

Environmental Enforcement Order

Environmental Protection Act 1994

Pursuant to section 362

ORDER ID	STAT-E-101022077
Date of issue	23 July 2026
Issued to (you)	Coronado Curragh PTY LTD ACN 009362565 <i>For the purpose of this Environmental Enforcement Order (EEO), you' means the recipient of this EEO.</i>
Registered address	Level 33, Central Plaza One 345 Queen Street Brisbane QLD 4000
Site address (the premises)	Curragh Complex, Blackwater Cooroorah Road, Blackwater QLD 4717
Land reference	ML1878, ML1990, ML700006, ML700007, ML700008, ML700009, ML80010, ML80011, ML80012, ML80086, ML80110, ML80112, ML80123, ML80171 ("the premises")
Issued by (the delegate)	Louise Pinn, Compliance Delivery Manager Delegate of the Administering Authority Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department)
Relevant Grounds	• s359 (c) to secure compliance with the general environmental duty • s359 (e)(ii) to secure compliance with a condition of an environmental authority (specifically C1 and C2 of Environmental Authority EPML00643713).
Service method	☒ Registered post ☐ Hand delivered ☒ By email ☐ Orally (s369(2))
Contact	If you have any questions about this EEO, please contact: Rockhampton Compliance Centre Email: CWES_Rockhampton@detsi.qld.gov.au Telephone: (07) 4837 3499
Further information	Please read the Information Sheet - Recipient of an Environmental Enforcement Order (detsi.qld.gov.au) for further information (search for ESR/2024/6802 on www.detsi.qld.gov.au). Terms used in this EEO have their meaning defined in the Definitions section of the EEO or, if not defined, in the <i>Environmental Protection Act 1994</i> (the Act).

Why are we writing to you?

On 16 January 2026, you reported an incident to the Department of the Environment, Tourism, Science and Innovation (the department) where on 16 January 2026 you became aware of an uncontrolled release of sediment and mine affected water (MAW) from the T Pit rehabilitation area at the Curragh Coal Mine to the Mackenzie River.

Following an investigation into the incident, the delegate reasonably suspects that you have not met the general environmental duty obligations and contravened section 430 of the Act at the premises. The delegate has issued this Environmental Enforcement Order (EEO) to you under section 359 of the *Environmental Protection Act 1994* (the Act) to remedy the contravention, avoid further contraventions and keep the department informed.

What are you required to do?

The required actions listed below are to be remedied in full by the required dates.

Requirements take effect from the date of service and remain in force until this EEO is amended, repealed, finalised or stayed.

1. By **5:00pm on 30 July 2026**, you must:
 - a) Engage independent appropriately qualified person's (AQP's), as defined below in this notice, to carry out the requirements of this notice; and
 - b) Confirm the engagement of the AQP's and submit the qualifications and experience of the AQP's to the department in writing via CWES_Rockhampton@detsi.qld.gov.au. The written confirmation of the engagement must include each AQP's qualifications and suitable experience relevant to the scope of work each AQP will undertake.
2. By **5:00pm on 30 September 2026**, you must:
 - a) Review the water management system for T Pit rehabilitation area (inclusive of reshaped and existing rehabilitated landforms) to mitigate and manage risks of uncontrolled releases in the event of a failure within the Erosion and Sediment Control (ESC) system. The review must be undertaken and certified by a Registered Professional Engineer of Queensland (RPEQ), and must assess the capacity of the water management system against the design storm criteria in Table 5 of the ESC Plan (required under Condition C39 of Environmental Authority EPML00643713), and include consideration of any effect of the works on the integrity of the regulated flood protection levee.
3. By **5:00pm on 30 December 2026**, you must:
 - a) Implement all reasonably practicable improvements to the water management and ESC system at the T Pit rehabilitation area, as identified in Requirement 2a.
 - b) Complete rehabilitation of reshaped landform upslope of the existing T Pit rehabilitation, including installation of all water management features identified in Requirement 2a (topsoil, ripping and seeding).
 - c) Complete repairs to the erosion gullies on the existing rehabilitated landform at T Pit, which resulted from the incident on 16 January 2026.
 - d) Obtain RPEQ certification that the completed works have been constructed in accordance with the design reviewed under Requirement 2a, and undertake monitoring of the rehabilitated area through the following wet season to confirm performance of the works.

