EPBC Act referral

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Title of proposal	2020/8778 - New Lenton Coal Project, 65kms north of Moranbah, QLD

Section 1

Summary of your proposed action

1.1 Project industry type Mining

1.2 Provide a detailed description of the proposed action, including all proposed activities

The proposed action is an open-cut coal mine with a life of mine (LoM) of approximately 17 years. The proposed action will produce a coking coal (a primary input for the production of steel) and thermal product for export. The mine will be up to 200 m deep consisting of two pits: Lenton West Pit and Lenton East Pit. The plan will be to mine the coal resources at an average rate of up to 1.9 million tonnes per annum (Mtpa).

The activities that are the subject of this referral will occur on Mining Lease (ML) 70337 and two infrastructure Mining Lease Application (MLA) areas, MLA 700053 and MLA 700054. The infrastructure MLAs will accommodate infrastructure to be established contiguous to ML 70337. Infrastructure MLA 700053 will be located on the north-western boundary of ML 70337, to accommodate the diversion of Ti-Tree Creek, flood levee and a portion of the Suttor Developmental Road re-alignment. Infrastructure MLA 700054 will be located on the south-eastern boundary of ML 70337, abutting ML 70109, to accommodate a portion of the haul road connecting to ML 70109 and the eastern extent of Suttor Developmental Road re-alignment.

Since the granting of ML 70337, the Lenton Joint Venture (LJV), an unincorporated joint venture between New Lenton Coal Pty Ltd and MPC Lenton Pty Ltd, has purchased a portion of the adjacent Burton Mine (ML 70109) located to the south-east of the proposed action. Once all approvals are granted for the proposed action, the LJV plans to operate the two mines concurrently. The proposed action will utilise the existing industrial facilities, coal handling and tailings disposal on the adjacent Burton Mine.

The proposed action incorporates ML 70337, MLA 700053 and MLA 700054. The total disturbance area is approximately 658 ha, comprising of open cut pits, in pit and out of pit waste rock dumps (WRDs), haul roads, Ti-Tree Creek diversion, flood levees, water management infrastructure, a Mine Infrastructure Area (MIA) and the re-alignment of Suttor Developmental Road.

The key elements of the proposed action include:

- The mining of economic coal resource from the Burton Rider, Leichardt and Vermont seams in two new pits on ML 70337: Lenton West and Lenton East pits;
- Construction of the re-alignment of the Suttor Developmental Road;
- Construction of a haul road inclusive of an underpass of the realigned Suttor Developmental Road, and a temporary heavy vehicle traffic light crossing of the Suttor Developmental Road during stage 1. This includes the construction of a bed-level crossing of the Isaac River;
- Removal of an Ergon high voltage power line that currently dissects the proposed Lenton West pit;
- Construction of the Ti-Tree Creek diversion to the north of Lenton East pit and into the Isaac River (a 'drainage feature' under the Water Act 2000);
- Construction of levees adjacent to the Ti-Tree Creek diversion and Isaac River;
- Management of overburden as part of the mining process, including the backfilling and reshaping of dumps in mined out areas, and surface water controls in all of these areas;
- Out of pit dumps to be established and the subsequent progressive backfilling of the Lenton East and Lenton West pits. This will form part of the project's standard operations, and future closure process, by allowing progression towards the final landform design;
- Utilisation of existing Burton Mine infrastructure including the CHPP and supporting infrastructure areas (e.g. workshop, administration etc);
- Water management infrastructure to integrate with the existing systems at Burton Mine. Sediment dams and drains will be constructed to capture stormwater runoff from WRDs;
- Construction of a Mine Infrastructure Area (MIA) providing wash-down, maintenance (servicing, repairs and tyre changes), spares laydown, and administration facilities for the mining operation;
- Continued use of the private haul road on ML 70109, to allow coal transportation to the Train Load-out (TLO), and
- Transport of product coal to export markets via the Goonyella rail line and a nominated export terminal.

The proposed action overview is provided on Figure 1, Figure 2 and Figure 3 attached to this referral.

1.3 What is the extent and location of your proposed action?

See Appendix B

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)

The proposed action is located within the northern part of the Bowen Basin and lies adjacent to the Isaac River, approximately 65 km north of Moranbah and 120 km south-west of Mackay within ML 70337, MLA 700053 and MLA 700054. The closest township, Glenden, is located approximately 20 km north of the proposed action. The area is dissected by the Suttor Developmental Road and is located near the intersection of the Suttor Developmental Road and Ellensfield Road. The Burton Coal Mine, also owned by the LJV, is immediately east of the proposed action.

The proposed action is located in the gently undulating valley defined by the Denham Range to the west and north, the Kerlong Range to the east, and Burton Range to the south. Bovey's lookout at 538 m elevation is located approximately 4 km west of the proposed action. The proposed action is crossed by the Isaac River, Hill Creek and Ti Tree Creek. Burton Gorge Dam is located immediately to the south of the proposed action area.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

Disturbance footprint: 658 ha.
Proposed action area: 1313 ha (Comprises ML 70337, MLA 700053 and MLA 700054).
Avoidance footprint: 655 ha

1.7 Proposed action location

Lot - Lot 9 on RP 903903 Freehold; Lot 12 on RP852465 Freehold; Lot 1 on SP159745 Freehold; Road reserve

1.8 Primary jurisdiction Queensland

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

☐ Yes ☑ No

1.10 Is the proposed action subject to local government planning approval?

☐ Yes ☑ No

1.11 Provide an estimated start and estimated end date for the proposed action

Start Date 01/01/2022
End Date 01/01/2039

1.12 Provide details of the context, planning framework and state and/or local Government requirements

The LJV believes the proposed action is a 'Controlled Action' under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The Queensland legislative context is summarised below.

Mineral Resources Act 1989 (MR Act)

A ML is required under the MR Act to conduct mining and associated activities. ML 70337 was granted on 26/06/2008. The LJV lodged MLA 700053 and MLA 700054 on the 1 October 2019, to accommodate supporting infrastructure.

Environmental Protection Act 1994 (EP Act)

An Environmental Authority (EA) under the EP Act is required for undertaking a mining activity authorised on a ML. MLA 700053 and MLA 700054 will not be granted until after the associated EA Amendment Application for the proposed action as assessed under the EP Act is issued. The existing EA (EPML00475513) requires amendment under the EP Act for changes associated with surface water infrastructure, road realignments, disturbance areas, final void design, and infrastructure mining leases for road and creek diversions, in addition to adding MLA 700053 and MLA 700054.

The EA Amendment Application for the proposed action was submitted to DES on 28 October 2019 and determined to be a 'major' amendment, but for which no EIS was required. DES issued a Request for Information, which has been responded to by the LJV on 16 June 2020.

Water Act 2000 (Water Act)

The Water Act provides for the management of water in Queensland, including watercourses and the construction, control and management of works that affect watercourses. Under the Water Act, a Water Licence may be required for taking or interfering with surface water, overland flow water or underground water. The Department of Natural Resources, Mines and Energy (DNRME) assesses and decides water licence applications.

Ti Tree Creek has been determined by DNRME as 'Not a Watercourse' under the Water Act and as such does not require a Water Licence to divert the course of flow. Authorisation under the Water Act is required for interfering with underground water via an Associated Water Licence (AWL). The LJV anticipate an AWL will be submitted in H2 2020.

Environmental Offset Act 2014 (EO Act) & Queensland Environmental Offsets Policy 2017 (EO Policy)

Under the EO Act and EO Policy, offsets are expected to be be required for the action. The EO Act provides for offsetting residual impacts on matters of national, State or local environmental significance. Offsets under Local, State and Commonwealth jurisdiction can be addressed under an Offsets Delivery Plan (ODP).

Native Title Act 1993 (NT Act)

The NT Act provides recognition for the rights and interests over land and water possessed by Australian indigenous people under traditional laws and customs. The NT Act sets out specified processes that must be followed for any 'future act' on land or waters that would affect native title rights and interests.

A native title claim, Widi People of the Nebo Estate #1 (QC2006/014), has been registered over a portion of the mining lease. This native title claim intersects the western most tip of the mining lease, on Lot 9 RP903903 of freehold tenure, which extinguishes native title. The remainder of the site is not subject to a current native title claim.

Aboriginal Cultural Heritage Act 2003 (ACH Act)

The ACH Act provides for the recognition, protection and conservation of Aboriginal cultural heritage in Queensland. Section 23 of the ACH Act sets out a cultural heritage duty of care. The duty of care requires land users to take all reasonable and practicable measures to ensure their activity does not harm Aboriginal cultural heritage.

Transport Infrastructure Act 1994 (TI Act)

The TI Act provides for the management of the national and State road network. A permit under the TI Act is required to work in, or interfere with, a State-controlled road.

Stock Route Management Act 2002 (SRM Act)

The SRM Act provides for the management, designation and closure of stock routes.

