

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

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ROCKHAMPTON

3 0 JUN 2015

Department of Natural Resources
& Mines

Release

Submission form

Application or amendment application for environmental authority

Date: 26 th June 2015
Submitter name: s.73
Submitter contact details: s.73
s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au (Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)
Attention:	Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

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- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

Also, please note the mining lease application asks for a 40 year duration yet their mine life projection is 15 years and should be modified accordingly.

GROUNDWATER DEPLETION Underground water via bores will be depleted or disappear.

NOISE Undue and unmonitored machine and equipment noise will prevail.

AIR POLLUTION The nature of operation by an open cut coal mine creates dust is transient causing respiratory issues.

VISUAL POLLUTION Night time operation will emit undue irritating night time lighting.

SOIL DESTRUCTION Open cut mining by nature destroys the profile and biochemistry of soils forever.

SOCIAL DISRUPTION The introduction of this operation has caused dissention and unrest in a community with little local economic return.

UNDESIRED, NON-VIABLE PRODUCT The demand for steaming (thermal) & coking (metallurgical) coal is diminishing and falling out of favour.

LAND VALUES Many folk involved in agriculture rely on the value of their land to ensure long term sustainability.

BIODIVERSITY Animal life to be threatened in particular Koala.

FURTHER MINING INTENT Mining expansion is forecast to destroy more of Darling Downs food bowl.

ROAD CLOSURES Motorists impacted relative to normal travel.

If the applications are not refused, conditions should be imposed to address the matters raised above.

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Facts and circumstances relied on in support of the grounds of the submission:

GROUNDWATER

The level of the Walloon Coal Seam is approximately 75 to 80 meters below ground level and it is here that New Hope Coal intend to begin their coal extraction process. Until then they will be exposing and relocating earth (overburden) creating a large hole (pit) on one hand and a small mountain on the other as the overburden is relocated. On their way through with their excavating, aquifers will be disturbed, releasing contained water into their workings.

These aquifers are currently sealed and represent a pipe. The water that is contained in the body of the aquifer cannot do anything else but find the least line of resistance and empty into the belly of the pit. Four aquifers are present in this district but two only will be referred to, the Tertiary Basalt and the Walloon Coal Measure aquifers.

From the COG evaluation report end of mining. states (page 136) "The maximum estimated drawdown for the Tertiary Basalt is predicted to be **12 m**". The Walloon Coal Measure aquifer is stated (page 136) that "a maximum drawdown of **47m** is estimated to occur" with an affected diameter of 24 Km.

Further damming data is from the Jacobs response to IESC advice relating to Predicted Mine Pit Inflows at end of mining. The model indicates a Median case whereby 3.5 ML of water per day will flow into the pit i.e. 1,277ML per year! The model has an error factor of 57% meaning that 5.5ML could actually flow into the pit.

These groundwater inflows (from aquifers) into the huge hole (void) left after mining in 2030 will not stabilize until 2085. The modelling also indicates if climatic conditions (recharge capabilities) are favorable that equilibrium may be achieved in **200 - 300 years!!**

**** We note through the models provided that a massive scope for error exists due to the percentile range giving very little comfort as to the accuracy of the reporting.**

NHC does not require this water and is an undesirable bi-product to them. They claim their water usage will be 8925ML/year, of this 1170ML will be from "groundwater inflows and rainfall/dirty water run-off" the rest coming from recycled water and tailings storage.

Stated affected registered bores amount to 857 within an 8Km radius, with many more existing outside this radius. Many non-registered bores exist inside and outside the 8Km zone and need to be considered, as drawdown does not confine itself to registered units only. 159 registered bores exist on land secured by NHC leaving in excess of 698 bores potentially to be impacted. This has a major potential impact on neighbor's livelihood.

How can it be, that neighboring properties to the proposed mine extension will have their stock, personal and irrigation water abused/stolen, and NHC don't require it, s.73 This is a situation that will cause many neighboring farming enterprises their demise s.73

PS. Data and extracts stated are from the New Hope Coal Environment Impact Statement - August 2014, Co-coordinator Generals evaluation report - December 2014, Groundwater Model Peer Review and assistance from professional geologists.

NOISE

The distance between New Hopes Stage 2 current coal operation and our property is s.73 The mining activity on s.73 June 2015 from 7.15am over a duration emitted an LAeq noise level of 40.1dB. This level is regularly achievable and obtained, and is quite audible. Naturally weather conditions do have an impact on the result. The intended Stage 3 Manning Vale West pit is s.73 from our property. The style of operation intended at this pit is similar to stage 2 thus a calculated noise level of 44.18dB is to be expected at our property, identified as Sensitive Receptor s.73

The COG evaluation report on the EIS (page 176 Table D1b) calls for a 42dBA ceiling. This 42dBA level will be exceeded during construction activities and general operation. Please refer to page 18 Figure 5.1 for Sensitive Receptor locations.

Further concern should be particularly directed to those who are even closer to the activity than us. From the Scenario SR s.73 will receive a calculated LAeq noise level of 60.6dBA!!

Note: Equipment used was Bruel & Kjaer noise meter Type 2250 S/N2506824 with Type 4231 calibrator.

Person operating equipment has a 25 year experience conducting noise level tests for the motor industry and endorsed by Queensland Transport.

AIR POLLUTION

The disturbance of soil creates dust, the exposure of land mass creates dust, the traversing of heavy vehicles creates dust and explosions to fracture rock create dust, all of which occur in open cut coal mining.

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NHC offer via their EIS outcomes and monitoring of airborne dust and the reduction thereof. This has been of little benefit when a blast occurs and airborne dust elevates into the atmosphere and steadily works its way spreading contaminant over the neighborhood.

VISUAL POLLUTION

s.73 experience lighting from the New Hope mining operation. Should Stage 3 proceed and the Manning Vale West pit begin the activity will be s.73 from us. s.73 We have no need for a s.73 that will more resemble that of night time Brisbane. To imagine the illumination from this new pit will be similar to the one existing and s.73 distant s.73 We have positioned ourselves approximately s.73 from the current operation to assess the potential lighting intrusion and the light impact is quite overwhelming. We observe this on days from s.73 away when the current mining activity blasts land cover prior to overburden removal. We have photos to substantiate the phenomenon. We have also travelled from Acland to our property and stopped on the road at the southern boundary of the mine to make observations. It is here that sometimes the air is thick with dust, it can be seen, it can be smelt and can almost be felt. From a viewing position on Oakey-Cooyar road dust can easily and regularly be seen emitting from dump truck tyres. This is not uncommon in earthmoving operations but dust restraint is necessary, why not here? s.73 s.73 We cannot provide technical or instrument readings of airborne contaminants and their size but visually are aware of their existence. Others in the district would be obvious of this issue and be able to elaborate even further.

SOIL DESTRUCTION

New Hope Coal and their subsidiary New Hope Pastoral currently operate on the 10,000 Ha tenure they hold. We are told 2000 head of cattle are included in their fattening operation. We are also told via the media that rehabilitated land is used as part of this fattening operation. Field tests and trials have been conducted to evaluate the performance of pasture offered to cattle, quality of the grasses and daily weight gains. Needless to say glowing results have transpired.

We offer an alternate scenario for acceptance. We imagine short term success of the grass trials may prevail but the long term success of the grazing operation on rehabilitation land is not possible.

Vertosols (black/grey cracking soils) are dominant through the Darling Downs in particular Oakey, Dalby districts. The conclusion provided by Prof L.C. Bell follows.

Talk given at a Public Forum on "Environmental Implications of Coal Seam Gas and Coal-to-Liquids Projects", 22 November 2010, The University of Queensland

REHABILITATION OF PRIME AGRICULTURAL LAND ON CRACKING CLAY SOILS - IS IT POSSIBLE?

Emer Prof L C Bell

"To conclude, I believe that, because of the chemical and physical properties of these cracking clay soils on the Darling Downs of QLD and the Liverpool Plains of NSW and the predicted difficulty in rehabilitating these soils to original productivity after disturbance, no mining should be approved until companies can show, through peer-reviewed research, that it is possible to successfully rehabilitate these soils. Evidence from both Europe and the USA indicates that such research would take, at a minimum 6 to 8 years. It is also my belief that such research would show that the probability of achieving original productivity after mining would not be high".

There is sufficient evidence offered that prime agricultural land which is capable of producing food should not be compromised by open cut coal mining. Let alone be told that rehabilitated land is more productive than pre mining.

SOCIAL DISRUPTION

The communities of Oakey, Brymaroo, Quinalow, Kulpi, Peranga have had disturbance since open cut coal mining arrived in the district. This disturbance emanates still. There are those that were, and are, *against* coal mining and the destruction it causes. Conversely, there are those *for*, being provided work opportunities and the wages received. The township of Oakey in particular has suffered this disharmony mostly. Business houses and townsfolk feel the brunt being provided incentives from New Hope by way of grants and sponsorships but receive precious little by way of income from the mine generally. They are expected to cry the praises of the mine but receive rebuke from those who oppose the mine. Mine employees for the most part do not live in Oakey and travel in from towns at Meringandan and Highfields to the east not purchasing their needs in Oakey.

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We attended an Oakey Chamber of Commerce meeting 17th June where a "Crisis Meeting" was held to discuss the situation should New Hope not gain expansion approval. General consensus at the conclusion currently 1&2, therefore no great gains are eminent if Stage 3 goes or stays. Should New Acland Coal be refused their application and close shop in 2017 local people would need to search for employment elsewhere. Unemployment in Australia is a concern and hovering around 6 & 7%. These employees are well trained, skilled and able to source alternate work and their personal survival is not a reliance on New Hope Coal.

UNDESIRABLE, NON-VIABLE PRODUCT

It is evident that coal, both steaming/thermal and coking/metallurgical is falling out of favor. The price being paid and the world demand indicates this.

An example from YCharts (https://ycharts.com/indicators/australia_coal_price) states that the Australian coal price at April 30th 2011 was US\$122.50/Ton and May 31st 2015 was US\$60.66/Ton, a decrease of 50% over four years.

Simultaneously New Hope Coal share price has fallen from A\$4.90 on April 29th 2011 to A\$2.11 on May 29th 2015, a decrease of 57% over the same period. A continuing downward trend shows a share value of A\$1.93 on 24th June 2015.

Only New Hope shareholders would know the joy or sorrow over this outcome and determine whether a selloff would be wise. The mining industry has historically been boom & bust and an unreliable investment venture. As outlined on the Four Corners program June 15th 2015 world bodies including the United Nations are elaborating on the undesirable characteristics of the product with conservation and global warming activist groups joining the call to stop coal extraction due to excessive carbon emissions. The world cannot appreciate why Australia is placing so much of its existence on the extraction and supply of coal when indicators show a dramatic decline in favor of the product. Superannuation funds are advising against exposure to the coal investment market.

It does not appear correct that so much expense is caused to extract a product that is undesirable yet is given political importance at the expense of precious underground water and pristine agricultural land.

We believe New Acland Coal should not be provided acceptance to their ML application due their inability to perform in their chosen market while extracting an Australian natural resource with little or no financial gain. An aside to this comment is the lack of Royalties that have been provided to the Queensland Government (taxpayers). Recent knowledge has surfaced that mineral rights pertinent to land parcels purchased by New Hope Group excuse them from paying Royalties due to a pre-1910 land law.

There is every reason to believe the Company may suffer financial difficulties should the downward direction of coal demand continue. Typically they will not honor commitments forced upon them by their Environment Authority nor 'make good' arrangements and depart leaving taxpayers to clean up the debris.

Oakey Beef Exports is a large abattoir in Oakey and is currently undergoing an expansion program, intending to employ from the current 750 to a possible 1400 people over the coming years. Local businesses could employ more people once the business houses consolidate and reignite themselves creating more work opportunities.

New Hope indicates a constant work force of 450. It is a shameful balance that 450 jobs be compared to the destruction of pristine agricultural land and depletion of underground water reserves. Serious consideration should also be given to the potential loss of income and livelihood of dairy farmers, piggeries, horticulturists, lotfeeds and graziers should there water be taken from them. Imagine the net loss to the district, Queensland and Australia.

LAND VALUES DETERIORATING

Agriculture, similar to other commercial pursuits relies on the value of their land. Essentially it should remain desirable. In the case of family illness it may need to be capitalized. In the case of expansion it may be required as equity against a loan. When the need arises for land to be maintained or improved by further monetary injection the hope exists that the enterprise is 'value adding'. The custodian of the land needs enthusiasm to march forward and accept the responsibility placed at his feet. He should be able to do this without a dark cloud impairing his march forward.

At time of sale a prospective looker is entitled to see a 'state of the art' 'going concern' with even further potential, not a run-down, mess caused by a coal mine retarding agricultural progress. Buyers will look elsewhere in the hope of finding a property that is not impaired by the interference of a coal mine

Add to this, dry bores, the land has NO VALUE!!!

We cannot provide a model or Expert advice to consolidate our beliefs but common sense would prevail and all would agree with our offering.

BIODIVERSITY

If the project proceeds, it will have an unacceptable impact on biodiversity. The ecological

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assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.

FURTHER MINING INTENT New Hope Group are intent on further destruction of fertile Darling Downs Strategic Cropping Land and Prime Agricultural Land. Please refer to Directors Report – 31st January 2008 Darling Downs EPC's "The Darling Downs project consists of nine non-contiguous Exploration Permits for Coal(EPC's) covering an area from Toowoomba northwest to Jimbour and south to Inglewood, southeast Queensland."

Also to indicate their march forward please observe Mining Lease areas in eight locations across the Downs. [www.shawstock.com.au/files/COAL_PRESENTATION_2011/New_Hope_Coal_\(NHC\).pdf](http://www.shawstock.com.au/files/COAL_PRESENTATION_2011/New_Hope_Coal_(NHC).pdf) page 14.

There is no intent by New Hope Group to cease mining on pristine food producing land. Should they receive approval to mine Acland Stage3 it will be the thin edge of a wedge to gather approval for further approvals based on a set precedent.

ROAD CLOSURES Due to land owned by New Acland Coal the premise is made that roads through the Acland district be closed. This situation has been confirmed and intends to stop commuters making their way to all points north, south, east and west via Acland. This route is taken by many locals attempting to reach Goombungee, Meringandan, Highfields, Oakey and vice versa to Dalby, Bowenville, Brymaroo. How is it possible that a mining company has any form of right to stop Australian citizens going about their daily activity on roads provided from their rates and taxes? Our fear is the remnants of the township of Acland will be isolated from reaching a Memorial for our fallen men and women to conduct Anzac Day ceremonies. New Hope indicates that roads will be made available for this purpose via their EIS. s.73

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: s.73 Email: s.73
2	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: s.73 Email: s.73
3	Name	
Postal address		Telephone: Facsimile: Email:

Submission form

Application or amendment application for environmental authority

4	Name		
	<table style="width: 100%; border: none;"><tr><td style="width: 50%; border: none; vertical-align: top;">Postal address</td><td style="width: 50%; border: none; vertical-align: top;">Telephone: Facsimile: Email:</td></tr></table>	Postal address	Telephone: Facsimile: Email:
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Further information for submitters:

Amendment of a submission

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Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

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Department of Natural Resources
& Mines

25 JUN 2015

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Environmental Protection Act 1994

ROCKHAMPTON

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Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
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Submission form

Application or amendment application for environmental authority

Date: 20 June 2015
Submitter name: s.73
Submitter contact details: s.73

To: Mines Lodgement Office – Rockhampton Department of Natural Resources and Mines PO Box 3679 Red Hill QLD 4701
Attention: (Insert contact officer's name)

I / we hereby make a submission¹ in relation to:

Project name:	Proposed New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713 Re Mining Lease Application numbers 50232, 7000002 and existing Mining Lease Area
Tenure:	Mining Lease Application

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The submission details are as follows:

Grounds for the submission:

1. Environmental Pollution emanating from 3 primary mining operations:

a. Dust (coal) from mining at pit location and subsequent transport of the mined coal travels many kilometres by the frequent prevailing winds which effects the community living in the vicinity by breathing contaminated air and drinking contaminated water (all residences rely on tank water)

b. Diesel Fumes (carbon monoxide) is sent into the atmosphere from all mining operations as every machine running and working at the pit and subsequent transport operations all run on diesel fuels

c. Noise emanating from all mining operations will increase substantially interrupting daily lives as mining operations run 24 hours a day thereby producing noise during the night. The intensity of the noise will frequently be carried upon the prevailing winds exposing residences to higher frequencies of that noise.

2. Potential Water Loss (sub-terranean aquifers)

3. Loss of Prime rural Agricultural land

4. Natural Fauna and Flora disruption /displacement

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Facts and circumstances relied on in support of the grounds of the submission:

1. a The coal dust pollution from the proposed mining operation will increase and affect all people residing within the mine proximity having a long term effect on the health from breathing coal dust, drinking coal dust contaminated water from dust settling on (all roof areas) The coal dust will be carried in all directions from prevailing winds.

1. b Diesel (carbon monoxide) is polluting the air all residences breathe. The current mining operations create a smog haze which is visible now at sunrise in light or no wind conditions. If stage 3 progresses this level of diesel pollution will increase substantially at the pit and associated mining operations. The new pit areas for stage 3 are closer to many residences to the North and West of these pits thereby placing potential health risks upon all whom reside there.

1. C Noise pollution from the proposed stage 3 pit areas and the associated heavy vehicular movement supporting the mining operations will increase substantially and this noise is continuous 24 hrs a day. Prevailing winds will carry this noise affecting normal quiet times of all residents.

2. Water Loss – The potential loss of Sub - terranean aquifers (draw down) poses a substantial risk to the operational viability to all residences and farming operations relying on bore water. The modelling carried out by New Hope Coal Pty Ltd regarding potential water draw down s.73

s.73 The farmers residing within this 8km zone face a very real risk of losing their livelihood to carry on farming as their potential to irrigate crops and water livestock no longer exists due to bores drying up.

3. Loss of Prime Agricultural land -This region of the northern darling downs produces crops/livestock/ milk and varying businesses are required to support these farmers and primary producers which provide long term employment and sustainability. If Stage 3 proceeds this land will be lost forever and the impact on those farmers in close proximity to the mine will affect their ability continue farming.

4. Visual Amenity of Landscape changed to large overburden mounds impacting on Natural fauna and flora by disrupting and displacing habitats. The overburden mounds cause water runoff carrying silt and debris into existing waterways restricting their flow downstream. The massive Holes left in the landscape after mining operations cease present a very real ongoing water management issue.

a. The hole continues to fill from aquifers being exposed as the pits continue to expand in all directions in particular depth thereby taking water from farmers.

B. should the pit ever fill the amount of evaporation is substantial.

In summary the proposed Acland stage 3 projects is not sustainable long term the life of the mine extends to about 2029.

Farming and agriculture has dominated this area for the last 80 plus years and continues to yield and produce sustainable ongoing farming.

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1	Name s.73		
s.73	Postal address	Telephone:	s.73

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		Facsimile: Email:
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s.73

Facsimile:

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To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
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The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

Background

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. **1,361 hectares of this area is designated as strategic cropping land.**
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
8. On 19 February 2012, the then Opposition LNP issued a media release in which it was stated: **the LNP has made it clear that it will not support the proposal for Acland stage 3 that would see the expansion of the open cut coal mine digging up strategic cropping land**; and that it would **quickly introduce Statutory Regional Planning Schemes to protect strategic cropping land on the Darling Downs**; and that the LNP **will protect farm communities from being dug up for mining**.
9. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion. The incoming Premier Campbell Newman stated: **We've actually ruled out a number of projects, for example, we have in the election campaign said that we don't support Stage Three of the Acland open cut coal mine. We've also said we didn't support the coal to liquids project at Felton. So that's where we're saying it's just inappropriate.**
10. On 29 March 2012, in an article in The Australian newspaper, a spokeswoman for the LNP was quoted as stating: **In fact, the LNP don't support open-cut coalmining on strategic cropping land anywhere in the state**; and **the LNP will not support the proposal for Acland stage three (because) it covers some areas of strategic cropping land, and would come too close to local communities.**
11. In November 2012, the Proponent submitted a revised proposal.
12. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
13. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.

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14. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
15. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
16. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
17. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
18. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Strategic Cropping Land

19. If the project proceeds, it will have an unacceptable impact on Strategic Cropping Land (SCL). 1,361 hectares of land designated as SCL will be destroyed by this proposal.
20. Cropping land is a finite resource. The fact is – should Stage 3 proceed – 1,361 ha of good quality land that could otherwise indefinitely and sustainably produce food crops will be sacrificed in a 12-year period for what lies beneath.
21. Other negative impacts resulting from the proposed mine expansion – such as the drawdown on the aquifers or the resultant air pollution – need not be a consideration if a proper value was placed on high-quality cropping land and it was quarantined against large-scale destruction.
22. The proponent makes much of the economic contribution of the mine. This is over a twelve (that's right 12) year life (extending operations from 2017 to 2029). If farmed, the land could go on being productive indefinitely. That's generation after generation over hundreds and hundreds, even thousands, of years. Overseas corporations and governments are busy buying Australian farming land to provide food security while we're busy digging it up and ruining it.
23. The simple facts are:
 - Sustainable farming of SCL means it can remain productive indefinitely.
 - Mining is, by its nature, destructive and it is a once-only prospect – in the proverbial blink of an eye in history, the product is dug up and, when exhausted, the overlying land is destroyed. Never again will this existing SCL support another crop.
24. Not only is the soil of the existing SCL of the highest quality, the climate of the Darling Downs is such that both winter and summer cropping is viable and practiced. This is a significant advantage of the area and it is something that is not common in other cropping areas of Australia.
25. This area has excellent soils that can be productive even in the most challenging of seasons. We are not talking about marginal soils with low fertility and poor structure. These are high quality soils in a high quality area with tremendous ability to grow very high quality crops. They should be protected. This is not marginal land. It is in the heart of the inner Darling Downs – a world-renowned farming area.
26. Take a look for yourself at Google Maps and Street View (link below) and observe the nature of the land that will be destroyed by the proposed Stage 3. This is where the proposed Manning Vale West pit crosses Acland Road. This is beautiful soil. It grows excellent crops. <https://maps.google.com.au/maps?q=Acland,+Queensland&hl=en&ll=-27.302384,151.668148&spn=0.036457,0.169086&sll=-27.40739,153.002859&sspn=1.280088,2.705383&oq=acland&t=h&hnear=Acland+Queensland&z=13&layer=c&cbll=-27.302314,151.668221&panoid=BycM8JH7X54A8jBngMGJCw&cbp=11,54.31,,0,0>

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- Refer to Attachment A for a copy of the output from Google Maps at this location but please go to the link to view the landscape at not just this location but also other locations that would be destroyed in the event that this proposal proceeds.

27. Whilst a large country, Australia has only a limited amount of high quality cropping land. To destroy some of the best of it by mining for coal when there exist many, many times more the area of land with little or nil agricultural value elsewhere is just dumb.

Groundwater

28. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
29. 198 bores are considered likely or possibly by the Qld Coordinator General to be affected by groundwater drawdown. This is unacceptable in a long-established farming area. The undertaking of open-cut coalmining is incompatible with the productive and sustainable farming operations that existed long before the proponent's mine was established.
30. In the past 10, or so, years the Qld Government has not issued any new water entitlements for the extraction of groundwater for the purposes of irrigation. At the same time, existing entitlements have been reduced (some by 60%), dependent upon from which sub-artesian measures they extracted water. And yet:
- The proponent's EIS estimates 3.5 ML a day of water will drain from the aquifers into the mine pits. That's about 1.5 olympic swimming pools every day. It could be more.
 - After mining ceases in 2029, the flow into the abandoned pits is predicted to continue at a rate of 1 ML per day through until 2080 before (hopefully?) stabilising. It will continue, to some degree, for hundreds of years. Permanent lakes will form in the abandoned pits due to the inflow of groundwater.
 - The mine will use 24 ML of water every day to wash coal (10 olympic pools every day or 8.9 billion litres per year). (Some of that is recycled water from the Toowoomba Regional Council's Wetalla plant, but even that water could be used to value add to the production of crops from the SCL that is being destroyed.)

Surface water

31. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
32. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.
33. Under certain conditions, the operator is permitted to release mine affected water from its on-site mine water storages. It released 26 ML (10 olympic pools) to Lagoon Creek during the 2011 floods. This water flows from Lagoon Ck into Oakey Ck and the Condamine River – part of the Murray Darling Basin, which is the food-bowl of Australia.

Economic and social matters

34. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
35. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
36. The coal at Acland is in thin seams which, we understand, is relatively expensive to mine. Could it be that the mine is economical due to its proximity to port? Perhaps, if it was in south-west or central-west Qld it may not be economical? Convenience to the miner should not take priority over the intrinsic value of the land to society.

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37. Contrast the middling number of jobs claimed to be provided by New Hope with the actual number of jobs of nearby industries that add value to agriculture rather than destroy it: Oakey Abattoir quietly gets on with providing employment to 750 persons and has hopes to nearly double this to 1,400; and Beef City, a feedlot and abattoir operation, employs more than 1,000 persons.
38. If the mine is such a boon for the local economy why have so many businesses in Oakey closed down in recent years? One only has to walk the main CBD to witness the empty shop fronts that, when agriculture was the mainstay of the local area, contained operating businesses.
39. The mine has created social division within what was once a tight-knit local community – those “in the loop” of the mine and those outside. It is tearing the community apart.

Character of the proponent

40. In a Letter to the Editor, published in The Chronicle (Toowoomba) on Mon 29 June 2015, the Managing Director of New Hope Group, Mr Shane Stephan, made public statements concerning the proposed Stage 3 expansion that are demonstrably false. ^{s.73}

s.73

s.73

A copy of Mr Stephan's letter is at Attachment B.

41. Following is a demonstration of the errors of fact in Mr Stephan's letter using for reference *The Coordinator-General's evaluation report on the environmental impact statement*, released in December 2014. That document summarises the Stage 3 proposal and the conditions of the C-G's approval of the project. Below are presented some inconsistencies between the C-G's report and the claims in Mr Stephan's letter.
- Mr Stephan states that “only 14% of the proposed mining lease area is (SCL)” and that 509 ha of SCL could be “potentially impacted”. However, in 5.1.2 of his report, the C-G states that *the EIS estimated the total area of (SCL) that will be impacted by project works is 1,361 ha.*
 - Mr Stephan claims that “the mine's rehabilitation program returns all the mined land to grazing land”. However, in 5.1.4, the C-G states that *the proponent has committed to infilling around two-thirds of mined areas, with final voids estimated to total around 457 ha. In order for grazing to occur at the outer edges... NAC intends to slope these void edges... allowing grazing at some areas within the final voids; however this use will be constrained by the likelihood that each of the three voids will feature permanent lakes due to groundwater inflows.*
 - Mr Stephan claims that the C-G's conditions require that 509 ha of SCL “potentially impacted” be “fully offset”. But *Condition 9* requires that *457 ha that will be permanently lost to agricultural use as a result of residual mine voids... is to be secured... until the mining lease is surrendered.*
42. It would be refreshing to receive a candid acknowledgement from the proponent of the damage the proposed project will cause – but the company representatives only ever want to talk about the claimed positives. They seek to shout down, not to engage.

43. s78B - defamatory

44. Another example of the company's past behaviour is that the proponent has, since 2002, treated with contempt the residents of Jondaryan who have been subjected to unacceptable impacts of coal dust from the train-loading facility. The proponent has been only a recent convert to “doing the right thing” as they try to buy a “social licence” for their proposed expansion.

Intergenerational Equity

45. The current generation is borrowing from future generations and has no way of compensating them for what's taken now. We are not opposed to coal mining but we believe very strongly that

Application or amendment application for environmental authority

we need to protect our best cropping lands.

46. New Hope makes much of the number of jobs that its mine provides and of the promise of more if Stage 3 proceeds. But, what of the jobs when Stage 3 ends in 2029? What's left then? The Stage 3 expansion is for 12 years – about half a generation. What about jobs for the children of the current generation of workers? Holes in the ground won't provide many jobs. Perhaps today's kids can drive a water truck carting "make-good" water to nearby farmers whose 198 bores are considered likely or possibly by the Qld Coordinator General to be affected by groundwater drawdown?
47. As a society we need to determine what our values and priorities are. Do we wish to protect SCL because of its inherent value; its current value; its future value? The returns that will accrue indefinitely? Or, do we want to plunder it for what we can get now?
48. In recent media reports, it has emerged that the State does not even receive royalties in return for the destruction of cropping land. This only increases the intergenerational inequity.
49. We have a very simple system of zoning for land use in our urban areas. People living in the suburbs prefer to live beside another house and not next door to a chemical factory. So, as a society, we place value on public amenity and we locate commercial and heavy industrial property away from residential zones. And, yet, the proponent thinks it's OK to operate a mine on prime cropping land? We have no right to deny future generations of the benefits of the existing landform.
50. The proponent makes much of the economic contribution of the mine. This is over a twelve (that's right 12) year life (extending operations from 2017 to 2029). If farmed, the land could go on being productive indefinitely. That's generation after generation over hundreds and hundreds, even thousands, of years.

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: Email: s.73
2	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: Email:
		Facsimile: Email:

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EMP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date: 1/7/2015
Submitter name: s.73
Submitter contact details: s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
Attention:	Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
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5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
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12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
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14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in grounds 1-13 in accordance with the regulatory requirements.

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

Background

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. **1,361 hectares of this area is designated as strategic cropping land.**
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
8. On 19 February 2012, the incoming Queensland Government declared that it would not support the expansion.
9. In November 2012, as result of that public declaration, the Proponent submitted a revised proposal.
10. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
11. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
12. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
13. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
14. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
15. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
16. In mid-June 2015, the Proponent replied to an information request from the Department of

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Environment and Heritage.

