ORDER ID	**STAT-E-101234637**
Date of issue	2 November 2026
Issued to (you)	Batchfire Callide No. 2 Pty Ltd ACN 004 784 454 *For the purpose of this Environmental Enforcement Order (EEO), 'you' means the recipient of this EEO.*
Registered address	'S2' Level 11 141 Queen Street BRISBANE QLD 4000
Site address	Coal Road MOUNT MURCHISON QLD 4715
Land reference (the premises)	Mining Lease (ML) ML80030, ML6993, ML5632, ML80092, ML80093, ML5641, ML80118 (Dunn Creek Mining Leases), ML5654 (The Hut Mining Lease), ML5662, ML5653, ML80122, ML80117, ML700059 (Trap Gully Mining Leases), ML6994, ML5655, ML80107, ML80151, ML80186, ML80115 (Boundary Hill Mining Leases); collectively known as Callide Coal Mine
CC to	Batchfire Callide Pty Ltd ACN 081 022 228
Issued by (the delegate)	 Chris Ashcroft, Manager (Compliance) **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.
Service method	☐ Registered post ☐ Hand delivered ☒ By email ☐ Orally (s369(2))
Contact	If you have any questions about this EEO, please contact: Robert Kelly, Senior Environmental Officer, Gladstone Compliance Centre Email: CWES_Gladstone@detsi.qld.gov.au Telephone: (07) 4971 6500
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 *Environmental Protection Act 1994* (the Act).

Why are we writing to you?

You have a proactive **general environmental duty** to prevent and minimise any environmental harm. You also have a proactive **duty to restore the environment** if environmental harm has been caused by you.

The department has responsibility for enforcing the Act.

The delegate for the department is issuing this EEO to you, pursuant to s362 of the Act, to secure compliance with the Act in relation to activities being undertaken at the premises.

The delegate reasonably suspects that you have not met your general environmental duty under section 319 of the Act, and you have contravened section 430 of the Act at the premises. The delegate has issued this EEO to you under section 362 of 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 the date specified, unless this EEO is amended, repealed, finalised or stayed beforehand.

1. By **5:00pm on 30 November 2026**, you must:

    a) Engage independent **appropriately qualified person(s) (AQP)** to undertake the requirements of this EEO; and

    b) Confirm the engagement of the AQP(s) in writing to CWES_Gladstone@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.

Water Management Structures

2. By **5:00pm on 9 April 2027,** you must prepare and submit to the department a report that details the following:

    a) A full audit of the site's **water management structures** that assesses/ includes the following:

        i. Structural integrity, design adequacy and hydraulic capacity;

        ii. Inspections of dams and ESC structures, to quantify sediment accumulation and any impacts on the performance of those structures due to sediment;

        iii. The adequacy and effectiveness of the site's water management structures in preventing unauthorised releases of mine affected water and sediment from disturbed mining areas;

        iv. Maintenance schedules for all drains, dams and ESC structures, including desilting programs; and

        v. Any potential impacts and risks for unauthorised releases to undisturbed areas, waters and off lease areas; and

    b) Recommendations and an action plan which must identify short-term and long-term actions (including milestones and completion dates) to address the impacts, deficiencies, risks and improvement opportunities identified through the audit undertaken under requirement 2(a), including but not limited to:

        i. Rehabilitation of existing erosion features and repair of water management structures; and

        ii. Accelerated landform development, surface preparation and revegetation in accordance with the Progressive Rehabilitation and Closure Plan (PRCP) P-PRCP-100695680 Callide Coal Mine.

3. By **5:00pm on 23 April 2027,** you must commence implementation of the action plan identified in requirement 2(b).

4. By **5:00pm on 1 November 2027,** you must have finalised the implementation of all short-term options identified in requirement 2(b) and submit to the department a progress report on the implementation of the works identified in requirement 2(b), including the identification of any remaining recommended actions, their milestones and completion dates.

Overburden waste rock/spoil dumps

5. By **5:00pm on 9 April 2027** you must prepare and submit to the department a report that details the following:

    a) An assessment of the overburden waste rock/spoil dumps with consideration to:

        i. Stability of structures;

ii. Drainage measures installed to manage rainfall runoff and erosion and sediment releases during intense rainfall events; and

iii. Any potential impacts and risks for unauthorised releases to undisturbed areas, waters and off lease areas; and

b) Recommendations and an action plan which must identify short-term and long-term actions (including milestones and completion dates) that will address the impacts and risks identified by requirement 5(a) including but not limited to:

i. Rehabilitation of existing erosion features and repair of water management structures; and

ii. Accelerated landform development, surface preparation and revegetation in accordance with the Progressive Rehabilitation and Closure Plan (PRCP) P-PRCP-100695680 Callide Coal Mine.

