

Permit

Environmental Protection Act 1994

Environmental authority EPPR00718713

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

Environmental authority number: EPPR00718713

Environmental authority takes effect on 5 February 2024

Environmental authority holder(s)

Name(s)	Registered address
Valeria Coal Holdings Pty Limited	Level 44, 1 Macquarie Place, SYDNEY NSW 2000
Leichhardt Coal Pty Ltd	Level 44, 1 Macquarie Place, SYDNEY NSW 2000
J-power Australia Pty Ltd	123 Eagle Street, BRISBANE CITY 4000
J.C.D Australia Pty Limited	141 Queen Street, BRISBANE CITY 4000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Schedule 3 10: Investigating the potential development of a mineral resource by large bulk sampling or constructing an exploratory shaft, adit or open pit	MDL219

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 *Planning Act 2016* 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.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

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.



Signature

5 February 2024

Date

Aison Cummings

Department of Environment, Science
and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:

Business Centre Coal
PO BOX 3028, Emerald QLD 4720

Phone: (07) 4987 9320**Email:** CRMining@des.qld.gov.auDate issued: **5 February 2024**

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. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Additional advice about the approval

1. Words and phrases used throughout this environmental authority are defined in the Definitions section of this authority. Where a definition for a term used in this environmental authority is sought and the term is not defined within this environmental authority, the definitions in the Environmental Protection Act 1994, its regulations and policies must be used, and the definitions found in the Macquarie Dictionary. Where a word or term is not defined, the ordinary English meaning applies, and regard should be given to the Macquarie Dictionary.
2. This environmental authority consists of the following Schedules and Appendices:

Schedule A	General Conditions
Schedule B	Air
Schedule C	Noise
Schedule D	Waste
Schedule E	Water
Schedule F	Land
Definitions	
Figures	

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

Conditions of environmental authority

Schedule A: General	
Condition number	Condition
A1	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> .
A2	The environmental authority holder must develop and implement during the continuation of this authority, a program to ensure that all employees and contractors on site are aware of and comply with the relevant requirements for this authority.
A3	Activity This environmental authority does not authorise environmental harm unless a condition contained within the authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
A4	The holder of the environmental authority must not carry out resource activities in a Category A Environmentally Sensitive Area. Resource activities involving machinery must not be carried out within 1km of a Category A Environmentally Sensitive Area. Prior to carrying out resource activities in a Category C Environmentally Sensitive Area, the holder of this environmental authority must consult with the administering authority. If it is determined through the consultation that additional conditions are necessary, the holder must comply with those conditions.
A5	The holder of the environmental authority must not carry out resource activities in a Category B Environmentally Sensitive Area with the exception of: a) rehabilitation activities involving vegetation clearing at nine (9) legacy exploration sites; and b) rehabilitation activities not involving vegetation clearing at legacy exploration sites.
A6	The environmental authority holder is authorised to undertake resource activities within 500m of any Category B Environmentally Sensitive Area (ESA) in accordance with Table A1- Authorised disturbance within 500m of a Category B Environmentally Sensitive Area , and Table A2: Pre-existing legacy disturbance within 500m of a Category B Environmentally Sensitive Area .

Table A1: Authorised disturbance within 500m of a Category B Environmentally Sensitive Area

Activity	Limitation of activity	Maximum disturbance area	Total disturbance (ha)
Exploration Drill pad	7	1,600m ²	1.12ha
Roads and Tracks	2.6km	13,000m ²	1.3ha
2D Seismic Survey	-	-	-

Table A2: Pre-existing legacy disturbance within 500m of a Category B Environmentally Sensitive Area

Activity	Limitation of activity	Maximum disturbance area	Total disturbance (ha)
Rehabilitation of legacy exploration sites	139	1,000m ²	13.9ha

A7	The environmental authority holder is not authorised to undertake 3D seismic survey tracks in, and within 500 metres of, Category B Environmentally Sensitive Areas.
A8	Construction of resource activity camps is not authorised in or within 500 metres of any Category B Environmentally Sensitive Area.
A9	The environmental authority holder must ensure that the area and duration of disturbance to land, vegetation and watercourses is minimised when undertaking the following resource activities – a) Drilling; b) Excavating; c) Sampling; d) Constructing new roads or tracks; e) Constructing grid or geophysical lines; f) Rehabilitation; and g) Establishing a campsite.
A10	Maintenance of Measures, Plant and Equipment The environmental authority holder must: a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and maintain such measures, plant and equipment in a proper condition; and b) operate such measures, plant and equipment in a proper manner.
A11	Reporting and Emergency Response Procedures All reasonable and practicable measures are to be taken to minimise environmental harm, or potential environmental harm, resulting from any emergency, incident or circumstances not in accordance with the conditions of this environmental authority.
A12	The holder must notify the administering authority by written notification as soon as practicable but within twenty-four (24) hours 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.