Strategic Cropping Land

17. If the project proceeds, it will have an unacceptable impact on Strategic Cropping Land (SCL). 1,361 hectares of land designated as SCL will be destroyed, gone forever, by this proposal. A magnitude larger area of SCL will be adversely impacted from the permanent loss of ground water that would result from this mine.
18. Cropping land in Australia is a very small and finite resource. Cropping land cannot be made. The fact is – should Stage 3 proceed – 1,361 ha of good quality land that could otherwise indefinitely and sustainably produce food crops will be obliterated forever.
19. Other negative impacts resulting from the proposed mine expansion – such as the drawdown on the aquifers or the resultant air pollution – would not even need to be considered if high-quality cropping land, such as this, is recognised as being the highest and best use for such land.
20. The proponent makes much of the economic contribution of the mine. This is over a twelve (that's right 12) year life (extending operations from 2017 to 2029). If farmed, the land could go on being productive indefinitely. That's generation after generation over hundreds and hundreds, even thousands, of years. Overseas corporations and governments are busy buying Australian farming land to provide food security while we're busy digging it up and ruining it.
21. The simple facts are:
 - Sustainable farming of SCL means it can remain productive indefinitely.
 - Mining is, by its nature, destructive and it is a once-only prospect – in the proverbial blink of an eye in history, the product is dug up and, when exhausted, the overlying land is destroyed. Never again will this existing SCL support another crop.
22. Not only is the soil of the existing SCL of the highest quality, the climate of the Darling Downs is such that both winter and summer cropping is viable and practiced. This is a significant advantage of the area and it is something that is not common in other cropping areas of Australia.
23. This area has highly productive soils that can be productive even in the most challenging of seasons. These are not marginal soils with low fertility and poor structure. These are high quality soils in a high quality area with tremendous ability to grow very high quality crops. They should be protected. It is in the heart of the inner Darling Downs – a world-renowned farming area.
24. Google Maps and Street View (link below) provide the proof of the high-value nature of the land that will be destroyed by the proposed Stage 3. This is where the proposed Manning Vale West pit crosses Acland Road. This is highly productive soil that produces high-yielding food crops.
<https://maps.google.com.au/maps?q=Acland,+Queensland&hl=en&ll=-27.302384,151.668148&spn=0.036457,0.169086&sll=-27.40739,153.002859&sspn=1.280088,2.705383&oq=acland&t=h&hnear=Acland+Queensland&z=13&layer=c&cbll=-27.302314,151.668221&panoid=BycM8JH7X54A8jBnqMGJCw&cbp=11,54.31,,0,0>
25. Australia's coal resources are plentiful. Much of it exists under low-productivity land. A very small proportion of the coal resource is located under highly productive cropping land. All logic demands that the coal resource that should be exploited first is that which is located under the low-productivity land (there is no demonstrable argument – environmental, social, economic – that supports extracting coal from the highly productive land first). The only instance that justifies extracting the coal resource located under high-productivity cropping land is once all coal has been exhausted under the low-productivity land. Such a scenario will not exist for some 193 years (78,500 Mt ÷ 405 Mt as annual rate of production under current mining boom).
 - In 2007, the British Petroleum statistical review of world energy (http://www.bp.com/liveassets/bp_internet/globalbp/globalbp_uk_english/reports_and_publications/statistical_energy_review_2007/STAGING/local_assets/downloads/spreadsheets/statistical_review_full_report_workbook_2007.xls) reported that Australia had 78,500

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million tonnes of coal reserves.

Groundwater

26. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
27. 198 bores are considered likely or possibly by the Qld Coordinator General to be affected by groundwater drawdown. This is unacceptable in a long-established farming area. The undertaking of open-cut coalmining is incompatible with the productive and sustainable farming operations that existed long before the proponent's mine was established.
28. In the past 10, or so, years the Qld Government has not issued any new water entitlements for the extraction of groundwater for the purposes of irrigation. At the same time, existing entitlements have been reduced (some by 60%), dependent upon from which sub-artesian measures they extracted water. And yet:
 - The proponent's EIS estimates 3.5 ML a day of water will drain from the aquifers into the mine pits. That's about 1.5 olympic swimming pools every day. It could be more, as this is not in any way measured or verified.
 - After mining ceases in 2029, the flow into the abandoned pits is predicted to continue at a rate of 1 ML per day through until 2080, with a dubious prediction of it then stabilising. It will continue, to some degree, for hundreds of years. Permanent lakes will form in the abandoned pits due to the inflow of groundwater.
 - The mine will use 24 ML of water every day to wash coal (10 olympic pools every day or 8.9 billion litres per year). (Some of that is recycled water from the Toowoomba Regional Council's Wetalla plant, but even that water could be used to value add to the production of crops from the SCL that is being destroyed).

Surface water

29. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
30. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts. What will exist in reality as to the effect on Lagoon Creek?
31. Under certain conditions, the operator is permitted to release mine affected water from its on-site mine water storages. It released 26 ML (10 olympic pools) to Lagoon Creek during the 2011 floods. This water flows from Lagoon Ck into Oakey Ck and the Condamine River – part of the Murray Darling Basin, which is the food-bowl of Australia.

Economic and social matters

32. It is a statement of fact that all of the land occupied by this mine has pre-1910 tenure, which does not have mineral rights to the State. Therefore, there are no royalties payable to the State on extraction of coal from this mine.
33. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
34. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine. Nowhere has that assessment based on the reality of 12 years of mining extraction verses thousands of years of crop production.
35. The coal at Acland is in thin seams which, we understand, is relatively expensive to mine. Could it be that the mine is economical due to its proximity to port? Perhaps, if it was in south-west or central-west Qld it may not be economical? Convenience to the miner should not take priority over the intrinsic value of the land to society.

Application or amendment application for environmental authority

36. Contrast the middling number of jobs claimed to be provided by New Hope with the actual number of jobs of nearby industries that add value to agriculture rather than destroy it: Oakey Abattoir quietly gets on with providing employment to 750 persons and has hopes to nearly double this to 1,400; and Beef City, a feedlot and abattoir operation, employs more than 1,000 persons.
37. If the mine is such a boon for the local economy why have so many businesses in Oakey closed down in recent years? One only has to walk the main CBD to witness the empty shop fronts that, when agriculture was the mainstay of the local area, contained operating businesses.
38. The mine has created social division within what was once a tight-knit local community – those “in the loop” of the mine and those outside. It is tearing the community apart.

Intergenerational Equity

39. The current generation is borrowing from future generations and has no way of compensating them for what's taken now. We are not opposed to coal mining but we believe very strongly that we need to protect our best cropping lands.
40. New Hope makes much of the number of jobs that its mine provides and of the promise of more if Stage 3 proceeds. But, what of the jobs when Stage 3 ends in 2029? What's left then? The Stage 3 expansion is for 12 years – about half a generation. What about jobs for the children of the current generation of workers? Holes in the ground won't provide many jobs. Perhaps today's kids can drive a water truck carting “make-good” water to nearby farmers whose 198 bores are considered likely or possibly by the Qld Coordinator General to be affected by groundwater drawdown?
41. As a society we need to determine what our values and priorities are. Do we wish to protect SCL because of its inherent value; its current value; its future value? The returns that will accrue indefinitely? Or, do we want to plunder it for what we can get now?
42. In recent media reports, it has emerged that the State does not even receive royalties in return for the destruction of cropping land. This only increases the intergenerational inequity.
43. We have a very simple system of zoning for land use in our urban areas. People living in the suburbs prefer to live beside another house and not next door to a chemical factory. So, as a society, we place value on public amenity and we locate commercial and heavy industrial property away from residential zones. And, yet, the proponent thinks it's OK to operate a mine on prime cropping land? We have no right to deny future generations of the benefits of the existing landform.
44. The proponent makes much of the economic contribution of the mine. This is over a twelve (that's right 12) year life (extending operations from 2017 to 2029). If farmed, the land could go on being productive indefinitely. That's generation after generation over hundreds and hundreds, even thousands, of years.

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: Email: s.73

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EMP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Application or amendment application for environmental authority

Date: 29 th June 2015
Submitter name: s.73
Submitter contact details: s.73

<p>To: Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701</p> <p>coalhub@dnrm.qld.gov.au</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
<p>Attention: Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.

Several local public roads now used regularly by residents and visitors will be totally closed and destroyed.

2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.

This strategic cropping land has supported high value farming industries such as cereal grain growing, dairying, pig & poultry production and beef production over many decades and cannot be sacrificed for short term monetary gain.

5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years. This intimates that the mine will continue for at least 30 years and not 12 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required. This also gives the Co-ordinator General the power to seize private lands under the compulsory acquisition provisions. These provisions have been used to drive private land owners off their lands in similar areas of Queensland.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal. At any time the proponent may revert to the original proposal by written application to the Coordinator General.
9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015). This is located near to property owners residences.

Application or amendment application for environmental authority

13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Air quality

18. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
Health of small children living on neighbouring farms will be adversely affected. Blasting fumes from the mine contain toxic chemicals which drift considerable distances from the source. Farm animals exhibit neurological symptoms from these fumes.
19. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Noise and vibration

20. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
21. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Surface water

22. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
23. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Biodiversity

24. If the project proceeds, it will have an unacceptable impact on biodiversity.
25. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
26. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.

Submission form

Application or amendment application for environmental authority

Economic and social matters

27. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
28. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.

Climate change

29. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
30. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
31. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73		Telephone: s.73	
		Facsimile:	
		Email: s.73	
2	Name		
Postal address		Telephone:	
		Facsimile:	
		Email:	
3	Name		
Postal address		Telephone:	
		Facsimile:	
		Email:	
4	Name		

Submission form

Application or amendment application for environmental authority

Postal address	Telephone: Facsimile: Email:
5	Name
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6	Name
Postal address	Telephone: Facsimile: Email:
7	Name
Postal address	Telephone: Facsimile: Email:

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Objection to the application

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Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

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Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Application or amendment application for environmental authority

Date: 29 th June 2015
Submitter name: s.73
Submitter contact details: s.73

<p>To: Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701</p> <p>coalhub@dnrm.qld.gov.au</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
<p>Attention: Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

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- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
Water aquifers are a major concern. It is essential to protect totally the underground water resources of the Darling Downs. Depletion has already occurred with Stages 1 and 2; an approval for Stage 3 would mean further damage thus destroying more livelihoods, farms and food production potential for years to come – possibly forever.
17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Air quality

18. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region. Health implications and human suffering must be taken into account when considering enlarging the mine.
19. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Noise and vibration

20. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
Again, nearby residents will suffer from the constant noise and infrastructure would be at risk from the effects of blasting and vibrations.
21. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Surface water

22. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
If the waste pits are to overflow during a rain event untold damage would undoubtedly occur in creeks and the Condamine River leading to the Murray Darling Basin.
23. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Biodiversity

24. If the project proceeds, it will have an unacceptable impact on biodiversity.
25. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
26. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate. The koalas have migratory patterns and trails to follow – the mine will interrupt these patterns particularly with blasting noise and mine vehicles. Clearing of their traditional habitats also destroys their source of fodder.

Submission form

Application or amendment application for environmental authority

Economic and social matters

27. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
28. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.

Climate change

29. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
30. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
31. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: Email:
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Submission form

Application or amendment application for environmental authority

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Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Dust

The expansion to stage 3 of NHP will make an already bad dust situation worse. Dust is a constant feature of the current operations and blasting has been observed to carry dust for 10km. Oakey Hospital and Army Air Base are situated less than 7.5km from the proposed extension

s.73

s.73

RTI DL RELEASE - EHP

s.73 – EA submission - Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

Effect of Dust on Water Collection

Water Collection in tanks for stock or humans in the vicinity of the mine has become impossible because of coal dust and other contamination. Testing by the company did not show results that were the same as independent testing citing e-coli as the main contaminant. However coal dust collecting on rooves has been obvious.

s.73

s.73

Animals - Blasting

s.73

s.73

Health Problems for Humans

Health effects including coughing have been felt by people living close to the mine. A successful tourist business s.73 had to be cancelled because of air quality complaints by visitors. We and others in the Highland Park District were affected by Asthma that we had never had in our lives and has disappeared since, as well as rashes, headaches and lethargy. During blasting we were subject to burning eyes, nose and throat. These symptoms have been reported by residents up to 6km from the mine pits. s.73

s.73

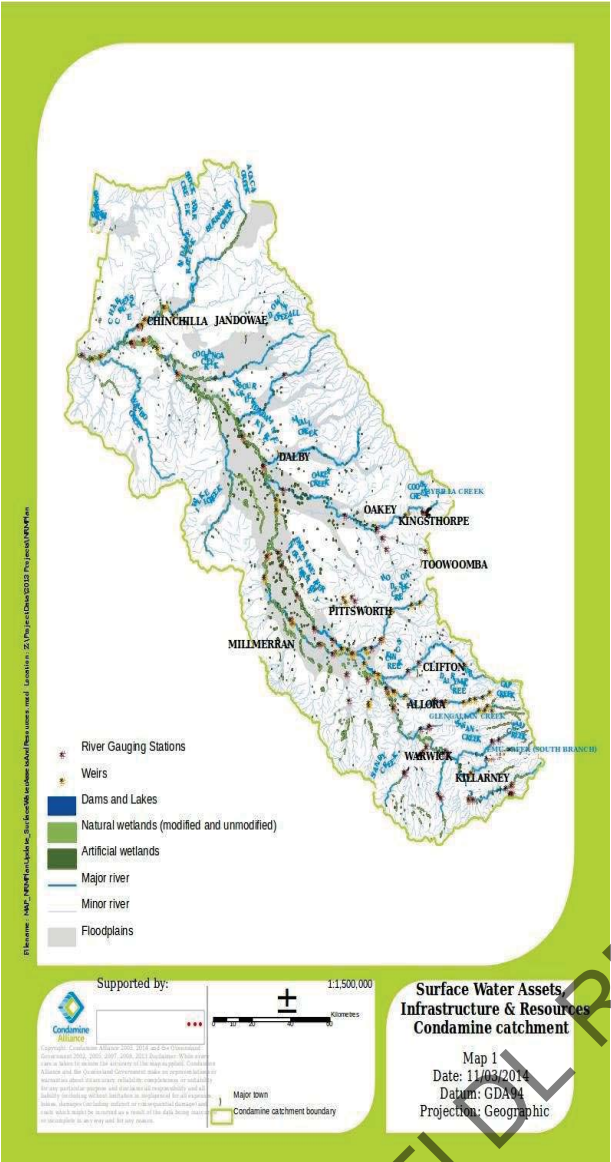
No effective dust control has been put in place by NHC. Monitoring has been poor and haphazard and excuses for not carrying out required or promised testing frequent. It would seem that dust of this nature is an inevitability with a coal mining operation and little can be done to stop it. That is why an expansion toward closer settled areas will be a major problem if the proposal is approved.

Wildlife

Planting box trees for the Koala's is ineffective as it takes many years for trees to grow. Koala's cannot survive this waiting period. When planted at the mining site growth will be stunted and even if leaves grow they will be covered with coal dust so the Koala will not eat the leaves. Koala's have left the area because of noise stress, poor nutrition of the few trees left, the distance they have to travel between trees.

The proposed bridge under Lagoon Creek would not be used by the Koala's as they travel East West not North South which is Lagoon conservation area. Koala's cannot be trained to go under the bridge. There were active and healthy Koala colonies living around the township of Acland before NHC commenced with all the noise from machinery, dust that destroyed their food, many killed by the knocking down the Box trees Trucks carting the coal. An extension of the mine as proposed will exterminate Koala from the region.

Surface Water



The accompanying map produced by Condamine Alliance clearly shows the catchment of the upper Condamine. The entire area south of the Bunya Moundtains between Oakey and Dalby forms part of the catchment and all waters there eventually drain into it. The proposed mineextension is centrally placed to this.

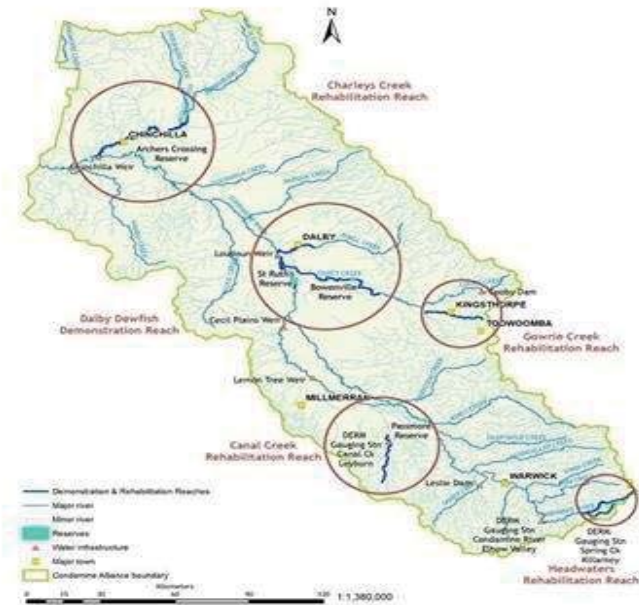
The proposal straddles Lagoon Creek which flows through Jondaryan and will affect the headwaters of Doctors Creek. The mine pumps water from the pits directly into creeks and escape is inevitable during major flood events spreading contaminants along the system. There is a potential in flood events for wastewater to flow into systems feeding Myall Creek affecting Dalby's water supply.

Below Mine water being pumped out of pit – Jan 2015



The Dewfish Demonstration Reach is the state’s first native fish strategy demonstration reach and has become the flagship project for the Condamine River Rescue program financed by Commonwealth and Queensland Governments.

It lies directly in the flood basin where the new western mine will be located. This area will be impacted by routine discharges into creek systems and overflow during flood events, threatening the programme.



Groundwater

The effect on groundwater is one of the most concerning for agricultural enterprise and urban populations within the 20 km zone that NHP claim will be affected.

NHC will be allowed access to bores in a relatively unrestricted fashion and not monitored as irrigators are. All mine bores should be monitored and read quarterly and released publicly. Many farmer bore levels have dropped or gone dry. The mine will never admit the bores in the area have dropped or dried up. There is plenty of evidence that Farmers bores have gone dry but the confidentiality provisions of most make good agreements mean that this information is not public. This problem can be expected to increase dramatically with the much wider footprint of operations and running through different aquifers. Make good arrangements cannot make new water.

Water usage vastly increase if stage 3 is allowed. NHC have not increased their purchases of Wetland water and there is competition from farmers who also use that waste water for irrigation of their crops. Therefore bores will likely be used for the extra water needed for stage 3 mining. With no restriction of bore water by mining and world population growth we need our water and food bowl left as is without any more destruction. Acland mine say they do and will continue watering roads to keep the dust from trucks down. This is of little use as loading and unloading the trucks cause the most dust.



Watering of pit roads – Jan 2015

Dust from trucks

The interconnectivity of aquifers, recharge rates and sources is fairly scarcely understood. Recent unexpected contamination of bores in Oakey resulting from activities at the air base has brought this into recent focus. Agricultural businesses within the district rely on reliable supplies of underground water. Urban areas in Dalby and Oakey also rely on bore water for drinking. The proposal does not demonstrate the pressures that will occur when the next inevitable severe drought occurs and therefore should not be approved.

Rail Loop

The routing of the proposed rail loop should be examined as it seems that it will exacerbate flooding problems.

General

I object to the extension of the New Hope Mine because it was a disaster for ^{s.73} and other families affected by its expansion. It has caused health and financial problems ^{s.73}

^{s.73}

I object because the same outcome is coming for families who will be affected by the new expansion if it is approved. I object because prime beautiful farmland has been destroyed forever and if stage 3 goes ahead so much more will be destroyed. As there are plans for coal mines along the Eastern Downs this proposal will either herald more mines in our farmland or a halt to their expansion. I object because this is the wrong mine, in the wrong place, at the wrong time.



Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Application or amendment application for environmental authority

Date:1/7/2015
Submitter name: s.73
Submitter contact details: s.73

<p>To: Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701</p> <p>coalhub@dnrm.qld.gov.au</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
<p>Attention: Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

- 1 According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that: is written or made electronically states the name of and address of each submitter
 - is made to the administering authority
 - is received on or before the last day of the submission period
 - states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or

Application or amendment application for environmental authority

otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

The facts and circumstances of my objection are appended to this document

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73		Telephone: s.73	Facsimile: s.73
		Email: s.73	
2	Name		
Postal address		Telephone:	Facsimile:
		Email:	
3	Name		
Postal address		Telephone:	Facsimile:
		Email:	
4	Name		
Postal address		Telephone:	Facsimile:
		Email:	
5	Name		
Postal address		Telephone:	Facsimile:
		Email:	

Application or amendment application for environmental authority

6	Name	
Postal address		Telephone: Facsimile: Email:
7	Name	
Postal address		Telephone: Facsimile: Email:

Further information for submitters:***Amendment of a submission***

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

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Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date: July 1 st 2015
Submitter name: s.73
Submitter contact details: s.73

<p>To: Principal Mining Registrar Assessment Coal Assessment Hub Department of Natural Resources and Mines Building E, 25 Yeppoon Road, Parkhurst Qld 470</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
<p>Attention: Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	ML 50232 and 700002
Tenure:	

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission:

The area surrounding the mine is categorized as Strategic Cropping Land and covers some of the most productive farmland in Australia. The proposed mine expansion will destroy approximately 1360 hectares of this strategic cropping land and pose an unacceptable risk to the viability of agriculture in the surrounding district, chiefly through its impact on ground water and the dispersion of coal dust pollution on farms adjacent to the mine.

Open cut coal mining and cropping agriculture pose incompatible land usages and we cannot afford to compromise our state's food security and future agricultural prospects for the sake of *minimal* financial returns that are likely to accrue for Queensland and Queenslanders by the expansion of this coal mine.

The economic benefits and liabilities of Acland Stage 3 have not been properly assessed. No account has been undertaken of the structural decline in the thermal coal export market, which has become apparent in recent months, and which casts doubt over the profitability of this venture.

It has been claimed that New Hope Coal is unlikely to pay *any* royalties to the Queensland Government for coal mined at Acland due to a pre-1910 land title royalty loophole, and that as a result Queensland could lose around \$450 million in royalties over the life of the stage 3 expansion. No representative of the government of Queensland has stepped forward to deny these claims, which if true, would be a clear indication that the approval process has taken place without due reference to the interests of Queenslanders.

When this consideration is placed alongside the continuing controversy over claims of inappropriate influence through political donations made to the Queensland Liberal National Party and the Federal Liberal Party, it becomes even more apparent that Acland stage 3 should not be permitted to go ahead until the economic case for the mine has been established by a credible cost – benefit analysis, conducted from the viewpoint of the public interest.

Facts and circumstances relied on in support of the grounds of the submission:

The unique value of strategic cropping land of the Darling Downs is common knowledge and long recognized by the Queensland Government. The extent of loss of strategic cropping land by the proposed mine is documented in the New Acland Coal mine EIS.

The incompatibility of open cut coal mining and cropping agriculture is apparent to all but coal mining companies.

The claim that Acland mine may avoid paying royalties to the state is a widely circulating rumour that has yet to be discounted by the government.

The claim that the export oriented steaming coal industry is in structural (not just cyclic) decline rests on recent expert witness testimony to the Carmichael mine hearing held in the land court of Queensland.

Each entity to this submission must be stated below:

1	Name s.73
Postal address	Telephone: s.73

Submission form

Application or amendment application for environmental authority

s.73		Facsimile: Email:
2	Name	
	Postal address	Telephone: Facsimile: Email:
3	Name	
	Postal address	Telephone: Facsimile: Email:
4	Name	
	Postal address	Telephone: Facsimile: Email:
5	Name	
	Postal address	Telephone: Facsimile: Email:
6	Name	
	Postal address	Telephone: Facsimile: Email:
7	Name	
	Postal address	Telephone:

Submission form

Application or amendment application for environmental authority

	Facsimile: Email:
--	--------------------------

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE/EHP

Submission to the Environmental Authority for the Acland Stage 3 Project

30th June 2015, s.73

Please accept this submission from s.73 to the Environmental Authority for the Acland Stage 3 Coal Mine expansion. This project will impact on more than 1,000 hectares of potential Strategic Cropping Land and will destroy important farming land in one of the richest agricultural areas in Australia - the Darling Downs of Qld.

The project will also have irreversible impacts on groundwater resources, and will represent a risk to the headwaters of the Murray Darling Basin. It will impact important elements of biodiversity, including the koala.

The EHP should not grant an Environmental Authority for this project because approval and construction of the mine would be contrary to the public interest.

The application for the environmental authority for the Acland Stage 3 Coal Mine Expansion (the mine) should be refused under the Environmental Protection Act 1994 (Qld)(EPA) on the basis of the considerations stated in ss 3, 5, 171 and 191 of the EPA and the other relevant considerations having regard to the subject-matter, scope and purpose of the EPA:

- Approval of the mine is contrary to the object of the EPA stated in s 3 because approval and construction of the mine will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
- Approval of the mine would be contrary to the requirement in s 5 of the EPA for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
- Approval and construction of the mine would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- Approval and construction of the mine would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- Approval and construction of the mine would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- Approval and construction of the mine will cause environmental harm to the character, resilience and value of the receiving environment.
- Approval and construction of the mine will cause material and serious environmental harm.

Groundwater

- If the mine proceeds, it will cause serious and material environmental harm to groundwater and dependent species and ecosystems.
- If the mine proceeds, it will impact groundwater aquifers, that are important for human use, agriculture and biodiversity, including but not limited to:
 - (a) the Quaternary Alluvial aquifer
 - (b) the Tertiary Basalt aquifer
 - (c) the Walloon Coal Measures
 - (d) the Marburg Sandstone aquifer
- The full extent of the environmental harm to groundwater and dependent species and ecosystems is not adequately assessed in the EIS and associated documents. The groundwater modelling provided is inadequate.
- The drawdown in the Walloon coal measures is estimated to be up to 47m at the project site. An area extending across 21km is predicted to be affected by drawdown of some quantity, and will affect up to 357 registered bores. Given that previous mines indicate that they generally dramatically underestimate draw downs, the real affect on the water table and surrounding landholders is likely to be even more severe.
- The EHP should not be approving these types of impacts in vital agricultural areas that are identified as potential Strategic Cropping Land and that are located in a Priority Agricultural Area. Make good agreements are simply a mitigation measure that can never make up for irreparable damage to groundwater resources.
- The failure to properly remediate the 'final void' and to instead leave 'depressed landforms' will also result in severe impacts on groundwater. The proponent admits that the depressed landforms will act as a groundwater sink, and it is apparent that a pit lake will form in the Manning Vale West void.
- Long-term groundwater draw-down adjoining the last areas to be mined is estimated at 20 to 30m. The Acland Stage 3 project will have a significant and lasting impact on groundwater resources, in an agricultural area which is heavily dependent on those resources. It should not be approved.

Surface water

- If the mine were to proceed, it would cause serious and material environmental harm to surface water and dependent users, species and ecosystems on and associated with the area of the mine and downstream.
- The assessments conducted of surface water quality and the characteristics of Lagoon Ck were inadequate to properly determine likely impacts.
- The discharge of untreated waste water into Lagoon Ck is completely unacceptable. This is an important ephemeral watercourse, that also contributes to downstream water supplies.
- There is no excuse for discharging poor quality water into our precious river systems, especially in the headwaters of the Murray Darling Basin.
- There should be nil discharge from this project under all circumstances, and the company should be required to treat and dispose of waste water in accordance with

best practice and without any adverse environmental impacts or discharge into the natural environment.

Biodiversity

- If the mine proceeds, it will cause serious and material environmental harm to biodiversity and ecosystems on, and associated with, the area of the mine.
- The species that will be severely impacted by the mine include, but are not limited to, the Koala.
- A viable population of koala is located within the mine lease area and will be severely and permanently adversely impacted by the mine through impacts such as the direct clearing of habitat, fragmentation and traffic strikes.
- The characterisation of koala habitat by the proponent is very poor, and the Koala Management Plan and its provisions are inadequate.
- The assessment of biodiversity likely to occur in the project area was markedly inadequate. A search of publicly available databases suggests that there are at least a further 8 threatened species that could be considered likely to occur in the locality. These include the Painted Honeyeater, Pale Imperial Hairstreak Butterfly, Austral Cornflower, *Picris evae*, *Sophora fraseri*, *Thesium australe*, *Solanum stenopterum*, *Solanum papaverfolium*.
- Other threatened species for which the assessment conducted was glaringly inadequate were the Darling Downs Earless Dragon, Queensland Bluegrass, Long-legged Worm Skink and Australian Painted Snipe.
- There was inadequate assessment of the effect of railway spur line and of road construction and power easements on biodiversity and Threatened Ecological Communities. The full extent of clearing associated with these aspects of the project was not adequately assessed.
- The proponent turns the precautionary principle on its head by assuming that because a species was not recorded during surveys, that it does not occur in the area. However, if likely habitat occurs for a species, then the proponent should have assumed that the species occurs, regardless of whether there are known records or not. This is vital because absence of evidence should never be taken as evidence of absence, especially given the paucity of surveys involved.
- No confidence can be placed in mitigation measures or proposed offsets as insufficient information is provided.
- In short, the full extent of adverse environmental impacts to biodiversity and ecosystems cannot be particularised due to the inadequate information provided by the proponent.

Air Pollution

- If the mine proceeds, it will cause serious and material environmental harm to air quality and receptors in surrounding areas and the broader locality, and in areas adjoining transport corridors, stockpiles and other associated infrastructure.
- The full extent of the serious and material environmental harm to air quality and its likely impacts on potentially sensitive receptors cannot be particularised due to the

inadequate information provided by the proponent in the EIS and associated documents.

- The impacts of coal dust on surrounding tank water supplies, which are utilised by nearby residences, has not been assessed.

Noise Emissions

- If the mine proceeds, it will cause serious and material increases in noise and vibrations to receptors in surrounding areas and the broader locality, and in areas adjoining transport corridors and other associated infrastructure.
- The full extent of noise and vibration and their likely negative impacts on potentially sensitive receptors cannot be particularised due to the inadequate information provided by the proponent in the EIS and associated documents.
- It has not been adequately demonstrated that the mine will not cause unacceptable serious and material increases in noise and vibrations and impacts on sensitive receptors that have not been adequately assessed.

Heritage

- If the mine proceeds, it will cause serious and material environmental harm to heritage sites and values. It will indirectly or directly impact seven heritage sites, including but not limited to: (a) the Agrarian Landscape; (b) the Summer Hill Hotel site; (c) Wells Graves; (d) the former Presbyterian Church site; (e) the Oakey to Cooyar Railway Line; (f) the Acland No 2 Colliery; (g) three historic mines

Climate change

- If the mine proceeds, it will cause serious and material environmental harm by contributing to climate change.

Economic and social matters

- The mine will have adverse economic impacts and potentially severe adverse economic impacts caused by these proposed mining operations on local, regional, and State economies and communities.
- The mine will displace rural enterprises and industries.
- The mine will cause a permanent change in land capability from potential strategic cropping land to, at the best, light grazing land.
- The adverse economic impacts of the mine have not been adequately assessed and the mine has not been able to demonstrate that it will produce a net economic benefit.
- There is not sufficient economic need for the mine to justify the impacts and risks set out above.
- Returns to the state are extremely limited, due to the nature of the pre-1910 land title which means that royalties from the mine are paid largely to the proponent, not to the state of Qld. The proponent has acknowledged that 77% of royalties go to New Hope Group.

Public Interest

- The serious and material environmental harm that the mine will cause to groundwater, surface water, biodiversity, air quality, ambient noise, heritage, and climate change, and the economic and social matters described above collectively outweigh the purported benefits of the mine and justify refusal on the basis that it would not be in the public interest.

RTI DL RELEASE - EHP

Submission form

Environmental Protection Act 1994

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Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date:	25 TH JUNE 2015
Submitter name:	s.73
Submitter contact details:	s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au (Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)
Attention:	Melissa Munro (Insert contact officer's name)

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
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The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the grounds that in light of the current international concern regarding the health implications of coal, to proceed without a full health impact assessment would amount to reckless endangerment.

RTI DL RELEASE - EHP

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

The Lancet Commissions has, this week, released their report¹ "Health and Climate change: policy responses to protect public health."

Their position was unequivocal:

"Protect cardiovascular and respiratory health by a rapid phase out of coal from the global energy mix."

"The phase out of coal is proposed as part of an early and decisive package which targets air pollution from the transport, agriculture, and energy sectors, and aims to reduce the health burden of particulate matter (especially PM_{2.5}) and short lived climate pollutants, thus yielding immediate gains for society."

"Many of the 2200 coal- fired plants currently proposed for construction globally will damage health unless replaced with cleaner energy alternatives."

People are exposed locally to health risks from coal wherever coal is mined, along the corridor where coal is transported, at destination in whatever country the coal is burned, but also globally due to coal's significant impact on climate change.

