, Aldershot, near Maryborough

Questions:

- What is 'State-significant biodiversity classification'? Is the land under proposal classified that way? Is that a Qld Govt or Commonwealth classification?
- Does the EPA have anything to do with this coal mine proposal?
- If the land is classified as a biodiversity corridor, what does that mean?

Agency background:

Nicole Bond of ABC Wide Bay is seeking clarification from the Agency about a mine proposal near Aldershot. Former Agency employee Roger Currie has told her that the mine would be on a 'state significant biodiversity classification land', a wildlife corridor.

Nicole understands from Mr Currie that the mine is a project of Northern Energy Corp, that the EPA is discussing an EMP with the company, and the company is doing surveys re dust and noise for the EMP. Roger Currie says there should be an EIS for such projects and the Conservation Council will be lobbying harder for that.

Stuart Cameron has checked with Ahmad Rahman, who chairs CAC and he agrees with the response below. The mine has not submitted a formal application. There has not been a formal letter sent to the company and we will wait until their formal application before making a final decision.

"State Wildlife Corridor" is not an EPA interest that is ever considered by CAC and does not come in ecomaps.

Draft response:

Please attribute the following to an EPA spokesperson

The EPA has had a pre-design meeting with a company about a proposed coal mining lease near Aldershot, but as yet, no formal application has been submitted by the company.

The area where the proposed mining lease is located is within a State Wildlife Corridor as identified by a biodiversity planning assessment conducted by the Queensland Government. The area has been noted as a bioregional corridor with regional biodiversity values as it maintains connectivity for the movement of wildlife at a regional and possibly state level.

Based on the advice provided by the proponent at the pre-design meeting, it appeared that an EIS would not be required. However, a full assessment will be made of the proposal when an application is formally lodged. If the requirement for an EIS is not triggered there will still be opportunity for public input into the process.

DRAFT media response

The specific impact of the proposed mining lease will be assessed when an application is lodged. The corridor is based on a broad-scale assessment and does not replace the need for detailed assessment of specific proposals such as this.

ENDS

ISSUED BY
EPA Media Unit
Ph: (07) 3227 8452

Due date for release	Executive Director	
Media release number	Division/Region	
Media Unit contact	ED's Telephone	
Media unit phone	Briefing officer	Tim Brain, Stuart Cameron, Daniel Cohen
Comments	Position Telephone	

RTI DL RELEASE - EHP



File note of meeting/discussion

☒ Meeting ☐ Telephone
Date: 26 August 2008 Time: 23:0
Between Tim Brain and Daniel Cohen of EPA Operations, Wide Bay Burnett
Office
And s.73 of Northern Energy Corporation Ltd
Subject: Pre-lodgement issues meeting for NEC (Taroom Coal) Maryborough
Project

s.73 outlined issues that had been expanded on since the 27/6/08 with the project. This included a rundown of the issues contained on the attached meeting agenda list, and some discussions in relation to these items is shown below:

- Looking at having an EM Plan put together and submitted to EPA in a timeframe of around two months.
- Before EM Plan can be put together, they need to do work on assessing the quality, and yield of aquifers in the area to determine dewatering requirements, and to do a comprehensive soil survey (ie NAG etc on overburden and any waste rock). This is scheduled to occur in November 08.
- A groundwater yield test will need to be performed. This will generate a large volume (~1-5ML) of potentially high salinity (~5-13mS/cm) groundwater that will need to be released or tankered away. s.73 claims net evaporation in the area would not allow the water to be ponded and evaporated. s.73 also claimed the water would most like be above ANZECC stock watering guideline figures.
- The ANZECC guidelines were consulted after the meeting for salinity level trigger values for aquatic ecosystems. It appears that the discharge of groundwater in this range into a watercourse is not likely to have significant environmental impact. Extracts from the appropriate sections of the ANZECC guidelines is attached.
- Other minor issues discussed included the two options being considered for shipping the washed coal. These include rain to Gladstone or trucking to Port Bundaberg and loading through the sugar terminal. Bundaberg is the preferred option at this stage.
- Washing plant water usage and if it would have a discharge was discussed. The washing circuit would be closed system and the mine would be a net user of water. Extra water is looking to be sources from nearby WBW storage via pipeline to the mine.

s.73 stated that NEC would be in contact with EPA prior to groundwater yield testing being conducted.

Date: 25 August, 2008.

Briefing Note

NEC Maryborough Project

Environmental Management Plan and General Issues

1. Wet and dry season flora and fauna site studies completed – report being prepared
No rare or endangered species identified
2. Surface water management requirement being assessed
3. Groundwater studies program prepared – site access a problem given the rain a few weeks ago.
Issue for consideration – disposal of water from the groundwater bore yield tests.
4. Soils analysis – sample taken, at lab for analysis
5. Overburden characterisation – sample program designed, samples to be taken from available bore cores stored at Maryborough
6. Noise modelling – noise monitors data being used for noise assessment modelling
7. Dust monitoring – dust sample background data being collected
8. Product transport – discussions with Bundaberg Port and QR for access to rail to Gladstone. Road haulage contractors working up proposals. Aspec Engineering commissioned to do initial Port Infrastructure Study for Bundaberg
9. Water supply – discussions with Wide Bay Water Corporation for a supply and for design and project engineering work
10. Power supply – connection enquiry made to Ergon – expect initial response in September
Likely that the project will start with mobile generator units
11. Employment – high level of interest from local area people who commute to Central and Southern Queensland mines.
12. Community contacts program ramping up
13. Joint Venture Partner program - progress update.

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s.73 s.73
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Effects of **salinity** and EC changes on aquatic ecosystems



[Australian & New Zealand Guidelines for Fresh and Marine Water Quality](#) > [Volume 2 : Aquatic Systems](#) > [Chapter 8: Aquatic Ecosystems ~ Rationale and Background Information](#) > [8.2 Physical and chemical stressors](#) > [8.2.1 Fact sheets](#) > [8.2.1.4 Salinity](#) > Effects of salinity and EC changes on aquatic ecosystems

Aquatic organisms are classified as stenohaline (able to adapt to only a narrow range of salinities) or euryhaline (able to adapt to a wide salinity range — up to 10 000-15 000 mg/L) with most organisms being stenohaline. Salinity changes may affect aquatic organisms in two ways:

- direct toxicity through physiological changes (particularly osmoregulation) — both increases and decreases in salinity can have adverse effects;
- indirectly by modifying the species composition of the ecosystem and affecting species that provide food or refuge.

Hart et al. (1990 and 1991) reviewed the biological effects of saline discharges into freshwater systems, and concluded that adverse biological effects would be expected in Australian aquatic ecosystems if salinity was allowed to increase to around 1000 mg/L (or approximately 1500 mS/cm). These reviews covered the lethal and sub-lethal effects of salinity on microbes (mainly bacteria) macrophytes and micro-algae, riparian vegetation, invertebrates, fish, amphibians, reptiles, mammals and birds. The review highlighted the dearth of information on the sensitivity of Australian freshwater organisms to increases in salinity and found few studies on sub-lethal or long term effects, or on possibly more-sensitive life stages.

The development of salinity guidelines for inland waters are complicated by the large number of naturally brackish or saline wetlands and streams in Australia (Williams & Kokkinn 1988, Williams 1987, 1988). For these, the recommended trigger values for assessing potential adverse effects relate to situations where discharges of either highly saline water or freshwater are likely to substantially change the existing (or desired) salinity regime in that system. Trigger values for naturally saline wetlands or streams, and similarly for systems with naturally very low salinity (<50 μ S/cm), must be derived only after adequate scientific data are available for the particular ecosystem (see [Section 3.3](#)). Site specific evaluations using biological indicators may be necessary in these cases, especially where the natural variability is small.

While freshwater biota are most vulnerable to increased salinity, marine and estuarine biota are equally susceptible to decreased salinity. In those parts of Australia with a Mediterranean or tropical monsoon climate, wetlands and streams may be saline seasonally as water evaporates over the long hot dry season. Also, estuaries in south-west Australia, where tidal ranges are small, can experience salinity ranges from almost fresh to hyper-saline between the wet and dry seasons. An interesting example of salinity effects on an estuarine organism was provided by Rippingdale & Kelly (1995) who found *Phyllorhiza punctata* was absent from the Swan-Canning estuary during periods of low salinity after winter rains, but returned when salinity returned to normal summer levels.



Table 3.3.5

[Australian & New Zealand Guidelines for Fresh and Marine Water Quality](#) > [Volume 1: The Guidelines](#) > [Chapter 3: Aquatic ecosystems](#) > [3.3 Physical and chemical stressors](#) > [3.3.2 Philosophy used in developing guidelines for physical and chemical stressors](#) > [3.3.2.5 Default approach to deriving low-risk guideline trigger values \(Aquatic ecosystems\)](#) > [Tables 3.3.4 to 3.3.5 Tropical Australia](#) > Table 3.3.5

Ranges of default trigger values for conductivity (EC, salinity), turbidity and suspended particulate matter (SPM) indicative of slightly disturbed ecosystems in tropical Australia.

Ranges for turbidity and SPM are similar and only turbidity is reported here. Values reflect high site-specific and regional variability. Explanatory notes provide detail on specific variability issues for groupings of ecosystem type.

Ecosystem type	Salinity (mScm ⁻¹)	Explanatory notes
Upland & lowland rivers	20–250	Conductivity in upland streams will vary depending upon catchment geology. Values at the lower end of the range are typical of ephemeral flowing NT rivers. Catchment type may influence values for Qld lowland rivers (e.g. 150 mScm ⁻¹ for rivers draining rainforest catchments, 250 mScm ⁻¹ for savanna catchments). The first flush of water following early seasonal rains may result in temporarily high values.
Lakes, reservoirs & wetlands	90–900	Values at the lower end of the range are found in permanent billabongs in the NT. Higher conductivity values will occur during summer when water levels are reduced due to evaporation. WA wetlands can have values higher than 900 mScm ⁻¹ . Turbid freshwater lakes in Qld have reported conductivities of approx. 170 mScm ⁻¹ .
	Turbidity (NTU)	
Upland & lowland rivers	2–15	Low values for base flow conditions in NT rivers. QLD turbidity and SPM values highly variable and dependent on degree of catchment modification and seasonal rainfall runoff.
Lakes, reservoirs & wetlands	2–200	Most deep lakes and reservoirs have low turbidity. However, shallow lakes and reservoirs may have higher turbidity naturally due to wind-induced resuspension of sediments. Lakes and reservoirs in catchments with highly dispersible soils will have high turbidity. Wetlands vary greatly in turbidity depending upon the general condition of the catchment or river system draining into the wetland, recent flow events and the water level in the wetland.
Estuarine & marine	1–20	Low values indicative of offshore coral dominated waters. Higher values representative of estuarine waters. Turbidity is not a very useful indicator in estuarine and marine waters. A move towards the measurement of light attenuation in preference to turbidity is recommended. Typical light attenuation coefficients (log ₁₀) in waters off north-west WA range from 0.17 for inshore waters to 0.07 for offshore waters.

- Northern Energy meeting update 26 Aug
 Tim Brain & Dan Cohen of EHA present - notes - D Cohen.
 + Because of AEC, 3 Indian investors walked away as potential project partners.

+ DME records were sourced & have recently helped better quantify resource. This has now been upzoned project from

250,000 t/ea → 500,000 t/ea
 for 5 years for 10 year project

+ The potential disturbance area is now much larger than the intellly imposes square M. It is now a big horse shoe shape across mostly of EPC area.

+ Initial stages focused on southern end, close to Churchill areas. Rd.

+ Have also spoken to Q Rail. Alastair Port will take coal. Q Rail now seeking to upgrade old Hervey Bay sideline → Northern rail corridor → Barney Point Headier at Gladstone. Bundaberg Port will be a lost record.

+ Looking to have EMLB supporting information ready to make application around November this year.

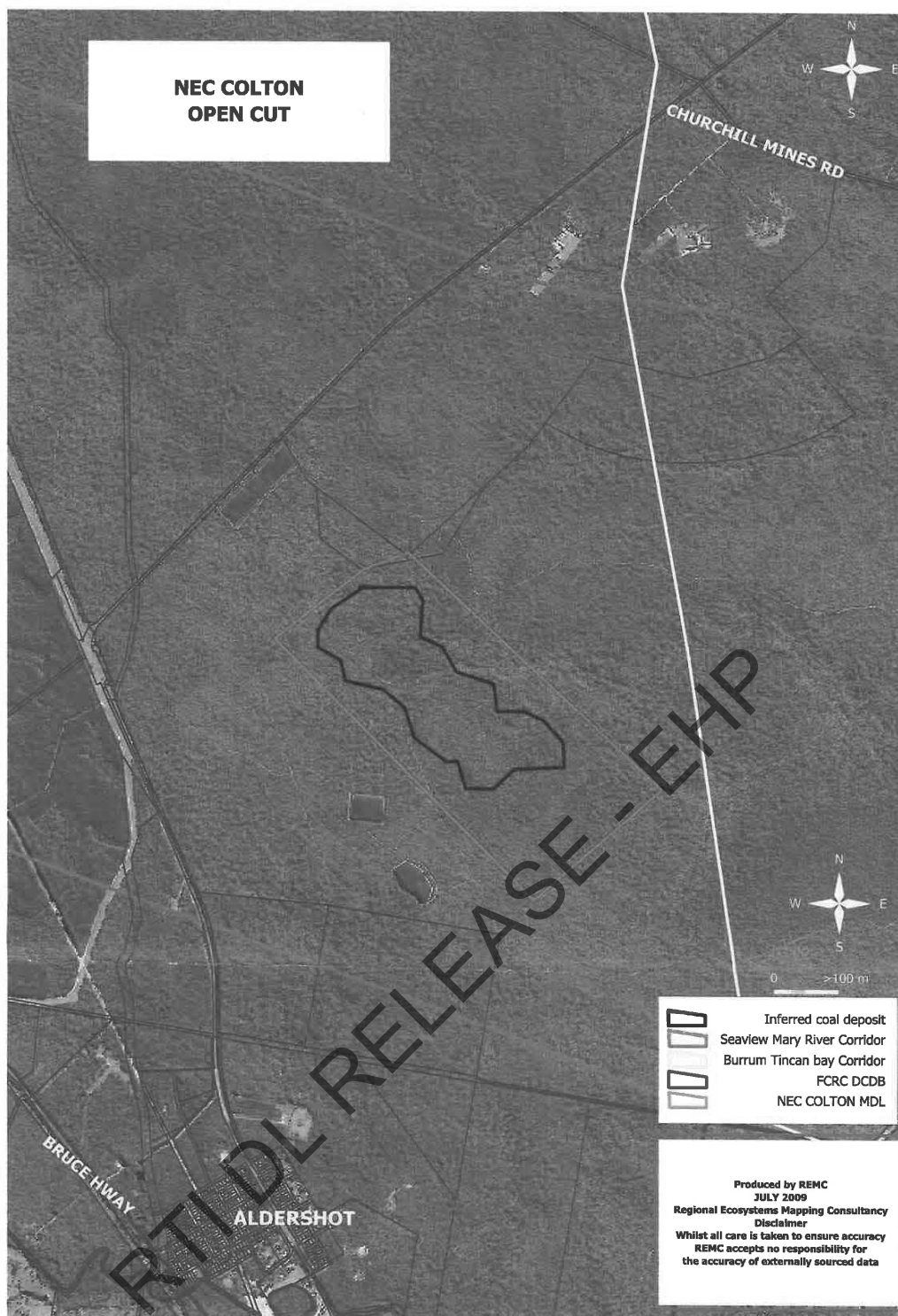
+ May need to talk to Major Agents & Stuart Cameron now that mine proposal has gotten larger than originally proposed.

Area of economic resource on



RTI DL RELEASE - EHP

0 2.5 5
kilometres



Potential new lease area to convert new

RTI DL RELEASE - EHP

0 2.5 5
kilometres

Enquiries Daniel Cohen
Telephone (07) 4121 1816
Your reference
Our reference MBH2111



**Queensland
Government**

5 February 2010

Department of
**Environment and Resource
Management**

s.73

Northern Energy Corporation Limited
GPO Box 5268
Brisbane QLD 4001

Dear s.73

DERM review and comment on Northern Energy Corporation Limited's site water discharge management strategy for the Colton Mine Project

I refer to your correspondence dated 22 December 2009 outlining Northern Energy Corporation Limited (NEC)'s site water discharge management strategy for the Colton Mine Project. The Department has conducted a review of the proposed strategy and the additional water quality data provided by Mr s.73 of Streamline Hydro on 13 January 2010 and offers the following comment.

The Department considers that the proposal for discharge to estuary is potentially problematic and should be reconsidered along with other options. The continuous release of contaminated groundwater (particularly if not diluted with other water) is considered a significant risk and is not recommended as the preferred option. However, if NEC wishes to investigate this discharge option further it is recommended that NEC obtain a better understanding of likely water quality to be discharged (if possible) and further assess the potential effects of the release. This would require an assessment of both near field mixing and further field affects. Comparison against relevant water quality objectives (including toxicant trigger values) would be needed. It is likely that significantly more water quality data would be required on the background and reference water quality for receiving waters.

While consideration of the impacts of mine dewatering on the surrounding groundwater systems was outside the scope of NEC's site water discharge management strategy report, the Department considers this to be a very significant issue. The functioning of wetlands in the area could be impacted by any change in the depth to the groundwater table, and potential acid sulfate soils could be subject to oxidation and subsequently generate acid if dewatered. Other users of the underlying groundwater resource in the area could also be negatively impacted by the mine dewatering. NEC will need to consider and address these potential environmental impacts.

A more detailed comment on several specific aspects of NEC's proposed strategy of discharge is also attached to this correspondence. Following your review of the Department's comments, we would be happy to meet with you to discuss matters relating to the proposal and the project approval process further. Please contact Daniel Cohen on the phone number below to arrange a suitable time for the meeting.

If you have any questions in relation to this letter please contact Daniel Cohen on telephone 4121 18.

Yours sincerely

sch4p4(6) Personal information

Tim Brain
Manager (Wide Bay Burnett)
Environmental Services North
South East Region
Department of Environment and Resource Management

RTI DL RELEASE - EHP

Attachment – Detailed comment on specific aspects of Northern Energy Corporation Limited's site water discharge management strategy for the Colton Mine Project (4th February 2010)

Comment 1. Discharge being the last option

As per the waste management hierarchy and the DERM Policy for Licensing discharges to Queensland waters, there needs to be a demonstrated need for discharge. This should include looking at all possible management options and detailed assessment of the most viable options, including separating "clean" and "dirty" water. It is the preferred option that the cleanest water (such as runoff) is discharged in preference to the "dirty" process water.

Comment 2. Water management discharge options

In terms of discharge options, it would seem the proposal for release to local waters has been dismissed as the most viable option. Although this may be true in terms of the total quantity of water that is stated as needing discharge, this is still a viable option for discharge depending on the quality of the wastewater (particularly salt). The cleaner water could potentially be released via this option.

There are a number of negative aspects related to the discharge option to Saltwater Creek. Capital and operating costs are noted in Table 1 but the viability of the constructing a 10km pipeline would need to be demonstrated. Secondly, upper estuaries are not typically well flushed and contaminants can accumulate with time. Furthermore, the near-field mixing will depend on the discharge structure and this would need to be well designed (and would add to the cost). Potential toxicity of metals still needs to be considered.

Comment 3. Dilution not only linked to tidal flow

An assessment of dilution and mixing requires consideration of a number of factors. As mentioned, upper estuaries are not typically well flushed and contaminants can accumulate with time (usually a real time water quality model is needed to assess the extent of this). In terms of toxicity, near field dilution would need to be considered. This would vary with the type of discharge structure (or diffuser). No discharge immediately mixes with receiving waters when released. Although tidal flows can be great, flows varies with the tide and are small at slack tide. Generally, an assessment of near-field mixing and potential toxicity should be done under worse case scenarios and velocities.

Comment 4. Environmental Values and Water Quality Objectives to be considered.

Table 2 does not include any water quality objectives for toxicants. The toxicant trigger values in Table 3.4.1 in the AWQG (2000) should be adopted in the first instance unless more suitable local guidelines can be developed. For the estuary, these are some of the key contaminants of concern.

Comment 5. Site Water Sampling Quality Data Representativeness.

The site groundwater is presented in Table 3 as being potentially representative of the proposed discharge water. This probably is the worse case scenario and appropriate if there was no storage proposed on the site for the groundwater. One would assume that surface water runoff which is captured on site is a potentially significant component of the discharge water and as mentioned previously, this should be discharged preferentially before groundwater.

Comment 6. Water Quality Contaminants of potential concern.

Given the proposal is for discharge to estuary, the electrical conductivity is unlikely to be an issue of major concern (unlike in freshwater systems). From the data provided, issues of most potential concern in terms of near field effects appear to be: low pH, cyanide, cobalt, copper, lead and zinc. This was based on our comparison of maximum water quality values to toxicant trigger values. Nutrient contaminants such as nitrogen (as mainly ammonia), phosphorus and iron could also be of potential concern in terms of further field effects and would probably need further consideration. There is also no mention of organics or hydrocarbons that could be of potential concern in the wastewater.

RTI DL RELEASE - EHP

REGIONAL SERVICE DELIVERY DIVISION RESPONSE

REQUEST DATE: 1 February 2010

SUBJECT: Proposed Coal Mine near Maryborough by Northern Energy Corporation

REQUEST 1: Minister Jones office is seeking advice about the current status of the proposed coal mine near Maryborough by Colton Coal Pty Ltd.

QUESTION 1: Where things are up to with the assessment process? And What issues we will be looking into?

REQUEST 2: The Ministers office to be advised once DERM receives the application. Some brief advice on how long the assessment process will be.

RESPONSE 1:

- An application by Colton Coal Pty Ltd to carry out coal mining near Maryborough was made to the Department of Employment, Economic Development and Innovation (Mines and Energy) on the 29 January 2010 and was referred to DERM on 3 February 2010.
- An application to transfer an existing Environmental Authority to carry out exploration for coal near Aldershot, approximately 10 km north of Maryborough has also been made by Colton Coal Pty Ltd. Coking coal deposits have been identified in the area.
- Officers from the department met with representatives of Colton Coal Pty Ltd last year to discuss the project and advised that the issues that the department will consider will include, but not necessarily be limited to the following.
 - The area suggested for mining is in an area mapped as a bioregional corridor in the department's Biodiversity Planning Assessment and the proponent will need to explain the management of potential impacts to the values of the area in their application.
 - Impacts may result from dewatering the area to be mined. The proponent would need to address the management of impacts on wetlands in the area, the potential for impact on acid sulfate soils from lowering groundwater levels and impacts on waters that may be affected by the discharge of mine water.
 - Impacts on stormwater resulting from disturbance on the site will need to be considered and managed to prevent impacts off site.
 - Impacts from noise and dust will also need to be managed as residents of the community of Aldershot are less than 3 km from the proposed mining lease. There may also be some individual residences closer to the proposed mine site.

Region / Business Group:		
Briefing Officer: Tim Brain, Manager ES North	Telephone: 4121 1813	Date: 08/02/2010
Approving Officer: Deb Hartwell, A/PA on behalf of RSD SER	Telephone: 3406 2500	Date:

- The proposal had previously generated significant public concern in relation to a proposal to load coal onto ships at the Port of Bundaberg. Northern Energy has advised the department that the company now intends to transport coal from the operation to the Port of Gladstone via rail.
- Ongoing media releases for the proposed mining activity continue to generate community interest and concern about the project.
- Members of the Wide Bay Burnett Conservation Council have expressed concern at a recent Community Cabinet about the proposed mine due to the environmental values in the area proposed for mining.

RESPONSE 2:

- An application for an Environmental Authority was received by DERM on 3 February 2010.
- Assessment process timeframes will depend on a number of factors but for a substantial process like this will take months rather than weeks. For example, when the application is made the department has ten business days to make an assessment level decision to determine if an EIS is required or not but this may be extended. If an EIS is not required then an Environmental Management Plan (EM Plan) is mandatory and should be assessed within 30 business days of lodgement. However, during this period the applicant is often requested to provide additional information and this requires that this period is substantially extended until a satisfactory response is received. If the final version of the EMP is approved a draft Environmental Authority would be issued (at least an additional 15 business days) which would require public notification for a minimum of 20 business days. If objections are received then objections are heard in the Land Court. Timeframes to resolve objections in Court are not determined by legislation. Similar applications have taken about 250 business days in total.

If an EIS is required then terms of reference for the EIS will be issued by the department and the applicant will be required to prepare the EIS. The applicant has up to two years to respond to the terms of reference with an EIS and EM Plan. When received the EIS and EM Plan are assessed and if accepted then a draft Environmental Authority will be issued and publicly notified allowing for objections to be made and heard in the Land Court (as above).

The applicant must also obtain a Native Title agreement and be granted the tenure to mine.

CONSULTATION UNDERTAKEN:

External:

Officers of the Department have met with representatives of Colton Coal Pty Ltd to discuss the project.

Region / Business Group:		
Briefing Officer: Tim Brain, Manager ES North	Telephone: 4121 1813	Date: 08/02/2010
Approving Officer: Deb Hartwell, A/PA on behalf of RSD SER	Telephone: 3406 2500	Date:



File : ML 50270-50271
Phone: 07 3238 3746
Fax: 07 3405 5346
e-mail: vijaya.kodali@deedi.qld.gov.au

RECEIVED
03 FEB 2010
ECSU

Department of
**Employment, Economic
Development and Innovation**

2 February 2010

Department of Environment and Resource Management
Ecoaccess – Customer Service Unit
PO Box 15155
CITY EAST QLD 4002

Dear Sir/ Madam

Application for Mining Lease (ML) Numbers 50273 and 50274

I refer to the attached applications for Mining Leases lodged with the Brisbane District Mining Registrar on 29 January 2010. The prescribed fee of **\$26,100.00** for Environmental Authority was collected and receipted by this Department.

In accordance with section 245(4) of the *Mineral Resources Act 1989* please find attached:

- a copy of the above mining lease application;
- application for environmental authority
- public enquiry report;
- map highlighting the mining lease application and surface area

We will await your advice and draft environmental authority.

If you have any questions please contact me on the above mentioned number.

Yours sincerely

sch4p4(6) Personal information

Vijaya Kodali
Senior Tenures Officer
Brisbane District Office

Queensland Mines and Energy
Department of Employment,
Economic Development and
Innovation
PO Box 1475
Coorparoo Qld 4151
Telephone +61 7 3238 3746
Facsimile +61 7 34055346
Website www.dme.qld.gov.au

Application form

Environmental Protection Act

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

OFFICIAL USE ONLY

DATE RECEIVED

FILE REF

PROJECT REF

COMPLETE FORM

☐

CORRECT AA

☐

COMPLETE FEE

☐

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

GUIDE

Each applicant for a relevant mining tenement and each holder of a relevant mining tenement (i.e. where the application relates to a current mining project), are to be the (only) applicants for EA.

Where there are several applicants, joint applicants may appoint a principal applicant, refer to Appendix A. The administering authority can then make its dealings with all applicants/holders by dealing with the principal applicant/holder.

Important information for applicants

This form must be used to apply for an environmental authority (mining activities) (EA) for a level 1 mining project under Section 154 of the *Environmental Protection Act 1994* (EP Act).

If you already hold an existing environmental authority (EA) and wish to apply for an additional mining activity or additional surface area, you are required to use the form 'Application for amendment of environmental authority (mining activities)'.

To assist you in the completion of this form, you should read the following guidelines:

- Preparing an Environmental Management Plan (EM Plan) for level 1 mining projects;
- Deciding the level of impact assessment for the mining industry; and
- Financial assurance for mining activities.

Specific information requirements

1. Applicant details

1. PRINT FULL NAME AND ABN COLTON COAL PTY LTD ABN/40 768 636
REGISTERED BUSINESS ADDRESS (OR RESIDENCE) & POSTAL ADDRESS LEVEL 5, 60 EDWARD STREET, BRISBANE, QUEENSLAND
Principal applicant ☒
2. PRINT FULL NAME AND ABN
REGISTERED BUSINESS ADDRESS (OR RESIDENCE) & POSTAL ADDRESS
3. PRINT FULL NAME AND ABN
REGISTERED BUSINESS ADDRESS (OR RESIDENCE) & POSTAL ADDRESS

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

The business/trading name will be used for information purposes only. The EA will be issued to the applicant(s).

2. Business name or trading name, where different to principal applicant company name

BUSINESS/TRADING NAME
N.A.

E.g. consultant, operations manager.

3. Who is the contact person for dealing with the environmental protection issues relating to this application?

NAME s.73	
TRADING NAME	
REGISTERED BUSINESS ADDRESS LEVEL 5, 60 EDWARD STREET, BRISBANE, QUEENSLAND	
FULL POSTAL ADDRESS GPO BOX 5283, BRISBANE, QUEENSLAND. 4001	
TELEPHONE s.73	FACSIMILE s.73
MOBILE TELEPHONE s.73	EMAIL s.73

Questions 4 & 5:

One of the factors that the administering authority considers when deciding an application for an environmental authority (EA) is the suitability of the applicant to hold an EA. Suitability inquiries may be made.

Under the EP Act, a conviction includes a plea of guilty or a finding of guilt by a court even though a conviction is not recorded.

Past criminal activity for environmental offences will not necessarily result in the application being refused. Each case is assessed on its merits. The EPA may contact you for more information during the decision-making period.

Where the applicant is a corporation, Questions 4 & 5 apply to all executive officers of the corporation (and relates to their current position, and any other executive positions they may have held in other corporations). Under the EP Act, an 'executive officer' includes anyone who is involved in the management of a corporation. You should make reasonable inquiries of all executive officers.

'Corresponding law' means under a law of the Commonwealth or another State that provides for the same or similar matters as the EP Act.

4. Has the applicant been convicted of an offence against the *Environmental Protection Act 1994* or a corresponding law in Queensland or another jurisdiction?

☐ Yes → Please attach a brief statement outlining the date, location and nature of the conviction

Tick to indicate attachment ☐

☒ No

5. Has the applicant held an environmental authority that has been cancelled or suspended under the *Environmental Protection Act 1994* or a corresponding law in Queensland or another jurisdiction?

☐ Yes → Please attach a brief statement outlining the date, EA number and the nature of the cancellation or suspension

Tick to indicate attachment ☐

☒ No

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

A 'mining project' is all mining activities carried out, or proposed to be carried out, under one or more mining tenements. In any combination, as a single integrated operation. Provide a project number where issued by DME.

6. Is this application intended to form a part of a current mining project?

☐ Yes → Provide the project number below (where issued)

PROJECT NUMBER

☒ No

7. Identify the mining tenements that comprise, or are intended to comprise, the mining project

	TENEMENT 1	TENEMENT 2	TENEMENT 3	TENEMENT 4
TENEMENT TYPE	PP			
NUMBER	50818, 50819, 50820, 50821, 50822 and 59823			
STATUS	GRANTED			

Question 8:

If you are replacing an existing EA you should answer 'yes' at Question 8 and the following applies.

Where the existing mining project has a transitional authority, provide the previously issued EP Act approval number in the box provided. If you do not have an EP Act approval number, provide the tenement number(s).

The process to replace an EA (mining activities) is identical to the application process. The administering authority shall cancel the existing EA when the new EA is issued.

8. Does this application propose activities to be carried out as part of an existing mining project that has an existing environmental authority (EA) (mining activities)?

☐ Yes → Provide the EA number below

EA NUMBER

☒ No

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

9. Where relevant, what is the reason for seeking a replacement environmental authority? (tick one option only)

- ☐ The existing environmental authority is for a level 2 mining project and the activities no longer meet the prescribed criteria for a level 2 mining project.
- ☐ The existing authority is a 'standard environmental authority', and the activity no longer meets the prescribed criteria for a level 2 mining project.
- ☐ An environmental authority is already granted for a mining project and the holder proposes an additional mining tenement.
- ☐ Other – please specify below:

REASON
N.A.

If this application forms part of a current project, provide the existing project name. Where this application relates to a new project, nominate a name.

10. What is the name of the proposed project?

PROPOSED NAME
COLTON MINE PROJECT

Where other tenure applications have been lodged or are proposed to be lodged as part of the mining project, identify the status as either 'lodged' or 'proposed'.

For several tenements forming a single mining project only one EA application form is required.

11. Are there other tenure applications, lodged or proposed to be lodged, that are intended to form relevant mining tenements for this application and comprise the mining project?

- ☒ Yes → Provide details below:

TENURE TYPE	TOTAL NUMBER	STATUS
MINING LEASE	TWO	ML APPLICATIONS LODGED WITH THIS EA APPLICATION

- ☐ No → Go to Question 12

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

The Australian and New Zealand Standard Industrial Classification (ANZSIC) is a code used by the Australian Bureau of Statistics. The ANZSIC Code is required to be displayed in the public register.

12. What is the ANZSIC code for the activity?

- ☒ 1101 Black coal mining ☐ 1313 Copper ore mining
☐ 1102 Brown coal mining ☐ 1314 Gold ore mining
☐ 1311 Iron ore mining ☐ 1315 Mineral sand mining
☐ 1312 Bauxite mining ☐ 1316 Nickel ore
☐ 1317 Silver-lead-zinc ore mining
☐ 1319 Metal ore mining (other metallic mineral ores)
☐ Other, specify below

CODE	DESCRIPTION

In order to answer this question, applicants must refer to the EPA's Manual for Assessing Hazard Categories and Hydraulic Performance of Dams. If necessary include supporting information.

13. Do you have a dam, the hazard rating for which requires it to be regulated?

- ☐ Yes
☒ No

Please refer to the guideline 'Preparing an environmental management plan (exploration permit or mineral development licence) (EM Plan (EP or MDL)) for non-code compliant level 1 mining project' available from DME or EPA offices.

14. Is an environmental management plan (EM Plan) included with this application?

- ☐ Yes → Provide its title and date below:

TITLE	DATE

Tick to indicate attachment ☐

- ☒ No → An EM Plan must be lodged before this application can be decided

An applicant for an EA non-code compliant level 1 mining project must submit an environmental management plan (EM Plan) for all relevant activities. The purpose of the EM Plan is to propose environmental protection commitments to help decide the conditions of the authority.

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

Question 15 will be used to help decide whether an EIS is required for the project.

If you tick 'yes' for any of Questions 15a to 15j, describe how the criterion is not met by filling in the details to the right of the Yes box.

Category A and B environmentally sensitive areas are listed in Sections 25 and 26 of the *Environmental Protection Regulation 2008 (EP Regulation)*.

A free map service that details these areas is available from the EPA website, at: www.epa.qld.gov.au/ecoaccess/mining

Note: 'mining' includes exploration. Environmentally Relevant Activities are listed in Schedule 2 of the EP Regulation - an electronic copy is available at www.legislation.qld.gov.au

Further guidance will be available at your local DME or EPA office.

Non-beneficial land capability means that after mining, the land is in a degraded state, unsuitable for its previous use, or agreement cannot be reached on an alternative future use (e.g. excavation containing acid water).

15. Tick the relevant boxes to show the scope of your project

Will the project:

	NO	YES	DESCRIBE OR ATTACH HOW CRITERION NOT MET
a) have significant impact on Category A or B environmentally sensitive areas?	☒	☐	→
b) involve mining in a marine area?	☒	☐	→
c) involve mining less than 500m from the highest astronomical tide	☒	☐	→
d) require the construction of >150 new dwelling units?	☒	☐	→
e) include an activity that would otherwise be a level 1 ERA with an annual fee >\$4000?	☐	☒	→ 15, 25(a), 43, 60, 63
f) involve the mining of >2 million tonnes of mineral or run of mine ore per year?	☒	☐	→
g) involve the abstraction of >2 million m ³ of water per year from natural surface or groundwater sources?	☒	☐	→ Annual water requirement estimated at 0.25 million m ³
h) result in >25 ha remaining post-mining in a non-beneficial land capacity?	☒	☐	→
i) involve any level 1 mining activity less than 2km from a town?	☒	☐	→
j) include mining for uranium or asbestos?	☒	☐	→

Tick to indicate attachments ☐

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

Supporting information

If you tick Yes for any of Questions 16a to 16p, write the identity or location of the area in the space provided. If there is insufficient space, please attach additional information.

Attach details of the status and outcomes of any consultation undertaken with the relevant authority regarding the proposed mining activity.

The relevant authorities for each area listed, are:

¹ Environmental Protection Agency

² Qld Department of Natural Resources and Water

³ Qld Department of Primary Industries

16. Will mining activities be carried out in, or adjacent to, any of the following areas:

WILL MINING ACTIVITIES BE CARRIED OUT IN, OR ADJACENT TO, ANY OF THE FOLLOWING AREAS:

TICK RELEVANT BOX

IDENTITY OR LOCATION OF AREA

a) Nature refuge?¹

☒ No ☐ Yes→

b) Resource reserves?^{1,3}

☒ No ☐ Yes→

c) Declared catchment areas?²

☒ No ☐ Yes→

d) Declared irrigation and project areas?²

☒ No ☒ Yes→

e) Water supply areas and drainage areas?²

☒ No ☐ Yes→

f) River improvement areas?²

☒ No ☐ Yes→

g) Stanbroke designated landscape area?¹

☒ No ☐ Yes→

h) Historic mining sites?^{1,3}

☒ No ☐ Yes→

i) State forest or timber reserve?²

☒ No ☐ Yes→

j) DPI research site?³

☒ No ☐ Yes→

k) Critical areas and public purpose reserves?²

☒ No ☐ Yes→

l) Areas under coastal management plans and control districts?¹

☒ No ☐ Yes→

m) Erosion prone areas and coastal management control districts?¹

☒ No ☐ Yes→

n) Area declared in need of environmental protection by a State Planning Policy, eg. The koala conservation area and other major habitat in State Planning Policy 1/05?¹

☒ No ☐ Yes→

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

WILL MINING ACTIVITIES BE CARRIED OUT IN, OR ADJACENT TO, ANY OF THE FOLLOWING AREAS:

TICK RELEVANT BOX

IDENTITY OR LOCATION OF AREA

o) Area declared in need of environmental protection by a State Planning Policy, eg. The koala conservation area and other major habitat in State Planning Policy 1/05?¹

☒ No ☐ Yes→

p) Areas of land occupied by the Bureau of Sugar Experiment Stations to conduct research?³

☒ No ☐ Yes→

Include here a brief description of: mining, processing, and machinery to be used.

Question 18:

Note: Under the EP Act, land that has been or is being used for a notifiable activity must be notified to the EPA for recording on the Environmental Management Register (EMR).

For the full list of notifiable activities, refer to Schedule 3 of the Act or the EPA Publication Information Kit - Assessment & Management of Contaminated Land in Queensland.

It should be noted that an EA (mining activities) holder is required to demonstrate that any land listed on the EMR, as a result of the mining activity undertaken, has been satisfactorily rehabilitated and is not a risk to human health or the environment, prior to the EPA approving an application for surrender.

If this project is likely to trigger a matter of national environmental significance, it is to be referred, by the applicant, to the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Further information is available at www.deh.gov.au

17. Briefly describe activities to be undertaken

ACTIVITIES

Open cut coal mining and processing, product transport and site rehabilitation.

18. Are you intending to carry out a notifiable activity as part of this mining project?

☐ Yes → You will need to lodge a 'Notification of Land' form
☒ No

19. Has the project been referred to the Commonwealth under the EPBC Act?

☐ Yes
☒ No
☐ Not applicable

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

Please read carefully through the certification opposite before signing. Note that the 'applicant' may be a different person or entity to the person authorised to sign this form on behalf of the applicant.

Where there is more than one applicant, this certification is to be signed by the person authorised to sign on behalf of all applicants (i.e. the principal applicant).

Where the applicant or principal applicant is a company, this form is to be signed by a person authorised in writing to sign for that company (i.e. appointed signatory).

Where there are joint applicants, please complete the "Appointment of principal applicant" form on the following page.

No information on financial assurance (FA) is required to be submitted with this application. For further details see the Guideline for setting Financial assurance for mining activities. Note that the EPA may impose as a condition of EA a requirement that the holder of the EA provide FA.

The fee for a level 1 application is detailed in Schedule 10, Part 3 of the *Environmental Protection Regulation 2008*.

The fees and charges associated with this application have been excluded from GST by the Commonwealth Government.

20. Applicant's certification

I / we, the applicant(s) identified in Question 1:

I, _____ s.73 Printed name of person signing this form

- enclose the prescribed fee of \$26,100.00;
 - certify that applicants for the environmental authority are all holders/applicants for a relevant mining lease(s);
 - solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.
 - understand that all information supplied on or with this application form may be made available upon request, subject to the provisions of the *Freedom of Information Act 1992* and/or by EPA administrative access arrangements;
 - understand and agree that information supplied with the related application for mining lease (Mineral Resources Act form), including details of financial and technical resources of the applicant(s), may be provided to the EPA;
 - understand that suitability inquiries may be made of any applicant; and
- are aware that under section 480 of the *Environmental Protection Act 1994*, it is an offence to give the administering authority information that is false, misleading or incomplete in any material particular. The maximum penalty for such action is 165 penalty units for an individual, or 825 penalty units where the applicant is a corporation (Section 181 B (3) of the Penalties and Sentences Act 1992). Refer to the Act for value of a penalty unit.