A13	The notification in Condition A12 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, the estimated quantity and type of substances involved in the emergency or incident; g) the actual or potential cause of the emergency or incident; h) a description of the nature and effects of the emergency or incident including environmental risks, and any risks to public health or livestock; i) Any sampling conducted or proposed, relevant to the emergency or incident; j) Immediate actions taken to prevent or mitigate any further environmental harm caused by the emergency or incident; and k) What notification of stakeholders who may be affected by the emergency or incident has occurred or is being undertaken.
A14	Within ten (10) business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the later, written advice must be provided to the administering authority, including the following: a) results and interpretation of any samples taken and analysed; b) outcomes of actions taken at the time to prevent or minimise environmental harm; and c) proposed actions to prevent a recurrence of the emergency or incident.
A15	The holder must notify, in writing, the occupiers or registered owners of affected land as soon as reasonably practicable after becoming aware of any incident that has the potential to impact on environmental values or breaches any condition of this environmental authority concerning releases of contaminants to the environment.
A16	The notification in Condition A15 must include the following: a) The location of the incident; b) The date and time of the incident; c) The estimated quantity and type of any substances involved in the incident; d) The potential impacts to environmental values caused by the incident; and e) Where there is potential impact on livestock or human health, precautionary measures that should be taken.
A17	Monitoring Record, compile and keep for a minimum of five (5) 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.
A18	Monitoring or determinations or both, required under a condition of this environmental authority must be conducted by an appropriately qualified person(s).

A19	Complaints The holder of this environmental authority must record all environmental complaints received about the resource activities including: a) name, address and contact number for of the complainant; b) time and date of complaint; c) reasons for the complaint; d) investigations undertaken; e) conclusions formed; f) actions taken to resolve the complaint; g) any abatement measures implemented; and h) person responsible for resolving the complaint.
A20	The holder of this environmental authority must, when requested by the administering authority, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the administering authority to investigate any complaint of environmental harm. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the administering authority within ten (10) business days of completion of the investigation, or no later than ten (10) business days after the end of the timeframe nominated by the administering authority to undertake the investigation.
A21	Chemicals and flammable or combustible liquids The holder of the environmental authority must not directly or indirectly release fuels, oils, lubricants or other contaminants to any watercourse, waterway, groundwater, wetland or lake.
A22	The holder of the environmental authority must ensure that all chemical, fuel and oil storage facilities less than 10,000L on a mining tenement, must be designed and operated in accordance with Australian Standard 1940:2017 – ‘The storage and handling of flammable and combustible liquids’, Section 2, Minor Storage.
A23	The holder of the environmental authority must ensure that: a) all chemical, fuel and oil storage facilities of more than 10,000L on a mining tenement, must be banded to contain at least 100 percent of the volume of the largest container, plus 25 percent of the storage capacity of the largest container up to a maximum of 10,000L, together with 10 percent of the storage capacity beyond 10,000L; and b) the facility must be operated and maintained in accordance with the Australian Standard 1940:2017 – “The Storage and Handling of flammable and combustible liquids”.
A24	Hazardous Contaminants The holder of the environmental authority must plan and conduct resource activities on site to prevent any potential or actual release of a hazardous contaminant.

