

# GLENCORE

ANNEXURE D: RCEP EIS Chapter - Introduction



# Chapter 1

Introduction

# EIS

# Table of Contents

1	Introduction _____	1-2
1.1	Project proponent _____	1-2
1.2	Project description _____	1-2
1.3	Project objectives and scope _____	1-6
1.4	The EIS process _____	1-6
1.5	Public consultation process _____	1-15
1.6	Project approvals _____	1-15
1.7	Accredited process for controlled actions under Commonwealth legislation ____	1-26



# 1 Introduction

This Environmental Impact Statement (EIS) has been prepared following the process under the *Environmental Protection Act 1994* (EP Act) for the Rolleston Coal Expansion Project (hereinafter referred to as 'the Project'). The EIS has been prepared specifically in response to the Terms of Reference (ToR) dated 14 January 2012, issued by the Department of Environment and Heritage Protection (DEHP). The EIS addresses matters relevant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and Referral 2011/5965 made under the EPBC Act for the Project, pursuant to the Bilateral Agreement between the Commonwealth and the State of Queensland.

An assessment was undertaken to consider and address the potential direct and indirect environmental, social, and economic impacts associated with the construction and operation of the Project. This assessment is documented in the EIS and provides information about the existing environment, the likely impacts and their significance and mitigation measures to be applied to avoid or reduce the identified adverse effects to an acceptable level. This is required to:

- ▶ Support an application to amend the existing environmental authority for the operation (MIN101140410) under the requirements of the EP Act.
- ▶ Support mining lease applications (MLA) under the *Mineral Resources Act 1989*.
- ▶ Satisfy the bilateral agreement between the Commonwealth and the State of Queensland in relation to matters of national environmental significance (MNES) under the Commonwealth's EPBC Act.

The EIS has been developed to provide information for stakeholders, including the Commonwealth Department of the Environment (DoE) and DEHP, a number of other State referral agencies and other affected or interested bodies and/or parties.

## 1.1 Project proponent

The Project proponent is Xstrata Coal Queensland Pty Ltd (Xstrata Coal Queensland), as the majority participant and manager on behalf of the Rolleston Coal Joint Venture whose joint venture partners comprise Xstrata Coal Queensland Pty Ltd (75%), Sumisho Coal Australia Pty Ltd (12.5%) and Itochu Coal Resources Australia RPW Pty Ltd (ICRA Rolleston) (12.5%).

During preparation of the EIS, Xstrata plc (the ultimate parent company of Xstrata Coal Queensland Pty Ltd) merged with Glencore plc. The new entity, Glencore Xstrata plc, is one of the world's largest diversified natural resource companies. As a result of this merger, Xstrata Coal Queensland Pty Ltd has now changed its name to Glencore Coal Queensland Pty Ltd. Within the EIS reference to Xstrata Coal Queensland remains. However, all future correspondence associated with the Project post completion (of the EIS) will refer to Glencore Coal Queensland Pty Ltd.

Xstrata Coal Queensland will continue to manage the operation of the Project as it does for the existing Rolleston Coal Mine within the Rolleston Coal Joint Venture. Within Queensland, Xstrata Coal Queensland's operations span five mines, including Rolleston, Clermont and Oaky Creek in Central Queensland's southern region of the Bowen Basin, and Newlands and Collinsville in the northern Bowen Basin.

## 1.2 Project description

Xstrata Coal Queensland currently operates the Rolleston Coal Mine which is situated approximately 275 kilometres (km) west of Gladstone in the resource rich Bowen Basin; and approximately 16 km west of the town of Rolleston and 58 km south east of Springsure in the Central Highlands Regional Council area. Figure 1.1 provides an overview of the Project's location.

The existing mine is an open cut, thermal coal operation that commenced in 2005 and has approval to mine up to 14 million tonnes (Mt) run-of-mine (ROM) per annum. The Project will expand the area of the existing mine by adding a western and southern mining lease (MLA70415 and MLA70416 respectively). MLA70458 will also form part of the Project for the primary purpose of constructing a water storage dam and a creek diversion between Meteor Creek and Sandy Creek. The additional mining area will see the Project increase the Rolleston Coal Mine's production tonnage by 5 Mt ROM per annum to 19 Mt ROM per annum.

The Project is generally contained within MLA70415, MLA70416, MLA70458 and part of ML70307. This area is described as the Project Site and encompasses approximately 12,758 ha of land. Mining is not proposed within the full extent of the site with direct impacts constrained to a smaller area of some 5,649 ha. This area of direct impact is referred to as the Project Footprint. This footprint also includes a small area of 'off-lease' land that may be required for the re-alignment of Springwood Road. This area is not considered part of the Project Site as it is not required for the primary purpose of mining. Figure 1.2 provides an overview of both the Project Site and Project Footprint.

## 1.2.1 Existing approved operations

Current operations at the Rolleston Coal Mine involve the use of two BE 2570W draglines supported by two electric rope shovels, one hydraulic shovel, two hydraulic excavators, 32 rear dump trucks and 14 dozers. The support fleet principally move pre-strip material, post strip material and coal. All machinery operates on a seven-day roster and tonnage on ML70307 is currently approved at 14 Mt ROM per annum. The layout of the existing mine is shown in Figure 1.3.

Mined coal is stockpiled on the ROM stockpile near the mine infrastructure area and loaded onto conveyors for sizing at the coal handling facility (CHF). The existing crushing and load out area at the facility has the capacity to handle up to 15 Mt per annum of coal.

Export coal is transported by rail from the mine site to Gladstone, a total distance of 424 km via the 109 km connection to the Blackwater System. Trains are powered by diesel locomotives and have a nominal capacity of 8,210 tonnes. The existing Rolleston Coal Mine operation also supplies coal domestically to the Gladstone Power Station. The location of the existing rail loop and coal loading facility and a sediment dam supporting the existing Rolleston Coal Mine are shown generally in Figure 1.3. This infrastructure is contained within ML70418, as part of the existing approved area.

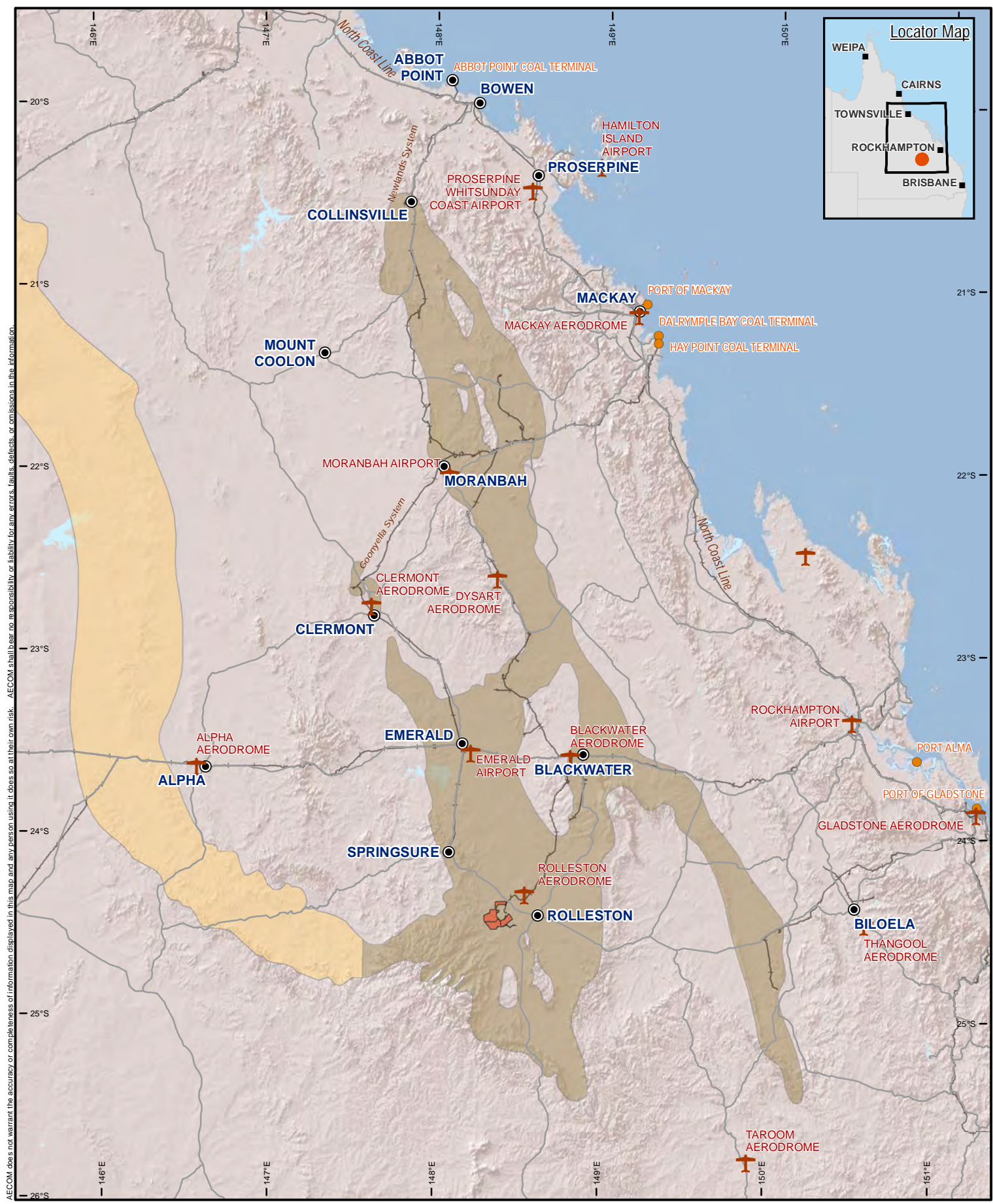
## 1.2.2 Proposed operations











The Project will expand the mining area of the existing Rolleston Coal Mine by adding a western and southern mining lease (MLA70415 and MLA70416 respectively). MLA70458 will also form part of the Project for the primary purpose of constructing a water storage dam and a creek diversion between Meteor Creek and Sandy Creek. The increase in mining area will see the Project increase the Rolleston Coal Mine's production tonnage by 5 Mt ROM per annum to 19 Mt ROM per annum. The start-up date for the Project is proposed for 2015, herein referenced as Year 1.

