



**NEW HOPE**  
GROUP

## 1. Introduction



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# 1. Introduction

## 1.1. Revised Project Background

New Acland Coal Pty Ltd (NAC) currently operates the existing New Acland Coal Mine (the Mine), as a 4.8 million tonne (product coal) per annum (Mtpa) open cut coal mine on mining lease (ML) 50170 and ML 50216, adjacent to Mineral Development Licence (MDL) 244, under the approval of Environmental Authority (EA) EPML00335713.

NAC is proposing to develop the New Acland Coal Mine Stage 3 Project (the revised Project), which involves the extension of the Mine's operating life to approximately 2029 with the inclusion and progressive development of two new resource areas within MLA 50232. These resource areas are identified as the Manning Vale and Willeroo resource areas. The revised Project is expected to extend the Mine's operating life until approximately 2029.

NAC submitted an Environmental Impact Statement (EIS) in November 2009 for the New Acland Stage 3 Coal Mine Expansion Project (the original proposal), which involved the staged expansion of the Mine up to a capacity of 10 Mtpa. The original proposal was expected to extend coal production at the Mine until approximately 2042.

Since that time, the New Hope Group (NHG) liaised with the State and Commonwealth governments in the preparation of a Supplementary Report. Prior to the finalisation of the Supplementary Report, the NHG revised the Project's scope, in direct response to comments and concerns raised by Government and other stakeholders during the EIS process. The NHG understands the importance of properly securing its social licence to operate, and as a consequence, has made significant changes to the original proposal.

On 9 November 2012, the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) made a decision to accept a 'project variation' under Section 156B of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The revised Project will be assessed under the Bilateral Agreement between the Queensland and Australian governments.

An Environmental Authority (EA) under the *Environmental Protection Act 1994* (EP Act) is required for undertaking a resource activity, which includes a mining activity authorised under a ML. A single EA is required for all resource activities that are carried out as a single integrated operation. An application to amend EA EPML00335713 (to include MLA 50232) has been made for the revised Project.

The EM Plan has been prepared for the revised Project including the proposed EA conditions. Some of the proposed EA conditions for the revised conditions are stricter than the EA for operations at the Mine. The EM Plan has proposed transitional conditions that will take effect within 2 years of the commencement of construction activities to allow the Proponent to implement the proposed mitigation measures outlined in the EIS. More details on the proposed EA conditions can be found in the EM Plan in **Appendix J.19**.

This EIS presents the revised Project and describes the measures that will be undertaken to prevent or mitigate any potential adverse impacts on the environment. This EIS also addresses the potential for social impacts and presents mitigation strategies to manage any potentially adverse impacts.

