

# 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: Taroom Coal Pty Ltd  
Level 16  
175 Eagle Street  
Brisbane QLD 4000

ATTN: Ashley Sizeland

[ASizeland@newhopegroup.com.au](mailto:ASizeland@newhopegroup.com.au)

CC: Catherine Suggate

[CSuggate@newhopegroup.com.au](mailto:CSuggate@newhopegroup.com.au)

Our reference: EPML00443913

*Sent via email only.*

### 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 31 March 2023.

The application reference number is: **PRCP-EPML00443913**

Land description: ML 50254, ML 50270, ML 50271

#### 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 below in Attachment 1.

#### 3. Actions

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

- (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.

Should the information request require an EIS process or applicant to submit a progressive rehabilitation and closure (PRC) plan then it must be completed and submitted.

A response to the information requested must be provided by **1 February 2024** (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. Review and appeal rights

You may apply to the administering authority for a review of this decision within 10 business days after receiving this notice. Information about your review rights is available from the '[DES Internal review and appeals](#)' information sheet. This information is guidance only and you may have other legal rights and obligations.

#### 5. Human rights

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

If you require more information, please contact the department on the details below.

*Alison O'Brien*

Signature

30/05/2023

Date

Alison O'Brien  
Department of Environment and Science  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**  
Coal Business Centre  
PO Box 3028, Emerald QLD 4720  
Phone: +61749879320  
Email: [CRMining@des.qld.gov.au](mailto:CRMining@des.qld.gov.au)

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

Item	Relevant section (proposed PRC plan)	Matter	Information Requested
<b>Rehabilitation Planning Part</b>			
1	<b>3.2 Community Consultation</b>	<p>Section 126C(1)(c)(iii) of the EP Act requires the community consultation register to include certain information, including how issues have been considered, decisions/outcomes of the engagement and commitments made by the applicant. The community consultation register in Appendix E does not provide the information required by the EP Act and the PRCP Guideline.</p> <p>Section 126C(1)(c)(iv) of the EP Act state the requirements for the community consultation plan, which includes proposed consultation frequency and the information that will be released for community consultation.</p>	<p>Provide an updated Rehabilitation Planning Part that includes the following:</p> <ul style="list-style-type: none"> <li>• Further information to address section 3.5 of the PRCP Guideline.</li> <li>• Further information regarding the frequency for the consultation and the information to be released for consultation.</li> </ul>
2	<b>3.1.4 Topography and surface hydrology 3.1.5 Groundwater</b>	<p>No receiving environment water quality or groundwater quality data was provided. The land outcome document (EA Permit) references TBAs for receiving waters criteria and groundwater criteria and locations.</p> <p>Background surface water and groundwater is important to determine appropriate site-specific water quality limits for monitoring whether the final landform is stable and non-polluting.</p>	<p>Provide an updated Rehabilitation Planning Part that includes receiving water and groundwater quality background data in Section 3.1.4 and 3.1.5.</p>
3	<b>3.1.6.2 Underlying landholders</b>	<p>It has been identified that the underlying land is freehold and it has been stated that some infrastructure will remain post mining.</p> <p>Section 3.2 of the PRCP Guideline states that a written landholder agreement must be provided for where infrastructure is to remain as part of the PMLU.</p> <p>Underlying landholders and landholder agreements have</p>	<p>Update s3.1.6.2 of the Rehabilitation Planning Part that describes the built infrastructure proposed to be retained post mining. Include the details about the underlying landholder(s) and attach evidence of any landholder agreements if required. If no landholder agreement is provided, then the rehabilitation of the site will include the removal of all infrastructure and structures.</p>

