

Permit

Environmental Protection Act 1994

Environmental authority BRID0072

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: BRID0072

Environmental authority takes effect upon grant of the mining lease.

Environmental authority holder(s)

Name(s)	Registered address
Peabody Coppabella Pty Ltd	Level 5 100 Melbourne Street SOUTH BRISBANE QLD 4101
CITIC Australia Coppabella Pty Ltd	Level 7, CITIC House 99 King Street MELBOURNE VIC 3000
Mapella Pty Ltd	Marubeni Coal Pty Ltd Unit 3501 Level 35 Riverside Centre, 123 Eagle Street BRISBANE CITY QLD 4000
KC Resources Pty Ltd	Suite 3B Level 33 52 Martin Place SYDNEY NSW 2000
NS Coal Pty Ltd	Level 2, Navision House 10 Market Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location detail

Environmentally relevant activity	Location
Schedule 3 21: A mining activity that is an ineligible ERA, other than a mining activity mentioned in items 9 to 20	ML 700052

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Sustainable Planning Act 2009* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Gillian Naylor
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 22 July 2020

Date: 22 July 2020

Enquiries:
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Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site.

Schedule A: Project Phase	
Condition number	Condition
A1	<p>Conditions contained within the following schedules of this environmental authority apply while this environmental authority is in effect:</p> <ul style="list-style-type: none"> • Schedule B: General; • Schedule C: Air and Acoustic; • Schedule D: Water; • Schedule E: Waste; • Schedule F: Land; and • Schedule I: Rehabilitation.
A2	<p>Conditions contained within Schedule G: Construction of the Pipeline of this environmental authority apply during construction of the pipeline.</p>
A3	<p>Conditions contained within Schedule H: Operation of the Pipeline of this environmental authority apply during the operation of the pipeline.</p>
A4	<p>Conditions of this environmental authority continue to apply in the event that this environmental authority is suspended.</p>

Schedule B: General	
Condition number	Condition
B1	This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition or this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.
B2	<p>Prevent and /or minimise likelihood of environmental harm</p> <p>In carrying out the environmentally relevant activities, the holder must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this environmental authority.</p>
B3	<p>The holder is authorised to conduct the following mining activities:</p> <ul style="list-style-type: none"> (a) vegetation clearing; (b) pipeline: <ul style="list-style-type: none"> (i) Construction; (ii) Operation - including maintenance and repairs; and (iii) Decommissioning; (c) rehabilitation; and (d) the installation, operation, and decommissioning or removal of environmental monitoring equipment.
B4	<p>Maintenance of measures, plant and equipment</p> <p>The holder must:</p> <ul style="list-style-type: none"> (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; (b) maintain such measures, plant and equipment in a proper and efficient condition; (c) operate such measures, plant and equipment in a proper and efficient manner; and (d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.
B5	<p>Monitoring</p> <p>All monitoring records or reports required by this environmental authority must be kept for a minimum period of five (5) years.</p>

Schedule B: General	
Condition number	Condition
B6	Monitoring, laboratory analyses and tests, and determinations required under any condition of this environmental authority must be conducted by an appropriately qualified person.
B7	<p>Management Plans and Reports</p> <p>Management plans, plans, reports, registers and procedures required under any condition of this environmental authority must be developed by an appropriately qualified person.</p>
B8	Upon request from the administering authority, copies of monitoring results, records, registers, management plans, reports, and spatial information required by the conditions of this environmental authority must be made available and provided to the administering authority within ten (10) business days .
B9	<p>Notification of emergencies, incidents and exceptions</p> <p>The holder must notify the administering authority in writing within twenty-four (24) hours after becoming aware of any emergency; or incident that results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority.</p>
B10	<p>Within fourteen (14) days following a notification in accordance with condition B9, further written advice must be provided to the administering authority, including the following:</p> <ul style="list-style-type: none"> (a) results and interpretation of any samples taken and analysed; (b) outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and (c) proposed actions to prevent a recurrence of the emergency or incident.
B11	Any further monitoring results related to information provided in accordance with condition B10 must be provided to the administering authority within fourteen (14) days after they are received by the holder.
B12	<p>Australian Pipeline Industry Association Code of Environmental Practice</p> <p>The holder must undertake the mining activities in a manner that is consistent with the latest edition of the Australian Pipelines and Gas Association Code of Environmental Practice – Onshore Pipelines, September 2017 (the Code). To the extent of any inconsistency between the conditions of this environmental authority and the Code, the conditions of this environmental authority prevail.</p>

