

Regional Planning Interests Act 2014

Assessment Application Form

Approved under section 94 of the *Regional Planning Interests Act 2014*. Version 3.1 is effective from 1 August 2019.

Before lodging your application

- read RPI Act Statutory Guideline 01/14 *How to make an assessment application for a regional interests development approval under the Regional Planning Interests Act 2014* here:

<https://planning.dsdmip.qld.gov.au/planning/regional-planning-interests-act>

- consider contacting the RPI Act Development Assessment Team on 1300 967 433 or email RPIAct@dsdmip.qld.gov.au for general queries, or to request a pre-application discussion on the proposed application.

Purpose of application form

This form is to be used when making an assessment application for a Regional Interests Development Approval (RIDA) under the *Regional Planning Interests Act 2014* (RPI Act).

Definitions

Expressions highlighted in bold italic type have the same meaning as in the RPI Act or in regulations made under the RPI Act.

How to make the Assessment Application

Section 29 of the RPI Act states:

An assessment application must be:

- i. *made to the chief executive in the approved form; and*
- ii. *accompanied by a report:*
 - *assessing the resource activity or regulated activity's impact on the area of regional interest; and*
 - *identifying any constraints on the configuration or operation of the activity; and*
- iii. *accompanied by the fee prescribed under a regulation.*

The applicant must complete all sections of the form either on the form or as an attachment.

Where to lodge

Provide **1 electronic copy** of the completed application form and the supporting information to the chief executive:

- **Email** RPIAct@dsdmip.qld.gov.au
- **Post** RPI Act Development Assessment Team DSDMIP, PO Box 15009, City East QLD 4002
- **Hand deliver** RPI Act Development Assessment Team DSDMIP, Level 13, 1 William Street, Brisbane.

(For hand deliveries, contact the RIDA Development Assessment Team on 1300 967 433).

1. Property description of the land the subject of the application

Identify all lots or parts of lots on which the activity is proposed, and the total area of disturbance. Provide a map.

Lot on Plan description (e.g. 1RP12345)	<p>The Project covers an area approximately 603 hectares (ha), with a flare disturbance area inside the Project of 0.64 ha and includes two zones:</p> <p>Zone 2: partially includes Lot 31 CP864573 and Lot 32 RP908643 (existing leases ML 70326, ML 70365, and ML 7459). Total area of Zone 2 is approximately 394 ha. The flare disturbance area inside Zone 2 is 0.32 ha.</p> <p>Zone 3: partially includes Lot 30 CP864574 and Lot 33 RP864576 (existing leases ML 7459 and ML 70366). Total area of Zone 3 is approximately 209 ha. The flare disturbance area inside Zone 3 is 0.32 ha. Figure 1 shows the Project Location and flare disturbance (exclusion) areas.</p> <p>The Project location is shown in Figure 1.</p>
Street address/suburb/locality and postcode	Duckponds Road, Emerald, QLD, 4720
Closest town	Emerald

2. Application details

Attach a map that clearly shows all relevant areas of regional interest on the land the subject of the application and the corresponding proposed location of the proposed activity/activities

- **Priority agricultural area (Figure 2) and Strategic cropping area (Figure 3) maps attached**

Identify the area/s of regional interest (ARI) in the application area and the area of the ARI to be disturbed

Area of regional interest (ARI)	Area of disturbance	Area of regional interest (ARI)	Area of disturbance
<input checked="" type="checkbox"/> Priority agricultural area	0.64 ha	<input type="checkbox"/> Priority living area	0 ha
<input checked="" type="checkbox"/> Strategic cropping area	0.16 ha	<input type="checkbox"/> Strategic environmental area	0 ha

