

Meaghan Dwyer

From: Regional Planning Interests Act
Sent: Friday, 31 March 2017 2:38 PM
To: Regional Planning Interest Act; WHITING Kerri
Cc: Regional Planning Interests Act
Subject: FW: RPI17/004/BENGAL - Bengal Coal - Dysart East Project - RIDA Application
Attachments: F1.zip; F2.zip; F3.zip

Hi,

Following on from the below email regarding a new RIDA application, please find attached GIS files of the proposed footprint to assist in the assessment.

Kind Regards,

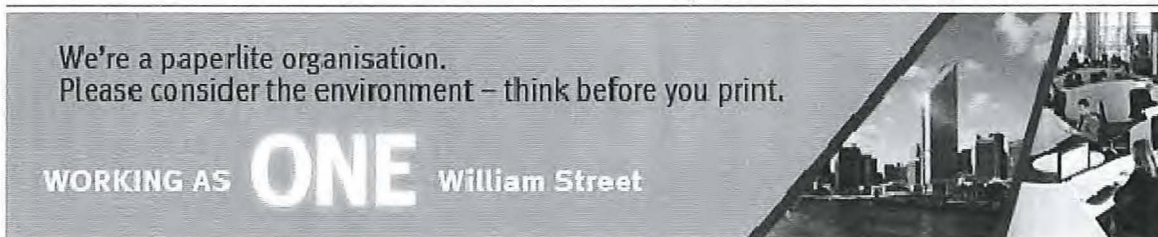
[REDACTED]
Manager – Development Assessment Advisory Team

Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000

[REDACTED]@dilgp.qld.gov.au

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Department of Infrastructure, Local Government and Planning



From: [REDACTED]
Sent: Tuesday, 28 March 2017 9:04 AM
To: Regional Planning Interest Act; Kerri Whiting
Cc: Regional Planning Interests Act
Subject: RPI17/004/BENGAL - Bengal Coal - Dysart East Project - RIDA Application

Hi,

Please find attached RIDA application RPI17/004/BENGAL submitted by Bengal Coal to undertake resource activities within a Strategic Cropping Area for their Dysart East Coal project.

The application was properly made on 27 March 2017. The following dates are relevant:

28 March 2017 - Day 1 for DILGP to issue requirement notice to notify (10 business days from receipt of application)

28 March 2017 - Day 1 for the assessing agency to commence preliminary assessment

5 April 2017 - Day 7 for assessing agency to provide DILGP with request for additional information (if required) to be included in a requirement notice

10 April 2017 - Day 10 for DILGP to issue requirement notice to notify

10 April 2017 - Day 10 for DILGP to issue requirement notice (for information).

The DILGP officer responsible for this application will be Kassim Mahomed. All email correspondence should be sent to RPIAct@dilgp.qld.gov.au. Please quote reference "RPI17/004/BENGAL" for all correspondence.

If you have any queries, please feel free to contact me on details below.

Regards,

[Redacted]

Manager – Development Assessment Advisory Team

Department of Infrastructure, Local Government and Planning

Level 13, 1 William St Brisbane QLD 4000

[Redacted] [@dilgp.qld.gov.au](mailto:[Redacted]@dilgp.qld.gov.au)

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Dep



Meaghan Dwyer

From: Regional Planning Interests Act
Sent: Friday, 5 May 2017 12:08 PM
To: Sch. 4(4)(6) - Disc@aecom.com
Cc: [REDACTED]
Subject: FW: RPI17/004/BENGAL COAL - Dysart East Mine

Hi [REDACTED]

It is the responsibility of the Applicant to ensure that the information contained in the public notice is accurate and correct.

You may apply to the chief executive of DILGP for an extension of time to notify under section 36(1)(b) of the *Regional Planning Interests Act 2014* if you think this is required, in order to clarify the issue of total area of surface impact, as raised as an item in the recent Requirement Notice.

Kind regards

[REDACTED]
Manager

Development Assessment Advisory Team
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street Brisbane QLD 4000
[REDACTED]@dilgp.qld.gov.au

From: [REDACTED]@aecom.com
Sent: Thursday, 4 May 2017 5:31 PM
To: Regional Planning Interests Act
Subject: RPI17/004/BENGAL COAL - Dysart East Mine

Hi [REDACTED]

Thank you for your response.

Are you indicating that the Applicant cannot undertake notification until the RFI is responded to? The Requirement Notice issued by the Department stated the Applicant must undertake notification within 20bd of receiving the Requirement Notice.

The Requirement Notice also states that the Applicant is required to provide further information within 12 months.

Apologies if I am misunderstanding the intent of your response, but if you could provide further clarity on this it would be much appreciated.

Regards,

[REDACTED]

Planner

[REDACTED]

[REDACTED]@aecom.com

AECOM

Level 1, 21 Stokes Street, Townsville, QLD 4810
PO Box 5423 Townsville QLD 4810

[REDACTED]
aecom.com

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From: Regional Planning Interests Act [<mailto:RPIAct@dilgp.qld.gov.au>]
Sent: Thursday, 4 May 2017 4:40 PM
To: Sch. 4(4)(6) - Disclos
Subject: RE: RPI17/004/BENGAL COAL - Dysart East Mine

Sch. 4(4)(6)

I have had a look at the DILGP Requirement Notice to AECOM (dated 10 April 2017) and notice that the Requirement Notice requested additional information, inter alia, to address subsidence impacts and the potential location of the impacts to the SCL within the area the subject of the application. This information may affect the total area of surface impact.

It is incumbent on the applicant to ensure that the information provided in the public notice is factually correct.

Kind regards

[Redacted]
Manager

Development Assessment Advisory Team
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street Brisbane QLD 4000

[Redacted]@dilgp.qld.gov.au

From: Sch. 4(4)(6) - Disclosing personal information [Redacted]@aecom.com]
Sent: Thursday, 4 May 2017 12:44 PM
To: Regional Planning Interests Act
Subject: RPI17/004/BENGAL COAL - Dysart East Mine

RPI Team,

Please see attached draft notice for the public advertisement for RPI17/004/BENGAL COAL - Dysart East Mine.

We request the Department reviews the notice to ensure it is sufficient for the Applicant prior to advertising.

Could the Department please advise ASAP as the advertisement is due to go out on Tuesday next week, however needs to be mailed to land owners before COB tomorrow.

Happy to discuss further if required. Please call me on my mobile [Redacted] Sch. 4(4)(6) - Disclosing

Regards,

Sch. 4(4)(6) - Disclosi

Planner

Sch. 4(4)(6) - Disclosing p

Sch. 4(4)(6) - Disc@aecom.com

AECOM

Level 1, 21 Stokes Street, Townsville, QLD 4810
PO Box 5423 Townsville QLD 4810

[Redacted]
[aecom.com](#)
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Meaghan Dwyer

From: [REDACTED]
Sent: Friday, 6 October 2017 3:30 PM
To: [REDACTED]
Cc: DAAT
Subject: [REDACTED] Handover notes
Attachments: Handover notes.docx

Hi All,

Further to our conversations, please find attached handover notes for my jobs.

Don't miss me too much.

[REDACTED]
Manager – Development Assessment Advisory Team
Development Assessment Division
Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000
[REDACTED]@dilgp.qld.gov.au



Pages 7 through 8 redacted for the following reasons:

s.73(1) - refers to other projects

RPI17/004 - Bengal Coal RIDA – Dysart East Coal Project	
Key contacts and Folders	<p><u>Key Contacts:</u></p> <ul style="list-style-type: none"> • [Redacted] NRM – [Redacted]@dnrm.qld.gov.au • Sch. 4(4)(6) - Disc [Redacted] Aecom – applicant's consultant – [Redacted] Sch. 4(4)(6) - [Redacted]@aecom.com • [Redacted] - Landowner represented (submitter) – [Redacted]@gmail.com <p><u>Folders:</u></p> <ul style="list-style-type: none"> • RPI Inbox – Applications Current – RPI17/004/BENGAL – Dysart East Coal • Source – F17/4030
Project Background and Status	<ul style="list-style-type: none"> • Requirement Notice sent 10 April 2017 <ul style="list-style-type: none"> ◦ Further information is required on how the proposal (underground coal mine) will address potential subsidence impacts on SCL • Applicant is preparing response and has been having discussions with DNRM directly regarding technical requirements. <p><i>Note: Submission was made on behalf of affected landowner in relation to subsidence impacts on property. This landowner is also currently engaged in Land Court proceedings with Proponent</i></p>
Required action	<ul style="list-style-type: none"> • Continue assessment once response received from applicant
Key Documents	<ul style="list-style-type: none"> • OUT17/2392 - Requirement Notice • D17/137383 - Submission in response to public notification (This has previously been sent to NRM, but could you please make sure NRM are have it on file to consider when their assessment commences again)

Page 10 redacted for the following reason:

s.73(1) - refers to another project

Meaghan Dwyer

From: [Sch. 4(4)(6) - Disclosing personal info]@aecom.com>
Sent: Friday, 3 November 2017 5:00 PM
To: [Redacted]
Cc: [Sch. 4(4)(6) - D]
Subject: RE: RPI17/004BENGAL COAL - Dysart East Coal Mine

Thanks you for the update [Redacted]

Regards,

[Sch. 4(4)(6)]

[Sch. 4(4)(6) - Disclosing

Associate Director - Environment

[Sch. 4(4)(6) - Disclosing personal information

[Sch. 4(4)(6) - Disc]@aecom.com

AECOM

Level 8, 540 Wickham Street, Fortitude Valley, QLD 4006

PO Box 1307 Fortitude Valley QLD 4006

[Redacted]
aecom.com

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From: [Redacted]@dilgp.qld.gov.au]
Sent: Friday, 3 November 2017 4:58 PM
To: [Sch. 4(4)(6) - Disclos
Cc: Regional Planning Interests Act
Subject: FW: RPI17/004BENGAL COAL - Dysart East Coal Mine

Dear [Sch. 4(4)(6)]

Bengal Coal Pty Ltd, as applicant in respect of application RPI17/004, is hereby advised that the 'prescribed time frame' for assessment is being extended until 13 November 2017.

The 'prescribed time frame' is set out in Schedule 5, section 20 of the Regional Planning Interests Regulation 2014. The aforementioned provides that the chief executive may decide that a longer period is applicable.


The longer period (being five additional business days from 6 November 2017) is necessary in this instance to allow sufficient time to consider the response provided by the DNRM (as an assessing agency), received on 26 October 2017.

Please contact me if you would like to discuss the above.

Regards,

[Redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning

Level 13, 1 William Street, Brisbane QLD 4000

@dilgp.qld.gov.au

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Page 13 redacted for the following reason:

duplicate of page 39-40

[Redacted]

From: [Redacted]
Sent: Tuesday, 31 October 2017 5:02 PM
To: [Redacted]
Cc: Regional Planning Interests Act
Subject: RPI17/004 - Bengal Coal - Dysart East Coal Mine

Hi [Redacted]

This is the RPI application I mentioned which involves the 'board and pillar' underground coal extraction.

The submitter's representative wants confirmation as to whether DILGP can provide him with a copy of the applicant's response to the matters raised in the Requirement Notice.

The applicant provided their response on 9 October 2017.

Below is a snapshot of what was provided. It's pretty standard fare.

[Redacted]

RPI17/004BENGAL COAL - Dysart East Coal Mine

Thank you for your time and the clarification you and your colleagues in both the Department of Infrastructure, Local Government and Planning (DILGP) and the Department of Natural Resources and Mine (DNRM) have provided in relation to the Dysart East RIDA application (RPI17/0004Bengal Coal).

Following our discussions to confirm the information required to progress the application, we have agreed that the following is required:

1. Confirmation of the GIS and polygons that the spoil areas do not encroach on the Strategic Cropping Land (SCL) (requested by DILGP).
2. Provision of a map showing the full extent of the approved bord and pillar mining (requested by DILGP).
3. Information to demonstrate consideration and addressing of each of the methodologies applied assessing pre-activity condition and proposed post activity condition. This includes providing technical data and assessment studies, to be able to justify 'no subsidence' effects to the SCL (requested by DNRM).
 - 3.1. Include spoil dump in calculations of impacts, and footprint of proposed impacts specific to site.
 - 3.2. Explain and demonstrate consideration and qualification of 'no permanent impact', where this can be supported with technical data and assessment of site, and not just as a standalone statement.
 - 3.3. Dimension of bord and pillar operations, dimension of retained void, pillar spacing's, where geotechnical practitioners are able to review this information specific to the proposed project footprint, post operations.
 - 3.4. Confirm type and total of impact to SCL which would include:
 - 3.4.1. Footprint of underground workings specific to the project and the site.
 - 3.4.2. Qualify imperceptible surface subsidence with site specific information that has formed the basis of this conclusion, qualify how this will be achieved and monitored.
 - 3.4.3. Location of site specific monitoring points and tracks that maybe used to monitor subsidence impacts.

As explained, the RPI Act only requires that basic material appear for public scrutiny:

- material provided at lodgement;
- requirement notice (if any);
- copy of any submissions; and
- the decision notice.

We have never uploaded a copy of RFI responses to the RPI website.

I made the submitter's rep' aware of this. He still wants to obtain it, noting that he could RFI the material. He has been very polite and just wants to see what he can obtain for review.

I said I would confirm with the delegate and advise him.

Decision date for this one is 6/10/17.

Regards,

[Redacted]
Manager – Development Assessment

Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000

[Redacted]@dilgp.qld.gov.au

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[REDACTED]

From: [REDACTED]
Sent: Wednesday, 29 March 2017 3:17 PM
To: [REDACTED]
Cc: [REDACTED] Regional Planning Interests Act
Subject: FW: FOR APPROVAL : D17/82090 : RPI Act web updates - RPI17/004/BENGAL
Attachments: RPI Act web updates - RPI17 004 BENGAL.tr5

Importance: High

Hi [REDACTED]

Please be advised that I approve the update being made to the website, as per [REDACTED] email below and the attached.

Please arrange update accordingly ASAP. We have had a land owner phone up asking to see the application details on the website.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning Level 13, 1 William Street, Brisbane QLD 4000 p. 07
[REDACTED]@dilgp.qld.gov.au Customers first | Ideas into action | Unleash potential | Be courageous
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-----Original Message-----

From: [REDACTED]
Sent: Wednesday, 29 March 2017 1:22 PM
To: [REDACTED]
Cc: Regional Planning Interests Act
Subject: FW: FOR APPROVAL : D17/82090 : RPI Act web updates - RPI17/004/BENGAL

[REDACTED]

This email is approval from me for the website update for RPI17/004/BENGAL-DEC.

Could you please provide your approval as second manager and forward onto [REDACTED] so all approvals are in the same email chain?

[REDACTED] for your info I made a couple of amendments:

1. Included Lot/Plan details as well as street address
2. Strategic Cropping Land changed to 'Strategic Cropping Area'.
3. Application form changed to 'Assessment Application' (this is just because everything is bundled together as one PDF rather than split into application form and supporting report as commonly received.)

Thanks,

[REDACTED]
Manager – Development Assessment Advisory Team Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000 p [REDACTED]@dilgp.qld.gov.au Customers
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-----Original Message-----

From: [REDACTED]

Sent: Wednesday, 29 March 2017 12:43 PM

To: [REDACTED]

Subject: FOR APPROVAL : D17/82090 : RPI Act web updates - RPI17/004/BENGAL

Hi [REDACTED]

Please see attached for your approval.

