

Permit

Environmental Protection Act 1994

Environmental authority EPPR00392813

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

Environmental authority number: EPPR00392813

Environmental authority takes effect on 05 December 2019

Environmental authority holder(s)

Name(s)	Registered address
FITZROY (CQ) PTY LTD	Comalco Place Level 14 12 Creek St BRISBANE CITY QLD 4000 Australia
Nebo Central Coal Pty Ltd	Level 11 100 Creek Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3 09: A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPC667, EPC675

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.

Anthony Baker
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Coal & Gemstone Mining
Department of Environment and Science

Phone: 07 4987 9320
Email: crmining@des.qld.gov.au

Date issued: 05 December 2019

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.

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.dnrme.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
A1	Prevent or Minimise the Likelihood of Environmental Harm This environmental authority does not authorise environmental harm unless a condition contained within the environmental authority explicitly authorises the harm. Where there is no condition or the environmental authority is silent on a matter, the lack of condition or silence shall not be construed as authorising harm.
A2	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
A3	Estimated Rehabilitation Cost (ERC) The environment authority holder must not carry out, or allow the carrying out of, a resource activity under this environment authority unless – a) An ERC decision is in effect for the resource activity being carried out; b) The environmental authority holder has paid a contribution to the scheme fund or given a surety for the environmental authority under the <i>Mineral and Energy Resources (Financial Provisioning) Act 2018</i>; and c) The holder has complied with the requirements under the <i>Mineral and Energy Resources (Financial Provisioning) Act 2018</i> for paying a contribution to the scheme fund, or giving a surety for the authority, as required from time to time.

A4	New Estimated Rehabilitation Cost (ERC) decision before expiry When ERC decision is in force for this environment authority, the environmental authority holder must apply, under section 298 of the <i>Environmental Protection Act 1994</i>, for a new ERC decision, at least three (3) months before the ERC period to which the decision relates ends.
A5	When holder must re-apply for Estimated Rehabilitation Cost (ERC) decision When ERC decision is in force for this environmental authority, the environmental authority holder must re-apply within ten (10) business days under section 298 of the <i>Environmental Protection Act 1994</i> for an ERC decision when: a) there is an increase in the likely maximum amount of disturbance to the environment as a result of the holder carrying out the resource activity; or b) there is a change relating to the carrying out of the resource activity that may result in an increase in the ERC for the resource activity.
A6	Activity The holder of this environmental authority must comply with each of the environmental conditions contained in the <i>Code of Environmental Compliance for Exploration and Mineral Development Projects</i> except condition 2, condition 13 and condition 21 which are replaced by the conditions within this authority.
A7	The environmental authority holder must develop and implement during the continuation of this environmental authority, a program to ensure that all employees and contractors on site are aware of and comply with the relevant requirements of this authority.
A8	The conditions of this environmental authority are in force until a surrender of the authority is accepted pursuant to the <i>Environmental Protection Act 1994</i>. The conditions apply unless an amendment is approved pursuant to the <i>Environmental Protection Act 1994</i>.
A9	Monitoring, Reporting and Emergency Response Procedures Any breach of a condition of this environmental authority must be reported to the administering authority within 24 hours of becoming aware of the breach and record full details of the breach and any subsequent actions.