NAME s.73

SIGNATURE s.73

POSITION OF SIGNATORY (IE DIRECTOR, MANAGER, OWNER, PARTNER, CEO ETC) s.73

DATE 29 January 2010

**Application for an environmental authority (mining activities) for a non-code
compliant level 1 mining project**

21. Applicant checklist

- ☒ Application form(s) completed and signed
- ☒ Fees paid or enclosed (if applicable)
- ☐ Supporting information or accreditation attached (if applicable)

Please return your completed application kit to:

**The relevant district office of:
Mining Registrar
Department of Mines and Energy**

RTI DL RELEASE - EHP

Application for an environmental authority (mining activities) for a non-code compliant level 1 mining project

APPENDIX A

Appointment of principal applicant

We, being joint applicants listed below, hereby appoint

PRINTED NAME OF PRINCIPAL APPLICANT

as the principal applicant for this application for environmental authority (mining activities).

List all joint applicants

APPLICANT NAME / COMPANY		
SIGNATORY NAME & POSITION	SIGNATURE	DATE

APPLICANT NAME / COMPANY		
SIGNATORY NAME & POSITION	SIGNATURE	DATE

APPLICANT NAME / COMPANY		
SIGNATORY NAME & POSITION	SIGNATURE	DATE

APPLICANT NAME / COMPANY		
SIGNATORY NAME & POSITION	SIGNATURE	DATE

The EPA may accept an application for EA made for all the joint applicants by a person who is a joint applicant if satisfied the person is authorised to make the application for each of the joint applicants. Joint holders of an EA may utilise the Appointment or Cancellation of Appointment of Principal Holder form at any time.

In deciding an application for EA, the EPA must consider any suitability report obtained for the application.



APPLICATION FOR MINING LEASE

Section 245

Mineral Resources Act 1989

Form Number MRA-15 Version Number 6

The completed original plus two copies of this application and any attachments must be submitted with the prescribed fee at the Office of the Mining Registrar for the mining district in which the land is situated.

The document submitted must first be accepted by the Mining Registrar as an application for a mining lease under the provisions of section 81 of the *Mineral Resources Regulation 2003* before registration.

Note: A document containing information that is false or misleading may attract a maximum penalty of 200 penalty points.

If form is to be completed by hand please print clearly in ink and use block letters.

1. APPLICANT DETAILS

OFFICIAL USE ONLY	
ML No.	
PART A	
Received AT SRM	Received BY VK
DATE 29/1/10	TIME 9:50 PM
PART B	
Document accepted as an application for a Mining Lease in accordance with section 81 of the <i>Mineral Resources Regulation 2003</i> .	
Mining Registrar M. HANCOCK	
(SIGNATURE)	
DATE 1/2/2010	
FEE Paid \$27,320.00	RECEIPT no. BP 25124
PART C	
ENTERED on register by sch4p4(6) Personal information	
(SIGNATURE) NP	
DATE 29/1/2010	

Company Name/Surname 1.1 **COLTON COAL PTY LTD**

Given Name(s) 1.2

ACN (if company) 1.3 **140 768 636**

If Tenant in Common, specify share or interest - Percentage 1.4 **100.0 %**

Company Name/Surname 1.1

Given Name(s) 1.2

ACN (if company) 1.3

If Tenant in Common, specify share or interest - Percentage 1.4 **0.00 %**

Company Name/Surname 1.1

Given Name(s) 1.2

ACN (if company) 1.3

If Tenant in Common, specify share or interest - Percentage 1.4 **0.00 %**

Company Name/Surname 1.1

Given Name(s) 1.2

ACN (if company) 1.3

If Tenant in Common, specify share or interest - Percentage 1.4 **0.00 %**

GUIDE FOR APPLICANTS

Before making an application you are required to mark out the land proposed for the mining lease. For the manner of marking out, refer to sections 240 and 241 of the *Mineral Resources Act 1989*.

Question 1.1

Specify company name or surname of applicant.

Question 1.2

Specify given name(s) of applicant.

Question 1.3

If a company, what is the Australian Company Number (ACN)?

GUIDE FOR APPLICANTS

Total Percentage

1.5 100.00 %

Question 1.4

Specify the percentage of interest to be held by each applicant.

Question 1.5

The total interest must equal 100%. If you are entering these details online, right click the '0' and select 'Update Field'.

Question 1.6

If there are 2 or more applicants, indicate if the interests will be held as Tenants in Common or as Joint Tenants. If interests are not specified, tenancy will be registered as Tenants in Common.

NOTE: Joint Tenants must be of equal interest held.

Question 1.7

One applicant must be shown as the nominated person, upon whom any notice may be served on behalf of the applicant(s). (Commonly referred to as the 'Principal Holder')

Question 1.8

Specify the address of the nominated applicant.

Question 1.9

Specify the phone number of the nominated applicant.

Question 1.10

Specify the fax number of the nominated applicant.

Question 1.11

Specify the email address of the nominated applicant.

Question 2

A mining lease can be applied for if the applicant (or one of the applicants) is the holder of a current pre-requisite tenure.

Question 2.1-2.5

Tick which is the pre-requisite tenure for the mining lease application either a prospecting permit, exploration permit for mineral or coal, mineral development licence or a mining claim or mining lease (being conditionally surrendered) and provide the number and expiry date of the tenure.

A conditional surrender may be for the whole or part of the area in favour of either whole or part of a new application.

Question 2.6

Identify whether the land is situated within an exploration permit, geothermal exploration permit or mineral development licence (either granted or an application) that is not held by you.

If so, you must obtain the earlier applicant's or holders written views on your application and lodge those views with the Mining Registrar. (Refer to sections 248 and 249 of the Mineral Resources Act 1989)

Tenancy

1.6	Tenants in Common	☐	Joint Tenants	☐
-----	-------------------	--------------------------	---------------	--------------------------

Nominated Person

1.7	s.73
-----	------

Address

1.8	GPO BOX 5283 BRISBANE QLD. 4001
-----	------------------------------------

Phone Number

1.9	
-----	--

Fax Number

1.10	s.73
------	------

E-mail

1.11	
------	--

2. PRE-REQUISITE TENURE DETAILS

What pre-requisite tenure do you hold over this area?

		Tick	Number(s)	Expiry Date(s)
2.1	Prospecting Permit	☒	PP50818, PP50819, PP50820, PP50821, PP50822 & PP50823	22 / 04 / 2010
2.2	Exploration Permit(s)	Mineral ☐ Coal ☐		/ /
2.3	Mineral Development Licence(s)	Mineral ☐ Coal ☐		/ /
2.4	Conditionally surrendered Mining Claim	☐		/ /
2.5	Conditionally surrendered Mining Lease	☐		/ /

Is the land applied for situated within an area of an Exploration Permit for Mineral or Coal, a Geothermal tenure or a Mineral Development Licence, which you are not the holder?

2.6	☒ YES (go to Q 2.7) ☐ NO (go to Q 3.1)
-----	---

		Tick	Number(s)	Expiry Date(s)
2.7	Exploration Permit(s)	Mineral ☐ Coal ☒	923 1082	26 / 10 / 13
2.8	Mineral Development Licence(s)	Mineral ☐ Coal ☐		/ /
2.9	Geothermal Exploration Permit	☐		/ /

3. APPLICATION DETAILS

What was the date and time the land was marked out?

3.1	DATE: 28 / 01 / 2010	3.2	TIME: 9.30	☒ AM ☐ PM
-----	----------------------	-----	------------	--

Term applied for:

3.3	20 years
-----	----------

RTI DL RELEASE - EHP

GUIDE FOR APPLICANTS

Question 2.7 to 2.9

If yes, provide number and expiry date of relevant tenure not held by you.

Question 3

Before you apply for a mining lease you must mark out the boundary of the land, even if the surface of the land is not going to be included in your application.

Once marked out you have five business days in which to lodge your application.

Question 3.1-3.2

Specify the date and time the land the subject of the mining lease was marked out.

Question 3.3

There is no restriction on the term of a mining lease. However, when you apply for a lease you must justify the term you are seeking. A mining lease cannot be for a term longer than the period for which compensation has been agreed or decided. *For example, if you agree to compensation for a five-year period then the lease cannot exceed five years.*

Question 3.4

Provide detailed reasons for the length of term sought.

Question 3.5 & 3.6

State the area of land being applied for. There are no restrictions on the area and shape of the land, which can be granted under a mining lease (other than those imposed under certain Restricted Areas). However, you must justify the area and shape when you make your application.

Question 3.7

State the general locality of the application, e.g. 15km SE of Mount Isa.

Question 3.8

Insert the name of the Mining Lease.

Question 3.9

Insert the details of the Local Government. This refers to either the City or Shire Council responsible for the local government area(s) in which the land is situated.

Question 3.10

Specify which minerals are sought and/or the purpose for the mining lease. Do not use symbols. Do not include minerals that are not specified in the pre-requisite tenure.

Please Note: the Government's policy is that it will not grant mining tenements for the purpose of mining uranium in Queensland, nor will it permit the treatment or processing of uranium within the State.

Provide detailed reasons the term applied for.

3.4 See attached documentation - Supporting Information

Size of area applied for 3.5 860.7 ha

Provide detailed reasons for the area and shape of the land applied for.

3.6 SEE ATTACHED PLAN 9764-01A and attached documentation - Supporting Information

What is the general locality of this application?

3.7 10km NORTHEAST OF THE CITY OF MARYBOROUGH

What is the name of the Mining Lease? (if any)

3.8 COLTON A

What is the local government area(s) in which the land applied for is situated?

3.9 FRASER COAST REGIONAL COUNCIL

Specify the minerals and/or purpose for which this mining lease is sought?

3.10 COAL

Is the application solely for infrastructure facilities associated with mining? (e.g. Workshops, administration buildings)

3.11 ☐ YES ☒ NO

4. RESTRICTED LAND

Are there any permanent buildings or relevant features within the boundaries of the land applied for or within the prescribed distances laterally of the boundaries?

4.1 ☐ YES (go to Q 4.2) ☒ NO (go to Q 5.1)

What are those permanent buildings or relevant fixtures?

4.2

GUIDE FOR APPLICANTS

NOTE: Coal mining leases are subject to additional provisions imposed under Part 7AA of the *Mineral Resources Act 1989*.

Question 3.11

Mining leases may be granted for purposes other than mining of minerals (i.e. for the purposes of carrying out activities associated with mining such as plant site, camp or tailings dam).

Question 4

The *Mineral Resources Act 1989* prescribes certain types of land as "restricted land". This land is only available if the owner of the land where the relevant permanent building (Category A), or feature (Category B) is situated, consents in writing to your application. If consents are not lodged, such areas will automatically be excluded from the surface area of your mining lease.

Restricted Land (category A)

Means land within 100m laterally of a permanent building used –

- (a) mainly as accommodation or for business purposes; or
- (b) for community, sporting or recreational purposes or as a place of worship.

Restricted Land (category B)

Means land within 50m laterally of any of the following features–

- (a) a principal stockyard;
- (b) a bore or artesian well;
- (c) a dam;
- (d) another artificial water storage connected to a water supply; or
- (e) a cemetery or burial place.

Question 4.2

Specify the improvements to the land which is being applied in the mining lease. The types of improvements and prescribed distances are defined in the *Mineral Resources Act 1989*.

Question 5.1

Indicate whether the mining lease is over land that is a reserve as defined in the Schedule - Dictionary of the *Mineral Resources Act 1989*.

Question 5.2

If you are unable to obtain the written views of the owner of the reserve despite efforts to do so, the Land Court of Queensland has the power to make a recommendation to the Minister as to whether the Governor in Council should consent to the grant of the mining lease over the surface of the reserve subject of certain conditions.

Question 5.3

Specify what attempts have been made to obtain consent.

Do you have the written consent of the owner(s) of the land containing those permanent buildings or relevant fixtures to the land being applied for in the mining lease?

4.3 ☐ YES (attach copy) ☐ NO (see below)

Please note: Consent must be lodged with the Mining Registrar prior to close of objections.

5. RESERVE LAND

Is the application over land the surface of a reserve?

5.1 ☒ YES (go to Q 5.2) ☐ NO (go to Q 6.1)

Do you have written consent of the owner(s) of the reserve?

5.2 ☐ YES (go to Q 6.1) ☒ NO (go to Q 5.3)

If yes – please attach a copy of consent.

If NO, what action has been taken to obtain such written consent?

5.3 Discussions with Queensland Rail (Lot 31 SP 104950) and Fraser Coast Regional Council (Road # 62) continuing to finalise Consent Agreements to allow the applications to be granted

Please note: Consent must be lodged with the Mining Registrar prior to close of objections.

6. BACKGROUND LAND TENURE DETAILS

Describe the land parcels that are the subject of the application for mining lease:

Lot Number 6.1 See attached Survey Report for details Plan Number 6.2

Land Tenure Type 6.3

Current Usage 6.4

Owner's Name 6.5

Owner's Address 6.6

Lot Number 6.1 Plan Number 6.2

Land Tenure Type 6.3

Current Usage 6.4

Owner's Name 6.5

Owner's Address 6.6

GUIDE FOR APPLICANTS

Question 6

Please provide a description of all parcels of land the whole or part of which are covered by your application. It is necessary to provide the landowner's name and address for each parcel of land. You can obtain this information from the Department of Natural Resources and Water Service Centre.

You are also required to provide details of which parcels of land are within the boundaries of the surface area and access being applied for.

Refer to Schedule - Dictionary in the *Mineral Resources Act 1989* for the definition of an 'owner'

If insufficient space please attach list.

Questions 6.1 & 6.2

Specify the Lot Number and Registered Plan Number of land over which the lease is required.

Question 6.3

Insert land tenure type, e.g. Freehold, special lease, pastoral holding etc.

Question 6.4

What is the land currently used for?

Questions 6.5 & 6.6

Enter the Name and Address of the owner of the land.

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

Describe the land parcels over which access to the application for mining lease is required:

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

GUIDE FOR APPLICANTS

Question 7.1

If the applicant is not the owner of the land over which the surface of the application is made, then compensation must be entered into prior to grant either by written agreement or determined by the Land Court of Queensland of Queensland. Access land is also subject to the compensation requirements of the Act.

Any compensation agreement must be signed by all parties, stamped by the Office of State Revenue and filed with the Mining Registrar.

Question 7.2

Compensation is not required if the background land tenure is "Unallocated State Land" or is owned by the applicant. If the applicant is the owner, proof of ownership is required to be lodged with the application.

Question 8.1

Fully describe the reference/start point of the land so that it can be accurately located. Either by a survey mark or other fixed and well defined point.
Preferably a GPS point.

GPS Points must be in latitude and longitude on GDA94 Datum or MGA94 (Easting, Northing, Zone)

Question 8.2

Indicate which corner the datum post is located, e.g. NW corner.

Question 8.3

Enter description of the reference start point. In describing the reference point, all bearings are to be magnetic. If there is insufficient space, please attach a list.

Question 8.4

Enter the compass bearing taken along the centreline of the reference/start point.

Question 8.5

Enter the distance, in metres, from the reference/start point on the compass bearing.

Question 8.6

The posts used to mark out the mining lease must have the applicant's initials along with the date of marking out.
Indicate the initials and date marked on each post (Refer to section 241 of the *Mineral Resources Act 1989*).

7. COMPENSATION AGREEMENT DETAILS

Is a compensation agreement required?

7.1	☒ YES (go to Q 8.1) ☐ NO (go to Q 7.2)
-----	---

Why is a compensation agreement not required?

7.2	
-----	--

8. LOCATION DESCRIPTION

Describe the location of the Reference/Start Point of the land applied for.

8.1	INTERSECTION OF NORTHERN BOUNDARY OF Lot A on SP185614 & THE WESTERN BOUDARY OF CHURCHILL MINE ROAD. (SEE ATTACHED FOR FURTHER DETAILS)
-----	--

In which corner of the lease is the Datum Post located?

8.2	SOUTH-EAST CORNER (SEE PLAN 9764-01A FOR FURTHER DETAILS)
-----	---

Describe the connection from the Reference/Start Point to the Datum Post:

Commencing from the reference start point:

8.3						
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,

to the Datum Post.

What are the markings on all the posts? (Initials and surname of one applicant or company initials and Date)

8.6	CC P/L 28/01/10
-----	-----------------

GUIDE FOR APPLICANTS

Question 9

You must describe the boundaries of the mining lease by accurately measured distances and compass bearings. All bearings are to be magnetic and clockwise and the description should indicate any abutments, for example, a bearing of 90° 00' for a distance of 100 metres to and abutting the western boundary of ML 70045.

You must also include a sketch map, or other graphic representation acceptable to the Mining Registrar setting out the boundaries of the land being applied for and the land required as access. This map should also show any mining claims, mineral development licences, or mining leases (or applications for the grant of one of these) within the boundaries of the land being applied for

Question 9.1

Enter the compass bearing taken.

Question 9.2

Enter the distance, in metres, to the next post.

Question 9.3

Enter description, e.g. North West Corner... etc.

9. EXTERNAL BOUNDARY DESCRIPTION

Describe the external boundaries of the land applied for in this application.

Commencing from the datum post:

at a bearing of	9.1	SEE ATTACHED	for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			

back to the point of commencement.

10. INTERNAL BOUNDARY CONNECTION AND DESCRIPTION

Is there an existing mining tenure (or prior application for grant of a mining tenure) wholly within this application?

10.1	☐ YES (go to Q 10.2)	☒ NO (go to Q 11)
------	---	---

Provide the tenure details of existing mining tenure:

10.2	Tick	Number(s)	Expiry Date(s)
Mining Claim	☐		/ /
Mining Lease	☐		/ /
Mineral Development Licence(s)	<div>Mineral ☐</div> <div>Coal ☐</div>		/ /

Questions 10.1 & 10.2

If there is existing mining tenure (or prior application for grant of mining tenure) wholly within this application, or if there is an area that you do not wish your application to cover you are required to complete Question 11.2.

GUIDE APPLICANTS

Questions 10.3 to 10.6

If there is a mining claim, mineral development licence or mining lease or an application for one of these tenements already within the area you are applying for, then the datum post or commencement post of the mining claim, mineral development licence or mining lease (or applications) must be related to the commencement point of your mining lease application by accurately measured distances and compass bearings.

The Mining Registrar may accept alternative methods instead of measured distances and bearings where these are more accurate.

All bearings are to be magnetic and the description should indicate any abutments. For example, "at a bearing of 90° 00' for a distance of 100 metres to the..."

Please attach a separate list if insufficient space

Question 10.7 to 10.10

All bearings are to be magnetic and clockwise and the description should indicate any abutments, for example, "at a bearing of 90° 00' for a distance of 100 metres to the western boundary of ML 70045".

Please attach separate list if insufficient space.

Questions 11.1 to 11.3

Indicate if surface area is required, if so, state reasons why surface area is required and whether surface area is applied for over whole or part of the mining lease.

Describe the connection from the Commencement Point of this application to the Datum Post/commencement point of the interior tenure.

From the Commencement Point **10.3** of this application
at a bearing of **10.4** for a distance of **10.5** m,
to **10.6** thence
at a bearing of **10.4** for a distance of **10.5** m,
to **10.6** thence
at a bearing of **10.4** for a distance of **10.5** m,
to **10.6** thence
at a bearing of **10.4** for a distance of **10.5** m,
to **10.6** thence
to the Datum Post/Commencement Point of the interior tenure.

Describe the external boundaries of the interior tenure referred to above.

From the Datum Post / Commencement Point in the
10.7 corner of the interior tenure
at a bearing of **10.8** for a distance of **10.9** m,
to **10.10** thence
at a bearing of **10.8** for a distance of **10.9** m,
to **10.10** thence
at a bearing of **10.8** for a distance of **10.9** m,
to **10.10** thence
at a bearing of **10.8** for a distance of **10.9** m,
back to the Datum Post/Commencement Point of the interior tenure.

11. SURFACE AREA CONNECTION AND DESCRIPTION

11.1	☒ Whole (go to Q 11.2)	☐ Part (go to Q 11.2)	☐ Nil (go to Q 11.12)
------	--	--	--

Why is surface area required?

11.2	CONSTRUCTION OF COAL MINE AND ANCILLIARY INFRASTRUCTURE.
------	--

Whole (go to Q 12) Part (go to Q 11.3)

11.3	If part - what area is required? ha (go to Q 11.4)
------	--

GUIDE FOR APPLICANTS

Questions 11.4 to 11.7

All bearings are to be magnetic.

Please attach separate list if insufficient space.

Question 11.8 to 11.11

It is not necessary to mark out the boundary of the surface area if part only of the surface is going to be included in your application. However, the boundary of the surface area must be described by measuring the distance on the ground and by taking compass bearings. The description must be related to a boundary post by accurately measured distances and compass bearings.

All bearings are to be magnetic and distances are to be in metres.

Please attach a separate list if insufficient space.

Describe the connection from a Datum Post of this application to the initial corner of the surface area.

Commencing from the Datum Post located at

11.4	
------	--

at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to

11.7	
------	--

 thence
at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to

11.7	
------	--

 thence
at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to

11.7	
------	--

 thence
at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to the initial corner of the surface area.

Describe the Surface Area of the land being applied for:

From the initial corner of the surface area

11.8	
------	--

at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
back to the point of commencement.

Question 11.12

If no surface area is required to gain access to the area applied for in this application, provide details of your adjoining mining lease(s) that will enable you to gain access to the proposed area.

11.12	If no surface area is required, give details of the adjoining granted mining lease(s) held by you that will enable you to gain access to the area applied for in this application.	
Mining Lease Number(s)		Holder Name(s)

GUIDE APPLICANTS

Question 12.1

If you answered YES, complete Question 12.2.

If you answered NO, go to Question 12.3.

Question 12.2

Upon answering Question 12.2, go to Question 13.

Question 12.3

Insert the width of the access required in metres.

Question 12.4

Insert the description of the start point, e.g. At a point on the Mt Mulligan Road 2.15km NE of the Sandy Creek crossing at co-ordinates.....

Question 12.5

Insert the description of the end point, e.g. The Southern boundary of the mining lease.

Question 12.6

Enter the compass bearings taken along the centreline of the access.

Question 12.7

Enter the distance, in metres, of the access route on the compass bearing.

12. ACCESS LAND DETAILS

Is access to this mining lease via a dedicated road that is within or abutting the mining lease area?

12.1	☒ YES (go to Q 12.2) ☐ NO (go to Q 12.3)
------	---

What is the description of the dedicated road to be used for access?

12.2	CHURCHILL MINE ROAD
------	---------------------

What is the description of the access?

Width of Access required

12.3

metres

What is the description of the start point?

12.4	
------	--

What is the description of the end point?

12.5	
------	--

Commencing from the start point, thence along the centreline at a bearing of

12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	to the end point.

GUIDE FOR APPLICANTS

Question 13

Compliance with the native title provisions of the *Commonwealth Native Title Act 1993* is not necessary on land where native title is taken to have been extinguished (i.e. 'exclusive' land tenures).

However, if you wish to include in your application land that may be subject to native title (i.e. 'non-exclusive' land tenures), you must comply with the relevant native title procedure irrespective as to whether or not a native title claim has been lodged over the area.

Question 14.1

Enter the name of place where the application was signed, the day of the month, the month and the year when the form is signed.

Question 14.2

Insert full name of the applicant(s).

Question 14.3

Signature of applicant(s).

Question 14.4

Insert full name of Witness.

Question 14.5

Signature of Witness.

Execution of Documents by an Agent

If an agent or the holder of a power of attorney is signing a document, required to be lodged by an Act, on behalf of another, the agent or holder of the power of attorney must produce current, written evidence of their authority to act at the time of lodgement.

All of the holders of the tenure MUST execute the appointment of agent or the power of attorney for the appointment or power of attorney to be effective. A company signing an appointment of agent or power of attorney must do so in accordance with the corporation law and/or the articles of association of the company.

13. NATIVE TITLE

Do you believe that the application area (including any access land) is over land tenures that may be subject to Native Title?

13.1	☒ YES (go to Q 13.2)	☐ NO (go to Q 14)
------	--	--

If the land applied for is over land tenures where native title may still exist, is the land applied for subject to an Indigenous Land Use Agreement (ILUA)?

13.2	☐ YES	☒ NO
------	------------------------------	--

14. SIGNATURES

I/We:

- solemnly sincerely and truly declare that the information provided in this form is true and correct.
- understand that any false or misleading information may attract a maximum penalty of 200 penalty points.

14.1	Signed at <i>Brisbane</i> this <i>29th</i> day of <i>January</i> , 20 <i>10</i>		
------	---	--	--

14.2	s.73	14.3	s.73
------	------	------	------

14.2		14.3	
------	--	------	--

14.2		14.3	
------	--	------	--

14.2		14.3	
------	--	------	--

Full name and title of Applicant(s)

Signature of Applicant(s)

14.4	s.73	14.5	s.73
------	------	------	------

Full name of Witness

Signature of Witness

GUIDE R APPLICANTS

Question 15.1

Tick the appropriate boxes to indicate compliance.

Question 15.2

Tick the appropriate boxes to indicate compliance.

An annual fee must accompany application for Level 1 or Level 2 mining projects. Level 2 annual fee is \$500. Refer to the EPA's Website www.epa.qld.gov.au for Level 1 annual fee amounts.

Question 15.3

If the application is for the purpose of mining for coal or oil shale or a specific purpose (coal or oil shale), you must ensure the additional accompaniments are lodged with the application.

You must determine whether any part of the application area of your Mining Lease is within the tenure area of a pre-existing petroleum lease or authority to prospect.

Refer to section 7AA of the *Mineral Resources Act 1989*. If so, separate applications may need to be lodged.

Mining lease (coal) means a mining lease for coal, whether or not the lease specifies any other mineral to be mined, and whether or not the lease is for any additional purpose.

Mining lease (oil shale) means a mining lease for oil shale, whether or not the lease specifies any other mineral to be mined, and whether or not the lease is for any additional purpose.

Specific purpose mining lease (coal or oil shale) means a mining lease, other than a mining lease (coal or oil shale), granted under section 234(1)(b), if the purposes for which it is granted include a purpose that is associated with, arises from or promotes the activity of coal or oil shale mining.

Specific purpose mining lease (oil shale) means a mining lease, other than a mining lease (oil shale), granted under section 234(1)(b), if the purposes for which it is granted include a purpose that is associated with, arises from or promotes the activity of oil shale mining.

Departmental Guidelines for initial and later development plans are available at www.dme.qld.gov.au/mines/legislation/guidelines.html

15. ACCOMPANIMENTS

15.1 The following must accompany this form:

	Tick
<ul style="list-style-type: none"> A statement: <ul style="list-style-type: none"> Outlining the mining program proposed, outlining its method of operation, and providing an indication of when operations are expected to start; or If a mining program is not proposed, outline the use proposed for the land and provide an indication of when the proposed use is to start; and <p>(Note: The above information is not required if, under part 7AA, your application includes a proposed development plan that complies with the initial development plan requirements)</p> <ul style="list-style-type: none"> Of proposals for infrastructure requirements necessary to enable the mining program to proceed, or additional activities to be carried on to work out the infrastructure requirements; and Specifying the estimated human, technical and financial resources proposed to be committed for the term of the lease. 	☒ or ☐
<ul style="list-style-type: none"> A statement detailing the applicant's financial and technical resources however separate from the statements mentioned above. 	☒
<ul style="list-style-type: none"> Sketch map(s) or other graphic representation setting out: <ul style="list-style-type: none"> the boundaries of the land the subject of this application; proposed surface area; location of datum post and start/reference point; the proposed access; and any Mining Claim, Mineral Development Licence or Mining Lease (or application for grant of same) wholly within the land sought. 	☒
<ul style="list-style-type: none"> Proof of identity of the Applicant(s) 	☒
<ul style="list-style-type: none"> The prescribed application fee 	☒

15.2 Environmental Protection Agency requirements:

<ul style="list-style-type: none"> Completed Application for an Environmental Authority (Mining Activities) 	☒
<ul style="list-style-type: none"> Prescribed application fee and annual fee 	☒

15.3 Coal or Oil Shale applications require the following additional accompaniments:

<ul style="list-style-type: none"> A proposed development plan which complies with the initial development plan requirements (sections 318DT and 318DV) and the requirements of either A, B, C or D below. 	☒
<ul style="list-style-type: none"> Prescribed development plan fee 	☒

GUIDE FOR APPLICANTS

<p>A. If the application is within an area of an authority to prospect for petroleum and is being made jointly with, or with the consent of the authority to prospect holder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement; ○ Other information that addresses the CSG assessment criteria; and ○ Written consent (if applicable) or 	☐ ☐ ☐
<p>B. If the application is within an area of an authority to prospect for petroleum and is being made other than jointly with, or with the consent of the authority to prospect holder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement; ○ Other information that addresses the CSG assessment criteria; and ○ Written consent (if applicable) or 	☒ ☒ ☐
<p>C. If the application is within an area of a petroleum lease and is being made other than jointly with, or with the consent of the lease holder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement or 	☐
<p>D. If the application is within an area of a petroleum lease and is being made jointly with the petroleum leaseholder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement. 	☐

16. PRIVACY STATEMENT

The Department of Mines and Energy is collecting the information on this form to process your application for a mining lease. This is required by section 245 of the *Mineral Resources Act 1989* (the Act).

Information collected on this form may be provided to other Queensland Government Agencies to assist in the processing of applications, where such disclosure is necessary for the effective management of the mineral resources and industry in Queensland. These agencies may include the Environmental Protection Agency, the Department of Primary Industries and Fisheries and the Department of Natural Resources and Water.

For more information on Information Privacy, please contact the Privacy Contact Officer for the Department of Mines and Energy on (07) 324 73239.



APPLICATION FOR MINING LEASE

Section 245

Mineral Resources Act 1989

Form Number MRA-15 Version Number 6

OFFICIAL USE ONLY	
ML No.	
PART A	
Received AT SRM	Received BY VK
DATE 29/1/10	TIME 9:50 AM
PART B	
Document accepted as an application for a Mining Lease in accordance with section 81 of the <i>Mineral Resources Regulation 2003</i> .	
Mining Registrar <i>M. HARRIS</i>	
(SIGNATURE) sch4p4(6) Personal information	
DATE 1/2/2010	
FEE Paid \$27,320.00	RECEIPT no. BR251214
PART C	
ENTERED on register by	
sch4p4(6) Personal information	
(SIGNATURE) VK	
DATE 29/1/10	

The completed original plus two copies of this application and any attachments must be submitted with the prescribed fee at the Office of the Mining Registrar for the mining district in which the land is situated.

The document submitted must first be accepted by the Mining Registrar as an application for a mining lease under the provisions of section 81 of the *Mineral Resources Regulation 2003* before registration.

Note: A document containing information that is false or misleading may attract a maximum penalty of 200 penalty points.

If form is to be completed by hand please print clearly in ink and use block letters.

1. APPLICANT DETAILS

Company Name/Surname 1.1 COLTON COAL PTY LTD

Given Name(s) 1.2

ACN (if company) 1.3 140 768 636

If Tenant in Common, specify share or interest - Percentage 1.4 100.0 %

Company Name/Surname 1.1

Given Name(s) 1.2

ACN (if company) 1.3

If Tenant in Common, specify share or interest - Percentage 1.4 0.00 %

Company Name/Surname 1.1

Given Name(s) 1.2

ACN (if company) 1.3

If Tenant in Common, specify share or interest - Percentage 1.4 0.00 %

Company Name/Surname 1.1

Given Name(s) 1.2

ACN (if company) 1.3

If Tenant in Common, specify share or interest - Percentage 1.4 0.00 %

GUIDE FOR APPLICANTS

Before making an application you are required to mark out the land proposed for the mining lease. For the manner of marking out, refer to sections 240 and 241 of the *Mineral Resources Act 1989*.

Question 1.1

Specify company name or surname of applicant.

Question 1.2

Specify given name(s) of applicant.

Question 1.3

If a company, what is the Australian Company Number (ACN)?

GUIDE FOR APPLICANTS

Total Percentage

1.5 100.00 %

Question 1.4

Specify the percentage of interest to be held by each applicant.

Question 1.5

The total interest must equal 100%. If you are entering these details online, right click the '0' and select 'Update Field'.

Question 1.6

If there are 2 or more applicants, indicate if the interests will be held as Tenants in Common or as Joint Tenants. If interests are not specified, tenancy will be registered as Tenants in Common.

NOTE: Joint Tenants must be of equal interest held.

Question 1.7

One applicant must be shown as the nominated person, upon whom any notice may be served on behalf of the applicant(s). (Commonly referred to as the 'Principal Holder')

Question 1.8

Specify the address of the nominated applicant.

Question 1.9

Specify the phone number of the nominated applicant.

Question 1.10

Specify the fax number of the nominated applicant.

Question 1.11

Specify the email address of the nominated applicant.

Question 2

A mining lease can be applied for if the applicant (or one of the applicants) is the holder of a current pre-requisite tenure.

Question 2.1-2.5

Tick which is the pre-requisite tenure for the mining lease application either a prospecting permit, exploration permit for mineral or coal, mineral development licence or a mining claim or mining lease (being conditionally surrendered) and provide the number and expiry date of the tenure.

A conditional surrender may be for the whole or part of the area in favour of either whole or part of a new application.

Question 2.6

Identify whether the land is situated within an exploration permit, geothermal exploration permit or mineral development licence (either granted or an application) that is not held by you.

If so, you must obtain the earlier applicant's or holders written views on your application and lodge those views with the Mining Registrar. (Refer to sections 248 and 249 of the Mineral Resources Act 1989)

Tenancy

1.6	Tenants in Common	☐	Joint Tenants	☐
-----	-------------------	--------------------------	---------------	--------------------------

Nominated Person

1.7	s.73
-----	------

Address

1.8	GPO BOX 5283 BRISBANE QLD. 4001
-----	------------------------------------

Phone Number

1.9	
-----	--

Fax Number

1.10	s.73
------	------

E-mail

1.11	
------	--

2. PRE-REQUISITE TENURE DETAILS

What pre-requisite tenure do you hold over this area?

		Tick	Number(s)	Expiry Date(s)
2.1	Prospecting Permit	☒	PP50818, PP50819, PP50820, PP50821, PP50823	22 / 04 / 2010
2.2	Exploration Permit(s)	Mineral ☐ Coal ☐		/ /
2.3	Mineral Development Licence(s)	Mineral ☐ Coal ☐		/ /
2.4	Conditionally surrendered Mining Claim	☐		/ /
2.5	Conditionally surrendered Mining Lease	☐		/ /

Is the land applied for situated within an area of an Exploration Permit for Mineral or Coal, a Geothermal tenure or a Mineral Development Licence, which you are not the holder?

2.6	☒ YES (go to Q 2.7) ☒ NO (go to Q 3.1)
-----	--

		Tick	Number(s)	Expiry Date(s)
2.7	Exploration Permit(s)	Mineral ☐ Coal ☒	923	26 / 10 / 13
2.8	Mineral Development Licence(s)	Mineral ☐ Coal ☐		/ /
2.9	Geothermal Exploration Permit	☐		/ /

3. APPLICATION DETAILS

What was the date and time the land was marked out?

3.1	DATE: 28 / 01 / 2010	3.2	TIME: 9.54	☒ AM ☐ PM
-----	----------------------	-----	------------	--

Term applied for:

3.3	20 years
-----	----------

RTI DL RELEASE - EHP

GUIDE FOR APPLICANTS

Question 2.7 to 2.9

If yes, provide number and expiry date of relevant tenure not held by you.

Question 3

Before you apply for a mining lease you must mark out the boundary of the land, even if the surface of the land is not going to be included in your application.

Once marked out you have five business days in which to lodge your application.

Question 3.1-3.2

Specify the date and time the land the subject of the mining lease was marked out.

Question 3.3

There is no restriction on the term of a mining lease. However, when you apply for a lease you must justify the term you are seeking. A mining lease cannot be for a term longer than the period for which compensation has been agreed or decided. *For example, if you agree to compensation for a five-year period then the lease cannot exceed five years.*

Question 3.4

Provide detailed reasons for the length of term sought.

Question 3.5 & 3.6

State the area of land being applied for. There are no restrictions on the area and shape of the land, which can be granted under a mining lease (other than those imposed under certain Restricted Areas). However, you must justify the area and shape when you make your application.

Question 3.7

State the general locality of the application, e.g. 15km SE of Mount Isa.

Question 3.8

Insert the name of the Mining Lease.

Question 3.9

Insert the details of the Local Government. This refers to either the City or Shire Council responsible for the local government area(s) in which the land is situated.

Question 3.10

Specify which minerals are sought and/or the purpose for the mining lease. Do not use symbols. Do not include minerals that are not specified in the pre-requisite tenure.

Please Note: the Government's policy is that it will not grant mining tenements for the purpose of mining uranium in Queensland, nor will it permit the treatment or processing of uranium within the State.

Provide detailed reasons the term applied for.

3.4 See attached documentation - Supporting Information

Size of area applied for 3.5 162.9 ha

Provide detailed reasons for the area and shape of the land applied for.

3.6 SEE ATTACHED PLAN 9764-02A and attached documentation - Supporting Information

What is the general locality of this application?

3.7 16.5km NORTHEAST OF THE CITY OF MARYBOROUGH

What is the name of the Mining Lease? (if any)

3.8 COLTON B

What is the local government area(s) in which the land applied for is situated?

3.9 FRASER COAST REGIONAL COUNCIL

Specify the minerals and/or purpose for which this mining lease is sought?

3.10 COAL

Is the application solely for infrastructure facilities associated with mining? (e.g. Workshops, administration buildings)

3.11 ☐ YES ☒ NO

4. RESTRICTED LAND

Are there any permanent buildings or relevant features within the boundaries of the land applied for or within the prescribed distances laterally of the boundaries?

4.1 ☐ YES (go to Q 4.2) ☒ NO (go to Q 5.1)

What are those permanent buildings or relevant fixtures?

4.2

GUIDE 1.2 APPLICANTS

NOTE: Coal mining leases are subject to additional provisions imposed under Part 7AA of the *Mineral Resources Act 1989*.

Question 3.11

Mining leases may be granted for purposes other than mining of minerals (i.e. for the purposes of carrying out activities associated with mining such as plant site, camp or tailings dam).

Question 4

The *Mineral Resources Act 1989* prescribes certain types of land as "restricted land". This land is only available if the owner of the land where the relevant permanent building (Category A), or feature (Category B) is situated, consents in writing to your application. If consents are not lodged, such areas will automatically be excluded from the surface area of your mining lease.

Restricted Land (category A)

Means land within 100m laterally of a permanent building used –

- (a) mainly as accommodation or for business purposes; or
- (b) for community, sporting or recreational purposes or as a place of worship.

Restricted Land (category B)

Means land within 50m laterally of any of the following features–

- (a) a principal stockyard;
- (b) a bore or artesian well;
- (c) a dam;
- (d) another artificial water storage connected to a water supply; or
- (e) a cemetery or burial place.

Question 4.2

Specify the improvements to the land which is being applied in the mining lease. The types of improvements and prescribed distances are defined in the *Mineral Resources Act 1989*.

Question 5.1

Indicate whether the mining lease is over land that is a reserve as defined in the Schedule - Dictionary of the *Mineral Resources Act 1989*.

Question 5.2

If you are unable to obtain the written views of the owner of the reserve despite efforts to do so, the Land Court of Queensland has the power to make a recommendation to the Minister as to whether the Governor in Council should consent to the grant of the mining lease over the surface of the reserve subject of certain conditions.

Question 5.3

Specify what attempts have been made to obtain consent.

Do you have the written consent of the owner(s) of the land containing those permanent buildings or relevant fixtures to the land being applied for in the mining lease?

4.3 ☐ YES (attach copy) ☐ NO (see below)

Please note: Consent must be lodged with the Mining Registrar prior to close of objections.

5. RESERVE LAND

Is the application over land the surface of a reserve?

5.1 ☒ YES (go to Q 5.2) ☒ NO (go to Q 6.1)

Do you have written consent of the owner(s) of the reserve?

5.2 ☐ YES (go to Q 6.1) ☒ NO (go to Q 5.3)

If yes – please attach a copy of consent.

If NO, what action has been taken to obtain such written consent?

5.3 Discussions with Queensland Rail (Lot 31 SP 104950) and Fraser Coast Regional Council (Road # 62) continuing to finalise Consent Agreements to allow the applications to be granted

Please note: Consent must be lodged with the Mining Registrar prior to close of objections.

6. BACKGROUND LAND TENURE DETAILS

Describe the land parcels that are the subject of the application for mining lease:

Lot Number

6.1

See attached Survey Report for details

Plan Number

6.2

Land Tenure Type

6.3

Current Usage

6.4

Owner's Name

6.5

Owner's Address

6.6

Lot Number

6.1

Plan Number

6.2

Land Tenure Type

6.3

Current Usage

6.4

Owner's Name

6.5

Owner's Address

6.6

GUIDE FOR APPLICANTS

Question 6

Please provide a description of all parcels of land the whole or part of which are covered by your application. It is necessary to provide the landowner's name and address for each parcel of land. You can obtain this information from the Department of Natural Resources and Water Service Centre.

