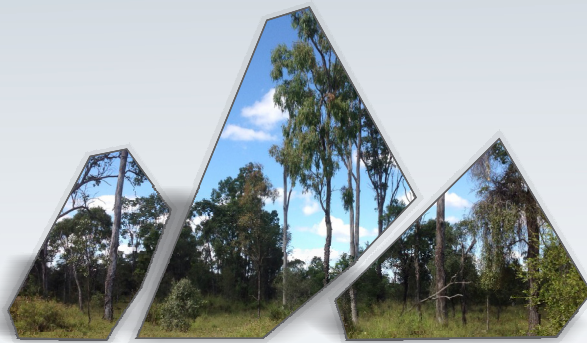


MIDDLEMOUNT COAL MINE WESTERN EXTENSION PROJECT (EPBC 2017/8130) EPBC Act Preliminary Assessment Documentation

Attachment B

Request for Preliminary Documentation





EPBC Ref: 2017/8130

Mr Shane Flint
Environmental Manager
Middlemount Coal Pty Ltd
PO Box 24
MIDDLEMOUNT QLD 4746

Dear Mr Flint

**Additional information required for preliminary documentation.
Middlemount Coal Mine – Western Extension Project, Middlemount, Queensland
(EPBC 2017/8130)**

I am writing to you in relation to your proposal to construct, operate and decommission the western extension of the existing Middlemount Coal Mine, including an open cut mine pit and associated infrastructure, seven kilometres from Middlemount, Queensland.

On 8 February 2018, I decided that the the proposed action is a controlled action and that it will be assessed by preliminary documentation. Further information will be required to be able to assess the relevant impacts of the proposed action.

Details outlining the further information required are at Attachment A.

Details on the assessment process and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the department's website at <http://www.environment.gov.au/epbc>.

If you have any questions about the assessment process or the further information required, please contact Sheryl Sibley, by email to sheryl.sibley@environment.gov.au, or telephone (02) 6274 1756 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

James Barker
Assistant Secretary
Assessments and Governance Branch

7 March 2018

Additional information required for assessment by Preliminary Documentation

**Middlemount Coal Mine – Western Extension Project, Middlemount, Queensland
(EPBC 2017/8130)**

The proposed action will be assessed by Preliminary Documentation. Preliminary Documentation is a combination of the information you provided in your referral and the information you will now provide in response to this request.

PURPOSE

The purpose of Preliminary Documentation is to enable the Minister and interested parties to understand the environmental consequences of your proposed action on matters of national environmental significance (MNES).

PROCESS

After you respond to our request for information relating to your project, the Department will review the information provided and work with you to ensure documentation meets the information requirements of this process. When requirements are met you will be given guidance for publishing this Preliminary Documentation, together with the original referral information, for public comment.

GENERAL CONTENT

- The information you provide should be objective, clear and succinct. Where appropriate it should be supported by maps, plans, diagrams or other descriptive detail.
- Documentation should be written so that any conclusions reached can be assessed independently.
- Detailed technical information, studies or investigations necessary to support the main text should be included.
- The level of analysis and detail in the documentation should be such that you can provide the Department with confidence in your
- Any variables or assumptions made in your assessment should be clearly stated and discussed.
- The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment should be discussed.
- Include a list with dates of people and agencies consulted.
- In preparing the documentation, include a list of names of people involved and the work done by them.

FORMAT AND STYLE

- Attach (as appendices) any supporting documentation – for example studies, reports or literature – from which information has been extracted and which are not normally available to the public. The referral is considered to be an appendix to the Preliminary Documentation.
- All sources should be appropriately referenced. Any internet web pages used must be referenced.
- All maps and diagrams should be in A4 or A3 size. All maps being overlaid must be clear and consistent in scale.

- Style should be appropriate for reading by the public and able to be presented electronically and in hard copy.

Confidential Information

If it is necessary to use material of a confidential nature, you should consult with the Department before submitting the documents for approval for publication.

Responding to the Request for Information

The additional information must include a table indicating where the information fulfilling the guidelines is included in the Preliminary Documentation.

SPECIFIC CONTENT OF THE ADDITIONAL INFORMATION

1. Alternatives to the proposal

This section must provide a full description of the action and describe, to the extent reasonably practicable, any prudent and feasible alternatives to the action. For each alternative listed, the proponent must provide the project details, impacts (positive and negative), location, scale, configuration and staging options. Sufficient detail must be provided to make clear why any alternative is preferred to another.

2. Addressing Matters of National Environmental Significance

The project is considered likely to have impacts to:

- s18 & s18A – listed threatened species and communities
- s24D & s24E – a water resource, in relation to coal seam gas development and large coal mining development

The information required by the Department regarding each matter is explained below.