The Lancet Commissions states:

"The effects of climate change are being felt today, and future projections represent an unacceptably high and potentially catastrophic risk to human health. The implications of climate change for a global population of 9 billion people threatens to undermine the last half-century of gains in developmental and global health. The direct effects of climate change include increased heat stress, floods, drought, and increased frequency of intense storms., with the indirect threatening population health through adverse changes in air pollution, the spread of disease vectors food insecurity and under-nutrition, displacement and mental ill health."

"Keeping the global average temperature rise to less than 2°C to avoid the risk of potentially catastrophic climate change impacts requires total anthropogenic carbon dioxide (CO₂) emissions to be kept below 2900 billion tonnes (GtCO₂) by the end of the century. As of 2011, total emissions since 1870 were a little over half of this, with current trends expected to exceed 2900 GtCO₂ in the next 15-20 years. High-end emissions projection scenarios show global average warming of 2.6- 4.8°C by the end of the century, with all their regional amplification and attendant impacts."

"One important strategy to protect against the health burdens of local and national energy choices, is to ensure that health impact assessments are built in to the planning , costing and approval phases of a new project. By developing the tools and capacity to enforce this, policy makers can better under stand the broader consequences of their decisions."

The evidence of adverse health impacts from coal is not new.

In 2012 Beyond Zero Emissions released their report² "Health and Social Harms of Coal Mining in Local Communities." As part of that report they analysed international health research literature. The key finding from these studies was that there are serious health and social harms associated with coal mining and coal fired power stations for people living in surrounding communities.

Forty different studies (excerpt attached) from countries throughout the world demonstrated increased rates of mortality from cardiovascular disease³ and increased rates of mortality⁴ from kidney and respiratory disease in people living in mining areas. Life expectancy was reduced⁵. Studies demonstrated increased rates of hospitalisation⁶ with chronic obstructive pulmonary disease and hypertension. Presentations with asthma⁷ increased by 80%. Rates of lung cancer, digestive, urinary and breast cancer was increased⁸ in populations neighbouring coal mines. Birth defects⁹ were higher in coal mining areas. Neural tube defects¹⁰ were higher. The rate of low birth weight¹¹ babies was increased. Children had high blood levels¹² of lead and cadmium. The World Health Organization¹³ has unequivocally "classified outdoor air pollution as carcinogenic to humans." They specifically state that the adverse health effects of particulate matter are well documented; there is no evidence of a safe level of exposure or a threshold below which no adverse health effects occur¹⁴.

In 2013 the Senate Committee report¹⁵ into the "Impacts on health of air quality in Australia" confirmed Australian concerns about the health effects of air pollution and the fact that Australian air standards have not kept pace with the science.

Dr Steve Hambleton, AMA president¹⁶ who represents 28,000 doctors in Australia said "Air quality can affect people's health," "Current air quality standards have failed to keep pace with scientific evidence, and many hazardous pollutants are not subject to routine or independent monitoring." "The enforcement of existing standards is poor and fragmented."

This lack of enforcement of existing standards has been ably demonstrated within the mining lease already operated by New Hope coal.

A community air monitoring study¹⁷ by Clean Air Queensland at Jondaryan in November 2013 showed that air pollution in the form of particulate matter was literally off the scale. And as already stated particulate matter is defined by the WHO as carcinogenic.

Application or amendment application for environmental authority

New Hope, in its operations to date, has shown scant regard for the health and well-being of neighbouring communities.

Decision makers, both elected politicians and career bureaucrats have a duty of care to the people they are employed to serve. Should this project be allowed to proceed disregarding the un-costed and unaccounted for health impacts on the neighbouring communities and its contribution to global harm, and this duty of care will have been breached.

- 1) [http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(15\)60854-6.pdf](http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(15)60854-6.pdf)
- 2) http://media.bze.org.au/coal_health_Report_FINAL.pdf
- 3) Esch L, Hendryx M (2011) Chronic cardiovascular disease mortality in mountaintop mining areas of central Appalachian states. *Journal of Rural Health* 27(4): 350-357
- 4) Hendryx M (2009). Mortality from heart, respiratory, and kidney disease in coal mining areas of Appalachia. *International Archives of Occupational and Environmental health* 82(2): 243-249.
- 5) Veugelers PJ & Guernsey JR (1999). Health deficiencies in Cape Breton County, Nova Scotia, Canada, 1950-1995. *Epidemiology* 10(5): 495-499.
- 6) Hendryx M, Ahern MM, et al (2007). Hospitalization patterns associated with Appalachian coal mining. *Journal of Toxicology and Environmental Health Part A* 70(24): 2064-2070.
- 7) Temple JMF & Sykes AM (1992). Asthma and open cast mining, *British Medical Journal* 305(1): 396-397.
- 8) Hitt NP & Hendryx M (2010). Ecological integrity of streams related to human cancer mortality rates. *EcoHealth* 7(1):91-104.
- 9) Ahern M, Hendryx M, et al (2011b). The association between mountaintop mining and birth defects among live births in central Appalachia, 1996-2003. *Environmental Research* 111(6): 838-846
- 10) Liao Y, Wang J, et al (2010). Spatial analysis of neural tube defects in a rural coal mining area. *International Journal of Environmental Health Research* 20(6): 439-450.
- 11) Ahern M, Mullett M, et al (2011a). Residence in coal-mining areas and low birth-weight outcomes. *Maternal and Child Health Journal* 15(7):974-979.
- 12) Yapici G, Can G, et al (2006). Lead and cadmium exposure in children living around a coal-mining area in Yatagan, Turkey. *Toxicology and Industrial Health* 22(8): 357-362.
- 13) International Agency for Research on Cancer, press release no 221 17 Oct 2013 http://www.iarc.fr/en/media-centre/iarcnews/pdf/pr221_E.pdf
- 14) Review of evidence on health impacts of air pollution REVIHAAP project, WHO 2013
- 15) http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Completed_inquiries/2010-13/airquality/report/~media/wopapub/senate/committee/clac_ctte/completed_inquiries/2010-13/air_quality/report/report.ashx
- 16) <https://ama.com.au/media/ama-calls-coal-seam-gas-health-checks>
- 17) http://d3n8a8pro7vhmx.cloudfront.net/lockthegate/pages/790/attachments/original/1385076163/Clean_Air_Queensland_Jondaryan_Coal_Stockpile_Report_Nov2013.pdf?1385076163

1	Name s.73	
Postal address s.73		Telephone: s.73
s.73		Facsimile:
		Email: s.73

Submission form

Application or amendment application for environmental authority

2	Name		
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Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EMP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Application or amendment application for environmental authority

Date: 1 July 2015
Submitter name: s.73
Submitter contact details s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
Attention: Melissa Munro (Insert contact officer's name)	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

- a) Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
- b) Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
- c) Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- d) Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- e) Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- f) Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
- g) Approval of the application and construction of the mine expansion would be contrary to the public interest.
- h) Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
- i) Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
- j) Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
- k) Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
- l) Approval of the application is not appropriate because of an insufficient response given for an information request.

In the alternative to grounds (a) to (l) above, if the application is not refused, conditions should be imposed in accordance with the regulatory requirements to address the matters raised in those grounds.

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the *State Development and Public Works Organisation Act 1971*.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
 13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
 14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
 15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Application or amendment application for environmental authority

Groundwater

16. If the project proceeds, drawdown of groundwater levels, and potential groundwater contamination, will have an unacceptable impact on other water users and environmental values, including in times of drought. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
17. The groundwater assessments and management plans done for the project are inadequate to appropriately determine and manage the full extent of those impacts.
18. The adverse environmental and related impacts to groundwater, and inadequate assessment and proposed management of those impacts, support all of the grounds listed as (a) to (l) above.

Air quality

19. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health, both local to the mine and regionally from rail transport. This will also adversely affect social values of the region.
20. The air quality assessments and management plans done for the project are inadequate to appropriately determine and manage the extent of those impacts.
21. The adverse impacts on air quality, and inadequate assessment and proposed management of those impacts, support the grounds listed as (a) to (l) above.

Noise and vibration

22. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
23. The noise assessments and management plans done for the project are inadequate to appropriately determine and manage the extent of those impacts.
24. The adverse impacts of noise, and inadequate assessment and proposed management of those impacts, support the grounds listed as (a) to (l) above.

Light Pollution

25. If the project proceeds, it will have unacceptable light pollution impacts on human and environmental health, including wildlife and stock. This will also adversely affect social values of the region.
26. The light pollution assessment and management plans done for the project are inadequate to appropriately determine and manage the extent of those impacts.
27. The adverse impacts of light pollution support grounds, and inadequate assessment and proposed management of those impacts, support the grounds listed as (a) to (h), (j) and (k) above.

Surface water

28. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters, which include Lagoon Creek. This includes potential discharges from the mine.
29. The surface water assessments and management plans done for the project are inadequate to appropriately determine and manage the extent of those impacts.
30. The adverse environmental and related impacts to surface water, and inadequate assessment and proposed management of those impacts, support the grounds listed as (a) to (l) above.

Biodiversity

31. If the project proceeds, it will have an unacceptable impact on biodiversity.

Application or amendment application for environmental authority

32. The ecological assessments and management and offset plans done for the project are inadequate to appropriately determine and manage the extent of those impacts.
33. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.
34. The adverse impacts to biodiversity, and inadequate assessment and proposed management and offsetting of those impacts, support the grounds listed as (a) to (l) above.

Economic and social matters

35. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities, including but not limited to:
 - a. displacement and/or loss of agricultural enterprises;
 - b. loss of businesses and jobs servicing those lost agricultural enterprises;
 - c. conflict with rural tourism;
 - d. decrease in local property values;
 - e. expense to authorities from necessary upgrades and maintenance to public infrastructure; and
 - f. loss of amenity.
36. The assessments and management plans done for the project were inadequate to appropriately determine and manage the extent of those economic and social impacts. This included a failure to demonstrate a net economic benefit from the mine.
37. The economic return to Queensland will be significantly limited by the relevant royalty regime for the land within the lease application areas.
38. The project is at risk of not being economically viable during the terms of the leases because of factors such as the high costs of production and transport of the product coal, the low global thermal coal price for the foreseeable future, and uncertainties regarding domestic and international energy policies. Therefore, the project's adverse environmental and social impacts may eventuate but with no, or limited, economic benefit to the State being realised.
39. The adverse economic and social impacts, inadequate assessment and proposed management of those impacts, and a lack of net economic benefit to Queensland, support grounds (a) to (d) and (f) to (l) above.

Climate change

40. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
41. The application does not include adequate information to determine the full extent of the environmental harm that the project will cause by contributing to climate change and ocean acidification, including a failure to address scope 3 emissions.
42. The application does not adequately demonstrate that the project will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.
43. The adverse climate change impacts, and inadequate assessment and proposed greenhouse gas management plans, support grounds (a) to (l) above.

Submission form

Application or amendment application for environmental authority

Each entity to this submission must be stated below:

1	<div style="border: 1px solid black; padding: 2px;">Name s.73</div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border: 1px solid black; padding: 2px;">Postal address: s.73</div></div><div style="width: 45%;"><div style="border: 1px solid black; padding: 2px;">Telephone: s.73</div><div style="border: 1px solid black; padding: 2px;">Facsimile: s.73</div><div style="border: 1px solid black; padding: 2px;">Email: s.73</div></div></div>
2	<div style="border: 1px solid black; padding: 2px;">Name</div>
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Submission form

Application or amendment application for environmental authority

	Email:
7	Name
Postal address	Telephone: Facsimile: Email:

Further information for submitters:

Amendment of a submission

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RTI DL RELEASE - EHP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

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For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Application or amendment application for environmental authority

Date:	26 th June 2015
Submitter name:	s.73
Submitter contact details:	s.73

To:	<p>Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701</p> <p>coalhub@dnrm.qld.gov.au</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
Attention:	<p>Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

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The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Release

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
1. New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
 13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
 14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
 15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on

Application or amendment application for environmental authority

other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.

17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Air quality

18. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
19. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Noise and vibration

20. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
21. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Surface water

22. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
23. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Biodiversity

24. If the project proceeds, it will have an unacceptable impact on biodiversity.
25. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
26. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.

Economic and social matters

27. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
28. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.

Climate change

29. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
30. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
31. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.
32. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Submission form

Application or amendment application for environmental authority

1	Name s.73
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address s.73</div><div style="width: 50%;">Telephone: s.73 Facsimile: s.73 Email: s.73</div></div>	
2	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile: Email:</div></div>	
3	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile: Email:</div></div>	
4	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile: Email:</div></div>	
5	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile: Email:</div></div>	
6	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile:</div></div>	

Application or amendment application for environmental authority

		Email:
7	Name	
Postal address		Telephone: Facsimile: Email:

Further information for submitters:***Amendment of a submission***

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EHP

Environmental Protection Act 1994**Application or amendment application for environmental authority**

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Application or amendment application for environmental authority

Date:26.05.2015
Submitter name s.73
Submitter contact details s.73

<p>To: Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701</p> <p>coalhub@dnrm.qld.gov.au</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
<p>Attention: Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Release

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.

1. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
2. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
3. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as Strategic cropping land.
4. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
5. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
6. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
7. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
8. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
9. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
10. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
11. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
12. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
13. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
14. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

Application or amendment application for environmental authority

15. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
16. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Air quality

17. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
18. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Noise and vibration

19. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
20. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.
21.]

Surface water

22. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
23. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.
24.]

Biodiversity

25. If the project proceeds, it will have an unacceptable impact on biodiversity.
26. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
27. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.

Economic and social matters

28. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
29. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.

Climate change

30. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
31. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean

Submission form

Application or amendment application for environmental authority

acidification.

32. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Each entity to this submission must be stated below:

1	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Name s.73</div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Postal address s.73</div></div><div style="width: 50%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Telephone: s.73</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Facsimile: s.73</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Email: s.73</div></div></div>
2	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Name</div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Postal address</div></div><div style="width: 50%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Telephone:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Facsimile:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Email:</div></div></div>
3	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Name</div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Postal address</div></div><div style="width: 50%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Telephone:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Facsimile:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Email:</div></div></div>
4	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Name</div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Postal address</div></div><div style="width: 50%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Telephone:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Facsimile:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Email:</div></div></div>
5	<div style="border-bottom: 1px solid black; padding-bottom: 5px;">Name</div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Postal address</div></div><div style="width: 50%;"><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Telephone:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Facsimile:</div><div style="border-bottom: 1px solid black; padding-bottom: 5px;">Email:</div></div></div>

Submission form

Application or amendment application for environmental authority

6	Name		
Postal address		Telephone:	
		Facsimile:	
		Email:	
7	Name		
Postal address		Telephone:	
		Facsimile:	
		Email:	

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date: 28 June 2015
Submitter name s.73
Submitter contact details s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
Attention:	Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Submission form

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Release

Submission form

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

Process, background and existing information to consider

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located approximately 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces up to 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. The proponent indicated that approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the *State Development and Public Works Organisation Act 1971*, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited. s.73
8. A copy of the EIS is available on the website. s.73
9. Prior to and after the Queensland election in March 2012, the incoming Queensland Government (LNP) declared that it would not support the Acland Stage 3 expansion or mining on strategic cropping land. In November 2012, the Queensland Government advised that the EIS process would restart at the draft terms of reference for EIS stage for the revised proposal.
10. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited. s.73
11. A copy of the revised EIS is available on the website. s.73
12. During September 2014, additional information to the EIS (AEIS) was published and public submissions again invited. s.73
13. A copy of the revised AEIS is available on the website. s.73
14. In December 2014, the Proponent provided a final clarification to the AEIS (information available on the website) and, on 19 December 2014, the Coordinator-General's report (CG report) on the final EIS was released (and is also available on the website). The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make

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a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.

15. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
16. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
17. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
18. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.
19. To proceed, the project requires approval from the Commonwealth Government such as relating to the EPBC Act. No approval has yet been granted from the Commonwealth Government. Various documents indicated that this was the next step required after the release of the CG report. See for example the statement released by the then Deputy Premier Seeney coinciding with the release of the CG Report 19 December 2014 which indicated that commonwealth approval would be required before a ML or EA would be considered.
20. To proceed, the project requires various other approvals. In particular, it would require an approval (Regional Interests Development Approval) under the Regional Planning Interests Act. This would involve assessment of its impacts on things like strategic cropping land, priority agricultural areas and priority land uses and water. To date, it seems that an application for this approval has not been lodged and no approval (or exemption) has been granted.
21. The current Queensland Government committed to review the project and its approval.

Groundwater

22. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.

Air quality

23. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
24. The air quality assessments and modelling done for the project were inadequate to appropriately determine the extent of those impacts.
25. The past performance of the proponent with regards to air quality has not been satisfactory.
26. There seems to be very little monitoring to the north s.73 There isn't planned to be any appropriate monitoring that would assist the mine to respond quickly to avoid exceeding dust thresholds.

Noise and vibration

27. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
28. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.
29. Noise has been a problem s.73
30. There seems to be very little monitoring to the north where some s.73 There isn't planned to be any appropriate monitoring that would assist the mine to respond quickly to avoid exceeding noise thresholds.

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Light

- 31. Light pollution has been a problem.
- 32. When driving on the road the lights from the mine can be dangerous and impact on night vision.

Surface water

- 33. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.

Biodiversity

- 34. If the project proceeds, it will have an unacceptable impact on biodiversity.
- 35. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
- 36. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.
- 37. Koala population decreasing despite us planting thousands of koala friendly trees.
- 38. We have many visitors who come to see the Australian wildlife so it has a huge impact on our ability to fulfil their expectations.
- 39. Traffic kills wildlife. The mine creates more traffic.
- 40. The mine will destroy lots of trees and plants and habitat if this project is approved.

Economic and social matters

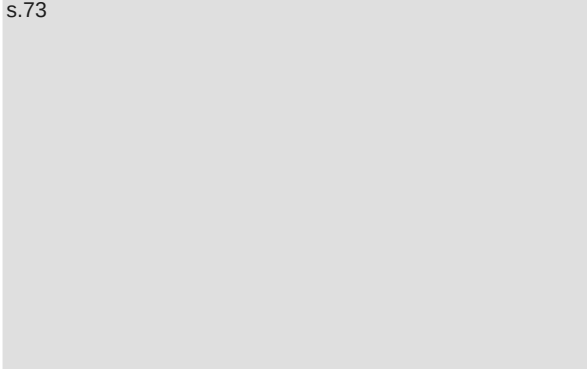
- 41. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
- 42. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
- 43. ^{s.73} [REDACTED] Road safety is a particular concern given the additional traffic relating to the mine.
- 44. Closing roads, even though it has been admitted that people will be worse off, is not right or fair.
- 45. Most of the land is mapped as good farming land and by the mine's own admission can only be restored to grazing land.
- 46. It has already been proved that it is too close to people for health and stress reasons.
- 47. So much damage has already been done in their 16 years here.
- 48. 40 years (as they propose for their mining lease) is too long, particularly given the problems with this project. Also, the growing community opposition to such projects (polluting, environmentally damaging etc) and possible changes in legislation and the likelihood that the market for coal will also be poor in the future, mean that there can be no certainty about this project being appropriate in 40 years' time.
- 49. There are risks that the project will have adverse impacts on people and animals.
- 50. Some people's animals seem to have had health problems when close to the mine or its impacts.

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51. Well documented re people who live or work near mines, coal dumps or rail lines or have increased exposure to air pollution etc are at increased risk of health problems.

52.

s.73



53. Health of others

- h. Lots of illnesses of people fighting for their rights to clean air, water and food
- i. It is extremely hard to try to look out for all these people

54. Pollution and negative impacts from the mine include the following and these are problems and contrary to the public interest.

- a. Noise
- b. Air borne –dust, diesel fumes, blast fumes
- c. Vibration
- d. Water - important for domestic and farm use. Water safety and security is very important.
- e. Bores will be effected
- f. Over land flow
- g. Coal dump will be closer to us if the proposal goes ahead (eg rail line)
- h. Spraying of chemicals
- i. Centrepivot (potential pollutants associated with this)
- j. Settling ponds

Climate change

- 55. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
- 56. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
- 57. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.
- 58. I am extremely worried about climate change as we seem to see it happening all over the world with extreme weather events with this in mind I am even more worried about our water issues.

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59. The coal mine will cause further greenhouse gas emissions. Approving the mine is not good for protecting against climate change.

Monitoring

60. Monitoring has been inadequate and the proposed monitoring is inadequate.
61. Failure to respond.
62. No monitoring to be done on north side of mine s.73 to enable real time responses and avoidance of problems.
63. Objections not taken seriously if not on correct forms.
64. They exceed their generous limits and still nothing is done.

Past Performance

65. Intimidation
66. False promises e.g. town will grow
67. Failing to follow up with answers or actions
68. Forcing people into mediation
69. One on one discussions (person concerned plus the mine representative and their team?)
70. Sending people with mind bending experience against farmers and not qualified people
71. Ask for costs of court to be awarded against people asking for information
72. Rail line or conveyor belt issues through people's places and cutting them into bits
73. Say they listen to the community but take over the hall, other buildings of local history
74. Ownership of the park in Acland and RSL memorial –extremely important to many
75. New Hope's plans for the memorial to go to Kulpi - false expectations for Kulpi district and upsetting for other people.
76. Divide communities, groups and even families
77. Destroy homes
78. Remove bottle trees and use for their own publicity
79. Verbal commitments get 'lost' and not delivered upon. Turnover of staff is a problem in this regard.
80. Fail to treat people with respect.
81. Give the community money – people sell out cheaply but it takes away group spirit.
82. Promote really bad feeling.
83. Timing of objections etc has often added to the stress for people eg just before Christmas and now just before the end of the financial year.
84. Most of objectors are not paid to put in submissions so it is not only expensive but emotionally draining and time consuming and detrimental to their own businesses and families to have to do submissions or make complaints.

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Additional information

85. Please see attached further notes and s.73

After 16 years I think that the mine has had plenty of time to comply with rules, care for the immediate neighbours and realize that they are polluting in a good farming area.

Therefor I strongly object to an Environmental Authority being granted which would allow further expansion of the mine near Acland such as the proposed stage 3.

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: Facsimile: s.73 Email: s.73
2	Name	
Postal address		Telephone: Facsimile: Email:
3	Name	
Postal address		Telephone: Facsimile: Email:
4	Name	
Postal address		Telephone: Facsimile: Email:

Further information for submitters:

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Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EHP

RTI DL RELEASE - EHP

Release

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Application or amendment application for environmental authority

Date:27 June 2015
Submitter name s.73
Submitter contact details s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
Attention:	Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

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The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient, unreliable and unproven.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

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Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

Process, background and existing information to consider

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located approximately 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces up to 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. The proponent indicated that approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities, 1,361 hectares of this area is designated as strategic cropping land.
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the *State Development and Public Works Organisation Act 1971*, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited. s.73
s.73
8. A copy of the EIS is available on the website. s.73
s.73
9. Prior to and after the Queensland election in March 2012, the incoming Queensland Government (LNP) declared that it would not support the Acland Stage 3 expansion or mining on strategic cropping land. In November 2012, the Queensland Government advised that the EIS process would restart at the draft terms of reference for EIS stage for the revised proposal.
10. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited. s.73
11. A copy of the revised EIS is available on the website. s.73
s.73
12. During September 2014, additional information to the EIS (AEIS) was published and public submissions again invited. s.73
s.73

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13. A copy of the revised AEIS is available on the website. s.73
s.73
14. In December 2014, the Proponent provided a final clarification to the AEIS (information available on the website) and, on 19 December 2014, the Coordinator-General's report (CG report) on the final EIS was released (and is also available on the website). The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
15. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
16. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
17. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
18. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.
19. To proceed, the project requires approval from the Commonwealth Government such as relating to the EPBC Act. No approval has yet been granted from the Commonwealth Government. Various documentation indicated that this was the next step required after the release of the CG report. See for example the statement released by the then Deputy Premier Seeney coinciding with the release of the CG Report 19 December 2014 which indicated that commonwealth approval would be required before a ML or EA would be considered.
20. To proceed, the project requires various other approvals. In particular, it would require an approval (Regional Interests Development Approval) under the Regional Planning Interests Act. This would involve assessment of its impacts on things like strategic cropping land, priority agricultural areas and priority land uses and water. Do date, it seems that an application for this approval has not been lodged and no approval (or exemption) has been granted.
21. The current Queensland Government committed to review the project and its approval (see article from The Australian newspaper 6 February 2015 for example).

Groundwater

22. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to resulting impacts on agriculture.
23. Detrimental impacts on groundwater will extend far beyond the mine site and significant adverse impacts are predicted (e.g. evidence of this in the EIS, AEIS, CG report).
24. Detrimental impacts are predicted to occur for at least 300 years after the end of mining (see CG report for example).
25. There are significant water use requirements relating to the proposed project. (The project's water use is estimated to be 8,925ML/year in the CG report p135 for example.)
26. In addition to the project's water use, water will drain into the pits and evaporate from exposed surfaces in perpetuity.
27. Adverse impacts are predicted for the alluvial, basalt, Walloon coal measure and Marburg Sandstone aquifers (see CG report p135-136 for example).

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28. The assessments indicated a drawdown of 1m or more for an area 23km wide (see CG report p136 for example).
29. Drawdown of up to 47m was also indicated in the assessments.
30. In addition to groundwater sources on the proponent's land, groundwater sources relied upon by others and water bores not owned by the proponent or its related entities are likely to be adversely impacted. The assessments indicated a drawdown of 1m or more for an area 23km wide (see CG report p136 for example). For example, according to the CG report "Within the area of drawdown in and around the mining area, 357 registered bores may be affected." (p vii) and "357 registered bores are either likely or possibly to be affected" (p138). 198 of these bores are owned by private landholders other than the proponent (p138). "In addition, there is likely to be numerous unregistered bores that will be within the groundwater drawdown zone of mining operations." (p138).
31. The proponent has not relinquished its bore water allocations – although the modelling seems to presume that they are not used much if at all. If the proponent uses these bores in the future, the impacts are likely to be much greater than the modelled results. (Separate modelling of the impacts of using these bores has previously been prepared by the proponent and indicated significant drawdown).
32. Adequate baseline assessments have not yet been completed. (CG report required that this occur "well in advance of operation" p146).
33. The proponent's current mining operations may have already had an adverse impact on some groundwater sources.
34. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine.
35. 'Make good' agreements have not been reached with all affected landholders or water users. (CG report required that such agreements be reached with all water users (even if the impact is likely to be less than 1m) at least 3 years before the impact is likely to occur. p146-147.).
36. The groundwater assessments done for the project were inadequate to appropriately determine the extent of impacts.
37. Security of groundwater supplies (of adequate quality uncontaminated water) is essential for many livestock operations, irrigation and even domestic uses in this region. It is also a key factor in market values of land.
38. The adverse environmental and related impacts to groundwater are contrary to the public interest, demonstrate an inappropriate use of the land as opposed to current use, and therefore provide good reason to refuse the applications.

Air quality

39. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
40. Concerns about air pollution and dust impacts include but are not limited to:
 - a. Significant concerns about the modelling. For example, experts ^{s.73} indicated that some model settings were highly inappropriate and various other limitations that mean the proponent's modelling in the EIS was likely to underestimate the dust impacts.
 - b. Even the proponent's EIS modelling shows that critical dust thresholds will be exceeded at numerous sensitive receptors under typical mining operations:

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- i. the EPP (Air) objective of 50 µg/m³ for the 5th highest 24 hour average are predicted to occur at at least 6 of the 44 sensitive receptors (e.g. receptors 1, 35, 36, 37, 38, 39)
 - ii. DEHP nuisance guideline of 120 mg/m²/day for annual average dust deposition are predicted to occur at 2 sensitive receptors (e.g. receptor 1 and 2).
 - c. The proposal relies on needing to anticipate and reduce operations when dust thresholds would otherwise be exceeded. There is insufficient confidence that this would occur or be adequate.
 - d. Seemed to be inadequate consideration of PM_{2.5}, and very limited monitoring of this previously on which to base model inputs, assumptions or assertions.
 - e. Blast fumes may be toxic.
 - f. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine. If stage 3 is not approved stage 1 and 2 are due to finish soon and these adverse impacts would no longer occur.
41. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.
42. Proposed project cannot meet air quality criteria under "typical" mining operations.
43. Proposal relies on unproven non-typical operations.
44. Proposed solutions are unproven and may pose an unreasonable interference with people's lives and enjoyment of their properties.
45. There are concerns about the proposed project's adverse impact on amenity. As well as adverse impact on the lives of people nearby this also has the capacity to cause adverse economic impacts such as reduced marketability of land or products or services (such as farm stays or tourism ventures).
46. The adverse impacts on air quality are contrary to the public interest, demonstrate an inappropriate use of the land, and therefore provide good reason to refuse the applications.
47. The past performance of the proponent with regards to air quality has not been satisfactory

Noise and vibration

48. If the project proceeds, it will have unacceptable noise impacts on human and environmental health. This will also adversely affect social values of the region.
49. The noise modelling done for the project was inadequate to appropriately resolve concerns about the extent of those impacts.
50. The adverse impacts of noise are contrary to the public interest, demonstrate an inappropriate use of the land, and therefore provide good reason to refuse the applications.
51. The past performance of the proponent with regards to noise has not been satisfactory.
52. Various concerns relating to the noise levels and vibration include:
- a. EIS / AEIS indicates that the proposed project cannot comply with the Queensland Government Planning for Noise Control Guideline limits
 - b. Operational Noise Modelling Results under typical mining operations show the proposed project exceeds the Environmental Protection Policy noise limits at at least 5 sensitive receptors (even when they allow an additional 7db assuming people only have their windows partially open)
 - c. The EIS only shows a snapshot of 3 points in time throughout the life of the mine
 - d. The proponent doesn't adequately consider how much lower the ambient noise is without the mine and as such the proposed noise limits would be a significant amount of noise above the

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- noise levels that would otherwise be present in the area. This is a significant adverse impact and interferes with social values and the peaceful enjoyment of land and property.
- e. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine. Stage 1 and 2 are due to conclude soon.
 - f. The proposed project relies on trust that they will comply (e.g. achieve 37db LAeq,adj,1hr at night – which is a higher level of noise than perhaps should be allowed)“By implementing noise management and mitigation measures including reduced night time operation and using attenuated equipment (noise attenuation of noisier equipment including excavators, track dozers, loaders and rear dump trucks)” (p11-61). There is insufficient confidence that this will avoid nuisance, harm on unreasonable interference with the quiet enjoyment of life and property.
 - g. The proponent's proposal seems to rely on future agreements being reached with adversely impacted sensitive receptors and the possibility that sensitive receptors could be forced into mediation at a later stage if the proposal is approved. s.73
- s.73 This is an unreasonable impact on people who may be impacted and also increases the community impact of the proposed project.
- h. The proponent's mining operation has already exceeded even more lenient Environmental Authority limits of 40db LAeq,adj,1hr at sensitive receptors even when operating at a substantially smaller scale than the proposed stage 3
 - a. The current project has had to reduce operations between 1am and 6am, due, at least in part, to the difficulty complying with noise limits even at the smaller scale than what is proposed. (see ABC news article for example July 2014 “Some New Acland Mine workers face pay cut from reduced hours: union”)
 - b. The limited monitoring, the refusal to provide data to impacted sensitive receptors and the attitude to addressing noise complaints has been unsatisfactory in the past.
 - c. In addition to the in pit mining and transportation of material and the location and operation of an additional coal processing plant and the proposed location and operation of a 200,000t (approximately 21 m high) stockpile of coal in their 'materials handling facility' near Muldu is a particular concern.
 - d. The proposed EA conditions are still inadequate to sufficiently address concerns about noise (or several other) impacts.
 - e. Multiple people have commented that they find the vibration unpleasant and that they have concerns about movement of their houses.
53. The proposed project cannot meet noise criteria under “typical” mining operations.
54. Proposal relies on unproven non-typical operations.
55. Proposed solutions are unproven and may pose an unreasonable interference with people's lives and enjoyment of their properties.
56. There are concerns about the proposed project's adverse impact on amenity. As well as adverse impact on the lives of people nearby this also has the capacity to cause adverse economic impacts such as reduced marketability of land or products or services (such as farm stays or tourism ventures).

