

2 September 2020

Barbara Van der Pol
Team Leader – Winchester South Project
Department of Environment and Science
Level 8, 400 George Street
Brisbane QLD 4000

Barbara.vanderPol@des.qld.gov.au

Dear Barbara,

RE: WINCHESTER SOUTH PROJECT – CHANGE OF ENVIRONMENTAL AUTHORITY APPLICATION (APP0037667)

I refer to our previous discussion regarding the proposal by Whitehaven WS Pty Ltd (a wholly owned subsidiary of Whitehaven Coal Limited [Whitehaven]) to change the existing Environmental Authority (EA) Application (APP0037667) to include the proposed transportation mining lease application (MLA 1).

Since the EA Application for the Winchester South Project (the Project) was lodged, Whitehaven has applied for a transportation mining lease (MLA 1) under section 316 of the *Mineral Resources Act 1989* to authorise the proposed infrastructure corridor (Figure 1) to support the Project, which includes a mine access road, electricity transmission line (ETL) and raw water supply pipeline.

Requested Change to the Existing EA Application

Whitehaven seeks to change the existing EA Application (APP0037667) under section 132 of the *Environmental Protection Act 1994* (EP Act), to include the transportation mining lease. Enclosure 1 details the requested changes to the existing EA Application.

In accordance with section 131 of the EP Act, Whitehaven understands this change would not be a minor change to the EA Application.

This proposed change to the existing EA Application is only made on the basis that the information in the section below “Applicability of Transitional Provisions” is accurate. Furthermore, that the change to the existing EA Application will not stop the assessment process of the existing EA Application, that is, the Department of Environment and Science (DES) provides written agreement to the change.

Applicability of Transitional Provisions

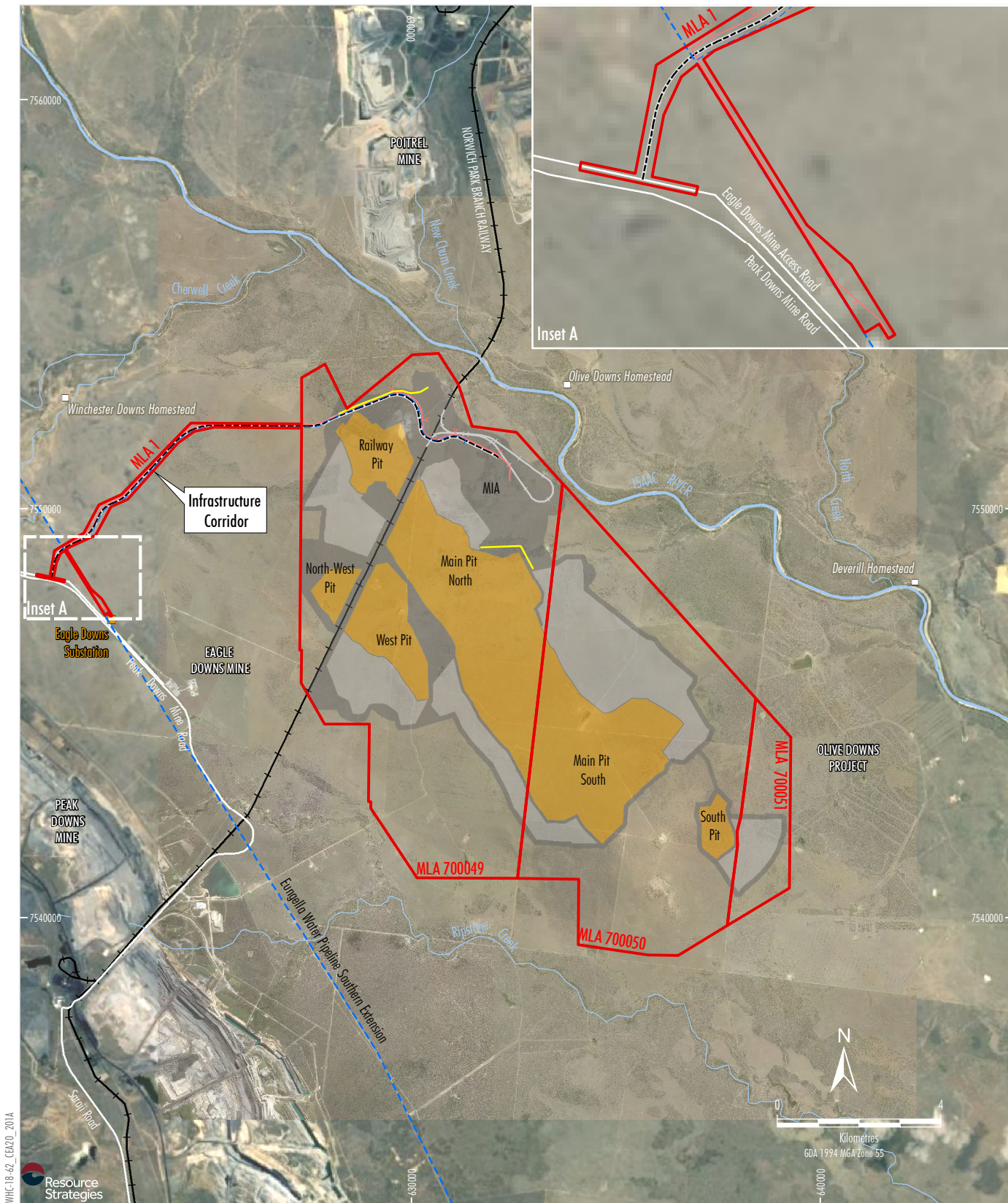
In accordance with the approach outlined below provided to, and agreed by, the DES on 23 June 2020:

Changing the EA Application to include the transportation mining lease will not affect the operation of the transitional provisions in Part 27, Chapter 13 of the EP Act in relation to the production mining leases referred to in the existing EA Application. That is, the EA Application lodgement date of 20 June 2019 would not change, and as such the transitional provisions under the EP Act would remain applicable to the EA Application and the production mining leases the subject of the EA Application, as it was lodged before the ‘PRCP start date’ (defined under section 750 of the EP Act as 1 November 2019).

Whitehaven Coal Limited ABN 65 086 426 253

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GPO Box 3224, Brisbane QLD 4000

WHITEHAVENCOAL.COM.AU



WHC-18-62_CEC20_201A
Resource Strategies

- LEGEND**
- Mining Lease Application Boundary
 - Eungella Water Pipeline Southern Extension
 - Railway

- Project Component***
- Indicative Infrastructure Area
 - Indicative Out-of-pit Waste Rock Emplacement
 - Indicative Open Cut Pit and In-pit Waste Rock Emplacement
 - Indicative Mine Access Road
 - Indicative Rail Spur and Loop
 - Indicative Electricity Transmission Line
 - Indicative Raw Water Supply Pipeline
 - Indicative Flood Levee

Notes: * Excludes some project components such as water management infrastructure, access tracks, topsoil stockpiles, explosives magazines, power reticulation, temporary offices, other ancillary works and construction disturbance.

Source: The State of Queensland (2018 - 2020); Whitehaven (2020).
Orthophoto: Google Image (2019); Whitehaven (2017).

WINCHESTER SOUTH PROJECT
Project General Arrangement

Figure 1

As a result:

- the EA Application remains a site-specific EA application made before the 'PRCP start date';
- Whitehaven is a 'mining EA applicant' for the purposes of the transitional provisions of the EP Act; and
- Whitehaven is not required to prepare and provide a copy of a proposed Progressive Rehabilitation and Closure Plan (PRC Plan) for the production mining leases or the transportation mining lease as part of the EA Application, pursuant to section 751 of the EP Act.

Whitehaven acknowledges that a PRC Plan will only be required to be prepared and lodged in accordance with the transition of the EA pursuant to a notice given under section 754 of the EP Act.

Properly Made Application

As the transitional provisions under Part 27, Chapter 13 of the EP Act apply to the changed EA Application, the incorporation of the transportation mining lease into the EA Application without a PRC Plan would not result in the EA Application not being a 'properly made' application within the meaning of section 127 of the EP Act. There is nothing else in the changes requested to the existing EA Application, provided in Enclosure 1, for inclusion of the transportation mining lease, that would result in the application not being a properly made application. To that end, section 132(2) of the EP Act does not apply.

Whitehaven also confirms the following with regard to the proposed changes to the existing EA Application:

- No changes are proposed to the environmentally relevant activities (ERAs) provided in the existing EA Application.
- No changes are proposed to the Initial Advice Statement (IAS), which is included as an attachment to the existing EA Application, as the IAS includes discussion of the infrastructure corridor (the subject of the transportation mining lease).
- No changes would be required to the final Terms of Reference (ToR), as approved by the Coordinator-General on 4 September 2019, which includes consideration of the infrastructure corridor, as noted above. Further, the draft Environmental Impact Statement (EIS) for the Project will include assessment of potential impacts of the infrastructure corridor on any environmental values.
- No changes would be required to the assessment requirements detailed in the ToR for the Project under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), as the infrastructure corridor is included in all three referred Actions for the Project (EPBC 2019/8458, EPBC 2019/8459 and EPBC 2019/8460).

In accordance with the request received from DES on 1 August 2019 for further information needed to assess the EA Application, Whitehaven will provide the necessary information to satisfy the requirements of section 176 of the EP Act for a site-specific EA Application, as detailed in Appendix 1 of the information request.