Thanks

[REDACTED]

-----< HP Records Manager Record Information >-----

Record Number : D17/82090

Title : RPI Act web updates - RPI17/004/BENGAL

RPI Act

Website updates: how to

New applications to add to the website

1. Fill out the below table in a new word document
2. Seek approval from a co-manager
3. Send update to planninggroupcomms@dilgp.qld.gov.au with deadline for update

Table to fill out:

Page URL	http://dilgp.qld.gov.au/planning/regional-planning/rpi-act-applications-submissions-and-decision-notice.html	
Type of update	Status	
Item	Information	
Application reference	RPI17/004/BENGAL-DEC	
Applicant	Bengal Coal Pty Ltd	
Project	Dysart East Coal Mine	
Site address and property description	7078 Dysart Clermont Road and 532 Dysart Middlemount Road, Dysart Lot 5 SP235303 and Lot 2 SP161102	
Area/s of regional interest	Strategic Cropping Area	
Status	Notification	
Requirement Notice	Document name	Source reference for document
	Requirement notice	OUT17/2392
Supporting documents (traditionally we only upload application form and supporting report)	Document name	Source reference for document
	Assessment Application	D17/82081

Example of completed table:

Page URL	http://dilgp.qld.gov.au/planning/regional-planning/rpi-act-applications-submissions-and-decision-notice.html	
Type of update	NEW	
Item	Information	
Application reference	RPI17/003/Hamilton Park South	
Applicant	Australia Pacific LNG Pty Limited	
Project	Hamilton Park South	
Site address and property description	Yuleba Taroom Road, Wallumbilla North, QLD 4428 Lot 72 on Plan SP263270	
Area/s of regional interest	Strategic cropping area	
Status	Application submitted	

Supporting documents (traditionally we only upload application form and supporting report)	Document name	Source reference for document
	Application form	D17/1234
	Supporting report	D17/1234

Moving 'current applications' to 'decided applications' on the website

1. Fill out the below table and **highlight in yellow** where the new/updated text is
2. Seek approval from a co-manager
3. Send update to planninggroupcomms@dilgp.qld.gov.au with deadline for update

Table to fill out:

Page URL	http://dilgp.qld.gov.au/planning/regional-planning/rpi-act-applications-submissions-and-decision-notice.html	
Type of update		
Current location on website		
New location on website		
Item	Information	
Application reference		
Applicant		
Project		
Site address and property description		
Area/s of regional interest		
Notification		
Status		
Decision notice	Document name	Source reference for document
	Decision letter	
	Regional interests development approval (RIDA)	
Requirement notice	Document name	Source reference for document
	Requirement notice	
Supporting documents (traditionally we only upload application form and supporting report)	Document name	Source reference for document

Example of completed table:

Page URL	http://dilgp.qld.gov.au/planning/regional-planning/rpi-act-applications-submissions-and-decision-notice.html
Type of update	Existing application – please move from 'current' to 'decided'
Current location on website	Current applications
New location on website	Decided applications
Item	Information

Application reference	RPI15/009/CurraghExt	
Applicant	Wesfarmers Curragh Pty Ltd	
Project	Curragh Extension Project	
Site address and property description	Blackwater Cooroorah and Oliffe Roads, Blackwater (6km north of Blackwater) Lot 1 on Plan RP613729, Lot 35 on Plan SP247242, Lot 12 on Plan HT493, Lot 2 on Plan SP223677, Lot 12 on Plan HT493, Lot 46 on Plan HT610, Lot 6 on Plan HT571	
Area/s of regional interest	Strategic cropping area	
Notification	No	
Status	Decided	
Decision notice	Document name	Source reference for document
	Decision letter	D17/1234
	Regional interests development approval (RIDA)	D17/1234
Requirement notice	Document name	Source reference for document
	Requirement notice	D17/1234
Supporting documents (traditionally we only upload application form and supporting report)	Document name	Source reference for document
	Application form	Already on website
	Supporting report	Already on website



[REDACTED]

From: [REDACTED]
Sent: Wednesday, 29 March 2017 1:22 PM
To: [REDACTED]
Cc: Regional Planning Interests Act
Subject: FW: FOR APPROVAL : D17/82090 : RPI Act web updates - RPI17/004/BENGAL
Attachments: RPI Act web updates - RPI17 004 BENGAL.tr5

[REDACTED]

This email is approval from me for the website update for RPI17/004/BENGAL-DEC.

Could you please provide your approval as second manager and forward onto [REDACTED] so all approvals are in the same email chain?

[REDACTED] for your info I made a couple of amendments:

1. Included Lot/Plan details as well as street address
2. Strategic Cropping Land changed to 'Strategic Cropping Area'
3. Application form changed to 'Assessment Application' (this is just because everything is bundled together as one PDF rather than split into application form and supporting report as commonly received.)

Thanks,

[REDACTED]
Manager – Development Assessment Advisory Team Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000 p [REDACTED]@dilgp.qld.gov.au Customers
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-----Original Message-----

From: [REDACTED]
Sent: Wednesday, 29 March 2017 12:43 PM
To: [REDACTED]
Subject: FOR APPROVAL : D17/82090 : RPI Act web updates - RPI17/004/BENGAL

Hi [REDACTED]

Please see attached for your approval.

Thanks

[REDACTED]

-----< HP Records Manager Record Information >-----

Record Number: D17/82090
Title : RPI Act web updates - RPI17/004/BENGAL

Meaghan Dwyer

From: Sch. 4(4)(6) - Disclosing personal info@aecom.com>
Sent: Wednesday, 1 March 2017 8:24 AM
To: [Redacted] Sch. 4(4)(6)
Sch. 4(4)(6) - Disclosing personal inform
Subject: Dysart East Coal Mine RIDA meeting minutes
Attachments: Dysart East Coal Mine_RIDA Meeting Minutes_170221.pdf

Dear All, thank you for your time to discuss the RIDA process relating to the Bengal Coal Dysart East Coal Mine Project last week.

Please find attached a copy of the minutes from the meeting. If you have any questions, please feel free to contact me at any time.

Regards,

Sch. 4(4)(6)

Sch. 4(4)(6) - Disclos

Associate Director - Environment

Sch. 4(4)(6) - Disclosing personal information

Sch. 4(4)(6) - Disc@aecom.com

AECOM

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PO Box 1307 Fortitude Valley QLD 4006

[Redacted]
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Minutes of Meeting

Dysart East Coal Mine

Subject	RIDA - DILGP Pre-lodgement Meeting	Page	1
Venue	DILGP - Level 13, 1 William Street, Brisbane	Time	11:30am
Participants	Sch. 4(4)(6) - D Bengal Coal), Mitzi Venn (DILGP), Kassim Mahomed (DILGP), Darren Brewer (DILGP), Kerri Whiting (DNRM), Sch. 4(4)(6) - Dis (AECOM), Sch. 4(4)(6) - Disclosing p (AECOM)		
Apologies	Nil		
File/Ref No.		Date	21-Feb-2017
Distribution	As above		

No	Item	Action	Date
1	MV and DC opened the meeting and advised the purpose of the meeting was to discuss the potential requirement for Bengal Coal to lodge a Regional Interests Development Approval (RIDA) for the Dysart East Coal Mine Project (the Project). The purpose of the meeting is to discuss: <ul style="list-style-type: none"> - Outline the Project - The need for a RIDA - The information requirements and issues to be addressed in the RIDA application - The process and timeframe of a RIDA application. 	-	-
2	MV confirmed that a RIDA will be required as a regulated activity under the <i>Regional Planning Interests Act 2014</i> (RPI Act) is proposed within a Strategic Cropping Area (SCA).	-	-
3	MV and KW advised the RIDA will most likely need to address Required Outcome 2 – Managing impacts to strategic cropping land on property (SCL) in the SCA of Schedule 2, Part 4, of the Regional Planning Interests Regulation 2014, being that the activity will not result in a material impact on strategic cropping land on the property (SCL).	-	-
4	KM advised that the RIDA application needs to incorporate land owner details for each of the allotments subject to the application.	-	-
5	MV and KW requested that the RIDA application incorporate a plan illustrating the areas of the site		

No	Item	Action	Date
	proposed to be subject to underground mining.		
6	<p>KW advised that a key issue for the RIDA application will be the adequacy of the subsidence report and the ability to demonstrate that the Project will not result in a material impact on SCL.</p> <p>KW enquired about the scope, method and data inputs of the SCT subsidence report titled <i>Review of the Potential for Subsidence for the Proposed Underground Bord and Pillar Operations, Dysart East Mine Project – Revision 3</i> dated 29 April 2015.</p> <p>NL advised of the brief, scope, method and data inputs of the SCT subsidence report. This included details of the geological information used in the report.</p> <p>DC advised that the SCT report had been relied upon for the Environmental Authority (EA) application and Mining Lease (ML) application, which the Department of Natural Resources and Mines (DNRM) has been involved in the assessment of both applications and accepted the findings of the report.</p> <p>KW suggested that AECOM incorporate the geological information relied upon by the SCT report within the RIDA application.</p> <p>KW advised that she would liaise internally with DNRM officers regarding the adequacy of the SCT report and advise Bengal Coal and AECOM.</p>	KW	ASAP
7	MV advised that Schedule 2 of the RPI Regulation outlines the assessment criteria for a RIDA.	-	-
8	<p>NL enquired about the implications for the Project if DNRM decided that the Project would impact SCA. DNRM advised that a mitigation payment would need to be made based on the impact, however the likelihood of the RIDA not being supported was low.</p> <p>NL enquired as to whether any mitigation payment could be paid progressively. KW advised this was possible, but would need to be requested by Bengal Coal.</p>	-	-
9	DB advised that the RIDA application would need to address the potential impacts of Project activities on the mapped areas of SCL, such as soils dumps, dust drift, haul routes, etc.	-	-
10	MV advised that Part 1, Schedule 2 of the RPI Regulation outlines the various definitions for	-	-

No	Item	Action	Date
	consideration within the RIDA application, such as Property (SCL).		
11	MV advised that KW will be the DNRM representative for this RIDA application.	-	-
12	MV advised that all correspondence for the RIDA application should be directed through DILGP. However AECOM/Bengal Coal could phone KW directly to discuss aspects of the application, such as information requirements.	-	-
13	<p>NL enquired if activities could be undertaken over Lot 2 on SP235303, which has been validated as not SCL, without the need for a RIDA.</p> <p>MV advised that section 19 of the RPI Act states: <i>person must not wilfully carry out, or allow the carrying out of, a resource activity or regulated activity in an area of regional interest unless the person holds, or is acting under, a regional interests development approval for the activity.</i></p> <p>MV confirmed that where the activities are not located within an area of regional interest and did not impact on an area of regional interest, they could be undertaken without a RIDA.</p>	-	-
14	DC advised that he will email the final land form figure tabled during the meeting to DILGP and DNRM	DC	24/02/17

Meaghan Dwyer

From: [REDACTED]
Sent: Monday, 9 October 2017 5:00 PM
To: [REDACTED]
Subject: Fwd: RPI17/004BENGAL COAL - Dysart East Coal Mine
Attachments: image001.jpg; ATT00001.htm; 60452047 Bengal Coal RIDA Further Information 20170928_Final.pdf; ATT00002.htm

[REDACTED]

Begin forwarded message:

From: [REDACTED] <[REDACTED]@aecom.com>
Date: 9 October 2017 at 3:40:10 PM AEST
To: [REDACTED] <[REDACTED]@dilgp.qld.gov.au>
Cc: [REDACTED] <[REDACTED]@dysartmininggroup.com.au>, "Regional Planning Interests Act" <RPIAct@dilgp.qld.gov.au>
Subject: RE: RPI17/004BENGAL COAL - Dysart East Coal Mine

Hi [REDACTED] following discussions between ourselves, DILGP and DNRM to confirm the scope of the additional information required in support of the Bengal Coal Dysart East Coal Mine RIDA, please find attached the additional supporting information required.

Should you have any questions, or require any further clarification, please feel free to contact me at any time.

Regards,

[REDACTED]

[REDACTED]

Associate Director - Environment

[REDACTED]

[REDACTED] <[REDACTED]@aecom.com>

AECOM

Level 8, 540 Wickham Street, Fortitude Valley, QLD 4006

PO Box 1307 Fortitude Valley QLD 4006

[REDACTED]
aecom.com

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[LinkedIn](#) [Twitter](#) [Facebook](#) [Instagram](#)

From: [REDACTED] <[REDACTED]@dilgp.qld.gov.au>
Sent: Friday, 21 July 2017 11:13 AM
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>, Regional Planning Interests Act
Subject: RE: RPI17/004BENGAL COAL - Dysart East Coal Mine

Hi [REDACTED]

Thankyou for your time earlier.

I can confirm that the below is reflective of our discussion and expectations.

Kind Regards,

[REDACTED]
Manager – Development Assessment Advisory Team
Development Assessment Division
Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000
[REDACTED]

Meaghan Dwyer

From: [Sch. 4(4)(6) - Disclosing personal info]@aecom.com>
Sent: Monday, 5 June 2017 12:28 PM
To: Kassim Mahomed
Cc: [Sch. 4(4)(6) - Disclo]
Subject: RPI17/004/BENGAL COAL - Dysart East Mine - Notice of Compliance
Attachments: T158-17 DILGP RIDA Public Notification.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Kassim,

Please see attached notice of compliance for the Bengal Coal RIDA public notification.

If you require any further information please let me know.

Kind regards,

[Sch. 4(4)(6) - Disclosir]
Planner
[Sch. 4(4)(6) - Disclosing pers]
[Sch. 4(4)(6) - Dis]@aecom.com

AECOM
Level 1, 21 Stokes Street, Townsville, QLD 4810
PO Box 5423 Townsville QLD 4810
[Redacted]
aecom.com

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5 June 2017

Kassim Mahomed
Development Assessment Advisory Team
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street
BRISBANE QLD 4000

Email: Kassim.Mahomed@dilgp.qld.gov.au

Dear Kassim,

**Notice of compliance with Public Notification Requirements for a Regional Interests
Development Approval pursuant to Section 35 of the *Regional Planning Interests Act 2014***

AECOM Australia Pty Ltd acts for Bengal Coal Pty Ltd (BCPL). BCPL has, pursuant to the *Regional Planning Interests Act 2014*, applied for a Regional Interests Development Approval in respect of its Dysart East Coal Project (Application).

AECOM Australia Pty Ltd, on behalf of BCPL, has undertaken and completed to the following public notification requirements.

- The publication of a notice in the Central Queensland News on the **12 May 2017** (Attachment A).
- Notice provided to all adjoining landowners (Attachment B).

Should you wish to discuss any of the above further, please contact the below signed via email or on

Sch. 4(4)(6) - Discl

Yours faithfully

Sch. 4(4)(6) - Disclosing person

Associate Director - Environment

Sch. 4(4)(6) - Discl
@aecom.com

encl: Attachment A – Copy of newspaper advertisement
Attachment B – Letters sent to adjoining landowners

8 May 2017

Sch. 4(4)(6) - Disclosing personal informat

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A copy of the Application (reference number RPI17/004/BENGAL-Dysart East Coal) is now enclosed.

As you would be aware, the Application area, comprised within the area the subject of BCPL's Mining Lease Application 70507, overlaps part of your property being Lot 2 on SP 161102.

Pursuant to section 35 of the *Regional Planning Interests Act 2014*, BCPL is to undertake the following.

1. Publish a notice about the Application, which BCPL proposes to do by way of a notice ("Notice") to be published next week in the Central Queensland News newspaper (see copy of the Notice now enclosed); and
2. Provide relevant landowners notice about the Application.

Accordingly, for the purposes of section 35 of the *Regional Planning Interests Act 2014*, BCPL hereby provides you with notice of the Application, further particulars of which are set out in the copy of the Notice enclosed.

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Sch. 4(4)(6) -

Yours faithfully

Sch. 4(4)(6) - Disclosing per

Associate Director - Environment

Sch. 4(4)(6) - Disclo@aecom.com

encl: Attachment A - Public Notice
Attachment B - RIDA Assessment Application



AECOM Australia Pty Ltd
Level 8
540 Wickham Street
PO Box 1307
Fortitude Valley QLD 4006
Australia
www.aecom.com

 tel
fax
ABN 20 093 846 925

10 May 2017

Sch. 4(4)(6) - Disclosing personal information



Bengal Coal Pty Ltd - Dysart East Coal Project: Notice of Assessment Application for a Regional Interests Development Approval – Correction of Submission Closing Date

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The Public Notice has since been amended, and we advise the closing date for submissions to be the **5th of June 2017**. A copy of the amended Public Notice is enclosed.

