

**PEMBROKE**

**Olive Downs Coking Coal Project**  
Draft Environmental Impact Statement

**Section 1**  
**Introduction**

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# 1 INTRODUCTION

This Environmental Impact Statement (EIS) assesses the proposed Olive Downs Coking Coal Project (herein referred to as the Project) and the potential cumulative impacts arising from its development in combination with the existing and approved operations in the immediate vicinity and in the region.

This EIS comprises a main text component and supporting studies, which includes Appendices A to O. An overview of the main text is presented below:

Section 1	Provides an introduction to the Project and the EIS and approvals process and describes the consultation undertaken during preparation of the EIS.
Section 2	Describes the various components and stages of the Project and describes the alternatives considered in the Project design.
Section 3	Details the assessment of Matters of National Environmental Significance (MNES) protected by controlling provisions under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act, 1999</i> (EPBC Act).
Section 4	Details the assessment of Project-specific matters, including a description of the environmental values, an assessment of potential impacts and a description of measures that would be implemented to avoid, minimise, mitigate, offset, manage and/or monitor the potential impacts of the Project.
Section 5	Provides a summary of the proposed rehabilitation strategy for the Project.
Section 6	Provides a summary of the environmental protection commitments and model conditions for the Environmental Authority (EA).
Section 7	Lists documents referenced in Sections 1 to 6 of this EIS.
Section 8	Defines abbreviations, acronyms and terms used in Sections 1 to 6 of this EIS.

Attachments to the main text are also provided as follows:

Attachment 1	Olive Downs Project Terms of Reference.
Attachment 2	Olive Downs Project Terms of Reference Reconciliation Table.
Attachment 3	Regulatory Framework.
Attachment 4	Peer Review Letters.
Attachment 5	Public Consultation Report.

Appendices A to O contain supporting documentation, including a number of specialist reports:

Appendix A	Terrestrial Flora Assessment.
Appendix B	Terrestrial Fauna Assessment.
Appendix C	Aquatic Ecology Assessment.
Appendix D	Groundwater Assessment.
Appendix E	Surface Water Assessment.
Appendix F	Flood Assessment.
Appendix G	Air Quality and Greenhouse Gas Assessment.
Appendix H	Social Impact Assessment (SIA).
Appendix I	Economic Assessment.
Appendix J	Road Transport Assessment.
Appendix K	Noise and Vibration Assessment.
Appendix L	Geochemistry Assessment.
Appendix M	Soil and Land Suitability Assessment.
Appendix N	Non-Indigenous Cultural Heritage Assessment.
Appendix O	Preliminary Risk Assessment.

## 1.1 PROJECT PROPONENT

The Proponent for the Project is Pembroke Olive Downs Pty Ltd (Pembroke) (ABN: 53 611 674 376).

The registered office and postal address for Pembroke is:

Level 19, 1 Macquarie Place  
SYDNEY NSW 2000

Pembroke is a private Australia-based company focused on the acquisition and development of high quality, metallurgical coal assets. Pembroke is backed by leading resources and energy-focused global private equity firm Denham Capital.

### **Environmental Record**

Pembroke has adhered to its regulatory responsibilities associated with the exploration activities at the Project. Pembroke has not been the subject of any environmental legal proceedings.

### **Environmental Policy**

Pembroke has in place an Environmental Policy for the Project, to ensure its activities are planned and managed to minimise impacts to the environment.

The Environmental Policy has been developed for the activities conducted on-site as part of the exploration and feasibility studies that have been conducted to date. The Environmental Policy identifies Pembroke's commitments to:

- minimise the footprint of operations on-site to minimise impacts to environmental values;
- ensure plant is appropriately maintained to minimise the risk of spills or emissions that could impact the environment; and
- comply with the conditions of its EAs and Mineral Development Licences (MDL).

The Environmental Policy identifies the measures that are implemented to achieve the above commitments, including the preparation and maintenance of an Environmental Management Plan for the exploration activities conducted at the Project. Other measures include:

- inspection and monitoring of equipment;
- waste and hazardous materials management;
- training for employees and contractors; and
- reporting and auditing procedures.

The Environmental Policy and Environmental Management Plan will be developed as the Project moves from the exploration phase into the construction and operations phases.

### **Occupational Health and Safety Policy**

Pembroke has an Occupational Health and Safety Policy which identifies Pembroke's commitments to:

- provide and maintain a safe and healthy workplace;
- ensure that plant and equipment is safe and that recognised hazards are eliminated or effectively controlled;

- provide responsible and effective safety leadership across all areas of its business activities and where possible, to influence others accordingly;
- ensure its people are competent and can safely undertake the tasks we require of them; and
- provide a safe system of work that will effectively guide and support its people.

The Occupational Health and Safety Policy identifies the measures that are implemented to achieve the above commitments, including:

- regular inspection and monitoring of equipment and workplace activities to identify unsafe conditions;
- training and development of its people to meet the required level of competency;

This objective is achieved through education, inspections and investigations, hazard identification, monitoring, auditing and reporting.