You are also required to provide details of which parcels of land are within the boundaries of the surface area and access being applied for.

Refer to Schedule - Dictionary in the *Mineral Resources Act 1989* for the definition of an 'owner'

If insufficient space please attach list.

Questions 6.1 & 6.2

Specify the Lot Number and Registered Plan Number of land over which the lease is required.

Question 6.3

Insert land tenure type, e.g. Freehold, special lease, pastoral holding etc.

Question 6.4

What is the land currently used for?

Questions 6.5 & 6.6

Enter the Name and Address of the owner of the land.

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

Describe the land parcels over which access to the application for mining lease is required:

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

Lot Number	6.1		Plan Number	6.2	
------------	-----	--	-------------	-----	--

Land Tenure Type	6.3	
------------------	-----	--

Current Usage	6.4	
---------------	-----	--

Owner's Name	6.5	
--------------	-----	--

Owner's Address	6.6	
-----------------	-----	--

GUIDE FOR APPLICANTS

Question 7.1

If the applicant is not the owner of the land over which the surface of the application is made, then compensation must be entered into prior to grant either by written agreement or determined by the Land Court of Queensland of Queensland. Access land is also subject to the compensation requirements of the Act.

Any compensation agreement must be signed by all parties, stamped by the Office of State Revenue and filed with the Mining Registrar.

Question 7.2

Compensation is not required if the background land tenure is "Unallocated State Land" or is owned by the applicant. If the applicant is the owner, proof of ownership is required to be lodged with the application.

Question 8.1

Fully describe the reference/start point of the land so that it can be accurately located. Either by a survey mark or other fixed and well defined point. Preferably a GPS point.

GPS Points must be in latitude and longitude on GDA94 Datum or MGA94 (Easting, Northing, Zone)

Question 8.2

Indicate which corner the datum post is located, e.g. NW corner.

Question 8.3

Enter description of the reference start point. In describing the reference point, all bearings are to be magnetic. If there is insufficient space, please attach a list.

Question 8.4

Enter the compass bearing taken along the centreline of the reference/start point.

Question 8.5

Enter the distance, in metres, from the reference/start point on the compass bearing.

Question 8.6

The posts used to mark out the mining lease must have the applicant's initials along with the date of marking out. Indicate the initials and date marked on each post (Refer to section 241 of the *Mineral Resources Act 1989*).

7. COMPENSATION AGREEMENT DETAILS

Is a compensation agreement required?

7.1	☒ YES (go to Q 8.1) ☐ NO (go to Q 7.2)
-----	---

Why is a compensation agreement not required?

7.2	
-----	--

8. LOCATION DESCRIPTION

Describe the location of the Reference/Start Point of the land applied for.

8.1	INTERSECTION OF NORTHERN BOUNDARY OF Lot 31 on SP104950 & THE WESTERN BOUDARY OF CHURCHILL MINE ROAD. (SEE ATTACHED FOR FURTHER DETAILS)
-----	---

In which corner of the lease is the Datum Post located?

8.2	NORTH-EAST CORNER (SEE PLAN 9764-02A FOR FURTHER DETAILS)
-----	---

Describe the connection from the Reference/Start Point to the Datum Post:

Commencing from the reference start point:

8.3						
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,
at a bearing of	8.4		for a distance of	8.5		metres,

to the Datum Post.

What are the markings on all the posts? (Initials and surname of one applicant or company initials and Date)

8.6	CC P/L 28/01/10
-----	-----------------

GUIDE FOR APPLICANTS

Question 9

You must describe the boundaries of the mining lease by accurately measured distances and compass bearings. All bearings are to be magnetic and clockwise and the description should indicate any abutments, for example, a bearing of 90° 00' for a distance of 100 metres to and abutting the western boundary of ML 70045.

You must also include a sketch map, or other graphic representation acceptable to the Mining Registrar setting out the boundaries of the land being applied for and the land required as access. This map should also show any mining claims, mineral development licences, or mining leases (or applications for the grant of one of these) within the boundaries of the land being applied for

Question 9.1

Enter the compass bearing taken.

Question 9.2

Enter the distance, in metres, to the next post.

Question 9.3

Enter description, e.g. North West Corner... etc.

9. EXTERNAL BOUNDARY DESCRIPTION

Describe the external boundaries of the land applied for in this application.

Commencing from the datum post:

at a bearing of	9.1	SEE ATTACHED	for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			
at a bearing of	9.1		for a distance of	9.2	m,
to	9.3	thence			

back to the point of commencement.

10. INTERNAL BOUNDARY CONNECTION AND DESCRIPTION

Is there an existing mining tenure (or prior application for grant of a mining tenure) wholly within this application?

10.1	☐ YES (go to Q 10.2)	☒ NO (go to Q 11)
------	---	---

Provide the tenure details of existing mining tenure:

10.2	Tick	Number(s)	Expiry Date(s)
Mining Claim	☐		/ /
Mining Lease	☐		/ /
Mineral Development Licence(s)	<div>Mineral ☐</div> <div>Coal ☐</div>		/ /

Questions 10.1 & 10.2

If there is existing mining tenure (or prior application for grant of mining tenure) wholly within this application, or if there is an area that you do not wish your application to cover you are required to complete Question 11.2.

GUIDE FOR APPLICANTS

Questions 10.3 to 10.6

If there is a mining claim, mineral development licence or mining lease or an application for one of these tenements already within the area you are applying for, then the datum post or commencement post of the mining claim, mineral development licence or mining lease (or applications) must be related to the commencement point of your mining lease application by accurately measured distances and compass bearings.

The Mining Registrar may accept alternative methods instead of measured distances and bearings where these are more accurate.

All bearings are to be magnetic and the description should indicate any abutments. For example, "at a bearing of 90° 00' for a distance of 100 metres to the...".

Please attach a separate list if insufficient space

Question 10.7 to 10.10

All bearings are to be magnetic and clockwise and the description should indicate any abutments, for example, "at a bearing of 90° 00' for a distance of 100 metres to the western boundary of ML 70045".

Please attach separate list if insufficient space.

Questions 11.1 to 11.3

Indicate if surface area is required, if so, state reasons why surface area is required and whether surface area is applied for over whole or part of the mining lease.

Describe the connection from the Commencement Point of this application to the Datum Post/commencement point of the interior tenure.

From the Commencement Point **10.3** of this application
 at a bearing of **10.4** for a distance of **10.5** m,
 to **10.6** thence
 at a bearing of **10.4** for a distance of **10.5** m,
 to **10.6** thence
 at a bearing of **10.4** for a distance of **10.5** m,
 to **10.6** thence
 at a bearing of **10.4** for a distance of **10.5** m,
 to **10.6** thence
 to the Datum Post/Commencement Point of the interior tenure.

Describe the external boundaries of the interior tenure referred to above.

From the Datum Post / Commencement Point in the

10.7 corner of the interior tenure
 at a bearing of **10.8** for a distance of **10.9** m,
 to **10.10** thence
 at a bearing of **10.8** for a distance of **10.9** m,
 to **10.10** thence
 at a bearing of **10.8** for a distance of **10.9** m,
 to **10.10** thence
 at a bearing of **10.8** for a distance of **10.9** m,
 back to the Datum Post/Commencement Point of the interior tenure.

11. SURFACE AREA CONNECTION AND DESCRIPTION

11.1	☒ Whole (go to Q 11.2) ☐ Part (go to Q 11.2) ☐ Nil (go to Q 11.12)
-------------	--

Why is surface area required?

11.2	CONSTRUCTION OF COAL MINE AND ANCILLIARY INFRASTRUCTURE.
-------------	--

Whole (go to Q 12) Part (go to Q 11.3)

11.3	If part - what area is required? ha (go to Q 11.4)
-------------	--

GUIDE FOR APPLICANTS

Questions 11.4 to 11.7

All bearings are to be magnetic.

Please attach separate list if insufficient space.

Question 11.8 to 11.11

It is not necessary to mark out the boundary of the surface area if part only of the surface is going to be included in your application. However, the boundary of the surface area must be described by measuring the distance on the ground and by taking compass bearings. The description must be related to a boundary post by accurately measured distances and compass bearings.

All bearings are to be magnetic and distances are to be in metres.

Please attach a separate list if insufficient space.

Describe the connection from a Datum Post of this application to the initial corner of the surface area.

Commencing from the Datum Post located at

11.4	
------	--

at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to

11.7	
------	--

 thence
at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to

11.7	
------	--

 thence
at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to

11.7	
------	--

 thence
at a bearing of

11.5	
------	--

 for a distance of

11.6	
------	--

 m,
to the initial corner of the surface area.

Describe the Surface Area of the land being applied for:

From the initial corner of the surface area,

11.8	
------	--

at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
to

11.11	
-------	--

 thence
at a bearing of

11.9	
------	--

 for a distance of

11.10	
-------	--

 m,
back to the point of commencement.

Question 11.12

If no surface area is required to gain access to the area applied for in this application, provide details of your adjoining mining lease(s) that will enable you to gain access to the proposed area.

11.12	If no surface area is required, give details of the adjoining granted mining lease(s) held by you that will enable you to gain access to the area applied for in this application.	
Mining Lease Number(s)		Holder Name(s)

GUIDE FOR APPLICANTS

Question 12.1

If you answered YES, complete Question 12.2.

If you answered NO, go to Question 12.3.

Question 12.2

Upon answering Question 12.2, go to Question 13.

Question 12.3

Insert the width of the access required in metres.

Question 12.4

Insert the description of the start point, e.g. At a point on the Mt Mulligan Road 2.15km NE of the Sandy Creek crossing at co-ordinates.....

Question 12.5

Insert the description of the end point, e.g. The Southern boundary of the mining lease.

Question 12.6

Enter the compass bearings taken along the centreline of the access.

Question 12.7

Enter the distance, in metres, of the access route on the compass bearing.

12. ACCESS LAND DETAILS

Is access to this mining lease via a dedicated road that is within or abutting the mining lease area?

12.1	☒ YES (go to Q 12.2) ☐ NO (go to Q 12.3)
------	---

What is the description of the dedicated road to be used for access?

12.2	CHURCHILL MINE ROAD
------	---------------------

What is the description of the access?

Width of Access required

12.3	metres
------	--------

What is the description of the start point?

12.4	
------	--

What is the description of the end point?

12.5	
------	--

Commencing from the start point, thence along the centreline at a bearing of

12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	thence at a bearing of
12.6		for a distance of	12.7	m,	to the end point.

GUIDE FOR APPLICANTS

Question 13

Compliance with the native title provisions of the *Commonwealth Native Title Act 1993* is not necessary on land where native title is taken to have been extinguished (i.e. 'exclusive' land tenures).

However, if you wish to include in your application land that may be subject to native title (i.e. 'non-exclusive' land tenures), you must comply with the relevant native title procedure irrespective as to whether or not a native title claim has been lodged over the area.

Question 14.1

Enter the name of place where the application was signed, the day of the month, the month and the year when the form is signed.

Question 14.2

Insert full name of the applicant(s).

Question 14.3

Signature of applicant(s).

Question 14.4

Insert full name of Witness.

Question 14.5

Signature of Witness.

Execution of Documents by an Agent

If an agent or the holder of a power of attorney is signing a document, required to be lodged by an Act, on behalf of another, the agent or holder of the power of attorney must produce current, written evidence of their authority to act at the time of lodgement.

All of the holders of the tenure **MUST** execute the appointment of agent or the power of attorney for the appointment or power of attorney to be effective. A company signing an appointment of agent or power of attorney must do so in accordance with the corporation law and/or the articles of association of the company.

13. NATIVE TITLE

Do you believe that the application area (including any access land) is over land tenures that may be subject to Native Title?

13.1	☒ YES (go to Q 13.2)	☐ NO (go to Q 14)
------	--	--

If the land applied for is over land tenures where native title may still exist, is the land applied for subject to an Indigenous Land Use Agreement (ILUA)?

13.2	☐ YES	☒ NO
------	------------------------------	--

14. SIGNATURES

I/We:

- solemnly sincerely and truly declare that the information provided in this form is true and correct.
- understand that any false or misleading information may attract a maximum penalty of 200 penalty points.

14.1	Signed at <i>Brisbane</i> this <i>29th</i> day of <i>January</i> , 20 <i>10</i>		
------	---	--	--

14.2	s.73	14.3	s.73
------	------	------	------

14.2		14.3	
------	--	------	--

14.2		14.3	
------	--	------	--

14.2		14.3	
------	--	------	--

Full name and title of Applicant(s)		Signature of Applicant(s)	
14.4	s.73	14.5	s.73

Full name of Witness

Signature of Witness

GUIDE FOR APPLICANTS

Question 15.1

Tick the appropriate boxes to indicate compliance.

Question 15.2

Tick the appropriate boxes to indicate compliance.

An annual fee must accompany application for Level 1 or Level 2 mining projects. Level 2 annual fee is \$500. Refer to the EPA's Website www.epa.qld.gov.au for Level 1 annual fee amounts.

Question 15.3

If the application is for the purpose of mining for coal or oil shale or a specific purpose (coal or oil shale), you must ensure the additional accompaniments are lodged with the application.

You must determine whether any part of the application area of your Mining Lease is within the tenure area of a pre-existing petroleum lease or authority to prospect.

Refer to section 7AA of the *Mineral Resources Act 1989*. If so, separate applications may need to be lodged.

Mining lease (coal) means a mining lease for coal, whether or not the lease specifies any other mineral to be mined, and whether or not the lease is for any additional purpose.

Mining lease (oil shale) means a mining lease for oil shale, whether or not the lease specifies any other mineral to be mined, and whether or not the lease is for any additional purpose.

Specific purpose mining lease (coal or oil shale) means a mining lease, other than a mining lease (coal or oil shale), granted under section 234(1)(b), if the purposes for which it is granted include a purpose that is associated with, arises from or promotes the activity of coal or oil shale mining.

Specific purpose mining lease (oil shale) means a mining lease, other than a mining lease (oil shale), granted under section 234(1)(b), if the purposes for which it is granted include a purpose that is associated with, arises from or promotes the activity of oil shale mining.

Departmental Guidelines for initial and later development plans are available at www.dme.qld.gov.au/mines/legislation/guidelines.html

15. ACCOMPANIMENTS

15.1 The following must accompany this form:

	Tick
<ul style="list-style-type: none"> A statement: <ul style="list-style-type: none"> Outlining the mining program proposed, outlining its method of operation, and providing an indication of when operations are expected to start; or If a mining program is not proposed, outline the use proposed for the land and provide an indication of when the proposed use is to start; and <p>(Note: The above information is not required if, under part 7AA, your application includes a proposed development plan that complies with the initial development plan requirements)</p> <ul style="list-style-type: none"> Of proposals for infrastructure requirements necessary to enable the mining program to proceed, or additional activities to be carried on to work out the infrastructure requirements; and Specifying the estimated human, technical and financial resources proposed to be committed for the term of the lease. 	☒ or ☐
<ul style="list-style-type: none"> A statement detailing the applicant's financial and technical resources however separate from the statements mentioned above. 	☒
<ul style="list-style-type: none"> Sketch map(s) or other graphic representation setting out: <ul style="list-style-type: none"> the boundaries of the land the subject of this application; proposed surface area; location of datum post and start/reference point; the proposed access; and any Mining Claim, Mineral Development Licence or Mining Lease (or application for grant of same) wholly within the land sought. 	☒
<ul style="list-style-type: none"> Proof of identity of the Applicant(s) 	☒
<ul style="list-style-type: none"> The prescribed application fee 	☒

15.2 Environmental Protection Agency requirements:

<ul style="list-style-type: none"> Completed Application for an Environmental Authority (Mining Activities) 	☒
<ul style="list-style-type: none"> Prescribed application fee and annual fee 	☒

15.3 Coal or Oil Shale applications require the following additional accompaniments:

<ul style="list-style-type: none"> A proposed development plan which complies with the initial development plan requirements (sections 318DT and 318DV) and the requirements of either A, B, C or D below. 	☒
<ul style="list-style-type: none"> Prescribed development plan fee 	☒

GUIDE FOR APPLICANTS

<p>A. If the application is within an area of an authority to prospect for petroleum and is being made jointly with, or with the consent of the authority to prospect holder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement; ○ Other information that addresses the CSG assessment criteria; and ○ Written consent (if applicable) or 	☐ ☐ ☐
<p>B. If the application is within an area of an authority to prospect for petroleum and is being made other than jointly with, or with the consent of the authority to prospect holder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement; ○ Other information that addresses the CSG assessment criteria; and ○ Written consent (if applicable) or 	☐ ☐ ☐
<p>C. If the application is within an area of a petroleum lease and is being made other than jointly with, or with the consent of the lease holder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement or 	☐
<p>D. If the application is within an area of a petroleum lease and is being made jointly with the petroleum leaseholder, the following must be lodged:</p> <ul style="list-style-type: none"> ○ A Coal Seam Gas (CSG) Statement. 	☐

16. PRIVACY STATEMENT

The Department of Mines and Energy is collecting the information on this form to process your application for a mining lease. This is required by section 245 of the *Mineral Resources Act 1989* (the Act).

Information collected on this form may be provided to other Queensland Government Agencies to assist in the processing of applications, where such disclosure is necessary for the effective management of the mineral resources and industry in Queensland. These agencies may include the Environmental Protection Agency, the Department of Primary Industries and Fisheries and the Department of Natural Resources and Water.

For more information on Information Privacy, please contact the Privacy Contact Officer for the Department of Mines and Energy on (07) 324 73239.



ACN 081 244 395



**Taroom Coal Proprietary Limited (ABN 16 079 251 442) and
Colton Coal Pty Ltd (ACN 140 768 636)**

Consent to Mining Lease Applications

1. Taroom Coal Proprietary Limited (**Taroom Coal**) and Colton Coal Pty Ltd (**Colton Coal**) are wholly owned subsidiaries of Northern Energy Corporation Limited (**NEC**) ABN 90 081 244 395.
2. Taroom Coal is the holder of Exploration Permit Coal (**EPC**) 923 and EPC 1082.
3. On Friday 15 January, 2010 Taroom Coal lodged an Assignment Notice for both EPC 923 and EPC 1082 in favour of Colton Coal.
4. Colton Coal is the proponent of the Colton Mine Project (**Project**).
5. The Project comprises land within EPC 923 and EPC 1082.
6. Colton Coal is making two Mining Lease Applications for the Project over part of the area of EPC 923 and EPC 1082 with the applications lodged on 29 January, 2010.
7. Taroom Coal consents to these applications being made in the name of and by Colton Coal. This consent includes the consent required under section 248(2) of the *Mineral Resources Act* 1989 (Qld).

Taroom Coal Proprietary Limited:

s.73

Date: 29 January 2010

RTI DL RELEASE EHP

000781
Date 21 / 01 / 10

 National Australia Bank Limited
Brisbane Office
308-322 Queen St Brisbane Qld

Pay DEPT. EMPLOYMENT, ECONOMIC DEVELOPMENT & INNOVATION
the sum of TWENTY SEVEN THOUSAND, INNOVATION
THREE HUNDRED AND TWENTY DOLLARS ONLY

\$ 27,320.00

NORTHERN ENERGY CORPORATION LTD

s.73

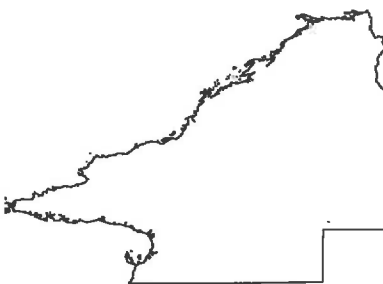
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110000781 11081000415802000323



Please turn over for legend

A4 From 256
Requested By: kodaliv
Date: 2/2/10 11:37:43 AM



Projection: UTM (GDA94)

Zone: 56

ML 50273 ML 50274

152 40 00 E

RTI DL RELEASE - EHP

25 25 00 S

BRISBANE

River

Swan

ML 50274

ML 50273

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealing with property. Despite Department of Mines and Energy (DME) best efforts, DME makes no representations or warranties in relation to the Information, and, to the extent permitted by law, excludes or limits all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information.

Scale 1:48,844

0 1 2 km

LEGEND

	DCDB All		Topo - Railway Stations
	ML Access [NII]		Topo - Railways
	ML Application		Topo - Rivers [NII]
	ML Grant		Topo - Road
	ML Surface Area		Highways
	Mining District		Major Roads
	STATE [NII]		Roads
	Topo - Airports [NII]		Topo - Streams [NII]
	Topo - Border and Coast (100K) [NII]		rapid_a [NII]
	Topo - Drainage (250K) [NII]		watercours_a [NII]
	canal [NII]		waterline [NII]
	watercours_J		Topo - Towns [NII]
	Topo - Lakes, Dams [NII]		
	lake [NII]		
	mangrove_ft [NII]		
	mangrove [NII]		
	reservoir [NII]		
	sain_cst_ft [NII]		
	sub_to_inund [NII]		
	swamp [NII]		
	swamp marine [NII]		
	Topo - Localities (100K) [NII]		
	Bay / Inlet / Cove [NII]		
	Beach [NII]		
	Cape / Headland / Point [NII]		
	Cemetery [NII]		
	Gorge [NII]		
	Homestead [NII]		
	Mountain / Peak / Hill [NII]		
	Pass [NII]		
	Populated Place [NII]		
	Road Junction [NII]		
	Waterbody Island [NII]		
	Topo - Offshore [NII]		

Tenure Id: ML 50273

District: BRISBANE

Previous Id:

Name of Lease: COLTON A

Status: APPLICATION

Sub-Status:

Native Title Category: NON EXCLUSIVE LAND

Native Title Sub Category:

Pre-requisite Tenure Ids

PP 50818, 99 50819, PP 50820, PP50821, PP 50822 AND PP 50823

Tenancy Type: Tenancy In Common

Principal Holder

COLTON COAL PTY LTD
GPO BOX 5283
BRISBANE QLD

4001

Holder Names

COLTON COAL PTY LTD

Share %

100.0000

Status

Current

Deal In

0

Date Appv

29-JAN-2010

Deal Out

Marked Out Date and Time:

28-JAN-2010

09:30 AM

Lodged Date and Time:

29-JAN-2010

09:50 AM

Term Sought:

20 years

Certificate of Application Issued:

Situated Within at Date Lodged

EPC 923 AND EPC 1082

Area:

860.6919 Ha

Surface Area:

860.6919 Ha

Local Authorities

Fraser Coast (R)

Minerals / Purpose

COAL

Locality

NORTHEAST OF MARYBOROUGH

Date of Grant:

Act Granted Under:

Tenure Id: ML 50273

Plan Number Previous Plan Number Volume Folio

General Remarks

Renewal Processes

Notice Issued:

Lodged:

Approved:

Term History

Commenced

Expiry

Years

Background Tenures

Land
Usage

Compensation
Required

Finalised

LOT 1 ON AP6551 UNALLOCATED STATE LAND

Mining

Y

LOT 1 ON USL34852 UNALLOCATED STATE LAND

Mining

Y

ROAD #62 CROWN LAND

Mining

Y

LOT 31 ON SP104950 STATE LAND

Mining

Y

LOT 7 ON USL34860 UNALLOCATED STATE LAND

Mining

Y

LOT 14 ON USL 34733 UNALLOCATED STATE LAND

Mining

Y

Tenure Id: ML 50274

District: BRISBANE

Previous Id:

Name of Lease: COLTON B

Status: APPLICATION

Sub-Status:

Native Title Category: NON EXCLUSIVE LAND

Native Title Sub Category:

Pre-requisite Tenure Ids

PP 50818, PP 50819, PP 50820, PP 50821 AND PP 50823

Tenancy Type: Tenancy In Common

Principal Holder

COLTON COAL PTY LTD
GPO BOX 5283
BRISBANE QLD

4001

Holder Names

COLTON COAL PTY LTD

Share %

100.0000

Status

Current

Deal In

0

Date Appv

29-JAN-2010

Deal Out

Marked Out Date and Time:

28-JAN-2010

09:54 AM

Lodged Date and Time:

29-JAN-2010

09:50 AM

Term Sought:

20 years

Certificate of Application Issued:

Situated Within at Date Lodged

EPC 923

Area:

162.8547 Ha

Surface Area:

162.8547 Ha

Local Authorities

Fraser Coast (R)

Minerals / Purpose

COAL

Locality

NORTHEAST OF MARYBOROUGH

Date of Grant:

Act Granted Under:

Tenure Id: ML 50274

Plan Number Previous Plan Number Volume Folio

General Remarks

Renewal Processes

Notice Issued:

Lodged:

Approved:

Term History

Commenced Expiry Years

Background Tenures

LOT 1 ON AP6551 UNALLOCATED STATE LAND
LOT 1 ON USL34852 UNALLOCATED STATE LAND
ROAD #62 CROWN LAND
LOT 31 ON SP104950 STATE LAND
LOT 14 ON USL34733 UNALLOCATED STATE LAND

Land Usage	Compensation Required	Finalised
Mining	Y	
Mining	Y	
Mining	Y	
Mining	Y	
Mining	Y	



FOR THE ATTENTION OF Dayna Clayborn

Ecoaccess Customer Service Unit
Mineral House
41 George Street
Brisbane
Queensland
PO Box 15155
City East Qld 4002
Telephone 1300 130 372
Facsimile (07) 3896 3342

OFFICE: ☐ 400 George Street ☐ Land Centre

☒ Regional Office: MARYBOROUGH

Please note: This application has not been decided, details have been entered in Ecotrack and forwarded to you for Regional/District assessment and decision.

With Compliments

Taroom Coal Pty Ltd Level 5	60 Edward Street	BRISBANE	4001	QLD
-----------------------------	------------------	----------	------	-----

Primary Contact

Name	Contact Number
Taroom Coal Pty Ltd	s.73

Activities

Name
Mining - EPC - Level 2

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
EPC923	EPC923				

Agency Interests/Ratings

Category	Type	Rating
----------	------	--------

Permits: 1

Permit Ref	Permit Type	Status
MIC200633907	Environmental Authority (Exploration or Mineral Development) Code Compliant Level 2 Mining Project	Superseded

Date

03-FEB-2010

Status

Assessment

Decision

Level 2

Primary Clients

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
Colton Coal Pty Ltd	Level 5, 60 Edward Street		BRISBANE	4000	QLD

Activities

Name
Mining - ML - Level 1 c

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
ML50273					
ML50274					

Agency Interests/Ratings

Category	Type	Rating
Heritage	Heritage - Aboriginal and Torres Strait Islander cultural sites	Unknown (default)
Biodiversity	Biodiversity - riparian buffer zones	Unknown (default)
National and International	National and International - national estate	Unknown (default)

Permits: 1

Permit Ref	Permit Type	Status
MIN101122010	Environmental Authority (Mining Lease) Non Code Compliant Level 1 Mining	Assessment

Wednesday February 10 2010 9:10 AM

Report Ref: CE_RP_PROJ_RUNNING.rpt

User Ref: CEDS_JONESMA

11 FEB 2010

DEPT OF ENVIRONMENT
& RESOURCE MANAGEMENT
MARYBOROUGH



Project Running Report

Date 03-FEB-2010 Status Assessment Decision Level 2

Project

Date 27-NOV-2008 Status Assessment Decision Level 2

Primary Clients

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
Taroom Coal Pty Ltd	Level 5	60 Edward Street	BRISBANE	4001	QLD

Primary Contact

Name	Contact Number
Taroom Coal Pty Ltd	s.73

Activities

Name
Mining - EPC - Level 2

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
EPC923	EPC923				

Agency Interests/Ratings

Category	Type	Rating
----------	------	--------

Permits: 1

Permit Ref	Permit Type	Status
MIC200633907	Environmental Authority (Exploration or Mineral Development) Code Compliant Level 2 Mining Project	Superseded

Date 22-JAN-2010 Status Assessment Decision Level 2

Primary Clients

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
Colton Coal Pty Ltd	Level 5 60 Edward Street		BRISBANE	4000	QLD

Activities

Name
Mining - EPC - Level 2

Locations

Name	Address Line 1	Address Line 2	Suburb	Postcode	State
EPC923	EPC923				

Agency Interests/Ratings

Category	Type	Rating
Heritage	Heritage - Aboriginal and Torres Strait Islander cultural sites	Unknown (default)
Tenure	Tenure - protected areas	Unknown (default)

Permits: 1

Permit Ref	Permit Type	Status
MIC200633907	Environmental Authority (Exploration or Mineral Development) Code Compliant Level 2 Mining Project	Current

☐ For Regional Information & Filing☒ Regional Action Required

DME Office:

bne

Admin. Office: MARYBOROUGH

Project No: 34521

Client No: 641079 Permit No: MIN 10117710



EcoAccess Customer Service Unit

APPLICATION VALIDATION CHECKLIST

Environmental Authority Non-Code Compliant

248999

Application Type:

☒ New☒ Level 1☐ Amendment☐ Level 2

Company / Business / Individual Name: COLTON COAL PTY LTD

Date Received: 3.1.2010 Application Date: ... / ... / ... Assessing Officer:

TYPE & NUMBER OF TENURE

☐ Mineral Exploration☐ Coal Exploration☐ Mineral Development☒ Mining Lease

Tenure No/s: ML 50273, 50274

Application will be considered invalid if there is ☒ against any item under the relevant application type

NEW APPLICATION

☒ or ☒Amendment Appn Form (if applicable) ☐ # *Application for New EA (s154 form) ☐EM Plan Attached (Level 1 only) ☐ #Registered Business Address ☐ # *DME Public Enquiry Report ☒ #Forms Signed and Dated ☒ # *DME Map ☒ #DME Application Form & Report ☐ #

***NOTE:** Applications for new Non-Code Compliant L1 EA's must include annual Licence fee as per the applicable category in ERA21, in addition to the \$500 application fee.

New ML added as an amendment must have the amendment fee of \$250.00 (no annual fee required).

Fees Paid \$ 27,320.00 Rec # BP 251214 Date 29/1/10

Annual Fee \$ Rec # Date

(if new application)

Other Agency Interests

(Applies to applications for new EPM/EPC/MDL)

if ☒, list the features identified on Ecomaps☐ Indigenous Heritage ☒

Other: 8892 - Grid for ECU

SFSTR

CAC Review Date: 16/2/10

Extended Date:

AUD due 17/2/10

Record of Consultation:

Client:

CROW:

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

Date	Person Contacted:		Phone No:	
	Information Requested:			
	Response:			
	Ecoaccess CSU Staff:			

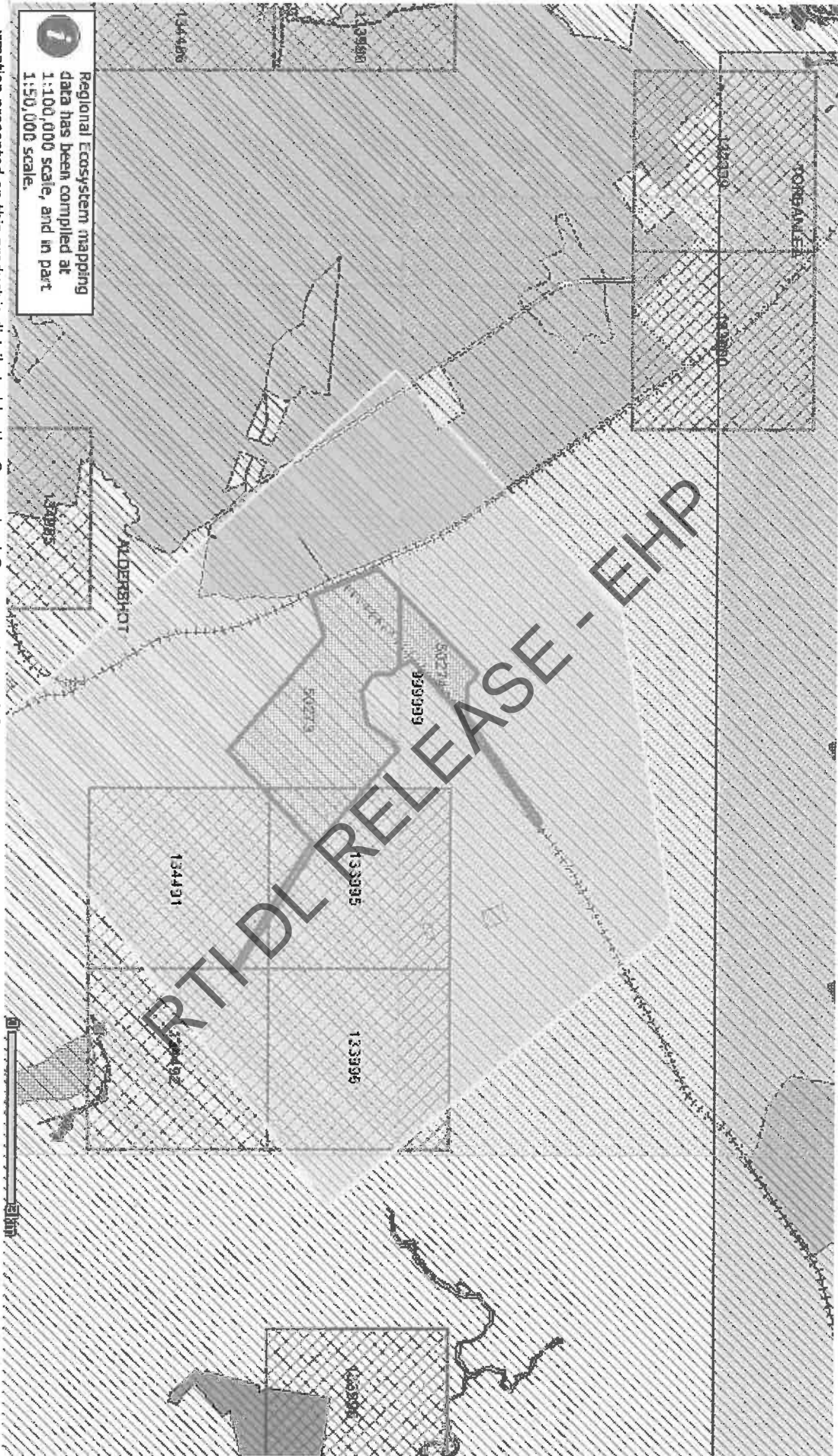
eco maps

08/02/2010

Queensland Environmental Protection Agency

ecomaps Screen Plot

Page 1 of 2



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Queensland Environmental Protection Agency

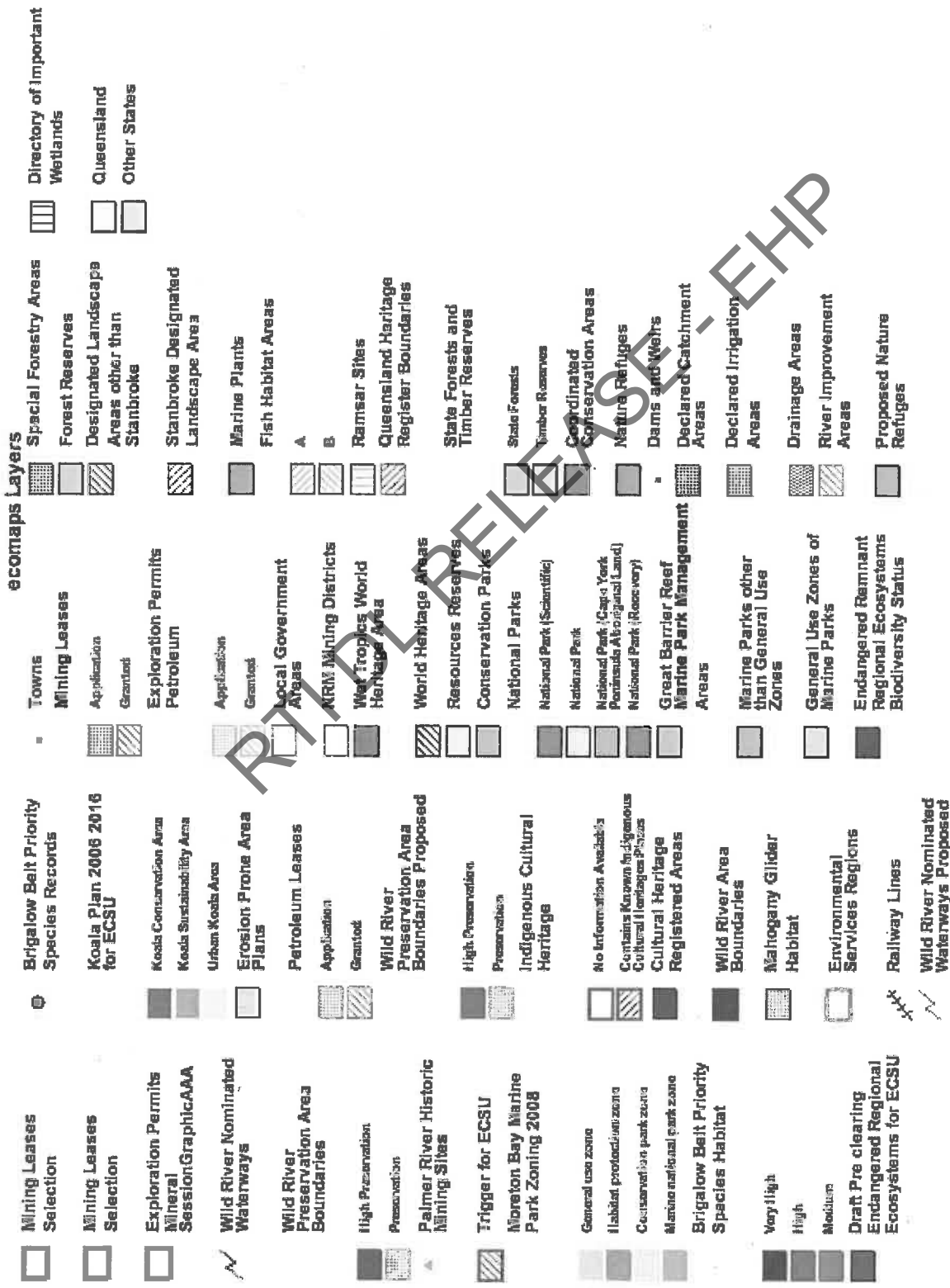
eco maps

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ecomaps Screen Plot

08/02/2010

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Mining Leases

No.	Tenure Number	Tenure Type	Mining District	Status	Principal Holder	All Holders	Lodgement Date	Date Granted	Date Non Current
1	5395	ML	BRIS	GRAN	MAVIS KATHLEEN APOLONIA MILNER AS EXECUTRIX OF THE WILL OF WILLIAM MILNER (DEC)	View All Tenure Holders	12-OCT-1979	12-MAR-1981	31-MAR-2023
2	5393	ML	BRIS	GRAN	MARCOTTA TILES PTY LTD	View All Tenure Holders	04-OCT-1975	16-MAR-1978	31-MAR-2019
3	50273	ML	BRIS	APPL	COLTON COAL PTY LTD	View All Tenure Holders	29-JAN-2010		
4	50274	ML	BRIS	APPL	COLTON COAL PTY LTD	View All Tenure Holders	29-JAN-2010		

Exploration Permits Petroleum

No.	Tenure Number	Tenure Type	Mining District	Status	Principal Holder	All Holders	Lodgement Date	Date Granted	Date Non Current
1	733	EPP	ROCK	APPL	MAGELLAN PETROLEUM (EASTERN) PTY LTD	View All Tenure Holders	28-FEB-2003		
2	613	EPP	BRIS	GRAN	MAGELLAN PETROLEUM (EASTERN) PTY LTD	View All Tenure Holders	07-NOV-1994	23-MAR-1995	31-MAR-2019

Indigenous Cultural Heritage

No.	File Numbers
1	View File Numbers
2	View File Numbers
3	View File Numbers
4	View File Numbers
5	View File Numbers

Railway Lines

No.	Line Name	Status
1	NORTH COAST LINE	Open
2	BADDOW BRANCH	Open
3	TAKURA BRANCH	PartClosed
4	NORTH COAST LINE	Open
5	NORTH COAST LINE	Open

Towns

No.	Town Name
	ALDERSHOT

Trigger for ECSU

No.	Grid Number
1	8892

Local Government Areas

No.	LGA Name
1	FRASER COAST REGIONAL

NRM Mining Districts

No.	NRM Mining District
1	BRISBANE

Environmental Services Regions

No.	EPA Region
1	Wide Bay

State Forests and Timber Reserves

No.	Name	Type	Lotplan
1	Wongi State Forest	SF	1294FTY1705

Queensland

No.	Feature
1	Queensland Mainland

No Features Found in the following layer(s):

- Petroleum Leases
- Brigalow Belt Priority Species Records
- Brigalow Belt Priority Species Habitat
- Proposed Nature Refuges
- Moreton Bay Marine Park Zoning 2008
- Wild River Nominated Waterways Proposed
- Wild River Preservation Area Boundaries Proposed
- Wild River Nominated Waterways
- Wild River Preservation Area Boundaries
- Wild River Area Boundaries
- Draft Pre clearing Endangered Regional Ecosystems for ECSU
- Mahogany Glider Habitat
- Directory of Important Wetlands
- National Parks
- Conservation Parks
- Forest Reserves
- Wet Tropics World Heritage Area
- Great Barrier Reef Marine Park Management Areas

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- Marine Parks other than General Use Zones
- Koala Plan 2006 2016 for ECSU
- Queensland Heritage Register Boundaries
- Endangered Remnant Regional Ecosystems Biodiversity Status
- Marine Plants
- Fish Habitat Areas
- Special Forestry Areas
- Cultural Heritage Registered Areas
- Designated Landscape Areas other than Stanbroke
- General Use Zones of Marine Parks
- World Heritage Areas
- Ramsar Sites
- Coordinated Conservation Areas
- Erosion Prone Area Plans
- Palmer River Historic Mining Sites
- Stanbroke Designated Landscape Area
- River Improvement Areas
- Drainage Areas
- Dams and Weirs
- Declared Irrigation Areas
- Declared Catchment Areas
- Resources Reserves
- Nature Refuges
- Major Towns
- Other States

RTI DL RELEASE - EHP

Daniel Cohen

From: s.73
Sent: Wednesday, 10 February 2010 10:45 AM
To: Daniel Cohen
Cc: s.73
Subject: Colton Mine Environmental Authority application
Attachments: image.png; ATT00081.htm; Daniel Cohen.vcf; ATT00084.htm

Daniel,

s.73 has passed your email below to me to respond.

