

# Notice

*Environmental Protection Act 1994*

## Information request

*This information request is issued by the administering authority under section 140 of the Environmental Protection Act 1994 to request further information needed to assess an application for a proposed PRC plan.*

To: Peabody Coppabella Pty Ltd, CITIC Australia  
Coppabella Pty Ltd, NS Coal Pty Ltd, KC  
Resources Pty Ltd, Mapella Pty Ltd  
100 Melbourne Street  
South Brisbane, QLD, 4001  
*By email transmission only*

ATTN: Brian Nielsen

Our reference: EPML00313313

### Further information is required to assess an application for a PRCP schedule

#### 1. Application details

The application for a proposed PRC plan was received by the administering authority on 23 September 2022. A not properly made notice was issued on 10 October 2022, with a response received on 30 January 2023.

The application reference number is: C-EATPRCP-100316990

Land description: ML70384, ML70385, ML70386, ML70387

#### 2. Information request

The administering authority has considered the abovementioned application and is writing to inform you that further information is required to assess the application (an information request).

The information requested is provided in **Attachment 1**.



### 3. Actions

The abovementioned application will lapse unless you respond by giving the administering authority -

- (a) all of the information requested; or
- (b) part of the information requested together with a written notice asking the authority to proceed with the assessment of the application; or
- (c) a written notice –
  - i. stating that you do not intend to supply any of the information requested; and
  - ii. asking the administering authority to proceed with the assessment of the application.

A response to the information requested must be provided by **28 August 2023** (the information response period). If you wish to extend the information response period, a request to extend the period must be made at least 10 business days before the last day of the information response period.


The response to this information request or a request to extend the information response period can be submitted to the administering authority by email to [CRMining@des.qld.gov.au](mailto:CRMining@des.qld.gov.au).

If the information provided in response to this information request is still not adequate for the administering authority to make a decision, your application may be refused as a result of section 176 of the *Environmental Protection Act 1994*, where the administering authority must have regard to any response given for an information request.

### 4. Human rights

A human rights assessment was carried out in relation to this decision/action and it was determined that no human rights are engaged by the decision/action.

If you require more information, please contact the Department of Environment and Science using the contact details below.



Signature

27 February 2023

Date

Chris Wake  
Department of Environment and Science  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**  
Business Centre Coal  
PO Box 3028, Emerald QLD 4720  
Phone: 07 4987 3200  
Email: [CRMining@des.qld.gov.au](mailto:CRMining@des.qld.gov.au)

### Attachments

Attachment 1: Additional information required for proposed PRC plan

**Attachment 1: Additional information required for proposed PRC plan**

Note: Where a request item results in a variation to the post mining land uses, milestone criteria or the methodology as set out in the rehabilitation planning part, assure that any related sections or content is updated to reflect the variation and a revised PRC plan is submitted in response to this notice.

Item	Relevant Section	Matter	Information requested
<b>Rehabilitation Planning Part</b>			
1	3.3 Post mining land uses	<p>The PRC plan proposes PMLU's based on that stated in the EM plan for the Johnson Extended Project (the Project). Land Outcome Documents (LOD) are defined in section 750 of the EP Act. An EM plan is not generally considered a LOD under the definition of the Act.</p> <p>The EA is the only identified LOD for the Project. Condition H1 and Table H1 of the EA require Final Land Use and rehabilitation objectives for mine domains "infrastructure" and "subsidence panels" to be developed and submitted to the department, prior to the commencement of underground mining activities. As activities have not commenced, this detail has not been provided to the department and hence, there is no LOD that proposes the PMLU for the Project.</p> <p>For a transitional PRC plan where the proposed PMLU has not been previously addressed in a LOD, the information required by section 3.2 of the PRCP Guideline must be provided. This information is necessary to inform assessment of the PRC plan and appropriateness of the proposed PMLUs.</p> <p>Section 3.1.3.11 of the rehabilitation planning part states that the current land use is woodland/open forest pasture grazing. It is understood that the area has not been pre-cleared for grazing, with any current grazing occurring opportunistically within remnant vegetation on native pasture. Overall, the pre-mine (i.e., current) grazing capability is described as intermittent low-quality grazing of native pastures, with no pasture improvement. Additionally, it is unclear whether clearing of the entire area is proposed as part of mining activities. The details of the proposed low intensity grazing PMLU do not clearly align with the current land use. Consideration should be given in the PMLU options analysis as to ability to retain native ecosystem values and existing vegetation, including having a native ecosystem PMLU.</p>	<p>Provide a revised PRC plan that provides further information on the PMLU to address the requirements of section 3.2 of the PRCP Guideline, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• A detailed description of the proposed PMLUs</li> <li>• Consideration of PMLU options having regard to the compatibility with surrounding land uses (including retention of remnant or existing vegetation and re-establishment of vegetation communities) along with any regulatory constraints on, or objectives for, the proposed land use;</li> <li>• Evidence based comparison and justification for each proposed PMLU against alternative options; and</li> <li>• Identification of any statutory constraints that may need to be imposed to prevent or limit the likelihood of an inappropriate land use in the future.</li> <li>• Detail on the specific vegetation types.</li> </ul> <p>Take consideration of whether the PMLU can maintain the current land use and characteristics.</p>

