



Department of the
**Environment, Tourism,
Science and Innovation**

Our reference: CTS 22713/24

16 January 2024

Dr Coral Rowston
Director
Environmental Advocacy in Central Queensland Inc.
EnvA.CQ@outlook.com

Dear Dr Rowston

Thank you for your letter of 10 December 2024 outlining your recommendations for potential improvements around assessing impacts from mining activities, particularly in relation to the role of the Department of the Environment, Tourism, Science and Innovation (DETSI) in assessing environmental authorities (EA).

I note that your recommendations delve into the complexities of both the approvals process and interactions between State and Commonwealth legislation. Therefore, I would strongly encourage you to engage directly with subject matter experts within DETSI in relation to those recommendations. I am advised that you meet routinely with DETSI's Business Centre Coal through an ENGO/DETSI information session and would encourage you to table your recommendations through that forum.

I am advised that DETSI approved the EA for the Vulcan North Bulk Sample Project (bulk sample project) on 22 March 2024, which occurred prior to the commencement of the development of the bulk sample pit. Any limitation on the progression of the bulk sample project because of matters that fall within the jurisdiction of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) are a matter for the federal Department of Climate Change, Energy, the Environment, and Water.

I can confirm that DETSI is currently assessing an offset application for the Vulcan South Coal Project which proposes to legally secure 700 hectares of land to offset significant residual impacts to 60 hectares of Matters of State Environmental Significance through land-based offsets.

I am advised that Section 149 of the *Environmental Protection Act 1994* provides that public notification only applies to applications that relate to a mining lease. The bulk sample project is an exploration activity, and no error has been made by DETSI with respect to notification requirements.

As a point of clarification, the direction notice issued by DETSI in June 2024 relates to an approximate area of two hectares of disturbance that is alleged to have been outside what is authorised by the bulk sample project EA. The notice does not relate to impact on Matters of National Environmental Significance, which are administered by the Commonwealth. The notice has prohibited further unlawful works and requires rehabilitation of the two hectare area. I also understand that DETSI fined the operator \$15,480.00 for the alleged offence. However, the requirements under the notice do not apply to the activities being lawfully conducted under the EA.

Should you require any further information in relation to either the Vulcan North bulk sample project or the Vulcan South Coal Mine, you may contact Tony Baker, Director - Coal and Central Compliance, Environmental Services and Regulation, DETSI on 0407 425 951 or by email at tony.baker@des.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patricia O'Callaghan', with a stylized flourish at the end.

Patricia O'Callaghan
Director-General