		not been provided for the infrastructure that will remain post mining.	
4	<b>3.5.6.3 Waste characterisation and cover design</b>	The planning part describes the interburden/overburden materials will be sodic and dispersive. However, information regarding whether the overburden or waste material includes potential acid generating material has not been provided.	Provide an updated Rehabilitation Planning Part that includes management practices in section 3.5.6.3 to ensure the interburden/overburden materials will be managed in a way to ensure the land is able to sustain a stable landform. Provide an updated Rehabilitation Planning Part that includes information regarding the presence of PAF materials on site and how these will be managed to ensure the land will achieve a stable condition.
5	<b>3.5.6.4 Soil and capping material assessment</b>	Not all topsoil characteristics have been considered. The interburden/overburden materials have been described as sodic. A topsoil criterion for electrical conductivity and exchangeable sodium percentage needs to be included to ensure that topsoil is stable and suitable for the PMLU.	Provide an updated Rehabilitation Planning Part that includes a revised section 3.5.6.4. to include topsoil characteristics, e.g. electrical conductivity (EC) and Exchangeable sodium percentage (ESP) and justify how they support a stable PMLU.
6	<b>3.5.6.1 Flooding</b>	Section 3.6.1 of the PRCP Guideline requires information regarding the effect of flood flow through the site. The planning part does not provide information on the long-term sustainability of the retained flood levee.  The Horse Creek Diversion Functional Design Report appears to consider that the future conditions of the creek are similar to current conditions and therefore the land is stable. However, the report doesn't consider the full creek alignment that receives flood flow (e.g. velocity impacts identified in the Base Case vs Stage 3 of Horse Creek). The geotechnical investigation report (Appendix F of Horse Creek Diversion Functional Design Report) does not seem to adequately consider the range of flood flow events.	Provide an updated Rehabilitation Planning Part that includes further detail and clarity in section 3.5.6.1 regarding: <ul style="list-style-type: none"> <li>• changes in flood depth and velocity within the creek diversion for a variety of flood flow events (See Parsons Brinckerhoff 2014, Horse Creek Diversion Functional Design Report in Appendix G Provided Technical Studies).</li> <li>• the future conditions of the creek, including the geotechnical assessment against flood modelling velocities, the post mining flood model, and justify how this will form a stable condition.</li> <li>• the western void location and ensure that the final proposed location is not in the floodplain.</li> </ul>

		<p>Flood modelling shows the creek diversion will have no impact on the size and shape of upstream floodplain. It is not clear why the floodplain is bound so strictly to the levees between the 240-250 maximum flood extent. (Section 3.5.6.1 and Figure 16).</p> <p>The PRCP proposed placement of the western void may be within the floodplain. The map provided shows that the south-eastern corner of the flood levee is inside the floodplain (Figure 18).</p> <p>It is not clear on how the final void size will be minimised and that the location minimises the risk to the environment.</p>	<ul style="list-style-type: none"> <li>• how the total area of the land to which the final void relates will be minimised and that it minimises risk to the environment.</li> </ul>
7	<b>3.5.9 Tailings storage facilities: surface TSFs (TDN and TDNA)</b>	<p>Further information regarding the characterisation of tailings and the appropriate cover materials for these areas is required to determine whether the final landform will be stable.</p> <p>Information on what to include is listed in section 3.6.1 of the PRCP Guideline.</p>	<p>Update the Rehabilitation Planning Part to include further information in s3.5.9 on the TSF cover and the characteristics of the rocky soil cover to ensure it can support a stable condition of the proposed PMLU.</p>
8	<b>3.5.11.2 Residual void hydrogeology</b>	<p>The predicted water quality within the residual voids has not been provided.</p> <p>This information is required to determine the potential risk of the residual voids to the surface water and groundwater receiving environments and the water quality criteria within the PRCP Schedule.</p>	<p>Provide an updated Rehabilitation Planning Part that includes long-term water quality modelling for the residual voids.</p>
9	<b>3.5.15 Revegetation</b>	<p>In section 3.5.15 of the Rehabilitation Planning Part, the low intensity grazing species proposed to be used to rehabilitate the mine include known weed species. It is possible that weed species will dominate the vegetation cover and may not result in a stable condition being achieved.</p>	<p>Provide an updated Rehabilitation Planning Part that includes a list of species to be used in the revegetation and demonstrates they are appropriate for the PMLU.</p>