### **Community Interface Policy**

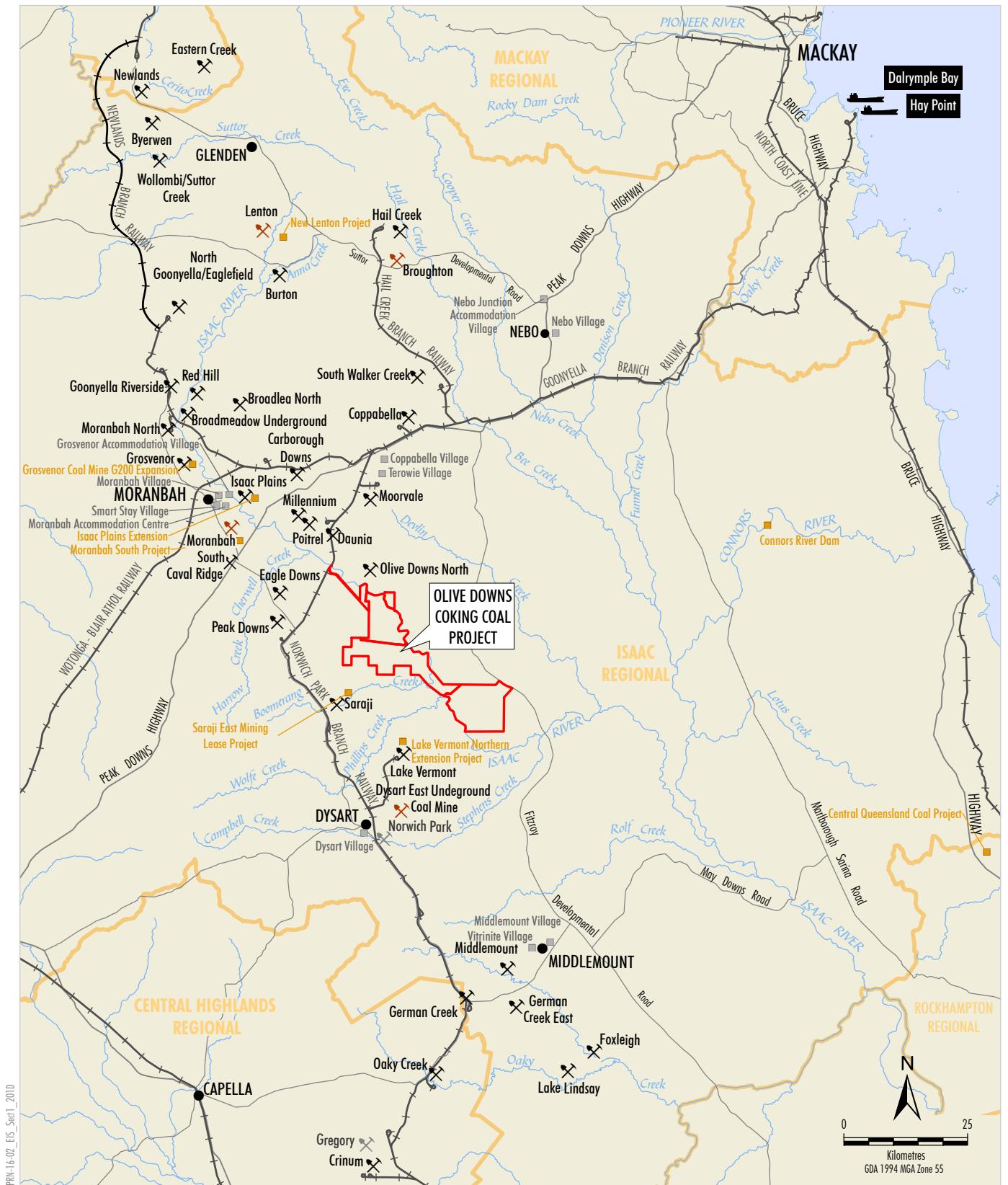
Pembroke has a Community Interface Policy to plan and manage its activities at the Project in consideration of the community. This Community Interface Policy will be developed as the Project moves from the exploration phase into the construction and operations phases, in consideration of the recommendations of the SIA prepared for this EIS.

## **1.2 PROJECT DESCRIPTION**

The Project is a proposed metallurgical coal mine and associated infrastructure within the Bowen Basin, located approximately 40 kilometres (km) south-east of Moranbah, Queensland (Figure 1-1).

The main activities associated with the development of the Project would include (Figure 1-2):

- Run-of-mine (ROM) coal production up to 20 million tonnes per annum (Mtpa) for up to approximately 79 years (commencing approximately 2020 or upon grant of all required approvals), including mining operations associated with:
  - development of the Olive Downs South domain open cut pits and waste rock emplacements within Mining Lease Applications (MLA) 700032 and MLA 700033, MLA 700035 and MLA 700036; and



Source: Geoscience Australia - Topographical Data 250K (2006); Department of Natural Resources and Mines (2016)

**PEMBROKE**

**OLIVE DOWNS COKING COAL PROJECT**

**Regional Location**

**Figure 1-1**

- development of the Willunga domain open cut pits and waste rock emplacements within MLA 700034.
- Installation and operation of on-site ROM coal handling and crushing facilities at Olive Downs South and Willunga domains, as well as the installation of a coal handling and preparation plant (CHPP) at the Olive Downs South domain to produce approximately 14 Mtpa of coking and pulverised coal inject (PCI) coal products and thermal coal by-products.
- Construction of a new rail loop and rail spur line from the Norwich Park Branch Railway and rail-loadout facility including product coal stockpiles at the Olive Downs South domain for rail transport of product coal for export market via the Dalrymple Bay Coal Terminal (DBCT).
- Construction of a new water supply pipeline from the Eungella network to the mine infrastructure area at the Olive Downs South domain. The eastern part of the pipeline would run parallel to the Project's rail spur (within MLA 700035) and the western part would run along an existing road reserve (shown in light blue on Figure 1-2).
- Construction of an electricity transmission line (ETL) from the Broadlea Substation to the mine infrastructure area at the Olive Downs South domain.
- Construction of access roads from Annandale Road and the Fitzroy Development Road to access the Olive Downs South and Willunga domains, respectively.

Each of the abovementioned components are described in detail in Section 2.

### 1.3 THE ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

This section details the environmental impact assessment process and outlines any opportunities for input and participation, including how and when a properly made submission on the EIS will be addressed and taken into account.

An outline of the project approvals process is described in Section 1.5.2.

#### 1.3.1 Coordinated Project Declaration and Terms of Reference

On 17 February 2017 the Coordinator-General declared the Project to be a 'coordinated project' for which an EIS is required under Part 4, section 26(1)(a) of the Queensland *State Development and Public Works Organisation Act, 1971* (SDPWO Act). It is noted that the Project was gazetted as the "Olive Downs Project", but is now referred to as the "Olive Downs Coking Coal Project" (i.e. both names refer to the same Project).