Nature Conservation Act 1992 (NC Act)

The NC Act permits and licences interference with native wildlife. This includes for clearing native plants, tampering with animal breeding places and catching and relocating wildlife. The clearing of least concern plants will be exempt from requiring a clearing permit within an area that is not identified as high risk on the flora survey trigger map (i.e. where no endangered, vulnerable or near threatened (EVNT) plants are known to be present).

Vegetation Management Act 1999 (VM Act)

The VM Act regulates the conservation and management of vegetation communities and provides protection for regional ecosystems classified as 'endangered', 'of concern' or 'least concern' under the VM Act. The clearing of native vegetation for the action is contained within MLs and is therefore exempt from the VM Act.

Biosecurity Act 2014 (Biosecurity Act)

The purpose of this Act is to provide a framework for minimising and managing biosecurity risks.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders

The EA amendment application will be publicly notified in mid-2020 and stakeholders will be afforded the opportunity to provide submissions to DES during this period. There will also be a public notice period for MLA 700053 and MLA 700054, providing further opportunity for stakeholders to provide submissions.

As part of the work to finalise the assessment of impacts to water resources and the AWL, the LJV will complete a bore census of landholder bores to determine potential impacts to existing users of water resources. As a result, 'make good arrangements' will be negotiated and agreed with each affected landholder.

The LJV has engaged with Indigenous stakeholders with regard to Cultural Heritage matters and numerous on the ground surveys have been conducted.

The community is familiar with the proposed action given approval of mining activities on the adjacent lease (ML 70337) in 2008 and the adjacent Exploration Permits for Coal (EPC). Consultation with the community and landholders is ongoing as a result of exploration activities and operation of the existing Burton Mine. Consultation with Isaac Regional Council and DTMR has commenced regarding the proposed re-alignment of Suttor Developmental Road and proposed closure of adjacent stock routes.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project

- Ecological baseline assessment (Spring, 2004)

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- Assessment of MNES (Autumn, 2017)
- Ecological baseline assessment (Summer, 2018)
- Ecological baseline assessment (Autumn, 2018)
- Assessment of the greater glider (Spring, 2018)
- Ecological baseline assessment (Autumn, 2019)
- Terrestrial Ecology Impact Assessment (AARC, 2019)
- Aquatic Ecology Impact Assessment (AARC, 2019)
- Environmental Offset Strategy (AARC, 2019)
- Air quality impact assessment (SLR, 2019)
- Noise and vibration assessment (SLR, 2019)
- Surface water assessments and flood study (GHD, 2018)
- Surface water assessments and flood study (SLR, 2019)
- Hydrogeological Study (GHD, 2019)
- Groundwater Modelling Report (GHD, 2019)
- Land resources impact assessment (SLR, 2019)
- Visual amenity assessment (SLR, 2019)
- Groundwater Modelling Report (SLR, 2020)
- Conceptual model update report (SLR, 2020)
- Trigger-limits report (SLR, 2020)

1.15 Is this action part of a staged development (or a component of a larger project)?

☐ Yes ☑ No

1.16 Is the proposed action related to other actions or proposals in the region?

☑ Yes ☐ No

1.16.1 Identify the nature/scope and location of the related action (Including under the relevant legislation)

The LJV has purchased a portion of the adjacent Burton Mine (ML70109) located to the south-east of the proposed action. The LJV plans to operate the two mines concurrently to utilise much of the existing mining infrastructure available at the Burton Mine, thus minimising the disturbance footprint for the proposed action. Mining run-of-mine (ROM) coal, management of topsoil and overburden at the proposed action area will be contained on ML 70337. The proposed action relies on the adjacent Burton Mine for coal processing, tailings disposal, and rail loadout of product coal. Operation of the Burton mine infrastructure does not result in a material enlargement, expansion or intensification of activities beyond those already contemplated for Burton mine.

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Section 2

Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

☐ Yes ☑ No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

☐ Yes ☑ No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

☐ Yes ☑ No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

☑ Yes ☐ No

Species or threatened ecological community

Brigalow TEC
(Acacia harpophylla - dominant or co-dominant)

Impact

No significant impact is likely from the proposed action. No clearing of Brigalow TEC will occur as a result of the proposed action.

Field surveys identified 2.57 ha of Brigalow TEC within the proposed action area that are analogous with RE 11.9.1. These surveys showed that this TEC is outside of the disturbance area and therefore there is no potential for significant impacts to this community. Refer to Figure 4 attached to the referral.

Brigalow dominant vegetation communities (RE 11.9.1 and brigalow regrowth) were identified in 3 small patches in the proposed action area, but not in the location of RE 11.9.5 as mapped by DES. TEC key diagnostic characteristics and condition threshold assessments were undertaken and determined a single patch (2.57 ha) met the criteria to classify as Brigalow TEC.

The brigalow regrowth patches may meet the TEC threshold, however it is unlikely to be more than 15 years since they were last cleared, and therefore not considered a TEC. For Brigalow regrowth to class as TEC, it must not have been cleared within the last 15 years. The spring (2004) survey report (Houston, Tucker & Black 2004), does not identify these areas as brigalow (neither remnant nor regrowth).

Species or threatened ecological community

Poplar Box Grassy Woodland on Alluvial Plains TEC

Impact

Likely significant impact on Poplar Box Grassy Woodland.

The Poplar Box TEC was listed on 4 July 2019, following all field surveys completed for the proposed action. The Conservation Advice (including listing advice) identifies five RE's that correspond to these TEC. Large areas of the proposed action area are analogous with RE 11.3.2 (Eucalyptus populnea woodland on alluvial plains) as mapped by DES and ground-truthed during the ecology surveys. Refer to Figure 4 attached to the referral.

The survey of RE 11.3.2 was not completed in accordance with key characteristics and condition threshold criteria to determine its eligibility as a TEC due to the community being listed as threatened following the completion of all field surveys. As such a precautionary principle has been applied and any areas that are comprised of RE 11.3.2 have been assumed to be

Poplar Box TEC and potential habitat critical to the survival of the community.

RE 11.3.2 was ground-truthed in several polygons in the proposed action area totalling 439.86 ha. Should all polygons ground-truthed as RE 11.3.2 meet the Poplar Box TEC key characteristics and condition threshold criteria, approximately 185.70 ha would be cleared as a result of the proposed action.

In this case, the action will likely result in a significant impact to the Poplar Box TEC. Direct clearing may increase fragmentation of the community, whilst mining activities and associated alteration of the landscape, will result in soil disturbance and changed drainage patterns.

An attached Environmental Offset Strategy (AARC, 2019) outlined MNES and MSES offset requirements for the proposed action. The Environmental Offset Strategy outlined that there is potential that not all of the impact area of RE 11.3.2 onsite would qualify as a Poplar Box TEC, although considered it highly likely that the majority will.

Species or threatened ecological community

Semi-evergreen vine thickets of the Brigalow Belt (north and south) and Nandewar Bioregions

Impact

No significant impact is likely from the proposed action. No Vine Thicket TEC is proposed to be cleared as a part of the proposed action.

Vine Thicket TEC is not known to occur within 50 km of the proposed action and is considered only likely to occur within 50 km buffer of the action area (PMST). It had not been previously identified on the surrounding EPCs (URS 2013b) and there is no REs that correspond to the TEC mapped by DES at the proposed action area. Field studies did not identify the presence of Vine Thicket TEC on or adjacent to the action area.

Species or threatened ecological community

Natural grasslands of the Queensland Central Highlands and northern Fitzroy Basin

Impact

No significant impact is likely from the proposed action. No Grassland TEC is proposed to be cleared as a part of the proposed action and no Grassland TEC was identified during field studies within the action area.

This TEC was identified as likely to occur within a 10 km buffer of the proposed action (PMST). There were no REs corresponding to this TEC mapped within the action area by DES, and all grassland communities within the action area were non-remnant pasture.

Species or threatened ecological community

Bertya opponens

Impact

No significant impact is likely from the proposed action.

Suitable habitat has been recorded within the proposed action area and the species has been recorded on surrounding EPCs. No other records of the species were found within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the action area.

The proposed action area contains a small amount of suitable habitat for this species in the far western area of the ML. Extensive amounts of suitable habitat is available to the west and south of the proposed action, and within the greater regional. A small amount of habitat for this species will be cleared as a part of the proposed action. The species has not been observed within this area or the any of the proposed action area.

Species or threatened ecological community

Marlborough Blue (Cycas ophiolitica)

Impact

No significant impact is likely from the proposed action.

Preferred habitat for this species has not been found to occur in the proposed action area and lies outside of the distribution. No records occur within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the action area. No habitat for this species will be cleared as a part of the proposed action.

