

NAC RIDA Amendment Application - Requirement Notice response.

On 30 August 2023, New Acland Coal Pty Ltd (NAC) received a "Requirement Notice" issued pursuant to s44 of the Regional Planning Interests Act 2014, in relation to NAC's application dated 25 July 2023 for an amendment of its regional interests development approval (RIDA), RIDA RPI19/009, originally granted on 25 August 2020. The Requirement Notice requested further information and clarification be provided to the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP), which was detailed in Attachment B of that notice.

Attachment B and the relevant request is outlined below, and includes responses with respect to each item.

RIDA Requirement Notice - Attachment B

Issue	Request for further information or clarification	Response
1	<p>The Shapefiles provided in support of the requested amendment detail incorrect locations for the Lagoon Creek crossing.</p> <p>The 'disturbance areas previous' Shapefile shows the crossing at the proposed amended location, whereas the 'disturbance areas' Shapefile details the crossing at the approved location. The 'disturbance areas' Shapefile also does not align with Figure 1 at Attachment 1c.</p> <p>Further, the Shapefiles detail that the Lagoon Creek Crossing disturbance area also intersects with Mining Lease (ML) 50216. However, that area is outside the scope of this requested amendment, which relates to ML 50232.</p> <p>It is noted that Figure 1 at Attachment 1c. also details the crossing in ML50216.</p> <p><u>Action:</u></p> <ul style="list-style-type: none"> (a) Update the 'disturbance areas previous' and 'disturbance areas' Shapefiles to correctly detail the approved location of the Lagoon Creek crossing and the proposed amended location. (b) Update the Shapefiles and Attachment 1c. to reflect the Lagoon Creek Crossing disturbance area subject of the requested amendment. 	<p>NAC has revised the shapefiles in relation to Lagoon Creek and provided a new GIS package containing only those shapefiles relevant to NAC's RIDA amendment application.</p>
2	<p>The Shapefiles detail a relocation of the internal haul road adjacent to Manning Vale West disturbance area to the current mining infrastructure area in ML 50216. If there is a proposed change to the location and/or extent of the internal haul road other than that at the Lagoon Creek Crossing, this needs to be confirmed in the material provided in support of the requested amendment (request material).</p> <p><u>Action:</u></p>	<p>NAC's RIDA amendment application is required to:</p> <ol style="list-style-type: none"> 1. align 'Attachment 2 – Approved Plan: Application Area & Indicative Disturbance Area' of RIDA RPI19/009 with 'Figure A1 - Project overview' of NAC's Environmental Authority EPML00335713; and 2. make a minor adjustment to the construction alignment of the approved Lagoon Creek haul road crossing to correspond with NAC's approved Estimated Rehabilitation Cost.

Issue	Request for further information or clarification	Response
	<p>Update relevant sections in the request material, detailing any proposed changes to the location of the internal haul road adjacent to Manning Vale West disturbance area.</p>	<p>Therefore, NAC's RIDA amendment application only involves changes to the mining boundaries of the Manning Vale West, Manning Vale East and Willeroo mining areas and the Lagoon Creek crossing alignment.</p> <p>No changes are proposed to any of the other mining infrastructure items approved by RIDA RPI19/009, and therefore, they are not included in NAC's RIDA amendment application. Consequently, it is confirmed that the internal haul road associated with the Manning Vale West area is not part of NAC's RIDA amendment application.</p> <p>As a result, NAC has removed the erroneous shapefiles and provided a new GIS package containing only those shapefiles relevant to NAC's RIDA amendment application.</p>
<p>3</p>	<p>Attachment 1b. Real property description for RIDA RPI19/009 and the proposed minor amendment application (Attachment 1b.) does not align with the Shapefiles, as the Shapefiles detail that the disturbance areas intersect with additional real property descriptions that are not included in this requested amendment. For example, the Shapefiles detail additional lots including Lot 1 RP142398 at the Willeroo disturbance area, Lot 140 RP25514 at the Manning Vale East disturbance area, and Lot 1 RL5240 at the Manning Vale West disturbance area. These real property descriptions are not included in Attachment 1b.</p> <p><u>Action:</u></p> <p>(a) Confirm the extent of the disturbance areas by real property descriptions and update the Shapefiles and/or Attachment 1b. as required.</p> <p>(b) Provide detail in Attachment 1a. Supporting information (Attachment 1a) to note that Shapefiles are based on ML boundaries not cadastral boundaries.</p> <p>(c) Provide a plan which demonstrates the location of the lots within each disturbance area.</p>	<p>The cadastre was used to align the GIS data. However, there has been slight changes in the cadastre data supplied from Queensland Government since the previous RIDA application. Minor adjustments have been undertaken to realign the paddocks data to coincide with the latest Queensland Government cadastre data obtained from QSpatial website.</p> <ul style="list-style-type: none"> • Disturbance areas are confirmed, lots in application are updated as per the latest Queensland Government cadastre data and will be provided in the GIS data package accompanying this application. • The indicative disturbance area aligns to the Mining Lease 50216 for Manning Vale East and Willeroo. The paddocks have been adjusted to align with the updated cadastre. Lots in application are a subset of the current cadastre as obtained from Queensland Government QSpatial website. <p>Figures have been updated to include lot and plan labels.</p>
<p>4</p>	<p>It is unclear whether the requested amendment includes changes to the location of the levees.</p> <p>Section 2 of Attachment 1a. does not detail any proposed changes to the location of the levees or to the approved area of surface disturbance of the levees in Table1.</p> <p>However, the proposed location of the levees in Figure 1 at Attachment 1c. is inconsistent with the location of the levees:</p>	<p>NAC's RIDA amendment application is required to:</p> <ol style="list-style-type: none"> 1. align 'Attachment 2 – Approved Plan: Application Area & Indicative Disturbance Area' of RIDA RPI19/009 with 'Figure A1 - Project overview' of NAC's Environmental Authority EPML00335713; and 2. make a minor adjustment to the construction alignment of the approved Lagoon Creek haul road crossing to correspond with NAC's approved Estimated Rehabilitation Cost.