Schedule B: General	
Condition number	Condition
B13	<p>Contingency Plan for Emergency Environmental Incidents</p> <p>A Contingency Plan must be:</p> <ul style="list-style-type: none"> (a) developed prior to commencing mining activities; and (b) implemented for the duration of mining activities.
B14	<p>The Contingency Plan required under condition B13 must include:</p> <ul style="list-style-type: none"> (a) a clear definition of what constitutes an emergency environmental incident or near miss for the mining activities authorised to be carried out under this environmental authority; (b) identification of the types of environmental incidents that may occur, relevant to the mining activities authorised to be carried out under this environmental authority; (c) response procedures to be implemented to prevent or minimise the extent and duration of the risk of environmental harm arising from emergency environmental incidents; (d) the practices and procedures to be employed to restore the environment or mitigate any environmental harm caused; (e) procedures to investigate the cause of any incidents including releases or near misses, and where necessary, the remedial actions to be implemented to reduce the likelihood of recurrence of similar events; (f) the resources to be used in response to environmental emergency incidents; (g) training of staff that will be called upon to respond to emergency environmental incidents to enable them to effectively respond; (h) procedures for accessing monitoring locations during emergency environmental incidents; and (i) communication procedures and lines of communication with organisations.
B15	<p>Complaints</p> <p>The holder must record in a register all complaints received about the mining activities.</p>

Schedule B: General	
Condition number	Condition
B16	<p>The register required by condition B15 must include:</p> <ul style="list-style-type: none"> (a) complainant details: <ul style="list-style-type: none"> (i) name; (ii) address; (iii) contact number; and (b) time and date of complaint; (c) the complainant's observations (statement, photo and/ or video), where possible; (d) reasons for the complaint; (e) investigations undertaken by the holder; (f) conclusions formed by the holder; (g) actions taken to resolve the complaint by the holder; (h) any abatement measures implemented by the holder; and (i) person responsible for resolving the complaint.
B17	<p>When requested by the administering authority, the holder must investigate any complaint that is neither frivolous nor vexatious in the opinion of the authorised person, of environmental nuisance or environmental harm, by:</p> <ul style="list-style-type: none"> (a) undertaking the monitoring specified by the administering authority; (b) undertaking the monitoring in the timeframe nominated or agreed to by the administering authority; (c) completing an analysis and interpretation of the monitoring results; and (d) implementing abatement measures, where required.
B18	<p>The results of the investigation undertaken in accordance with condition B17 must be provided to the administering authority within thirty (30) days of completion of the monitoring timeframe in accordance with condition B17(b), or an alternative timeframe agreed to by the administering authority.</p>
B19	<p>If the monitoring undertaken in accordance with condition B17 indicates the occurrence of environmental harm or nuisance then the environmental authority holder must:</p> <ul style="list-style-type: none"> (a) address any complaint including the use of appropriate dispute resolution if required; and (b) immediately implement abatement measures so that the environmental harm or nuisance to which the complaint relates ceases.

Schedule C: Air and Acoustic	
Condition number	Condition
C1	Dust and particulate matter emissions must not cause environment nuisance to any sensitive place and commercial place.
C2	Noise must not cause environment nuisance to any sensitive place and commercial place.

Schedule D: Water	
Condition number	Condition
D1	<p>Preventing contaminant release to waters</p> <p>Contaminants must not be released directly or indirectly to any waters as a result of the authorised mining activities, except as permitted under the conditions of this environmental authority.</p>
D2	<p>Water Monitoring</p> <p>The method of water sampling required by this environmental authority must comply with that set out in the most recent version of the administering authorities' "Monitoring and Sampling Manual 2018 – Environmental Protection (Water) Policy 2009 Version 2 June 2018".</p>
D3	<p>Regulated Structures</p> <p>Regulated structures are not permitted.</p>
D4	<p>Erosion and Sediment Control Plan</p> <p>An Erosion and Sediment Control Plan must be:</p> <ul style="list-style-type: none"> (a) developed prior to commencing mining activities; and (b) implemented for the duration of mining activities.
D5	<p>The Erosion and Sediment Control Plan required by condition D4 must:</p> <ul style="list-style-type: none"> (a) be in accordance with latest edition of International Erosion Control Association (IECA) Best Practice Erosion and Sediment Control (BPESC) document; (b) include a risk assessment identifying areas on the mining activities where the risk of erosion from stormwater and overland flows is greatest; (c) include definition of catchments, drainage systems, receiving environments, land-use patterns, land-use activities and potential contaminants; (d) provide for managing and / or diverting uncontaminated stormwater run-off around areas disturbed by the mining activities or where contaminants or wastes are stored or handled that may contribute to contamination of waters; and (e) place erosion and sediment control structures to minimise erosion of disturbed areas and prevent the contamination of waters.