Terms of Reference for an EIS for the Project were subsequently issued by the Coordinator-General on 28 June 2017 (Attachment 1). The Terms of Reference set out the matters Pembroke is to address in this EIS for the Project.

A summary of the Terms of Reference is provided in Table 1-1. Table 1-1 also provides cross-references to the relevant sections of the EIS where the Terms of Reference are addressed. A detailed reconciliation table is provided in Attachment 2.

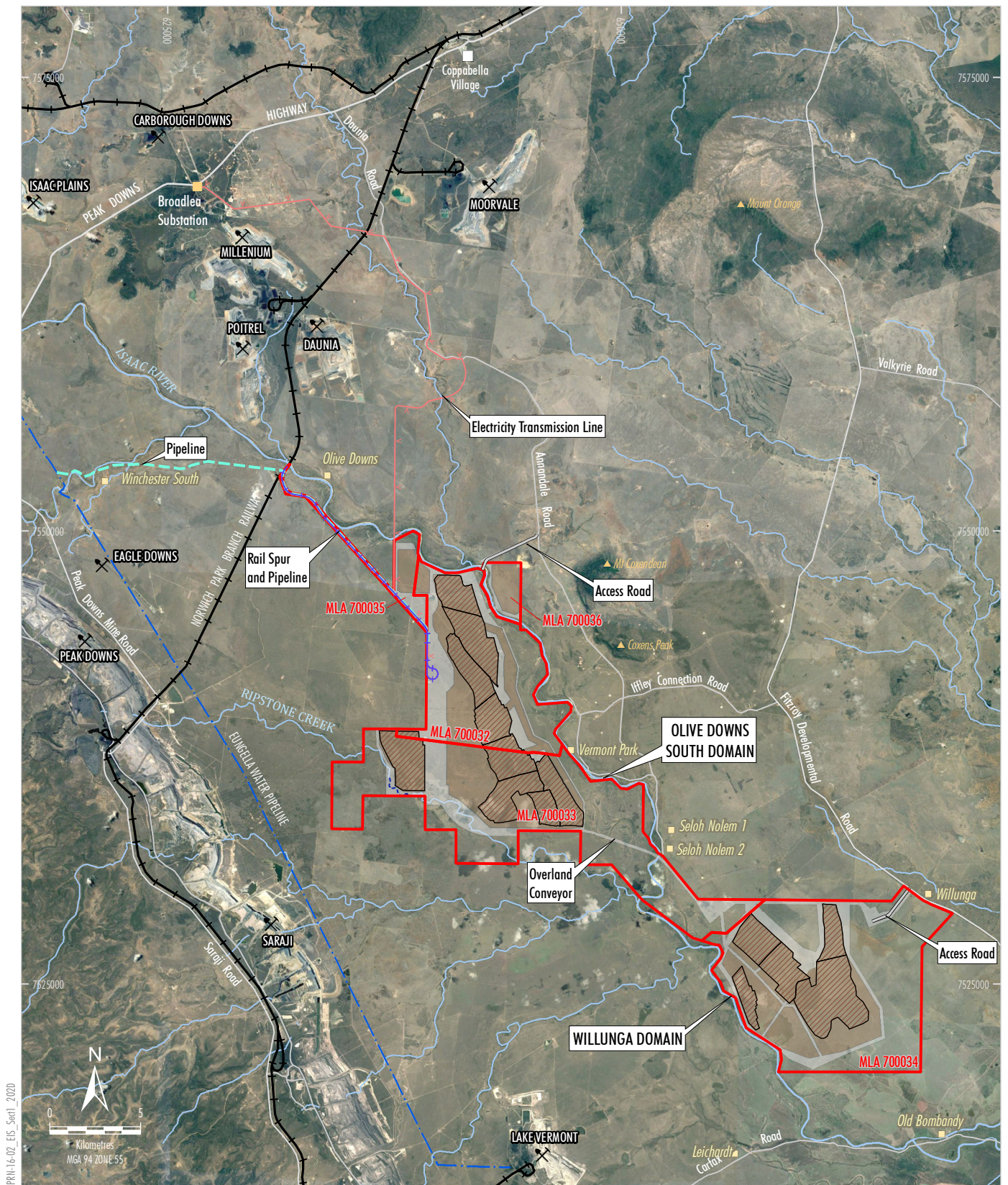
#### 1.3.2 Objectives of the EIS

This EIS has been prepared to fulfil the requirements of an EIS in accordance with the provisions of the SDPWO Act and the EPBC Act, pursuant to a bilateral agreement between the Commonwealth and Queensland Governments.

The objective of this EIS is to ensure that all relevant environmental, social and economic impacts of the Project are identified and assessed, and to recommend mitigation measures to avoid and minimise adverse impacts.

Importantly, the EIS has been prepared to allow the Coordinator-General to evaluate the environmental effects of the Project, to make recommendations and to state or otherwise impose conditions for the undertaking of the Project. In addition, the EIS has been prepared to provide sufficient information to enable primary and secondary approvals to be obtained for the Project. The scope of the approvals to be sought through the EIS process is described in Section 1.5.





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- LEGEND**
- Mining Lease Application Boundary
  - Approved/Operating Coal Mine
  - Dwelling
  - Eungella Pipeline Network
  - Railway
  - Proposed Access Road
  - Proposed Electricity Transmission Line
  - Proposed Rail
  - Proposed Water Pipeline
  - Proposed Creek Diversion
  - Open Cut Pit Extent
  - Out-of-Pit and In-Pit Waste Rock Emplacement
  - Infrastructure Area

Source: Geoscience Australia - Topographical Data 250K (2006)  
Department of Natural Resources and Mines (2016)  
Orthophotography: Google Image (2016)