6. By **5:00pm on 23 April 2027,** you must commence implementation of the action plan required by requirement 5(b).

7. By **5:00pm on 1 November 2027,** you must have finalised the implementation of all short-term options identified in requirement 5(b) and submit to the department a progress report on the implementation of the works identified in requirement 5(b), including the identification of any remaining recommended actions, their milestones and completion dates.

Update of site management plans, procedural guides and models

8. By **5:00pm on 07 April 2028,** you must review and update the following documents having regard to the findings and recommendations arising from requirements 2 to 7 of this EEO, to ensure they are suitable for the management of environmental risks and meet the requirements of Environmental Authority EPML00720413:

a) Water Management Plan;

b) Erosion and Sediment Control Plan;

c) Environmental risk management procedures; and

d) Any other operational procedures, procedural guides, plans or models relating to the findings of this EEO.

9. By **5:00pm on 07 April 2028,** you must submit to the department the updated documents as listed in requirement 8, together with a summary of the changes made and the reasons for those changes.

Any submissions required by this EEO are to be sent via email: CWES_Gladstone@detsi.qld.gov.au or via mail to Department of the Environment, Tourism, Science and Innovation, PO Box 5065 GLADSTONE QLD 4680

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).
Land	This refers to the cadastral reference of the premises referenced in this EEO.
Appropriately qualified person (AQP)	*"Appropriately qualified person(s)"* 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 using relevant protocols, standards, methods or literature.

Mine affected water	EA EPML00720413 defines mine affected water to mean: *the following types of water:* *a) pit water, tailings dam water, processing plant water;* *b) 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;* *c) 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;* *d) groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;* *e) groundwater from the mine's dewatering activities; or* *f) a mix of mine affected water (under any of paragraphs a) – e) and other water.* *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:* *a) 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* *b) 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:* *i) areas that have been capped and have monitoring data demonstrating hazardous material adequately contained with the site;* *ii) 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* *c) both a) and b) above.*
"waters"	EA EPML00720413 defines waters to include: *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.*
Water Management Structures	For the purpose of this EEO *"water management structures"* means the infrastructure, controls and processes used to manage mine affected water, clean water, erosion and sediment, including drains, ESC structures, sediment basins and dams, diversion drains, containment bunds, spillways, outlet structures, and other water and sediment management measures.

1. You are the holder of Environmental Authority (EA) EPML00720413 dated 26 May 2025.

2. The department is satisfied that you are responsible for the operation and maintenance of the premises authorised under the EA.

3. On 04 November 2025, you submitted a notification to the department regarding a release of sediment beyond the boundary of the EA area.

4. On 01 April 2026, authorised persons requested information regarding an erosion feature at the Boundary Hill Mining Area (marked as Location A in Appendices A and B), identified through review of aerial imagery. The erosion feature appeared to flow from disturbed mining areas into a tributary of Bell Creek. Historical aerial imagery reviewed by the department indicated that the erosion feature was present since at least 2020.

5. On 29 April 2026, you provided a response to the information request, including photographs of the erosion feature identified as Location A at the Boundary Hill Mining Area following completion of Batchfire's action plan. Those photographs demonstrated significant erosion of the banks of the Bell Creek tributary. *Reference Appendix A: Locations of erosion features.*

6. In the response provided on 29 April 2026, you advised the department that a civil contractor had been engaged to:

   a) “Seal gaps in a bund where runoff was leaving the area”;

   b) “Establish a drain to redirect clean water runoff from undisturbed area to the natural drainage line”; and

   c) “Re-establish internal drains to ensure remaining local catchment is directed to the mining void”.

7. A further review of historical aerial imagery undertaken by the department identified additional erosion features associated with disturbed mining areas at the site. The review found that some of the identified erosion features, notably Location D, were evident in imagery dating back to at least 2014 and were still present at the time of the review.

