

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

Submitted via the EPBC portal

4 February 2026

Dear Minister,

RE: Submission on Referral – Washpool Coking Coal Bulk Sample Project (EPBC 2025/10402)

Thank you for the opportunity to make this submission in response to the referral of the Washpool Coking Coal Bulk Sample Project (**Project**) proposed by Magnetic South Pty Ltd (**Proponent**) under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

Environmental Advocacy in Central Queensland

Environmental Advocacy in Central Queensland (**EnvA**) is a Central Queensland community association concerned about the risks associated with coal mining, coal seam gas development and climate change.

EnvA believes that opening new and expanding coal and gas projects:

- is inconsistent with achieving Australia's emission targets and Queensland's emission targets,
- is likely to cause irreparable damage to our local landscape and result in stranded assets,
- will increase risks to our local community from extreme weather such as increasing the intensity and frequency of storms, floods, droughts and bushfires,
- will damage our significant coastal resources including our beaches and the Great Barrier Reef through storm surge and increased coral bleaching events, and
- will further degrade wildlife habitats of state and national significance through habitat loss and the exacerbating effects of climate change.

The Project

The Proponent is proposing to extract a bulk sample of 992kt of coal from a target area within two mineral development licences (**MDL**) – MDL 3015 and MDL 3016 – located approximately 12.5km north-west of Blackwater in Central Queensland.

The Proponent is seeking to undertake a bulk sampling project to:

- Provide a comprehensive evaluation of the requirements of establishing a full-scale mining operation, and
- Assess mining techniques, coal processing and treatment options, product quality and market potential.



The Proponent notes that the coal seams to be assessed have not previously been mined and feature a challenging geological formation that differs from those of surrounding mining operations.

The total project area is approximately 14,108ha, with the proposed Project footprint of approximately 152ha.

ENVA'S RECOMMENDATIONS

EnvA recommends that the Minister decides that this project will have **clearly unacceptable impacts on protected matters**, most notably the direct impact on threatened species and communities and water resources.

In the alternative, EnvA recommends that this Project is considered a controlled action due to significant residual impacts on:

- listed threatened species and communities (ss 18 and 18A), and
- water resources (ss 24D and 24E).

We further ask that the Minister:

- treat this Project as part of a staged or larger action, noting that this 'initial' project is intended to facilitate a greenfield coal development impacting an area exceeding 14,000 ha, which, if progressed, is likely to significantly affect multiple matters of national environmental significance (**MNES**), and
- notes the Proponent's environmental compliance history and consider whether the Proponent is a suitable operator for the purposes of the EPBC Act.

EnvA further recommends that the proponent is required to undertake a more detailed assessment of impacts on MNES across the broader project area and to provide a more detailed justification of the project through an Environmental Impact Statement (**EIS**) process.

Further background and detail to our submission is provided below.

GROUND'S FOR SUBMISSION

Significant impact on threatened species and communities and migratory species

The Project will or is likely to have a significant impact on numerous threatened species and communities listed under the EPBC Act.

In addition to a desk top survey, the Proponent conducted surveys in Autumn and Spring 2025. From these surveys, the Proponent has identified numerous threatened species, communities and migratory species within the study area and/or within the project footprint area. Some of these species and communities will be impacted by the Project, or are likely to be impacted in the second stage of the expanded project:

Threatened ecological communities

- Brigalow (*Acacia harpophylla* dominant and co-dominant) (Endangered)

Threatened species

- White throated snapping turtle (*Elseya albagula*: critically endangered)
- Latham's snipe (*Gallinago hardwickii*: vulnerable)
- Squatter pigeon (*Geophaps scripta scripta*: vulnerable)
- Sharp-tailed sandpiper habitat (*Calidris acuminata*: vulnerable)

- White-throated needletail (*Hirundapus caudacutus*: vulnerable)
- Koala (*Phascolarctos cinereus*: endangered)
- Greater glider habitat (*Petauroides volans*: endangered)
- Ornamental snake habitat (*Denisonia maculata*: vulnerable)
- Short-beaked echidna habitat (*Tachyglossus aculeatus*: Special Least Concern).

Migratory species

- Fork-tailed swift (*Apus pacificus*)
- Oriental Cuckoo (*Cuculus optatus*)

The terrestrial survey focussed its recommendations on the Project disturbance area not the complete study area.

EnvA disagrees with the Proponents claim that the ecological assessment “confirmed that the Project is unlikely to have a significant residual impact on any prescribed matters relevant to terrestrial ecology, particularly in respect to the second stage of the larger project.

EnvA further notes that the white-throated snapping turtle was observed in the Mackenzie River approximately 1km from the Project disturbance area. The Recovery Plan for the turtle identifies habitat degradation, water quality and climate change as a key threat to this species.¹ The broader project is likely to have a significant impact on this critically endangered species. The current project also has a significant potential to impact on the local population resulting from any overflows from the Raw Water Dam and the Projects contribution to climate change.

