Notice

Environmental Protection Act 1994

Notice of decision – Temporary emissions licence

This statutory notice is issued by the administering authority pursuant to section 357F of the Environmental Protection Act 1994, to advise you of a decision or action.

Aberdare Collieries Pty Ltd
Level 2, North Tower, 540 Wickham Street
Fortitude Valley QLD 4006
By email transmission only

ATTN: Darren Leng, Environment and Stakeholder Advisor
Email: DLENG@csenergy.com.au

Your reference: EPML00417213 – Kogan Creek Coal Mine
Our reference: TEL101054545

1 Application details

Application for temporary emissions licence (TEL) for the release of mine affected water with elevated Total Suspended Solids (TSS) from Kogan Creek Coal Mine to the receiving waters of Kogan Creek to reduce the overall capacity of the water storages in response to a significant rainfall event.

2 Decision

Thank-you for your application for a temporary emissions licence. Your application, which was received by this office on 12 March 2026, has been granted on different terms than those submitted

3 Reason for the decision

The administering authority has decided the application in accordance with sections 357C - 357G of the *Environmental Protection Act 1994*.

The administering authority has imposed an additional condition to be complied with for the duration of the TEL for monitoring and reporting of TSS for all mine affected water releases as it considers this to be necessary and desirable under section 357E(2) of the EP Act.

4 Human rights

A human rights assessment was carried out in relation to this decision, and it was determined that the decision is compatible with human rights.

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5 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. You may also appeal against this internal review decision to the Land Court. Information about your review and appeal rights is attached to this notice. This information is guidance only and you may have other legal rights and obligations.

6 Temporary emissions licence

This temporary emissions licence commences on 13 March 2026 and ends on 13 May 2026.

The licence permits the following emission:

- The release of mine affected water from the release points identified in Table C1 of the EA (EPML00417213) to the receiving waters of Kogan Creek.

The licence overrides the following conditions of your environmental authority, approval number EPML00417213:

- Table C2 – Release Quality Characteristic Limits
- Condition C7
- Condition C8
- Condition C14
- Condition C15

The following conditions apply to this licence:

TEL Condition 1	During a release of mine affected water to waters, Total Suspended Solids (TSS) must be measured daily at monitoring MP1 specified in Table C4 Receiving waters monitoring points and the results provided to the administering authority (via WaTERS) within 28 days of the cessation of the release.

TEL Table C2: Release Quality Characteristic Limits

Quality characteristics	**Release limit**	**Monitoring frequency**		
		Prior to release	**During release**	**After ceasing release**
Oil and grease	10 mg/L (maximum)	No more than 14 days	At least once in every 3 days period	Within no more than 24 hours
pH*	6.5-9.0 (as a range)	No more than 24 hours	At least once in every 3 days period	Within no more than 24 hours
Electrical conductivity (EC)*	1800 µS/cm (maximum)	No more than 24 hours	At least once in every 3 days period	Within no more than 24 hours
Suspended solids	650 mg/L (maximum)	No more than 14 days	At least once in every 3 days period	Within no more than 24 hours

TEL C7	**Quality Characteristics of Release to Waters** The quality of mine affected water in water storages must be monitored prior to, during and after a release of mine affected water to waters: (a) for all quality characteristics specified in **TEL Table C2 Release Quality Characteristic Limits**; and (b) at the monitoring frequency in **TEL Table C2 Release Quality Characteristic Limits.**
TEL C8	The release of mine affected water to waters must only commence when the mine affected water complies with each of the limits specified in **TEL Table C2 Release Quality Characteristic Limits** in accordance with monitoring undertaken with condition **TEL C7**.
TEL C14	Release of mine affected water must cease immediately if: (a) monitoring in accordance with condition **C9** indicates that the water quality characteristics of mine affected water exceed whichever is the poorer quality of: (i) the triggers levels in accordance with **Table C3 Receiving waters quality limits**; or (ii) the results of monitoring undertaken no more than 24 hours prior to release in accordance with condition **C9**, or (b) monitoring during release in accordance with condition **TEL C7** indicates exceedance of the Suspended Solid or Oil and Grease limits for two consecutive laboratory analysis results. *Note: This condition allows for the release to continue when the pH and EC of the receiving waters at MP1 exceed the values in Table C3, provided pH and EC do not exceed the values measured during monitoring at MP1 within the 24 hours prior to release. The release may continue only if monitoring continues to demonstrate that water quality at MP1 continues to be better than or the same as the pre-release receiving water quality at MP1.*
TEL C15	**Notification of release event exceedance** If an exceedance in accordance with condition **TEL C14** occurs, the holder of the environmental authority must notify the administering authority within 24 hours of receiving the monitoring result via WaTERS.

Should you have any questions about the notice, please contact the administering authority using the details provided below.



Signature

13 March 2026

Date

Ben Byrd

Department of the Environment, Tourism, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:

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Information sheet Internal review and appeals (ESR/2015/1742)