10	<b>3.5.16 Water Management</b>	<p>In accordance with the PRCP guideline section 3.6.1, the rehabilitation planning part must include a description of the following:</p> <ul style="list-style-type: none"> <li>• a description of the contaminants that pose a risk to environmental values of the receiving environment.</li> <li>• source, pathway and fate of contaminants that have the potential to impact environmental values.</li> </ul> <p>The planning part includes reference to contaminants, however Contaminants of Concern (CoC) from the activity were not identified. This information is required to demonstrate that rehabilitation methodologies will result in the land achieving a non-polluting condition.</p>	Provide an updated Rehabilitation Planning Part that includes a description of potential contaminants of concern from the activity and the methodology used to determine the contaminants of concern.
11	<b>3.5.16.2 Water dams</b>	It is unclear how contaminated water contained within dams will be removed to enable rehabilitation of the land. Further detail is required about the rehabilitation of the water dams (Section 3.5.16.2). E.g. It is stated that "Water management dams that contained potentially contaminated water during mining will be drained or allowed to evaporate."	Update section 3.5.16.2 of the Rehabilitation Planning Part to clarify how the water contained in the water storages will be removed (i.e. transfer, passive or controlled release) and how contaminated sediment will be removed prior to this land being rehabilitated.
12	<b>3.5.16.3 Diversions</b>	<p>In section 3.5.16.2, Japanese millet and couch have been proposed as part of the species mix for the rehabilitation of the creek diversion.</p> <p>Including these species for the creek diversion could result in a downstream impact on land uses that are not grazing and introduce these species where they are not usually found.</p>	Provide an updated Rehabilitation Planning Part that includes further information demonstrating the proposed species will achieve the PMLU and not result in changes in vegetation downstream.
13	<b>3.7.1.2 Relevant rehabilitation monitoring aspects</b>	Water quality monitoring (receiving environment, void and groundwater) is not included as part of the relevant rehabilitation monitoring aspects for 3.7.1.2 of the rehabilitation planning part.	Provide an updated Rehabilitation Planning Part that includes water quality monitoring program for receiving environment, void and groundwater including proposed locations, frequency and parameters to be measured.

		Water quality monitoring is required to demonstrate the final landform is stable and non-polluting.	
14	<b>3.7.1.3 Surface water monitoring</b>	<p>It is unclear why biological water quality indicators and nutrients are included in the water quality monitoring and how these indicators are related to the CoC and the PMLU.</p> <p>In addition, it is unclear whether the metals listed in Table 35 are CoC.</p> <p>Further, it appears the monitoring frequency and limits are not defined in the Rehabilitation Planning Part.</p>	<p>Provide an updated Rehabilitation Planning Part that includes monitoring frequency and limits for each contaminant of concern (CoC).</p> <p>Provide an updated Rehabilitation Planning Part that includes justification for including biological water quality indicators, nutrients and all metals and whether these are potential CoC from the activity. The limits should consider the Horse Creek Water quality objectives and the ANZG 2018 guidelines.</p> <p>Provide an updated monitoring program that specifies frequency of water quality monitoring at sufficient intervals to be able to gather data to demonstrate a stable condition has been achieved.</p>
15	<b>3.7.1.4 Groundwater monitoring</b>	<p>Further detail is required regarding the groundwater quality monitoring proposed to determine whether the final landform is stable and non-polluting.</p> <p>The monitoring locations, monitoring frequency, contaminants of concern (CoC) and limits should be defined in the Rehabilitation Planning Part and consider potential contaminant sources.</p> <p>Section 3.7.1.4 states that “Groundwater quality monitoring will be undertaken biannually and will be compared with reference groundwater data. “</p> <p>Please note, the monitoring locations are not dependent on the Associated Water License.</p>	<p>Provide an updated Rehabilitation Planning Part that includes monitoring locations, monitoring frequency, contaminants of concern (CoC) and limits.</p> <p>Monitoring of the Horse Creek alluvium must be included.</p> <p>Demonstrate how the Horse Creek Water quality objectives and the ANZG 2018 guidelines have been considered.</p> <p>Provide an updated Rehabilitation Planning Part that includes further details regarding the reference groundwater data including monitoring locations and a summary of water quality data for all CoC.</p>
16	<b>3.7.1.6 Residual voids</b>	<p>A list of water quality indicators (based on CoC) has not been included for the void monitoring in Section 3.7.1.6 of the Rehabilitation Planning Part.</p> <p>It is not clear why microbe and phytoplankton analysis in the void is required and how these indicators are linked to the PMLU.</p>	<p>Provide an updated Rehabilitation Planning Part that includes a list of water quality indicators (based on CoC) to be monitored in the residual voids.</p> <p>Provide an updated monitoring program that specifies frequency of water quality monitoring at sufficient intervals to be able to gather data to demonstrate a</p>