You are correct - ERA 25(a) - Meat Processing was a typo and should be 31(2) (b) - Mineral Processing greater than 100,000t/annum. Our apologies.

ERA 43 - Concrete batching can be removed. Given the proximity of the project to batching plants in Maryborough and Hervey Bay we won't have a facility on site but instead will truck in premixed concrete and place it directly into position.

Otherwise, with 25 corrected to 31, we consider the ERA list to be correct.

The water quantity of 250ML was an estimate (at the conservative end) of the amount of water the project will use. This is by its nature a rubbery figure as it depends amongst other things on how much coal is produced, how wet it is when we pick it up in the pit and how wet it is when we sell it. Annual usage of 250 - 270ML is a good estimation but it's not and never can be a precise calculation.

Both we and Australasian Resource Consultants (our advisors and EMP document preparers) have for years responded to this water question in the EA application form in the context of water usage. We understand this to be general practice.

If, however, you want an indication of total water moved around the site then we can refer to our December, 2009 letter wherein we say that up to 1,000ML a year could be handled one way or another at the site. Again, this is not and never can be a precise figure because it is driven amongst other things by rainfall - both quantum and frequency.

We have your response to our December water letter and are working on the issues you have raised. We expect to be able to ask for a meeting with you within the next few weeks so that together we can work to get a suitable water management arrangement for the project. For us, as we are sure it also is for you, water management is a significant issue. And it's made doubly complicated by the reality that we get it "delivered" to us quite erratically, but consume it quite steadily.

Regards,

s.73

Northern Energy Corporation Limited

M: s.73

From: "Daniel Cohen" <daniel.cohen@derm.qld.gov.au>

Date: 9 February 2010 1:36:22 PM AEDT

To: s.73

Subject: Clarification of items for Colton Mine Environmental Authority application

Hi s.73

The application form for the Environmental Authority has finally reached our Department from over the Mines and Energy office.

There are a few items that we need a little clarification on.

10/02/2010

For the EIS triggers checklist section on the form (section 15 of the Environmental Authority application form, see that part of the form in the picture attached below) asks in section d) if you will be conducting any ERAs that will have an annual fee of over \$4000. I apologise as this form needs a bit of updating, as the ERA fees were changed on 1 Jan 2009, but the \$4000 fee on the trigger checklist was not adjusted accordingly.

The Department was of the opinion that the Colton Mine would trigger for ERA 31(2)(b) which is mineral processing (other than coke) for over 100,000t per annum. Will all the Coal from the mine (or at least over the 100,000t per annum threshold amount) be washed in the washery?

Also, the listing provided on your application form for question 15(d) (see that part of the form in the picture attached) lists the following ERAs:

ERA15 – Fuel Burning

ERA 25(a) – Meat Processing

ERA 43 – Concrete batching

ERA 60 – Waste Disposal

ERA 63 – Sewage treatment

Could you please confirm that these are correct? We were a little puzzled by the Meat Processing and thought this may have been a mistake.

If you could please go through the list of ERAs using the link below to the *Environmental Protection Regulation 2008* which lists all the ERAs, and list every possible ERA that will be conducted under the Colton Mine project, the Department will interpret which of these are over the old \$4000 ERA threshold point for the EIS trigger checklist.

<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EnvProtR08.pdf>

The ERAs are listed from page 131 onwards.

Also, in terms of item 15(g) on the form for the EIS trigger for abstraction of groundwater, the Department seeks clarification on the figure of 0.25Mm³ that has been provided. Does this figure include all water that will be removed from the pit during dewatering operations and all water that may be extracted from bores/wells for both dewatering and processing water?

Can you please provide clarification on the above mentioned items ASAP, as the Department must now make the Assessment Level and EIS decisions under the Environmental Protection Act 1994 for the application by the 17/2/20010?



Coordinated Assessment Committee Report

This report is prepared by an assessment officer for consideration by the Coordinated Assessment Committee (CAC). Upon determining the next appropriate course of action, the Chair of the Committee completes the 'CAC Recommendation' section of the report and returns it to the assessment officer for action.

Date prepared: 14 Feb 2010

Project details

Permit No.: MIN101122010
Project No: 248999
EPA Administering District: Environmental Services, Brisbane North, Wide Bay Burnett Office
EPA Region: Southern
Project Name: Colton Coal Mine
Project type (may be more than one): Open cut coal mine for export coking coal
Applicant(s): Colton Coal Pty Ltd (a wholly owned subsidiary of Northern Energy Corporation Limited)
Project location: ML50273 and ML50274, 2.5km north of Aldershot near Maryborough
Project Description: Open cut coal mine with coal washing plant producing an estimated 500,000t per annum of export quality coking coal
Permit Application type(s): Level 1
Application date: 03/02/2010
Decision required: EIS Requirement
Decision Due: 17/02/2010
Recommended Decision: Non-Standard, EIS required or extend EIS decision/request more info
Recommended Project Director: Other: Stuart Cameron, Manager, Environmental Services Assessment Branch
Assessing Officer: Daniel Cohen, Environmental Officer, Wide Bay Burnett Office, Environmental Services, Brisbane North

Additional processes required: (attach details where necessary)

- ? None
☐ Other applications received by EPA for project
☐ Referral Coordination under Integrated Planning Act 1997
☐ An EIS process under any Queensland Act
☐ A process under the State Development and Public Works Organisation Act 1971;
☐ Major works under the Marine Parks Act 1982;
? Commonwealth processes under the Environmental Protection and Biodiversity Conservation Act 1999.
☐ Other



Coordinated Assessment Committee Report

Special circumstances: (attach details where necessary)

- ☐ None
- ☐ Affects a sensitive area
- ☐ Involves a large number of individual decisions;
- ☒ Is likely to generate significant community concern;
- ☐ Needs policy change for approval;
- ☐ Applicant suitability;
- ☐ Involves a make or break issue;
- ☐ Involves significant issues with another State/Commonwealth Agency; and
- ☐ Another special circumstance which significantly elevates environmental, social or economic risks beyond those usual for this type of project.
- ☐ Other

Indicate the level of impact or significance for each of the following EPA/QPWS interests: [if impact is indicated, notes must be included to describe how]

Biodiversity

Unknown Rare and threatened species and ecosystems

Medium Vegetation clearing

N/A Marine systems

N/A Sustainable use of wildlife

N/A Riparian buffer zones

Notes:

No supporting information has been provided with the application. The assessment is based on information provided at Pre-Design conference held approx 18 months ago and limited local knowledge of the area.

The mine proposal involves clearing remanent vegetation that exists in an area that is a declared bioregional terrestrial corridor under the SEQ Biodiversity Planning Assessment. The area in where the mine is to be located is actually covered by two separate terrestrial corridors (the Kroombit to Maryborough terrestrial corridor and the Maroochy River to Elliott Heads terrestrial corridor).

National and international

N/A World heritage

N/A RAMSAR listed wetlands

N/A Migratory species

N/A National estate

N/A Commonwealth marine areas

N/A Radioactive materials

Notes:

Resource allocation

Low Mining
N/A Dredging
N/A Occupancy of marine lands (marinas etc)
N/A Commercial opportunities on national parks and marine parks
N/A Allocation of public resources (e.g. physical and natural resources environmental capacity),
N/A National competition policy

Notes:

Tenure has not yet been granted. DEEDI Mines and Energy (Brisbane Office) currently have a pending mining lease application for the coal mine's lease.

Water Issues

High Quality
High Discharges
High Stream flows (effects in ecology)
N/A Waterways management
N/A Hydrology
High Impacts on freshwater and marine systems
High Ground water

Notes:

There are several potential impacts of the proposed mining operation in water. The mine will require dewatering of the pit, which could potentially have relatively widespread impacts on the regional groundwater system. This groundwater, as well as stormwater that requires removal from the site, will be released to either the surrounding drainage courses which feed the Susan River which discharges into a section of the Mary River that has been declared as High Environmental Value, or will be pumped to a nearby waterway (Saltwater Creek) that a short distance downstream also flows through the section of the Mary River that has been declared as High Environmental Value. Discharges into Susan River or Saltwater Creek have the potential to impact the environmental values of the creek, and potentially the Mary River.

Concern has also been raised by members of the local community about impacts on surrounding wetlands (see attached figure of EPA referable wetlands) from dewatering, and impacts on a water supply dam providing water to Hervey Bay. We are not able to make an assessment of the potential for these impacts due to the lack of supporting information provided by the client.

Tenure Issues

N/A Protected areas
N/A Native title interests
N/A Offshore jurisdiction
N/A Commonwealth jurisdiction
N/A Inter-State jurisdiction

Notes:

Air Issues

N/A Air shed management
Low Pollution
N/A Health
Medium Nuisance
Medium Ecological impacts

Notes:

There is potential for the generation of dust emissions from the mining (open cut mine) and coal handling operations. The nearest house is around 1.4km from the nearest edge of the lease boundary, and the nearest township (Aldershot) is around 2.2km from the nearest edge of the lease boundary.

Section 51(1) of the revised EP Regulation now required consideration of greenhouse gas emissions, for which again no information has been provided.

Coordinated Assessment Committee Report

Noise Issues

High Community noise
High Transportation noise
Medium Industrial noise
Medium Ground vibration
Medium Airblast overpressure

Notes:

It is assumed that blasting will be employed for either overburden and/or intermediate seam fracture during the mining process. The client has indicated during past pre-design conference meetings that it is not likely that blasting of overburden will be required, and that blasting of interburden *may* be required. The nearest house is around 1.4km from the nearest edge of the lease boundary, and the nearest township (Aldershot) is around 2.2km from the nearest edge of the lease boundary. It is anticipated that blasting noise and vibration could have potential impacts for the surrounding residents over these distances (especially under 2km).

The proposal also will include a rail loading loop that will create noise from shunting operations, as will other general mining related activities. Given the relatively level terrain, any such noise generated could impact on the township of Aldershot and at least one other resident in areas outside the township close to the mine.

Waste Issues

High Solid waste
Unknown Liquid waste
N/A Gaseous waste
N/A Dredge spoil disposal
N/A Energy
Unknown Best practice environmental management

Notes:

There has been no information provided in relation to these issues, but it has been gleaned from initial pre-design conference discussions that the mining proposal will generate an initial overburden pile, from the initial cut. Subsequent overburden will be placed into the mined areas of the pit as mining progresses. Coarse reject material will be generated during the washing project that will be placed in the mining void under the replaced overburden.

The client has indicated that the coal washing operations will not generate a tailings stream. However, the lack of supporting information supplied to date has made this difficult to positively determine.

Generally coal washing operations result in not only coarse reject solid waste material, but also coal middlings (dense media cyclone residues) and tailings (fines circuit floatation cell residues). Tailings generally either require disposal as thickened slimes into a tailings pond for dewatering, or are dewatered on a belt filter following thickening, which generates a waste material known as coal wash cake. This residue is generally disposed of into landfill or suitable mine voids.

The client's intentions in relation to the disposal of this waste stream, and the suitability of the site for any such disposal proposal, are currently unknown.

The coal processing plant (washery) also has potential to create waste water discharge streams. The potential impacts from this activity are again unknown due to the lack of supporting information.

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Land Issues

Unknown Contaminated land
Medium Acid sulphate soils
N/A Erosion/stability
N/A Landscapes
Unknown Effects on hydrology
N/A Sustainable use
N/A Clearing
N/A Land use history
N/A Compliance with planning schemes
N/A Rehabilitation and subsequent use

Notes:

There is also potential for the project to have impacts related to the disturbance of acid sulfate soils. Peter Wilson (Principal Scientist) from the xNRW's Natural Resources Sciences has indicated that mining in the given location may have potential for disturbance of acid sulfate soil either through overburden removal and/or dewatering of the ground water table where potential acid sulfate soils are located.

Disposal of solid coal waste residues could create contaminated land issues, but this cannot be determined at this stage due to the lack of information in relation to the disposal of tailings etc from the operation.

Dewatering of the open cut pit may have impacts on the local groundwater regime, and groundwater dependant ecosystems that are known to exist in the area may be impacted by this. No information has been provided in relation to the potential impacts of dewatering operations.

Heritage Issues

N/A Aboriginal and Torres Strait Islander cultural sites
N/A Historic buildings and locations
N/A Designated landscape Area

Notes:

Coastal Issues

N/A Erosion
N/A Structures
N/A Reclamation
N/A Strategic planning

Notes:

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Coordinated Assessment Committee Report

Impacts on surrounds Issues

Low Transportation

Unknown visual impacts

Unknown compatibility with surrounding uses and activities

Unknown neighbours opinions

Notes:

Transport of the washed coal product is believed, based on discussion with the client, to be via a dedicated rail loading loop that will be developed on site, with the coal then being carried via rail to the Port of Gladstone. Initially, road transportation of the final product via rail to be shipped out of the Port of Bundaberg was proposed (which generated much community concern when announced). The client's intention to now use the rail to Gladstone has not however been confirmed in writing as supporting information.

No information in relation to visual impacts has been provided with the application.

The local area is currently undeveloped (see Biodiversity issues section) and there are concerns in the local community in relation to impacts the mining operation will have on the environmental values of the area.

Social issues

N/A Amenity

N/A displacement of use

High community views

N/A public safety

N/A politics/policy

Notes:

It is likely that the application will generate significant public interest. The proposal has been subject to local media coverage including several front page headline articles in the Fraser Coast Chronicle.

The proposal has also been subject to enquiries to the Minister from representatives of the Wide Bay Burnett Conservation Council, including questioning why a mining operation should be allowed in an area that has declared as a bioregional terrestrial corridor under the SEQ Biodiversity Planning Assessment.

Pre-lodgement Advice: [indicate who gave advice and when]

An initial pre-design conference was held on 27 June 2008 with s.73 of Northern Energy Corporation Limited, Colton Coal's parent company) and s.73 of AARC consultants present for the proponents. Bill Dixon (then Manager of Integrated Assessment), Tim Brain (then Regional Manager Wide Bay Region), and Daniel Cohen (Environmental Officer Wide Bay Region) represented the Department. Advice was given on the approvals process, and also that the proposal as outlined would not likely trigger the requirement for an EIS. At the time of the initial pre-design conference, the existence of the SEQ Biodiversity Planning Assessment bioregional terrestrial corridor was not discussed.

The project was placed on hold by the applicant due to the downturn in the coal market, but has since been renewed since the review of additional Mines and Energy exploration data that has led to increased inferred resource estimates for the proposed mine. This has led to an increase in the annual production estimate as well as an increase in the area of the mining lease that has been applied for. Some of the information that was presented by the client, and subsequently the initial advice that was given by the Department to the client (ie the advice that an EIS would most like not be required) is now out of date and no longer accurate since this initial pre-design conference occurred.

The Department has been conducting ongoing consultations with Northern Energy Corporation in relation to the proposal, including meetings with s.73 with Northern Energy Corporation Limited in August 2008 and August 2009. These meetings were to provide the Department with a brief update on the project proposal as the company continued to conduct their feasibility studies into the project.

The client has also forwarded a draft water management strategy that was prepared by Streamline Hydro Consultants to the Department for review. This was basically a summary of groundwater quality that was measured in the lease area by the applicant and an estimate of the quantity of water that may need to be discharged from the mine site, and a broad strategy overview of Northern Energy Corporation's plan to release the water into Saltwater Creek (as outlined in the water issues section of this report). This report (and an enhanced data set of groundwater quality data the report was based on that was subsequently requested by the Department) has been reviewed under a work request by Dr Ian Ramsay (Chief Scientist, DERM Water Quality & Aquatic Ecosystem Health) in January this year. Ian's advice was that the client would be best to reconsider the proposal to discharge the minewater into Saltwater Creek, as there were technical and environmental impediments to the proposal as presented in the report.

Other issues

An application for a non-standard environmental authority (mining activities) must be accompanied by enough information to allow the administering authority to make the EIS requirement decision. The lack of a draft EM Plan being supplied with the application, and only a very minimal amount of information about the overall project provided at a pre-lodgement meeting held in June 2008 (which is now out of date as the proposed scale of the mine has since been indicated by the client to have increased), means that the Department has very little information to assist in making the EIS decision.

The client had initially given indication to the Department that they would be holding further discussions with the Department and completing an EM Plan for submission with the application for Environmental Authority. This did not occur, and it is believed that the client's desire to progress the Mining Lease application with Mines and Energy may have lead to the client submitting an EA application prior to this document being completed. No additional supporting information was supplied at the time of application either.

Coordinated Assessment Committee Report

General comments and additional information:

In terms of EIS triggers for the operation, while the mine will clearly be below the 2Mt per annum threshold, it is also clear that the proposal will include a coal preparation plant to wash the whole of the intended Run of Mine production figure of 200,000 – 500,000 tonnes per annum of coal. This is interpreted to represent an activity that would otherwise be ERA 31(2)(b) Mineral processing, which now carries an AES of 280. Under the superseded *Environmental Protection Regulation 1998*, this ERA would have carried an annual fee of \$16,340, which is above the EIS requirement trigger value of the mining activity including what would otherwise be a Level 1 ERA that carried an annual fee greater than \$4000.

It is requested that CAC decide if this above factor and the public interest that has to date been generated by the proposal is enough to make the EIS decision upon, and therefore make the decision that an EIS will be required, or alternatively advise the Wide Bay office that they should issue a EP Act section 555 extension for the EIS requirement decision in conjunction with a section 556 request to provide additional information in relation to the application. This action will require the client to submit sufficient information so the EIS decision can then subsequently be made with a better picture of the project as a whole

CAC Recommendation

CAC Recommendation:	
Project Director:	
Assessment Office:	
Project Risk Level:	
Signature of Chair:	Date:

- ☒ Please attach a contextual map showing the location of the proposed activity.
- ☒ If EIS decision to be made, attach EIS trigger checklists.
- ☐ If other decisions to be made by Agency attach CDP decision risk table.

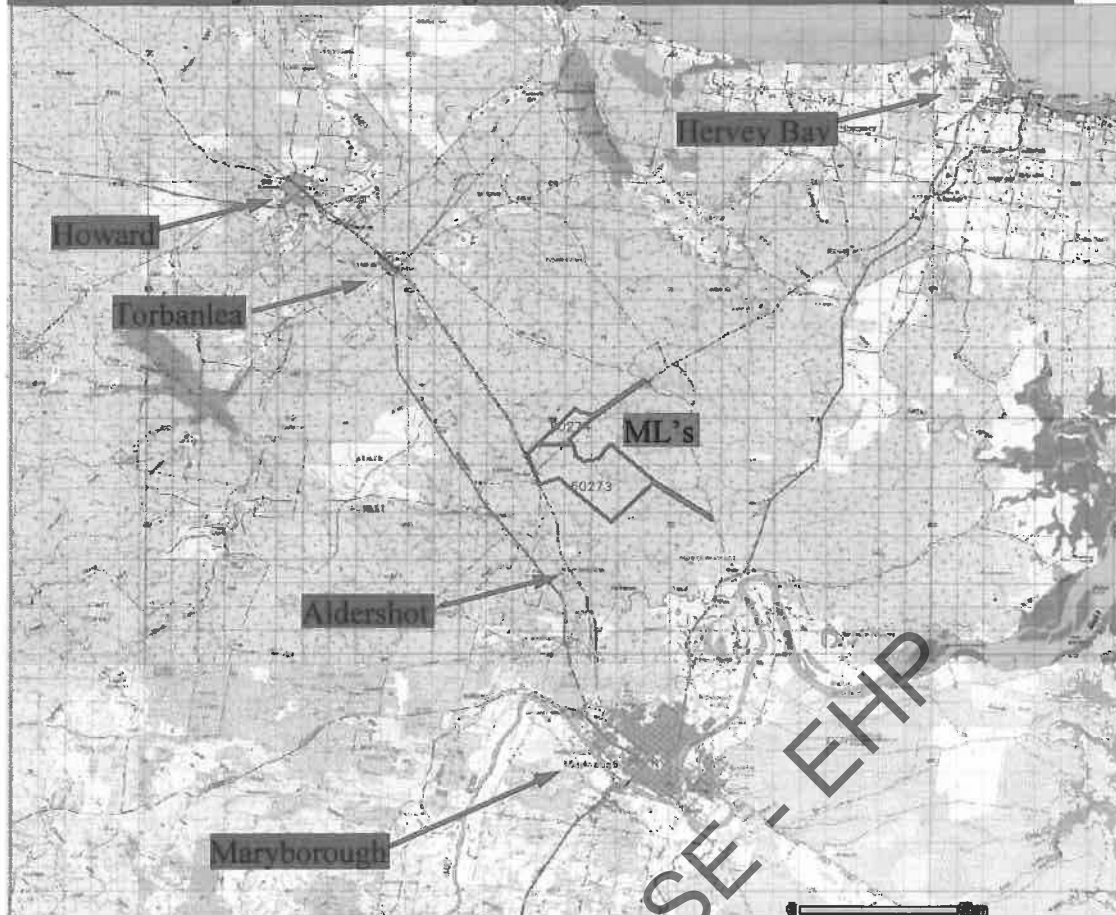


Figure 1- General location of ML50273 and ML50274 where the Colton Coal Mine project have applied for mining leases for the project showing surrounding areas



Fig 2 - Aerial photo of Colton Coal Mining lease showing surrounds inc. Aldershot

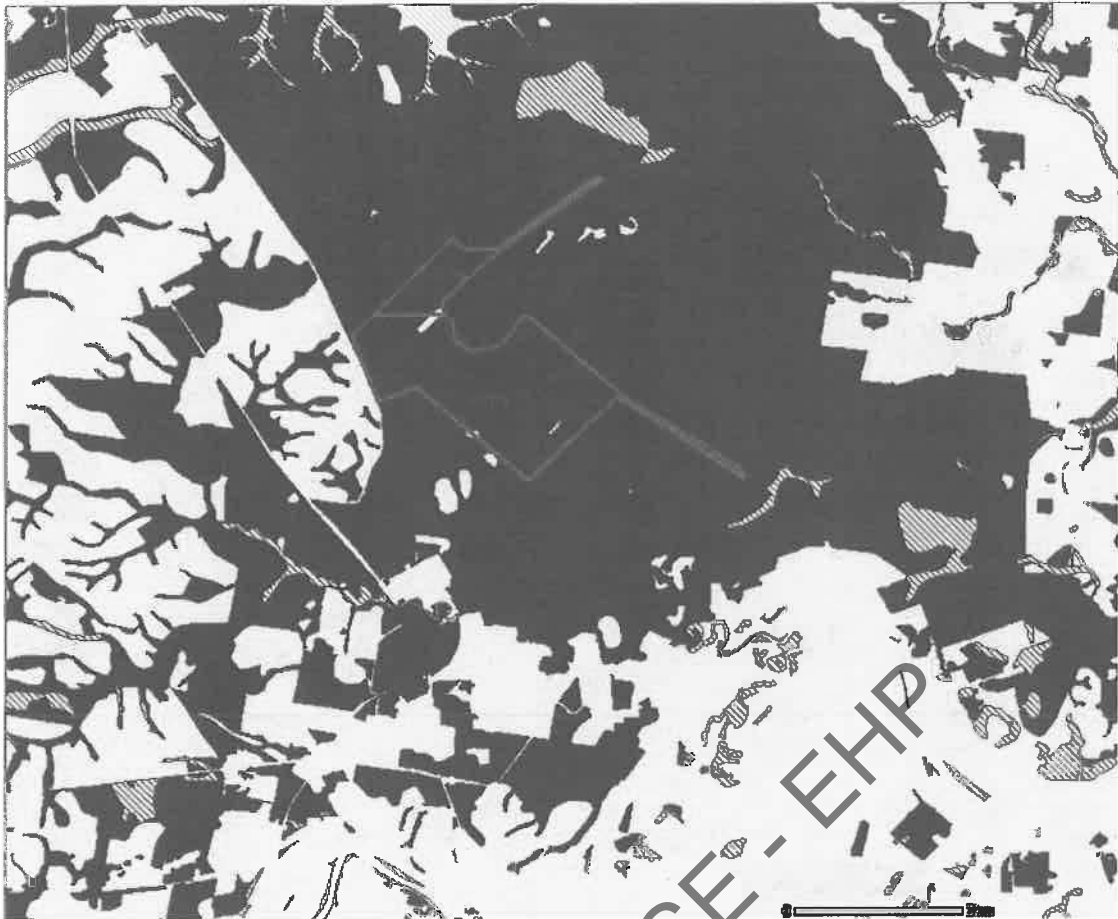


Fig 3 – EPA Referable Wetlands mapping over the mining lease area

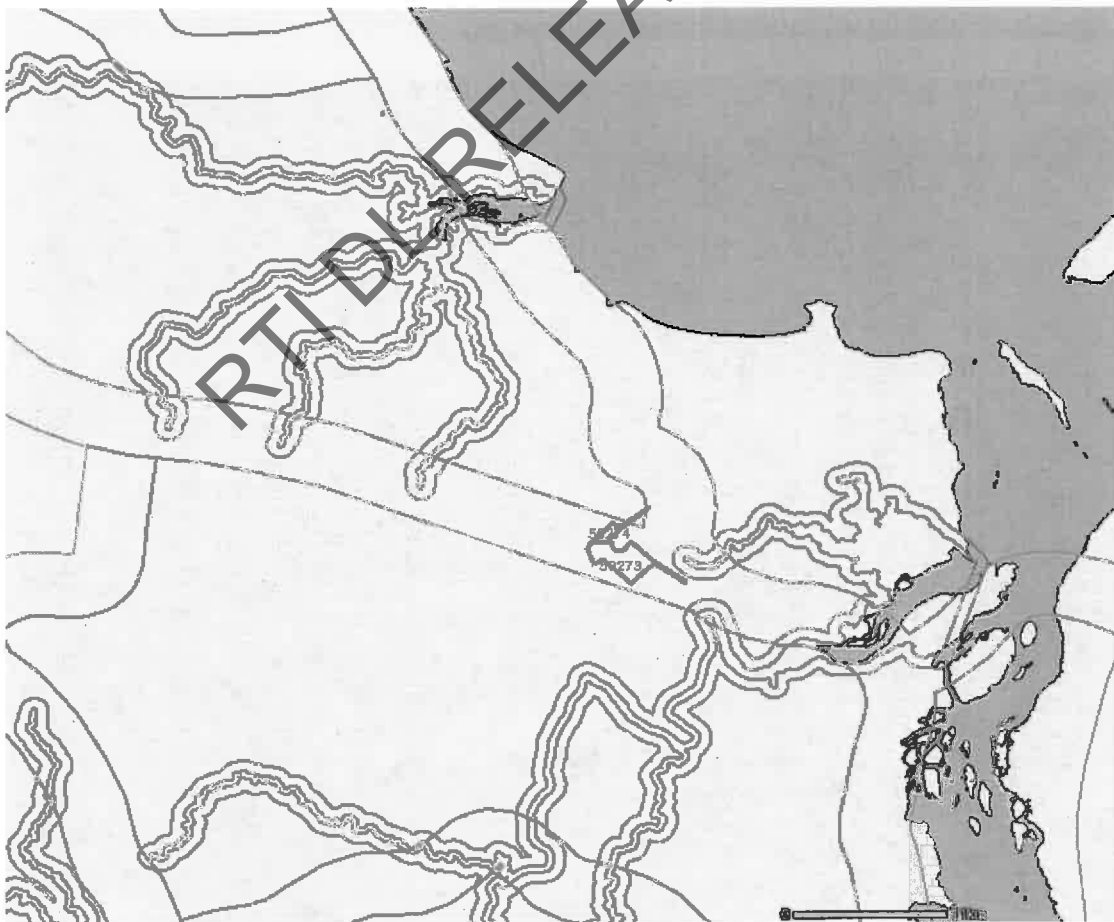
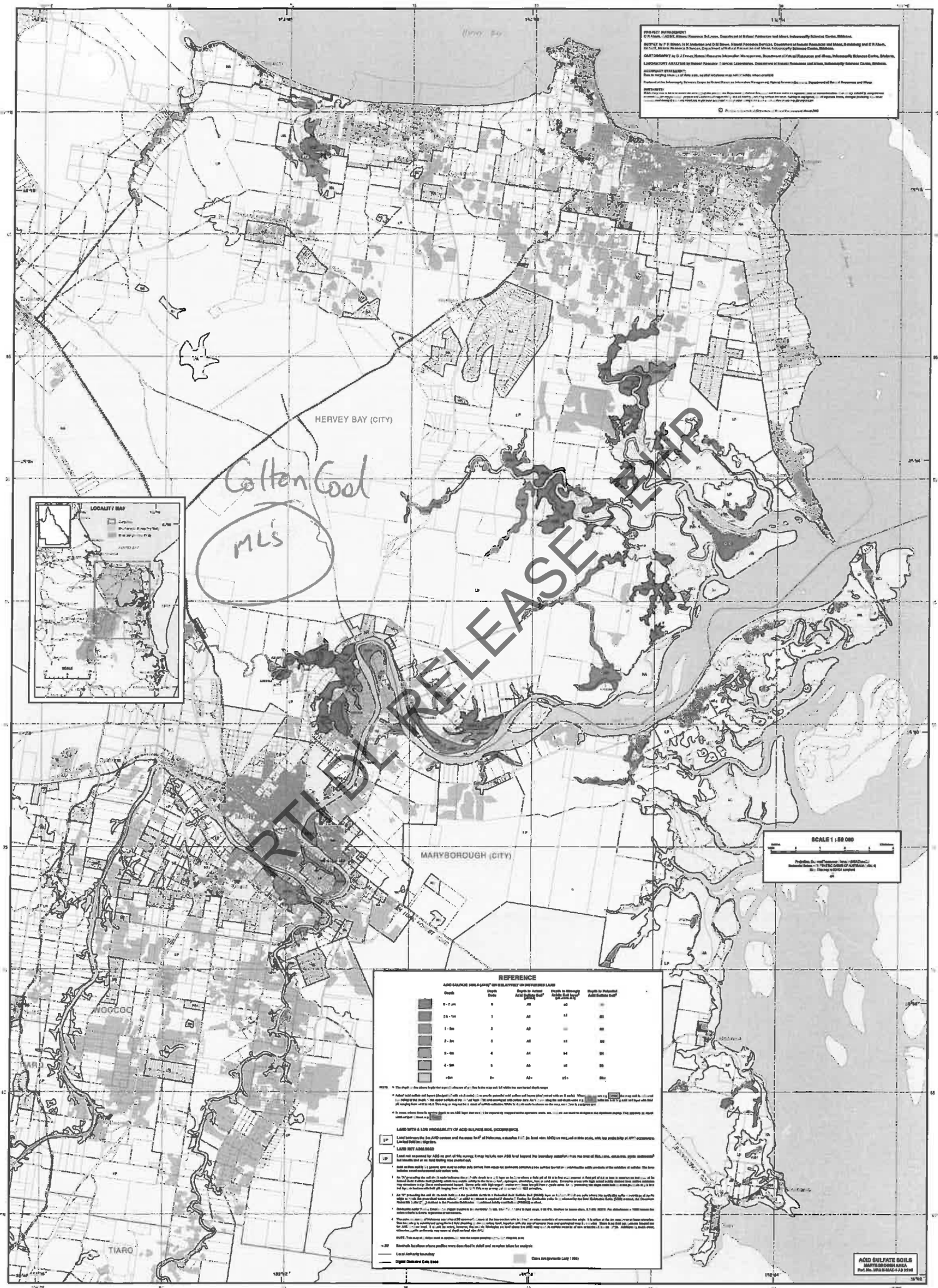


Fig 4 – Location of Mining lease in relation to SEQ Biodiversity Planning Assessment bioregional terrestrial corridors (shown as blue corridor outlines)

ACID SULFATE SOILS - MARYBOROUGH AREA





Checklist

Mining

EIS trigger criteria

Environmental Protection Act 1994

EA NO:	MIN101122010 Colton Coal Mine
--------	----------------------------------

For all non-code compliant applications for a level 1 mining project, the administering authority must decide whether an environmental impact statement (EIS) is required for the project (s162).

An EIS will be required if any of the following trigger criteria are met. If no criteria are triggered, this does not provide an exemption from having to prepare an EIS if the administering authority or EPA Minister considers that there may be a significant environmental impact, or there is a high level of uncertainty about the possible impacts, or there is a high level of public interest in the proposal.

For exploration permits or mineral development licences, the current policy is not to require an EIS.

For each question, indicate whether the answer is "yes" (column A), or "no" (column B).

Criteria	A Yes	B No
1. Will the project have a significant impact on <u>Category A</u> or <u>Category B</u> environmentally sensitive areas? (refer to Schedule 1A of the <i>Environmental Protection Regulation 1998</i>)	☐	☒
2. Will the project involve mining in a marine area?	☐	☒
3. Will the project involve mining less than 500 m landward from mean high water?	☐	☒
4. Will the project require the construction of more than 150 new dwelling units?	☐	☒
5. Will the project include an activity that would otherwise be a <u>Level 1 environmentally relevant activity</u> with an annual fee of greater than \$4000?	☒	☐
6. Will the project involve the mining of more than 2 million tonnes of mineral or run of mine ore per year?	☐	☒
7. Will the project involve the abstraction of more than 2 million m ³ of water per year from natural surface or groundwater sources?	☐	☒
8. Will the project result in more than 25 ha remaining post mining in a non-beneficial land capability where an acceptable alternative is considered feasible?	☐	☐
9. Will the project involve any non-code compliant mining activity less than 2 km from town?	☐	☒
10. Will the project contain a regulated dam?	☐	☒
11. Will the project include mining for uranium or asbestos?	☐	☒





12. Will the project trigger a Commonwealth interest in matters of national environmental significance to the extent that an EIS would be required under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> ?	☐	☐
13. Will the project include mining activities below the surface of a wild river high preservation area?	☐	☒
14. Will the project include mining activities under a nominated waterway in a wild river preservation area?	☐	☒

Recommendation

After completing the list above, mark which of the following applies:

- (a) If there is a marked box in column A, an EIS is required (unless the application is for an extension to an existing project, and the incremental increase in potential environmental harm is not significant). Proceed through the non-code compliant assessment process with an EIS.....☒
- (b) If all boxes in Column B are marked, an EIS is not required. Proceed through the non-code compliant application process without an EIS.....☐

Assessing Officer Name: Daniel Cohen
Date: 11 February 2010

Extension R S A**Request notice of extension of decision period under:**

- ☐ section 328 of Environmental Protection Act 1994 (for deciding submitted Env. reports)
- ☒ section 555 of Environmental Protection Act 1994 (for EA and TEP decision periods) *EIS requirement decision*
- ☐ section 3.3.6 of Integrated Planning Act 1997 (one off extension for info request period)
- ☐ section 3.3.6 of Integrated Planning Act 1997 (extension by agreement for info request period)
- ☐ section 3.5.7 of Integrated Planning Act 1997 (one off extension for DA's by 20 B days - AM)
- ☐ section 3.5.7 of Integrated Planning Act 1997 (extension by agreement for DA's - AM)
- ☐ section 3.3.14 of Integrated Planning Act 1997 (one off extension for DA's by 20 B days - CA)
- ☐ section 3.3.14 of Integrated Planning Act 1997 (extension by agreement for DA's - CA)
- ☐ section 3.5.33 of Integrated Planning Act 1997 (extension by agreement to change/cancel conditions)

Client Name: Colton Coal Pty LtdAddress: GPO Box 5283BRISBANE Q 4001Type of application to which extension relates: level 1 non code compliant mining EA**Reason for extension:**

To allow CAC to make EIS decision.

The CAC meeting scheduled for

16/2/2010 was cancelled

Ecotrack Proj No: 248949 Original Decision Due Date: 17/2/2010File No.: MBH 3120 Proposed business days to extend: 10Licence/DA No. MIN 101/22010 New decision due date: 3 March 2010Project Manager: sch4p4(6) Personal information☐ Approved☐ Deferred☐ Not Approved

Decision:

Signature: Date Approved: Date Posted: 17/2/10
emailed to client
18/2/10**Extension Notice Checklist**

- ☒ Notice sent to applicant
- ☒ Ecotrack updated
- ☒ RSA spreadsheet updated

- ☒ Green copy to file
- ☒ Due dates updated

IF ALL TICKED.....

RETURN FINAL COPIES TO

DISTRICT FILES

Notice

Extension of decision period – Mining Activities

This notice is issued by the Department of Environment and Resource Management pursuant to Section 555 of the Environmental Protection Act 1994 to extend the decision period for an application for or in relation to an environmental authority; or a TEP submission.

Colton Coal Pty Ltd
GPO Box 5283
BRISBANE QLD 4001

CC: Queensland Mines and Energy
Department of Employment, Economic
Development and Innovation
Tenure Support Unit
PO Box 1475
COORPAROO QLD 4151

Our reference: 248999 / MBH3120

Attention: s.73

Dear s.73

Re: Application for a Non Code Compliant (Level 1) Environmental Authority to carry out Mining Activities (Mining Lease) by Colton Coal Pty Ltd - MIN101122010 for ML50273 and ML50274

The Administering Authority requires an extension of time to make the Environmental Impact Statement (EIS) requirement decision for the above-mentioned application. The EIS requirement decision has been extended by 10 business days to a revised date of 3 March 2010.

You may apply to the Administering Authority for a review of this decision within 14 days after receiving this notice.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only. You may have other legal rights and obligations.

Yours sincerely

sch4p4(6) Personal information

Tim Brain
Delegate
Department of Environment and Resource Management
17 February 2010

Enquiries:
Wide Bay Burnett Region
Environmental Services
Environmental Protection Agency
PO Box 101
MARYBOROUGH QLD 4650
Phone 07 4121 1800
Fax 07 4121 1650

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management and the Queensland Parks and Wildlife Service.

Extracts from the Act Regarding Reviews and Appeals**Procedure for review****521.**

- (1) A dissatisfied person may apply for a review of an original decision.
- (2) The application must-
 - (a) be made in the approved form to the administering authority within-
 - (i) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
 - (ii) the longer period the authority in special circumstances allows not later than the review date; and
 - (b) be supported by enough information to enable the authority to decide the application.
- (3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision-
 - (a) notice of the application (the "review notice");
 - (b) a copy of the application and supporting documents.
- (4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 7 days after the application is made to the authority.
- (5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 14 days after receiving the application-
 - (a) review the original decision;
 - (b) consider any submissions properly made by a recipient of the review notice; and
 - (c) make a decision (the "review decision") to-
 - (i) confirm or revoke the original decision; or
 - (ii) vary the original decision in a way the administering authority considers appropriate.
- (6) The application does not stay the original decision.
- (7) The application must not be dealt with by-
 - (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (8) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- (9) The notice must-
 - (a) include the reasons for the review decision; and
 - (b) inform the person of their right of appeal against the decision.
- (10) If the administering authority does not comply with subsections (5) or (8), the authority is taken to have made a decision confirming the original decision.
- (11) Subsection (7) applies despite section *Acts Interpretation Act 1954*, section 27A.
- (12) This section does not apply to an original decision made by-
 - (a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
 - (b) for another matter-the chief executive personally.



Extension of decision period – Mining Activities

Stay of operation of original decisions**522.**

- (1) If an application is made for review of an original decision, the applicant may immediately apply for a stay of the decision to-
 - (a) for an original decision mentioned in schedule 1, part 1 - the tribunal; or
 - (b) for an original decision mentioned in schedule 1, part 2 - the Court.
- (2) The tribunal or Court may stay the decision to secure the effectiveness of the review and any later appeal to the tribunal or Court.
- (3) A stay may be given on conditions the tribunal or Court considers appropriate and has effect for the period stated by the tribunal or Court.
- (4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the tribunal or Court allows the applicant to appeal against the review decision.