To meet the increased tonnage profile, a Marion 8750 dragline and P&H4100 XPC electric rope shovel, with additional support equipment, will operate within MLA70415 and MLA70416. The Project will allow an extension of mining within areas of the existing ML70307, and the establishment of pits within MLA70415 and MLA70416. Pit areas will be predominantly multi seam strip mining operations, with recovery of all coal meeting customer quality specifications. The mining strips will generally be 50 to 70 m wide, depending on depth and other constraints. Coal will be loaded on to trains within ML70418 and transported to coal export facilities in the Port of Gladstone via the rail network referred to as the Blackwater System.

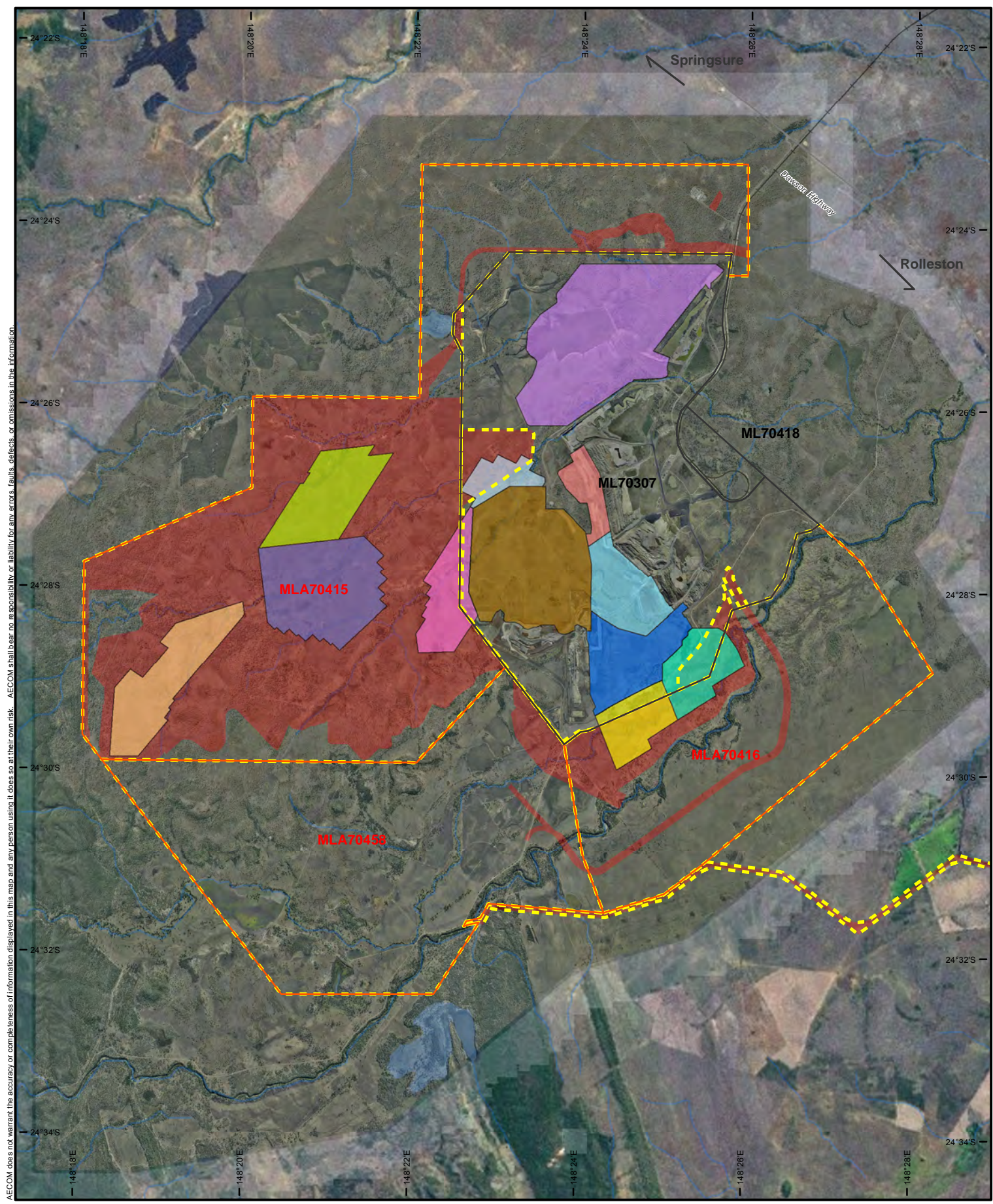
The Project has been designed to utilise the existing approved Rolleston Coal Mine infrastructure wherever practical. This approach reduces the Project Footprint by utilising approved ancillary infrastructure such as electricity lines, water supply pipelines, CHF, train load out facility (TLO), haul roads and rail infrastructure. Although the Project will be able to largely utilise existing infrastructure, additional mine infrastructure, as well as upgrades to existing mine infrastructure, will be required and are summarised in Chapter 3 Description of the Project. Realignment of Springwood Road and the Mt Kelman Access Road reserve is also proposed as part of the Project.






 <p>1:3,000,000 (when printed at A4) DATUM GDA 1994, PROJECTION MGA ZONE 55</p>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Airports</li> <li> Towns</li> <li> Ports</li> <li> Roads</li> <li> Railways</li> <li> Project Site</li> <li> Water</li> <li><b>Coal Measures (Basin)</b> <ul style="list-style-type: none"> <li> Bowen Basin</li> <li> Galilee Basin</li> </ul> </li> </ul> <p><small>Data sources: Railways - Queensland Rail Network, 2012 Roads, airports - StreetPro (c)2010 Pitney Bowes Business Insight, PSMA Mining leases - State Government DME, QLD 2013 Coal measures - State Government DME, QLD 2013 Basemap - Copyright© 2013 Esri</small></p>	<p><b>ROLLESTON COAL EXPANSION PROJECT</b></p> <p>Regional Context</p> <table border="1"> <tr> <td>PROJECT ID</td> <td>60267739</td> </tr> <tr> <td>CREATED BY</td> <td>VV</td> </tr> <tr> <td>LAST MODIFIED</td> <td>AS - 21 Jan 2014</td> </tr> </table> <p><b>Figure 1.1</b></p>	PROJECT ID	60267739	CREATED BY	VV	LAST MODIFIED	AS - 21 Jan 2014
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LAST MODIFIED	AS - 21 Jan 2014							







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DATUM GDA 1994, PROJECTION MGA ZONE 55

**Legend**

- Existing Mining Lease
- Proposed Mining Lease
- Project Site
- Major Roads
- Minor Roads
- Railways

**ML70307 Pits**

- Spring Creek Pit
- Bootes Creek Pit
- Meteor Creek Pit
- Bootes West Pit
- Meteor West Pit
- W1 Pit

**MLA70415, MLA70416 Pits**

- Gibb's Gully Pit
- W2 Pit
- W3 Pit
- W4 Pit
- Meteor South (A) Pit
- Meteor South (B) Pit
- Project Footprint
- Watercourses

Data sources:  
Drainage - DMR, QLD, 2007  
Railways - Queensland Rail Network, 2012  
Roads - © MapInfo Australia Pty Ltd (2012) Based on  
[Roads - at - State Digital Road Network (SDRN)] provided  
with the permission of MapInfo Australia Pty Ltd (2012)

**ROLLESTON COAL  
EXPANSION PROJECT**

Proposed Project Site  
& Project Footprint

PROJECT ID	60267739
CREATED BY	AS
LAST MODIFIED	AS - 21 Jan 2014

**Figure  
1.2**



## 1.3 Project objectives and scope

### 1.3.1 Project objectives

The extension of the existing Rolleston Coal Mine's operation aims to increase and extend the current life of mine. In delivering this expansion sustainably, key objectives of the Project are:

- ▶ Expand existing open cut coal mining activities by increasing annual tonnage to peak at 19 Mt ROM per annum.
- ▶ Assess and manage environmental impacts associated with the Project so that they may be avoided, minimised, mitigated or compensated.
- ▶ Comply with the requirements of law and company policy.
- ▶ Continue to support the growth of local and regional economies.

### 1.3.2 Project scope

The existing Rolleston Coal Mine is located in the Bowen Basin, which is a major coal producing region in Central Queensland. The existing Rolleston Coal Mine commenced production in 2005 and in order to viably continue and extend the life of the mine, the operation is proposed to be extended beyond the existing mining lease into the Project's mining lease application areas.

Open cut operations are planned to progress into the Project Site in 2015 (Year 1) and will extend the life of the Rolleston Coal Mine operation by approximately 23 years depending on the rate of extraction. Rehabilitation (including maintenance) will occur beyond this time and potentially to Year 30. This development will help provide ongoing socio-economic benefits associated with mining for the region. In addition, expansion of the existing Rolleston Coal Mine operation will utilise existing mine infrastructure, and continue to utilise Aurizon's connecting rail network, and the relevant coal export facility. This approach substantially reduces the capital investment and environmental impact that is usually required for a new 'greenfield' mining development.

Further details on the socio-economic assessments are provided in Chapter 17 Social Values and Chapter 19 Economic Values.

The relationship of the Project to other infrastructure in the area is illustrated on Figure 1.4.

