Department of Environment and Heritage Protection

Permit[1]

Environmental Protection Act 1994

Environmental authority EPPR00659013

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

Permit[1] number: EPPR00659013

Environmental authority takes effect on 30 January 2015

The anniversary date for this environmental authority is 18 August

Environmental authority holder(s)

Name	Registered address
TEC Coal Pty Ltd	Level 13 42 Albert Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity	Location
Mining - Mineral Development - Site Specific	MDL201

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

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	Date
Cagney	**30 January 2015**

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

Enquiries:
Business Centre (Coal)
Department of Environment and Heritage Protection
PO Box 3028
EMERALD QLD 4720
Phone: (07) 4987 9320
Email: CRMining@ehp.qld.gov.au

JC

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); and
- Offence to place contaminant where environmental harm or nuisance may be caused (section 443).

Conditions of environmental authority

With the exception of any variations, the conditions of approval for this environmental authority include standard conditions contained within the attached document(s) entitled:

- *Code of environmental compliance for exploration and mineral development projects (EM586).*

Agency interest: General	
Condition number	**Condition**
A1	**Financial Assurance** Provide a financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.
A2	The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.
A3	**Authorised Activities** The areas of disturbance associated with bulk sampling authorised by this environmental authority must be located within the areas identified on **Figure 1 and 2 Location of bulk sampling activities within MDL201** and must be constructed, operated and rehabilitated in accordance with the conditions of this authority.

A4	Exploration activities, other than those associated with the bulk sample pit, must be undertaken in accordance with all Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects,* except for Condition 13, which is replaced by the following: The holder of the environmental authority must not carry out activities in a Category A or Category B Environmentally Sensitive Areas. Activities involving machinery must not be carried out within 1km of a Category A Environmentally Sensitive Areas. The holder of this environmental authority is authorised to carry out standard exploration activities within 500 metres of Category B Environmentally Sensitive Areas provided that the activities do not cause environmental harm. Prior to carrying out activities in a Category C Environmentally Sensitive Areas, consult with the relevant administering authority. If it is determined through the consultation that additional conditions are necessary, the holder must comply with those conditions.
A5	**Maintenance of measures, plant and equipment** The holder must: 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 condition; and c) Operate such measures, plant and equipment in a proper manner.
A6	**Monitoring** Record, compile and keep for a minimum of **five years** all monitoring results required by this environmental authority and make available for inspection all or any of these records upon request by the administering authority. Monitoring results for rehabilitation will need to be kept until final surrender of this environmental authority is accepted.
A7	Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conducts all monitoring.
A8	**Notification of Emergencies and Incidents** As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with, the conditions of this environmental authority, the administering authority must be notified of the release by telephone or facsimile.
A9	**Definitions** Words and phrases used throughout this environmental authority are defined in Schedule H – Definitions. Where a definition for a term used in this environmental authority is sought and the term in not defined within this environmental authority, the definitions in the *Environmental Protection Act 1994*, its Regulations and Environmental Protection Policies, must be used.

JR

Agency interest: Air	
Condition number	**Condition**
B1	Subject to **Conditions B2** and **B3** the release of dust or particulate matter or both resulting from the bulk sampling activities must not cause an environmental nuisance at any sensitive place.
B2	When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which, in the opinion of an authorised officer, is neither frivolous nor vexatious nor based on mistaken belief) of environmental nuisance at any sensitive place, and the results must be notified to the administering authority within **14 days** following completion of monitoring.
B3	If the environmental authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of **Condition B1**: a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with *AS 3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter - Gravimetric method of 1991*; and b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a sensitive or commercial place downwind of the operational land, when monitored in accordance with: - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method, when monitored in accordance with *AS 3580.9.6 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM (sub) 10 high volume sampler with size-selective inlet - Gravimetric method of 1990*; or - Any alternative method of sampling PM10, which may be permitted by the '*Air Quality Sampling Manual*' as published from time to time by the administering authority.
B4	If monitoring indicates that relevant limits specified in **Condition B3** are exceeded, then the environmental authority holder must: a) Address the complaint including the use of appropriate dispute resolution if required; or b) Immediately implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.
B5	**Odour Nuisance** Subject to **Condition B6**, the release of noxious or offensive odour(s) or any other noxious or offensive airborne contaminant(s) resulting from the bulk sampling activities must not cause an environmental nuisance at any sensitive place.