Who may appeal**531.**

- (1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, may appeal against the decision to the Court.
- (2) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- (3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.

RTI DL RELEASE - EHP



Notice

Extension of decision period – Mining Activities

This notice is issued by the Department of Environment and Resource Management pursuant to Section 555 of the Environmental Protection Act 1994 to extend the decision period for an application for or in relation to an environmental authority; or a TEP submission.

Colton Coal Pty Ltd
GPO Box 5283
BRISBANE QLD 4001

CC: Queensland Mines and Energy
Department of Employment, Economic
Development and Innovation
Tenure Support Unit
PO Box 1475
COORPAROO QLD 4151

Our reference: 248999 / MBH3120

Attention: s.73

Dear s.73

Re: Application for a Non Code Compliant (Level 1) Environmental Authority to carry out Mining Activities (Mining Lease) by Colton Coal Pty Ltd - MIN101122010 for ML50273 and ML50274

The Administering Authority requires a further extension of time to make the Environmental Impact Statement (EIS) decision for the above-mentioned application. The EIS decision has been extended to 16 April 2010.

The reason for the extension of time to make the EIS decision is to allow time for a formal Initial Advice Statement (IAS) to be submitted to DERM detailing the extent of the project.

You may apply to the Administering Authority for a review of this decision within 14 days after receiving this notice.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only. You may have other legal rights and obligations.

Yours sincerely

sch4p4(6) Personal information

Cathy Birt
Delegate
Department of Environment and Resource Management
26 February 2010

RECEIVED

- 8 MAR 2010

DEPT OF ENVIRONMENT

& RESOURCE MANAGEMENT

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management and the Queensland Parks and Wildlife Service.

Enquiries:
Wide Bay Burnett Region
Environmental Services
Environmental Protection Agency
PO Box 101
MARYBOROUGH QLD 4650
Phone 07 4121 1800
Fax 07 4121 1650

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- (6) The application does not stay the original decision.
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 - (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (8) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
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 - (a) include the reasons for the review decision; and
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- (11) Subsection (7) applies despite section *Acts Interpretation Act 1954*, section 27A.
- (12) This section does not apply to an original decision made by-
 - (a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
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- (3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.

RTI DL RELEASE EHP



L 'se Karle

From: Tim Brain
Sent: Tuesday, 9 March 2010 7:26 PM
To: Louise Karle
Subject: FW: Colton supporting information

Hi Louise

I am concerned at the requirement for a CAC report for Colton Coal in the timeframe required. I have read the report quickly and attached some quick notes. I think the report is inadequate as it does not mention several key environmental constraints.

If you are able, could you attempt to put together a CAC recommendation. I hope that DAN will have letters to the Minister etc on file from WBBCC as these set out some of the key concerns – if not Kim may be able to assist (some in the ministerial or BN folder too).

If you can't look at this today don't worry I've let them know we may not make it. I'll send the report in the next email. If you don't think you'll get to it could you ask DAYNA to put the basic details into a CAC report for me to fill in.

Thanks

+-----+

Tim Brain
 Manager (Wide Bay Burnett)
 Environmental Services North
 South East Region
 Department of Environment and Resource Management

Telephone: (07) 4121 1813 **Facsimile:** (07) 4121 1650 **Mobile:** sch4p4(6) Personal information
www.derm.qld.gov.au

Department of Environment and Resource Management
 Cnr of Alice and Lennox Streets, MARYBOROUGH, Q 4650
 PO Box 101, MARYBOROUGH Q 4650

email: Tim.Brain@derm.qld.gov.au

From: Tim Brain
Sent: Tuesday, 9 March 2010 7:21 PM
To: Cathy Birt
Cc: Daniel Cohen; Jon Womersley; Lindsay Delzoppo; Stuart Cameron; Ian Wilson; Maureen Rose; Glen Brown
Subject: RE: Colton supporting information

Hi Cathy

I note that this was received over one week ago. Daniel obtained a copy of it last week after we chased it up.
 tomorrow. sch4p4(6) Personal information I will be in Bundaberg all day

Given the time frames you suggest, it is unlikely that a full CAC report will be available by Thursday at 2 pm,

10/03/2010

however I have attached some quick notes about the IAS having just read it quickly.

In short, there are several ERA's that provide a trigger for an EIS. There are HEV waters downstream, although the report does not mention EV's. The general area contains extensive referable wetlands but there is no reference to these or any mention of the potential effects of the extensive dewatering required. (Water is considered from a supply perspective rather than from an environmental viewpoint.) There is mention of acid generating material. The conservation values of the area are dismissed but no mention has been made of biodiversity planning assessments that have identified the area as being a bioregional corridor. Local conservation officers consider that area of USL has significant conservation value and I think would have a different view than that expressed in the report.

The Wide Bay Burnett Conservation Council has recommended to the minister that the application be refused. The level of interest expressed so early in the process (from Community Cabinet – August 2008 to the present) provides opportunity for a considered decision to be made about the most appropriate assessment process to deal with clearly articulated opposition to the project.

Given that there is a trigger for an EIS and a clearly expressed opposition to the project from a recognised community group my recommendation is that an EIS be required.

If possible I'll try to put this into a formal report, but given the timeframe this is not likely.

Regards

+-----+

Tim Brain
Manager (Wide Bay Burnett)
Environmental Services North
South East Region
Department of Environment and Resource Management

Telephone: (07) 4121 1813 **Facsimile:** (07) 4121 1650 **Mobile:** (6) Personal information
www.derm.qld.gov.au

Department of Environment and Resource Management
Cnr of Alice and Lennox Streets, MARYBOROUGH, Q 4650
PO Box 101, MARYBOROUGH Q 4650

email: Tim.Brain@derm.qld.gov.au

From: Cathy Birt
Sent: Tuesday, 9 March 2010 5:30 PM
To: Tim Brain
Cc: Daniel Cohen
Subject: FW: Colton supporting information
Importance: High

Good afternoon,

Please note Jon's comments below. Please forward your recommendation by 2.00PM Thursday to ensure it can be addressed at CAC on Friday.

Regards

Cathy.

10/03/2010

Cathy Birt

Acting Manager, Permit and Licence Management
Implementation & Support Unit, Regional Service Delivery
Telephone 07 3137 4241 **Facsimile** 07 3896 3342
Email: cathy.birt@derm.qld.gov.au
www.derm.qld.gov.au

Department of Environment and Resource Management
4/41 George St, Brisbane Q 4001
PO Box 15155, City East Q 4002

From: Jon Womersley
Sent: Tuesday, 9 March 2010 2:35 PM
To: Cathy Birt
Cc: Ian Wilson; Stuart Cameron; Lindsay Delzoppo; Maureen Rose
Subject: FW: Colton supporting information

Cathy

This needs to come back to CAC on Friday with a reassessment and recommendation from the region in the light of the IAS.

Thanks

Jon Womersley
Director Regulatory Support & Practice
Environment and Natural Resource Regulation
Email: jon.womersley@derm.qld.gov.au
Telephone: 07 3330 5749 **Facsimile:** 07 3330 5754
NEW Mobile: 07 3330 5754 (6) Personal information
<http://www.derm.qld.gov.au/www.derm.qld.gov.au>
Department of Environment and Resource Management
Floor 8, 400 George Street, Brisbane, Q 4000
GPO Box 2454, Brisbane Q 4001

From: Stuart Cameron
Sent: Tuesday, 9 March 2010 8:57 AM
To: Jon Womersley; Lindsay Delzoppo
Cc: Cathy Birt
Subject: FW: Colton supporting information

Jon/Lindsay,
Looks like Ian and I received a copy direct. I think it is somewhere on my desk, but haven't read it yet.

Regards

Stuart Cameron
Director EIS Assessment
Environment and Natural Resource Regulation
Department of Environment and Resource Management
Level 7 400 George Street
ph 3330 5630
mob 07 3330 5754 (6) Personal information

10/03/2010

From: s.73
Sent: Monday, 1 March 2010 10:12 AM
To: Stuart Cameron; Ian Wilson
Subject: Colton supporting information

Hi Stuart and Ian,

Please see the attached Initial Advise Statement prepared for the Colton Project as supporting information for the EA application. The Project is nearing submission of its EM Plan and both AARC and the proponent strongly believe that the Project still does not constitute an EIS.

Regards

Gareth

s.73

RTI DL RELEASE - EHP

10/03/2010

Biodiversity Planning Assessment Southeast Queensland North Landscape Expert Panel Report

Environmental Protection Agency

SEQ BPA v3.5

Panel convened October 2006

RTI DL RELEASE - EPM

http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Repor... 11/03/2010

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http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Report... 11/03/2010

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RTI DL RELEASE - EHP

http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Repor... 11/03/2010

Southeast Queensland North Landscape Expert Panel Report

1 Introduction

This report summarises the proceedings and the output of a Landscape Expert Panel convened for the northern part of the Southeast Queensland (SEQ) bioregion (Figure 1). The output from the Landscape Expert Panel has been incorporated into a package containing a wide range of information about nature conservation and biodiversity that is referred to as a Biodiversity Planning Assessment. The SEQ northern Landscape Expert Panel was convened in April 2002 and October 2006. This report (December 2006) has been updated to incorporate new information (eg taxonomic changes, new regional ecosystem mapping) and includes a more complete documentation of the landscape values identified by the Expert Panel.

The Biodiversity Assessment and Mapping Methodology (BAMM, Version 2.1) has been developed to provide a consistent approach for assessing biodiversity values at the landscape scale in Queensland. The methodology utilises vegetation mapping generated or approved by the Queensland Herbarium as its fundamental basis. It is being used by the Environmental Protection Agency (EPA) to generate Biodiversity Planning Assessments (BPAs) for bioregions in eastern Queensland under most development pressure. The BAMM is continually being refined and is published on the EPA web site at http://www.epa.qld.gov.au/nature_conservation/biodiversity/biodiversity_assessment_and_mapping_met

The methodology is applied in two stages. The first stage uses existing data, to assess seven *Diagnostic Criteria*, which are relatively uniform and reliable across a bioregion. These account for ecological concepts such as rarity, diversity, fragmentation, habitat condition, resilience, threats, and ecosystem processes. They are diagnostic in that they are used to filter available data and provide a “first-cut” or initial determination of significance. This initial assessment generated on a geographic information system (GIS) is then refined using a second group of *Expert Panel Criteria*. These Criteria rely more upon expert opinion than on quantitative data, and focus on data that may not be available uniformly across the bioregion. The *Expert Panel Criteria* are addressed by convening Expert Panels (Figure 2). A generalised Terms of Reference for Expert Panels is provided in the BAMM documentation.

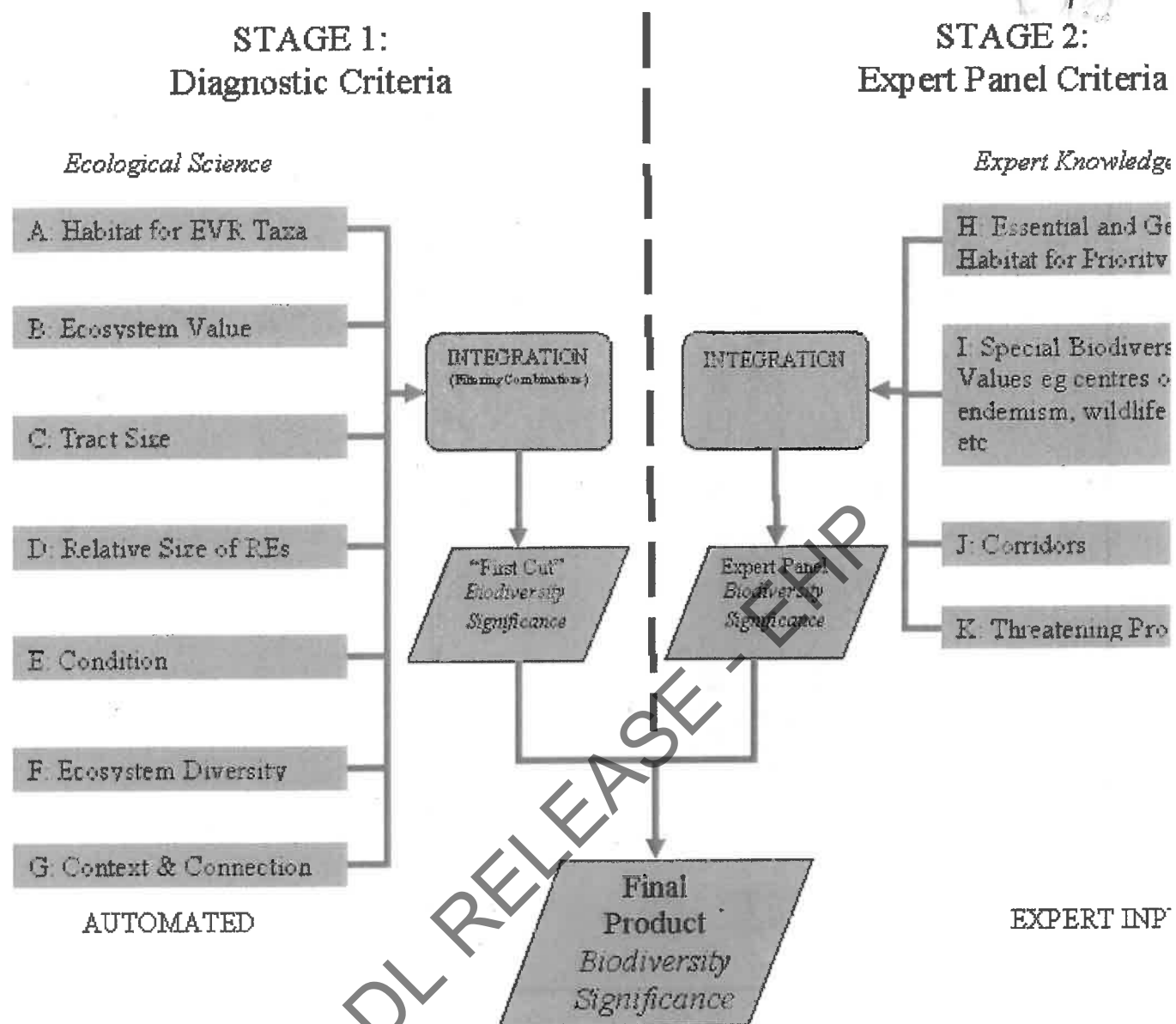
In order to fully capture biodiversity values and to accommodate local knowledge, five Expert Panels have been convened for the SEQ bioregion. They are:

- Southern Landscape.
- Northern Landscape.
- Northern Flora.
- Southern Flora.
- Fauna.

This report documents the output of the northern Landscape Expert Panel.

Figure 1 The Southeast Queensland Bioregion and SEQ South and North Expert Panel Areas

http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Report... 11/03/2010

Figure 2 Biodiversity Assessment and Mapping Methodology Process

2.1 Northern part of the Southeast Queensland Bioregion

The Southeast Queensland Bioregion has been divided into two areas (north and south) for expert panel reviews (Figure 1), due to regional planning processes (i.e. the SEQ 2021, Wide Bay 2020 Regional Frameworks for Growth Management, SEQ 2021 planning area and the Regional Nature Conservation Strategy for South East Queensland 2003-2008 (EPA 2003)). The area reviewed by the SEQ North panels lies north of the shires of Noosa, Kilcoy and Esk (Figure 1).

Although southern and northern panels were run for the SEQ Bioregion, the results have been combined into a single BPA for the entire bioregion. It may be desirable to continue to divide the bioregion for the convenience of expert panels in the future because of the regional planning frameworks, the complex biodiversity of the bioregion and its relatively large size.

Northern SEQ offers many opportunities for maintaining and preserving biodiversity. The area has large tracts of remnant vegetation associated with mountain ranges and land in public ownership and has not been subject to the same levels of population growth and urban expansion that has been occurring in the southern part of the bioregion.

2 Method

2.1 Study Area

The SEQ bioregion is bounded by the Brigalow Belt bioregion to the west and north, and the NSW North Coast bioregion to the south. The Richmond-Tweed, Scenic Rim sub-region is part of the NSW North Coast bioregion for the IBRA classification, but is included as an SEQ sub-region for Queensland's bioregions. The following website provides information on the IBRA bioregions:

<http://www.deh.gov.au/parks/nrs/ibra/version5.1/index.html>

The SEQ Bioregion is one of the most species rich and diverse parts of Australia. In coastal and near coastal areas the species richness of eucalypt forests and heath-lands tends to decrease from south to north, with Fraser Island and the adjacent mainland the northern limit of distribution for many species (Sattler and Williams 1999). Many rainforest species are restricted to the south-eastern part of the bioregion. In the moist topographic isolates of Monto-Gladstone (Dawson – Many Peaks Ranges) there are disjunct occurrences of some Central Queensland Coast and Wet Tropics rainforest species. In the drier western parts of the bioregion there is a pronounced overlap with species of the Brigalow Belt (Sattler and Williams 1999).

2.2 Panel composition

The SEQ north landscape expert panel (Table 1) comprised invited persons with expertise in the landscape values of the northern part of the SEQ bioregion and a sound understanding of ecological conservation and management principles. As far as possible, the combined expertise of participants covered the whole SEQ north area and a range of planning and assessment processes (eg local government, regional NRM bodies, State Government). The terms of reference for expert panels are provided in Appendix 6 of the BAMM documentation on the EPA's website.

The output of the panel process aims to be justifiable and transparent. Data that is captured digitally and

http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Report... 11/03/2010

mapped is a result of consensus within the panel and ratified by the Manager, Resource Assessment, Planning, EPA.

The biodiversity issues (see BAMB Ver 2.1) addressed at each panel workshop were:

- Special Biodiversity Values (Criteria I) - centres of endemism, wildlife refugia, disjunct populations, concentrations of species at the limits of their geographic range, concentrations of relictual populations, areas with high species diversity, artificial water body or managed/manipulated wetland of ecological significance, high density of hollow-bearing trees, breeding or roosting sites.
- Corridors (Criteria J) – both terrestrial and riparian landscape corridors.
- Threatening Processes (Condition) (Criteria K) – consideration of the condition or habitat quality of remnant or regrowth vegetation.

Table 1 SEQ North Landscape Panel Contributors

Name	Affiliation	Attendance Apr 2002	Attendance Oct 2006
Graeme Armstrong	Private Consultant	No	Yes
Stephen Barry	Planning, EPA, Maryborough	Yes	Yes
Marilyn Connell	Greening Australia	Yes	Yes
Roger Currie	Wide Bay Burnett Cons ⁿ Council	No	Yes
David Field	Conservation Services, QPWS, Maryborough	No	Yes
Alice Fisher	Burnett Mary Regional NRM Body	No	Yes
Caroline Haskard	Private Consultant	No	Yes
Chris Hill	Planning, EPA, Toowoomba	No	Yes
Karl Houschildt	QPWS, Bundaberg	No	Yes
Rachel Lyons	Cooloola Shire Council	Yes	Out of session
Nikki Moore	Planning, EPA, Sunshine Coast	No	Yes
Greg Smyrell	Private Consultant	No	Yes
Peter Young	Planning, EPA, Brisbane	Yes	Yes
Maria Zann	Planning, EPA, Maryborough	No	Yes
Joy Brushe	Queensland Herbarium, Gladstone	Yes	Flora Panel
Bill McDonald	Queensland Herbarium, Brisbane	Yes	Flora Panel
Tony van Kampen	Hervey Bay City Council	Yes	Flora Panel
Louise Coleman	NR&M	Yes	No
Don Cook	Planning, EPA, Rockhampton	Yes	No
Alan Dyball	Greening Australia	Yes	No
Paul Grimshaw	QPWS, Moggill	Yes	No
John Hodgson	QPWS, Bundaberg	Yes	No
Glen Little	Wide Bay-Burnett Cons ⁿ Council	Yes	No
George Martin	Planning, EPA, Bundaberg	Yes	No
Andrew McLaughlin	NR&M	Yes	No
Ron Neller	University of Sunshine Coast	Yes	No
Tim Pulsford	QPWS, Maryborough	Yes	No

http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Report... 11/03/2010

Trevor Ritchie	QPWS, Bundaberg	Yes	No
Pos. Earle	NR&M	Yes	No
Alison Shapcott	University of Sunshine Coast	Yes	No
Peter Sykes	Land for Wildlife	Yes	No
Peter Tierney	QPWS, Maryborough	Yes	No

Technical support for the panels (facilitation, organisation, notes & GIS) was provided by officers of the EPA: Stephen Barry, Chris Hill, Steven Howell.

2.3 Workshop Format

Prior to the panels being convened, relevant information was collated and disseminated to the workshop participants.

The resources made available to the participants during the workshop proceedings were:

- Copy of Biodiversity Assessment and Mapping Methodology.
- GIS output of BAMB diagnostic criteria at appropriate scale.
- Available wetlands mapping and 1:100,000 topographic maps.
- Any available information on condition of vegetation.
- Information from databases such as HERBRECS, CORVEG, WildNet.
- Published surveys.
- Informal sources.
- Ancillary GIS layers provided for local reference included roads and cadastral information drainage, State Forests and National Parks and Landsat Thematic Mapper imagery; digital topographic maps and digital orthophotography where available.

2.4 Special Areas (Criterion I)

The panel reviewed the values and extent of the special areas identified by the first SEQ north Landscape Panel and the special areas identified by the Flora and Fauna Expert Panels.

2.5 Corridors (Criterion J)

An existing special area decision (seqn_1_1 – Bioregional Terrestrial Corridors) allows for the creation of bioregional scale corridors within SEQ North. The SEQ North and South Landscape Expert Panels reviewed the existing corridors and the current underlying selection principles. Consideration was given to the extension or modification of bioregional terrestrial corridors and riparian corridors (seqn_1_13) to provide a more complete network in the region.

The panel was also asked to consider how the SEQ corridor network could be integrated with a state wide corridor map and asked to assign State and Regional significance to each corridor. All State significant bioregional corridors would be integrated with adjacent bioregions to form a state wide network. As a consequence, some of the rules/principles used to identify corridors by past panels have been modified to enable integration across regions.

The Panel adopted the following corridor functions and principles for identifying and mapping terrestrial and riparian corridors:

Functions of Terrestrial and Riparian Bioregional Corridors

Terrestrial Bioregional corridors, in conjunction with large tracts of remnant vegetation, maintain ecological and evolutionary processes at a landscape scale, by:

- Maintaining long term evolutionary/genetic processes that allow the natural change in distributions of species and connectivity between populations of species over long periods of time.
- Maintaining landscape/ecosystems processes associated with geological, altitudinal and climatic gradients, to allow for ecological responses to climate change.
- Maintaining large scale seasonal/migratory species processes and movement of fauna.
- Maximising connectivity between large tracts/patches of remnant vegetation.
- Identifying key areas for rehabilitation and offsets.

Riparian Bioregional Corridors also maintain and encourage connectivity of riparian and associated ecosystems.

Location of Terrestrial and Riparian Bioregional Corridors

The location of terrestrial landscape corridors should be determined by the following principles:

- Complement (i.e. minimise overlap and maximise connectivity) riparian landscape corridors.
- Follow major watershed/catchment and/or coastal boundaries.
- Incorporate major altitudinal/geological/climatic gradients.
- Include and maximise connectivity between large tracts/patches of remnant vegetation.
- Include and maximise connectivity between remnant vegetation in good condition.

Riparian Bioregional corridors are to be located on the major river or creek systems within the bioregion in question.

Where there was overlap between terrestrial and riparian corridors the highest level of significance was assigned.

3 Results

3.1 Special Areas (Criterion I)

The second panel meeting reaffirmed the values and extent of the special areas already identified, and identified additional special areas to be included with existing decisions. Table 2 provides descriptions and biodiversity values of special areas.

Table 2 Special Areas and Corridors identified by the northern SEQ Landscape Panel.

Note: Some decision numbers are abbreviated e.g. "5" instead of "seqn_1_5". These decisions have been addressed in other special area decisions or deferred.

Decision Number	Description	Panel Recommended Significance	Values Identified by Panel
seqn_1_1	Terrestrial Bioregional Corridors	State or Regional	<p>The Expert Panel considered landscape corridors for northern proposal for a State-wide terrestrial landscape corridor network. State-wide criteria. These corridors would be assigned State significance. Corridors would be complemented by riparian landscape corridors. In identifying appropriate corridors the Expert Panel considered the functions and principles described in section 2.5 of this report.</p> <p>Refer to Section 3.2, Table 3 and Figure 3 for detailed information on corridors in SEQ bioregion.</p>
seqn_1_13	Riparian Landscape Corridors	State or Regional	<p>The riparian landscape corridors provide connectivity through the SEQ bioregion.</p> <p>This decision has not previously been implemented due to the large scale drainage mapping. The Expert Panel identified the riparian landscape corridors: Albert River, Albert River (Left Bank), (Right Branch), Baffle Creek, Barambah Creek, Barker Creek, Bremer River, Brisbane River, Brisbane River (West Bank), Bunya Creek, Burnett River, Burrum River, Caboolture River, Clifton Creek, Clifton Creek (Right Branch), Colosseum Creek, Coomera River (North Branch), Coondoo Creek, Degilbo Creek, Boyne River, Elliot River, Emu Creek, Futter Creek, Gin Gin Creek, Gregory River, Gutchy Creek, Horse Creek, Isis River, Kanda Creek, Kolan River, Lockyer Creek, Logan River, Ma Ma Creek, Mary River, Mooloolah River, Mt Eaton Creek, Mt Hastings Creek, Munna Creek, Murphys Creek, Myrtle Creek, Nangur Creek, North Maroochy River, North pine River, Pig Creek, Pine Creek, Reynolds Creek, Sandy Creek, South Maroochy River, Stuart River, Susan River, Tallebudgera Creek, Teebar Creek, Three Moon Creek, Tinana Creek, Tingalpa Creek, Warrill Creek, West Burnett River, Western Creek, Woolshed Creek, Woowo Creek.</p> <p>Refer to Section 3.2, Table 3 and Figure 3 for detailed information on corridors in SEQ bioregion.</p>
seqn_1_14	Curtis Island	State	<p>The Panel recommended that the area warrants State significance.</p> <ul style="list-style-type: none"> • Its value as a Wildlife refugia (Criterion Ib) as it has not been subject to intensive agricultural, pastoral and urban development • Unique mix of biogeographic elements (Criterion Ig): the area is as distinctive as the biodiversity is a mix of elements of the Brigalow Belt and Central Queensland Coast bioregions • The Panel also noted that most of the regional ecosystems are considered to be in very good condition.
seqn_1_15	Coastal lowlands including Deepwater NP and areas east of Deepwater Creek	State	<p>The Panel noted that coastal landscapes including extensive fringing heath and beach scrubs (rainforest) east of Deepwater Creek have not been subject to intensive agricultural, pastoral and urban development pressure in good condition compared with the surrounding country. The area is suitable for biodiversity conservation including high habitat diversity and high numbers of species at or near their limits of range. Consequently the Panel recommended that the area be designated by the panel under Criterion K and in recognition of the other values present.</p>

			<ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): coastal heath and rainforest species for example <i>Acacia hubbardiana</i>, <i>Cupaniopsis shiriana</i>, <i>Acacia itzala</i>, <i>J.Randall 624</i>, <i>Hakea actites</i>, <i>Pultenaea rariflora</i>, <i>Rhynchospora linearis</i> • Wildlife refugia (Criterion Ib): from clearing for coastal development • Disjunct populations (Criterion Ic): <i>Dansiea elliptica</i>, <i>Hovea clavata</i> • Limits of range (Criterion Id): close to or northern limits of range for "heath" species for example <i>Acacia hubbardiana</i>, <i>A. subulata</i>, <i>Bauera capitata</i>, <i>Strangea linearis</i> and close to or southern limits of range for some beach scrub species eg. <i>Aglaia brownii</i>, <i>Dansiea queenslandica</i>, <i>Litsea fawcettiana</i>, • Area of high species richness relative to other parts of the region • Area nominated is in outstanding condition relative to other areas (Criterion K).
seqn_1_16	Coastal lowlands between Burnett River to Baffle Creek	Regional	<p>The Panel noted that coastal landscapes between the Burnett River and Baffle Creek are under increasing development pressure. Consequently it is recommended that these areas be included in planning units in an area designated by the panel to Regional Level 1.</p> <ul style="list-style-type: none"> • Criterion Ib: refugia from clearing.
seqn_1_17	Areas adjacent to and including Burrum Coast NP and also including Coonarr Beach	State	<p>Extensive "wallum" heath/sandplain landscapes at the confluence of the Burnett River and Burrum Coast (Burrum, Cherwell, Isis and Gregory) extending northward to the mouth of the Burnett River. The tenure of the area includes protected area estate, unallocated state land and private country which is under increasing development pressure.</p> <p>"Wallum" heath/sandplain landscapes occur extensively throughout southern Queensland (McDonald and Elsol 1984). The examples on the southern Fraser Island (Burrum Coast) form the northern section of the geographically defined wallum landscapes. As would be expected, many sandplain species are at the limits of geographic range within the Burrum Coast. The area contains many narrow endemic taxa.</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): particularly "wallum" narrow endemics - <i>Acacia attenuata</i>, <i>Acacia baueri</i> subsp. <i>hubbardiana</i>, <i>Callistemon pachyphyllus</i> var. <i>viridis</i>, <i>Cupaniopsis shiriana</i>, <i>Eucalyptus hallii</i>, <i>E. latisinensis</i>, <i>Grevillea leiophylla</i>, <i>H. florulenta</i>, <i>Haemodorum tenuifolium</i>, <i>Lepyrodia</i> sp. <i>AQ108089</i>, <i>Leucopogon</i> sp. (Burrum Heads A.R. Bear Creek), <i>M. pauli-guilielmi</i>, <i>Melaleuca cheelii</i>, <i>Philotheca shirleyae</i>, <i>Philotheca difformis</i> subsp. <i>smithii</i>, <i>Rhodamnia acuminata</i>, <i>Schoenus ornithopodioides</i>, <i>Stylidium tenuicaulis</i>, <i>Xylomelum salicinum</i>. • Wildlife refugia (Criterion Ib): especially refugia from coastal development and sugar growing. • Disjunct populations (Criterion Ic): <i>Bossiaea brownii</i>, <i>Leptocarpus</i> spp. • Limits of range of flora species (Criterion Id): eg. northern limits of range for <i>Acacia baueri</i> subsp. <i>baueri</i>, <i>Brachyloma scortechinii</i>, <i>Callistemon</i> spp., <i>Cupaniopsis</i> spp., <i>Eucalyptus</i> spp., <i>Grevillea</i> spp., <i>Haemodorum</i> spp., <i>Lepyrodia</i> spp., <i>Leucopogon</i> spp., <i>Melaleuca</i> spp., <i>Philotheca</i> spp., <i>Rhodamnia</i> spp., <i>Schoenus</i> spp., <i>Stylidium</i> spp., <i>Xylomelum</i> spp.
seqn_1_18	Wide Bay Military Training Area and surrounds	State	<p>"Wallum" heath/sandplain landscapes occur extensively throughout southern Queensland (McDonald and Elsol 1984). The examples on the southern Fraser Island including the Wide Bay Military Training Area and surrounds there are concentrations of species with northern and southern limits of range.</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): <i>Acacia attenuata</i>, <i>A. pachyphyllus</i> var. <i>viridis</i>, <i>Grevillea reptans</i>, <i>Haemodorum macrozamia</i>, <i>Macrozamia pauli-guilielmi</i>, <i>Micromyrtus littoralis</i>, <i>Philotheca queenslandica</i>, <i>Strangea linearis</i>, <i>Westringia salicinum</i>. • Wildlife refugia (Criterion Ib): intact coastal landscape

			<ul style="list-style-type: none"> • SEQ disjunct taxa (Criterion Ic) including <i>Acacia</i> sp. (<i>C. Hovea clavata</i>, <i>Notelaea</i> sp. (Barakula A.R.Bean 7553 • Pronounced overlap zone between taxa with northern (Criterion Id) examples: northern – <i>Angophora woodsi</i>, <i>Tetratheca thymifolia</i>; southern – <i>Acacia flavescens</i>, <i>Eucalyptus latissinensis</i>). • High species richness (Criterion Ie).
19	Serpentine country		Faunal values include habitat for the False water rat and major Addressed in seqn_fl_5.
20	Fuzzy Box outliers		Addressed in seqn_fl_20.
21	Barambah Creek Gorge		Addressed in seqn_fl_6.
seqn_1_22	Coast Range from Mt Walsh to Boompa Forest Reserve 3	State	<p>The area delineated contains rugged elevated granite (maximum) as well as other volcanic rocks of Triassic age and small outcrops. The topography and geology provides a complexity of microclimates from dry, exposed with minimal soils to moist sheltered valley floors. A range of flora as been recorded from the area.</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): including narrow endemics: <i>Argophyllum nullumense</i>, <i>Arytera microphylla</i>, <i>Argyrea</i> W.D.Francis AQ81198), <i>Boronia foetida</i>, <i>Bossiaea rupestris</i>, <i>Cas</i> sp. (Mt Walsh P.I.Forster PIF7477), <i>Cas subargentea</i>, <i>Commersonia viscidula</i>, <i>Cooperonookia</i> s <i>Corynocarpus rupestris</i> subsp. <i>arborescens</i>, <i>Eucalyptus major</i>, <i>E. montivaga</i>, <i>Hernandia bivalvis</i>, <i>Leucopogon Heads</i> A.R.Bean 7802), <i>Lomandra confertifolia</i> subsp. <i>Macrozamia cardiacensis</i>, <i>Micromyrtus vernicosa</i>, <i>Tri borealis</i>, <i>Quassia</i> sp. (Mt Goonaneman J.Randall 738, • Wildlife refugia (Criterion Ib): refugia from clearing • Disjunct populations (Criterion Ic): <i>Acacia blakei</i> subs <i>Astrotricha cordata</i>, <i>Babingtonia densifolia</i>, <i>Backhous oleifolia</i>, <i>Boronia bipinnata</i>, <i>Calytrix tetragona</i>, <i>Crypt Cupaniopsis simulata</i>, <i>Cycas megacarpa</i>, <i>Daviesia dis melanophloia</i>, <i>Doodia linearis</i>, <i>Gonocarpus oreophilus</i> sp. (Isle Gorge P.Sharpe 598), <i>Hibiscus normanii</i>, <i>Hol Isotoma axillaris</i>, <i>Kunzea flavescens</i>, <i>Olearia gravis</i>, <i>l var. cordatum</i>, <i>Lepidosperma elatius</i>, <i>Logania albiflor Prostanthera phyllicoides</i>, <i>Ricinocarpus</i> sp. (Blackdow R.J.Henderson H610), <i>Seringia corollata</i>, • High species richness relative to other parts of SEQ (C
23	Remnant rainforest in and adjacent to Mount Bauple National Park (Scientific)		Addressed in seqn_fl_22.
24	Mt Benarige and Mt Woocoo		Addressed in seqn_1_45.
25	Tinana and Coondoo Creek riparian corridors		Addressed in seqn_fl_17.
26	Freshwater wetlands		This decision has been held over until suitable mapping is available AquaBAMM.
27	Central SEQ gallery rainforests		Addressed in seqn_fl_17.
seqn_1_28	Warro NP	Regional	<ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib): associated with Grevill local feature.
seqn_1_29	Kroombit Tops	State	<p>A large elevated area on the north-west margins of SEQ.</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): including narrow endemics: <i>conferta</i> var. <i>scoparioides</i>, <i>Astrotricha brachyandra</i>, <i>rupicola</i>, <i>Bulbine vagans</i>, <i>Callistemon formosus</i>, <i>Com</i>

			<p><i>Eucalyptus major</i>, <i>E. montivaga</i>, <i>Gooden</i> sp. (Mt Ca 2753), <i>Hakea florulenta</i>, <i>Lomandra filifolia</i> subsp. <i>curvata</i>, <i>Parsonsia kroombitensis</i>, <i>Persea</i> <i>glasshousiensis</i>, <i>Triplarina volcanica</i> subsp. <i>borealis</i>; P.I.Forster PIF14134). Also marginal populations of <i>s</i> including <i>Boronia palasepala</i>, <i>Eucalyptus corynodes</i>.</p> <ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib): associated with its large cool, moist topographic isolate. • Disjunct populations (Criterion Ic): <i>Acacia blakei</i> subsp. <i>gnidium</i>, <i>A. leprosa</i>, <i>Bertya opponens</i>, <i>Blechnum watts</i>, <i>Ceratopetalum apetalum</i>, <i>Cycas megacarpa</i>, <i>Eucalypt. riparia</i>, <i>H. sp.</i> (Isla Gorge P.Sharpe 598), <i>Homalanthu axillaris</i>, <i>Leptospermum brachyandrum</i>, <i>Leucopogon</i> <i>arborescens</i>, <i>Philotheca difformis</i> subsp. <i>smithiana</i>, <i>P. sp.</i> (Blackdown Tableland R.J.Henderson H610), <i>This</i> • High species richness relative to other parts of SEQ (C
seqn_1_30	Great Sandy National Park (Cooloolo & Fraser Island)	State	<p>This extensive and mostly intact landscape is an outstanding coastal dune formation and succession, with at least six stages above older sandbeds and estuarine deposits, resting on a base sandstone. The Cooloolo landscape exhibits very high ecosystems (terrestrial and aquatic), with plant communities of varying structure closed heaths and sedgelands, scrubs and thickets, woodlands forests of varying height, including tall forests dominated by <i>I</i> Satinay/Brushbox and rainforest. Freshwater and estuarine wetlands include coastal creeks, rivers and lakes, swamps and patterned <i>Melaleuca</i> wetlands. High levels of habitat diversity are reflected in a large number of plant and animal species (e.g. >1000 vascular plants, many species classed as rare, threatened and/or endemic to the area). The number of distinctive groups or assemblages such as 'acid' forests.</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): particularly "wallum narrow endemics - <i>Acacia attenuata</i>, <i>Acacia baueri</i> subsp. <i>lovelliae</i>, <i>Argyrodendron</i> sp. (Kin Kin W.D.Francis A), <i>glabra</i>, <i>Boronia keysii</i>, <i>B. rivularis</i>, <i>Callistemon pachy</i>, <i>Callitris columellaris</i>, <i>Cryptocarya foetida</i>, <i>Eucalyptu. argyrea</i>, <i>Grevillea leiophylla</i>, <i>G. reptans</i>, <i>Hakea actite</i>, <i>Haemodorum tenuifolium</i>, <i>Lepyrodia</i> sp. (Dunwich F.), <i>Macrozamia douglasii</i>, <i>M. pauli-guilielmi</i>, <i>Micromyrt shirleyae</i>, <i>Philotheca queenslandica</i>, <i>Pultenaea robusta</i>, <i>Schoenus ornithopodioides</i>, <i>Strangea linearis</i>, <i>Symplo. hillii</i>, <i>Tecomanthe hillii</i>, <i>Westringia tenuicaulis</i>, <i>Xylom.</i> • Wildlife refugia (Criterion Ib): large area of undisturbed • Limits of range (Criterion Id): especially northern main <i>grandiflora</i>, <i>Tetratheca thymifolia</i>. • Fauna values – area contains protected river catchment, examples of unique patterned fen habitat, endemic invertebrates associated with dune habitats and core habitat for 'acid' forests. <p>NB This area is included as a new nomination for World heritage Fraser Island WHA.</p>
31	Waterholes along Munna - Teebar Ck		<p>Deferred – This area will be mapped under EPAs Wetland mapping program and assessed under the AquaBAMM process. AquaBAMM designed to assess biodiversity in wetlands.</p>
seqn_1_32	Mon Repos pasturage	Regional	<p>The Expert Panel noted that the assessment of the conservation value would benefit from more detailed information.</p> <ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib): it is the only surviving vegetation associated with the unique basalt coastal landscape at Heads and Elliott Heads

seqn_1_33	Bulburin - including upper Granite Ck catchment	State	<ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): including narrow end <i>Actephila bella</i>, <i>Argyrodendron</i> sp. (Kin Kin W.D.Fran <i>transversa</i>, <i>Eucalyptus montivaga</i>, <i>Macadamia jansen cunninghamii</i>, <i>M. elliptica</i>, <i>Niemeyera chartacea</i>, <i>Phy sauropodoides</i>, <i>Rhodamnia dumicola</i>, <i>R. glabrescens</i>, <i>Xanthostemon oppositifolius</i>. • Wildlife refugia (Criterion Ib): large topographic isol • Disjunct populations of species (Criterion Ic): species rainfall rainforests of SEQ such as <i>Brachychiton acerij</i>
seqn_1_34	Coastal strip between Tinnanbar and mouth of Mary River – Susan River	State	<p>The Panel noted that vegetation on the mainland between Tinn has been retained between land cleared for pine plantations and of which is included within fish habitat reserve. The remnants species of conservation interest. Consequently it is recommended planning units in an area designated by the panel to State significant flora and fauna values and the threat posed by coastal development</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): including <i>Acacia attenuata</i>, <i>A. leiocalyx subsp. herveyensis</i>, <i>Boronia rivularis</i>, <i>pachyphyllus</i> var. <i>viridis</i>, <i>Grevillea leiophylla</i>, <i>G. reptans</i>, <i>Petrophile shirleyae</i>, <i>Prasophyllum exilis</i>, <i>Pultenaea linearis</i>, <i>Westringia tenuicaulis</i>, <i>Xylomelum salicinum</i>. • Wildlife refugia (Criterion Ib): especially refugia from plantations and sugar growing. • High species richness for ground orchids (Criterion Ie) <p>The area delineated adjoins fish habitat reserves, RAMSAR sites and is strategically located with mainland frontage to Great Sandy Strait</p>
seqn_1_35	Bania Forest Reserve	Regional	<p>Bania FR is an extensive area of eucalyptus open forest and rainforest at altitude. It does not contain large numbers of species of conservation interest but it is an important wildlife refugia.</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): <i>Arytera microphylla</i>, <i>Eucalyptus major</i>, <i>Rhodamnia dumicola</i>. • Wildlife refugia (Criterion Ib): Bania is a very large continuous eucalyptus open forest and rainforest.
seqn_1_36	Bunya Mountains	State	<p>Topographically isolated vegetation with high ecosystem diversity of which are unique/geographically distinct eg Bunya pine rainforest (balds). Additional values include the western range limits and presence of many species of rainforest birds, frogs and other fauna eg flying fox, golden-tipped bat, giant barred frog, black-breasted button quail. Many threatened or rare taxa have been recorded, including the endem <i>bunyaensis</i> (V).</p> <ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): <i>Araucaria bidwillii</i>, <i>Bulbine vagans</i>, <i>Callitris baileyi</i>, <i>Clematis fawcettii</i>, <i>T</i> • Wildlife refugia (Criterion Ib): moist topographic isolation from clearing. • Disjunct populations (Criterion Ic): <i>Cryptocarya floydii</i> subsp. <i>velutina</i>, <i>Pomaderris aspera</i>. <p>Also see Brigalow Belt South Landscape Expert Panel report -</p>
seqn_1_37	Archookoora State Forest and vicinity	Regional	<p>There is limited flora data available for the area and it has been assessed against several criteria in particular Ia and Ic.</p> <ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib): refugia from clearing.
seqn_1_38	Tarong National Park and State Forest and Yarraman	Regional	<ul style="list-style-type: none"> • SEQ endemic taxa (Criterion Ia): <i>Araucaria bidwillii</i>, <i>A. microphylla</i>, <i>Callitris baileyi</i>, <i>Erythrina</i> sp. (Croftby F