Identify the resource or regulated activity

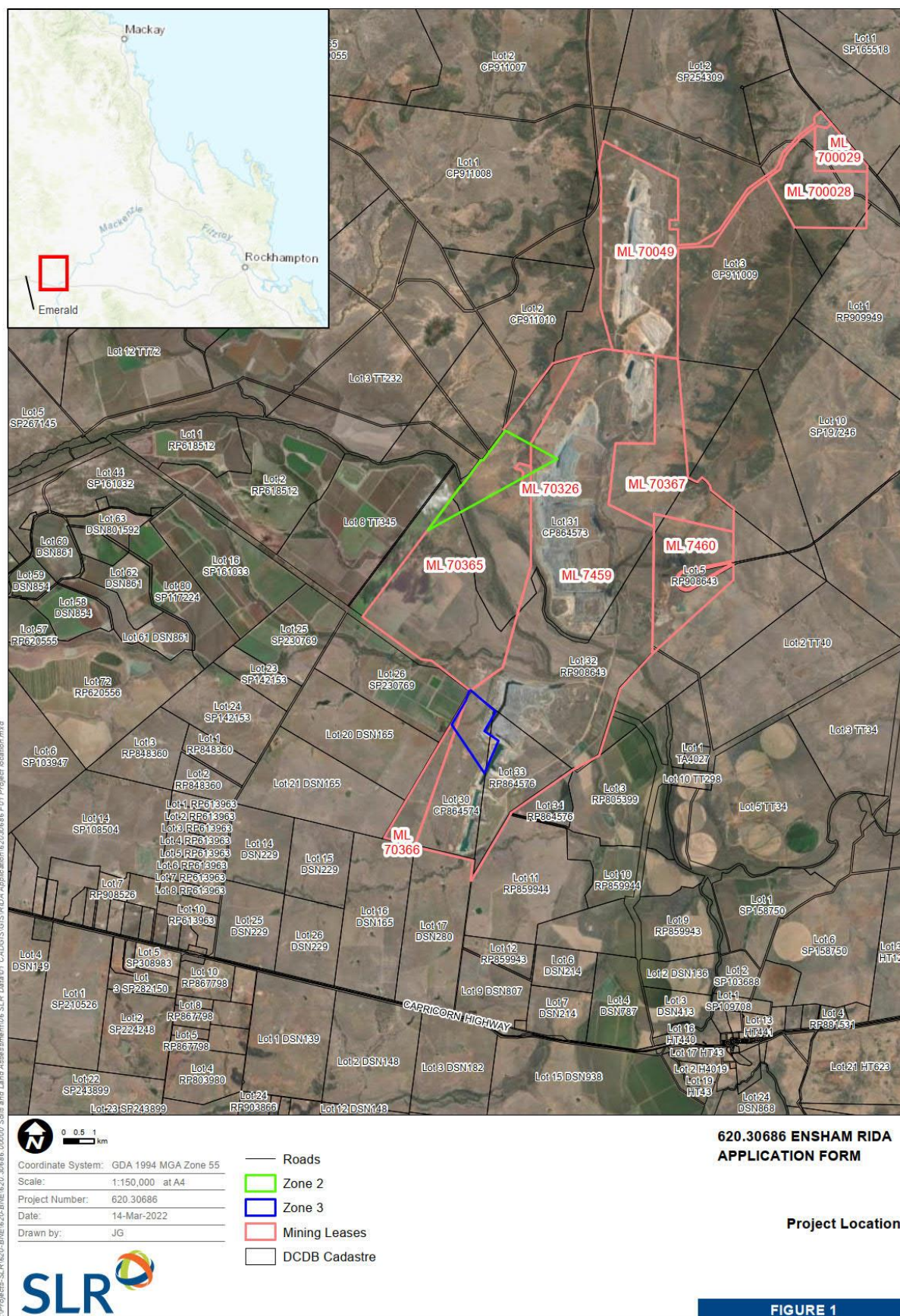
- ☒ Resource activity: mining and other resource activities (not petroleum and gas).
- Coal

(Add the type of mining on this form (e.g. coal, bauxite))

☐ Resource activity: petroleum and gas

☐ Regulated activity: broadacre cropping (Only relevant where the application relates to a strategic environmental area)