A25	The holder of the environmental authority must ensure that spills of hazardous contaminants are cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such contaminants to any watercourse, waterway, groundwater, wetland or lake.
Schedule B: Air	
Condition Number	Condition
B1	The holder of the environmental authority must not cause environmental nuisance at a sensitive or commercial place through the release of dust.
Schedule C: Noise	
Condition Number	Condition
C1	The holder of the environmental authority must not cause environmental nuisance at a sensitive or commercial place through noise emissions.
Schedule D: Waste Management	
Condition Number	Condition
D1	The holder of the environmental authority must not directly or indirectly release waste from the site to any watercourse, waterway, groundwater, wetland or lake.
D2	The holder of the environmental authority must not directly or indirectly release wastewater to any watercourse, waterway, groundwater, wetland or lake.
D3	The holder of the environmental authority must not dispose of more than 50 tonnes of general waste on the mining tenement per year.
Schedule E: Water	
Condition number	Condition
E1	Contaminants that will or have the potential to cause environmental harm must not be released directly or indirectly to any waters as a result of the authorised resource activities.
E2	Erosion and Sediment Control The holder of the environmental authority must design, install and maintain adequate banks and/or diversion drains to minimise the potential for storm water runoff to enter disturbed areas.
E3	The holder of the environmental authority must design, install and maintain adequate erosion and sediment control structures wherever necessary to prevent or minimise erosion of disturbed areas and the sedimentation of any watercourse, waterway, wetland or lake.
E4	The holder of the environmental authority must not drill, excavate or clear vegetation:

	a) in standing waters, wetlands or lakes; b) on the watercourse banks or within 3m of the top of the bank or 5m of the toe of the bank; or c) within, or on the levee banks of the normal flow channel.
E5	The holder of this environmental authority is permitted to conduct rehabilitation activities for 12 legacy exploration sites within or in proximity (within 25m) to watercourses in compliance with condition E4 .
E6	Groundwater The holder of this environmental authority must not release contaminants to groundwater.
Schedule F: Land	
Condition number	Condition
F1	Drilling, Excavating and Sampling The environmental authority holder must not exceed 3,500m² area of disturbance for each drill pad.
F2	The environmental authority holder must not exceed 10,000m² area of disturbance for each groundwater pumping bore site, with a maximum area of disturbance for all groundwater pumping bore sites on MDL219 not exceeding 30,000m² .
F3	The holder of the environmental authority must ensure: a) all marker pegs are marked with contrasting colour so as to be clearly visible; b) all marker pegs are removed from the tenement at the completion of resource activities; and c) all permanent markers (example, concrete plugs or steel plates) are installed at ground level and made safe.
F4	Topsoil and Overburden Management The holder of the environmental authority must ensure that: a) Topsoil is removed and stockpiled prior to carrying out any exploration activity; and b) Measures are implemented to the mixing and erosion of topsoil and overburden stockpiles is prevented.
F5	Offsets Impacts to prescribed environmental matters are only authorised to occur for the prescribed environmental matters and to the extent specified in Table F1 – Authorised impacts to prescribed environmental matters, and at the locations specified in Figure 2 – Impacts to Matters of State Environmental Significance on MDL219.
F6	Historical, Archaeological or Ethnographic site(s) The holder of the environmental authority must not carry out resource activities within 100m of a Historical, Archaeological or Ethnographic site.

	Note: Refer to the Aboriginal Cultural Heritage Register established under the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Queensland Heritage Act 1992</i> .
F7	Prior to carrying out resource activities, the holder of the environmental authority must consult with the administering authority if a site has the potential to be designated as a historical, archaeological or ethnographic site.
F8	Roads, Tracks, Camps and Gridlines or Geophysical Lines The environmental authority holder must use any existing access and fence line tracks where practicable.
F9	The holder of the environmental authority must consult with the landowner prior to establishing: a) New roads; b) New tracks; c) Campsites; and d) Gridlines or geophysical lines.
F10	Tracks are not to be constructed greater than 4 metres in width, including shoulder width.
F11	All new tracks within 500 metres of a Category B and Category C Environmentally Sensitive Areas are to be recorded with a Global Positioning System, and records kept of their location, and made available to the administering authority on request.
F12	Rehabilitation All land subject to resource activities must be rehabilitated to a non-polluting, safe, stable and self-sustaining landform.
F13	Rehabilitation of areas significantly disturbed by resource activities within 500 metres of any ground-truthed Category B Environmentally Sensitive Area must be completed as soon as practicable, but no longer than three (3) months after completion of the disturbance activity.
F14	For all other areas on the mining tenement, the holder of the environmental authority must complete the rehabilitation processes on all areas disturbed by resource activities, apart from those areas currently being utilised for resource activities, as soon as practical and at least within six (6) months of the completion of works in those areas.
F15	The holder of the environmental authority must spread seeds or plant species that will promote vegetation of a similar species and density of cover to that of the surrounding undisturbed areas or vegetation that is appropriate for providing erosion control and stabilisation of the disturbed areas.
F16	Significantly disturbed areas within 500m of any Category B Environmentally Sensitive Area must be revegetated with plant species that will promote the same vegetation type and density of cover to that of the surrounding areas in and within 500 metres of Category B Environmentally Sensitive Area undisturbed by resource activities.
F17	An annual rehabilitation report must be prepared each year and made available on request to the administering authority. The annual rehabilitation report must include: a) Completed rehabilitation from previous calendar year;

