

Assessment level decision for amending an environmental authority

Environmental Protection Act 1994

EA NO:	MIN102925311
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An assessment level decision must be made within 10 business days from receipt of the amendment application (section 246). The first stage of this decision is to determine whether the amendment would significantly increase the level of environmental harm caused by the mining activity.

In making this determination, please follow the procedures given in the [EPP Water](#), [EPP Air](#), [EPP Waste](#) and [EPP Noise](#), and consider the [standard criteria](#) and whether section 247A applies.

Please answer the following question:

In considering the following, would the amendment result in a significant increase in the level of environmental harm?

Consideration	no	n/a	yes > description of reasons
EPP Water	☐	☐	Abstraction of ground water
EPP Air	☒	☐	
EPP Noise	☒	☐	
EPP Waste	☒	☐	
The Standard Criteria	☐	☐	Public interests
Does the amendment relate to mining activities in a wild river area?	☒	☐	
Any other issue	☐	☐	The proposed mining project covers Category B Endangered Regional Ecosystem (ERE). Although the proposed mine project was referred to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) for assessment under the EPBC Act, and the DSEWPC issued a Referral Decision- not controlled

Assessment level decision for amending an environmental authority

			action if undertaken in a particular manner as attached. The overall environmental impact of this mining project has to be further investigated.
Does section 247A of the EP Act apply? (tick relevant boxes below)			

Does the application relate to a new relevant mining lease or mining claim (s247A(a))?	☐	☐	Yes, the new lease application number is ML80180. Based on existing exploration activities at EPC881, the application proposed to develop an open cut coal mine with expected annual capacity of 1.4 million of Run of Mine (1 million ton saleable) coal product.
Does the application relate to an addition to the surface area of a relevant mining lease (s247A(b))?	☒	☐	
Does the application relate to a change to the rehabilitation objectives that is likely to result in significantly different impacts on environmental values than the impacts previously authorised under the environmental authority (s247A(c))?	☐	☒	Compared to the mining exploration on EPC881, the proposed mining project will have to change the rehabilitation objectives which have significant impact on environmental values.

Recommendation

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

- (a) If all the 'No' boxes are marked, there are no concerns of the proposed amendment significantly increasing the level of environmental harm. Proceed to decide whether to grant or refuse the application..... ☐
- (b) If any of the 'Yes' boxes are marked, there are issues which are likely to significantly increase the level of environmental harm. Please proceed to determine whether an EIS is required for the proposed amendment..... ☒

Assessing Officer Name: Grant Zhu

Date: 03/10/11

Checklist

Mining

EIS trigger criteria

Environmental Protection Act 1994

EA NO:	MIN102925311
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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 (section 162).

In case of an amendment application, the administering authority must make an assessment level decision under section 246 and decide whether an EIS is required for the proposed amendment.

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 DERM 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 application have a significant impact on <u>Category A</u> or <u>Category B</u> environmentally sensitive areas? (refer to sections 25 and 26 of the <i>Environmental Protection Regulation 2008</i>)	☒	☐
2. Will the application involve mining in a marine area?	☐	☒
3. Will the application involve mining less than 500 m landward from mean high water?	☐	☒
4. Will the application require the construction of more than 150 new dwelling units?	☐	☒
5. Will the application include an activity that would otherwise be an ERA with an aggregate environmental score of greater than 165?	☐	☒
6. Will the application involve the mining of more than 2 million tonnes of mineral or run of mine ore per year?	☐	☒
7. Will the application involve the abstraction of more than 2 million m ³ of water per year from natural surface or groundwater sources?	☒	☐
8. Will the application 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 application involve any level 1 mining activity less than 2 km from town?	☐	☒
10. Will the application contain a regulated dam?	☒	☐
11. Will the application include mining for uranium or asbestos?	☐	☒
12. Will the application 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 application include mining activities below the surface of a wild river high preservation area?	☐	☒
14. Will the application 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: Grant Zhu</p>	<p>Date: 03/10/2011</p>
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Environmental Impact Statement (EIS) decision for 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 an applicant of the EIS decision regarding an application for an environmental authority (mining activities).

Dingo West Coal Pty Ltd
C/- Mr Peter Binnie
Bandanna Energy Pty Ltd
Level 12, 410 Queen Street
BRISBANE QLD 4000

The Mining Registrar
Department of Employment, Economic
Development & Innovation
PO Box 548
ROCKHAMPTON QLD 4720

Our Reference: 205634

Dear Mr Binnie

**Re: Application for an Environmental Authority for Non Code Compliant Level 1 Mining Project
MIN102925311 (ML80179) ML80180**

The administering authority has assessed the application received on 27 July 2011 for an Environmental Authority MIN102925311.

The application is to be assessed as a Non Code Compliant Level 1 mining project and an EIS is required.

The EIS decision was made in accordance with section 162 of the *Environmental Protection Act 1994* (EP Act).

You are now required to submit a draft Terms of Reference (TOR) together with the prescribed fee of \$124,320.00 which will commence the EIS process. The Department of Environment and Resource Management will review the draft TOR against the requirement of s41 of the EP Act. That is, the submitted draft TOR should allow the purposes of the EIS to be achieved, and if so the EIS process will then progress towards public notification of the draft TOR. Please note that the draft TOR will not be reviewed until the fee is paid.

An EIS Coordinator will be appointed shortly for this project. If you require further information about the EIS process please contact Lindsay Delzoppo on (07) 3330 5630.

Yours sincerely

sch 4 - signature

Anthony Schmid
Delegate
Department of Environment and Resource
Management
5 October 2011

Enquiries:

Department of Environment and Resource
Management
GPO Box 2454
BRISBANE QLD 4001

Ph. (07) 3330 5630
Fax. (07) 3330 5754

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: 3 October 2011

Project details

Permit No.: MIN102925311
Project No: 205634
DERM Administering District: Central West Region - Emerald
DERM Region: Central
Project Name: Rockwood
Project type (may be more than one): Mining lease-coal
Applicant(s): Dingo West Coal Pty Ltd
Project location: MLA80180

Checklist
Coordinated Assessment Committee Report

Project Description:

Since 14 August 2008, Dingo West Coal Pty Ltd (Dingo West) has been holding Non-code Complaint environmental authority MIN100744508 authorising exploration activities at EPC881.

On 27 July 2011, based on boundary of EPC881, Dingo West applied for Non-code compliant EA mining lease to develop an open cut coal mine with expected capacity of 1.4 million ton of Run of Mine coal product per year. The coal will be hauled to coal preparation plant and processed or prepared as raw coal product, and stockpiled prior to being loaded onto trains utilising the existing Blackwater to Gladstone rail line. The proposal includes an open cut mine, haul roads, stockpile areas, water management dams and associated infrastructure. New rail sidings will be established and connect to the main line via spur line. The mine lease (ML) application number was issued as MLA80180 with a new EA number as MIN102925311.

With a total area of 4650 ha, the ML80180 is entirely within EPC881 located 6 km west of Dingo, approximately 3 km south of Taunton National Park, and 12 km north east of Blackdown Tableland National Park. Although the land has been grazed and infested with weeds, it covers Category B Endangered Regional Ecosystems (ERE-Biodiversity Status) which is enlisted as Matters of National Environmental Significance (MNES) under the *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*. Based on the database search for EPC881, it is identified that matters potentially relevant to Dingo West Mine Project include Threatened Ecological Communities, Threatened Flora and Fauna Species and Migratory Species.

The proposed mine project was referred to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) for assessment under the EPBC Act 1999, and the DSEWPC issued a Referral Decision- not controlled action if undertaken in a particular manner as attached.

However, in order to be able to make an Assessment Level Decision to determine if EIS is required, on 10 August 2011, the administering authority requested additional information regarding details of the mining activities which were supplied in draft environmental management plan.

On 20 September, the applicant re-submitted the proposed mining project with a draft of Environmental Management (EM) Plan including proposed mining activities and related control strategies to mitigate environmental impacts.

Permit Application type(s):

Level 1 Non-Code Compliant EA (ML)

Application date:

20 September 2011

Decision required:

Assessment level decision (ALD)

Decision Due:

4 October 2011

Recommended Decision:

Significant increase in environmental harm is likely; EIS is required

Recommended Project Director:

Chris Loveday, Manager Environmental Services - Mining

Assessing Officer:

Grant Zhu- Senior Environmental Officer (Emerald)

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>

#The application was referred to Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) under the *Environmental Protection and Biodiversity Conservation (EPBC) Act 1999*. Please see the attached "Referral Decision - not controlled action if undertaken in a particular manner"

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 -Coal loadout over the Capricorn Highway may cause a nuisance through airborne particles and require further consideration by external stockholders.

#Please refer to the Referral Decision as above.

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

Low# Rare and threatened species and ecosystems
Low* Vegetation clearing
N/A Marine systems
N/A Sustainable use of wildlife
N/A Riparian buffer zones

Notes:

#The EM Plan indicated that, as there is little suitable habitat for any EPBC Act listed species on site and impacts will be managed within the boundaries of the site, there will be no significant impact on species of concern.

*No vegetation clearing will be undertaken for the 46.3 ha of ERE within the mining lease.

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:

It is expected that 1 million ton of saleable coal per year will be excavated and relocated.

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:

Water Issues

Medium ¹	Quality
Low ²	Discharges
Medium ³	Stream flows (effects in ecology)
Medium ³	Waterways management
Medium ²	Hydrology
Low ³	Impacts on freshwater and marine systems
Low ¹	Ground water ¹

Notes:

¹During mining and after closure (final void), ground water flow will be towards pits, and potential for contaminants to move out via the groundwater system is expected to be low. However, given the fact the background water is already slightly acidic (pH 6.38 – 6.76), the acid forming potential of overburden material that acidifies surface and ground waters due to oxidation/mineralisation is unknown.

²The applicant aims at implementing strategy of zero discharge into the surrounding environment, which is that any water found within the open cut pits will be tested and pumped to the mine dewatering dam. No water will be released directly into the existing waterways. However, a definitive solution to water management on-site will be pending on a detailed water balance model that will be completed during the first quarter of 2012.

³Water bodies present within the site are claimed to be ephemeral in nature by the applicant. Three waterways (Stanley Creek, Springton Creek, and Charlevue Creek) run through the site, of which the first two are considered minor waterways and likely to have little to no water running through systems during dry season, and the third is considered a major waterway. However observations made during a recent field survey (July 2011-the dry season) identified that non-flow water existed in Charlevue Creek and water flowing in Springton Creek, which is believed that the presence of water in the creeks is due to heavy rain/flood during the previous wet season. Nevertheless, the fact is that as Charlevue Creek may cause significant flooding during wet season, the flood water not only significantly affects mining operation, but also may contaminate related environment downstream of the creek, include the potential changes to flood hydrology at the Capricorn Highway. Hence, pit(s) will require flood protection levees to exclude pit inundation from Charlevue Creek.

Air Issues

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

Notes:

Background air quality and cumulative impacts were assessed and predicted through modelling. The EM Plan indicated the Project is unlikely to adversely impact air quality in the area.

* As the coal loadout will cross over the Capricorn Highway, it may potentially produce a nuisance-dust emission.

