

Department of Environment and Heritage Protection

Hot Issues Brief

VISIT TO SPRINGTON – SPRINGSURE COAL MINE PROJECT, PROPOSED BY SPRINGSURE CREEK COAL PTY LTD

Strategic Cropping Land (SCL)

- The project area (Mining Lease Application 70486) is located within the western cropping zone, central protection area of the SCL trigger area.
- Assessment of the project for SCL is proceeding under section 289 of the *Strategic Cropping Land Act 2011* (SCL Act).
- The SCL Act contains a 'partial transitional provision' dealing specifically with Exploration Permit for Coal (EPC) 891, on which the Springsure project is located. This provision limits the 'permanent impact restrictions' that would generally apply under the Act. Hence this project is to be treated as if it were in a management area not a protection area for SCL.
- Section 290(3) of the SCL Act stipulates that it is to be a '*condition of the environmental authority that its holder (Springsure Creek Coal Pty Ltd) must use all reasonable endeavours to rehabilitate all impacts on the land from underground coal mining carried out under the lease*'.
- Existing land-uses are predominantly dryland and irrigated cropping.
- Springsure Creek has committed to achieving continuation of cropping during the underground mining operation and for cropping to be able to be continued after mining.
- There is a high level of concern with the project by affected and other local landholders, particularly those involved in the Golden Triangle organisation.
- EHP is liaising with the Department of Natural Resources and Mines (DNRM) to establish a joint and proactive approach to the management of community concerns and expectations regarding mining on SCL.
- EHP is also taking steps to ensure that appropriate mechanisms are in place to authorise and regulate the potential environmental impacts associated with underground mining on SCL on the project site.
- To date, no decisions for SCL on cropping land affected by underground mining had been made.

Subsidence on SCL

- The proposed underground mine would result in a total of 7050ha of land being subsided within the project area, including most of the Springton property and Springsure Creek (see attached figures 1 and 2).
- Modelling predictions outlined in the Environmental Impact Statement for the project indicated the level of subsidence would range from 1.2–2.3m (see attached figure 3). Longwall panels would be typically 300m wide and up to several kilometres long.
- The community is concerned about the subsidence being caused by the proposed underground mine on SCL. Concerns include:
 - lack of information in the EIS on the proposed SCL commitments (e.g. subsidence management plans and rehabilitation)
 - loss of productivity for affected properties

- post-subsidence slopes of >3% would restrict broadacre farming to small unworkable patches
 - change of surface water flow (resulting in ponding and soil erosion).
- These concerns were raised in submission on the EIS in April 2013.
- Springsure Creek is required to respond to these concerns by 21 June 2013.
- Following the proponent's response to submissions and any amendments made to the EIS, EHP will consult with DNRM to ensure that the response has adequately addressed concerns raised by all submitters.

Potential impacts on hydrology (groundwater and surface water)

- The proposed project has the potential to impact on surface water flow and groundwater due to:
 - altering of surface water flow due to subsidence resulting in potential ponding and/or soil erosion
 - impacts on aquifers due to the proposed underground mine leading to potential impacts on the water table, cross-contamination between aquifers and hence potentially on groundwater bores and groundwater dependent ecosystems.
- Stakeholders and DNRM outlined several outstanding issues not adequately addressed in the EIS, including inadequate groundwater modelling proposed by the proponent. DNRM has requested the proponent get its modelling and conclusions regarding impact on the shallow basalt aquifer in the area independently reviewed.
- The proponent has informed EHP that further groundwater monitoring of groundwater bores has been initiated.

Air and noise

- Although air and noise modelling had been undertaken by the proponent as part of the EIS, some potentially affected landholders were not assessed in the EIS.
- The proponent has informed EHP that it has initiated further air and noise monitoring for the omitted landholders.

Ecology

- Due to land access restrictions, parts of the project area that would be affected by the mine have not been assessed for their ecological values.
- The proponent has informed EHP that further ecological surveys were carried out on areas not previously surveyed and assessed in the EIS itself

Background information on the project

- The proponent is Springsure Creek Coal Pty Ltd, a wholly owned subsidiary of Bandanna Energy Limited.
- The project would involve the development of a 'greenfield' underground coal mine, producing up to 11 million tonnes of thermal coal per year.
- The project is located approximately 47 km south-east of Emerald, in Central Queensland.
- The mining operations and associated infrastructure would be located on mining lease application (MLA) 70486, which covers 10,736 ha.
- The Springsure Creek Coal Mine Project includes an underground mine, associated mining activities and mining infrastructure.
- A proposed transport and infrastructure corridor and a train load out facility for the project would be located to the west of the project.

- The corridor would need to cross the Comet River and the rail load out facility would be on the Blackwater to Rolleston train line at a site known as Triumph Creek. The transport and infrastructure corridor and train load out facility are not part of the current EIS and would be assessed at a later stage.
- The EIS was out for public for review and comment from 14 February 2013 to 27 March 2013.
- EHP received 48 submissions from advisory bodies (state and local government agencies), as well as from the public, including the Golden Triangle. EHP also made a submission on the EIS.
- Some landholders, and the Golden Triangle, engaged professional consultants to assist in preparing their submissions.
- On 4 March 2013, Springsure Creek Coal hosted an EIS site inspection for the project.
- The proponent has until **21 June 2013** to respond to submissions, amend the EIS as necessary and provide this documentation (often called a 'supplementary EIS') to EHP.
- Once received, EHP has 20 business days under the EP Act to assess if the response to submissions and the amended EIS adequately address the terms of reference, and if the project can proceed (EIS assessment report).

Transport corridor

- As already noted, the proponent decided not to include the transport corridor and the train load out facility as part of this EIS (see figure 4).
- The proponent applied for a voluntary EIS with EHP on 8 April 2013 for the transport corridor and the train load out facility.
- The application was rejected as the proposed transport corridor did not meet the EIS 'trigger criteria' requiring an EIS. However, the transport corridor and load out facility will be assessed by submitted information supporting the EA application.
- The transport corridor is partially located on the SCL Central Protection Area and outside of the area subject to management area restrictions under the SCL Act.
- DNRM will need to consider any triggering of requirements under the SCL Act, and it is unclear whether the proposed activity would be permitted in an SCL protection area.
- An EA cannot be issued until SCL issues have been dealt with.

Attachments

- Figure 1 – Map showing location of the project in relation to 'Springton'
- Figure 2 – Map showing the proposed mined area and on site infrastructure.
- Figure 3 – Predicted subsidence from the mining.
- Figure 4 – Map showing location of the haul road and load out facility.
- Min Brief (CTS 07274/13) regarding announce of delay in Government decision making for Bandanna's Springsure Creek coal project.
- Min Deputation Brief (CTS 16218/12) for meeting with Bandanna for a project update.
- Min reply (CTS 05858/13) to George Houen acting for Golden Triangle, regarding refusal to extend the submission period for the EIS.

