Environmental Protection Order

This environmental protection order is issued by the administering authority pursuant to section 358 of the Environmental Protection Act 1994.

Queensland Coking Coal Pty Ltd (ACN 129 600 004)
Level 34, 345 Queen Street
Brisbane City QLD 4000

QLD Coal Aust No.1 Pty Ltd (ACN 135 731 154)
Level 34, 345 Queen Street
Brisbane City QLD 4000

Cc: Andrea Wyatt
By email: andrea@vitrinite.com.au

Your reference: EA0002912

Our reference: STAT-E-100618168, C-CPLRC-100337944, C-CPLPO-100527731

22/03/2024

Dear Directors

Take notice: that under the *Environmental Protection Act 1994* (EP Act) this environmental protection order (EPO) is issued to Queensland Coking Coal Pty Ltd (ACN 129 600 004) and QLD Coal Aust No.1 Pty Ltd (ACN 135 731 154) (you) by the administering authority. The administering authority is the Chief Executive of the Department of Environment, Science and Innovation (the department).

The EPO is issued with respect to the activities at Vulcan Coal Mine on land described as mining lease (ML) 700060 (the premises).

A. Grounds

This EPO is issued on the following grounds:

1. You are, or have been contravening all or part of a condition of an environmental authority, pursuant to section 358(d) (iii) of the Act:

   Condition A5

   The environmental authority holder must:

   (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority;

   (b) maintain such measures, plant and equipment in proper and efficient condition;

   (c) operate such measures, plant and equipment in a proper and efficient manner; and

Queensland Government

(d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.

Condition F2 – Release to receiving waters

Contaminants that will/or have the potential to cause environmental harm must not be released directly or indirectly to any waters as a result of the authorised activity, except as permitted under the conditions of this environmental authority.

Condition F18

*The Water Management Plan required by condition **F17** must:*

(a) detail the movement of mine affected water between all mine water dams, including the capture of mine affected water runoff;

(b) provide for effective water management of actual and potential environmental impacts resulting from water management associated with the activities carried out under this environmental authority;

(c) be developed in accordance with the administering authority's most recent version of the guideline for "Preparation of water management plans for activities" or any updates that become available from time to time; and

(d) must include at least the following components;

i. a study of the source on contaminants;

ii. a water balance model for the site;

iii. a map showing the water management system for the site;

iv. measures to manage and prevent saline drainage;

v. measures to manage and prevent acid rock drainage; and

vi. contingency procedures for incidents and emergencies.

Condition F20 – Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan must be developed and implemented for the duration of activities to minimise erosion and the release of sediment to receiving waters.

2. The department requires you to take reasonable measures to secure compliance with the EA to prevent a non-compliance with conditions **F5**, **H1** and **H34**, pursuant to 358(d) (iii) of the Act.

Condition F5

*The release of water from sediment dams must be monitored at the release locations detailed in **Table F1 – Water Release Locations from Sediment Dams** and downstream monitoring point locations specified in **Table F3 – Receiving Waters Quality Monitoring Locations,** as illustrated in **Appendix 3. Surface Water Monitoring Locations**, for each quality characteristic and at the frequencies specified in **Table F2 – Contaminant trigger investigation levels.***

Condition F6

*The environmental authority holder must complete an investigation if water quality sampling as specified in condition **F5** identifies **three (3)** consecutive exceedances of:*

*(a) Interim sediment dam release trigger values details in **Table F2 – Contaminant trigger investigation levels**; and*

*(b) Interim downstream monitoring point trigger values details in **Table F2 – Contaminant trigger investigation levels.***

3. The department requires you to take reasonable measures to secure compliance with the General Environmental Duty, pursuant to section 358(d) (i) of the Act.

   Section 319 of the Act states: 'A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practical actions to prevent or minimise harm (the general environmental duty)'.

The facts and circumstances forming the basis for these grounds are:

1. You hold environmental authority (EA) EA0002912, dated 8 November 2023. The EA approves the following environmentally relevant activities (ERA):
   ERA 13 – Mining of black coal
   ERA 16 – Extracting and screening in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t
   ERA 31 – Mineral Processing in a year, the following quantities of mineral products, other than coke – (b) more than 100,000t
   ERA 33 – Crushing, milling, grinding or screening more than 5,000t of material in a year
2. You were the holder of previous (now superseded) versions of EA0002912 dated 1 August 2022 and 24 July 2023. Where conditions have changed with an EA amendment, the EPO relates to non-compliance with the relevant condition at the time of the alleged contravention.
3. The department is satisfied you are the entity responsible for operating the Vulcan Coal Mine.