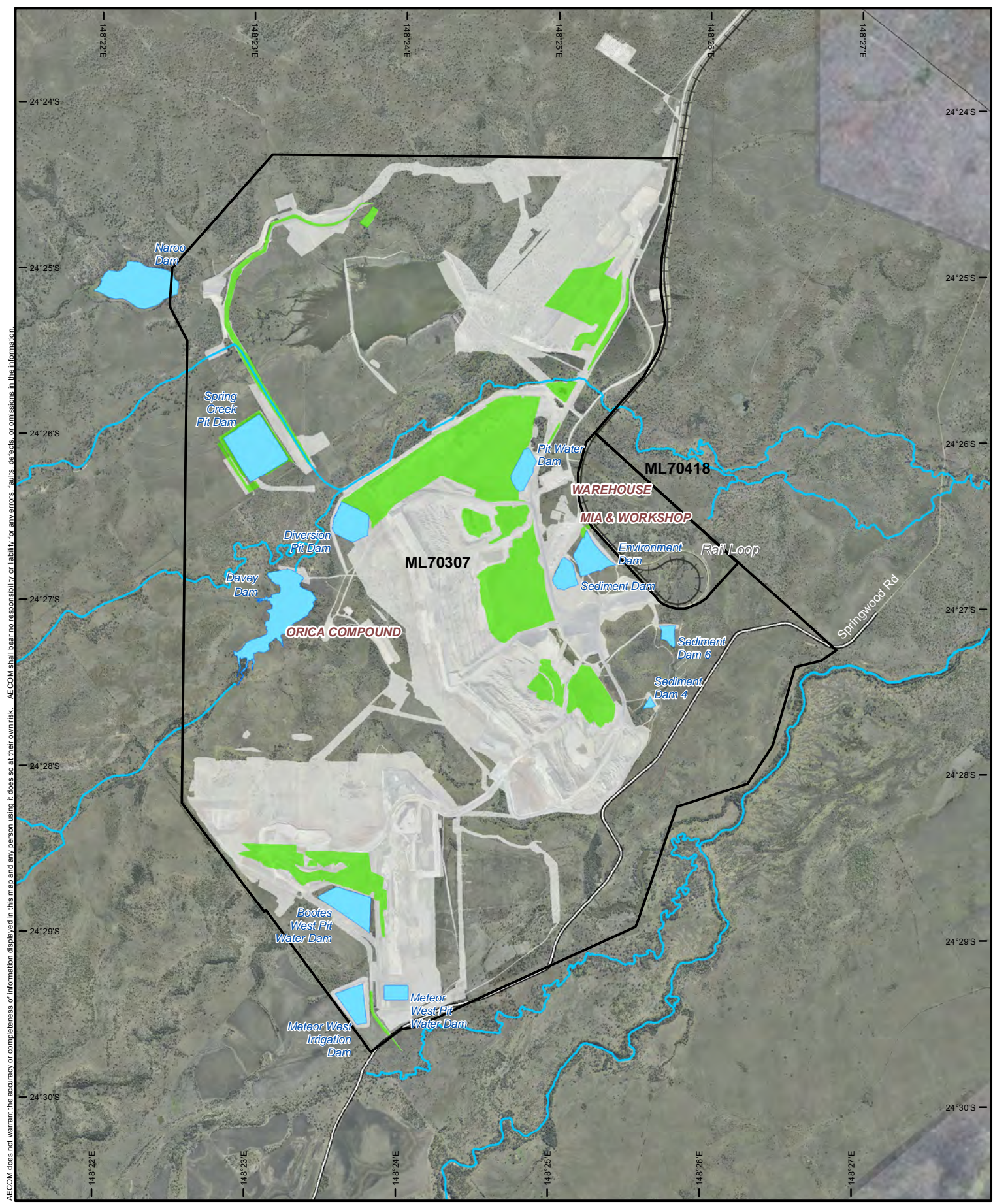
## 1.4 The EIS process


Environmental impact assessment is a systematic analysis of a proposed development in relation to existing environmental values. The outcomes of an environmental impact assessment are subsequently documented in an EIS that is submitted for regulatory and stakeholder review and made available for public comment.

The general method for undertaking environmental impact assessment and preparing an EIS is to:

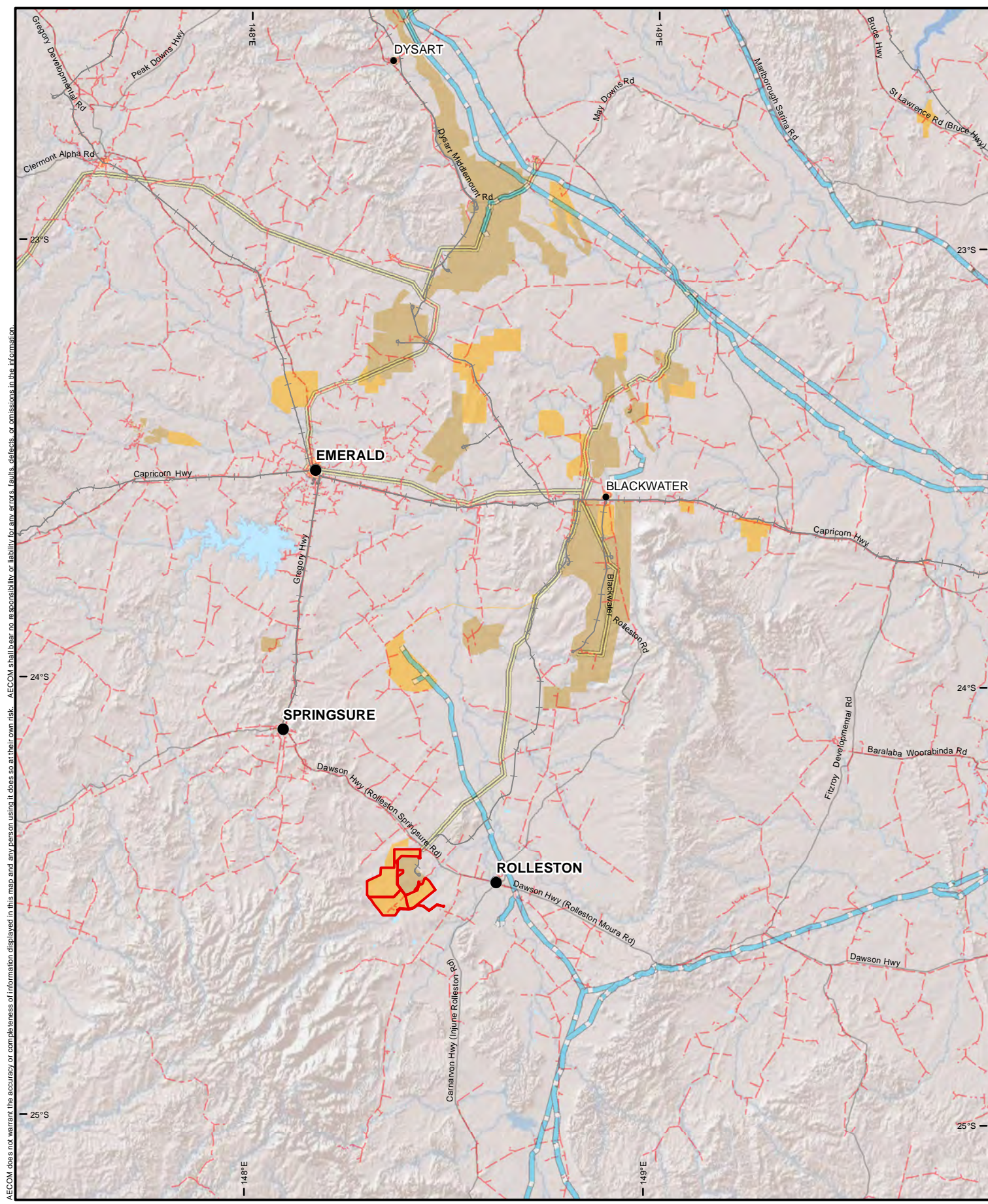
- ▶ Determine the basis of the assessment and the required scope.
- ▶ Conduct individual assessments of each relevant aspect of the environment, measuring and predicting the likely impacts of the Project on each aspect.
- ▶ Determine and propose appropriate mitigation measures to minimise likely adverse impacts on the environment for each aspect.
- ▶ Determine the significance of environmental effects and prioritise mitigation and rehabilitation (where applicable).
- ▶ Produce a draft Environmental Management Plan (EMP) that incorporates the proposed mitigation.






 <p>1:55,000 (when printed at A4) DATUM GDA 1994, PROJECTION MGA ZONE 55</p>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Rail</li> <li>Road</li> <li>Watercourse</li> <li>Dam</li> <li>Rehabilitation Area</li> <li>Existing Mine Area</li> <li>Existing Mining Lease</li> </ul> <p><small>Data sources: Drainage - DNRm, QLD, 2007 Railways - Queensland Rail Network, 2012 Roads - © MapInfo Australia Pty Ltd (2012) Based on [Roads - all - State Digital Road Network (SDRN)] provided with the permission of MapInfo Australia Pty Ltd (2012). Mining leases - State Government DME, QLD 2013 Dams, rehabilitation and existing mine area - Xstrata Coal 2013 Imagery - Aerial December 2011 - Xstrata Coal Landsat7 Mosaic</small></p>	<p><b>ROLLESTON COAL EXPANSION PROJECT</b></p> <p>Existing Mine Layout</p>	
		<p>PROJECT ID 60267739 CREATED BY GW LAST MODIFIED VV - 23 Oct 2014</p>	<p><b>Figure 1.3</b></p>





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010 Km

01020 Km

1:1,250,000 (when printed at A4)  
DATUM GDA 1994, PROJECTION MGA ZONE 55

Major Roads

Railways

Project Site

Petroleum Pipeline

Electrical Network (Asset Type)

HV Cable

HV Line

TR Line

Mining Lease (Status)

Application

Granted

ROLLESTON COAL EXPANSION PROJECT

Regional Infrastructure

PROJECT ID60267739

CREATED BYGW

LAST MODIFIEDAS - 21 Jan 2014

Figure

1.4

Data sources:  
Railways - Queensland Rail Network, 2012  
Roads - StreetPro (c)2010 Pitney Bowes Business Insight, PSMA  
Mining leases - State Government DME, QLD 2013  
Petroleum pipeline - State Government DME, QLD 2013  
Electrical Network - Ergon Energy Corporation Limited 2013  
Basemap - Copyright © 2013 Esri

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The EIS process is undertaken concurrently with stakeholder consultation and community engagement.