Should you wish to discuss any of the above further, please contact the below signed via email or on

Sch. 4(4)(6) - Disc

Yours faithfully

Sch. 4(4)(6) - Disclosing pers

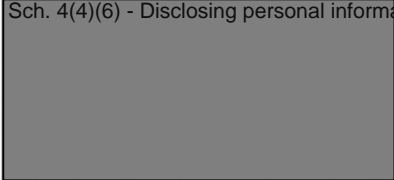


Associate Director - Environment

Sch. 4(4)(6) - Disclo [@aecom.com](mailto: [redacted]@aecom.com)

encl: Attachment A - Public Notice

8 May 2017

Sch. 4(4)(6) - Disclosing personal information
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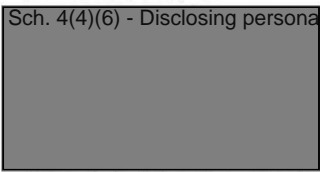
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Sch. 4(4)(6) - Disclosing personal information

Yours faithfully

Sch. 4(4)(6) - Disclosing personal information


Associate Director - Environment

Sch. 4(4)(6) - Disclosing personal information [\[redacted\]@aecom.com](mailto:[redacted]@aecom.com)encl: Attachment A - Public Notice
Attachment B - RIDA Assessment Application

10 May 2017

Sch. 4(4)(6) - Disclosing personal information
[Redacted]

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Sch. 4(4)(6) - D
[Redacted]

Yours faithfully

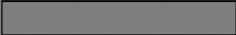
Sch. 4(4)(6) - Disclosing person
[Redacted]

Associate Director - Environment

Sch. 4(4)(6) - Dis[Redacted]@aecom.com

encl: Attachment A - Public Notice

5 June 2017


Development Assessment Advisory Team
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street
BRISBANE QLD 4000

Email: Kassim.Mahomed@dilgp.qld.gov.au

Dear Kassim,

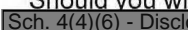
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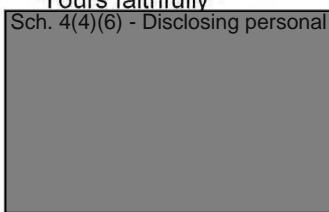
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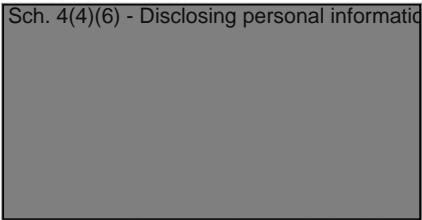
Yours faithfully

 Sch. 4(4)(6) - Disclosing personal

Associate Director - Environment

 Sch. 4(4)(6) - Dis @aecom.comencl: Attachment A – Copy of newspaper advertisement
Attachment B – Letters sent to adjoining landowners

8 May 2017

Sch. 4(4)(6) - Disclosing personal informati
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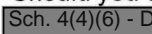
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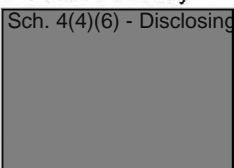
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Sch. 4(4)(6) - D


Yours faithfully

Sch. 4(4)(6) - Disclosing


Associate Director - Environment

Sch. 4(4)(6) - Disc
 aeacom.comencl: Attachment A - Public Notice
Attachment B - RIDA Assessment Application

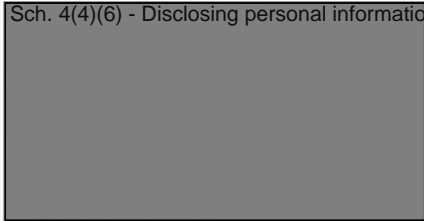


AECOM Australia Pty Ltd
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540 Wickham Street
PO Box 1307
Fortitude Valley QLD 4006
Australia
www.aecom.com

 tel
fax
ABN 20 093 846 925

10 May 2017

Sch. 4(4)(6) - Disclosing personal information



Bengal Coal Pty Ltd - Dysart East Coal Project: Notice of Assessment Application for a Regional Interests Development Approval – Correction of Submission Closing Date

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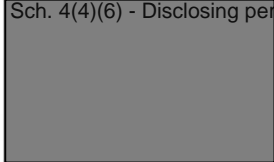
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Sch. 4(4)(6) - Di

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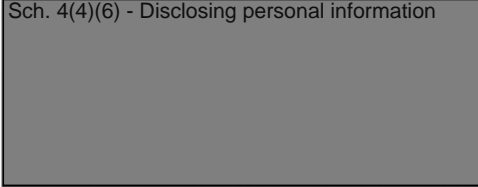


Associate Director - Environment

Sch. 4(4)(6) - Dis @aecom.com

encl: Attachment A - Public Notice

8 May 2017

Sch. 4(4)(6) - Disclosing personal information
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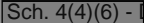
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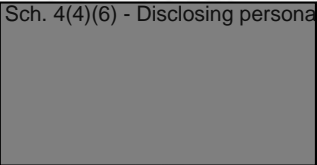
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Sch. 4(4)(6) - 

Yours faithfully

Sch. 4(4)(6) - Disclosing personal information


Associate Director - Environment

Sch. 4(4)(6) - @aecom.comend: Attachment A - Public Notice
Attachment B - RIDA Assessment Application

10 May 2017

Sch. 4(4)(6) - Disclosing personal information



Bengal Coal Pty Ltd - Dysart East Coal Project: Notice of Assessment Application for a Regional Interests Development Approval – Correction of Submission Closing Date

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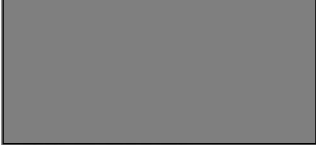
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Sch. 4(4)(6) - Dis

Yours faithfully

Sch. 4(4)(6) - Disclosing personal information



Associate Director - Environment

Sch. 4(4)(6) - Dis [\[redacted\]@aecom.com](mailto: [redacted]@aecom.com)

encl: Attachment A - Public Notice

Meaghan Dwyer

From: Kassim Mahomed
Sent: Monday, 10 April 2017 3:22 PM
To: Sch. 4(4)(6) - Disclos
Cc: Sch. 4(4)(6) ; @dysartmininggroup.com.au; Regional Planning Interests Act
Subject: RPI17/004/BENGAL COAL - Dysart East Mine - Requirement Notice
Attachments: OUT17 2392 Requirement Notice - Information request - Bengal Coal.pdf

Hi Sch. 4(4)(6) -

In relation to your assessment application RPI17/004/BENGAL-DEC, please find attached a requirement notice seeking additional information and requiring the application to be notified in accordance with the RPI Act.

Should you have any queries in regards to the attached, please do not hesitate to contact me.

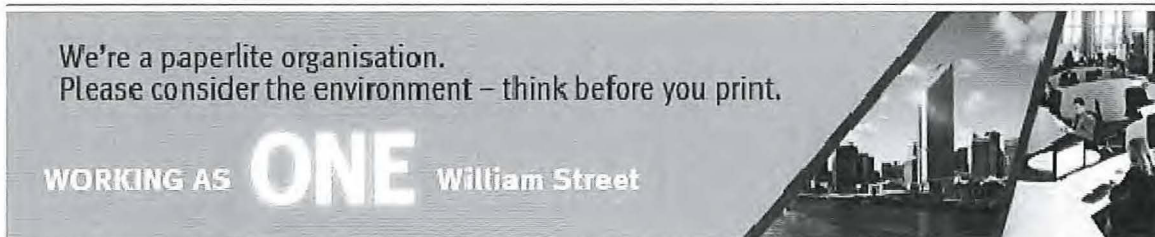
Kind Regards,

[Redacted]
Manager – Development Assessment Advisory Team
Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000

[Redacted]@dilgp.qld.gov.au

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

Department of Infrastructure, Local Government and Planning



RPI Act assessing agency – Requirement Notice

Assessing agency (AA)—Department of Natural Resources and Mines

DILGP reference: RPI17/004 – Bengal Coal
DILGP regional office: Brisbane CBD
DILGP email: RPIAct@dilgp.qld.gov.au

AA contact name:
AA contact details:
AA advice endorser:



1.0 Application details

Street address: Dysart, QLD
Real property description: 5/SP23530; 2/SP161102
Local government area: Isaac Regional Council
Applicant name: Bengal Coal Pty Ltd
Applicant contact details: Sch. 4(4)(6) - Disclosing pe [@dysartmininggroup.com.au](mailto: @dysartmininggroup.com.au)

2.0 Activities and areas of regional interest

Area/s of regional interest: Strategic cropping area (SCA)
Type of activity: Resource activity: mining and other resource activities (coal)

3.0 Criteria for assessment or decision

The application requires assessment against the following criteria under the provisions of the Regional Planning Interests Regulation 2014:

Schedule 2 Criteria for assessment or decision	
Parts of Schedule 2 triggered	Required outcomes and prescribed solutions triggered
Part 4 – Strategic cropping area	RO1 – PS for RO1 RO2 – PS for RO2 RO3 – PS for RO3

4.0 Assessment

4.1 Considerations and Assessment

The Dysart East Coal Mine the subject of this application applies to Mining Lease Application (MLA) 70507. The application identifies that the total extent of strategic cropping area (SCA) to be impacted within the MLA is 5.48ha. The application has identified the Project is an underground bord and pillar extraction coal mine designed to achieve no subsidence within the excluded areas surrounding nominated surface infrastructure and imperceptible surface subsidence across the remainder of the mine lease.

A review of the ESRI shapefiles provided by the applicant and information provided in the Regional Interest Development Approval – Application Report has been undertaken.

ESRI shapefiles and Map F2: General Site Layout (RIDA – Application Report), identifies the spoil dump contours encroaching on mapped strategic cropping land (SCL) on Lot 5 SP235303. The inclusion of this area has not been taken into consideration as a permanent impact on SCL.

The RIDA Application Report including the site specific assessment of the potential subsidence, indicates there will be an imperceptible subsidence effect from underground mining operations. Although subsidence was assessed as part of the environmental authority and mining lease application, the impact on SCL for the life of the mine and beyond has not been assessed as part of these processes. The RIDA application report has stated that the proposed mining technique is designed to have less than 20mm subsidence, however no specific site assessment data has been provided in order for an assessment to be made to address if a permanent impact to SCL would result from the proposed mining method. A permanent impact will occur where the SCL impacted cannot be returned to its pre-activity conditions following the carrying out of the activity.

As per the *RPI Act Guideline 9/14: How to determine if an activity has a permanent impact on strategic cropping land*, to demonstrate that the proposed activity does not have a permanent impact on the SCL, it is necessary to demonstrate:

- A) the land is able (without constraints) to be restored to its pre-activity condition following the undertaking of the proposed activity and
- B) the impacted SCL has been restored to its pre-activity condition following the cessation of that activity.

5.0 Recommendations

5.1 Information request

Our department recommends the following further information be requested from the applicant to enable the assessment to be finalised:

Information requested	
Ref.	Strategic Cropping area
1.	Identify the extent of impact on SCL from the spoil dump on Lot 5 on SP23530 and include relevant details/consideration in the application report.
2.	Provide site specific detail as per the <i>RPI Act Guideline 9/14: How to determine if an activity has a permanent impact on strategic cropping land</i> , for DNRM to assess the potential permanent impact on SCL over the entire MLA.
3.	If additional impacts to SCL are identified, provide detail on RO3 PS(1)(c) is taken into consideration

6.0 Endorsement

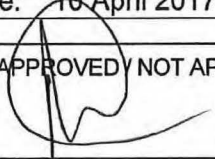
Officer		NRMO	
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DIRECTOR– BRIEF FOR DECISION

Date: 10 April 2017

SUBJECT: RPI17/004 - Bengal Coal – Dysart East Coal Mine – Public notification of assessment application and further information under the *Regional Planning Interests Act 2014* (RPI Act).

NOTED or APPROVED / NOT APPROVED


Patrick Atkinson
 Director
 Department of Infrastructure, Local Government and Planning

Date:

RECOMMENDATIONS:

It is requested that you:

- **decide** on the requirement for the application by Bengal Coal Pty Ltd under the RPI Act to be publically notified.
- **approve and sign** the requirement notice for further information and public notification.
- **note** the letter must be sent to the applicant by **Monday 10 April 2017**.

BACKGROUND:

Bengal Coal Pty Ltd has applied under the RPI Act for a regional interests development approval (RIDA) over part of Lot 5 SP235303 and Lot 2 SP16112 to undertake underground coal mine operations and associated surface activities within a Strategic Cropping Area (SCA), approximately 5km north east of Dysart.

Assessing agencies for the application are the Department of Infrastructure, Local Government and Planning (DILGP) and the Department of Natural Resources and Mines (DNRM). Under s48 of the RPI Act, the chief executive (or delegate) must decide to approve all or part of the application to grant a RIDA, or refuse the application.

Notification of an application provides the opportunity for views to be obtained about a proposal and for the government to consider these views when deciding an application.

The RPI Act requires an assessment application to be publically notified (s34) if:

- a regulation prescribes the application as notifiable and an exemption is not given by the chief executive (or delegate), or
- the applicant is given a requirement notice requiring the application to be notified.

You are a delegate for the chief executive for s34 of the RPI Act.

KEY ISSUES:Requirement to Notify

A landholder representative acting on behalf of one of the owners of the land subject to this application has already expressed interest in the application to DILGP.

The applicant has made a mining lease application (MLA70507) to DNRM. As part of this process, the applicant is also currently in Land Court proceedings with the same landowner who has expressed interest in this assessment application.

As there has been interest from affected parties to this application, it would be prudent to require public notification.

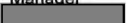
Further information

Section 44 of the RPI Act provides for the assessor to require the applicant to submit additional information to allow for a complete assessment of the application. A review of the application has identified information gaps in the material provided. To assist in ensuring a full and thorough assessment can be completed, additional information is sought to accurately describe the activities and to determine the areas of disturbance proposed for each activity.

The additional information requested from the applicant is detailed within the Requirement Notice (**Attachment 1**).

RIGHT TO INFORMATION: Contents/attachments suitable for publication Yes No

Does this support a media opportunity for the Minister's Office? Yes No

Author: Kassim Mahomed Position: Manager Telephone:  Date: 10 April 2017	Endorsed by: Patrick Atkinson Position: Director Telephone: Date: 10 April 2017
--	--

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 10 October 2017 11:24 AM
To: [REDACTED]
Cc: Regional Planning Interests Act; BARDEN Kerri
Subject: RE: RPI17/004Bengal Coal - Dysart East Coal Mine

Thanks for confirming receipt Jo.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED] [dilgp.qld.gov.au](mailto:[REDACTED]@dilgp.qld.gov.au)

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From: [REDACTED]@dnrm.qld.gov.au]
Sent: Tuesday, 10 October 2017 11:23 AM
To: [REDACTED]@dilgp.qld.gov.au
Cc: Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>; [REDACTED]@dnrm.qld.gov.au
Subject: RE: RPI17/004Bengal Coal - Dysart East Coal Mine

Thanks [REDACTED]

I look forward to reviewing the information received.

Kind regards,

[REDACTED]
Natural Resource Management Officer, Natural Resource Assessment
Department of Natural Resources and Mines
Sch. 4(4)(6) - Disclosing personal information

99 Hospital Road, Emerald
PO Box 19, Emerald Q 4720

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I acknowledge the Traditional Owners and custodians of the land I work on as the first people of this country.



From: [redacted]@dilgp.qld.gov.au]
Sent: Tuesday, 10 October 2017 11:15 AM
To: [redacted]@dnrm.qld.gov.au>
Cc: Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: RPI17/004Bengal Coal - Dysart East Coal Mine

Hi [redacted]

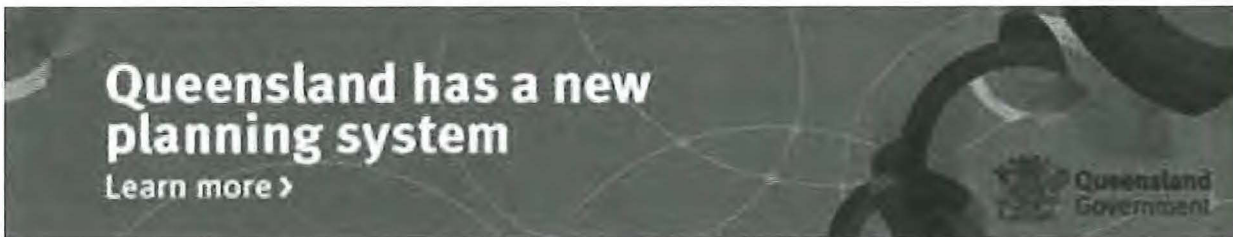
Before he went on Leave, [redacted] also said to ensure that you had a copy of the submission that was lodged in respect of the application.

He said he had emailed it to you previously – but here it is again for your convenience (refer attached). He said to consider the grounds raised when you are undertaking the assessment of the additional information.

Regards,

[redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[redacted]@dilgp.qld.gov.au

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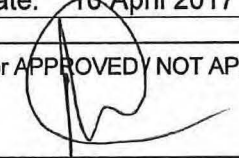


DIRECTOR– BRIEF FOR DECISION

Date: 10 April 2017

SUBJECT: RPI17/004 - Bengal Coal – Dysart East Coal Mine – Public notification of assessment application and further information under the *Regional Planning Interests Act 2014* (RPI Act).

NOTED or APPROVED / NOT APPROVED


 Patrick Atkinson
 Director
 Department of Infrastructure, Local
 Government and Planning

Date:

RECOMMENDATIONS:

It is requested that you:

- **decide** on the requirement for the application by Bengal Coal Pty Ltd under the RPI Act to be publically notified.
- **approve and sign** the requirement notice for further information and public notification.
- **note** the letter must be sent to the applicant by **Monday 10 April 2017**.

BACKGROUND:

Bengal Coal Pty Ltd has applied under the RPI Act for a regional interests development approval (RIDA) over part of Lot 5 SP235303 and Lot 2 SP16112 to undertake underground coal mine operations and associated surface activities within a Strategic Cropping Area (SCA), approximately 5km north east of Dysart.

Assessing agencies for the application are the Department of Infrastructure, Local Government and Planning (DILGP) and the Department of Natural Resources and Mines (DNRM). Under s48 of the RPI Act, the chief executive (or delegate) must decide to approve all or part of the application to grant a RIDA, or refuse the application.

Notification of an application provides the opportunity for views to be obtained about a proposal and for the government to consider these views when deciding an application.

The RPI Act requires an assessment application to be publically notified (s34) if:

- a regulation prescribes the application as notifiable and an exemption is not given by the chief executive (or delegate), or
- the applicant is given a requirement notice requiring the application to be notified.

You are a delegate for the chief executive for s34 of the RPI Act.

KEY ISSUES:Requirement to Notify

A landholder representative acting on behalf of one of the owners of the land subject to this application has already expressed interest in the application to DILGP.

The applicant has made a mining lease application (MLA70507) to DNRM. As part of this process, the applicant is also currently in Land Court proceedings with the same landowner who has expressed interest in this assessment application.

As there has been interest from affected parties to this application, it would be prudent to require public notification.

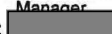
Further information

Section 44 of the RPI Act provides for the assessor to require the applicant to submit additional information to allow for a complete assessment of the application. A review of the application has identified information gaps in the material provided. To assist in ensuring a full and thorough assessment can be completed, additional information is sought to accurately describe the activities and to determine the areas of disturbance proposed for each activity.

The additional information requested from the applicant is detailed within the Requirement Notice (**Attachment 1**).