4. By **5:00pm on 19 February 2027**, you must submit a report to the department (via CWES_Rockhampton@detsi.qld.gov.au) which demonstrates your compliance with Requirements (1) to (3) of this EEO.
5. You must notify the department within twenty-four (24) hours of becoming aware of any non-compliance with the requirements of this EEO.

Any submissions required by this EEO are to be sent via email: CWES_Rockhampton@detsi.qld.gov.au or via mail to Department of the Environment, Tourism, Science and Innovation, PO Box 413 ROCKHAMPTON 4700

Background and relevant matters:

Definitions used in this EEO (that are not exactly as the Act defines or implies them)

Authorised representative	A representative that has been nominated by the person this EEO relates to, for acting on their behalf when dealing with the Queensland Government to manage matters. For more information, read the guideline Authorisation letter to nominate an Authorised Holder Representative (available at www.qld.gov.au using the publication number ESR/2019/5168 as a search term).
Appropriately qualified person(s)	<i>“Appropriately qualified person(s)”</i> Means a person(s) who has professional qualifications, training, skills, or experience relevant to the requirements of the Environmental Enforcement Order, and can give authoritative assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods or literature.
Mine affected water	Environmental Authority EPML00643713 defines mine affected water: <i>(a) means the following types of water:</i> <i>i. pit water, tailings dam water, processing plant water;</i> <i>ii. water contaminated by a mining activity which would have been an environmentally relevant activity under Schedule 2 of the Environmental Protection Regulation 2008 if it had not formed part of the mining activity;</i> <i>iii. rainfall runoff which has been in contact with any areas disturbed by mining 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, tailings dam water, processing plant water or workshop water;</i> <i>iv. groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;</i> <i>v. groundwater from the mine’s dewatering activities;</i> <i>vi. a mix of mine affected water (under any of paragraphs i)-v) and other water.</i> <i>2. Does not include surface water runoff which, to the extent that it has been in contact with areas disturbed by mining activities that have not yet been completely rehabilitated, has only been in contact with:</i>

	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 the water has been in contact does not cause environmental harm to waters or groundwater, for example: 1. Areas that are 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 3. Both.
Waters	EA EPML00643713 defines waters to include: <i>River, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.</i>

1. The department is the administering authority and has responsibility for enforcing the Act.
2. You are the holder of Environmental Authority EPML00643713 (the EA) dated 6 August 2025, and the subsequent EA version approved on 9 February 2026.
3. The department is satisfied that you are responsible for the operation and maintenance of the premises under the EA.
4. On 16 January 2026, you notified the department that on 16 January 2026 you became aware of an uncontrolled release of sediment and mine affected water (MAW) from the T Pit rehabilitation area at the Curragh Coal Mine to the Mackenzie River. At the time of the notification, the volume of sediment and MAW released to receiving waters was unknown.
5. On 25 February 2026 you submitted further written advice to the department that stated:

“An uncontrolled release of sediment occurred during a significant rainfall event between 12 – 15 January 2026 where approximately 239 mm of rainfall was recorded across site. This resulted in increased surface runoff from an active rehabilitation area. Sediment laden runoff from the T Pit rehabilitation area entered the CN3 drain, where sediment accumulated and subsequently had the potential to migrate towards the receiving environment, being the Mackenzie River.

At the time of the incident, sediment samples were collected at the point of discharge, where sediment had accumulated within the CN3 drain prior to entering the receiving environment.

Sediment samples were analysed for the standard suite of parameters in accordance with CCPL's Receiving Environment Monitoring Program (REMP). Results indicate that no anomalous concentrations of analytes were identified when compared against the applicable REMF guideline values.

Due to continued high flow in the Mackenzie River, no upstream or downstream receiving environment samples were collected at the time of the incident.

Based on the available information, the incident is considered to have resulted in a localised and short-term input of sediment, with no evidence to suggest ongoing or persistent impacts to the receiving environment”

