

Letter

Environmental Protection Act 1994

Finalisation of an Environmental Protection Order

This letter of finalisation of an environmental protection order is issued by the administering authority to advise that the environmental protection order issued pursuant to section 358 of the 'Environmental Protection Act 1994' is no longer in effect.

Wilton Coking Coal Pty Ltd ACN: 147 034 277

Level 1, 52 Phillip Street

SYDNEY NSW 2000

Your reference: EA0002046

Our reference: C-CPLRC-100638513; STAT-E-100638568

Wednesday, 23 July 2025

Dear Directors

Take notice: that on Friday, 28 March 2025 under the *Environmental Protection Act 1994* (the Act) the administering authority issued an amended environmental protection order (EPO) to Wilton Coking Coal Pty Ltd ACN: 147 034 277. The administering authority is the Chief Executive of the Department of Environment, Science and Innovation (the department).

The EPO was originally issued on 27 February 2024 in respect to the activities of Wilton Coking Coal Pty Ltd at Wilton Coal Mine on land described as mining lease (ML) 700028 and ML700029 situated at Wyuna Road, Wyuna QLD 4871 (the premises). Subsequently this EPO was amended and reissued to Wilton Coking Coal Pty Ltd on 3 June 2024, 3 July 2024, and 28 March 2025.

A. Requirements

The requirements of this EPO were:

1. By 5pm on 28 May 2024, you must cease conducting activities that cause further disturbance within areas specified as prescribed environmental matters (MSES – Remnant Vegetation Associated with a Defined Watercourse), identified in Attachment A, until you have complied with the requirements of this EPO'.



2. You must notify the department in writing within 24 hours of ceasing the disturbance in accordance with requirement 1.
3. By 5pm on 1 October 2024, you must provide to the administering authority a report by an appropriately qualified person that contains an analysis of the estimated maximum extent of impact to each prescribed environmental matter.
4. By 5pm on 31 January 2025 and following approval of the report by the administering authority required under Requirement 3, you must provide a notice of election to the administering authority.
5. By 5pm on 16 June 2025, you must provide the administering authority with evidence that you have secured an offset for the disturbance within areas specified as prescribed environmental matters (MSES – Remnant Vegetation Associated with a Defined Watercourse), identified in Attachment A.

B. Compliance with the requirements

In determining compliance with these requirements of the EPO, the department has considered:

1. Requirements 1 and 2: On 29 May 2024 the department received an email from Wilton Coking Coal Pty Ltd notifying of their cessation of activities that cause further disturbance within areas specified as prescribed environmental matters (MSES – Remnant Vegetation Associated with a Defined Watercourse), identified in Attachment A. The cessation of these activities occurred before 5pm of 28 May 2024.
2. Requirement 3: On 19 September 2024 the department received from Wilton Coking Coal Pty Ltd a report by an appropriately qualified person that contained an analysis of the estimated maximum extent of impact to each prescribed environmental matter.
3. Requirement 4: on 30 January 2025 Wilton Coking Coal Pty Ltd provided:
 - Notice of Election Application Form with financial settlement details and Lodgement Declaration for offset area of 2.51 ha;
 - Financial Settlement Results; and
 - Information to support calculation for Distinct Matter Areas.
4. Requirement 5: Following negotiations between Business Centre Coal and Wilton Coking Coal Pty Ltd regarding the offset area currently listed in EA0002046 (4.54 ha) and the offset area calculated from the updated government mapping (6.23 ha), Wilton Coking Coal submitted a new Notice of Election on 12 March 2025 with a revised offset area of 4.54 ha as reflected in the EA.
5. The Notice of Election received by the department on 12 March 2025 included:
 - The financial settlement offset calculation 'Environmental offsets calculator results - Financial settlement offset calculator' which was used to calculate the proposed financial payment of \$134,732.48.
6. On 12 May 2025 the department issued a Notice of Agreement to the offset delivery approach stated in the Notice of Election for Wilton Mine received by the department on 12 March 2025.
7. The department received the signed Agreed delivery arrangement from Wilton Coking Coal Pty Ltd

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on 15 May 2025.

8. On 19 May 2025 the department issued Invoice no. 1800025160 for payment of an offset related to EA0002046 (\$134,732.48).
9. On 18 June 2025 the department issued Wilton Coking Coal Pty Ltd an official receipt no. 1400065978 for the payment of invoice no. 1800025160 (\$134,732.48) related to EA0002046.

C. Obligations

The department has determined that Wilton Coking Coal Pty Ltd has satisfied the requirements of the EPO. Accordingly, this letter serves as a notice that this EPO is finalised and no longer in effect.

Wilton Coking Coal Pty Ltd is reminded of their responsibility to comply with conditions contained in Environmental Authority EA0002046, duties under the EP Act, and any existing development approval.

Should you have any queries in relation to this notice, please contact Cassandra Johnston, Team Leader of the Rockhampton Compliance Centre on telephone number 0499 943 319.



Signature

23/07/2025

Date

Cate Puschmann
Delegate of the Chief Executive
Department of Environment, Science and Innovation
Delegate of the Chief Executive
Environmental Protection Act 1994

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