A10	If the environmental authority holder becomes aware of any adverse impact on an environmental value you must notify the administering authority in writing of the full details of the adverse impact within 24 hours of becoming aware of the impact. <i>Note: Written notification to the administering authority must be addressed to the Manager or Project Manager of the local Administering Authority via email (CRMining@des.qld.gov.au) or facsimile (facsimile: 4987 9399). Verbal notification may also be made to the Pollution Hotline on 1300 130 372, available 24 hours 7 days a week.</i>
A11	The notification in condition A10 must include, but not be limited to, the following: a) The environmental authority number and name of the holder; b) The name and telephone number of the designated contact person; c) The location of the emergency or incident; d) The date and time of the emergency or incident; e) The time the holder of the environmental authority became aware of the emergency or incident; f) Where known: i. the estimated quantity and type of substances involved in the emergency or incident; ii. the actual or potential cause of the emergency or incident; iii. a description of the nature and effects of the emergency or incident including environmental risks, and any risks to public health or livestock; g) Any sampling conducted or proposed, relevant to the emergency or incident; h) Immediate actions taken to prevent or mitigate any further environmental harm caused by the emergency or incident; and i) What notification of stakeholders who may be affected by the emergency or incident has occurred or is being undertaken.
Agency interest: Water	
Condition number	Condition
B1	Contaminants must not be released to waters .
B2	The holder of the environmental authority must not drill, excavate or adversely affect vegetation: a) in standing waters, wetlands or lakes; b) on sloped banks; c) within 3 metres of the top of the bank; d) 5 metres of the toe of the bank; and e) within, or on the levee banks of, the normal flow channel.
Agency interest: Waste	
Condition number	Condition
C1	All waste must be removed and disposed of offsite.

Agency interest: Land	
Condition number	Condition
D1	Land Disturbance Contaminants must not be released to land.
D2	The environmental authority holder is authorised to undertake no more than thirteen (13) drill sites, within the 500m buffer of Category B Environmentally Sensitive Areas , in accordance with Attachment 1: EPC667 Location of exploration activities , and Table 1: Location of exploration drill sites to be drilled during the year 2020 .
D3	The environmental authority holder is not authorised to undertake any mining activities within Category B Environmentally Sensitive Area , in accordance with Attachment 1: EPC667 Location of exploration activities .
D4	The environmental authority holder is authorised to undertake approximately 1.683m in length of access tracks, at a width of no more than 5m, totaling 8,415m ² , within the 500 m buffer of Category B Environmentally Sensitive Areas , in accordance with Attachment 1: EPC667 Location of exploration activities .
D5	Drilling, Excavation and Sampling The operational area of the individual drill site must not exceed 1000m² , except for drill sites listed in condition F6.
D6	The operational area of up to 20 drill sites on EPC 667 must not exceed 1500m² . These 20 drill sites must be outside Category B Environmentally Sensitive Areas and outside the 500m buffer of Category B Environmentally Sensitive Areas .
D7	Drill holes constructed in accordance with condition F2 are to be located as far as practicable in previously cleared areas.
D8	Drill holes are limited to less than 250mm in diameter.
D9	The construction of sumps must not exceed 10m ² in area per drill pad.
D10	Roads and Tracks Existing access and fence line tracks must be used wherever possible. Any new tracks are to be constructed (with prior consultation of the landowner) by linking naturally cleared or disturbed areas.
D11	When constructing tracks , the environmental authority holder must minimise disturbance and avoid clearing of trees in or within the 500m buffer of Category B Environmentally Sensitive Areas and in Category B Environmentally Sensitive Areas .
D12	Constructed tracks must be less than 5m in width, including shoulder width.
D13	Track construction involving blade clearing of established ground cover vegetation and/or clearing of mature trees is to be minimised.
D14	Tracks should not be used when soil is saturated and prone to displacement or erosion by vehicle movement.
D15	Burning of vegetation is not permitted.
D16	Topsoil and Overburden Management Topsoil stripping is limited to the sump area of 10m ² . Where topsoil is removed it must be stockpiled for re spreading during rehabilitation.

D17	Campsites This environmental authority does not authorise a camp on EPC667 or EPC675.
D18	Rehabilitation Rehabilitation must be carried out in accordance with the <i>Code of Environmental Compliance for Exploration and Mineral Development Projects</i> .
D19	Rehabilitation of disturbance within the 500m buffer of Category B Environmentally Sensitive Areas and in Category B Environmentally Sensitive Areas must be completed as soon as practicable, but no longer than three (3) months after completion of the disturbance activity.
D20	All land subject to mining activities must be rehabilitated within six (6) months of concluding exploration activities at each drill site to a non polluting, safe, stable and self sustaining landform.
D21	Reporting An annual report must be prepared each year and submitted with each annual return. The report must include a map identifying all exploration activities undertaken to date on Exploration Permit Coal (EPC) 667 and EPC675. The map is to clearly distinguish between proposed, completed, and rehabilitated mining activities to demonstrate compliance with this environmental authority .