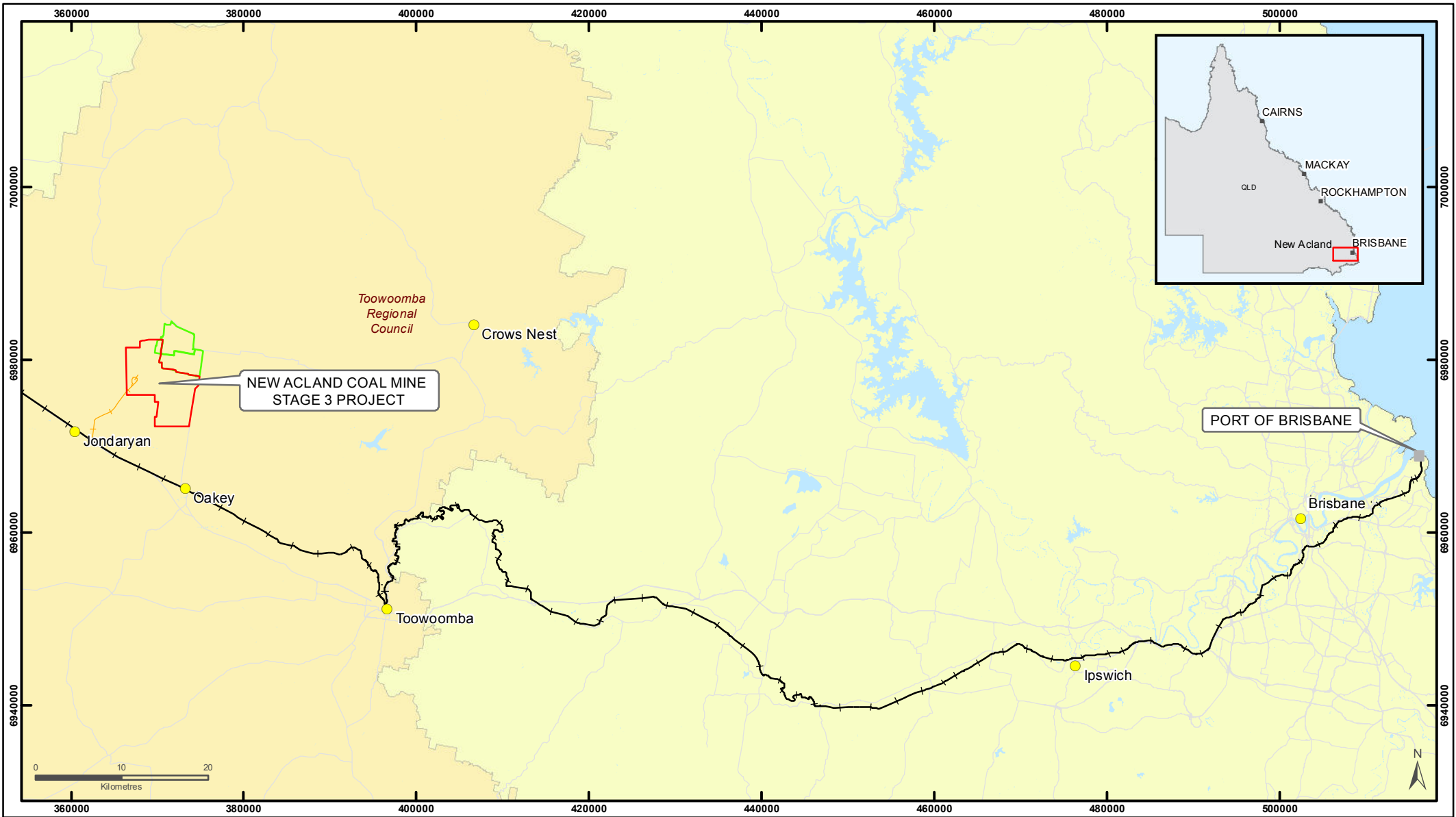
## **1.2. Regional Context**

The revised Project site is located within southeast Queensland's Darling Downs region 12 km north-northwest of Oakey, 35 km northwest of Toowoomba and 177 km west of Brisbane, Queensland's capital city. The revised Project location is depicted in **Figure 1-1**. Toowoomba is the closest regional centre to the revised Project and is one of Australia's largest provincial cities with a population of 90,000 (<http://www.toowoomba.org/>). Toowoomba is the economic hub of the Darling Downs.

The Darling Downs is located within the Condamine River catchment at the headwaters of the Murray-Darling Basin and is characterised by fertile soils and a long history of agricultural development. In recent times the Darling Downs, like many agricultural regions, has experienced significant change in land use activities driven by a combination of new policy initiatives, technological developments, changing commodity markets, and broader demographic and cultural shifts.

## **1.3. Local Context**

The revised Project site is located within the Lagoon catchment. Lagoon Creek is the main local water course and is an ephemeral creek which forms a tributary of Oakey Creek, within the greater Condamine River catchment. Lagoon Creek flows roughly across the middle of the revised Project site in a northeast to southwest direction. The elevation of the surrounding area ranges from 390 m above sea level at Lagoon Creek up to 525 m above sea level on a local basaltic ridge. The revised Project site average is 420 m above sea level.



**LEGEND**

- Towns and Localities
- Major Road
- Western Rail Line
- Revised Project Rail Spur
- New Acland Coal Mine Stage 3 Project MLA Boundary
- New Acland Coal Mine
- Local Government Area
- Water Resource



**NEW ACLAND COAL MINE  
STAGE 3 PROJECT**

**Figure 1-1  
Revised Project Location**

Scale 1:600,000 on A4  
Projection: Australian Geodetic Datum – Zone 56 (AGD84)



#### 1.4. Revised Project Description

The revised Project involves the extension of the Mine's operating life to approximately 2029 with the inclusion and progressive development of two new resource areas within MLA 50232. These resource areas are termed the Manning Vale and Willeroo resource areas. The revised Project will include mining in three new pits, namely, the Manning Vale West, Manning Vale East and Willeroo pits.

The key components of the revised Project are:

- continuation of the existing mining activities to progressively extend to parts of the Manning Vale and Willeroo resource areas within MLA 50232, located to the south and west of the current MLs 50170 and 50216;
- mining and out-of-pit dumps located on ML 50216;
- production of up to 7.5 Mtpa of product coal which equates to approximately 14 Mtpa Run-of-Mine (RoM) coal;
- production of up to 80.4 Mtpa of product coal over the life of the revised Project;
- maintenance of the existing thin seam coal mining equipment, continuation of the current open cut mining techniques and expansion of the truck and loader mining fleet;
- progressive disposal of coarse rejects to cells within the overburden dumps, along with fine tailings being disposed of in In-Pit Tailings Storage Facilities (ITSFs);
- emplacement of two out-of-pit spoil dumps associated with the Manning Vale and Willeroo mine pits;
- generation of three depressed landforms at the end mining by backfilling and re-profiling final mine pits;
- construction of Materials Handling Facility (MHF) on ML 50216;
- upgrade of the existing Coal Handling Preparation Plant (CHPP) complex, RoM and product coal stockpile areas and supporting infrastructure on ML 50170;
- continued use of tailings disposal within ITSFs located in-pit on ML areas;
- continued use of recycled water from the Wetalla Wastewater Reclamation Facility (WWRF) supplied from Toowoomba via an approved 45 km pipeline that is currently fully operational;
- continued use of a mine surface water management system involving various water management structures staged to accommodate the progressive development of the Mine and based on the principles of diverting clean water and capturing and reusing dirty water from disturbed areas;
- upgrades to the existing administration and heavy vehicle maintenance area on ML 50170;
- relocation and potential upgrade of the current power supply for the mine operation and the local 11kV distribution system;
- diversion of the Jondaryan-Muldu Road around the Manning Vale resource area;
- decommissioning of the Jondaryan Rail Loadout Facility (JRLF);
- construction of a new 8 km rail spur line and balloon loop from Jondaryan onto MLA 50232;
- construction of the Train Loadout Facility (TLF) within MLA 50232;
- relocation and potential upgrade of the existing local telecommunication network;

- development of a suitable 'off set' strategy to satisfy State and Federal requirements for clearance of significant vegetation within new operational areas (i.e. extent of surface rights areas) on MLA 50232;
- preservation of historical items within Acland;
- comprehensive progressive rehabilitation program involving continuous monitoring and reporting in line with the agreed post mining land use; and
- amendment of NAC's existing EA commensurate to the revised Project's size and scope.

A more detailed description of the revised Project is provided in **Chapter 3**. An overview of the revised Project layout is shown in **Figure 1-2**.

