



Department of Infrastructure,
Local Government and Planning

Our ref: RPI17/004/BENGAL-DEC
OUT17/2392

Date: 10 April 2017

David Curwen
Associate Director
Aecom
PO Box 1307
Fortitude Valley QLD 4006
Via email: david.curwen@aecom.com

Dear Mr Curwen

RPI17-004-BENGAL COAL – Dysart East Coal Mine

Requirement Notice (*RPI Act, s44*)

I refer to the assessment application, made on 27 March 2017 under section 29 of the *Regional Planning Interests Act 2014* (RPI Act), seeking a regional interests development approval (RIDA) for underground coal mine and associated surface activities in a strategic cropping area (SCA).

**Applicant
Project**

**Bengal Coal Pty Ltd
Dysart East Coal Mine**

Site Details

Street address

**‘Tay Glen’ 7078 Dysart Clermont Road, Dysart
‘Dysart Station’ 532 Dysart Middlemount
Road, Dysart**

Real property description

Lot 5 SP235303 and Lot 2 SP161102

Local government area

Isaac Regional Council

Public notification requirement

You are advised that it has been determined that the above assessment application requires notification under the RPI Act, Part 3 and Division 4.

Section 35 of the RPI Act requires the applicant to publish a notice about the assessment application in the way prescribed in section 13 of the *Regional Planning Interests Regulation 2014* (RPI Regulation) and give the owners¹ of the land notice about the application.

Notification must commence within 20 business days of the date of this letter. The notification period is 15 business days.

The approved form for notification is available on the department's website here:

<http://www.dilgp.qld.gov.au/planning/regional-planning/rpi-act-forms-guidelines-and-fact-sheets.html>

Refer to *RPI Act Guideline 06/14 notification requirements under the RPI Act* for further information.

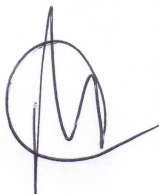
Information Requirement

You are advised that in accordance with the RPI Act, Section 44, further information is required to assess the application against the assessment criteria contained in the RPI Regulation, Schedule 2, Part 4. The requested further information is detailed in Attachments A and B.

The period in which you must provide the requested information is a maximum of 12 months from the day you receive this notice. You may request an extension to this period if necessary.

If you require any further information, please contact Kassim Mahomed, Development Assessment and Advisory Team on 3452 7656 who will be pleased to assist.

Yours sincerely



Patrick Atkinson

Director – Development Assessment

Enc – Attachment A – Information required for assessment against SCA criteria

Cc – Nick Lodge via email: nicklodge@dysartmininggroup.com.au

¹ Owner of land is defined in the RPI Act and means the person who is entitled to receive rent for the land, or a the lessee of a lease issued under the *Land Act 1994* for agricultural, grazing or pastoral purposes.

ATTACHMENT A

Information required for assessment against the SCA Criteria

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

| | |
|----|---|
| 1. | <p>The assessment application presently acknowledges that above ground mine infrastructure will have a permanent impact on 5.48ha of strategic cropping land.</p> <p>The application material does not provide an adequate assessment of the underground mine operations against the applicable assessment criteria.</p> <ul style="list-style-type: none">• Provide further information demonstrating how the underground mining activities address the respective assessment criteria contained within Schedule 2, Part 4 of the <i>Regional Planning Interests Regulation 2014</i>.• Provide site specific quantitative evidence that demonstrates that the subsidence impact attributable to underground mining operations will not cause a material impact on the SCL.• Provide clarification of the potential cumulative subsidence impacts in consideration of subsidence resulting from underground mine operations and seasonal variation. <p>Particular regard should be had to:</p> <ul style="list-style-type: none">○ Schedule 3 (Criteria for Land) of the <i>Regional Planning Interests Regulation 2014</i>;○ Guideline 03/14 – Carrying out activities in the strategic cropping area; and○ Guideline 09/14 – How to determine if an activity has a permanent impact on strategic cropping land. |
| 2. | <p>If further assessment concludes that the underground mine operations will have a material impact on SCL. Provide further information detailing:</p> <ul style="list-style-type: none">• Site specific geological/geotechnical evidence to allow assessment of the impact on the SCL that encumbers the MLA;• How the land will be restored to its pre-activity condition; or• Where there will be a permanent impact to the SCL, a calculation of the mitigation required to satisfy the relevant assessment criteria. |
| 3. | <p>It is presently unclear as to the extent of the underground coal mine footprint within the context of the mapped SCL.</p> <ul style="list-style-type: none">• Provide a map showing extent of underground mine footprint within the context of the mapped SCL. |
| 4. | <p>A review of the ESRI shapefiles provided and information contained within the assessment application identifies the spoil dump contours encroaching on mapped SCL on Lot 5 SP235303. The inclusion of this area has not been taken into consideration as a permanent impact on SCL.</p> <ul style="list-style-type: none">• Provide clarification in regards to the extent of impact on SCL from the spoil dump on Lot 5 on SP23530, and if necessary, include relevant details and assessment in your response. |

| | |
|----|---|
| 5. | <p>Section 5, Table 10 – Summary of mitigation value for the Project with the assessment application report, currently calculates the mitigation rate contained within the regulation multiplied by the expected area of impact (5.48ha) to SCL. Section 16(2) of the regulation requires that where mitigated SCL land is not a whole number of hectares that the mitigation value is rounded up to the nearest hectare.</p> <ul style="list-style-type: none"> • If it is concluded that the only permanent impact to SCL will be limited to the 5.48ha currently identified within the assessment application, provide a revised calculation of the mitigation value in consideration of the above; or • If the expected area of permanent impact to SCL increases as a result of further assessment, provide a revised calculation of mitigation. |
| 6. | <p>At present, the assessment application identifies an expected area of impact of less than 30ha. The application fee has been paid in accordance with Schedule 3, Part 4, Item 1 (for an application within an expected area of impact of less than 30 hectares.</p> <ul style="list-style-type: none"> • If it is concluded that the expected area of impact to SCL exceeds 30 ha, please make an additional payment of the difference in application fee in accordance with fee threshold brackets set out Schedule 4, Part 4 of the Regulation. |

ATTACHMENT B

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

1. Provide definitions in Table 1 that are an accurate description of the resource activities proposed in the application.
2. Complete Table 2, column 4 detailing the total area of disturbance for each of the resource activities.

Table 1: Definitions

| Activity | Definition |
|-----------------------|---------------------------------------|
| Seismic tracks | <INSERT RESOURCE ACTIVITY DEFINITION> |
| Monitoring tracks | <INSERT RESOURCE ACTIVITY DEFINITION> |
| Ventilation shafts | <INSERT RESOURCE ACTIVITY DEFINITION> |
| De-gassing well pads | <INSERT RESOURCE ACTIVITY DEFINITION> |
| Underground coal mine | <INSERT RESOURCE ACTIVITY DEFINITION> |

Table 2: Proposed activities, location and area of disturbance

| Area of regional interest | Location | Resource activity | Area of disturbance |
|---------------------------|-------------------|-----------------------|---------------------|
| Strategic cropping area | Lot 5 SP235303 | Seismic tracks | TBA |
| | | Monitoring tracks | TBA |
| | | Ventilation shafts | TBA |
| | Lot 2 SP161102 | De-gassing well pads | TBA |
| | | Underground coal mine | (TBA if applicable) |
| Total area of disturbance | | | TBA |