The process for developing an EIS is underpinned by the EP Act and typically involves the following twelve stages which for this Project are summarised below.

### Stage 1 – Preliminary planning

A number of preliminary activities were carried out to determine the environmental values of the Project Site. This included preliminary assessments of:

- ▶ Resource availability and subsequent mine planning.
- ▶ Flora and fauna values.
- ▶ Hydrological assessments and preliminary water infrastructure requirements.
- ▶ Potential noise, vibration and dust impacts on sensitive receptors.

### Stage 2 – Mining Lease and Environmental Authority amendment applications

Mining lease applications were made on 2 October 2009 (MLA70415 and MLA70416) to the mining registrar at the Department of Mines and Energy (now the Department of Natural Resources and Mines (DNRM)). This was accompanied by an application to DEHP to amend the existing Environmental Authority to include the two new mining lease areas. On 6 September 2011, an additional mining lease application (MLA70458) was made to the DNRM. Further application to DEHP was made to include the third lease area and to ensure consistency within the Environmental Authority. DEHP subsequently advised that the application was to be assessed as a Non-code compliant Level 1 mining project for which an EIS is required under Chapter 3 of the EP Act.

### Stage 3 – Referral under the EPBC Act

The Project was referred on 13 May 2011 to the Commonwealth DoE due to potential impacts on MNES. The referral concerned mining within MLA70415 and MLA70416 – two proposed leases adjacent to the existing Rolleston Coal Mine within ML70307. On 22 June 2011, DoE determined the Project was a 'controlled action' requiring assessment under the EPBC Act, due to the following potential impacts upon MNES:

- ▶ World Heritage properties (sections 12 and 15A).
- ▶ National Heritage places (sections 15B and 15C).
- ▶ Listed threatened species and communities (sections 18 and 18A).
- ▶ Listed migratory species (sections 20 and 20A).
- ▶ Great Barrier Reef Marine Park (sections 24B and 24C).

On 22 August 2011, a variation to the referral was made to include the 'Springwood' mining lease application area (MLA70458). This additional area provided for the diversion of Sandy Creek into Meteor Creek and other associated water management infrastructure. The variation was approved under section 156B of the EPBC Act on 4 November 2011. A second variation was lodged to DoE on 2 September 2012 to align the Project's proposed footprint with that of the approved Rolleston Coal Mine (EPBC 2001/497 and EPBC 2009/5175) and to include an area for the off lease re-alignment of Springwood Road. The variation was approved under section 156B of the EPBC Act on 12 November 2013. On 17 October 2013, the Minister for the Environment notified Xstrata Coal that he determined a *water resource, in relation to coal seam gas development and large coal mining development* was an additional controlling provision for the Project.

In order to gain approval under both the EP Act and EPBC Act, the Project requires assessment under the bilateral agreement between the Australian and Queensland governments. Under the bilateral agreement, an EIS developed in accordance with the requirements of the EP Act will be sufficient to meet the assessment requirements of both the Queensland and Australian governments. Further discussion on this agreement and process is described in Section 1.7.

### Stage 4 – Community and government consultation

Community and government consultation was continual throughout the EIS process. Community consultation activities and outcomes for the Project are described further in Section 1.5.

## **Stage 5 – ToR and Initial Advice Statement**

The draft ToR was released for public comment between 5 September 2011 and 14 October 2011. Affected and interested parties were notified by mail as required by section 43 of the EP Act, and copies were distributed to Rolleston, Springsure and Emerald public libraries.

The final ToR for the EIS was published by DEHP on 14 January 2012, and included assessment requirements for EPBC Act purposes. A copy of the final ToR is attached as Appendix A-1.

## **Stage 6 – Preparation of EIS**

Following the release of the final ToR, an EIS for the Project was developed. This EIS addresses the requirements of the final ToR by virtue of describing the environmental values, identifying potential impacts and proposing mitigation.

## **Stage 7 – Submission and release of the EIS**

Upon submission of the EIS to DEHP, there is a 20 business day review period in which the Department determines if the EIS can proceed to public exhibition, however a longer period can be agreed between Xstrata Coal Queensland and DEHP. The EIS is only allowed to proceed if the review finds that the EIS addresses the final ToR in an acceptable form. Following permission from DEHP to proceed, the EIS is released for public comment and submissions. During the comment period, which must be a minimum of 30 business days, government agencies and the public are invited to make submissions on the EIS. Section 1.4.3 describes the procedure for making a submission on the EIS. There is also a requirement to give written notice of the public submission period to each affected and interested person and any other person decided by the chief executive.

## **Stage 8 – Proponent response**

DEHP will issue a copy of all accepted submissions to the Proponent within 10 business days from the end of the public comment period. The Proponent is required to summarise and respond to submissions, providing DEHP with any amendments to the EIS within 20 business days. This response period can be extended by agreement with DEHP if required.

## **Stage 9 – Assessment under the EP Act**

DEHP is required to assess the EIS, submissions received during the public comment period and the responses provided by the proponent. Following its assessment, DEHP will produce an EIS assessment report which will include:

- ▶ An assessment on the adequacy of the EIS in addressing the final ToR.
- ▶ An assessment on the adequacy of any draft EMP for the Project.
- ▶ Recommendations about the suitability of the Project.
- ▶ Any conditions on which any approval required for the Project may be given.

## **Stage 10 – Assessment under the EPBC Act**

Once DEHP has assessed the EIS, the EIS assessment report is provided to DoE for the Minister's consideration of the Project's potential impacts on MNES protected under the EPBC Act (refer Chapter 21 MNES for further discussion). Under the EPBC Act, the Minister has 30 business days to determine whether to approve the Project and if approved, the nature of the conditions imposed to prevent unacceptable impacts on MNES.

## **Stage 11 – Draft Environmental Authority and mining lease application**

DEHP will issue a draft of the amended Environmental Authority for the Project. The draft Environmental Authority and mining lease application are advertised for a minimum of 20 business days (or longer, where directed by DEHP or the mining registrar). During this period, the public may lodge objections to the draft Environmental Authority and mining lease application.



## Stage 12 – Decision

Unresolved objections to the mining lease application and/or draft Environmental Authority are referred to the Land Court for a recommendation or 'objections decision'. This decision is then provided to the relevant Minister, who decides to either grant or refuse the mining lease and/or Environmental Authority.

### 1.4.1 Objectives of the EIS

Section 40 of the EP Act states that the purpose of an EIS and the EIS process is to:

- ▶ Assess the potential adverse and beneficial environmental, economic and social impacts of the Project.
- ▶ Assess management, monitoring, planning and other measures proposed to minimise any adverse environmental impacts of the Project.
- ▶ Meet the assessment requirements under the EPBC Act and Bilateral Agreement between the State of Queensland and the Commonwealth.

More specifically, the EIS will:

- ▶ Describe the Project and the values of the area for which it is proposed.
- ▶ Assess the potential impact (positive or otherwise) of the Project and management measures to avoid, minimise, mitigate and compensate for these effects.
- ▶ Include a draft EMP that documents and plans for the implementation of management.

Provide information to assist DEHP to decide an Environmental Authority application. This approach provides interested parties with a basis to understand and assess the potential impacts of the Project. This will include the general public and the following government bodies:

- ▶ Department of Environment and Heritage Protection.
- ▶ Department of Natural Resources and Mines.
- ▶ Department of the Environment.

Environmental impact assessment (and subsequent documentation in the EIS) has been undertaken in accordance with the ToR for the Project. Where required, additional work has been undertaken to supplement the requirements of the ToR and to ensure that impact assessment is complete.

#### 1.4.1.1 Structure of the EIS

The EIS comprises the following volumes:

- ▶ Volume 1 – Chapters
- ▶ Volume 2 – Technical Appendices
- ▶ Volume 3 – Management Plans.

Volume 1 (Chapters) describes the outcomes of the environmental impact assessment. Relevant environmental values are taken from the technical appendices and captured in this volume. The chapters are organised as follows:

- ▶ **Chapter 1** provides an introduction to the Project proponent and provides an overview of the Project description. It also provides an outline of the environmental impact assessment process and discusses the approach to gain regulatory approval. The chapter also outlines the public consultation process and relevant legislation and policy requirements.
- ▶ **Chapter 2** provides the justification for the Project and alternatives to the Project.
- ▶ **Chapter 3** provides information regarding the site and a more detailed description of the Project. More specifically, it describes the principal construction and operational activities that are proposed.