	Forest Reserve - exclude plantation		<p><i>Paspalidium grandispiculatum</i>, <i>Trifloria cameronii</i></p> <ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib): refugia in clearing.
seqn_1_39	Fragmented sub-regions (less than 30% remnant vegetation) – remnant vegetation	Regional	<p>A summary of research on landscape thresholds for remnant v James, C.D. & Saunders, D.A. (2001) in “A Framework for T Targets in the Murray Darling Basin” CSIRO Sustainable Eco Darling Basin Commission, Canberra 104pp. The evidence su vegetation falls below 30%, there are significant declines in bi</p> <p>Based on 2003 v5 Regional Ecosystem mapping, the followin than 30% remnant vegetation in the northern SEQ: South Bun</p> <p>Remnant vegetation provides a refugia from clearing in fragm should be retained to maintain biodiversity.</p>
seqn_1_40	Booie State Forest and surrounds	Regional	<p>There is limited flora data available for the area and it has bee against several criteria in particular Ia and Ic.</p> <ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib).
seqn_1_41	East Nanango State Forest and Regional Ecosystems to the Southeast	Regional	<p>There is limited flora data available for the area and it has bee against several criteria in particular Ia and Ic.</p> <ul style="list-style-type: none"> • Refugia for wildlife (Criterion Ib).
42	Wrattens Forest Reserve / Upper Kandanga Forest Reserve		Addressed in seqn_1_42.
seqn_1_43	Nangur NP - including surrounding Remnant vegetation	Regional	<ul style="list-style-type: none"> • Refugia from clearing (Criterion Ib).
seqn_1_44	SEQ Capricorn, Bunker Group and Lady Elliott islands	State	<ul style="list-style-type: none"> • Wildlife refugia (Criterion I b): for migratory shorebird large populations of black noddies and shearwaters • Disjunct populations of <i>Pisonia</i> forests (Criterion I c). • Concentrations of taxa at the limits of their geographi d): southern limit for <i>Boerhavia albiflora</i>, <i>Pisonia gran</i>, <i>Trachymene</i> (Lady Elliott Island). • Very high in shorebird and seabird species richness (C • Internationally significant nesting sites for Endangerec <i>Caretta caretta</i> and Vulnerable green turtles <i>Chelonia</i> shorebird nesting and breeding sites for Endangered L and Whimbrel <i>Numenius phaeopus</i>; Vulnerable Sooty <i>Haematopus fuliginosus</i> and Red-tailed Tropicbird <i>Ph</i> Rare Sooty Oystercatcher <i>Haematopus fuliginosus</i> and bellied sea-eagle <i>Haliaeetus leucogaster</i>. Islands and c roosting sites for migratory shorebirds. • Fauna migratory corridors for shorebirds/seabirds (inc. JAMBA/CAMBA species) and turtles. <p>Note: Due to technical constraints, only selected islands (Mas West and Tryon Islands) have been mapped in the current Bio Assessment. Islands within the Capricorn and Bunker Group (the current decision) and Lady Elliott Island will be addressed SEQ Biodiversity Planning Assessment.</p>
seqn_1_45	Marodian - Grongah FR north-east to St Marys	State	<ul style="list-style-type: none"> • SEQ endemic rainforest taxa (Criterion Ia): <i>Argyrodendron</i> W.D. Francis AQ81198), <i>Aryterea foveolata</i>, <i>A. micropl</i>, <i>Choricarpia subargentea</i>, <i>Cupaniopsis shirleyana</i>, <i>He Medicosma cunninghamii</i>; <i>Rhodamnia dumicola</i>. Also <i>Commersonia leiperi</i>, <i>Macrozamia parcifolia</i>, <i>M. paul</i> • Wildlife refugia (Criterion Ib): very large forested exp country (eg 730m Mt Boogooromunya). • Disjunct populations (Criterion Ic): <i>Atalaya rigida</i>, <i>Bo</i>

			<i>connaricarpa</i> , <i>Cupaniopsis simulata</i> , <i>Rhodamnia pauc</i> <i>Callitris endlicheri</i> .
seqn_1_46	Coastal lowlands from Eurimbula to Wild Cattle Island	State	<p>The Panel noted that coastal landscapes including extensive coastal freshwater swamps, wallum heath and beach scrubs (rainforest) on Wild Cattle Island in the far north of SEQ remain relatively intact despite increasing pressure for development and intensification of land use. These features important for biodiversity conservation including high biodiversity zone of gradual transition between the SEQ and the Brigalow near their limits of range. Consequently it is recommended to designate this area in an area designated by the panel to State significance under the recognition of the other values present.</p> <ul style="list-style-type: none"> • Limits of range (Criterion Id) eg. Close to or northern limit of range associated with the notophyll type beach scrub rainforest. Includes <i>Archontophoenix alexandrae</i>, <i>Lepiderema punctulata</i>. • Area of high species richness (Criterion Ie) relative to other areas.
seqn_1_47	Remnant vegetation west and south-west of Gladstone on margins of SEQ-BB. Includes Mt Stowe, Beecher, Mt Martin State Forests and Calliope Conservation Park.	Regional	<ul style="list-style-type: none"> • Wildlife refugia (Criterion Ib): Part of a large continuous area of woodland and open forest and rainforest. • Disjunct populations (Criterion Ic): <i>Dansiea elliptica</i>, <i>...</i>

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3.2 Corridors (Criterion J)

3.2.1 Riparian

At previous panel meetings the need for riparian corridors was identified but was not implemented due to technical constraints. The current panel identified relevant major rivers or creeks for northern SEQ. Generally, the path of riparian corridors followed selected stream orders of a magnitude of 4 or greater, mapped at a scale of 1:100,000. Smaller tributaries and branches were adopted when nominated by Expert Panel or when a linkage to a corridor's desired end point (i.e. National Park) was required. All remnant vegetation in polygons that had 30% or more of their area within 0-200m from the watercourse bank, were assigned State significance. All remnant vegetation polygons that had 30% or more of their area within 0-1000m from the watercourse bank, were assigned Regional significance. The panel also recommended that riparian landscape corridors should generally be confined to remnant vegetation in landzones 1, 2 or 3.

The riparian corridors identified by the panel are listed in Table 2 and displayed in Figure 3.

3.2.2 Terrestrial

Using the functions and principles described in section 2.5 of this report, the panel reviewed the existing terrestrial landscape corridors for the SEQ north BPA produced at the first panel meeting. They also viewed a draft state wide terrestrial corridor network. An agreed level of significance for each was determined and some were modified because of the introduction of riparian corridors, because they duplicated an existing corridor, or because there was changes in the extent of remnant vegetation. Corridor links into adjacent bioregions and the southern SEQ bioregion were also considered. To improve consistency in application both with the SEQ bioregion and between bioregions, the implementation rules were also modified. A buffer with a width of 2.5km from the centre line of the corridor was applied to the majority of terrestrial corridors. Remnant vegetation polygons with greater than or equal to 30% of their area inside the buffer were selected as part of the corridor and assigned the appropriate level of significance (State or Regional). However corridors that linked the SEQ bioregion to the Brigalow Belt bioregion were assigned a width of 5km from the centre line (this is consistent with the 'edge corridors' identified in a previous panel meeting).

A single corridor network was developed for the whole of the SEQ bioregion by combining the corridors identified by the north and south landscape expert panels. The combined network was assigned decision number from both expert panels ie

- seqn_1_1 and seqs_1_22 for the terrestrial corridors
- seqn_1_13 and seqs_1_49 for the riparian corridors.

The corridors identified and reviewed by panels are outlined in Figure 3 and Table 3.

3.2.3 Coastal

The issue of coastal corridors was discussed by the panel. It was agreed that additional work is required on the values and selection principles of coastal corridors before they can be identified.

Figure 3 SEQ BPA Bioregional (Terrestrial/Riparian) Corridors

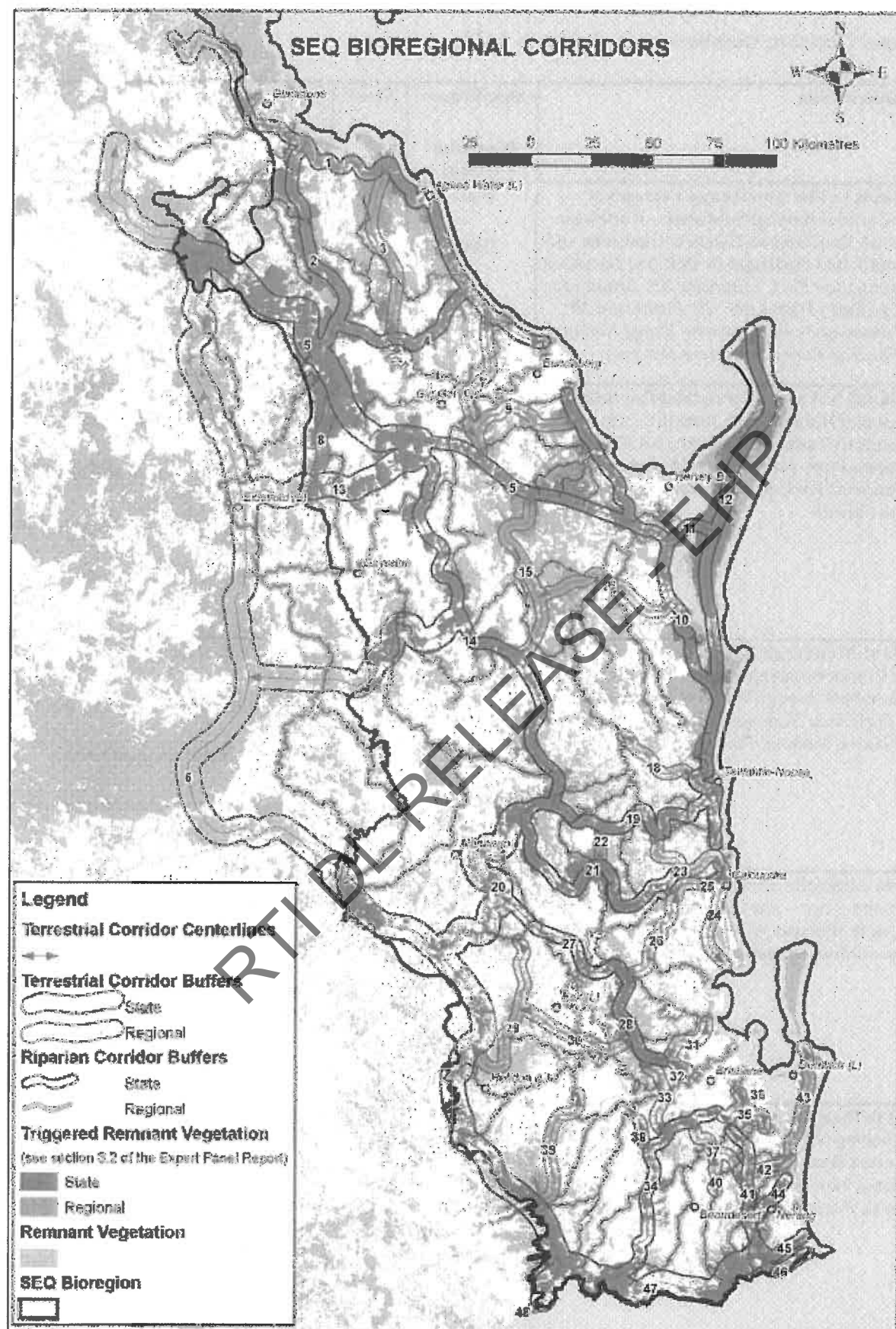


Table 3 Terrestrial Bioregional Corridors identified by the SEQ North and South Landscape Panels

Expert Panel Decision Numbers: seqn_1_1/seqs_1_22

Corridor Description	Significance (Corridor Width)	New #	Justification
Burnett Heads to Flat Top Range Terrestrial Corridor: Corridor running Southeast – Northwest along the coast from Burnett Heads to Gladstone and extending north into the Brigalow Belt (<i>via Barubbra Island Conservation Park, Littabella NP, Broadwater Conservation Park, Deepwater NP, Eurimbula NP, Calliope Conservation Park, Rundle Range National Park and Flat Top Range Resources Reserve</i>).	State (5km)	1	<ul style="list-style-type: none"> - intersects two SEQ State and two SEQ Regional landscape corridors; - links vegetation tracts along the coast; - incorporates climatic gradient; - links EPA Estates;
Tannum Sands to Yarrol Terrestrial Corridor: Corridor running North - South from the coast near Tannum Sands to Yarrol State Forest (<i>via Wild Cattle Island National Park, Castle Tower National Park, Bulburin National Park, Borilla State Forest and Yarrol State Forest</i>).	State (5km)	2	<ul style="list-style-type: none"> - links to three State significant corridors, two major coastal and inland North-South corridor - incorporates altitudinal and climatic gradient - captures major remnant tracts and maintains - provides coast to inland connectivity; - links EPA Estates;
Eurimbula to Monduran Lake Terrestrial Corridor: Corridor running north – south from the coast at Eurimbula through Warro NP to Monduran Lake (<i>via Eurimbula National Park (& Conservation Park) and Warro National Park</i>).	Regional (5km)	3	<ul style="list-style-type: none"> - links to two State significant corridors; - incorporates altitudinal and climatic gradient - intersects major remnant tracts; - provides coast to inland connectivity; - links EPA Estates;
Bulburin to Littabella Terrestrial Corridor: Corridor running east – west from the coast near Baffle Creek to Bulburin NP (<i>via Littabella National Park & Forest Reserve and Monduran State Forest 1</i>).	State (5km)	4	<ul style="list-style-type: none"> - links two State and one Regional terrestrial corridors; - incorporates altitudinal and climatic gradient - intersects major remnant tracts; - provides coast to inland connectivity; - links EPA Estates;
Kroombit to Maryborough Terrestrial Corridor: Corridor running southeast – northwest from the mainland coast West of Fraser Island to Kroombit Tops National Park (<i>via Wongi, Cordalba & Booyal State Forests, Bania Forest Reserve & Yarrol State Forest</i>).	State (10km changing to 5km East of the intersection point of corridor 13)	5	<ul style="list-style-type: none"> - intersects with four State and three regional terrestrial corridors; - incorporates major altitudinal and climatic gradient - connects major remnant tracts; - provides coast to inland connectivity; - links EPA Estates;

http://ecomaps/epaIMS/biodiversity_planning/doco/SEQ_North_Landscape_Panel_Report... 11/03/2010

Main Range National Park to Don River State Forest Terrestrial Corridor: (via Main Range National Park, Flagstone Creek Conservation Park, Crows Nest National Park, Mount Binga State Forest and Bunya Mountains National Park, Diamondy State Forest, Nudley State Forest, Allies Creek State Forest, Auburn State Forest, Coomanglah State Forest, and Kroombit Tops National Park).	State (10km)	6	- links five State and two Regional terrestrial corridors; - forms part of a major north/south corridor (South-eastern Australia) which extends from NSW, meanders back and forth between SEQ and the Brigalow Belt and into the Northern Territory Bioregion; - intersects with several riparian corridors; - links large remnant tracts; - incorporates climatic gradients; - links EPA Estates;
Kolan River to Cordalba State Forest Terrestrial Corridor: Corridor running north – south from just North of the Kolan River through to Cordalba State Forest (via Bullyard Conservation Park).	Regional (5km)	7	- links one State and one Regional terrestrial corridor; - intersects with the Kolan and Burnett River I Corridors; - links fragmented endangered and of concern vegetation in the Burnett catchment;
Bania to Nour Nour Terrestrial Corridor: Corridor running north – south from Bania FR to Nour Nour FR (via Bania Forest Reserve, Mungy State Forest and Nour Nour Forest Reserve).	Regional (5km)	8	- links two State significant terrestrial corridors; - intersects major remnant tracts; - links EPA Estates;
Burrum to Cordalba Terrestrial Corridor: Corridor running east – west from Burrum Coast NP to Cordalba SF (via Bingera National Park and Elliott River State Forest).	Regional (5km)	9	- links two State and one regionally significant corridor; - intersects major remnant tracts; - provides coast to inland connectivity; - links EPA Estates;
Maroochy River to Elliott Heads Terrestrial Corridor: Extends north along the coast from the Maroochy River mouth to Elliot Heads (via Maroochy River Conservation Park, Mount Coolum National Park, Noosa National Park, the Great Sandy National Park, Tuan State Forest, Poona National Park, Vernon State Forest and the Burrum Coast National Park).	State (5km)	10	- intersects with four and three regionally significant terrestrial corridors; - links vegetation tracts along the coast; - incorporates climatic gradient; - intersect several riparian landscape corridors - links EPA Estates;
Fraser Island to Maryborough Terrestrial Corridor: Extends Southwest from central Fraser Island, across Hervey Bay, to the mainland coastal zone (via the Great Sandy National Park and Great Sandy Conservation Park).	State (5km)	11	- links two State significant terrestrial corridors; - Indicates an important island to mainland connectivity for fauna;
Fraser Island to Rainbow Beach Terrestrial Corridor: Corridor running north - south from the northern end of Fraser Island to Rainbow Beach (via the Great Sandy National Park).	State (5km)	12	- links two State significant terrestrial corridors; - incorporates geological and coastal gradients - Indicates an important island to mainland connectivity for fauna;
Barker Gully to Eidsvold Terrestrial Corridor: Extends east to west from Barker Gully (approx	State	13	- links three State significant corridors and one terrestrial corridor;

10km North-North-West of Goodnight Scrub NP) to Eidsvold in the Brigalow Belt (via Grosvenor Timber Reserve, Mungy State Forest, Nour Nour Forest Reserve and Dalgangal State Forest).	(10km)		<ul style="list-style-type: none"> - incorporates altitudinal and climatic gradient - connects major remnant tracts; - links EPA Estates;
Chin Chin to Yabba State Forest Terrestrial Corridor: North – south Corridor from Chin Chin South to Yabba SF (via Good Night Scrub National Park, Mount Walsh National Park, Grongah Forest Reserve, Marodian Forest Reserve, Oakview State Forest, Wrattens Forest Reserve and Kandanga Forest Reserve).	State (5km)	14	<ul style="list-style-type: none"> - links three east – west State significant terres and one Regional terrestrial corridor; - incorporates altitudinal and climatic gradient - connects major remnant tracts; - links EPA Estates;
Wongi State Forest to Marodian Forest Reserve Terrestrial Corridor: North South Corridor (via Wongi Forest Reserve, Glenbar State Forest 1 and Glenbar National Park).	Regional (5km)	15	<ul style="list-style-type: none"> - links two State and one Regional terrestrial c - connects major remnant tracts; -links EPA Estates;
Tuan State Forest to Glenbar Terrestrial Corridor: Corridor running east – west (via St Mary State Forest 1 and Glenbar State Forest 1).	Regional (5km)	16	<ul style="list-style-type: none"> - links one State and one Regional terrestrial c - connects major remnant tracts; - provides coast to inland connectivity. - incorporates altitudinal gradient; - links EPA Estates;
Coast Range to Allies Creek SF Terrestrial Corridor: Corridor running east- west from Boompa Forest Reserve 3 to Allies Creek State Forest in the Brigalow Belt (via Ban Ban National Park, Beninbi National Park, Woroon State Forest 2 and Wigton State Forest).	State (10km)	17	<ul style="list-style-type: none"> - links two north – south State significant corr - incorporates altitudinal and climatic gradient - connects major remnant tracts; - links EPA Estates;
Tewantin to Mary River Terrestrial Corridor: Corridor running southeast – northwest from the Tewantin Forest Reserve to the Mary River Riparian Landscape Corridor (via Yurol State Forest, Woondum Forest Reserve 1 and Woondum State Forest).	Regional (5km)	18	<ul style="list-style-type: none"> - connects a major seaside State terrestrial con Mary River riparian corridor; - connects remnant tracts; - provides coast to inland connectivity; - intersects with Riparian corridors; - links EPA Estates;
Elgin Vale State Forest to Peregian Terrestrial Corridor: Corridor extending inland the Coast at Peregian through to Elgin Vale State Forest (via Mapleton Forest Reserve, Imbil State Forest and Yabba State Forest).	State (5km)	19	<ul style="list-style-type: none"> - links four State and two Regional terrestrial c - intersects with riparian corridor; - incorporates altitudinal and climatic gradient - connects remnant tracts; - provides coast to inland connectivity; - links EPA Estates;

Elgin Vale State Forest to Black Butt Range Terrestrial Corridor: (via Mount Stanley State Forest, 1, East Nanango State Forest, Benarkin State Forest, Googa State Forest and Mt Binga State Forest).	State (10km)	20	<ul style="list-style-type: none"> - links to four State terrestrial corridors; - intersects with riparian corridors; - connects remnant tracts; - links EPA Estates;
Mooloolah to Elgin Vale State Forest Terrestrial Corridor: (via Maleny Forest Reserve 1, Bellthorpe Forest Reserve 1 & 2, Conondale National & Forest Reserves 1& 2, Squirrel Creek State Forest Park and Diaper State Forest).	State (5km)	21	<ul style="list-style-type: none"> - links two State and three Regional terrestrial corridors; - intersects with riparian corridors; - incorporates altitudinal and climatic gradient; - connects remnant tracts; - provides coast to inland connectivity; - links EPA Estates;
Imbil State Forest to Conondale National Park Terrestrial Corridor: (via Kenilworth Forest Reserve).	Regional (5km)	22	<ul style="list-style-type: none"> - links two State corridors; - connects remnant tracts; - links EPA Estates;
Mapleton Forest Reserve to Mooloolah River National Park Terrestrial Corridor: (via Mapleton Falls National Park, Maleny Forest Reserve 3 and Kondalilla National Park). Intersects with corridor 19 at the Mooloolah/Eudlo district.	Regional (5km)	23	<ul style="list-style-type: none"> - links two State and two Regional terrestrial corridors; - connects patches of remnant vegetation in a landscape; - links EPA Estates;
Mooloolah River NP/Caloundra, South to Sandstone Point Terrestrial Corridor: (connects to Bribie Island National Park and Beerburum (East) and Beerwah State Forests).	Regional (5km)	24	<ul style="list-style-type: none"> - links to two Regional terrestrial corridors; - provide coastal habitat/wetlands connectivity; - intersects with Mooloolah River riparian corridors; - connects patches of remnant vegetation in a landscape; - links EPA Estates;
Maleny to Kawana Terrestrial Corridor: Crohamhurst State Forest/Maleny Forest Reserve 1 through to Mooloolah River National Park (via Crohamhurst Conservation Park, Mooloolah Forest Reserve, Dularcha National Park and Beerwah State Forest).	Regional (5km)	25	<ul style="list-style-type: none"> - links one State and two Regional terrestrial corridors; - incorporates altitudinal and climatic gradient; - intersects with Mooloolah River riparian corridors; - connects patches of remnant vegetation in a landscape; - links EPA Estates;
Peachester to D'Aguilar Terrestrial Corridor: Extends from Mount Mee FR (D'Aguilar Range) northeast to Peachester (via Delaneys Creek State Forest, Beerburum West State Forest, Glass House Mountains National Park and Luttons State Forest).	Regional (5km)	26	<ul style="list-style-type: none"> - links one State and one Regional terrestrial corridor; - intersects with the headwaters of three riparian corridors; - connects remnant tracts; - links EPA Estates;

Blackbut to D'Aguilar Terrestrial Corridor: Extends from Benarkin State Forest to Mt Byron (via Deer Reserve State Forest, Deer Reserve National Park and Mount Mee Forest Reserve).	State (5km)	27	<ul style="list-style-type: none"> - links two State and one Regional terrestrial corridors; - intersects with riparian corridors; - incorporates altitudinal and climatic gradient - connects fragmented lowland remnant; veget remnants at higher elevations; - links EPA Estates;
D'Aguilar Range Terrestrial Corridor – Follows the approximate ridge line of the D'Aguilar Range (via Enoggera Forest Reserve, Mount Glorious Forest Reserve, D'Aguilar Forest Reserve and Mount Mee Forest Reserve).	State (5km)	28	<ul style="list-style-type: none"> - links one State and five Regional terrestrial corridors; - the corridor contains continuous large tracts associated with the D'Aguilar Range; - provides a significant central linkage for a number of corridors extending north, east south, and west; - links EPA Estates;
Emu Creek to Mount Lawson Terrestrial Corridor: - Extends South from Emu Creek to White Mountain Forest Reserve and then Mount Lawson (via Deongwar State Forest, Ravensbourne National Park, Lockyer Forest Reserve and White Mountain Forest Reserve).	Regional (5km)	29	<ul style="list-style-type: none"> - links one State and one Regional terrestrial corridors; - intersects with riparian corridors; - intersects and maintains the connectivity of 1 tracts in its southern extent and fragmented patchy remnant vegetation in its northern extent; - significant fauna values, particularly in the south; - incorporates altitudinal gradients; - links EPA Estates;
Deongwar to D'Aguilar Terrestrial Corridor: Extends from Deongwar State Forest through the Esk State Forest and East to the D'Aguilar Range National Park and Mount Glorious Forest Reserve (D'Aguilar Range).	Regional (5km)	30	<ul style="list-style-type: none"> - links one State and one Regional terrestrial corridors; - intersects with the Brisbane River riparian corridors; - incorporates altitudinal gradients; - connects fragmented lowland remnant veget remnants at higher elevations; - links EPA Estates;
Pine River to D'Aguilar Terrestrial Corridor: Extends Northeast from Enoggera Forest Reserve to near the mouth of the Pine River (via Samford and Bunyaville Forest Reserves).	Regional (5km)	31	<ul style="list-style-type: none"> - links one State and one Regional terrestrial corridors; - intersects with the mouth of the North Pine River riparian corridors; - incorporates altitudinal gradients; - provides coastal connectivity in a highly fragmented landscape; - connects fragmented lowland remnant veget remnants at higher elevations; - an identified regionally important corridor for fauna (altitudinal migration - reference: <i>Queensland report to Brisbane City Council Feb 2000</i>);

D'Aguilar Range Terrestrial Corridor: Extends from the Enoggera Forest Reserve through to Mount Coot-tha.	Regional (5km)	32	<ul style="list-style-type: none"> - links EPA Estates; - links the Southern extent of the D'Aguilar range terrestrial corridor through to the foothills of Mt Coot-tha; - intersects continuous remnant tracts;
Spring Mountain to D'Aguilar Terrestrial Corridor: Extends from Spring Mountain (slightly Southeast of White Rock Conservation Park) through to the D'Aguilar Range (via Moggill Forest Reserve and Mount Glorious Forest Reserve).	Regional (5km)	33	<ul style="list-style-type: none"> - links two State terrestrial corridors; - intersects with Brisbane River riparian corridor; - incorporates altitudinal gradients; - connects fragmented lowland remnant vegetation remnants at higher elevations; - links EPA Estates;
Mt Barney to Karawatha Terrestrial Corridor: Extends from Mount Barney National Park to Flinders Peak to Karawatha (via Knapp Creek, Flinders Peak and Mount Perry Conservation Parks). (note: Amalgamation of the previous two corridors 18 and part of 20 identified in the BPA v3.4.)	State (5km)	34	<ul style="list-style-type: none"> - links a major east-west State terrestrial corridor south, 47, to four Regional terrestrial corridors; - intersects with riparian corridors; - incorporates altitudinal and climatic gradient; - connects large fragmented patches of lowland vegetation to remnant at higher elevations at the end point of the corridor; - links EPA Estates;
Karawatha to Carbrook Terrestrial Corridor: Extends from the Eastern extent of Karawatha to just West of the Mouth of the Logan River at Carbrook (via Daisy Hill Conservation Park, Venman Bushland National Park and Carbrook Wetlands Conservation Parks 1 & 2).	Regional (5km)	35	<ul style="list-style-type: none"> - links one State and one Regional terrestrial corridor; - connects large fragmented patches of remnant vegetation providing habitat for EVR taxa; - provides a coastal connection; - links EPA estates;
Tingalpa Reservoir to Venman Bushland National Park Terrestrial Corridor: Corridor running north-south.	Regional (5km)	36	<ul style="list-style-type: none"> - links the Regional terrestrial corridor, 35, to Creek riparian corridors; - connects remnant vegetation from Venmans Harrison Dam/ Tingalpa Reservoir; - forms part of a larger coastal lowland linkage; - Connects large fragmented patches of koala habitat;
Greenbank to Tamborine Terrestrial Corridor: The corridor starts just east of the Mount Tamborine National Park, extends through to the Logan River and heads north through the Greenbank Military Training Area where it intersects with a corridor State terrestrial corridor (via Tamborine National Park, Wickham Forest Reserve and Plunkett Conservation Park).	Regional (5km)	37	<ul style="list-style-type: none"> - links two State and intersects one Regional terrestrial corridor; - intersects with Logan and Albert Riparian corridors; - connects fragmented lowland remnant vegetation remnants; - links EPA Estates;
Mount Perry to Yamanto Terrestrial Corridor: Extends from Mount Perry to the intersection of Warrill Ck and the Bremer River, Yamanto.	Regional (5km)	38	<ul style="list-style-type: none"> - links the State terrestrial corridor, 34, to the Logan River riparian corridor;

			<ul style="list-style-type: none"> - connects fragmented lowland remnant vegetation tracts at the corridor's eastern extent;
Little Liverpool Range Terrestrial Corridor: Extends from Main Range National Park through Mount Beau Brummell Conservation Park and North to the Hatton Vale area.	Regional (5km)	39	<ul style="list-style-type: none"> - links the State terrestrial corridor, 6, to the riparian corridor, Woolshed Creek; - intersects with three other riparian corridors; - connects large fragmented patches of lowland vegetation to remnant at higher elevations at the Southern extent; - incorporates altitudinal gradients; Links EPA Estates;
Logan Village to Birnham Terrestrial Corridor: Extends south from Logan Village / northern Jimboomba through Mundoolan to Birnham.	Regional (5km)	40	<ul style="list-style-type: none"> - connects remnant vegetation in a highly fragmented landscape;
Note: Consistent with MLNB Study.			
Beenleigh to Springbrook Terrestrial Corridor: extends south from Beenleigh to Springbrook National Park (via Tamborine National Park and Forest Reserve and Numinbah Forest Reserve). (nt. Northern limit is Logan River. Captures climatic gradient, outlier of basalt system).	State (5km)	41	<ul style="list-style-type: none"> - links/intersects four State and two Regional corridors; - intersects with riparian corridors; - incorporates climatic gradients; - captures outlier of basalt system; - captures and maintains a relatively high level of continuity throughout most of the corridor; - links EPA Estates;
Moreton Bay to Tamborine National Park Terrestrial Corridor: The corridor extends inland from the Southern Moreton Bay Islands National Park and runs parallel to McCoys Creek to Tamborine National Park (West of Mount Wongawallen). It includes the Coomera Area which contains significant koala habitat. Since development is proceeding, revegetation and purchase of nearby areas for koalas (Pimpama?) may be considered. Therefore the corridor centre line may need to be moved in the future to accommodate new planning for the area.	Regional and Rehabilitation (5km)	42	<ul style="list-style-type: none"> - links the State terrestrial corridor, 41, to the riparian terrestrial corridor, 43; - provides a coastal connection; - intersects with the Pimpama and Coomera R. corridors; - incorporates altitudinal gradients; - contains and links significant Koala habitat; - captures and maintains a relatively high level of continuity throughout most of the corridor; - links EPA Estates;
Stradbroke Island Terrestrial Corridor: Extends from the Northern tip of Stradbroke Island to the Southern Moreton Bay Islands National Park.	State (5km)	43	<ul style="list-style-type: none"> - links the Regional terrestrial corridor, 42, to the northern tip of Stradbroke Island; - intersects with the Pimpama and Coomera riparian corridors; - maintains an important Island to Mainland connection for shorebirds;

			<ul style="list-style-type: none"> -the corridor captures and maintains continuous of habitat associated with Stradbroke Island; - links EPA Estates;
Moreton Bay to Lower Beechmont Terrestrial Corridor: Extends from just North of Lower Beechmont through to the Southern Moreton Bay Islands National Park (via Clagiraba and Nerang Forest Reserves and Coombabah Lake Conservation Park).	State (5km)	44	<ul style="list-style-type: none"> - links State terrestrial corridor, 41, to the Coorparoo riparian corridor; - provides a coastal connection; - incorporates altitudinal gradients; - connects fragmented lowland coastal remnant to remnants at higher elevations; - links EPA Estates;
Burleigh Heads/Springbrook NP Terrestrial Corridor: East - west corridor extending from Burleigh Heads NP through to Springbrook NP.	State (5km)	45	<ul style="list-style-type: none"> - part of a major east/west corridor along the Nerang which provides coast to inland connectivity; - links heavily fragmented coastal remnant to continuous inland remnant vegetation; - incorporates climatic gradients; - links EPA Estates;
Tugun/Springbrook NP Terrestrial Corridor. East - west corridor extending from Tugun through to Springbrook NP.	State (5km)	46	<ul style="list-style-type: none"> - part of a major east/west corridor along the Nerang which provides coast to inland connectivity; - links heavily fragmented coastal remnant to continuous inland remnant vegetation; - incorporates climatic gradients; - links EPA Estates;
Springbrook NP to the Great Dividing Range Terrestrial Corridor: Extends from just East of Killarney through to Springbrook NP (via Main Range National Park, Mount Barney National Park, Mount Chinghee National Park, Lamington National Park and Springbrook National Park).	State (10km)	47	<ul style="list-style-type: none"> - part of a major east/west corridor along the Nerang which provides coast to inland connectivity; - links five State and one Regional terrestrial corridors; - intersects with several riparian corridors; - incorporates climatic gradients; - captures and maintains a relatively high level of continuity throughout most of the corridor; - links EPA Estates;
Main Range to South Killarney Terrestrial Corridor: Extends from Main range National Park through to South Killarney in the Brigalow belt.	Regional & Rehabilitation (5km)	48	<ul style="list-style-type: none"> - a potential revegetation area to link into the South Coast Bioregion; - captures and maintains fragmented remnant vegetation; - links EPA Estates;

3.3 Other Panel Recommendations and Outputs

Table 4 Other Panel Recommendations and Outputs

Note No.	Notes and Recommendations
1.	At the first meeting of the landscape panel the conservation importance of inland wetlands was highlighted. It was recommended that digital information extracted from 1:100 000 topographic maps form the basis for a more comprehensive data layer indicating natural freshwater wetlands of State (> 5 ha) and Regional (< 5 ha) Significance (see Table 2). However it was accepted that this approach would not provide results of sufficient accuracy. At the second meeting the panel was informed that the EPA was close to completing mapping and classification of wetlands, and had developed an alternative method of assessing the conservation value of wetland (AquaBAMM). Whilst the panel identified particular wetlands of high conservation value (Table 2), they agreed to wait for the results of a broader analysis for all wetlands.
2.	Criteria K, threatening processes (condition) has not currently been implemented due to limitations imposed by data availability, however, should be included into future SEQ BPA versions, as such data becomes available.

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WATERS OF THE MARY RIVER CATCHMENT

This plan forms part of the Waters of the Mary River Catchment subcatchment framework, prepared pursuant to the Environmental Protection (Water) Policy 1997.



Legend

Water Types

Marine/Estuarine Waters

- open coastal
- enclosed coastal waters, lower estuary
- middle estuary
- upper estuary

Lowland Freshwater (<150m)

- in-land streams
- well-defined stream channels

Uplands Freshwater (>150m)

- upland streams

Levels of Aquatic Ecosystem Protection

- High Ecological Value marine/estuarine waters
- High Ecological Value freshwater

Other

- Local Government boundary
- Wetlands, lakes and reservoirs
- Subcatchments
- Camp or weir

Notes

1. Certain features and associated navigation channels, wharves and quays within the Mary River catchment and its tributaries are shown as part of a detailed map of the Mary River catchment and its tributaries, which are available from the Queensland Department of Environment and Heritage. The map is available on the Department's website at <http://www.doh.qld.gov.au>.
2. The boundaries of the subcatchments shown on this map are based on the 1:50,000 scale map of the Mary River catchment and its tributaries, which is available from the Queensland Department of Environment and Heritage. The map is available on the Department's website at <http://www.doh.qld.gov.au>.
3. The boundaries of the subcatchments shown on this map are based on the 1:50,000 scale map of the Mary River catchment and its tributaries, which is available from the Queensland Department of Environment and Heritage. The map is available on the Department's website at <http://www.doh.qld.gov.au>.

The State of Queensland
Environmental Protection Agency 2001

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This map is a representation of the current state of knowledge. It is not a guarantee of accuracy. The Queensland Government does not accept any liability for any loss or damage, whether direct or indirect, arising from the use of this map. The Queensland Government does not accept any liability for any loss or damage, whether direct or indirect, arising from the use of this map.