**OLIVE DOWNS COKING COAL PROJECT**  
Project General Arrangement

**Figure 1-2**



**Table 1-1**  
**Terms of Reference – Reconciliation Summary**

<b>Terms of Reference</b>	<b>Section of EIS where Requirement is Addressed</b>
<b>Part A. About these Terms of Reference</b>	N/A.
<b>Part B. Content of the EIS</b>	N/A.
General Approach	N/A.
Mandatory Requirements of an EIS	Sections 1 to 6
Further Requirements of an EIS	Sections 1 to 6 and Attachments 3 and 5
Executive Summary	Executive Summary
Introduction	Section 1 and Attachment 2
Project Proponent	Section 1.1
The Environmental Impact Assessment Process	Section 1.3
Project Approvals Process	Section 1.5
Project Description	Section 2
Proposed Development	Section 2.1
Site Description	Section 2.2
Climate	Section 2.3
Proposed Construction and Operations	Sections 2.4 and 2.5
Infrastructure Requirements	Section 2.6
Assessment of Project-Specific Matters	Sections 3 and 4
Matters of National Environmental Significance	Section 3
Land, Flora and Fauna	Sections 4.1, 4.10 and 5
Water Quality	Section 4.2
Water Resources	Section 4.3
Air	Section 4.5
Social and Economic	Sections 4.6 and 4.7
Transport	Section 4.8
Hazards and Community Safety	Section 4.12
Biosecurity	Section 4.13
Flooding and Regulated Dams	Section 4.4
Noise and Vibration	Section 4.9
Waste Management	Section 4.14
Cultural Heritage	Section 4.11
Appendices to the EIS	Appendices A to O

Refer to Attachment 2 for a more detailed reconciliation table.

### 1.3.3 How to Make a Public Submission

In accordance with section 33 of the SDPWO Act, Pembroke will publicly notify:

- where a copy of this EIS is available for inspection;
- where a copy of this EIS may be obtained at a stated reasonable cost;
- that submissions may be made to the Coordinator-General about the EIS; and
- the submission period, set by the Coordinator-General, during which a submission may be made.

Copies of the EIS will be made available for inspection at several locations including, but not necessarily limited to, the following:

Department of Environment and Science  
Level 8, 400 George Street  
BRISBANE QLD 4000

Department of Environment and Science  
99 Hospital Road  
EMERALD QLD 4720

Department of Environment and Science  
20-30 Wood Street  
MACKAY QLD 4740



Isaac Regional Council  
Moranbah Office  
Grosvenor Complex, Batchelor Parade  
MORANBAH QLD 4744

Isaac Regional Council  
Dysart Office  
Shannon Crescent  
DYSART QLD 4745

Pembroke Olive Downs Pty Ltd  
Level 16, 1 Macquarie Place  
SYDNEY NSW 2000

Properly made written submissions in relation to this EIS will be invited from any person and must be received within the EIS submission period. The commencement and conclusion dates for the EIS submission period will be prescribed in the notice.

A properly made submission is one that:

- is written;
- is signed by or for each person (“signatory”) who made the submission;
- states the name and address of each signatory;
- is made to the chief executive; and
- is received on or before the last day of the EIS submission period.

EIS submissions can be made online at:  
<http://www.statedevelopment.qld.gov.au/assessments-and-approvals/olive-downs-project.html>

Written submissions can be addressed to:

EIS Project Manager – Olive Downs Project  
Coordinated Project Delivery  
Office of the Coordinator-General  
PO Box 15517  
CITY EAST QLD 4002

or by emailing:  
[olivedowns@coordinatorgeneral.qld.gov.au](mailto:olivedowns@coordinatorgeneral.qld.gov.au).

All submissions will be forwarded to Pembroke so that each submission can be considered and a response provided by Pembroke to the Coordinator-General. This EIS, public submissions and Pembroke’s responses to the public submissions will be taken into account in the evaluation of the Project.

For further information regarding the Environmental Impact Assessment process, visit  
[www.statedevelopment.qld.gov.au/cg](http://www.statedevelopment.qld.gov.au/cg)

## 1.4 PUBLIC CONSULTATION PROCESS

Consultation with key Queensland State Government agencies, specifically in relation to the Project, has been conducted during preparation of the Initial Advice Statement (IAS), draft Terms of Reference, finalisation of the Terms of Reference and the draft EIS.

Engagement with relevant stakeholders has included:

- Project briefings;
- discussion of key assessment considerations;
- discussion of community and social impacts, including proposed accommodation and employment strategies;
- formation land access agreements to conduct baseline environmental surveys and install environmental monitoring equipment;
- description of the environmental assessment process; and
- presentation of the findings of the environmental assessments and Project development schedules.

Stakeholders consulted to date include:

- local landholders;
- local community members and groups, including drop-in days in Moranbah, Nebo, Dysart and Middlesboro;
- local businesses and service providers;
- social infrastructure providers;
- Isaac Regional Council (IRC);
- Native Title parties;
- Office of the Coordinator-General;
- Department of Environment and Science (DES);
- Department of Natural Resources, Mines and Energy (DNRME);
- Department of the Environment and Energy (DEE);
- Department of Transport and Main Roads (DTMR);
- Queensland Health;
- Queensland Police Service;
- Queensland Ambulance Service;
- Queensland Fire and Rescue Service;
- Department of Communities, Disability and Child Safety;

- Department of Education and Training;
- overlapping tenure holders;
- infrastructure service providers (including Aurizon, Ergon, SunWater); and
- DBCT Management, including participation in its Capacity Forum.

Pembroke continues to consult with relevant government agencies on a regular basis in relation to the Project.

The public consultation process has been undertaken cognisant of the requirements in *Preparing an Environmental Impact Statement - Guideline for Proponents* (Department of State Development, Infrastructure and Planning [DSDIP], 2015).

Consultation undertaken during development of the EIS has influenced the design of the Project. Key feedback from the consultation that has been incorporated into the design of the Project includes:

- targeting employment of the local workforce and limiting the use of a fly-in-fly-out workforce;
- encourage the workforce to live locally;
- minimising impacts on the existing flooding characteristics of the Project area;
- offset impacts to biodiversity;
- maximising opportunities to backfill final voids; and
- reinstatement of agricultural land during rehabilitation of the Project.

A comprehensive engagement program with the local communities, conducted as part of the SIA, indicated that they were generally positive about the Project, given its commitments to targeting local employment and co-operation with local stakeholders (Appendix H).