Chapters 4 to 21 report the findings on each of the topics that were identified for consideration in the ToR. These topics are covered in the following sections:

- ▶ **Chapter 4** Decommissioning and Rehabilitation

- ▶ **Chapter 5** Climate
- ▶ **Chapter 6** Land
- ▶ **Chapter 7** Transport
- ▶ **Chapter 8** Waste
- ▶ **Chapter 9** Surface Water
- ▶ **Chapter 10** Groundwater
- ▶ **Chapter 11** Air Quality
- ▶ **Chapter 12** Noise and Vibration
- ▶ **Chapter 13** Terrestrial Flora
- ▶ **Chapter 14** Terrestrial Fauna
- ▶ **Chapter 15** Aquatic Ecology
- ▶ **Chapter 16** Cultural Heritage
- ▶ **Chapter 17** Social Values
- ▶ **Chapter 18** Health and Safety
- ▶ **Chapter 19** Economic Values
- ▶ **Chapter 20** Hazard and Risk
- ▶ **Chapter 21** Matters of National Environmental Significance
- ▶ **Chapter 22** ToR Cross Reference.

In general, the following format has been adopted with regard to the presentation of information for each chapter:

- ▶ An **Introduction** to the technical assessment.
- ▶ The **Scope of assessment** that defines what is to be achieved by carrying out the assessment.
- ▶ A summary of relevant **Legislation and policy**.
- ▶ The **Methodology** that has been used to carry out the assessment.
- ▶ Description of **Environmental values** within the Project Site and an evaluation of their importance or sensitivity.
- ▶ Identification of the Projects **Potential impacts**.
- ▶ A description of the **Mitigation measures** to be incorporated into the development.
- ▶ Identification of the predicted **Residual impacts** generated during the construction, operation and decommissioning phases (allowing for the agreed mitigation) and an assessment of the nature and magnitude of these impacts.
- ▶ An **Evaluation of the significance** of the predicted residual impacts. Significance is generally a product of the importance or sensitivity of an environmental attribute and the nature and magnitude of the predicted impacts. Evaluation of the significance is assessed as being 'of significance' or 'not significant' and can be positive as well as negative.
- ▶ Consideration is then given to **Cumulative impacts**.
- ▶ The findings of assessments are brought together in the **Summary and conclusions**.
- ▶ **References** indicating the source of information and date.

Where individual disciplines adopt variations on this format, this is noted in the relevant technical section.

Consideration of the reliability or uncertainty of information is chapter specific and detailed where appropriate in the relevant chapter.



Volume 2 (Technical Appendices) contains technical information relating to a number of environmental and social topics. Information includes technical reports, methodologies, baseline data information and data analysis.

A list of the technical appendices in the EIS is provided below:

- ▶ **Appendix A-1** Terms of reference
- ▶ **Appendix A-2** Community consultation report
- ▶ **Appendix B-1** Project physicals and equipment schedule
- ▶ **Appendix C-1** Rolleston climate data
- ▶ **Appendix D-1** Soil survey technical report
- ▶ **Appendix D-2** Environmentally sensitive area searches
- ▶ **Appendix D-3** Contaminated land technical report
- ▶ **Appendix D-4** Landscape and visual impact assessment
- ▶ **Appendix E-1** Road impact assessment assumptions
- ▶ **Appendix F-1** Waste rock characterisation study
- ▶ **Appendix G-1** Surface water technical report
- ▶ **Appendix G-2** Addendum to Sandy Creek Diversion
- ▶ **Appendix G-3** Hydraulic Model Extension
- ▶ **Appendix H-1** Groundwater technical report
- ▶ **Appendix I-1** Air quality impact assessment
- ▶ **Appendix J-1** Noise technical report
- ▶ **Appendix J-2** Blast technical report
- ▶ **Appendix K-1** Flora background searches
- ▶ **Appendix K-2** Stage 1 Flora survey
- ▶ **Appendix K-3** Stage 2 Flora survey
- ▶ **Appendix K-4** Stage 3 Flora survey
- ▶ **Appendix L-1** Terrestrial fauna technical report
- ▶ **Appendix M-1** Aquatic ecology technical report
- ▶ **Appendix M-2** Stygofauna pilot study phase 1
- ▶ **Appendix M-3** Stygofauna pilot study phase 2
- ▶ **Appendix N-1** Previous archaeological research
- ▶ **Appendix O-1** Social baseline report
- ▶ **Appendix O-2** Impact risk rating framework
- ▶ **Appendix O-3** Summary of consultation findings
- ▶ **Appendix O-4** Assessment of impacts and opportunities
- ▶ **Appendix P-1** Economic impact assessment
- ▶ **Appendix Q-1** Flora MNES significant impact assessments
- ▶ **Appendix Q-2** Fauna MNES significant impact assessments
- ▶ **Appendix R-1** Study team (provided separately as per ToR requirements).

Volume 3 (Management Plans) includes the draft EMP, draft Social Impact Management Plan and draft Offsets Strategy. These documents provide the mitigation and management measures to be applied to the Project.

## 1.4.2 Submissions

**The period for submissions on the EIS was held from 7 April to 21 May 2014 and is now closed.** The following text in this section demonstrates the process followed as part of the EIS process.

Submissions were invited through advertisements in The Weekend Australian, The Courier Mail and local newspapers, including The Central Queensland News.

In accordance with section 55 of the EP Act, submissions were made to DEHP's chief executive as follows:

- ▶ in writing (hard or electronic form)
- ▶ state the name and address of each signatory
- ▶ be signed by or for each person making the submission.

Submissions had to be received on or before the last day of the submission period.

Submissions were to be addressed to:

The Chief Executive  
Attention: EIS Coordinator – Rolleston Coal Expansion Project  
Statewide Environmental Assessments  
Department of Environment and Heritage Protection

**By post:**

GPO Box 2454, BRISBANE CITY EAST QLD 4001

**By facsimile:**

(07) 3330 5875

**By email:**

eis@ehp.qld.gov.au

Copies of the EIS were made available to be viewed at the following locations:

**Hardcopy:**

Rolleston Coal Mine – Administration Office  
Dawson Highway,  
Rolleston QLD 4702.

Rolleston Library  
Planet Street  
Rolleston QLD 4702.

Springsure Library  
27 Eclipse Street  
Springsure QLD 4722.

Emerald Library  
44 Borilla Street  
Emerald QLD 4720.

Department of Environment and Heritage Protection  
99 Hospital Road  
Emerald QLD 4720.

Department of Environment and Heritage Protection  
400 George Street  
Brisbane QLD 4000.



Electronic:

<http://www.rollestoncoalexpansion.com.au/EN/Publications/Pages/EIS.aspx>

DEHP will provide copies of the submissions to Xstrata Coal Queensland, who must consider the submissions, provide DEHP with a response to each of the submissions and any amendments of the submitted EIS because of the submissions. Both the submissions and Xstrata Coal Queensland response will be taken into account as part of DEHP's assessment of the Project.

## 1.5 Public consultation process

A community consultation program has been carried out by the EIS project team. Consultation included affected and interested parties as required and defined by the EP Act and the Project's ToR. A list of the interested and affected parties is provided in the community consultation report attached as Appendix A-2.

Community consultation has broadly been carried out according to the three tiers below:

- ▶ Communication with affected and interested parties about the Project and the EIS process.
- ▶ Public consultation on the draft ToR, advising of its purpose, location and requirements. This part of the consultation is specifically aimed at identifying stakeholder concerns related to the Project and ensuring, where relevant, these were addressed in the EIS process.
- ▶ Social baseline study aimed at capturing the most important community values.

Community consultation is an ongoing process that aims to provide opportunities to educate and involve the community throughout the life of the Project. Information on the specific methodologies and the level of community consultation carried out to date is provided in the community consultation report attached as Appendix A-2.

The broad issues of concern to the local community and interest groups are discussed in Chapter 17 Social values.

## 1.6 Project approvals

### 1.6.1 Relevant legislation and policy requirements

#### 1.6.1.1 Commonwealth legislation

**Legislation:** *Environment Protection and Biodiversity Conservation Act 1999*

**Authority:** Department of the Environment

**Overview:** The EPBC Act is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage matters such as nationally and internationally important flora, fauna, ecological communities and heritage places defined by the Act as MNES, including world heritage properties, national heritage places, wetlands of international importance (RAMSAR), listed threatened species and ecological communities, migratory species, Commonwealth marine areas, the Great Barrier Reef Marine Park, nuclear actions and a water resource, in relation to coal seam gas development and large coal mining development. The legislation provides requirements for the protection of the environment, conservation of biodiversity, streamlined environmental assessment and approval processes (where MNES are involved), protection of world and natural heritage, and promotion of ecologically sustainable development.

**Relevance:** The Project has been declared a controlled action requiring approval under the EPBC Act. The assessment of the Project under the EPBC Act is further discussed in Section 1.7 of this chapter.