Surface Water Exceedance Investigations

4. Condition **A5** in the EA states:
   The environmental authority holder must:
   (a) Install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority;
   (b) maintain such measures, plant and equipment in a proper and efficient condition;
   (c) operate such measures, plant and equipment in a proper and efficient manner; and
   (d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.
5. The EA defines 'measures' as:
   includes any activities or infrastructure to prevent or minimise environmental impacts of mining activity such as bunds, silt fences, diversion drains, capping and containment systems.
6. Condition **F5** in the superseded EAs (dated 1 August 2022 and 24 July 2023) requires you to monitor water released from sediment dams at the release locations in Table F1 and receiving water monitoring locations in Table F3 for quality characteristics in Table F2.
7. VSW2 as per Table F3 is situated in North Creek on ML700060, downstream of mining activities at Vulcan Coal Mine (-22.30104, 148.19523, GDA2020).
8. VSW8 as per Table F3 is situated in the headwaters of Ripstone Creek on ML700060, downstream of mining activities at Vulcan Coal Mine (-22.27859, 148.18782, GDA2020).
9. Condition **F6** in the EA requires you to conduct an investigation if downstream monitoring results exceed the contaminant trigger investigation levels (trigger levels) in Table F2 on three (3) consecutive occasions.
10. On 3 November 2022, you notified the department via WaTERS of an investigation undertaken by you in accordance with condition **F8**. The investigation related to five (5) consecutive exceedances of trigger levels for total suspended solids (TSS) and turbidity at downstream monitoring location VSW2 and three (3) consecutive exceedances of trigger level for turbidity at downstream monitoring location VSW8 (WaTERS Event ID 8770).
11. On 14 December 2022, you subsequently notified the department via WaTERS of another investigation undertaken by you in relation to three (3) consecutive exceedances of trigger levels for electrical conductivity (EC) at downstream monitoring location VSW8 (WaTERS Event ID 8988).

12. On 1 February 2023, you submitted the Investigation Report in relation to the exceedances notified by you on 3 November 2022 (WaTERS Event ID 8770) and 14 December 2023 (WaTERS Event ID 8988) which states:
    a. "*Rainfall events in October 2022 coincided with the re-shaping civil works of the Ex-pit waste rock dump; a requirement under VCM's PRCP. During re-shaping activities, permanent erosion and sediment control measures such as water flow contours and run-off toe drains weren't yet constructed as re-shaping was not yet completed. During this period, several rainfall events were recorded at the VCM. This caused a small amount of unconsolidated subsoil to run-off the dump, eventually reporting to VSW2 were elevated turbidity and TSS was recorded".*
13. On 28 March 2023, you subsequently notified the department via WaTERS of another investigation undertaken by you in relation to five (5) consecutive exceedances of trigger levels for EC at downstream monitoring location VSW2 and three (3) consecutive exceedance of trigger levels for EC at downstream monitoring location VSW8 (WaTERS Event ID 9568).
14. On 23 June 2023, you submitted the Investigation Report in relation to the exceedance notified by you on 28 March 2023 (WaTERS Event ID 9568) which states:
    a. "*the VCM does not actively record when sediment dams specified in Table F1 of the EA are releasing*"
15. On 24 November 2023, you sent correspondence to the department which states:
    a. "*If a sediment dam is visually observed to be releasing to the receiving environment, it will be sampled… There are no automated sampling devices installed at the VCM's release points".*
16. In relation to conducting an investigation under condition **F6** after the fifth consecutive exceedance, instead of the third consecutive exceedance (WaTERS Event IDs 8770 and 9568), you stated "*There was a change in environmental personnel at Vulcan Coal Mine between April and July 2022. Over this period, monitoring was undertaken by other Vitrinite personnel who were not familiar with the reporting requirement under the VCM's EA".*
17. The department alleges that you have failed to install and operate necessary measures as required by condition **A5** to ensure compliance with the monitoring requirements of condition **F5** and **F6** of EA0002912.
18. As a result, the department requires you to take reasonable action to secure compliance with conditions **A5**, **F5** and **F6**.

