

Form

Environmental Protection Act 1994

An application for an environmental authority (mining activities relating to a mining lease) - objection/request for referral to the Land Court

This non-statutory form is to be used by an applicant or submitter to give written notice to the administering authority under sections 182 and 183 of the Environmental Protection Act 1994.

Complete all requested sections in this form and forward to the address stated on the notice Decision about an application for an environmental authority (mining activities relating to a mining lease).

Name:	Oakey Coal Action Alliance Inc.
Address:	c/- Environmental Defenders Office (Qld) Inc. 30 Hardgrave Road, West End QLD 4101
Contact details e.g. phone, email, fax:	Tel: (07) 3211 4466; Email: edoqld@edo.org.au

Tick the applicable box

I/We are:

- an applicant requesting that the administering authority refer the application for an environmental authority (mining activities relating to a mining lease) to the Land Court—go to section 1
- a submitter requesting that this submission be taken to be an objection to the environmental authority application—go to section 2

SECTION 1

I/We hereby give written notice requesting that the administering authority refer the application for an environmental authority (mining activities relating to a mining lease) to the Land Court.

Table 1: Details of the application for an environmental authority

Environmental authority number or application reference number	EPML00335713
Tenure type and number	ML50170, ML50216, MLA700002, MLA50232
Description of land (e.g. address)	Lot 1 on RP36462, Lot 1 on RP36463, Lot 1 on RP36464, Lot 1 on RP36502, Lot 1 on RP36503, Lot 1 on AG2605, Lot 1 on RP197103, Lot 1 on RP93626, Lot 1 on RP25521, Lot 1 on RP122138, Lot 1 on RP36493, Lot 1 on RP84726, Lot 1 on RP36466, Lot 1 on SP188363, Lot 1 on RP91936, Lot 1 on RP52624, Lot 2 on RP36501, Lot 2 on RP36503, Lot 2 on RP220755, Lot 2 on RP84726, Lot 2 on RP197103, Lot 2 on AG2605, Lot 2 on RP93626, Lot 2 on AG262, Lot 2 on AG1806, Lot 2 on RP36465, Lot 2 on RP25524, Lot 2 on RP200083, Lot 3 on RP84726, Lot 3 on RP220755, Lot 3 on RP36502, Lot 3 on RP36503, Lot 3 on SP188364, Lot 3 on RP36495, Lot 3 on RP36494, Lot 3 on RP36466, Lot 3 on RP36462, Lot 3 on RP36463, Lot 3 on RP36464, Lot 4 on RP84726, Lot 5 on SP188365, Lot 6 on AG1127, Lot 7 on SP188366, Lot 8 on RP25520, Lot 9 on SP188367, Lot 33 on AG1311, Lot 34 on RP25514, Lot 35 on RP25514, Lot 36 on RP25514, Lot 37 on RP25514, Lot 38 on AG2512, Lot 39 on AG718, Lot 49 AG391, Lot 50 on AG391, Lot 54 on A342317, Lot 57 on RP52624, Lot 58 on RP36501, Lot 60 on SP177899, Lot 61 on AG2938, Lot 62 on