Listed threatened species and communities

The project is considered likely to impact on, but is not limited to:

- Brigalow (*Acacia harpophylla* dominant and co-dominant) ecological community – endangered
- Koala (*Phascolarctos cinereus*)(Combined populations of Queensland, New South Wales and the Australian Capital Territory) – vulnerable
- Greater Glider (*Petauroides volans*) – vulnerable
- Squatter Pigeon (southern)(*Geophaps scripta scripta*) – vulnerable
- Ornamental Snake (*Denisonia maculata*) – vulnerable
- Grey-headed Flying-fox (*Pteropus poliocephalus*) – vulnerable

In order to undertake an assessment of these impacts, the Preliminary Documentation must include

- consideration of all EPBC Act listed threatened species and communities known to be present, likely to be present or for whom suitable habitat exists within the project area
- the survey effort undertaken for listed species and how these are consistent with Departmental survey guidelines

- if Departmental survey guidelines are not available, details of what best practice guidelines have been used and how they have been applied
- detailed mapping of the project site showing known and potential habitat for listed threatened species
- the area (in hectares), quality and location of this habitat in relation to the proposed action disturbance area

The impacts, including direct, indirect and consequential to listed threatened species and their habitat and endangered ecological community must be assessed in accordance with the relevant departmental policy and guidelines.

Cumulative impacts

The Preliminary Documentation must identify and address potential and likely cumulative impacts resulting from the project. Cumulative impacts include where potential project impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the vicinity). Where relevant to the potential impact, risk assessment must be conducted and documented. The risk evaluation must also include known potential future expansions or developments by the proponent and other proponents in the vicinity of the proposed action.

Avoidance, safeguards and mitigation measures for impacts to listed threatened species and communities

The Preliminary Documentation must provide information on avoidance measures, proposed safeguards and mitigation measures to minimise the impacts to listed threatened species and communities posed by the project. Specific and detailed descriptions of proposed measures must be provided and substantiated, based on best available practices. The current best available practices used to inform your mitigation measures should be named within the Preliminary Documentation.

A water resource, with respect to coal seam gas and large coal mines

Modelling

Modelling (including conceptual modelling) must be undertaken to provide an understanding of the potential impacts to groundwater and surface water resources. Models should be developed at an appropriate spatial (local vs regional) and temporal (life-of-project or longer if impacts are predicted) scale to fulfil a specific purpose such as understanding potential impacts to a particular water resource or water-dependent asset. This purpose should inform the model design and assumptions which should be clearly described and justified in the Preliminary Documentation. Any model should be constructed in accordance with the conceptual model, and calibrated and verified with appropriate baseline data. Modelling of groundwater and final voids must consider the characteristics of the Jellinbah Fault.

Surface Water/Groundwater assessment

The project is considered likely to have impacts to a water resource as a result of groundwater drawdown and the diversion of a water course. Depending on the nature and characteristic of the fault at this location, the fault may introduce a high risk to groundwater resources, providing a conduit/ preferential pathway for the movement of final void water into surrounding groundwater.

Adequate geological surveys including fault characterisation, risk assessment and groundwater modelling, including the impact of hydraulic loading, need to be undertaken to assess and determine the level of risk.

The Preliminary Documentation must also include an assessment of the direct, indirect and consequential impacts to surface water resources. This assessment must take account of all impacts to downstream users of this resource, as a result of the construction, operation and decommissioning of the Middlemount Coal Mine – Western Extension Project.

Further, the Preliminary Documentation must also include an assessment of the direct, indirect and consequential impacts to all groundwater resources as a result of groundwater drawdown, as well as impacts to groundwater and surface water connectivity.

You must also include an assessment of the design of final voids and how the design will minimise impacts, as well as an assessment of the water quality of those voids. Your assessment of voids must take into account any changes that will be made to the approved northern final void as a result of this extension.

Groundwater Dependent Ecosystems

Under the EPBC Act, you must consider impacts to all listed groundwater dependent ecosystems (GDEs). This assessment must include an assessment of direct, indirect and consequential impacts to GDEs. You must consider both surface water and groundwater impacts to GDEs within the proposed action area and beyond the project boundary, such as GDEs that may be downstream of the proposed action but impacted by the action regardless of proximity to it.

Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development

The project will require submission to the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC). The *Information Guidelines for Independent Expert Scientific Committee advice on coal seam gas and large coal mining development proposals* (Guidelines) outlining the requirements for submission to the IESC can be found at the website below.

<http://www.iesc.environment.gov.au/publications/information-guidelines-independent-expert-scientific-committee-advice-coal-seam-gas>

The responses you provide to our request for information form part of the IESC submission. You must complete the checklist in the Guidelines to ensure that the information requirements for the IESC review have been addressed in the Preliminary Documentation. The IESC will provide advice to the Department and the Department will forward the advice to you.

You must include the IESC advice and your response to that advice in the Preliminary Documentation package that will be published for public comment.