Issue	Request for further information or clarification	Response
	<ul style="list-style-type: none"> • in the approved plan in the RIDA • in Figures 1 and 3 in Attachment 1f. Priority Agricultural Land Use Assessment ML 50232 (Attachment 1f.). <p>The Shapefiles align with Figure 1 at Attachment 1c.</p> <p><u>Action:</u> If the levees are included in the requested amendment, detail the requested amendments and update the Shapefiles and request material as required.</p>	<p>Therefore, NAC's RIDA amendment application only involves changes to the mining boundaries of the Manning Vale West, Manning Vale East and Willeroo mining areas and the Lagoon Creek crossing alignment.</p> <p>No changes are proposed to any of the other mining infrastructure items approved by RIDA RPI19/009, and therefore, they are not included in NAC's RIDA amendment application. Consequently, it is confirmed that the Lagoon Creek flood levees are not part of NAC's RIDA amendment application.</p> <p>As a result, NAC has removed the erroneous shapefiles and provided a new GIS package containing only those shapefiles relevant to NAC's RIDA amendment application.</p>
5	<p>It is unclear if the requested amendment includes the rail spur and loop, as they are not included in Figures 1, 3 and Appendix A in Attachment 1f.</p> <p><u>Action:</u> If the rail spur line and loop are included in the requested amendment, update figures as required.</p>	<p>NAC's RIDA amendment application is required to:</p> <ol style="list-style-type: none"> 1. align 'Attachment 2 – Approved Plan: Application Area & Indicative Disturbance Area' of RIDA RPI19/009 with 'Figure A1 - Project overview' of NAC's Environmental Authority EPML00335713; and 2. make a minor adjustment to the construction alignment of the approved Lagoon Creek haul road crossing to correspond with NAC's approved Estimated Rehabilitation Cost. <p>Therefore, NAC's RIDA amendment application only involves changes to the mining boundaries of the Manning Vale West, Manning Vale East and Willeroo mining areas and the Lagoon Creek crossing alignment.</p> <p>No changes are proposed to any of the other mining infrastructure items approved by RIDA RPI19/009, and therefore, they are not included in NAC's RIDA amendment application. Consequently, it is confirmed the rail spur and loop are not part of NAC's RIDA amendment application.</p> <p>As a result, NAC has removed the erroneous shapefiles, provided a new GIS package containing only those shapefiles relevant to NAC's RIDA amendment application, and as required, removed the rail spur and loop from the applicable figures to avoid confusion.</p>
6	<p>Table 2 in Attachment 1f. includes that Priority Agricultural Land Use (PALU) was undertaken on Paddock 4 in 2013. However, Section 5 in Attachment 1f. details that Acland Pastoral Company (APC) has not undertaken any PALU within the last ten years.</p>	<p>The letter from the APC Manager provided within Attachment 1f (Priority Agricultural Land Use Assessment ML 50232) provides confirmation that no PALU activities have been conducted within Mining Lease 50232 since the grant of RIDA RPI 19/009 on 25 August 2020. The APC Manager's confirmation letter does not</p>

Issue	Request for further information or clarification	Response
	<p>Note: Refer to Schedule 2, Part 1 of the Regional Planning Interests Regulation 2014 for the definition of land 'used' for PALU.</p> <p><u>Action:</u> Confirm if PALU was undertaken by APC on Paddock 4 during the time 2013 to 2022 inclusive, as per the PALU used test, and update Attachment 1f. as required.</p>	<p>refer to the last 10 years and was provided as additional evidence to support the amendment application.</p> <p>NHG confirms that PALU was undertaken by APC on Paddock 4 in 2013. Attachment 1 has been updated accordingly.</p>
7	<p>Figure 5 in Attachment 1f. includes Paddocks 3, 8, 10, 25 and 26. However, these are not included in Table 2.</p> <p><u>Action:</u> Update either Figure 5 or Table 2 in Attachment 1f., as required.</p>	<p>Paddocks have been updated to align with the current Queensland Government cadastre which has removed paddocks 25 and 26 from this application.</p> <p>The report figures display this change.</p>
8	<p>Appendix E Current Site Photos of Paddocks (Appendix E) in Attachment 1f. does not include the dates of the photographs provided.</p> <p><u>Action:</u> Update Appendix E of Attachment 1f. to include the dates when photographs were taken.</p>	<p>Appendix E of Attachment 1f has been updated to include the dates when the photographs were taken.</p>