Noise Issues

N/A	Community noise
Low	Transportation noise
N/A	Industrial noise
Low	Ground vibration
Medium*	Airblast overpressure

Notes:

According to the EM Plan, noise issues will be effectively managed via noise modelling, proposed control strategies and consultation with local communities.

*As the mine site is located 6 km west of Dingo, airblast and vibration noise may be heard by Dingo communities.

Land Issues

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

Notes:

Land within the site will be cleared for three open cut pits, two water management dams, mine infrastructure, proposed co-disposal (or TSF) for coal rejects and rail balloons within the ML. The EM Plan proposed EA conditions for land rehabilitation.

Waste Issues

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

Notes:

The EM Plan has identified related waste that will be produced during the project implementation and potential impact on environmental values, and proposed environmental objectives and control strategies to mitigate the impacts.

Heritage Issues

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

Notes:

*Potential presence of indigenous heritage material within in disturbed area will be assessed during pre-clearance targeted field surveys undertaken by the Aboriginal part as agreed in Cultural Heritage Management Plan.

#Two clusters of gravesites of European settlement were observed within the project area. Although mining activities will not impact these sites, the surrounding topography will be modified.

Coastal Issues

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

Notes:

Checklist
Coordinated Assessment Committee Report

Impacts on surrounds Issues

Medium*	Transportation
Unknown#	Visual impacts
Low	Compatibility with surrounding uses
and activities	
Unknown	Neighbours opinions

Notes:

*Coal loadout across over the Capricorn Highway.

#Although the applicant claimed that the mining operation and coal loadout across the Highway has low visual impacts to local communities, the visual impacts to visitors to Blackdown Tableland National Park (where approximately 12 km southern west of the ML) are unknown.

Social issues

Medium*	Amenity
N/A	Displacement of use
Unknown#	Community views
N/A	Public safety
N/A	Politics/policy

Notes:

*There will be 120 permanent dwellings constructed near the town of Dingo; and noise may be heard, and/or dust may be visible during the process of blasting. Also, traffic to the Highway and local communities may be increased.

#Stakeholder and community consultation will be undertaken during the definitive feasibility study period commencing in 4th quarter of 2011.

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

On 30 August 2011, a meeting was held between DERM officers (Glen Wright- Principal Environmental Officer, Grant Zhu- Senior Environmental Officer) and representatives (Dr Craig Streatfeild and Mr Sam Maynard) of Dingo West Mine to discuss the required details for making an Assessment Level Decision (ALD). Following up communications have been made regarding more detailed information required for the Environmental Management Plan.

Since the meeting, extensive discussion has been made with Glen Wright regarding the ALD.

On 23 September 2011, internal discussions were made with Glen Wright and Rebecca Blades (Principal Environmental Officer) regarding the final decision of EIS.

Other issues

General comments and additional information:

1. Although the applicant has provided detailed information of the proposed mining project with a comprehensive draft EM Plan (additional information), given the fact that the proposed mine project being conducted within Category B Endangered Regional Ecosystems which is enlisted as Matters of National Environmental Significance (MNES) under the *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*, the potential impact of mining activities to the ERE is inevitable.
2. Despite the proposed mine project was referred to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) for assessment under the EPBC Act, and the DSEWPC issued a Referral Decision- not controlled action if undertaken in a particular manner as attached, the assessing officer believes this matter needs to be further investigated through EIS process.
3. Also, the north edge of the ML is about 3 km south of Taunton National Park which includes Protected Areas and Category B of ERE, and the south edge is about 12 km northeast of Blackdown Tableland National Park, the potential impacts of the disturbance (noise, light, dust and vibration) to the communities of the national parks are unknown.
4. The underground water is already slightly acidic (pH 6.38 – 6.76), due to the potential of acid-forming, overburden material is unknown, the magnitude of acidification to the surrounding waters and soils because of the material oxidation/mineralization needs to be investigated.
5. The draft EM Plan indicated that based on model prediction, the project will abstract approximately 2 million m³ of ground water, which is the threshold triggering EIS. As the DERM policy requires the decision to be made within 10 BD after the application was lodged, it is beyond the capacity of assessing officer to verify the reliability of this prediction.
6. Finally, the coal loadout across over the Capricorn Highway may draw public interests, and interests of other departments, such as Main Roads.

CAC Recommendation

CAC Recommendation:	
Significant increase in environmental harm likely and EIS is required	
Project Director:	
Christopher Loveday, Manager Environmental Services - Mining	
Assessment Office:	
Central West Region (Emerald)	
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.



**Notification of
REFERRAL DECISION – not controlled action if undertaken in a particular
manner**

Dingo West Coal project (EPBC 2010/5775)

This decision is made under sections 75 and 77A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

person named in the referral	Dingo West Coal Pty Ltd ACN 119 713 665
proposed action	To construct and operate an open cut coal mine including mine pits, haul roads, stockpile areas, water management dams and associated infrastructure approximately 6 km west of Dingo, Queensland. (See EPBC Act referral 2010/5775).

Referral decision: Not a controlled action if undertaken in a particular manner

status of proposed action	The proposed action is not a controlled action provided it is undertaken in the manner set out in this decision.
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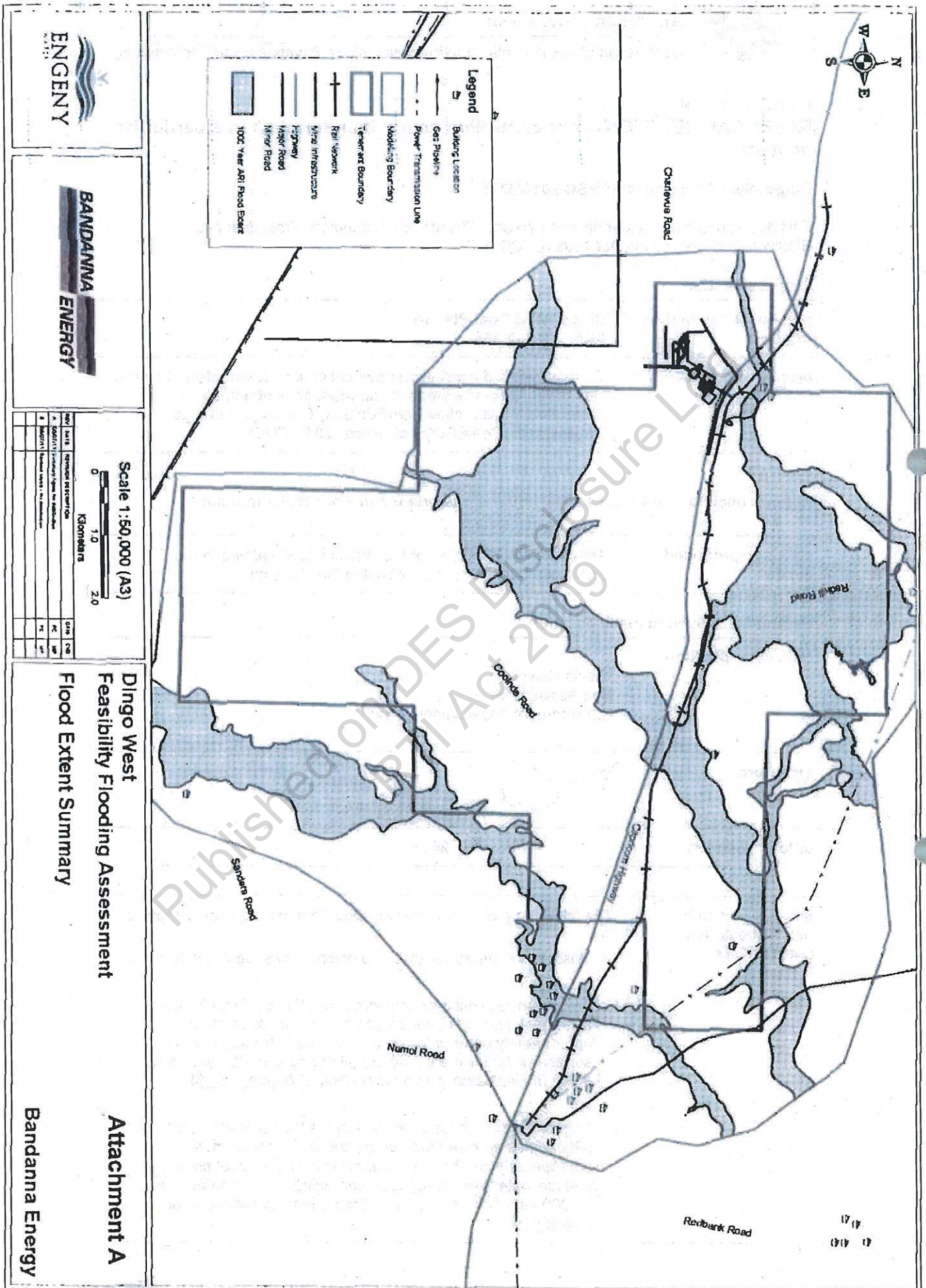
Person authorised to make decision