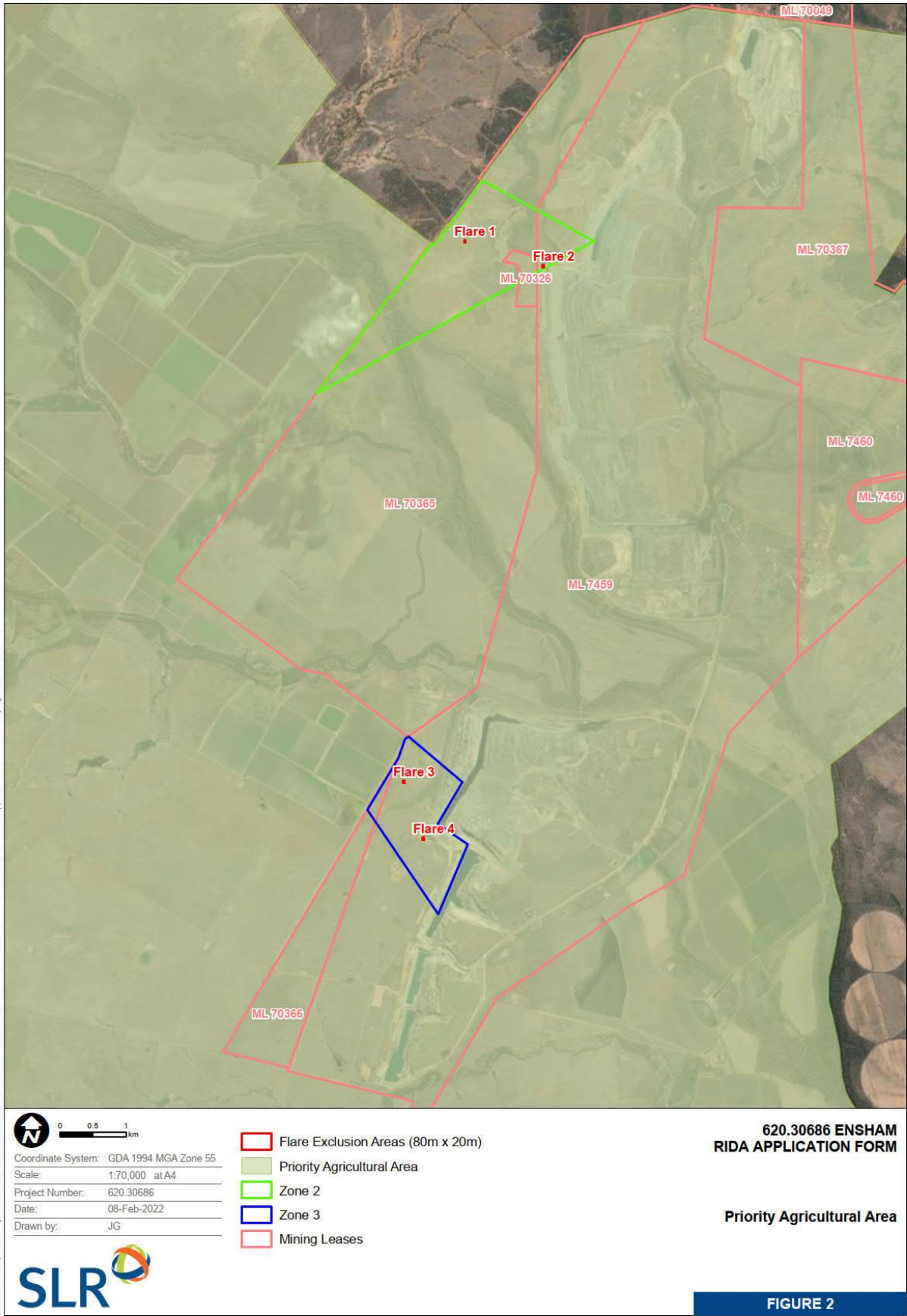
☐ Regulated activity: water storage (dam) (Only relevant where the application relates to a strategic environmental area)

