

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPPR00615313

Environmental authority takes effect on 31 October 2014.

The anniversary date of this environmental authority remains 9th December. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Peabody West Burton Pty Ltd	Level 5 100 Melbourne Street SOUTH BRISBANE QLD 4101
CITIC West/North Burton Pty Ltd	Level 7, CITIC House 99 King Street MELBOURNE VIC 3000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - Exploration site specific	EPC836

Additional information for applicants

Environmentally relevant activities

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

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

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

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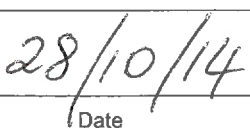


Contaminated land

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.


Signature

Justin Cagney
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994


Date

Enquiries:
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Department of Environment and Heritage
Protection
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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)

Conditions of environmental authority

Location: EPC836

Relevant activity: Mining - Exploration site specific

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

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Agency Interest: General

- G1 The conditions of this environmental authority are in force until a surrender of the authority is accepted pursuant to the *Environmental Protection Act 1994*. The conditions apply unless an amendment is approved pursuant to the *Environmental Protection Act 1994*.
- G2 The environmental authority holder is to give the administering authority a financial assurance in the amount and form and at a time required by the administering authority.
- G3 The environmental authority holder must comply with the Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*, except condition 13, which is replaced by the conditions in this environmental authority.
- G4 If there is any inconsistency between a standard environmental condition referred to in G3 and an additional condition in this environmental authority, the additional condition prevails to the extent of any inconsistency.

Agency Interest: Land

- L1 The environmental authority holder is authorised to carry out mining activities on EPC836, in or within 500m of any Endangered Regional Ecosystem.
- L2 In carrying out mining activities within 500m of any Endangered Regional Ecosystem, the environmental authority holder must comply with each of the Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- L3 In carrying out mining activities on EPC836 all reasonable and practicable measures must be taken to prevent or minimise the likelihood of environmental harm being caused to Endangered Regional Ecosystems 11.3.1, 11.4.8, 11.5.15, 11.5.16, 11.9.4, 11.9.5 & 11.9.10 identified in Attachment 1.
- L4 Mining activities undertaken within Endangered Regional Ecosystems must be consistent with the "*Environmental Management Plan for EPC836*" and with the schedule of works proposed in "*Figure 3: EPC836 Regional Ecosystems, Buffers & Drill Sites*".
- L5 When carrying out mining activities within any Endangered Regional Ecosystem the holder of the environmental authority must do so in accordance with conditions L6 to L10.
- L6 **Drill Site**
 a) Locate drill sites outside of Endangered Regional Ecosystems, where practicable; and
 b) Operational area is to be no greater than 500m²; and
 c) Sump size is to be no greater than 10m²; and
 d) Topsoil stripping must be limited to sump area; and
 e) All clearing of mature trees must be prevented or minimised.
- L7 **Drilling or Seismic Grid**
 a) Spacing of drilling access and 2D seismic lines is not less than 500m apart; and
 b) Spacing of drilling access and 2D seismic lines may be reduced to 250m at no more than 20 specified points.

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- L8** **Tracks**
- a) Locate tracks outside of Endangered Regional Ecosystems, where practicable; and
 - b) Spacings between tracks must not be less than 250m; and
 - c) Existing access and fence line tracks must be used where possible and any new tracks constructed must link natural clearings; and
 - d) Track construction involving blade clearing or established ground cover vegetation and/or clearing of mature trees is prevented or minimized; and
 - e) Line of site clearing must be avoided; and
 - f) Construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available; and
 - g) All tracks must be constructed and maintained with adequate drainage to avoid accelerated erosion; and
 - h) Access tracks must be less than 5m in width.
- L9** **Other Land Disturbance**
- a) Activities within Endangered Regional Ecosystems must not include costeaning or bulk sampling; and
 - b) All equipment, such as earthmoving and drilling equipment must be used in a manner which prevents the spread of weeds, minimises unnecessary disturbance of topsoil and ground cover vegetation; and
 - c) Campsites must not be established; and
 - d) All Waste must be removed and disposed offsite.
- L10** **Rehabilitation & Reporting**
- a) Rehabilitation of areas disturbed within Endangered Regional Ecosystems must be completed as soon as practicable but no longer than 3 months after completion of the disturbance activity; and
 - b) The environmental authority holder must revegetate disturbed areas of Endangered Regional Ecosystem with native plant species endemic to the area that will promote the same vegetation type and density of cover to that of the surrounding undisturbed areas of Endangered Regional Ecosystem; and
 - c) An annual report must be prepared each year and submitted with each annual return. The report must include details of exploration activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with L10 (b).