A Public Consultation Report is provided in Attachment 5 of this EIS.

## 1.5 PROJECT APPROVALS

### 1.5.1 Relevant Legislation and Scope of Approvals Sought through this EIS Process

Table 1-2 provides a summary of legislative considerations (e.g. approvals and agreements) for the construction and operation of the Project.

Additional detail on the project approvals process before construction can commence is provided in Attachment 3.

It is anticipated that Pembroke will rely on this EIS to seek draft conditions for relevant approvals for the Project, as summarised in Table 1-2. It is expected that Energy Queensland will seek relevant State and Local Government approvals for the ETL.

### 1.5.2 Project Approvals Process

This EIS is the key document supporting the primary approvals required for the Project under Queensland legislation, including the *Environment Protection Act, 1994* (EP Act) and the *Mineral Resources Act, 1989* (MR Act), as well as secondary approvals under the *Water Act, 2000* (Water Act), the *Nature Conservation Act, 1992* (NC Act), the *Environmental Offsets Act, 2014* (EO Act) and the *Planning Act, 2016* (Planning Act) (including the *Broadsound Planning Scheme* and *Belyando Planning Scheme*).

The EIS also assesses potential impacts on MNES protected by controlling provisions under the EPBC Act.

The key steps involved in obtaining the primary approvals for the Project (including the EIS preparation and approval process) are outlined below and illustrated in Figure 1-3.

Further details regarding the primary and secondary approvals process is provided in Attachment 3.

### Assessment of Significance under the EPBC Act

Four referrals for the Project components (i.e. the mine site and access road, rail spur, pipeline and ETL) were submitted to the DEE under the EPBC Act on 24 January 2017. On 3 March 2017 the Project was determined to be a Controlled Action. DEE advised that the bilateral assessment under section 45 of the EPBC Act applies to the Project.

### Terms of Reference

Draft Terms of Reference were prepared by the Coordinator-General and placed on public exhibition from 8 April 2017 until 12 May 2017.

Fifteen submissions from advisory agencies were received on the draft Terms of Reference and considered by the Coordinator-General. No submissions from the public were received.

**Table 1-2  
Summary of Legislative Considerations**

Legislation	Administering Authority	Relevance to the Project	Approval to be sought, following completion of the EIS Process	Coordinator-General's Conditions sought through this EIS
<b>Commonwealth Legislation</b>				
EPBC Act	DEE	<p>The four key Project components (i.e. mine site and access road, pipeline, rail spur and ETL) were determined to be Controlled Actions on 3 March 2017.</p> <p>The potential impacts of the Project on the MNES protected by controlling provisions will be assessed under the assessment bilateral agreement between the Commonwealth Government and the State of Queensland (Bilateral Agreement). Under the Bilateral Agreement, the SDPWO Act has been accredited as an assessment process to meet the requirements of the EPBC Act. Accordingly, assessment under Part 8 of the EPBC Act is not required for the Project.</p> <p>Following release of the Coordinator-General's EIS Assessment Report, the Commonwealth Minister for the Environment and Energy will make an approval decision for the Project.</p>	Approvals under section 133 of the EPBC Act for the Project components (i.e. EPBC 2017/7867, EPBC 2017/7868, EPBC 2017/7869 and EPBC 2017/7870).	Recommended conditions for inclusion in the EPBC Act approvals relating to environmental offsets for significant impacts to MNES.
<i>Native Title Act, 1993</i> (NT Act)	National Native Title Tribunal (NNTT)	The NT Act provides for the recognition and protection of native title rights in Australia. Pembroke has formed an Indigenous Land Use Agreement (ILUA) with the Barada Barna Aboriginal Corporation. The ILUA meets the compliance requirements of the NT Act and provides consents to the conduct of the Project and the grant of all leases and other approvals, authorities and tenures necessary or incidental for the carrying out of the Project. The ILUA was entered into in mid-June 2018 following consultation with the broader Barada Barna group, and has been lodged with the NNTT for approval.	Nil.	Nil.
<i>National Greenhouse and Energy Reporting Act, 2007</i> (NGER Act)	DEE	Pembroke would trigger the threshold value relevant to greenhouse gas emissions (50 kilotonnes per annum) (section 13[1] of the NGER Act). As such, Pembroke would register on the National Greenhouse and Energy Register.	Nil.	Nil.
<b>State (Queensland) Legislation</b>				
EP Act <i>Environmental Protection Regulation, 2008</i> (EP Regulation)	DES	Pembroke has lodged an Application for an EA over the Project MLA areas. This EIS addresses the EA application requirements listed in section 125 of the EP Act. The EA would authorise Environmentally Relevant Activities (ERAs) (listed under the EP Regulation) relevant to the Project. The EP Regulation prescribes ERAs (other than mining activities) that would, or have the potential to, release contaminants into the environment that may cause environmental harm. ERAs to be conducted at the Project are listed in Section 2.8.	EA for MLA 700032, MLA 700033, MLA 700034, MLA 700035 and MLA 700036.	Stated conditions for inclusion in a draft EA for the Project.