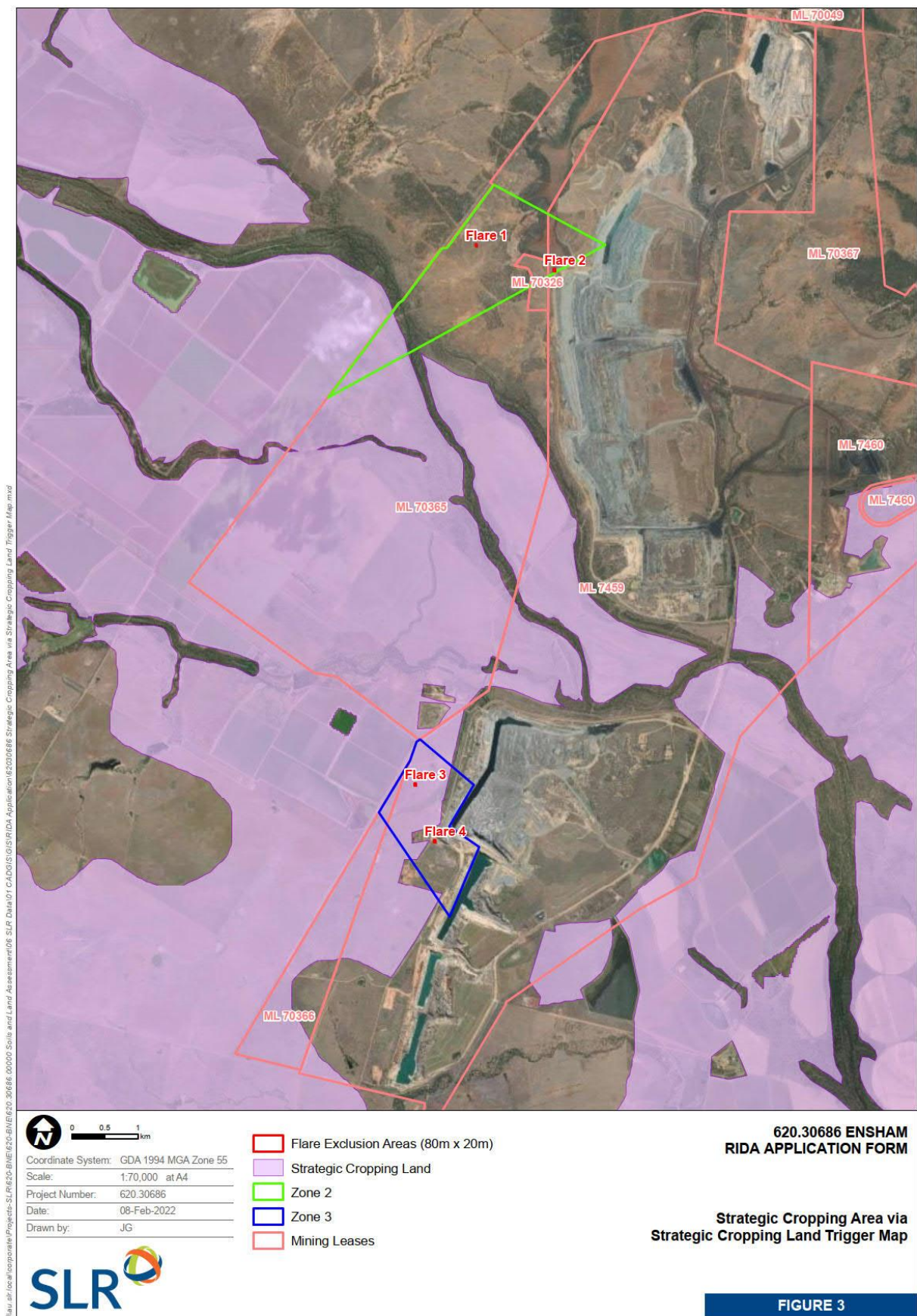


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Source Ref: D19/175446

INVESTED IN QUEENSLAND





Provide a detailed description of the proposed activities

Provide a description of the proposed activities for which approval is sought, location and the surface area of the activities.

