



DATE: 9 FEBRUARY 2018

OUR REF: 17\_200

DARREN BREWER  
DEPARTMENT OF INDUSTRY, LOCAL GOVERNMENT AND PLANNING  
LEVEL 13  
1 WILLIAM STREET  
BRISBANE QLD 4000

**RE: REQUEST FOR PUBLIC NOTIFICATION EXEMPTION UNDER SECTION 34(3) OF THE REGIONAL PLANNING INTERESTS ACT, 2014**

Dear Darren,

On behalf of Endocoal Pty Ltd and in relation to an application sought for a Regional Interests Development Approval (RIDA) (Application Number: RPI18-010), Northern Resource Consultants (NRC) seeks to utilise Section 34(3) of the *Regional Planning Interests Act 2014* (RPI Act) to obtain an exemption from the Chief Executive for public notification requirements of the RPI Act for the Meteor Downs South project.

**Justification for exemption from public notification**

Endocoal Pty Ltd has recently finalised project approvals for the Meteor Downs South project and operations have commenced in early November 2017. As a requirement under various legislative frameworks, public notification was undertaken extensively for the Meteor Downs South project as detailed below.

Further to the above, a previous application for a RIDA relevant to Priority Agricultural Areas (RPI14-002) and Strategic Cropping Area (RPI17-008) within the Meteor Downs South Mining Lease has received approval. RPI17-008 included public notification of areas encompassing the proposed disturbance nominated in RPI18-010.

It is considered by Endocoal Pty Ltd that the circumstances relating to RIDA RPI18-010 are of a sufficiently similar nature to RPI17-008 and should be considered exempt from public notification.

Further evidence of previous public notification requirements are detailed below.

***Public notification under the Regional Planning Interests Act 2014***

Public notification was undertaken in relation to the RPI Act, 2014 on 13/10/2017. No comment was received as a result of the public notification process in relation to RPI17-008 and approval was subsequently received.

Evidence of public notification is provided in Attachment 1.

*Public notification under the Environment Protection and Biodiversity Conservation Act 1999*

The following public notifications were undertaken in relation to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act):

- Draft Environmental Authority, Certificate of Application and Certificate of Public Notice – public notification period from 11 November 2013 to 29 November 2013.
- EPBC Referral – available via the Department of the Environment website since on or about 26 April 2013 (EPBC Ref: 2013/6799)
- EPBC Publication of Preliminary Documentation – public notification period from 6 June 2014 to 7 July 2014
- Closure of PD Comment Period – public notice date 11 July 2014.

Evidence of public notification is provided in Attachment 2.

*Public notification under the Water Act 2000*

The following public notification were undertaken in relation to the *Water Act 2000* (Application Number: 584687):

- Application for a water licence Public Notice – public notification period from 24 March 2017 to 15 May 2017
- Permit to Take – Information Notice – public notification period from 31 May 2017 to 11 July 2017
- Permit to Take – Information Notice – public notification period from 1 March 2015 to 10 April 2015.

Evidence of public notification is provided in Attachment 3.

*Public notification under the Environmental Protection Act 1994 and Mineral Resources Act 1989*

Public notification was undertaken within September 2013 in relation to the *Environmental Protection Act 1994* (EP Act) and *Mineral Resources Act 1989* (MR Act) with regard to an application for Mining Lease 70452 and an associated Environmental Authority.

Evidence of public notification is provided in Attachment 4.

Further to the above public notifications, it is also noted that RIDA RPI17-008 is not in relation to a Priority Living Area and therefore public notification is not required under Section 13(1) of the RPI Act. Additionally, Endocoal Pty Ltd currently holds a Compensation Agreement with land owners to undertake land disturbance activities on lands associated with Mining Lease 70452.

With the above public notifications in mind, Endocoal Pty Ltd requests that the Chief Executive grant an exemption from public notification requirements of the RPI Act for RIDA application RPI18-010.