**Table 1-2 (Continued)**  
**Summary of Legislative Considerations**

Legislation	Administering Authority	Relevance to the Project	Approval to be sought, following completion of the EIS Process	Coordinator-General's Conditions sought through this EIS
<b>State (Queensland) Legislation (Continued))</b>				
<i>Mineral and Energy Resources (Financial Provisioning) Bill, 2018</i> (MERFP Bill)	DES	<p>The Bill proposes to reform the environmental bond (financial assurance) and rehabilitation of mining regulation in Queensland. If passed:</p> <ul style="list-style-type: none"> <li>the current environmental bond (i.e. financial assurance system) will be replaced with a financial provisioning scheme, including a Financial Provision Fund; and</li> <li>mining operators will be required to have a 'Progressive Rehabilitation and Closure Plan' (PRC Plan) that will include a 'PRCP Schedule', which will specify binding and enforceable milestones for mine rehabilitation.</li> </ul> <p>At the time of this EIS being prepared, the Bill had been referred to the Economics and Governance Parliamentary Committee for reporting by 20 April 2018.</p> <p>If the Bill is passed, the Project will comply with the requirements of amended EP Act, as it applies to the Project.</p>	To be confirmed.	N/A.
MR Act	DNRME	<p>Mining Leases would be required under the MR Act for the Project within MDL 3012, MDL 3013, MDL 3014 and MDL 3025. Specific Purpose Mining Leases would also be required under the MR Act for certain Project infrastructure within parts of Exploration Permit for Coal (EPCs) 649, 676, 688, 721, 850, 1949 and 1951. Pembroke has submitted MLAs for these areas with the Queensland Mining Registrar.</p> <p>Mining Leases for the Project will permit taking or interfering with groundwater due to development of the open cuts, in accordance with section 334ZP of the MR Act.</p>	Mining Leases and Specific Purpose Mining Leases.	Stated conditions for inclusion in mining leases for the Project.
EO Act	DES	<p>Where an activity has a significant impact on terrestrial or aquatic environmental values, an environmental offset may be required. The EO Act governs the environmental offsets framework in Queensland however, it does not limit the functions or powers under the SDPWO Act.</p> <p>The environmental offset strategy for the Project has been developed in consideration of the EO Act.</p>	Approval of Notice of Election and Offset Delivery Plan.	Stated conditions relating to offset requirements for the Project, for inclusion in a draft EA for the Project.



**Table 1-2 (Continued)**  
**Summary of Legislative Considerations**

Legislation	Administering Authority	Relevance to the Project	Approval to be sought, following completion of the EIS Process	Coordinator-General's Conditions sought through this EIS
<b>State (Queensland) Legislation (Continued)</b>				
SDPWO Act	DSDIP	<p>On 17 February 2017 the Coordinator-General declared the Project to be a 'coordinated project' for which an EIS is required under Part 4, section 26(1)(a) of the SDPWO Act.</p> <p>This EIS has been prepared to address the Coordinator-General's Terms of Reference for an EIS.</p> <p>If the Coordinator-General's recommendation is for the Project to proceed, it is expected that the EIS Evaluation Report may include imposed, stated and recommended conditions for relevant approvals.</p>	N/a.	N/A.
<p>Water Act</p> <p><i>Water Resource (Fitzroy Basin) Plan, 2011</i></p> <p><i>Fitzroy Basin Resource Operations Plan, 2011</i></p>	DNRME	<p>Pembroke has an agreement with SunWater to provide a water supply via the Project pipeline from the Eungella network for the life of the Project.</p> <p>To supplement the SunWater supply (if required during the construction phase), Pembroke has applied to DNRME for licences for take of unallocated general reserve water from the Isaac River under the Water Act.</p> <p>In accordance with section 98 of the Water Act, a licence for taking or interfering with water under the Water Act is not required to divert Ripstone Creek, as the diversion is associated with a resource activity, will be located within a mining tenement and is being assessed through an EA process.</p> <p>Excavation and placement of fill conducted during development of off-lease infrastructure may require a Riverine Protection Permit if the works do not meet the exemption requirements. If the works associated with the construction of the off-lease component of the pipeline (shown in light blue on Figure 1-2) do not meet the exemption requirements (to be determined during the detailed design phase), an application for a Riverine Protection Permit would be submitted.</p> <p>The MR Act provides that the holder of a Mining Lease may take or interfere with underground water (referred to as "associated water") in the area of the Mining Lease if the taking or interference happens during the course of, or results from, the carrying out of an authorised activity for the Mining Lease. In accordance with the MR Act, and the complementary requirements of the EP Act and Chapter 3 of the Water Act, this EIS assesses the impacts of Pembroke exercising its right to take or interfere with associated water.</p>	<p>Water Licences for take of water from the Isaac River.</p> <p>Riverine Protection Permit (subject to detailed design).</p>	Nil.

**Table 1-2 (Continued)**  
**Summary of Legislative Considerations**

Legislation	Administering Authority	Relevance to the Project	Approval to be sought, following completion of the EIS Process	Coordinator-General's Conditions sought through this EIS
<b>State (Queensland) Legislation (Continued)</b>				
NC Act <i>Nature Conservation (Protected Plants) Conservation Plan, 2000</i> <i>Nature Conservation (Wildlife Management) Regulation, 2006</i>	DES	A Species Management Program would be prepared in accordance with section 332 of the Queensland <i>Nature Conservation (Wildlife Management) Regulation, 2006</i> to disturb animal breeding places. A Protected Plant Clearing Permit is required to clear endangered, vulnerable or near threatened (EVNT) plant species. One EVNT species was recorded along the ETL corridor.	Approval of Species Management Program. Protected Plant Clearing Permit.	Nil.
<i>Aboriginal Cultural Heritage Act, 2003</i> (ACH Act)	Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP)	Pembroke has formed a Cultural Heritage Management Plan (CHMP) with the Barada Barna Aboriginal Corporation. The CHMP was entered into in mid-June 2018 and has been submitted for approval pursuant to section 107 of the ACH Act by DATSIP.	Nil.	Nil.
<i>Stock Route Management Act, 2002</i>	DNRME	The Project rail spur and pipeline would intersect existing stock routes and reserves. Agreements to alter stock routes and reserves would be sought with the relevant authorities.	Agreement to alter stock routes and reserves.	Nil.
<i>Waste Reduction and Recycling Act, 2011</i>	DES	An End of Waste Approval may be required for any waste (as per the definition of waste in section 13 of the EP Act) that is to be re-used or recycled at the Project if a relevant End of Waste Code has not been established by the DES.	End of Waste Approval.	Nil.
<i>Vegetation Management Act, 1999</i> (VM Act)	DNRME	Clearing native vegetation is exempt from requiring a clearing permit when it is conducted within a Mining Lease. If clearing native vegetation is required outside a Mining Lease, development approval for clearing native vegetation may be required under the Planning Act. As described above, Energy Queensland will seek all relevant State and Local Government approvals for the ETL (including any approvals under the VM Act) and, as such, further consideration of these approvals for the ETL is not given here.	Nil.	Nil.
<i>Transport Infrastructure Act, 1994</i> (TI Act)	DTMR	Approval from DTMR is required under the TI Act if a project interferes with a State Controlled Road. The Project would require construction of an intersection on a State Controlled Road for access to the Project, therefore approval for works under section 33 of the TI Act is required.	Approval for works interfering with a State Controlled Road.	Nil.