Area of regional interest	Activity	Location	Total area of disturbance (ha)
PAA	<p>Underground Coal Mining using bord and pillar mining technique. The Project consists of extending the current underground mining operations into Zones 2 & 3 as shown in Figure 2.</p> <p>Surface disturbance limited to the installation of four flares. No additional vegetation clearing will occur for these flare installations. Areas where flares installed will be put back to the pre-mining land use post mining.</p> <p>No additional infrastructure is being proposed to be built for the Project.</p>	<p>Zone 2 of ML 70365 and ML 70326 and Zone 3 of ML 70366 and ML 7459</p> <p>Lot plans: Lot 31 CP864573, Lot 32 RP908643, Lot 33 RP864576 and Lot 30 CP864574</p>	0.64 ha
SCA	<p>Underground Coal Mining using bord and pillar mining. The Project consists of extending the current underground mining operations into Zones 2 & 3 as shown in Figure 3.</p> <p>Surface disturbance limited to the installation of one flare. No additional vegetation clearing will occur for these flare installations. Areas where flares installed will be put back to the pre-mining land use post mining.</p> <p>No additional infrastructure is being proposed to be built for the Project.</p>	<p>Zone 2 of ML 70365 and ML 70326 and Zone 3 of ML 70366 and ML 7459</p> <p>Lot plans: Lot 30 CP864574, Lot 31 CP864573 and Lot 32 RP908643</p>	0.16 ha

Provide a description of current land use

Provide a description of what the land is currently being used for (e.g. horticulture, irrigated cropping, dryland grazing, nature conservation, residential, manufacturing and industrial, etc.) and the surrounding land within a 1km radius.

Attach a map that clearly shows the area and location of all existing land uses and activities on the land the subject of the application, and within a 1km radius of the boundaries of the land that is the subject of the application.

The Project is located within a rural setting, typical of the Central Queensland region. The Project is located within the rural margins between a range of central township nodes. The largest nearby townships include Emerald, which is located approximately 25 km south-west, and Blackwater which is located 49 km south-east. The small township of Comet is located approximately 18 km south-east of the Project.

The predominant land uses within the wider region include cropping, grazing and resource activities. The existing land uses of the Project include resource activities, cropping, grazing land and waterways with fringing riparian vegetation.

Land uses and activities inside and surrounding the proposed Project are shown on the **Figure 4** attached to this application.