Surface water

57. The proposed project will change the landform and underlying soil structure.
58. The proposed project will impact on runoff, drainage and flooding.
59. The proposed levee banks will impact on runoff and draining and the flow of flood waters.

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60. The proposed project will discharge water into surface waters (see for example CG report p140 "The EIS states that controlled releases to Lagoon Creek and Spring Creek are a necessary aspect of the mine water balance to prevent good quality water increasing in salinity if retained on site."). This risks impacts on flow and on water quality.
61. It is acknowledged in the EIS/ AEIS and CG report that the construction of the rail spur may result in additional flooding on private properties and that compensation may need to be negotiated (see for example CG report p144).
62. The detailed rail design had not been finalized to be considered in the EIS modelling.
63. The surface water assessments done for the project were inadequate to appropriately determine the extent of the impacts. The hydrological model also did not seem to sufficiently consider the catchment upstream or the impacts of the changes in runoff or the changes that may occur due to climate change.
64. There are concerns in relation to the pollution of waters through pollutants leaving the mine site.
65. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.

Biodiversity

66. If the project proceeds, it will have an unacceptable impact on biodiversity.
67. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
68. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.
69. The proposed project will cause damage, destruction and endangerment to local flora and fauna, some of which is protected under various state and Commonwealth legislation etc.
70. Proposed offsets are a poor (inadequate) alternative to refusing the project and maintaining the existing ecosystems.
71. The proposed project seems to have inadequately considered the impact on some species.
72. On our place in all our management we have done the best we can to make our property a better place for koalas to live. s.73
73. s.73
74. Since the mine started our population has declined. s.73
75. s.73
76. s.73
77. The expert advice that I have been able to get suggests that koalas will not stay anywhere where the dust settles on trees because they are reluctant to eat contaminated leaves.
78. The atmospheric dust has visibly dramatically increased above what it was prior to the mine.

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79. I think the mine's koala management plan is grossly inadequate.

Economic and social matters

80. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
81. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
82. The proposed project will have a detrimental impact on the community and on individuals.
83. The proposed project will have a detrimental impact on roads and the road network.
84. The proposed project will cause further fragmentation of the community.
85. The proposed project will have a detrimental impact on Acland.
86. The proposed project will have a detrimental impact on heritage.
87. The proposed project will have a detrimental impact on the school bus network and future access to schools via the school bus network.
88. The proposed project will impact adversely on people's peaceful enjoyment of public places.
89. The proposed project will impact adversely on people's peaceful enjoyment of private places.
90. The proposed project will have a detrimental impact on people's perception of their freedom to use the park and potentially also on their actual rights to use the park.
91. Since the development of the mine the proponent has acquired 160 lots totaling 10,151 ha from 157 owners. EIS 3-9. At least one more owner has been bought out since then (see AEIS or CG report).
92. Given that multiple family members may be lost from a community but still only be recognized as one owner, the land purchases by the proponent have already caused a significant loss of people (of varying ages including children) from the community.
93. The requirement for 'make good' agreements and the like relating to water, noise and other issues, such as are envisaged by the EIS, AEIS and CG report, indicate a likelihood that further people may ultimately have to leave the district because of the proposed project if it proceeds.
94. These people had previously made a significant contribution to the local economy and the local community and represented people who were also part of many community groups, such as the CWA, rural fire brigade, Acland school, Acland Hall etc.
95. Many people are concerned about the impacts of the proposed projects.
96. Approximately 40 sensitive receptors were identified as located within 5km of the proposed project (eg see CG report p22)
97. Many people near the proposed project are very concerned about the potential impacts of the proposed project (such as noise, dust, water impacts, social impacts, crime etc.).
98. This project has become a very divisive issue within the wider community, with employees and their families advocating for it and affected landholders generally very strongly against the project. In addition, some other community members and local businesses (e.g. in Oakey) have found that the mine has already had a detrimental impact on their business whilst others have felt the need to speak in favour of stage 3 and support petitions supporting the proponent.

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99. This division has already caused terrible rifts between long term friends and even within families. If the project is refused these rifts may heal whereas if the project is approved the division is likely to get much worse.
100. In addition, New Hope's self-promotion in regards to its support for various community activities and groups has also caused significant ill feeling. Prior to New Hope's engagement in these areas (largely since the proponent did not get stage 3 approved as quickly as they had previously stated that they thought they would) many locals had done a lot of good work on a voluntary basis and supported many causes in many ways without expecting special favours or recognition. New Hope's self-initiated propaganda and requirements for publicity as part of funding applications through the community reference group, have changed the social environment in a negative way.
101. The proposed project intends to close many roads. This includes the roads accessing Acland from the North, East and West. This will cause a lot of problems. For example, it will dramatically increase the distance and time it takes s.73 to access Acland (e.g. from about a s.73 trip to approximately a 30km trip to go to our local park or attend our much loved ANZAC Day service in Acland). These road closures will cause problems for many people in terms of logistics but they will also further isolate people, including Acland residents as they will be cut off from friends or associates (or whatever they want to access) from the north, west or east. These road closures would also cause an insurmountable problem for the school bus run that currently runs from the north through Acland (picking up children along the way) to Oakey. (Some children already travel for a long period of time on this and connecting bus routes in their travel to and from the Oakey State High School particularly.) The proponent has been aware of these concerns and yet has not done much to resolve them, even though there seems to be no real justification for closing the road that accesses Acland from the north, for example (which would still allow the bus to travel through Acland from the north), and even months after the issues being raised in EIS submissions, proponent has been unable to come up with a solution to the problems it will cause regarding the school bus route but still argues in the AEIS (p246) that "NAC will work with the bus company and the affected families in an attempt to develop amicable solutions for those school bus routes that may be impacted."
102. There are significant concerns in relation to the proponent's intended purchase of Tom Doherty Park in Acland. No justification is given for this. Given that the proponent no longer has a mining lease application over this land there is no justification for this. This park means a lot to some of the remaining local community and families who resided in Acland in the past. It was developed and has been lovely lovingly tended on a voluntary basis by multiple people s.73
s.73
s.73 The beautification of Acland, and in particularly the work in this park and the related amenities were something that saw Acland awarded the first "Tidy Towns" award for Queensland. The park is the location of the war memorial and also the annual ANZAC Day event. Numerous other gatherings and events have also been held in the park, even in recent years. It is also often used by people visiting the area, or for a quick break or for children to enjoy the recreational opportunities. It would be very upsetting of this community land to be owned by the proponent – particularly given the divisive and detrimental role the proponent has played in this community as well as its pivotal role in the depopulation of Acland, the removal (or loss of access) of community facilities and the degradation of amenity. It would be disastrous for the remaining community for the proponent to gain ownership or control of the park. There is no requirement for the proponent to buy the park. It seems the proponent may have, when the park land was within the intended mining area, purchased an option to buy the park if the mining lease (which then included the park) was granted. However, the park is no longer the subject of the mining lease and so this option is arguably not valid even if a mining lease (as currently proposed) is granted. Further, the option to buy something (even if valid) does not place any obligation on the proponent to buy the park. It seems that even the Coordinator General could see that the purchase of the park wasn't relevant to the mining lease as on p13 of the CG report he states that the "proponent's proposed acquisition of Tom Doherty Park is not assessed".

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103. In 2011 many hundreds of people signed a petition, copies of which were given to the proponent and relevant government authorities as well as being tabled in parliament, asking for the park to be saved. The proponent's response to this was that they were going to continue seeking an approval for the project as then proposed (which included mining the park).
104. In some places the proponent also seemed to indicate that they already own the park. For example:
- a. On page 77 in the AEIS Advisory Agency Responses "NAC acknowledges that there are two State Land non-road reserves within MLA 50232 – (lot 62 AG2962 RES14096 & lot 87 AG3429 RES16087). The 2 reserves identified in this section are held under the trusteeship of the TRC and owned by the State of Queensland. Reserve 14096 (described as Lot 62 on plan AG2962) is dedicated for Sanitary Depot purposes and Reserve 16087 (described as Lot 87 on plan AG3429) is dedicated for park purposes. APC has acquired both reserves from the State of Queensland and received confirmation that Council agree to relinquish trusteeship of Lot 62 in AG2962 and Lot 87 in AG3429 on 18 October 2010. Compensation Agreement by NAC with the State Government was executed on 11 October 2010."
 - b. Page 105 also provided comment on this issue. It stated "Reserve 14096 (described as Lot 62 on plan AG2962) is dedicated for Sanitary Depot purposes and Reserve 16087 (described as Lot 87 on plan AG3429) is dedicated for park purposes. The APC has acquired both reserves from the State of Queensland and received confirmation that Council agree to relinquish trusteeship of Lot 62 in AG2962 and Lot 87 in AG3429 on 18 October 2010. A Compensation Agreement with the State Government was executed on 11 October 2010. Queensland Government Reference Number 2009/005895 and 2009/005896."
105. There have been many ways in which the proponent's actions have caused detrimental impacts on the community. Some examples are outlined below however this is not an exhaustive list.
- c. The fact that they denied neighbours and near neighbours access to information about the environmental impacts even before stage 1 began and sought costs of court against the 27 neighbours who were prepared to go to court to seek this information was not a good start.
 - d. The negotiations, secrecy clauses and further division of the community from the proponent's actions to seek approval for stage 1 and buy up land even in the early stages caused a significant adverse impact on the community. This wasn't only in terms of the loss of people but also the division (such as was caused by the secrecy clauses and the community being divided when some sold to the mine) and ill-will that resulted and how unhappy people have been with the situations they found themselves in as a result of impacts from the mine.
 - e. The adverse impacts have been exacerbated over the years when people feel that the proponent has been deliberately misleading and self-serving and when the positive things that people were led to believe the mine would do or which would eventuate as a result of the mine did not but in fact many impacts were worse than anticipated. Further, the processes by which the proponent seems to often have had plans for further expansion that they haven't been transparent about has caused further mistrust of the proponent. It is also concerning that the proponent has seemed to be able to expand, without always going back for public consultation. Stage 1 (the 'thin-edge of the wedge') was marketed to the community and local government as 1Mt p.a. and not 24x7 and only maintenance on Sundays and being good for locals and likely to grow the local community eg Acland. Then stage 2 began and increased from 4Mt p.a. to 5.2Mt p.a. without any opportunity for public comment or seemingly any real assessment of environmental impacts or performance to-date even though the Government's report on the stage 2 EIS indicated that things like dust and noise were likely to be a problem even at 4Mt p.a. The appearance of a "coal-to-liquids" project on various websites without consultation or transparency with locals was also a

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concern. This even included appearing on a state government DEEDI website in 2011 indicating as below. Although this was later removed, surely the information must have come from somewhere.

New Acland Coal to Liquids	New Hope Coal	Expansion, EIS completed	2013	\$500M	0.2 Mt coal (75 ML of diesel)	Toowoomba Regional Council	360 / 180
New Acland open-cut	New Hope Coal	Expansion, EIS completed	2014	\$500M	5.2 Mt thermal ROM	Toowoomba Regional Council	225 / 450

It is also very concerning to find that the proponent had been advocating its "Downs Project" (which is a dramatic further expansion of coal mining near Acland and further across the Darling Downs well beyond the current Stage 3 proposal) to shareholders and other groups for many years without being transparent with locals about this. For example, in their 2008 annual report the proponent notes that "The Downs Project consists of ten non-contiguous Exploration Permits for coal (EPC's) that cover an area of 4,500 square kilometres from Toowoomba, northwest to Jimbour and south to Inglewood in southeast Queensland." <http://www.newhopegroup.com.au/files/files/2008-07nhclfinstatssigningversion.pdf> A map with the various coal mines across the downs proposed by New Hope is also on p30 of the doc at <http://www.asx.com.au/asxpdf/20090922/pdf/31kvng8mx93117.pdf> This was September 2009. This map appears again in mid-2011 in a New Hope presentation (at a stockbroking conference). [http://www.shawstock.com.au/files/COAL_PRESENTATION_2011/New_Hope_Coal_\(NHC\).pdf](http://www.shawstock.com.au/files/COAL_PRESENTATION_2011/New_Hope_Coal_(NHC).pdf) This presentation also includes the coal to liquids project. These locations of coal exploration permits (held by the proponent) can also be found on the Queensland Government Globe application that opens in google earth. However, I have not seen New Hope be transparent with locals about this. Further, it is concerning that if this project is approved it might provide impetus for the proponent to pursue these further mining expansion plans and cause significant problems for other areas, such as have been experienced in this area (such as the community disruption and the premature removal of buildings in Acland.)

- f. Likewise, the proponent's QC barrister argued in the Planning and Environment court in relation to a subsidiary development the proponent intended near its Acland mine that it really didn't matter if the proposal would have adverse health impacts ^{s.73}

s.73

s.73

The pursuit of this argument did not add to any confidence that the proponent in any way cared about neighbours or their health.

- g. Similarly, the response to addressing noise complaints and other issues in the past has been disappointing eg failure to provide data, failure to take adequate action to resolve concerns, dismissing complaints after very limited monitoring not indicating an exceedance of EA conditions although the limits may have been exceeded on other occasions etc.
- h. The railway line and / or conveyor belt that was proposed through people's properties to facilitate the proponent supplying more coal to Tarong also caused significant adverse impacts and rifts within the community as people felt they had to fight to protect their own properties.

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- i. The dust and noise and other adverse impacts that the proponent has caused to neighbours and near neighbours have been an obvious adverse impact on the community, the wellbeing of people (e.g. through loss of sleep, stress etc.) and on the amenity of the region. The fact that the proposal seems to be unable to comply with noise and dust criteria under typical mining operations, indicates that there is a very high risk of further adverse impacts on the community in this regard and that the wellbeing of people is not the predominant concern of the proponent in this regard.
 - j. Even though the Government's report on the Stage 2 EIS report indicated that noise and dust were likely to be problems, it seems that the proponent did little (if anything) to address these concerns and avoid problems for neighbours and near neighbours. Indeed, multiple locals have experienced significant problems due to the current stage 2 operations. It has been found, even by the Queensland Government, that EA conditions have been breached.
 - k. The proposed destruction of the State Heritage listed colliery and the proposed removal and relocation of the Acland war memorial and the activities around this were also detrimental to the community.
 - l. The proposed project also seems to require the telephone and electricity networks to be disrupted and relocated. This is detrimental to the community ^{s.73}
s.73
 - m. The proponent has omitted nearby sensitive receptors from EIS documents and inaccurately located Muldu (in the proponent's favour) in a document submitted to the federal government).
106. Adverse dust, noise and light impacts (for example) such as are envisaged by the project, are an adverse impact on the community and on individuals and their wellbeing and comfortable enjoyment of life and property.
107. The mine and its related activities have caused, and if the proposal is approved, are likely to continue to cause significant stress to people (such as needing to spend further time and resources engaging in situations which are often stressful, such as negotiating 'make good' agreements, liaising with the company and government about noise and dust issues etc.
108. Risks of mental health impacts and stress have been inadequately recognized and considered.
109. The proposed project may impact adversely on other people's rights, including their rights and opportunities to build houses (or other developments) on other landholdings.
110. The proposed project is in conflict with Toowoomba Regional Council policy.
111. The proposed project is not supported by the Toowoomba Regional Planning Scheme.
112. The proposed project does not provide sufficient separation from other uses (for example, such as is required by the planning scheme e.g. Extractive Industry Code – for assessable development. Specific examples include PO1 "Extractive industries are separated from sensitive land uses to avoid potential for nuisance or complaint.").
113. The proponent (and its related companies) has been misleading and inaccurate in some information presented.
114. Further information on social and other impacts and issues relevant to consideration of the environmental authority amendment application can be found in ^{s.73}

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s.73

115. The proposed project will require additional transport trips. For example, it is stated that it will require an additional 2820 transport tasks per day e.g. during construction period (CG report p30). The additional road usage that would result from this proposed project could result in further damage to local roads, road safety issues and be problematic for local rate payers (needing to maintain roads) and for other local road users.
116. The proposed project will also require additional rail capacity (e.g. it is stated that trains will increase from 53/wk to 80/wk).
117. The rail network is already constrained by capacity (e.g. more demand for rail services than are able to be met with supply of rail services). In addition to the constraints this places on resource development it has also been difficult for agricultural produce – which now has difficulty in accessing rail freight opportunities. This issue is also important for the nearby Oakey abattoirs, which are expanding significantly and which will need further access to cattle delivered via rail (especially from the west, which would mean going through Jondaryan and further east to Oakey).
- 118 s.73
119. The proposed project will not have sufficient economic advantages to offset the disadvantages, particularly in the longer term.
120. There are minimal if any royalties paid to government.
121. Employment at the proposed project is not guaranteed or secure and are relatively short term.
122. The job figures seem to be overstated and the 'indirect' figures are not appropriately justified. If these multipliers are to be believed the lost agricultural jobs would be in the thousands. (I understand that ABS previously set higher multipliers for agriculture than any other industry before abandoning the multiplier basis for calculating 'indirect' jobs).
123. Employment in relation to the proposed project is not sustainable or long term.
124. Any economic or financial benefits (e.g. wages paid to employees or contractors or money to suppliers) (if any) are only short term benefits whereas refusal of the mining project offers better prospects in the longer term.
125. The economic modelling did not sufficiently consider the longer term benefits of not mining this land.
126. There have been disadvantages to other businesses already as a result of the mining operation. These will be exacerbated if the mining is allowed to expand.
127. There have been disadvantages to other businesses already as a result of the division caused by the mining operation. These will be exacerbated if the mining is allowed to expand.
128. There has been an adverse impact on businesses related to agriculture or who benefited from serving those with some connection to the local farms or agricultural industry.
129. Some aspects of the assessments about indirect jobs etc may not be appropriate and may overstate the benefits of the proposal.
130. The economic benefits of the proposed project may have been overstated. See reports from The Australia Institute for example.

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131. Information, such as presented on ABC 4 corners program on 15 June 2015 "The End of Coal?" indicates that Australian coal mining has a relatively poor economic outlook and is likely to be in decline.

132 s.73

Climate change

133. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
134. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
135. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification. In fact the evidence shows that the mine would significantly contribute to increasing climate change.
136. The proposed mining operation will emit considerable greenhouse gases.
137. In addition to the greenhouse gases emitted in the mining process and related activities, the transport and use of coal will liberate considerable greenhouse gases.
138. Greenhouse gases contribute to climate change.
139. Climate change poses a significant risk to our society and our environment.
140. As well as the 24,17,668 CO₂ eq (scope 1 and 2) emissions that the proponent estimates will be emitted from the revised project, using data from the original and revised EIS (as referenced and calculated below) it would seem that scope 1, 2, and 3 emission from the revised project over its approx. 12 year life would be approx. 201 497 980 t CO₂ eq (i.e. 201.5Mt CO₂eq). This is without even considering the nitrous oxides released from the mine blasting, which are particularly potent (said to be roughly 310 times the global warming potential of CO₂).
- i. Original stage 3 project said to be 279.7 Mt (New Acland Coal Mine Stage 3 Project – Environmental Impact Statement PAGE 2-7 (revised EIS January 2014))
 - ii. Revised project said to be 80.4 Mt (estimated for a start at least) (New Acland Coal Mine Stage 3 Project – Environmental Impact Statement PAGE 2-8 (revised EIS January 2014))
 - iii. Original scope 3 said to be 692 571 681 t CO₂ eq (original EIS Chapter 10 November 2009)
 - iv. Therefore if revised project produces 80.4/279.7 as much coal and if scope 3 emissions are roughly proportional to coal production then scope 3 emissions for the revised project may be approximately:
$$692\,571\,681 \times 80.4/279.7 = 199,080,312 \text{ t CO}_2 \text{ eq over the 12 years or so of the project.}$$
 - v. Scope 1, 2 and 3 emissions (excluding from blasting as these did not seem to be calculated in the EIS = 199,080,312 t CO₂ eq + 24,17,668 CO₂ eq = 201 497 980 t CO₂ eq
141. Greenhouse gases (such as emitted from this project) contribute to climate change. Reduction of such emissions is crucial if we want to save our civilisation. There is considerable evidence to support this (such as work by the IPCC and related people for example).

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142. Many believe that transitioning from coal to less polluting energy sources is very important for the future of our planet and our society. There is considerable evidence to support this.
143. There will be significant adverse environmental impacts caused by these operations
144. The public right and interest will be prejudiced.
145. Good reasons can be shown for a refusal to grant the mining lease and the environmental authority.

Land

146. MLA 50232 is 3668ha and is mapped entirely within the Priority Agricultural Area (PAA).
147. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land (SCL).
148. The whole site of MLA 50232 seems to be mapped as potential SCL with the exception of areas that were mapped as protected under the Vegetation Management Act (VMA) and therefore protected from being cleared for cropping.
149. MLA 700002 also has the potential to impact on SCL and PAA (and Priority Agricultural Land Uses (PALU)).
150. The disturbance footprint for the revised Stage 3 Project is estimated at 1,815 ha (Table 5.1.2-A AEIS and CG report).
151. In addition to the works on MLA 50232 and MLA 70002, the proponent's proposed project includes additional works on the existing mine lease areas (Stage 1 and Stage 2, ML 50170 and ML 50216 respectively).
152. In addition to direct impacts, there may be indirect impacts (such as through land fragmentation, flooding or adverse impacts on water supplies for example).
153. The land within the project site has supported very productive agriculture (and many families) and has the capacity to be highly productive into the future. It has been recognized, for example, that "The soils within the project site are generally suitable for cropping, characterized as basalt clays, cracking earths and alluvium. The project site has a history of grazing and dryland cropping. Two feedlots and a piggery also operated on the site." (CG report p13)
154. The land the subject of this mining proposal is high quality agricultural land, valuable and precious. It has the capacity to sustainably support agricultural land uses. It is important that this is retained for use by future generations. This land is also (and has been) quite closely settled and is in relatively close proximity to urban centres and other sources of employment and community services.
155. In addition to the long term degradation of good agricultural land if the project proceeds, it also risks adverse impacts on other nearby land uses. (For example, this could be through resulting planning restricting limiting rights to build houses etc. (e.g. requiring a certain distance from mining areas), loss of ground water limiting agricultural land uses, reduced land values (and other issues such as amenity concerns) limiting the willingness to invest or availability of finance to invest in other businesses, infrastructure or development or nearby properties etc.).
156. Proposed offsets are a very poor and inadequate alternative to avoiding the degradation that the proposed project would cause.
157. There are other more appropriate and more sustainable land uses for this site.

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158. There are good reasons why this proposal should not be approved on this land.

Other information

159. s.73

160. s.73

161.

162. Further reports and statements may also be located or prepared if considered appropriate during the court process.

EA Conditions generally

163. The conditions don't work because:

- a. They are not written assertively enough.
- b. They don't monitor the impacts.
- c. They don't identify well enough what will be done and when and by who and who it is reported to.
- d. The government isn't well enough informed about what impacts occur.
- e. The relevant department isn't well enough funded or empowered or motivated to adequately regulate the project.
- f. There is no process in place to make sure that they are complied with and sanction the company for failing.
- g. The process is designed to make the project happen with the minimum of restriction. It is designed to appear to protect the environment etc but to not actually do so.

Additional specific comments on the draft EA in the CG report

164. The conditions posed in the draft EA in the CG report are inadequate to ensure that the project would actually perform to the standard required.
165. The draft conditions include inadequate monitoring requirements to ensure compliance with the conditions (such as the noise and dust conditions as they relate to various receptors).
166. The conditions should ensure that complainants and sensitive receptors etc have access to any monitoring or other information (such as modelling information) that relates to their property or residence.
167. The draft conditions fail to protect people and the environment from significantly more pollution than what would be the case if the mine didn't go ahead.
168. The 'baselines' considered are not genuine baselines as they include the impacts caused by the stage 1 and 2 mine. The real baseline was what it was like before the mine started. The mine should not be allowed to continue to have further incremental worsening of impacts (including destroying more and more farmland).

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169. The draft EA is deficient in that it does not actually require much monitoring (such as of dust and noise) at sensitive receptors. It must require adequate monitoring to ensure that limits are not being exceeded. This data must then be immediately provided to the administering authority so that they are aware of the situation and can promptly require remedial actions to be taken if adverse outcomes are occurring.
170. The draft EA relies on complaints. The requirement to complain is very stressful and onerous and puts undue responsibility and stress on impacted sensitive receptors to take actions to protect their own amenity and ensure the proponent's compliance with the EA conditions such as noise and dust limits. This is unjust, ineffective and unfair. Many people don't like to have to complain. It is stressful and means people have to go out of their way and take specific steps and be willing to be in such an adversarial situation (against a company with significant resources and that, if stage 3 is approved, is likely to be a fixture in their district for more than a decade). This reliance on complaints is unfair to impacted people and only protects people who are willing to go through this process. It provides no protection to people who don't go through the complaints process. It also causes further divide in the community, compared to if monitoring and enforcement was an automatic requirement.
171. It is imperative that the EA require sufficient monitoring to ensure that the proposed project is always complying with the noise and dust limits. To do otherwise is unjust, unfair and ineffective. It also risks further damage to the reputation of the Government and the proponent's reputation.
172. Monitoring (including location and timing) must not just be at the discretion of the company or in response to complaints.
173. There must be a requirement for complaints to the company to automatically be reported to the state government and action taken. This is not the case in the draft EA (see A12). Indeed the draft EA doesn't even indicate that the complaint data has to be provided to the government in request as it isn't covered in A12 re complaints or arguable also isn't covered by A5 which requires only "copies of monitoring records and reports" to be provided to the administering authority if requested.
174. Under the draft EA people may be subjected to very high levels of dust or noise with no monitoring done of this and no requirements for this situation to change unless the impacted people make official complaints to the government and the government then requires monitoring. This is ludicrous.
175. A7 seems to empower the proponent to review the amount of financial assurance provided whereas surely the administering authority (Government) should control how much financial assurance the company is required to provide (and make sure that it is adequate).
176. A10 and A11 are inadequate in what response they require for emergencies and serious incidents. For example, if something serious is occurring the Government ought to be notified well before 24 hours to enable the government to come out and view the impacts and take actions if necessary.
177. It is important the reports required in A14 be prepared at least annually. To require this only every 3 years would allow non-compliance to continue for too long without the government even being aware of it, let alone requiring the proponent to take any actions to remedy the situation.
178. It is important that if there are any deficiencies in the reports required in A14 (such as inadequate monitoring to be sure of compliance) that these situations are remedied before the next report. The current condition doesn't seem to facilitate this.
179. I appreciate that A15 requires compliance with future standards. It would be further appreciated if this clearly ensured that the proponent also had to comply with future standards for environmental impacts such as noise and dust. The current situation where the mine is allowed to cause more dust and noise impacts to people than the EPPs set as required for health and wellbeing and sleep is outrageous and puts sensitive receptors at risk in terms of health and the government at risk from a legal (or at least moral) perspective.

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180. Schedule B, in particular B1 is grossly deficient in not setting any limit for PM2.5. This could be done by reference to the revised NEPM for example or even the EPP (Air). There is substantial evidence that shows that PM2.5 is critical for health and people must be protected from high levels of exposure to this.
181. Schedule B should also include adequate monitoring to ensure that these limits are not exceeded and to ensure that enforcement of these limits does not rely on complaints.
182. Condition B1 should not provide the proponent with the easy 'out' of saying that they only have to do "reasonable and feasible avoidance and mitigation measures". The proponent has sought to convince the government that it can comply with this criteria so it must be required to do so, regardless of whether the things it would need to do could be argued to be "reasonable and feasible" or not.
183. In relation to their proposed feedlot, the proponent's dust expert agreed to a condition requiring the operator to do the following s.73
- a. Cease works associated with significant dust generation during unfavourable weather conditions, both measured and anticipated from local weather forecasts.
 - b. Dust suppression measures (such as dampening roads with water) to be utilised when there is a potential for visible offsite dust emissions to occur due to meteorological conditions, operational conditions or a combination of both
 - c. Ensure dust enclosures and control measures installed at the feedlot and associated infrastructure such as the feedmill are appropriately maintained and operated to minimise the risk of particulate emissions.
184. A similar condition specifically requiring particular actions including the ceasing of works in certain meteorological conditions or between certain hours (e.g. no out of pit dumping between 8pm and 7am) might be appropriate in these circumstances also to avoid adverse dust and noise impacts.
185. In particular it would also seem pertinent to require dust barriers around the materials handling facility and coal processing plants and the rail loading facility.
186. Condition B2 should be broader to place the onus on the proponent to not exceed such conditions, and not limit this to only if "monitoring indicates the potential...". Other reasons to suspect exceedance could relate to weather, modelling, operational issues etc.
187. B4 should ensure that sensitive receptors and other stakeholders also have a right to the Air Emissions Management Plan. We are the ones impacted by it after all.
188. The air quality monitoring requirements in Table A are inadequate as they provide no protection to people to the East, North or South. s.73
- s.73
189. Further, the monitoring data must be given to the administering authority promptly and automatically, not just when requested. This is important to ensure that the administering authority can comply with its own obligations under relevant Acts and to ensure that it is aware of the situation and appropriately enforcing conditions.
190. It is curious and concerning that schedule C allows tyres to be disposed of in pits on site whereas the general population is not allowed to even put them in the local council dump and has to pay \$5 or more even to dispose of a car tyre.
191. Schedule D noise is of serious concern s.73
- s.73

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192 s.73

193. It is important that Schedule D noise also includes limits to other noise parameters [REDACTED] For example, the EPP noise requirements for LA10,adj,1hr and LA01,adj,1hr must also be met.

194. Particularly due to the reliance on best practice, it is important that Schedule D noise also includes other requirements to reduce noise s.73 [REDACTED] These include requirements that

- (i) the elements of noise control that will be implemented are indeed Best Practice for the industry and not something short of Best Practice and
- (ii) the elements of Best Practice that will be implemented are practical and well-tested and
- (iii) the conditions that are imposed for approval are certain and are written to ensure that the elements of Best Practice Noise Control are implemented from Day-One and maintained at their peak efficiency and effectiveness throughout the life of the approval.

195. Due to the noise control strategy proposed in the EIS, which is imperative to the project even coming close to complying with noise limits, (see S 11.8 which notes the requirement for “noise management and mitigation measures including reduced night time operation (only two pits operating at night in adverse weather or atmospheric conditions) and using attenuated equipment (including excavators, track dozers, loaders and rear dump trucks)”, it is also recommended s.73 [REDACTED] that the following conditions also be proposed in Schedule D.