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Species or threatened ecological community

King Bluegrass (Dichanthium Queenslandicum)

Impact

No significant impact is likely from the proposed action.
Preferred habitat and associated species has not been found to occur in the proposed action area. 30 records occur within 50 km of the proposed action.
Despite extensive flora surveys over several years and seasons this species has not been identified within the proposed action area. Government RE mapping identified RE 11.8.11 as present within the proposed action area, however, flora survey identified the area as non-remnant and dominated by introduced species and common pasture grasses.
The proposed action area does not contain preferred habitat of the species. No habitat for this species will be cleared as a part of the proposed action. It is unlikely that the New Lenton Mine will have a significant impact on this species.

Species or threatened ecological community

Bluegrass (Dichanthium Setosum)

Impact

No significant impact is likely from the proposed action.
Potentially suitable habitat in the form of grazing pastureland has been recorded within the proposed action area. One record exists within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the action area.
The proposed action area contains potentially suitable habitat for this species in the central region of the ML. Extensive amounts of more suitable natural grassland habitat is available to the northwest of the proposed action area. Some potential habitat for this species will be cleared as a part of proposed action, although the species has not been observed within this area or the any of the proposed action area.

Species or threatened ecological community

Black ironbox (Eucalyptus raveretiana)

Impact

No significant impact is likely from the proposed action.
Suitable habitat for this species occurs within the proposed action area in association with the Isaac River, however the proposed action lies approximately 30 km outside of the western boundary of this species natural coastal distribution. There are 27 records within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the action area. No habitat for this species will be cleared as a part of the proposed action.

Species or threatened ecological community

Omphalea celata

Impact

No significant impact is likely from the proposed action.
The proposed action area does not contain suitable habitat or landforms. Thirteen records exist within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the action area. No habitat for this species will be cleared as a part of the proposed action.

Species or threatened ecological community

Eungella hairy daisy (Ozothamnus eriocephalus)

Impact

No significant impact is likely from the proposed action.
The action area does not contain the suitable vegetation at suitable altitude to present suitable habitat. Ten records exist within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the action area. No habitat for this species will be cleared as a part of the proposed action.

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Species or threatened ecological community

Square tassel fern (Phlegmariurus tetrastichoides)

Impact

No significant impact is likely from the proposed action.

The proposed action area does not contain the suitable mix of vegetation and soils to present suitable habitat. Two records exist within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the proposed action area. No habitat for this species will be cleared as a part of the proposed action.

Species or threatened ecological community

Polianthion minutiflorum

Impact

No significant impact is likely from the proposed action.

Suitable habitat has been recorded within the proposed action area in the form of Acacia shirleyi and Corymbia aureola woodland on sandstone slopes in the far western portion of the ML. Extensive amounts of suitable habitat is available to the west and south of the proposed action, and within the greater region. A small amount of habitat for this species will be cleared as a part of the action. The species has not been observed within this area, any of the proposed action area, or surrounding EPCs. One record exists within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the proposed action area.

Species or threatened ecological community

Quassia (Samadera bidwillii)

Impact

No significant impact is likely from the proposed action. The proposed action area does not contain suitable habitat and lies outside of the species distribution. No records exist within 50 km of the proposed action. Despite extensive flora surveys over several years and seasons this species has not been identified within the proposed action.

Species or threatened ecological community

Greater Glider
Petauroides volans

Impact

No significant impact is likely from the proposed action.

The proposed action is considered unlikely to result in a significant impact to the Greater Glider for the following reasons:

- Limited clearing of habitat (6.73 ha of the available 148.92 ha)
- Clearing will not fragment the habitat or population
- There is considerable habitat available locally and in the surrounding region
- Dispersal opportunities to available habitat in the region will not be impacted, and
- The population within the proposed action area is not an 'important population' necessary for maintaining genetic diversity.

Known Greater Glider habitat was identified in the proposed action area along with several observations during field surveys. The riparian habitat in association with the Isaac River and Hill Creek (RE 11.3.25) represents the only suitable habitat of tall Eucalyptus spp. woodland with a high density of old trees, supporting an abundance of tree hollows. This habitat also provides connectivity to suitable habitat in the surrounding area and is likely used as dispersal corridors. Refer to Figure 5 attached to the referral.

Adjacent woodland areas represent habitat that has potential to be used for temporary foraging and dispersal but does not support adequate tree hollow abundance to support denning and breeding behaviour for a population. Occasionally, the species was observed in adjacent woodland, however it is noted the species was curious of the ecologists and would frequently approach from some distance. This potentially has resulted in more abundant records outside of their preferred habitat, particularly in areas such as the southwest portion of the action area, where a fauna site was located, and regularly visited during the evenings for trap checks and spotlighting.

The surveys identified 148.92 ha of preferred Greater Glider habitat in the proposed action area. Of this, 6.73 ha of critical habitat (4.5% of available habitat) is proposed to be cleared. The action will not fragment the habitat or population, and there is considerable habitat available in the surrounding region, and dispersal opportunity will not be impacted as movement

corridors will not be impacted.

The Approved Conservation Advice (2016) does not define any 'important populations'. Based on the guideline criteria, the Greater Glider population within the proposed action area is not known to be an 'important population' necessary for maintaining genetic diversity, has not been identified as a key population for breading or dispersal, and is not a population near the limit of the species range.

Species or threatened ecological community

Koala
Phascolarctos cinereus

Impact

No significant impact is likely from the proposed action. Numerous field surveys over 15 years have not detected the species within the proposed action area and the potential habitat identified in the proposed action area is not considered habitat critical to the survival of the species.

The koala was assessed against the MNES significant impact criteria (DoE 2013) as outlined in Table 31 of the attached Terrestrial Ecological Report (AARC, 2019). It was determined that there is no significant impact to the species for the reasons summarised below.

There is no known koala population within the proposed action area. Previous records from the surrounding area are not known to be indicative of an 'important population' necessary for maintaining genetic diversity, have not been identified as a key population for breading or dispersal, and is not a population near the limit of the species range.

There is habitat identified at the proposed action area as potentially suitable for Koalas, however no species presence or habitat usage has been documented. Numerous field surveys over 15 years have not detected the species within the proposed action area.

Potentially suitable habitat within the proposed action area is not considered necessary for foraging, breeding, denning, and dispersal. This habitat is not known to be necessary for the long-term maintenance of the species, to maintain genetic diversity and long-term evolutionary development, nor for the reintroduction of populations or recovery of the species. The potential habitat is not considered habitat critical to the survival of the species.

The surveys identified 695.67 ha of potentially suitable Koala habitat in the proposed action area. Of this, 211.06 ha is proposed to be cleared. Refer to Figure 5 attached to the referral.

Species or threatened ecological community

Squatter pigeon (southern)
Geophaps scripta scripta

Impact

No significant impact is likely from the proposed action.

Potential habitat for this species exists within the proposed action area and the species was recorded on the surrounding EPCs. There is no known important habitat or breeding sites within the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Species or threatened ecological community

White-throated needletail
Hirundapus caudacutus

Impact

No significant impact is likely from the proposed action.

Suitable wooded habitat occurs within the proposed action are and surrounding area. There is one record within 10 km of the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

The proposed action contains suitable wooded that the species may forage over, however it is unlikely to land. Extensive amounts of suitable habitat is available within the greater region. No important habitat for this species will be cleared as a part of proposed action.

Species or threatened ecological community

Northern quoll
Dasyurus hallucatus

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Ghost bat
Macroderma gigas

Ornamental snake
Denisonia maculata

Impact

Northern Quoll:
No significant impact is likely from the proposed action.
Limited potential habitat occurs within the rocky Eucalypt woodland escarpment in the west of the proposed action area. There are no confirmed records within 10 km of the proposed action, but records exist within 50 km, to the east, in association with the Great Dividing Range. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Ghost bat:
No significant impact is likely from the proposed action.
Preferred habitat is broad, and it is possible the species could utilise habitat within the proposed action area. There are no confirmed records within 10 km of the proposed action, however 3 records are within 50 km. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Ornamental Snake:
No significant impact is likely from the proposed action.
Very limited habitat for this species exist within the proposed action area in small isolated patches. There are no records exist within 10 km of the proposed action area, however confirmed records occur within 50 km. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

2.4.2 Do you consider this impact to be significant?

☑ Yes ☐ No

2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat?

☑ Yes ☐ No

Migratory species

Plegadis falcinellus
Glossy Ibis

Impact

No significant impact is likely from the proposed action.
The Glossy Ibis was confirmed at the proposed action area during the spring 2004 survey. Seasonable habitat is available within the area and suitable habitat in the surrounding region. Further, species records exist within 10 km of the proposed action area.
The Glossy Ibis is very common throughout eastern Australia and highly mobile. The proposed action area does contain important habitat critical to the survival of the species, however, extensive suitable habitat is available in the surrounding region. No important habitat for the Glossy Ibis will be cleared as a part of the proposed action and as such it is unlikely that the proposed action will have a significant impact on the Glossy Ibis.

Migratory species

Rhipidura (Howeavis) rufifrons
Rufous Fantail

Impact

No significant impact is likely from the proposed action.