### 1.5. Project Terminology

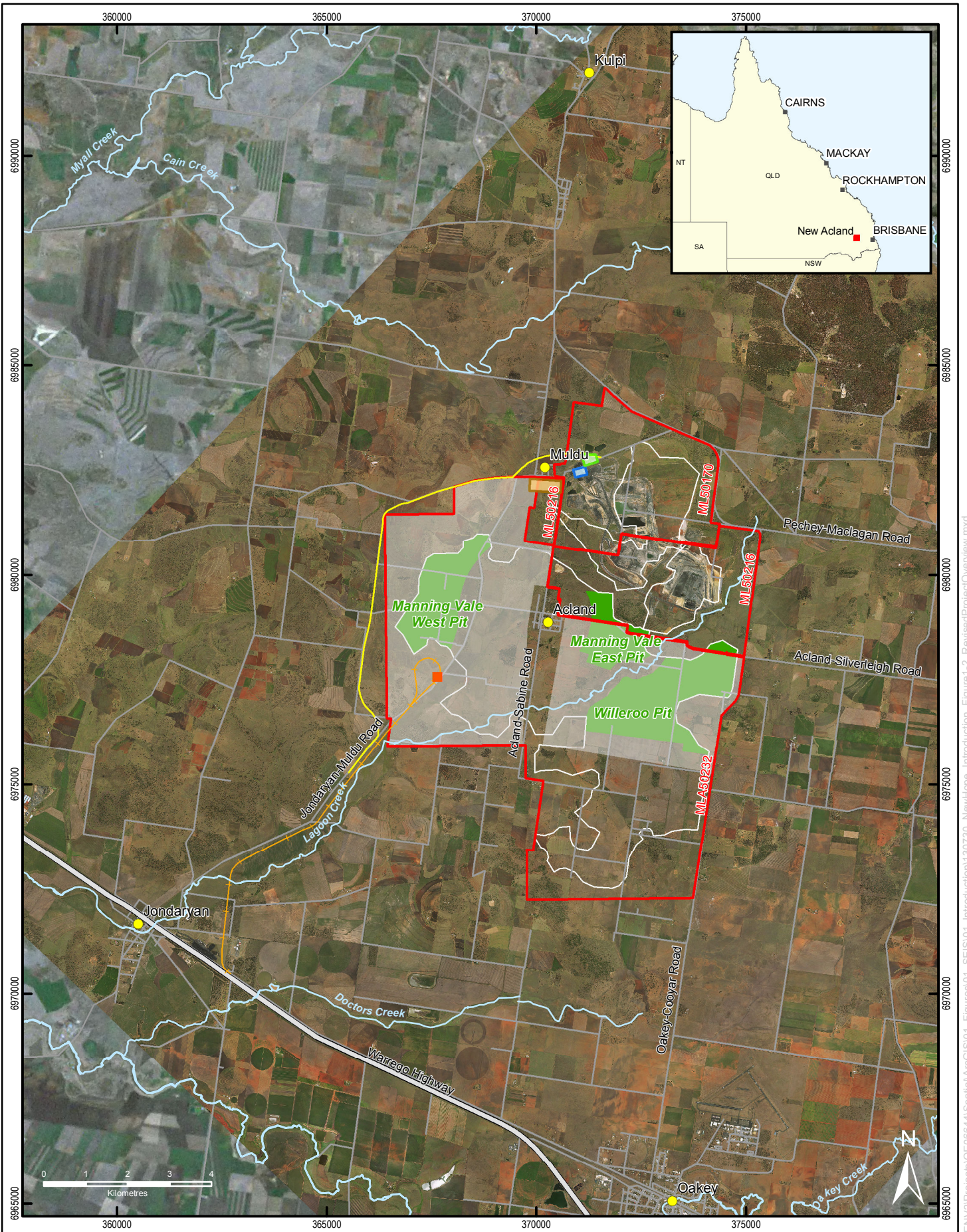
NAC will conduct the revised Project within MLA 50232 by only seeking 'surface rights' for mining over the proposed new operational footprint. NAC will not possess the legal right to conduct mining activities within other areas of MLA 50232 without obtaining further statutory approval under the *Mineral Resources Act 1989* (MR Act).

For the purposes of this EIS, the 'revised Project site' is defined by the following areas depicted in **Figure 1-2**:

- the proposed extent of surface rights area of land within MLA 50232;
- mining and out-of pit-dumps located on ML 50216;
- upgraded Mine Industrial Area (MIA) and CHPP Precinct on ML 50170;
- construction of MHF on ML 50216;
- the rail spur line and balloon loop and TLF; and
- the Jondaryan-Muldu Road diversion.

The 'Study area' is defined by the area outside of the 'revised Project site' that define the geographic limits of the environmental, social and economic impact assessment for the purposes of the EIS. The 'Study area' for each technical study is defined within the relevant chapter.





**LEGEND**

- Towns and Localities
  - Highway
  - Roads
  - Creeks
  - Mining Tenements
  - Stage 3 Pit Areas
  - Coal Resource Area
- Revised Project Site**
  - Train Loadout Facility
  - Rail Spur
  - Jondaryan-Muldu Road Diversion
  - Proposed Extent of Surface Rights Area
- CHPP Precinct
  - Material Handling Facility
  - Mine Industrial Area



**NEW ACLAND COAL MINE  
STAGE 3 PROJECT**

**Figure 1-2  
Revised Project Overview**

Scale 1:120,000 on A4  
Projection: Australian Geodetic Datum – Zone 56 (AGD84)



## 1.6. Project Proponent

The Project Proponent is NAC, which is a wholly owned subsidiary of New Hope Corporation Limited. New Hope Corporation Limited is an independent Australian company, publicly listed on the Australian Stock Exchange. Both NAC and New Hope Corporation Limited are part of the NHG.

