

Annexure A
Terms of Reference for this review

TERMS OF REFERENCE
NEW ACLAND MINE STAGE 3 EIS EVALUATION REPORT
ADMINISTRATIVE REVIEW

1. The reviewer is to undertake an administrative review for the Queensland Government of the Coordinator-General's evaluation of the New Acland Coal Mine Stage 3 project environmental impact statement (*EIS*) under part 4 of the *State Development and Public Works Organisation Act 1971* (Qld) and the EIS evaluation report of 19 December 2014.
2. The Government has made a commitment to scrutinise the approval processes for the project and the impacts of the mine on local communities. This review is only concerned with the first part of that commitment, to scrutinise the approval processes for the project. The EIS evaluation does not itself constitute approval of the project but is a step leading to consideration of various approvals of the project which have not yet been given. Accordingly, the review will scrutinise, as set out in paragraph 4 below, the EIS evaluation report as a step in the ongoing approval processes.
3. The reviewer is to deliver a report on the review by 9 June 2015. The report will be for the consideration of Cabinet and may be published.
4. The report is to:
 - a. describe the statutory framework for EIS evaluation processes under part 4 of the Act;
 - b. summarise the process for the evaluation of the project EIS as described in the EIS evaluation report;
 - c. identify the evidence or other material held by the Coordinator-General relating to the EIS evaluation report;
 - d. express an opinion about whether the evaluation of the project EIS complied with part 4 of the Act.

5. The review will not express an opinion about the merits of:
 - a. the Coordinator-General's evaluation of the project EIS;
 - b. any expert opinion express or sought during the EIS evaluation process or in the EIS evaluation report; or
 - c. the conditions imposed or recommended by the EIS evaluation report.
6. The review will only consider documents or other material held by the Coordinator-General relating to the EIS evaluation report. The review will not take oral evidence, invite submissions or hold private or public hearings.
7. The scope of the review is limited to the EIS evaluation process commencing on 26 October 2012, when New Acland Coal Pty Ltd requested that the Commonwealth Minister approve a variation of the previous proposal under section 156A(3) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). However, it may consider documents relating to the EIS evaluation process for the previous proposal that are relevant to that scope.

27 April 2015