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The Rufous Fantail was confirmed at the proposed action area during the spring 2004 survey. The proposed action area is within the known distribution of the Rufous Fantail. There is limited suitable habitat available in the proposed action area, however, is suitable habitat is found within the region. Further, there is a single record within 10 km of the proposed action area.

The Rufous Fantail is very common throughout eastern Australia and is highly mobile. The proposed action area does not present important habitat critical to the survival of the species. Extensive suitable habitat is available in the surrounding region. No important habitat for the Rufous Fantail will be cleared as a part of the proposed action and as such it is unlikely that the proposed action will not have a significant impact on the Rufous Fantail.

Migratory species

Common Sandpiper
Actitis hypoleucos

Impact

No significant impact is likely from the proposed action.

No suitable habitat for this species within the proposed action area and no known records within 50 km of the proposed action. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Fork-tailed Swift
Apus (Apus) pacificus

Impact

No significant impact is likely from the proposed action.

Suitable airspace over any habitat exists within the proposed action area. Strictly aerial, not known to land. Recorded within 50 km of the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Sharp-tailed
Sandpiper
Calidris (Erolia) acuminata

Impact

No significant impact is likely from the proposed action.

There is a small amount of habitat within the proposed action area limited to existing dams. The proposed action occurs at limit of distribution for this species. No known records within 50 km of the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Pectoral sandpiper
Calidris (Erolia)melanotos

Impact

No significant impact is likely from the proposed action.

There is a small amount of habitat within the proposed action area limited to existing dams. The proposed action occurs outside the distribution for this species. No known records within 50 km of the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

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Migratory species

Oriental plover
Charadrius (Eupoda) veredus

Impact

No significant impact is likely from the proposed action.
Study area occurs well outside known distribution and visitation in the region is exceedingly rare. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area. The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Oriental cuckoo
Cuculus (Cuculus) optatus

Impact

No significant impact is likely from the proposed action.
No suitable habitat occurs within the proposed action area. The species has been recorded within 50 km of the proposed action. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Latham's snipe
Gallinago (Gallinago) hardwickii

Impact

No significant impact is likely from the proposed action.
Some areas of ephemerally suitable habitat occurs within the proposed action area. Recorded within 50 km of the proposed action. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Caspian tern
Hydroprogne caspia

Impact

No significant impact is likely from the proposed action.
No suitable habitat within the proposed action area which is outside the primary coastal distribution. Recorded within 10 km of the proposed action area, in association with Lake Elphinstone. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Black-faced Monarch Monarcha (Monarcha) melanopsis

Impact

No significant impact is likely from the proposed action.
The proposed action area is at the limits of the species distribution. Recorded within 10 km of the proposed action area, in association with Lake Elphinstone. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.

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The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Yellow wagtail
Motacilla (Budytes) flava

Impact

No significant impact is likely from the proposed action.
The proposed action area occurs outside of primary distribution and lacks suitable wetland habitat. No records within 50 km of the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Satin Flycatcher
Myiagra (Myiagra) cyanoleuca

Impact

No significant impact is likely from the proposed action.
No suitable habitat within the proposed action area, which occurs at the boundary of distribution. One record within 50 km of the proposed action area. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Eastern Osprey
Pandion cristatus

Impact

No significant impact is likely from the proposed action.
The proposed action area lies on the edge of primary coastal distribution and does not support adequate wetland habitats to draw species presence. There is one record within 50 km of the proposed action. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Spectacled Monarch Symposiachrus trivirgatus

Impact

No significant impact is likely from the proposed action.
Limited habitat within the study area which occurs at the boundary of this species distribution. Records exist within 50 km of the proposed action. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

Migratory species

Common Greenshank
Tringa (Glottis) nebularia

Impact

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

No significant impact is likely from the proposed action.
One artificial dam onsite to provide limited habitat, however, the proposed action area lies outside of primary coastal distribution with only scattered inland records. There are no records within 50 km of the proposed action. Despite extensive fauna surveys over several years and seasons this species has not been identified within the proposed action area.
The proposed action does not contain important habitat for the species and no important habitat for this species will be cleared as a part of proposed action.

2.5.2 Do you consider this impact to be significant?

☐ Yes ☑ No

2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

☐ Yes ☑ No

2.7 Is the proposed action likely to be taken on or near Commonwealth land?

☐ Yes ☑ No

2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?

☐ Yes ☑ No

2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development?

☑ Yes ☐ No

Water resource

Surface Water

Impact

There is potential for a significant impact to surface water resources resulting from the proposed action.
The construction of the Ti-Tree Creek diversion and levees is required to protect pits from flood ingress. The diversion will cause minor localised impacts on the flow regime of the Isaac River that is not consider a significant impact. The flood model indicates the diversion will cause an increase in peak flood levels upstream of the action area in 50%, 2% and 0.1% APE events. Figure 6 and Figure 7 attached outline existing scenario and post mine scenario 0.1% APE flood extents.

There is expected to be localised impacts to the flow regime due to the changed Ti-Tree Creek confluence. The diversion will intersect the Isaac River 4.7 km upstream of the current confluence. There are not expected to be impacts on rare or flood flows as a result of this due to the critical duration of the two catchments which is not coincident.

It is noted that the diversion is the diversion of a drainage feature and is not a watercourse (as defined by Queensland's Water Act). As such doesn't require assessment against ACARP criteria.

There is a small risk of impacts to the downstream environment as it is most likely there will be no uncontrolled releases. If uncontrolled releases occurred (very low probability as modelled), this would occur in very wet years coinciding with flows in the Isaac River, and subsequently result in significant dilution.

Releases from the mine (controlled and uncontrolled) will affect the downstream water quality through the potential to introduce pollutants and alter water conditions, negatively impacting aquatic ecosystem values and stock watering downstream. Though this impact would likely be minor.

Potential impacts to water quality include:

- Sediment laden runoff entering adjacent waterways resulting in impacts to water quality
- Changes in the flood and flow regime resulting in changes to sediment transport and or increased erosion or deposition
- Changes to vegetation within the diversion resulting in deterioration of water quality
- Releases from the mine water management system (controlled and uncontrolled) will affect the downstream water quality, and
- The handling and storage of chemicals and hydrocarbons creates the potential for contaminants to enter the surface water system impacting on water quality.

The surface water assessment indicates that the proposed action is able to manage surface water impacts in accordance with DES standards and guidelines.

The salinity of the final void is predicted to increase significantly post closure due to the constant inflow from highly saline groundwater at 8900 µs/cm (a conservative assumption representing the 95% exceedance level observed at sampling bores). The predicted salinity values increase in excess of 18,000 µs/cm over 120 years post closure.

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Water resource

Groundwater

Impact

There is potential for a significant impact to groundwater resources resulting from the proposed action. Impacts on the regional groundwater regime were assessed by predictive groundwater modelling as per the attached Groundwater Modelling Report (SLR 2020). Draw down is illustrated on Figure 8, Figure 9 and Figure 10 attached to this referral.

Predicted groundwater inflows to the pit average 0.8 ML/day over the life of the proposed action. Associated with this inflow, the modelling predicts a steep groundwater cone of depression around the pit, mainly due to the low horizontal hydraulic conductivity of the units. The proposed action is predicted to result in long-term depressurisation of the coal seams in the vicinity of the mine.

Over the extent of Quaternary alluvium, there is a predicted average loss of approximately 0.65 ML/day and a maximum loss of 0.97 ML/day of water from the alluvium as a result of exercising the underground water rights for the proposed action. Interference of the alluvial groundwater largely relates to increased leakage to the underlying Permian coal measures that are depressurised as a result of the proposed action. The proposed action is predicted to result in lower water levels in the alluvium. The baseflow predicted by the groundwater model represents water moving through the shallow sediments in the base of the Isaac River under the surface. The model predicts a decrease in baseflow by an average of 0.45 ML/day over the life of the mine with a maximum of 0.60 ML/day. The extent and period of this impact is considered significant.

Long-term drawdown exceeding 10 m is predicted to be mostly contained within the proposed action area. An area of drawdown exceeding 10 m is predicted to extend up to 0.8 km northwest from the proposed action area.

The 5 m predicted drawdown contours for the Burton Rider Coal Seam and the Leichhardt / Vermont Coal Seams extend up to approximately 1.2 km from the northwestern side of the proposed action boundary, with the Leichhardt / Vermont Coal Seams 5 m predicted drawdown contour extending approximately 1 km to the northwest from the proposed action area.

In the water table the 2 m drawdown contour is predicted to extend less than 1 km from the proposed action area. Areas of water table drawdown greater than 5 m are predicted within 500 m of northwest of the proposed action area, with other areas of drawdown exceeding 5 m restricted to within the proposed action area. Outside of the Isaac River floodplain, these areas of water table drawdown do not coincide with identified receptors.