8. On 02 July 2026, authorised persons from the department conducted a targeted inspection of multiple locations across the Boundary Hill, Trap Gully, and Dunn Creek Mining Areas. The inspection identified erosion and sediment control issues at several locations across the site, including the locations shown in Appendices A to E as Locations A and B within the Boundary Hill Mining Area, Location C within the Trap Gully Mining Area, and Location D within the Dunn Creek Mining Area. *Reference Appendices A to E.*

9. The inspection locations were selected following a desktop review of aerial imagery and other information available to the department which identified erosion features and potential erosion and sediment control issues. The department notes that the inspection was targeted in nature and did not constitute a comprehensive assessment of all erosion and sediment control measures across the site.

10. During the inspection on 02 July 2026, authorised persons observed:

    a) at Location A, significant erosion of the bed and banks of a tributary of Bell Creek, including substantial scour associated with a runoff pathway from disturbed mining areas and sediment deposits downstream of the erosion features;

    b) at Location B, an erosion feature through the bund of a constructed drainage line that bypassed a sediment dam. Sediment dams and associated erosion and sediment control infrastructure were also observed that were not depicted on the most recent Erosion and Sediment Control Plan submitted to the department on 29 June 2026;

    c) at Location C, significant erosion features on the external slopes of spoil stockpiles and accumulations of sediment across and beyond a toe drain, indicating that sediment-laden runoff had overtopped or bypassed that control structure and flowed to a nearby farm dam; and

d) at Location D, significant erosion features on the external slopes of overburden stockpiles adjacent to the Bluff Pit that extended via defined drainage pathways toward receiving waters without reporting to sediment dams or other sediment retention structures. Sediment was observed immediately downstream of the erosion features and extended well beyond the base of the stockpiles. The erosion pathways were connected to a downstream drainage network leading toward Lake Callide, a water supply reservoir.

11. During the inspection, authorised persons observed erosion features, sediment accumulations, sediment deposits, runoff pathways that bypassed control structures and connectivity between disturbed mining areas and nearby receiving environments which are undisturbed by mining activities. Collectively, these observations demonstrate that runoff, sediment and/or mine affected water from disturbed mining areas had been transported beyond the intended containment system.

12. The observations made during the inspection, together with the information previously provided to the department, indicate that erosion and sediment control measures implemented for the mining activities do not adequately prevent erosion, contain runoff from disturbed mining areas, or minimise the movement of sediment and mine affected water to receiving waters.

13. Based on the findings of the evidence available to the department, it considers mine affected water from land disturbed by mining activities is being released from multiple unauthorised locations and bypassing sediment and erosion control structures. These locations include Locations A, B, C and D, as identified in Appendices A to E.

14. Condition A1 of your EA states:

All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities authorised by this environmental authority.

15. Condition A5 of your EA states:

The holder of this environmental authority 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.

16. 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 - Mine affected water release points, sources and receiving waters.

17. Condition C13 of your EA states:

Releases to waters must be undertaken so as not to cause erosion of the bed and banks of the receiving waters or cause a material build-up of sediment in such waters.

18. Condition C26 of your EA states:

An Erosion and Sediment Control Plan must be developed by an appropriately qualified person and implemented for all stages of the mining activities and must demonstrate how erosion and sediment control measures adequately minimise:

(a) erosion;

(b) the release of sediment to receiving waters; and

(c) contamination of stormwater.

19. Based on the facts and circumstances above, the department reasonably believes that:

a) reasonable and practicable measures were not taken to prevent or minimise environmental harm arising from the mining activities;

b) measures, plant and equipment necessary to achieve compliance with the EA were not installed, maintained or operated in a proper and efficient manner

c) runoff from disturbed mining areas was not adequately contained by erosion and sediment control measures;

d) sediment consistent with material from disturbed mining areas was being transported to receiving waters;

e) mine affected water is being released from unauthorised locations;

f) contaminants, including sediment and mine affected water, were released, or had the potential to be released, to waters as a result of the mining activities;

g) releases associated with the mining activities caused, or had the potential to cause, erosion of the bed and banks of receiving waters;

h) significant erosion observed within receiving watercourses demonstrates degradation of the receiving environment associated with the transport of sediment and mine affected water from disturbed mining areas; and

i) erosion and sediment control measures did not adequately minimise erosion, the release of sediment to receiving waters, or contamination of stormwater.

Grounds for issuing this EEO:

1. Section 430(3) of the Act states:

The person must not contravene a condition of the authority.

2. Based on the facts and circumstances set out above, the delegate considers that you have contravened section 430(3) of the Act by failing to comply with conditions A1, A5, C2, C13 and C26 of Environmental Authority EPML00720413.