Sincerely,



Marty Costello  
Principal Environmental Scientist

Attachment 1: Evidence of public notification under RPI Act

# Assessment Application for a Regional Interests Development Approval

## Regional Planning Interests Act 2014 Have your say

**For:** Meteor Downs South Coal Project  
Resource Activity: Coal Mining and Other Resource Activities (Not Petroleum and Gas).  
Development and operation of a new open cut coal mine and associated infrastructure.  
Production Life of Mine: 15 Years.  
Construction Period: 1 Year.  
Area of Surface Impact: 149.75 Hectares.

**Area of Regional Interest:** Strategic Cropping Area  
Western Cropping Zone  
Central Highlands Isaac Sub-Zone

**Where:** Dawson Highway, Rolleston, QLD, 4702  
**On:** Lot 4 on SP170740  
Lot 2 on RP616045  
Lot 1 on SP174071  
Lot 1 on SP164068  
To the extent these areas overlap Mining Lease 70452.

**Applicant:** U & D Mining Pty Ltd  
ACN 165 894 806

**Contact person:** Scott Hayes-Stanley, Northern Resource Consultants, on behalf of U & D Mining Pty Ltd

**Ph:** (07) 4772 6500

**web:** www.udcoal.com.au

**Application no.:** RPI17/008/Meteor Downs

### Closing day for submissions: 3 November 2017

Properly made submissions must be made in writing; state the name of each person who made the submission, and state an address for service for at least one of the persons who made the submission.

Properly made submissions will be published on the RPI Act website ([www.dilgp.qld.gov.au/RPIAct](http://www.dilgp.qld.gov.au/RPIAct)) or made available for public inspection at the DILGP offices, Level 13, 1 William St, Brisbane.

The making of a submission does not give rise to a right of appeal against a decision about the application.

#### Make submissions to:

The assessor at:

RPI Act Development Assessment Team  
Department of Infrastructure, Local Government and Planning  
PO Box 15009  
City East QLD 4002

Submissions may be also made electronically at  
[RPIAct@dilgp.qld.gov.au](mailto:RPIAct@dilgp.qld.gov.au)

or hand delivered, by appointment, to:  
RPI Act Development Assessment Team  
DILGP Level 13, 1 William Street, Brisbane

Further information and a copy of the full application can be obtained from the RPI Act website [www.dilgp.qld.gov.au/RPIAct](http://www.dilgp.qld.gov.au/RPIAct)

Attachment 2: Evidence of public notification under EPBC Act



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**Public Notice For Information Only**  
**Meteor Downs South Project**  
**(EPBC Ref 2013/6799)**

The following notice is published pursuant to Section 95(B) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), it follows the recent completion of the formal public notification associated with the Meteor Downs South Project (EPBC 2013/6799). Please be advised that, during the formal notification period, no submission were received. Provided below is a copy of the original public notice.

U&D Mining Industry (Australia) Pty Ltd (U&D) is proposing the development of a small open cut coal mining operation, located approximately 25 km west of Rolleston and 45 km south east of Springsure in the Central Highlands region, Queensland. The Meteor Downs South (MDS) Project would produce approximately 1.5 million tonnes per annum of thermal coal and have an anticipated life span of ten years. Coal produced would be exported from the Wiggins Island Coal Export Terminal or other port capacity that may become available in the Gladstone port.

The proposed action was determined a Controlled Action under the EPBC Act with a Preliminary Documentation level of assessment. The controlling provisions under part 3 of the EPBC Act are listed threatened species and communities (Sections 18 and 18A); listed migratory species (sections 20 & 20A); and water resources in relation to coal seam gas development and large coal mining development (sections 24D and 24E).

The public was invited to review the draft preliminary documentation and to submit comments. The public submission period was advertised on 6 June 2014 and ran to the close of business on 7 July 2014.

No comments were received on the draft preliminary documentation.

The final preliminary documentation will be available for public information online at: <http://www.udmining.com.au/MDS>. This notice is for information only.

Persons with special needs (e.g. for whom English is a second language or who have vision impairment) may contact U&D Mining for assistance on 07 3188 9101

Attachment 3: Evidence of public notification under *Water Act 2000*



# finda

To advertise, call **1300 136 181** or visit [finda.com.au](http://finda.com.au) to view more ads online.