RIGHT TO INFORMATION: Contents/attachments suitable for publication Yes No

Does this support a media opportunity for the Minister's Office? Yes No

Author: Kassim Mahomed Position: Manager Telephone:  Date: 10 April 2017	Endorsed by: Patrick Atkinson Position: Director Telephone: Date: 10 April 2017
--	--

[Redacted]

From: [Redacted]
Sent: Tuesday, 10 October 2017 11:05 AM
To: [Redacted]
Cc: Regional Planning Interests Act
Subject: FW: RPI17/004BENGAL COAL - Dysart East Coal Mine - response to additional information requirement
Attachments: image001.jpg; ATT00001.htm; 60452047 Bengal Coal RIDA Further Information 20170928_Final.pdf; ATT00002.htm
Importance: High

Hi [Redacted]

I write to advise that I now have carriage of this application (applicant is on Leave until 6 November 2017).

I also advise that the applicant has provided additional information via email (i.e. yesterday afternoon, 9 October 2017).

Please refer to the email below and the attached response.

We request that DNRM review same and provide a response to DILGP by close of business on Tuesday **24 October 2017**.

Please confirm receipt via return email.

Regards,

[Redacted]

Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[Redacted] [dilgp.qld.gov.au](mailto:[Redacted]@dilgp.qld.gov.au)

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From: [Redacted]
Sent: Monday, 9 October 2017 5:00 PM
To: [Redacted] [dilgp.qld.gov.au](mailto:[Redacted]@dilgp.qld.gov.au)>
Subject: Fwd: RPI17/004BENGAL COAL - Dysart East Coal Mine

[Redacted]

Begin forwarded message:

[Redacted]

From: [Sch. 4(4)(6) - Disclosing personal information]@aecom.com>
Date: 9 October 2017 at 3:40:10 PM AEST
To: [redacted]@dilgp.qld.gov.au>
Cc: [Sch. 4(4)(6) - Disclosing personal information]@dysartmininggroup.com.au>, "Regional Planning Interests Act" <RPIAct@dilgp.qld.gov.au>
Subject: RE: RPI17/004BENGAL COAL - Dysart East Coal Mine

Hi [redacted] following discussions between ourselves, DILGP and DNRM to confirm the scope of the additional information required in support of the Bengal Coal Dysart East Coal Mine RIDA, please find attached the additional supporting information required.

Should you have any questions, or require any further clarification, please feel free to contact me at any time.

Regards,

[Sch. 4(4)(6) - Disclosing personal information]

Associate Director - Environment

[Sch. 4(4)(6) - Disclosing personal information]

[Sch. 4(4)(6) - Disclosing personal information]@aecom.com

AECOM

Level 8, 540 Wickham Street, Fortitude Valley, QLD 4006

PO Box 1307 Fortitude Valley QLD 4006

[redacted]
aecom.com

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From: [redacted]@dilgp.qld.gov.au]
Sent: Friday, 21 July 2017 11:13 AM
To: [Sch. 4(4)(6) - Disclosing personal information]
Cc: [Sch. 4(4)(6) - Disclosing personal information] Regional Planning Interests Act
Subject: RE: RPI17/004BENGAL COAL - Dysart East Coal Mine

Hi [Sch. 4(4)(6)]

Thankyou for your time earlier.

I can confirm that the below is reflective of our discussion and expectations.

Kind Regards,

[redacted]
Manager – Development Assessment Advisory Team
Development Assessment Division
Department of Infrastructure, Local Government and Planning
Level 13, 1 William St Brisbane QLD 4000
[redacted]@dilgp.qld.gov.au

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 7 November 2017 9:53 AM
To: [REDACTED]
Cc: Regional Planning Interests Act
Subject: RE: Required Outcomes - RO2 - RPI17/004 Bengal Coal Pty Ltd

Thanks for sending that through Jo.

Are you able to take a call this morning about conditions?

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED] [dilgp.qld.gov.au](mailto:[REDACTED]@dilgp.qld.gov.au)

From: [REDACTED]@dnrm.qld.gov.au]
Sent: Tuesday, 7 November 2017 9:36 AM
To: [REDACTED]@dilgp.qld.gov.au>
Subject: FW: Required Outcomes - RO2

Good Morning [REDACTED]

Please find attached further information regarding compensation agreements (these are confidential documents) forwarded by [REDACTED] on behalf of Bengal Coal Pty Ltd for the RPI17-004 project. I was able to complete the assessing agency response without this information however, I thought I would forward on to you for your department records.

Sincerely,

[REDACTED]
Natural Resource Management Officer, Natural Resource Assessment
Department of Natural Resources and Mines

[REDACTED] Mobile [REDACTED] Sch. 4(4)(6) - [REDACTED]

[REDACTED]
99 Hospital Road, Emerald
PO Box 19, Emerald Q 4720

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From: [REDACTED] Sch. 4(4)(6) - Disclosing personal information [REDACTED]@aecom.com]
Sent: Tuesday, 7 November 2017 9:16 AM
To: [REDACTED]@dnrm.qld.gov.au>

Cc: [Sch. 4(4)(6) - Disclosing pe]@dysartmininggroup.com.au>
Subject: RE: Required Outcomes - RO2

Hi [redacted] with respect to your query, please find below additional info regarding the discussions between Bengal Coal and the two landowners [Sch. 4(4)(6) - Disclosing personal information]:

- Cradcorp Ltd Pty: Land Court Orders for the Compensation of Cradcorp Pty Ltd. Bengal Coal and Cradcorp Pty Ltd were unable to reach agreement regarding compensation. The DNRM referred our case to the Land Court. The matter was heard before the court on 26th July 2017. The Land Court Queensland handed down its decision on 30th August 2017. A copy of the judgement is attached.
- [Sch. 4(4)(6) - Disclosing personal information]

Regarding your subsequent email the reference in Table 3 to Lot 5 is correct. The text in the table under point 3.2, should also refer to Lot 5 (rather than Lot 4).

Regards,

[Sch. 4(4)(6) - Disclosing per]

Associate Director - Environment

[Sch. 4(4)(6) - Disclosing personal information]

[Sch. 4(4)(6) - Disc]@aecom.com

AECOM

Level 8, 540 Wickham Street, Fortitude Valley, QLD 4006

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[REDACTED]

From: [REDACTED]@dnrm.qld.gov.au>
Sent: Thursday, 26 October 2017 11:31 AM
To: [REDACTED]
Cc: RPIA Central; BARDEN Kerri
Subject: RE: FW: RPI17-008 - response to Requirement Notice
Attachments: RPI17_004_Bengal_DEC_RIDA_Assessment_20171026.pdf

Good Morning [REDACTED]

Please find attached assessing agency response for the Bengal Coal Pty Ltd project.

Sincerely

[REDACTED]

Natural Resource Management Officer, Natural Resource Assessment
Department of Natural Resources and Mines

Sch. 4(4)(6) -

99 Hospital Road, Emerald
PO Box 19, Emerald Q 4720

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From: [REDACTED]@dilgp.qld.gov.au]
Sent: Monday, 23 October 2017 10:49 AM
To: [REDACTED]@dnrm.qld.gov.au>
Cc: Regional Planning Interest Act <RPIA@dnrm.qld.gov.au>; BARDEN Kerri <Kerri.Barden@dnrm.qld.gov.au>
Subject: FW: FW: RPI17-008 - response to Requirement Notice

Hi [REDACTED]

Please see attached and below, as received from the applicant in reply to your request.

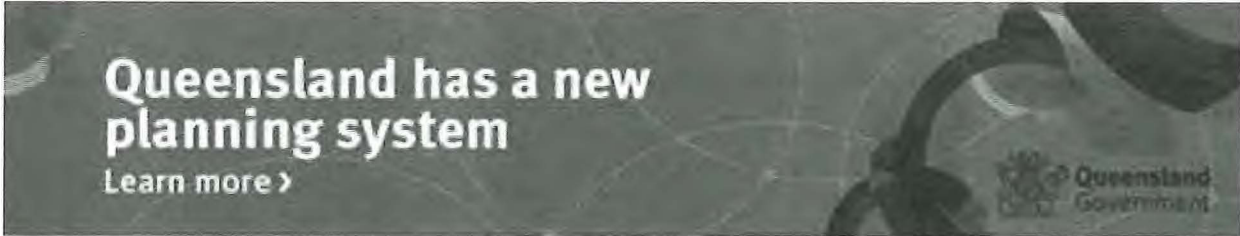
Let me know if you have any issues.

Regards,

[REDACTED]

Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED]@dilgp.qld.gov.au

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From [Redacted] Sch. 4(4)(6) - Disclosing personal information

Sent: Monday, 23 October 2017 10:38 AM

To: [Redacted] dilgp.qld.gov.au>

[Redacted] Sch. 4(4)(6) - Disclosing personal information

Subject: Re: FW: RPI17-008 - response to Requirement Notice

Hi [Redacted]

Please see attached.

If there are any questions, please do not hesitate to call either myself or our Spatial Specialist, [Redacted] Sch. 4(4)(6) - Disclosing per
on [Redacted] Sch. 4(4)(6) - Disclosi

Regards,

[Redacted] Sch. 4(4)(6)

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RPI Act assessing agency – Response to application

Assessing agency (AA)—Department of Natural Resources and Mines

DILGP reference: RPI17/004 Bengal Coal Pty Ltd
DILGP regional office: Brisbane CBD
DILGP email: RPIAct@dilgp.qld.gov.au
[NB. All responses are to be returned to this email address]
AA contact name: [REDACTED]
AA contact details: [REDACTED]
AA advice endorser: NRMO

1.0 Application details

Street address: Dysart East Coal Mine
'Tay Glen', 7078 Dysart Clermont Road, Dysart.
'Dysart Station', 532 Dysart Middlemount Road, Dysart.
Real property description: Lot 5 on Plan SP235303, and Lot 2 on Plan SP161102 respectively
Local government area: Isaac Regional Council
Applicant name: Bengal Coal Pty Ltd – Dysart East Coal Mine.
Applicant contact details: Sch. 4(4)(6) - Disclosing personal information [REDACTED]@aecom.com

2.0 Activities and areas of regional interest

Area/s of regional interest: Strategic cropping area (SCA)
Type of activity: Resource activity: mining and other resource activities (coal)

3.0 Criteria for assessment or decision

The application requires assessment against the following criteria under the provisions of the Regional Planning Interests Regulation 2014:

Schedule 2 Criteria for assessment or decision	
Parts of Schedule 2 triggered	Required outcomes and prescribed solutions triggered
Part 4 – Strategic cropping area	RO1 – PS for RO1 RO2 – PS for RO2 RO3 – PS for RO3

4.0 Assessment

4.1 Request for further information

DNRM previously provided a request for further information on the 10th of April 2017.

Yes Requirement Notice (RPI Act, s44).

DNRM previously provided a request for further information on 10th of April 2017, (Requirement Notice 17/2392) for the following matters:

- Provide further information demonstrating how the underground mining activities address the respective assessment criteria contained within Schedule 2, Part 4 of the Regional Planning Interests Regulation 2014
- Provide site specific quantitative evidence that demonstrates that the subsidence impact attributable to underground mining operations will not cause a material impact on the SCL;
- Provide further information demonstrating how the underground mining activities address the respective assessment criteria contained within Schedule 2, Part 4 of the Regional
- If further assessment concludes that the underground mine operations will have a material impact on SCL. Provide further information detailing:
 - Site specific geological/geotechnical evidence to allow assessment of the impact on the SCL that encumbers the MLA;
 - How the land will be restored to its pre-activity condition; or
 - Where there will be a permanent impact to the SCL, a calculation of the mitigation required to satisfy the relevant assessment criteria.
- It is presently unclear as to the extent of the underground coal mine footprint within the context of the mapped SCL;
- Provide a map showing extent of underground mine footprint within the context of the mapped SCL.
- A review of the ESRI shapefiles provided and information contained within the assessment application identifies the spoil dump contours encroaching on mapped SCL on Lot 5 SP235303. The inclusion of this area has not been taken into consideration as a permanent impact on SCL;
 - Provide clarification in regards to the extent of impact on SCL from the spoil dump on Lot 5 on SP23530, and if necessary, include relevant details and assessment in your response.
- Section 5, Table 10 – Summary of mitigation value for the Project with the assessment application report, currently calculates the mitigation rate contained within the regulation multiplied by the expected area of impact (5.48ha) to SCL. Section 16(2) of the regulation requires that where mitigated SCL land is not a whole number of hectares that the mitigation value is rounded up to the nearest hectare;
 - If it is concluded that the only permanent impact to SCL will be limited to the 5.48ha currently identified within the assessment application, provide a revised calculation of the mitigation value in consideration of the above; or
 - If the expected area of permanent impact to SCL increases as a result of further assessment, provide a revised calculation of mitigation.
- At present, the assessment application identifies an expected area of impact of less than 30ha. The application fee has been paid in accordance with Schedule 3, Part 4, Item 1 (for an application within an expected area of impact of less than 30 hectares.

- If it is concluded that the expected area of impact to SCL exceeds 30 ha, please make an additional payment of the difference in application fee in accordance with fee threshold brackets set out Schedule 4, Part 4 of the Regulation.
- A response was received addressing the above points on the 19th of October 2017.

4.2 Description of Proposal

The Dysart East Coal Project the subject of this Regional Interests Development Approval is located approximately 5km to the north-east of Dysart township in Isaac Regional Council. The project involves the development and operation of a new (greenfield) underground coal mine and associated infrastructure to produce up to 1.9Mtpa over a production life of approximately 25 years. The project area is approximately 765ha in Mining Lease Application (MLA) 70507.

The application relates to the construction and operation of surface infrastructure associated with the underground mining operation at the proposed Dysart East Coal Mine. The surface mine infrastructure will be constructed and operated in two areas identified within a Strategic Cropping Area (SCA) and mapped as Strategic Cropping Land (SCL) as shown in 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL'. Total area of strategic cropping land for this project is 331.914 hectares, also shown in 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' below.

The area of MLA covers several properties described in 'Figure 1: Several properties that are covered by MLA70507 Dysart East Coal Mine'.

Figure 1: Several properties that are covered by MLA70507 Dysart East Coal Mine

Property	Tenure	Registered Owner
2 SP235303	Freehold	Bengal Coal Pty Ltd A.C.N 140 425 529
1 SP190748	Freehold	Bowen Basin Coal Pty Ltd A.C.N 065 321 440
2 SP190748	Freehold	Bowen Basin Coal Pty Ltd A.C.N 065 321 440
5 SP235303	Freehold	Edward Thomas Murphy and Paul Thomas Murphy
2 SP161102	Freehold	Cradcorp Pty Ltd A.C.N 010 764 815
10 CNS83	Reserve	Capricornia Electricity Corporation
11 CNS373	Freehold	Queensland Electricity Transmission Corporation Limited
Dysart Connection Road (Golden Mile Road)	Road Reserve	Isaac Regional Council
Silver K Road	Road Reserve	Isaac Regional Council

As shown below, 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' sets out the permanent impacts on SCA as a result of the proposed resource activities. The total extent of SCA to be impacted 5.48.

Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL

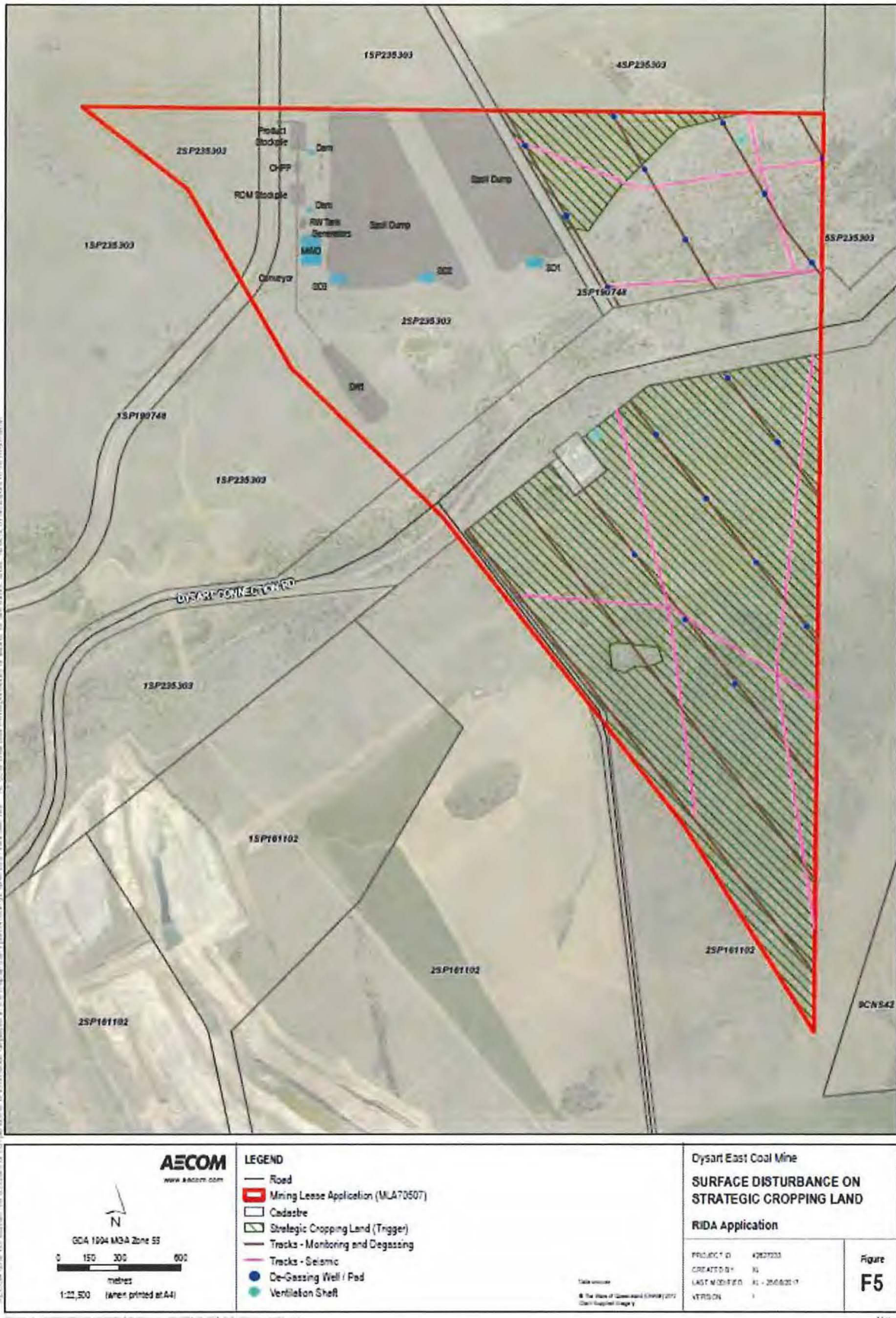
Area of regional interest	Location	Total Area of tenure (ha)	Resource activity	Area of disturbance (ha)
		630.90	Seismic tracks	0.2

Strategic cropping area	Lot 5 SP235303	(total of 29.45 SCL on this lot)	Monitoring and degassing tracks	0.3
			Degassing well pads	0.01
	Lot 2 SP161102	11340.0 (total of 302.45 of SCL on this lot)	Seismic tracks	1.9
			Monitoring and degassing tracks	2.8
			Ventilation shafts	0.25
			Degassing well pads	0.02
			Underground coal mine	0
Total Area		331.9 total of SCL		5.48 (approximately 0.310% of total SCL).