6. In the further written advice, no details were provided on volumes of sediment and MAW released to receiving waters, nor was any aerial imagery or photos of the T Pit rehabilitation area provided.
7. In the further written advice, you outlined the immediate actions implemented to contain the material, prevent further migration, and minimise potential impacts to the receiving environment. You also listed the following measures that would be implemented to prevent a recurrence of the incident; however, timeframes were not stipulated:
 - *Catchment area and erosion and sediment control measures will be reviewed and where required, improved during the next scheduled rehabilitation campaign.*
 - *Sediment controls associated with the CN3 drain will be incorporated into routine inspections and maintenance activities.*
 - *Learnings from the incident will be considered in future rehabilitation works particularly in relation to drainage during periods of high rainfall.*
8. Between 24 April 2026 and 17 June 2026, you submitted information to the department, in response to four separate information requests. Submissions included further information regarding the incident on 16 January 2026 along with the revised Erosion and Sediment Control Plan required by Condition C39 of the EA and the 2024 Curragh Mine Rehabilitation Monitoring Program. The following information was obtained from these submissions:
 - *“An estimated 5.4m³ of sediment and an estimated 0.1ML of water was released to waters during this incident”.*
 - *“ESC structures are in place and the contour bank at the top of the completed rehabilitation area has collected and directed the overland flow from the reshape area south towards a rock structure, which appears to be overshot with the unprecedented volume of water. LiDAR imagery shows sediment being trapped along the contour bank and in the CN3 drain as intended, the volume however was in excess of normal wet season expected rainfall”..*
 - *“The next rehabilitation campaign is currently scheduled for July 2026, pending the tender process and contractor onboarding. This campaign includes rehabilitation maintenance and was developed prior to the CN3 Drain incident occurring, hence maintenance works for the affected area with regard to the incident have not been explicitly included in the 2026 campaign. Currently, the maintenance works, including ESC measure review, is proposed for the 2027 rehabilitation campaign”.*
 - *On 3 June 2026 you advised that you “have moved the spend to repair this area to this year now, we have just onboarded a project manager to lead this work for us so will be closely managed”.*
 - *The established rehabilitation at T Pit (WDCN3 2009) was monitored in the 2024 rehabilitation monitoring program. The report stated that gully erosion was largely limited to drainage lines on the lower section of the rehabilitation below the contour line. A small gully was identified near transect 3, however at the time it was considered an inactive erosion feature. The department notes that erosion resulting from the 16 January 2026 incident, is on the lower section of the rehabilitation, and in the vicinity of where transect 3 is located.*
 - *Monthly LiDAR scans from July 2025 to December 2025, showed evidence of an erosion feature in the T Pit rehabilitation area in July 2025. This feature did not appear to change markedly until*

January 2026, with the LiDAR scan dated 19 January 2026, showing the erosion feature had increased in size following the incident reported on 16 January 2026.

9. Based on the information provided, the department considers that the release of sediment and MAW to the receiving waters of the Mackenzie River on 16 January 2026, constitutes a breach of Conditions C1 and C2 of the EA.

10. Condition C1 of your EA states:

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

11. The EA defines MAW to include:

iii) rainfall runoff which has been in contact with any areas disturbed by mining 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, tailings dam water, processing plant water or workshop water

13. The incident notification on 16 January 2026 confirmed the source of the water released to the Mackenzie River to be MAW. Further, in information submitted on 5 May 2026, you advised that overland flow originated from the reshaped area at T Pit. The department notes that this area has not yet been rehabilitated, and the rainfall runoff did not discharge 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.

14. The department considers that contaminants with the potential to cause environmental harm were released directly to waters on 16 January 2026, in a manner not permitted under the conditions of your EA (refer items 15 – 17 below).

15. Condition C2 of your EA states:

Unless otherwise permitted under the conditions of this environmental authority, the release of mine affected water to waters must only occur from the release points specified in Table C1 and depicted in Figure 1 and Figure 2 attached to this environmental authority.

Table C1 (Mine Affected Water Release Points, Sources and Receiving Waters)

Release Point (RP)	Latitude (decimal degree, GDA94)	Longitude (decimal degree, GDA94)	Mine Affected Water Source and Location	Monitoring Point	Receiving waters description
RP 1	-23.5130	148.8753	Dam RD1	Dam	Blackwater Creek
RP 2	-23.5098	148.8868	Various sources – release outlet to diversion channel	End of pipe	Blackwater Creek
RP 3	-23.2837	148.8478	Dam CN3	Release channel downstream of pipe outlet	Mackenzie River
RP 4	-23.3588	148.8717	Dam CN5	Release channel downstream of pipe outlet	Mackenzie River
RP 5	-23.4522	148.9011	Various sources. Outlet pipe through plug on the former Blackwater Creek channel.	Release channel downstream of pipe outlet	Blackwater Creek
RP 6	-23.2615	148.8763	Various sources. Outlet pipe through Mackenzie River levee	End of pipe	Mackenzie River
RP 7	-23.3072	148.8565	Various sources. Release outlet to Mackenzie River on pipe network	End of pipe	Mackenzie River
RP8	-23.3167	148.8675	Various sources, predominantly S pit. Outlet pipe through Mackenzie River levee.	Standing water at pipe inlet	Mackenzie River
RP9	-23.2834	148.8936	Various sources. Pumped from behind the levee to the Mackenzie	End of pipe	Mackenzie River