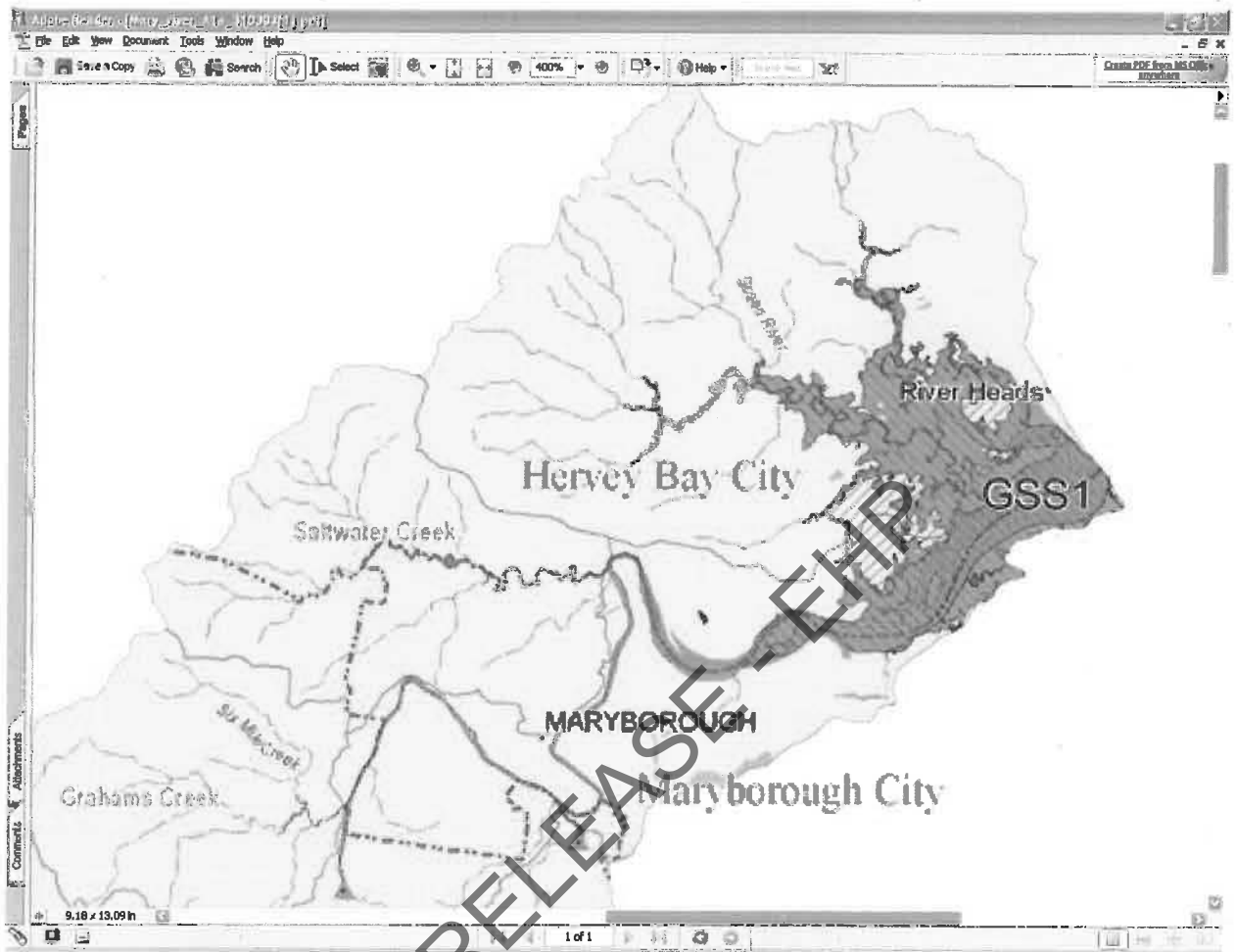
PLAN WQ1381

plan WQ1381

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

BASIN LOCATION







Karle

From: Louise Karle
Sent: Thursday, 11 March 2010 4:08 PM
To: Cathy Birt
Cc: Lindsay Delzoppo; Tim Brain
Subject: FW: Colton supporting information
Attachments: CACReport 10 March 2010.doc; Colton Coal Project CAC meeting background information map attachments.doc; cl_mi_EIS_trigger_criteria.doc

(map attached = one I have prepared for first CAC referral)

Hi Cathy

Please find attached a CAC recommendation report for the EIS decision on the proposed Colton coal mine near Maryborough –for consideration at tomorrow's CAC meeting if possible.

Regards
 Louise.

Louise Karle
 Principal Environmental Officer (Wide Bay/ Burnett)
 Environmental Services North
 South East Region
 Department of Environment and Resource Management

Telephone: 07 4121 1935 **Facsimile:** 07 4121 1650
Email: Louise.Karle@derm.qld.gov.au
www.derm.qld.gov.au

Cnr Lennox and Alice Streets, Maryborough, Q 4650
 PO Box 101, Maryborough Q 4650

From: Cathy Birt
Sent: Tuesday, 9 March 2010 5:30 PM
To: Tim Brain
Cc: Daniel Cohen
Subject: FW: Colton supporting information
Importance: High

Good afternoon,

Please note Jon's comments below. Please forward your recommendation by 2.00PM Thursday to ensure it can be addressed at CAC on Friday.

Regards

Cathy.

Cathy Birt
 Acting Manager, Permit and Licence Management
 Implementation & Support Unit, Regional Service Delivery
Telephone 07 3137 4241 **Facsimile** 07 3896 3342
Email: cathy.birt@derm.qld.gov.au
www.derm.qld.gov.au

11/03/2010

Department of Environment and Resource Management
 4/41 George St, Brisbane Q 4001
 PO Box 15155, City East Q 4002

From: Jon Womersley
Sent: Tuesday, 9 March 2010 2:35 PM
To: Cathy Birt
Cc: Ian Wilson; Stuart Cameron; Lindsay Delzoppo; Maureen Rose
Subject: FW: Colton supporting information

Cathy

This needs to come back to CAC on Friday with a reassessment and recommendation from the region in the light of the IAS.

Thanks

Jon Womersley
 Director Regulatory Support & Practice
 Environment and Natural Resource Regulation
Email: jon.womersley@derm.qld.gov.au
Telephone: 07 3330 5749 **Facsimile:** 07 3330 5754
NEW Mobile: 07 3330 5749
<http://www.derm.qld.gov.au/www.derm.qld.gov.au>
 Department of Environment and Resource Management
 Floor 8, 400 George Street, Brisbane, Q 4000
 GPO Box 2454, Brisbane Q 4001

From: Stuart Cameron
Sent: Tuesday, 9 March 2010 8:57 AM
To: Jon Womersley; Lindsay Delzoppo
Cc: Cathy Birt
Subject: FW: Colton supporting information

Jon/Lindsay,
 Looks like Ian and I received a copy direct. I think it is somewhere on my desk, but haven't read it yet.

Regards

Stuart Cameron
 Director EIS Assessment
 Environment and Natural Resource Regulation
 Department of Environment and Resource Management
 Level 7 400 George Street
 ph 3330 5630
 mob 07 3330 5749

From: s.73
Sent: Monday, 1 March 2010 10:12 AM
To: Stuart Cameron; Ian Wilson
Subject: Colton supporting information

Hi Stuart and Ian,

Please see the attached Initial Advise Statement prepared for the Colton Project as supporting information for the EA application. The Project is nearing submission of its EM Plan and both AARC and the proponent strongly believe that the Project still does not constitute an EIS.

11/03/2010

s.73

RTI DL RELEASE - EHP

Coordinated Assessment Committee Report

This report is prepared by an assessment officer for consideration by the Coordinated Assessment Committee (CAC). Upon determining the next appropriate course of action, the Chair of the Committee completes the 'CAC Recommendation' section of the report and returns it to the assessment officer for action.

Date prepared: 11 March 2010

Project details

Permit No.: MIN101122010
Project No: 248999
EPA Administering District: Wide Bay/Burnett, Environmental Services North, SE Region
EPA Region: South-East
Project Name: Colton Coal Mine
Project type (may be more than one): Level 1 non-code compliant mining project
Applicant(s): Colton Coal Pty Ltd (a wholly owned subsidiary of Northern Energy Corporation Limited).
Project location: Proposed mining leases ML50273 and 50274; 2.5km north of Aldershot near Maryborough.
Project Description: Open cut coal mine with coal washing plant mining an estimated 850,000t per annum of coal to produce on average 500,000t per annum of export quality coking coal. Expected project production life is 8 – 10 years.
Permit Application type(s): Level 1 non-code compliant mining EA
Application date: 03/02/2010
Decision required: Decision on EIS requirement
Decision Due: 21/04/2010
Recommended Decision: EIS required.
Recommended Project Director: Stuart Cameron, Manager, Environmental Services Assessment Branch.
Assessing Officer: Daniel Cohen

Additional processes required: (attach details where necessary)

- ☐ None
- ☐ Other applications received by EPA for project
- ☐ Referral Coordination under Integrated Planning Act 1997
- ☐ An EIS process under any Queensland Act
- ☐ A process under the State Development and Public Works Organisation Act 1971;
- ☐ Major works under the Marine Parks Act 1982;

- ? Commonwealth processes under the Environmental Protection and Biodiversity Conservation Act 1999.
☐ Other <details>

Special circumstances: (attach details where necessary)

- ☐ None
☒ Affects a sensitive area
☐ Involves a large number of individual decisions;
☐ Is likely to generate significant community concern;
☐ Needs policy change for approval;
☐ Applicant suitability;
☐ Involves a make or break issue;
☐ Involves significant issues with another State/Commonwealth Agency; and
☐ Another special circumstance which significantly elevates environmental, social or economic risks beyond those usual for this type of project.
☐ Other <details>

There has been significant community interest in the proposal. The Wide Bay Burnett Conservation Council has recommended to the minister that the application be refused. Interest in this project has been expressed since a Community Cabinet held in Bundaberg in August 2009.

Whilst the proposed mining tenements do not include any mapped Category A, B or C environmentally sensitive areas, they are wholly within a mapped terrestrial biodiversity corridor. The vegetation within the proposed tenements is referable wetlands, is listed as non-core habitat for threatened frog species *Crinia tinnula* and *Litoria freycineti*, and the long-nosed potoroo (*Potorous tridactylis*); and core habitat for the koala (*Phascolarctos cinereus*).

Indicate the level of impact or significance for each of the following EPA/QPWS interests: [if impact is indicated, notes must be included to describe how]

Biodiversity

Unknown Rare and threatened species and ecosystems
 High Vegetation clearing
 N/A Marine systems
 N/A Sustainable use of wildlife
 N/A Riparian buffer zones

Notes:

The mine proposal involves clearing remnant vegetation within an area that is a declared bioregional terrestrial corridor under the SEQ Biodiversity Planning Assessment. The area where the mine is to be located is covered by two separate terrestrial corridors of state significance; the Kroombit to Maryborough corridor, and the Maroochy River to Elliot Heads corridor; both of which link EPA estates and intersect other regionally significant terrestrial corridors.

National and international

N/A World heritage
 N/A RAMSAR listed wetlands
 N/A Migratory species
 N/A National estate
 N/A Commonwealth marine areas
 N/A Radioactive materials

Notes:



Resource allocation

Low Mining
N/A Dredging
N/A Occupancy of marine lands (marinas etc)
N/A Commercial opportunities on national parks and marine parks
N/A Allocation of public resources (e.g. physical and natural resources environmental capacity),
N/A National competition policy

Notes:

An application has been made to DEEDI for a mining lease for the project.

Tenure Issues

N/A Protected areas
Medium Native title interests
N/A Offshore jurisdiction
N/A Commonwealth jurisdiction
N/A Inter-State jurisdiction

Notes:

There is a native title claim over the area by the Butchulla people.

RTI DL RELEASE - EHP

Coordinated Assessment Committee Report

Water Issues

High Quality
High Discharges
High Stream flows (effects in ecology)
N/A Waterways management
Unknown Hydrology
High Impacts on freshwater and marine systems
High Ground water

Notes:

There are several potential impacts of the proposed mining operation on waters. The mine will require dewatering of the pit, which could potentially have relatively widespread impacts on the regional groundwater system. This groundwater, as well as stormwater that requires removal from the site, will be released to either the surrounding drainage courses which feed the Susan River, part of which is scheduled under the *Environmental Protection (Water) Policy 2009* as High Environmental Value (HEV) waters, and which discharges into a section of the Mary River that has also been declared as HEV waters. Alternatively, discharges will be pumped to a nearby waterway (Saltwater Creek) that a short distance downstream also flows through the section of the Mary River that has been declared as HEV. No assessment has been provided of the impact of these discharges on environmental values. Discharges into Susan River or Saltwater Creek have the potential to impact the environmental values of the creek, and potentially the Mary River. The exact quantity and quality of groundwater to be dewatered is not known, though the IAS states that modelling showed that at least 300ML of water would be generated (stormwater and pit dewatering combined) initially, and over time approximately 1000ML of water could be produced per annum. The proponent indicates that the operation of the mine would use up to 270ML of water per year; leaving a surplus of up to 730ML per year for disposal. Concern has also been raised by members of the local community about impacts on surrounding wetlands (see attached figure of EPA referable wetlands) from dewatering, and impacts on a water supply dam providing water to Hervey Bay.

Air Issues

N/A Air shed management
N/A Pollution
N/A Health
Unknown Nuisance
N/A Ecological impacts

Notes:

There is potential for the generation of dust emissions from the mining (open cut mine) and coal handling operations. The nearest house is around 1.4km from the nearest edge of the lease boundary, and the nearest township (Aldershot) is around 2.2km from the nearest edge of the lease boundary.

Section 51(1) of the revised EP Regulation now required consideration of greenhouse gas emissions, for which again no information has been provided.



Noise Issues

N/A Community noise
N/A Transportation noise
Unknown Industrial noise
Unknown Ground vibration
Unknown Airblast overpressure

Notes:

The IAS states that it is not anticipated that blasting of overburden will be required, but that blasting of interburden may be required as mining progresses. The nearest house is approximately 1.4km from the nearest edge of the lease boundary, and the nearest town (Aldershot) is approximately 2.2km from the lease boundary. It is anticipated that blasting noise and vibration could have potential impacts for the surrounding residents over these distances. A noise assessment has not been provided to describe the existing noise environment or potential noise impacts from the proposed mining activities.

Waste Issues

Medium Solid waste
Unknown Liquid waste
N/A Gaseous waste
N/A Dredge spoil disposal
N/A Energy
N/A Best practice environmental management

Notes:

The information provided in the IAS indicates that proposed mining will generate an initial overburden stockpile and that subsequent overburden will be disposed of in pit. Rejects (coarse and fine) from the CHPP will be dewatered and disposed of in spoil.

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Land Issues

Low Contaminated land
Medium Acid sulphate soils
Low Erosion/stability
N/A Landscapes
Unknown Effects on hydrology
N/A Sustainable use
High Clearing
N/A Land use history
N/A Compliance with planning schemes
Medium Rehabilitation and subsequent use

Notes:

There is potential for the project to have impacts related to the disturbance of acid sulfate soils. Peter Wilson (Principal Scientist) from the xNRW's Natural Resources Sciences has indicated that mining in the given location may have potential for disturbance of acid sulfate soil either through overburden removal and/or dewatering of the ground water table where potential acid sulfate soils are located. The IAS indicates that a "small portion" of reject material has been identified as potentially acid forming. No further quantification of this has been provided.

Dewatering the open cut pit may have impacts on the local groundwater regime, and groundwater dependant ecosystems that are known to exist in the area (wetlands) may be impacted by this. No information has been provided in relation to the potential impacts of dewatering; from groundwater drawdown or disposal of surplus water.

The IAS indicates that approximately 350 hectares of mining disturbance, and 70 ha of disturbance associated with infrastructure, roads, etc is expected over the life of the project (i.e. 8 – 10 years). This will involve a significant amount of vegetation clearing. The entire project site is mapped as referable wetlands and is located within a terrestrial biodiversity corridor identified by SEQ Biodiversity Planning Assessments.

Heritage Issues

Medium Aboriginal and Torres Strait Islander cultural sites

N/A Historic buildings and locations

N/A Designated landscape Area

Notes:

The IAS indicates that the project land is within the Butchulla Land and Sea native Title claim, and acknowledges that an ILUA or RTN process will need to be developed /followed prior to grant of a mining lease in the area. The information states that a CHMP will be developed.

Coastal Issues

N/A Erosion

N/A Structures

N/A Reclamation

N/A Strategic planning

Notes:

Impacts on surrounds Issues

Low Transportation
Unknown visual impacts
Unknown compatibility with surrounding uses
and activities
Unknown neighbours opinions

Notes:

The proponent intends to transport product coal from the site via rail to Gladstone for export.
No information in relation to visual impacts has been provided.
The local area is currently undeveloped and there are concerns in the local community in relation to impacts the mining operation will have on environmental values of the area.

Social issues

N/A Amenity
N/A displacement of use
High community views
N/A public safety
N/A politics/policy

Notes:

It is likely that the application will generate significant public interest. The proposal has been subject to local media coverage including several front page headline articles in the Fraser Coast Chronicle.
The proposal has also been subject to enquiries to the Minister from representatives of the Wide Bay Burnett Conservation Council, including questions as to why mining should be allowed within an area that has been declared as a bioregional terrestrial corridor under the SEQ Biodiversity Planning Assessment.

Pre-lodgement Advice: [Indicate who gave advice and when]

An initial pre-design conference was held on 27 June 2008 with s.73 of Northern Energy Corporation Limited, Colton Coal's parent company) and s.73 of AARC consultants present for the proponents. Bill Dixon (then Manager of Integrated Assessment), Tim Brain (then Regional Manager Wide Bay Region), and Daniel Cohen (Environmental Officer Wide Bay Region) represented the Department. Advice was given on the approvals process, and also that the proposal as outlined would not likely trigger the requirement for an EIS. At the time of the initial pre-design conference, the existence of the SEQ Biodiversity Planning Assessment bioregional terrestrial corridor was not discussed.

The project was placed on hold by the applicant due to the downturn in the coal market, but has since been renewed since the review of additional Mines and Energy exploration data that has led to increased inferred resource estimates for the proposed mine. This has led to an increase in the annual production estimate as well as an increase in the area of the mining lease that has been applied for. Some of the information that was presented by the client, and subsequently the initial advice that was given by the Department to the client (ie the advice that an EIS would most like not be required) is now out of date and no longer accurate since this initial pre-design conference occurred.

The Department has been conducting ongoing consultations with Northern Energy Corporation in relation to the proposal, including meetings with s.73 with Northern Energy Corporation Limited in August 2008 and August 2009. These meetings were to provide the Department with a brief update on the project proposal as the company continued to conduct their feasibility studies into the project.

The client has also forwarded a draft water management strategy that was prepared by Streamline Hydro Consultants to the Department for review. This was basically a summary of groundwater quality that was measured in the lease area by the applicant and an estimate of the quantity of water that may need to be discharged from the mine site, and a broad strategy overview of Northern Energy Corporation's plan to release the water into Saltwater Creek (as outlined in the water issues section of this report). This report (and an enhanced data set of groundwater quality data the report was based on that was subsequently requested by the Department) has been reviewed under a work request by Dr Ian Ramsay (Chief Scientist, DERM Water Quality & Aquatic Ecosystem Health) in January this year. Ian's advice was that the client would be best to reconsider the proposal to discharge the minewater into Saltwater Creek, as there were technical and environmental impediments to the proposal as presented in the report.



Coordinated Assessment Committee Report

Other issues

The applicant has not yet supplied an Environmental Management Plan (EM Plan) detailing all of the potential environmental impacts of the proposed mining activity.

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General comments and additional information:

Officers have referred to 'Guideline 4 – Deciding the Level of Impact Assessment for the Mining Industry' in making a recommendation for the EIS requirement for this proposal.

It is recommended that the EIS decision for this application be that an EIS is required. The attached checklist details EIS triggers for mining applications. The 5th criteria on this checklist is relevant for this application. The Initial Advice Statement provided by the proponent indicates that several ERAs are to be carried out for the mining project. Of these, several have an annual fee exceeding \$4000, including mineral processing, fuel burning, waste disposal, and sewage treatment plant (100-1500EP).

Given a number of other factors described throughout this report, including those listed below, the requirement for an EIS is considered to be justified.

- The vegetation communities within the lease are mapped as referrable wetlands;
- The area is wholly within terrestrial biodiversity corridors of state significance;
- The project site includes core and non-core habitat for threatened species, including the koala, two species of frogs and a species of potoroo.
- There is up to 730ML per annum of surplus water that is expected to be generated during later stages of the project, which the proponent suggests may be released to nearby waterways; all of which flow to prescribed high environmental value waters. Dewatering may also impact on hydrological systems and dependent ecosystems (eg. wetlands); and
- There has been significant community interest and concern regarding this project.

CAC Recommendation

CAC Recommendation:	
Project Director:	
Assessment Office:	
Project Risk Level:	
Signature of Chair:	Date:

- ☐ Please attach a contextual map showing the location of the proposed activity.
- ☒ If EIS decision to be made, attach EIS trigger checklists.
- ☐ If other decisions to be made by Agency attach CDP decision risk table.

Checklist

Mining

EIS trigger criteria

Environmental Protection Act 1994

EA NO: MIN101122010

For all non-code compliant applications for a level 1 mining project, the administering authority must decide whether an environmental impact statement (EIS) is required for the project (s162).

An EIS will be required if any of the following trigger criteria are met. If no criteria are triggered, this does not provide an exemption from having to prepare an EIS if the administering authority or EPA Minister considers that there may be a significant environmental impact, or there is a high level of uncertainty about the possible impacts, or there is a high level of public interest in the proposal.

For exploration permits or mineral development licences, the current policy is not to require an EIS.

For each question, indicate whether the answer is "yes" (column A), or "no" (column B).

Criteria	A Yes	B No
1. Will the project have a significant impact on <u>Category A</u> or <u>Category B</u> environmentally sensitive areas? (refer to Schedule 1A of the <i>Environmental Protection Regulation 1998</i>)	☐	☒
2. Will the project involve mining in a marine area?	☐	☒
3. Will the project involve mining less than 500 m landward from mean high water?	☐	☒
4. Will the project require the construction of more than 150 new dwelling units?	☐	☒
5. Will the project include an activity that would otherwise be a <u>Level 1 environmentally relevant activity</u> with an annual fee of greater than \$4000?	☒	☐
6. Will the project involve the mining of more than 2 million tonnes of mineral or run of mine ore per year?	☐	☒
7. Will the project involve the abstraction of more than 2 million m ³ of water per year from natural surface or groundwater sources?	☐	☒
8. Will the project result in more than 25 ha remaining post mining in a non-beneficial land capability where an acceptable alternative is considered feasible?	☐	☒
9. Will the project involve any non-code compliant mining activity less than 2 km from town?	☐	☒
10. Will the project contain a regulated dam?	☐	☐
11. Will the project include mining for uranium or asbestos?	☐	☒
12. Will the project trigger a Commonwealth interest in matters of national environmental significance to the extent that an EIS would be required under the <i>Environment</i>	☐	☐

<i>Protection and Biodiversity Conservation Act 1999?</i>		
13. Will the project include mining activities below the surface of a wild river high preservation area?	☐	☒
14. Will the project include mining activities under a nominated waterway in a wild river preservation area?	☐	☒

Recommendation	
<p>After completing the list above, mark which of the following applies:</p> <p>(a) If there is a marked box in column A, an EIS is required (unless the application is for an extension to an existing project, and the incremental increase in potential environmental harm is not significant). Proceed through the non-code compliant assessment process with an EIS..... ☒</p> <p>(b) If all boxes in Column B are marked, an EIS is not required. Proceed through the non-code compliant application process without an EIS..... ☐</p>	

<p>Assessing Officer Name: Louise Karle / Daniel Cohen</p> <p>Date: 11/3/2010</p>

RTI DL RELEASE - EIP

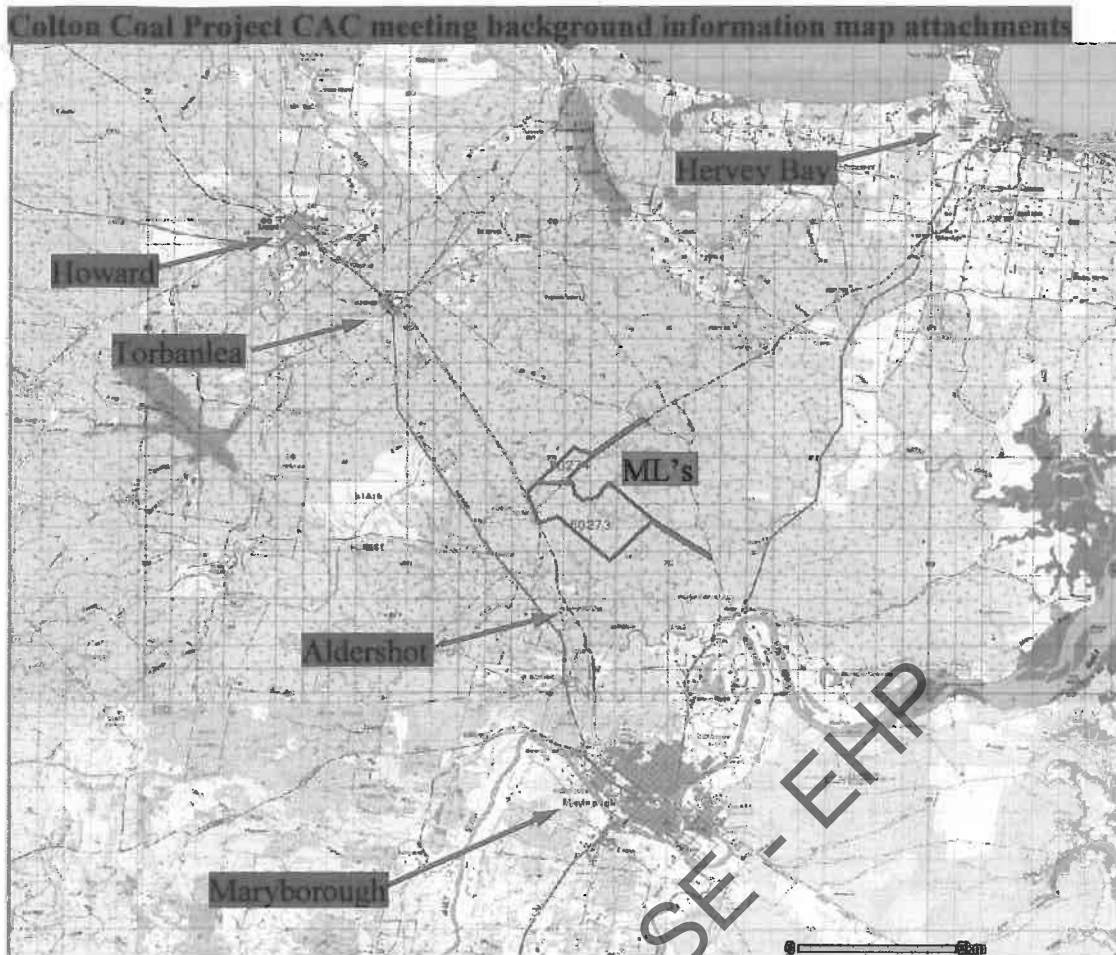


Figure 1- General location of ML50273 and ML50274 where the Colton Coal Mine project have applied for mining leases for the project showing surrounding areas



Fig 2 - Aerial photo of Colton Coal Mining lease showing surrounds inc. Aldershot

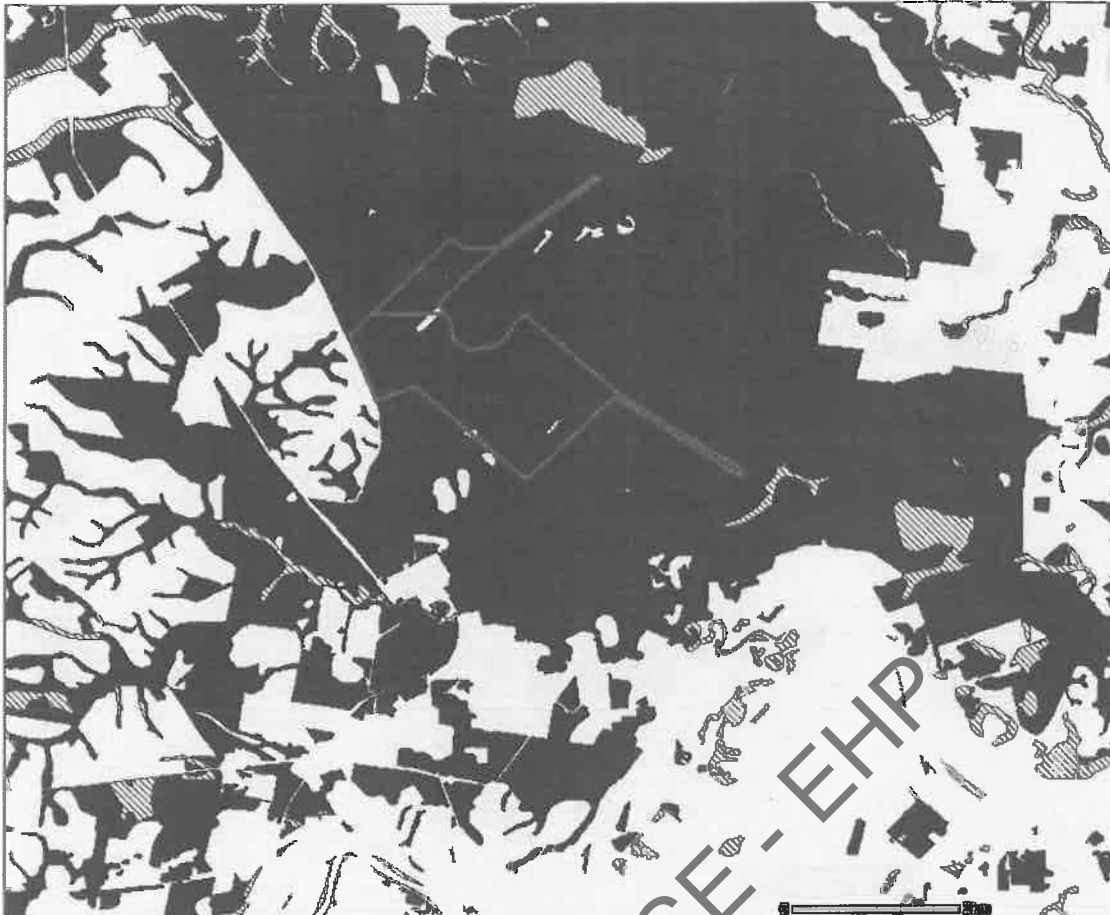


Fig 3 – EPA Referable Wetlands mapping over the mining lease area

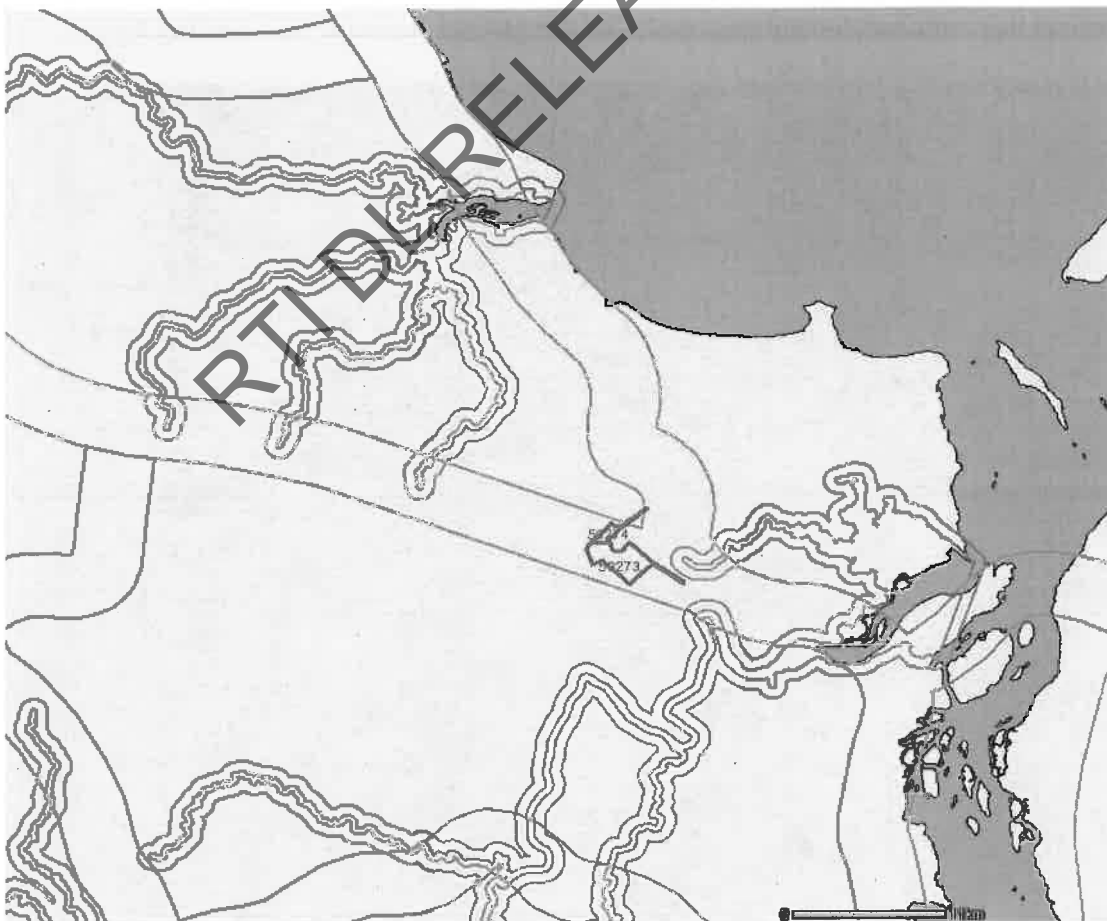
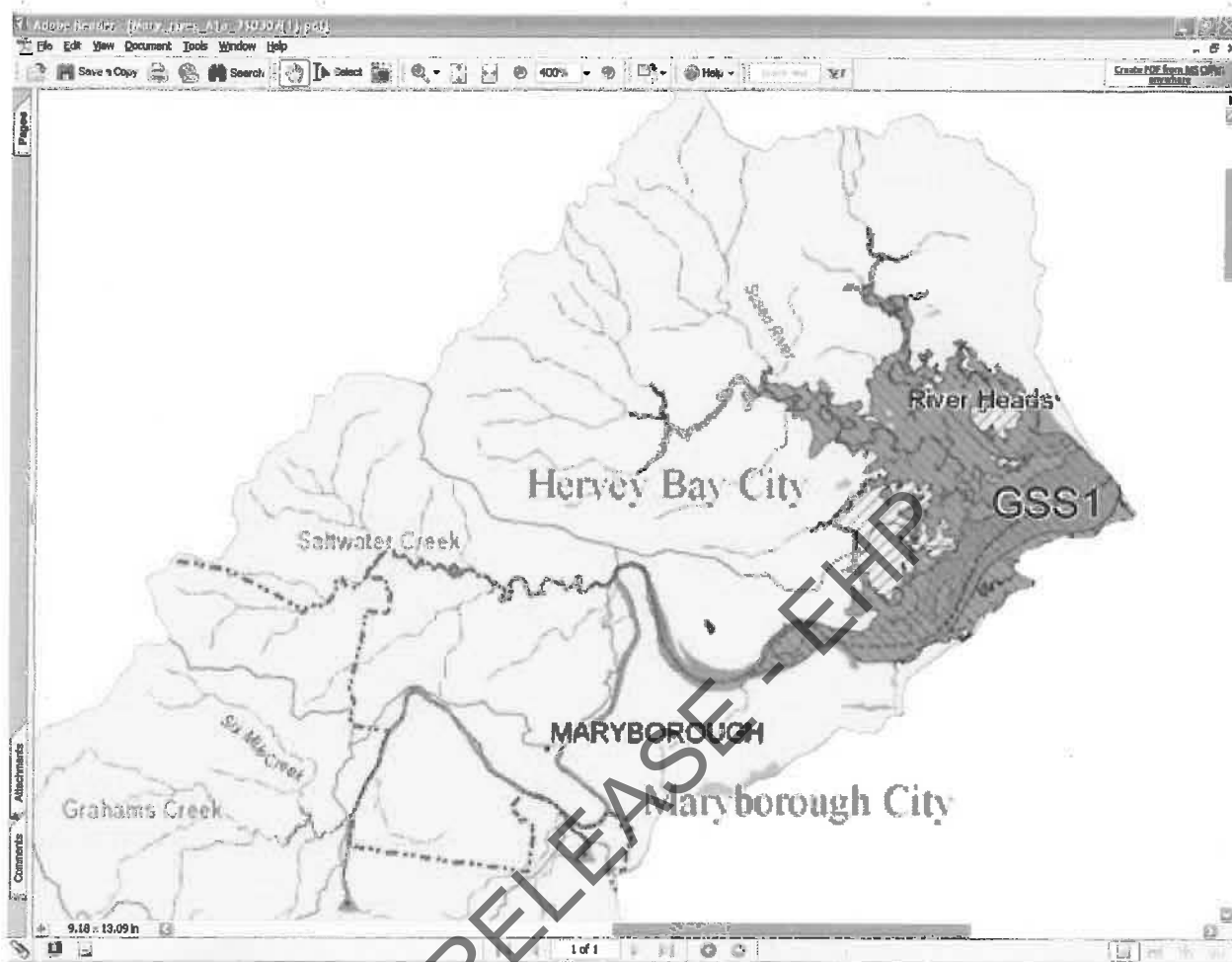


Fig 4 – Location of Mining lease in relation to SEQ Biodiversity Planning Assessment bioregional terrestrial corridors (shown as blue corridor outlines)



RTI DL RELEASE - EHP





Checklist

Mining

EIS trigger criteria

Environmental Protection Act 1994

EA NO:	MIN101122010
--------	--------------

For all non-code compliant applications for a level 1 mining project, the administering authority must decide whether an environmental impact statement (EIS) is required for the project (s162).

An EIS will be required if any of the following trigger criteria are met. If no criteria are triggered, this does not provide an exemption from having to prepare an EIS if the administering authority or EPA Minister considers that there may be a significant environmental impact, or there is a high level of uncertainty about the possible impacts, or there is a high level of public interest in the proposal.

For exploration permits or mineral development licences, the current policy is not to require an EIS.

For each question, indicate whether the answer is "yes" (column A), or "no" (column B).