2	3.5.1.7 Water management	<p>Section 3.5.1.7 of the rehabilitation planning part provides limited information regarding surface water and groundwater management in the rehabilitated landform stating that a water management plan will be developed in the future. Given subsidence impacts from the mining activity are likely to occur, the management of surface and groundwater is a key consideration in achieving long-term rehabilitation success. Relevant information should be used as a basis to develop appropriate milestone criteria for inclusion in the PRCP Schedule.</p>	<p>Provide a revised PRC plan that provides further information regarding water management for the post mining landform including:</p> <ul style="list-style-type: none"> <li>• Source, pathway and fate of sediment and any other potential contaminants</li> <li>• Infiltration and seepage intervention and collection controls</li> <li>• Any surface water diversions and long-term management requirements</li> <li>• On-going water management requirements.</li> </ul>
3	3.5.1.8 Revegetation Plan	<p>Section 3.5.1.8 of the rehabilitation planning part provides generalised information relating to the revegetation plan. Further information is required to support the proposed PRCP Schedule, including the information requirements specified for revegetation in section 3.6.1 of the PRCP Guideline.</p> <p>Rehabilitation milestone criteria proposed in the PRCP schedule for achievement of the PMLU rely on comparison of the rehabilitated land to reference sites. Details on the reference sites have not been provided, and a monitoring plan is not detailed to determine whether rehabilitation achieves requirements for PMLU. Reference sites should be developed and detailed in the PRC plan, where they are proposed, to ensure that the criteria demonstrate the achievement of the PMLU.</p>	<p>Provide a revised PRC plan that provides all information required by section 3.6.1 of the PRCP Guideline. The information provided in the revegetation plan should be specific to achieving the PMLU's and key details should be included and justified to support the PRCP schedule.</p> <p>Provide detailed information regarding proposed reference sites, where they continue to be proposed.</p>

4	3.5.4 Underground mining	<p>The rehabilitation planning part provides only high level mine planning and subsidence modelling have been undertaken and that detailed studies are planned for a future date in accordance with EA condition F1 which requires a subsidence management plan to be provided prior to disturbance activities.</p> <p>Section 3.5.4.1 of the PRC plan refers to a feasibility level geotechnical study for the adjacent Coppabella Underground Project. The PRC plan, including Appendix H, provides limited information regarding stability of underground workings post closure, nor does it provide recommendations regarding rehabilitation works required to ensure the underground workings and the final landform achieve stable condition.</p> <p>The geotechnical study and the subsidence analysis and modelling must include the information specified required in Section 3.6.4 of the PRCP Guideline. Such information is essential to inform rehabilitation strategies and the development of appropriate milestone criteria in the PRCP schedule. Subsidence analysis must address potential management issues outlined in the PRCP Guideline. Studies should clearly articulate, delineate and consider any potential risks to the stability of the final landform including any potential for subsidence or impacts resulting from the Coppabella Underground Project.</p> <p>It is unclear whether the PRC plan contemplates impacts from the adjacent project and whether it is implied that stability issues for the Coppabella Underground Project will necessitate rehabilitation work on the Project.</p>	<p>Provide a revised PRC plan that includes further information to address the section 3.6.4 PRCP Guideline requirements for an underground mine. In particular, provide detail on the following:</p> <ul style="list-style-type: none"> <li>• A geotechnical study</li> <li>• An assessment of groundwater interactions and potential lowering of groundwater levels</li> <li>• The development of a hydrogeological conceptual model</li> <li>• Subsidence analysis and modelling and a subsidence vegetation/habitat impact assessment</li> <li>• Consideration of how potential entries to underground workings will be sealed (i.e., through some form of capping or back filling)</li> <li>• How surface ponding and cracking will be mitigated</li> <li>• Identification of post-closure stabilisation of underground workings in order to manage the potential for unplanned surface subsidence and unplanned ground collapse such as sinkholes and pot holing.</li> </ul>
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5	<p>3.1.2.3 Primary mine features / infrastructure and 3.5 Underground mining</p>	<p>The extent of planned underground mining operations and all resulting surface impacts are unclear.</p> <p>Figure 3 of the rehabilitation planning part depicts mining activities associated with the adjacent environmental authority for the Coppabella Underground Project. Additionally, the figure provides an unclear reference to long wall panel locations that are not within the Project.</p> <p>The Environmental Management (EM) Plan, provided as an appendix to the PRC plan, describes mining plans that differ from those stated in the PRC plan. The EM plan details mining activities that target the Leichardt Lower Seam within the area of the Project through long wall top cave mining, with a longwall extraction life of 2.5 years. Section 4.2.2 of the EM plan refers to supporting infrastructure that may be located on the Project, which are not addressed in the PRC plan.</p> <p>Information clearly describing the proposed mining activities, the extent of mining and ancillary activities and their subsequent surface disturbance, is essential to inform assessment of whether the proposed rehabilitation will be adequate to restore the land to a stable condition.</p>	<p>Provide a revised PRC plan that:</p> <ul style="list-style-type: none"> <li>• Clearly identifies all relevant activities that will be undertaken and infrastructure that will be located at the project</li> <li>• Clarifies disturbance that will be involved in establishing mining gate roads and longwall panels as depicted in Figure 3 of the rehabilitation planning part.</li> <li>• Identifies the mining scenario and activities that the subsidence predictions relating specifically to Humbug Gully are based on</li> <li>• Clarifies the duration of activities on the Johnson Extended Project leases</li> <li>• Defines and considers mining activities and disturbance relevant to the EA as opposed to the adjacent EA.</li> </ul>
<b>PRCP Schedule</b>			
6	<p>RM1 - Exploration infrastructure decommissioning and removal</p>	<p>The EA requires rehabilitation of exploration activities in accordance with the requirements specified in the Code of Environmental Compliance for Exploration and Mineral Development Projects regarding the rehabilitation objectives for authorised exploration activities (The Code).</p> <p>Further information regarding the proposed rehabilitation methodology for exploration areas is required, including decommissioning of exploration holes.</p>	<p>Provide a detailed description on the works planned to rehabilitate the exploration disturbance. The description should demonstrate that the rehabilitation activities align with those required in The Code, as per the EA, or if activities are not planned to align with the Code a justification for how the rehabilitation is substantially similar.</p>