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: Minister for Environment and Heritage Protection

SUBJECT: Meeting with Mr Michael Gray of Bandanna Energy regarding progress with EIS assessment and setting of conditions for the Springsure Creek Coal Project.

TIMEFRAME

- Mr Gray is to meet with the Minister on a date after 19 August 2013.

RECOMMENDATION

- It is recommended that the Minister:
 - note** that EHP has been working closely with Bandanna Energy to ensure the environmental assessment of the project is timely and robust.
 - note** that Bandanna Energy has until 16 September 2013 to provide additional information needed by EHP to decide if there is sufficient information overall for EHP to prepare an Environmental Impact Statement (EIS) assessment report, which would then be due for completion by early November 2013.

BACKGROUND

- Springsure Creek Pty Ltd (a subsidiary of Bandanna Energy Ltd) proposes developing an underground coal mine, 47km south-east of Emerald, that would produce 11 million tonnes of coal per year over a 40-year mine life. The project is being assessed by EIS under the *Environmental Protection Act 1994* (EP Act).
- The 11,000ha project area is currently used for irrigation and dryland cropping; 61% of the site is Strategic Cropping Land (SCL). The site is located in the area known as the 'Golden Triangle', comprising highly productive agricultural area which has not previously been subject to coal mining.

CURRENT ISSUES

The assessment process

- After consulting with other agencies and reviewing public submissions, EHP decided that the information provided in EIS documentation was inadequate for the EIS to proceed to the EIS report stage under the EP Act.
- While some additional issues could be addressed in an amended Environmental Management Plan (after the EIS process) major impacts must be dealt with in the EIS itself.
- Advice supplied to EHP by other government departments, as well as EHP's own assessment, indicated that the proponent's responses to public submissions and proposed changes in the supplementary EIS were deficient. Key issues being:
 - Inconsistencies in the EIS regarding water management and assessment – particularly proposed mine wastewater discharges.
 - Insufficient information to show whether (and how) agriculture (cropping) and underground mining activities can co-exist and be sustained after mining (as proposed in the EIS), on SCL that is also designated as a Priority Agricultural Area (PAA) in the draft Darling Downs Regional Plan.
 - Projections in the EIS documentation on the extent of soil subsidence, due to underground mining, show it would occur outside the mining lease (impacting on adjacent farms).
 - Insufficient information on how the impacts of subsidence on agriculture, ponding, surface water flows and soils would be managed.
- Local residents (particularly Golden Triangle Group members) have raised concerns that the impact of the proposed mine on agricultural production were inadequately addressed in the EIS.
- On 19 July 2013, EHP issued an information request requiring Bandanna Energy to provide further information on the outstanding matters listed above.

Chief of Staff	OK
Dated	10/8/13
Approved	Not Approved
Further information required	
Minister....	
Dated	17/08/13

Author Name: Philip Rowland Position: Manager Tel No: 3330 5602 Date: 06 August 2013	Cleared by Name: Glen Brown Position: ED EPC Tel No: 3330 5627 Date: 06 August 2013	Cleared by Name: Dean Ellwood Position: DDG ESR Tel No: 3330 5628 Date: 17/08/13	Recommended: Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
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9. While this request will extend the total time taken for assessment it will reduce the time required for issuing the draft environmental authority (EA) once the EIS process is completed. The alternative for EHP would have been to decide that the EIS should not proceed, which would have meant that the proponent would have had to resubmit the EIS, pay an additional \$96,000 fee and go through another (6 week minimum) round of public consultation.
10. Timeframes associated with the request for both Bandanna Energy and EHP to deal with the information request are statutory maximums. EHP will seek to undertake its activities well within the statutory time provided, but this timing will largely be determined by the quality of the information provided by Bandanna Energy.
11. On 05 August 2013, EHP met with Bandanna Energy, and continues to work with the company to ensure the submitted information meets EP Act requirements.

Regulation of impacts on strategic cropping land

12. Assessment of the project is proceeding on the basis that the proposed mining activities are exempt from the permanent impact restriction applying under section 289 of the *Strategic Cropping Land Act 2011* (SCL Act) but are subject to limitations of SCL in a management area (the SCL Act specifically mentions this mine site). Specific approval under the SCL Act will be required before a draft EA can be issued by EHP under the EP Act.
13. Bandanna Energy has given commitments in the EIS to meeting the requirements for co-existence between the mine and farming during and after mining activity. While no clear criteria have been provided on the level of agricultural production that would be maintained, the company has established a steering group of agricultural experts (led by Mr David Hamilton) to guide land management activities, in order to achieve this commitment.
14. Bandanna advises that it has flown committee members to Illinois to inspect sites where highly productive agricultural activity has been re-established following completion of mining.
15. Due to the lack of a definitive government policy on 'co-existence', it is unlikely EHP will be able to make any definitive statements regarding the adequacy of Bandanna's proposal in the EIS assessment report, due for completion by early November 2013.
16. To reinforce its commitment to 'co-existence', Bandanna Energy wishes to be 'regulated' to achieve this through the inclusion of conditions in the EA under the EP Act, which will regulate mining activities, including mine rehabilitation. The EA can be conditioned to require specific rehabilitation outcomes for post-mining land use, which can be achieved progressively or staged – e.g. after subsidence has occurred over a particular area whilst the mine is in operation.
17. Bandanna would need to provide specific land-use criteria that could be considered for inclusion as an outcome-focused condition in the EA. It would be expected that the expert steering group established by Bandanna would be able to assist on this matter.
18. While the draft Darling Downs Regional Plan indicates intent to regulate mining activities in PAA, details for achieving this have not been formulated.
19. It is understood that the review of the SCL Act by the Department of Natural Resources and Mines (DNRM) will provide a mechanism for regulating 'co-existence'.

CONSIDERATIONS

20. *Consultation:* EHP has actively engaged with the offices in DNRM, DAFF and DSDIP regarding mining on agricultural land. These departments have been given opportunity to review and comment on all aspects of the proposed project as described in the EIS and supplementary documentation.
21. *Legislation:* The delegate in EHP will need to make a decision on whether the EIS can proceed to the EIS assessment report stage by 15 October 2013.
22. *Key Communication Messages:* EHP is working closely with the proponent to ensure outstanding issues highlighted through consultation on the EIS are addressed by the proponent in a timely manner. EHP will respond to information supplied by the proponent as quickly as practicable.
23. *Election Commitment:* This matter concerns commitments made regarding protection of productive agricultural land and regional development.