<b>Legislation:</b>	<i>Native Title Act 1993</i>
<b>Authority:</b>	Department of the Prime Minister and Cabinet
<b>Overview:</b>	The <i>Native Title Act 1993</i> recognises native title rights and provides the government with ways in which to validate or legitimise past acts, such as granting leases. The legislation provides for the determination of native title claims, the treatment of future acts, which may impact on native title rights and the requirements for consultation and/or notification to relevant native title claimants where future acts are involved.
<b>Relevance:</b>	Assessment indicated that one mining lease (MLA70415) associated with the Project may constitute a “future act”. Native title has been extinguished or suppressed for the remaining three mining leases. As a result, Xstrata Coal Queensland has undertaken negotiations with the relevant registered native title claimants and referred the matter to the National Native Title Tribunal. As a result of this process, a determination has been made that MLA70415 should be granted.
<b>Legislation:</b>	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>
<b>Authority:</b>	Department of the Prime Minister and Cabinet
<b>Overview:</b>	The <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> applies to areas and objects of particular significance to Indigenous Australians in accordance with their indigenous traditions.
<b>Relevance:</b>	No declarations under the Act have been made in relation to the Project Site.
<b>Legislation:</b>	<i>Clean Energy Act 2011</i>
<b>Authority:</b>	Department of Industry
<b>Overview:</b>	The <i>Clean Energy Act 2011</i> defines Australia’s carbon pricing mechanism which commenced on 1 July 2012. The greenhouse gas and energy reporting undertaken through the National Greenhouse and Energy Reporting data will form the basis to determine liabilities under the Act.
<b>Relevance:</b>	The carbon pricing mechanism applies to entities that produce in excess of 25,000 tonnes of carbon dioxide equivalent per annum and will therefore apply to the Project.
<b>Legislation:</b>	<i>National Greenhouse and Energy Reporting Act 2007</i>
<b>Authority:</b>	Department of Industry
<b>Overview:</b>	The <i>National Greenhouse and Energy Reporting Act 2007</i> is a framework for the reporting and dissemination of information about greenhouse gas emissions, energy consumption and energy production.
<b>Relevance:</b>	Assessment and reporting requirements under the Act will be met through the existing mechanisms developed by Xstrata Coal. Greenhouse gas emissions associated with the Project are addressed in Chapter 11 Air Quality.
<b>Legislation:</b>	<i>Energy Efficiency Opportunities Act 2006</i>
<b>Authority:</b>	Department of Industry
<b>Overview:</b>	The <i>Energy Efficiency Opportunities Act 2006</i> requires ‘large energy using businesses’ (including mining companies) to undertake assessments of their energy efficiency opportunities and to report publicly on the outcomes of those assessments.
<b>Relevance:</b>	Assessment and reporting requirements under the Act will be met through existing mechanisms currently in use by Xstrata Coal. Energy efficiency considerations associated with the Project are addressed in Chapter 11 Air Quality.

### 1.6.1.2 Queensland State legislation

**Legislation:** *Environmental Protection Act 1994*

**Authority:** Department of Environment and Heritage Protection

**Overview:** The EP Act provides the legislative framework for environmental management and protection in Queensland. Chapter 5 of the EP Act establishes a process for obtaining an environmental authority for mining activities. A Level 1 non-code compliant Environmental Authority (mining activities) is applicable to the Project.

**Relevance:** In order to amend the existing mine Environmental Authority, DEHP has advised that environmental assessment for the Project is to take the form of an EIS under Chapter 3, Part 1 of the EP Act.

**Legislation:** *Land Act 1994*

**Authority:** Department of Natural Resources and Mines

**Overview:** The object of the *Land Act 1994* requires land administered under the Act to be managed for the benefit of the people of Queensland by having regard to seven principles. These principles are sustainability, evaluation, development, community purpose, protection, consultation and administration.

**Relevance:** Temporary or permanent closure of roads and stock routes, where required, for Springwood Road and Mt Kelman Access Road.

**Legislation:** *Strategic Cropping Land Act 2011*

**Authority:** Department of Natural Resources and Mines

**Overview:** The *Strategic Cropping Land Act 2011* seeks to protect land that is highly suitable for cropping, manage impacts of development on that land, and preserve the future capacity of that land. The Act identifies potential strategic cropping land (SCL) and provides criteria to decide whether or not land is SCL and establishes protection and management areas.

**Relevance:** Potential SCL has been identified from trigger maps within the Project site which is within the Central Protection area. The Project falls under the transitional arrangements provided in Chapter 9 of the *Strategic Cropping Land Act 2011* and therefore the Project can proceed with an assessment under the provisions of this Act. Further discussion on SCL is provided in Chapter 6 Land. The *Strategic Cropping Land Act 2011* was repealed on 13 June 2014 and was in part replaced by the *Regional Planning Interests Act 2014*.

**Legislation:** *Regional Planning Interests Act 2014*

**Authority:** Department of State Development, Infrastructure and Planning (primary)

**Overview:** The *Regional Planning Interests Act 2014* seeks to manage the impact of resource activities on areas of the State that contribute or are likely to contribute to Queensland's economic, social or environmental prosperity.

**Relevance:** The *Regional Planning Interests Act 2014* creates four areas of regional interest, primarily through the implementation of new generation regional plans, being Priority Agricultural Area (**PAAs**), the Priority Living Area (**PLA**), the Strategic Cropping Area (**SCA**) and Strategic Environmental Areas (**SEAs**). The SCA, and potentially a PAA, are relevant to the Project. Under the *Regional Planning Interests Act 2014*, proponents of resource projects proposed to impact on areas of regional interest need to apply for a Regional Interests Development Approval (**RIDA**), unless the activity is the subject of an exemption. Given the timing of the Act's commencement, the transitional provisions are also relevant for the Project.



- Legislation:** *Environmental Offsets Act 2014*
- Authority:** Department of Environment and Heritage Protection
- Overview:** On 1 July 2014, a new environmental offsets framework was introduced in Queensland. The new framework streamlines environmental offsets by providing an outcome-based approach to offsets, removing the complexities and duplication associated with the former offsets framework and aligning offsets across all three levels of government.
- Relevance:** the Environmental Offsets Act 2014 does not apply to offsets for the Project. Transitional provisions in the Act provide that the Act applies to an authority granted under another Act (for example, an environmental authority granted under the *Environment Protection Act 1994*) only if the application under the other Act for the authority was made on or after 1 July 2014. The application to amend the environmental authority for the Rolleston Coal Mine in respect of the Project was made prior to 1 July 2014. Transitional provisions also state that an existing Act, such as the Environment Protection Act 1994, continues to apply to:
- ▶ an existing authority, which means an authority granted under an existing Act, as the authority is in force immediately before 1 July 2014;
  - ▶ an application for an authority under an existing Act that was made, but not dealt with, before 1 July 2014;
  - ▶ an authority granted under an existing Act on or after 1 July 2014 as the result of an application made, but not dealt with, before 1 July 2014.
- In accordance with these transitional provisions, the Xstrata Coal Queensland will provide offsets for the Project in accordance with the Queensland Biodiversity Offsets Framework.
- Legislation:** *Aboriginal Cultural Heritage Act 2003*
- Authority:** Department of Aboriginal and Torres Strait Islander and Multicultural Affairs
- Overview:** Chapter 3 of the *Aboriginal Cultural Heritage Act 2003* contains provisions for identifying and protecting significant Aboriginal cultural heritage from development, including: undertaking a duty of care towards Aboriginal cultural heritage; establishment of an Aboriginal cultural heritage database; and establishment of a register of Aboriginal cultural heritage.
- The legislation requires that, when carrying out activities, the Proponent takes all reasonable and practicable measures to ensure that the activity does not harm Aboriginal cultural heritage. This is known as the 'cultural heritage duty of care'.
- A Duty of Care Guideline*, in support of the Act, was gazetted in April 2004, and outlines reasonable and practicable measures for ensuring activities are managed to avoid or minimise harm to Aboriginal cultural heritage. In addition, where an EIS is required for a project, the Act also requires that a culture heritage management plan (CHMP) be developed and approved under the Act.
- Relevance:** The Project requires an approved CHMP under section 87 of the Act as it is subject to an EIS process prior to the grant of the mining leases, or alternatively, before the commencement of operations under the mining leases. An Aboriginal Party responded to the CHMP notice in accordance with the Act and was endorsed and assisted in developing a CHMP which has now been approved for the Project. Further information is provided in Chapter 16 Cultural Heritage.
- Legislation:** *Land Protection (Pest and Stock Route Management) Act 2002*
- Authority:** Department of Agriculture, Fisheries and Forestry
- Overview:** The *Land Protection (Pest and Stock Route Management) Act 2002* (Land Protection Act) provides for the management of pests and the stock route network within Queensland.

Pest Management: The Land Protection Act outlines provisions for preventing the spread of declared pest species. The subordinate *Land Protection (Pest and Stock Route Management) Regulation 2003* identifies declared plants and animals that are targeted for control because they are pest species.

Section 77 of the Land Protection Act outlines that unless the Proponent possesses a Declared Pest Permit, the Proponent will have an obligation to undertake reasonable steps to maintain the land comprising the Project Site free of class 1 and class 2 pests (as defined in the Land Protection Act) and to stop the spread of declared pests to other areas.

Stock Route Management: The Land Protection Act also establishes the principles for stock route management, including the planning and maintenance of the network.

**Relevance:** Field assessments have been undertaken within the Project Site to identify weed species. Additional species and areas will be managed within a Pest Management Plan for the Project. This plan will comprise an updated version of the existing plan that is currently in place for the Rolleston Coal Mine. Further information is provided in Chapter 13 Terrestrial Flora. One stock route is located within the Project area: Springwood Road. Further discussion is provided in Chapter 7 Transport.

**Legislation:** *Water Act 2000*

**Authority:** Department of Natural Resources and Mines

**Overview:** The *Water Act 2000* establishes a sustainable system for the planning, allocation and use of the majority of Queensland's non-tidal waters. Taking or interfering with the flow of water in a watercourse requires a water licence or permit. A decision on whether to grant a licence or permit must be taken in accordance with the objectives for sustainable water management in the relevant Water Resource Plan, where one exists.

**Relevance:** Both watercourses and groundwater will be potentially impacted by the Project. A number of dams, levees and diversions are also required for the Project. Further information is provided in Chapter 9 Surface Water.

**Legislation:** *Forestry Act 1959*

**Authority:** Department of Agriculture, Fisheries and Forestry

**Overview:** The *Forestry Act 1959* (Forestry Act) regulates the management of quarry material on State leased land. Quarry material is subsequently defined as stone, gravel, sand, rock, clay, earth and soil under Schedule 3 of the Act but excludes minerals within the meaning of the *Mineral Resources Act 1989*. The Forestry Act requires that a person shall not interfere with, or cause to be interfered with, any forest products, any quarry material, or any earth or soil—

(a) on any Crown land; or

(b) on any land reserved for or dedicated to public purposes (including any road, save a State-controlled road under the *Transport Infrastructure Act 1994*);

except—

(c) under the authority of any other Act or law; or

(d) under the authority of and in compliance in every respect with the requirements of a permit, lease, licence, agreement or contract granted or made under this Act.