B6	When requested by the administering authority, odour monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive place, and the results must be notified within 14 days to the administering authority following completion of monitoring.
B7	If monitoring indicates **Condition B5** is not being met then the environmental authority holder must: a) Address the complaint including the use of appropriate dispute resolution if required; or b) Immediately implement odour abatement measures so that emissions of odour from the activity do not result in further environmental nuisance.

Agency interest: Water	
Condition number	**Condition**
C1	The holder of this authority must implement (from the date that works associated with the approved bulk sampling commence) a Water Management System to ensure that contaminants are not released to any waters or the bed and banks of any waters other than in accordance with the release limits specified in **Table C1 Release Limits**. The Water Management System must include, but may not be limited to, measures to: a) Prevent incident stormwater and stormwater run-off from contacting general refuse and regulated wastes; b) Divert upstream run-off away from disturbed areas, or areas containing wastes or contaminants; c) Capture and manage run-off from disturbed areas (including waste rock and topsoil stockpiles); and d) Manage pit water (including that resulting from inflow of groundwater).
C2	Notwithstanding the quality characteristic limits specified in **Table C1 Release Limits**, the contaminants released must not have any properties nor contain any organisms or contaminants in concentrations that are capable of causing environmental harm.
C3	The method of water sampling required by this environmental authority must comply with that set out in the latest edition of the *Environmental Protection Agency's Water Quality Sampling Manual*.
C4	**Sediment and erosion controls** All reasonable and practicable erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

Table C1 Release Limits

Parameter	Units	Minimum	Maximum	Monitoring Frequency
Turbidity	NTU	NS	10% above background^	Prior to release to waters
pH	units	6	8.5	"
Total Dissolved Salts (calculated)	mg/L	NS	1120	"
Oil and Grease	mg/L	NS	5	monthly during bulk sampling activities, and during releases from the Water Management System

'NS' means not specified.
^ For the purposes of this condition, the background turbidity measurement is to be determined as the median value of at least three samples collected during each of two run-off events, from a location immediately upstream of the bulk sampling location, representing areas that are not impacted by mineral development lease activities.
NOTE: In the absence of at least two runoff events enabling a background turbidity measurement to be obtained, the background turbidity is assumed to be 50NTU.

C5	**Maintenance and cleaning of vehicles** The maintenance and cleaning of vehicles and any other equipment or plant must be carried out in areas that prevent the resultant contaminants being released into any waters.
C6	**Water suitable for dust suppression** Water from the Water Management System may be used for dust suppression or other general purposes on the site provided that it does not have any properties nor contain any organisms or contaminants in concentrations that are capable of causing environmental harm.
C7	**Groundwater** Groundwater levels within the vicinity of the bulk sampling area on the Mineral Development Lease must be monitored and groundwater draw down fluctuations in excess of 2m per year, not resulting from the pumping of licensed bores, must be notified within **14 days** to the administering authority following completion of monitoring.
C8	**Storage and handling of flammable and combustible liquids** Spillage of all flammable and combustible liquids must be contained within an on-site containment system and controlled in a manner that prevents environmental harm (other than trivial harm) and maintained in accordance with Section 5.9 of *AS 1940 - Storage and Handling of Flammable and Combustible Liquids of 1993.*