Author Name: Philip Rowland Position: Manager Tel No: 3330 5602 Date: 06 August 2013	Cleared by Name: Glen Brown Position: ED EPC Tel No: 3330 5627 Date: 06 August 2013	Cleared by Name: Dean Ellwood Position: DDG ESR Tel No: 3330 5628 Date:	Recommended: Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
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MINISTER'S COMMENTS

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Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 08630/13

19 JUN 2013

Ms Lizzie Bradford
Secretary
Central Queensland's Golden Triangle
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Queensland 4001 Australia
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Email environment@ministerial.qld.gov.au

Dear Ms Bradford

Thank you for your letter of 9 April 2013 and for providing a copy of your group's submission to the Department of Environment and Heritage Protection on the environmental impact statement (EIS) for the Springsure Creek Coal Mine Project.

I am advised that you have also written to the Premier, the Honourable Campbell Newman MP, regarding this matter and that the Premier will respond to you directly regarding your concerns.

In his letter to you dated 28 March 2013, the Premier supported your request for me to visit your area and meet with members of your group. At this time, I do not have travel plans in the nearby region that could incorporate this visit. However, I will advise your group if this changes.

I hope this information has been of assistance to you. Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely


sch 4(6) Personal information

ANDREW POWELL MP
Minister for Environment and Heritage Protection



Premier of Queensland

For reply please quote: DEHP/ERP – TF/13/8762 – CTS 09898/13

22 MAY 2013

Ms Lizzie Bradford
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Dear Ms Bradford

Lizzie

Thank you for your further letter of 22 April 2013 about the Springsure Creek Coal Project Environmental Impact Statement (EIS).

Due to the concerns that you raised, I sought advice directly from my Cabinet colleague, the Honourable Andrew Powell MP, Minister for Environment and Heritage Protection. I am told that your comprehensive submission on the EIS, prepared by Bandanna Energy, raises a number of substantive matters that will need to be addressed in the response to submissions being prepared by the proponent as a requirement of the *Environmental Protection Act 1994*.

In relation to the issue of management plans raised in your letter, neither the terms of reference (ToR) or the Act requires finalisation of an environmental management plan at this stage of the assessment process. Bandanna Energy has provided a draft environmental management plan in keeping with the ToR for the EIS.

As you are aware, the transport corridor for the project was not addressed in the EIS submitted by the proponent. I am told that, although the initial advice statement and the ToR issued on 2 June 2011 both mentioned a proposed transport corridor, the proponent advised that it would not include a detailed assessment of the transport corridor in its EIS after investigations found the route initially proposed unfeasible.

At the same time, the company gave a commitment to undertake a public assessment process for the transport corridor and this commitment is reflected in the discussion about the transport corridor in the EIS. Any future application for the transport corridor would require detailed assessment and public notification, including the opportunity for the submission of objections, under the Act.

Under the Act, Bandanna Energy has until 31 May 2013 to respond to the submissions, amend the EIS as necessary and provide this documentation to the Department of Environment and Heritage Protection. Only when the department is satisfied that all likely impacts have been adequately identified and can be appropriately minimised — mitigated or offset — will an EIS assessment report be prepared by the department, thereby completing the EIS process.

The assessment report will then be available on the department's website at www.ehp.qld.gov.au and then by clicking on (1) 'Management and regulation' (2) 'Environmental impact assessment' (3) 'EIS processes' and (4) 'Concluded EIS processes'.

Under the Act, an EIS assessment report must consider the final ToR for the EIS, the submitted EIS, all properly made submissions and any other submissions accepted by the chief executive, the standard criteria, and any other matter prescribed under a regulation. That would include addressing the outcomes, commitments and outstanding matters identified during the EIS assessment process.

Again, thank you for writing to me about this matter and I hope this information is of assistance to you.

Yours sincerely



CAMPBELL NEWMAN

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
 Wednesday 28 November 2012; Time – tba
 Mr Michael Gray, Bandanna Energy

Chief of Staff.....	OK
Dated / /	
Approved Not Approved Noted	
Further information required	
Minister.....	
Dated / /	

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Progress with Bandanna Energy's Springsure Creek Coal Mine Project**

DEP REP: Lindsay Delzoppo, Director, Statewide Environmental Assessments, phone 3330 5630.

RECOMMENDATION

It is recommended that the Minister:

- **sign** the letter to the proponent, Mr Gray, accepting the meeting for 28 November (**Attachment 1**).
- **note** that the proponent wants to inform you of the progress being made with the Springsure Creek Coal Mine Project particularly concerning the management of impacts on the agricultural land.

BACKGROUND

- The project is being assessed by environmental impact statement (EIS) under the *Environmental Protection Act 1994*.
- The terms of reference were issued 2 June 2011 and the proponent has until 2 June 2013 to lodge the EIS.
- The Springsure Creek Coal Mine Project is a proposed underground coal mine, located approximately 40 kilometres south of Emerald in central Queensland (**Attachment 2**).
- Springsure Creek Coal Mine Project is controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* but, at the request of the proponent, is not subject to the bilateral agreement. The Commonwealth Department of Sustainability, Environment, Water, Population and Communities is conducting its own EIS process under the *Environment Protection and Biodiversity Conservation Act 1999*.
- The project would require significant associated civil works including water supply dams and pipelines, as well as power supply infrastructure from the national grid east.
- Located in the so called 'Golden Triangle' cropping region of Central Queensland, local landholders have actively campaigned against mining in the region.

CURRENT ISSUES

- One of the main impacts of the project will be subsidence of the land surface following underground mining. The extent of subsidence and its management will need to be addressed in the EIS.
- While most of the project is located within the gazetted strategic cropping land protection zone of the *Strategic Cropping Land Act 2011*, section 289 of the Act specifies that any environmental authority application and any related resource application for a mining lease relating to the exploration permit coal 891 is not subject to the *Strategic Cropping Land Act 2011*. This exclusion only applies for resource activities under an EIS resulting from the finalised terms of reference (dated 2 June 2011) and relating to exploration permit coal 891.
- Key approvals required for the project include an environmental authority for mining activities under the *Environmental Protection Act 1994*, and a Mining Lease under the *Mineral Resources Act 1989*.
- It is also likely that approvals would be needed under the *Water Act 2000*; *Nature Conservation Act 1992*; *Strategic Cropping Land Act 2011* (any areas not covered by the s.891 exemption); and the *Sustainable Planning Act 2009* for off lease activities.

Author Name: Monika Rhodes Position: Principal Env. Officer, SEA Tel No: 3330 6293 Date: 7 November 2012	Cleared by Name: Phil Rowland Position: A/Dir SEA Tel No: 3330 5602 Date: 7 November 2012	Cleared by Name: Dean Ellwood Position: DDG SEA Tel No: 3330 5628 Date:	Recommended: Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date: 21.11.12 sch404 Personal information
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File Ref:

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- Commonwealth approval will be needed under the *Environment Protection and Biodiversity Conservation Act 1999*.