Burton Gorge Dam is located on the Isaac River immediately downstream of the proposed action area. Due to the dam being hydraulically connected to the groundwater of the alluvium and regolith, it is considered a potential receptor of groundwater drawdown arising from the proposed action.

Natural groundwater conditions will potentially be impacted by the alteration of physiochemical parameters or the increase in/introduction of chemical species as a result of the proposed action. In addition, groundwater level drawdown will potentially result in groundwater quality changes, where that drawdown results in changes in potentiometric head gradients sufficient to cause significant alteration of groundwater flow systems that might move groundwaters of different quality into different areas of the hydrogeologic system. Potential groundwater quality changes may manifest as:

- Changes to salinity and pH
- Modification of the ionic composition of water
- Introduction of potentially toxic levels of metal and metalloids to the groundwater, and
- Introduction of potentially toxic levels of ammonia from blasting activities.

Modelled groundwater levels at existing landholder bores show predicted drawdowns of between zero and 0.2 m as a result of the proposed action. Overall, negligible impacts on existing landholder bores are predicted as a result of the proposed action. The landowner bores (BA01 and BA02) are not predicted to show any impact from the proposed action in both 50th and the 90th percentile model predictions. Furthermore, groundwater quality within the Permian coal seams is generally not suitable for stock water supply with TDS in the loss of production range for most stock, with the exception of sheep, horses, and pigs. Landholder bore census is summarised on Figure 11.

Water resource

Groundwater Dependant Ecosystems

Impact

It is unlikely that proposed action will have a significant impact on GDEs as there is no identified aquatic GDEs in the area and the terrestrial GDEs (outlined on Figure 10 attached) associated with the Isaac River are unlikely to be reliant on groundwater aquifers for survival and are likely capable of surviving on soil moisture present in unsaturated shallow soil layers.

The groundwater modelling and GDE assessment identified no occurrence of aquatic GDEs due to the ephemeral nature of the waterways in the area and lack of wetlands, and consequently no potential for impact as a result of the proposed action.

To support the assessment of potential impacts to terrestrial GDEs as a result of the proposed action, a condition assessment of terrestrial GDEs associated with the Isaac River riparian corridor was undertaken, adjacent to the Burton North Pit (BNP) residual void at Burton Mine. The BNP void provided a practical test case for the proposed action, with up to 25

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years having elapsed since groundwater drawdown impacts may have commenced. The pit is located directly upstream of the proposed action, with the residual void located immediately adjacent to the same riparian community on the Isaac River. It was expected that any disturbance and impact from localised groundwater use/drawdown would have already been expressed within this reach of the Isaac River. The field study identified no evidence of dieback, and comparable levels of plant stress on dominant tree species potentially capable of accessing groundwater, between the transects surveyed adjacent to the BNP void and those within the proposed action area.

It was determined that possible GDEs present along the Isaac River are unlikely to be solely reliant on groundwater aquifers for survival. Rather the vegetation communities represent facultative GDEs, capable of surviving on soil moisture present in unsaturated shallow soil layers. This is demonstrated by the long-term survival of riparian vegetation immediately adjacent to the BNP void, where maximum drawdown impacts could be expected.

Overlay mapping shows that more areas of possible terrestrial GDEs lie outside of the drawdown zone. Of possible GDE areas within the drawdown zone; the groundwater model (SLR, 2020) shows that the majority of areas will be subjected to less than 2 m of drawdown, some would be subject to up to 5 m of drawdown, and a small area would be subject to the maximum 10 m of drawdown. A minor area of possible terrestrial GDEs occurs within the 20 m drawdown contour, however this almost exclusively lies within the mine shell, and would be removed via the operations of the mine. Further, and as outlined above, the field study determined terrestrial GDEs are unlikely to be reliant on groundwater aquifers for survival and are likely capable of surviving on soil moisture present in unsaturated shallow soil layers.

Remnant stretches of RE 11.3.25 were ground-truthed along the Isaac River riparian zone and REs 11.3.2 and 11.3.4 within the floodplain (AARC, 2019). RE 11.3.25 is associated with deep rooting systems of blue gum, Casuarina cunninghamiana (River she-oak), Corymbia clarksoniana (Clarkson's bloodwood), Moreton Bay ash and Melaleuca spp. REs 11.3.2 and 11.3.4 are associated with shallow and deep rooting species. The deep rooting species of these REs are known to have rooting depths between 10m and 12m.

Alluvial resistivity modelling demonstrated that high resistivity areas are constrained to the Isaac River riparian zone, and some areas immediately adjacent within the floodplain.

2.9.2 Do you consider this impact to be significant?

☑ Yes ☐ No

2.10 Is the proposed action a nuclear action?

☐ Yes ☑ No

2.11 Is the proposed action to be taken by a Commonwealth agency?

☐ Yes ☑ No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas?

☐ Yes ☑ No

2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area?

☐ Yes ☑ No

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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

The area of the proposed action currently supports low intensity grazing on mostly native and introduced pastures. There are large areas of clearing associated with farming activities and mining exploration activities. There are several farm dams and access tracks within the proposed action area, though no homesteads, or other major farm structures.

The area of the proposed action contains large areas of remnant vegetation, generally woodlands. Surveys identified 13 vegetation communities within the proposed action area. Of these, 10 communities are remnant and consistent with a single RE. Of the mapped vegetation communities, 2 were mapped as consistent with TECs under the EPBC Act.

A total of 228 flora species, represented across 51 families have been identified within the proposed action area. No flora species of conservation significance were identified within the study area. Of the 25 flora species of conservation significance identified with potential to occur within 50 km of the proposed action, six were assessed to have potential to occur within the proposed action area.

Approximately half of the proposed action has undergone clearing to develop improved pastureland, with areas of high disturbance being adjacent to dams, stockyards and old watering troughs. As a result, favourable conditions for weeds have led to local dominance of exotic grasses and other weeds.

Field survey recorded a total of 178 fauna species in, and adjacent to, the proposed action area. Which comprised of the following:

- 91 birds
- 44 mammals including 21 bat species (and an additional 3 unconfirmed species), 15 other native mammals and 5 non-native mammals
- 35 reptiles including 26 lizards and 9 snakes, and
- 8 amphibians.

There were several mammals observed during surveys, including bats, small ground dwelling mammals, macropods and arboreal mammals. One fauna species of conservation significance was identified in the proposed action area. The Greater Glider is a Threatened Species under the EPBC Act and was observed multiple times during several field surveys with distribution almost exclusively confined to the Eucalyptus tereticornis riparian woodlands along the Isaac River (RE 11.3.25).

Of the 30 MNES fauna species identified with potential to occur within 50 km of the proposed action, 17 were assessed to have potential to occur within the study area. Across the cumulative survey effort, 2 migratory species were identified. The study area does not contain important habitat for migratory species and is unlikely to result in a significant impact on migratory species identified in the desktop assessment or observed onsite.

Amphibian habitat in the study area varies seasonally due to the ephemeral nature of the water features and tropical climate. Water features in the study area and are likely to provide temporary habitat values during heavy rainfall periods. Several of these have been dammed and now function as artificial semi-permanent waterbodies that are likely to support amphibian habituation and breading during wet season periods, however these have little vegetation surrounding and heavy weed presence.

A larger diversity of avian species was observed in association to the riparian habitat of the Isaac River, as this habitat hosts suitable conditions for many bird species, including the largest availability of small to large hollows for nesting. The diversity of forage resources available in the surveyed habitats suggests that the proposed action can support a variety of native avian species. However, aquatic avian diversity is limited by the lack of suitable aquatic and wetland habitat.

The assemblage of mammals observed across the cumulative survey efforts varied greatly in morphology and habitat preference, ranging from microbats to macropods. The proposed action area offers a range of habitat types for mammals, primarily associated with a plentiful food source (i.e. seeds, grains and insects) and ground layer shelter from climatic pressures and predators. Hollow bearing trees occur in abundance along Hill Creek and the Isaac River, where woodlands have a low shrub layer and are dominated by a canopy of blue gum. Lesser quality habitat occurs away from the major waterway corridors, where hollow bearing trees are sparsely distributed. Possible roosting sites observed on the proposed action included tree hollows and exfoliating bark, particularly within Eucalyptus spp. and Corymbia spp. woodlands.

The proposed action area provided a variety of reptile habitat types such as vegetated drainage features, woodlands to open forests and rocky escarpments, including several microhabitats such as tree hollows, fallen timber, dense leaf litter, soil cracks and rock crevices.

3.2 Describe the hydrology relevant to the project area (including water flows)

Surface Water

The proposed action is located within the headwaters of the Isaac River Catchment. The Isaac River Catchment is part of the Isaac-Connors sub-catchment which is part of the Fitzroy River Basin. The Fitzroy River terminates south-east of Rockhampton, near Port Alma. The region is characterised by dry winters and wet summers. Annual average rainfall totals recorded 606 mm at Moranbah WTP, 565 mm at Moranbah Airport and 597 mm.