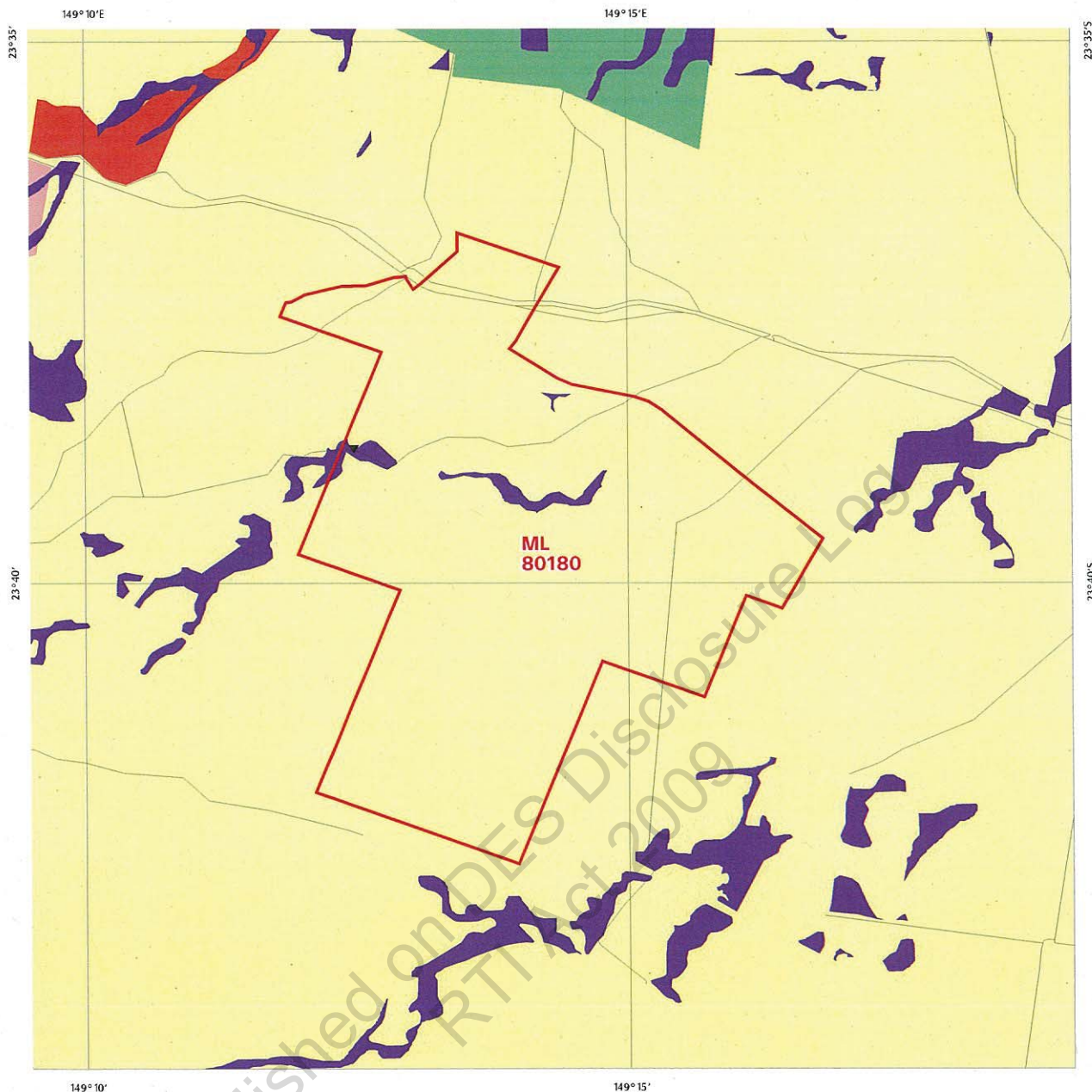
Name and position	David Calvert Ag Assistant Secretary Environment Assessment Branch
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signature	<div style="border: 1px solid red; padding: 5px; display: inline-block;">sch 4 - signature</div>
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date of decision	11 July 2011
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manner in which proposed action must be taken	<p>The following measures must be taken to avoid significant impacts on</p> <ul style="list-style-type: none">Listed threatened species and communities (sections 18 & 18A) <ol style="list-style-type: none">To prevent downstream impacts to the Fitzroy River Turtle (<i>Rheodytes leukops</i>) the person taking the action must appropriately bund or locate pits in a manner that prevents surface water from entering the pit during a 1:1000 year flood event (as indicated in flood modelling at <u>Attachment A</u>).To prevent downstream impacts to the Fitzroy River Turtle (<i>Rheodytes leukops</i>) the person taking the action must appropriately bund or locate dams in a manner that prevents surface water from entering or damaging the dams during a 1:1000 year flood event (as indicated in flood modelling at <u>Attachment A</u>).
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Legend

- Selected Mining Lease
- CATEGORY A**
- National Parks
- Conservation Parks
- Forest Reserves
- Wet Tropics World Heritage Area
- Great Barrier Reef Marine Park Region
- Marine Parks other than General Use Zones
- CATEGORY B**
- World Heritage Areas
- Queensland Heritage Register Places
- Ramsar Sites
- Cultural Heritage Registered Areas and DLA's other than Stanbrooke
- Special Forestry Areas
- Fish Habitat Areas
- Koala Plan
- Coordinated Conservation Areas
- Endangered Regional Ecosystems (Biodiversity Status)
- General Use Zones of Marine Parks
- Marine Plants

- CATEGORY C**
- Nature Refuges
- Resources Reserves
- Declared Catchment Areas
- Declared Irrigation Areas
- Drainage Areas
- River Improvement Areas
- Stanbrooke DLA
- State Forests
- Timber Reserves
- Coastal Management Control Districts
- Dams and Weirs
- OTHERS**
- Roads
- MapInfo Australia Pty Ltd 2010
- Towns
- Wild River Nominated Waterways
- Wild River High Preservation Areas
- Wild River Preservation Areas
- Mahogany Glider Habitat
- Directory of Important Wetlands
- Queensland

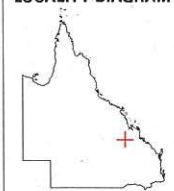
ENVIRONMENTALLY SENSITIVE AREAS - Mining Activities

Requested By: GRANT.ZHU@DERM.QLD.GOV.AU
Date: 26 Sep 11 Time: 09.06.04

Centered on Tenure:
ML 80180



LOCALITY DIAGRAM



This scale bar is approximate only
Horizontal Datum: Geocentric Datum of Australia 1994 (GDA94)
This product is unprojected and is not suitable for measuring distances

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NOTE TO USER: Themes presented in this map are indicative only. Field survey may be required to verify the 'true' spatial extent and value. Not all environmentally sensitive areas are presented in this map. A user should refer to the particular circumstances relevant to their situation to assess the 'completeness' of themes provided.

The user should note that some boundaries and indicated values are ambient and may change over time (e.g. regional ecosystem boundaries and conservation status, watercourse mapping etc).

The user should be aware that due to multiple overlapping themes/layers present, some themes/layers may be obscured by others. Ordering in the Legend does not accurately reflect the order by which themes/layers are displayed.

BRUNNER Melissa

From: NAYLOR Gillian
Sent: Friday, 6 December 2019 12:50 PM
To: NIELSEN Tenille; ENGEL Chelsea; BRUNNER Melissa; HARTZER Keeley
Subject: FW: Gemini Coal CAC decision
Attachments: CAC decision Gemini Coal Project 20191205.pdf

Hi All,

Please find attached the CAC decision that has determined that an EIS is *not* required for this application.

Please have a read of the content of the report and ensure that our eventual conditions, should the project be approved, adequately constrain the project to the extent of impacts, scale and intensity that has been applied for. Please also ensure that our assessment report makes it clear that additional disturbances might be subject to an EIS if the impacts have cumulatively crept to a level that would require an EIS to be completed.

Cheers,
Gill



Gillian Naylor

Manager, Environmental Services
Business Centre Coal I Coal and Central Queensland Compliance
Department of Environment and Science

M 4 - mobile phone P (07) 4987 9366
E gillian.naylor@des.qld.gov.au
99 Hospital Road, Emerald QLD 4720
PO Box 3028, Emerald QLD 4720

From: MONKIVITCH James
Sent: Thursday, 5 December 2019 3:57 PM
To: NAYLOR Gillian; LOVEDAY Chris
Subject: Gemini Coal CAC decision

Dear Gill,
Attached CAC decision.

Cheers



James Monkivitch

A/Director
Operational Support I Regulatory Support
Department of Environment and Science

P 07 3330 5699
Level 9 – 400 George Street BRISBANE QLD 4000
GPO Box 2454, BRISBANE QLD 4001

CAC decision for 5 December 2019 are as follows:

- **Gemini Coal Project** – Site specific environmental authority (EA) application for a resource Project
- CAC members – James Monkivitch and Chris Loveday.
- Magnetic South Pty Ltd is the proponent for the proposal.
- The proposed Project is a 'greenfield' open cut metallurgical coal mine and associated infrastructure situated approximately 110km east of Emerald in the Bowen Basin. The Project would produce up to 1.9 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal (PCI and coking coal for steel making) for export over 20 years. Construction of the Project is proposed to commence in 2021.
- The total disturbance footprint is 1,961.2ha including all mining and infrastructure. Two open cut mining areas (Pit AB and Pit C) are proposed to be developed using truck and shovel methods and progressively rehabilitated.
- On 23 October 2019, the proponent submitted a new site specific EA application over mining lease application (MLA) 700056. The relevant MLA is located within EPC881, which is held by the applicant.
- The application was lodged prior to the 1 November 2019 commencement of the new provisions in the EP Act for preparing a Progressive Rehabilitation and Closure Plan (PRCP). As a result, the EA that is issued for the Project will be subject to the transitional provisions in Part 27 of the EP Act.

Matters of state environmental significance (MSES)

- The Project is positioned in a flat landscape dissected by Charlevue Creek, Springton Creek, Stanley Creek and other small tributaries. The area is currently used for low intensity grazing and resource exploration activities.
- Flora surveys confirmed the presence of six vegetation communities classed as remnant vegetation within the Project area. The regional ecosystems (REs) are either 'no concern at present', 'of concern'. Flora surveys detected one species of conservation significance, *Cerbera dumicola*, listed as near threatened under the *Nature Conservation Act 1992*.
- A small section of approximately 2.5ha of Taunton National Park falls within the north-west corner of the MLA. This NP is identified as a Category A Environmentally Sensitive Area (ESA). Category B ESA (i.e. Endangered Regional Ecosystems) is mapped as potentially occupying several parcels of land within the MLA. These areas of Category B ESA represent the Endangered RE 11.3.1. Flora surveys undertaken by the applicant confirmed that RE 11.3.1 was not one of the six vegetation communities present on site, which have a biodiversity status of either 'of concern' or 'no concern at present'.

Matters of national environmental significance (MNES)

- Four threatened ecological communities (TECs) could potentially occur within 10km of the site. However, the vegetation communities recorded within the Project area do not meet the condition thresholds to constitute a TEC.
- Flora species of conservation significance with potential to occur within the MLA include EPBC listed species *Solanum dissectum*, *Solanum elaeagnifolium* and *Bertya oppositifolia*. These were not identified on the site, however the site did contain suitable habitat for *Bertya oppositifolia*.
- Of the 12 EPBC listed EVNT fauna species with potential to occur at site, only 3 of these fauna species of conservation significance were identified at site including the southern squatter pigeon, greater glider and rufous fantail (migratory).
- An EPBC Act referral (2010/5775) was lodged for the Project (previously known as the Dingo West Project) in 2010, and was declared 'Not a controlled action if undertaken in a Particular Manner' in July 2011.
- The Fitzroy River turtle was previously identified as potentially impacted by the Project subject to the particular manner in which the Project is undertaken (EPBC 2010/5775).

Surface water

- The Project has the potential to impact on water availability, water quality and flow regime, flood levels and loss of catchment area due to the capture of water within the site water

management system (SWMS) and pits. The SWMS will be designed to reduce the environmental risks associated with runoff from disturbed areas. The mine operation and associated infrastructure will be located outside of the flood inundation areas of Springton Creek and Charlevue Creek. Temporary flood protection levees will be constructed to protect Pit AB.

Groundwater

- The groundwater EVs relevant to the MLA include agricultural use (where groundwater is extracted from agricultural bores) and aquatic ecosystems (where shallow groundwater may support GDEs).
- The proposed mining activity has the potential to impact on groundwater level through drawdown and an increased risk of groundwater contamination via seepage. Groundwater drawdown will be limited to the take of associated water only. Modelling has predicted that a permanent cone of depression will develop, directing groundwater flow toward the final voids. An assessment of the potential for water within the final voids to exit the void at the base of the Tertiary sediments concluded that this was not likely. At the end of mining, the 5m drawdown extent will be approx. 2km from Pit AB and 1.8km from Pit C on the western side of the mining area. Make good agreements will be put in place where it is determined that drawdown affects the utility of the bore.