Mining impact on agricultural land

Deputy Postion

- **Bandana Energy considers it can underground mine the area and return it as productive cropping land post mining.**

Suggested Response:

- Strategic cropping land is a matter for the Minister for Natural Resources and Mines, the Honourable Andrew Cripps MP.
- EHP will condition the post mine land use in the environmental authority for the project.
- The project EIS will need to comprehensively address all impacts of the project.
- Bandana Energy should proactively address landholder concerns regarding the impact of the proposed project on agriculture.

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 – Letter to proponent
- Attachment 2 – Map showing location of the proposed Springsure Creek Coal Mine.

Author Name: Monika Rhodes Position: Principal Env. Officer, SEA Tel No: 3330 6293 Date: 31 October 2012	Cleared by Name: Phil Rowland Position: A/Dir SEA Tel No: 3330 5602 Date: 7 November 2012	Cleared by Name: Dean Ellwood Position: DDG, ESR Tel No: 3330 5628 Date:	Recommended: Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date:
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Prepared by:	Monika Rhodes	Approved by:	Dean Ellwood
Title:	Principal Environmental Officer	Title:	DDG ESR
Division/Region:	SEA	Telephone:	3330 5628
Telephone:	3330 6293	Date Approved:	31 October 2012
Date Prepared:	31 October 2012		
Date Received in MO:	MO Clearance by:	Date Cleared:	

Ref CTS 16218/12

Mr Michael Gray
Managing Director
Bandanna Energy
GPO Box 5227
BRISBANE QLD 4001

Dear Mr Gray

Thank you for your letter of 27 September 2012 concerning the update on the progress at the Bandana Energy Springsure Creek Coal Mine Project. The Minister for Environment and Heritage Protection has asked me to respond on his behalf.

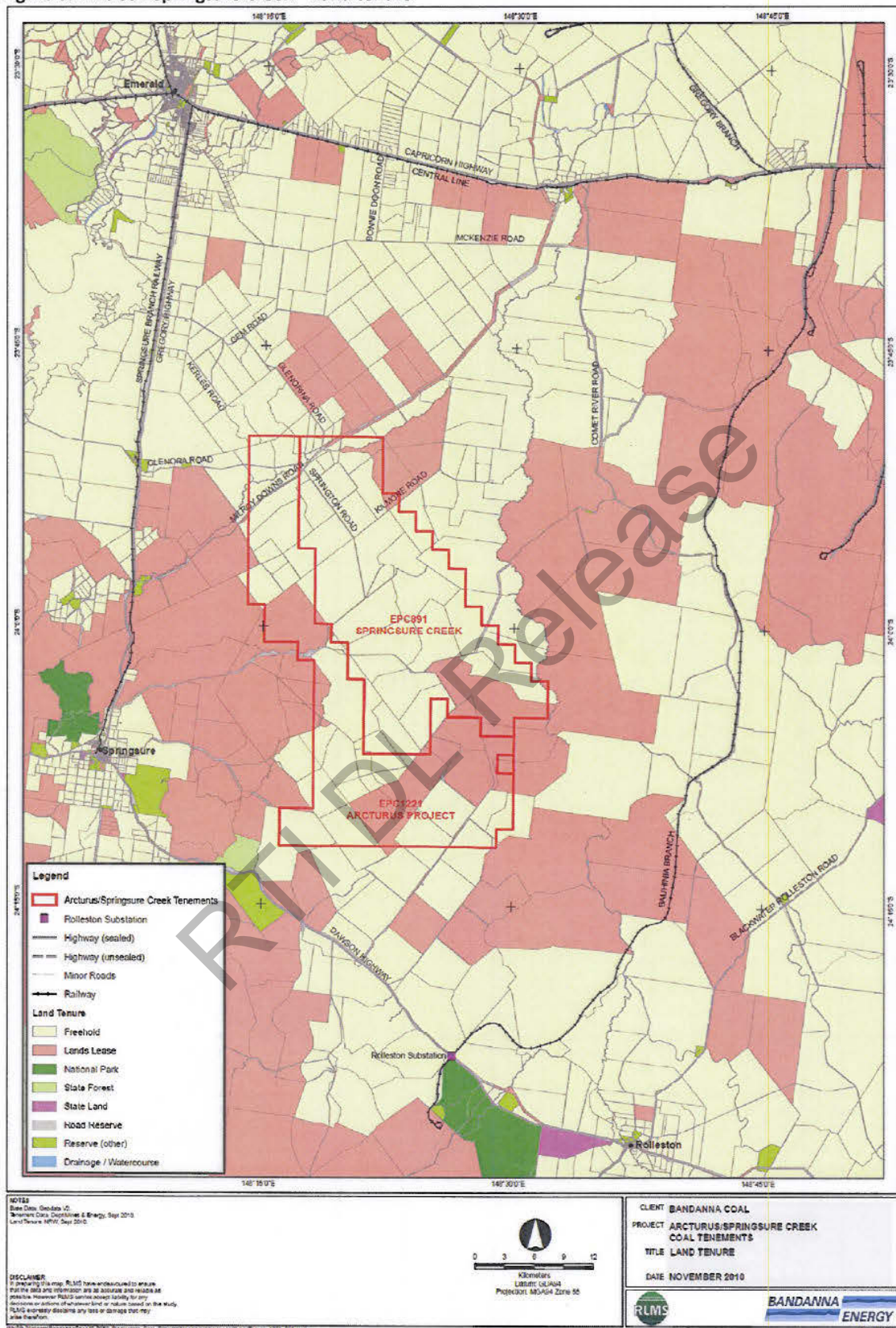
The Minister will be pleased to meet with you on Wednesday 28 November 2012. Please contact me to make the necessary arrangements. I can be contacted on telephone 3239 0801.

Yours sincerely

Troy Collings
Chief of Staff

INITIAL ADVICE STATEMENT
SPRINGSURE CREEK COAL MINE PROJECT

Figure 3. EPC 891 Springsure Creek – Land tenure



Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: Minister for Environment and Heritage Protection

SUBJECT: Announcement of delay in Government decision-making for Bandanna's Springsure Creek coal project and Arrow Energy's Surat Gas Project

Chief of Staff	OK
Dated / /	
Approved	Not Approved
Further information required	
Minister.....	
Dated / /	

RECOMMENDATION

It is recommended that the Minister:

- **note** that EHP staff will meet with officers from the Department of State Development, Infrastructure and Planning (DSDIP) to clarify timeframe requirements for Environmental Impact Statements (EIS) and approval decisions for the Springsure Creek coal mine (Bandanna Energy) and Surat Gas projects (Arrow Energy).
- **note** that there are few opportunities to delay completion of EIS assessments for projects under the *Environmental Protection Act 1994* (EP Act), which requires decision-making to occur in accordance with statutory timeframes.

