

COORDINATOR-GENERAL – BRIEF FOR STATUTORY DECISION

Date: 18 December 2014

SUBJECT: Coordinator-General's evaluation report on the environmental impact statement for the New Acland Coal Mine Stage 3 project

RECOMMENDATION:

That you:

- **approve** and **sign** the Coordinator-General evaluation report (CGER) for the New Acland Coal Mine Stage 3 project (**Attachment 1**), in accordance with Part 4 of the *State Development and Public Works Organisation Act 1971* (SDPWO Act).

That, subject to your decision, you:

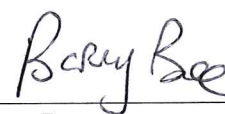
- **note** the document Information Clarification to the additional information to the environmental impact statement (AEIS) (December 2014) which compiles the proponent's responses to post-AEIS requests for further information, including responses to key issues raised in AEIS submissions (**Attachment 2**)
- **sign** the attached letters advising of your decision, to the:
 - proponent, New Acland Coal Pty Ltd (**Attachment 3**)
 - Director-General of the Department of Environment and Heritage Protection (DEHP) as the state agency with jurisdiction for state Environmental Authority conditions and Coordinator-General recommendations (**Attachment 4**)
 - Chief Executive Officer of Toowoomba Regional Council (TRC) as the assessment manager for applications for permits not located on the mining lease (**Attachment 5**)
 - Directors-General of the Department of Natural Resources and Mines (DNRM) and the Department of Transport and Main Roads (DTMR) as the state agencies with jurisdiction for Coordinator-General recommendations (**Attachments 6-7**)
 - Directors-General of 16 state agencies (**Attachments 8-23**)
 - Under Treasurer (**Attachment 24**) and Treasurer (**Attachment 25**)
 - TRC Mayor, and relevant state and Federal members of parliament (**Attachments 26-28**)
 - Ministers with jurisdiction as decision makers (**Attachments 29-31**)
 - First Assistant Secretary of the Commonwealth Department of the Environment (DE) (**Attachment 32**)
 - Commonwealth Minister for the Environment (**Attachment 33**)
- **approve** the project website be updated by notifying the Assistant Coordinator-General
- **approve** the associated media release.

BACKGROUND:

New Acland Coal Pty Ltd proposes to expand the existing New Acland Coal mine, located 35 kilometres west of Toowoomba, to produce up to 7.5 million tonnes per annum until the year 2029.

The New Acland Stage 3 project EIS was released for a six week public review period from 18 January 2014 to 3 March 2014. 1397 submissions were received. On 27 August 2014, you required AEIS which was made available for public comment from 1 September to 29 September 2014. 614 submissions were received.

APPROVED



Barry Broe
Coordinator-General

Date: 19-12-14

Author: [REDACTED]
Position: Project Manager
Telephone: [REDACTED]

Endorsed by: [REDACTED]
Position: A/Executive Director
Telephone: [REDACTED]

Endorsed by: [REDACTED]
Position: ACG
Telephone: [REDACTED]
Signed 18 December 2014

KEY ISSUES:

Chapter 1: Synopsis, CGER (**Attachment 1**) details the key issues considered in the evaluation report and conditions applied, including about land use, groundwater, noise and air impacts, constructing a new train load-out facility to ensure the closure of the Jondaryan Rail Load-out facility, and road impacts.

TIMEFRAMES:

The AEIS was approved for release for public consultation on 27 August 2014. Assuming that you make your decision on the Coordinator-General's evaluation report on 19 December 2014, the duration for this phase would be 80 business days. Taking account of 10 days of 'stop the clock' time, the total duration for this phase would be 70 business days. This compares to the historical average of 182 business days – a reduction of 62 per cent. ✓

RESULTS OF CONSULTATION:

Key agencies DEHP, DNRM, DTMR, Department of Agriculture, Fisheries and Forestry and TRC were consulted and provided advice and recommended conditions which, where appropriate, have been included in the Coordinator-General's report.

DE has been consulted on the evaluation of potential impacts and adequacy of information about matters of national environmental significance (MNES). The Coordinator-General's report includes recommended conditions for the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval, which were prepared in consultation with DE.

Attachment 34 provides DE's confirmation that the evaluation of MNES provides sufficient information for the Commonwealth Minister for the Environment to make a decision under the EPBC Act.

ATTACHMENTS:

Attachment 1: CGER

Attachment 2: Information clarification to the AEIS

Attachment 3: Letter to proponent

Attachment 4: Letter to Director-General, DEHP

Attachment 5: Letter to Chief Executive Officer, TRC

Attachment 6: Letter to Director-General, DTMR

Attachment 7: Letter to Director-General, DNRM

Attachments 8–23: Letters to various state government Directors-General

Attachments 24–25: Letters to Under Treasurer and Treasurer

Attachment 26: Letter to the Mayor, TRC

Attachment 27: Letter to the State Member for Nanango, Ms Deb Frecklington MP

Attachment 28: Letter to the Honourable Ian McFarlane MP, Federal Member for Groom

Attachment 29: Letter to the Honourable Andrew Cripps MP, Minister for Natural Resources and Mines

Attachment 30: Letter to the Honourable Andrew Powell MP, Minister for Environment and Heritage Protection

Attachment 31: Letter to the Honourable Scott Emerson MP, Minister for Transport and Main Roads

Attachment 32: Letter to [REDACTED], First Assistant Secretary, DE

Attachment 33: Letter to the Honourable Greg Hunt MP, Minister for the Environment

Attachment 34: Email from [REDACTED], Director, DE.

COORDINATOR-GENERAL'S COMMENTS:

1. Gpy DPO ✓ 19/12
2. email proponent ✓ 19/12
3. email 2 CW letters ✓ 19/12
4. post other letters

5. put on web in
context. with
media release

Plu
19/12/14