16. In information provided to the department on 5 May 2026, the 'CN3 Uncontrolled Sediment Release' map (Appendix A) was provided which showed the location of the overland flow path and release point to the Mackenzie River Anabranh for incident reported on 16 January 2026. The incident release point is not listed in Table C1 or shown in Figure 2 (Appendix B) of your EA.
17. The department considers that the release on 16 January 2026 was in contravention of Condition C2 of your EA as MAW was released to waters from a release point not authorised by your EA.

Grounds for issuing this EEO

1. Section 430 of the Act says:

A person must not contravene a condition of the authority.

2. The department alleges that you have contravened Condition C1 of the EA as contaminants with the potential to cause environmental harm were released directly to waters on 16 January 2026, in a manner not permitted under the conditions of your EA.
3. The department alleges that you have contravened Condition C2 of the EA as MAW was released to waters from a release point not authorised by your EA.
4. The department therefore considers it reasonable to require actions to secure compliance with the conditions of the EA.
5. The delegate is satisfied that the enforcement ground in section 359(e)(ii) of the Act exists.

6. Enforcement ground 359(e)(ii) states:

Each of the following is a ground (an enforcement ground) on which to issue an environmental enforcement order to a person—

(e) it is necessary to issue an environmental enforcement order to secure the person's compliance with—

(ii) a condition of an environmental authority;

7. Section 319 of the Act says:

A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonably practicable measures to prevent or minimise the harm (the general environmental duty).

8. The department considers that not all reasonably practicable measures may have been taken to prevent or minimise the uncontrolled release of sediment and MAW to waters on 16 January 2026.
9. The department therefore considers it reasonable to require actions to secure compliance with section 319 of the Act.
10. The delegate is satisfied that the enforcement ground in section 359(c) of the Act exists.

11. Enforcement ground 359(c) states

Each of the following is a ground (an enforcement ground) on which to issue an environmental enforcement order to a person—

(c) it is necessary to issue an environmental enforcement order to secure the person's compliance with the general environmental duty;

12. In summary, the delegate considers you have contravened section 430 and section 319 of the Act, and it is reasonable to issue to you, this EEO, to secure your compliance with these sections of the

Act.

13. The delegate has considered the circumstances (including the standard criteria and human rights) and determined that the required actions are reasonable to remedy or otherwise address the relevant matters.
14. This EEO takes effect from the date of service and remains in force until stayed, amended, revoked or finalised.

Considerations

The standard criteria, principles of environmental protection, emission criteria and human rights were considered prior to issuing this EEO.

Offences

Failure to comply with this EEO is an offence unless you have a reasonable excuse. The maximum penalties are significant and are provided in s369A of the Act.

- The maximum penalty for wilfully contravening an EEO is 1655 penalty units totalling \$276,219.50 for an individual and \$1,381,097.50 for a corporation.
- The maximum penalty for contravening an EEO is 600 penalty units totalling \$100,140.00 for an individual and \$500,700.00 for a corporation.

Penalties and obligations

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

- If you propose to dispose of the place or business to which the EEO relates, you must advise the buyer of the existence of this EEO. **Failure to provide a written notice to the buyer of the existence of the order is an offence.** The maximum penalty is provided in s369C of the Act.
- If you cease to carry out the activity to which this EEO relates, you must give written notice of ceasing to carry out the activity to the department within 10 days of ceasing the activity. **Failure to provide written notice to the department within 10 business days of ceasing the activity to which an EEO relates is an offence.** The maximum penalty is provided in s369D of the Act.

Right of review and appeal

The provisions regarding reviews of decisions and appeals are found in s519 to s539 of the Act.

A person who is dissatisfied with an original decision made by 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 Permits and Licensing, Department of the Environment, Tourism, Science and Innovation via email at palm@detsi.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.

For a decision that is not an original decision, there are no formal review and appeal rights for a person who is dissatisfied with the decision made by the administering authority. The person may have other legal rights and may wish to seek legal advice.

