



Department of Infrastructure,  
Local Government and Planning

## AMENDED REGIONAL INTERESTS DEVELOPMENT APPROVAL

### RPI16/002/~~Kestrel RIO TINTO~~ - KESTREL EXTENSION #4 Coal Project

Given under Sections 53 and 55 of the *Regional Planning Interests Act 2014* (RPI Act) on 29 August 2016.

#### Description of the land

Location: The following lots impacted by ML70481:

- Part of Lot 11 on SP178401
- Part of Lot 2 on RP615380 (Subsurface Lot)
- Part of Lot 26 on RP615396 (Subsurface Lot)
- Part of Lot 32 on RP615386 (Subsurface Lot)
- Part of Lot 24 on SP220221 (Volumetric Lot)
- Part of Lot 23 on SP220221
- Part of Lot 10 on TT71
- Lot 8 on TT424

ML70481 also includes part of the Crinum Creek watercourse, Gordon Road, unnamed road reserves and a temporarily closed road reserve within the area identified in the map in Attachment 1.

Local Government Area: Central Highlands Regional Council

Holders	Address
<del>Queensland Coal Pty Ltd</del> <u>Kestrel Coal Resources Pty Ltd</u> Mitsui Kestrel Coal Investment Pty Ltd	<del>c/- Kestrel Coal Resources</del> <u>Rio Tinto Coal Australia</u> <u>123 Albert Street</u> <u>Level 22 / 10 Eagle Street</u> Brisbane QLD 4000

#### Approved activities

This amended regional interests development approval (RIDA) authorises impacts on the strategic cropping area (SCA) by the approved activity. The maximum extents of impacts on strategic cropping land (SCL) within the SCA as a result of the **resource activities** carried out under the Environmental Authority EPML00693413 must be confined as set out in Table 1 below.



## Regional interests conditions

A person who is the holder of, or is acting under this amended RIDA must not contravene a condition of this approval.

Condition number	Condition	Timing
1.	Carry out the approved activity and disturbance of land generally in accordance with: <ul style="list-style-type: none"> <li>(a) The activities identified in Table 1: Approved activities.</li> <li>(b) The plan included as Attachment 1.</li> </ul>	At all times
2.	The maximum area of <b>permanent impact</b> on SCA that may occur as a result of this development approval is to be no greater than 948.0ha.	At all times
3.	Mitigation measures must be in place for the 948.0ha of approved permanently impacted strategic cropping land. Mitigation measures are to be either: <ul style="list-style-type: none"> <li>(a) Payment to the mitigation fund as follows:               <ul style="list-style-type: none"> <li>(i) a mitigation payment for 316ha within 12 months of commencing <b>permanent impacts</b> in accordance with the approved activities listed in Table 1; and</li> <li>(ii) a mitigation payment for 316ha prior to 12 months of the anniversary date of the payment in condition 3(a)(i); and</li> <li>(iii) a mitigation payment for 316ha prior to 12 months of the anniversary date of the payment in condition 3(a)(ii); or</li> </ul> </li> <li>(b) a <b>mitigation deed</b>.</li> </ul> Note: The mitigation value is determined by multiplying each hectare of the area of identified permanently impact land by the prescribed mitigation value, where: <ul style="list-style-type: none"> <li>(a) a <b>permanent impact</b> is where the land cannot be restored to its pre-activity condition because of carrying out the activity;</li> <li>(b) the number of hectares is rounded up to the nearest whole hectare; and</li> <li>(c) the mitigation value for land in the Central Highlands Isaac sub- zone in the Western Cropping zone is described in section 16 (1)(a)(ii), Part 6 of the Regional Planning Interests Regulation 2014.</li> </ul>	Unless otherwise indicated, prior to commencing activities that will result in a <b>permanent impact</b> on the land