Groundwater dependent ecosystems (GDEs):

- GDEs in the Project area include wetlands and riparian vegetation associated with Charlevue and Springton Creeks. Potential impacts to GDEs will be managed through the installation of ESC structures near all high-risk areas to prevent sediment releases, and implementation of a receiving environment monitoring program to monitor vegetation health and biological indicators in the aquatic environment. Groundwater bores adjacent to the creeks will be fitted with data loggers to assess water level changes within the alluvium.

Noise and vibration

- The application has identified 25 potential sensitive receptors within 5km of the MLA boundary including residences and the Dingo township.
- A baseline noise monitoring study was conducted in accordance with the relevant Australian Standard. The applicant has adopted the criteria in the EPP (Noise) and the Planning for Noise Control Guideline (EHP 2004) to develop the proposed noise limits as the Project is unable to meet the noise limits in the department's Model Mining Conditions guideline. Noise modelling results have indicated that exceedances of the 37dBA night time objective is predicted at four sensitive receptors that are not currently owned by the applicant. Three of these are located within the MLA and are subject to ongoing discussions about compensation agreements or property acquisition.
- A noise and vibration monitoring program is intended to be established to ensure the risk of noise impacts to human health and wellbeing is low.
- Ground vibration due to blasting is predicted to be compliant with the limits adopted from the Model Mining Conditions at all sensitive receptors.

Air

- The application has identified potential sensitive receptors within 10km of the MLA boundary including residences and the Dingo township. Dust emissions from the Project is the main pollutant likely to impact on air quality. Minor exceedances for the PM10 objective value are predicted and ongoing dust monitoring and other control measures are proposed to be implemented

Waste

- Mine waste in solid form will be placed in out-of-pit waste rock emplacements and in-pit waste rock emplacements of Pit AB and Pit C when space becomes available behind the advancing mine operation.

- All of the mine waste samples tested were non-acid forming (NAF) and had a low surfer content. Surface runoff and seepage is expected to be moderately alkaline and saline. The mine waste material contained low concentrations of total metals/metalloids.
- The main findings of the coal reject geochemical analysis were that as a bulk material, it is expected to be NAF with excess acid neutralising capacity with a low risk of acid generation. Surface runoff and seepage is expected to be pH neutral with a moderate level of salinity. Coal reject material will be encapsulated in spoil areas away from the surface of final rehabilitated landforms to avoid connectivity to surface and groundwater.

Land

- Following the completion of coal extraction from Pit AB in Year 12, final backfilling of the void will occur through rehandling of out-of-pit waste rock emplacements. The development of Pit C will commence in Year 12 for a period of 7 years, with backfilling of the mine void continuing as the mining face advances. The voids will not be completely backfilled and two pit lakes that total 81ha in area (4% of total disturbance) will remain in the post mine landform. These areas are proposed to support a post mine land use of native fauna habitat, whilst the intent is to return the remainder of the site to suitable grazing land. Alternative backfilling options are analysed in the application supporting document.

Consultation

- The assessing officer from Emerald Business Centre Coal recommends that an EIS is not required as per Part B – Trigger Criteria checklist
- The assessing officer advised that the Project does not trigger the requirements for an EIS under the EP Act for a greenfield site. The applicant is not proposing to produce more than 2Mtpa per year of ROM coal. It is estimated that the Project will produce approximately 1.9Mtpa of ROM coal over 20 years (average of 1.8Mtpa). The Project is proposing to develop two pits, which will be mined and rehabilitated sequentially. The applicant will have to apply for approval to change the production rate or add mining leases in future if they plan to expand the operation.
- The application will also not involve the removal of 1Mtpa of ROM coal on or under a floodplain or in a coastal hazard area. The EIS trigger is based on the definition of a floodplain in the *Water Act 2000*. The applicant has stated that no mining areas will intersect the modelled 0.1% AEP flood extent associated with watercourses determined under the *Water Act 2000*.

Decision

- An EIS is not required under the EP Act based on consideration of the department's Trigger Guidelines and Standard Criteria.

sch 4 - signature

I note that the 1.9 MTPA is close to the trigger level, however in discussion with CBC am satisfied that the conditioning and controls will ensure that future request to expand footprint or production rate will potentially trigger an EIS process.

James Monkivitch
A/Director
Operational Support
Date: 5 December 2019

Report to CAC

Environmental Protection Act 1994

Coordinated assessment committee (CAC) report on the need for an environmental impact statement (EIS)

Report for all projects that require a decision by the department's CAC on whether an EIS is required under sections 70, 143 and 228 of the Environmental Protection Act 1994 (EP Act).

When this report applies

The report format should be used for all resource applications meeting the requirements for a decision by CAC on whether an EIS is required under sections 70, 143 and 228 of the EP Act.

Specifically, this report should be used for:

- all site-specific resource applications for an environmental authority (EA)
- applications that are major amendments to an EA
- voluntary preparation of an EIS.

Note: this report is **not** for projects that have completed an EIS under the EP Act. It also does **not** apply to 'coordinated projects' under the *State Development and Public Works Organisation Act 1971*.

How to use this report format

This report should be prepared by the nominated environmental services assessment officer and should include a recommendation based on an assessment of:

- Part A (department interests)
- Part B (trigger criteria) and
- Part C (standard criteria) of this CAC report.

Applications for major EA amendments should attach the assessment level decision (ALD decision) and supporting documentation, such as maps, to this CAC report. The CAC report must be approved and signed by the manager.

The completed CAC report should then be forwarded to Impact Assessment and Operational Support Team at eis@des.qld.gov.au, carbon copy (cc) to Pauline.Gregory@des.qld.gov.au and Chris.Loveday@des.qld.gov.au.

Applicant and project details

Project name	Gemini Coal Project
Applicant name ¹	Magnetic South Pty Ltd.
Project type	<u>EA Application</u> The Department of Environment and Science (the department) received a site-specific environmental authority application for the Gemini Coal Project on 23 October 2019.
Tenure details	MLA700056
Project location	Approximately 110km east of Emerald, within the Central Highlands Regional Council Local Government Area of the Bowen Basin, in Central Queensland.

Administrative details

Application type	Site-specific application for an environmental authority for a resource project.
Environmental authority no. (if relevant)	TBC
eDOCS reference	TBC
Department business centre	Business Centre Coal
EIS decision due (max 3 bd after CAC report) ²	4 December 2019
Information request due (section 140 EP Act)	4 December 2019

Background

On 23 October 2019, Magnetic South Pty Ltd (the applicant) submitted a new site-specific environmental authority (EA) application for the Gemini Project (the Project) over mining lease application (MLA) 700056. The relevant MLA is located within EPC881, which is held by the applicant.

The supporting information document (including technical appendices) 'Gemini Project Site-specific EA Application: Supporting Information' (supporting document), prepared for the Project by AARC Environmental Solutions, accompanied the EA application.

The 'greenfield' project will involve the development of an open cut coal mine and associated infrastructure approximately 110km east of Emerald in the Bowen Basin. The Project will produce up to 1.9 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal (PCI and coking coal for steel making) over 20 years.

Construction of the Project is proposed to commence in 2021.

The proposed Project would include the following components:

- Exploration activities to support mine planning;
- Development of a mine infrastructure area (MIA);

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 The EIS decision is due three business days (3 bd) after the CAC report is provided to CAC.

- Construction and operation of a coal handling and preparation plant (CHPP), ROM coal stockpiles, topsoil stockpiles and borrow pits;
- Construction and operation of a surface conveyor from the product stockpiles to a train load out (TLO) facility and rail loop connecting to the Blackwater Railway;
- Construction of an accommodation village within the MLA;
- Construction of access roads from the Capricorn Highway to the MIA, and from the Capricorn Highway to the TLO facility;
- Installation of a raw water supply pipeline to connect to the Blackwater Pipeline network;
- Development of open cut pits and out-of-pit waste rock emplacements;
- Disposal of coarse and fine rejects in mined out voids and out-of-pit spoil dumps; and
- Development of water storage dams, sediment dams, temporary levees and drains.

The application states that the following environmentally relevant activities (ERAs) will be undertaken as part of the proposed mining operation:

Schedule 2 of the Environmental Protection Regulation 2019 (EP Regulation) –

- ERA 8(3) – Chemical storage – storing a total of 500 m³ of class C1 or C2 combustible liquids under AS1940 or dangerous goods class 3 under subsection (1)(c).
- ERA 31(2)(b) – Mineral processing – processing 100,000 t or more of mineral products, other than coke, in a year.
- ERA 63(1)(b)(i) – Sewage treatment - operating a sewage treatment works, other than a no release works, with a total daily peak design capacity of more than 100 but not more than 1,500EP, if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme.
- ERA 33 – Crushing, milling, grinding or screening – more than 5,000t of material in a year.
- ERA 60(2)(h) – Waste disposal – Waste disposal – operating a facility for disposing of, in a year, more than 200,000t of waste mentioned in subsection (1)(b).

Schedule 3 of the EP Regulation 2019 –

- ERA 13 – Mining black coal.

The total disturbance footprint is 1,961.2ha including all mining and infrastructure. Two open cut mining areas (Pit AB and Pit C) are proposed to be developed using truck and shovel methods and progressively rehabilitated. Following the completion of coal extraction from Pit AB in Year 12, final backfilling of the void will occur through rehandling of out-of-pit waste rock emplacements. The development of Pit C will commence in Year 12 for a period of 7 years, with backfilling of the mine void continuing as the mining face advances. The voids will not be completely backfilled and two pit lakes that total 81ha in area (4% of total disturbance) will remain in the post mine landform. These areas are proposed to support a post mine land use of native fauna habitat, whilst the intent is to return the remainder of the site to suitable grazing land. Alternative backfilling options are analysed in the application supporting document.

The Project lies within the Mackenzie River sub-catchment in the Fitzroy River Basin. The mined areas are located between Charlevue Creek and Springton Creek. The application states that the unnamed tributaries located within the mined area do not meet the definition of a watercourse under the *Water Act 2000* and therefore, the adjoining lands do not constitute a floodplain. The voids are proposed to be constructed between two floodplains and not within the Queensland Floodplain Assessment Overlay.

A temporary flood protection levee will be constructed to protect Pit AB from potential inundation from a section of an unnamed tributary of Springton Creek, while another section is proposed to be diverted away from the operation.

The department determined that the application was properly made on 6 November 2019. The department has until 4 December 2019 to determine if further information is required to decide the application and whether an Environmental Impact Statement (EIS) is required.