- d. Prior to commencement of operations, certification is to be provided demonstrating that source sound power levels on which the assessment of environmental noise impact is based are indeed the lowest feasibly-possible source sound power levels for all major items of noise-generating equipment relative to the particular class/capacity of the actual item of equipment. The list of noise-generating equipment will include, but not necessarily be limited to, all excavators, loaders, dump trucks and bulldozers as well as the coal handling preparation plant and all items of noise-generating equipment in the materials handling facility.
- e. Prior to commencement of operations, certification is to be provided demonstrating that the Best Practice source sound power levels on which the assessment of environmental noise impact is based are achieved by each item of equipment. This includes all items of earthmoving equipment, i.e. all excavators, loaders, dump trucks and bulldozers. Importantly, it also includes (i) all major items of fixed plant and equipment, notably the coal handling preparation plant, (ii) all items of noise-generating equipment in the materials handling facility and (iii) an adequately representative sample of all locomotives and rolling stock.
- f. Regular follow-up testing of all major items of equipment as listed above is to be undertaken to confirm that the individual source sound power levels have not increased beyond the levels certified prior to commencement of operations. The interval for the follow-up testing would be a matter for determination by the regulatory authority, but would be expected to be no less frequently than annually.

196. As noted s.73 [REDACTED] there are real concerns about the effectiveness of the proposed real time monitoring system in avoiding noise problems. Hence, it is important that the limits be set with the precautionary principal in mind and to better protect the innocent sensitive receptors that may be impacted. Further it is imperative that sufficient monitoring is actually required to give the real time monitoring system the best chance of success.

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197. It is terribly concerning that Schedule D does not in the current draft actually require any noise monitoring. This must be amended to at least require real time monitoring in locations to ensure that noise limits are not exceeded in Acland or at other locations where noise is likely to be an issue. (It would seem prudent to at least include a requirement for real time monitoring in Acland s.73 s.73 of the mine and another site near the proposed railway extension where the noise is likely to be the worst or risk adverse impacts on a sensitive receptor.) This information should be available to the administering authority and sensitive receptors.
198. In addition to the real time monitoring, noise monitoring must be required to be carried out by an independent and appropriately qualified person at least 12 times a year at sensitive receptors (with the consent of the relevant land holders and residents). The conditions must also make clear that these results must be available to the administering authority and the relevant sensitive receptor.
199. Tables D1 a and b are too lenient for the proponent. These tables should also include limits to LAmax, LA10,adj,1hr and LA01,adj,1hr that do not exceed the levels noted in the EPP Noise s.73 s.73
200. Further, these limits set in Table D1b should not allow the additional 7db which assumes a significant reduction in noise between inside and outside limits based on assumptions about people's houses and lifestyles and that they only have their windows "partially open". This is an unreasonable impact on people. The night time limit should not be any more than 30db.
201. It is appreciated that the noise limit is set based on 15 minute sampling. This will make it easier to measure (and potentially enforce). It also allows less opportunity for the proponent to average out high levels of noise over longer periods. This must remain. A requirement to get results for 1 hour averages would make it difficult to check compliance and to enforce noise limits, particularly as the consultant may need to get samples at multiple sites in the one night.
202. D6 should not allow for 10% of blasts not to be monitored. This is inappropriate and unjustifiable and provides an easy opportunity for the proponent to choose not to monitor particular blasts.
203. It needs to be recognised that the genuine background noise levels here are much lower than the limits in the draft EA. Indeed, s.73 a limit of 3db over the non-mine background limits (as has often been applied in other EAs) would set a much lower limit than those proposed in the draft EA. An example of a similar condition was agreed to by the proponent's noise expert in relation to their proposed feedlot as below
- The A-weighted maximum sound pressure level (LAmax,adj) must not exceed background by more than the following amounts:
- 7 am – 6 pm background plus 5dB(A)
 - 6 pm – 10 pm background plus 5dB(A)
 - 10 pm – 7 am background plus 3dB(A)
204. A condition such as noted above (limiting LAmax to say, 3db above background) should be considered in addition to the absolute limits imposed, in order to reduce the risk of noise nuisance or environmental harm.
205. Ideally the conditions should include a requirement for the noise not to be audible offsite. A similar condition was agreed to by the proponent's expert in relation to their proposed feedlot s.73 s.73
206. Schedule E does not require sufficient ground water monitoring, particularly considering the high likelihood of adverse impacts on groundwater levels. For example, the EIS indicates significant adverse impacts for the Marburg sandstone aquifer but only two (2) monitoring locations are indicated in the draft EA. Also, despite the adverse impacts predicted for the alluvial it only requires one (1) bore to be monitored in the alluvium. This is outrageous. The alluvial is very important also to the north of the mine site and there is no monitoring required for the alluvial in this direction. This is a serious concern. The groundwater

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monitoring regime should be reviewed to ensure that it would detect any possible adverse impact that may be caused by the proposed mine.

207. In addition, the requirement only to measure ground water levels monthly may be inadequate. What about the actual supply to the bore and flow rates?
208. The list of water quality indicators listed to be monitored every 6 months also seems inadequate. Are there any other potential contaminants (e.g. chemicals or things from the holding ponds) that should be monitored? What about other carbonates or sulphates for example?
209. Clearly limits and trigger still need to be set for the various parameters and noted in Table E2 and E3.
210. Overall Schedule E does not yet seem to reflect the concerns listed in the CG report or the full actions that would be required to address concerns.
211. Schedule E (or / and elsewhere in the conditions) should also set out requirements in terms of minimum make good arrangements that the proponent should commit to. (This should be designed to help protect individuals who may be impacted. This should at least replicate the requirements put on CSG companies under the act. This should not be taken as what landholders would have to agree to but at least set in place a minimum 'make good' requirement that should be expected.)
212. s.73
213. Schedule F seems somewhat negligent in terms of the monitoring required and the avoidance of adverse impacts. For example, as it seems to authorise the release of effluent it should also require things such as faecal coliforms to be tested for. Other potential mine contaminants should also be tested for (eg arsenic etc as per the groundwater requirements).
214. s.73
215. s.73
216. The locations listed as latitude and longitude relating to Spring Creek (for sampling and release) as listed in Tables F1, F3 and F5 don't seem appropriate. These should be checked on a map and a map provided so that landholders and mine officers have a similar understanding. (This issue has been problematic in the past when new Environmental Officers and other mine staff have had different interpretations of such requirements than other staff previously for example).
217. There should also be requirements listed in terms of minimising problems for landholders and access being at the landholders discretion etc. (and alternative sites considered if the landholders don't give consent).
218. The note below F15(b) 2 doesn't make sense. I don't understand why no further reporting is required.
219. G5 in Schedule G relating to sewerage treatment should also require that the water meetings the criteria listed in Table G1.

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220. Schedule H relating to Land and rehabilitation does not seem to sufficiently condition the requirements in terms of land rehabilitation processes or outcomes. The EIS indicated that better standards than this could be achieved.
221. Allowing 10t/ha erosion seems too much to call successful rehabilitation.
222. Mine infrastructure areas should refer to the land state required rather than "previous use (grazing)" as this isn't necessarily the previous use and doesn't adequately explain what standard should be achieved as we can no longer view it as it was.
223. Should also consider things like mining top soil depth and maximum allowable time for stockpiling top soil.
224. It is concerning that the requirements for design and construction of levee banks doesn't seem to allow for at least 1 in 100 year floods.
225. The requirements for decommissioning and rehabilitating dams should not provide opportunities not to establish ground cover (such as is currently provided by considering that it might be cultivated see H30(g). It seems most unlikely that the dams would be cultivated in this timeframe and this seems to just provide an easy opportunity not to establish ground cover.)
226. The EA should also include requirements to avoid adverse impacts on people's rainwater (this is often the only source of drinking water etc.) and to monitor and test the quality of water if there are concerns and ameliorate the problems if contamination from the mine is problematic. The draft conditions don't adequately address light impacts. Some examples of possible light conditions, which the proponent's expert had agreed to in relation to another of their developments are included in the attached. The key light conditions were:
- g. Site external lighting shall be designed, installed and operated to comply with Australian Standard AS4282:1997 "Control of the obtrusive effects of outdoor lighting". Light emissions from the feedlot premises shall not result in light levels exceeding the recommended maximum values defined in Table 2.1 of Australian Standard AS4282:1997. For the purposes of assessing compliance, 'Curfewed Hours' are defined as 10 pm to 6 am. The recommended maximum values in Table 2.1 of Australian Standard AS4282:1997 for Pre-curfew hours shall apply at all other times.
 - h. Site external lighting shall not cause an environmental nuisance at or beyond the boundary of the development by use of external lighting comprising appropriate luminaires which are directed downward onto the site to minimise light spill and glare beyond the site to achieve the recommended maximum light levels required by Condition 1.
227. There should also be a condition requiring compliance with the site Environmental Management Plan and best practice etc. This could possibly be such as:
- i. From commencement of operations, the activity must be operated at all times in accordance with the Environmental Management Plan (EMP) approved by XXXXX on XXXX. The EMP shall be reviewed periodically to ensure that all potential sources of environmental harm are identified in the SBEMP, and measures to address these sources such that the occurrence of environmental harm is prevented are incorporated. Any amendments and updates of the approved EMP shall be available for public comment prior to endorsement by the relevant department.
228. Problems with the current EA that must be avoided by amending this EA.
- j. Must not rely on complaints before monitoring, or where levels are exceeded, remedial actions are required.
 - k. Must require adequate monitoring to ensure that people are not subjected to higher levels of dust and noise than the EPP limits.

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- l. Government must make the mine take actions to reduce adverse dust and noise and water (e.g. ground water, rain water) impacts etc. even if a complaint is not received at that location.
 - m. Must keep current and not be allowed to end up with a situation that specifically allows more dust and noise at people's homes than EPP / state regulations under the EP Act
 - n. Under the current EA even causing higher than these EA trigger levels is not considered a breach of conditions unless:
 - i. It coincides with a complaint to the government (in the proper format) → which can be very stressful and something many people just wouldn't do
 - ii. There is accepted monitoring data proving this higher level
 - iii. The government and / or the complainant got the data.
- This must not be the situation under any EA in the future.
229. The proponent must be required to give sensitive receptors data about impacts at their own place (this is not currently the case and has been very problematic). The draft EA must be amended to rectify this.
230. Government must be willing to actually do the monitoring (even if billing the proponent for it)
231. Monitoring locations and times must not be at the discretion of the proponent (as this can be timed and located to reduce the levels of dust or noise detected depending on weather conditions, particular operations taking place etc.).
232. Government resources are often quoted as being limited and the reason the government prefers the mining companies to do the monitoring. Also, it is often too expensive for adversely impacted individuals and other neighbours to hire experts to get monitoring done on their behalf. Further, there is lots of opportunity for bias if the company does the monitoring (such as through choice of timing and location of monitoring of what operational things are occurring and their location at the time). Hence, it would seem appropriate for the government to require sufficient financial compensation from the proponent to allow the government to thoroughly monitor the performance of the project to ensure compliance and to ensure that remediation activities actually achieve their goals.

Corrupt Process

233. The approvals process sets out to protect the environment and the neighbours and Australia's interests.
234. By its design the process cannot deliver the results it purports to want to achieve.
235. I am concerned about the process of considering such proposals. The Government (including successive Governments of various parties) wants the royalties and perceives that it would also bring jobs. The mining company wants the EIS to bring about the approval as cheaply as possible with the minimum of conditions. The consultants preparing the EIS want to present the proposal in the best form to gain approvals to sustain their business and encourage further contracts for them. There is obviously a rush on the Government's part to burn all the coal in existence before the world community and climate change forces a halt to coal burning (conflicts of interest). What hope is there for a neighbouring farmer who sees the environmental desecration, and has to live with the impacts, in this process? It is unfair and unrealistic to expect the relevant companies and the Government to not act in their own interests. Is it any wonder when an EIS reads like fiction, written to convey (implication, innuendo and omission) a particular story, to anyone that lives in the district? Because of the way the Act is written the process is doomed to fail in achieving a genuinely objective assessment.
236. I think it is right that the mine pays for the EIS however the company that is chosen to prepare it should be chosen by a body independent of the proponent and the government. The consultants have to know and

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believe that the only way they will get these types of contracts is by being 100% objective in everything they say, or do not say.

237. The problems with the process and legislation also impact mine site rehabilitation. Effectively the mine does what the Government makes them. When approaching a Greenfield site I have heard miners say to local communities (in relation to this site and others) that after mining they will "return it (the land) to better (quality and productivity) than it was". It is time that they were called on to demonstrate this. It costs them money to do more. The Government requires them to do a minimum level of rehabilitation, which may be appropriate in poorer country, but requiring just 60mm of topsoil in a situation such as this where there was once meters is tantamount to vandalism. The rehabilitation requirements really need to far better consider the environment and the soil types involved. Not only is this necessary to deliver better rehabilitation at locations valuable for other uses, but the increased cost would also create an incentive for the mining companies to preferentially mine in poorer country, whereas, due to its proximity to services etc, the converse is probably more likely currently true. Replacing the best quality farming country with steep poor quality grazing country is vandalism and pillage and long term environmental destruction of the worst kind!
238. Although there are professional standards to maintain, in the preparation of documents such as an EIS or to support a development application, there are also opportunities for the selective design of assessment methodologies, the choice of material for inclusion in the report, the choice of wording and conclusions more easily suggested or more strongly emphasised versus the ones for which greater efforts may be exerted to raise doubts. In recognition of this and the frequent differences in the opinion even of professionals, the Planning and Environment Court for example, facilitates a process whereby each party can nominate an expert on each topic and each party's experts are heard equally. In regards to the EIS situation, the applicant has far more resources, and a direct incentive to channel resources, towards the preparation of the EIS, than most people making a submission, however the balance is important.

Addition comments on Climate Change

239. s.73 [REDACTED] The idea of this mine directly producing over 15 million tons of CO₂-e, through the diesel burned on site and the methane released on site is horrifying. The indirect emission of a further 700 million tons CO₂-e, when the coal is transported and burned, which exceeds Australia's TOTAL annual emissions cannot go unnoticed.
240. s.73 [REDACTED]
s.73 [REDACTED]
s.73 [REDACTED] If the Government does believe any of the science about climate change, then this proposal should not be approved.
241. To stop our civilisation from marching determinedly towards total collapse, Leaders and Governments will have to put greed aside and make some hard decisions and **lead**. If we take action now and pursue other options we can still have a bright future, but pursuing selfish short-term gain seems likely to destroy our civilisation. Why fight to save sunset jobs and industries, when they close so many other doors, and there are vast new opportunities doing the right thing and leading rather than being afraid to even follow?

Concluding comments

242. Fundamentally government has a responsibility to ensure that the proposal is thoroughly assessed and to refuse projects that are likely to cause environmental nuisance or harm or which the government will not have the resources to monitor and regulate effectively.

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243. I still no not believe that the proposed project can be operated without causing inappropriate environmental impacts. As such I do not think that an EA should be issued to facilitate stage 3. However, as a minimum, if one is issued it must at least be amended to address the issues noted above.

244 s.73

245 s.73

246. Any thinking person with an open mind would see that anthropogenic climate change is real, urgent and unavoidable. Australia is a laughing stock and unending embarrassment in terms of our negligence on climate change. Australia could be leading the world in terms of climate change policy. Instead we let short term greed drive our policy. We've got to stop burning coal. This mine should never have started (because of what it is doing to the best farming land we've got and numerous other reasons) and most definitely shouldn't have extension after extension approved. s.73

247. s.73

s.73

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73		Telephone: s.73	
		Facsimile: s.73	
		Email: s.73	

Further information for submitters:

Application or amendment application for environmental authority

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EHP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date: 27 June 2015
Submitter name: s.73
Submitter contact details: s.73 s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
Attention:	Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

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The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient, unreliable and unproven.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

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Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

Process, background and existing information to consider

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located approximately 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces up to 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. The proponent indicated that approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities, 1,361 hectares of this area is designated as strategic cropping land.
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the *State Development and Public Works Organisation Act 1971*, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited. s.73
s.73
8. A copy of the EIS is available on the website. s.73
9. Prior to and after the Queensland election in March 2012, the incoming Queensland Government (LNP) declared that it would not support the Acland Stage 3 expansion or mining on strategic cropping land. In November 2012, the Queensland Government advised that the EIS process would restart at the draft terms of reference for EIS stage for the revised proposal.
10. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited. s.73
11. A copy of the revised EIS is available on the website. A copy of my submission on this EIS is attached as many of the issues raised are still relevant here.
12. During September 2014, additional information to the EIS (AEIS) was published and public submissions again invited. s.73
s.73
13. A copy of the revised AEIS is available on the website. s.73

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s.73

14. In December 2014, the Proponent provided a final clarification to the AEIS (information available on the website) and, on 19 December 2014, the Coordinator-General's report (CG report) on the final EIS was released (and is also available on the website). The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
15. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
16. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
17. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
18. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.
19. To proceed, the project requires approval from the Commonwealth Government such as relating to the EPBC Act. No approval has yet been granted from the Commonwealth Government. Various documentation indicated that this was the next step required after the release of the CG report. See for example the statement released by the then Deputy Premier Seeney coinciding with the release of the CG Report 19 December 2014 which indicated that commonwealth approval would be required before a ML or EA would be considered.
20. To proceed, the project requires various other approvals. In particular, it would require an approval (Regional Interests Development Approval) under the Regional Planning Interests Act. This would involve assessment of its impacts on things like strategic cropping land, priority agricultural areas and priority land uses and water. Do date, it seems that an application for this approval has not been lodged and no approval (or exemption) has been granted.
21. The current Queensland Government committed to review the project and its approval (see attached article from The Australian newspaper 6 February 2015 for example).

Groundwater

22. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to resulting impacts on agriculture.
23. Detrimental impacts on groundwater will extend far beyond the mine site and significant adverse impacts are predicted (eg evidence of this in the EIS, AEIS, CG report).
24. Detrimental impacts are predicted to occur for at least 300 years after the end of mining (see CG report for example).
25. There are significant water use requirements relating to the proposed project. (The project's water use is estimated to be 8,925ML/year in the CG report p135 for example.)
26. In addition to the project's water use, water will drain into the pits and evaporate from exposed surfaces in perpetuity.
27. Adverse impacts are predicted for the alluvial, basalt, Walloon coal measure and Marburg Sandstone aquifers (see CG report p135-136 for example).

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28. The assessments indicated a drawdown of 1m or more for an area 23km wide (see CG report p136 for example).
29. Drawdown of up to 47m was also indicated in the assessments.
30. In addition to groundwater sources on the proponent's land, groundwater sources relied upon by others and water bores not owned by the proponent or its related entities are likely to be adversely impacted. The assessments indicated a drawdown of 1m or more for an area 23km wide (see CG report p136 for example). For example, according to the CG report "Within the area of drawdown in and around the mining area, 357 registered bores may be affected." (p vii) and "357 registered bores are either likely or possibly to be affected" (p138). 198 of these bores are owned by private landholders other than the proponent (p138). "In addition, there is likely to be numerous unregistered bores that will be within the groundwater drawdown zone of mining operations." (p138).
31. The proponent has not relinquished its bore water allocations – although the modelling seems to presume that they are not used much if at all. If the proponent uses these bores in the future, the impacts are likely to be much greater than the modelled results. (Separate modelling of the impacts of using these bores has previously been prepared by the proponent and indicated significant drawdown).
32. Adequate baseline assessments have not yet been completed. (CG report required that this occur "well in advance of operation" p146).
33. The proponent's current mining operations may have already had an adverse impact on some groundwater sources.
34. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine.
35. 'Make good' agreements have not been reached with all affected landholders or water users. (CG report required that such agreements be reached with all water users (even if the impact is likely to be less than 1m) at least 3 years before the impact is likely to occur. p146-147.).
36. The groundwater assessments done for the project were inadequate to appropriately determine the extent of impacts.
37. Security of groundwater supplies (of adequate quality uncontaminated water) is essential for many livestock operations, irrigation and even domestic uses in this region. It is also a key factor in market values of land.
38. The adverse environmental and related impacts to groundwater are contrary to the public interest, demonstrate an inappropriate use of the land as opposed to current use, and therefore provide good reason to refuse the applications.

Air quality

39. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
40. Concerns about air pollution and dust impacts include but are not limited to:
 - a. Significant concerns about the modelling. For example, experts ^{s.73} indicated that some model settings were highly inappropriate and various other limitations that mean the proponent's modelling in the EIS was likely to underestimate the dust impacts.
 - b. Even the proponent's EIS modeling shows that critical dust thresholds will be exceeded at numerous sensitive receptors under typical mining operations:

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- i. the EPP (Air) objective of 50 µg/m³ for the 5th highest 24 hour average are predicted to occur at at least 6 of the 44 sensitive receptors (e.g. receptors 1, 35, 36, 37, 38, 39)
 - ii. DEHP nuisance guideline of 120 mg/m²/day for annual average dust deposition are predicted to occur at 2 sensitive receptors (e.g. receptor 1 and 2).
 - c. The proposal relies on needing to anticipate and reduce operations when dust thresholds would otherwise be exceeded. There is insufficient confidence that this would occur or be adequate.
 - d. Seemed to be inadequate consideration of PM_{2.5}, and very limited monitoring of this previously on which to base model inputs, assumptions or assertions.
 - e. Blast fumes may be toxic.
 - f. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine. If stage 3 is not approved stage 1 and 2 are due to finish soon and these adverse impacts would no longer occur.
41. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.
42. Proposed project cannot meet air quality criteria under "typical" mining operations.
43. Proposal relies on unproven non-typical operations.
44. Proposed solutions are unproven and may pose an unreasonable interference with people's lives and enjoyment of their properties.
45. There are concerns about the proposed project's adverse impact on amenity. As well as adverse impact on the lives of people nearby this also has the capacity to cause adverse economic impacts such as reduced marketability of land or products or services (such as farm stays or tourism ventures).
46. The adverse impacts on air quality are contrary to the public interest, demonstrate an inappropriate use of the land, and therefore provide good reason to refuse the applications.
47. The past performance of the proponent with regards to air quality has not been satisfactory

Noise and vibration

48. If the project proceeds, it will have unacceptable noise impacts on human and environmental health. This will also adversely affect social values of the region.
49. The noise modelling done for the project was inadequate to appropriately resolve concerns about the extent of those impacts.
50. The adverse impacts of noise are contrary to the public interest, demonstrate an inappropriate use of the land, and therefore provide good reason to refuse the applications.
51. The past performance of the proponent with regards to noise has not been satisfactory.
52. Various concerns relating to the noise levels and vibration include:
- a. EIS / AEIS indicates that the proposed project cannot comply with the Queensland Government Planning for Noise Control Guideline limits
 - b. Operational Noise Modelling Results under typical mining operations show the proposed project exceeds the Environmental Protection Policy noise limits at at least 5 sensitive receptors (even when they allow an additional 7db assuming people only have their windows partially open)
 - c. The EIS only shows a snapshot of 3 points in time throughout the life of the mine
 - d. The proponent doesn't adequately consider how much lower the ambient noise is without the mine and as such the proposed noise limits would be a significant amount of noise above the

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noise levels that would otherwise be present in the area. This is a significant adverse impact and interferes with social values and the peaceful enjoyment of land and property.

- e. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine. Stage 1 and 2 are due to conclude soon.
 - f. The proposed project relies on trust that they will comply (e.g. achieve 37db LAeq,adj,1hr at night – which is a higher level of noise than perhaps should be allowed)“By implementing noise management and mitigation measures including reduced night time operation and using attenuated equipment (noise attenuation of noisier equipment including excavators, track dozers, loaders and rear dump trucks)” (p11-61). There is insufficient confidence that this will avoid nuisance, harm on unreasonable interference with the quiet enjoyment of life and property.
 - g. The proponent's proposal seems to rely on future agreements being reached with adversely impacted sensitive receptors and the possibility that sensitive receptors could be forced into mediation at a later stage if the proposal is approved. s.73
- s.73 This is an unreasonable impact on people who may be impacted and also increases the community impact of the proposed project.
- h. The proponent's mining operation has already exceeded even more lenient Environmental Authority limits of 40db LAeq,adj,1hr at sensitive receptors even when operating at a substantially smaller scale than the proposed stage 3
 - a. The current project has had to reduce operations between 1am and 6am, due, at least in part, to the difficulty complying with noise limits even at the smaller scale than what is proposed. (see attached ABC news article for example July 2014 "Some New Acland Mine workers face pay cut from reduced hours: union")
 - b. The limited monitoring, the refusal to provide data to impacted sensitive receptors and the attitude to addressing noise complaints has been unsatisfactory in the past.
 - c. In addition to the in pit mining and transportation of material and the location and operation of an additional coal processing plant and the proposed location and operation of a 200,000t (approximately 21 m high) stockpile of coal in their 'materials handling facility' near Muldu is a particular concern.
 - d. The proposed EA conditions are still inadequate to sufficiently address concerns about noise (or several other) impacts.
 - e. Multiple people have commented that they find the vibration unpleasant and that they have concerns about movement of their houses.
53. The proposed project cannot meet noise criteria under “typical” mining operations.
54. Proposal relies on unproven non-typical operations.
55. Proposed solutions are unproven and may pose an unreasonable interference with people's lives and enjoyment of their properties.
56. There are concerns about the proposed project's adverse impact on amenity. As well as adverse impact on the lives of people nearby this also has the capacity to cause adverse economic impacts such as reduced marketability of land or products or services (such as farm stays or tourism ventures).

Surface water

57. The proposed project will change the landform and underlying soil structure.
58. The proposed project will impact on runoff, drainage and flooding.
59. The proposed levee banks will impact on runoff and draining and the flow of flood waters.

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60. The proposed project will discharge water into surface waters (see for example CG report p140 "The EIS states that controlled releases to Lagoon Creek and Spring Creek are a necessary aspect of the mine water balance to prevent good quality water increasing in salinity if retained on site."). This risks impacts on flow and on water quality.
61. It is acknowledged in the EIS/ AEIS and CG report that the construction of the rail spur may result in additional flooding on private properties and that compensation may need to be negotiated (see for example CG report p144).
62. The detailed rail design had not been finalized to be considered in the EIS modelling.
63. The surface water assessments done for the project were inadequate to appropriately determine the extent of the impacts. The hydrological model also did not seem to sufficiently consider the catchment upstream or the impacts of the changes in runoff or the changes that may occur due to climate change.
64. There are concerns in relation to the pollution of waters through pollutants leaving the mine site.
65. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.

Biodiversity

66. If the project proceeds, it will have an unacceptable impact on biodiversity.
67. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
68. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.
69. The proposed project will cause damage, destruction and endangerment to local flora and fauna, some of which is protected under various state and Commonwealth legislation etc.
70. Proposed offsets are a poor (inadequate) alternative to refusing the project and maintaining the existing ecosystems.
71. The proposed project seems to have inadequately considered the impact on some species.

Economic and social matters

72. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
73. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
74. The proposed project will have a detrimental impact on the community and on individuals.
75. The proposed project will have a detrimental impact on roads and the road network.
76. The proposed project will cause further fragmentation of the community.
77. The proposed project will have a detrimental impact on Acland.
78. The proposed project will have a detrimental impact on heritage.

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79. The proposed project will have a detrimental impact on the school bus network and future access to schools via the school bus network.
80. The proposed project will impact adversely on people's peaceful enjoyment of public places.
81. The proposed project will impact adversely on people's peaceful enjoyment of private places.
82. The proposed project will have a detrimental impact on people's perception of their freedom to use the park and potentially also on their actual rights to use the park.
83. Since the development of the mine the proponent has acquired 160 lots totaling 10,151 ha from 157 owners. EIS 3-9. At least one more owner has been bought out since then (see AEIS or CG report).
84. Given that multiple family members may be lost from a community but still only be recognized as one owner, the land purchases by the proponent have already caused a significant loss of people (of varying ages including children) from the community.
85. The requirement for 'make good' agreements and the like relating to water, noise and other issues, such as are envisaged by the EIS, AEIS and CG report, indicate a likelihood that further people may ultimately have to leave the district because of the proposed project if it proceeds.
86. These people had previously made a significant contribution to the local economy and the local community and represented people who were also part of many community groups, such as the CWA, rural fire brigade, Acland school, Acland Hall etc.
87. Many people are concerned about the impacts of the proposed projects.
88. Approximately 40 sensitive receptors were identified as located within 5km of the proposed project (eg see CG report p22)
89. Many people near the proposed project are very concerned about the potential impacts of the proposed project (such as noise, dust, water impacts, social impacts, crime etc.).
90. This project has become a very divisive issue within the wider community, with employees and their families advocating for it and affected landholders generally very strongly against the project. In addition, some other community members and local businesses (e.g. in Oakey) have found that the mine has already had a detrimental impact on their business whilst others have felt the need to speak in favour of stage 3 and support petitions supporting the proponent.
91. This division has already caused terrible rifts between long term friends and even within families. If the project is refused these rifts may heal whereas if the project is approved the division is likely to get much worse.
92. In addition, New Hope's self-promotion in regards to its support for various community activities and groups has also caused significant ill feeling. Prior to New Hope's engagement in these areas (largely since the proponent did not get stage 3 approved as quickly as they had previously stated that they thought they would) many locals had done a lot of good work on a voluntary basis and supported many causes in many ways without expecting special favours or recognition. New Hope's self-initiated propaganda and requirements for publicity as part of funding applications through the community reference group, have changed the social environment in a negative way.
93. The proposed project intends to close many roads. This includes the roads accessing Acland from the North, East and West. This will cause a lot of problems. For example, it will dramatically increase the distance and time it takes ^{s.73} to access Acland (e.g. from about a ^{s.73} trip to approximately a 30km trip to go to our local park or attend our much loved ANZAC Day service in Acland). These road closures will cause problems for many people in terms of logistics but they will also further isolate people, including Acland residents as they will be cut off from friends or associates (or whatever they want to access) from the north, west or east. These road closures would also cause an insurmountable problem for

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the school bus run that currently runs from the north through Acland (picking up children along the way) to Oakey. (Some children already travel for a long period of time on this and connecting bus routes in their travel to and from the Oakey State High School particularly.) The proponent has been aware of these concerns and yet has not done much to resolve them, even though there seems to be no real justification for closing the road that accesses Acland from the north, for example (which would still allow the bus to travel through Acland from the north), and even months after the issues being raised in EIS submissions, proponent has been unable to come up with a solution to the problems it will cause regarding the school bus route but still argues in the AEIS (p246) that "NAC will work with the bus company and the affected families in an attempt to develop amicable solutions for those school bus routes that may be impacted."