3. Supporting information to accompany this application

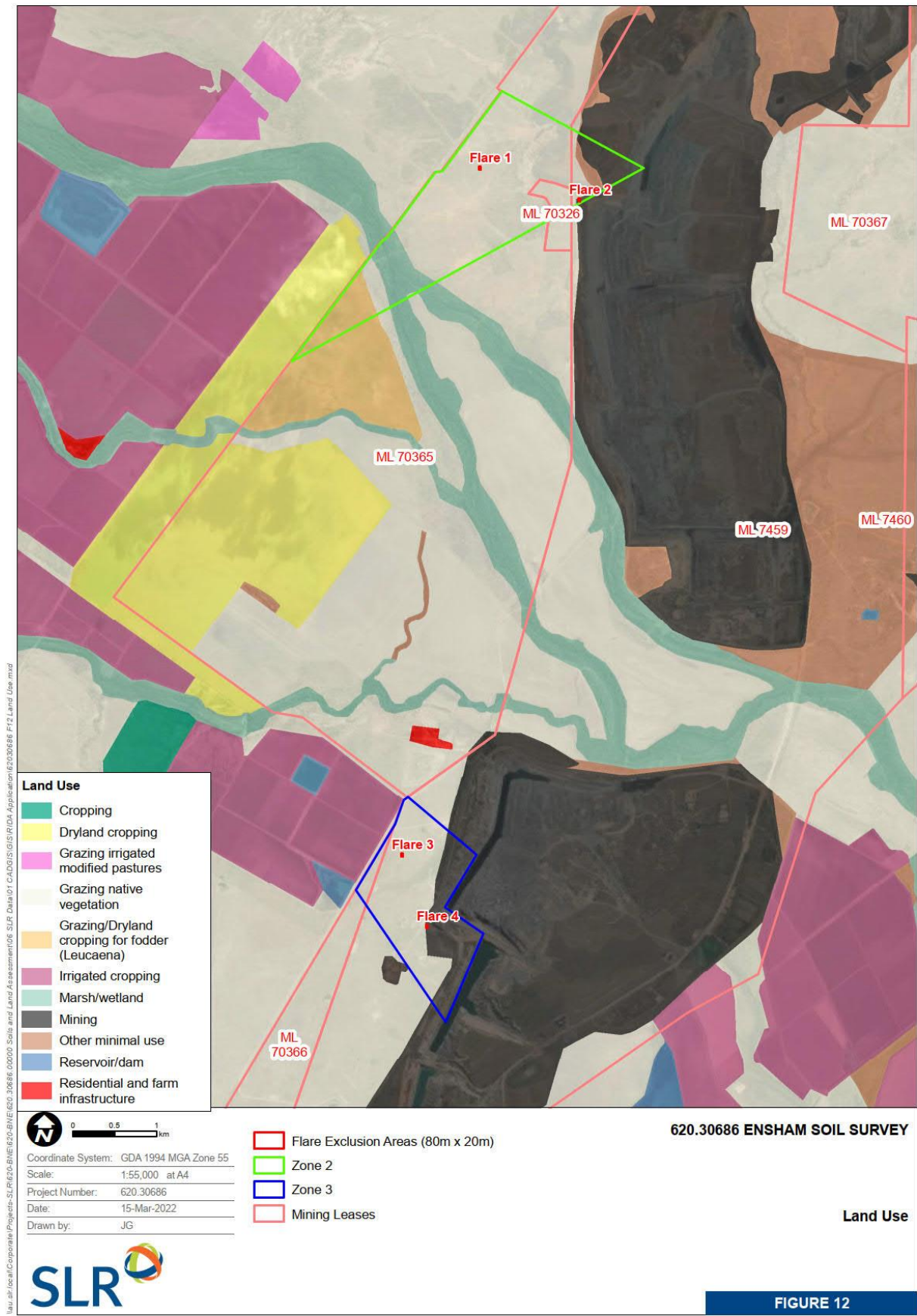
The following documents have been attached to this document as follows:

- Project Description
- Soil and Land Resource Assessment,
- Subsidence Report
- Subsidence Management Plan
- GIS data files

Maps, GIS data files, site plans.

Items listed are attached inside this form, and included in the supporting documentation. GIS Data files to be included (in shp. file format) include:

- Project Location
- Bord and Pillar Mining Conceptual Overview
- Flares and flare exclusion areas
- Mine plan of underground workings
- Priority Agricultural Area
- Strategic Cropping Area via Strategic Cropping Land Trigger Map
- Mapped PALU Area – 2003 Satellite Imagery
- Mapped PALU Area – 2011 Satellite Imagery
- Mapped PALU Area – 2017 Satellite Imagery
- Mapped PALU Area – 2019 Satellite Imagery
- Underlying Property Ownership
- Land Use



4. Other relevant information to accompany this application

Figure 1 shows the lot on plan details across the Project.

Attach map/s to identify the location of this information and lot on plan details.