			stable condition has been achieved. Provide an updated Rehabilitation Planning Part that includes clarification regarding why microbe and phytoplankton analysis in the void is required.
17	<b>Rehabilitation Monitoring Program Appendix F</b>	The Rehabilitation Monitoring Program does not include an appropriate range of characteristics to demonstrate native vegetation has achieved a stable condition. The Office of the Queensland Mine Rehabilitation Commissioner has published recommendations regarding the monitoring of native vegetation to demonstrate the land has achieved a stable condition and the PMLU has been achieved. It is unclear how the proposed monitoring program is specific, measurable, demonstrates the PMLU has been achieved and is sustainable (resilient to disturbance).	Provide an updated Rehabilitation Planning Part that includes a monitoring program that considers the recommendations of the Office of the Queensland Mine Rehabilitation Commissioner.
Item	Relevant section (proposed PRC plan and/or PRCP Guideline)	Matter	Information Request
<b>PRCP Schedule</b>			
18	<b>Milestone criteria generally</b>	Criteria proposed in the schedule do not meet SMART principles and do not include many aspects required to demonstrate a stable condition has been achieved. Examples are provided below.	Provide an updated PRCP Schedule that addresses the items raised below. Revise criteria to ensure SMART principles have been incorporated.
19	<b>RM1</b>	Further information on services, buildings or stormwater drainage has been included as being retained. There are currently no landholder agreements in place to retain infrastructure. Criteria regarding the steps needed to decommission the dams have not been included.	Revise criteria to remove reference to retained infrastructure. Revise criteria on decommissioning of water drainage infrastructure and dams to meet SMART principles.
20	<b>RM4</b>	Groundwater monitoring criteria is lacking details on locations, frequency, limits. Therefore, the criteria are not measurable.	Revise criteria to include further groundwater monitoring details (e.g. locations, frequency, CoC and limits). Include SMART criteria for capping material.



21	<b>RM5</b>	<p>Table 21 indicates topsoil suitability criteria and Section 3.3.3 in the soil monitoring program references a list of indicators for soil monitoring however this has not been included in the criteria.</p> <p>The planning part includes reference to ripping of the surface however no criteria has been included for ripping during surface preparation.</p>	<p>Revise RM5 to include SMART criteria regarding topsoil suitability and indicator parameters for soil monitoring.</p> <p>Revise RM5 to include SMART criteria on ripping, including addressing spacing and depth as per Table 24 of the planning part.</p>
22	<b>RM8</b>	<p>Section 3.5.6.2 states that vegetative cover must be &gt;50% to show lowered erosion rates at slopes. The criteria references &gt;50<sup>th</sup> percentile of analogue sites however the evidence to support this criterion is not present.</p> <p>The criteria references the use of analogue sites. However, the Rehabilitation Planning Part does not include details of the condition of the reference sites including flora cover. Therefore, the criteria are not measurable.</p> <p>The erosion classification does not include reference to measurable factors and therefore the criteria is not measurable.</p> <p>The criteria proposes land class suitability of class 4. This land is marginally suitable for grazing and is not necessarily able to sustain grazing in the long term.</p> <p>Water quality monitoring to demonstrate the land has achieved a stable condition has not been included.</p>	<p>Revise RM8 to ensure the vegetative cover is able to support the PMLU proposes and include information in the planning part to support this.</p> <p>Revise RM8 to include reference to the analogue sites (Table 4 from planning part 3.2.1) and identify the flora quality and quantity from that area to ensure background data is captured.</p> <p>Revise the erosion classification criteria to ensure it is measurable.</p> <p>Revise RM8 to include water quality criteria including parameters, limits, and frequency of monitoring (Table 35 of s3.7.1.3 of the planning part).</p>
23	<b>RM9</b>	<p>Water quality monitoring to demonstrate the land has achieved a stable condition has not been included.</p>	<p>Revise RM9 to include receiving water quality criteria including parameters, limits and frequency of monitoring (i.e. Table 34 and Table 35 of s3.7.1.3 of the planning part).</p> <p>Revise RM9 to include groundwater quality monitoring. In particular, for Horse Creek Alluvium in</p>

			the northern ML adjacent to TDN, MIA and rail corridor, and north-east corner of the southern ML.
24	<b>RM10</b>	Reference to analogue sites without providing a description of the current condition renders the criterion not measurable.	Revise RM10 to provide location details for analogue site and specific criteria of these sites.
25	<b>RM11</b>	Reference to analogue sites without providing a description of the current condition renders the criterion not measurable. It is recommended that criteria are proposed that follow the BioCondition Assessment Manual (V2, February 2025, Queensland Herbarium).	Revise RM11 to include criteria for a BioCondition assessment.
26	<b>MM3</b>	Void surface and ground water quality criteria is not included. Results from void and groundwater quality monitoring will be required to demonstrate the proposed NUMA is not causing environmental harm beyond the mining tenure boundary.	Revise MM3 to include surface water and ground water quality criteria and ensure it aligns with SMART principles.