2023/2024 Pre-Wet Season Compliance Inspection

19. Condition **F2 – Release to receiving waters** of the EA states:
    Contaminants that will/or have the potential to cause environmental harm must not be released directly or indirectly to any waters as a results of the authorised activity, except as permitted under the conditions of this environmental authority.
20. The EA defines 'contaminant':
    Contaminant is defined in section 11 of the *Environmental Protection Act 1994* as:
    (a) a gas, liquid or solid; or
    (b) an odour; or
    (c) an organism (whether alive or dead), including a virus; or
    (d) energy, including noise, heat, radioactivity and electromagnetic radiation;
    (e) a combination of contaminants.
21. The EA defines 'Mine affected water' as:
    (a) means the following types of water:
        i. pit water, tailings dam water, processing plant water
        ii. water contaminated by a mining activity which would have been an environmentally relevant activity under Schedule 2 of the Environmental Protection Regulation 2019 if it had not formed part of the mining activity
        iii. rainfall runoff which has been in contact with haul roads that have been constructed using coal and/or coal reject material
        iv. rainfall runoff which has been in contact with any areas disturbed by activities which have not yet been rehabilitated, excluding rainfall runoff discharging through

release points associated with erosion and sediment control structures that have been installed in accordance with the standards and requirements of an Erosion and Sediment Control Plan to manage such runoff, provided that this water has not been mixed with pit water, tailing dam water, processing plant water or workshop water.

v. groundwater which has been in contact with any areas disturbed by activities which have not yet been rehabilitated

vi. groundwater from the mine's dewatering activities

vii. a mix of mine affected water (under any paragraphs i)-vi) and other water.

(b) does not include surface water runoff which, to the extent that is has been in contact with areas disturbed by activities that have not yet been completely rehabilitated, has only been in contact with:

i. land that has been rehabilitated to a stable landform and either capped or revegetated in accordance with the acceptance criteria set out in the environmental authority but only still awaiting maintenance and monitoring of the rehabilitation over a specified period of time to demonstrate rehabilitation success, or

ii. land that has partially been rehabilitated and monitoring demonstrates the relevant part of the landform with which water has been in contact does not cause environmental harm to waters or groundwater, for example:

1. areas that have been capped and have monitoring data demonstrating hazardous material adequately contained with the site

2. evidence provided through monitoring that the relevant surface water would have met the water quality parameters for mine affected water release limits in this environmental authority, if those parameters had been applicable to the surface water runoff, or

iii. both.

22. The EA defines 'waters' as:

refers to a river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and banks of any waters, dams, non-tidal or tidal waters (including the seas), storm water channel, storm water drain, and groundwater and any part thereof.

23. Condition **F18** in the EA states:

*The **Water Management Plan** required by condition **F17** must:*

(a) detail the movement of mine affected water between all mine water dams, including the capture of mine affected water runoff;

(b) provide for effective water management of actual and potential environmental impacts resulting from water management associated with the activities carried out under this environmental authority;

(c) be developed in accordance with the administering authority's most recent version of the guideline for "Preparation of water management plans for activities" or any updates that become available from time to time; and

(d) must include at least the following components:

i. a study of the source on contaminants;

ii. a water balance model for the site;

iii. a map showing the water management system for the site;

iv. measures to manage and prevent saline drainage;

v. measures to manage and prevent acid rock drainage; and

vi. contingency procedures for incidents and emergencies.

24. Condition **F20** of the EA states:

Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan must be developed and implemented for the duration of activities to minimise erosion and the release of sediment to receiving waters.