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4.	<p><b>Limitation of impacts on the SCA</b></p> <p>(a) The <b>holder</b> of the <b>subject mining tenement</b> must:</p> <p>(i) observe the respective constraints and areas of confinement on <b>resource activities</b>, and apply the corresponding post-disturbance treatments as specified in Table 2; and</p> <p>(ii) not apply <b>sewage, mine-affected water</b> or other <b>wastewater</b> to <b>the strategic cropping area</b> or allow the storage of <b>sewage, mine-affected water</b> or other <b>wastewater</b> on <b>the strategic cropping area</b> within the <b>subject mining tenement</b>; and</p> <p>(iii) progressively <b>rehabilitate</b> any <b>disturbed the strategic cropping area</b>, with the necessary rehabilitation works being completed <b>promptly</b> following <b>disturbance</b>.</p> <p>(b) Notwithstanding the limitations in condition 5.a), on the <b>strategic cropping area</b> within the <b>subject mining tenement</b>, the <b>holder</b> can undertake any <b>resource activity</b> that is fully compliant with the <i>Strategic Cropping Land standard conditions code for resource activities</i> (Attachment 2).</p> <p><b>Table 2: Constraints and post-disturbance treatments applicable to Areas of Confinement.</b></p> <table border="1" data-bbox="395 1160 1195 2011"> <thead> <tr> <th data-bbox="395 1160 683 1227">Area of confinement</th> <th data-bbox="683 1160 938 1227">Constraints</th> <th data-bbox="938 1160 1195 1227">Post-disturbance treatment</th> </tr> </thead> <tbody> <tr> <td data-bbox="395 1227 683 1619"></td> <td data-bbox="683 1227 938 1619"> <p><b>Impacts</b> that are a consequence of subsidence must be confined to this area, and the total area of <b>strategic cropping area</b> impacted must not exceed 949.0ha.</p> </td> <td data-bbox="938 1227 1195 1619"> <p><b>Promptly rehabilitate</b> all land affected by subsidence once that subsidence has occurred, with the <b>rehabilitation</b> to be to the <b>best possible class of agricultural land</b>;</p> </td> </tr> <tr> <td data-bbox="395 1619 683 2011"> <p><b>Underground Mining Footprint</b> as shown in Attachment 1</p> </td> <td data-bbox="683 1619 938 2011"> <p>All <b>mine surface infrastructure</b> is to be confined to this area, and the total area of <b>disturbance</b> associated with <b>mine surface infrastructure</b> must not exceed 71.0ha.</p> </td> <td data-bbox="938 1619 1195 2011"> <p>Following the cessation of mining activities, <b>promptly rehabilitate</b> all land previously covered by the <b>mine surface infrastructure</b>, with the <b>rehabilitation</b> to be to the <b>best possible class of agricultural land</b>;</p> </td> </tr> </tbody> </table>	Area of confinement	Constraints	Post-disturbance treatment		<p><b>Impacts</b> that are a consequence of subsidence must be confined to this area, and the total area of <b>strategic cropping area</b> impacted must not exceed 949.0ha.</p>	<p><b>Promptly rehabilitate</b> all land affected by subsidence once that subsidence has occurred, with the <b>rehabilitation</b> to be to the <b>best possible class of agricultural land</b>;</p>	<p><b>Underground Mining Footprint</b> as shown in Attachment 1</p>	<p>All <b>mine surface infrastructure</b> is to be confined to this area, and the total area of <b>disturbance</b> associated with <b>mine surface infrastructure</b> must not exceed 71.0ha.</p>	<p>Following the cessation of mining activities, <b>promptly rehabilitate</b> all land previously covered by the <b>mine surface infrastructure</b>, with the <b>rehabilitation</b> to be to the <b>best possible class of agricultural land</b>;</p>	At all times
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5.	<p><b>Soil Conservation Plan</b></p> <p>(a) Prior to the commencement of <b>resource activities</b> the <b>holder</b> must submit to and have endorsed by the <b>Chief Executive</b> a Soil Conservation Plan (SCP) that:</p> <p>(i) is to be applied to all land<sup>1</sup> within the <b>subject mining tenement</b>; and</p> <p>(ii) has been prepared by <b>a suitably qualified person</b>; and</p> <p>(iii) meets the requirements in Schedule 2: <i>Requirements for a Soil Conservation Plan</i>.</p> <p>(b) Within 12 months of underground mining activities commencing on the land impacted by the <b>subject mining tenement</b>, the <b>holder</b> must review and if necessary revise the SCP. A revised SCP must be resubmitted for the endorsement of the <b>Chief Executive</b>, in accordance with the reporting requirements in Schedule 3: Requirements for reporting. Subsequently, the SCP must be reviewed on an annual basis, and if necessary, revised and resubmitted for endorsement by the <b>Chief Executive</b>.</p> <p>(c) The <b>holder</b> must comply with the most recent SCP endorsed by the <b>Chief Executive</b>.</p> <p>(d) The <b>holder</b> may at any time submit a revised SCP to the <b>Chief Executive</b> for endorsement.</p> <p>(e) The <b>holder</b> of the <b>subject mining lease</b> must meet the reporting requirements detailed in Schedule 3: Requirements for Reporting.</p>	At all times
6.	<p><b>Subsidence-related ponding and scouring</b></p> <p>Without <b>degrading</b> non-impacted <b>strategic cropping area</b>, the <b>holder</b> of the <b>subject mining tenement</b> must:</p> <p>(a) identify and monitor subsidence-related ponding or impediments to cropping caused by soil wetness that is a consequence of mining-related subsidence, as well as investigate any landholder's complaint regarding ponding and/or aggravated soil wetness; and</p> <p>(b) relieve any ponding or soil wetness identified in complying with Item 6. a) (above); and</p> <p>(c) ensure that changes in surface water and soil hydrology as a result of subsidence do not materially increase deep drainage, cause an abnormal rise in shallow watertables or an increased risk of soil salinisation; and</p> <p>(d) rectify and stabilise any scouring or streambank</p>	At all times

<sup>1</sup> In a hydrological and soil conservation sense the **strategic cropping area** on the **subject mining tenement** cannot be considered in isolation of adjoining areas within the tenement that is not the **strategic cropping area** which the SCP must also consider. Likewise the SCP needs to consider and not materially affect the locations and flow rates or runoff entering and leaving the **subject mining tenement**.

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	<p>erosion resulting from subsidence-related changes in flows in:</p> <ul style="list-style-type: none"> <li>(i) any first (1<sup>st</sup>) or higher order watercourse shown in <b>Attachment 1</b>; or</li> <li>(ii) any man-made waterway on, entering or leaving the land impacted by the <b>subject mining tenement</b>.</li> </ul>	
7.	The applicant is responsible for ensuring that a full copy of the regional interests development approval is held by any person(s) contracted to undertake the approved activity, throughout the construction and operation period.	At all times

# Attachment 1: Approved Drawing