BACKGROUND

- According to an article in the *Queensland Country Life* of 4 April 2013 (Attachment 1), attributed to the Honourable Jeff Seeney, Deputy Premier and Minister for State Development, Infrastructure and Planning, the Government "*guaranteed there will be no government approval decision*" for each of these projects until strategic regional plans (Central and Darling Downs) were released at the end of the year.
- It is understood that the Minister's statement arose from the Government's desire to ensure mining/petroleum activities and agriculture could co-exist on high quality farming land under the new plans.

CURRENT ISSUES

- Public submission periods on EISs for the Surat Gas and Springsure Creek projects have closed and each proponent is preparing responses on submissions to EHP under section 56 of the EP Act.
- Provided proponents have met all statutory requirements and the projected impacts and environmental performance of the projects satisfy legislative requirements, the EP Act does not permit EHP to 'stop the clock' or to delay decision-making of EIS assessment for these projects.
- For EHP to delay completion of EIS assessments for these projects it would require EHP to either:
 - negotiate new deadlines for proponent submissions to EHP under section 56 of the EP Act – such extensions may not be negotiated once 20 business days have elapsed from when EHP provided copies of public submissions on the EIS to the proponent; or
 - decide under section 56A of the EP Act to refuse to allow the EIS to proceed – this could only occur if EHP decided a proponent's response to public submission was inadequate and that appropriate amendments were not made to the EIS. Such a decision would be strongly contested by proponents and would be appealable to the Minister under section 56B of the EP Act.
- Bandanna Energy has stated publically it would be greatly concerned if additional impositions delayed assessment of its project as the company has financial commitments with Gladstone Port Authority for the supply of coal to Wiggins Island.
- Similarly, Arrow Energy has indicated it wishes to proceed to completion of the assessment (including project approvals) by late 2013. The Surat Gas project is part of the larger gas production and export project being pursued by Arrow Energy across the Surat and Bowen Basins.
- Bandanna Energy and Arrow Energy have both met with the Deputy Premier to discuss their concerns.
- One view of the Deputy Premier's statement could be that final approval (that is, an EA under the EP Act) and final tenure (a Mining Lease under the *Mineral Resources Act 1989*) would not be decided

Author Name: Philip Rowland Position: Manager Tel No: 330 5602 Date: 29 April 2013	Cleared by Name: Glen Brown Position: ED EPC Tel No: 3330 5627 Date: 30 April 2013	Cleared by Name: Dean Ellwood Position: DDG ESR Tel No: 3330 5628 Date: <i>6/5/13</i>	Recommended: Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: <i>6/5/13</i> <i>sch4(6) Re</i>
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until the relevant regional plan was completed.

- It is unlikely that EHP would be required to make decisions on EA applications for each of these projects until late 2013, at the earliest.

CONSIDERATIONS

- *Legislation:* Section 56B of the EP Act allows a project proponent to apply to the Minister to review any decision by EHP to refuse to allow a submitted EIS to proceed.
- *Key Communication Messages:* That government's position on the meaning of the Deputy Premier's announcement could be agreed between Ministers' offices once EHP-DSDIP discussions have been concluded – so that the government's position is clear should public or media queries be received on the issue.
- *Election Commitment:* Preparation of the strategic regional plans was an election commitment as was the undertaking not to approve major developments that may have significant impacts on land use (particularly new land uses). The commitment extended to the principle of co-existence between mining/petroleum interests and high intensity farming operations. Regional Plans are intended to assist in achieving this.

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1: Article from *Queensland Country Life*, 4 April 2013

Author Name: Philip Rowland Position: Manager Tel No: 330 5602 Date: 29 April 2013 13-081	Cleared by Name: Glen Brown Position: ED EPC Tel No: 3330 5627 Date: 30 April 2013 DL File B	Cleared by Name: Dean Ellwood Position: DDG ESR Tel No: 3330 5628 Date:	Recommended: Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: Page 15 of 22
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Major projects face delays in approvals

By TROY ROWLING

IN a move which could prove a setback to expected investment and construction timeframes for two controversial resource sector proposals, Deputy Premier Jeff Seeney has guaranteed there will be no government approval decision for Bandanna Energy's Springsure Creek Project near Emerald and Arrow Energy's Surat Gas Project west of Toowoomba, until after the statutory regional plans (SRPs) are released at the end of the year.

Mr Seeney said he expected this would mean a decision on the future of the multi-billion dollar projects would not be until 2014.

The news could prove a setback to the resource companies, which were both seeking government approvals this year to begin construction early next year.

With both companies now going through the EIS consultation process, there has been some confusion among landholder groups in recent weeks as to whether the projects could still be given approval by the government before the SRP framework came into place.

While holding back project approval until after the release of

DRAFTS of the regional plans for the Darling Downs and Central Highlands are expected to be out for consultation in July.

Mr Seeney (pictured) said while the drafts would provide clarity to impacted stakeholders on the direction the legislation was heading, he reiterated there would be no major government decisions on major



DRAFT PLAN

resource projects that would pre-empt the release of the final statutory regional plans. He said the final relationship between the SRP framework and the former Bligh government's strategic cropping land legislation is yet to be determined.

Mr Seeney claimed in opposition that while the strategic cropping legislation was a "step in the right

direction" its relevancy in resolving coexistence conflicts was hampered because it focussed entirely on soil criteria.

The strategic cropping land act legislation was widely criticised by rural stakeholder groups which claimed the scope of the laws were too narrowly focussed and should have been expanded to protect grazing properties and farmland impacted by coal seam gas extraction. —Story: TROY ROWLING.

Working through the detail has been more complex than I expected.

the framework had been a pre-election commitment, Mr Seeney said there had been delays in the SRP formulation, which would mean a final government decision on these resource projects would have to be made next year.

"Working through the detail has been more complex than I expected," he said.

Large community and industry committees are meeting regularly to work through the complicated task of resolving conflicting land use demands between the agriculture and resources sectors by allocating primary land use across the regions, a system comparable to what is already carried out by local councils.

In a statement to *Queensland Country Life*, a Bandanna Energy spokesman said the company had not been made aware of any additional approvals which may be required for its Springsure Creek Project. "Bandanna has already changed the design of the Springsure Creek project to meet the goal of the LNP policy to pro-

tect strategic cropping land," the spokesman said.

"We see no reason to delay the approval of one of the few coal projects still proceeding, in the process sacrificing much-needed investment and jobs. We know people expect well-managed coexistence so they can have both local agriculture and the jobs and economic opportunity projects like this provide.