25. On 1 August 2023, you provided the department with a copy of the Vulcan Coal Mine Water Management Plan (version 1, dated 29 November 2021).
26. On 1 August 2023, you provided the department with a copy of the Vulcan Coal Mine Erosion and Sediment Control Plan (version 1, dated 20 January 2022).
27. On 16 October 2023, authorised officers conducted a pre-wet season compliance inspection at Vulcan Coal Mine. During the inspection, officers inspected the following locations described as:
    a. Sediment Dam 3 situated in the northern part of ML700060 adjoining the 'coal laboratory' and a mine access road (-22.27806, 148.17863, GDA2020);
    b. Ex-pit waste rock dump landform from which the location of Sediment Dam 2 (SD2) was observed further to the north;
    c. North Creek located approximately 250m south east of the ex-pit waste rock dump (-22.29385, 148.18876 GDA2020);
    d. Sediment Dam 4 associated with the topsoil stockpile for the ex-pit waste rock dump (-22.29471, 148.18800 GDA2020);
    e. VSW2 as described in Item 6 above; and
    f. VSW8 as described in Item 7 above.
28. At the time of the inspection, erosion and sediment control measures including spine drains, contour drains and Sediment Dam 1 (SD1) associated with the ex-pit waste rock dump landform were not constructed.
29. During the inspection, departmental officers observed the following:
    a. Sediment Dam 2 located to the north of ex-pit waste rock dump being partially constructed; and
    b. darker sediment material deposited in the bed of North Creek at the location described in Item 27.c. above.
30. During the inspection, you advised authorised officers the following:
    a. that visual inspections of water storages on site are conducted on an opportunistic basis and as part of a weekly drone flight;
    b. water storages on site are not subject to routine inspections by a suitably qualified and experienced person, being a RPEQ.
    c. site personnel usually only become aware of sediment dams overflowing due to visual inspections of the dams or via aerial imagery that is collected weekly by drone; and
    d. that surface water run-off from the southern face of ex-pit waste rock dump is not currently being captured by a sediment dam and flows into North Creek.
31. On 1 December 2023, you sent correspondence to the department which states:
    a. *"SD1 and SD2 are currently under construction";*
    b. *"There are no formal pre-wet season inspection and maintenance checklist and works programs in place";*
32. On 6 December 2023, you advised the department in a telephone conversation that construction of Sediment Dam 1 and Sediment Dam 2 has been completed.
33. The Water Management Plan (version 1, dated 29 November 2021) does not detail any actions, routine inspections or other measures undertaken specifically for the purpose of preparedness prior to the wet season commencing.
34. The department considers that the Water Management Plan does not provide for effective water management of actual and potential environmental impacts resulting from water management associated with activities at Vulcan Coal Mine.
35. The department alleges that you have contravened conditions **A5** and **F18** by failing to implement all measures, including pre-wet season preparedness actions, written procedures, inspections and maintenance to manage actual and potential impacts relating to water management during the wet season at Vulcan Coal Mine.
36. As a result, the department requires you to take reasonable action to secure compliance with condition **A5** and **F18.**

37. The department considers that rainfall runoff from the southern face of ex-pit waste rock dump to waters of North Creek is a release of contaminants (mine affected water) that has the potential to cause environmental harm that is not authorised under the EA in that:
    a. Rainfall runoff has been in contact with disturbed areas which have not yet been rehabilitated;
    b. Rainfall runoff has not been discharged through an erosion and sediment control structure in accordance with the Vulcan Coal Mine Erosion and Sediment Control Plan; and
    c. the disturbed areas of the ex-pit waste rock dump have not yet been rehabilitated as it is not capped or revegetated and monitoring of VSW2, downstream of the ex-pit waste rock dump in North Creek, has demonstrated exceedances of parameters in Table F2 - Interim contaminant trigger investigation levels on occasions described above (WaTERS Event ID's 8770 and 8988).
38. The Vulcan Coal Mine Erosion and Sediment Control Plan (version 1, dated 20 January 2022) identifies the control measures to be installed to manage 'surface runoff water from areas that are disturbed by mining operations' including sediment dams as the primary control of sediments. Section 8 of the plan details the erosion and sediment control planning and implementation requirements for Vulcan Coal Mine.
39. At the time of the pre-wet season compliance inspection on 16 October 2023, erosion and sediment control measures including spine drains, contour drains and Sediment Dam 1 associated with the ex-pit waste rock dump landform, were not yet constructed.
40. The department considers that rainfall runoff from the ex-pit waste rock dump has been released to waters of North Creek due to the absence of erosion and sediment control measures.
41. The department alleges that you have contravened condition **F2** by failing to prevent the release of contaminants that have the potential to cause environmental harm, being mine affected water from the ex-pit waste rock dump to waters of North Creek.
42. The department considers that you have contravened condition **F20** of the EA by not implementing your Erosion and Sediment Control Plan (version 1, dated 20 January 2022) for the duration of activities at Vulcan Coal Mine.
43. The department alleges that you have failed to meet your general environmental duty as you have failed to take all reasonable action to prevent or minimise potential environmental harm associated with the activities at Vulcan Coal Mine.
44. The department considers that the contraventions of all or parts of conditions **A5**, **F2**, **F5, F6, F18**, and **F20** of the EA, as well as the general environmental duty, indicate that there are significant issued regarding the management, identification, control and risk mitigation of water and contaminants on site and that you need to address these issues as a matter of priority.
45. On 21 December 2023, you met with the department to discuss the requirements of this EPO.
46. On 22 January 2024, the department issued you with an EPO notice (STAT-E-100527732).
47. On 26 March 2024, you submitted a request to amend the timeframes of Requirements 2, 3, 5, 6, 11 and 12 to provide further time for consultants engaged under Requirement 1 to undertake the requirements.
48. On 22 March 2024 the previous EPO Notice (STAT-E-100527732) was repealed under section 24AA of the *Acts Interpretation Act 1954* and this EPO (STAT-E-100618168) was issued to you.