Figure 3: 'Dysart East Coal Mine – Strategic Cropping Land (SCL) in the project area'.



Figure 4: Client supplied 'Figure F5' Dysart East Coal Mine – Extent of underground disturbance and surface infrastructure of Strategic Cropping Land (SCL)



4.3 Evidence

DNRM considered the following information in determining the expected impact of the activity:

1. Application made on 27 March 2017, including:
 - a) Assessment application form dated 28 March 2017
 - b) Regional Interests Development Approval – Application Report: Dysart East Coal Mine, 27 March 2017, Revision 1, Reference no. 42627564.
 - c) ESRI shapefiles – received 31 March 2017.
 - d) Email dated 23rd of October from David Curwen (Consultant for Dysart East Coal Mine).
2. Internal Current Title Search dated 23rd of October 2017:
 - a) Lot 2 on Plan SP161102; and
 - b) Lot 5 on Plan SP235303.
3. Requirement Notice 17/2392 issued on the 10th of April 2017.
4. Response to Requirement Notice provided on the 19th of October 2017.
5. *Regional Planning Interests Act 2014*.
6. Regional Planning Interests Regulation 2014.
7. Strategic Cropping Land Trigger Map version 3.4.
8. Oracle SDE data:
 - a) VEGMGT.QLD_SCLTRIGGER_250K_CUR;
 - b) VEGMGT.QLD_SCLZONES_250K_CUR;
 - c) VEGMGT.QLD_SCLSUBZONES_250K_CUR; and
 - d) QLD Google Globe SPOT.

4.4 Findings

The extent of the expected impact of the resource activity or regulated activity on the area of regional interest, having regard to the identified criteria of the *Regional Planning Interests Regulation 2014*, including Schedule 2 Part 4: Strategic Cropping Areas:

Table 1: Required Outcome 1

8 RO1: No impact on strategic cropping land	Evidence
<i>The activity will not result in any impact on strategic cropping land in the strategic cropping area.</i>	1, 2, 3, 4, 5, 6, 7, 8.
Findings against RO1:	
<ol style="list-style-type: none"> 1. The application identifies that a total of 5.48ha of SCA will be impacted within the project site for resource activities specified in 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' above. 2. Based on the finding above, the applicant does not meet RO1. 	
Expected impact	
Expected impacts are a total of 5.48ha of SCA, approximately 0.310% of total SCL on the combined tenure area.	
9 Prescribed Solution for RO1:	Evidence
<i>The application demonstrates the activity will not be carried out on strategic cropping land that meets the criteria stated in schedule 3, part 2.</i>	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution for RO1:	
<ol style="list-style-type: none"> 1. The application has sought approval for impacts of the Dysart East Coal Mine on areas of regional interest, including Strategic Cropping Areas (SCAs). 2. The application identifies that a total of 5.48 ha of SCL as shown on the current SCL Trigger Map (refer to 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL') will be impacted within the project site for resource activities specified in Figure 2 above. The impacts are considered to be permanent. 3. The applicant has elected not to contest the current SCL Trigger Map. 	

4. Based on the above findings, the application does not meet the PS9 for RO1.

Expected impact

The applicant accepts SCL trigger mapping and seeks approval to permanently impact 5.48 ha of SCL.

Table 2: Require Outcome 2

10 RO2: mapping impacts on strategic cropping land on property (SCL) in the strategic cropping area	Evidence
<p>(1) This section applies if the activity— (a) does not meet required outcome 1; and (b) is being carried out on a property (SCL) in the strategic cropping area. (2) The activity will not result in a material impact on strategic cropping land on the property (SCL).</p>	<p>1, 2, 3, 4, 5, 6, 7, 8.</p>
<p>Findings against RO2:</p> <ol style="list-style-type: none"> 1. The activity does not meet RO1 as per findings against RO1 and the PS for RO1. 2. The activity is being carried out on two or more properties and does not meet the definition of property (SCL) as follows: <ol style="list-style-type: none"> a. all of the lots listed in 'Figure 1 Several properties that are covered by MLA70507 Dysart East Coal Mine 1' and 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' do not have the owners and do not have one or more common owners. 3. The applicant's application acknowledges that the Dysart East Coal Mine will have a permanent impact on SCL on the relevant property, however will not result in a material impact, less than 2% (0.31%) of the SCL on the property will be impacted. 4. Based on the above findings, this section, being RO2, does not apply as the activity is being carried out on one or more properties in the strategic cropping area. 	
<p>Expected impact The application does not meet requirements of RO2 and the proposed activity is being carried out on a property (SCL) in the strategic cropping area. Affected tenures do not have one or more common owners.</p>	
11 Prescribed Solution 11(a) for RO2:	Evidence
<p>(a) if the applicant is not the owner of the land and has not entered into a voluntary agreement with the owner—the applicant has taken all reasonable steps to consult and negotiate with the owner of the land about the expected impact of carrying out the activity on strategic cropping land;</p>	<p>1, 2, 3, 4, 5, 6, 7, 8.</p>
<p>Findings against the Prescribed Solution 11(a) for RO2:</p> <ol style="list-style-type: none"> 1. The two lots over which the resource activities will be carried out and have an impact on SCL are Lot 5 on SP235303 and Lot 2 on SP161102. <ol style="list-style-type: none"> a. Lot 5 on SP235303 is currently titled to Edward Thomas Murphy and Paul Thomas Murphy. Compensation agreements have been reached between the landholders and Dysart East Coal Mine as per email dated the 23rd of October 2017 from David Curwen (Consultant to Dysart East Coal Mine). b. Current title for Lot 2 on SP161102 is for Cradcorp Pty Ltd. Legal proceedings are currently on going in court proceedings between the landholders and Dysart East Coal Mine as per email dated the 23rd of October 2017 from David Curwen. 2. The applicant has demonstrated that they have taken all reasonable steps to consult and negotiate with landholders. Therefore, the application meets the PS 11(a) for RO2. 	
<p>Expected impact The applicant Bengal Coal Pty Ltd has demonstrated that they have taken all reasonable steps to consult and negotiate with the owners of the land. Therefore, the applicant meets the PS 11(a) for RO2.</p>	



11 Prescribed Solution 11(b) for RO2:	Evidence
<i>(b) the activity can not be carried out on land that is not strategic cropping land, including, for example, land elsewhere on the property (SCL), on adjacent land or at another nearby location;</i>	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 11(b) for RO2:	
<ol style="list-style-type: none"> 1. 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' shows the location of spoil dumps in relation to SCL. Spoil dump has been located outside of the area of SCL. There will be no impact to the SCL as a result of the spoil dump as shown on Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL'. 2. Permanent disturbance to the SCL will occur from the proposed degassing wells, access tracks, ventilation shafts and seismic survey tracks. These areas will be cleared and are considered by the applicant to be permanently impacted for the 25 years of operation for life of mine. 3. Based on the above findings, the applicant has demonstrated that the disturbance footprint cannot be carried out in alternative areas. Therefore the application meets the PS 11(b) for RO2. 	
Expected impact	
Permanent impact to approximately 5.48 ha of SCL.	
11 Prescribed Solution 11(c) for RO2:	Evidence
<i>(c) the construction and operation footprint of the activity on strategic cropping land on the property (SCL) is minimised to the greatest extent possible;</i>	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 11(c) for RO2:	
<ol style="list-style-type: none"> 1. An evaluation of suitable alternative sites was undertaken during the EIS process and, the applicant states that the constraints due to the size of the mining lease were a factor in consideration of infrastructure placement. Permanent impact on SCL will result from the following resource activities associated with the operation of Bengal Coal Project: <ol style="list-style-type: none"> a. Degassing wells; b. Access tracks for monitoring; c. Ventilation shafts; d. Survey tracks. e. The applicant states they have undertaken to minimise impact of mine development, and no further disturbance will be undertaken. 2. The applicant does not consider that there will be any perceptible impact on SCL from underground mining operations. The applicant has provided information 'Dysart Mining Project - Highwall Mining Pillar and Subsidence Assessment . DYS3953_Rev2' by Strata Control Technology (SRT) on the 18th of February 2014. The applicant states subsidence will be limited to 38 – 40 mm (with 20 mm due to seasonal variation) which has an impact category that is unlikely to require remedial works. 3. The following information is taken from the SCT report: <ol style="list-style-type: none"> a. 'This report does not address specifically the stability of the unsupported openings or the ability to achieve full design depths. The stability of the unsupported entries has been implicitly captured in the pillar design assessment by providing conservative estimates of : <ol style="list-style-type: none"> i. In situ strength of the coal seam AND the roof and floor strata; ii. Web Pillar factor of safety (FOS > 1.6); iii. Partitioning panels with large (W/H/4) barrier pillars and a high FOS (> 2.5); and iv. Panel widths designed to limit cascading (sic) pillar failure (W/D <1).' b. 'Predicted subsidence levels are less than 40mm for the final highwall extraction reviewed here, with the upper threshold of 100mm resulting in surface impacts (based on tilts) falling within the lowest impact category (Category A after MSEC)' as shown in Classification of Impact in 'Figure 5: Client supplied 'Table 5' form page 13 of Appendix B of Report by SRT on the 18th of February 2014.' below. 	

- a. 'For the 11 seams assessed here at a net coal thickness of 15m, resulting in up to 100mm subsidence at 250m, the following tilts would result for varying depths, consistent with Category A impacts.'

Table 5: Classification of Impact with Reference to Tilt

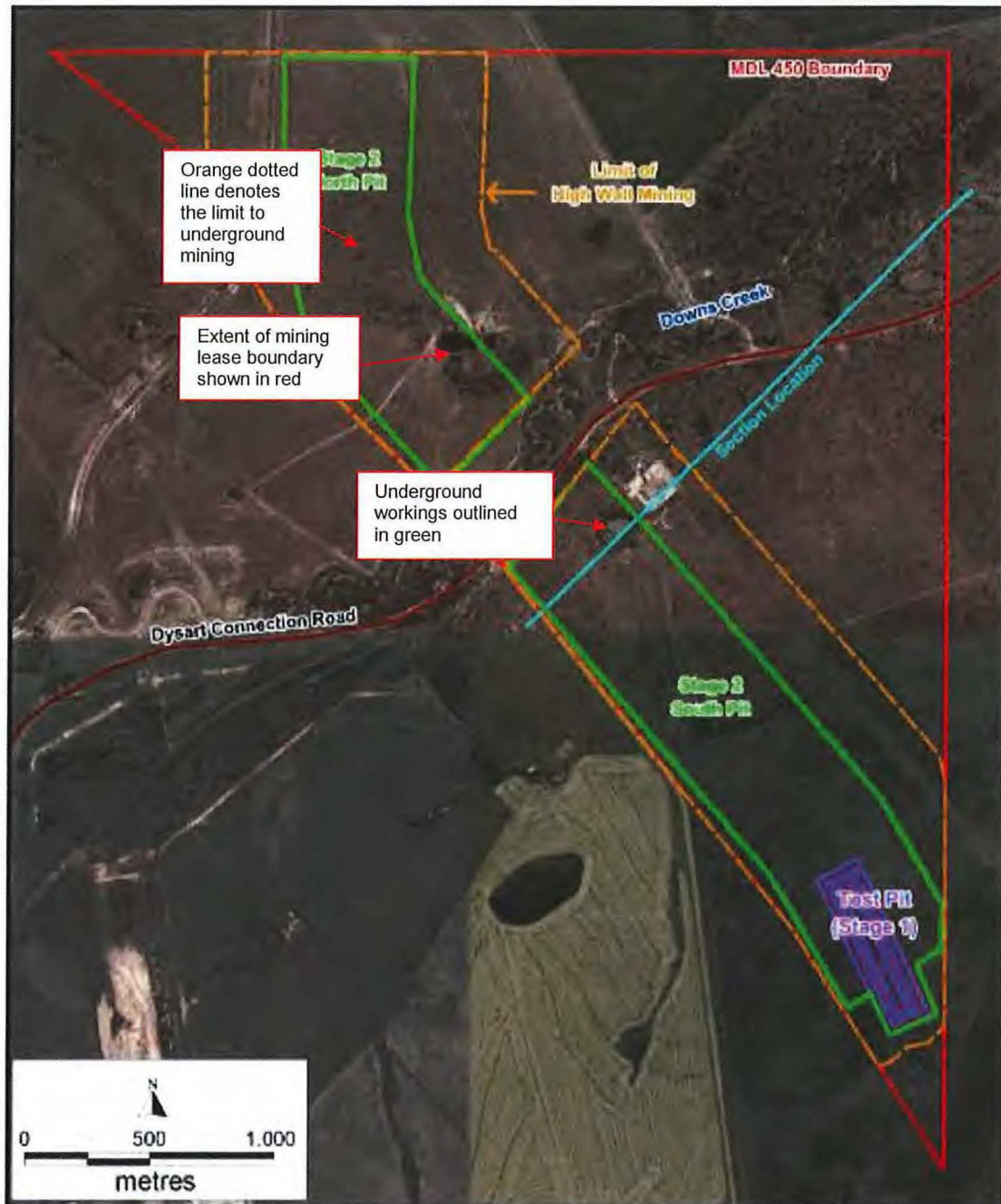
Impact Category	Mining Induced Ground Tilt (mm/m)	Description
A	<5	Unlikely that remedial work will be required.
B	5 to 7	Adjustment to roof drainage and wet area floors might be required.
C	7 to 10	Minor structural work might be required to rectify tilt. Adjustments to roof drainage and wet area floors will probably be required and remedial work to surface water drainage and sewerage systems might be necessary.
D	> 10	Considerable structural work might be required to rectify tilt. Jacking to level or rebuilding could be necessary in the worst cases. Remedial work to surface water drainage and sewerage systems might be necessary.

Figure 5: Client supplied 'Table 5' from Page 13 of Appendix B ' of Report by SRT on the 18th of February 2014.

Table 6: Predicted tilts for 100mm Threshold Subsidence – Conforms to Category A Impacts

Depth	Smax (mm)	Tilt mm/m
100	100	5
150	100	3.3
200	100	2.5
250	100	2

Figure 6: Client supplied 'Table 6' from Page 15 of Appendix B ' of Report by SRT on the 18th of February 2014.