94. There are significant concerns in relation to the proponent's intended purchase of Tom Doherty Park in Acland. No justification is given for this. Given that the proponent no longer has a mining lease application over this land there is no justification for this. This park means a lot to some of the remaining local community and families who resided in Acland in the past. It was developed and has been lovely lovingly tended on a voluntary basis by multiple people, s.73

s.73

s.73

The beautification of Acland, and in particular the work in this park and the related amenities were something that saw Acland awarded the first "Tidy Towns" award for Queensland. The park is the location of the war memorial and also the annual ANZAC Day event. Numerous other gatherings and events have also been held in the park, even in recent years. It is also often used by people visiting the area, or for a quick break or for children to enjoy the recreational opportunities. It would be very upsetting of this community land to be owned by the proponent – particularly given the divisive and detrimental role the proponent has played in this community as well as its pivotal role in the depopulation of Acland, the removal (or loss of access) of community facilities and the degradation of amenity. It would be disastrous for the remaining community for the proponent to gain ownership or control of the park. There is no requirement for the proponent to buy the park. It seems the proponent may have, when the park land was within the intended mining area, purchased an option to buy the park if the mining lease (which then included the park) was granted. However, the park is no longer the subject of the mining lease and so this option is arguably not valid even if a mining lease (as currently proposed) is granted. Further, the option to buy something (even if valid) does not place any obligation on the proponent to buy the park. It seems that even the Coordinator General could see that the purchase of the park wasn't relevant to the mining lease as on p13 of the CG report he states that the "proponent's proposed acquisition of Tom Doherty Park is not assessed".

95. In 2011 many hundreds of people signed a petition, copies of which were given to the proponent and relevant government authorities as well as being tabled in parliament, asking for the park to be saved. The proponent's response to this was that they were going to continue seeking an approval for the project as then proposed (which included mining the park).
96. In some places the proponent also seemed to indicate that they already own the park. For example:
- a. On page 77 in the AEIS Advisory Agency Responses "NAC acknowledges that there are two State Land non-road reserves within MLA 50232 – (lot 62 AG2962 RES14096 & lot 87 AG3429 RES16087). The 2 reserves identified in this section are held under the trusteeship of the TRC and owned by the State of Queensland. Reserve 14096 (described as Lot 62 on plan AG2962) is dedicated for Sanitary Depot purposes and Reserve 16087 (described as Lot 87 on plan AG3429) is dedicated for park purposes. APC has acquired both reserves from the State of Queensland and received confirmation that Council agree to relinquish trusteeship of Lot 62 in AG2962 and Lot 87 in AG3429 on 18 October 2010. Compensation Agreement by NAC with the State Government was executed on 11 October 2010."
 - b. Page105 also provided comment on this issue. It stated "Reserve 14096 (described as Lot 62 on plan AG2962) is dedicated for Sanitary Depot purposes and Reserve 16087 (described as Lot 87 on plan AG3429) is dedicated for park purposes. The APC has

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acquired both reserves from the State of Queensland and received confirmation that Council agree to relinquish trusteeship of Lot 62 in AG2962 and Lot 87 in AG3429 on 18 October 2010. A Compensation Agreement with the State Government was executed on 11 October 2010. Queensland Government Reference Number 2009/005895 and 2009/005896."

97. There have been many ways in which the proponent's actions have caused detrimental impacts on the community. Some examples are outlined below however this is not an exhaustive list.

- c. The fact that they denied neighbours and near neighbours access to information about the environmental impacts even before stage 1 began and sought costs of court against the 27 neighbours who were prepared to go to court to seek this information was not a good start.
- d. The negotiations, secrecy clauses and further division of the community from the proponent's actions to seek approval for stage 1 and buy up land even in the early stages caused a significant adverse impact on the community. This wasn't only in terms of the loss of people but also the division (such as was caused by the secrecy clauses and the community being divided when some sold to the mine) and ill-will that resulted and how unhappy people have been with the situations they found themselves in as a result of impacts from the mine.
- e. The adverse impacts have been exacerbated over the years when people feel that the proponent has been deliberately misleading and self-serving and when the positive things that people were led to believe the mine would do or which would eventuate as a result of the mine did not but in fact many impacts were worse than anticipated. Further, the processes by which the proponent seems to often have had plans for further expansion that they haven't been transparent about has caused further mistrust of the proponent. It is also concerning that the proponent has seemed to be able to expand, without always going back for public consultation. Stage 1 (the 'thin-edge of the wedge') was marketed to the community and local government as 1Mt p.a. and not 24x7 and only maintenance on Sundays and being good for locals and likely to grow the local community eg Acland. Then stage 2 began and increased from 4Mt p.a. to 5.2Mt p.a. without any opportunity for public comment or seemingly any real assessment of environmental impacts or performance to-date even though the Government's report on the stage 2 EIS indicated that things like dust and noise were likely to be a problem even at 4Mt p.a. The appearance of a "coal-to-liquids" project on various websites without consultation or transparency with locals was also a concern. This even included appearing on a state government DEEDI website in 2011 indicating as below. Although this was later removed, surely the information must have come from somewhere.

New Acland Coal to Liquids	New Hope Coal	Expansion, EIS completed	2013	\$500M	0.2 Mt coal (75 ML of diesel)	Toowoomba Regional Council	360 / 180
New Acland open-cut	New Hope Coal	Expansion, EIS completed	2014	\$500M	5.2 Mt thermal ROM	Toowoomba Regional Council	225 / 450

It is also very concerning to find that the proponent had been advocating its "Downs Project" (which is a dramatic further expansion of coal mining near Acland and further across the Darling Downs well beyond the current Stage 3 proposal) to shareholders and other groups for many years without being transparent with locals about this. For example, in their 2008 annual report the proponent notes that "The Downs Project consists of ten non-contiguous Exploration Permits for coal (EPC's) that cover an area of 4,500 square kilometres from

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Toowoomba, northwest to Jimbour and south to Inglewood in southeast Queensland.”
<http://www.newhopegroup.com.au/files/files/2008-07nhclfinstatssigningversion.pdf> A map with the various coal mines across the downs proposed by New Hope is also on p30 of the doc at <http://www.asx.com.au/asxpdf/20090922/pdf/31kvng8mx93117.pdf> This was September 2009. This map appears again in mid-2011 in a New Hope presentation (at a stockbroking conference).
[http://www.shawstock.com.au/files/COAL_PRESENTATION_2011/New_Hope_Coal_\(NHC\).pdf](http://www.shawstock.com.au/files/COAL_PRESENTATION_2011/New_Hope_Coal_(NHC).pdf) This presentation also includes the coal to liquids project. These locations of coal exploration permits (held by the proponent) can also be found on the Queensland Government Globe application that opens in google earth. However, I have not seen New Hope be transparent with locals about this. Further, it is concerning that if this project is approved it might provide impetus for the proponent to pursue these further mining expansion plans and cause significant problems for other areas, such as have been experienced in this area (such as the community disruption and the premature removal of buildings in Acland.)

- f. Likewise, the proponent's QC barrister argued in the Planning and Environment court in relation to a subsidiary development the proponent intended near its Acland mine that it really didn't matter if the proposal would have adverse health impacts s.73
s.73
s.73 The
pursuit of this argument did not add to any confidence that the proponent in any way cared about neighbours or their health.
- g. Similarly, the response to addressing noise complaints and other issues in the past has been disappointing eg failure to provide data, failure to take adequate action to resolve concerns, dismissing complaints after very limited monitoring not indicating an exceedance of EA conditions although the limits may have been exceeded on other occasions etc.
- h. The railway line and / or conveyor belt that was proposed through people's properties to facilitate the proponent supplying more coal to Tarong also caused significant adverse impacts and rifts within the community as people felt they had to fight to protect their own properties.
- i. The dust and noise and other adverse impacts that the proponent has caused to neighbours and near neighbours have been an obvious adverse impact on the community, the wellbeing of people (e.g. through loss of sleep, stress etc.) and on the amenity of the region. The fact that the proposal seems to be unable to comply with noise and dust criteria under typical mining operations, indicates that there is a very high risk of further adverse impacts on the community in this regard and that the wellbeing of people is not the predominant concern of the proponent in this regard.
- j. Even though the Government's report on the Stage 2 EIS report indicated that noise and dust were likely to be problems, it seems that the proponent did little (if anything) to address these concerns and avoid problems for neighbours and near neighbours. Indeed, multiple locals have experienced significant problems due to the current stage 2 operations. It has been found, even by the Queensland Government, that EA conditions have been breached.
- k. The proposed destruction of the State Heritage listed colliery and the proposed removal and relocation of the Acland war memorial and the activities around this were also detrimental to the community.
- l. The proposed project also seems to require the telephone and electricity networks to be disrupted and relocated. This is detrimental to the community s.73

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s.73

- m. The proponent has omitted nearby sensitive receptors from EIS documents and inaccurately located Muldu (in the proponent's favour) in a document submitted to the federal government).
98. Adverse dust, noise and light impacts (for example) such as are envisaged by the project, are an adverse impact on the community and on individuals and their wellbeing and comfortable enjoyment of life and property.
99. The mine and its related activities have caused, and if the proposal is approved, are likely to continue to cause significant stress to people (such as needing to spend further time and resources engaging in situations which are often stressful, such as negotiating 'make good' agreements, liaising with the company and government about noise and dust issues etc.
100. Risks of mental health impacts and stress have been inadequately recognized and considered.
101. The proposed project may impact adversely on other people's rights, including their rights and opportunities to build houses (or other developments) on other landholdings.
102. The proposed project is in conflict with Toowoomba Regional Council policy.
103. The proposed project is not supported by the Toowoomba Regional Planning Scheme.
104. The proposed project does not provide sufficient separation from other uses (for example, such as is required by the planning scheme e.g. Extractive Industry Code – for assessable development. Specific examples include PO1 "Extractive industries are separated from sensitive land uses to avoid potential for nuisance or complaint.").
105. The proponent (and its related companies) has been misleading and inaccurate in some information presented.
106. Further information on social and other impacts and issues relevant to consideration of the environmental authority amendment application can be found s.73
- s.73
107. The proposed project will require additional transport trips. For example, it is stated that it will require an additional 2820 transport tasks per day e.g. during construction period (CG report p30). The additional road usage that would result from this proposed project could result in further damage to local roads, road safety issues and be problematic for local rate payers (needing to maintain roads) and for other local road users.
108. The proposed project will also require additional rail capacity (e.g. it is stated that trains will increase from 53/wk to 80/wk).
109. The rail network is already constrained by capacity (e.g. more demand for rail services than are able to be met with supply of rail services). In addition to the constraints this places on resource development it has also been difficult for agricultural produce – which now has difficulty in accessing rail freight opportunities. This issue is also important for the nearby Oakey abattoirs, which are expanding significantly and which will need further access to cattle delivered via rail (especially from the west, which would mean going through Jondaryan and further east to Oakey).
110. s.73

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- 111. The proposed project will not have sufficient economic advantages to offset the disadvantages, particularly in the longer term.
- 112. There are minimal if any royalties paid to government.
- 113. Employment at the proposed project is not guaranteed or secure and are relatively short term.
- 114. Employment in relation to the proposed project is not sustainable or long term.
- 115. Any economic or financial benefits (e.g. wages paid to employees or contractors or money to suppliers) (if any) are only short term benefits whereas refusal of the mining project offers better prospects in the longer term.
- 116. The economic modelling did not sufficiently consider the longer term benefits of not mining this land.
- 117. There have been disadvantages to other businesses already as a result of the mining operation. These will be exacerbated if the mining is allowed to expand.
- 118. There have been disadvantages to other businesses already as a result of the division caused by the mining operation. These will be exacerbated if the mining is allowed to expand.
- 119. There has been an adverse impact on businesses related to agriculture or who benefited from serving those with some connection to the local farms or agricultural industry.
- 120. Some aspects of the assessments about indirect jobs etc may not be appropriate and may overstate the benefits of the proposal.
- 121. The economic benefits of the proposed project may have been overstated. See reports from The Australia Institute as attached for example.
- 122. Information, such as presented on ABC 4 corners program on 15 June 2015 "The End of Coal?" (see attached) indicates that Australian coal mining has a relatively poor economic outlook and is likely to be in decline.

123. s.73

Climate change

- 124. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
- 125. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
- 126. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.
- 127. The proposed mining operation will emit considerable greenhouse gases.
- 128. In addition to the greenhouse gases emitted in the mining process and related activities, the transport and use of coal will liberate considerable greenhouse gases.
- 129. Greenhouse gases contribute to climate change.

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130. Climate change poses a significant risk to our society and our environment.
131. As well as the 24,17,668 CO₂ eq (scope 1 and 2) emissions that the proponent estimates will be emitted from the revised project, using data from the original and revised EIS (as referenced and calculated below) it would seem that scope 1,2, and 3 emission from the revised project over its approx. 12 year life would be approx. 201 497 980 t CO₂ eq (i.e. 201.5Mt CO₂eq). This is without even considering the nitrous oxides released from the mine blasting, which are particularly potent (said to be roughly 310 times the global warming potential of CO₂).
- i. Original stage 3 project said to be 279.7 Mt (New Acland Coal Mine Stage 3 Project – Environmental Impact Statement PAGE 2-7 (revised EIS January 2014))
 - ii. Revised project said to be 80.4 Mt (estimated for a start at least) (New Acland Coal Mine Stage 3 Project – Environmental Impact Statement PAGE 2-8 (revised EIS January 2014))
 - iii. Original scope 3 said to be 692 571 681 t CO₂ eq (original EIS Chapter 10 November 2009)
 - iv. Therefore if revised project produces 80.4/279.7 as much coal and if scope 3 emissions are roughly proportional to coal production then scope 3 emissions for the revised project may be approximately:
$$692\,571\,681 \times 80.4/279.7 = 199,080,312 \text{ t CO}_2 \text{ eq over the 12 years or so of the project.}$$
 - v. Scope 1,2 and 3 emissions (excluding from blasting as these did not seem to be calculated in the EIS = 199,080,312 t CO₂ eq + 24,17,668 CO₂ eq = 201 497 980 t CO₂ eq
132. Many believe that greenhouse gases (such as emitted from this project) contribute to climate change and that reduction of such emissions is necessary and appropriate. There is considerable evidence to support this (such as work by the IPCC and related people for example).
133. Many believe that transitioning from coal to less polluting energy sources is very important for the future of our planet and our society. There is considerable evidence to support this.
134. There will be significant adverse environmental impacts caused by these operations
135. The public right and interest will be prejudiced.
136. Good reasons can be shown for a refusal to grant the mining lease and the environmental authority.

Land

137. MLA 50232 is 3668ha and is mapped entirely within the Priority Agricultural Area (PAA).
138. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land (SCL).
139. The whole site of MLA 50232 seems to be mapped as potential SCL with the exception of areas that were mapped as protected under the Vegetation Management Act (VMA) and therefore protected from being cleared for cropping.
140. MLA 700002 also has the potential to impact on SCL and PAA (and Priority Agricultural Land Uses (PALU)).
141. The disturbance footprint for the revised Stage 3 Project is estimated at 1,815 ha (Table 5.1.2-A AEIS and CG report).
142. In addition to the works on MLA 50232 and MLA 70002, the proponent's proposed project includes additional works on the existing mine lease areas (Stage 1 and Stage 2, ML 50170 and

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ML 50216 respectively).

143. In addition to direct impacts, there may be indirect impacts (such as through land fragmentation, flooding or adverse impacts on water supplies for example).
144. The land within the project site has supported very productive agriculture (and many families) and has the capacity to be highly productive into the future. It has been recognized, for example, that "The soils within the project site are generally suitable for cropping, characterized as basalt clays, cracking earths and alluvium. The project site has a history of grazing and dryland cropping. Two feedlots and a piggery also operated on the site." (CG report p13)
145. The land the subject of this mining proposal is high quality agricultural land, valuable and precious. It has the capacity to sustainably support agricultural land uses. It is important that this is retained for use by future generations. This land is also (and has been) quite closely settled and is in relatively close proximity to urban centres and other sources of employment and community services.
146. In addition to the long term degradation of good agricultural land if the project proceeds, it also risks adverse impacts on other nearby land uses. (For example, this could be through resulting planning restricting limiting rights to build houses etc. (e.g. requiring a certain distance from mining areas), loss of ground water limiting agricultural land uses, reduced land values (and other issues such as amenity concerns) limiting the willingness to invest or availability of finance to invest in other businesses, infrastructure or development of nearby properties etc.).
147. Proposed offsets are a very poor and inadequate alternative to avoiding the degradation that the proposed project would cause.
148. There are other more appropriate and more sustainable land uses for this site.
149. There are good reasons why this proposal should not be approved on this land.

Other information

150. s.73 [REDACTED]
151. s.73 [REDACTED]
152. s.73 [REDACTED]
153. Further reports and statements may also be located or prepared if considered appropriate during the court process.

Additional specific comments on the draft EA in the CG report

154. The conditions posed in the draft EA in the CG report are inadequate to ensure that the project would actually perform to the standard required.
155. The draft conditions include inadequate monitoring requirements to ensure compliance with the conditions (such as the noise and dust conditions as they relate to various receptors).
156. The conditions should ensure that complainants and sensitive receptors etc have access to any monitoring or other information (such as modelling information) that relates to their property or residence.

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Application or amendment application for environmental authority

157. The draft conditions fail to protect people and the environment from significantly more pollution than what would be the case if the mine didn't go ahead.
158. The 'baselines' considered are often not genuine baselines as they include the impacts caused by the stage 1 and 2 mine.
159. The draft EA is deficient in that it does not actually require much monitoring (such as of dust and noise) at sensitive receptors. It must require adequate monitoring to ensure that limits are not being exceeded. This data must then be immediately provided to the administering authority so that they are aware of the situation and can promptly require remedial actions to be taken if adverse outcomes are occurring.
160. The draft EA relies on complaints. The requirement to complain is very stressful and onerous and puts undue responsibility and stress on impacted sensitive receptors to take actions to protect their own amenity and ensure the proponent's compliance with the EA conditions such as noise and dust limits. This is unjust, ineffective and unfair. Many people don't like to have to complain. It is stressful and means people have to go out of their way and take specific steps and be willing to be in such an adversarial situation (against a company with significant resources and that, if stage 3 is approved, is likely to be a fixture in their district for more than a decade). This reliance on complaints is unfair to impacted people and only protects people who are willing to go through this process. It provides no protection to people who don't go through the complaints process. It also causes further divide in the community, compared to if monitoring and enforcement was an automatic requirement.
161. It is imperative that the EA require sufficient monitoring to ensure that the proposed project is always complying with the noise and dust limits. To do otherwise is unjust, unfair and ineffective. It also risks further damage to the reputation of the Government and the proponent's reputation.
162. Monitoring (including location and timing) must not just be at the discretion of the company or in response to complaints.
163. There must be a requirement for complaints to the company to automatically be reported to the state government. This is not the case in the draft EA (see A12). Indeed the draft EA doesn't even indicate that the complaint data has to be provided to the government in request as it isn't covered in A12 re complaints or arguable also isn't covered by A5 which requires only "copies of monitoring records and reports" to be provided to the administering authority if requested.
164. Under the draft EA people may be subjected to very high levels of dust or noise with no monitoring done of this and no requirements for this situation to change unless the impacted people make official complaints to the government and the government then requires monitoring. This is ludicrous.
165. A7 seems to empower the proponent to review the amount of financial assurance provided whereas surely the administering authority (Government) should control how much financial assurance the company is required to provide (and make sure that it is adequate).
166. A10 and A11 are inadequate in what response they require for emergencies and serious incidents. For example, if something serious is occurring the Government ought to be notified well before 24 hours to enable the government to come out and view the impacts and take actions if necessary.
167. It is important the reports required in A14 be prepared at least annually. To require this only every 3 years would allow non-compliance to continue for too long without the government even being aware of it, let alone requiring the proponent to take any actions to remedy the situation.
168. It is important that if there are any deficiencies in the reports required in A14 (such as inadequate monitoring to be sure of compliance) that these situations are remedied before the next report. The current condition doesn't seem to facilitate this.
169. I appreciate that A15 requires compliance with future standards. It would be further appreciated if this clearly ensured that the proponent also had to comply with future standards for environmental impacts such

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as noise and dust. The current situation where the mine is allowed to cause more dust and noise impacts to people than the EPPs set as required for health and wellbeing and sleep is outrageous and puts sensitive receptors at risk in terms of health and the government at risk from a legal (or at least moral) perspective.

170. Schedule B, in particular B1 is grossly deficient in not setting any limit for PM2.5. This could be done by reference to the revised NEPM for example or even the EPP (Air). There is substantial evidence that shows that PM2.5 is critical for health and people must be protected from high levels of exposure to this.
171. Schedule B should also include adequate monitoring to ensure that these limits are not exceeded and to ensure that enforcement of these limits does not rely on complaints.
172. Condition B1 should not provide the proponent with the easy 'out' of saying that they only have to do "reasonable and feasible avoidance and mitigation measures". The proponent has sought to convince the government that it can comply with this criteria so it must be required to do so, regardless of whether the things it would need to do could be argued to be "reasonable and feasible" or not.
173. In relation to their proposed feedlot, the proponent's dust expert agreed to a condition requiring the operator to do the following s.73
- a. Cease works associated with significant dust generation during unfavourable weather conditions, both measured and anticipated from local weather forecasts.
 - b. Dust suppression measures (such as dampening roads with water) to be utilised when there is a potential for visible offsite dust emissions to occur due to meteorological conditions, operational conditions or a combination of both
 - c. Ensure dust enclosures and control measures installed at the feedlot and associated infrastructure such as the feedmill are appropriately maintained and operated to minimise the risk of particulate emissions.
174. A similar condition specifically requiring particular actions including the ceasing of works in certain meteorological conditions or between certain hours (e.g. no out of pit dumping between 8pm and 7am) might be appropriate in these circumstances also to avoid adverse dust and noise impacts.
175. In particular it would also seem pertinent to require dust barriers around the materials handling facility and coal processing plants and the rail loading facility.
176. Condition B2 should be broader to place the onus on the proponent to not exceed such conditions, and not limit this to only if "monitoring indicates the potential...". Other reasons to suspect exceedance could relate to weather, modelling, operational issues etc.
177. B4 should ensure that sensitive receptors and other stakeholders also have a right to the Air Emissions Management Plan. We are the ones impacted by it after all.
178. The air quality monitoring requirements in Table A are inadequate as they provide no protection to people to the East, North or South. s.73
- s.73
179. Further, the monitoring data must be given to the administering authority prompt and automatically, not just when requested. This is important to ensure that the administering authority can comply with its own obligations under relevant Acts and to ensure that it is aware of the situation and appropriately enforcing conditions.
180. It is curious and concerning that schedule C allows tyres to be disposed of in pits on site whereas the general population is not allowed to even put them in the local council dump and has to pay \$5 or more even to dispose of a car tyre.

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Application or amendment application for environmental authority

181. Schedule D noise is of serious concern

s.73

182. s.73

183. It is important that Schedule D noise also includes limits to other noise parameters s.73

s.73

For example, the EPP noise requirements for LA10,adj,1hr and LA01,adj,1hr must also be met.

184. Particularly due to the reliance on best practice, it is important that Schedule D noise also includes other requirements to reduce noise s.73 These include requirements that

- (i) the elements of noise control that will be implemented are indeed Best Practice for the industry and not something short of Best Practice and
- (ii) the elements of Best Practice that will be implemented are practical and well-tested and
- (iii) the conditions that are imposed for approval are certain and are written to ensure that the elements of Best Practice Noise Control are implemented from Day-One and maintained at their peak efficiency and effectiveness throughout the life of the approval.

185. Due to the noise control strategy proposed in the EIS, which is imperative to the project even coming close to complying with noise limits, (see S 11.8 which notes the requirement for "noise management and mitigation measures including reduced night time operation (only two pits operating at night in adverse weather or atmospheric conditions) and using attenuated equipment (including excavators, track dozers, loaders and rear dump trucks)"., it is also recommended s.73 that the following conditions also be proposed in Schedule D.

- a. Prior to commencement of operations, certification is to be provided demonstrating that source sound power levels on which the assessment of environmental noise impact is based are indeed the lowest feasibly possible source sound power levels for all major items of noise-generating equipment relative to the particular class/capacity of the actual item of equipment. The list of noise-generating equipment will include, but not necessarily be limited to, all excavators, loaders, dump trucks and bulldozers as well as the coal handling preparation plant and all items of noise-generating equipment in the materials handling facility.
- b. Prior to commencement of operations, certification is to be provided demonstrating that the Best Practice source sound power levels on which the assessment of environmental noise impact is based are achieved by each item of equipment. This includes all items of earthmoving equipment, i.e. all excavators, loaders, dump trucks and bulldozers. Importantly, it also includes (i) all major items of fixed plant and equipment, notably the coal handling preparation plant, (ii) all items of noise-generating equipment in the materials handling facility and (iii) an adequately representative sample of all locomotives and rolling stock.
- c. Regular follow-up testing of all major items of equipment as listed above is to be undertaken to confirm that the individual source sound power levels have not increased beyond the levels certified prior to commencement of operations. The interval for the follow-up testing would be a matter for determination by the regulatory authority, but would be expected to be no less frequently than annually.

186. As noted s.73 there are real concerns about the effectiveness of the proposed real time monitoring system in avoiding noise problems. Hence, it is important that the limits be set with the precautionary principal in mine and to better protect the

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Application or amendment application for environmental authority

innocent sensitive receptors that may be impacted. Further it is imperative that sufficient monitoring is actually required to give the real time monitoring system the best chance of success.

187. It is terribly concerning that Schedule D does not in the current draft actually require any noise monitoring. This must be amended to at least require real time monitoring in locations to ensure that noise limits are not exceeded in Acland or at other locations where noise is likely to be an issue. (It would seem prudent to at least include a requirement for real time monitoring in Acland s.73 as well as other site to the west of the mine and another site near the proposed railway extension where the noise is likely to be the worst or risk adverse impacts on a sensitive receptor.) This information should be available to the administering authority and sensitive receptors.
188. In addition to the real time monitoring, noise monitoring must be required to be carried out by an independent and appropriately qualified person at least 12 times a year at sensitive receptors (with the consent of the relevant land holders and residents). The conditions must also make clear that these results must be available to the administering authority and the relevant sensitive receptor.
189. Tables D1 a and b are too lenient for the proponent. These tables should also include limits to L_{Amax}, L_{A10,adj,1hr} and L_{A01,adj,1hr} that do not exceed the levels noted in the EPP Noise s.73
190. Further, these limits set in Table D1b should not allow the additional 7db which assumes a significant reduce in noise between inside and outside limits based on assumptions about people's houses and lifestyles and that they only have their windows "partially open". This is an unreasonable impact on people. The night time limit should not be any more than 30db.
191. It is appreciated that the noise limit is set based on 15 minute sampling. This will make it easier to measure (and potentially enforce). It also allows less opportunity for the proponent to average out high levels of noise over longer periods. This must remain. A requirement to get results for 1 hour averages would make it difficult to check compliance and to enforce noise limits, particularly as the consultant may need to get samples at multiple sites in the one night.
192. D6 should not allow for 10% of blasts not to be monitored. This is inappropriate and unjustifiable and provides an easy opportunity for the proponent to choose not to monitor particular blasts.
193. It needs to be recognised that the genuine background noise levels here are much lower than the limits in the draft EA. Indeed, s.73 a limit of 3db over the non-mine background limits (as has often been applied in other EAs) would set a much lower limit than those proposed in the draft EA. An example of a similar condition was agreed to by the proponent's noise expert in relation to their proposed feedlot as below s.73
- The A-weighted maximum sound pressure level (L_{Amax,adj}) must not exceed background by more than the following amounts:
- 7 am – 6 pm background plus 5dB(A)
 - 6 pm – 10 pm background plus 5dB(A)
 - 10 pm – 7 am background plus 3dB(A)
194. A condition such as noted above (limiting L_{Amax} to say, 3db above background) should be considered in addition to the absolute limits imposed, in order to reduce the risk of noise nuisance or environmental harm.
195. Ideally the conditions should include a requirement for the noise not to be audible offsite. A similar condition was agreed to by the proponent's expert in relation to their proposed feedlot s.73
196. Schedule E does not require sufficient ground water monitoring, particularly considering the high likelihood of adverse impacts on groundwater levels. For example, the EIS indicates significant adverse impacts for the Marburg sandstone aquifer but only two (2) monitoring locations are indicated in the draft

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EA. Also, despite the adverse impacts predicted for the alluvial it only requires one (1) bore to be monitored in the alluvium. This is outrageous. The alluvial is very important also to the north of the mine site and there is no monitoring required for the alluvial in this direction. This is a serious concern. The groundwater monitoring regime should be reviewed to ensure that it would detect any possible adverse impact that may be caused by the proposed mine.

197. In addition, the requirement only to measure ground water levels monthly may be inadequate. What about the actual supply to the bore and flow rates?
198. The list of water quality indicators listed to be monitored every 6 months also seems inadequate. Are there any other potential contaminants (e.g. chemicals or things from the holding ponds) that should be monitored? What about other carbonates or sulphates for example?
199. Clearly limits and trigger still need to be set for the various parameters and noted in Table E2 and E3.
200. Overall Schedule E does not yet seem to reflect the concerns listed in the CG report or the full actions that would be required to address concerns.
201. Schedule E (or / and elsewhere in the conditions) should also set out requirements in terms of minimum make good arrangements that the proponent should commit to. (This should be designed to help protect individuals who may be impacted. This should at least replicate the requirements put on CSG companies under the act. This should not be taken as what landholders would have to agree to but at least set in place a minimum 'make good' requirement that should be expected.)
202. [REDACTED]
203. Schedule F seems somewhat negligent in terms of the monitoring required and the avoidance of adverse impacts. For example, as it seems to authorise the release of effluent it should also require things such as faecal coliforms to be tested for. Other potential mine contaminants should also be tested for (eg arsenic etc as per the groundwater requirements).
204. s.73 [REDACTED]
205. The draft conditions only refer to monitoring water in Spring Creek. s.73 [REDACTED]
206. The locations listed as latitude and longitude relating to Spring Creek (for sampling and release) as listed in Tables F1, F3 and F5 don't seem appropriate. These should be checked on a map and a map provided so that landholders and mine officers have a similar understanding. (This issue has been problematic in the past when new Environmental Officers and other mine staff have had different interpretations of such requirements than other staff previously for example).
207. There should also be requirements listed in terms of minimising problems for landholders and access being at the landholders discretion etc. (and alternative sites considered if the landholders don't give consent).
208. The note below F15(b) 2 doesn't make sense. I don't understand why no further reporting is required.