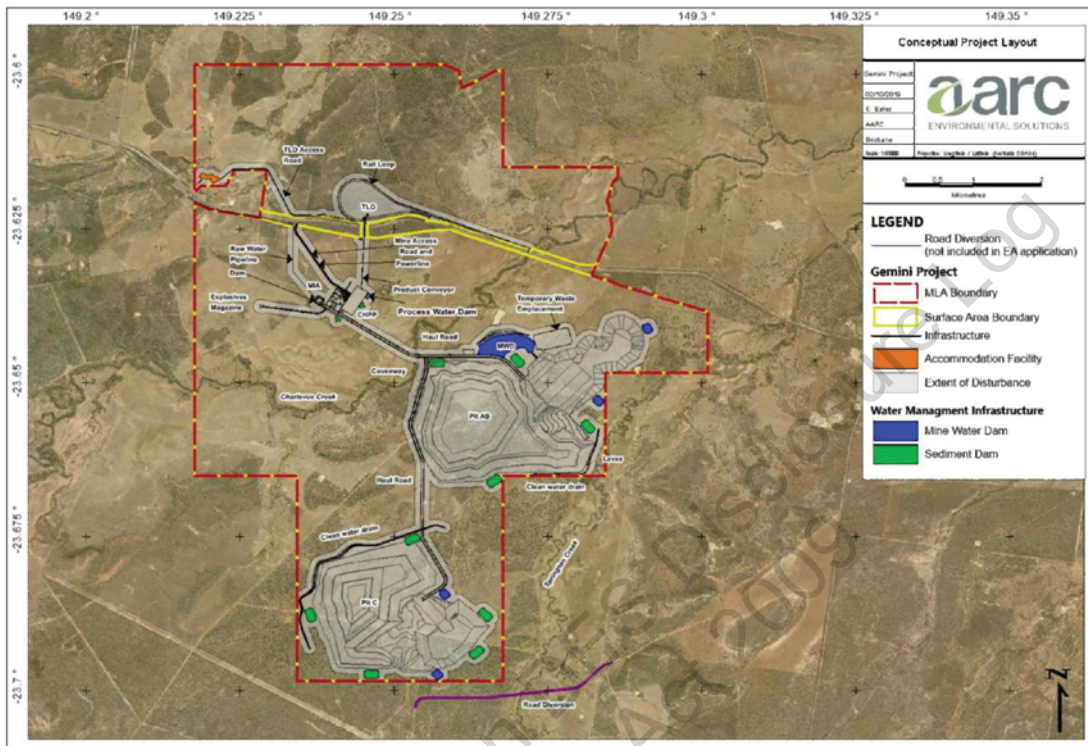
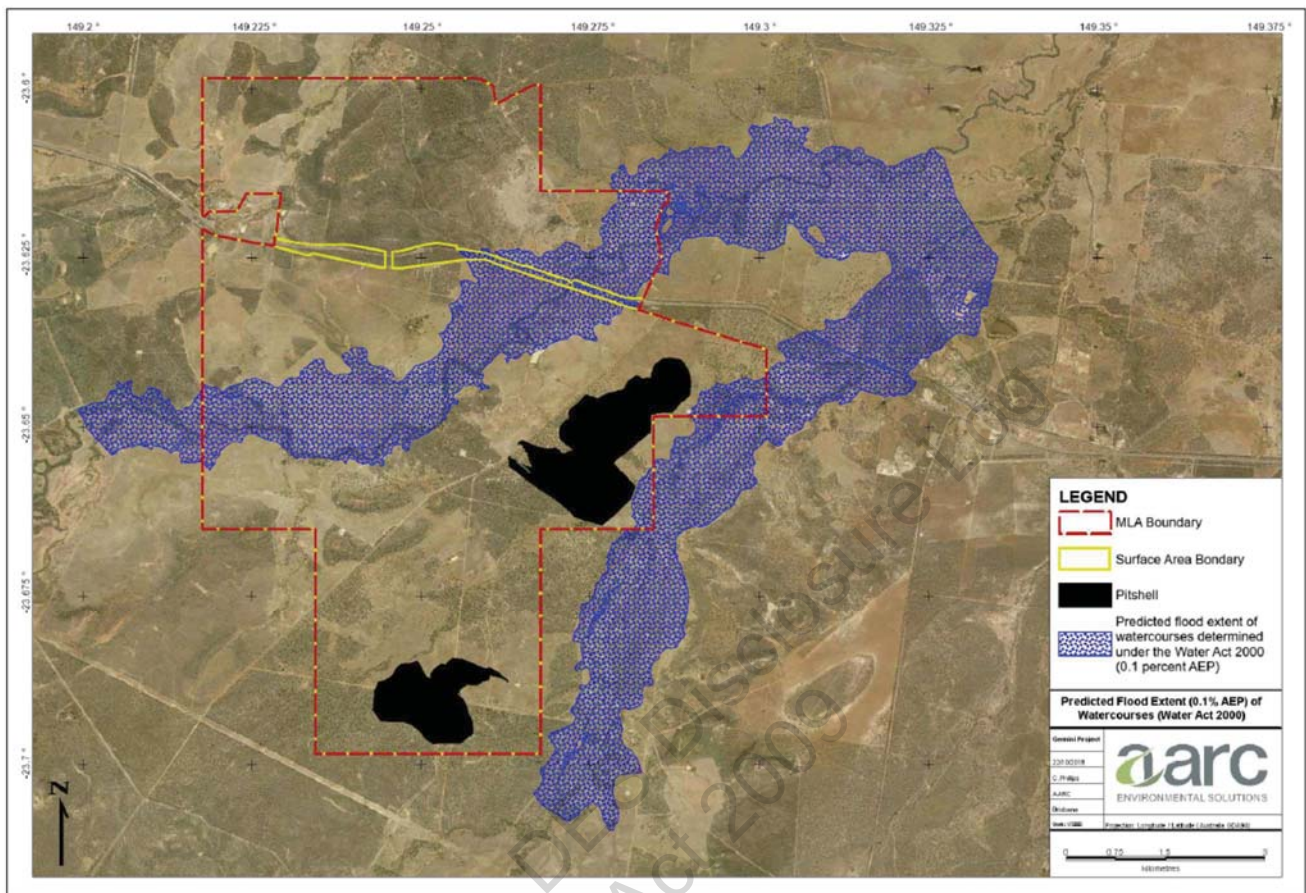


Figure 7 Conceptual layout - Gemini Project

Recommendation³	
<p>After completing Parts A, B and C of this report, mark which of the following applies:</p> <p>(a) EIS is required.....☐</p> <p>(b) No EIS is required.....☒</p> <p>Statement of reasons:</p> <p>The assessing officer recommends that an EIS is not required as per Part B – Trigger Criteria checklist.</p> <p>The Project does not trigger the requirements for an EIS under the EP Act for a greenfield site. The applicant is not proposing to produce more than 2Mtpa per year of ROM coal. It is estimated that the Project will produce approximately 1.9Mtpa of ROM coal over 20 years (average of 1.8Mtpa). The Project is proposing to develop two pits, which will be mined and rehabilitated sequentially. The applicant will have to apply for approval to change the production rate or add mining leases in future if they plan to expand the operation.</p> <p>The application will also not involve the removal of 1Mtpa of ROM coal on or under a floodplain or in a coastal hazard area. The EIS trigger is based on the definition of a floodplain in the <i>Water Act 2000</i>. The applicant has stated that no mining areas will intersect the modelled 0.1% AEP flood extent associated with watercourses determined under the <i>Water Act 2000</i> (see map below). The Project is not located in a coastal hazard area.</p> <p>The application will not involve the introduction of a novel or unproven resource extraction process, technology or activity. The activity of mining black coal will be undertaken using traditional truck and shovel methods.</p>	
<p>Assessing Officer: Tenille Nielsen</p>	
<p>Delegate (EP Act): Gillian Naylor Date: 25 November 2019</p>	

³ In making this recommendation, the EIS Trigger Guideline (ESR/2016/2167) requires the administering authority to carry out its functions and responsibilities in accordance with the EP Act. This includes empowerment of the right to require an EIS for a resource development project if consideration of the standard criteria (and any other relevant considerations) shows an EIS should be required, irrespective of the triggers in this guideline.



PART A – DES INTERESTS

Additional approval processes required (attach details where necessary):

- ☐ None
- ☐ Other applications received by the department for project
- ☐ A process under the *State Development and Public Works Organisation Act 1971*
- ☒ Commonwealth processes under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- ☐ Other

An EPBC Act referral (2010/5775) was lodged for the Project (previously known as the Dingo West Project) in 2010, and was declared 'Not a controlled action if undertaken in a Particular Manner' in July 2011. The Particular Manner Decision conditions are as follows:

1. To prevent downstream impacts to the Fitzroy River Turtle (*Rheodytes leukops*) the person taking the action must appropriately bund or locate pits in a manner that prevents surface water from entering the pit during a 1:1000 year flood event.
2. To prevent downstream impacts to the Fitzroy River Turtle (*Rheodytes leukops*) the person taking the action must appropriately bund or locate dams in a manner that prevents surface water from entering or damaging the dams during a 1:1000 year flood event.

The applicant has stated that the Project complies with the Particular Manner Decision (EPBC 2010/5775). The level of impact to the MNES has been assessed to be no greater than that described in the EPBC Referral. The potential impact of the Project on the Fitzroy River Turtle is addressed in Appendix H: Aquatic Ecology Assessment (AARC 2019) of the application supporting information document.

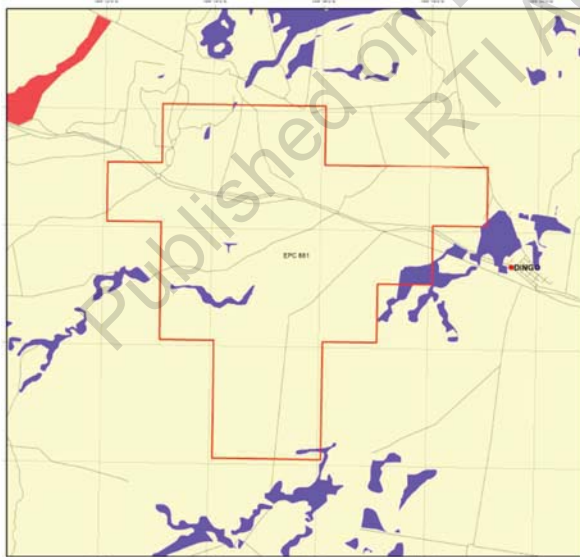
Special considerations (attach details where necessary):

- ☒ Affects an environmentally sensitive area (Category A, B and/or C⁴)
- ☐ Involves a large number of individual decisions
- ☐ Is likely to generate significant community concern
- ☐ Needs policy change for approval
- ☐ Applicant suitability⁵
- ☐ Involves significant issues with another Queensland Government/Australian Government authority
- ☐ Involves impacts on an existing legally secured offset area under State and/or Commonwealth legislation
- ☐ Another special circumstance which significantly elevates environmental, social or economic risks beyond those usual for this type of project
- ☐ Other INSERT details.

Indicate the level of impact or significance for each of the following EHP interests:

Affects a sensitive area:

A small section of approximately 2.5ha of Taunton National Park falls within the north-west corner of the MLA. This NP is identified as a Category A Environmentally Sensitive Area (ESA). Category B ESA (i.e. Endangered Regional Ecosystems) is mapped as potentially occupying several parcels of land within the MLA. These areas of Category B ESA represent the Endangered RE 11.3.1 (*Acacia harpophylla* and/or *Casuarina cristata* open forest on alluvial plains) as a mixed polygon. Flora surveys undertaken by the applicant confirmed that RE 11.3.1 was not one of the six vegetation communities present on site, which have a biodiversity status of either 'of concern' or 'no concern at present'.



⁴ Refer to guideline ESR/2016/1985: 'Eligibility criteria and standard conditions for exploration and mineral development projects'

⁵ Refer to guideline ESR/2015/1771: 'Application to be a registered suitable operator'.