The NHG has a highly successful record in the development and management of world-class open cut coal operations, including the Jeebropilly and New Oakleigh Mines (Closed) near Ipswich, the Mine near Toowoomba, as well as several exploration projects across Queensland. NHG maintains an environmental policy as well as various Health and Safety policies. Copies of these policies can be found in **Appendix A**.

- Environmental Policy
- Health and Safety Policy
- Fitness for Work – Fatigue Management
- Fitness for Work – Drug Management
- Fitness for Work – Physical and Psychological Impairment
- Employee Assistance Program
- Smoking Policy
- Equal Employment Opportunity Policy
- Recruitment Policy
- Landholder Engagement Protocol

The Mine has operated successfully since 2002 and has demonstrated a clear commitment to environmental management, as evidenced by its successful rehabilitation of mined land and its proactive engagement with the community.

NAC holds the tenements for the Mine. During the last 10 years, NAC has not been fined or prosecuted for any breach of environmental laws, further demonstrating its strong environmental record and commitment to environmental management.

The New Acland reserve is typical of the Walloon coal measures and is found in a multiple thin seam configuration. The attractive stripping ratios will enable NAC to utilise its proven expertise in thin seam mining and Walloon coal beneficiation to produce high quality, domestic and export thermal coal product. Further information concerning the revised Project can be obtained from:

Project Manager – New Acland Project

New Acland Coal Pty Ltd, PO Box 47, Ipswich, Qld 4305

Tel +61 7 3418 0500

Fax +61 7 3418 0355

Email [aclandinfo@newhopecoal.com.au](mailto:aclandinfo@newhopecoal.com.au)

Further information about the revised Project can be obtained from: [www.aclandproject.com.au](http://www.aclandproject.com.au).

## 1.7. Study Team

The EIS was compiled by NAC with the assistance of Sinclair Knight Merz (SKM). SKM also completed many of the technical studies supporting the EIS and prepared the Environmental Management Plan (EM Plan). Other consultants that prepared substantial parts of the EIS were:

- PW Baker and associates – Soils and Land Suitability;
- Converge Heritage + Community – Cultural Heritage;
- OPUS International Consultants – Cultural Heritage;
- Truescape – Visual Amenity; and
- Derwent Group Pty Ltd – Traffic and Transport.

The study team for the EIS is presented in **Appendix B**.

## 1.8. Project Rationale

The Mine is forecasted to deplete its reserves by 2017. The revised Project involves the extension of the Mine, increasing production from 4.8 Mtpa up to 7.5 Mtpa of thermal product coal. The revised Project will involve a conventional truck and loader operation, with a mine life until approximately 2029.

The revised Project will continue to produce a moderate in-situ ash content coal, with a calorific value between 6,000 and 6,850 (adb) kcal/kg energy for the domestic and export markets. The Project's thermal coal products are a highly valued energy resource that possesses lower sulphur content, produces less greenhouse emissions and provides a higher energy output than many alternative thermal coal sources.

The key objectives of the revised Project are to:

- establish and operate a sustainable and profitable coal mine;
- construct and operate a mine that complies with all relevant statutory obligations and continues to improve operations to ensure the highest possible standard of environmental management;
- construct, design and operate a mine that does not compromise environmental and social indicators and standards;
- make efficient use of current infrastructure, with upgrades and expansions for the required capacity increase;
- reduce disturbance to the environmental values by minimising the requirements for road and rail construction and the use of areas already disturbed for laydown and storage handling facilities; and
- use similar proven strategies to those adopted at the Mine, for example:
  - salvage and stockpiling of topsoil;
  - early and progressive rehabilitation of disturbed areas;
  - use of recycled water as the main water supply;

- protection of water quality by appropriate management systems; and
- adoption of appropriate landform designs to ensure sustainable final land use.

The revised Project is expected to provide the following benefits.

- The estimated capital cost of the revised Project is over \$896 million. A significant contribution will be made to the state's economy, estimated at approximately \$1,395 million per year during construction and operation (including direct, indirect and induced impacts), or a total of \$16.7 billion over the life of the project. A significant contribution to the Australian economy, estimated at approximately \$18.7 billion to Australian economic output over the life of the mine (including direct, indirect and induced impacts), which includes the contribution to the state economy outlined above. In the regional study area, the revised Project is estimated to contribute approximately \$3.9 billion over the life of the mine, including direct, indirect and induced impacts.
- Additional employment opportunities will be provided. The revised Project will directly employ up to 260 people during peak construction phase and approximately 435 people during the peak operational phase. In addition, there will be opportunities for local employment in construction, transport and the supply of goods and services.
- Significant capital will be invested to facilitate full production and further expenditure on replacement capital will occur over the life of the revised Project.
- The increased industrial activity in the region will generate wealth for many sectors of the local and regional economies. Oakey and the surrounding regional communities are expected to receive significant economic benefits over the life of the revised Project.
- Efficiencies will be provided by capitalising on existing infrastructure located at the Mine.

### 1.9. Relationship to Other Projects

The revised Project has undergone significant amendments to the original proposal to reduce impacts on environmental values. Many opportunities were identified to relocate existing and proposed infrastructure resulting in efficiency gains and environmental and property mitigation. The option's baseline assessment focussed on the identification of existing infrastructure used at the Mine and determined how it could be utilised for the revised Project. As an example, the Jondaryan-Muldu Road is to be used as an internal haul road for mine vehicles transporting product coal from the MHF to the TLF once the Jondaryan-Muldu Road diversion has been constructed.

A detailed assessment of the revised Project alternatives outlining the process to determine the preferred options is described in **Chapter 2**. Key project components described are mine planning, location and configuration of the CHPP and MHF, tailings management and the location of the TLF.