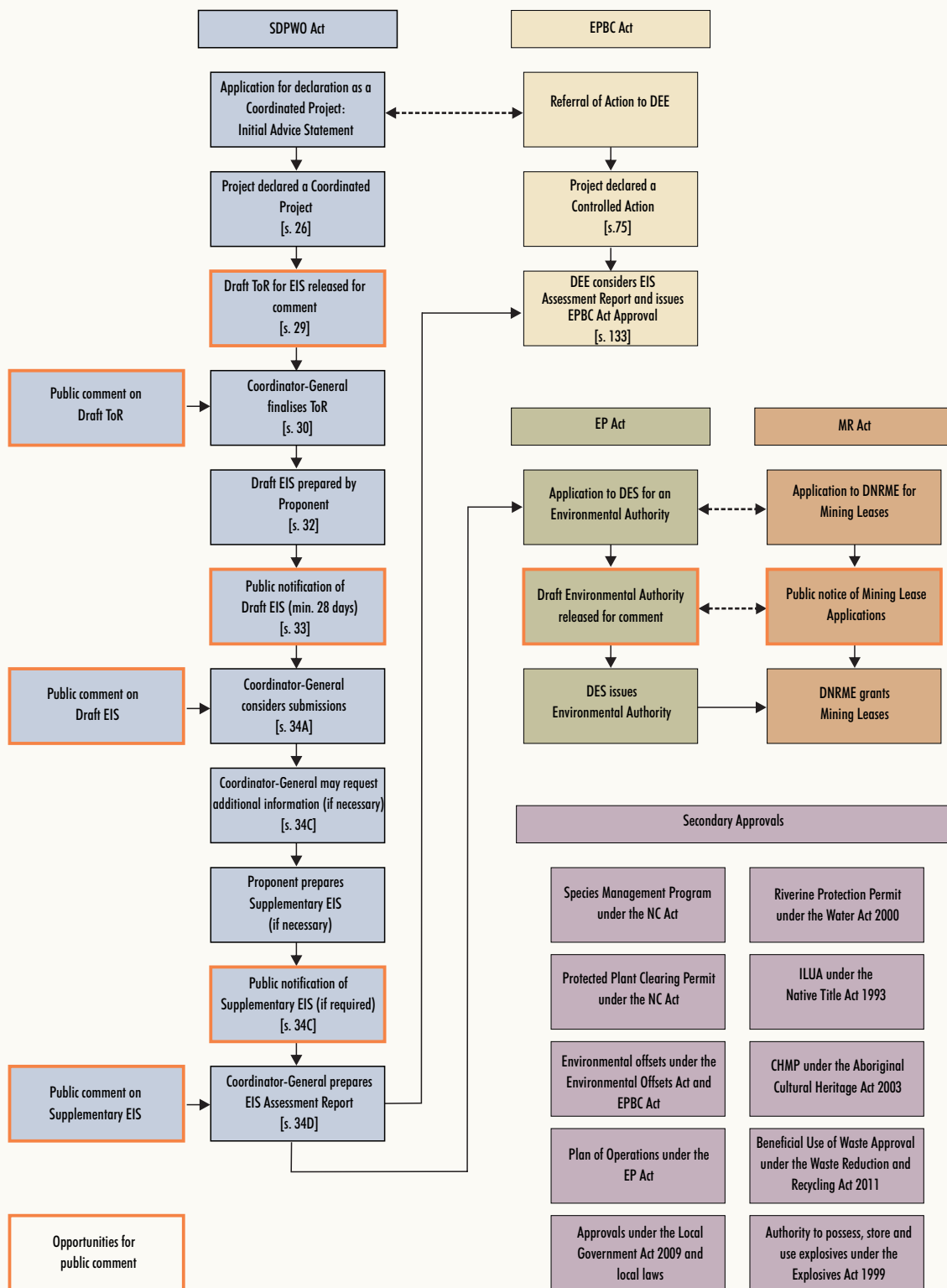
**Table 1-2 (Continued)**  
**Summary of Legislative Considerations**

Legislation	Administering Authority	Relevance to the Project	Approval to be sought, following completion of the EIS Process	Coordinator-General's Conditions Sought through this EIS
<b>State (Queensland) Legislation (Continued)</b>				
Planning Act <i>Planning Regulation, 2017</i> <i>Broadsound Planning Scheme</i> <i>Belyando Planning Scheme</i>	Department of State Development (DSD) Isaac Regional Council	<p>In accordance with Schedule 6, Part 5 of the Queensland <i>Planning Regulation, 2017</i>, development for an authorised activity under the MR Act does not require development approval under the Planning Act.</p> <p>Project components outside the MLAs, specifically the western part of the pipeline and the ETL, require consideration against the Planning Act.</p> <p>Under the <i>Broadsound Planning Scheme</i>, the land use of the development of the pipeline is considered to be 'utility (local)'. Development of land for a 'utility (local)' use in a 'Rural preferred use' area (within which the pipeline would be located) is exempt development, meaning that a development approval is not required for a material change in use.</p> <p>Under the <i>Belyando Planning Scheme</i>, development involving water cycle management infrastructure, including infrastructure for water supply, is exempt development. Accordingly, the western part of the water pipeline, where it is located within the <i>Belyando Planning Scheme</i>, would not require a development approval.</p> <p>A development approval will be required for any clearing of native vegetation required for the pipeline where it is located outside a Specific Purpose Mining Lease. A development approval will also be required for the construction of a new intersection on the Fitzroy Developmental Road, however this approval is not being sought through this EIS process.</p> <p>Development permits for building works may be required within the MLAs. Applications for these works would be submitted to the Isaac Regional Council, if required, following completion of the Project's detailed design.</p> <p>As described in Section 1.5.1, Energy Queensland will seek all relevant State and Local Government approvals for the ETL (including any approvals under the Planning Act) and, as such, further consideration of these approvals for the ETL is not given here.</p>	<p>Development approval for clearing native vegetation for the water pipeline, where it is located outside a mining tenement.</p> <p>Development permits for building works.</p>	<p>Stated conditions for elements of the Project, to the extent relevant.</p>