END OF CONDITIONS



Definitions

"authority" means environmental authority (mining activities) under the *Environmental Protection Act 1994*.

"campsite" the area encompassing any dwelling, amenities (e.g. toilet block, power generator), sewage or general waste disposal facility and includes the office area and vehicle parking areas associated with a temporary or permanent mining camp.

"costeaning" the digging of a trench or pit across the seam or ore body for exposing, sampling and mapping of the ore body.

"density of cover" in reference to trees and/or shrubs, it means the number of trees or shrubs in a specified area (e.g. 50 trees per square kilometre). With reference to understorey plant species (e.g. grasses and forbs) it means the percentage of surface area covered by a particular species.

"disturbed" any area that has had its natural state altered by the action or interference of carrying out an activity associated with the exploration project.

"environmental authority" means an licence or approval issued by the administering authority under the *Environmental Protection Act 1994*

"environmental authority holder" means the holder of this environmental authority.

"environmentally sensitive areas" refers to locations, however large or small, that have environmental values that contribute to maintaining biological diversity and integrity, have intrinsic or attributed scientific, historical or cultural heritage value, or are important in providing amenity, harmony or sense of community. Refer to Appendix A of Code of Environmental Compliance for Exploration and Mineral Development Projects.

"financial assurance" means a security deposit, either cash or a bank guarantee, that is held by the administering authority to cover the potential:

- a) costs to rehabilitate areas disturbed by mining activities; and
- b) costs to restore property improvements disturbed by mining activities; and
- c) failure of the tenure holder to pay rents and royalties.

"general waste" schedule 9 of the *Environmental Protection Regulation 1998* defines general waste as 'means waste other than regulated waste'. Waste rock, overburden and the contents of tailings dams are not included in the definition of general waste for the purposes of these conditions.

"native vegetation" vegetation that occurs naturally in a certain area.

"progressive rehabilitation" means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

"rehabilitation processes" the measures and actions taken to achieve rehabilitation outcomes, including any or all of the following:

- removing all unwanted infrastructure;
- backfilling mine excavations (e.g. pits) and capping drill holes;
- reshaping the land surface to a stable landform similar to that of surrounding undisturbed areas
- spreading of topsoil
- spreading seed or planting seedlings to promote revegetation;

- benching ridge cuts and removing any overhanging material.

"Significantly disturbed land" - Land is significantly disturbed if –

- (a) it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it.

Significantly disturbed land includes:

- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- areas where land use suitability or capability has been diminished;
- areas within a watercourse, waterway, wetland or lake where mining project activities occur;
- areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after mining has ceased; or
- areas where land has been contaminated.

However, the following areas are not included:

- areas off lease (e.g. roads or tracks which provide access to the mining lease);
- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the EPA, areas previously significantly disturbed which have not achieved the rehabilitation objectives due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be
- recorded in the Landowner Agreement and lodged with the EPA;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

"Standard environmental conditions" - For an environmental authority, means the standard environmental conditions approved for the authority under section 549 of the *Environmental Protection Act 1994*.

