

Hon Tanya Plibersek MP
Minister for the Environment and Water
c/- Department of Climate Change, Energy, the Environment and Water

23February 2024

Dear Minister,

RE: Vulcan South Coal Mine referral – EPBC 2023/09708. Additional information

We write to you in relation to new information related to our submissions on the Vulcan South Coal mine (**the Project**) referral by Vitrinite Pty Ltd (**the Proponent**) under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**).

In our submissions (attached), we strongly encouraged you to determine that this project is clearly unacceptable due to the direct impacts on threatened species and communities, or in the alternative, that controlling provisions must include both:

- (a) Listed threatened species and communities (ss 18 and 18A), and
- (b) Water resources (ss 24D and 24E).

Some of our submissions further recommended that this be assessed by environmental impact assessment as the preliminary information is insufficient in respect to water resources and it did not address the cumulative impacts of the larger, staged development. You will be aware that the Proponent has referred their larger project in three separate applications for your assessment (this subject Project, EPBC 2020/8676, and EPBC 2022/09361). At the time of writing, the first stage of the project has been approved under the EPBC Act, but no decision has been made on the second two stages.

Your department sought Independent Expert Scientific Committee (IESC) advice on the second stage of this project - Matilda Pit and Ancillary Infrastructure project. The resulting report was damning of the investigations, modelling and conclusions in relation to water resources¹.

The results of the IESC report have been drawn upon in all of our submissions as grounds to consider the significant impact on water resources as a controlling provision.

Since the closing date for our public comment on the referral of Vulcan South for EPBC assessment, we have now been made aware of environmental breaches stemming from the first stage of this larger project in relation to water resource management.²

The Environmental Protection Order (EPO) issued by the Queensland Government clearly identifies that there were numerous contaminated water releases from the Vulcan Complex mine between November 2022 and March 2023, with the company blaming heavy rainfall and staffing challenges. The EPO also shows that in October 2023, nearly a year following the first

¹ [IESC 2023. Advice to decision maker on coal mining project Vulcan Coal Mine Matilda Pit and Ancillary Infrastructure Project](#)

² [Environmental Protection Order issued to Vitrinite](#)

reported contamination event, Vitrinite was still yet to construct all the infrastructure required as part of its Environmental Authority conditions.

This new information detailed in the EPO makes it clear that this Proponent is not able to meet the Queensland government's conditions of their initial approval in relation to water resource management, and we are concerned that the requirements of their EPBC approval are also not being met³.

We do realise that the submissions are now closed for comment on the Vulcan South Coal project, but we again appeal to you to protect our threatened species, our water resources and our environment and either refuse the coal mine or at least require a thorough environmental assessment before making your decision.

Kind regards,



Dr Coral Rowston
Director
Environmental Advocacy in Central Queensland Inc.



Ellen Roberts
National Coordinator
Lock the Gate Alliance



Christine Carlisle
President
Environment Council of Central Queensland



Imogen Lindenberg
Climate Campaigner
Mackay Conservation Group

³ [EPBC approval and conditions for the Vulcan Complex](#)