Cumulative impacts

The Preliminary Documentation must identify and address potential and likely cumulative impacts resulting from the project. Cumulative impacts include where potential project impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the vicinity). Where relevant to the potential impact, risk assessment must be conducted and documented. The risk evaluation must also include known potential future expansions or developments by the proponent and other proponents in the vicinity of the proposed action.

Avoidance, safeguards and mitigation measures for impacts to a water resource

The Preliminary Documentation must provide information on avoidance measures, proposed safeguards and mitigation measures to minimise the impacts to a water resource posed by the project. Specific and detailed descriptions of proposed measures must be provided and

substantiated, based on best available practices. The current best available practices used to inform your mitigation measures should be named within the Preliminary Documentation.

3. Environmental Outcomes

The Preliminary Documentation should provide information on the outcomes that will be achieved for matters of national environmental significance (MNES). Outcomes need to be specific, measurable and achievable and must be based on robust baseline data.

Outcomes must be developed in consideration of the Outcomes-based Conditions Policy 2016 and Outcomes-based Conditions Guidance 2016, with suitable justification for consideration identified in the policy and guidance. To allow for application of outcomes-based conditions, the Preliminary Documentation should include:

- (a) The specific environmental outcomes to be achieved, and how they relate to relevant Recovery plans, Conservation advices and Threat Abatement Plans.
- (b) For each proposed outcome:
 - Demonstrated willingness and capability to achieve the outcome, as well as the risks associated with that success
 - The measurability of the outcome, including all suitable performance measures
 - Appropriate baseline data upon which the outcome has been defined and justified
 - The likely impacts that the proposed outcome will address
 - Commitments to independent and periodic audits of performance towards achieving outcomes
 - Details of proposed management to achieve the outcome including, but not limited to, performance indicators, periodic milestones, proposed monitoring and adaptive management and record keeping, publication and reporting processes

4. Consolidated Mitigation Measures and Environmental Management Plans

The Preliminary Documentation must include:

- (a) A consolidated list of mitigation measures proposed to be undertaken to avoid, minimise or compensate for the relevant impacts of the action, including:
 - a description of proposed safeguards and mitigation measures to address relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the proponent
 - assessment of the expected or predicted effectiveness of the mitigation measures
 - any statutory or policy basis for the mitigation measures

The consolidated list should address all MNES impacted by this project.

- (b) A detailed outline of an Environmental Management Plan (EMP) that sets out the framework for management, mitigation and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.

The EMP needs to address the project phases (construction, operation, decommissioning) separately. It must state the environmental objectives, performance

criteria, monitoring, reporting, corrective action, responsibility and timing for each environmental issue.

The EMP should also describe contingencies for events such as failure of sewerage systems or levee systems, heavy or prolonged rainfall or saltwater intrusion into ground water.

The EMP must be prepared in accordance with the Department's Environmental Management Plan Guidelines (2014).

<http://www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines>

- (c) The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.

If you provide this information in an EMP then the plan must set out the framework for management, mitigation and monitoring of relevant impacts, including any provisions for independent environmental auditing.

Where you are indicating commitment to taking an action within your mitigation measures or Environmental Management Plans, the language used should state 'will' and 'must' and avoid 'could', 'would', 'should', 'possibly' and 'where practicable'.

5. Environmental Offsets

The Preliminary Documentation must include an Offset Management Plan. The Offset Management Plan must include:

- details of the location of the offset areas proposed to compensate for the loss of habitat for listed threatened species
- a description of the current condition (prior to any management activities) of the proposed offset area, including existing vegetation (the baseline condition) and value as habitat for listed threatened species
- a map to clearly define the location and boundaries of the offset area, including the offset attributes and a shapefile
- details of how the offset areas provide connectivity with other relevant habitats and biodiversity corridors
- a description of the management measures that will be implemented, including a timeline for when management measures will be implemented
- a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria
- details of the tenure proposed for the offset area to ensure it is protected in perpetuity

Offsets for listed threatened species must be in accordance with the Department's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) Environmental Offsets Policy (October 2012) and Offsets Assessment Guide, available at http://www.environment.gov.au/system/files/resources/12630bb4-2c10-4c8e-815f-2d7862bf87e7/files/offsets-policy_2.pdf

6. Ecologically Sustainable Development (ESD)

Please include a brief discussion of how the proposal will conform to the principles of Ecologically Sustainable Development. To assist you, the National Strategy for Ecologically Sustainable Development (1992) is available on the following web site:

7. Economic and Social Matters

The economic and social impacts of the action, both positive and negative, must be analysed. Matters of interest may include:

- details of any public consultation activities undertaken and their outcomes
- details of any consultation with Indigenous stakeholders
- projected economic costs and benefits of the project, including the basis for their estimate through cost/benefit analysis or similar studies
- employment opportunities expected to be generated by the project (including construction and operational phases)

Economic and social impacts should be considered at the local, regional and national levels.

8. Environmental Record of person(s) proposing to take the action

Please include details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- the person proposing to take the action
- for an action for which a person has applied for a permit, the person making the application