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	<p>AG2974, Lot 62 on AG2962, Lot 65 on AG3109, Lot 66 on AG3194, Lot 67 on RP25514, Lot 69 on AG3288, Lot 69 on RP25514, Lot 72 on AG3550, Lot 77 on AG3531, Lot 78, AG3505, Lot 79 on AG3526, Lot 90 on A342317, Lot 91 on A342317, Lot 92 on A341981, Lot 94 on A342317, Lot 95 on A342317, Lot 96 on A342317, Lot 97 on A342317, Lot 98 on A342317, Lot 99 on A342317, Lot 100 on AG2498, Lot 101 on A342317, Lot 251 on SP177899, Lot 3069 on A341593, Lot 3170 on A341594, Lot 3171 on RP902113, Lot 3293 on A341624, Lot 3421 on A341699, Lot 3435 on AG2605, Lot 3445 on A341747, Lot 3448 on A341747, Lot 3461 on RP902113, Lot 3462 on A341746, Lot 3463 on A341746, Lot 3469 on A341746, Lot 3472 on A341748, Lot 3473 on AG2388, Lot 3519 on A341792, Lot 3655 on A341856, Lot 3679 on A341857, Lot 3684 on A341858, Lot 3768 on AG2122, Lot 3851 on AG2122, Lot 3852 on A341982, Lot 3873 on AG2388, Lot 3875 on SP150555, Lot 4086 on A342138, Lot 4089 on A342138, Lot 2 on SP188363, Lot 4 on SP188364, Lot 6 on RP218459, Lot 6 on SP188365, Lot 7 on RP218459, Lot 8 on SP188366, Lot 8 on RP218459, Lot 10 on SP188367, Lot 11 on RP218447, Lot 13 on RP36463, Lot 97 on RP218446, Lot 101 on RP49057, Lot 101 on RP25514, Lot 102 on RP25514, Lot 138 on RP25514, Lot 169 on RP25514, Lot 4768 on AG2122, Lot 4852 on A341982, Lot 145 on AG170, Lot 12 on J1335, Lot 14 on J1335, Lot 1 on RP24727, Lot 2 on RP36467, Lot 4 on RP36467, Lot 13 on RP36467, Lot 14 on RP36467, Lot 15 on RP36467, Lot 1 on RP36469, Lot 2 on RP36469, Lot 1 on SP162572, Acland Brymaroo Road, Acland Muldu Road, Acland Sabine Road, Acland Silverleigh Road, Bothams Road, Campbells Road, Conroys Road, George Street, Greenwood School Road, Hauslers Road, Hueys Road, Jondaryan Muldu Road, McLaughlins Road Nungil Road, Osheas Road, Willeroo Mine Road, Woods Road, Unnamed Road along the northern boundary of Lots 36 and 37 on RP25514, Unnamed Road on the western and northern boundary of Lot 3 on RP220755, Unnamed Road along the northern boundary of Lots 97 and 98 on A342317, Unnamed Road along the eastern boundary of Lot 4086 on A342138, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, McKays Road, Childs Road Jondaryan Sabine Road</p>
<p>PRINCIPAL APPLICANTS NAME</p>	<p>JOINT APPLICANTS NAME</p>
<p>PRINCIPAL APPLICANTS SIGNATURE</p>	<p>JOINT APPLICANTS SIGNATURE</p>
<p>DATE</p>	<p>DATE</p>

An application for an environmental authority (mining activities relating to a mining lease) - objection/request for referral to the Land Court

Where there were joint applicants for the application for an environmental authority, each applicant must sign this form. If there is insufficient space to sign, please print this page in multiple and attach to the submitted form.

SECTION 2

I/We hereby give written notice requesting that my submission to the administering authority be taken to be an objection to the application for an environmental authority (mining activities relating to a mining lease) and refer it to the Land Court.

Note: This objection ceases to have effect if the objection is withdrawn by giving written notice to both the administering authority and the Land Court.

Table 2: Details of the application for an environmental authority

Environmental authority number or application reference number	EPML00335713
Tenure type and number	ML50170, ML50216, MLA700002, MLA50232
Description of land (e.g. address)	<p>Lot 1 on RP36462, Lot 1 on RP36463, Lot 1 on RP36464, Lot 1 on RP36502, Lot 1 on RP36503, Lot 1 on AG2605, Lot 1 on RP197103, Lot 1 on RP93626, Lot 1 on RP25521, Lot 1 on RP122138, Lot 1 on RP36493, Lot 1 on RP84726, Lot 1 on RP36466, Lot 1 on SP188363, Lot 1 on RP91936, Lot 1 on RP52624, Lot 2 on RP36501, Lot 2 on RP36503, Lot 2 on RP220755, Lot 2 on RP84726, Lot 2 on RP197103, Lot 2 on AG2605, Lot 2 on RP93626, Lot 2 on AG262, Lot 2 on AG1806, Lot 2 on RP36465, Lot 2 on RP25524, Lot 2 on RP200083, Lot 3 on RP84726, Lot 3 on RP220755, Lot 3 on RP36502, Lot 3 on RP36503, Lot 3 on SP188364, Lot 3 on RP36495, Lot 3 on RP36494, Lot 3 on RP36466, Lot 3 on RP36462, Lot 3 on RP36463, Lot 3 on RP36464, Lot 4 on RP84726, Lot 5 on SP188365, Lot 6 on AG1127, Lot 7 on SP188366, Lot 8 on RP25520, Lot 9 on SP188367, Lot 33 on AG1311, Lot 34 on RP25514, Lot 35 on RP25514, Lot 36 on RP25514, Lot 37 on RP25514, Lot 38 on AG2512, Lot 39 on AG718, Lot 49 AG391, Lot 50 on AG391, Lot 54 on A342317, Lot 57 on RP52624, Lot 58 on RP36501, Lot 60 on SP177899, Lot 61 on AG2938, Lot 62 on AG2974, Lot 62 on AG2962, Lot 65 on AG3109, Lot 66 on AG3194, Lot 67 on RP25514, Lot 69 on AG3288, Lot 69 on RP25514, Lot 72 on AG3550, Lot 77 on AG3531, Lot 78, AG3505, Lot 79 on AG3526, Lot 90 on A342317, Lot 91 on A342317, Lot 92 on A341981, Lot 94 on A342317, Lot 95 on A342317, Lot 96 on A342317, Lot 97 on A342317, Lot 98 on A342317, Lot 99 on A342317, Lot 100 on AG2498, Lot 101 on A342317, Lot 251 on SP177899, Lot 3069 on A341593, Lot 3170 on A341594, Lot 3171 on RP902113, Lot 3293 on A341624, Lot 3421 on A341699, Lot 3435 on AG2605, Lot 3445 on A341747, Lot 3448 on A341747, Lot 3461 on RP902113, Lot 3462 on A341746, Lot 3463 on A341746, Lot 3469 on A341746, Lot 3472 on A341748, Lot 3473 on AG2388, Lot 3519 on A341792, Lot 3655 on A341856, Lot 3679 on A341857, Lot 3684 on A341858, Lot 3768 on AG2122, Lot 3851 on AG2122, Lot 3852 on A341982, Lot 3873 on AG2388, Lot 3875 on SP150555, Lot 4086 on A342138, Lot 4089 on A342138, Lot 2 on SP188363, Lot 4 on SP188364, Lot 6 on RP218459, Lot 6 on SP188365, Lot 7 on RP218459, Lot 8 on SP188366, Lot 8 on RP218459, Lot 10 on SP188367, Lot 11 on RP218447, Lot 13 on RP36463, Lot 97 on RP218446, Lot 101 on RP49057, Lot 101 on RP25514, Lot 102 on RP25514, Lot 138 on RP25514, Lot 169 on RP25514, Lot 4768 on AG2122, Lot 4852 on A341982, Lot 145 on</p>