The proposed action area is relatively flat and encompasses a section of the Isaac River floodplain. The Isaac River runs north to south in the east of the proposed action area. Ti-Tree Creek and Hill Creek traverse the proposed action area,

generally flowing north-west to south-east into the Isaac River. The Isaac River flows into the northern arm of Burton Gorge Dam approximately 1.5 km downstream of the proposed action. Burton Gorge Dam also receives inflows from Anna Creek, Sandy Creek, Plumtree Creek and Teviot Creek via the southern arm and will not be affected by the proposed action. Daily streamflow data for flow and water level shows the ephemeral nature of the region.

The Ti-Tree Creek channel in the action area is 4.95 km with a fall of 26 m (average bed grade of 0.52%). The diversion of Ti-Tree Creek to the east, north of the proposed action area is required. The diversion flows into the Isaac River 4.7 km upstream of the existing confluence. Associated with the diversion, flood levees would be constructed to protect pits from flows which exceed the 10% AEP capacity. The levees will be designed and constructed to manage a 0.1% AEP flood event.

Groundwater

The study area is associated with five hydrostatigraphic units:

- Quaternary alluvial deposits associated with the Isaac River and its tributaries.
- Minor areas of Tertiary age basalts are in the Study Area.
- Regolith is comprised of weathered Triassic and Permian strata and hosts groundwater at various locations.
- Triassic age strata consist of the Moolayember Formation, Clematis Group, and the Rewan Formation.
- The Permian age Rangal Coal Measures are the primary resource target.

Hydraulic conductivity of the Permian coal seams is low ranging between 2.3 x 10-2 m/d and 9.7 x 10-4 m/d. Studies specific to the region indicate hydraulic conductivities of coal seams likely decrease with depth (i.e. down dip from action area). Recharge to the coal measures likely occurs along subcrop and outcrop via diffuse vertical flow. Rainfall recharge to coal measures was estimated at 0.5 mm/year, a recharge rate of 0.085 % of long-term average rainfall.

Several bores in the alluvium are dry, indicating the alluvium is unsaturated and does not form an aquifer. Groundwater is present in the alluvium near to the Isaac River, where groundwater elevations in most alluvial bores are between 8 to 16 m bgl. Groundwater flows generally south, coincident with topographic trends. Higher levels reported at a monitoring bore south of the proposed action are likely due to the tail waters of the Burton Gorge Dam. Monitoring data from bores in the action area suggests groundwater levels within the alluvium are up to 2 m higher than the underlying sandstone, indicating a downwards hydraulic gradient and that alluvium groundwater is not supported by inflows from underlying bedrock.

Monitoring data indicates that the groundwater flow direction in the regolith follows topography and potentially interacts with groundwater in the alluvium along drainages. Groundwater flow within the alluvial and regolith aquifers is likely limited and controlled by compartmentalisation due to stratigraphy of the strata. Regionally within the regolith, flow is expected to follow topography. There are insufficient bores to plot groundwater flow in the regolith. This lack of bores in the GWDB indicates this unit does not form a widespread aquifer.

Water quality samples indicate that water in the alluvium and regolith is generally suitable for stock water supply and irrigation but generally not suitable for drinking water and aquatic ecosystems. Water in the coal measures is generally not suitable for stock watering, irrigation, drinking and aquatic ecosystems.

There are 7 registered bores within a 10 km radius of the action area and none within the action area. A landholder bore census was completed in December 2018, identifying one bore (BA-01) within 10km of the action area as regularly used for stock watering.

Groundwater in the alluvium occurs at depths of 8 m to 16 m bgl, indicating the Isaac River is mostly disconnected from the alluvial groundwater system. Flow events typically occur following heavy rain and recede rapidly. This infrequency of flow suggests no groundwater baseflow to the Isaac River near to the proposed action site, from onsite tributaries, or from upstream sources. Monitoring and field observations show no evidence of baseflow supplied from groundwater systems.

3.3 Describe the soil and vegetation characteristics relevant to the project area

Soils

Within the area of the proposed action , three soil map units have been identified based on the dominant soil types:

- Brown Sodosol – the dominant soil unit is Brown Sodosol; however, there are minor soil units comprising Grey, Red and Yellow Chromosols. These are soils with strong texture contrast between the A horizon and B horizon, which, for Sodosols, is sodic but not strongly acidic (pH is greater than 5.5). The strongly sodic nature of the B horizon in Sodosols makes them prone to dispersion and tunnel erosion if left exposed for prolonged periods to water movement or rainfall. Both the topsoil and sodic subsoil may be stockpiled/windrowed for use in rehabilitation; however, the topsoil would need to be stripped from 100 mm to 400 mm, as appropriate for each individual soil unit and ameliorated with organic matter (e.g. manure) and fertiliser, and the sodic subsoils would need to be treated with a considerable volume of gypsum to ameliorate the sodicity.
- Black Vertosol – these are clay soils with shrink-swell properties that exhibit strong cracking when dry and at depth have slickensides and/or lenticular structural aggregates. These soils have topsoil material that can be stripped from 100 mm to 200 mm from the surface.
- Brown Vertosol – these are clay soils with shrink-swell properties that exhibit strong cracking when dry and at depth have slickensides and/or lenticular structural aggregates. These soils have topsoil material that can be stripped from 100 mm to 200 mm from the surface.

All soil profiles were above pH 5.5 and are considered nil risk as Acid Sulfate Soils, given their landscape position and also vegetation types present across the area of the proposed action.

Vegetation Communities

The proposed action area has been subject of multiple baseline ecological surveys. The attached Terrestrial Ecology Assessment (August 2019, AARC) consolidated the results of these surveys into a comprehensive assessment.

Remnant vegetation communities within the proposed action area consist of open woodlands and forests of Eucalyptus orgadophila (mountain coolabah), Eucalyptus populnea (poplar box), Eucalyptus tereticornis (blue gum), Corymbia tessellaris (Moreton Bay ash), Acacia harpophylla (brigalow), Acacia shirleyi (lancewood) and Eucalyptus crebra (ironwood). Other vegetation communities consist of monotypic stand of brigalow regrowth and pasture grasslands with varying non-remnant woodlands or shrubland.

Cleared pasture is dominated by introduced species such as Cenchrus ciliaris (buffel grass), Bothriochloa pertusa (Indian bluegrass), Chloris virgata (feathertop Rhodes grass), Dichanthium aristatum (Angleton grass), Melinis repens (red natal), and Urochloa mosambicensis (sabi grass). Introduced pasture grasses are also invading areas of 'remnant' grassy woodland and outcompeting native grasses. The banks of the Isaac River have also been heavily invaded by Megathyrsus maximus (green panic). A variety of other common weeds are present in the ground layer throughout the proposed action area which are commonly known to occur throughout the broader region.

A total of 13 vegetation communities have been ground-truthed within the proposed action area. Of these, 10 communities are remnant and consistent with REs. Of the mapped vegetation communities, 2 were mapped as consistent with the TECs described above (Poplar Box TEC and Brigalow TEC).

The details of REs associated with remnant and regrowth vegetation, and TECs is outlined in Table 13 of the attached Terrestrial Ecology Assessment (August 2019, AARC).

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

There are no outstanding natural features relevant to the proposed action area. The area does not support unique or outstanding habitat features, rather it is characteristic of modified habitats used for cattle grazing activities throughout the broader region.

3.5 Describe the status of native vegetation relevant to the project area

The proposed action area was found to generally comprise of remnant vegetation and cleared pasture areas for grazing. A total of 228 flora species were identified across the study area. No flora species of conservation significance were identified within the study area, however six species were identified as potentially occurring in the study area.

The history of clearing and grazing has resulted in heavy encroachment of invasive species into native vegetation communities. A total of 35 introduced flora species were identified within the study area, including 11 invasive species listed under the Biosecurity Act 2014 (Queensland). Of these, 5 species were also listed as Weeds of National Significance. These introduced pasture grasses are invading areas of 'remnant' grassy woodland and outcompeting native grasses.

Remnant vegetation communities within the proposed action area consist of open woodlands and forests of Eucalyptus orgadophila (mountain coolabah), Eucalyptus populnea (poplar box), Eucalyptus tereticornis (blue gum), Corymbia tessellaris (Moreton Bay ash), Acacia harpophylla (brigalow), Acacia shirleyi (lancewood) and Eucalyptus crebra (ironwood). Other vegetation communities consist of monotypic stand of brigalow regrowth and pasture grasslands with varying non-remnant woodlands or shrubland.

A total of 13 vegetation communities have been ground-truthed within the study area. Of these, ten communities are remnant and consistent with REs. Of the mapped vegetation communities, two were mapped as consistent with the TECs described above (Poplar Box TEC and Brigalow TEC).

The details of REs associated with remnant and regrowth vegetation, and TECs is outlined in Table 13 of the attached Terrestrial Ecology Assessment (August 2019, AARC).