**Relevance:** Section 56 provides the chief executive with the power to grant an authority (a Sales Permit) under and for the purpose of the Forestry Act.

<b>Legislation:</b>	<i>Explosives Act 1999</i>
<b>Authority:</b>	Department of Natural Resources and Mines
<b>Overview:</b>	<p>The <i>Explosives Act 1999</i> assists the DNRM in its role in ensuring that the community is safe from the hazards of explosives. Accordingly, under the <i>Explosives Act 1999</i> various licences and/or permits are required for the use, storage, transportation, manufacture, and possession of explosives.</p> <p>With relevance to the construction and operation of the Project, a Licence to Use Explosives (Section 53 of the <i>Explosives Act 1999</i>) will be required. Under section 29 of the <i>Explosives Regulation 2003</i>, a License to Use Explosives permits the use, possession, storage and transportation of explosives in the manner stated in the licence.</p>
<b>Relevance:</b>	Activities such as blasting require the use of explosives. Explosives for the Project will therefore be required to be stored in selectively designated explosives storage facilities. The use, transport and storage of explosives at the existing Rolleston Coal Mine is undertaken in accordance with the provisions of the Act.
<b>Legislation:</b>	<i>Vegetation Management Act 1999</i>
<b>Authority:</b>	Department of Natural Resources and Mines
<b>Overview:</b>	<p>The <i>Vegetation Management Act 1999</i> (in conjunction with the <i>Sustainable Planning Act 2009</i> (SP Act)) regulates the conservation and management of vegetation communities and clearing of vegetation. It provides protection for regional ecosystems (RE's) classified as 'endangered', 'of concern', or 'not of concern' under the Act. Mining is exempt development for the purposes of the SP Act. Aspects of mining developments relating to the clearing of REs and high-value regrowth vegetation are assessed through the EIS process under the EP Act.</p> <p>The <i>Vegetation Management Framework Amendment Act 2013</i> commenced on 23 May 2013, delivering a range of streamlining measures under the vegetation management framework. The majority of amendments are expected to come into effect towards the end of 2013.</p>
<b>Relevance:</b>	The Project requires native vegetation to be cleared in some areas. Although mining is exempt development, the <i>Vegetation Management Act 1999</i> provides useful guidelines on management. Chapter 13 Terrestrial Flora provides information on the existing vegetation and the management of vegetation issues.
<b>Legislation:</b>	<i>Fisheries Act 1994</i>
<b>Authority:</b>	Department of Agriculture, Fisheries and Forestry
<b>Overview:</b>	Section 3 of the <i>Fisheries Act 1994</i> states that the main purpose of the Act is to provide for the use, conservation and enhancement of the community's fisheries resources and fish habitats in a way that seeks to a) Apply and balance the principles of ecologically sustainable development; and b) Promote ecologically sustainable development.
<b>Relevance:</b>	Mining activities authorised under the <i>Mineral Resources Act 1989</i> and EP Act are not development for the purposes of the SP Act. Therefore, the Project does not require development approvals under the <i>Fisheries Act 1994</i> or the SP Act for the activities that will be mining activities undertaken on a mining lease.
<b>Legislation:</b>	<i>Native Title (Queensland) Act 1993</i>
<b>Authority:</b>	Department of Aboriginal and Torres Strait Islander and Multicultural Affairs
<b>Overview:</b>	The <i>Native Title (Queensland) Act 1993</i> has been developed in response to the <i>Commonwealth Native Title Act 1993</i> to ensure that the Queensland Act is compliant with standards set in the Commonwealth Act for future dealings affecting native titles.



<b>Relevance:</b>	The <i>Native Title (Queensland) Act 1993</i> aims to provide the recognition and protection of native title, establish ways in which future dealings with native title may proceed and to set standards for those dealings. The Act also aims to establish a mechanism for determining claims to native title, and to provide for, or permit the validation of, past acts and intermediate period acts.
<b>Legislation:</b>	<i>Nature Conservation Act 1992</i>
<b>Authority:</b>	Department of Environment and Heritage Protection
<b>Overview:</b>	The <i>Nature Conservation Act 1992</i> provides for the conservation of nature, specifically Queensland's biodiversity. In support of the purpose and the provisions of the Act, the <i>Nature Conservation (Wildlife) Regulation 2006</i> lists all flora and fauna species considered to be 'extinct in the wild', 'endangered', 'vulnerable', 'rare', 'near threatened' and 'least concern' wildlife.
<b>Relevance:</b>	A limited number of species prescribed under the Act are indicated to occur with the Project Footprint. Authority to take these species will be required prior to disturbance. Further information is provided in Chapter 13 Terrestrial Flora and Chapter 14 Terrestrial Fauna.
<b>Legislation:</b>	<i>Queensland Heritage Act 1992</i>
<b>Authority:</b>	Department of Environment and Heritage Protection
<b>Overview:</b>	The <i>Queensland Heritage Act 1992</i> provides for the conservation of Queensland's cultural heritage. Within the Act, the Queensland Heritage Register has been established which details State heritage places. In the event that the Project Site coincides with a Registered (Protected) Place, the following must be sought: Approval to develop on a registered place; or exemption certificate to carry out development on a registered place.
<b>Relevance:</b>	No heritage places were identified within the Project Site or Footprint during assessment. However, if an archaeological artefact that is an important source of information about an aspect of Queensland's history is uncovered, Xstrata Coal Queensland must contact DEHP for direction. Chapter 16 Cultural Heritage discusses potential impacts to cultural heritage.
<b>Legislation:</b>	<i>Mineral Resources Act 1989</i>
<b>Authority:</b>	Department of Natural Resources and Mines
<b>Overview:</b>	The <i>Mineral Resources Act 1989</i> provides for the assessment, development and utilisation of mineral resources to the maximum extent practicable consistent with sound economic and land use management. The principal objectives of the <i>Mineral Resources Act 1989</i> can be summarised as being to encourage and facilitate mining of minerals and encourage environmentally responsible mining, including responsible land care management. The legislation also establishes a framework to facilitate mining related activities, through the granting of prospecting and exploration permits, mineral development leases and mining leases.
<b>Relevance:</b>	The Project proposes three new mining leases that will be governed under the <i>Mineral Resources Act 1989</i> .
<b>Legislation:</b>	<i>Coal Mining Safety and Health Act 1999</i>
<b>Authority:</b>	Department of Natural Resources and Mines
<b>Overview:</b>	The <i>Coal Mining Safety and Health Act 1999</i> and subordinate <i>Coal Mining Safety and Health Regulation 2003</i> deals with the protection and health and safety of all persons involved in the operation, design, and construction of coal mines.
<b>Relevance:</b>	The Project proposes three new mining leases that will be governed by the <i>Coal Mining Safety and Health Act 1999</i> . Further information regarding the proposed safety measures to be undertaken as part of the Project is outlined in Chapter 18 Health and Safety.

<b>Legislation:</b>	<i>Work Health and Safety Act 2011</i>
<b>Authority:</b>	Department of Justice and Attorney General, Workplace, Health and Safety Queensland
<b>Overview:</b>	The <i>Work Health and Safety Act 2011</i> establishes the requirements for the storage and management of potentially hazardous materials ('dangerous goods' declared under the Act).
<b>Relevance:</b>	Storage and management of dangerous goods will be required for the Project. Further information is provided in Chapter 20 Hazard and Risk.
<b>Legislation:</b>	<i>Transport Infrastructure Act 1994</i>
<b>Authority:</b>	Department of Transport and Main Roads
<b>Overview:</b>	The <i>Transport Infrastructure Act 1994</i> is the primary legislation relating to transport in Queensland. The overall objective of the <i>Transport Infrastructure Act 1994</i> is to encourage effective integrated planning and efficient management of transport infrastructure.
<b>Relevance:</b>	The transport infrastructure elements of relevance to the Project are roads, rail, sea ports and airports. Work on state-controlled roads (and reserves) will require prior authority from the Department of Transport and Main Roads. Further discussion is provided in Chapter 7 Transport.
<b>Legislation:</b>	<i>Transport Operations (Road Use Management) Act 1995</i>
<b>Authority:</b>	Department of Transport and Main Roads
<b>Overview:</b>	The <i>Transport Operations (Road Use Management) Act 1995</i> and the subordinate <i>Transport Operations (Road Use Management – Mass, Dimensions and Loading) Regulation 2005</i> provide for the effective and efficient use of roads and define mass, dimension and loading limits for transportation operations in Queensland.
<b>Relevance:</b>	Transportation for the Project using oversize vehicles will occur infrequently. All relevant permits will be acquired in accordance with the Act. Further information is provided in Chapter 7 Transport.
<b>Legislation:</b>	<i>Waste Reduction and Recycling Act 2011</i>
<b>Authority:</b>	Department of Environment and Heritage Protection
<b>Overview:</b>	The primary objective of the <i>Waste Reduction and Recycling Act 2011</i> and the subordinate <i>Waste Reduction and Recycling Regulation 2011</i> is to create new legislation in respect to waste management and resource recovery in Queensland. The main objectives of the Act in relation to waste management are to: promote waste avoidance and reduction; reduce the overall impact of waste generation; promote resource recovery and efficiency actions; promote the sustainable use of natural resources; encourage the use of recovered resources; and ensure a shared responsibility between government, business and industry and the community.
<b>Relevance:</b>	Waste generated by the Project will be managed in accordance with the Act and Xstrata Coal's operational policies and procedures. Further detail is provided in Chapter 8 Waste.
<b>Legislation:</b>	<i>Sustainable Planning Act 2009</i>
<b>Authority:</b>	Department of State Development, Infrastructure and Planning
<b>Overview:</b>	The SP Act seeks to achieve effective ecological sustainability through managing the process by which development takes place, including ensuring the process is accountable, effective and efficient and delivers sustainable outcomes. Additionally, the Act aims to manage the effects of development on the environment, including managing the use of the premises, and the continued coordination and integration of planning at local, regional and State level. The Act encourages the sustainable use of renewable natural resources and the prudent use of non-renewable natural resources by, for example, considering alternatives to the use of non-renewable natural resources.