"We have sought to set a new benchmark in response to the LNP policy settings and there has been no suggestion to us of any delays in the timeframe or the rigorous approvals process that applies to all projects." Arrow Energy was unable to respond after comment was sought.

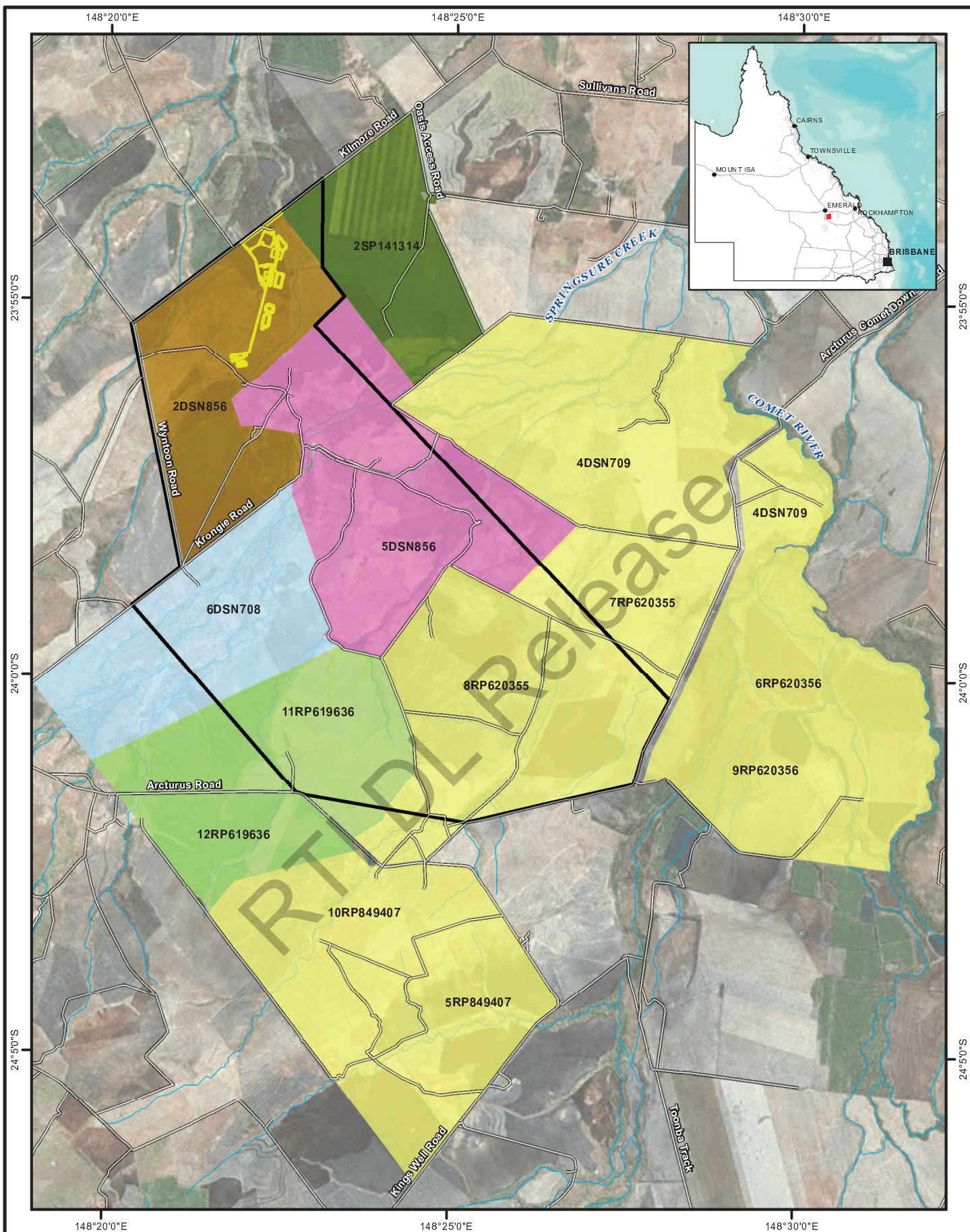


Figure 3-3 Land tenures

Key

— Road	Affected Property	Den-Lo
— MIA	Arcturus Downs	Springton
— MLA 70486	Cedar Park	Springton Ltd
— Watercourse	Cowley	

Data Source:
 EHP, 2012;
 Bandanna Energy, 2012;
 Watercourses from Geofabric v2,
 © Commonwealth of Australia
 (Bureau of Meteorology) 2011;
 Image from Bing Maps, 2011.
 Job: B11560_142-R2
 Affected Landowners
 Date: 23/01/2013

Scale
 1:125,000
 Metres
 0 1,500 3,000

DISCLAIMER
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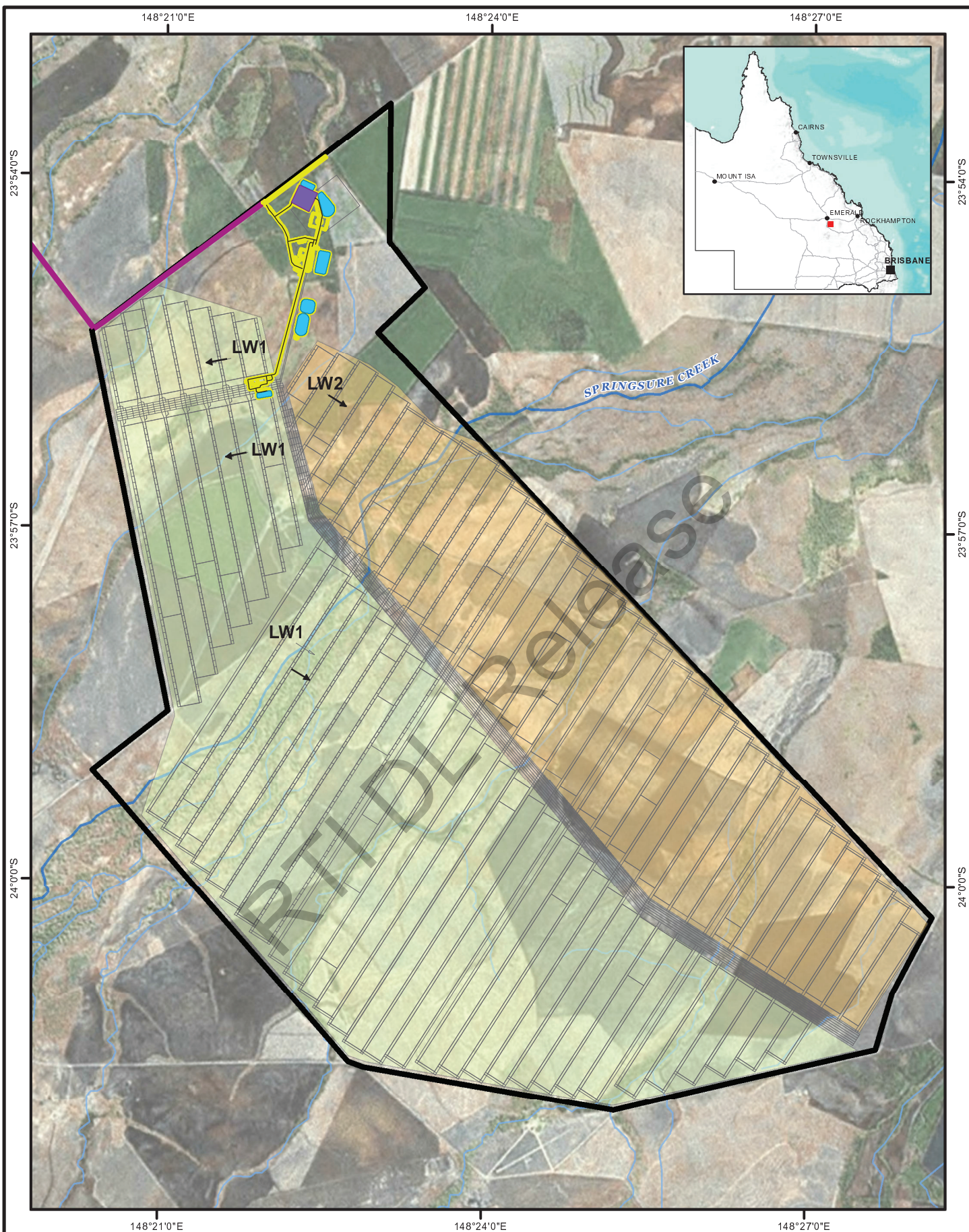