Pre-lodgement advice

Pre-lodgement meetings were held between the department and representatives from Magnetic South Pty Ltd and AARC on 14 August 2018 and 9 May 2019. The pre-lodgement included an update on where the project was at in terms of approvals, an overview of the proposed project and a discussion about the EIS and EA application requirements. The applicant submitted a draft EA application to the department on 14 October 2019 for review and comment. The department provided a response to the applicant on 21 October 2019.

Other issues

The application was lodged prior to the 1 November 2019 commencement of the new provisions in the EP Act for preparing a Progressive Rehabilitation and Closure Plan (PRCP). As a result, the EA that is issued for the Gemini Project will be subject to the transitional provisions in Part 27 of the EP Act.

DES interests

See below checklists for the department's interests including MSES, MNES, resource allocation, coastal issues, tenure issues, air issues, noise issues, water issues, land issues, cultural issues, transport issues and social issues and associated notes for further explanation.

Published on DES Disclosure Log
RTI Act 2009

Matters of state environmental significance (MSES⁶) and related matters

Regulated vegetation:

- endangered and of concern regional ecosystems (REs)
- REs that intersect with a watercourse on VM watercourse map
- REs that intersect with a wetland on a VM wetland map
- REs that are also essential habitat for endangered and vulnerable species

Connectivity areas

Wetlands: wetland protection areas, high ecological significance wetlands, high ecological value wetlands and waterways

Strategic environmental area

Protected wildlife habitat:

- endangered and vulnerable protected flora
- koala bushland (3 types) – medium and high value rehabilitation area (SEQ)
- habitat for animal that is endangered, vulnerable or special least concern

Protected areas

Highly protected marine park zones

Fish habitat areas

Watercourse providing for fish passage

Marine plants

Legally secured offset areas

Notes:

The Project is positioned in a flat landscape dissected by Charlevue Creek, Springton Creek, Stanley Creek and other small tributaries. The area is currently used for low intensity grazing and resource exploration activities.

Flora surveys confirmed the presence of six vegetation communities classed as remnant vegetation within the Project area. The regional ecosystems (REs) are either 'no concern at present' (i.e. *Eucalyptus crebra* and *Corymbia clarksonia* RE11.5.2 – VC1), 'of concern' (i.e. *Acacia shirleyi* and *Acacia rhodoxylon* RE11.7.2 – VC2, *Eucalyptus tereticornis* with *Casuarina cunninghamiana* RE11.3.25 – VC3, *Eucalyptus populnea* RE11.3.2 – VC4) or mixed polygons of the above (i.e. RE11.5.2/11.3.25 – VC5 and RE11.3.25/11.3.2/11.5.2 – VC6). Flora surveys detected one species of conservation significance, *Cerbera dumicola*, listed as near threatened under the *Nature Conservation Act 1992* (NC Act).

The only natural wetlands within the Project area are riverine wetlands associated with the riparian vegetation along the creeks, which are mapped as VC3, VC5 and VC6. There is a large palustrine wetland (82ha) approximately 4km east of the MLA boundary. This wetland is identified as being of high ecological significance (HES) under the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 (EPP WWB). This wetland is not connected to the waterbodies or watercourses on the Project site.

Matters of national environmental significance (MNES)

Listed threatened species and ecological communities under the EPBC Act

Great Barrier Reef Marine Park

Wetlands of International importance

Migratory species (international agreements)

World Heritage Properties

National Heritage places

Commonwealth marine areas

Nuclear actions

A water resource in relation to CSG and large coal mining developments (IESC)

Notes:

Four threatened ecological communities (TECs) could potentially occur within 10km of the site, including Brigalow, Coolibah, Weeping Myall Woodlands and Coolibah, and three additional TECs potentially occurring within 50km (i.e. Natural Grasslands of the Qld Central Highlands and northern Fitzroy Basin, Semi-evergreen vine thicket of the Brigalow Belt and Poplar Box Grassy Woodland on Alluvial Plains). The vegetation communities recorded within the Project area do not meet the condition thresholds to constitute a TEC.

Flora species of conservation significance with potential to occur within the MLA include EPBC listed species *Solanum dissectum*, *Solanum elaeagnifolium* and *Bertya oppositifolia*. These were not identified on the site, however the site did contain suitable habitat for *Bertya oppositifolia*.

Of the 12 EPBC listed EVNT fauna species with potential to occur at site, only 3 of these fauna species of conservation significance were identified at site including the southern squatter pigeon, greater glider and rufous fantail (migratory).

The Fitzroy River turtle was previously identified as potentially impacted by the Project subject to the particular manner in which the Project is undertaken (EPBC Referral Decision 2010/5775). This was based on the likely habitat occurring 54km downstream of the Project. The aquatic ecology assessment confirmed that the species did not inhabit watercourses within or immediately downstream of the Project.

The riverine wetlands on site have the potential to be partially dependent on groundwater. There is high potential for terrestrial GDEs and moderate potential for aquatic GDEs in association with Charlevue and Springton creeks. The groundwater impact assessment concluded that the potential for dependency was limited to the riverine wetlands overlying the Quaternary alluvium.

Field surveys have detected the presence of the southern squatter pigeon and the greater glider (both listed as vulnerable under the EPBC Act and NC Act), and the short-beaked echidna (special least concern under the NC Act). The rufous fantail (migratory bird species under the EPBC Act) was also identified in the Project area.

MSES matters that are present on site and are likely to be subject to significant residual impacts include 'of concern' RE11.3.2, REs located within the defined distance of the defining banks of a VM Act watercourse and connectivity area. Other protected matters include wildlife habitat and essential habitat (i.e. *Cerbera dumicola*, Southern Squatter Pigeon, Greater Glider and Short-beaked Echidna), waterways for providing fish passage and HES wetlands (not present).

Extensive clearing for agriculture has been undertaken across the Project site, including the removal of riparian vegetation for stock access. The Project will include land disturbance of 1,961ha, of which, 720ha is remnant vegetation. Potential impacts include removal of habitat, habitat fragmentation and introduction of weeds. Clearing of wetlands and GDEs may result in changes in hydrology, erosion and sedimentation, and contamination.

Clearing will be minimised and performed in a staged manner. Pre-clearing inspections will be carried out to minimise fauna mortality. Where impacts to MSES cannot be avoided and are authorised by the Project approval, environmental offsets will be provided.

⁶ For definitions of MSES refer to schedule 2 of the Environmental Offsets Regulation 2014.

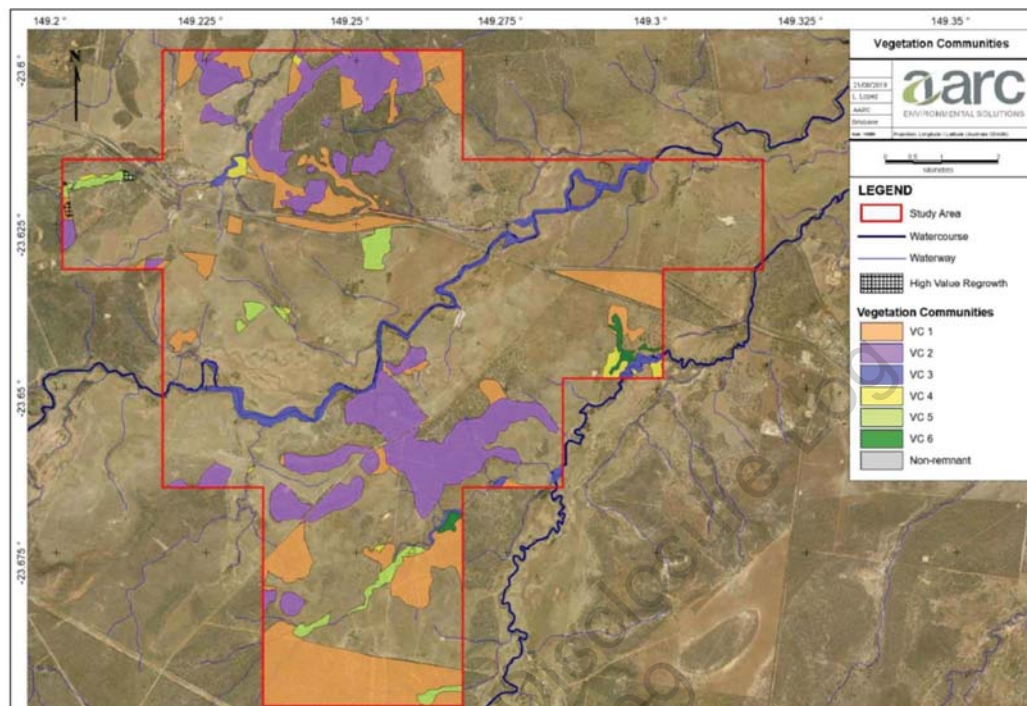


Figure 35 Vegetation communities

Other

- Low Endangered, vulnerable and special least concern species (NC Act)⁷
- Low Environmentally sensitive areas A, B and C
- Low Vegetation clearing
- Low Terrestrial ecology
- Low Groundwater-dependent ecosystems

Notes:

These issues have been discussed under the relevant department interests.

Coastal issues

- NA. Coastal hazard (erosion, storm tide inundation)
- NA. Structures (jetties, pontoons, seawalls)
- NA. Reclamation
- Low Port development
- NA. Dredging and spoil disposal
- NA. Quarry material extraction from tidal water
- NA. Artificial waterways (canal estates, lakes)
- NA. Impacts on marine systems
- NA. Coastal resources (natural and physical features such as beaches, dunes, wetlands; processes and landforms; vegetation, wildlife etc.)
- NA. Public access to coastal and marine resources

Notes:

Product coal will be conveyed to the TLO facility to be loaded onto trains. The PCI or coking coal from the Project will be transported via the Blackwater Railway to the existing RG Tanna Coal Terminal or Wiggins Island Export Coal Terminal in Gladstone.

⁷ NC Act – Nature Conservation Act 1992

Resource allocation

High	Mining
Medium	Gas / Petroleum
NA.	Quarry material allocation under the CPM Act (quarry material extraction from below tidal water)
Low	Water allocation
NA.	Occupancy of fish habitat area (resource allocation under the Fisheries Act)
NA.	Commercial opportunities on national parks and marine parks
NA.	Allocation of public resources (e.g. physical and natural resources environmental capacity)

Notes:

The Project is a 'greenfield', open cut metallurgical coal mine that will produce PCI and coking coal for export to the international steel making industry. The Project is located in the Bowen Basin, a well-established coal mining area with existing transport infrastructure. It is estimated that the Project will produce up to 1.9Mtpa of ROM coal over a period of 20 years.

Petroleum tenements overlapping the MLA and surrounds include authority to prospect (ATP) 758, ATP 806 and potential commercial area (PCA) 163, PCA 165, and PCA 166. All of the petroleum tenements are held by OME Resources Australia Pty Ltd (OME), a subsidiary of the Queensland Gas Company. Magnetic South and OME are parties to a co-development agreement.

