

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

30 June 2026

Dear Minister,

RE: Submission on Referral – Gemini Coal Mine Extension Project (EPBC 2026/10537)

Thank you for the opportunity to make this submission in response to the referral of the Gemini Coal Mine Extension Project (**the Project**) proposed by Magnetic South Pty Ltd (**the Proponent**) for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**).

Environmental Advocacy in Central Queensland

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

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

- is contrary to meeting Australia's emission targets and Queensland's emission targets,
- is likely to result in irreparable damage to our local landscape and result in stranded assets,
- will put our local community at further risk of 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,
- will further degrade wildlife habitats of state and national significance through both habitat loss and climate change, and
- rarely take into consideration the views of Traditional Owners and local communities who are concerned about protecting their land from fossil fuel development.

ENVA'S SUBMISSION

1. EnvA submits that the referral fails to demonstrate that significant impacts on Matters of National Environmental Significance (MNES) can be avoided, mitigated or adequately offset. Given the substantial uncertainty surrounding threatened species, groundwater, cumulative impacts and greenhouse gas emissions, the precautionary principle requires that the Project be refused.
2. Alternatively, the Project should be declared a controlled action due to significant residual impacts on:
 - Listed threatened species and communities (ss 18 and 18A),



- Listed migratory species (ss 20 and 20A),
- Water resources (ss 24D and 24E),
- World Heritage (ss 12 and 15A),
- National Heritage (ss 15B and 15C)
- Commonwealth marine areas (ss 23 and 24A), and
- Great Barrier Reef Marine Park (ss 24B and 24C).

3. We further recommend that if this Project is accepted for assessment, that it be assessed through a comprehensive environmental impact statement (EIS) process. An EIS assessment would allow:

- Public input on the terms of reference,
- Rigorous assessment of species surveys, habitat fragmentation, cumulative impacts, water resources, and climate risks, and
- Transparency in the evaluation of offsets, mitigation, and alternatives.

Further detail to support our recommendation is provided below.

The proposed action

The Project is a proposed extension to the Gemini Coal Mine which is authorised by an Environmental Authority (EA) P-EA-100114292 to operate on mining lease (ML) 700056.

The Project is proposed to occur on the eastern side of ML 700056 situated between the small rural townships of Bluff and Dingo. The anticipated footprint for the Project is approximately 755ha, with mining activities proposed to continue for approximately 12 years based on the current design and proposed mining rates, but may increase as technologies improve, in response to economic and market factors and as the proponent's understanding of the resource develops.

The Project would allow the proponent to continue to extract up to 1.9 Mtpa of metallurgical coal beyond the life of the Gemini Coal Mine.

GROUNDS FOR SUBMISSION

Staged development

The Proponent is claiming that the Project is not part of a staged development and hence has avoided the scrutiny of an environmental assessment of the entire Gemini coal mine.

It is clear the first 'distinct' project was the Gemini Coal mine which was not directly referred for EPBC Act assessment but relied on a previous decision for the Dingo West Coal Project (EPBC 2010/5775) that the project 'could proceed as not a controlled action if undertaken in a particular matter', despite that it was a different project with the approval granted to a previous Proponent.

The Proponent argues that this extension is a stand-alone action and not a component of the Gemini Coal Mine for the purposes of section 74A of the EPBC Act. However, the referral acknowledges that the extension will commence approximately seven years after the commencement of the Gemini Coal Mine and will rely on infrastructure constructed for the existing Gemini Coal Mine, including haul roads, the Mining Infrastructure Area (MIA) and the Coal Handling and Preparation Plant (CHPP). These facts strongly indicate that the proposal forms part of a staged development rather than a genuinely separate project.

EnvA also notes that a separate referral for a Gemini Rail Loop Project application (EPBC 2026/10538) has been referred as another component of the larger Gemini Coal Project. While the Proponent claims that this infrastructure is not related to the Project, it is clearly a proposal to enable the transportation of coal product from the Gemini Coal Project and the proposed Project.