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209. G5 in Schedule G relating to sewerage treatment should also require that the water meetings the criteria listed in Table G1.
210. Schedule H relating to Land and rehabilitation does not seem to sufficiently condition the requirements in terms of land rehabilitation processes or outcomes. The EIS indicated that better standards than this could be achieved.
211. Allowing 10t/ha erosion seems too much to call successful rehabilitation.
212. Mine infrastructure areas should refer to the land state required rather than "previous use (grazing) as this isn't necessarily the previous use and doesn't adequately explain what standard should be achieved as we can no longer view it as it was.
213. Should also consider things like mining top soil depth and maximum allowable time for stockpiling top soil.
214. It is concerning that the requirements for design and construction of levee banks doesn't seem to allow for at least 1 in 100 year floods.
215. The requirements for decommissioning and rehabilitating dams should not provide opportunities not to establish ground cover (such as is currently provided by considering that it might be cultivated see H30(g). It seems most unlikely that the dams would be cultivated in this timeframe and this seems to just provide an easy opportunity not to establish ground cover.)
216. The EA should also include requirements to avoid adverse impacts on people's rainwater (this is often the only source of drinking water etc) and to monitor and test the quality of water if there are concerns and ameliorate the problems if contamination from the mine is problematic. The draft conditions don't adequately address light impacts. Some examples of possible light conditions, which the proponent's expert had agreed to in relation to another of their developments are included in the attached. The key light conditions were:
- a. Site external lighting shall be designed, installed and operated to comply with Australian Standard AS4282:1997 "Control of the obtrusive effects of outdoor lighting". Light emissions from the feedlot premises shall not result in light levels exceeding the recommended maximum values defined in Table 2.1 of Australian Standard AS4282:1997. For the purposes of assessing compliance, 'Curfewed Hours' are defined as 10 pm to 6 am. The recommended maximum values in Table 2.1 of Australian Standard AS4282:1997 for Pre-curfew hours shall apply at all other times.
 - b. Site external lighting shall not cause an environmental nuisance at or beyond the boundary of the development by use of external lighting comprising appropriate luminaires which are directed downward onto the site to minimise light spill and glare beyond the site to achieve the recommended maximum light levels required by Condition 1.
217. There should also be a condition requiring compliance with the site Environmental Management Plan and best practice etc. This could possibly be such as:
- a. From commencement of operations, the activity must be operated at all times in accordance with the Environmental Management Plan (EMP) approved by XXXXX on XXXX. The EMP shall be reviewed periodically to ensure that all potential sources of environmental harm are identified in the SBEMP, and measures to address these sources such that the occurrence of environmental harm is prevented are incorporated. Any amendments and updates of the approved EMP shall be available for public comment prior to endorsement by the relevant department.
218. Problems with the current EA that must be avoided by amending this EA.
- a. Must not rely on complaints before monitoring, or where levels are exceeded, remedial actions are required.

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- b. Must require adequate monitoring to ensure that people are not subjected to higher levels of dust and noise than the EPP limits.
- c. Government must make the mine take actions to reduce adverse dust and noise and water (e.g. ground water, rain water) impacts etc. even if a complaint is not received at that location.
- d. Must keep current and not be allowed to end up with a situation that specifically allows more dust and noise at people's homes than EPP / state regulations under the EP Act
- e. Under the current EA even causing higher than these EA trigger levels is not considered a breach of conditions unless:
 - i. It coincides with a complaint to the government (in the proper format) → which can be very stressful and something many people just wouldn't do
 - ii. There is accepted monitoring data proving this higher level
 - iii. The government and / or the complainant got the data.

This must not be the situation under any EA in the future.

219. The proponent must be required to give sensitive receptors data about impacts at their own place (this is not currently the case and has been very problematic). The draft EA must be amended to rectify this.
220. Government must be willing to actually do the monitoring (even if billing the proponent for it)
221. Monitoring locations and times must not be at the discretion of the proponent (as this can be timed and located to reduce the levels of dust or noise detected depending on weather conditions, particular operations taking place etc.).
222. Government resources are often quoted as being limited and the reason the government prefers the mining companies to do the monitoring. Also, it is often too expensive for adversely impacted individuals and other neighbours to hire experts to get monitoring done on their behalf. Further, there is lots of opportunity for bias if the company does the monitoring (such as through choice of timing and location of monitoring of what operational things are occurring and their location at the time). Hence, it would seem appropriate for the government to require sufficient financial compensation from the proponent to allow the government to thoroughly monitor the performance of the project to ensure compliance and to ensure that remediation activities actually achieve their goals.

Concluding comments

223. Fundamentally government has a responsibility to ensure that the proposal is thoroughly assessed and to refuse projects that are likely to cause environmental nuisance or harm or which the government will not have the resources to monitor and regulate effectively.
224. I still do not believe that the proposed project can be operated without causing in appropriate environmental impacts. As such I do not think that an EA should be issued to facilitate stage 3. However, as a minimum, if one is issued it must at least be amended to address the issues noted above.

Submission form

Application or amendment application for environmental authority

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73			Telephone: s.73
			Facsimile: s.73
			Email: s.73
2	Name		
Postal address			Telephone:
			Facsimile:
			Email:

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

When completed, this form should be forwarded to the address detailed on the public notice. Submissions must be received on or before 4.30pm on the last day of the submission period.

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☒ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☐ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date: 29/06/2015	
Submitter name	s.73
Submitter contact details	s.73

<p>To: Department of Environment and Heritage Protection, GPO Box 2454, Brisbane Qld 4001</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>	
<p>Attention:</p> <p>(Insert contact officer's name)</p>	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	577747
Tenure:	MLA50232

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission:

Underground water aquifers depleating.

Dust from blasting with dangerous gas.

Dust from general mining.

Noise from blasting.

Noise from mining machinery.

Lights.

Diverting of natural water flows.

Changing of the natural beauty of landscape.

Overall environmental damage to our country from coal mining.

Facts and circumstances relied on in support of the grounds of the submission:

Adjoining land owners already seeing water levels dropping.

There has been one alleged release of dangerous gases.

As we are approx s.73 from existing mine site, we already are beeing affected from noise when blasting and mine machinery. Which has resulted in us making complaints to New Acland Coal.

Due to the natural ground contour and lagoon creek, stage 3 will dramaticly change water run off.

As seen with the existing mine the natural landscape has changed forever.

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: s.73 Email: s.73
2	Name s.73	
Postal address as above		Telephone: Facsimile: Email:

Submission form

Application or amendment application for environmental authority

3	Name s.73 		
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Postal address as above	Telephone: Facsimile: Email:		
4	Name s.73 		
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Postal address	Telephone: Facsimile: Email:		

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Environmental Protection Act 1994

Application or amendment application for environmental authority

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**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

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Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Department of Natural Resources
& Mines

29 JUN 2015

ROCKHAMPTON

Release

Submission form

Application or amendment application for environmental authority

Date: 24/06/2015
Submitter name: s.73
Submitter contact details s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au (Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)
Attention:	Melissa Munro (Insert contact officer's name)

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Submission form

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Release

Submission form

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Co
1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
 13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
 14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
 15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and

Release

Submission form

Application or amendment application for environmental authority

regional economics due to the resulting impacts on agriculture.

17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.
18. The adverse environmental and related impacts to groundwater are contrary to the public interest, demonstrate an inappropriate use of the land as opposed to current use, and therefore provide good reason to refuse the applications.

Air quality

19. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
20. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.
21. Reports of a local school ground being covered in a black dust and solar panels covered with black dust shows that the air quality is not acceptable for our health and well being.

Noise and vibration

22. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
23. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Surface water

24. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
25. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Biodiversity

26. If the project proceeds, it will have an unacceptable impact on biodiversity.
27. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
28. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate

Economic and social matters

29. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
30. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
31. After watching the ABC Four Corners Program aired on TV 15-6-15 it seems that the future of coal is very uncertain. Why put the future of agriculture at risk for the short term gain from coal. Agriculture can provide jobs for many decades to come.

Release

Submission form

Application or amendment application for environmental authority

Climate change

32. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
33. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
34. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Each entity to this submission must be stated below:

1	Name <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>		
	Postal address <div style="background-color: black; width: 250px; height: 60px; margin-top: 2px;"></div>	Telephone: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div>	<div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Facsimile: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Email: <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>
2	Name <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>		
	Postal address <div style="background-color: black; width: 250px; height: 60px; margin-top: 2px;"></div>	Telephone: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div>	<div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Facsimile: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Email: <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>
3	Name <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>		
	Postal address <div style="background-color: black; width: 250px; height: 60px; margin-top: 2px;"></div>	Telephone: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Facsimile: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Email: <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>	
4	Name <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>		
	Postal address <div style="background-color: black; width: 250px; height: 60px; margin-top: 2px;"></div>	Telephone: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div> Facsimile: <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div>	

Submission form

Application or amendment application for environmental authority

	Email:
5	Name
Postal address	Telephone: Facsimile: Email:
6	Name
Postal address	Telephone: Facsimile: Email:
7	Name
Postal address	Telephone: Facsimile: Email:

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Release

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

When completed, this form should be forwarded to the address detailed on the public notice. Submissions must be received on or before 4.30pm on the last day of the submission period.

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Department of Natural Resources
& Mines

29 JUN 2015

ROCKHAMPTON

Release

Application or amendment application for environmental authority

Date: 23 rd June 2015	
Submitter name: s.73	
Submitter contact details: s.73	
s.73	Telephone: s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)	
Attention: Melissa Munro	
(Insert contact officer's name)	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

s.73 in an area that New Hope even acknowledges there will be a lowering of bore water levels.

b/ There can be no doubt that the expansion to stage 3 will impact s.73

s.73 The Stage 3 of the mine will create problems for us by noise pollution, dust and particulate pollution, light pollution and very critically possible loss of our water. The currently operating stage 2 of the mine is more isolated from the farming population because all the land for a much greater radius from the mine was purchased for its future expansion. We know that even now the noise from the current stage 2 of the mine is unpleasant, s.73 the noise from the stage 3 will be unbearable, the sort of thing that causes mental illness and suicide.

c/ We live approximately s.73 kilometres from the stage 2 of the New Hope Corporation New Acland Coal mine, we see first hand every day the destruction and degradation of the landscape caused by it. s.73

s.73 The land being mined by New Coal can never be rehabilitated back to prime agricultural land. The massive voids will eventually become lakes with a high likelihood of containing non-potable water and the piles of spoil are steep with very shallow topsoil suitable for minimal grazing only.

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.

Application or amendment application for environmental authority

11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

RTI DL RELEASE - EHP

Release

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.

1. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
2. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
3. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
4. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
5. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
6. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
7. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
8. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
9. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
10. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
11. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
12. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
13. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
14. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Release

Application or amendment application for environmental authority

Groundwater

15. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.

16. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts. The Environmental impact statement submitted by New Hope in support of this stage of the mine admits there will be impact on s.73 water table, they have somehow estimated that there may be a 2 metre drop in the water table s.73
s.73

17. To quote the Peer Review of the EIS:3.7.2 Presentation of Results - 'Once mining and dewatering activities cease the groundwater levels in the adjacent areas recover. The model simulates the groundwater recovery post mining for 300 years. This provides sufficient time for the lakes that will form in the voids to reach equilibrium (Generally within 200 years)' We can all see the deep problem facing those of us who rely on those shallow groundwater aquifers which will drain into this lake. Some aquifers may recover in 80 years some may never recover. It is a disaster for us.

18. The convincing Environmental Impact Study (EIS) done by New Hope Corporation s.73
s.73 Basalt water aquifer level is misleading and incomplete as indicated in the Peer review. (see Appendix C in Appendix N of the supplementary EIS)

Air quality

19. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.

20. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Noise and vibration

21. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.

22. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.

23. We live approximately s.73 from the currently operating stage 2 of this mine, we hear the mine quite clearly now, we know that the noise level of the much closer Stage 3 will be unbearable.

Surface water

24. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.

25. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Application or amendment application for environmental authority

Biodiversity

26. If the project proceeds, it will have an unacceptable impact on biodiversity.
27. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
28. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.
29. We have a severely declining population of Koala s.73
s.73

Economic and social matters

30. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
31. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
32. There were a number of high value agricultural enterprises that have already been lost to the first stages of this mine, and if this proposed stage 3 goes ahead there will be further highly advanced farming businesses that will be severely affected or lost. The spin off damage to the district community is well documented.

Climate change

33. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
34. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
35. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Each entity to this submission must be stated below:

1	Name s.73	s.73
	Postal address s.73	Telephone: s.73 Facsimile: s.73

Submission form

Application or amendment application for environmental authority

s.73 <div style="background-color: #cccccc; height: 40px; width: 100%;"></div>	Email: s.73 <div style="background-color: #cccccc; height: 40px; width: 100%;"></div>		
2	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; vertical-align: top;"> Name s.73 <div style="background-color: #cccccc; height: 20px; width: 100%;"></div> </td> <td style="width: 60%; vertical-align: top;"> s.73 <div style="background-color: #cccccc; height: 40px; width: 100%;"></div> </td> </tr> </table>	Name s.73 <div style="background-color: #cccccc; height: 20px; width: 100%;"></div>	s.73 <div style="background-color: #cccccc; height: 40px; width: 100%;"></div>
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RTI DL RELEASE - EHP

Further information for submitters:

Application or amendment application for environmental authority

Amendment of a submission

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Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EHP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Department of Natural Resources
& Mines

25 JUN 2015

ROCKHAMPTON

Release

Submission form

Application or amendment application for environmental authority

Date: 18 th June 2015	
Submitter name	s.73
Submitter contact details:	s.73 email s.73

To: Mines Lodgement Office Department of Natural Resources and Mines PO Box 3679 Red Hill Qld 4701 (Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)
Attention: Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216 and lease applications 50232 and 700002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Submission form

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

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Submission form

Application or amendment application for environmental authority

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
- the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.

See Attachment A

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73		Telephone: s.73	
		Facsimile:	
		Email: s.73	
2	Name s.73		
Postal address s.73		Telephone: s.73	
		Facsimile:	
		Email: s.73	
3	Name		
Postal address		Telephone:	
		Facsimile:	
		Email:	
4	Name		
Postal address		Telephone:	
		Facsimile:	
		Email:	
5	Name		

Submission form

Application or amendment application for environmental authority

Postal address	Telephone: Facsimile: Email:
6 Name	
Postal address	Telephone: Facsimile: Email:
7 Name	
Postal address	Telephone: Facsimile: Email:

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Release

Attachment A

Facts and circumstances relied on in support of the grounds of the objection:

Mine and application process

1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the *State Development and Public Works Organisation Act 1971*, for which an environmental impact statement (EIS) was required.
7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions.
12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
13. In April 2015, the Proponent applied under the *Environmental Protection Act 1994* to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to resulting impacts on agriculture. The mine offers make good arrangements with landholders, but the arrangements are implicated at the mines discretion, thus putting the onus of proof of lost supply on the landholder.^{s.73}
s.73 .How good are these arrangements if New Acland

abandons the mine. 3.5 ML a day will drain from aquifers onto the mine-this is someone's water supply.

17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts. See Peer Group assessment of ESI report. The report states there will be drawdown of water for at least one hundred years ,possibly continuing for hundreds more. The report states 198 registered bores to be affected. Many bores in this area are not registered as they are old bores still functioning very productively.. Groundwater does not recognize a line drawn on a map. Without groundwater the surrounding area becomes unproductive .
18. The adverse environmental and related impacts to groundwater are contrary to the public interest. Without groundwater productive agriculture can not continue in this area. Land without water is useless. Even the mines rehabilitated site [contrary to reports] can only be utilized by carting water for livestock or watering from supply points away from the site. There is no water under the rehabilitated site... Many residents rely on groundwater for household use. We do not have a town water supply in this area

Surface Water

19. Contaminated runoff from the mine feeds Lagoon Creek . The runoff from the haul road forms a black sludge which also feeds Lagoon Creek. Under certain conditions the mine is allowed to release contaminated storage water into Lagoon Creek. Lagoon Creek eventually feeds into the Murray Darling River System.

Air quality

20. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
21. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.
22. The adverse impacts on air quality are contrary to the public interest. .
23. The past performance of the proponent with regards to air quality has not been satisfactory.
There is a constant pall of dust in the air in the surrounding districts where once we lived in a clean air environment. This has to have a long term impact on health of all who live in this and surrounding areas. The problem is exasperated when blasting takes place.

Noise

24. If the project proceeds, it will have unacceptable noise impacts on human and environmental health. This will also adversely affect social values of the region.
25. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.
26. The adverse impacts of noise are contrary to the public interest.

Strategic Cropping Land

27 Stage 3 proposes to mine country that is classified as Strategic Cropping Land and Prime Agricultural Land . This land can never be rehabilitated to it's original state. The present rehabilitation of Stage 2 is only returning agricultural land to grazing land which is [contrary to reports] only used sporadically as it has no permanent water supply and the grass is not consistent because the soil structure will not hold moisture New Acland is also not utilizing Strategic Cropping Land that they now own so, after a period of time it will no longer have that classification.

Effects On The Economy

This land has been producing food and fiber for the nation for over 100 years and will continue to be for generations to come. The mine has a life of 12 years after which the land will be unproductive, not able to support any viable farming. Employment at the mine is not guaranteed as has been made clear by the recent downturn in the resource industry. The potential for job creation in this region is being driven by other sources, mainly

Release

agriculture based . Oakey Abattoir is expanding and will increase their workforce by an anticipated 600 people. A proposal for an abattoir at Wellcamp will employ 350. Both of these projects will rely on supply of livestock and the mine will consume land which would be used for cattle and grain production. The second range crossing and future development at Wellcamp Industrial Centre will both be future sources of employment. If rural producers adjacent to the mine have to end their enterprises because of lack of underground water the effect on the community will be enormous- not just in the present but this land will be unproductive forever.

Terms of Lease

New Acland is applying for a 40 year lease when the proposed Stage 3 is only a 12 year project. This implies the company has future plans for a Stage 4 and 5 mine. With the uncertainty of the resource industry and the plummeting coal prices what time frame does this mine have. Will the area have to suffer through disruption and environmental carnage and have the mine close in 1 or 2 years time. Will it then be left a gaping hole in the ground for years until New Acland decide to resume mining or the company closes. With seven major industrial countries agreeing to phase out coal consumption why would a new mine be sanctioned to cause environmental harm and contribute to pollution and climate change.

Impacts on Community

The mine has a disruptive impact on our community splitting allegiance between those for the mine and those who wish to maintain a productive rural environment producing food and fibre. This area should not be considered suitable for a mine of any kind because

- A] The landholder's constitutional right to freehold land and ground water supply for themselves and stock.
- B] The proximity to towns – Oakey- Jondaryan- Kulpi and the city of Toowoomba, through which the trains have to go.
- C] The close proximity of dwellings
- D] The quality of the agricultural land in the mine footprint

Release

Comments on an application by New Acland Coal Pty Ltd for a Mining Lease and an amendment for an Environmental Authority EMPL00335713

30 June 2015

Submission to :

Mines Lodgement Office – Rockhampton
Department of Natural Resources and Mines
PO Box 3679
RED HILL, Qld 4701

coalhub@dnrm.qld.gov.au

s.73

On many occasions I have driven from Oakey to the Goombungee - Brymaroo Road, and through Acland to the road to Jondaryan. Also I have joined a group tour of the present Acland coal mine. The loss of farmed land, diverse agricultural production and farming families has already had a serious economic impact on local townships, especially Oakey. Further losses will surely accompany expansion of the coal mining operations.

Security of fresh water supplies and the most productive agricultural land (suitable for both summer and winter cropping with reliable rainfall and water supplies for irrigation if necessary) is essential for not only the future of Australian agriculture but also for agricultural exports. Such land and water resources surround the present Acland coal mine.

s.73

There are some major concerns if Acland Stage 3 proceeds.

1. Lowering of the water table, impediment of aquifers and a reduction of bore water supplies for the surrounding farms, possibly including Jondaryan. I have yet to find

instances where “make good” provisions have actually worked in practice for farmers whose water supplies have been depleted by mining operations.

2. The loss of cropping land. While rehabilitation of the mine site may be accomplished for grazing it has yet to be shown that cropping can be resumed in the foreseeable future, especially where there are black cracking clay soils (Vertosols).
3. The loss of habitats of native wildlife, trees and plants.
4. The departure of farmers in surrounding areas that will be affected by mine dust, the sound of blasting, crushing and wash plant operations, trucks night and day, many of whose livelihoods will be financially devastated because their land no longer has a realistic resale value.
5. The inevitable mine pits left afterwards, curiously described as “voids” in reports. Who knows what these may contain, especially in terms of contaminated and saline water that may seep into aquifers ?

In terms of energy generation, the less productive land (for agriculture) can provide sites for solar arrays capable of providing amazing electricity supplies almost indefinitely into the future.

The long term economic viability of this area of the Darling Downs and security of tenure for farming ventures should not be jeopardized for the short term economic gains from expanded mining development.

s.73

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

Note: For more information about making a submission or for confirmation of the correct address to which submissions should be sent, please contact Permit and Licence Management, Department of Environment and Heritage Protection: via email at palm@ehp.qld.gov.au; by phone on 13 74 68; or by mail – GPO Box 2454, Brisbane Qld 4001.

For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Department of Natural Resources
& Mines

30 JUN 2015

ROCKHAMPTON

Release

Submission form

Application or amendment application for environmental authority

Date: 28 th June 2015
Submitter name: s.73
Submitter contact details: s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au (Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)
Attention: Melissa Munro (Insert contact officer's name)	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Submission form

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

Dust(air pollution) and diesel smog pollution

Noise

Climate Change

Potential water loss

Prime agricultural land lost

also

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.

Release

Submission form

Application or amendment application for environmental authority

12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long

Release

Submission form

Application or amendment application for environmental authority

rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).

13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.
18. s.73

Air quality

19. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
20. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.
21. With a gusty wind event that precedes a storm coming from the south, we have witnessed clouds of black dust coming from stage 1 and 2 mines. This dust travels several kilometres north along Cain Creek Valley. We have also witnessed diesel fuels, dust, smog haze. s.73

Noise and vibration

22. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
23. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.
24. The noise will increase substantially as the operations of the proposed Stage 3 move closer to our farming operation. Heavy machinery and vehicular traffic in the mine will increase and we will have added noise from the proposed rail link.

Surface water

25. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
26. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Economic and social matters

27. If the project proceeds, it will have adverse economic and social impacts on local, regional, and

Submission form

Application or amendment application for environmental authority

State economies and communities.

28. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
29. **Agriculture in this area has provided jobs and business for locals. Some business houses in oakey have already suffered a down turn because of mining. Jobs provided by the rural sector are sustainable as opposed to the jobs in the mining sector. They can not be relied upon due to the boom and bust nature of mining, brought about by changes in supply and demand.**

Climate change

30. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
31. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification.
32. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.
33. We are concerned about climate change. Fifty years ago the winter harvests would start in early November, Now the harvesters are going late September to harvest winter crops. The winters are starting later and any oats crops that are planted early autumn struggle. This mine will accelerate these issues.

Taking into consideration the current and prospective uses of that land, the proposed mining operation is not an appropriate land use. We object to stage three of the Acland mine going ahead.

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73		Telephone: s.73	
		Facsimile:	
		Email:	
2	Name s.73		
Postal address s.73		Telephone: s.73	
		Facsimile:	
		Email: s.73	
3	Name		

Submission form

Application or amendment application for environmental authority

Postal address	Telephone: Facsimile: Email:
4	Name
Postal address	Telephone: Facsimile: Email:
5	Name
Postal address	Telephone: Facsimile: Email:
6	Name
Postal address	Telephone: Facsimile: Email:
7	Name
Postal address	Telephone: Facsimile: Email:

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Release

Submission form

Application or amendment application for environmental authority

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

RTI DL RELEASE - EHP

Release

Submission form

Application or amendment application for environmental authority

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Release

Application or amendment application for environmental authority

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

RTI DL RELEASE - EHP

Submission form

Application or amendment application for environmental authority

Date: 30/06/15	
Submitter name: s.73	
Submitter contact details: s.73	Tel: s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)	
Attention: Melissa Munro (Insert contact officer's name)	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

Submission form

Application or amendment application for environmental authority

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

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Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
 13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
 14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
 15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts. For example, NAC stated in their additional EIS (AEIS) that:
 - a. the groundwater model does not incorporate pre-mining data. Ideally, pre-mining data would be incorporated into the calibration of the model since it represents the true 'baseline' for the site.
 - b. the comparison of values between the model and local pump tests indicates that the Walloon Coal Measures represent a more important aquifer locally than it is regionally, but do not appear to have appropriately reflected this within their risk management component.
18. It is worth noting that NAC has made significant reductions (over. 50%) in the projected evaporation rates for the final voids between their EIS and AEIS, which (alongside some minor amendments to the groundwater model methodology) has resulted in significant changes in the depths of the final voids and conclusions regarding long-term salinity. While NAC defend this significant change in their modelling methodology, it is worth noting that the original evaporation rates were based on local empirical evidence that is consistent by local farmers understanding. It is therefore unclear why, given the significant differences in the two BOM datasets (both published in 2011) for evaporation, NAC failed to utilise the now preferred dataset in the first place. While other enhancements to the groundwater model appear based on additional data, the switching over the BOM datasets makes little logical sense. Irrespective of this switch in input data, and consequent changes in modelling results, the loss of groundwater from several important formations in the local area will be significant. Importantly, the groundwater impacts from this transient operation are not themselves transient but permanent, continuing to impact the local landscape (and future land uses and users) in perpetuity. The long-term impacts do not appear to have been adequately addressed by NAC.
19. Estimated groundwater losses for this project do not account for cumulative impacts from NAC's previous Stages (1 and 2) to date. NAC's 2006 Stage 2 EIS (Chapter 4, Table 4-26) uses historical and projected mine pit dewatering to total 12.21 Gigalitres for Stages 1 and 2 combined. This roughly equates to 4884 Olympic sized swimming pools of water lost from the groundwater system. The omission of historical impacts in this regard can be considered a serious flaw to the project proposal and assessment of its impacts.

Air quality

20. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. The impacts are likely to be particularly impacting on sensitive receptors in the near vicinity of the proposed operations. This will also adversely affect social values of the region.
21. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts. For example, NAC do not include construction activities in their modelling for air quality impacts within their EIS and AEIS, suggesting such impacts will be too short-lived and negligible to be worth their inclusion. However, considering the construction period for mine, mine infrastructure and rail spur/loop, and decommissioning of the Jondaryan rail loop, is approximately 2 years, and the proximity to some sensitive receptors, it would seem appropriate that NAC should have at least modelled these parameters, rather than dismiss them out of hand without any supporting data.
22. Similarly, NAC state in their EIS that "...current assessment procedures using dispersion modelling, local meteorological data and NPI emission estimation techniques can provide some confidence that predictions are accurate to within a factor of two." Accuracy to within a factor of two, in cases such as this where a large number of sensitive receptors are predicted to be regularly close to statutory air quality maximums, appears to be inadequate. If the inherent error

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in NAC's predictive approach for air quality is known and understood to be this significant, this should be reflected in the maximum predictive air quality levels for surrounding sensitive receptors after NAC's "adaptive management" measures are in place (i.e. with a breach of air quality objectives >50, and known model accuracy being two-fold, the maximum predictive air quality level should not be greater than 25).

23. There remains significant health concerns for nearby residents as a result of detrimental impacts on surrounding air quality. For example, there is an increasing amount of data that points towards chronic adverse health impacts on communities surrounding coal mines. For example, a University of Sydney review in 2012 focussed on international and local evidence for health and social impacts on local communities by coal mining (Colagiuri *et al.*, 2012). Results cited "clear indications from international health research literature that there are serious health and social harms associated with coal mining, with local communities to coal mines exhibiting higher mortality rates, higher rates of cardiopulmonary disease, hypertension, kidney disease, asthma and a reduced quality of life. Further detailed information can be found at: http://sydney.edu.au/medicine/research/units/boden/PDF_Mining_Report_FINAL_October_2012.pdf
24. The adverse impacts on air quality are contrary to the public interest, demonstrate an inappropriate use of the land as opposed to current use, and therefore provide good reason to refuse the applications.
25. The past performance of the proponent with regards to air quality has not been satisfactory. I understand that empirical evidence supports numerous breaches of relevant air quality environmental and health national standards at Jondaryan (in the vicinity of the coal stack).
26. Historical data at the Jondaryan coal loading facility has demonstrated frequent breaches of relevant air quality guidelines. The proposed Materials Handling Facility is of similar (if not greater) dimensions and it is being moved within 2-3km of new sensitive receptors s.73 and is of great concern regarding the potential for detrimental impacts on my family's health.
27. It is understood from NAC's EIS and AEIS comments that they intend on examining the feasibility of commercially extracting basalt on the mining lease. s.73
28. Within the EIS and AEIS, NAC have adopted a dust deposition background average of 63 mg/m²/day. Within NAC's Stage 2 EIS (Chapter 6 – Air Quality, Page 6-7, Table 6-4) NAC adopted a pre-mining background dust deposition of 16 mg/m². This raises two key points:
- NAC are effectively assuming responsibility for an increase in background dust deposition levels of approximately 47mg/m² since NAC's Stage 2 EIS.
 - The NAC Stage 2 EIS is based on production limit of 4Mta (despite current production being at approximately 4.8Mta). An increase of mining productivity to 7.5Mta (as proposed in the NAC Stage 3 EIS) represents an increase of 87.5% from the 4Mta relied on for data in NAC Stage 2 EIS. A proportional increase in background dust deposition levels would result in an additional 41.1mg/m² to the background dust deposition levels from direct contribution of the mine, which in turn results in an increase in background dust deposition levels of nearly 90mg/m² since NAC's Stage 2 EIS.

Noise and vibration

29. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. The impacts are likely to be particularly pertinent for sensitive receptors in the near vicinity of the proposed operations. This will also adversely affect social values of the region.
30. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts. For example, based on the noise modelling NAC admit that despite implementation of mitigation measures, "...the predicted noise levels from the mining operation

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will still exceed EHP's *Planning for Noise Control Guideline's* Planning Noise limit (PNL) at a number of noise sensitive receptors." NAC surmises that "By implementing noise management and mitigation measures including reduced night time operation and using attenuated equipment (noise attenuation of noisier equipment including excavators, track dozers, loaders and rear dump trucks), the predicted noise levels from the mining operation will meet EPP (noise) $L_{Aeq,adj,1hr}$ (noise level targets) at all noise sensitive receptors over the life of the revised Project." There are several key issues with this admission by NAC; these being:

- a. NAC are unable to meet appropriate noise levels for their Stage 3 project under ordinary operating conditions
 - b. The elements of noise control proposed by NAC to be implemented *has* to be best practice and *not* fall short of this standard
 - c. Given the importance of NAC implementing best practice standards, it should be effectively enforced (i.e. through third party audit) in NAC's environmental authority
31. The adverse impacts of noise are contrary to the public interest, demonstrate an inappropriate use of the land as opposed to current use, and therefore provide good reason to refuse the applications.

32. s.73

Biodiversity

33. If the project proceeds, it will have an unacceptable impact on biodiversity.
34. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
35. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.
36. It is worth noting that Harris (1999) characterises the Acland area as possessing "...a range of fertile soils with a desirable climate which is capable of growing a wide variety of crops and producing quality livestock." Indeed, on page 4-44 NAC allude to the historical and continued presence of significant dryland cropping in the region.
37. It is only right that NAC's measures to mitigate its environmental harm, should be consistent with the Ecologically Sustainable Development's (ESD) "polluter pays" principle, i.e. those who generate pollution and waste should bear the cost of containment, avoidance or abatement. However, NAC's views within their EIS and AEIS still appear to betray a very short-sighted approach that results in the long-term ESD principles being compromised to allow short-term financial gain. Importantly, NAC's reduction of the viable agricultural capacity of the impacted land will stretch over thousands of years. Given future concerns regarding climate change, it is likely that cropping land will be far more sensitive to such changes than grazing land. Considering the increased demand for agricultural production over the coming decades, and sensitivity to extraneous parameters such as climate change, it still doesn't appear to make much *long-term* sense.
38. The proposed project area lies within a "Priority Agricultural Area" (PAA). The focus of NAC's

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contention appears to be that the existing land is poor quality grazing, while the quality of the grazing it "may" be replaced within post-mining is barely touched on. Rather, it is generically lumped in a 'grazing land' category in the hope that the reader will assume it's a comparison of apples with apples. The fact that it lies within a PAA indicates that the Acland area is recognised as a useful area for future agricultural. Despite the obvious significant flaws in the proposed Regional Planning legislation (such as very low apparent protection of PAA's on land owned by the proponents of major resource projects, such as NAC in this instance), historical records show that a significant portion of land surrounding the proposed mining area was cropping land. The fact that much of this land has not been used for cropping ever since NAC took ownership (appearing to thereby reduce its agricultural capacity) should not be mistaken for land that is not capable of being used for cropping at all, as suggested by NAC.