## Tributes

### Funeral Notices

#### BENNETT, Coral Mary

late of Emerald passed away peacefully on 20th March 2017, aged 84.

Wife of Harold, Mother & Mother-in-law of Tony(dec)& Colette, Alan & Andree, Karen & Owen. Grandmother, Great grandmother and Great Great Grandmother to their respective families.

Family and friends of Coral are respectively invited to attend the funeral service being held at the St Patrick's Catholic Church at 11am on Friday 24th March 2017. Followed by interment at the Emerald Lawn Cemetery.

**Central Highlands Funeral Services**

3 Powell Street, Emerald  
Phone 4982 2910

#### GAY, Donna Lea.

Aged 55 Years.

Late of Ayr, formerly of Leitchville and Springsure.

Donna passed away in a tragic horse accident on Saturday 11th March 2017.

Donna passed away in a tragic horse accident on Saturday 11th March 2017.

A Private Cremation was held in Townsville on Friday. A Memorial Service will commence at 11.00.am. Saturday 25th March 2017, at Bartlett's Tavern, Rockhampton.

#### Oceanview Funeral Services

Townsville. (07) 47 550 296  
Locally Owned and Operated  
by the Brennan Family.

### Funeral Directors & Services

**Central Highlands Funeral Services**

#### Funeral Directors

We take your hand and walk you through the most difficult time in your life.

3 Powell Street, Emerald  
Phone: 4982 2910 - 24/7

### Memorial Services

#### Andree White

1936 - 2016

Of Friends Crt, Yeppoon, formerly of Emerald  
Passed away 06.12.2016

Family and friends are invited to celebrate Andree's life, with Bill, Jenny, Judy and their families  
On **Saturday 25th March from 3 pm** at 12 Racecourse Road, Emerald

### In Memoriam

#### SCOTT BOYLE

25-7-73 - 25-3-12

*Gone but not forgotten,  
Miss you every day,  
Cherished forever,  
God has you in his keeping  
we have you in our heart.*

Love Mum & Dean

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### Notices

#### Legal Notices

#### NOTICE OF INTENTION TO APPLY FOR GRANT OF PROBATE

After 14 days from today an application for a grant of probate of the will dated 24th September 2009 of **Keith Charles Kendrick**, late of 61 Retro Street, Emerald in the State of Queensland deceased will be made by **Christine Elizabeth Graham** and **Jo Ann Rosenblatt** to the Supreme Court of Queensland at Rockhampton.

You may object to the grant by lodging a caveat in that registry.

Any creditor, beneficiary or other person having any claim or claims in respect of the estate is required to send particulars of any such claim or claims to the personal representatives at their Solicitors, no later than six (6) weeks from the date of publication of this notice.

**NOTE** - By virtue of section 67 of the Trusts Act a personal representative or trustee may, after the date referred to in this notice, distribute the estate of the deceased having regard only to those claims of which he then has notice.

Lodged by Applicants Solicitors  
Purcell & Associates  
P.O. Box 68  
Emerald Qld 4720

### Meetings

#### Emerald Cancer Council Branch A.G.M.

on 3rd April @ 5:00pm  
at the Rotary Shed.  
All welcome.

Enquiries: Kerri 0429 824 639

### Public Notices

#### Notice of Application – Water Act 2000

Notice of an application under section 1250D of the *Water Act 2000* is given for the taking of underground water with the point of take under Mining Lease 70452 in the **Blackwater Group** in the Bowen Basin for **Dewatering purposes**. The property is located in Albinia.

The full notice of application **584687** is published on:  
[www.business.qld.gov.au/industry/water/managing-accessing/accessing-water/authorisations/water-licences](http://www.business.qld.gov.au/industry/water/managing-accessing/accessing-water/authorisations/water-licences).