A spur pipeline from the existing Blackwater Pipeline will be constructed for the Project by SunWater to establish a permanent water supply. SunWater have advised the applicant that there is sufficient availability of water within the Mackenzie Nogoa River network to provide for the Project's estimated water requirements, which will include potable drinking water. The site's water requirements will be preferentially sourced from the mine affected water system and supplemented as required by the sediment water system.

Tenure issues

Low	Protected areas
Low	Native title interests
NA.	Offshore jurisdiction
NA.	Commonwealth jurisdiction
NA.	Interstate jurisdiction
NA.	Legally secured offset area
NA.	Occupancy of unallocated state land under tidal waters

Notes:

The Resource authority public report for MLA700056 states that the land is 100% exclusive so Native Title rights have been extinguished.

There are a number of publicly gazetted road reserves within the MLA, including the Capricorn Highway, as well as the Blackwater Railway line.

Water issues

Low Water quality
Low Discharges
Low Groundwater
Low Surface water
Low Hydrology
Low Diversions
Medium Cumulative impacts (e.g. groundwater)
Low Impacts on stream flows (geomorphological)
Medium Impacts on bank stability
NA. Waterways management
Medium Impacts on freshwater systems
Low Regulated structures (e.g. dams)
Low Cumulative management areas under the *Water Act 2000*

Notes:

Surface water:

The Project lies within the local catchments of Springton Creek and Charlevue Creek. These creeks begin within the Blackdown Tableland National Park and flow northeast across the MLA before converging with the Mackenzie River. The Mackenzie River catchment is in the centre the Fitzroy River Basin. Within the MLA, Springton and Charlevue Creek have well defined channels that cross alluvial floodplains. All local waterways are ephemeral. The EVs to be protected include aquatic ecosystems and stock water.

The Project has the potential to impact on water availability, water quality and flow regime, flood levels and loss of catchment area due to the capture of water within the site water management system (SWMS) and pits. The SWMS will be designed to reduce the environmental risks associated with runoff from disturbed areas. Clean water drains will divert water from the unnamed tributaries of Springton Creek around the disturbed areas. Mine affected water will be collected in mine water dams and released in accordance with proposed mine water release conditions in the EA. The mine operation and associated infrastructure will be located outside of the flood inundation areas of Springton Creek and Charlevue Creek. Temporary flood protection levees will be constructed to protect Pit AB.

The ecological assessment identified high turbidity and suspended solids in the existing receiving waters, which is not consistent with the regional water quality objectives. Therefore, site-specific baseline values will be developed after a period of monitoring to assess local water quality.

Groundwater:

The groundwater EVs relevant to the MLA include agricultural use (where groundwater is extracted from agricultural bores) and aquatic ecosystems (where shallow groundwater may support GDEs). The Project includes a groundwater bore

Air issues

NA. Air shed management
High Pollution
Medium Health
High Nuisance
Medium Ecological impacts
Low Odour

Notes:

The application has identified potential sensitive receptors within 10km of the MLA boundary including residences and the Dingo township. Dust emissions from the Project is the main pollutant likely to impact on air quality. Emissions that result from blasting and combustion of fuels are temporary and low in magnitude. TSP, PM10 and PM2.5 from mining activities has been estimated based on modelling. TSP, dust deposition and PM2.5 modelling results indicate compliance with the relevant air quality objectives in the EPP (Air) at all sensitive receptors. Minor exceedances for the PM10 objective value are predicted and ongoing dust monitoring and other control measures are proposed to be implemented.

Product coal will be transported via the Blackwater Railway to the coal terminals in Gladstone for international export. There will be approximately four train movements per week on average.

monitoring network of 38 bores at 17 sites. The analysis of available monitoring data indicates that there are three main groundwater units at the site:

- Tertiary Duaringa Formation;
- Quaternary alluvium associated with ephemeral creeks; and
- Permian Rangel Coal Measures where groundwater occurs within the coal seams.

The proposed mining activity has the potential to impact on groundwater level through drawdown and an increased risk of groundwater contamination via seepage. All groundwater units recorded very high EC above the ANZECC and ARMCANZ (2000) limits for livestock drinking. Groundwater drawdown will be limited to the take of associated water only. Modelling has predicted that a permanent cone of depression will develop, directing groundwater flow toward the final voids. As assessment of the potential for water within the final voids to exit the void at the base of the Tertiary sediments concluded that this was not likely. At the end of mining, the 5m drawdown extent will be approx. 2km from Pit AB and 1.8km from Pit C on the western side of the mining area. There will be 11 registered bores within the 2m drawdown zone, which are unlikely to be significantly impacted by the Project. Make good agreements will be put in place where it is determined that drawdown affects the utility of the bore.

Groundwater dependent ecosystems (GDEs):

GDEs in the Project area include wetlands and riparian vegetation associated with Charlevue and Springton Creeks. Potential impacts to GDEs will be managed through the installation of ESC structures near all high-risk areas to prevent sediment releases, and implementation of a receiving environment monitoring program (REMP) to monitor vegetation health and biological indicators in the aquatic environment. Groundwater bores adjacent to the creeks will be fitted with data loggers to assess water level changes within the alluvium.

Noise and vibration issues

High	Community noise
Low	Transportation noise
High	Industrial noise
Low	Ground vibration
Low	Airblast overpressure
Low	Low frequency
NA.	Marine noise (underwater)
Low	Ecological impacts

Notes:

The application has identified 25 potential sensitive receptors within 5km of the MLA boundary including residences and the Dingo township. The Project site and surrounding land is used predominately for cattle grazing. The Capricorn Highway and the Blackwater Railway extend through the northern section of the MLA. The nearest mining operation is the Bluff Project, which is located 14km west of the MLA.

The main sources of noise from the Project will be the result of mobile and fixed plant and equipment at the ROM pad, active mining area and TLO. A baseline noise monitoring study was conducted in June 2019 in accordance with the relevant Australian Standard. The applicant has adopted the criteria in the EPP (Noise) and the Planning for Noise Control Guideline (EHP 2004) to develop the proposed noise limits as the Project is unable to meet the noise limits in the department's Model Mining Conditions guideline. Noise modelling results have indicated that exceedances of the 37dBA high time objective is predicted at four sensitive receptors that are not currently owned by the applicant. Three of these are located within the MLA and are subject to ongoing discussions about compensation agreements or property acquisition.

Based on modelling that takes into consideration the noise reduction measures, the applicant expects to achieve compliance with noise limits. A noise and vibration monitoring program is intended to be established to ensure the risk of noise impacts to human health and wellbeing is low.

Ground vibration due to blasting is predicted to be compliant with the limits adopted from the Model Mining Conditions at all sensitive receptors. The nearest sensitive receptor to the pit will be 1.9km and the 10mm/s PPV criteria would not be exceeded at distances greater than 1km from the blast.

Waste issues

Low	Solid waste
Low	Liquid waste
NA.	Gaseous waste
NA.	Dredge spoil disposal
NA.	Energy
NA.	Best practice environmental management
Low	Waste water
High	Rock waste dumps
Low	Non-acid forming and potentially acid forming material

Notes:

The main sources of waste generated by the Project will be excavated waste, coal rejects and non-mine waste (i.e. general, recyclable and regulated waste). All non-mine waste will be stored onsite for regular transport offsite by a licenced waste contractor to a licenced landfill. Waste will be managed on site in accordance with the waste management hierarchy in the *Waste Reduction and Recycling Act 2011*.

Mine waste in solid form will be placed in out-of-pit waste rock emplacements and in-pit waste rock emplacements of Pit AB and Pit C when space becomes available behind the advancing mine operation. Surface and groundwater could be potentially impacted by any adverse geochemical by-products associated with the disturbance, placement and rehabilitation of waste rock and coal rejects.

All of the mine waste samples tested were non-acid forming (NAF) and had a low surfer content. Surface runoff and seepage is expected to be moderately alkaline and saline. The mine waste material contained low concentrations of total metals/metalloids.

The main findings of the coal reject geochemical analysis were that as a bulk material, it is expected to be NAF with excess acid neutralising capacity with a low risk of acid generation. Surface runoff and seepage is expected to be pH neutral with a moderate level of salinity. Coal reject material will be encapsulated in spoil areas away from the surface of final rehabilitated landforms to avoid connectivity to surface and groundwater.

Land issues

High	Land disturbance
Low	Contaminated land
Low	Acid sulfate soils
Medium	Erosion/stability
NA.	Subsidence
NA.	Landscape
Low	Effects on hydrology (surface and underground)
Medium	Sustainable use
Medium	Land use history and compatibility
NA.	Areas of regional interest ⁸
Low	Compliance with planning schemes
High	Rehabilitation and subsequent use
NA.	Native title rights
NA.	Rehabilitation issues (for existing activities)
Low	Non-acid forming and potentially acid forming material
Medium	Final voids
Medium	Progressive rehabilitation and closure plan ⁹

Notes:

The total disturbance area for the Project within the MLA is 1,961.2ha. The applicant has provided an indicative mine plan for years 2, 4, 6, 8, 10, 12, 13, 15, 17 and the final landform for the Project.

The land use in the Project area is more suited to cattle grazing than dryland cropping based on land suitability class. Dominant land uses within the region include grazing, mining, managed resource protection and production forestry. The land within the MLA is currently used for low intensity cattle grazing. The site is not located within any mapped areas of regional interest.

Project activities that will involve the construction of elevated landforms, open cut pits and voids may impact on land EVs by modifying the pre-mining topography. This in turn can result in altered flow regimes, erosion and landform instability. The establishment of bunds and drains for the Project will be temporary. Where possible spoil will be placed in pit behind the mining void, however, rehabilitated out-of-pit waste rock emplacements will remain as permanent features in the post mining landform with a maximum slope of 5.7% and maximum height of 190mAHD. Highwalls will be pushed back after mining to form a slope angle of 22 degrees to ensure stability.

The Project aims to achieve a post-mining land use for all areas of rehabilitation with no non-use management areas. Land will be returned to grazing across flat and gentle slopes. Treated highwalls will allow the establishment of native ecosystems. The final voids will contain fresh to brackish pit lakes that are expected to provide suitable habitat for fauna, including migratory birds.

Cultural and heritage issues

NA.	Aboriginal and Torres Strait Islander cultural sites
NA.	European cultural heritage significance (historic sites, buildings and locations)
NA.	Queensland heritage place (<i>Queensland Heritage Act 1992</i>)
NA.	Designated landscape area (<i>Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987</i>)
Low	Native title rights

Notes:

The Resource authority public report for MLA700056 states that the land is 100% exclusive so Native Title rights have been extinguished. The applicant has stated that a Cultural Heritage Management Plan (CHMP) will be developed and implemented for the Project in accordance with the *Aboriginal Cultural Heritage Act 2003*.

Impacts on surrounds and transport

Low Transportation (air, rail, road, port, shipping)
 High Visual impacts
 Medium Compatibility with surrounding uses, activities and land users
 Medium Adjacent landholders
 Medium Amenity
 Medium Community & landholder views
 High Lighting

Notes:

The existing visual environment in the Project area is typical of the Bowen Basin, which includes grazing land and bush. The final landform and land use at the site following rehabilitation will be compatible with the local area.

