



CAC Meeting Agenda Report

Please arrange Meeting with applicants a CAC for 23/3/10 to clarify EIS triggers

Review Date: 12-MAR-10

Decision Level
 Level 2

Project Ref 248999	Client Name Colton Coal Pty Ltd	Location Name EPC923		
Project Director BRAIN, Tim	Project Manager COHEN, Daniel	Responsible Office ES-RSD-SER-Wide Bay Burnett		
Permit Type Environmental Authority (Exploration or Mineral Development) Code Compliant Level 2 Mining Project	Activity Name Mining - EPC - Level 2	Application Date 22-JAN-10	PD Date	
Interest Type Heritage - Aboriginal and Torres Strait Islander cultural sites	Interest rating Unknown (default)	Interest Comments Indigenous cultural heritage		
Tenure - protected areas	Unknown (default)	State forests and timber reserves Wongi State Forest		
Comments Extract from email.....				
<p>In short, there are several ERA's that provide a trigger for an EIS. There are HEV waters downstream, although the report does not mention EV's. The general area contains extensive referable wetlands but there is no reference to these or any mention of the potential effects of the extensive dewatering required. (Water is considered from a supply perspective rather than from an environmental viewpoint.) There is mention of acid generating material. The conservation values of the area are dismissed but no mention has been made of biodiversity planning assessments that have identified the area as being a bioregional corridor. Local conservation officers consider that area of USL has significant conservation value and I think would have a different view than that expressed in the report.</p> <p>The Wide Bay Burnett Conservation Council has recommended to the minister that the application be refused. Teh level of interest expressed so early in the process (from Community Cabinet - August 2008 to the present) provides opportunity for a considered decision to be made about the most appropriate assessment process to deal with clearly articulated opposition to the project.)</p> <p>Given that there is a trigger for an EIS and a clearly expressed opposition to the project from a recognised community group my recommendation is that an EIS be required.</p>				

*Agreed to invite applicants to discuss application before EIS decision is made.
 Arrange Meeting for Tuesday*

- Issues - Construction of Treatment Plant exceeding 200-300tph (capacity greater)
- 1st Stage Project (Clarity)
- Water & De Watering of Wetlands
- Final Land Form & Rehab.
- Public Interest.

Birt Cathy

Subject: Presentation by Colton Coal Pty Ltd
Location: Conference Room Level 8 Mineral House

Start: Tue 23/03/2010 8:30 AM
End: Tue 23/03/2010 10:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Cathy Birt
Required Attendees: Cathy Birt; Ian Wilson; Stuart Cameron; Lindsay Delzoppo; Neil Krosch; Jon Womersley; Margaret Jones

When: Tuesday, 23 March 2010 8:30 AM-10:30 AM (GMT+10:00) Brisbane.
Where: Conference Room Level 8 Mineral House

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CAC Meeting followed by Presentation by Colton Coal Pty Ltd in relation to EIS decision (Presentation commencing at 9.00am)

RTI DL RELEASE - EHP

CAC Detail Report

Project Ref	Project Office
248999	ES-RSD-SER-Wide Bay Burnett

Application Date	CAC Review Date	Application Type
03-FEB-2010	23-MAR-2010	Application

Primary Applicant/s

Client ref	Client name
641079	Colton Coal Pty Ltd

Location/s

Location name	Location description	Location type
ML50273	Northeast of Maryborough	Mining Tenure
ML50274	Northeast of Maryborough	Mining Tenure
ML50280		Mining Tenure

Permit/s

Permit type/s	Environmental Authority (Site Specific) mining lease
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Activity/ies

Activity/ies	Mining Lease - Schedule 2A, item 13 mining black coal
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Interest/s

Type	Rating	Comment
Heritage - Aboriginal and Torres Strait Islander cultural sites	Unknown (default)	
Biodiversity - riparian buffer zones	Unknown (default)	
National and International - national estate	Unknown (default)	

Recommendations

Recommending officer	Margaret Jones
Project Director	Tim Brain
Project Manager	Tim Brain
Decision Level	Level 2
EIS Required	N
Comments	Presentation by Colton Coal and AARC.