Any entity may make a written submission to the Chief Executive, Department of Natural Resources and Mines at Level 1, 22-30 Wood Street, Mackay or PO Box 63, Mackay QLD 4740 on or before **15 May 2017**. Copies of the application may be inspected at the Department of Natural Resources and Mines office, 99 Hospital Road, Emerald. Enquiries: Telephone Barbara Van der Pol on 1800 822 100.

## Notices

### Public Notices



Sustainable Planning Act 2009

#### ADOPTION OF TEMPORARY LOCAL PLANNING INSTRUMENT 01/2016 – OPERATIONAL WORK WITHIN A FLOOD HAZARD AREA

Notice is given that at its council meeting on 14 March 2017, Central Highlands Regional Council adopted *Temporary Local Planning Instrument 01/16 – Operational Work within a flood hazard area* in accordance with section 117 of the *Sustainable Planning Act 2009*.

This temporary local planning instrument applies to all areas identified in the Flood Hazard Overlay on planning scheme maps OM005a – OM005i. The temporary local planning instrument will commence on **24 March 2017** and will cease to have effect on 23 March 2018.

The temporary local planning instrument is intended to address the significant risk of unmanaged filling and excavating in areas affected by flooding from resulting in adverse impacts as a result of a reduction in flood storage and changes to flows, velocities or levels for flood events.

Copies of the temporary local planning instrument are available for inspection and/or purchase at the Emerald Administrative Office, 65 Egerton Street, or can be viewed and downloaded from council's website.

For more information, please contact council's Development and Planning Unit or email [tplanning@chrc.qld.gov.au](mailto:tplanning@chrc.qld.gov.au)

**Scott Mason**  
Chief Executive Officer

1300 242 686  
[www.centralhighlands.qld.gov.au](http://www.centralhighlands.qld.gov.au)

#### PROPOSED PERMANENT ROAD CLOSURE

Attention is directed to an application for Permanent Road Closure of an area of about 5.8 ha intersecting Lot 153 on LHDT40184 (locality Clermont) and shown as plan of road to be permanently closed on Drawing 17/689/CEN (2016/006262) in the manner specified in the Government Gazette of 10 March 2017.

A copy of the notification and of the drawing in illustration may be viewed at Isaac Regional Council and the Department of Natural Resources and Mines (DNRM), Mackay Office, 1st Floor, 22-30 Wood Street, Mackay QLD 4740.

Objections to the application must be in writing and submitted to DNRM Mackay Office, no later than 20 April 2017.

Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the *Right to Information Act 2009*.

If you lodge an objection, please include in your objection letter whether you would like to be consulted if this issue becomes the subject of an access request under the *Right to Information Act 2009*.

For further details contact the DNRM Mackay Office, on 07 4999 6864 quoting reference number 2016/006262.



Sustainable Planning Act 2009

#### PROPOSED MAJOR AMENDMENT TO CENTRAL HIGHLANDS REGIONAL COUNCIL PLANNING SCHEME 2016

Notice is given that Council is undertaking a major amendment, Amendment no. 2, to the *Central Highlands Regional Council Planning Scheme 2016*.

The proposed major amendment contains the following:

1. Textual changes to Part 5 Tables of Assessment.
2. Zone map changes to Schedule 2, and textual and associated map changes to Part 3 – Strategic Framework.

As per *Statutory Guideline 01/16*, Council is conducting a public consultation period for this major amendment of the *Central Highlands Regional Council Planning Scheme 2016* which will take place between **24 March 2017 and 12 May 2017**. During this period Council will accept submissions applicable to changes proposed in the major amendment. A properly made submission is made in writing including the submitters name, address and signature (unless being submitted electronically via [tplanning@chrc.qld.gov.au](mailto:tplanning@chrc.qld.gov.au)) It must also be received during the public consultation period and clearly state the grounds for the submission being made.

A copy of the amended planning scheme is available on Council's website at [www.centralhighlands.qld.gov.au](http://www.centralhighlands.qld.gov.au) It can also be inspected and purchased at the Central Highlands Regional Council's Emerald office located at the Corner of Egerton and Borilla Streets, Emerald.

This proposed major amendment applies to the planning scheme area of the Central Highlands Regional Council.