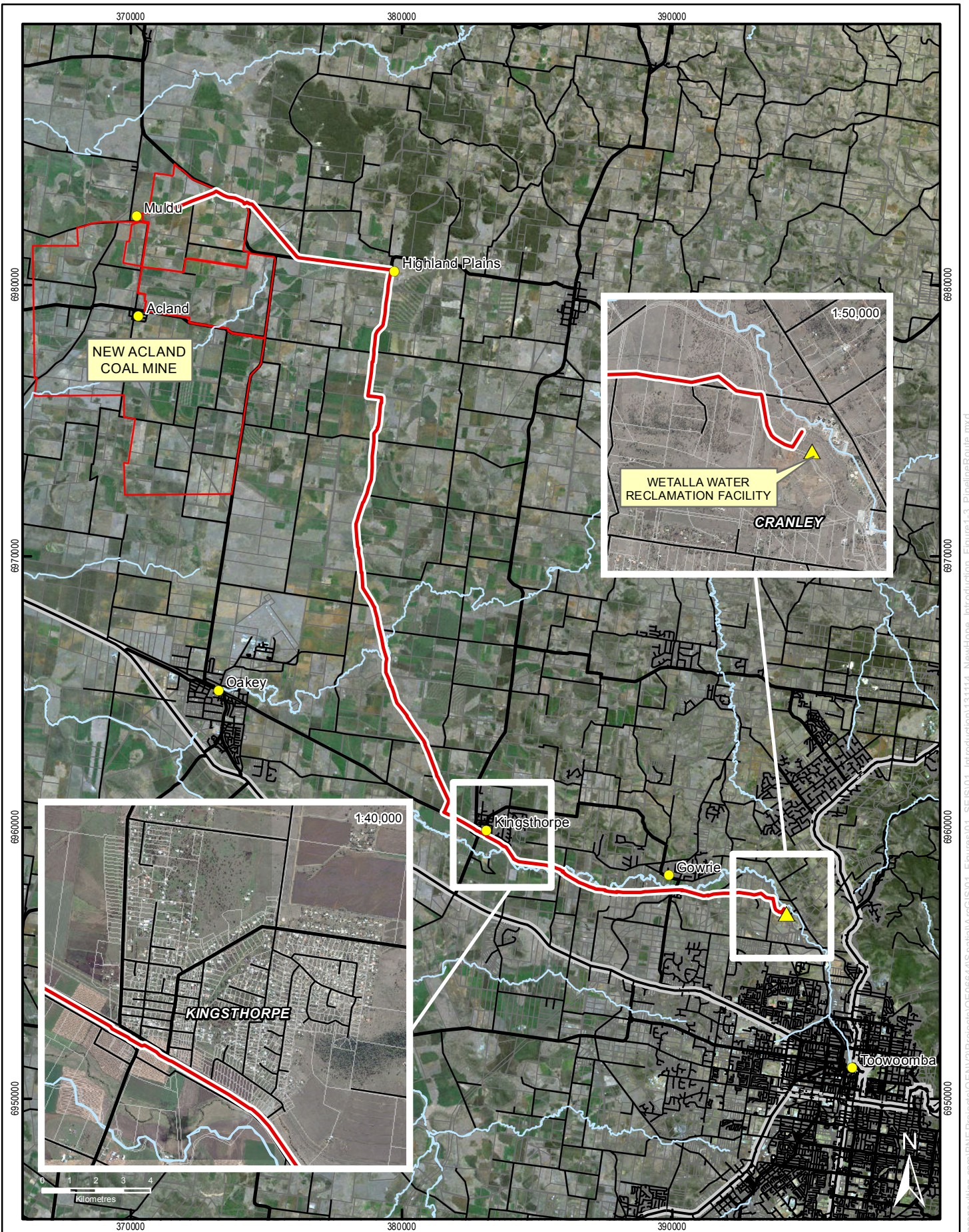
In addition, NAC commissioned a new water pipeline from the Toowoomba Regional Council (TRC) WWRf to the Mine in 2009. This project was subject to a separate approvals process under the *State Development and Public Works Organisation Act 1971* (SDPWO Act) for which an EIS was approved by the Queensland Coordinator General (CoG) during late 2008. A 43 year Agreement has been established between the TRC and NAC to supply the Project with Class A<sup>+</sup> recycled water up to a maximum of 5,500 ML per annum.



This Agreement is beneficial for both parties as it provides the TRC with an income stream for a traditional waste product and allows NAC to 'drought proof' and operate the Mine in a sustainable manner. This Agreement removes the current reliance on localised groundwater resources, which have been under extreme pressure from years of over allocation. The location of the pipeline is presented in **Figure 1-3**.

NAC are unaware of any project within the area that may be potentially affected by the revised Project.





**LEGEND**

- Towns and Localities
- Mining Tenements
- Proposed Pipeline Route
- Cadastre
- Waterways
- Road Network**
- Highway
- Main Road
- Local Road



**NEW ACLAND COAL MINE  
STAGE 3 PROJECT**

**Figure 1-3 - Wetalla Pipeline Route**



Scale 1:186,000 on A4  
Projection: Australian Geodetic Datum – Zone 56 (AGD84)



## 1.10. Project Alternatives

The original proposal involved the staged expansion of the Mine up to a capacity of 10 Mtpa and it was expected to extend coal production at the Mine until approximately 2042. In revising the Project, the NHG has actively responded to the comments and concerns raised by Government and other stakeholders. The revised Project takes into account circumstances occurring since the 'significant project' declaration in 2007 and includes submissions on the original EIS that raised concerns around environmental issues such as noise, air quality, vibration, the transport of coal, the diversion of Lagoon Creek and local heritage issues.