The Terrestrial Ecology report also reports three sightings of koalas in one field survey in 2025 within areas identified as habitat critical to the survival of the species (figure 15). EnvA considers that koalas are often recorded in low densities in Central Queensland, that this indicates that the study area is providing important habitat and/or dispersal habitat. One of the sightings was directly adjacent to the proposed Project disturbance footprint. This Project would result in this critical habitat to be effectively surrounded by a coal mine which would restrict dispersal and contaminate the koalas’ food source.

Water

The Project is located within the Mackenzie River catchment of the greater Fitzroy River basin – the largest Great Barrier Reef catchment. The Project MDLs are located just upstream of Bedford Weir on the Mackenzie River. Bedford Weir is part of the Nogoa Mackenzie Water Supply Scheme.

The Project area is drained by a number of minor tributaries of Burngrove Creek, a tributary of the Mackenzie River. Burngrove Creek joins an anabranch of the Mackenzie River to the west of the Project area. The minor tributaries drain west towards the Burngrove Creek floodplain.

The Surface Water report provided with the application identifies potential impacts as:

- reduced surface runoff to receiving waters due to the capture of runoff within the Project water management system;
- adverse impacts on flooding in local tributaries and receiving waters;
- adverse water quality impacts due to the risk of surface water discharges from the water management system to receiving waters.

Detailed mitigation and management systems for the Project are not provided, but rather a Water Management Plan (WMP) will be developed. This lack of detail limits the ability of stakeholders and the decision-maker to undertake a robust assessment of the likelihood and severity of impacts.

¹ [Australian Government \(2020\) National Recovery Plan for the White-throated Snapping Turtle \(*Elseya albagula*\)](#)

EnvA notes that the Washpool Coal Project was previously subject to an EIS when it was proposed by Aquila Resources (EPBC 2009/5240)². The controlling provisions were listed as threatened species and water resources.

While that proposal was withdrawn from assessment under the EPBC Act before a final decision was made, it is clear from documents prepared during this assessment that the impacts on Mackenzie River, other water resources and listed threatened species would be significant. The Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC)³ expressed serious concerns about the level of information provided and provided advice on matters which needed to be addressed including:

- Impacts on baseflow in the Mackenzie River and interaction between groundwater and surface water in Mackenzie River, Burngrove Creek and Coal Mine Lagoon,
- Cumulative impacts on groundwater and surface water resources, including from Curragh Coal Mine and Jellinbah Coal mine to the east, Ensham Coal Mine to the west and Blackwater Coal Mine to the south,
- The suitability of Burngrove Creek for releases of mine affected water due to the flow regime in the creek and presence of licenced discharge points upstream (Curragh West Coal Mine),
- Alteration of flow and flooding regimes in Coal Mine Lagoon anabranch, which has water quality that is unsuitable for release to the Mackenzie River/Bedford Weir, and longer term impacts for the geomorphology of Coal Mine Lagoon,
- Impacts on water quality in Bedford Weir which is used for agriculture, stock watering, industrial use and potable water supply, and
- Impacts of releases of sediment and changes in flow regime on the endangered Fitzroy river turtle.

EnvA considers that there is likely to be a significant impact on water resources which have not been adequately addressed in the current Project application.

Staged project

EnvA notes that this Project is part of a staged project as it is based on an assessment of the coal resources with the stated intention for another entity to further develop the Washpool Coal mine.

This would result in this Project expanding to over 6,400ha with significant impacts on at least 12 threatened species and communities. The Proponent has also identified that this Project is a part of a staged development and larger project in its application⁴, but considers that it is “appropriate to refer the actions separately.”

The Bulk Sample Project is clearly only required to facilitate the larger Washpool Coal Project.

EnvA recommends that this Project must be determined to be a controlled and be assessed through an EIS process to ensure that all impacts can be thoroughly assessed. The approval of a small section of the project is likely to result in stranded assets and non-rehabilitated lands should the larger project be determined to be not compatible with the requirements of the reformed EPBC Act.

Suitability of the operator

The Proponent claims that it has no current or historical records of proceedings against them under Commonwealth, State or Territory law for the protection of the environment or the

² [Washpool Coal Mine Project \(EPBC 2009/5240\)](#)

³ [IESC \(2014\) Advice to decision maker on coal mining project - Washpool Mine Project \(EPBC 2009/5240\)](#)

⁴ [Queensland Government \(2023\) Direction notice issued to Magnetic South](#)

conservation and sustainable use of natural resources. It also affirms its commitment to being an “ethical and sustainability driven organisation”.

However, the Proponent is subject to a current Direction Notice (STAT-E-100322229) issued on 12 January 2023. Despite the steps required being due to be resolved by 13 February 2023, this direction notice remains current.

As such, we are of the firm belief that the Proponent must be considered as not a suitable person as provided for in section 136(4) of the EPBC Act.

EnvA is of the strongest view that this Project must be refused based on the unacceptable impacts to threatened species in both the direct impacts from the loss of habitat and the cumulative impacts of the continuing approval of new and expanding coal mines that not only destroy habitat forever but also contribute to the impacts of climate change. We further assert that this Project may have a significant impact on water resources based on the information available.

Thank you again for the opportunity to make comments on the Washpool Coking Coal Bulk Sample Project.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Coral Rowston', is positioned below the 'Yours sincerely,' text.

Dr Coral Rowston

Director

Environmental Advocacy in Central Queensland