"watercourse" - Means a river, creek or stream in which water flows permanently or intermittently in a visibly defined channel (natural, artificial or artificially improved) with:

- (a) continuous bed and banks;
- (b) an extended period of flow for some months after rain ceases, and
- (c) an adequacy of flow that sustains basic ecological processes and maintains biodiversity

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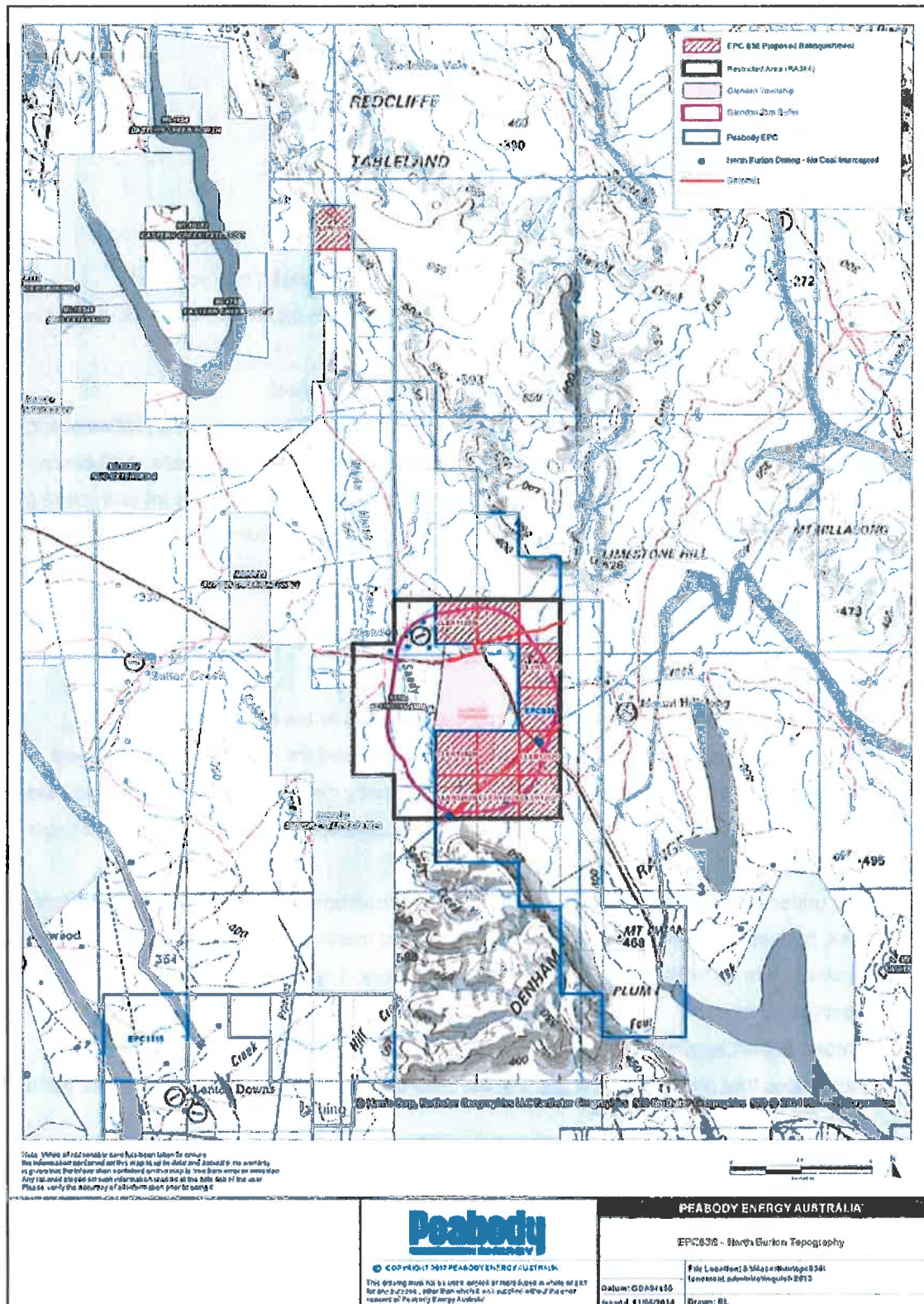


Figure 1: Relinquished Sub-blocks from EPPR00615313 (EPC 836)