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area

The proposed action is located in the gently undulating valley defined by the Denham Range to the west and north, the Kerlong Range to the east, and Burton Range to the south. Bovey's lookout at 538 m elevation is located approximately 4 km west of the proposed action.

The site is located at an elevation of approximately 300 m to 340 m Australian Height Datum (AHD). The southern and eastern boundary of the site are generally between 300 m and 315 m AHD with the highest point on the site along the north eastern boundary.

3.7 Describe the current condition of the environment relevant to the project area

Approximately half of the proposed action has undergone clearing to develop improved pastureland, with areas of high disturbance being adjacent to dams, stockyards and old watering troughs. As a result, favourable conditions for weeds have led to local dominance of exotic grasses and other weeds. The presence of weeds is high throughout the proposed action

area, including several weeds of management concern such as restricted invasive plants under the Biosecurity Act, and WoNS.

Extensive clearing for agricultural purposes in riparian areas has been undertaken across much of the proposed action area. This has resulted in the removal of riparian vegetation, which has led to a decrease in faunal habitat, including instream debris that contributes to aquatic fauna microhabitats. The removal of vegetation has also led to bank instability and erosion across many areas of the proposed action, which is exacerbated by direct stock access to the waterways.

Ti-Tree Creek has a narrow base width with steep banks which are heavily eroded. The upper sections lack riparian vegetation or ground cover on the bed and banks, with evidence of bank slumping. The channel can typically convey only a relatively small event before spilling onto the floodplain or adjacent high flow channels. The downstream reaches near the confluence with Isaac River, have improved stability. This is due to erosion down to bedrock which reduces future erosion as well as less evidence of extensive grazing and inclusion of a riparian vegetation corridor.

A site inspection in March 2019, found that the existing waterways of, Ti-Tree Creek, the Isaac River and other unnamed tributaries running through the proposed action area, had significant issues with erosion. It is likely that this is due the soil types being highly dispersive, such that disturbance of ground cover vegetation can lead to erosion which propagates along the waterway easily. In most cases, it was apparent that a change in flow regime (such as concentration of a flow path from a dam outlet or along a cattle track) allowed gully and sheet erosion to take place. Therefore, the highly dispersive nature of the soils will need to be noted and managed for any proposed waterway works.

3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project

There are no Commonwealth heritage places or other places recognised as having heritage values relevant to the proposed action.

3.9 Describe any Indigenous heritage values relevant to the project area

Cultural heritage surveys at the proposed action area have been undertaken since 2004. Cultural heritage surveys have been undertaken by both the Widi People and the Barada Barna People as the proposed action area is largely within an overlapping traditional owner area. Artefacts and areas of significance identified at the proposed action area have been located, recorded and then re-located for safe keeping or left in-situ as practical. Included in the identified artefacts on proposed action area are scarred trees. Scarred trees will need to be re-located as development proceeds, which will eventually be undertaken in accordance with the Aboriginal Cultural Heritage Act 2003 and related policies and guidelines.

There is a substantial area of the proposed action area yet to be surveyed for cultural heritage by both the Widi People and the Barada Barna People.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area

The proposed action area is located on ML 70337, MLA 700053 and MLA 700054. The prerequisite tenure for the MLAs are EPC 766 and EPC 865.

The proposed action area is located on:

- Lot 1 on SP159745 (freehold)
- Lot 9 on RP903903 (freehold)
- Lot 12 on RP852465 (freehold)
- Undeveloped road reserve adjacent to Ellensfield Road (road reserve), and
- Suttor Developmental Road (road reserve).
- Easement number 700143783 over Lot 12 on RP852465
- Stock Routes 831ISAA and 832ISAA.

3.11 Describe any existing or any proposed uses relevant to the project area

The proposed action area is predominately used for low intensity, dry-land cattle grazing as well as exploration associated with the proposed action. The proposed action area includes some farm fencing, farm dams, and access tracks. In addition, there are laydown areas, fences and temporary structures used for the exploration activities. There are no homesteads or other major farm structures in the proposed action area.

The Suttor Developmental Road intersects the proposed action area from east to west. It is both sealed and unsealed within the proposed action area. The intersection of Ellensfield Road, a private sealed road, is also located within the proposed action area. Ellensfield Road provides access to the North Goonyella Mine and North Goonyella Mine Camp.

Adjacent land uses include the Burton Coal Mine immediately to the east, Burton Gorge Dam to the south, and low intensity grazing of native pasture in all other surrounding areas. Two stock routes classified as “minor, open and unused” also traverse the proposed action area.

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 4

Measures to avoid or reduce impacts

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

Management measures for the proposed action include:

- Design of the Ti-Tree Creek Diversion will be prepared by a RPEQ
- Minimising the changes to the natural flow regime by reducing the footprint of water captured
- A release regime that is based on known flow and water quality thresholds to allow for good quality water to be released off site following periods of significant rainfall. This prevents good quality water increasing in salinity and maximises storage to manage extremes. This also maintains availability of water to downstream users at an appropriate water quality and minimises the risk of uncontrolled releases.
- Sediment dams, pit water storage and other water management structures (e.g. bunds and drains)
- Water management based on separation and management of clean and dirty water catchments
- Runoff will be diverted around operational areas
- Operation of the freshwater dam will minimise the impact of the flood levee's on natural flow
- Runoff from disturbed areas will be diverted to sediment dams for treatment and possible reuse
- The REMP and water quality monitoring program will incorporate construction, operation and decommissioning phases
- Monitoring points will be installed to monitor controlled releases
- Progressive rehabilitation will be undertaken as operational areas become available
- Hazardous and dangerous substances will be managed as outlined by current standards and guidelines
- Existing SOP for spills and emergency response will be expanded
- Management plans for the Ti-Tree Creek diversion and flood levees will be developed
- A Groundwater Monitoring and Management Program (GMMP) will be prepared. The GMMP will address groundwater level and quality monitoring in all identified hydrogeological units, validation of the groundwater model, monitoring throughout all phases of the mine life, identifying monitoring bores that will be replaced, monitoring of groundwater levels at landholder bores and install additional monitoring points.
- An environmental offsets strategy has been developed and is attached (AARC, 2019). This strategy prioritises offsets under the EPBC Act
- A qualified fauna spotter catcher/s will be present for vegetation clearing works
- Linear infrastructure will be designed to minimise habitat fragmentation
- The Weed and Pest Management Plan will be updated prior to commencement of activities on site
- Rehabilitation strategy will include provision for monitoring of progress over the life of the action
- Appropriate vehicle speed limits will be implemented
- Appropriate erosion and sediment controls will be installed and maintained
- Waterway crossings will be designed to minimise impacts on fish passage, seasonal water flows, and disturbance to riparian vegetation

Ti-Tree Creek diversion will be managed as follows

- Works to be undertaken in dry weather and conditions of minimal or no flow
- Temporary waterway barriers during construction to prevent flows prior to completion
- Weather conditions will be monitored so to avoid work if rain is forecast
- Sedimentation fences and bunds will be used
- Excavated material will be stockpiled away from gully heads, active creek banks, bank erosion or other unstable areas
- Assessment of the integrity and effectiveness of erosion control measures
- Vegetation will be established as a priority
- Will be self-sustaining and include geomorphic and vegetation features of regional watercourses and the surrounding landscape
- Annual monitoring of the diversion and associated levees will be carried out in accordance with the EA conditions by a suitably qualified person and remedial action undertaken if required.

Management measures to avoid and reduce environmental impacts will be implemented for the proposed action's construction and operation. Environmental management plans will be developed as part of the proposed action's assessment and approvals phase. As part of the construction phase, a Construction Environmental Management Plan (CEMP) would be developed and form an important management tool for the proposed action's impacts and mitigation measures. The CEMP will incorporate environmental conditions from the Environmental Authority to form a framework for the ongoing management, monitoring, and reporting during construction and operation.

Design and implementation of possible groundwater management practices to minimise impacts on groundwater levels within the Isaac River alluvium would be considered by the proponent in the future, if future updated groundwater modelling predicts significant impacts to the degree that such measures are deemed required.

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved

The potential impacts of the proposed action on listed threatened species and communities have been assessed. The LJV has identified strategies to mitigate impacts of the proposed action, including minimising the disturbance footprint and the modification of Ti Tree Creek to return flows to the Isaac River to mitigate potential indirect impacts of the proposed action. If there are significant residual impacts to MNES, these will be offset in accordance with the EPBC Act Environmental Offset Policy.

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- ☐ World Heritage properties
- ☐ National Heritage places
- ☐ Wetlands of international importance (declared Ramsar wetlands)
- ☑ Listed threatened species or any threatened ecological community
- ☐ Listed migratory species
- ☐ Marine environment outside Commonwealth marine areas
- ☐ Protection of the environment from actions involving Commonwealth land
- ☐ Great Barrier Reef Marine Park
- ☑ A water resource, in relation to coal seam gas development and large coal mining development
- ☐ Protection of the environment from nuclear actions
- ☐ Protection of the environment from Commonwealth actions
- ☐ Commonwealth Heritage places overseas
- ☐ Commonwealth marine areas

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

This action is a controlled action for likely or potential impacts to Listed threatened species or any threatened ecological community and a water resource, in relation to coal seam gas development and large coal mining development.