Are there any <i>resource authorities</i> or applications for <i>resource authorities</i> over all or part of the land the subject of the application? (e.g. for exploration or resource development)	<input checked="" type="checkbox"/> Yes The Project resides over ML 7459 (granted 21 April 1994, 6154 ha), ML 70326 (granted 15 September 2005, 2766 ha), ML 70365 (granted 4 November 2010, 25.66 ha) and ML 70366 (granted 4 November 2010, 254.3 ha). The existing Ensham Mine currently operates on ML 7459, ML 7460, ML 70049, ML 70326, ML 70365, ML 70366 and ML 70367 under Environmental Authority (EA) Permit No. EPML00732813. Zone 2: exists on leases ML 70326, ML 70365, and ML 7459). Total area of Zone 2 is approximately 394 ha. Zone 3: exists leases ML 7459 and ML 70366). Total area of Zone 3 is approximately 209 ha. All MLs are for coal mining and granted. Location of MLs and lots provided in Figure 1 .	<input type="checkbox"/> No
Is there a <i>SCL protection decision</i> over all or part of the land the subject of the application?	<input type="checkbox"/> Yes (Provide decision number/s)	<input checked="" type="checkbox"/> No
Is there an <i>environmental authority</i> (EA) over all or part of the land the subject of the application?	<input checked="" type="checkbox"/> Yes EPML00732813 (Provide environmental authority number/s)	<input type="checkbox"/> No
Are there any easements over any part of the land the subject of the application?	<input type="checkbox"/> Yes (Include nature, location and dimensions of each easement e.g. for access, infrastructure)	<input checked="" type="checkbox"/> No
Attach a current title search for each lot or part of a lot the subject of the application (NOTE: the searches must be obtained no more than 3 business days prior to making the application.)	<input checked="" type="checkbox"/> Tick to confirm title searches are attached.	
Attach GIS data files for the proposed activities identified in section 2 above.	<input checked="" type="checkbox"/> Tick to confirm data files are attached.	
Is an exemption from public notification for the assessment application under section 34(3) of the RPI Act sought?	<input checked="" type="checkbox"/> Yes The exemption response is described in Section 2.4 of the RIDA supporting document	<input type="checkbox"/> No

5. Landowner details

Name/s of all landowner/s	The Ensham Joint Venture (Ensham JV), which includes are Bligh Coal Limited, Idemitsu Australia Pty Ltd, and Bowen Investment (Australia) Pty Ltd.	
Postal address/es	BLIGH COAL LIMITED GPO BOX 301 BRISBANE QLD 4001 BOWEN INVESTMENT (AUSTRALIA) PTY LTD GPO BOX 301 BRISBANE QLD 4001 IDEMITSU AUSTRALIA PTY LTD GPO BOX 301 BRISBANE QLD 4001	
Telephone/mobile number and/or email address/es (non-mandatory)		
Is the applicant the owner (as defined in schedule 1 to the RPI Act) of the land the subject of the application?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (Identify the land that is not owned by the applicant)
Is it necessary, under section 30 of the RPI Act, to provide a copy of the application to the owner of the land? (NOTE: proof of delivery will be required.)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6. Applicant/authorised person details <i>Section 28 of the RPI Act prescribes who may be the applicant for a RIDA for a resource activity or regulated activity to be carried out in an area of regional interest. The decision about the application is issued to the applicant. The applicant need not be the owner of the land. The authorised person for a company (if applicable) is the contact person for the applicant and need not be the applicant (for example, director, company secretary or sole director). However, formal documents, such as any requirement notice and the decision about the application, will be sent to the applicant at the address for service stated below.</i>		
Applicant/s name (individual or company name in full), include ABN or ACN number if applicable	The Ensham Joint Venture (Ensham JV): <ul style="list-style-type: none"> - Bligh Coal Limited (ACN 010186393) (47.5 per cent), - Idemitsu Australia Pty Ltd (ACN 010236272 37.5 per cent), and - Bowen Investment (Australia) Pty Ltd (ACN 002806831) 	
Applicant's postal address and email address for service	Level 9/175 Eagle St, Brisbane City QLD 4000 Shane Wright <Shane.Wright@idemitsu.com.au>	