EnvA acknowledges that the EPBC Act does not provide a process for the Minister to request a person to withdraw and re-submit their proposal, but we do recommend that the total impacts of the three sub-projects are taken into consideration when assessing the significant residual impacts of this Project.

Cumulative impacts

The referral consistently assesses impacts in isolation despite the Project occurring within one of Australia's most intensively mined coal regions. Incremental habitat loss, groundwater drawdown, altered hydrology, greenhouse gas emissions and impacts to the Great Barrier Reef catchment cannot be properly understood without considering the cumulative effect of numerous existing, approved and proposed coal mines within the Bowen Basin.

Justification

The Institute for Energy Economics and Financial Analysis (**IEEFA**) has concluded that Australia does not need to approve more coal mines to increase coal production, the pipeline of coal mine approvals contrasts with global market outlooks and that approving new and expanding coal mines increases rehabilitation uncertainty and risks to taxpayers.¹

Scientists have also questioned whether coal mine expansion benefits local communities in the long run and determined that coal mining is a less desirable option when the social and environmental costs are factored into the justification.² This is reinforced by the many small Central Queensland coal companies falling into administration and larger companies placing mining operations into care and maintenance.³

The Proponent has not presented a justification for the Project - the significant environmental and social impacts must be considered.

Suitability of operator

The Proponent states 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 conservation and sustainable use of natural resources.

Magnetic South and the company executives claim to have adhered to their regulatory responsibilities regarding exploration activities and have not been the subject of any Commonwealth or State environmental legal proceedings and are committed to operating in an environmentally and socially responsible manner during the design, approvals, construction, operation and closure of the Extension Project.

EnvA does not agree with this characterisation. Available compliance records indicate the Proponent has been the subject of multiple investigations concerning environmental management at the Gemini Coal Mine – tree clearing without authority, exploration outside of approved areas and inappropriate erosion and sediment control. Of these investigations, the Proponent was issued a Direction Notice for undertaking exploration activities outside of its approval.⁴

These compliance issues are directly relevant to the Minister's consideration of the credibility of the Proponent's commitments regarding environmental management and mitigation. A history of

¹ [IEEFA \(11 February 2025\) Australia's coal production limits far exceed actual output, so why approve new mine developments?](#)

² [De Valck, J et al. \(2021\) Does coal mining benefit local communities in the long run? A sustainability perspective on regional Queensland, Australia. Science Direct](#)

³ [EnvA \(2026\) Central Queensland coal company Vitrinite enters administration as sector instability deepens](#)

⁴ [Queensland Government \(12 January 2023\) Direction Notice issued to Magnetic South Pty Ltd](#)

non-compliance necessarily reduces confidence that future environmental impacts can be effectively managed.

Threatened species and communities

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 desktop survey, the Proponent's consultant conducted surveys in 2017 and 2018, with addition of two smaller surveys in 2025. This survey effort is inadequate to appropriately identify threatened species and communities. Threatened species require multiple seasonal surveys and data almost a decade old cannot reliably represent the current populations.

Despite the inappropriate survey effort, 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 include:

Threatened ecological communities

- Brigalow (*Acacia harpophylla* dominant and co-dominant)
- Poplar Box Grassy Woodland on Alluvial Plains

Threatened species

- White-throated Snapping Turtle (*Elseya albagula*);
- Fitzroy River turtle (*Rheodytes leukops*);
- Squatter Pigeon (southern) (*Geophaps scripta scripta*);
- Greater Glider (southern and central) (*Petauroides volans*);
- Bridled Nailtail Wallaby (*Onychogalea fraenata*);
- Collard Delma (*Delma torquata*);
- Grey Falcon (*Falco hypoleucos*);
- Red Goshawk (*Erythrorchis radiatus*);
- Sharp-tailed Sandpiper (*Calidris acuminata*);
- White-throated Needletail (*Hirundapus caudacutus*); and
- Yellow Wagtail (*Motacilla flava*).