**Table 1-2 (Continued)**  
**Summary of Legislative Considerations**

Legislation	Administering Authority	Relevance to the Project	Approval to be sought, following completion of the EIS Process	Coordinator-General's Conditions Sought through this EIS
<b>State (Qld) Legislation (Continued)</b>				
<i>Local Government Act, 2009</i> (Local Laws)	Isaac Regional Council	Where located outside the MLAs, the pipeline would be located within an existing road reserve under control of the Isaac Regional Council. To conduct works and undertake activities within the road reserve, works approvals in accordance with the Isaac Regional Council's <i>Subordinate Local Law 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation), 2011</i> and <i>Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads), 2011</i> would be required.	Works approvals under Isaac Regional Council Local Laws.	Nil.
<i>Regional Planning Interests Act, 2014</i> (RPI Act)	DNRME	A Regional Interest Development Approval (RIDA) may be required when a resource or regulated activity is proposed to be located in an area of regional interest.  The Project will not impact any areas of regional interest as defined in the RPI Act, and as such, a RIDA is not required.	Nil.	Nil.
<i>Explosives Act, 1999</i>	DNRME	Pembroke would obtain authorities to possess, store and use explosives in accordance with the <i>Explosives Act, 1999</i> .	Authorities to possess, store and use explosives in accordance with the <i>Explosives Act, 1999</i> .	Nil.
<i>Biodiversity Act, 2014</i>	Department of Agriculture and Fisheries (DAF)	The <i>Biosecurity Act, 2014</i> provides for the management of biosecurity risks, including the spread of pests.  The Biosecurity Act imposes a 'general biosecurity obligation': <ul style="list-style-type: none"> <li>• to take all reasonable and practical measures to prevent or minimise the biosecurity risk;</li> <li>• to prevent or minimise adverse effects on a biosecurity consideration of the person's dealing with the biosecurity matter or carrier or carrying out the activity;</li> <li>• to minimise the likelihood of causing a biosecurity event, or to limit the consequences of a biosecurity event caused, by dealing with the biosecurity matter or carrier or carrying out the activity; and</li> <li>• not to do or omit to do something if the person knows or ought reasonably to know that doing or omitting to do the thing may exacerbate the adverse effects, or potential adverse effects, of the biosecurity matter, carrier or activity on a biosecurity consideration.</li> </ul>	Nil.	Nil.





The Coordinator-General published the Final Terms of Reference on 28 June 2017 under section 30 of the SDPWO Act.

### **Preparation of the EIS**

Pembroke has prepared this EIS in accordance with the requirements of the Terms of Reference (Attachment 1). Technical assessment reports were prepared by relevant specialists to assist in determining the environmental impact of the Project (technical assessments available in Appendices A to O).

Peer reviews of key technical assessments, specifically the Groundwater Assessment, Surface Water and Flooding Assessments, Air Quality Assessment and Geochemistry Assessment have been conducted (Attachment 4).

Pembroke has submitted MLAs with the Queensland Mining Registrar.

### **Public Exhibition**

This EIS would be placed on public exhibition for a period of at least 28 days and notices would be placed in the *Daily Mercury* (a newspaper circulating in the locality of the operational land), *The Courier-Mail* and *The Australian*.

During this period the public would be able to comment on the EIS and make submissions to the Coordinator-General. All submissions made on the EIS would be made available to Pembroke to provide an opportunity to respond and provide the Coordinator-General with any additional information to the EIS.

### **EIS Evaluation Report**

The Coordinator-General will produce an EIS Evaluation Report considering all submissions made on the EIS during the public consultation period. The EIS Evaluation Report will assess the adequacy of the EIS in addressing the Terms of Reference. The Coordinator-General will also make recommendations about the suitability of the Project and recommend conditions that should form part of the approval.

### **Environmental Authority and Mining Lease Application Exhibition**

Pembroke would lodge an Application for an EA for the Project. Following completion of the Coordinator-General's EIS evaluation process, DES will prepare and issue a draft EA for the Project. The MLA documentation and draft EA decision would be advertised for a minimum of 20 business days. During this period the public may lodge objections to the draft EA and MLA.

### **EPBC Act Approval**

The Project components were referred to the DEE for a decision on whether they were Controlled Actions requiring approval under the EPBC Act. On 3 March 2017, DEE determined that the Project components were Controlled Actions, requiring approval under the EPBC Act. The controlling provisions for the Project are sections 18 and 18A (listed threatened species and communities), sections 20 and 20A (listed migratory species) and sections 24D and 24E (water resources).

The potential impacts of the Project on MNES protected by those controlling provisions will be assessed under the assessment bilateral agreement between the Commonwealth government and the State of Queensland (Bilateral Agreement). Under the Bilateral Agreement the SDPWO Act has been accredited as an assessment process to meet assessment the requirements of the EPBC Act.

An EPBC Act Controlling Provisions Assessment is provided in Section 3.

### **Final Decision**

If there are no public objections, the EA will be granted by the DES and the Mining Leases will be granted by the DNRME.

If there are objections to the MLA and/or draft EA that cannot be resolved, they will be referred to the Land Court of Queensland. The application (ML and/or EA) will be either granted or refused.

### **Ongoing Public Consultation**

In addition to the designated public consultation periods, consultation and input from the public will continue to be encouraged by Pembroke throughout the environmental impact assessment process. This will continue to be achieved through websites, community newsletters and bulletins, community information sessions and a Community Advisory Group.