7	RA1 and RA2	<p>Areas to be disturbed by exploration activities and subsidence from underground mining are both included in the same RAs. These disturbance types are likely to have different rehabilitation methodologies that will be completed at different stages. The PRCP schedule proposes that parts of each RA will progress through rehabilitation milestones at different times. It is difficult to delineate whether each timeframe relates to the rehabilitation of exploration or subsidence impacts and how these areas and milestones interact with each other.</p> <p>RAs must be based on the proposed rehabilitation methodology applicable to the PMLU. It is recommended that the RA only be assigned to the subsidence areas with exploration disturbance to be addressed via conditions of the PRCP schedule (e.g. the existing exploration conditions of the EA). Consideration should be given to the way the PRCP schedule milestone criteria are written and the RAs are represented to ensure relevant rehabilitation methodology is applied to relevant land.</p>	<p>Provide a revised PRC plan that provides a description of disturbance for each RA and an explanation and justification for the proposed progression of each part of the RA through the rehabilitation milestones.</p> <p>Provide a revised PRC plan that applies RAs to the subsidence disturbance and describes rehabilitation of the exploration disturbance.</p>
8	<p>RM4 - Achievement of surface requirements</p> <p>And</p> <p>RM5 - Achievement of the PMLU to a stable condition</p>	<p>RM4 and RM5 provide the same milestone criteria for PMLU's which are distinctly different. Distinct milestone criteria demonstrating how each PMLU will be achieved is required. Criteria for the rehabilitation of subsidence impacts should also be included in the PRCP Schedule.</p> <p>Information demonstrating how proposed completion criteria will achieve a stable condition is required. Additional criteria regarding stability should be incorporated from the outcomes of the geotechnical and subsidence analysis addressed above in item 4.</p>	<p>Provide a revised PRC plan that includes separate completion milestones for each PMLU which detail relevant milestone criteria specific to that PMLU that meet the SMART principles and demonstrate achievement of that milestone. Revise the rehabilitation tables for RA1 and RA2 accordingly.</p>
9	<p>RM4 - Achievement of surface requirements</p> <p>And</p>	<p>The milestone criteria specific to 'preclearing native vegetation community' state <i>'achieve &gt;75% of benchmark criteria values for the relevant Regional Ecosystem as assessed by an AQP in accordance with the latest version of the Biocondition Assessment Manual'</i> is not supported by the information in the PRCP plan. It is unclear which Regional Ecosystems the PMLU achievement will be assessed against, what the relevant benchmark criteria values are for each and therefore what &gt;75% achievement comprises.</p>	<p>Clarify the objective of the PMLU 'preclearing native vegetation community' and provide further detail on the target Regional Ecosystems that will be achieved.</p> <p>Tabulate the benchmark condition values for each Regional Ecosystem to be achieved</p>

	RM5 - Achievement of the PMLU to a stable condition		stating both the 100% value and the derived 75% value to be achieved.
10	Figure 15 - Final site design and reference map	A separate final site design and reference map is required for inclusion in the PRCP Schedule. Currently the information required for these maps is combined into one map, Figure 15 of the PRC plan. Appendix 2 of the PRCP Guideline provides examples of a final site design and a reference map.	<p>Revise Figure 15 to provide separate maps providing of each of the following:</p> <ul style="list-style-type: none"> <li>• Final site design that depicts all PMLUs for all land within the relevant resource tenures including undisturbed land, and rehabilitation areas that incorporate all disturbed land, and</li> <li>• Reference Map that shows the boundary of each rehabilitation area incorporating all disturbed land on the relevant tenure (only areas of disturbance need to be included on the Reference Map).</li> </ul>