

Environmental Protection Act 1994 (EP Act) – Section 42

Draft terms of reference for an environmental impact statement (EIS) Proposed Baralaba South Project

Wonbindi Coal Pty Limited (owned by Baralaba Coal Company Ltd – 80 per cent; Liberty Metals & Mining Holdings, LLC – 10 per cent; and Noble Group – 10 per cent) proposes to develop a greenfield, multi-seam, open-cut coal mine using truck and excavator methods to mine up to 6 million tonnes per year (Mt/yr) of run-of-mine coal to produce pulverised coal injection and thermal coal product for up to 40 years within an area of approximately 2,214 hectares covered by mining lease application (MLA) 80193. The proposed project would be operated in conjunction with the existing approved Baralaba North Mine. The product rate between the two operations would be approximately 3.5Mt/yr, as per the separate approvals in place for the Baralaba mine haul route and train load-out facility. Product coal would be transported 40 kilometres (km) by road via the existing Baralaba mine haul route to the existing train load-out facility located approximately 2km east of Moura. Product coal would then be transported by rail to the Port of Gladstone for export to international markets. The proposed project area would be located approximately 115km south-west of Rockhampton and 8km south of Baralaba.

On 10 August 2011 Wonbindi Coal Pty Limited submitted an application under sections 70 and 71 of the EP Act for approval to voluntarily prepare an EIS. On 16 August 2011, the former Department of Environment and Resource Management (DERM), now Department of Environment and Heritage Protection (EHP) approved the application under section 72 of the EP Act.

The project was determined to be a controlled action (Referral Number 2012/6547) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The controlling provisions are sections 18 and 18A (listed threatened species and communities), 20 and 20A (listed migratory species) and 24D and 24E (a water resource, in relation to coal seam gas development and large coal mining development). The project will be assessed under the bilateral agreement between the Commonwealth and the State of Queensland (section 45 of the EPBC Act) using the EIS prepared under the EP Act.

Wonbindi Coal Pty Limited previously submitted a draft terms of reference (TOR) for an EIS for the proposal to EHP on 19 October 2012. TOR for the proposal were finalised and issued to the proponent on 2 April 2013. However, the final TOR for the project ceased to have effect on 2 April 2015 as an EIS for the project was not submitted within two years after the final TOR were given to the proponent, as required under section 47 of the EP Act. To comply with section 47(3)(b) of the EP Act, Wonbindi Coal Pty Limited submitted a new draft TOR for an EIS for the proposal to EHP on 6 February 2017.

The draft TOR may be viewed at:

- Department of Environment and Heritage Protection
Floor 3, 400 George Street
BRISBANE QLD 4000
- Department of Environment and Heritage Protection
20-22 Herbert Street
GLADSTONE QLD 4680
- Baralaba Community Office
16-20 Wooroonah Street
BARALABA QLD 4702
- Banana Shire Council
Administration Office Gillespie Street
MOURA QLD 4718

This public notice, the draft TOR and a description of the project is available on the EHP website at <https://www.ehp.qld.gov.au/management/impact-assessment/eis-processes/index.html>, by contacting the proponent on 07 3221 8492, emailing baralabasouth@baralabacoal.com.au, or on web page <http://www.baralabacoal.net.au>.

Written comments

EHP's chief executive invites written comments from any person in relation to the draft TOR, within the comment period from **6 March 2017 to 5pm 18 April 2017**.

Please address written comments to:

The Chief Executive
Department of Environment and Heritage Protection
Attention: The EIS Coordinator (Baralaba South Project)
GPO Box 2454
BRISBANE QLD 4001

or by email to eis@ehp.qld.gov.au

When the EIS is released, public submissions will be invited. For further information about the EIS process for this proposal, contact the EIS coordinator on 13QGOV (13 74 68) or email eis@ehp.qld.gov.au.

Privacy Statement

EHP is collecting the information provided in comments for consideration in the EIS process. All comments (including names and addresses) will be provided to the proponent as required under section 44 of the EP Act, so that they may consider them and provide a response to EHP. This consultation is a public process, and any comments you provide may be published (including online) and may be transmitted outside of Australia. You may wish to bear this in mind when providing your comments. Your information will not be disclosed by EHP to any other parties unless authorised or required by law.