Table 1: Location of exploration drill sites to be drilled during the year 2020

Site Number	Easting	Northing	Drill hole type	Drill hole purpose	Located in 500m buffer
N2W_20_001	619,455.55	7,577,628.22	Open hole	Structure	No
N2W_20_002	619,387.83	7,577,566.18	Open hole	Structure	No
N2W_20_003	619,359.28	7,577,458.55	Open hole	Structure	No
N2W_20_004	619,331.63	7,577,349.22	Open hole	Structure	No
N2W_20_005	619,308.83	7,577,251.41	Open hole	Structure	No
N2W_20_006	619,986.08	7,577,014.44	Open hole	Structure	No
N2W_20_007	619,344.95	7,576,894.06	Open hole	Structure	No
N2W_20_008	619,202.44	7,576,833.74	Open hole	Structure	No
N2W_20_009	619,091.95	7,576,796.55	Open hole	Structure	Yes
N2W_20_010	619,100.02	7,576,731.09	Open hole	Structure	Yes
N2W_20_011	619,167.69	7,576,671.64	Open hole	Structure	Yes
N2W_20_012	618,906.50	7,576,862.02	PQ Core	Quality	Yes
N2W_20_013	618,909.35	7,576,746.04	Open hole	Lox	Yes
N2W_20_014	618,887.82	7,576,744.91	Open hole	Lox	Yes
N2W_20_015	618,866.85	7,576,744.91	Open hole	Lox	Yes
N2W_20_016	618,849.84	7,576,916.54	Open hole	Lox	Yes
N2W_20_017	618,826.61	7,576,916.54	Open hole	Lox	Yes
N2W_20_018	618,802.80	7,576,914.84	Open hole	Lox	Yes
N2W_20_019	618,852.73	7,576,865.18	Open hole	Lox	Yes
N2W_20_020	618,832.89	7,576,864.61	Open hole	Lox	Yes
N2W_20_021	618,811.35	7,576,865.18	Open hole	Lox	Yes

Definitions

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successor or predecessors.

Appropriately qualified person(s) means a person who has professional qualifications, training, skills or 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.

Category B environmentally sensitive area as per the definitions within the *Environmental Protection Regulation 2008*.

Contaminate means to render impure by contact or mixture.

Contaminant A contaminant can be –

- a) a gas, liquid or solid; or
- b) an odour; or
- c) an organism (whether alive or dead), including a virus; or
- d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- e) a combination of contaminants.

Disturbed (or disturbance) 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 tailings or 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.
- e) disturbance that pre-existed the grant of the tenure.

Environmental authority means an environmental authority under Chapter 5 of the *Environmental Protection Act 1994*.

Environmental authority holder means the holder of this environmental authority.

Environmental nuisance (the Act) is unreasonable interference or likely interference with an **environmental value** caused by—

- a) aerosols, fumes, light, noise, odour, particles or smoke; or
- b) an unhealthy, **offensive** or unsightly condition because of contamination; or
- c) another way prescribed by regulation.

Environmental value (the Act) is—

- a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
- b) another quality of the environment identified and declared to be an **environmental value** under an environmental protection policy or regulation.

Financial assurance means a security required under the *Environmental Protection Act 1994* by the administering authority to cover the cost of rehabilitation or remediation of disturbed land or to secure compliance with the environmental authority.

Landowner is as per the definition in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

‘m’ means metres.

Mature tree means any tree that is 70% or greater of the predominant canopy height.

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.

Native vegetation means vegetation that occurs naturally in a certain area.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure; is unreasonably disagreeable to the sense; disgusting, nauseous or repulsive.

Rehabilitation the process of reshaping and revegetating land to restore it to a stable landform

Track/s means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

the Act means the *Environmental Protection Act 1994*.

You means the holder of the environmental authority.