The referral provides insufficient information regarding rehabilitation, offsets and long-term management to demonstrate that significant impacts on threatened species and ecological communities can be effectively avoided, mitigated or compensated.

EnvA further notes that many these of species and communities are regularly identified in coal mine applications in the Bowen Basin. The Project cannot be considered in isolation. The Bowen Basin has experienced decades of incremental habitat clearing, groundwater extraction and river modification through successive coal mine approvals. Each individual project has contributed to cumulative impacts that now threaten ecological function across the region. Approval of another 750 ha disturbance footprint would further erode the resilience of already fragmented ecosystems.

We further note that the mining lease is directly adjacent to Taunton National Park (Scientific) – the home of the endangered bridled nail-tail wallaby. This is a species that was once thought extinct with Taunton National Park being the only natural population of the wallaby left.⁵

⁵ [EnvA \(2023\) Gemini Coal](#)

EnvA is of the strongest view that this Project must be refused on the basis of the unacceptable impacts to threatened species and communities from:

- the direct impacts due to the loss of habitat,
- the cumulative impacts of the continuing approval of new and expanding coal mines in the Bowen Basin in Central Queensland, and
- the increasing impacts of extreme weather events on these species and communities.

There is no detail on the proposed rehabilitation of the disturbed land and no information on how the impacts would be offset.

If the project cannot be refused until further assessments of the impacts on threatened species and communities, and migratory species is completed, we strongly recommend that Listed threatened species and communities (ss 18 and 18A), and Listed migratory species (ss 20 and 20A) are included controlling provisions.

Water Resources

The Project lies within the upper Mackenzie River catchment and is situated in the centre of the Fitzroy River Basin. The Project is positioned in a relatively flat landscape, dissected by Charlevue Creek, which has a lower elevation than the surrounding land and is also crossed by Stanley Creek and Springton Creek, as well as small tributaries associated with the main waterways.

A proposed diversion channel along a tributary of Springton Creek will be required to accommodate flood flows at velocities that would be non-erosive in the 1 in 100 AEP flood with appropriate channel lining.

The Proponent notes that the development of the proposed mine pit and diversion channel may alter the surrounding Charlevue Creek and Springton Creek floodplains and channels, increase flood levels in Springton Creek by up to 0.22 m in a 1 in 100 AEP flood event, and would result in localised off-lease impacts on flood levels.

This level of information presents no useful information to assess the potential significant impacts to surface water. EnvA notes that potential impacts include:

- 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, and
- adverse water quality impacts due to the risk of surface water discharges from the water management system to receiving waters.

The Proponent claims that the potential impacts can be mitigated through a surface water management plan, but the details of this are not provided.

In relation to ground water, the Proponent acknowledges that the Project is likely to have a significant impact.

The referral effectively seeks approval before the necessary scientific investigations have been completed. The EPBC Act assessment process should not rely on future studies to determine whether significant impacts exist. Those investigations should inform the referral itself.

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 and hence consider that Water resources (ss 24D and 24E) must be a controlling provision.

Greenhouse Gas (GHG) emissions

The estimated total GHG emissions are estimated at 28.75 million tonnes of carbon dioxide equivalents (Mt CO₂-e) comprised of:

- 1.12 Mt CO₂-e of Scope 1 emissions;
- 0.05 Mt CO₂-e of Scope 2 emissions;
- 27.6 Mt CO₂-e of Scope 3 emissions.

The Proponent acknowledges that the Project will trigger NGER reporting requirements and the Safeguard Mechanism, but no detail is provided about managing emissions against a declining facility baseline.

The Proponent further claims that emission management is not required at this stage, but identifies the displacement of diesel electricity generation, fugitive gas characterisation, lower emission fuel substitution and the use of eligible offsets as a last resort as preliminary abatement measures.