Schedule E: Waste	
Condition number	Condition
E1	Waste generated in carrying out the mining activity must be transported off-site for lawful re-use, remediation, recycling or disposal at a facility that can lawfully accept the waste unless the waste is authorised by condition E2 .
E2	Green waste may be used on-site for: <ul style="list-style-type: none"> (a) rehabilitation; or (b) erosion and sediment control purposes in accordance with condition D4.
E3	<p>Waste management</p> <p>A Waste Management Plan must be:</p> <ul style="list-style-type: none"> (a) developed prior to commencing mining activities; and (b) implemented for the duration of mining activities.

Schedule F: Land	
Condition number	Condition
F1	<p>Preventing contaminant release to land</p> <p>Contaminants that may cause environmental harm must not be directly or indirectly released to land unless otherwise authorised by a condition of this environmental authority.</p>
F2	<p>Storage and handling of chemicals and flammable or combustible liquids</p> <p>All chemicals and flammable or combustible liquids must be stored and handled in accordance with the Australian Standard where such is applicable. Where no relevant Australian Standard exists, store such materials within an effective on-site containment system.</p>
F3	<p>Prescribed Environmental Matters</p> <p>Significant residual impacts to prescribed environmental matters are not authorised.</p>
F4	<p>Fauna Management Procedures</p> <p>Fauna Management Procedures must:</p> <ul style="list-style-type: none"> (a) be developed prior to commencing mining activities; (b) be implemented for the duration of mining activities; (c) ensure that the mining activities are carried out in a manner that minimises the risk of injury, harm, and entrapment of fauna; and (d) include training and awareness of staff and contractors.
F5	Fauna handling must be undertaken by an appropriately qualified person.
F6	Measures must be employed to prevent fauna entrapment in a pipe section or within the pipeline trench.
F7	The holder must consult with the landowner prior to establishing any new roads and tracks.
F8	When constructing new roads and tracks, the holder must ensure that the area and duration of disturbance to land, vegetation and watercourses is minimised.

Schedule G: Construction of the Pipeline	
Condition number	Condition
G1	<p>Pipeline Design</p> <p>The pipeline must be designed by and constructed under the supervision of a suitably qualified and experienced person.</p>
G2	<p>The construction of pipeline within waters must only be conducted in times when there is no water present within waters.</p>
G3	<p>The holder may allow pipeline trench water to be released to land for disposal provided that the trench water does not result in environmental harm.</p>
G4	<p>Blasting</p> <p>Blasting is not permitted.</p>
G5	<p>The holder must:</p> <ul style="list-style-type: none"> (a) minimise the width of the construction right of way; (b) minimise disturbance to land in order to prevent land degradation; (c) ensure that for land that is to be significantly disturbed by mining activities (except in areas of high erosive soils), soil excavation is undertaken so that: <ul style="list-style-type: none"> (i) the top soil profile is removed and recovered; (ii) subsoils are kept separate during the excavation, stockpiling and backfilling of pipeline trench; (iii) all soils are stockpiled in a manner that their physical and chemical properties are preserved; and (iv) soils are used for rehabilitation purposes; and (d) ensure that the pipeline is capped on the completion of each day; (e) ensure that the total length of pipeline trench open at any one time is minimised; and (f) include training and awareness of staff and contractors of their obligations under the <i>Environmental Protection Act 1994</i> and this environmental authority.
G6	<p>Hydrostatic Testing of the Pipeline</p> <p>Hydrostatic Testing of the pipeline must only be completed using raw water.</p>
G7	<p>Progressive Rehabilitation for Significantly Disturbed Land</p> <p>The pipeline trench must be backfilled and rehabilitated within three (3) months after pipe laying.</p>

Schedule G: Construction of the Pipeline	
Condition number	Condition
G8	<p>The pipeline trench backfilled in accordance with condition G7 must:</p> <ul style="list-style-type: none"> (a) be a stable landform; (b) exhibit no subsidence or erosion for the life of the mining activity; (c) be re-profiled to a level consistent with surrounding soils; and (d) be re-profiled to original contours and established drainage lines.
G9	<p>Progressive rehabilitation of significantly disturbed land caused by the carrying out of the mining activities must:</p> <ul style="list-style-type: none"> a) remediate any contaminated land (e.g. contaminated soils, decommissioned dams containing salt); b) reshape all significantly disturbed land to a stable landform; c) reprofile all significantly disturbed land to original contours; d) on all significantly disturbed land: <ul style="list-style-type: none"> (i) re-establish surface drainage lines; (ii) reinstate the top layer of the soil profile; (iii) establish groundcover to ensure that erosion is prevented; and (iv) establish vegetation of floristic species composition found in analogue sites; and e) be completed in accordance with the Rehabilitation Management Plan required by condition 14 of this environmental authority.