The revised Project includes a reduction in the active area of MLA 50232 from 5,069 hectares (ha) to 3,276 ha and a reduction in the total disturbance footprint by 2,614 ha through the avoidance of the southern areas of MLA 50232.

The key amendments to the original proposal are outlined below.

- No mining in the Sabine area and a reduction in the number of out-of-pit dumps from four to two.
- No final land voids remain at mine closure, instead final pits will be partially backfilled and re-profiled into depressed landforms.
- No diversion of Lagoon Creek.
- No closure of Acland and therefore no requirement to relocate the Acland War Memorial, Tom Doherty Park or heritage items from the Acland No.2 Colliery.
- Decommissioning of the JRLF.
- An increase in the separation distance from the township of Oakey from approximately 7 km to approximately 10 km.

The revised Project will allow the parent company, NHG, to expand its production capacity at the Mine to meet current and future market demands for its thermal coal products. The revised Project is particularly important considering the NHG's West Moreton Operations near Ipswich will exhaust current coal reserves in the near future.

The revised Project offers an opportunity for the NHG to expand its business base, improve profitability and increase its return to shareholders. The revised Project will boost economic activity within the Darling Downs region through direct and indirect employment, investment and business opportunities for the life of the revised Project and beyond.

Conceptual, technological and locality alternatives to the revised Project are detailed in **Chapter 2**.



## **1.11. The Environmental Impact Assessment Process**

### **1.11.1. Methodology of the EIS**

This EIS has been prepared to inform decision makers, affected parties, interest groups and the public about potential environmental issues relating to the development and operation of the revised Project and how these issues will be managed.

A draft Terms of Reference (ToR) for the revised Project was issued for public comment in December 2012. The 67 submissions received were considered by the CoG into the final ToR, which was issued March 2013.

The content of this EIS addresses items contained in the ToR issued by the CoG in March 2013. This EIS supersedes the EIS (November 2009) for the original proposal, and therefore the content of the original EIS will not be evaluated by the CoG in the future assessment of the revised Project.

This EIS will be made publically available for comment and submissions will be sought from individuals and organisations. After consideration of the EIS and submissions received, the CoG will review the EIS to identify any uncertainties or omissions. A Supplementary Report may be prepared to cover any additional matters of concern. A final decision on the overall acceptability of the revised Project will be made on the basis of the information provided in the EIS, and if necessary, the Supplementary Report.

The Environmental Impact Assessment (EIA) process allows for community consultation and protects the environment by comprehensive consideration of potential impacts and management strategies. The CoG is responsible for coordinating the EIA process for the revised Project.

### **1.11.2. Objectives of the EIS**

The objective of the impact assessment process is to ensure that all impacts, direct and indirect, particularly environmental, social and economic impacts are fully examined and addressed. The purpose of the EIS is to:

- provide public information on the need for the revised Project, alternatives to it, assess options and make informed decisions for its implementation;
- present the likely effects of the revised Project on the natural, social and economic environment;
- demonstrate how environmental impacts can be avoided, managed, or mitigated and the offsets for any residual impacts; and
- provide information to formulate the revised Project's EM Plan.

In accordance with Section 3.1 of Schedule 1 of the Bilateral Agreement, the EIS must:

- assess all relevant direct and indirect (and offsite) impacts that the action will or is likely to have;
- provide enough information about the action and its impacts to allow the Commonwealth Environment Minister to make an informed decision whether or not to approve the action; and
- address the matters set out in Schedule 4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (EPBC Regulations).

### 1.11.3. Structure of the EIS

This EIS is structured as follows:

#### Volume 1 and 2

- **Chapter 1** provides an Introduction, and summarises applicable legislation, approvals and objectives for the revised Project;
- **Chapter 2** provides a justification for the revised Project and covers sustainability issues;
- **Chapter 3** provides a detailed Project Description;
- **Chapters 4 – 19** covers the various elements of the environment, including social and economic, addressing potential impacts of the revised Project and the mitigation strategies to prevent or minimise impacts; and
- **Chapter 20** summarises the cumulative impacts for the revised Project.
- **Chapter 21** refers to the revised Project's EM Plan.
- **Chapter 22** summarises the conclusions and recommendations for the revised Project

#### Volumes 3, 4 and 5

Technical Appendices including:

- copies of NAC's corporate information, including the environmental policy and planning framework document and NAC's land acquisition protocols;
- a list of the relevant qualifications and experience of the key study team members and specialist sub-consultants;
- a comprehensive list of project approvals required for the revised Project;
- New Acland Coal Mine Stage 3 Project ToR (March 2013);
- Terms of Reference Cross Reference Table, which links the requirements of each section/subsection of the ToR with the corresponding section/subsection of the EIS, where those requirements have been addressed;
- project key policies and guidelines;
- supporting technical reports and data;
- EPBC Act Assessment;
- offset Strategy- state and federal;
- Environmental management framework;
- an EM Plan that describes management strategies to achieve acceptable environmental conditions and makes commitments about how impacts will be managed;
- consultation information; and
- a list of all commitments made in the EIS, with cross-references to the relevant section of the EIS.

### 1.11.4. Submissions

Any person, group or organisation can make a submission about this EIS to the CoG. Such submissions do not have to relate to the whole of the EIS and may relate to any aspect. Persons making a submission do not have to be an expert in any of the issues assessed in the EIS.

The EIS comments and submissions must be sent to the CoG within the comment period advertised in the notice about the EIS; be signed by each person who makes the submission; state the name and address of each person who makes the submission and state the grounds of the submission and the facts and circumstances relied on. A fact sheet and submission form will be published on the CoG's website.