B. Requirements

In accordance with this EPO, you are required to do the following:

Water Management Measures	
Requirement 1	You must engage a third party **appropriately qualified person (AQP)** to determine the telemetry and sampling devices required to: a) ensure that any release from a sediment dam in Table F1 of the EA does not go undetected;

	b) ensure that sampling for monitoring of releases from sediment dams in Table F1 is collected in accordance with the frequency requirements in Table F2 of the EA; and c) ensure compliance with condition **F5.**
Requirement 2	By **15 July 2024**, you must install all relevant measures (including telemetry and sampling devices) identified by the **AQP** as a result of requirement (1).
Requirement 3	By **4.00pm on Monday 15 July 2024**, provide written confirmation to the department (via email to CWES_Mackay@des.qld.gov.au) confirming the completion of requirement (2) and how the telemetry and sampling devices meet requirement (1). The written correspondence must also include evidence of installation such as photographs and/or certification from the **AQP**.
Requirement 4	You must engage a third party **AQP** to undertake an assessment of the current mine water management system onsite to: a) determine its effectiveness in managing water at Vulcan Coal Mine for all stages of mining; b) determine its effectiveness in managing actual and potential environmental impacts resulting from water management associated with the mining activities at Vulcan Coal Mine for all stages of mining; c) determine its effectiveness in preparing for the wet season (November to April of each year); d) ensure compliance with conditions **A5, F5**, **F6**, **F17** and **F18** of the EA; e) review written procedures to ensure compliance with conditions **A5, F5** and **F6** of the EA; f) determine any additional management measures (including written procedures, infrastructure, equipment, telemetry, checklists and/or inspection and maintenance programs) or changes to the current water management measures required to ensure compliance with the EA; and g) develop a program of works to implement the additional management measures and/or changes to current water management measures identified as part of (f).
Requirement 5	By **4pm on Monday 8 April 2024**, you must provide the department with a written report from the **APQ** outlining the findings of requirement (4).
Requirement 6	Based on the outcomes of requirement (4), by **4pm on Monday 8 April 2024** you must update the Water Management Plan required by condition **F17** of the EA and submit a copy to CWES_Mackay@des.qld.gov.au.
Requirement 7	Within **20 business days** of the department providing any comments on the updated Water Management Plan, you must update the plan and re-submit the plan to the department.
Requirement 8	By **31 October 2024**, you must install all relevant measures (including infrastructure) identified as a result of requirement (4) and as detailed in the updated Water Management Plan required by requirements (6) and (7).