Schedule H: Operation of the Pipeline	
Condition number	Condition
H1	<p>Post Construction - including Operations and Maintenance</p> <p>Pipeline operation procedures must be developed to ensure operations and maintenance of the pipeline comply with the conditions of this environmental authority.</p>
H2	<p>Water Reuse</p> <p>Mine affected water may be piped and deposited into artificial water storage structures, such as dams or tanks, for the purpose of supplying water to a third party. The volume, pH and electrical conductivity of mine affected water transferred must be monitored and recorded.</p>
H3	<p>If the responsibility for mine affected water is given or transferred to another person in accordance with conditions H2:</p> <ul style="list-style-type: none"> (a) the responsibility for the mine affected water must only be given or transferred in accordance with a written agreement (the third party agreement); (b) the third party agreement must include a commitment from the person utilising the mine affected water to use it in such a way as to prevent environmental harm or public health incidents and specifically make the persons aware of the General Environmental Duty (GED) under section 319 of the <i>Environmental Protection Act 1994</i>, environmental sustainability of the water disposal and protection of environmental values of waters; and (c) the third party agreement must be signed by both parties to the agreement.
H4	<p>A register of third party agreements required by condition H3 must be established and maintained by the environmental authority holder. The register must include:</p> <ul style="list-style-type: none"> (a) the persons that are bound by the third party agreement; (b) the locations (source and receiving) subject to the third party agreement; and (c) the period of the third party agreement.
H5	<p>Leak Detection System</p> <p>The holder must install and implement a leak detection system for the duration of the pipeline.</p>

Schedule I: Rehabilitation	
Condition number	Condition
I1	<p>Pipeline Decommissioning</p> <p>All above ground pipeline and associated infrastructure must be removed from the mining activity prior to the surrender of this environmental authority.</p>
I2	<p>All buried pipelines must be decommissioned in accordance with the Australian Standard where such is applicable. Where no relevant Australian Standard exists, decommissioning must be in a manner to prevent environmental harm.</p>
I3	<p>The holder must decommission the pipeline to a situation where environmental harm is prevented. As a minimum, the pipeline must be decommissioned such that:</p> <ul style="list-style-type: none"> (a) it no longer contains hazardous contaminants; (b) it is left in stable condition; (c) all the above ground infrastructure is removed; and (d) all areas disturbed by above ground infrastructure are rehabilitated in accordance with the requirements of this authority.
I4	<p>Rehabilitation Management Plan</p> <p>A Rehabilitation Management Plan must be:</p> <ul style="list-style-type: none"> (a) developed prior to commencing mining activities; and (b) implemented for the duration of mining activities.

Schedule I: Rehabilitation	
Condition number	Condition
15	<p>The Rehabilitation Management Plan required by condition 14, must address all relevant requirements within this environmental authority, and at a minimum include the following items:</p> <ul style="list-style-type: none"> (a) detail how all land disturbed by the mining activities will be rehabilitated to ensure that it is; <ul style="list-style-type: none"> (i) safe for humans and wildlife; (ii) non-polluting (iii) stable; and (iv) able to sustain an agreed post mining land use; and (b) detail and document the strategies for selecting the post mining land use(s) that must be dealt with in accordance with the following with the preference reducing down the list: <ol style="list-style-type: none"> 1. Reinstating the vegetation community that were present prior to the commencement of the mining activities; 2. Native vegetation community that are compatible with the surrounding landscape; 3. Native pastures; 4. Improved pastures; and 5. a different land use with the written agreement from both the administering authority and the landholder (Note 1); and (c) in accordance with condition 15(b), where a lower hierarchical option is used written justification must be documented within the plan; (d) identify and select suitable analogue sites to be used to develop rehabilitation completion criteria for the final land use(s) in accordance with condition 16; (e) identify and document specific final acceptance criteria for significantly disturbed land to meet the requirements of condition 16; (f) detail the progressive rehabilitation strategy to be implemented; and (g) map and tabulate the rehabilitation requirements applied to all mine domains with respect to rehabilitation goals, rehabilitation objectives, indicators and completion criteria. <p>Note 1 - This is not applicable where the landowner / holder is also the environmental authority holder.</p>