39. There are 1,361 hectares proposed to be mined by NAC that falls within potential SCL. This is a very large area that could otherwise be utilised for cropping and other agricultural production. In addition to sterilising the area for the coming decade, NAC's proposed operations will quasi-sterilise the mined area for, essentially, all time. The resulting soils will be a poor reflection of their former selves, and while NAC may project that the land will still have capacity for grazing, the land will lose indefinitely (for thousands of years) any flexibility to shift towards dryland cropping in the region.

Economic and social matters

40. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
41. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.
42. In their EIS, NAC restricts the economic risk for the Project on reduction in agricultural output to \$37 million, contending that "It is expected that rehabilitation during de-commissioning would return the majority of impacted land to a state suitable for agricultural production and therefore impacts are not estimated beyond this period. This is a very big and apparently misleading assumption to make by NAC. While some degree of agricultural production may be possible post-mining, this is likely to be limited to grazing – and likely poor quality grazing at that. NAC's much cited trials that offer no quantitative data to date (as previously mentioned). Table 17-17 (page 17-27) in NAC's EIS clearly shows that of the \$2.31 million estimated impact of the proposed Stage 3 on agricultural output (gross output) per year, approximately \$1.31 million (57%) of this total impact is from cropping, while only \$0.1 million (6.1%) of this total impact is on grazing. While low quality grazing may be able to continue at some parts of the rehabilitated mining land, the cropping will essentially be an infinite impact. It could take thousands of years to redress the impact of the mining to allow cropping on post-mining land, which translates into a considerable impact on the long-term economics of this area. Considering the increased importance of good quality cropping land outlined by the State Government in recent times, and the quarantining of this land from future cropping use, the full extent of potential economic impacts on the economy is considerable.
43. The only access to Acland will be from the south, which will disrupt a large number of local community residents that rely on the route through to the north of Acland. These include people working in Oakey and Toowoomba, tourists heading to the Bunya Mountains and visiting the Jondaryan Woolshed. In particular, the remaining residents of Acland, who have suffered so much at the hands of Acland Mine and NAC, will have an approximate 12km additional travel time/costs every time they wish to head northwards. This seems particularly unacceptable as there is no mine pit or insurmountable infrastructure that would render access to Acland from the north unsafe. It is clear that isolating the township of Acland like this does not fulfil any advantage to the local community but instead appears to set NAC for a future 'Stage 3b' where the remainder of the initially proposed Stage 3 is attempted.
44. The systematic dismantling of the Acland township has been very sad to witness for the local community and few remaining Acland residents. While NAC appear to continually underplay their role in Acland's recent demise, it seems clear that Acland township would not be in the same

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situation had NAC failed to progress previous mining stages. While Acland may have observed a decline during the 1950-60's, NAC themselves acknowledge that there had been a resurgence in the township's population prior to NAC beginning Stage 1 of the mine in early 2000's. This fits more closely with a waxing-waning pattern of most small townships over time, rather than the inevitable demise of the Acland that NAC prefer to preach. It is worth noting that much of the decline in Acland township, and the absence of key community buildings that would add to the 'fabric' of the area (local shop, church's, post office, service stations) is directly due to the systematic dismantling of the community and infrastructure by NAC to expand their mining operations. Acland has a long and proud history, including being the 1st Tidy Town's winner.

45. The continued operation of NAC in the Acland area, through stage 3 being approved, would guarantee the continued division within the broader community between locals that are opposed to the mine and workers in the broader community. Throughout stage 1 and 2, those opposed to the mine have been targeted by pro-mine agitators, resulting in social exclusion and even the children of anti-mine locals being bullied in school by pro-mine contemporaries.

Climate change

46. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
47. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.
48. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean acidification. For example, the EIS provides a greenhouse gas (GHG) inventory for scopes 1 and 2. While polluting industries are only required by law to report to NGERS on scopes 1 and 2 at this stage of the polluter, there would seem a moral responsibility to consider scope 3 emissions in the decision over whether the Stage 3 mine expansion should occur.
49. NAC state in their stage 3 EIS that the mine will produce approximately 0.18 Mt CO₂-e in GHG annually for the life of the mine. This amounts to an approximate total of 2.16 Mt CO₂-e. This is equivalent to approximately 1.6% of Queensland entire greenhouse gas emissions and represents a significant additional environmental burden on the efforts to reduce human-induced climate change.
50. NAC state in their EIS that the operation of the Phase 3 project would increase GHG emissions by 0.055 Mt CO₂-e on existing GHG emissions. However, this would seem an unfair and inappropriate comparison since the Acland Mine operations would otherwise be completing in 2017 and GHG emissions would be zero.

Further details on these environmental concerns are outlined in the attached AEIS submission – **Attachment 1**. Please note the cover letter for the AEIS submission that provides guidance to the reader on how to review the submission.

Additional comments that I have specifically regarding the draft environmental authority (EA) conditions within the Coordinator General's report include:

Major Comments:

51. The key tenets of the EA that facilitate actions or responses still appear to be receptor complaint-based, which encourages a proponent culture that is 'reactive' to existing faults rather than 'proactive' toward best practice. A system that encourages best practice through use of ISO14001 environmental management systems (EMS) framework principles should be required of the proponent so that their operations facilitate a proactive rather reactive culture. An EMS approach may result in less frequent receptor complaints and less resources required of the

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administering authority, since regulatory involvement would be through regular audits of systems/procedures (and demonstration that the respective systems/procedures are being implemented) that incentivises the maintenance a high standards, rather than wielding a 'stick' to help avoid inadequate standards. It's relatively transparent principles may then help develop trust between the proponent, receptors and regulators.

52. The current draft EA provisions still rely upon the proponent to record and address all receptor complaints directed at them. This system fails to offer a clear link to the administering authority for any receptor should they wish to advance their concerns and it provides no check on the proponent for how it deals with such complaints. There have been a number of previous incidents whereby a receptor has complained to the proponent (NAC) in the mistaken belief that the proponent has an obligation to at least notify the administering authority of the complaint and relevant response. Inclusion of the administering authority in such complaint management processes promotes confidence for the complainant as it provides an additional incentive for the proponent to effectively address the complaint.
53. Condition A3: the maintenance and operation of measures, plant and equipment in a "proper and efficient" condition/manner appears to be very subjective and offers misdirected regulatory oversight. A more beneficial conditioning would be to refer to all measures, plant and equipment being maintained in a condition that achieves compliance with the relevant standard or 'best practice' guideline or other document. This reduces the subjectivity from the condition and looks to achieve an appropriate 'best practice' outcome.
54. Conditions A10-A11: the notification of emergencies, incidents and exceptions appears limited to those that result in the "release of contaminants" (A10), which significantly constrains the scope of issues that the proponent is required to notify about. Similarly, the reporting to the administering authority appears limited to "results and any interpretation of any samples taken and analysed". This appears unacceptable since there exists a wide variety of incidents or emergencies that require a variety of environmental management responses. The conditions should be worded as such in order to facilitate an appropriately focussed notification and assessment process.
55. Condition A14: a third party audit of the proponents EA every 3 years (maximum) is unacceptable and contravenes typical auditing requirements under most ISO frameworks. An annual third party audit would appear a more appropriate frequency for a third party audit, and in keeping with timeframes for ISO frameworks such as 14001 and 9001.
56. Condition B1: the use of term "reasonable and feasible" appears very subjective and provides a loop-hole to the proponent. This requires a shift in focus of this condition from "reasonable and feasible" that encourages reaction to poor environmental management, towards reference to adherence to relevant standards and procedures that encourages maintenance of best practice operations.
57. Condition B1(b): the allowance of 5 exceedance per year provides a clear loophole to the proponent in the adherence to the EA. Surely the EA should be conditioned such that the proponent should be required to meet all conditions all of the time it's in operation.
58. Condition B3: As an example, all references to management plans (such as the air emissions management plan referred to in condition B3 and the erosion and sediment control plan in condition F19) should include a requirement to make these management plans available to receptors upon request. This would facilitate a more transparent framework that could cultivate more trust between the polluters and the receptors.
59. Condition C2: The requirement for the proponent to avoid "environmental harm at any sensitive place or commercial place" limits the scope of impact response since the burning of vegetation could also result in environmental nuisance upon receptors. As such, the condition (and similar examples throughout the draft EA) should instead refer to the relevant component of the *Environmental Protection Act 1994*.
60. Condition D2 (and associated Table D1b): this condition should utilise the relevant noise standards outlined within the EPP (Noise). The exceedance of these standards requires receptors to consistently accommodate sub-standard living conditions, which should not be allowed.

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61. Condition D6: This condition requires the proponent to achieve compliance with Table D2 for 90% of its blasting operations; however Table D2 itself requires compliance with 9 out of 10 (or 90%) consecutive blasts. As such, it is unclear whether the resulting requirement on NAC is compliance with Table D2 for 100% of the time (i.e. 90% of 100%) or for 90% (i.e. 90% of 90%). The conditioning should naturally be at achieving 90% of 100% and wording of this condition should be amended to achieve clarity on this point.
62. Table E1: the list of groundwater analytes to be monitored does not appear to include hydrocarbon components. Given that the focus of this ERA and associated EA is hydrocarbon resource use, it seems appropriate that effective monitoring of operational should include hydrocarbon analytes.
63. Tables E2 and E3: numerous analytes in the "Contaminant Limit" column are designated "TBA". Limits for these instances should, wherever possible, be consistent with relevant standards such as those stated in ANZECC 2000 guidelines, in order to adequately protect groundwater environmental values.
64. Condition E7: the condition should be expanded to require the achievement of relevant standards or guidelines.
65. Table F2: there appears to be a very limited scope of water quality parameters to be met by the proponent for "mine-affected" water releases. This should be expanded to include other relevant water quality parameters that are pertinent to the risk of operations, such as heavy metals and hydrocarbons.
66. Condition F15(b): this condition requires a written report of a water quality release exceedance at downstream monitoring points to be submitted to the administering authority in the next annual return. This appears highly unacceptable since, under current conditioning, should a significant water quality breach occur immediately after an annual return has been submitted to the administering authority, it may then be almost 12 months until the administering authority is made aware of the breach. It is recommended that a statement is included in either condition F15 or (preferably) condition A10 and A11 that clearly states the precedence of conditions A10 and A11 where other conditions in the EA appear to conflict.
67. Schedule G: this section of the EA should include a requirement for monitoring of soil parameters in irrigated land to ensure no environmental harm is taking place. Limiting this to monitoring of very limited treated waste effluent parameters fails to cater for the results of applying the waste effluent to the land and any subsequent interactions that the waste effluent may have with the irrigated soil. Monitoring of irrigated soil should include parameters such as SAR.
68. Condition G5: this condition allows the proponent to release waste effluent to water (creeks) in accordance with the very limited scope of parameters in Table F2. However, this removes a requirement on the proponent to limit the concentration of faecal coliforms in its release to waters. As such, condition G5 should require the proponent to meet parameters outlined in Table G1 in addition to parameters outlined in Table F2, at a minimum.
69. Section H – Land and Rehabilitation: there appears inconsistencies between references to a "regulated Dams/Levees Register", a "register of Regulated Dams" and a "Register of Regulated Structures". I recommend the EA be amended to achieve consistency in its requirements on the proponent on this matter, and if several registers are required, that the interactions of these be clearly articulated to the proponent.
70. Condition H29: this condition appears to already be covered under condition H15. I recommend reviewing and amending these conditions as required.
71. Conditions H37 and H38: It is recommended that, in keeping with modern best practice regulation, a third party certified Contaminated Site NEPM auditor should be required to undertake the site investigation report.

Minor Comments

72. The resolution of Figure 1 is poor and should be replaced by a higher resolution. In its current form, it is impossible to distinguish details of the map legend etc.
73. Throughout the EA there appears inconsistencies between the use of term "suitably qualified

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person” and “appropriately qualified person”. I suggest rectifying this for document consistency. Additionally, there appears a typographical error in a number of places throughout whereupon there is a reference to a “suitable qualified person” rather than a “suitably qualified person”. I suggest this is also rectified for consistency.

74. Condition F13 (c) and (d): A requirement for the proponent to report to the administering authority the total volume of the release and which “(if any)” part of this period/volume was non-compliant appears redundant since the premise of condition F13 is that a release **has** occurred that **is** non-compliant. As such, the removal of the term “(if any)” is recommended to be removed.
75. Condition H8: Grammatical error - “...compliance with the relevant condition...” be amended to “...compliance with the relevant conditions...”.
76. Condition H10(c): typographical error - “...prevent of minimise...” be amended to “...prevent or minimise...”.
77. Condition H30(d): typographical error – removal of “or” as there is no need to provide the proponent with an alternative on this criteria.
78. Conditions H37 and H38: these two conditions appear to largely replicate each other. As such, I recommend amending H37 and H38 into a single condition with appropriate wording.

Each entity to this submission must be stated below:

1	Name s.73	
Postal address s.73		Telephone: s.73 Facsimile: s.73 Email: s.73
2	Name	
Postal address		Telephone: Facsimile: Email:
3	Name	
Postal address		Telephone: Facsimile: Email:

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4	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile: Email:</div></div>	
5	Name
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6	Name
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7	Name
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 50%;">Telephone: Facsimile: Email:</div></div>	

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

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Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
Submissions must be received on or before 4.30pm on the last day of the submission period.**

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For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Submission form

Application or amendment application for environmental authority

Date:	30/06/2015
Submitter name:	
Submitter contact details:	s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)	
Attention:	Melissa Munro
(Insert contact officer's name)	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

¹ According to the provisions of the EP Act, a properly made submission in relation to an environmental authority is one that:

- is written or made electronically
- states the name of and address of each submitter
- is made to the administering authority
- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

s.73

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
 13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
 14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
 15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

Groundwater

If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.

s.73

While New Hope representatives make claims of mining into basalt as an undesirable process, I assert a substantial area (possibly beyond 20%) of the northern end of the proposed Manning Vale pit would require substantial volumes of basalt over burden to be removed. Throughout the EIS and AEIS periods, New Hope did not include any geological mapping beyond the "Surface Geology Maps" used extensively throughout the EIS processes as the only form of geological mapping. Given this project is by its nature, one that severely interferes with underlying geology, such an inferior standard of mapping practice in itself should have deemed the EIS exercise illegitimate. I see it as a requirement that New Hope demonstrate that the procedure of this project not occur in tertiary basalt to be consistent in their own views, as to not adversely interfere with the tertiary basalt aquifer

I strongly disagree with the Co-ordinator General's report section 8.5.2, with regard to comments on tertiary basalt draw down. If a water source is "cut off/destroyed" as implied above, experiences beyond "draw down" will occur; rather, permanent loss would be a more fitting description. If tertiary basalt geology is "removed," it is only logical that all underground tertiary basalt water that flows into the pit will be liable to natural forces of gravity and only ever proceed "downhill" within the pit, as the digging of the pit will yield downwards as it proceeds in a southerly direction into the existing geological structure. Given claims in the EIS that the final voids will never fill at a greater rate than the inflow of water, the ensuing backfill structure will never likely return water to the underground tertiary basalts beyond their interference. For this reason I find the Coordinator Generals report to be inadequate, demonstrating that the groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts

No environmental authority can be granted to the project without failsafe water monitoring methods providing for failsafe Make –Good contracts that are privileged of guaranteed, statutory perpetuity, ensuring the provision of water forever. All of such to be within reasonable satisfaction of the landholder prior to "signup." I state having no confidence in such an arrangement. Therefore, Environmental Authority cannot be granted.

Rehabilitation

The stated concepts within the EIS or AEIS regarding rehabilitation using final voids are inconsistent with any logical interpretation of the mineral resources act.

To permit this activity to happen would seem to be authorising an illegal action.

Strategic Cropping Land

If one thing is for sure, there is room for ambiguity surrounding definitions of strategic cropping land. The simple fact is that the better majority of the proposal fell within original strategic cropping legislation from 2011, could only have been omitted from LNP amendments for political purposes, or through means of political influence. There is also the matter of a "Priority Agricultural" classification within the relevant regional plan.

Economic and social matters

If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.

No description has been offered for the legacy of the mine, nor the legacy for society from it.

s.73

Submission form

Application or amendment application for environmental authority

There will be significant disruption to the functions/existence of the surrounding community due to residents not within the boundary of the project having to move/vacate their land, closure of roads and general reduction of population.

Climate change

If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.

It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Recent media documentaries and reports suggest by the time this project would be half way through its life, international demand for coal would be more than met by existing permits elsewhere.

Each entity to this submission must be stated below:

1	Name [Redacted] s.73	
Postal address s.73 [Redacted]		Telephone: s.73 [Redacted] Facsimile: s.73 [Redacted] Email: s.73 [Redacted]
2	Name	
Postal address		Telephone: Facsimile: Email:
3	Name	
Postal address		Telephone: Facsimile: Email:
4	Name	
Postal address		Telephone: Facsimile: Email:

Submission form

Application or amendment application for environmental authority

5	Name		
Postal address		Telephone: Facsimile: Email:	
6	Name		
Postal address		Telephone: Facsimile: Email:	
7	Name		
Postal address		Telephone: Facsimile: Email:	

Further information for submitters:

Amendment of a submission

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

This form should be used to make a submission in accordance with sections 160 and 161 of the Environmental Protection Act 1994 (EP Act) about an application or amendment application made after 31 March 2013, for an environmental authority.

**When completed, this form should be forwarded to the address detailed on the public notice.
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For objections to the mining tenure, you must use the objection form for a mining lease application (MRA-20 Version Number 5), available at www.dnrm.qld.gov.au using 'MRA-20' as the search term.

Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date: 22 June 2015	
Submitter name:	s.73
Submitter contact details:	s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701
(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)	
Attention: Melissa Munro	
(Insert contact officer's name)	

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mine lease 50170 and 50216 and Mining lease applications 50232 and 70002

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- is received on or before the last day of the submission period
- states the grounds of the submission and the facts and circumstances relied on in support of the grounds.

The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

The submission details are as follows:

Grounds for the submission:

1. Groundwater
2. Surface Water
3. Environmental Monitoring
4. Strategic Cropping Land
5. Social Impact

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Facts and circumstances relied on in support of the grounds of the submission:

Groundwater

1. Bores included in 2007 EIS in the vicinity of the Manning Vale West Pit are not included in modeling for 2114 EIS.
2. Volumes of water to be pumped from Manning Vale West Pit to keep the mine dewatered vary from the 2007 EIS to the 2014 EIS to the Amended EIS. This suggests that the modeling is only an educated guess. s.73
3. Final voids are not consistent with requirements of the Mineral Resources Act to return disturbed land as near as possible to its original condition. The ground water inflow into these voids could result in surrounding land holders being reliant on make good agreements with the mining company permanently.
4. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to resulting impacts on the diverse agricultural enterprises in the district.
5. The adverse environmental and related impacts to groundwater are contrary to the public interest, demonstrate an inappropriate use of the land as opposed to current use, and therefore provide good reason to refuse the applications.

Surface Water

1. Notification of flood water discharges by mining company two days after event is unacceptable.

Environmental Monitoring

1. Monitoring of environmental outcomes for Dust, Noise and Flood Water Discharge by the mining company is unacceptable. This must be conducted by the Department of Environment and Heritage.

Strategic Cropping Land

1. The operations to be carried out under the authority of the proposed mining lease will not conform with sound land use management.
2. There will be significant adverse environmental impacts caused by these operations.
3. Taking into consideration the past and prospective uses of that land, the proposed mining operation is not an appropriate land use.
4. The entire area of Modified Stage 3 will impact world class cropping land that has been cropped for 130 years. The Coordinator General's report concludes that the intergenerational equity principle will not be adversely affected by mining based on the ludicrous assumption that the mined land will be returned to cropping after rehabilitation. The steep gradient of rehabilitated land will never permit the safe use of agricultural machinery. Soil erosion would also be environmentally devastating.
5. Laws that require cropping land used for mining to be offset by securing cropping land elsewhere is unrealistic. The net result is the permanent loss of cropping land.
6. Food security has become a topical issue in recent years which highlights the need to preserve cropping land.
7. Climate change is having an adverse impact on farming operations globally. To destroy top quality cropping land to produce more atmospheric pollution would be unconscionable.

Social Impact

1. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
2. If the project proceeds, it will have unacceptable noise impacts on human and environmental health. This will also adversely affect social values of the region.

Each entity to this submission must be stated below:

Submission form

Application or amendment application for environmental authority

1	Name s.73		
Postal address s.73		Telephone: s.73	Facsimile:
		Email: s.73	
2	Name s.73		
Postal address s.73		Telephone: s.73	Facsimile:
		Email: s.73	
3	Name		
Postal address		Telephone:	Facsimile:
		Email:	
4	Name		
Postal address		Telephone:	Facsimile:
		Email:	
5	Name		
Postal address		Telephone:	Facsimile:
		Email:	
6	Name		
Postal address		Telephone:	Facsimile:
		Email:	

Application or amendment application for environmental authority

7	Name	
Postal address		Telephone:
		Facsimile:
		Email:

Further information for submitters:**Amendment of a submission**

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

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Objection to the application

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Application or amendment application for environmental authority

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Please tick the subject to which the submission relates (only select 1)

- * Application for an environmental authority for a mining activity relating to a mining lease
- * Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ✓ Amendment of environmental authority for a mining activity relating to a mining lease
- * Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Date:	29/06/15
Submitter name:	s.73
Submitter contact details:	s.73

<p>To: Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701</p> <p>coalhub@dnrm.qld.gov.au</p> <p>(Insert address of Department of Natural Resources and Mines or Department of Environment and Heritage Protection)</p>
<p>Attention: Melissa Munro</p> <p>(Insert contact officer's name)</p>

I / we hereby make a submission in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

The submission details are as follows:

RTI DL RELEASE - EHP

Grounds for the submission

1. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
2. Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
3. Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
5. Approval of the application and construction of the mine expansion would be contrary to the public interest.
6. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
7. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on water for example.

Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
-
1. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land. The proposed mining operation will result in the destruction of good cropping land and therefore is not in the public interest and not an appropriate land use. Further as an example the proposed mining operation by destroying cropping land removes any chance of the surrounding grazing country being able to

support anything more than low intensity grazing, rendering the whole area marginal for agriculture.

Groundwater

2. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
3. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.
4. Alluvial aquifers such as the Cains Creek aquifer which does support ground water supplies are not mentioned by the proponent's ground water monitoring and impact management plan when it comes to principle aquifers of interest even though it is closer to the site of the proposed mining operation than the Oakey Creek Alluvium for example which is mentioned. The proponent's management plan states that a drawdown is predicted in the alluvium in an isolated area within the vicinity of Lagoon Creek, and that the model indicates very little to no impact to the alluvial aquifer. But with 159 bores registered taking water from the alluvium within 8 kilometres of the site of the proposed mine a level of uncertainty exists as to the alluvium's future. No mapping has been created identifying bores accessing the alluvium.

-
-

Each entity to this submission must be stated below:

1	Name s.73		
Postal address s.73		Telephone:	s.73
		Facsimile:	s.73
		Email:	s.73
2	Name		
Postal address		Telephone:	
		Facsimile:	

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Objection to the application

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RTI DL RELEASE - EHP

Submission form

Environmental Protection Act 1994

Application or amendment application for environmental authority

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Please tick the subject to which the submission relates (only select 1)

- ☐ Application for an environmental authority for a mining activity relating to a mining lease
- ☐ Site-specific application for an environmental authority for a petroleum activity, geothermal or greenhouse gas storage activity
- ☒ Amendment of environmental authority for a mining activity relating to a mining lease
- ☐ Amendment of an environmental authority for a petroleum, geothermal or greenhouse gas storage activity

Release

Submission form

Application or amendment application for environmental authority

Date:26/06/2015
Submitter s.73
Submitter contact details s.73

To:	Mines Lodgement Office - Rockhampton Department of Natural Resources and Mines PO Box 3679 RED HILL QLD 4701 coalhub@dnrm.qld.gov.au
Attention:	Melissa Munro

I / we hereby make a submission¹ in relation to:

Project name:	New Acland Coal Mine Stage 3
Name of environmental authority holder or applicant:	New Acland Coal Pty Ltd
Permit reference number:	EPML00335713
Tenure:	Mining leases 50170 and 50216, and mining lease applications 50232 and 70002

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The administering authority must accept a properly made submission, and may also accept a written submission in relation to an environmental authority even if it is not a properly made submission.

RTI DL RELEASE - EHP

The submission details are as follows:

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
3. Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
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6. Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
7. Approval of the application and construction of the mine expansion would be contrary to the public interest.
8. Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
9. Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
10. Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
11. Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
12. Approval of the application would inappropriately rely on a proposed integrated environmental management system for the mine expansion that is insufficient.
13. Approval of the application is not appropriate because of an insufficient response given for an information request.
14. In the alternative to grounds 1-13 above, if the application is not refused, conditions should be imposed to address the matters raised in in grounds 1-13 in accordance with the regulatory requirements.

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Facts and circumstances relied on in support of the grounds of the submission:

These facts and circumstances (and any attachments) are not intended, in any way, to constrain or otherwise influence either:

- the grounds that would be stated in any objection notice given under section 182 of the *Environmental Protection Act 1994* (EP Act); or
 - the facts and circumstances that would be relied on in support of the grounds in any objections decision hearing in the Land Court.
1. The New Acland Coal Mine Stage 3 Project includes the expansion of an existing open-cut coal mine, located 14 km north-west of Oakey, and the construction of associated infrastructure.
 2. The mine currently operates on Mining Lease (ML) 50170 and ML 50216 and produces 5.2 million tonnes per annum (Mtpa) of thermal product coal, which is forecast to be depleted by 2017.
 3. The proposed expansion involves extending the mine's operating life to approximately 2029 and increasing production up to 7.5 Mtpa by including open-cut mining of the Manning Vale and Willeroo resource areas within mining lease application (MLA) 50232.
 4. Approximately 1,466 hectares of MLA 50232 will be disturbed by the proposed expansion's open-cut mining activities. 1,361 hectares of this area is designated as strategic cropping land.
 5. New Acland Coal Pty Ltd (the Proponent) originally lodged MLA 50232 in April 2007. The term of lease for which the Proponent applied is 40 years.
 6. In May 2007, the Coordinator-General declared the proposed expansion a coordinated project under the State Development Act, for which an environmental impact statement (EIS) was required.
 7. In October 2007, the Coordinator-General released terms of reference for the EIS. From 14 November 2009 to 3 February 2010, the Proponent's EIS was published and public submissions invited.
 8. On 28 March 2012, the incoming Queensland Government declared that it would not support the expansion as it was then proposed. In November 2012, the Proponent submitted a revised proposal.
 9. In March 2013, the Coordinator-General released new terms of reference for the EIS. From 18 January 2014 to 3 March 2014, a new draft EIS was published and public submissions invited.
 10. During September 2014, additional information to the EIS (AEIS) and the final EIS were published and public submissions again invited.
 11. In December 2014, the Proponent provided a final clarification to the AEIS and, on 19 December 2014, the Coordinator-General's report on the final EIS was released. The Coordinator-General recommended that the proposed expansion be approved subject to conditions. He did not make a statement in his report using the words of section 47D(1)(b)(ii) of the State Development Act.
 12. The proposed associated infrastructure involves construction and operation of a new 8km-long rail spur line and balloon loop from Jondaryan onto MLA 50232 (MLA 70002, lodged on 15 January 2015).
 13. In April 2015, the Proponent applied under the EP Act to amend its environmental authority for the mine (EPML00335713) to include the proposed expansion.
 14. The public notice of the applications for the mining leases and environmental authority was issued in May 2015.
 15. In mid-June 2015, the Proponent replied to an information request from the Department of Environment and Heritage.

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Groundwater

16. If the project proceeds, drawdown of groundwater levels will have an unacceptable impact on other water users and environmental values. It will also adversely affect social values and regional economics due to the resulting impacts on agriculture.
17. The groundwater assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Air quality

18. If the project proceeds, it will have an unacceptable impact on air quality and therefore on human and environmental health. This will also adversely affect social values of the region.
19. The air quality modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Noise and vibration

20. If the project proceeds, it will have unacceptable noise and vibration impacts on human and environmental health. This will also adversely affect social values of the region.
21. The noise modelling done for the project was inadequate to appropriately determine the extent of those impacts.

Surface water

22. If the project proceeds, it will have an unacceptable impact on other users of surface water and on the environmental values of those waters.
23. The surface water assessments done for the project were inadequate to appropriately determine the extent of those impacts.

Biodiversity

24. If the project proceeds, it will have an unacceptable impact on biodiversity.
25. The ecological assessments done for the project were inadequate to appropriately determine the extent of those impacts.
26. Species that will be severely impacted by the mine include, but are not limited to, the koala. A viable population of koala is located within the mine lease area. No confidence can be placed in species impact mitigation measures, such as the Koala Management Plan, which are inadequate.

Economic and social matters

27. If the project proceeds, it will have adverse economic and social impacts on local, regional, and State economies and communities.
28. The assessments done for the project were inadequate to appropriately determine the extent of those economic and social impacts. This included a failure to properly demonstrate a net economic benefit from the mine.

Climate change

29. If the project proceeds, it will cause serious and material environmental harm by contributing to climate change and ocean acidification.
30. The application does not include adequate information to determine the full extent of the environmental harm that the mine will cause by contributing to climate change and ocean

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acidification.

31. It has not been adequately demonstrated that the mine will not increase the likelihood, severity and longevity of the environmental harm that will result from climate change and ocean acidification.

Each entity to this submission must be stated below:

1	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Name s.73</div><div style="width: 55%;"></div></div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address s.73</div><div style="width: 55%;">Telephone: s.73 Facsimile: Email: s.73</div></div>
2	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Name s.73</div><div style="width: 55%;"></div></div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address s.73</div><div style="width: 55%;">Telephone: s.73 Facsimile: Email: s.73</div></div>
3	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Name</div><div style="width: 55%;"></div></div>
	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Postal address</div><div style="width: 55%;">Telephone: Facsimile: Email:</div></div>
4	<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Name</div><div style="width: 55%;"></div></div>
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Application or amendment application for environmental authority

6	Name		
Postal address		Telephone: Facsimile: Email:	
7	Name		
Postal address		Telephone: Facsimile: Email:	

Further information for submitters:**Amendment of a submission**

If the administering authority has accepted a submission, the entity that made the submission may, by written notice, amend or replace the submission. This must be given to the administering authority before the submission period ends.

Submissions apply for later applications

Any properly made submission for a withdrawn environmental authority application is taken to be a properly made submission for a later application if the later application is applied for within 1 year of the withdrawal and is the same or substantially the same application.

Objection to the application

This submission on the application is not considered to be an objection under the EP Act. The submitter will have the opportunity to request by written notice (the objection notice) that its submission be taken as an objection to the environmental authority application. The objection notice must be given to the administering authority within 20 business days after the notice of decision is given and state the grounds for the objection.