**Figure 1: General arrangement of high wall mining in stage 2 area.
(After JBT)**

Figure 7: Client supplied 'Figure 1' from Page 2 of Appendix B ' of Report by SRT on the 18th of February 2014

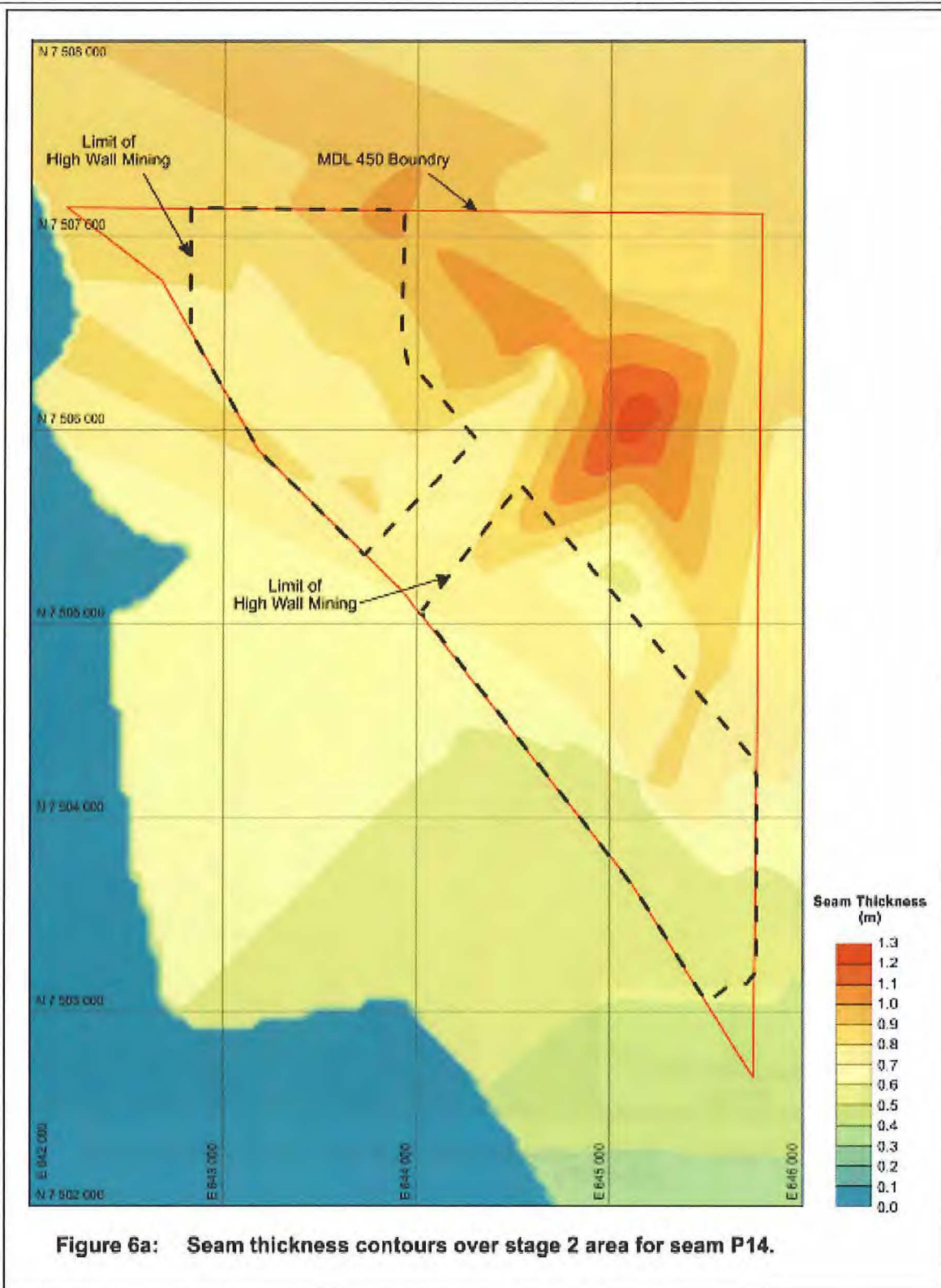


Figure 8: Client supplied 'Figure 6a' from page 10 of Appendix B of Report by SRT on the 18th of February 2014

4. Based on the above findings, the applicant demonstrates that the construction and operation footprint of the proposed activity on SCL for the affected area, will be minimised to the greatest extent. The application therefore meets the PS 11(c) for RO2.

Expected impact

The applicant will impact areas of SCL, and states they have undertaken to minimise disturbance to SCL areas in the Strategic Cropping Area.

11 Prescribed Solution 11(d) for RO2:	Evidence
<i>(d) if the activity will have a permanent impact on strategic cropping land on a property (SCL)—no more than 2% of the strategic cropping land on the property (SCL) will be impacted.</i>	1, 2, 3, 4, 5, 6, 7, 8.
<p>Findings against the Prescribed Solution 11(d) for RO2:</p> <ol style="list-style-type: none"> 1. As per the definition in the RPI Regulation, Schedule 2, part 1, item (1)(2), a resource activity or regulated activity has a permanent impact on strategic cropping land if, because of carrying out the activity, the land can not be restored to its pre-activity condition. 2. Due to the length of time the proposed resource activities will conducted over the life of mine (25 years) the impact will be significant and are considered by the applicant to be permanent. 3. The applicant states that there is not considered to be any impact to SCL other than from disturbance associated with surface infrastructure (point 3.4.1 and 3.4.2 of further information provided on the 9th of October 2017). 4. The applicant has acknowledged that the proposed activities will have a permanent impact on SCL in response to PS 11(d) for RO2. 5. The property (SCL) impacted are listed in 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' of this report. 6. The total area of SCL mapped to the properties, Lot 5 SP235303 (29.40 ha of mapped SCL) and Lot 2 SP161102 (302.51 ha of mapped SCL). Area as stated by the applicant to be impacted by the proposed activity is 5.48 ha, less than 0.31% of the SCL as per DNRM calculations. 7. Dysart East Coal Mine will permanently impact 5.48 ha, calculated by DNRM to be approximately 0.31% of SCL. 8. The applicant considers that impacts from subsidence will have no material impact on the land or future suitability as per findings PS11(c) for RO2 above. In line with requirements of Environmental Authority EMPL01978714 issued to Dysart East Coal Mine, a subsidence management and monitoring plan will be developed, in line with requirements for Department of Environment and Heritage Protection (DEHP). Key aspects of the Subsidence Management Plan to be developed by a 'suitably qualified person' will address: <ol style="list-style-type: none"> a. Physical condition of surface drainage including erosion; b. Areas susceptible to high levels of erosion such as watercourse confluences; c. Incision processes; d. Stream widening; e. Tension cracking; f. Lowering of beds and banks; g. Creation of in-stream waterholes; h. Changes to local drainage patterns; i. Capture or overland flows by subsided long-wall panels; j. Increased overbank flows due to lowering of high bank watercourses; k. The portion of local and large scale catchment likely to be captured by subsided long-wall panels and the associated impacts on downstream users; l. Annual collation of baseline ground level data; m. A subsidence monitoring schedule; and n. Monitoring methodology. 9. The proposed activity will not impact more than 2% of the SCL. 10. Based on the above findings, the application meets the PS 11(d) for RO2. 	
<p>Expected impact Total impact area SCL in strategic cropping area is approximately 0.31% (less than 2%). Monitoring of subsidence will occur in line with requirements for EMPL01978714 which is administered by the DEHP.</p>	



Table 3: Required Outcome 3

12 RO3: Managing impacts on strategic cropping land for a region	Evidence
(1) This section applies if the activity— (a) does not meet required outcome 1; or (b) is being carried out on 2 or more properties (SCL) in the strategic cropping area. (2) The activity will not result in a material impact on strategic cropping land in an area in the strategic cropping area.	1, 2, 3, 4, 5, 6, 7, 8.
Findings against RO3:	
<ol style="list-style-type: none"> 1. The activity does not meet RO1 as per findings against RO1 and the PS for RO1. 2. As per findings for RO2; <ol style="list-style-type: none"> a. The activity is being carried out on two properties (SCL) in the SCA. b. The activity will not result in a material impact on SCL on the property (SCL) as less than 2% of the SCL will be impacted. 3. Based on the above findings, the applicant has demonstrated that they meet the PS 12 for RO3. 	
Expected impact	
The applicant has demonstrated that the impact area is being carried out on two or more properties in the strategic cropping area.	
13 Prescribed Solution 13(1)(a) for RO3:	Evidence
(a) the activity can not be carried out on other land in the area that is not strategic cropping land, including, for example, land elsewhere on the property (SCL), on adjacent land or at another nearby location;	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 13(1)(a) for RO3:	
<ol style="list-style-type: none"> 1. Based on the findings for PS 11(b) for RO2 above, the applicant has demonstrated that the Dysart East Coal Mine cannot be carried out on alternative locations on land that is not SCL. 2. Based on the above findings, the applicant meets requirements for PS13(1)(a) for RO3. 	
Expected impact	
Surface impacts from infrastructure are located as per 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' above. As per findings for PS11(b) for RO2, the applicant has demonstrated that Dysart East Coal Mine cannot be carried out on alternate locations.	
13 Prescribed Solution 13(1)(b) for RO3:	Evidence
(b) if there is a regional plan for the area in which the activity is to be carried out—the activity will contribute to the regional outcomes, and be consistent with the regional policies, stated in the regional plan;	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 13(1)(b) for RO3:	
<ol style="list-style-type: none"> 1. The activity is proposed to be undertaken in an area covered by the Central Queensland Regional Plan. As DNRM's function is specifically related to the expected impact of the activity on SCL in the area and SCL is not specifically mentioned in the regional plan, DNRM can not offer advice on this requirement. 2. Based on the above findings, the applicant has demonstrated impact within the Central Queensland Regional Plan. DNRM cannot offer advise on this matter. 	
Expected impact	
DNRM cannot provide advice specific to the SCL for the regional plan for Central Queensland.	
13 Prescribed Solution 13(1)(c) for RO3:	Evidence
(c) the construction and operation footprint of the activity on strategic cropping land is minimised to the greatest extent possible;	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 13(1)(c) for RO3:	
<ol style="list-style-type: none"> 1. Based on the findings against PS 11(c) for RO2 above, the applicant demonstrated that the construction and total disturbance footprint of the activity on SCL on the property (SCL) has been minimised to the greatest extent possible. The applicant therefore, meets the PS 13(1) (c) for RO3. 	



2. Based on the above findings, the applicant meets requirements for PS13(1)(c) for RO3.	
Expected impact Impacts to SCL will impact 0.31% of total strategic cropping land (SCL). Applicant demonstrates that impacts to SCL has been minimised to the greatest extent possible.	
13 Prescribed Solution 13(1)(d) for RO3:	Evidence
(d) either— (i) the activity will not have a permanent impact on the strategic cropping land in the area; or (ii) the mitigation measures proposed to be carried out if the chief executive decides to grant the approval and impose an SCL mitigation condition.	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 13(1)(d) for RO3:	
<ol style="list-style-type: none"> 1. The applicant states that the only impacts to SCL are considered to be from surface infrastructure. 2. The applicant demonstrates that they propose to meet PS 13(1)(d) for RO3 <ol style="list-style-type: none"> a. Mitigation value is remained unchanged from the original RIDA submission and fees paid are considered to remain correct. Price per hectare \$4,917.00 for 0.48ha on 5SP235303 total contribution \$2,360.16. Price per hectare \$4,917.00 for 5.0ha on 2SP161102 total contribution \$24, 585.00. Taken from 'Table 10 Summary of mitigation value for the project' of original RIDA application submitted on the 23rd of March 2017. 3. Dysart East Coal Mine demonstrates compensation agreements to current landholders for each of the tenures impacts by surface infrastructure as per 'Figure 1: Several properties that are covered by MLA70507 Dysart East Coal Mine' and 'Figure 2: Tenures to be impacted by proposed activities, and the extent of disturbance of proposed areas on SCL' above. 4. As per finding for PS 11(d) for RO2, the Dysart East Coal Mine will have a permanent impact of 0.31% of SCL (less than 2% of total area) from the proposed activities. The application therefore meets PS 13(1)(d)(i) for RO3. 	
Expected impact Based on the above findings, the applicant has demonstrated that proposed activities will have a permanent impact on SCL and mitigation values have been paid as per above notes.	
13 Prescribed Solution 13(2) for RO3:	Evidence
(2) Subsection (3) applies for each property (SCL) on which the activity is to be carried out if the applicant is not the owner of the land and has not entered into a voluntary agreement with the owner.	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 13(2) for RO2:	
<ol style="list-style-type: none"> 1. Under the RPI Act, mitigation value for SCL land is for the purpose of addressing the loss of productive SCL capacity, hence the full impact to SCA would be required to be mitigated (5.48 ha). 2. As per notes above for PS 11(a) for RO2 and PS 13(1)(d) for RO3, Dysart East Coal Mine have entered into agreements for: <ol style="list-style-type: none"> a. Lot 5 on SP235303 is currently titled to Edward Thomas Murphy and Paul Thomas Murphy. Compensation agreements have been reached between the landholders and Dysart East Coal Mine as per email dated the 23rd of October 2017 from David Curwen (Consultant to Dysart East Coal Mine). b. Current title for Lot 2 on SP161102 is for Cradcorp Pty Ltd. Legal proceedings are currently on going in court proceedings between the landholders and Dysart East Coal Mine as per email dated the 23rd of October 2017 from David Curwen 3. Based on the above findings, the application demonstrates they have meet PS 13(2) for RO3. 	
Expected impact Permanent impact to 5.48 hectares of SCL has mitigation value paid, as demonstrated in original RIDA application submitted on the 27 th of March 2017.	

13 Prescribed Solution 13(3) for RO3:	Evidence
<i>(3) The application must demonstrate the matters listed in this schedule, section 11 for a prescribed solution for required outcome 2 for the property (SCL).</i>	1, 2, 3, 4, 5, 6, 7, 8.
Findings against the Prescribed Solution 13(2) for RO2:	
<ol style="list-style-type: none"> The two lots over which the resource activities will be carried out are Lot 5 on SP235303 and Lot 2 on SP161102 owned respectively by Edward Thomas Murphy and Paul Thomas Murphy, and Cradcorp Pty Ltd respectively. The applicant demonstrates that they have entered into agreement process with the landholders that have either reached agreement or are still in negotiations with the landholder. The application therefore demonstrated that they meet PS for RO2 for the property (SCL) 	
Expected impact	
The applicant demonstrates that they meet PS 13(2) for RO2.	

5.0 Advice

An assessment of the proposed impact to SCL based on the details provided with the application identified:

- RO1 Limit the location and extent of the impacts on SCL to that which has been proposed in the application material and assessed against the required outcomes.
- RO2 Restrict the total area of impact on SCL to that which has been proposed in the application and assessed against the relevant required outcomes.
- RO3 Impose mitigation condition for the permanent impact on 5.48 hectares of SCL.

5.1 Assessing agency advice

DNRM provides the following advice to the chief executive of DILGP:

General advice	
Ref.	Strategic Cropping area
1.	<p>Our department recommends the following issues are addressed by attaching conditions to a development approval:</p> <ol style="list-style-type: none"> Issue: Limit the location and extent of impacts on SCL to that which has been proposed in the application and assessed against the relevant required outcomes. Details to be inserted in condition: The impacts on SCL must be confined to the area identified as "Dysart East Coal Mine. Surface Disturbance within the Project Area. RIDA Application" on Aecom supplied 'Figure F4: 42627233, Created by XL. Last Modified XL -29/08/2017. Version 1'. Issue: Restrict the total area of impact on SCL to that which has been proposed in the application and assessed against the relevant required outcome. Details to be inserted in condition: The maximum area of impact on SCL that may occur as a result of this development approval is to be no greater than 5.48 hectares. Issue: Impose an SCL mitigation condition for the permanent impact on 5.48 hectares of SCL. Details to be inserted in condition: Advice from DNRM in regard to imposing an SCL mitigation condition is limited to the following: <ul style="list-style-type: none"> The permanent impact on SCL as a result of this application is 5.48 hectares. The land is within the Central Highlands Isaac sub-zone of the Western Cropping Zone.

6.0 Endorsement

Officer	Joanne Hardy	Natural Resource Management Officer	25/10/2017.
Approver	Kerri Barden	Natural Resource Management Officer	26/10/2017



DIRECTOR (DEVELOPMENT ASSESSMENT) – BRIEF FOR DECISION	Date: 10 November 2017
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SUBJECT: Application for Regional Interests Development Approval – Bengal Coal Pty Ltd – construction and operation of resource activities associated with Dysart East Coal Mine.
RPI17/004

NOTED <input checked="" type="checkbox"/> APPROVED / NOT APPROVED 
Patrick Atkinson Director – Development Assessment Department of Infrastructure, Local Government and Planning Date: 13/11/2017

RECOMMENDATIONS:

That you:

- **approve** the application by Bengal Coal Pty Ltd for a Regional Interests Development Approval (RIDA) under the *Regional Planning Interests Act 2014* (RPI Act) subject to conditions
- **note** that if you decide to approve the application, the approval package (**Attachments 1 and 2**) will be issued to the applicant
- **sign**, as delegate, the Decision Notice (**Attachment 1**)
- **note** that a decision is required by **13 November 2017** in accordance with the prescribed timeframes in the *Regional Planning Interests Regulations 2014* (RPI Regulation).

BACKGROUND:

On 27 March 2017, Bengal Coal Pty Ltd (applicant) lodged an assessment application for a RIDA with the Department of Infrastructure, Local Government and Planning (DILGP). The applicant seeks approval to undertake resource activities as part of their Dysart East Coal Mine project. The subject land is located approximately five kilometres to the north-east of the town of Dysart.

The proposed resource activities involve the construction and operation of surface infrastructure for the underground mining operation at the Dysart East Coal Mine. The surface resource activities are seismic tracks, monitoring and degassing tracks, degassing well pads and ventilation shafts. The proposed underground coal mine workings are discussed further below.