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 6

Environmental record of the person proposing to take the action

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

The Lenton Joint Venture (LJV) is an unincorporated joint venture between New Lenton Coal Pty Ltd ACN 095 390 079 (NLC) and MPC Lenton Pty Ltd ACN 149 618 904 (MPC). NLC and MPC own the LJV assets as tenants in common in the participating interests of 90% and 10% respectively. New Lenton Coal Pty Ltd is a wholly-owned subsidiary of New Hope Corporation Limited. MPC Lenton Pty Ltd is a subsidiary of Mai-Liao Power Corporation, the largest independent power producer in Taiwan and a member of the Formosa Plastics Group, a petrochemicals and plastics conglomerate based in Taiwan.

Neither NLC nor MPC have been the subject of any environmental legal proceedings under any Commonwealth, State or Territory law that have resulted in fines or prosecution / have resulted in a conviction being recorded.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application

The project proponent, or its directors have not been convicted of any environmental offence under any Commonwealth, State or Territory law and have not been subject to any environmental related proceedings.

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

☑ Yes ☐ No

6.3.1 If the person taking the action is a corporation, provide details of the corporation's environmental policy and planning framework

A copy of environmental policy has been attached.

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

☑ Yes ☐ No

6.4.1 EPBC Act No and/or Name of Proposal

2012/6303 New Lenton Coal Pty Ltd/New Lenton Coal Project

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 7

Information sources

Reference source

New Lenton Mine Terrestrial Ecology Assessment (August 2019, AARC)

Reliability

Highly reliable

Uncertainties

The Poplar Box TEC was not listed at the time of the field assessment. The full suite of data required to determine the presence of the TEC (and its condition category) is not available.

Reference source

New Lenton Mine Environmental Offsets Strategy (September 2019, AARC)

Reliability

Highly reliable

Uncertainties

None known

Reference source

New Lenton Mine Surface Water Resources Report (May 2020, SLR Consulting), and

Reliability

Highly reliable

Uncertainties

None known

Reference source

New Lenton Mine Groundwater Modelling Report (May 2020, SLR Consulting).

Reliability

Highly reliable

Uncertainties

None known

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 8

Proposed alternatives

Do you have any feasible alternatives to taking the proposed action?

☑ Yes ☐ No

8.0 Provide a description of the feasible alternative

The location of the proposed action is defined by the nature of the deposit. Through extensive exploration, the deposit consists for the most part of the Rangal coal measures, namely the Leichhardt and Vermont seams, has been clearly defined. Therefore, the proposed action area is constrained by resource, geographic, environmental and feasibility considerations. As such the only project alternative to the one proposed, is to not proceed with the proposed action. The direct consequences of not proceeding with the proposed action are the potential loss of positive economic opportunities for the region. The potential positive impact of not proceeding with the proposed action is avoiding the potential environmental impacts. In this case, impacts on land, water and air (and associated physical, biological and social impacts) arising from the development of the proposed action would not occur.

8.1 Select the relevant alternatives related to your proposed action

☐ Timeframes
☐ Locations
☐ Activities

8.25 Do you have another alternative?

☐ Yes ☑ No

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 9

Person proposing the action

9.1.1 Is the person proposing the action a member of an organisation?

☑ Yes ☐ No

Organisation

Organisation name	New Lenton Coal Pty Ltd
Business name	
ABN	48095390079
ACN	
Business address	16/175 Eagle St, Brisbane City, 4000, QLD, Australia
Postal address	
Main Phone number	+61 7 3418 0500
Fax	
Primary email address	community@newhopegroup.com.au
Secondary email address	

9.1.2 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

☐ Small business
☑ Not applicable

9.1.2.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations *

☐ Yes ☑ No

9.1.3 Contact

First name	Andrew
Last name	Boyd
Job title	Chief Operating Officer
Phone	+61 7 3418 0500
Mobile	
Fax	
Email	aboyd@newhopegroup.com.au
Primary address	16/175 Eagle St, Brisbane City, 4000, QLD, Australia
Address	

Declaration: Person proposing the action

I, Andrew Boyd, on behalf of New Lenton Coal Pty Ltd and MPC Lenton Pty Ltd, **declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity.**

Signature: ..... **Date:** 4/9/2020

I, Andrew Boyd, on behalf of New Lenton Coal Pty Ltd and MPC Lenton Pty Ltd, **the person proposing the action, consent to the designation of** myself **as the proponent for the purposes of the action described in this EPBC Act Referral.**

Signature:.....**Date:** 4/9/2020

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Proposed designated proponent

9.2.1 Is the proposed designated proponent a member of an organisation?

☑ Yes ☐ No

Organisation

Organisation name	New Lenton Coal Pty Ltd
Business name	
ABN	48095390079
ACN	
Business address	16/175 Eagle St, Brisbane City, 4000, QLD, Australia
Postal address	
Main Phone number	+61 7 3418 0500
Fax	
Primary email address	community@newhopegroup.com.au
Secondary email address	

9.2.2 Contact

First name	Andrew
Last name	Boyd
Job title	Chief Operating Officer
Phone	+61 7 3418 0500
Mobile	
Fax	
Email	aboyd@newhopegroup.com.au
Primary address	16/175 Eagle St, Brisbane City, 4000, QLD, Australia
Address	

Declaration: Proposed Designated Proponent

I, Andrew Boyd, on behalf of New Lenton Coal Pty Ltd and MPC Lenton Pty Ltd, **the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.**

Signature: ..... **Date:** 4/9/2020

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Referring party (person preparing the information)

9.3.1 Is the referring party (person preparing the information) a member of an organisation?

☑ Yes ☐ No

Organisation

Organisation name	New Lenton Coal Pty Ltd
Business name	
ABN	48095390079
ACN	
Business address	16/175 Eagle St, Brisbane City, 4000, QLD, Australia
Postal address	
Main Phone number	+61 7 3418 0575
Fax	
Primary email address	asizeland@newhopegroup.com.au
Secondary email address	

9.3.2 Contact

First name	Ashley
Last name	Sizeland
Job title	Senior Environmental Advisor
Phone	+61 7 3418 0575
Mobile	
Fax	
Email	asizeland@newhopegroup.com.au
Primary address	16/175 Eagle St, Brisbane City, 4000, QLD, Australia
Address	

Declaration: Referring party (person preparing the information)

I, Ashley Sizeland, **declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.**

Signature: ..... **Date:** 03/09/2020

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Appendix A

Attachment

Document Type	File Name
action_area_images	Figures 1-4.zip
action_area_images	Figures 5-8.zip
action_area_images	Figure 9-11.zip
govt_approval_conditions	Attachment 1 EA Permit EPML00475513 NLM.pdf
govt_approval_conditions	Attachment 2 ML 70337 Resource authority public report.pdf
govt_approval_conditions	Attachment 3 ML 700053 Resource authority public report.pdf
govt_approval_conditions	Attachment 4 ML 700054 Resource authority public report.pdf
flora_fauna_investigation	Appendix A Terrestrial Ecology Assessment Part A.pdf
flora_fauna_investigation	Appendix A Terrestrial Ecology Assessment Part B.pdf
flora_fauna_investigation	Appendix A Terrestrial Ecology Assessment Part C.pdf
flora_fauna_investigation	Appendix A Terrestrial Ecology Assessment Part D.pdf
flora_fauna_investigation	Appendix A Terrestrial Ecology Assessment Part E.pdf
flora_fauna_investigation	Appendix B Environmental Offsets Strategy.pdf
hydro_investigation_files	Appendix C Surface Water Resources Part A.pdf
hydro_investigation_files	Appendix C Surface Water Resources Part B.pdf
hydro_investigation_files	Appendix C Surface Water Resources Part C.pdf
hydro_investigation_files	Appendix C Surface Water Resources Part D.pdf
hydro_investigation_files	Appendix C Surface Water Resources Part E.pdf
hydro_investigation_files	Appendix C Surface Water Resources Part F.pdf
hydro_investigation_files	Appendix D Groundwater Numerical Modelling Report Part A.pdf
hydro_investigation_files	Appendix D Groundwater Numerical Modelling Report Part B.pdf
hydro_investigation_files	Appendix D Groundwater Numerical Modelling Report Part C.pdf
hydro_investigation_files	Appendix D Groundwater Numerical Modelling Report Part D.pdf
corp_env_policy_docs	NHG Environmental Policy.pdf
trust-deed	20200902 - LJV clarification letter - EPBC Referral.pdf

Appendix B

Coordinates

Area 1
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Area 2
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