Criteria	A Yes	B No
1. Will the project have a significant impact on Category A or Category B environmentally sensitive areas? (refer to Schedule 1A of the <i>Environmental Protection Regulation</i> 1998)	☐	☒
2. Will the project involve mining in a marine area?	☐	☒
3. Will the project involve mining less than 500 m landward from mean high water?	☐	☒
4. Will the project require the construction of more than 150 new dwelling units?	☐	☒
5. Will the project include an activity that would otherwise be a <u>Level 1 environmentally relevant activity</u> with an annual fee of greater than \$4000?	☒	☐
6. Will the project involve the mining of more than 2 million tonnes of mineral or run of mine ore per year?	☐	☒
7. Will the project involve the abstraction of more than 2 million m ³ of water per year from natural surface or groundwater sources?	☐	☒
8. Will the project result in more than 25 ha remaining post mining in a non-beneficial land capability where an acceptable alternative is considered feasible?	☐	☒
9. Will the project involve any non-code compliant mining activity less than 2 km from town?	☐	☒
10. Will the project contain a regulated dam?	☐	☐
11. Will the project include mining for uranium or asbestos?	☐	☒
12. Will the project trigger a Commonwealth interest in matters of national environmental significance to the extent that an EIS would be required under the <i>Environment</i>	☐	☐





Checklist
EIS trigger criteria

<i>Protection and Biodiversity Conservation Act 1999?</i>		
13. Will the project include mining activities below the surface of a wild river high preservation area?	☐	☒
14. Will the project include mining activities under a nominated waterway in a wild river preservation area?	☐	☒

Recommendation
<p>After completing the list above, mark which of the following applies:</p> <p>(a) If there is a marked box in column A, an EIS is required (unless the application is for an extension to an existing project, and the incremental increase in potential environmental harm is not significant). Proceed through the non-code compliant assessment process with an EIS..... ☒</p> <p>(b) If all boxes in Column B are marked, an EIS is not required. Proceed through the non-code compliant application process without an EIS..... ☐</p>

Assessing Officer Name: Louise Kane / Daniel Cohen Date: 11/3/2010

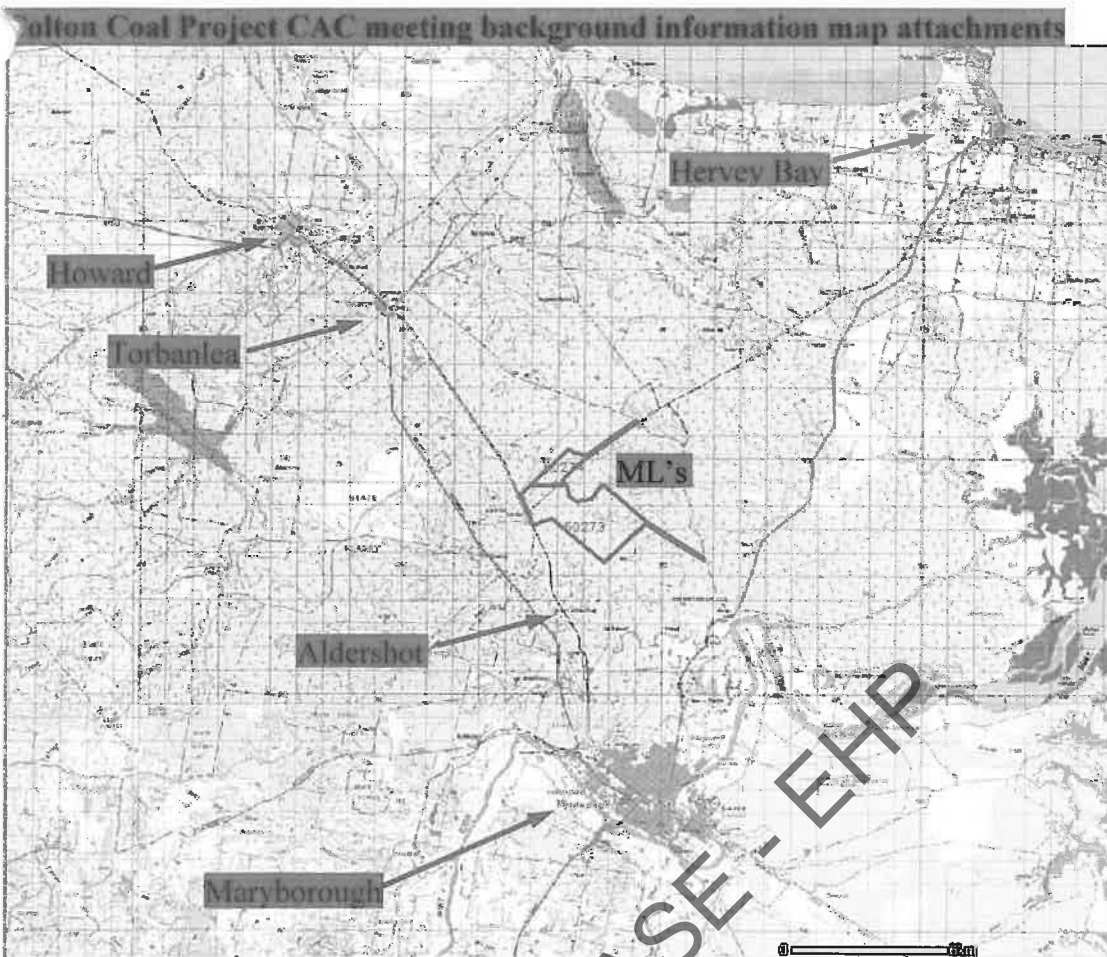


Figure 1- General location of ML50273 and ML50274 where the Colton Coal Mine project have applied for mining leases for the project showing surrounding areas



Fig 2 - Aerial photo of Colton Coal Mining lease showing surrounds inc. Aldershot

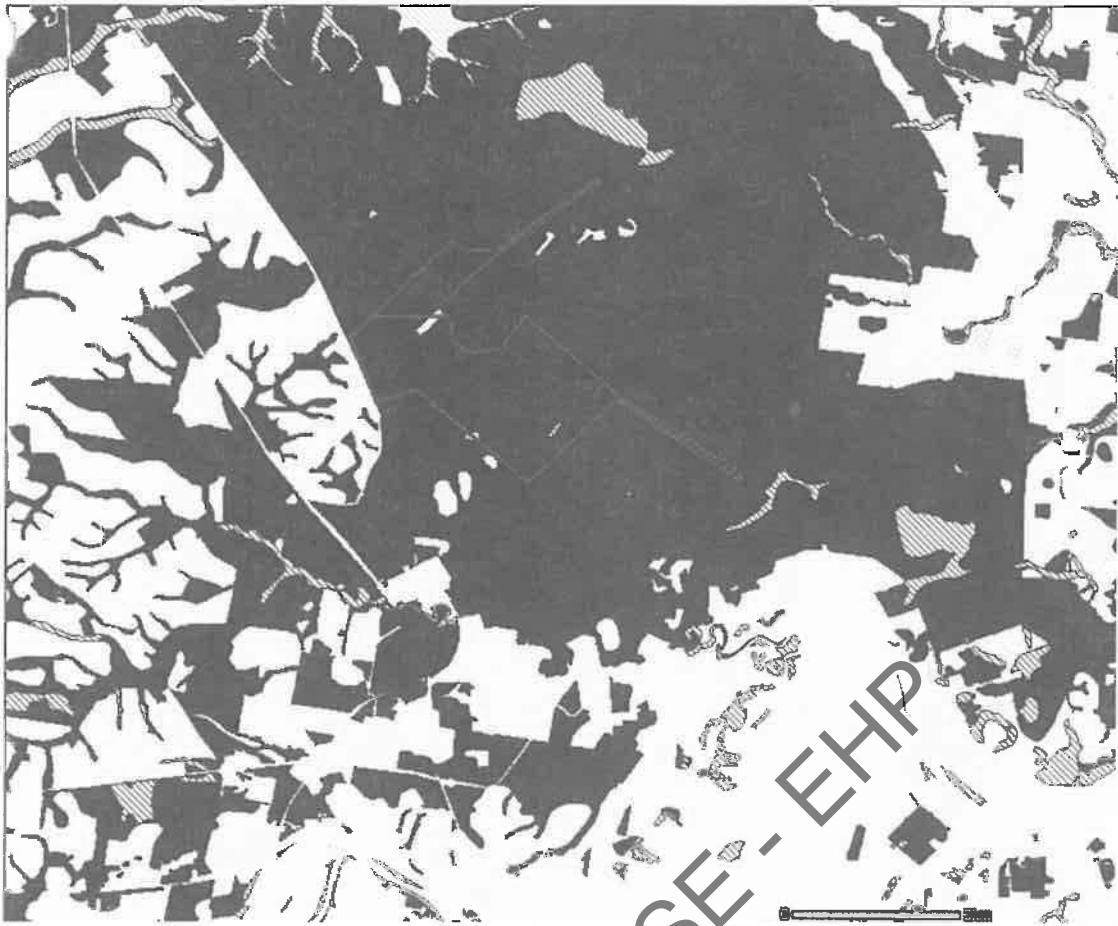


Fig 3 – EPA Referable Wetlands mapping over the mining lease area



Fig 4 – Location of Mining lease in relation to SEQ Biodiversity Planning Assessment bioregional terrestrial corridors (shown as blue corridor outlines)

Notice of EIS decision for application for an Environmental Authority (Mining Activities) Non Code Compliant Level 1 Mining Project

This statutory notice is issued by the administering authority pursuant to section 162 of the Environmental Protection Act 1994 to advise you of the EIS decision regarding your application for an environmental authority (mining activities).

Colton Coal Pty Ltd
s.73
GPO Box 5283
BRISBANE QLD 4001

The Mining Registrar
Department of Employment, Economic
Development and Innovation
PO Box 1475
COORPAROO QLD 4151

Our Reference: 248999

Dear s.73

**Re: Application for An Environmental Authority for Non Code Compliant Level 1 Mining Project,
(ML50273 and ML50274)**

The Department of Environment and Resource Management (DERM) has assessed the application received on 3 February 2010 for an environmental authority in respect of the abovementioned mining leases.

The DERM wishes to advise you that the assessment level decision for the application is that the level of environmental harm is likely to be significantly increased. The application is to be assessed as a Non-code Compliant Level 1 mining project and an Environmental Impact Statement (EIS) is **not** required but an Environmental Management Plan will be required.

The EIS decision was made by the DERM in accordance with section 162 of the *Environmental Protection Act 1994* (EP Act).

In light of the regional interest in the proposed mining operations, DERM is likely to seek public comment on the draft Environmental Management Plan and Environmental Authority under section 556 of the *Environmental Protection Act 1994*.

Your application has been forwarded to the Maryborough Office of the DERM for assessment. If you require further information please contact Tim Brain, Project Director on 07 4121 1813.

Yours sincerely

sch4p4(6) Personal information

Cathy Birt
Delegate
Department of Environment and Resource
Management
24 March 2010

RECEIVED

26 MAR 2010
DEPT OF ENVIRONMENT
& RESOURCE MANAGEMENT
MARYBOROUGH

Enquiries:

Department of Environment and Resource
Management
PO Box 101
MARYBOROUGH QLD 4650

Ph. (07) 4121 1800
Fax. (07) 4121 1650

COPY

Margaret Jones

From: Cathy Birt
Sent: Thursday, 11 March 2010 9:40 AM
To: Margaret Jones
Subject: FW: Colton supporting information
Importance: High

Hi Marg,

Please note comments below and follow with Tim this afternoon.

Cathy

Cathy Birt
 Acting Manager, Permit and Licence Management
 Implementation & Support Unit, Regional Service Delivery
Telephone 07 3137 4241 **Facsimile** 07 3896 3342
Email: cathy.birt@derm.qld.gov.au
www.derm.qld.gov.au

Department of Environment and Resource Management
 4/41 George St, Brisbane Q 4001
 PO Box 15155, City East Q 4002

From: Tim Brain
Sent: Tuesday, 9 March 2010 7:21 PM
To: Cathy Birt
Cc: Daniel Cohen; Jon Womersley; Lindsay Delzoppo; Stuart Cameron; Ian Wilson; Maureen Rose; Glen Brown
Subject: RE: Colton supporting information

Hi Cathy

I note that this was received over one week ago. Daniel obtained a copy of it last week after we chased it up.
 tomorrow. sch4p4(6) Personal information I will be in Bundaberg all day

Given the time frames you suggest, it is unlikely that a full CAC report will be available by Thursday at 2 pm, however I have attached some quick notes about the IAS having just read it quickly.

In short, there are several ERA's that provide a trigger for an EIS. There are HEV waters downstream, although the report does not mention EV's. The general area contains extensive referable wetlands but there is no reference to these or any mention of the potential effects of the extensive dewatering required. (Water is considered from a supply perspective rather than from an environmental viewpoint.) There is mention of acid generating material. The conservation values of the area are dismissed but no mention has been made of biodiversity planning assessments that have identified the area as being a bioregional corridor. Local conservation officers consider that area of USL has significant conservation value and I think would have a different view than that expressed in the report.

The Wide Bay Burnett Conservation Council has recommended to the minister that the application be refused. The level of interest expressed so early in the process (from Community Cabinet – August 2008 to the present) provides opportunity for a considered decision to be made about the most appropriate assessment process to deal with clearly articulated opposition to the project.

11/03/2010

13-140

DL Documents

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Given that there is a trigger for an EIS and a clearly expressed opposition to the project from a recognised community group my recommendation is that an EIS be required.

If possible I'll try to put this into a formal report, but given the timeframe this is not likely.

Regards

+-----+
 Tim Brain
 Manager (Wide Bay Burnett)
 Environmental Services North
 South East Region
 Department of Environment and Resource Management

Telephone: (07) 4121 1813 **Facsimile:** (07) 4121 1650 **Mobile:** 0414p4(6) Personal information
www.derm.qld.gov.au

Department of Environment and Resource Management
 Cnr of Alice and Lennox Streets, MARYBOROUGH, Q 4650
 PO Box 101, MARYBOROUGH Q 4650

email: Tim.Brain@derm.qld.gov.au

From: Cathy Birt
Sent: Tuesday, 9 March 2010 5:30 PM
To: Tim Brain
Cc: Daniel Cohen
Subject: FW: Colton supporting information
Importance: High

Good afternoon,

Please note Jon's comments below. Please forward your recommendation by 2.00PM Thursday to ensure it can be addressed at CAC on Friday

Regards

Cathy.

Cathy Birt
 Acting Manager, Permit and Licence Management
 Implementation & Support Unit, Regional Service Delivery
Telephone 07 3137 4241 **Facsimile** 07 3896 3342
Email: cathy.birt@derm.qld.gov.au
www.derm.qld.gov.au

Department of Environment and Resource Management
 4/41 George St, Brisbane Q 4001
 PO Box 15155, City East Q 4002

From: Jon Womersley
Sent: Tuesday, 9 March 2010 2:35 PM

11/03/2010

13-140

DL Documents

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To: Cathy Birt
Cc: Ian Wilson; Stuart Cameron; Lindsay Delzoppo; Maureen Rose
Subject: FW: Colton supporting information

Cathy

This needs to come back to CAC on Friday with a reassessment and recommendation from the region in the light of the IAS.

Thanks

Jon Womersley
Director Regulatory Support & Practice
Environment and Natural Resource Regulation
Email: jon.womersley@derm.qld.gov.au
Telephone: 07 3330 5749 **Facsimile:** 07 3330 5754
NEW Mobile: 07 3330 5749 (6) Personal information
<http://www.derm.qld.gov.au/www.derm.qld.gov.au>
Department of Environment and Resource Management
Floor 8, 400 George Street, Brisbane, Q 4000
GPO Box 2454, Brisbane Q 4001

From: Stuart Cameron
Sent: Tuesday, 9 March 2010 8:57 AM
To: Jon Womersley; Lindsay Delzoppo
Cc: Cathy Birt
Subject: FW: Colton supporting information

Jon/Lindsay,
Looks like Ian and I received a copy direct. I think it is somewhere on my desk, but haven't read it yet.

Regards

Stuart Cameron
Director EIS Assessment
Environment and Natural Resource Regulation
Department of Environment and Resource Management
Level 7 400 George Street
ph 3330 5630
mob 07 3330 5749 (6) Personal information

From: Stuart Cameron s.73
Sent: Monday, 1 March 2010 10:12 AM
To: Stuart Cameron; Ian Wilson
Subject: Colton supporting information

Hi Stuart and Ian,

Please see the attached Initial Advise Statement prepared for the Colton Project as supporting information for the EA application. The Project is nearing submission of its EM Plan and both AARC and the proponent strongly believe that the Project still does not constitute an EIS.

Regards

s.73

11/03/2010

13-140

DL Documents

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s.73

RTI DL RELEASE - EHP

Extension of decision period – Mining Activities

This notice is issued by the Department of Environment and Resource Management pursuant to Section 555 of the Environmental Protection Act 1994 to extend the decision period for an application for or in relation to an environmental authority; or a TEP submission.

Colton Coal Pty Ltd
GPO Box 5283
BRISBANE QLD 4001

CC: Queensland Mines and Energy
Department of Employment, Economic
Development and Innovation
Tenure Support Unit
PO Box 1475
COORPAROO QLD 4151

Our reference: 248999 / MBH3120

Attention: s.73

Dear s.73

Re: Application for a Non Code Compliant (Level 1) Environmental Authority to carry out Mining Activities (Mining Lease) by Colton Coal Pty Ltd - MIN101122010 for ML50273 and ML50274

The Administering Authority requires a further extension of time to make the Environmental Impact Statement (EIS) decision for the above-mentioned application. The EIS decision has been extended to 16 April 2010.

The reason for the extension of time to make the EIS decision is to allow time for a formal Initial Advice Statement (IAS) to be submitted to DERM detailing the extent of the project.

You may apply to the Administering Authority for a review of this decision within 14 days after receiving this notice.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only. You may have other legal rights and obligations.

Yours sincerely

sch4p4(6) Personal information

Cathy Birt
Delegate
Department of Environment and Resource Management
26 February 2010

Enquiries:
Wide Bay Burnett Region
Environmental Services
Environmental Protection Agency
PO Box 101
MARYBOROUGH QLD 4650
Phone 07 4121 1800
Fax 07 4121 1650

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Resource Management and the Queensland Parks and Wildlife Service.

Extracts from the Act Regarding Reviews and Appeals

Procedure for review

521.

- (1) A dissatisfied person may apply for a review of an original decision.
- (2) The application must-
 - (a) be made in the approved form to the administering authority within-
 - (i) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
 - (ii) the longer period the authority in special circumstances allows not later than the review date; and
 - (b) be supported by enough information to enable the authority to decide the application.
- (3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision-
 - (a) notice of the application (the "review notice");
 - (b) a copy of the application and supporting documents.
- (4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 7 days after the application is made to the authority.
- (5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 14 days after receiving the application-
 - (a) review the original decision;
 - (b) consider any submissions properly made by a recipient of the review notice; and
 - (c) make a decision (the "review decision") to-
 - (i) confirm or revoke the original decision; or
 - (ii) vary the original decision in a way the administering authority considers appropriate.
- (6) The application does not stay the original decision.
- (7) The application must not be dealt with by-
 - (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (8) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- (9) The notice must-
 - (a) include the reasons for the review decision; and
 - (b) inform the person of their right of appeal against the decision.
- (10) If the administering authority does not comply with subsections (5) or (8), the authority is taken to have made a decision confirming the original decision.
- (11) Subsection (7) applies despite section *Acts Interpretation Act 1954*, section 27A.
- (12) This section does not apply to an original decision made by-
 - (a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
 - (b) for another matter-the chief executive personally.

Extension of decision period – Mining Activities

Stay of operation of original decisions**522.**

- (1) If an application is made for review of an original decision, the applicant may immediately apply for a stay of the decision to-
 - (a) for an original decision mentioned in schedule 1, part 1 - the tribunal; or
 - (b) for an original decision mentioned in schedule 1, part 2 - the Court.
- (2) The tribunal or Court may stay the decision to secure the effectiveness of the review and any later appeal to the tribunal or Court.
- (3) A stay may be given on conditions the tribunal or Court considers appropriate and has effect for the period stated by the tribunal or Court.
- (4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the tribunal or Court allows the applicant to appeal against the review decision.

Who may appeal**531.**

- (1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, may appeal against the decision to the Court.
- (2) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- (3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.

RTI DL RELEASE EHP



Notice

Extension of decision period – Mining Activities

This notice is issued by the Department of Environment and Resource Management pursuant to Section 555 of the Environmental Protection Act 1994 to extend the decision period for an application for or in relation to an environmental authority; or a TEP submission.

Colton Coal Pty Ltd
GPO Box 5283
BRISBANE QLD 4001

CC: Queensland Mines and Energy
Department of Employment, Economic
Development and Innovation
Tenure Support Unit
PO Box 1475
COORPAROO QLD 4151

Our reference: 248999 / MBH3120

Attention: s.73

Dear s.73

Re: Application for a Non Code Compliant (Level 1) Environmental Authority to carry out Mining Activities (Mining Lease) by Colton Coal Pty Ltd - MIN101122010 for ML50273 and ML50274

The Administering Authority requires an extension of time to make the Environmental Impact Statement (EIS) requirement decision for the above-mentioned application. The EIS requirement decision has been extended by 10 business days to a revised date of 3 March 2010.

You may apply to the Administering Authority for a review of this decision within 14 days after receiving this notice.

Information outlining the review and appeal processes under the *Environmental Protection Act 1994* is included with this notice. This information is intended as a guide only. You may have other legal rights and obligations.

Yours sincerely

Tim Brain
Delegate
Department of Environment and Resource Management
17 February 2010

Enquiries:
Wide Bay Burnett Region
Environmental Services
Environmental Protection Agency
PO Box 101
MARYBOROUGH QLD 4650
Phone 07 4121 1800
Fax 07 4121 1650

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 - (a) review the original decision;
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 - (i) confirm or revoke the original decision; or
 - (ii) vary the original decision in a way the administering authority considers appropriate.
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 - (b) inform the person of their right of appeal against the decision.
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- (12) This section does not apply to an original decision made by-
 - (a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
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Extension of decision period – Mining Activities

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- (3) A stay may be given on conditions the tribunal or Court considers appropriate and has effect for the period stated by the tribunal or Court.
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- (3) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.

RTI DL RELEASE EHP

CAC Detail Report

Project Ref	Project Office
248999	ES-RSD-SER-Wide Bay Burnett

Application Date	CAC Review Date	Application Type
03-FEB-2010	01-JUL-2008	Application

Primary Applicant/s

Client ref	Client name
641079	Colton Coal Pty Ltd

Location/s

Location name	Location description	Location type
ML50273	Northeast of Maryborough	Mining Tenure
ML50274	Northeast of Maryborough	Mining Tenure

Permit/s

Permit type/s	Environmental Authority (Mining Lease) Non Code Compliant Level 1 Mining Project
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Activity/ies

Activity/ies	Mining activity - schedule 6, item 5 mining black coal
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Interest/s

Type	Rating	Comment
Heritage - Aboriginal and Torres Strait Islander cultural sites	Unknown (default)	
Biodiversity - riparian buffer zones	Unknown (default)	
National and International - national estate	Unknown (default)	

Recommendations

Recommending officer	Rhonda Zande
Project Director	Ahmad Rahman
Project Manager	Tim Brain
Decision Level	Level 2
EIS Required	N
Comments	<p>An application for Mining Lease and Environmental Authority for coking coal mine and processing plant in the Maryborough Basin within EPC923.</p> <p>The Maryborough Coking Coal Project site covers an area of 430ha and is located approximately 15km to the north of Maryborough Queensland. The project proposes to open cut mining using truck and excavator techniques. An estimated 1.5 million tonne (Mt) coking coal resource is contained within thinly bedded seams and drilling and blasting of some overburden maybe a requirement of the project. A coal handling And preparation plant and other associated infrastructure will also be constructed on the site.</p> <p>Recent use of the land of the project site includes selective logging and coal exploration. Associated infrastructure on the site includes access tracks and clearing for drill pads. In April 2008 a wet season flora and fauna assessment was completed. No listed</p>

	<p>species of conservation significance and no endangered regional ecosystems were identified on the site.</p> <p>Air quality monitoring has commenced and noise modelling is currently underway for the site. No other environmentally sensitive areas exist on the site.</p> <p>Consultation with Ergon Energy has commenced with a view to obtaining power from the local grid.</p> <p>Wide Bay Water Corporation has indicated to NEC it can supply water from a local reservoir. Coal transport options currently include coal to the Port of Bundaberg and rail transport to the Port of Gladstone. Consultation with all parties has commenced and both options are currently under consideration.</p>
--	---

CAC Outcome

Project Director	Ahmad Rahman
Project Manager	Tim Brain
Decision level	Level 2
EIS Required	N

Date	Comments
01-JUL-2008	It was advised at CAC that Maryborough staff suggest a 556 - "exposure to public" and that Port issues be addressed.
01-JUL-2008	<p>An application for Mining Lease and Environmental Authority for coking coal mine and processing plant in the Maryborough Basin within EPC923.</p> <p>The Maryborough Coking Coal Project site covers an area of 430ha and is located approximately 15km to the north of Maryborough Queensland. The project proposes to open cut mining using truck and excavator techniques. An estimated 1.5 million tonne (Mt) coking coal resource is contained within thinly bedded seams and drilling and blasting of some overburden maybe a requirement of the project. A coal handling And preparation plant and other associated infrastructure will also be constructed on the site.</p> <p>Recent use of the land of the project site includes selective logging and coal exploration. Associated infrastructure on the site includes access tracks and clearing for drill pads. In April 2008 a wet season flora and fauna assessment was completed. No listed species of conservation significance and no endangered regional ecosystems were identified on the site.</p> <p>Air quality monitoring has commenced and noise modelling is currently underway for the site. No other environmentally sensitive areas exist on the site.</p> <p>Consultation with Ergon Energy has commenced with a view to obtaining power from the local grid.</p> <p>Wide Bay Water Corporation has indicated to NEC it can supply water from a local reservoir. Coal transport options currently include coal to the Port of Bundaberg and rail transport to the Port of Gladstone. Consultation with all parties has commenced and both options are currently under consideration.</p>

Chairperson:	Cathy BIRT
Signature of Chair:	
Date:	



Coordinated Assessment Committee Report

This report is prepared by an assessment officer for consideration by the Coordinated Assessment Committee (CAC). Upon determining the next appropriate course of action, the Chair of the Committee completes the 'CAC Recommendation' section of the report and returns it to the assessment officer for action.

Date prepared: 11 March 2010

Project details

Permit No.: MIN101122010
Project No: 248999
EPA Administering District: Wide Bay/Burnett, Environmental Services North, SE Region
EPA Region: South-East
Project Name: Colton Coal Mine
Project type (may be more than one): Level 1 non-code compliant mining project
Applicant(s): Colton Coal Pty Ltd (a wholly owned subsidiary of Northern Energy Corporation Limited).
Project location: Proposed mining leases ML50273 and 50274; 2.5km north of Aldershot near Maryborough.
Project Description: Open cut coal mine with coal washing plant mining an estimated 850,000t per annum of coal to produce on average 500,000t per annum of export quality coking coal. Expected project production life is 8 – 10 years.
Permit Application type(s): Level 1 non-code compliant mining EA
Application date: 03/02/2010
Decision required: Decision on EIS requirement
Decision Due: 21/04/2010
Recommended Decision: EIS required.
Recommended Project Director: Stuart Cameron, Manager, Environmental Services Assessment Branch.
Assessing Officer: Daniel Cohen

Additional processes required: (attach details where necessary)

- ☐ None
- ☐ Other applications received by EPA for project
- ☐ Referral Coordination under Integrated Planning Act 1997
- ☐ An EIS process under any Queensland Act
- ☐ A process under the State Development and Public Works Organisation Act 1971;
- ☐ Major works under the Marine Parks Act 1982;



- ? Commonwealth processes under the Environmental Protection and Biodiversity Conservation Act 1999.
☐ Other <details>

Special circumstances: (attach details where necessary)

- ☐ None
☒ Affects a sensitive area
☐ Involves a large number of individual decisions;
☐ Is likely to generate significant community concern;
☐ Needs policy change for approval;
☐ Applicant suitability;
☐ Involves a make or break issue;
☐ Involves significant issues with another State/Commonwealth Agency; and
☐ Another special circumstance which significantly elevates environmental, social or economic risks beyond those usual for this type of project.
☐ Other <details>

There has been significant community interest in the proposal. The Wide Bay Burnett Conservation Council has recommended to the minister that the application be refused. Interest in this project has been expressed since a Community Cabinet held in Bundaberg in August 2009.

Whilst the proposed mining tenements do not include any mapped Category A, B or C environmentally sensitive areas, they are wholly within a mapped terrestrial biodiversity corridor. The vegetation within the proposed tenements is referable wetlands, is listed as non-core habitat for threatened frog species *Crinia tinnula* and *Litoria freycineti*, and the long-nosed potoroo (*Potorous tridactylis*); and core habitat for the koala (*Phascolarctos cinereus*).

Indicate the level of impact or significance for each of the following EPA/QPWS interests: [if impact is indicated, notes must be included to describe how]

Biodiversity

Unknown Rare and threatened species and ecosystems
 High Vegetation clearing
 N/A Marine systems
 N/A Sustainable use of wildlife
 N/A Riparian buffer zones

Notes:

The mine proposal involves clearing remnant vegetation within an area that is a declared bioregional terrestrial corridor under the SEQ Biodiversity Planning Assessment. The area where the mine is to be located is covered by two separate terrestrial corridors of state significance; the Kroombit to Maryborough corridor, and the Maroochy River to Elliot Heads corridor; both of which link EPA estates and intersect other regionally significant terrestrial corridors.

National and international

N/A World heritage
 N/A RAMSAR listed wetlands
 N/A Migratory species
 N/A National estate
 N/A Commonwealth marine areas
 N/A Radioactive materials

Notes:

Resource allocation

Low Mining
N/A Dredging
N/A Occupancy of marine lands (marinas etc)
N/A Commercial opportunities on national parks and marine parks
N/A Allocation of public resources (e.g. physical and natural resources environmental capacity),
N/A National competition policy

Notes:

An application has been made to DEEDI for a mining lease for the project.

Tenure Issues

N/A Protected areas
Medium Native title interests
N/A Offshore jurisdiction
N/A Commonwealth jurisdiction
N/A Inter-State jurisdiction

Notes:

There is a native title claim over the area by the Butchulla people.

RTI DL RELEASE - EHP



Water Issues

High Quality
High Discharges
High Stream flows (effects in ecology)
N/A Waterways management
Unknown Hydrology
High Impacts on freshwater and marine systems
High Ground water

Notes:

There are several potential impacts of the proposed mining operation on waters. The mine will require dewatering of the pit, which could potentially have relatively widespread impacts on the regional groundwater system. This groundwater, as well as stormwater that requires removal from the site, will be released to either the surrounding drainage courses which feed the Susan River, part of which is scheduled under the *Environmental Protection (Water) Policy 2009* as High Environmental Value (HEV) waters, and which discharges into a section of the Mary River that has also been declared as HEV waters. Alternatively, discharges will be pumped to a nearby waterway (Saltwater Creek) that a short distance downstream also flows through the section of the Mary River that has been declared as HEV. No assessment has been provided of the impact of these discharges on environmental values. Discharges into Susan River or Saltwater Creek have the potential to impact the environmental values of the creek, and potentially the Mary River. The exact quantity and quality of groundwater to be dewatered is not known, though the IAS states that modelling showed that at least 300ML of water would be generated (stormwater and pit dewatering combined) initially, and over time approximately 1000ML of water could be produced per annum. The proponent indicates that the operation of the mine would use up to 270ML of water per year; leaving a surplus of up to 730ML per year for disposal. Concern has also been raised by members of the local community about impacts on surrounding wetlands (see attached figure of EPA referable wetlands) from dewatering, and impacts on a water supply dam providing water to Hervey Bay.

Air Issues

N/A Air shed management
N/A Pollution
N/A Health
Unknown Nuisance
N/A Ecological impacts

Notes:

There is potential for the generation of dust emissions from the mining (open cut mine) and coal handling operations. The nearest house is around 1.4km from the nearest edge of the lease boundary, and the nearest township (Aldershot) is around 2.2km from the nearest edge of the lease boundary.

Section 51(1) of the revised EP Regulation now required consideration of greenhouse gas emissions, for which again no information has been provided.



Noise Issues

N/A Community noise
N/A Transportation noise
Unknown Industrial noise
Unknown Ground vibration
Unknown Airblast overpressure

Notes:

The IAS states that it is not anticipated that blasting of overburden will be required, but that blasting of interburden may be required as mining progresses. The nearest house is approximately 1.4km from the nearest edge of the lease boundary, and the nearest town (Aldershot) is approximately 2.2km from the lease boundary. It is anticipated that blasting noise and vibration could have potential impacts for the surrounding residents over these distances. A noise assessment has not been provided to describe the existing noise environment or potential noise impacts from the proposed mining activities.

Waste Issues

Medium Solid waste
Unknown Liquid waste
N/A Gaseous waste
N/A Dredge spoil disposal
N/A Energy
N/A Best practice environmental management

Notes:

The information provided in the IAS indicates that proposed mining will generate an initial overburden stockpile and that subsequent overburden will be disposed of in pit. Rejects (coarse and fine) from the CHPP will be dewatered and disposed of in spoil.

RTI DL RELEASE - EHP

Land Issues

Low Contaminated land
 Medium Acid sulphate soils
 Low Erosion/stability
 N/A Landscapes
 Unknown Effects on hydrology
 N/A Sustainable use
 High Clearing
 N/A Land use history
 N/A Compliance with planning schemes
 Medium Rehabilitation and subsequent use

Notes:

There is potential for the project to have impacts related to the disturbance of acid sulfate soils. Peter Wilson (Principal Scientist) from the xNRW's Natural Resources Sciences has indicated that mining in the given location may have potential for disturbance of acid sulfate soil either through overburden removal and/or dewatering of the ground water table where potential acid sulfate soils are located. The IAS indicates that a "small portion" of reject material has been identified as potentially acid forming. No further quantification of this has been provided.

Dewatering the open cut pit may have impacts on the local groundwater regime, and groundwater dependant ecosystems that are known to exist in the area (wetlands) may be impacted by this. No information has been provided in relation to the potential impacts of dewatering; from groundwater drawdown or disposal of surplus water.

The IAS indicates that approximately 350 hectares of mining disturbance, and 70 ha of disturbance associated with infrastructure, roads, etc is expected over the life of the project (i.e. 8 – 10 years). This will involve a significant amount of vegetation clearing. The entire project site is mapped as referable wetlands and is located within a terrestrial biodiversity corridor identified by SEQ Biodiversity Planning Assessments.

Heritage Issues

Medium Aboriginal and Torres Strait Islander cultural sites

N/A Historic buildings and locations

N/A Designated landscape Area

Notes:

The IAS indicates that the project land is within the Butchulla Land and Sea native Title claim, and acknowledges that an ILUA or RTN process will need to be developed /followed prior to grant of a mining lease in the area. The information states that a CHMP will be developed.

Coastal Issues

N/A Erosion

N/A Structures

N/A Reclamation

N/A Strategic planning

Notes:

Impacts on surrounds Issues

Low Transportation
Unknown visual impacts
Unknown compatibility with surrounding uses
and activities
Unknown neighbours opinions

Notes:

The proponent intends to transport product coal from the site via rail to Gladstone for export.

No information in relation to visual impacts has been provided.

The local area is currently undeveloped and there are concerns in the local community in relation to impacts the mining operation will have on environmental values of the area.

Social issues

N/A Amenity
N/A displacement of use
High community views
N/A public safety
N/A politics/policy

Notes:

It is likely that the application will generate significant public interest. The proposal has been subject to local media coverage including several front page headline articles in the Fraser Coast Chronicle.

The proposal has also been subject to enquiries to the Minister from representatives of the Wide Bay Burnett Conservation Council, including questions as to why mining should be allowed within an area that has been declared as a bioregional terrestrial corridor under the SEQ Biodiversity Planning Assessment.

Pre-lodgement Advice: [indicate who gave advice and when]

An initial pre-design conference was held on 27 June 2008 with Energy Corporation Limited, Colton Coal's parent company) and consultants present for the proponents. Bill Dixon (then Manager of Integrated Assessment), Tim Brain (then Regional Manager Wide Bay Region), and Daniel Cohen (Environmental Officer Wide Bay Region) represented the Department. Advice was given on the approvals process, and also that the proposal as outlined would not likely trigger the requirement for an EIS. At the time of the initial pre-design conference, the existence of the SEQ Biodiversity Planning Assessment bioregional terrestrial corridor was not discussed.

The project was placed on hold by the applicant due to the downturn in the coal market, but has since been renewed since the review of additional Mines and Energy exploration data that has led to increased inferred resource estimates for the proposed mine. This has led to an increase in the annual production estimate as well as an increase in the area of the mining lease that has been applied for. Some of the information that was presented by the client, and subsequently the initial advice that was given by the Department to the client (ie the advice that an EIS would most like not be required) is now out of date and no longer accurate since this initial pre-design conference occurred.

The Department has been conducting ongoing consultations with Northern Energy Corporation in relation to the proposal, including meetings with s.73 with Northern Energy Corporation Limited in August 2008 and August 2009. These meetings were to provide the Department with a brief update on the project proposal as the company continued to conduct their feasibility studies into the project.

The client has also forwarded a draft water management strategy that was prepared by Streamline Hydro Consultants to the Department for review. This was basically a summary of groundwater quality that was measured in the lease area by the applicant and an estimate of the quantity of water that may need to be discharged from the mine site, and a broad strategy overview of Northern Energy Corporation's plan to release the water into Saltwater Creek (as outlined in the water issues section of this report). This report (and an enhanced data set of groundwater quality data the report was based on that was subsequently requested by the Department) has been reviewed under a work request by Dr Ian Ramsay (Chief Scientist, DERM Water Quality & Aquatic Ecosystem Health) in January this year. Ian's advice was that the client would be best to reconsider the proposal to discharge the minewater into Saltwater Creek, as there were technical and environmental impediments to the proposal as presented in the report.

Other issues

The applicant has not yet supplied an Environmental Management Plan (EM Plan) detailing all of the potential environmental impacts of the proposed mining activity.

RTI DL RELEASE - EHP



General comments and additional information:

Officers have referred to 'Guideline 4 – Deciding the Level of Impact Assessment for the Mining Industry' in making a recommendation for the EIS requirement for this proposal.

It is recommended that the EIS decision for this application be that an EIS is required. The attached checklist details EIS triggers for mining applications. The 5th criteria on this checklist is relevant for this application. The Initial Advice Statement provided by the proponent indicates that several ERAs are to be carried out for the mining project. Of these, several have an annual fee exceeding \$4000, including mineral processing, fuel burning, waste disposal, and sewage treatment plant (100-1500EP).

Given a number of other factors described throughout this report, including those listed below, the requirement for an EIS is considered to be justified.

- The vegetation communities within the lease are mapped as referrable wetlands;
- The area is wholly within terrestrial biodiversity corridors of state significance;
- The project site includes core and non-core habitat for threatened species, including the koala, two species of frogs and a species of potoroo.
- There is up to 730ML per annum of surplus water that is expected to be generated during later stages of the project, which the proponent suggests may be released to nearby waterways; all of which flow to prescribed high environmental value waters. Dewatering may also impact on hydrological systems and dependent ecosystems (eg. wetlands); and
- There has been significant community interest and concern regarding this project.

CAC Recommendation

CAC Recommendation:	
Project Director:	
Assessment Office:	
Project Risk Level:	
Signature of Chair:	Date:

- ☐ Please attach a contextual map showing the location of the proposed activity.
- ☒ If EIS decision to be made, attach EIS trigger checklists.
- ☐ If other decisions to be made by Agency attach CEDP decision risk table.

File note of meeting/discussion

☐ Meeting ☐ Telephone
Date: 26-3-10 Time: 4:30 pm
By Tim Brain of DERM
Subject: Colton Coal Mine application

Hard copy of EIS decision notice received today.

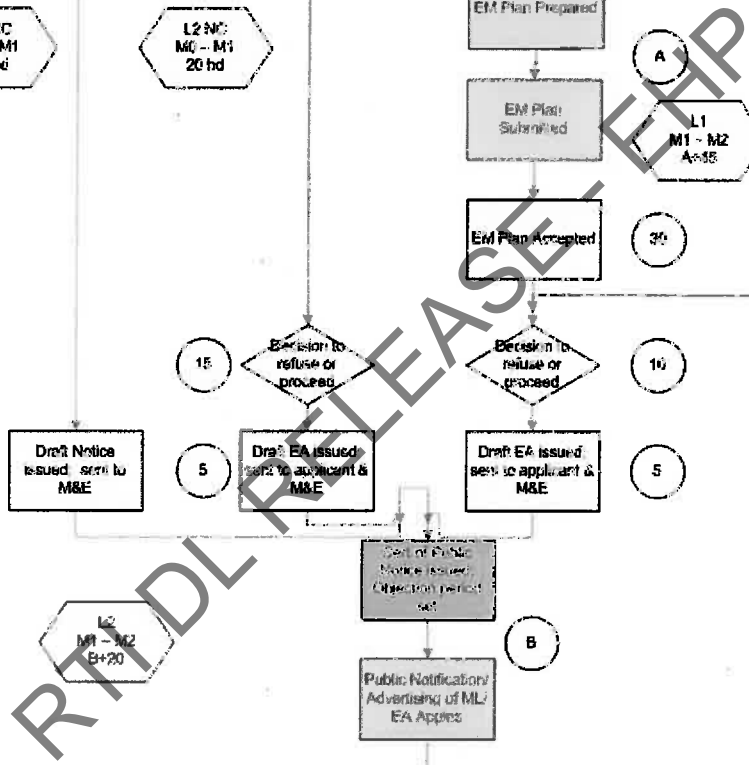
Noted error re ALD decision, increase in harm not applicable as this is not an amendment. Advised Ian Wilson and Cathy Birt and they will decide if a new notice is required and will check if ecotrack notices require amendment.

Chap 5 Part 6, s196 and following now apply. S201 require an EM Plan to be supplied by the applicant.

When the EM Plan is received we need to ensure it complies with s203 Content requirements. If it doesn't we should send it back (Ingrid F in Cairns uses this approach).

When EM Plan seems to meet the criteria of the Act an Assessment Report should be completed within the **assessment period** of 30 BD. Also a public notice will be required under s556, as noted on the EIS Notice.

1. B —
RTI DL RELEASE - EMP



Cathy E

From: Cathy Birt
Sent: Wednesday, 17 March 2010 10:33 AM
To: s.73
Subject: Re: Colton Coal Project

Importance: High

Good morning s.73

I refer to our recent telephone conversation advising that the Coordinated Assessment Committee have requested additional information regarding the above Project before the Environmental Impact Assessment (EIS) decision is made.

A meeting has been arranged for Tuesday 23rd March at 9.00am at:

The conference room level 8, Mineral House, 41 George Street, Brisbane.

As discussed in our telephone conversation the following were areas that required additional information:

- Clarification on 1st Stage of the Project ✓
- Water and De watering of wetlands ✓
- Final Land Form and Rehabilitation ✓
- Public Interest ✓
- Clarification on construction of the treatment plant ✓

Please do not hesitate to contact me if you require any further information.

Regards

Cathy.

Cathy Birt
Acting Manager, Permit and Licence Management
Implementation & Support Unit, Regional Service Delivery
Telephone 07 3137 4241 **Facsimile** 07 3896 3342
Email: cathy.birt@derm.qld.gov.au
www.derm.qld.gov.au

Department of Environment and Resource Management
4/41 George St, Brisbane Q 4001
PO Box 15155, City East Q 4002

Notice of EIS decision for application for an Environmental Authority (Mining Activities) Non Code Compliant Level 1 Mining Project

This statutory notice is issued by the administering authority pursuant to section 162 of the Environmental Protection Act 1994 to advise you of the EIS decision regarding your application for an environmental authority (mining activities).

Colton Coal Pty Ltd
C/- s.73
GPO Box 5283
BRISBANE QLD 4001

The Mining Registrar
Department of Employment, Economic
Development and Innovation
PO Box 1475
COORPAROO QLD 4151

Our Reference: 248999

Dear s.73

**Re: Application for an Environmental Authority for Non Code Compliant Level 1 Mining Project,
(ML50273 and ML50274)**

Due to an administrative error this Notice has been amended and replaces the Notice dated 24 March 2010.

The Department of Environment and Resource Management (DERM) has assessed the application received on 3 February 2010 for an environmental authority in respect of the abovementioned mining leases.

The application is to be assessed as a Non-code Compliant Level 1 mining project and an Environmental Impact Statement (EIS) is **not** required but an Environmental Management Plan will be required.

The EIS decision was made by the DERM in accordance with section 162 of the *Environmental Protection Act 1994* (EP Act).

In light of the regional interest in the proposed mining operations, DERM is likely to seek public comment on the draft Environmental Management Plan and Environmental Authority under section 556 of the *Environmental Protection Act 1994*.

Your application has been forwarded to the Maryborough Office of the DERM for assessment. If you require further information please contact Tim Brain, Project Director on 07 4121 1813.

Yours sincerely

RECEIVED

12 APR 2010

sch4p4(6) Personal information

Cathy Birt
Delegate
Department of Environment and Resource
Management
30 March 2010

DEPT OF ENVIRONMENT
& RESOURCE MANAGEMENT
MARYBOROUGH

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