Copies of the amendment are available for inspection and/or purchase at the Emerald Administrative Office, 65 Egerton Street, or can be viewed and downloaded from council's website.

For more information, please contact council's Development and Planning Unit or email [tplanning@chrc.qld.gov.au](mailto:tplanning@chrc.qld.gov.au)

**Scott Mason**  
Chief Executive Officer  
1300 242 686  
[www.centralhighlands.qld.gov.au](http://www.centralhighlands.qld.gov.au)

### LEGAL SERVICES

#### Thynne Macartney

#### AGRIBUSINESS LAWYERS

We advise on:

- rural sales and purchases
- business restructures
- taxation and duty
- commercial litigation
- mining and gas compensation
- valuation
- succession planning and estate administration
- carbon trading
- native title

Ari McCamley will be visiting Emerald on Wednesday, 19 April 2017.

For appointments:

Phone: (07) 3231 8840  
Fax: (07) 3229 0855  
Email: [ggrant@thymac.com.au](mailto:ggrant@thymac.com.au)

We visit Longreach, Charleville, Roma, Emerald and Rockhampton.

[www.thymac.com.au](http://www.thymac.com.au)

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31 May 2017

Department of  
**Natural Resources and Mines**

ENDOCOAL LIMITED  
LEVEL 4, ROWE'S BUILDING  
235 EDWARD STREET  
**BRISBANE QLD 4000**

Email to: [david.richardson@udmining.com.au](mailto:david.richardson@udmining.com.au)

Dear Sir/Madam,

**Application for Water Permit: application reference 585155**

Attached is an information notice, which is advice of the decision and the reasons for the decision for the abovementioned application and a Water Permit granted with conditions in accordance with the provisions of the *Water Act 2000*.

Please take note of the conditions imposed on the water permit.

Notification of the completion of the construction of monitoring bore MW17S can be sent to [centralwaterservices@dnrm.qld.gov.au](mailto:centralwaterservices@dnrm.qld.gov.au).

Submission of the records of the volumetric take of groundwater and water level data of monitoring bores can be done through the Queensland Digital Exploration Reports system (QDEX).

Information about QDEX is available at the following page <http://www.dnrm.qld.gov.au/mapping-data/qdex-reports> and includes the form for becoming a registered user as well as the user guide for lodging reports required to be lodged under the *Water Act 2000* at [http://www.dnrm.qld.gov.au/data/assets/pdf\\_file/0005/188627/qdex-report-lodger-user-guide-water-act.pdf](http://www.dnrm.qld.gov.au/data/assets/pdf_file/0005/188627/qdex-report-lodger-user-guide-water-act.pdf). Please contact QDEX Support on ph. (07) 3035 5256 or email [gdexsupport@dnrm.qld.gov.au](mailto:gdexsupport@dnrm.qld.gov.au) for further information about registering as a user or if you have any problems with this process.

Some clients send a letter accompanying monitoring reports but please do not submit any letters through the QDEX system. Once a groundwater report has been submitted in QDEX, we receive an email alert advising us the report has been submitted and we will then carry out the technical review of the report.

Please note that this Water Permit does not negate the requirement to obtain any other approvals or to enter into other statutory arrangements.



If you have any further enquiries please call 1800 822 100 or email [centralwaterservices@dnrm.qld.gov.au](mailto:centralwaterservices@dnrm.qld.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Larsen', with a long horizontal stroke extending to the right.

Daniel Larsen  
**Principal Project Officer**



**WATER PERMIT**  
**Water Act 2000**



<b>Reference</b>	617448	<b>Expiry Date</b>	31/05/2019
<b>Permitee</b>	ENDOCOAL LIMITED		
<b>Activity</b>	The taking of underground water from Basalt under land described as Mining Lease 70452.		
<b>Purpose</b>	Construction and Mining		
<b>Maximum Volume to be Taken</b>	400 megalitres		

This permit is subject to the conditions endorsed hereon or attached hereto. Under the *Sustainable Planning Act 2009* a Development Permit must be obtained prior to carrying out any operational work (other than using a water truck to pump water) to take water described in this Permit.