GHG emissions are estimated to exceed 28 million tonnes of CO₂-e. These emissions contribute to climate change, which is itself a recognised threatening process affecting threatened species, ecological communities, World Heritage values and the Great Barrier Reef.

EnvA again notes that these GHG emission estimates are for one phase of the larger Gemini Coal Mine Project. The total emissions from the three separate projects must be considered in the assessment of the potential impacts to meeting legislative requirements⁶ and the impacts on the environment and climate.

Australia, and of particular concern to EnvA, Central Queensland (where this mine is proposed), is already experiencing climate change impacts that include an increased frequency and severity of coral bleaching, storms, heat waves and wildfires, and an increase in the number of endangered species and ecosystems. As global warming increases to 1.5°C and above, these impacts will increase in severity.

EnvA considers that this is a clearly unacceptable Project at a time when the world is needing and wanting to transition to a clean energy future. There are sufficient coal resources already approved to supply the domestic and international demand. Approving another coal mine to operate for 20 years is irresponsible and contrary to meeting legislated emission reduction targets and the legally binding international treaty on climate change.

World Heritage, National Heritage and the Great Barrier Reef

The Proponent notes that the Project is located within the Fitzroy Basin catchment - the largest catchment draining to the Great Barrier Reef (**Reef**) World Heritage Area. The Reef is also a listed National Heritage Area and is part of the Great Barrier Reef Marine Park.

The Mackenzie River is one of the five main tributaries and consequently, the Project may directly impact the Reef from potential contamination of watercourses that discharge into the catchment, although considers that there would not be a significant impact to the Reef.

The Proponent considers that sediment runoff contaminating watercourses will be subject to an erosion and sediment control plan and include control measures focussed on preventing or minimising soil erosion and trapping or retaining sediment in catchments draining to non-mine water management systems. However, no erosion and sediment control plan is provided, and the Proponent has a demonstrated history of poor erosion and sediment control.

⁶ i.e. [The Paris Agreement](#), [Climate Change Act 2022](#), [Australian Government \(2025\) Setting our 2035 target and path to net zero](#), [Australia joins Belém Declaration to transition from fossil fuels](#), [Global Methane Pledge](#)

For example, Lock the Gate reported poor watercourse management to the Queensland Government in late 2025, including evidence of the erosion and sediment that were being implemented. Lock the Gate shared some photographic evidence at the time (depicted below), which in the event of a moderate to heavy rainfall event, would not in any way prevent sediment or contaminated water entering the Reef catchment.



Given the information provided, the Proponent's acknowledgement that there may be impacts to the Reef, the lack of information provided in the application that the impacts can be mitigated or managed, and the significant contributions to greenhouse gas emissions, that controlling provisions must also include:

- (a) World Heritage (ss 12 and 15A),
- (b) National Heritage (ss 15B and 15C),
- (c) Commonwealth marine areas (ss 23 and 24A), and
- (d) Great Barrier Reef Marine Park (ss 24B and 24C).

Accordingly, the Project presents both direct risks (through catchment impacts) and indirect risks (through climate change) to the Outstanding Universal Value of the Great Barrier Reef World Heritage Area.

This referral demonstrates substantial uncertainty regarding the extent of environmental impacts, the effectiveness of proposed mitigation measures and the capacity of offsets or rehabilitation to compensate for permanent losses. In these circumstances, approval would be inconsistent with the precautionary principle and the objects of the EPBC Act.

EnvA therefore respectfully submits that the Project should be refused. Should the Minister determine that refusal is not appropriate, the Project should, at a minimum, be declared a controlled action and assessed through a comprehensive Environmental Impact Statement incorporating full public consultation and independent scientific scrutiny.

Thank you again for the opportunity to make comments on the referral of the Gemini Coal Extension Project.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'C. Rowston'.

Dr Coral Rowston

Director

Environmental Advocacy in Central Queensland