Coal mines in the region can occasionally be seen along the highway and from local communities. Some areas of the Project, particularly the MIA and CHPP may be visible to the public from the Capricorn Highway and local residential dwellings due to the flat topography. The two closest residential dwellings are located 3km from the Pit C waste rock emplacement and are currently owned by the applicant.

The TLO will contain a rail spur, rail loop and loading bin and will be located approx. 300m north of the Capricorn Highway. The TLO will connect to the existing Blackwater Railway so the impacts will not be different to those associated with the current rail system.

An overland conveyor will transport export material from the CHPP to the TLO crossing over the Capricorn Highway. This will be similar in design to the existing Boonal conveyor located 28km to the west, which also crosses over the highway.

Social issues

Low Accommodation
 Low Transport of workers
 NA. Fly-in/fly-out (*Strong and Sustainable Resource Communities Act 2017*)
 Low Drive-in/drive-out (*Strong and Sustainable Resource Communities Act 2017*)
 NA. Displacement of use
 Low Public safety
 NA. Politics/policy
 Low Compatibility with surrounding uses, activities and land users

Notes:

During site construction, temporary accommodation for workers will be available within the local towns such as Blackwater, Dingo and Bluff. Once the permanent village is constructed, it will accommodate up to 280 people. There will be local access from the Capricorn Highway to the accommodation facility. An intersection with the Capricorn Highway will be constructed for the mine access road. Internal council roads within the MLA will be diverted where necessary to maintain access to the highway, while others will be temporarily closed to the public for the Project. A traffic impact assessment for the Project determined that the overall impacts to the existing traffic network are not expected to be significant.

It is anticipated that 80% of the operational workforce will be drive-in-drive-out within the region, which will stay at the village and get a bus to site daily. The remaining 20% of workers would reside locally, with daily light vehicle travel to site.

⁸ <https://planning.dsdmip.qld.gov.au/planning/regional-planning-interests-act/areas-of-regional-interest>

⁹ Mined Land Rehabilitation Policy: <https://www.ehp.qld.gov.au/management/pdf/mined-land-rehabilitation-policy.pdf>

PART B – TRIGGER CRITERIA

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 the Minister for the department 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 each question, indicate whether the answer is 'yes' or 'no':

Criteria	Yes	No
For greenfield (new) mine proposals (sections 70 or 143 of the EP Act)		
1. Would the application involve the removal of two million tonnes per year or more of run-of-mine (ROM) ¹⁰ ore or coal?	☐	☒
2. Would the application involve the removal of one million tonnes per year or more of run-of-mine (ROM) ore or coal on or under a floodplain ¹¹ or in a coastal hazard area ¹² ?	☐	☒
3. Would the application involve the introduction of a novel or unproven resource extraction process, technology or activity ¹³ ?	☐	☒
For proposals to amend/alter an existing mine (sections 143 and 228 of the EP Act)		
4. For mines already removing 2 – 10 million tonnes per year ROM ore or coal, would the application increase the current annual removal rate by more than 100% or 5 million tonnes per year (whichever is the lesser)?	☐	☒
5. For mines already removing over 10 million tonnes per year ROM ore or coal, would the application increase the current annual removal rate by more than 50% or 10 million tonnes per year (whichever is the lesser)?	☐	☒
6. For mines already removing more than 20 million tonnes per year ROM ore or coal, would the application increase the current annual removal rate by more than 25%?	☐	☒
7. Would the application involve an extension into and significant impact on a Category A or B environmentally sensitive area, which is not already authorised by the State?	☐	☒
8. Would the application involve a substantial change in mining operations – such as from underground to open cut, or (for underground mining) a change in operations from one causing little subsidence to one likely to cause substantial subsidence?	☐	☒
9. Would the application introduce a novel or unproven resource removal process, technology or activity?	☐	☒
For petroleum and gas activities (sections 70, 143 and 228 of the EP Act)		

¹⁰ ROM ore or coal means the material excavated but prior to washing or chemical concentration. It does not include overburden.

¹¹ The *Water Act 2000* defines a floodplain as an area of reasonably flat land adjacent to a watercourse that— (a) is covered from time to time by floodwater overflowing from the watercourse; and (b) does not, other than in an upper valley reach, confine floodwater to generally follow the path of the watercourse; and (c) has finer sediment deposits than the sediment deposits of any bench, bar or in-stream island in the watercourse. See also the Queensland Floodplain Assessment Overlay at the WetlandInfo section of DES's website at <http://wetlandinfo.ehp.qld.gov.au/wetlands/>.

¹² A coastal hazard area is an area vulnerable to coastal hazards, referred to as coastal erosion or storm tide inundation (as per the departmental coastal hazard area mapping). Maps of these areas are accessible at http://www.des.qld.gov.au/coastal/management/coastal_plan_maps.php and <http://dds.information.qld.gov.au/dds/>.

¹³ For example: underground coal gasification; in-seam coal slurring; a new method of ore concentration; but this will be decided on a case-by-case basis and this trigger is not intended to discourage innovation.

10. Would the application involve a total disturbance area of greater than 2000 hectares at any one time during the life of the proposed project? This includes areas occupied by well pads (single or multi-directional), access tracks and roads, water storages, and process plants?	☐	☒
11. Would the application involve the construction of a high pressure pipeline over a distance of 300 kilometre or greater?	☐	☒
12. Would the application involve the construction of a liquefied natural gas plant?	☐	☒
General considerations		
<p>The applicant has addressed the EIS trigger criteria in the supporting application document. The applicant states that an EIS is not required for the following reasons:</p> <ul style="list-style-type: none"> - The Project is proposing the removal of up to 1.9Mtpa of ROM coal over the production life of the mine. - The Project is not proposing the removal of 1Mtpa or more of ROM coal under a floodplain as defined under the Water Act, or coastal hazard area. - The Project is proposing to undertake a traditional track and shovel coal mining operation. 		

PART C – STANDARD CRITERIA

The standard criteria have to be considered in making the EIS decision. Provide comments on the standard criteria as defined under schedule 4 of the EP Act (where relevant):

Standard criteria, EP Act, schedule 4, definitions (current as at 1 January 2018)¹⁴:

Standard criteria	Comment
Standard criteria means –	
<p>(a) the following principles of environmental policy as set out in the Intergovernmental Agreement on the Environment—</p> <ul style="list-style-type: none"> (i) the precautionary principle; (ii) intergenerational equity; (iii) conservation of biological diversity and ecological integrity; and 	<p>(i) The precautionary principle is not expected to be compromised as a result of the activities proposed under this new site-specific EA application. The proposed activity does not involve a new or untested activity, is unlikely to cause serious environmental harm, or have a detrimental impact on the conservation of biological diversity and ecological integrity. If it is identified that there are any impacts associated with the application that are not well understood, further information regarding the proposed impacts can be requested through an information request. If the applicant does not provide a suitable response to the information request, the administering authority will condition appropriately to minimise the potential impacts from the activity or refuse the application. Therefore, adopting a precautionary approach has been considered.</p> <p>(ii) Intergenerational equity is not expected to be compromised as a result of the activities proposed under this new site-specific EA application. During the development of the draft EA, the department will have the opportunity to include conditions that it deems desirable in order to ensure that the health, diversity and productivity of the environment is maintained during the life of the project. Additionally, the department will include conditions for rehabilitation of the site to ensure the areas impacted by the activity are returned to a landform that is safe, stable and non-polluting to ensure that future generations can use and benefit from the post mine landform.</p>

¹⁴ Check standard criteria against latest version of the EP Act and amend if required
<https://www.legislation.qld.gov.au/view/html/inforce/current/act-1994-062>

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	(iii) The conservation of biological diversity and ecological integrity is not expected to be compromised as a result of the activities proposed under this new site-specific EA application. The department is required to consider the "Intergovernmental Agreement on the Environment" nor the requirements of the Schedule 8, Part 3 of the EP Regulation (Environmental objectives and performance outcomes) when assessing the application. Both of these documents will be considered prior to the department issuing a draft EA.
(b) any Commonwealth or State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development; and	<p>There are a number of applicable Commonwealth, State or local government plans, standards, agreements and requirements regarding the environmental protection or ecologically sustainable development applicable to this application. These include:</p> <ul style="list-style-type: none"> • Environmental Protection Regulation 2019 (EP Regulation); • <i>Waste Reduction and Recycling Act 2011</i>; • Environmental Protection Policies (Air, Noise, Water and Wetlands); • Environmental Offsets Regulation 2014; • EPBC Act • NC Act • The department's Model Mining Conditions (ESR/2016/1936) or its successor; • Manual for assessing consequence categories and hydraulic performance of structures (ESR/2016/1933) or its successor; • Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000); and • Technical input from experienced experts in each of the environmental values fields. <p>These will be considered as part of the assessment of the application.</p>
(d) any relevant environmental impact study, assessment or report ; and	The applicant has provided a supporting information document prepared by AARC and technical appendices with the EA application.
(e) the character, resilience and values of the receiving environment; and	Within the supporting information provided, the applicant has described the character, resilience and values of the receiving environment.
(f) all submissions made by the applicant and submitters; and	The applicant has not completed an EIS or applied for approval to prepare a voluntary EIS, therefore, there have been no opportunities for the applicant or submitters to lodge submissions at this stage.
<p>(g) the best practice environmental management for activities under any relevant instrument, or proposed instrument, as follows—</p> <ul style="list-style-type: none"> (i) an environmental authority; (ii) a transitional environmental program; (iii) an environmental protection order; (iv) a disposal permit; (v) a development approval; and 	<p>(i) The applicant does not currently have an EA in effect for MLA700056. The purpose of this site-specific application is to apply for an EA for the Project. As a part of the application, the administering authority will determine the appropriate conditions, and environmental management and rehabilitation completion criteria in accordance with the regulatory framework. It is considered that the EA is the most appropriate instrument for regulating the proposed activities.</p> <p>(ii) There are no transitional environmental programs relevant to the Project or this application.</p> <p>(iii) There are no environmental protection orders relevant to the Project or this application.</p> <p>(iv) There are no disposal permits relevant to the Project or this application.</p> <p>(v) There are no development approvals relevant to the Project or this application.</p>

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(h) the financial implications of the requirements under an instrument, or proposed instrument, mentioned in paragraph (g) as they would relate to the type of activity or industry carried out, or proposed to be carried out, under the instrument; and	There would be financial implications for the applicant if it was decided that an EIS is required. The financial implications associated with implementing the requirements of an EA once approved, will be similar to those associated with EAs for coal mines in the Bowen Basin.
(i) the public interest ; and	It is in the public's interest for the Project to be assessed and regulated under the provisions of the EP Act to reduce the risk of environmental harm from the coal mining activity and promote best practice environmental management.
(j) any relevant site management plan ; and	There is no site management plan in place for the land that is the subject of this application.
(k) any relevant integrated environmental management system or proposed integrated environmental management system; and	The applicant has not submitted or referred to an integrated environmental management system within this application.
(l) any other matter prescribed under a regulation.	There are no other matters prescribed under the EP Regulation for consideration when making an EIS decision.
General considerations	
The standard criteria have been considered when recommending that an EIS is not required for this application.	

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