Requirement 9	By **4pm on Thursday 31 October 2024**, provide written confirmation to the department (via email to CWES_Mackay@des.qld.gov.au) confirming the completion of requirement (8). The written correspondence must also include evidence of installation such as photographs and/or certification from the **AQP**.
Erosion and Sediment Control Measures	
Requirement 10	You must engage a third party **AQP** to complete an assessment of the current erosion and sediment control measures onsite to: a) determine their effectiveness in minimising the release of sediment to the environment; b) determine their effectiveness in minimising erosion; c) determine their effectiveness in minimising the contamination of stormwater; d) ensure compliance with condition **F2** and **F20** of the EA; e) determine any additional management measures (including infrastructure) or changes to the current erosion and sediment control measures required to ensure compliance with the EA; and f) develop a program of works to implement the additional management measures and/or changes to current erosion and sediment control measures identified as part of (e).
Requirement 11	By **4pm on Monday 8 April 2024**, you must provide a report from the **AQP** outlining the findings of requirement (10).
Requirement 12	Based on the outcome of requirement (10), by **4pm on Monday 8 April 2024** you must update the Erosion and Sediment Control Plan required by condition **F20** of the EA and submit a copy to CWES_Mackay@des.qld.gov.au.
Requirement 13	Within **20 business days** of the department providing any comments on the updated Erosion and Sediment Control Plan, you must update the plan and re-submit the plan to the department.
Requirement 14	By **31 October 2024**, you must install all relevant measures (including infrastructure) identified as a result of requirement (10) and as detailed in the updated Erosion and Sediment Control Plan required by requirements (12) and (13).
Requirement 15	By **4pm on Thursday 31 October 2024**, provide written confirmation to the department (via email to CWES_Mackay@des.qld.gov.au) confirming the completion of requirement (14). The written correspondence must also include evidence of installation such as photographs and/or certification from the **AQP**.

Definitions:

'**Appropriately qualified person**' means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

C. Obligations

If you propose to dispose of the place or business to which the EPO relates, you **must** advise the buyer of the existence of this EPO.

If you cease to carry out the activity to which this EPO relates, you **must** give written notice of ceasing to carry out the activity to the department within 10 days of ceasing the activity.

Take notice:

- the requirements of this order take effect immediately upon service of the order;
- failure to comply with this order is an offence under the EP Act;
- this order remains in force until further notice from the administering authority.

D. Penalty

It is important that you know the impact to you personally as an individual or as a corporation for not meeting your obligations.

Failure to comply with an EPO is an offence.

- The maximum penalty for wilfully contravening an EPO is 6250 penalty units, totalling $ 4,837,500.00 for a corporation.
- The maximum penalty for contravening an EPO is 4500 penalty units, totalling $ 3,483,00.00 for a corporation.

Failure to provide written notice to the buyer of the existence of the order is an offence.

- The maximum penalty is 50 penalty units, totalling $ 38,700.00 for a corporation.

Failure to provide written notice to the department within 10 business days of ceasing the activity to which an environmental protection order relates is an offence.

- The maximum penalty is 50 penalty units, totalling $ 38,700.00 for a corporation.

Section 3 of the *Penalties and Sentences Regulation 2015* prescribes the monetary value of a penalty unit.

E. Reviews and appeals

The provisions regarding reviews of decisions and appeals are found in sections 519 to 539 of the EP Act.

A person who is dissatisfied with an original decision made by the Department of Environment, Science and Innovation (the department) may apply to have that decision internally reviewed.

Information about initiating an appeal in relation to this notice is contained within the Internal Reviews and Appeals Information Sheet (available at www.qld.gov.au using the publication number ESR /2015/1742 as a search term)

A request for review or appeal is to be made using the approved form 'Application for review of original decision' (available at www.qld.gov.au using the publication number ESR/2015/1573 as a search term.

Applications for reviews are to be sent to Permit and Licence Management, Department of Environment, Science and Innovation: via email at palm@des.qld.gov.au , or by mail to the following address: GPO. Box 2454, Brisbane, QLD, 4001.

Where an application has been made for a decision to be reviewed, the applicant may also apply to the relevant court for a stay of the decision to secure the effectiveness of the review.

Once the original decision has been reviewed, a person who is dissatisfied with the review decision may be able to appeal against that decision to the relevant court within 22 business days after receiving notice of the review decision.

A person whose interests are or would be adversely affected by a decision of the department may be able to request a statement of reasons for a decision or a statutory order review under the *Judicial Review Act 1991*.

You may have other legal rights or obligations and should seek your own legal advice.

Pursuant to section 540 of the Act, the department is required to maintain a register of certain documents and information authorised under the Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the Act. There is no general discretion allowing the department to withhold documents or information required to be kept on the public register. For more information on the department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

Should you have any queries in relation to the notice, please contact Rebecca Freese, A/Principal Environmental Officer on (07) 4999 6814.



Signature

22/03/2024

Date

Alisha Stewart

A/Director

Delegate of the Chief Executive

Department of Environment, Science and Innovation

Environmental Protection Act 1994

Enquiries: Mackay Compliance Centre
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