Schedule I: Rehabilitation	
Condition number	Condition
16	<p>Final Acceptance Criteria for Significantly Disturbed Land</p> <p>All significantly disturbed land caused by the carrying out of the mining activities must be rehabilitated to meet the following final acceptance criteria:</p> <p>(a) for all land use(s):</p> <ul style="list-style-type: none"> (i) the landform is safe for humans and wildlife; (ii) the landform is stable with no subsidence or erosion gullies for at least three (3) years; (iii) there is no ongoing contamination to land and waters; (iv) a minimum of 80% of groundcover is achieved when compared to the relevant analogue site; and (v) the maintenance requirements for rehabilitated land is no greater than that required for the land prior to its disturbance caused by carrying out the mining activity(ies). <p>(b) additional requirements for areas that are being rehabilitated to land use(s) that is not a pastoral land use. Each land use(s) must be re-established so that each of the rehabilitation parameters are maintained for at least five (5) years:</p> <ul style="list-style-type: none"> (i) the rehabilitated site shows distinct and progressive re-establishment of the various strata which characterise the vegetation community in the analogue site; (ii) all dominant species within each strata are re-established at densities equivalent to that of the analogue site (iii) notwithstanding conditions 16(b)(i) and 16(b)(ii), a minimum of 70% species richness and species diversity is observed when compared to the relevant analogue site. (iv) where applicable, a minimum of 50% foliage cover is observed when compared to the relevant analogue site; (v) each land uses must be rehabilitated and maintained until it can be demonstrate that it is resilient and self-sustaining; and (vi) a minimum equal density of habitat structures, including but not limited to litter cover, fallen woody material and hollow logs, have been installed at numbers and densities no lower than the analogue site.

Definitions

Words and phrases used throughout this document are defined below. Where a definition for a term used in this document is not provided within this environmental authority, but is provided in the *Environmental Protection Act 1994* or subordinate legislation, the definition in the *Environmental Protection Act 1994* or subordinate legislation must be used.

' μ S/cm' means micro siemens per centimetre.

'administering authority' is the agency or department that administers the environmental authority provisions under the *Environmental Protection Act 1994*.

'analogue site' means an area of land which contains values and characteristics representative of an area to be rehabilitated prior to disturbance. Such values must encompass land use, topographic, soil, vegetation and other ecological characteristics. Analogue sites can be the pre-disturbed site of interest where significant surveying effort has been undertaken to establish benchmark parameters such as that ground truthing assessment required under the Land Schedule of this environmental authority.

'appropriately qualified person' means a person who:

- (a) may perform a regulatory function and has qualifications and experience relevant to performing the function; EP Act 1994 and Chapter 7 and Part 3; and
- (b) is a member of an organisation that has a regulatory function under the EP Act 1994 Chapter 7 and EP Regulations 2019 Part 5, Schedule 14; and
- (c) holds certification as an environmental practitioner (i.e. Certified Environmental Practitioner, (CEnvP) under the CEnvP Scheme) or,
- (d) has professional qualifications, training, skills and experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature. An **appropriately qualified person** must be recognised as such via verified records provided to the administering authority.

'authority' means this environmental authority.

'bed and bank' for a watercourse or wetland means land over which the water of the watercourse or wetland normally flows or that is normally covered by the water, whether permanently or intermittently; but does not include land adjoining or adjacent to the bed or banks that is from time to time covered by floodwater.

'blasting' means the use of explosive materials to fracture:

- (a) rock, coal and other minerals for later recovery; or
- (b) structural components or other items to facilitate removal from a site or for reuse.

‘chemical’ means:

- (a) an agricultural chemical product or veterinary chemical product within the meaning of the *Agricultural and Veterinary Chemicals Code Act 1994* (Commonwealth);
- (b) a dangerous good under the *Australian Code for the Transport of Dangerous Goods by Road and Rail approved by the Australian Transport Council*;
- (c) a lead hazardous substance within the meaning of the *Workplace Health and Safety Regulation 1997*;
- (d) a drug or poison in the *Standard for the Uniform Scheduling of Drugs and Poisons* prepared by the Australian Health Ministers’ Advisory Council and published by the Commonwealth; or
- (e) any substance used as, or intended for use as:
 - (i) a pesticide, insecticide, fungicide, herbicide, rodenticide, nematocide, miticide, fumigant or related product;
 - (ii) a surface active agent, including, for example, soap or related detergent;
 - (iii) a paint solvent, pigment, dye, printing ink, industrial polish, adhesive, sealant, food additive, bleach, sanitiser, disinfectant, or biocide;
 - (iv) a fertiliser for agricultural, horticultural or garden use;
 - (v) a substance used for, or intended for use for mineral processing or treatment of metal, pulp and paper, textile, timber, water or wastewater; or
 - (vi) manufacture of plastic or synthetic rubber.

‘commercial place’ means a workplace used as an office or for business or commercial purposes, which is not part of the mining activity and does not include employees’ accommodation or public roads.