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AG170, Lot 12 on J1335, Lot 14 on J1335, Lot 1 on RP24727, Lot 2 on RP36467, Lot 4 on RP36467, Lot 13 on RP36467, Lot 14 on RP36467, Lot 15 on RP36467, Lot 1 on RP36469, Lot 2 on RP36469, Lot 1 on SP162572, Acland Brymaroo Road, Acland Muldu Road, Acland Sabine Road, Acland Silverleigh Road, Bothams Road, Campbells Road, Conroys Road, George Street, Greenwood School Road, Hauslers Road, Hueys Road, Jondaryan Muldu Road, McLaughlins Road, Nungil Road, Osheas Road, Willeroo Mine Road, Woods Road, Unnamed Road along the northern boundary of Lots 36 and 37 on RP25514, Unnamed Road on the western and northern boundary of Lot 3 on RP220755, Unnamed Road along the northern boundary of Lots 97 and 98 on A342317, Unnamed Road along the eastern boundary of Lot 4086 on A342138, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, Unnamed Road, McKays Road, Childs Road, Jondaryan Sabine Road

GROUNDNS FOR THE OBJECTION

The grounds for the objection are the grounds for the submission stated in Oakey Coal Action Alliance's submission dated 1 July 2015 on the environmental authority amendment application and reproduced in the attachment to this form.

SUBMITTERS NAME Oakey Coal Action Alliance Inc	SUBMITTERS NAME
SUBMITTERS SIGNATURE <i>Environmental Defenders office (Old) Inc. for Oakey Coal Action Alliance Inc.</i>	SUBMITTERS SIGNATURE
DATE 2 October 2015	DATE

Where there are multiple entities making an objection to the decision made on the application for an environmental authority, each entity must sign this form. If there is insufficient space to sign, please print this page in multiple and attach to the submitted form.

ATTACHMENT

Objection Notice – New Acland Stage 3 draft EA – Oakey Coal Action Alliance Inc.

Grounds for the submission

The application to amend the environmental authority should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the *Environmental Protection Act 1994* and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

- a) Approval of the application would be contrary to the object of the Act as stated in section 3 because approval and construction of the mine expansion will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
- b) Approval of the application would be contrary to the requirement in section 5 of the Act for the administering authority and the Land Court to perform a function or exercise its power under the Act in the way that best achieves the object of the Act.
- c) Approval of the application and construction of the mine expansion would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- d) Approval of the application and construction of the mine expansion would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- e) Approval of the application and construction of the mine expansion would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
- f) Approval of the application and construction of the mine expansion will have adverse effects on the character, resilience and value of the receiving environment.
- g) Approval of the application and construction of the mine expansion would be contrary to the public interest.
- h) Approval of the application and construction of the mine expansion will cause material and serious environmental harm.
- i) Approval of the application would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
- j) Approval of the application would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
- k) Approval of the application would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
- l) Approval of the application is not appropriate because of an insufficient response given for an information request.

In the alternative to grounds (a) to (l) above, if the application is not refused, conditions should be imposed in accordance with the regulatory requirements to address the matters raised in those grounds.