**Given at Emerald this THIRTY-FIRST day of MAY 2017.**

**Delegate of the Chief Executive**  
**Department of Natural Resources and Mines**

**Water Permit: 617448**  
**Expiry Date: 31/05/2019**

**Conditions: Schedule A**

**4.39**

Water must not be taken under this authorisation unless a measuring device of a type approved by the chief executive to measure the volume of water taken is installed.

**Water Permit: 617448**  
**Expiry Date: 31/05/2019**

**Conditions: Schedule B**

Refer to Schedule B attachment





## Conditions (Schedule B)

01. The water year is the period from 01 June to 31 May.
02. The take of water under the authority of this water permit must not commence before 01 June 2017.
03. The maximum extraction rate from this site must not exceed 200 ML per water year during the period of this water permit.
04. The amount of water taken under this water permit must be recorded by the holder of the permit on a monthly basis. The holder of the permit must forward the records to the chief executive within ten business days after the water year ends.
05. Prior to the take of water under this water permit, the holder of the permit must construct monitoring bore MW17S near the location indicated in Figure 10-2 of the document "Application for Groundwater Supply Permit – Meteor Downs South – AGE March 2017". The holder of the permit must notify the chief executive of the installation of monitoring bore MW17S within ten business days after completion.
06. The holder of this permit must measure and record underground water levels in the monitoring bores as listed in Table 1, and forward the records to the chief executive within ten business days after the water year ends.

**Table 1.** Meteor Downs South's Monitoring Bores under this water permit

Monitoring Bore ID	Geology	Monitoring Frequency
MW1S	Basalt	Quarterly underground water levels
MW2S	Basalt	Quarterly underground water levels
MW3S	Basalt	Quarterly underground water levels
MW4	Basalt	Quarterly underground water levels
MW7S	Colluvium	Quarterly underground water levels
MW14S	Colluvium	Quarterly underground water levels
MW15S	Colluvium	Quarterly underground water levels
MW16S	Basalt	Quarterly underground water levels
MW17S	Basalt	Quarterly underground water levels

07. In the event of a stock and/or domestic underground water supply on an underlying or neighbouring property being unduly affected as a result of the taking of water under the authority of this water permit, the holder of the permit must enter into arrangements to make good the supply of water to such property.
08. Water can no longer be taken under the authority of this water permit upon any granting of a licence to take non-associated water from the Basalt with a point of take on or under Mining Lease 70452 to the authorisation holder.
09. Notwithstanding the reporting requirements of Conditions 04 and 06, within ten business days of the issue of a water licence as specified in Condition 08, a report of the total extraction of underground water and water level data as required to be monitored under Conditions 04 and 06, is required to be submitted to the chief executive.



## **INFORMATION NOTICE**

### **Application: 585155**

This information notice is given with accordance with section 139 of the *Water Act 2000* ("the Act") in respect of the decision on the above application.

### **Background Matters**

Pursuant to section 137 of the Act, a person may apply for a water permit for taking water for an activity, and the activity must have a reasonable foreseeable conclusion date at the time the application is made.

Application 585155 seeks to authorise the taking of underground water from the Basalt formation for construction and mining purposes with the point of take on or under Mining Lease 70452 for a period of two years.

### **Evidence and other material on which findings of material questions of fact were made**

In making findings of fact in relation to this decision, I considered the following evidence and other material:

- Endocoal Limited's water permit application lodged on 21 March 2017 and supporting information submitted along with the application;
- DNRM's request for additional information and Endocoal Limited's additional information response;
- The departmental investigation dated 25 May 2017;
- The Act, specifically sections 2, 7, 137-142, 1259, 1264 and 1266;
- *Water Plan (Fitzroy Basin) 2011*; and
- Fitzroy Basin Resource Operations Plan 2014

### **Findings on Material Questions of Fact**

I made the following findings on material question of fact in relation to Endocoal Limited's water permit application:

- The application was considered to be properly made.
- Under the Native Title Work Practice for specific 'Dealings under the Water Act 2000 and Sustainable Planning Act 2009' the proposed dealing did not require native title notification for parcels 4/RP617701, 1/SP164068, 2/RP616045, 4/SP170740 and 1/SP174071 since native title does not exist due to freehold tenure.
- The *Water Plan (Fitzroy Basin) Plan 2011* and the Fitzroy Basin Resource Operations Plan 2014 do not have any constraints on applying for or granting a permit to take underground water.
- In accordance with section 1266 of the Act, a reference to a resource operations plan can be taken to be a reference to the relevant section of the water management protocol.
- Section 138 of the Act has been considered.
- Endocoal Limited's numerical underground water model predicts only a limited extent of drawdown due to the proposed take. The information indicates that there will only be one existing bore (RN 24262) that is within the >1m contour extent.

- Information available indicates that although the predicted drawdown on this bore is only 1-2m, there may be potential adverse impacts due to the low water levels already within the bore.
- A condition has been applied to the water permit to require the authorisation holder to "make good" the supply of any adversely affected surrounding bores.
- A condition has been applied to the water permit to require monitoring and reporting of water use and underground water levels.
- Supporting information provided by Endocoal Limited indicated that the estimated drawdowns are not predicted to extend under local streams other than partially under Spring Creek to the south-west.
- The supporting information identified that groundwater level measurements indicated that groundwater does not contribute to the creek flow.
- The Meteor Downs South Project will provide economic and social benefits to the region and the State of Queensland.
- Water use efficiency has been considered during assessment of this application, and the volume applied for is considered appropriate for the intended purpose.

### **Reasons for the Decision**

Having regard to the material and findings referred to above, I have decided that the granting of this authority, subject to attached conditions will not have a significant long-term impact upon:

- The entitlement of existing entitlement holders and permittees; and
- The sustainable management of the local aquifers and any associated natural ecosystems.

### **Internal review**

A person given this notice may apply for an internal review of the decision within 30 business days after the day the notice is given. If you are dissatisfied, you may apply for a review of the decision. An internal review application must be made in accordance with sections 851, 861, 862 and 863 of the Act. Copies of these sections of the Act are enclosed. The application form must be supported by enough information to enable the reviewer to decide the application.



Daniel Larsen  
**Principal Project Officer (Hydrology)**

# Chapter 6 Reviews and appeals

## Part 1 Interpretation

### 851 Who is an *interested person*

- (1) A person who has been given an information notice or a compliance notice by the chief executive, or an authorised officer appointed by the chief executive, is an *interested person*.
- (2) However, if the decision for which the notice was given is in relation to a water resource plan or a resource operations plan, the interested person may appeal only to the extent a different decision, consistent with the plan, could have been made.
- (3) A ratepayer or customer of a category 2 water authority who is dissatisfied with the authority's decision about a rate or charge made and levied on the customer or ratepayer is an *interested person*.
- (4) The decision or action for which a notice was given under subsection (1) or the decision mentioned in subsection (3) is an *original decision*.

## Part 2 Internal review of decisions

### 861 Appeal or external review process starts with internal review

Every appeal against or application for external review of an original decision must be, in the first instance, by way of an application for internal review.

### 862 Who may apply for internal review

- (1) An interested person may apply for a review (an *internal review*) of an original decision mentioned in—
  - (a) section 851(1)—to the chief executive (the *reviewer*); or
  - (b) section 851(3)—to the chief executive officer of the category 2 water authority (also the *reviewer*).
- (2) The application must be—
  - (a) in the approved form; and
  - (b) supported by enough information to enable the reviewer to decide the application.