Agency interest: Noise and Vibration	
Condition number	**Condition**
D1	Noise from the bulk sampling activities must not cause an environmental nuisance at any sensitive place.
D2	When requested by the administering authority, noise monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which in the opinion of an authorised officer is neither frivolous nor vexatious nor based on mistaken belief) of environmental nuisance at any sensitive place, and the results must be notified within **14 days** to the administering authority following completion of monitoring.
D3	Noise Monitoring must include: a) Background noise level; b) $L_{Amax, adj, 15 mins}$ or where they can be justified as appropriate, $L_{A 10, adj, 15 mins}$ and $L_{A 1, adj, 15 mins}$; c) The level and frequency of occurrence of impulsive or tonal noise; d) Atmospheric conditions including wind speed and direction; e) Effects due to extraneous factors such as traffic noise; and f) Location, date and time of recording.
D4	In the event of a complaint about noise environmental nuisance that the administering authority considers is not frivolous or vexatious the environmental holder is to develop a noise management plan within **two (2) weeks** of being advised in writing of the complaint. The noise management plan must address at least, but not be limited to, the following matters: a) Identification of component noise sources and activities at the place(s) which impact on noise sensitive areas; b) The measured and/or predicted level of these noise sources and activities at noise sensitive places; c) The reasonable and practicable control or abatement measures that can be undertaken to reduce identified intrusive noise sources; d) The level of noise at noise sensitive places that would be achieved from implementing these measures; e) The handling of future noise complaints; f) Community liaison and consultation; and g) Training of staff in noise management practices.
D5	Upon the completion of the noise management plan it must be submitted to the administering authority within **14 days** for its review and comment.
D6	After the administering authority has provided comment on the noise management plan, the holder of this authority must implement the plan as soon as practicable.
D7	The method of measurement and reporting of noise levels must comply with the latest edition of the *Environmental Protection Agency's Noise Measurement Manual*.

JR

D8	The bulk sampling activities must be carried out by such reasonable and practicable means necessary to prevent the emission of noise that constitutes an environmental nuisance. The reasonable and practicable measures adopted may include but not necessarily be limited to the following noise abatement measures: a) Ensure that any equipment to be used for bulk sampling activities is assessed for potential noise nuisance impacts and appropriately attenuated; b) Ensure that all plant and equipment is operated and maintained in a proper and efficient manner; c) Ensure that engine cowlings and high efficiency silencers are fitted to all the engines of all plant and equipment identified as impacting on noise sensitive receivers; d) Ensure that noise generating activities are not undertaken in close proximity to noise sensitive places or commercial places; e) Ensure that, where required, noise abatement barriers are sited such that they effectively intercept the sound transmission path between the sources of noise and receptor premises; f) Locate haul and access routes within the premises as far away from sensitive places as is practical having regard to operational convenience; and g) Where operation of reversing beepers is likely to cause environmental nuisance, taking measures to ensure mitigation of the nuisance, for example by de-tuning the reversing beepers, replacing the reversing beepers with other warning devices and/or replacing reversing beepers with alternative reversing beepers which adjust their noise level output in accordance with the prevailing background noise level.
D9	**Vibration and airblast overpressure nuisance** Vibration and airblast overpressure from the bulk sampling activities must not cause an environmental nuisance at any sensitive or commercial place.
D10	Blasting must only be carried out between 9.00am and 3.00pm.
D11	Blasting must not be carried out on Sundays or public holidays.
D12	When requested by the administering authority, vibration monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which in the opinion of an authorised officer is neither frivolous or vexatious nor based on mistaken belief) of environmental nuisance at any sensitive or commercial place, and the results must be notified within **14 days** to the administering authority following completion of monitoring.
D13	The measurement and reporting of airblast overpressure and ground vibration levels must be undertaken by a person or organisation possessing both the qualifications and the experience appropriate to perform the required measurements and reporting.

D14	If the environmental authority holder can provide evidence through monitoring that the limits defined in **Table D1 Air blast Overpressure and Vibration** limits are not being exceeded, the holder is not in breach of **Condition D9**. Monitoring results must include: a) Location of the blast(s) within the bulk sampling area (including depth); b) Atmospheric conditions including temperature, relative humidity and wind speed and direction; and c) Location, date and time of recording.