CAC Outcome

Project Director	Tim Brain
Project Manager	Tim Brain
Decision level	Level 2
EIS Required	N

[start cac outcome date]

Date	Comments
23-Mar-2010	<p>It was recommended at the CAC that:</p> <p>No EIS is required. Significant increase in Environmental Harm.</p> <p>Region to put out DRAFT EM Plan and conditions under Section 556.</p> <p>Region to detail more extensively Rehabilitation requirements.</p> <p>The Administering Authority will require the EM Plan to be the subject of a Review.</p>

[end cac outcome date]

Chairperson:	Cathy BIRT
Signature of Chair:	
Date:	

RTI DL RELEASE - EHP

Jones Margaret

From: Margaret Jones
Sent: Wednesday, 24 March 2010 7:59 AM
To: Stuart Cameron
Subject: RE: Letter for Colton coal

Thank you.

From: Stuart Cameron
Sent: Tuesday, 23 March 2010 6:07 PM
To: Margaret Jones
Cc: Cathy Birt
Subject: RE: Letter for Colton coal

Margaret,
Please replace the beginning of the fourth paragraph with:

"In light of the regional interest in the proposed mining operations, DERM is likely to seek public comment on the draft E....."

Other wise, OK to go.

Regards

Stuart Cameron
Director EIS Assessment
Environment and Natural Resource Regulation
Department of Environment and Resource Management
Level 7 400 George Street
ph 3330 5630
mob Sch 4 - Personal information

From: Margaret Jones
Sent: Tuesday, 23 March 2010 4:04 PM
To: Stuart Cameron
Subject: Letter for Colton coal

Hi Stuart

I have just attached a copy of the letter I did for Colton Coal. Cathy asked me to email you a copy for a quick check.

<< File: 20100323155049209.pdf >>

Cheers,
Margaret
Co-ordinator
Implementation & Support Unit, Regional Service Delivery
Telephone 1300 130 372 **Facsimile** 07 3896 3342
Email: margaret.jones@derm.qld.gov.au
Website: www.derm.qld.gov.au

Department of Environment and Resource Management
41 George Street, Brisbane Q 4000
PO Box 15155, City East Q 4002

Notice of EIS decision for application for an Environmental Authority (Mining Activities) Non Code Compliant Level 1 Mining Project

This statutory notice is issued by the administering authority pursuant to section 162 of the *Environmental Protection Act 1994* to advise you of the EIS decision regarding your application for an environmental authority (mining activities).

Colton Coal Pty Ltd
GPO Box 5283
BRISBANE QLD 4001

The Mining Registrar
Department of Employment, Economic
Development and Innovation
PO Box 1475
COORPAROO QLD 4151

Our Reference: 248999

Dear ~~Dear~~ Non responsive information

**Re: Application for An Environmental Authority for Non Code Compliant Level 1 Mining Project,
(ML50273 and ML50274)**

The Department of Environment and Resource Management (DERM) has assessed the application received on 3 February 2010 for an environmental authority in respect of the abovementioned mining leases.

The DERM wishes to advise you that the assessment level decision for the application is that the level of environmental harm is likely to be significantly increased. The application is to be assessed as a Non-code Compliant Level 1 mining project and an Environmental Impact Statement (EIS) is **not** required but an Environmental Management Plan will be required.

The EIS decision was made by the DERM in accordance with section 162 of the *Environmental Protection Act 1994* (EP Act).

In light of the regional interest in the mining activities, public notification will be required for the draft Environmental Management Plan and Environmental Authority under section 556 of the *Environmental Protection Act 1994*.

Your application has been forwarded to the Maryborough Office of the DERM for assessment. If you require further information please contact Tim Brain, Project Director on 07 4121 1813.

Yours sincerely

Cathy Birt
Delegate
Department of Environment and Resource
Management
23 March 2010

Enquiries:
Department of Environment and Resource
Management
PO Box 101
MARYBOROUGH QLD 4650

Ph. (07) 4121 1800
Fax. (07) 4121 1650

Release