Figure 3-7 Longwall panel layout

Key

- | | | |
|------------------|------------------------|--------------------------|
| MLA 70486 | Proposed internal road | Longwall |
| MIA Access Route | Rail | Stage 1 Longwall 1 (LW1) |
| MIA | Major watercourse | Stage 2 Longwall 2 (LW2) |
| CHIA | Minor watercourse | |
| Mine site dams | | |

Data Source:
 Mine Infrastructure, Bandanna, 2012;
 Watercourses from Geofabric v2,
 © Commonwealth of Australia
 (Bureau of Meteorology) 2011;
 Image from Bing Maps, 2011.

Job: B11560_162-R2_longwall
 Date: 17/01/2013

Scale
 1:80,000

Metres
 0 1,000 2,000

DISCLAIMER
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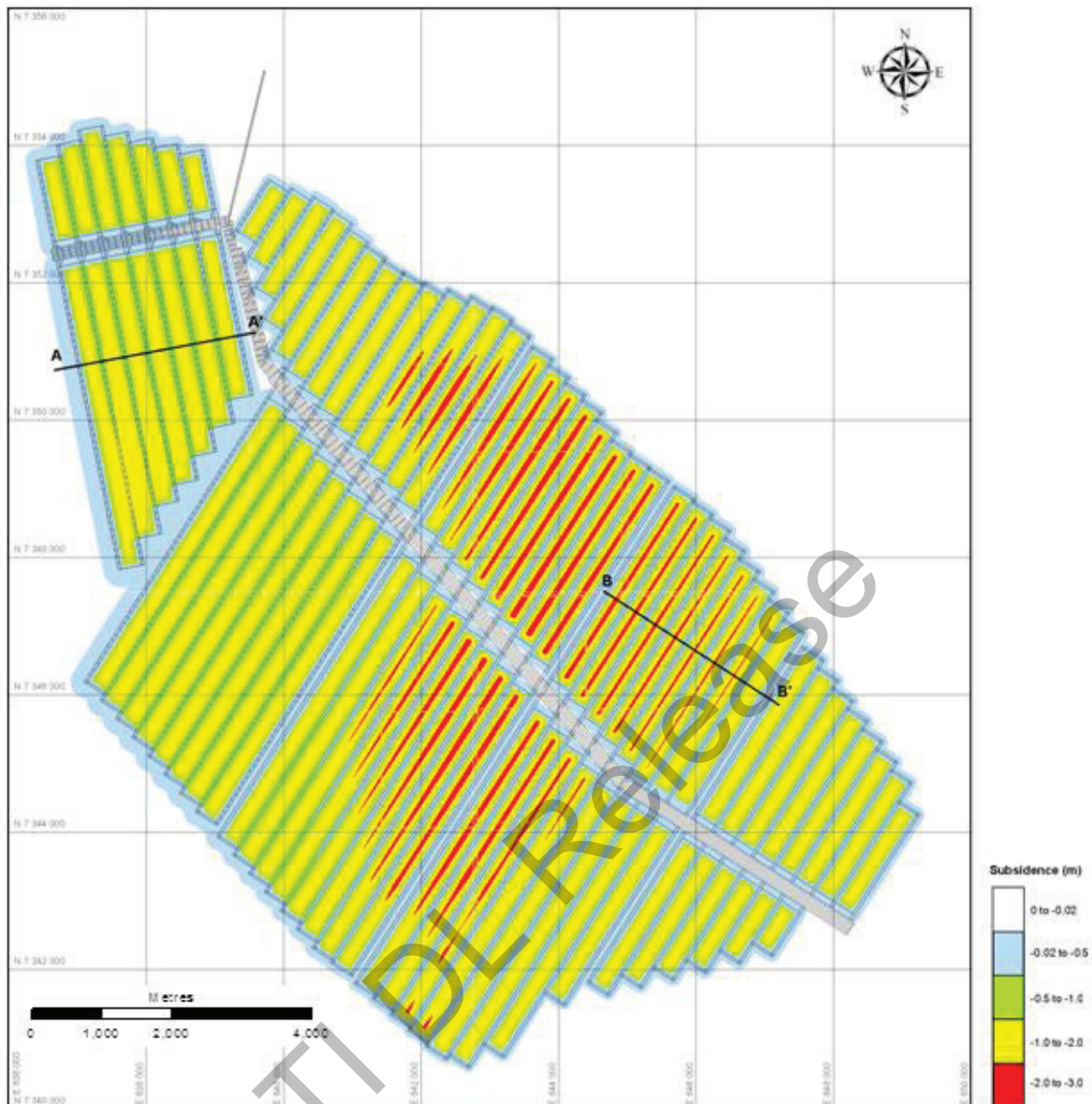
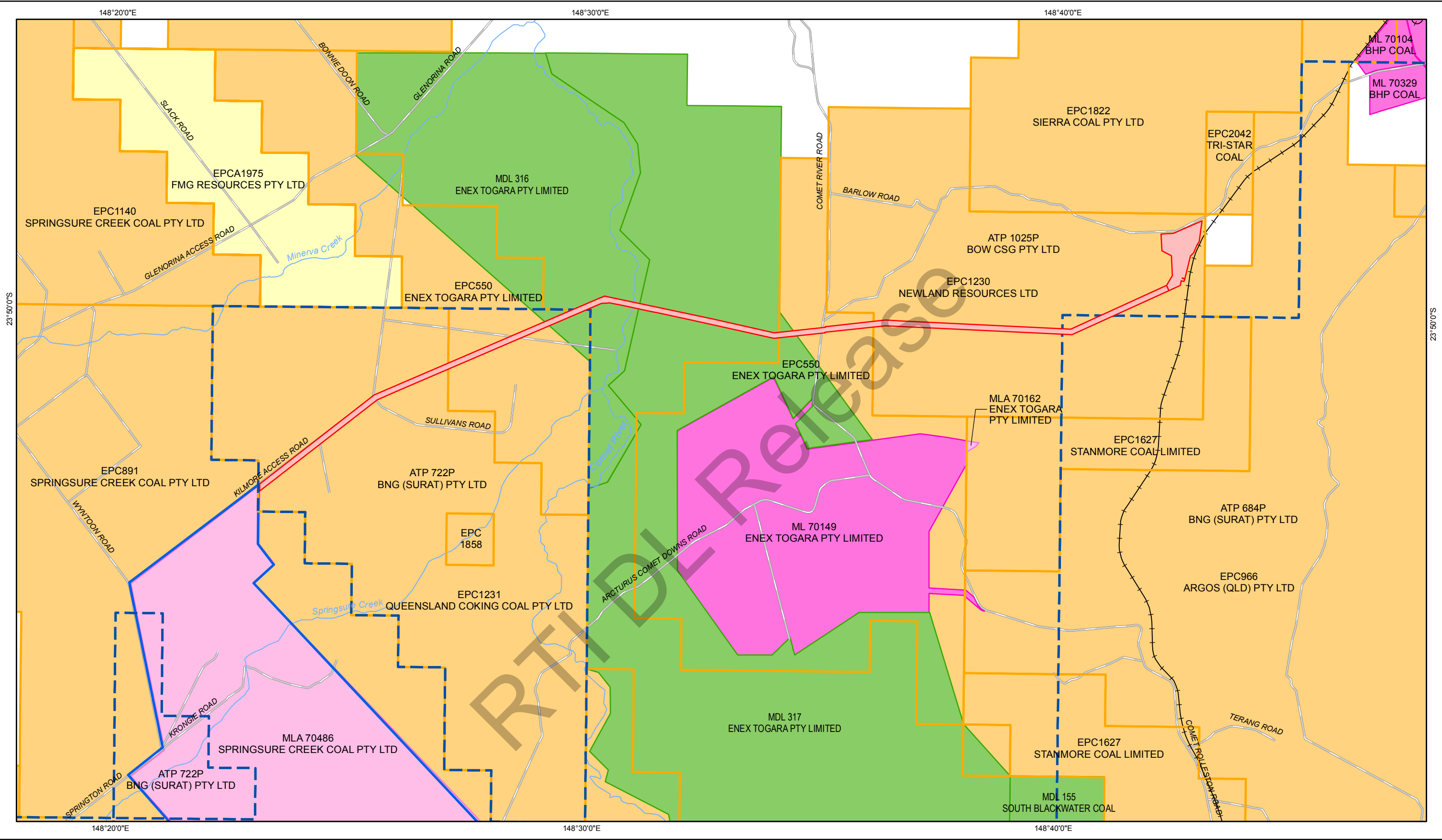