Table D1 Air blast Overpressure and Vibration limits

Parameter	Threshold Value
Airblast Overpressure	a) The airblast overpressure must be not more than 115dB(linear) peak for nine (9) out of ten (10) consecutive blasts initiated, regardless of the interval between blasts; and b) The airblast overpressure must not exceed 120dB(linear) peak for any blast.
Vibration	a) The ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine out of any 10 consecutive blasts initiated, regardless of the interval between blasts; and b) The ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast.

NOTE: The method of measurement and reporting of vibration levels must comply with the latest edition of the Environmental Protection Agency's vibration and air blast overpressure monitoring guideline.

D15	If monitoring indicates that relevant limits in **Table D1 Air blast Overpressure and Vibration** have been exceeded, then the environmental authority holder must: a) Address the complaint including the use of appropriate dispute resolution if required; or b) Immediately implement vibration and/or airblast overpressure abatement measures so that vibration and/or airblast overpressure from the activity does not result in further environmental nuisance.
D16	Every explosive blast associated with the bulk sampling activities shall be designed by a competent person to achieve the specified criteria.

Agency interest: Waste	
Condition number	**Condition**
E1	Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this environmental authority.

E2	Except as otherwise provided by the conditions of this authority, all disposal of waste generated in carrying out the bulk sampling activities must be to a proper and appropriate facility that is authorised to accept such waste.
E3	**Storage of tyres** Tyres stored awaiting disposal or transport for take-back and, recycling, or waste-to-energy options - should be stockpiled in volumes less than 3m in height and $200m^2$ in area and at least 10m from any other tyre storage area.
E4	All reasonable and practicable fire prevention measures must be implemented, including removal of grass and other materials within a 10m radius of the scrap tyre storage area.
E5	**Regulated Waste Handling** All regulated waste (including sewage) must be removed from the site by a person who holds a current approval to transport such waste under the provisions of the *Environmental Protection Act 1994*.

Agency interest: Land	
Condition number	**Condition**
F1	**Acid rock drainage and leachate management** Overburden materials must be characterised to determine net acid producing potential prior to excavation in order to identify potentially problematic materials and to enable selective handling of spoil.
F2	All reasonable and practicable measures must be implemented to prevent hazardous leachate caused by ARD being directly or indirectly released or likely to be released as a result of the activity to any groundwater or watercourse.
F3	**Rehabilitation criteria** All areas disturbed by bulk sampling activities must be rehabilitated to a stable landform with a self-sustaining vegetation cover in accordance with **Table F1 Landform Design and Suitability Criteria**.

Table F1 Landform Design and Suitability Criteria

Disturbance		Pre-mine land suitability class	Post-mine land suitability class	Final Maximum Slope design criteria %[1]	Distances between erosion control structures (m)	Final Land Use Description
Type	**Estimated Area (ha)**					
Infrastructure, including roads, hardstand, workshop, and topsoil stockpile areas	8	IV	V	0 -10%	150 – 200 where slope is <5% 100 –150 where slope is between 5 and 10%	Remove all plant and equipment not required for post-mining land use. Except where infrastructure is retained, land must be returned to native ecosystem.
Spoil areas	20	IV	V	0 – 10%	150 – 200 where slope is <5% 100 –150 where slope is between 5 and 10%	Native ecosystem
Bulk sample pit /void	4	IV	V	0- 10%	150 – 200 where slope is <5% 100 –150 where slope is between 5 and 10%	Pit to be filled in and returned to Native ecosystem
Retention Dams	4	IV	V	10% where returned to native ecosystem	150 – 200 where slope is <5% 100 –150 where slope is between 5 and 10%	Dams to be removed and land returned to native ecosystem or left as water storage. Any dams that are identified as contaminated and/or do not meet livestock suitability criteria, must be remediated or suitably capped.

Note[1]: % means percent slope.

F4	**Native ecosystem outcome** Areas that are to be rehabilitated to a native ecosystem in accordance with **Table F1 Landform Design and Suitability Criteria**, must comply with the following outcomes: a) Achievement of a self-sustaining native ecosystem with a species composition and distribution determined appropriate by research of appropriate reference sites; b) Topsoil on rehabilitated areas is reinstated to a depth that is consistent with the depth of topsoil on the site prior to the commencement of bulk sampling activities; and c) Landforms are stable and have been reshaped as close as practicable to the landform of the site prior to the commencement of bulk sampling activities.