### 863 Applying for an internal review

- (1) The application must be made within 30 business days after—
  - (a) if the person is given an information notice about the decision or a compliance notice—the day the person is given the information notice or a compliance notice; or

- (b) if paragraph (a) does not apply and notice of the decision is published—the day notice of the decision is published.
- (2) The reviewer may extend the time for applying for an internal review.
- (3) On or before making the application, the applicant must send the following documents to any other person who was given an information notice about the original decision—
  - (a) notice of the application (the **submitter notice**);
  - (b) a copy of the application and supporting documents.
- (4) The submitter notice must inform the recipient that written submissions on the application may be made to the reviewer within 5 business days after the application is made to the reviewer.
- (5) The application does not stay the original decision.
- (6) The application must not be dealt with by—
  - (a) the person who made the original decision; or
  - (b) a person in a less senior office than the person who made the original decision.
- (7) Subsection (6)—
  - (a) applies despite the *Acts Interpretation Act 1954*, section 27A; and
  - (b) does not apply to an original decision made by the chief executive; and
  - (c) does not apply to an original decision made by a reviewer who is a category 2 water authority.

Attachment 4: Public notice under EP Act and MR Act



**PUBLIC NOTICE OF APPLICATION FOR MINING LEASE  
AND ENVIRONMENTAL AUTHORITY (MINING LEASE)**  
*Mineral Resources Act 1989 – Section 252B*  
*Environmental Protection Act 1994 – Section 211 (superseded\*)*

**Proposed Meteor Downs South– Mining Lease Application Number/s 70452 and for a term of 15 years–  
Emerald Mining District**

It is advised that application has been made for a mining lease and environmental authority under the provisions of the above mentioned Acts, for the mining/purpose of coal on the following land parcels within the Central Highlands Regional Council:  
L1 SP164068, L1 SP174071, L2 RP616045, L4 RP617701, L4 SP170740 and L18 RP617697.

**The application is located at approximately 30 kilometres South East of Springsure.**

The applicant(s) are: Endocoal Limited 100.00%

Date and time Applications Lodged: 29-APR-2011 10.30 AM

Mining activities to be carried out include: Coal mining and all associated purposes.

**Mining lease application documents**

The application documents consist of the Application for Mining Lease and copies of or extracts from the application documents, and the endorsed Certificate of Public Notification detailing the location and description of the land applied for (including surface area and access), may be inspected at the Department of Natural Resources and Mines office – Rockhampton or may be obtained by contacting the local mines office on (07) 4936 0362.

**Environmental authority documents**

The application documents for the proposal consist of the following:

Application form; Application Support documents 'Initial Advice Statement', Environmental Management Plan and draft Environmental Authority.

Copies of, or extracts from, the application documents may be inspected at the Department of Environment and Heritage Protection PO Box 413, Rockhampton or may be obtained by contacting Permit and Licence Management by phone on 1300 130 372 or by email on [palm@ehp.qld.gov.au](mailto:palm@ehp.qld.gov.au).

**Making a properly made objection**

It is advised that any person/entity may make an objection to the grant of the mining lease, and/or about the application for the environmental authority, the draft environmental authority for the application, or a condition included in the draft environmental authority. The **objection period**, during which objections can be given, concludes on 29 November 2013.

A properly made objection must be received on or before the last day of the objection period. It must also be made in writing, addressed to:

**Mines lodgement office – Rockhampton**  
**Department of Natural Resources and Mines**  
PO Box 3679  
Red Hill QLD 4701

A properly made objection is one that: states the grounds of the objection and the facts and circumstances relied on in support of the grounds; is signed and dated by each person/entity (i.e. signatory) making the objection; states the name and address of each signatory.

Intending objectors to the mining lease application may contact the local mines office on (07) 4936 0362 and obtain the approved objection form or obtain the approved objection form (MRA-20) from the department's website. [www.mines.industry.qld.gov.au](http://www.mines.industry.qld.gov.au).

Intending objectors to the environmental authority may contact the Project Officer Tony Baker Department of Environment and Heritage Protection on 1300 130 372 to obtain an objection form or obtain a copy from the departments website. **[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)**

A copy of the objection must also be served upon the applicant/s on or before the last day of the objection period at the following address:

Endocoal Limited  
Level 1, 37 Brandl Street  
EIGHT MILE PLAINS QLD 4113

*\* This notice is issued under transitional provisions of the current Environmental Protection Act 1994 section 683 – 'Effect of commencement on particular applications'.*