Privacy statement

Section 540 of the Act requires the department 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 to 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 redaction in part 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@detsi.qld.gov.au or telephone 13 74 68.

Accessibility

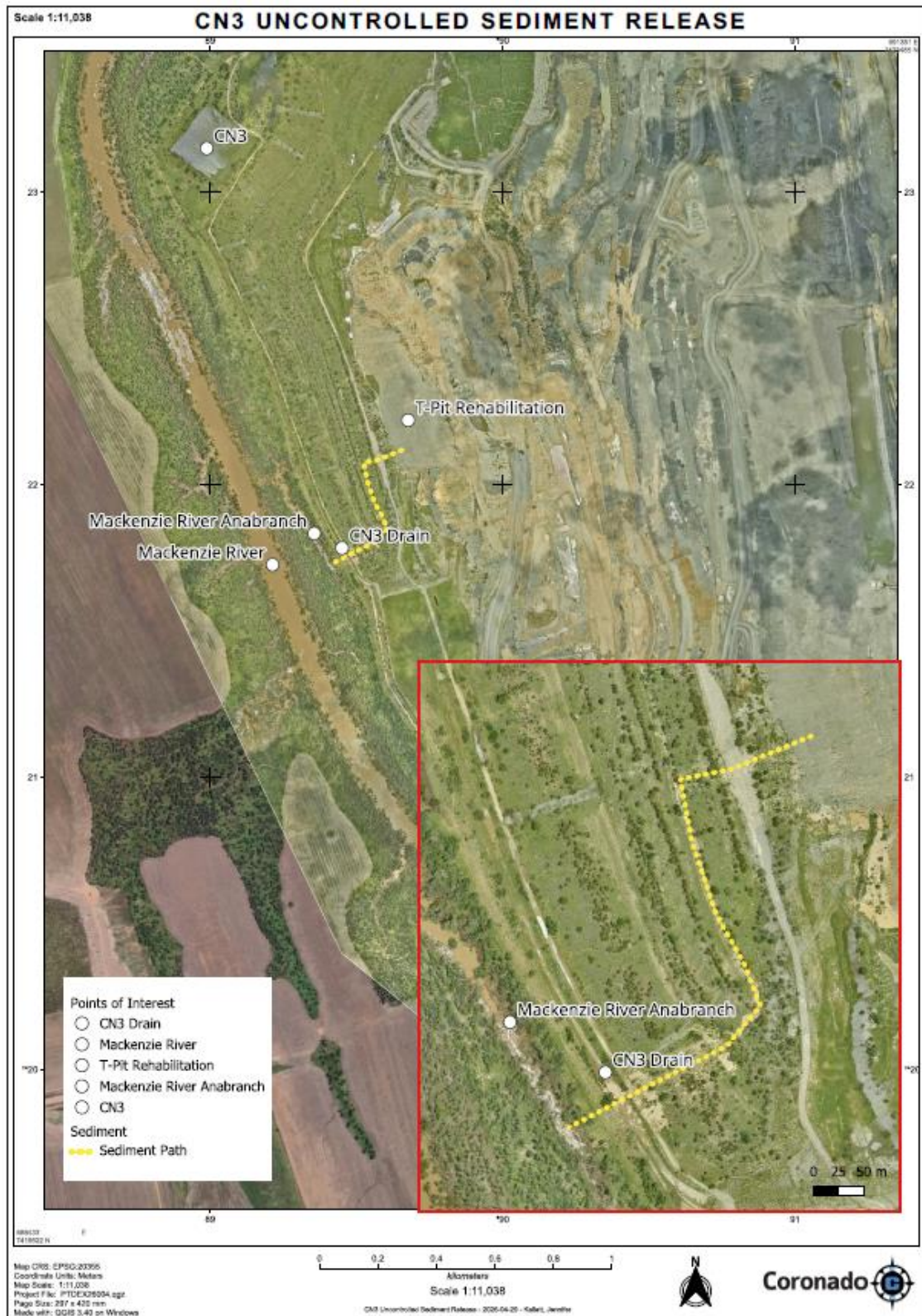
Contact us if you need this information in an accessible format such as large print or audio.

Interpreter assistance

If you need interpreter assistance or want this document translated, please contact us and advise your preferred language. If you are deaf, or have a hearing or speech impairment, contact us through the [National Relay Service](#)



APPENDIX A:



APPENDIX B:

Figure 2 - Release points (RP) and monitoring points (MP) on the Mackenzie River