F5	**Final Land Use and Rehabilitation Plan** The holder of this authority must develop and implement a Final Land Use and Rehabilitation Plan to ensure that all areas disturbed by bulk sampling activities will be suitably rehabilitated to achieve the final land use descriptions specified in **Table F1 Landform Design and Suitability Criteria**, and the objectives specified in **Condition F4**. The Plan must include, but may not be limited to the following: a) Disturbance type; b) Disturbance area; c) Pre and post mine land descriptions; d) Pre mine and post mine land suitability; e) Reference site(s) identification; f) Proposed vegetation species; g) A description of rehabilitation management techniques incorporating works and monitoring programs and timetables; h) Indicators for success; and i) Keeping of appropriate records of rehabilitation measures implemented including taking of photographs demonstrative of rehabilitation achieved and the preparation of annual rehabilitation progress reports. A summary of the annual rehabilitation progress report must be submitted to the administering authority with each annual return.
F6	On or before **30 November 2006**, the holder of this authority must submit a copy of the Final Land Use and Rehabilitation Plan, as required by **Condition F5**, to the administering authority, and in finalising the plan must have due regard to comments made by the administering authority.
F7	**Commencement of Rehabilitation** The holder of this authority must commence rehabilitation as soon as practicable after areas disturbed by bulk sampling activities become available. Notwithstanding, by **30 September 2007**, the environmental authority holder must have either: a) Commenced rehabilitation of areas disturbed by bulk sampling activities to achieve the outcomes specified in **Conditions F3** and **F4**; OR b) Be able to demonstrate that a mining lease including the area disturbed by bulk sampling activities is being actively sought, and have in place interim rehabilitation measures that will remain until full mining commences to ensure that: i) Conditions of this environmental authority, with the exception of **Conditions F3** and **F4**are being complied with; ii) Voids do not cause any environmental harm to land, surface waters or any recognised groundwater aquifer, other than the environmental harm constituted by the existence of the void itself; and iii) Vehicular access, public access, and access by native fauna, domestic animals and livestock to the pit is prevented (eg. installation of fencing).
F8	Notwithstanding **Condition F7(b** if a mining lease has not been granted over the area disturbed by bulk sampling activities by **30 September 2009**, rehabilitation must commence in accordance with **Conditions F3** and **F4**.

F9	**Acceptance Criteria** Prior to surrendering this authority, an investigation into rehabilitated areas must be conducted and a report submitted to the administering authority proposing acceptance criteria to meet the outcomes specified in **Conditions F3** and **F4**, or if full mining of the disturbed area is to proceed, **Condition F7(b)**.
F10	**Declared Plants** The holder of the environmental authority must prevent the spread of Declared Plants by ensuring that all vehicles and machinery are adequately cleaned before taking the vehicles and machinery out of a Declared Plant Area.
F11	**Infrastructure** All infrastructure, constructed by or for the environmental authority holder during the bulk sampling activities must be removed from the site prior to mineral development licence surrender, except where agreed in writing by the post mining land holder /owner, and for infrastructure other than water storages, with the approval of the Minister for Mines.

Agency interest: Community	
Condition number	**Condition**
G1	All complaints received must be recorded, including details of complainant, reasons for the complaint investigations undertaken, conclusions formed and actions taken. This information must be made available for inspection by the administering authority on request.

Word definitions

"acceptance 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 disturbed by the bulk sampling 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.

"airblast overpressure" means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dBL).

"ambient (or total) noise" at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for an appropriate time interval.

"appropriately qualified person" means any person who conforms to the EPA operational policy for an 'appropriately qualified person (analyst)' in accordance with Section 490(7) of the *Environmental Protection Act 1994*.

"ARD" means acid rock drainage and refers to the low pH, high heavy metal pollutant typical of sulphidic mine wastes, and most commonly associated with the production of ferrous iron and sulphuric acid through the oxidation of sulphide minerals.