‘completion criteria’ means the measures by which actions implemented are deemed to be complete. The acceptance criteria indicate the success of the decommissioning and rehabilitation outcomes or remediation of areas which have been significantly been disturbed by the mining activities. Acceptance criteria may include information regarding:

- stability of final land forms in terms of settlement, erosion, weathering, pondage and drainage;
- control of geochemical and contaminant transport processes;
- quality of runoff waters and potential impact on receiving environment;
- vegetation establishment, survival and succession;
- vegetation productivity, sustained growth and structure development;
- fauna colonisation and habitat development;
- ecosystem processes such as soil development and nutrient cycling, and the recolonisation of specific fauna groups such as collembola, mites and termites which are involved in these processes;
- microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration;
- effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development;
- resilience of vegetation to disease, insect attack, drought and fire; and
- vegetation water use and effects on ground water levels and catchment yields.

‘construction or constructed’ as used within Schedule A: Project Phase of environmental authority means anytime while disturbance is occurring including:

- maintenance and repairs;
- project commissioning; and
- project decommissioning.

Otherwise its meaning in relation to a pipeline includes building a new pipeline and modifying or lifting an existing pipeline, but does not include investigations and testing necessary for the purpose of preparing a design plan.

‘contaminant’ has the same meaning as section 11 of the *Environmental Protection Act 1994*.

‘declared pest species’ has the meaning in the Land Protection (Pest and Stock Route Management) Regulation 2003 and is a live animal or plant declared to be a declared pest under section 36 (Declaring Pests by Regulation) or section 37(2) (Declaring Pest under Emergency Pest Notice) of that Act and includes reproductive material of the animal or plant.

‘decommissioning’ in relation to pipelines means the actions undertaken in accordance with the Australian Standard where such is applicable. Where no relevant Australian Standard exists, decommissioning must be in a manner to prevent environmental harm.

‘disturbance’ of land includes:

- (a) compacting, removing, covering, exposing or stockpiling of earth;
- (b) removal or destruction of vegetation or topsoil or both to an extent where the land has been made susceptible to erosion;
- (c) carrying out mining within a watercourse, waterway, wetland or lake;
- (d) the submersion of areas by hazardous contaminant storage and dam/structure walls;
- (e) temporary infrastructure, including any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after the mining activity has ceased; or
- (f) releasing of contaminants into the soil, or underlying geological strata.

However, the following areas are not included when calculating areas of ‘disturbance’:

- (a) areas off lease (e.g. roads or tracks which provide access to the mining lease);
- (b) areas previously disturbed which have achieved the rehabilitation outcomes;
- (c) by agreement with the administering authority, areas previously disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- (d) areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner; or
- (e) disturbance that pre-existed the grant of the tenure.

‘document’ has the same meaning in the *Acts Interpretation Act 1954*.

‘EC’ means electrical conductivity.

‘environmental authority’ has the same meaning as given in the *Environmental Protection Act 1994*

‘environmental harm’ has the meaning in section 14 of the *Environmental Protection Act 1994*.

‘environmental nuisance’ has the meaning in section 15 of the *Environmental Protection Act 1994*.

‘environmental offset’ has the meaning in section 7 of the *Environmental Offsets Act 2014*.

‘environmental value(s)’ has the meaning in section 9 of the *Environmental Protection Act 1994*.

‘environmentally relevant activity or ERA’ has the meaning in section 18 of the *Environmental Protection Act 1994*.

‘EP Act’ means the *Environmental Protection Act 1994*.

‘foliage cover’ means the proportion of the ground, which would be shaded if sunshine came from directly overhead and is defined for each stratum. It includes branches and leaves and is similar to the crown type of Walker and Hopkins (1990) but is applied to a stratum or plot rather than an individual crown.

‘green waste’ means waste that is grass cuttings, trees, bushes, shrubs, material lopped from trees, untreated timber or other waste that is similar in nature but does not include **declared pest species**.

'holder' has the same meaning as given in the *Environmental Protection Act 1994*.

'infrastructure' means plant or works including for example, communication systems, compressors, powerlines, pumping stations, reservoirs, roads and tracks, water storage dams, evaporation or storage ponds and tanks, equipment, buildings and other structures built for the purpose and duration of the conduct of the petroleum activities including temporary structures or structures of an industrial or technical nature, including, for example, mobile and temporary camps.

Infrastructure does not include other facilities required for the long term management of the impact of those petroleum activities or the protection of potential resources. Such other facilities include dams other than water storage dams, pipelines and assets, that have been decommissioned, rehabilitated, and lawfully recognised as being subject to subsequent transfer with ownership of the land.

