



Hon Andrew Fraser MP
Member for Mount Coot-tha



Treasurer of Queensland
Minister for State Development
and Trade

MN125102

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Neil Laurie

I refer to petition number 1733-11 regarding the proposed New Acland Coal Mine – Stage 3 Expansion Project, which has been declared a ‘significant project’ requiring an environmental impact statement (EIS) under the *State Development and Public Works Organisation Act 1971*.

Declaration as a significant project does not in any way pre-empt any commitment by the Coordinator-General or the Queensland Government to approve or support a project. Rather, it is recognition of the significant complexity of a project, the substantial benefits it may bring and the need to carefully assess its impacts and how they could be mitigated if the project is approved to proceed.

The assessment of a significant project involves a rigorous, whole of government evaluation of the social, environmental and economic effects of the project. It also provides organisations and members of the public the opportunity to comment on the Terms of Reference for the EIS, the EIS itself and any supplementary material provided in response to comments on the EIS.

The declaration does not exempt the project from the need to obtain all necessary development approvals under relevant Queensland legislation and to comply with relevant planning and environmental laws and instruments.

This project has also been declared a ‘controlled action’ by the Commonwealth Minister for Sustainability, Environment, Water, Population and Communities under the terms of the *Environment Protection and Biodiversity Conservation Act 1999*. This means that if the Coordinator-General approves the Stage 3 expansion project, it must also be assessed and approved by the Commonwealth Minister before it can proceed.

Level 9 Executive Building
100 George Street Brisbane
GPO Box 611 Brisbane
Queensland 4001 Australia
Telephone +61 7 3224 6900
Facsimile +61 7 3229 0642
Email treasurer@ministerial.qld.gov.au
ABN 65 959 415 158

Only then, after project approvals in both State and Federal Governments, would New Acland be able to have a Mining Lease Application processed by the Department of Employment, Economic Development and Innovation under the *Mineral Resources Act 1989* after the Department of Environment and Resource Management (DERM) issued an Environmental Authority for the Stage 3 project.

Through the EIS, a project's impacts are assessed along with any measures proposed to mitigate, avoid or reduce the impacts. Staff from the Office of the Coordinator-General coordinate the EIS process and prepare a report for the Coordinator-General's consideration, based on all of the material received in the EIS process including comments from agencies, organisations and members of the public.

The Coordinator-General has confirmed the New Acland Stage 3 project is advanced in its environmental assessment process following the release of its EIS for public comment in late 2009. Submissions on the EIS were invited from 14 November 2009 to 3 February 2010.

The proponent was directed to provide supplementary information to the EIS on a range of issues, including social impacts, air quality, dust management and mitigation, and groundwater so that the community and environmental impacts of the proposal can be fully understood. New Acland Coal is currently finalising the supplementary report to address issues that were raised in comments on the EIS.

Advice provided by agencies including DERM and Queensland Health on matters such as those raised in the petition will be an important consideration in the evaluation of the project which will only occur after comments on the supplementary report have been received.

I note petitioners' comments about the proximity of the project to Oakey. However, I can confirm the southern boundary of the proposed project is about 5 kilometres from the central Oakey area.

You may wish to note that on 15 August 2011, the Honourable Anna Bligh MP, Premier and Minister for Reconstruction, and the Honourable Stirling Hinchliffe MP, Minister for Employment, Skills and Mining, announced a restriction to exploration for mining in proximity to urban areas (that is, areas within two kilometres of areas with greater than 1000 people in residence).

The additional 2km buffer around the boundary of these urban centres has been introduced to ensure there is an appropriate separation area between where exploration activities can occur and where residents may reside. This buffer size is based on existing statutory environmental codes to provide adequate separation of conflicting activities.

The restriction is now in place, and is intended to be enabled by amending the *Mineral Resources Act 1989* later in the year. This policy applies to exploration in the vicinity of Oakey.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Fraser', written in a cursive style.

ANDREW FRASER