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

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

- Rock, coal and other minerals for later recovery; or
- Structural components or other items to facilitate removal from a site or for reuse.

"bulk sampling activities" means activities associated with the construction and operation of the test pit for bulk sampling as described in the report entitled *Rio Tinto Coal Australia Kunioon Resource Assessment Initial Advice Statement June 2006*, prepared by Matrix+ Consulting Pty Limited.

For the purpose of this definition these activities also include:

i. Activities that are directly associated with, or facilitate or support the above-mentioned activities that may cause environmental harm; and
ii. Rehabilitating or remediating environmental harm or disturbance caused by bulk sampling, and action taken to prevent environmental harm because of an activity mentioned.

JZ

"commercial place" means a place used as an office or for business or commercial purposes, other than a place within the boundaries of the operational land.

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

"infrastructure" means water storage dams, roads and tracks, buildings and other structures built for the purpose of bulk sampling activities but does not include other facilities required for the long term management of mining impacts or the protection of potential resources. Such other facilities include dams containing hazardous waste, waste rock dumps, voids, or ore stockpiles and buildings as well as other structures whose ownership can be transferred and which have a residual beneficial use for the next owner of the operational land or the background land owner.

"$L_{A\ 10,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

"$L_{A\ 1,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response

"$L_{A,\ max\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"land" in the 'land schedule' of this document means land excluding waters and the atmosphere.

"land capability" as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

"land suitability" as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

"land use" term to describe the selected post mining use of the land, which is planned to occur after the cessation of bulk sampling operations.

"leachate" means a liquid that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the operational land which contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

"noxious" means harmful or injurious to health or physical well-being, other than trivial harm.

"offensive" means causing reasonable offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive, other than trivial harm.

"peak particle velocity (ppv)" means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mms)

"protected area" means

- A protected area under the *Nature Conservation Act 1992*; or
- A marine park under the *Marine Parks Act 1992*; or
- A World Heritage Area.

"progressive rehabilitation" means rehabilitation (defined below) undertaken progressively OR a staged approach to rehabilitation as bulk sampling activities are ongoing.

"reference site" means a site within the vicinity of the bulk sampling site, that is not affected by bulk sampling activities and that is representative of the final land use description stated in **Table F1 Landform Design and Suitability Criteria.**

JR

"rehabilitation" the process of reshaping and revegetating land to restore it to a stable landform and in accordance with the acceptance criteria set out in this environmental authority and, where relevant, includes remediation of contaminated land.

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

"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 dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- A motel, hotel or hostel; or
- An educational institution; or
- A medical centre or hospital; or
- A protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- A public park or gardens; or
- A place used as a workplace, an office or for business or commercial purposes which is not part of the bulk sampling activities and does not include employees accommodation or public roads.

"stable" means geotechnical stability of the rehabilitated landform where instability related to the excessive settlement and subsidence caused by consolidation / settlement of the wastes deposited, and sliding / slumping instability has ceased.

"standard exploration activities" means exploration activities that comply with the criteria for determining the level of a mining project prescribed in Schedule 1A of the *Environmental Protection Regulation 1998*. The criteria are as follows:

a) The mining activities do not, or will not, cause more than 10ha of any land to be significantly disturbed at any one time;
b) No more than 5000m^2 are disturbed at any campsite at any one time;
c) No more than 20m^3 of any substance is extracted from each kilometre of any riverine area in any year;
d) The mining activities are not, or will not be, carried out in a Category A or B environmentally sensitive area; and
e) The mining activities do not include a level 1 environmentally relevant activity.