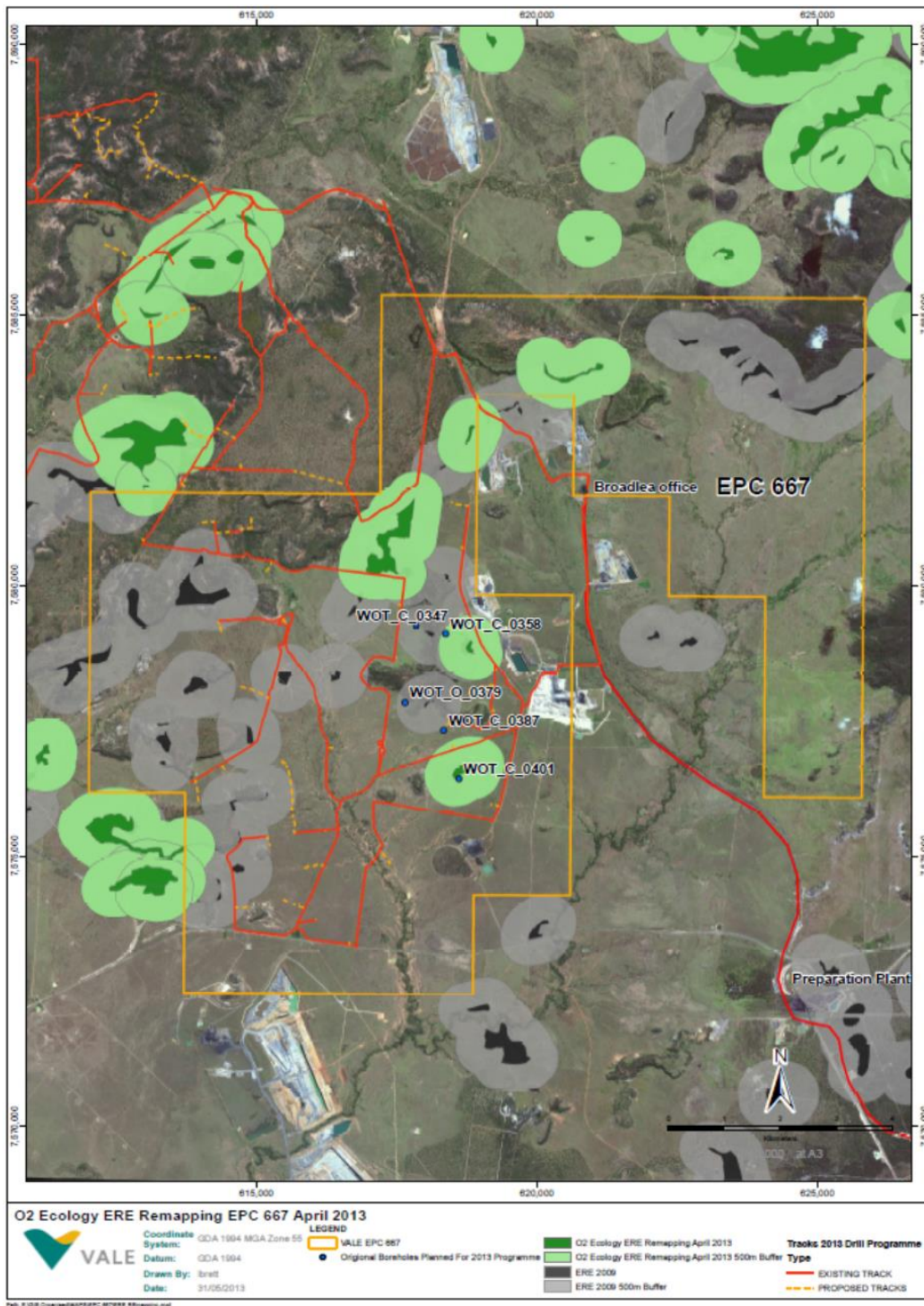
Waste as defined in section 13 of the *Environmental Protection Act 1994*.

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.

Watercourse means a watercourse as defined under the *Water Act 2000*.

Appendices

Attachment 1: EPC667 Location of exploration activities



END OF ENVIRONMENTAL AUTHORITY