3. Section 319(1) of the Act establishes the general environmental duty and states:

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.

4. Based on the facts and circumstances set out above, the delegate considers that you have not complied with the general environmental duty. In forming this view, the delegate has had regard to:

a) the nature and scale of the erosion features and associated impacts identified during the inspection;

b) the movement, or potential movement, of runoff, sediment and mine affected water from disturbed mining areas toward receiving waters;

c) the inadequacy or absence of erosion and sediment control measures at the inspected locations;

d) the significant erosion of the bed and banks of a tributary of Bell Creek at Location A;

e) the connection of erosion pathways at Location D to a downstream drainage network leading toward Lake Callide, a water supply reservoir; and

f) the prolonged existence of significant erosion features, including that the erosion feature at Location A was evident in historical aerial imagery from at least 2020 and those at Location D were evident from at least 2014. These features ought reasonably to have been identified and addressed through appropriate inspections, maintenance and erosion and sediment control measures before being identified by the department.

5. In summary, the delegate considers that it is necessary to issue this EEO to secure your compliance with conditions A1, A5, C2, C13 and C26 of Environmental Authority EPML00720413.

6. The delegate further considers that it is necessary to issue this EEO to secure your compliance with the general environmental duty.

Considerations

The standard criteria, principles of environmental protection 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 6250 penalty units totalling $1,079,375 for an individual and $5,396,875 for a corporation, or 5 years imprisonment.
- The maximum penalty for contravening an EEO is 4500 penalty units totalling $777,150 for an individual and $3,885,750 for a corporation.

Appendix A: Locations of erosion features observed during a site inspection on 02 July 2026.



Figure 1 *Aerial overview of the Callide Mine showing Locations A to D within the Boundary Hill, Trap Gully and Dunn Creek Mining Areas, where erosion and sediment control issues relevant to this EEO were identified.*

Appendix B: Erosion Feature at Location A – Significant Erosion of a Bell Creek Tributary, Boundary Hill Mining Area



Figure 2 *Erosion flow path is toward the Northwest, directly into a tributary of Bell Creek. Image sourced from Queensland Globe, dated between 08 July 2020 and 29 October 2020.*



Figure 3 *Significant erosion caused to the banks of the Bell Creek tributary, as observed by Authorised Persons during a compliance inspection on 02 July 2026.*





Figure 4 & 5 *Severe erosion caused to the banks of the Bell Creek tributary, as observed by Authorised Persons during a compliance inspection on 02 July 2026.*

Appendix C: Erosion Feature at Location B – Erosion Through the Bund of a Constructed Drainage Line, Boundary Hill Mining Area



Figure 6 *Erosion through a bund of a constructed drainage line, as observed by Authorised Persons during a compliance inspection on 02 July 2026. Flow path bypasses nearby sediment control dams. A review of aerial imagery indicates the flow path ultimately joins the above noted Bell Creek tributary at a downstream location.*

Appendix D: Erosion Feature at Location C – Overburden Stockpiles above a Toe Drain, Trap Gully Mining Area



Figure 7 *Two notable sediment flows from overburden stockpiles, one of which (yellow circle) compromised the function of a toe drain. Image sourced from Google Earth Pro, dated 23 April 2026.*



Figure 8 *An erosion feature on the spoil stockpiles above a toe drain with mobilised material crossing the toe drain, as observed by Authorised Persons during a compliance inspection on 02 July 2026.*



Figure 9 *Sediment from erosion feature blocking toe drain, as observed by Authorised Persons during a compliance inspection on 02 July 2026.*



Figure 10 *Flow path of sediment and mine affected water has been diverted from the blocked toe drain towards a farm dam, as observed by Authorised Persons during a compliance inspection on 02 July 2026.*

Appendix E: Erosion Feature at Location D – Overburden Stockpiles adjacent to The Bluff Pit, Dunn Creek Mining Area



Figure 11 *Significant erosion features along overburden stockpiles with a flow path that does not report to any sediment control structures which flows toward the Southeast and ultimately into Lake Callide. Image sourced from Queensland Globe, dated 14 May 2014.*



Figure 12 *Above feature observed by Authorised Persons to still be present during a compliance inspection 02 July 2026.*



Figure 13 *Further erosion immediately downstream of the above feature, including significant volumes of deposited sediment and rocky material, as observed by Authorised Persons during a compliance inspection on 02 July 2026.*

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 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