Figure 5-13 Predicted subsidence contours across the Project area – no mitigation (SCT 2012)

Figure 5-13 and Figure 5-14 show the detail of the subsidence from A-A'. The cross section shows that as the overburden depth increases to the west, the maximum subsidence decreases and the chain pillar subsidence increases.



NOTES

Service Layer Credits:
Roads: PSMA
Tenements: Dept of Mines & Energy, February 2013

DISCLAIMER

In preparing this map, RLMS have endeavoured to ensure that the data and information are as accurate and reliable as possible. However RLMS cannot accept liability for any decisions or actions of whatever kind or nature based on this study. RLMS expressly disclaims any loss or damage that may arise therefrom. 13-081

LEGEND

Infrastructure Corridor & Train Loadout MLAs	Mineral Development Licence
Springsure Creek Project MLA 70486 (subject to separate approval process)	Granted
Major Watercourses	Mining Lease
Railway	Application
Local Road	Granted
Authority to Prospect	Exploration Permit - Coal
	Application
	Granted

DL File B

0 2 4 6 8

Kilometres

Coordinate System:
GDA 1994 MGA Zone 55

CLIENT **SPRINGSURE CREEK COAL PTY LTD**

PROJECT **SPRINGSURE CREEK IAS**

TITLE **MINERAL & PETROLEUM TENEMENTS**

DATE **APRIL 2013**

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Layout: A3 Landscape



Department of
**Environment and
Heritage Protection**

Ref CTS 05858/13

25 March 2013

Mr George Houen
Landholder Services Pty Ltd
13 Cottesloe Street
TOOWOOMBA QLD 4350

Dear Mr Houen *George*

Thank you for your letter dated 26 February 2013 concerning an extension of time for receipt of submissions on the environmental impact statement (EIS) for the Springsure Creek Coal Mine Project.

I understand that you are asking for a 60 day extension to the submission period to enable your clients additional time to prepare and lodge submissions on the EIS for the project.

While the rainfall in late February would have restricted access to selected areas of interest in the project area for field work for some days, it would not have delayed this work to the extent that a 60 day extension of the submission period could be justified. Also, I note that your clients had engaged advisors prior to the release of the EIS and it would appear they had already commenced the field work referred to in your letter.

Most projects being assessed by EIS are of a similar degree of complexity, having a range of impacts that need to be identified, described and appropriate management proposed in the EIS documents. These and other matters are considered in setting the length of the submission period.

Notwithstanding the delay to proposed field activities being done by your clients for their submission due to rain, there is no aspect of the project that is substantially different from other resource projects that would indicate that a longer submission period would be needed. Hence, the submission period will remain at the current 30 business days.

I look forward to receiving submissions on the EIS from your clients. I would encourage you to assist your clients in providing factual and insightful information that would assist in achieving a comprehensive and robust assessment of the proposed project as described in the EIS.

Should you have any further enquiries, please contact Philip Rowland of the Department of Environment and Heritage Protection on telephone 3330 5602.

Yours sincerely

sch 4(6) Personal
[Redacted Signature]

Lindsay Delzoppo
Director
Statewide Environmental Assessments

RTI DL Release