**Relevance:** Mining the subject of an environmental authority (pursuant to the EP Act) is not assessable development under the SP Act. An EIS under the EP Act cannot be used for making a decision under the SP Act, other than a decision in relation to a mining activity (s.37 (2), EP Act). The applicability of the SP Act to the Project is limited to the extent that approvals are required for water infrastructure, to obtain a water licence, or undertake watercourse diversion works. Building work and development affecting a Queensland Heritage Place, on a mining lease is also subject to the requirements of the *Queensland Heritage Act 1992*.

## 1.6.2 Policies and guidelines

The Project has been assessed relative to its consistency with existing land uses and policy framework for the area. In addition to the legislation outlined in Section 1.6.1, the following policies, standards, codes and guidelines have been used to assess and or manage the Project.

### 1.6.2.1 State planning policies

State Planning Policies (SPPs) are statutory planning instruments that relate to planning matters of interest to the State of Queensland. They have been developed as instruments of the SP Act. The Queensland Government released a draft version of a single State Planning Policy for consultation in April 2013, which plans to combine the current SPPs (currently in effect) into one planning policy. Consultation on the draft SPP concluded on 12 June 2013. The draft SPP has not yet come into effect, and as such, the current SPPs have been described, where relevant to the Project, or where directed by the ToR for the Project.

#### **SPP 4/11 - Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments (25<sup>th</sup> November 2011 – 25<sup>th</sup> November 2021)**

The *Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments* SPP has been designed to ensure that development in or adjacent to wetlands of high ecological significance in Great Barrier Reef catchments is planned, designed, constructed and operated to prevent loss or degradation of the wetlands and their environmental values, or to enhance these values.

The SPP provides direction on the following wetland protection issues relevant to the SP Act:

- ▶ How planning instruments can protect environmental values in wetlands of high ecological significance (HES Wetlands) in Great Barrier Reef Catchments.
- ▶ How particular development can achieve the relevant policy outcomes for protecting wetland environmental values.

The Project is located within the Fitzroy River catchment area, which empties into the Coral Sea and the southern Great Barrier Reef environs. Chapter 9 Surface Water provides further details.

#### **SPP 2/07 - Protection of Extractive Resources (3<sup>rd</sup> September 2007 – 3<sup>rd</sup> September 2017)**

The *Protection of Extractive Resources* SPP identifies those extractive resources of state and regional significance where extractive industry development is appropriate in principle, and aims to protect those resources from developments that might prevent or severely constrain current or future extraction when the need for the resource arises.

Additionally, the SPP seeks to ensure as far as practicable, development within a resource/processing area, the separation area of a Key Resource Area and the associated transport route's separation area are compatible with existing or future extractive industry.

No Key Resource Areas have been identified in the Project area.

#### **SPP 2/12 - Planning for Prosperity (Temporary State Planning Policy)**

This SPP articulates Queensland's position on economic growth. The purpose of the Policy is to ensure that economic growth is facilitated by local and state plans, and not adversely impacted by planning processes.



One of the key interests of the policy is promoting the State's mineral and extractive resources industries by:

- ▶ Preserving mineral and extractive resource industries.
- ▶ Resolving potential land use conflicts at a regional and local level.
- ▶ Supporting our mining communities with housing and community facilities.

The policy recognises that the resources industry is a major contributor to the Queensland economy.

### 1.6.2.2 Queensland environmental protection policies

Specific environmental values and objectives are identified by environmental protection policies prepared under the EP Act. The environmental protection policies most pertinent to the Project are considered to be:

- ▶ *Environmental Protection (Air) Policy 2008*
- ▶ *Environmental Protection (Water) Policy 2009*
- ▶ *Environmental Protection (Noise) Policy 2008*
- ▶ *Environmental Protection (Waste Management) Policy 2000.*

These policies are considered in the relevant technical chapters of this EIS.

### 1.6.2.3 Queensland Biodiversity Offsets Policy

This policy ensures that development can occur without an overall degradation to environment values. The policy provides a framework for using environmental offsets to counterbalance the unavoidable impacts of development. Environmental offsets are proposed for the Project to offset the loss of State-significant biodiversity values in accordance with the *Queensland Biodiversity Offsets Policy* (see Chapter 13 Terrestrial Flora and Chapter 14 Terrestrial Fauna).

### 1.6.2.4 Guidelines for Assessment of Road Impacts on Development 2006

The purpose of the *Guidelines for Assessment of Road Impacts on Development 2006* is to assist industry to assess the road impacts of their development proposals.

While use of the guidelines is not mandatory, they provide a basis for open and expeditious dealings between developers and the Department of Transport and Main Roads on road issues. Potential impacts on the local and regional road network have been assessed and are presented in Chapter 7 Transport.

### 1.6.2.5 Regional and local plans

#### Regional plan

The *Draft Central Queensland Regional Plan* was made available for public comment on 28 June 2013. The Central Queensland region includes the five local government areas of:

- ▶ Banana Shire Council
- ▶ Central Highlands Regional Council
- ▶ Gladstone Regional Council
- ▶ Rockhampton Regional Council
- ▶ Woorabinda Aboriginal Shire Council.

From 1 January 2014, the region will also include the Livingstone local government area. The regional plan will:

- ▶ Protect the region's Priority Agricultural Land Uses from incompatible resource development by mapping Priority Agricultural Areas and identifying assessment criteria that will apply to resource activities undertaken on a Priority Agricultural Land Use within a Priority Agricultural Area.
- ▶ Protect the future of towns in the region by mapping Priority Living Areas and initiating legislative amendments that will allow local governments to determine whether or not resource activities can be located within a Priority Living Area.

- ▶ Identify infrastructure opportunities for the region.
- ▶ Provide regional direction in relation to other state interests.

The regional plan was subsequently gazetted by the Queensland Government on 18 October 2013. This plan is given effect under the SP Act and the *Regional Planning Interests Act 2014* (Qld).

### Community plan

The *Central Highlands 2022 Community Plan* was adopted by Council on 12 December 2011. The plan comprises a region-wide strategy setting out regional outcomes and goals, and 13 place community plans listing the priorities for each community within the Central Highlands region.

Using a two level approach, each community has an individual plan which sets out the future vision of each community. The plan provides strategic planning direction for Council, the community, State and Federal governments, business and industry in the Central Highlands region.

This Plan provides a long term 'road map' setting out the aspirations of the Central Highlands communities and the steps they will take to achieve their vision. Further discussion and evaluation of the Project in the context of the relevant community priorities is provided in Chapter 17 Social Values.

### Local planning scheme

The Project is located within the local government boundary of the Central Highlands Regional Council. The designation given to the Project Site, under the applicable planning scheme covering the former Bauhinia Shire area, nominates the area both within and adjacent to the site as 'Rural' or 'Open space'. Further detail on land use is given in Chapter 6 Land.

#### 1.6.2.6 Company policy and procedures

Xstrata Coal Queensland operations are based on the Glencore Xstrata plc group corporate governance framework and programme that guides sustainable business practice.

This framework is documented in quality and environmental management systems that focus on:

- ▶ Creating and maintaining a safe and healthy workplace.
- ▶ Minimising impacts on the natural and social environment.
- ▶ Open and transparent engagement with the community in which it operates.
- ▶ Corporate responsibility.

### Sustainability as standard

Xstrata Coal Queensland is committed to sustainable development through the balancing of social, environmental and economic considerations. This is achieved through a system of operating procedures that integrate sustainable initiatives within day to day business. Regular review is also undertaken through a combination of internal and external audits. This overall approach ensures compliance and the continual improvement of operations throughout the company.

### Code of conduct

Xstrata Coal Queensland recognises the importance of open and honest relationships with the community. Business principles have been developed to develop genuine partnerships and to ensure all employees work:

- ▶ ethically
- ▶ responsibly
- ▶ openly
- ▶ together with others.

## 1.7 Accredited process for controlled actions under Commonwealth legislation

The Project has been declared a controlled action under the EPBC Act. The controlling provisions for the Project with regard to its potential impacts on MNES are:

- ▶ World Heritage properties (sections 12 and 15A)
- ▶ National Heritage places (sections 15B and 15C)
- ▶ Listed threatened species and communities (sections 18 and 18A)
- ▶ Listed migratory species (sections 20 and 20A)
- ▶ Great Barrier Reef Marine Park (sections 24B and 24C)
- ▶ A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E).

The State's EIS process has been accredited under a Bilateral Agreement for the purposes of the Commonwealth's assessment of the Project under Part 8 of the EPBC Act.

The EIS assesses the relevant impacts on matters covered by the controlling provisions and ensures that sufficient information about the Project and its relevant impacts are provided. This subsequently allows the Commonwealth Minister for the Environment to make an informed decision whether to approve the Project under the EPBC Act. The matters to be addressed in this EIS are set out in Schedule 4 of the Commonwealth's *Environment Protection and Biodiversity Conservation Regulations 2000* which mirrors Section 6 and Schedule 1 of the *Environmental Protection Regulation 2008*.

Chapter 21 Matters of National Environmental Significance addresses potential impacts on MNES.