The surface mine infrastructure will occupy two areas that are mapped as Strategic Cropping Area (SCA) and designated as Strategic Cropping Land (SCL). The SCL land is on Lot 5 on SP235303 and Lot 2 on SP161102. The applicant is not the owner of the subject land, thereby triggering the need to obtain a RIDA.

Whilst the total area of SCL covering the project is 331.914 hectares (which includes the underground coal mine), the project will only disturb 5.48 hectares. This represents the surface infrastructure impact on SCL, being only 0.310% of SCL on the subject land. This is less than the 2.0 percent threshold trigger.

A Requirement Notice was issued on 10 April 2017. The notice advised additional information was required from the applicant and that public notification was necessary. The application was publicly notified. The application attracted one lengthy submission from an affected landowner (Cradcorp Pty Ltd A.C.N 010 764 815). The affected landowner is an owner of Lot 2 on SP161102, being one of the subject parcels. The same landowner was previously involved in a planning appeal with the same applicant.

On 19 October 2017, the applicant responded in full to the matters raised in the Requirement Notice. The information provided has been considered by the Department of Natural Resources

Author details: Darren Brewer Position: Manager Telephone: [Redacted] Date: 10 November 2017	Reviewer: Kassim Mahomed Position: Manager Telephone: [Redacted] Date: Per Source	Endorsed by: Patrick Atkinson Position: Director Telephone: [Redacted] Date: As per Source
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and Mines (DNRM) and DILGP. DNRM is the assessing agency for the application. The department is the chief executive for the purposes of the application.

Under section 48(1) of the RPI Act, you (as the delegate of the chief executive) must decide to approve all or part of the application to grant a RIDA, or refuse the application.

KEY ISSUES:

In deciding this assessment application, you must consider:

- the extent of the expected impact of the resource activity on the area of interest
- the SCA assessment criteria prescribed in the RPI regulation
- any advice received from the assessing agency about the application.

You may also consider any other relevant matter. Information relevant to your consideration of each of these matters is detailed below.

Consideration of the extent of the expected impact of the resource activity on the area of regional interest

Aside from the impact of the surface activities on SCL, the issue of possible subsidence impacts due to the underground mining methodology (bord and pillar method) was addressed as a key issue. The issue was raised by DNRM as part of the matters in the Requirement Notice and by the sole submitter. DNRM concluded that the impacts of subsidence would not result in an undue impact on SCL. DNRM noted that the Environmental Authority (EMPL01978714) issued to for the Dysart East Coal Mine, requires that a subsidence management and monitoring plan is to be developed by the applicant. DNRM stated that the Subsidence Management Plan is to be prepared by a suitably qualified person, and noted:

Monitoring of subsidence will occur in line with requirements for EMPL01978714 which is administered by the DEHP.

The application demonstrates that the applicant has attempted to avoid and minimise the impact of the resource activities as much as possible. As a result, the impacted area of SCA is approximately 5.48 hectares.

The impact on the 5.48 hectares of SCL will be permanent, as defined in the RPI Act. Due to the nature of the impact, DNRM and the department consider that mitigation is required. This is to be conditioned and will require a monetary payment to the mitigation fund.

Consideration of the SCA assessment criteria prescribed in the RPI Regulation

The SCA assessment criteria consist of Required Outcomes and Prescribed Solutions. The activities only meet the Required Outcomes for an area of regional interest if the application demonstrates that the matters listed in a Prescribed Solution for the Required Outcome.

The DILGP report contained in **Attachment 3** contains a detailed assessment against the criteria.

Advice about the application received from the assessing agency

DNRM have advised that the proposal meets the Prescribed Solution for Required Outcome 2 and 3 of the SCA assessment criteria. DNRM advised that conditions are required to mitigate the impacts. DILGP has considered DNRM's advice and recommend that the intent of the conditions be imposed through the approval to ensure no adverse impact on a property or regional scale.

Any other relevant matter - submission received

One submission was received as a result of the public notification process. The submission was lodged by Cradcorp Pty Ltd A.C.N 010 764 815, being an owner of part of the subject land (Lot 2 on SP161102). The submission focussed on impacts on SCL due to potential subsidence associated with the proposed underground mining methodology.

DNRM reviewed the grounds of the submission in the course of their technical assessment of the application material. DNRM was satisfied that the impact to SCL would only be approximately 5.48 hectares. In addition, the EA (administered by DEHP) involved strict conditions regarding subsidence monitoring and management.

It is to be noted that the same landowner was previously involved in a planning appeal with the same applicant. Whilst this does not have a bearing on the decision of the chief executive for this RPI application, an appeal may be possible in this instance also as an affected landowner has appeal rights pursuant to s73 of the RPI Act.

RESULTS OF CONSULTATION:

DILGP has liaised with the applicant via post-lodgement discussions and written communication. This included during the response to the Requirement Notice phase and in the final decision period.

DILGP has also liaised with DNRM, whom provided its technical agency response on 26 October 2017. DNRM was satisfied that the proposal will not unduly impact on SCA and proposed the imposition of conditions of approval, including a recommendation for payment of mitigation.

RIGHT TO INFORMATION:

Contents/attachments suitable for publication Yes No

Does this support a media opportunity for the Deputy Premier's Office? Yes No

[REDACTED]

From: [REDACTED]@dnrm.qld.gov.au
Sent: Friday, 17 November 2017 7:59 AM
To: [REDACTED]
Cc: RPIA Central; Regional Planning Interests Act
Subject: RE: RPI17-004 - Bengal Coal Pty Ltd

Good Morning [REDACTED]

In acknowledgement of receipt of

- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017, for the Bengal project.

Sincerely,

[REDACTED]

Natural Resource Management Officer, Natural Resource Assessment
Department of Natural Resources and Mines

Sch. 4(4)(6) -

99 Hospital Road, Emerald
PO Box 19, Emerald Q 4720

CENTRAL
People. Outcomes. Future.



Please consider the environment before printing this email

I acknowledge the Traditional Owners and custodians of the land I work on as the first people of this country.



From: [REDACTED]@dilgp.qld.gov.au]
Sent: Tuesday, 14 November 2017 5:44 PM
To: [REDACTED]@dnrm.qld.gov.au
Cc: Regional Planning Interest Act <RPIA@dnrm.qld.gov.au>; Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: RPI17-004 - Bengal Coal Pty Ltd

Hi [REDACTED]

I write to advise Department of Natural Resources and Mines (as assessing agency) that the abovementioned development application was approved on 13 November 2017, subject to regional interests conditions.

Accordingly, please find attached a copy of the following:

- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017.

A copy of the above decision package is also being provided to each landowner and the applicant.


Please kindly confirm receipt via return email.

Regards,



Manager – Development Assessment

Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000

@dilgp.qld.gov.au

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Meaghan Dwyer

From: [REDACTED]
Sent: Wednesday, 15 November 2017 11:09 AM
To: [REDACTED]
Cc: Regional Planning Interests Act; Planning Group Correspondence
Subject: RE: RPI17/004 - application to move from 'current' to 'decided'

Importance: High

Thanks for the 'heads up' [REDACTED]

Please note that this action needs to occur quite quickly - **by Monday 20 November 2017**.

Why?

There are two important reasons:

- so the department doesn't run foul of the legislative requirements (see further below); and
- there was a submitter for the application. They have already been to the Land Court with the applicant. We don't want to miss the timeframe as they are vigilant.

The legislative requirements:

Section 52(1) of the *Regional Planning Interests Act 2014* is relevant (refer excerpt below).

Given the application was decided on 13 November 2017, the decision and related information must be published. We place it on the website rather than in a newspaper.

52 Public notification of decision

- (1) The chief executive must, within the prescribed time frame, publish a notice about the decision—
- (a) on the department's website; or

Current as at 3 July 2017

Page 35

Authorised by the Parliamentary Counsel



[s 53]

- (b) in a newspaper circulating generally in the area of the land.
- (2) The notice must—
 - (a) identify the resource activity or regulated activity, the applicant and the land; and
 - (b) briefly describe any conditions imposed on the resource activity or regulated activity by the decision; and
 - (c) state that an affected land owner may appeal against the decision, the period within which an appeal must be started and how the right to appeal is to be exercised.

53 Issuing approval

- (1) As soon as practicable after deciding to grant a regional interests development approval, the chief executive must issue the approval.

Pursuant to the requirements of Schedule 5 of the Regional Planning Interests Regulation 2017 (current as at 11 August 2016 – excerpt below), the relevant timeframe is as follows:

section 52(1) within 5 business days after deciding the application

Please feel free to pass on this information as justification for the timeliness required.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED]@dilgp.qld.gov.au

From: [REDACTED]
Sent: Wednesday, 15 November 2017 10:32 AM
To: [REDACTED]@dilgp.qld.gov.au>; Planning Group Correspondence
<PlanningGroupCorrespondence@dndip.qld.gov.au>
Cc: Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: RE: RPI17/004 - application to move from 'current' to 'decided'

Thanks [REDACTED] This will need to be approved by DDG before going up to Kathy Parton for approval to publish as we're currently in caretaker mode.

I will let you know how it progresses.

Cheers,

[REDACTED]
From: [REDACTED]
Sent: Wednesday, 15 November 2017 10:12 AM
To: Planning Group Correspondence <PlanningGroupCorrespondence@dndip.qld.gov.au> [REDACTED]
[REDACTED]@dilgp.qld.gov.au>
Cc: Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>

Subject: RPI17/004 - application to move from 'current' to 'decided'

Importance: High

Dear [REDACTED] and Planning Group Comm's,

The Regional Planning Interests application for Bengal Coal was decided by the delegate on 13 November 2017.

Accordingly, please arrange for the RPI website to be updated from 'current' to 'decided'.

The following are attached:

- completed Web update request form; and
- approval email from Kassim Mahomed (Manager – DAAT) regarding the Web update request form.

Please advise when the update has been completed.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED] [dilgp.qld.gov.au](mailto:[REDACTED]@dilgp.qld.gov.au)

[Redacted]

From: [Redacted]
Sent: Wednesday, 15 November 2017 10:12 AM
To: Planning Group Correspondence; Danni Murphy
Cc: Regional Planning Interests Act
Subject: RPI17/004 - application to move from 'current' to 'decided'
Attachments: RPI17 004 - web update request.docx; RE RPI17004 - Bengal Coal website update.htm

Importance: High

Dear Danni and Planning Group Comm's,

The Regional Planning Interests application for Bengal Coal was decided by the delegate on 13 November 2017.

Accordingly, please arrange for the RPI website to be updated from 'current' to 'decided'.

The following are attached:

- completed Web update request form; and
- approval email from Kassim Mahomed (Manager – DAAT) regarding the Web update request form.

Please advise when the update has been completed.

Regards,

[Redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000

[Redacted]@dilgp.qld.gov.au



RPI17/004 (update for 13/11/2017)

Page URL	http://dilgp.qld.gov.au/planning/regional-planning/rpi-act-applications-submissions-and-decision-notice.html	
Type of update	Decision	
Current location on website	See above	
New location on website	See above	
Item	Information	
Application reference	RPI17/004/Bengal Coal	
Applicant	Bengal Coal Pty Ltd	
Project	Dysart East Coal Mine	
Site address and property description	'Tay Glen', 7078 Dysart Clermont Road, Dysart QLD 4745 'Dysart Station', 532 Dysart Middlemount Road, Dysart QLD 4745 Lot 5 on SP235303 Lot 2 on SP161102	
Area/s of regional interest	Strategic Cropping Area	
Notification	Yes (refer OUT17/2392)	
Status	Decided 13 - 11 - 2017	
Decision notice	Document name	Source reference for document
	Decision Notice	D17/283210
	Regional Interests Development Approval (RIDA)	D17/283211
Requirement notice	Document name	Source reference for document
	Requirement notice	OUT17/2392
Supporting documents (traditionally we only upload application form and supporting report)	Document name	Source reference for document



Meaghan Dwyer

From: [Redacted]
Sent: Wednesday, 15 November 2017 8:52 AM
To: [Sch. 4(4)(6) - Disc]
Cc: Regional Planning Interests Act
Subject: RE: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine

[Sch. 4(4)(6) - Disc]

Thanks for confirming receipt.

Regards,

[Redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[Redacted]@dilgp.qld.gov.au

From: [Sch. 4(4)(6) - Disclosing personal info]@dysartmininggroup.com.au]
Sent: Wednesday, 15 November 2017 8:50 AM
To: Darren Brewer <Darren.Brewer@dilgp.qld.gov.au>
Cc: [Sch. 4(4)(6) - Disc]@aecom.com; Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: RE: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine

[Redacted]

Thank you for your correspondence notifying Bengal Coal of our approved development application. Please accept this email as confirmation of receipt of this correspondence.

Regards

[Sch. 4(4)(6) - Disc]

General Manager - Operations

[Sch. 4(4)(6) - Disclosi]

[Sch. 4(4)(6) - Disc]@dysartmininggroup.com.au

Correspondence address: PO Box 13646 George Street, Brisbane QLD 4003
Registered office: c/o BDO, Level 10, 12 Creek St, Brisbane QLD 4000



ABN 29 140 425 529

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From: [Redacted]@dilgp.qld.gov.au]
Sent: Tuesday, 14 November 2017 6:10 PM
To: [Sch. 4(4)(6) - Disclosing personal info]@dysartmininggroup.com.au>
Cc: [Sch. 4(4)(6) - Disc]@aecom.com; Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: FW: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine
Importance: High

Dear Sch. 4(4)

Further to my previous email of 3:39pm today (refer below), I enclose a replacement copy of the Decision Notice and RIDA. There was a slight topographic error on the cover letter.

For simplicity, please use the attached.

Regards,

[Redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[Redacted]

From: [Redacted]
Sent: Tuesday, 14 November 2017 3:39 PM
To: 'Sch. 4(4)(6) - [Redacted]@dysartmininggroup.com.au'; [Redacted]@dysartmininggroup.com.au
Cc: Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine
Importance: High

Dear Sch. 4(4)

I write to advise that the development application was approved on 13 November 2017, subject to regional interests conditions.

Accordingly, please find attached a copy of the following:

- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017.

I draw your attention to the appeal provisions contained in Attachment 1.

A copy of the above decision package is also being provided to each landowner and the Department of Natural Resources and Mines (the latter being an assessing agency for the application).

Please kindly confirm receipt via return email.

Regards,

[Redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[Redacted]@dilgp.qld.gov.au

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Department does not accept any responsibility for any loss or damage that may result from reliance on, or use of, any information contained in this email and/or attachments.

Meaghan Dwyer

From: [REDACTED]
Sent: Tuesday, 14 November 2017 5:44 PM
To: [REDACTED]
Cc: RPIA Central; Regional Planning Interests Act
Subject: RPI17-004 - Bengal Coal Pty Ltd
Attachments: 13 11 2017 RPI17-004 Bengal Coal Decision Notice.pdf; 13 11 2017 RIDA - RPI17-004 Bengal Coal.pdf

Hi [REDACTED]

I write to advise Department of Natural Resources and Mines (as assessing agency) that the abovementioned development application was approved on 13 November 2017, subject to regional interests conditions.

Accordingly, please find attached a copy of the following:

- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017.

A copy of the above decision package is also being provided to each landowner and the applicant.

Please kindly confirm receipt via return email.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED] [dilgp.qld.gov.au](mailto:[REDACTED]@dilgp.qld.gov.au)

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 14 November 2017 5:19 PM
To: [REDACTED] Sch. 4(4)(6) - Disclosing person
Cc: Regional Planning Interests Act
Subject: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine
Attachments: 14 11 2017 [REDACTED] Sch. 4(4)(6) - Disclosing person 13 11 2017 RPI17-004 Bengal Coal Decision Notice.pdf; 13 11 2017 RIDA - RPI17-004 Bengal Coal.pdf

Importance: High

Dear [REDACTED] Sch. 4(4)(6) - Disclosing person

I write to advise you (as landowners) that the abovementioned development application was approved on 13 November 2017, subject to regional interests conditions.

Accordingly, please find attached a copy of the following:

- Covering letter, dated 14 November 2017;
- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017.

I draw your attention to the appeal provisions contained in Attachment 1.

A copy of the above decision package is being provided to each landowner, applicant and the Department of Natural Resources and Mines (the latter being an assessing agency for the application).

Please kindly confirm receipt via return email.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED] [dilgp.qld.gov.au](mailto:[REDACTED]@dilgp.qld.gov.au)

Meaghan Dwyer

From: [Sch. 4(4)(6) - Disclosing personal info]@aecom.com>
Sent: Friday, 3 November 2017 5:00 PM
To: [Redacted]
Cc: [Sch. 4(4)(6) - Disc]
Subject: RE: RPI17/004BENGAL COAL - Dysart East Coal Mine

Thanks you for the update [Redacted]

Regards,

[Sch. 4(4)(6) -

[Sch. 4(4)(6) - Disclos

Associate Director - Environment

[Sch. 4(4)(6) - Disclosing personal information

[Sch. 4(4)(6) - Disc]@aecom.com

AECOM

Level 8, 540 Wickham Street, Fortitude Valley, QLD 4006

PO Box 1307 Fortitude Valley QLD 4006

[Redacted]
aecom.com

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From: [Redacted]@dilgp.qld.gov.au]
Sent: Friday, 3 November 2017 4:58 PM
To: [Sch. 4(4)(6) - Disclosin]
Cc: Regional Planning Interests Act
Subject: FW: RPI17/004BENGAL COAL - Dysart East Coal Mine

Dear [Sch. 4(4)]

Bengal Coal Pty Ltd, as applicant in respect of application RPI17/004, is hereby advised that the 'prescribed time frame' for assessment is being extended until 13 November 2017.

