



Department of
**State Development,
Infrastructure and Planning**

Our reference: OUT14/5483
 RPI/001/Cockatoo

14 July 2014

Mr Brendan Dillon
Cockatoo Coal Limited
Level 4, 10 Eagle Street
BRISBANE QLD 4000

Dear Mr Dillon

RPI14/001/COCKATOO - Baralaba North Continued Operations Project (BNCOP)

Requirement Notice (*RPI Act, s44*)

I refer to the assessment application, made on 30 June 2014 under section 29 of the *Regional Planning Interests Act 2014* (RPI Act), seeking a regional interests development approval.

Site details

Street address	Woorabinda-Baralaba Road, Baralaba
Real property description	Part of Lot 11 KM46, Part of Lot 6 KM44, Part of Lot 7 KM44, Part of Lot 13 KM182, Part of Lot 14 KM183
Local government area	Banana Shire

Notification Requirement

You are advised that the above assessment application does **not** require notification under the *Regional Planning Interests Regulation 2014* (RPIA Act), Part 3, and Division 4.

Information Requirement

You are advised that in accordance with the RPI Act, Section 44, further information is required to enable the adequate assessment of the application against the RPI Act, Schedule 2, Parts 2 (Priority agricultural area) and 4 (Strategic cropping area), Criteria for assessment. The requested further information is detailed in Attachments A and B.

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To enable a speedy determination of this application, you are asked to provide the requested information as soon as possible and within a maximum of 12 months after the day you receive this notice. You may request an extension to this period, if necessary.

Application details

Confirmation of the application details in Appendix 1 is required to enable a future decision notice to accurately reflect the location and extent of the activities proposed in the application.

If you require any further information, please contact Mitzi Venn, RPI Act Development Assessment Team on 3452 7609 or RPIAct@dndip.qld.gov.au who will be pleased to assist.

Yours sincerely



Kylie Williams
Executive Director
Regional Planning

ATTACHMENT A

Information required for assessment against the PAA criteria

1. Appendix A of the BNCOP Environmental Impact Statement: Terrestrial Ecology Assessment and Attachment A: BNCOP - Terrestrial Ecology Post-Summer and Post-Winter Baseline Survey Report (RPS Australia East, 2014), provided with the application, refer to wetland areas converted to cropping (*page 60 of the Terrestrial Ecology Post-summer and Post-winter Baseline Survey Report*), ploughed paddocks (*page 46 of the Terrestrial Ecology Assessment*) and cultivated rural land within the subject area (*page 1 of the Terrestrial Ecology Post-summer and Post-winter Baseline Survey Report*).

Provide a map showing where land uses referred to in the reports occur, and what evidence was considered to determine that those land uses are not PALU for the purposes of the application.

2. **Provide** specific details of the location and area (in hectares) of Part of Lot 7 KM44 used for a PALU.
3. It is noted that four actions to minimise the project surface area are identified in the application report (page 19 of the BNCOP Regional Interests Development Application Report). Additional information is required to demonstrate how these actions will minimise the surface area impacts.

Provide:-

- an estimate of the total predicted volume of spoil that will result from the mining activities, the volume of spoil that will be backfilled into the open cut area, the spoil to be utilised to extend existing spoil dumps and the characteristics of the new spoil dump.

It is expected that the information provided in response to this matter, will also partly address Attachment B, SCA Criteria matters 4 and 5.

- information confirming that the proposed activities will not constrain, restrict or prevent the ongoing use of the PALUs immediately surrounding the area of disturbance.

ATTACHMENT B

Information required for assessment against the SCA criteria

In relation to RPI Act, Schedule 2, Part 4 Required Outcome 1

1. The application claims that only 66.1ha of the 118ha of impacted SCA on Lot 7 on KM44 meets the criteria stated in RPI Regulation 2014, Schedule 3, and Part 2.
Provide the relevant data on which this analysis was based so that the application claims can be verified.
2. **Provide** GIS spatial data for the SCA (*as either ESRI ArcGIS or Pitney Bowes MapInfo shapefiles using either a GDA94/MGA94 or WGS84/UTM datum*). This data is required to accurately delineation the soil map units and the proposed exclusion areas, as well as allow the precise determination of the actual extents of areas not meeting the criteria for strategic cropping land (i.e. areas for which mitigation will not be required).
3. **Provide** a copy of the LiDAR data used in the slope analysis on which the extents of the proposed slope-based exclusion areas were determined.