'land use' –means the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

'land' in the 'land schedule' of this document means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the *Environmental Protection Act 1994*. For the purposes of the *Acts Interpretation Act 1954*, it is expressly noted that the term 'land' in this environmental authority relates to physical land and not to interests in land.

'm' means metres.

'measures' includes any measures to prevent or minimise environmental impacts of the mining activity such as bunds, silt fences, diversion drains, capping, and containment systems.

‘mine affected water’:

- (a) means the following types of water:
- (i) pit water, tailings dam water, processing plant water;
 - (ii) water contaminated by a mining activity which would have been an environmentally relevant activity under Schedule 2 of the Environmental Protection Regulation 2019 if it had not formed part of the mining activity;
 - (iii) rainfall runoff which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated, excluding rainfall runoff discharging through release points associated with erosion and sediment control structures that have been installed in accordance with the standards and requirements of an Erosion and Sediment Control Plan to manage such runoff, provided that this water has not been mixed with pit water, tailings dam water, processing plant water or workshop water;
 - (iv) groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;
 - (v) groundwater from the mine’s dewatering activities; or
 - (vi) a mix of mine affected water (under any of paragraphs i)-v) and other water.
- (b) does not include surface water runoff which, to the extent that it has been in contact with areas disturbed by mining activities that have not yet been completely rehabilitated, has only been in contact with:
- (i) land that has been rehabilitated to a stable landform and either capped or revegetated in accordance with the acceptance criteria set out in the environmental authority but only still awaiting maintenance and monitoring of the rehabilitation over a specified period of time to demonstrate rehabilitation success, or
 - (ii) land that has partially been rehabilitated and monitoring demonstrates the relevant part of the landform with which the water has been in contact does not cause environmental harm to waters or groundwater, for example:
 - a. areas that are been capped and have monitoring data demonstrating hazardous material adequately contained with the site; and
 - b. evidence provided through monitoring that the relevant surface water would have met the water quality parameters for mine affected water release limits in this environmental authority, if those parameters had been applicable to the surface water runoff, or
- (c) both.

‘minimise’ is to reduce to the smallest possible amount or degree.

‘mining activities’ means the activities:

- (a) authorised as per the definition in section 110 of the *Environmental Protection Act 1994*; and
- (b) all environmentally relevant activities authorised under this environmental authority.

‘mining lease’ has the same meaning as given in the *Mineral Resources Act 1989*.

‘**ML**’ has the same meaning as ‘**mining lease**’.

‘**month**’ has the meaning in the *Acts Interpretation Act 1954*.

‘**natural flow**’ means the flow of water through waters caused by nature.

‘**non-polluting**’ means having no adverse impacts upon the receiving environment.

‘**operation**’ means any time that is not construction, as defined for Schedule A: Project Phase.

‘**operational plan**’ includes:

- (a) normal operating procedures and rules (including clear documentation and definition of process inputs in the pipeline); and
- (b) contingency and emergency action plans including operating procedures designed to avoid and/or minimise environmental impacts including threats to human life and environment resulting from spillages or loss of structural integrity of the pipeline.

‘**pest**’ means species:

- declared under the *Land Protection (Pest and Stock route Management) Act 2002*;
- declared under Local Government model local laws; and
- which may become invasive in the future.

‘**prescribed environmental matters**’ has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significant listed in schedule 2 of the Environmental Offsets Regulation 2014.

‘**progressive rehabilitation**’ means ‘**rehabilitation**’ undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

‘**project**’ means the Coppabella Millennium Pipeline assigned mining lease (ML) 700052.

‘**raw water**’ means any water that is not **mine affected water**.

‘**receiving waters**’ means the waters into which this environmental authority authorises releases of mine affected water.

‘**reference site**’ may reflect the original location, adjacent area or another area where rehabilitation success has been completed for a similar biodiversity. Details of the reference site may be as photographs, computer generated images and vegetation models etc.

‘**regulated structure**’ means any structure in the significant or high consequence category as assessed using the Manual for assessing consequence categories and hydraulic performance of structures (ESR/2016/193315) published by the administering authority. A regulated structure does not include:

- a fabricated or manufactured tank or container, designed and constructed to an Australian Standard that deals with strength and structural integrity of that tank or container; and
- a sump or earthen pit used to store residual drilling material and drilling fluid only for the duration of drilling and well completion activities.

‘rehabilitation or rehabilitated’ means the process of reshaping and revegetating land to restore it to a stable landform and in accordance with acceptance criteria and, where relevant, includes remediation of contaminated land. For the purposes of pipeline rehabilitation, rehabilitation includes reinstatement, revegetation and restoration.