The 'prescribed time frame' is set out in Schedule 5, section 20 of the Regional Planning Interests Regulation 2014. The aforementioned provides that the chief executive may decide that a longer period is applicable.

The longer period (being five additional business days from 6 November 2017) is necessary in this instance to allow sufficient time to consider the response provided by the DNRM (as an assessing agency), received on 26 October 2017.

Please contact me if you would like to discuss the above.

Regards,

[Redacted]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning

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[REDACTED]

From: [REDACTED]
Sent: Tuesday, 14 November 2017 5:10 PM
To: 'Sch. 4(4)(6) [REDACTED]@dysartmininggroup.com.au'
Cc: 'Sch. 4(4)(6) - D [REDACTED]@aecom.com'; Regional Planning Interests Act
Subject: FW: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine
Attachments: 13 11 2017 RPI17-004 Bengal Coal Decision Notice.pdf; 13 11 2017 RIDA - RPI17-004 Bengal Coal.pdf

Importance: High

Dear [REDACTED]

Further to my previous email of 3:39pm today (refer below), I enclose a replacement copy of the Decision Notice and RIDA. There was a slight topographic error on the cover letter.

For simplicity, please use the attached.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED] dilgp.qld.gov.au

From: [REDACTED]
Sent: Tuesday, 14 November 2017 3:39 PM
To: 'Sch. 4(4)(6) [REDACTED]@dysartmininggroup.com.au' [REDACTED]@dysartmininggroup.com.au>
Cc: Regional Planning Interests Act <RPIAct@dilgp.qld.gov.au>
Subject: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine
Importance: High

Dear [REDACTED]

I write to advise that the development application was approved on 13 November 2017, subject to regional interests conditions.

Accordingly, please find attached a copy of the following:

- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017.

I draw your attention to the appeal provisions contained in Attachment 1.

A copy of the above decision package is also being provided to each landowner and the Department of Natural Resources and Mines (the latter being an assessing agency for the application).

Please kindly confirm receipt via return email.

Regards,



Manager – Development Assessment

Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000



dilgp.qld.gov.au

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 14 November 2017 3:39 PM
To: 'Sch. 4(4)(6) [REDACTED]@dysartmininggroup.com.au'
Cc: Regional Planning Interests Act
Subject: RPI17-004 - Bengal Coal Pty Ltd - Dysart East Coal Mine
Attachments: 13 11 2017 RPI17-004 Bengal Coal Decision Notice.pdf; 13 11 2017 RIDA - RPI17-004 Bengal Coal.pdf

Importance: High

Dear [REDACTED]

I write to advise that the development application was approved on 13 November 2017, subject to regional interests conditions.

Accordingly, please find attached a copy of the following:

- Decision Notice, dated 13 November 2017 (including Attachment 1 contained therein); and
- Regional Interests Development Approval, dated 13 November 2017.

I draw your attention to the appeal provisions contained in Attachment 1.

A copy of the above decision package is also being provided to each landowner and the Department of Natural Resources and Mines (the latter being an assessing agency for the application).

Please kindly confirm receipt via return email.

Regards,

[REDACTED]
Manager – Development Assessment
Department of Infrastructure, Local Government and Planning
Level 13, 1 William Street, Brisbane QLD 4000
[REDACTED]@dilgp.qld.gov.au

DIRECTOR (DEVELOPMENT ASSESSMENT) – BRIEF FOR DECISION

Date: 10 November 2017

SUBJECT: Application for Regional Interests Development Approval – Bengal Coal Pty Ltd – construction and operation of resource activities associated with Dysart East Coal Mine.
RPI17/004

NOTED or APPROVED / NOT APPROVED

Patrick Atkinson
Director – Development Assessment
Department of Infrastructure, Local Government and Planning
Date:

RECOMMENDATIONS:

That you:

- **approve** the application by Bengal Coal Pty Ltd for a Regional Interests Development Approval (RIDA) under the *Regional Planning Interests Act 2014* (RPI Act) subject to conditions
- **note** that if you decide to approve the application, the approval package (**Attachments 1 and 2**) will be issued to the applicant
- **sign**, as delegate, the Decision Notice (**Attachment 1**)
- **note** that a decision is required by **13 November 2017** in accordance with the prescribed timeframes in the *Regional Planning Interests Regulations 2014* (RPI Regulation).

BACKGROUND:

On 27 March 2017, Bengal Coal Pty Ltd (applicant) lodged an assessment application for a RIDA with the Department of Infrastructure, Local Government and Planning (DILGP). The applicant seeks approval to undertake resource activities as part of their Dysart East Coal Mine project. The subject land is located approximately five kilometres to the north-east of the town of Dysart.

The proposed resource activities involve the construction and operation of surface infrastructure for the underground mining operation at the Dysart East Coal Mine. The surface resource activities are seismic tracks, monitoring and degassing tracks, degassing well pads and ventilation shafts. The proposed underground coal mine workings are discussed further below.

The surface mine infrastructure will occupy two areas that are mapped as Strategic Cropping Area (SCA) and designated as Strategic Cropping Land (SCL). The SCL land is on Lot 5 on SP235303 and Lot 2 on SP161102. The applicant is not the owner of the subject land, thereby triggering the need to obtain a RIDA.

Whilst the total area of SCL covering the project is 331.914 hectares (which includes the underground coal mine), the project will only disturb 5.48 hectares. This represents the surface infrastructure impact on SCL, being only 0.310% of SCL on the subject land. This is less than the 2.0 percent threshold trigger.

A Requirement Notice was issued on 10 April 2017. The notice advised additional information was required from the applicant and that public notification was necessary. The application was publicly notified. The application attracted one lengthy submission from an affected landowner (Cradcorp Pty Ltd A.C.N 010 764 815). The affected landowner is an owner of Lot 2 on SP161102, being one of the subject parcels. The same landowner was previously involved in a planning appeal with the same applicant.

On 19 October 2017, the applicant responded in full to the matters raised in the Requirement Notice. The information provided has been considered by the Department of Natural Resources

Author details: Darren Brewer
Position: Manager
Telephone: [REDACTED]
Date: 10 November 2017

Reviewer: Kassim Mahomed
Position: Manager
Telephone: [REDACTED]
Date: Per Source

Endorsed by: Patrick Atkinson
Position: Director
Telephone: [REDACTED]
Date: As per Source

and Mines (DNRM) and DILGP. DNRM is the assessing agency for the application. The department is the chief executive for the purposes of the application.

Under section 48(1) of the RPI Act, you (as the delegate of the chief executive) must decide to approve all or part of the application to grant a RIDA, or refuse the application.

KEY ISSUES:

In deciding this assessment application, you must consider:

- the extent of the expected impact of the resource activity on the area of interest
- the SCA assessment criteria prescribed in the RPI regulation
- any advice received from the assessing agency about the application.

You may also consider any other relevant matter. Information relevant to your consideration of each of these matters is detailed below.

Consideration of the extent of the expected impact of the resource activity on the area of regional interest

Aside from the impact of the surface activities on SCL, the issue of possible subsidence impacts due to the underground mining methodology (bord and pillar method) was addressed as a key issue. The issue was raised by DNRM as part of the matters in the Requirement Notice and by the sole submitter. DNRM concluded that the impacts of subsidence would not result in an undue impact on SCL. DNRM noted that the Environmental Authority (EMPL01978714) issued to for the Dysart East Coal Mine, requires that a subsidence management and monitoring plan is to be developed by the applicant. DNRM stated that the Subsidence Management Plan is to be prepared by a suitably qualified person, and noted:

Monitoring of subsidence will occur in line with requirements for EMPL01978714 which is administered by the DEHP.

The application demonstrates that the applicant has attempted to avoid and minimise the impact of the resource activities as much as possible. As a result, the impacted area of SCA is approximately 5.48 hectares.

The impact on the 5.48 hectares of SCL will be permanent, as defined in the RPI Act. Due to the nature of the impact, DNRM and the department consider that mitigation is required. This is to be conditioned and will require a monetary payment to the mitigation fund.

Consideration of the SCA assessment criteria prescribed in the RPI Regulation

The SCA assessment criteria consist of Required Outcomes and Prescribed Solutions. The activities only meet the Required Outcomes for an area of regional interest if the application demonstrates that the matters listed in a Prescribed Solution for the Required Outcome.

The DILGP report contained in **Attachment 3** contains a detailed assessment against the criteria.

Advice about the application received from the assessing agency

DNRM have advised that the proposal meets the Prescribed Solution for Required Outcome 2 and 3 of the SCA assessment criteria. DNRM advised that conditions are required to mitigate the impacts. DILGP has considered DNRM's advice and recommend that the intent of the conditions be imposed through the approval to ensure no adverse impact on a property or regional scale.

Any other relevant matter - submission received

One submission was received as a result of the public notification process. The submission was lodged by Cradcorp Pty Ltd A.C.N 010 764 815, being an owner of part of the subject land (Lot 2 on SP161102). The submission focussed on impacts on SCL due to potential subsidence associated with the proposed underground mining methodology.

DNRM reviewed the grounds of the submission in the course of their technical assessment of the application material. DNRM was satisfied that the impact to SCL would only be approximately 5.48 hectares. In addition, the EA (administered by DEHP) involved strict conditions regarding subsidence monitoring and management.

It is to be noted that the same landowner was previously involved in a planning appeal with the same applicant. Whilst this does not have a bearing on the decision of the chief executive for this RPI application, an appeal may be possible in this instance also as an affected landowner has appeal rights pursuant to s73 of the RPI Act.

RESULTS OF CONSULTATION:

DILGP has liaised with the applicant via post-lodgement discussions and written communication. This included during the response to the Requirement Notice phase and in the final decision period.

DILGP has also liaised with DNRM, whom provided its technical agency response on 26 October 2017. DNRM was satisfied that the proposal will not unduly impact on SCA and proposed the imposition of conditions of approval, including a recommendation for payment of mitigation.

RIGHT TO INFORMATION:

- Contents/attachments suitable for publication Yes No
- Does this support a media opportunity for the Deputy Premier's Office? Yes No

DIRECTOR (DEVELOPMENT ASSESSMENT) – BRIEF FOR DECISION

Date: 10 November 2017

SUBJECT: Application for Regional Interests Development Approval – Bengal Coal Pty Ltd – construction and operation of resource activities associated with Dysart East Coal Mine.
RPI17/004

NOTED or APPROVED / NOT APPROVED

Patrick Atkinson
 Director – Development Assessment
 Department of Infrastructure, Local Government and Planning
 Date:

RECOMMENDATIONS:

That you:

- **approve** the application by Bengal Coal Pty Ltd for a Regional Interests Development Approval (RIDA) under the *Regional Planning Interests Act 2014* (RPI Act) subject to conditions
- **note** that if you decide to approve the application, the approval package (**Attachments 1 and 2**) will be issued to the applicant
- **sign**, as delegate, the Decision Notice (**Attachment 1**)
- **note** that a decision is required by **13 November 2017** in accordance with the prescribed timeframes in the *Regional Planning Interests Regulations 2014* (RPI Regulation).

BACKGROUND:

On 27 March 2017, Bengal Coal Pty Ltd (applicant) lodged an assessment application for a RIDA with the Department of Infrastructure, Local Government and Planning (DILGP). The applicant seeks approval to undertake resource activities as part of their Dysart East Coal Mine project. The subject land is located approximately five kilometres to the north-east of the town of Dysart.

The proposed resource activities involve the construction and operation of surface infrastructure for the underground mining operation at the Dysart East Coal Mine. The surface resource activities are seismic tracks, monitoring and degassing tracks, degassing well pads and ventilation shafts. The proposed underground coal mine workings are discussed further below.

The surface mine infrastructure will occupy two areas that are mapped as Strategic Cropping Area (SCA) and designated as Strategic Cropping Land (SCL). The SCL land is on Lot 5 on SP235303 and Lot 2 on SP161102. The applicant is not the owner of the subject land, thereby triggering the need to obtain a RIDA.

Whilst the total area of SCL covering the project is 331.914 hectares (which includes the underground coal mine), the project will only disturb 5.48 hectares. This represents the surface infrastructure impact on SCL, being only 0.310% of SCL on the subject land. This is less than the 2.0 percent threshold trigger.

A Requirement Notice was issued on 10 April 2017. The notice advised additional information was required from the applicant and that public notification was necessary. The application was publicly notified. The application attracted one lengthy submission from an affected landowner (Cradcorp Pty Ltd A.C.N 010 764 815). The affected landowner is an owner of Lot 2 on SP161102, being one of the subject parcels. The same landowner was previously involved in a planning appeal with the same applicant.

On 19 October 2017, the applicant responded in full to the matters raised in the Requirement Notice. The information provided has been considered by the Department of Natural Resources

Author details: Darren Brewer
 Position: Manager
 Telephone: [REDACTED]
 Date: 10 November 2017

Reviewer: Neal Charlton
 Position: Manager
 Telephone: [REDACTED]
 Date: Per Source

Endorsed by: Patrick Atkinson
 Position: Director
 Telephone: [REDACTED]
 Date: As per Source

and Mines (DNRM) and DILGP. DNRM is the assessing agency for the application. The department is the chief executive for the purposes of the application.

Under section 48(1) of the RPI Act, you (as the delegate of the chief executive) must decide to approve all or part of the application to grant a RIDA, or refuse the application.

KEY ISSUES:

In deciding this assessment application, you must consider:

- the extent of the expected impact of the resource activity on the area of interest
- the SCA assessment criteria prescribed in the RPI regulation
- any advice received from the assessing agency about the application.

You may also consider any other relevant matter. Information relevant to your consideration of each of these matters is detailed below.

Consideration of the extent of the expected impact of the resource activity on the area of regional interest

Aside from the impact of the surface activities on SCL, the issue of possible subsidence impacts due to the underground mining methodology (bord and pillar method) was addressed as a key issue. The issue was raised by DNRM as part of the matters in the Requirement Notice and by the sole submitter. DNRM concluded that the impacts of subsidence would not result in an undue impact on SCL. DNRM noted that the Environmental Authority (EMPL01978714) issued to for the Dysart East Coal Mine, requires that a subsidence management and monitoring plan is to be developed by the applicant. DNRM stated that the Subsidence Management Plan is to be prepared by a suitably qualified person, and noted:

Monitoring of subsidence will occur in line with requirements for EMPL01978714 which is administered by the DEHP.

The application demonstrates that the applicant has attempted to avoid and minimise the impact of the resource activities as much as possible. As a result, the impacted area of SCA is approximately 5.48 hectares.

The impact on the 5.48 hectares of SCL will be permanent, as defined in the RPI Act. Due to the nature of the impact, DNRM and the department consider that mitigation is required. This is to be conditioned and will require a monetary payment to the mitigation fund.

Consideration of the SCA assessment criteria prescribed in the RPI Regulation

The SCA assessment criteria consist of Required Outcomes and Prescribed Solutions. The activities only meet the Required Outcomes for an area of regional interest if the application demonstrates that the matters listed in a Prescribed Solution for the Required Outcome.

The DILGP report contained in **Attachment 3** contains a detailed assessment against the criteria.

Advice about the application received from the assessing agency

DNRM have advised that the proposal meets the Prescribed Solution for Required Outcome 2 and 3 of the SCA assessment criteria. DNRM advised that conditions are required to mitigate the impacts. DILGP has considered DNRM's advice and recommend that the intent of the conditions be imposed through the approval to ensure no adverse impact on a property or regional scale.

Any other relevant matter - submission received

One submission was received as a result of the public notification process. The submission was lodged by Cradcorp Pty Ltd A.C.N 010 764 815, being an owner of part of the subject land (Lot 2 on SP161102). The submission focussed on impacts on SCL due to potential subsidence associated with the proposed underground mining methodology.

DNRM reviewed the grounds of the submission in the course of their technical assessment of the application material. DNRM was satisfied that the impact to SCL would only be approximately 5.48 hectares. In addition, the EA (administered by DEHP) involved strict conditions regarding subsidence monitoring and management.

It is to be noted that the same landowner was previously involved in a planning appeal with the same applicant. Whilst this does not have a bearing on the decision of the chief executive for this RPI application, an appeal may be possible in this instance also as an affected landowner has appeal rights pursuant to s73 of the RPI Act.

RESULTS OF CONSULTATION:

DILGP has liaised with the applicant via post-lodgement discussions and written communication. This included during the response to the Requirement Notice phase and in the final decision period.

DILGP has also liaised with DNRM, whom provided its technical agency response on 26 October 2017. DNRM was satisfied that the proposal will not unduly impact on SCA and proposed the imposition of conditions of approval, including a recommendation for payment of mitigation.

RIGHT TO INFORMATION:

Contents/attachments suitable for publication Yes No

Does this support a media opportunity for the Deputy Premier's Office? Yes No