All submissions, comments and enquiries regarding this EIS should be addressed to:

Post: The Coordinator-General  
C/- EIS Project Manager – New Acland Coal Mine Stage 3 Project  
Coordinated Project Delivery  
PO Box 15517  
CITY EAST QLD 4002 Australia  
Fax: +61 7 3452 7486  
Email: [newaclandproject@coordinatorgeneral.qld.gov.au](mailto:newaclandproject@coordinatorgeneral.qld.gov.au)

The CoG and Advisory Agencies will consider public submissions in making decisions in relation to the revised Project. The CoG will coordinate the consultation process between NAC, the Advisory Agencies and the public and will collate and review all comments received on this EIS. NAC may then be required to prepare a Supplementary Report addressing the comments submitted by the Advisory Agencies and the public. At the conclusion of the EIS process the CoG will prepare a report evaluating the EIS, namely, the Coordinator-General's Assessment Report.

For associated infrastructure located off mining lease, subsequent approvals may be required under the *Sustainable Planning Act 2009* (SPA). The process for assessing and deciding development under the SPA is the Integrated Development Assessment System (IDAS). A submission made in relation to the EIS is taken to be a submission for a later impact assessable development application under the SPA. For certain types of applications made under the SPA, there is opportunity for the public to comment and submit these comments for consideration in the decision making process. Specifically, if an application requires impact assessment it will go through the Notification Stage of IDAS. The notification stage is a defined period whereby the public can view all application documentation and submit comments to the assessing authority. If a member of the public submits comments (known as a submitter) during the defined period, they also secure the right to appeal to the Planning and Environment Court about the decision. Upon a decision being made, the submitter will be sent a copy of the decision. If the submitter disagrees with the decision, conditions included in the decision, or not included in the decision, the submitter may appeal to the Planning and Environment Court.

### **1.12. Public Consultation Process**

The aim of the consultation process is to inform community members and other stakeholders about the revised Project to seek their input and to help facilitate the government decision process.

NAC has significantly increased engagement with the local community, industry organisations, local council and state government departments since mid-2012 and the announcement of the revised Project during November 2012. NAC has received positive feedback and support for the existing



operations through a dedicated Oakey Community Information Centre, mine open days, website enquiries, newsletters, local newspaper articles, audio visual material, fact sheets, billboards and visits by local community groups. On-going communication with community stakeholders has been formalised through the New Acland Community Reference Group which began during October 2012.

The NHG intends to work with and maintain open communication with the stakeholders on all aspects of the revised Project. Details of the public consultation process undertaken for the revised Project are provided in **Chapter 19**.

### **1.12.1. Community Engagement Activities**

Initial consultation for the original proposal was undertaken when a draft ToR was released for public comment in 2007. Consultation about the original EIS occurred between July 2007 and December 2008, with the draft EIS released in November 2009. A community information session was also held when the Supplementary Report for the original proposal was publicly released in August 2011.

During the public display sessions for the original EIS, held in Jondaryan and Oakey, the key community comments and concerns included:

- timing and location of the Project;
- the type of mining and facilities planned for the Project;
- how the coal will be railed or transported by road;
- environmental issues such as noise, dust, vibration, groundwater impacts, climate change and impacts to water ways, flora and fauna;
- remnant vegetation conservation;
- proposed mine rehabilitation activities;
- impacts on existing social services;
- impacts of community health and wellbeing;
- employment opportunities;
- the location and content of the 'Acland Heritage Precinct';
- items of heritage significance from Acland;
- impacts from the JRLF;
- Lagoon Creek diversion and management; and
- the location, closure and design of local roads.

Consultation activities undertaken as part of the revised Project have revolved around the announcement of the revised Project, the draft TOR and the EIS process. As part of a more open and consultative approach to engagement, NAC has also appointed a Community Liaison Officer, who acts as a key interface between the NAC and the Darling Downs community for the revised Project. This officer, who is based in the Oakey Community Information Centre, regularly meets with local residents and community groups to provide information about the revised Project and also seek their feedback.

When the revised Project was announced in November 2012, consultation activities included a letter to key stakeholders, media release, Australian Stock Exchange (ASX) statement, a fact sheet, dedicated website information and series of individual briefings with neighbouring residents, key community groups and government agencies. The NAC Community Liaison Officer also attended a number of local community meetings and events where information was provided about the revised Project.

As part of the New Acland Community Reference Group, a number of presentations and discussions have been held regarding the revised Project.

Engagement activities relating to the draft ToR included on-going stakeholder briefings, updated website information, a media release and advertisement about two community information sessions held in the Oakey RSL at the beginning and end of the eight week notification period. Nine fact sheets and posters were displayed at these sessions. Key issues raised by stakeholders at these sessions included:

- timing and location of the revised Project;
- road access to Acland, the Jondaryan-Muldu Road diversion and potential upgrades;
- heritage of Acland and mine site – opportunity for preservation;
- impact on SCL;
- concerns about potential effects on bores, groundwater and basalt water tables;
- concerns about effects on neighbouring properties and investments;
- buffer zone between Lagoon Creek and the Manning Vale and Willeroo mine pits;
- support for decommissioning of JRLF and interest in details;
- potential flooding impacts on Jondaryan as a result of the new TLF and the Mine;
- why land rehabilitation to grazing rather than cropping; and
- interest in representation on the New Acland Community Reference Group.

Following the release of the Final ToR in March 2013, engagement activities about the EIS process have included stakeholder letters, media releases, fact sheets, website and newsletter updates and community presentations. Ongoing stakeholder briefings have also been held with local residents, community groups and representatives, government agencies and the Community Reference Group to seek feedback relating to potential social impacts associated with the revised Project.