‘reinstated or reinstatement’ means the process of bulk earth works and structural replacement of pre-existing conditions of a site (i.e. soil surface topography, watercourses, culverts, fences and gates and other landscape(d) features) and is detailed in the Australian Pipelines and Gas Association Code of Environmental Practice – Onshore Pipelines, September 2017.

‘release, releases, released’ of a contaminant into the environment, includes:

- (a) to deposit, discharge, emit or disturb the contaminant; and
- (b) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
- (c) to fail to prevent the contaminant from being deposited, discharged emitted or disturbed; and
- (d) to allow the contaminant to escape; and (e) to fail to prevent the contaminant from escaping.

‘representative’ means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the mining activities.

‘restoration’ means the replacement of structural habitat complexity, ecosystem processes, services and function from a disturbed or degraded site to that of a pre-determined or analogue state. For the purposes of pipelines, restoration applies to final rehabilitation after pipeline decommissioning.

‘revegetation or revegetating or revegetate’ means to actively re-establish vegetation through seeding or planting techniques in accordance with site specific management plans.

‘right of way’ means the area that occupied for this environmental authority.

‘self-sustaining’ means an area of land which has been rehabilitated and has maintained the required acceptance criteria without human intervention for a period nominated by the administering authority

‘sensitive place’ means:

- (a) a dwelling (including residential allotment, mobile home or caravan park, residential marina or other residential premises, motel, hotel or hostel; or
- (b) a library, childcare centre, kindergarten, school, university or other educational institution;
- (c) a medical centre, surgery or hospital; or
- (d) a protected area; or
- (e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area, or
- (f) a public park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment.

Note: The definition of ‘sensitive place’ and ‘commercial place’ is based on Schedule 1 of EPP Noise. That is, a sensitive place is inside or outside on a dwelling, library and educational institution, childcare or kindergarten, school or playground, hospital, surgery or other medical institution, commercial & retail activity, protected area or an area identified under a conservation plan under *Nature Conservation Act 1992* as a critical habitat or an area of major interest, marine park under *Marine Parks Act 2004*, park or garden that is outside of the mining lease and open to the public for the use other than for sport or organised entertainment. A commercial place is inside or outside a commercial or retail activity.

‘significant residual impact’ has the meaning in section 8 *Environmental Offsets Act 2014*.

‘significantly disturbed land or significant disturbance to land or significant disturbance’ has the same meaning as **disturbance**.

‘species richness’ means the number of different species in a given area.

‘stable’ in relation to land, means land form dimensions are or will be stable within tolerable limits now and in the foreseeable future. Stability includes consideration of geotechnical stability, settlement and consolidation allowances, bearing capacity (trafficability), erosion resistance and geochemical stability with respect to seepage, leachate and related contaminant generation.

‘stormwater’ means all surface water runoff that has only been in contact with:

- (a) land that has been rehabilitated to a stable landform and either capped or revegetated in accordance with the acceptance criteria set out in the environmental authority but only still awaiting maintenance and monitoring of the rehabilitation over a specified period of time to demonstrate rehabilitation success; or
- (b) land that has partially been rehabilitated and monitoring demonstrates the relevant part of the landform with which the water has been in contact does not cause environmental harm to waters or groundwater, for example:
 - (i) areas that are been capped and have monitoring data demonstrating hazardous material adequately contained with the site;
 - (ii) evidence provided through monitoring that the relevant surface water would have met the water quality parameters for mine affected water release limits in this environmental authority, if those parameters had been applicable to the surface water runoff; or
- (c) both.

‘suitably qualified and experienced person’ in relation to pipelines means a person who is a Registered Professional Engineer of Queensland (RPEQ) under the provisions of the *Professional Engineers Act 2002*, and has demonstrated competency and relevant experience.

‘third party agreements’ in relation to the transfer of mine affected water, means:

- a) A written agreement:
 - i. between the environmental authority holder and the third party;
 - ii. that identifies a particular uses of the water supplied under the third party agreement;
 - iii. about the way in which the potential environmental harm will be dealt with from the water;
 - iv. at a particular location; and
 - v. for a defined period of time.
- b) A third party agreement must make clear to all parties entering in to the agreement:
 - i. the rehabilitation and requirements of the pipeline upon completion or termination of the third party agreement; and
 - ii. the consequences of accepting mine affecting water from the mining activity.

‘top soil’ means the surface (top) layer of a soil profile, which is more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300 mm in depth from the natural surface.

‘trench spoil’ means soil from the pipeline trench.

‘water quality’ means the chemical, physical and biological condition of water.

‘watercourse’ has the meaning provided in section 5 of the *Water Act 2000* and includes the bed and banks and any other element of a river, creek or stream confining or containing water.

‘waters’ includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.

‘year’ has the meaning in the *Acts Interpretation Act 1954*.