This information is requested due to:

- a. DNRM's inability to replicate the extents of the LiDAR data based exclusion area using DEM data available to the DNRM
- b. some apparent inconsistencies between the as-mapped extents of the proposed exclusion area and topographic features evident in available satellite and other imagery.

In relation to RPI Act, Schedule 2, Part 4 Required Outcomes 2 and 3

4. Notwithstanding verification of the above claims, it appears that there are areas of SCA on Lot 7 on KM44 that are recognised in the application as complying with the relevant criteria stated in Schedule 3, Part 2 of the RPI Regulation 2014, and that do not appear to be subject to cropping as a land use. If such areas of SCA exist on Lot 7 on KM44 and they do not support a PALU, **provide** information addressing (c) and (d) of the prescribed solution for Required Outcome 2.
5. The application presumes that Required Outcome 3 does not need to be addressed because the activity is only being carried out on one property (7KM44) in the SCA. Please note that Required Outcome 3 applies if the activity does not meet required outcome 1 or is being carried out on 2 or more properties (SCL) in the SCA.

Given that the application does not comply with Required Outcome 1, **provide** information addressing(c) and (d)(ii) of the prescribed solution for Required Outcome 3.

APPENDIX 1

To enable the issuing of a decision notice that succinctly identifies the resource activities, their location and the area of disturbance:-

1. complete Table 1, column 4 detailing the total area of disturbance for each of the resource activities on each lot
2. confirm the definitions in Table 2 are an accurate description of the resource activities proposed in the application.

Table 1

Area of regional interest	Resource activity	Location	Total area of disturbance
Priority agricultural area	<ul style="list-style-type: none"> • Spoil dump • Open cut mine pit • Protection levee 	Part of Lot 14 on KM183	tba
	<ul style="list-style-type: none"> • Spoil dump • Open cut mine pit • Run of mine • Explosive storage area • Protection levee 	Part of Lot 13 on KM182	tba
	<ul style="list-style-type: none"> • Spoil dump • Sediment dam 	Part of Lot 11 on KM46	tba
	<ul style="list-style-type: none"> • Spoil dump • Sediment dam • Mine infrastructure area • Coal handling processing plant • Protection levee 	Part of Lot 7 on KM44 and Part of Lot 6 on KM44	tba
Strategic cropping area	<ul style="list-style-type: none"> • Spoil dump • Sediment dam • Protection levee 	Part of Lot 7 on KM44	tba

Table 2

Resource activity	Definition of terms
Spoil dump	A pile built of accumulated overburden or other waste as it is removed during mining
Open cut mining pit	An open pit or trench at the surface from which rock or minerals is extracted. Includes supporting infrastructure such as haul roads, bunding, soil stockpiles, hardstands and water management structures
Run of mine	Stockpiles of raw coal and product removed from the pit and includes associated infrastructure required to deposit and transport the product.
Explosive storage area	An area for storing explosives, including bunding, buffer separation distance and access infrastructure
Coal handling processing plant	Infrastructure necessary to support the coal handling processing plant e.g. wash plant, dewatering cyclones, coal centrifuge, sieve bends, flocculation cells, belt press filtration processes, water dam, raw water dam, crushers, conveyor belts, stackers and reclaimers.
Sediment dam	The banking of sediment to create a hold area for water to manage erosion and sediment run off
Mine infrastructure area	Mine related infrastructure to support the mine. Includes offices, workshops and amenities and associated infrastructure.
Associated infrastructure	Includes plant and equipment, access roads
Protection levee	Manmade embankment to provide immunity during a 1:1000 AEP flood event
Chemical storage area	An area used to hold containers which are used to store chemicals, including bunding, buffer separation distances and access infrastructure.
Sewerage treatment plant	A facility that processes the removal of contaminants from wastewater.