Please do not hesitate to contact me on (07) 3738 2022 or via email at bdillon@whitehavencoal.com.au should you wish to discuss, or if you have any comments or queries regarding the enclosed information.

Yours sincerely,



Brendan Dillon
Approvals Manager

CC: Permit and Licence Management Unit, Department of Environment and Science (palm@des.qld.gov.au)

Enclosure 1 Requested Changes to EA Application (APP0037667)

Whitehaven Coal Limited ABN 65 086 426 253

Enclosure 1

Requested Changes to EA Application (APP0037667)

4 Description of land where the activity/activities will be carried out

Tenure type/s* e.g. DAA, EPM, EPC	Tenure number*	Local government area (LGA)*	Date on application*
Mining Lease Application <u>1700049</u>	<u>MLA (TBC)</u> <u>MLA 700049</u>	Isaac Regional Council	14/06/2019
Mining Lease Application <u>2700050</u>	<u>MLA (TBC)</u> <u>MLA 700050</u>	Isaac Regional Council	14/06/2019
Mining Lease Application <u>3700051</u>	<u>MLA (TBC)</u> <u>MLA 700051</u>	Isaac Regional Council	14/06/2019
Mineral Development Licence 183	MDL 183	Isaac Regional Council	3/02/1995
Insert: <u>Mining Lease Application 1</u>	Insert: <u>MLA (TBC)</u>	Insert: <u>Isaac Regional Council</u>	Insert date: <u>31/08/2020</u>
Insert.	Insert.	Insert.	Insert date.
Insert.	Insert.	Insert.	Insert date.
Insert.	Insert.	Insert.	Insert date.
GPS coordinates (*if known): Insert.			
Provide a description of land below or on an attachment e.g. environmental values, bioregions and regional ecosystems, terrain, shallow ground water systems, floodplains, springs and soil descriptions*			
The attached supporting information provides further detail in this regard.			

 I have attached a description of land

Winchester South Project Environmental Authority Application – Supporting Information (June 2019)

Table 1 – Reconciliation of Site-specific Application Requirements and Additional Information

Application Requirement	Additional Information																																																																																																																																																																		
4 Description of land where the activity/activities will be carried out (continued)	<p>Tenements</p> <p>Whitehaven WS is proposing to undertake the Project within three separate <u>production</u> mining leases (MLA 1, MLA 2 and MLA 3 <u>MLA 700049, MLA 700050 and MLA 700051</u>), wholly located within the existing MDL 183 (see coordinates for MDL 183 boundary below).</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="background-color: #0056b3; color: white;">Point</th> <th style="background-color: #0056b3; color: white;">Easting</th> <th style="background-color: #0056b3; color: white;">Northing</th> <th style="background-color: #0056b3; color: white;">Point</th> <th style="background-color: #0056b3; color: white;">Easting</th> <th style="background-color: #0056b3; color: white;">Northing</th> </tr> </thead> <tbody> <tr><td>1</td><td>628438.75</td><td>7552388.47</td><td>11</td><td>635577.01</td><td>7539180.74</td></tr> <tr><td>2</td><td>630070.43</td><td>7553735.02</td><td>12</td><td>634115.50</td><td>7539403.50</td></tr> <tr><td>3</td><td>630663.63</td><td>7553770.71</td><td>13</td><td>634131.14</td><td>7540999.53</td></tr> <tr><td>4</td><td>631161.46</td><td>7552985.76</td><td>14</td><td>630094.07</td><td>7541039.92</td></tr> <tr><td>5</td><td>631478.29</td><td>7552007.99</td><td>15</td><td>628993.85</td><td>7542691.03</td></tr> <tr><td>6</td><td>632571.47</td><td>7551855.78</td><td>16</td><td>629014.02</td><td>7544741.33</td></tr> <tr><td>7</td><td>639221.56</td><td>7544464.34</td><td>17</td><td>627865.73</td><td>7544752.55</td></tr> <tr><td>8</td><td>639182.14</td><td>7540708.29</td><td>18</td><td>627304.72</td><td>7545757.79</td></tr> <tr><td>9</td><td>636559.64</td><td>7539129.19</td><td>19</td><td>627376.03</td><td>7553168.25</td></tr> <tr><td>10</td><td>636015.53</td><td>7539134.79</td><td>20</td><td>627898.97</td><td>7553471.37</td></tr> </tbody> </table> <p>The parts of the infrastructure corridor for the Project (mine access road, electricity transmission line and raw water supply pipeline) outside the extent of MLA 700049, MLA 700050 and MLA 700051, would be within the transportation mining lease (MLA 1) (see coordinates for MLA 1 boundary below).</p> <table border="1" style="width: 100%; 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