Authorised contact person for applicant: name, position and company	Shane Wright Executive General Manager - Operations & Development Idemitsu Australia	
Contact phone number and/or mobile number	0417 072 804	
Contact email address	Shane Wright <Shane.Wright@idemitsu.com.au>	
7. Electronic documentation		
Where an email address is provided in section 6 above, does the applicant consent to receiving written information relating to this assessment application, required or permitted to be provided under the <i>Regional Planning Interests Act 2014</i> or any other State law, in an electronic format pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> ?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Application fee (<i>Fees are prescribed in the Regional Planning Interests Regulation 2014</i>)		
Amount payable	Information about fee (RPI Regulation)	Fee
	Schedule 4 Assessment application fees Part 2 Priority agricultural area 1 For an application that states it complies with the prescribed solution for required outcome 1 stated in schedule 2, part 2, section 3(2)	\$3431.00
	Schedule 4 Assessment application fees Part 4 Strategic cropping area 1 For an application with an expected area of impact of less than 30 hectares	\$6860.00
	TOTAL	\$10,291.00
Reference number (Contact RIDA assessment team for a reference number)	RPI22/002	
Payment option	<input checked="" type="checkbox"/> Direct deposit Date deposited: 16/3/22	

(Contact RIDA assessment team for account details)

☐ Cheque attached

9. Use and Disclosure of Information Statement

The information is collected in accordance with the RPI Act and will be used by Queensland Government Agencies for the processing and assessment of your assessment application, and may involve the chief executive:

1. and other officers of DSDMIP, and any consultants engaged by or on behalf of the chief executive, reviewing the information provided for the purpose of considering and assessing your assessment application
2. providing a copy of the assessment application to relevant Queensland Government Agencies prescribed as assessing agencies for the assessment application (including the local government), the Gasfields Commission or any person asked to provide advice or comment on the assessment application.

The assessment application and the accompanying report will also be made publicly available on the DSDMIP website from the time the assessment application is made until the time it lapses or is withdrawn or, if is decided, until the end of the last period during which an appeal may be made against a decision on the application. However, information will not be made publicly available on the DSDMIP website to the extent that it is provided by an owner of land (as defined in Schedule 1 to the RPI Act) (an *owner*) who is not the applicant, and is commercial-in-confidence or personal information, and that owner has not consented to its disclosure, or to the extent that it is information which is considered to be sensitive security information.

Where an application proposes a resource or regulated activity in a Priority Agricultural Area (PAA) and the applicant is required to provide information about the productive capacity or operation of a priority agricultural land use to address the prescribed solutions in the Regional Planning Interests Regulation 2014 (Schedule 2, Part 2), the information is to be provided in a separate document attached as an appendix to the assessment application report and the application must:

- identify the source of the information provided, including whether the information was provided by an owner other than the applicant
- state whether an owner other than the applicant agrees to the information being made publicly available on the DSDMIP website; and if so, provide the express written agreement of that owner to the information being made publicly available on the DSDMIP website.

If an owner, other than the applicant, does not provide express written agreement, the information will not be made available on the DSDMIP website with the other application information. You may also be required to publicly notify your application. A notice about the chief executive's decision relating to your application will also be publicly notified.

Your personal details will not be disclosed for a purpose outside this assessment process, except where required by legislation (including the *Right to Information Act 2009*). This information may be stored in a database by DSDMIP.

The information collected will be retained as required by the *Public Records Act 2002*.

10. Declaration

This declaration needs to be made by the individual applicant or, when the applicant is a company, an authorised person or persons who have the authority to act on behalf of that company in accordance with the Corporations Act 2001 (Cth). Where the declaration is made by a person who is authorised in writing to make that declaration on behalf of the company, evidence of that authorisation must accompany the application.

☒ By making this application, I declare that all the information in this application is true and correct and that I have read and understood the '*Use and Disclosure of Information statement*' on this form.

Signature of Applicant

Signature of applicant/authorised person:



Name and Position:

Fumitake Uyama
Managing Director
Idemitsu Australia Pty. Ltd. & Bligh Coal Limited

Date:

18/3/2022

Signature of Applicant

Signature of applicant/authorised person:



Name and Position:

Brian (Shinyoul) Kim
Director
Bowen Investments Pty. Ltd.

Date:

21/03/2022

Office use only	Date received	
	RIDA reference number	
	Source number	