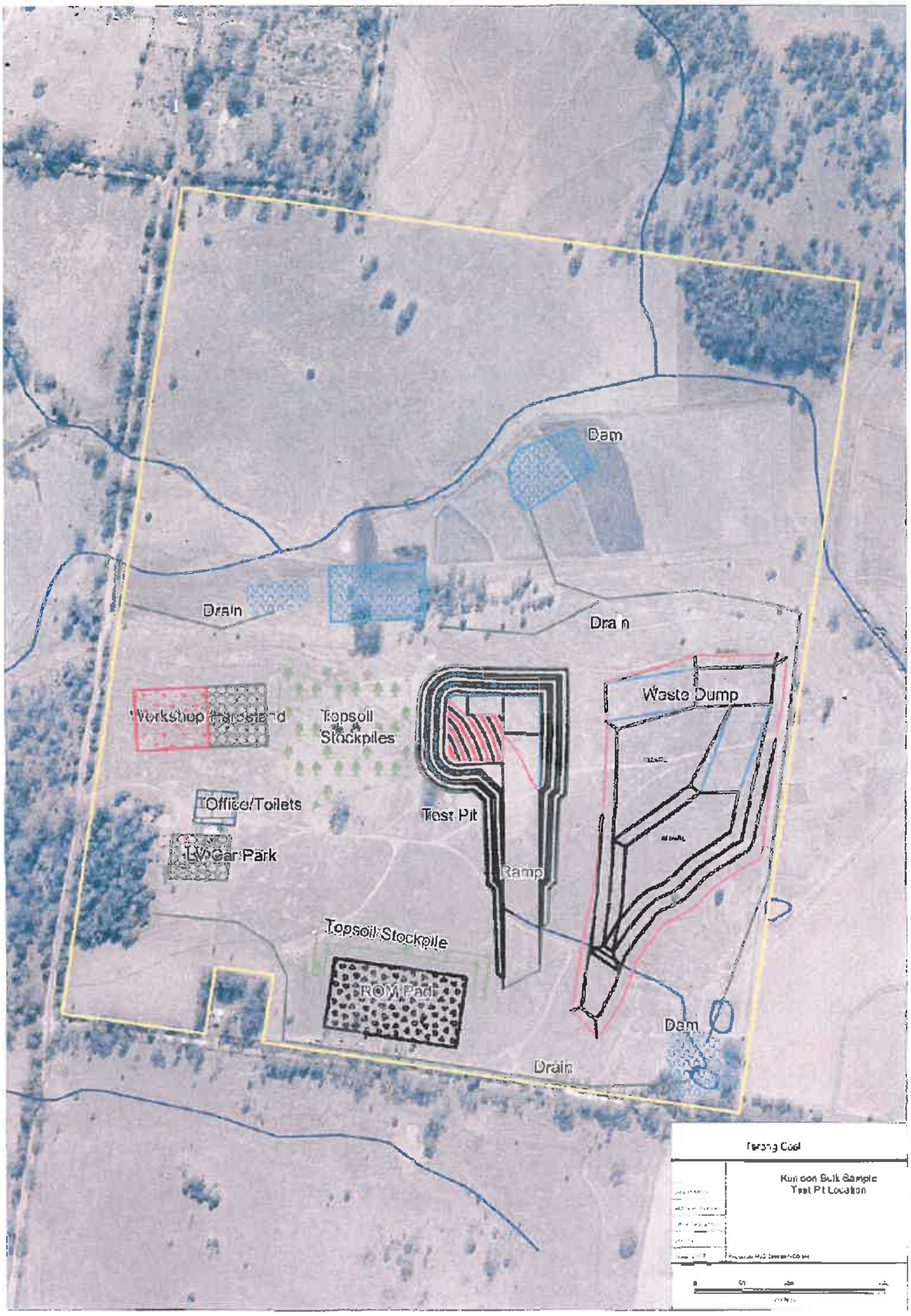
"trivial harm" means environmental harm which is not material or serious environmental harm and will not cause actual or potential loss or damage to property of an amount of, or amounts totalling more than $5,000.

"void" means an open pit resulting from the removal of ore and/or waste rock.

"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams (with the exception of dams that form part of the on-site Water Management System), non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part-thereof.

Figure 1 Location of bulk sampling activities within MDL201

Figure 2 Location of bulk sampling activities within MDL201



END OF ENVIRONMENTAL AUTHORITY

JZ