### **1.12.2. Stakeholder Engagement Plan**

NAC has developed a Stakeholder Engagement Plan for the revised Project. The key objectives of the plan are:

- inform the public about the revised Project's benefits;
- engage with the local community to generate a greater level of support for current and future operations;
- provide open, honest and timely communication with stakeholders;

- engage stakeholders and the community to capture their concerns or views and ensure they are understood by the team and considered in decision-making where possible;
- ensure early identification of potential stakeholder issues and implementation of appropriate mitigation strategies;
- build a positive reputation for the revised Project and the NHG in the community;
- target specific stakeholders to help identify potential social impacts and develop appropriate mitigation strategies;
- continue the long-term relationship between NAC and the stakeholders that is based on mutual trust and respect; and
- provide feedback to the stakeholders about their issues and concerns and how their feedback has been used.

To achieve the objectives outlined in the plan, the stakeholder engagement process has involved:

- planning for and implementing opportunities for the stakeholders to comment on the potential impacts of the revised Project;
- establishing flexible display and support facilities that maximise stakeholder involvement;
- recognising the contribution that NAC makes in the economic development of the region;
- obtaining, considering, managing and documenting stakeholder comments and issues of concern; and
- building on information developed by NAC during the planning process for the revised Project.

NAC has undertaken, and is continuing consultation, with the stakeholders for the revised Project as part of the EIS process.

### **1.12.3. Public Consultation**

Public consultation was undertaken for the revised Project as outlined in the Stakeholder Engagement Plan. A comprehensive analysis of the public consultation program is provided in **Chapter 19**. It includes:

- a list of stakeholders identified, including the Australian and Queensland governments, local government agencies, and/or the affected parties (as defined by the EP Act);
- criteria for identifying stakeholders and methods used to communicate with them;
- details of the activities conducted to date and the future consultation strategies and programs, including those during operational phase of the revised Project;
- a summary of the issues raised by stakeholders and the means by which the issues have been addressed;
- details of how consultation involvement and outcomes were integrated into the EIS process; and
- details of how consultation outcomes will be integrated into future site activities.

### **1.13. Project Approvals and Legislative Framework**

A comprehensive list of the relevant legislation and regulatory approvals plan for the revised Project is provided in **Appendix C**.

### **1.14. Planning Processes and Standards**

An assessment of the revised Project has been undertaken against the applicable State, regional and local plans, policies and guidelines to ensure that a full land use planning analysis has been completed and relevant land use planning issues are identified. This assessment is provided in **Chapter 4**.

The revised Project is consistent with the long term policy framework and will align as closely as possible with pre-existing plans. The key policies and guidelines considered as part of the EIS process are provided in **Appendix F**.

#### **1.14.1. Local Statutory Instruments**

The SPA establishes the framework for planning and assessment in Queensland. The IDAS is used to assess development and calls up other legislation as appropriate. As per Table 5, Schedule 4 of the SP Regulation, the revised Project is exempt from assessment against the local planning scheme. The revised Project is subject to a MLA process pursuant to the MR Act.

The revised Project is located within the TRC. The planning scheme in effect for the entire TRC's area is the Toowoomba Regional Planning Scheme (the Planning Scheme). The Planning Scheme has been prepared in accordance with the SPA as a framework for managing development in a way that advances the purpose of the SPA. Regardless of the exemptions of the mining activities under the SPA, a preliminary assessment of the revised Project has been undertaken against the SPA including applicable State Planning Policies (SPPs), regional plans and the Planning Scheme. This preliminary assessment is provided in **Chapter 4**.

Alternatively, activities off-lease are not considered exempt development provided they are not within a mining or infrastructure lease, and will need to be assessed and approved under the provisions of the Planning Scheme. NAC will work closely with the TRC to ensure that benefits to the region are maximised and potentially adverse impacts are prevented or mitigated.

#### **1.14.2. State Planning Instruments**

The provisions of the SPA enable the State Government to prepare and adopt SPPs.

SPPs are statutory planning instruments that relate to matters of State interest. SPPs must be considered in the assessment of development applications lodged under the SPA. Relevant SPPs for the revised Project are addressed in detail in **Chapter 4**, and include:

- SPP 1/92 Development and Conservation of Agricultural Land;
- SPP1/02 Development in the Vicinity of Certain Airports and Aviation Facilities;
- SPP 2/07 Protection of Extractive Resources;



- SPP 3/10 Acceleration of compliance assessment;
- SPP 4/10 Healthy Waterways; and
- SPP5/10 Air, Noise and Hazardous Materials.

### **1.14.3. Regional Planning Provisions**

There are two regional planning documents of relevance to the revised Project:

1. Darling Downs Regional Plan (the Regional Plan) – a statutory document; and
2. Surat Basin Regional Planning Framework – a non-statutory document.

Similarly to SPPs, regional planning policy should be reflected within Planning Schemes, however Part 2 of the Planning Scheme identifies that these regional policies are not. It further identifies that the Planning Scheme may require further amendments to align and advance revised or future regional plans. Where a regional policy is not appropriately reflected in a planning scheme and there is any conflict between a regional policy and a planning scheme, the regional policy prevails.

A discussion on the applicability of the regional policies to the revised Project is provided in **Chapter 4**.

### **1.15. Accredited Process for Controlled Actions under Commonwealth Legislation**

The Environment Protection and Biodiversity Conservation Act (EPBC Act) prescribes the Commonwealth's role in environmental assessment, biodiversity conservation and the management of protected areas. Under the provisions of the EPBC Act, an action that is likely to have a significant impact on a Matter of National Environmental Significance (MNES) requires the approval of the Minister for Sustainability, Environment, Water, Population and Communities.

The revised Project is a controlled action under the EPBC Act. The controlling provisions are listed threatened species and communities. Queensland's EIS process has been accredited under the Bilateral Agreement for the assessment of the revised Project under the EPBC Act. The requirements of the EPBC Act are discussed in detail in **Chapter 7** and **Chapter 8**.