	b) Planned rehabilitation for upcoming calendar year; and c) Rehabilitation status across the tenure.
F18	The report required by Condition F17 must include details of resource activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with Conditions F12 to F13 .
F19	The holder of the environmental authority must backfill all excavations, drill holes or sampling sites as soon as practical following the completion of resource activities, unless to be retained by agreement with the landowner.
F20	The holder of the environmental authority must ensure that exploration drill holes that are to be retained for future mineral resource evaluation purposes are cased and capped. Holes to be retained for more than three (3) years must be capped with steel casing and appropriately identified.
F21	For any Mine Infrastructure to remain after all resource activities have ceased, the holder of the environmental authority must obtain the written agreement of the land owner stating they will take over responsibility for that infrastructure.
F22	The holder of the environmental authority must decommission all non-artesian drill holes, apart from those still required for monitoring purposes as soon as practical, but no later than six (6) months after the hole was drilled by undertaking the following actions: a) where practical dispose of all unused drill chips to the hole or to a sump pit; b) cap the hole at a depth that is appropriate for the previous land use of the area (unless the landowner stipulates a future use which requires the cap to be placed deeper); and c) backfill the hole above the cap with soil or material similar to the surrounding soil or material.
F23	The holder of the environmental authority must isolate non-artesian aquifers where a drill hole intersects more than one water bearing strata by casing or plugging the hole as soon as practical after the hole is no longer required, but no later than two (2) months after the hole was drilled, apart from those holes that are still required for monitoring purposes if: a) the flow difference between aquifers exceeds 500 L/hour; and b) the difference in electrical conductivity of water is greater than 10 percent of the lower value.
F24	Conditions F22 and F23 do not apply to a non-artesian exploration drill hole if: a) the landowner and the holder of the environmental authority have agreed that it should be left for conversion to a water bore; b) the landowner gives a written undertaking to accept responsibility for the hole; c) the details of the agreement and the drill hole (such as its GPS location and the drill logs showing the water bearing strata and flow rates) are provided to the Department of Resources within thirty (30) days of the landowner giving the undertaking; and d) the hole is temporarily capped so as to prevent possible ingress of surface waters and associated sediments and pollutants.

F25	The holder of the environmental authority must ensure that exploration drill holes that strike artesian flows of water that exceeds 500 L/hour for seven (7) days must be either: a) decommissioned as soon as practical, but no later than one (1) month after the hole was drilled, apart from holes that are still required for monitoring or evaluation purposes. Refer to “Minimum Construction Requirements for Water Bores in Australia”, (NUDLC 2020); or b) capped to allow for future conversion into a controlled artesian bore by a licensed water bore driller; or c) converted into a controlled artesian bore by a licensed water bore driller, provided that: (a) the landowner has undertaken in writing to accept responsibility for the drill hole; and (b) the holder of the environmental authority provides details of the agreement and the drill hole to the Department of Resources within thirty (30) days of obtaining the landowner’s agreement.
F26	In Riverine Areas, the holder of the environmental authority must complete the Rehabilitation Processes on all areas disturbed by resource activities, apart from those areas currently being utilised for resource activities, as soon as practical and prior to the onset of the wet season.
F29	Legacy Rehabilitation Rehabilitation of the 465 legacy bores displayed in Figure 1 – Project location and legacy sites must be completed by 29 February 2028.
F30	Rehabilitation of the 465 legacy bores will be in accordance with the rehabilitation method in the EA EPPR00718713 Amendment Application Legacy Rehabilitation Supporting Information Report submitted on 21 December 2023.

Table F1 – Authorised impacts to prescribed environmental matters

Prescribed Environmental Matter	Total Maximum Extent of Impact (ha)	Environmental Offset Required
Regulated vegetation		
<i>Endangered regional ecosystem – 11.3.1</i>	0.13	No
<i>Of concern regional ecosystem – 11.3.2</i>	0.31	No
<i>Of concern regional ecosystem – 11.3.3</i>	0.56	No
<i>Of concern regional ecosystem – 11.3.4</i>	0.53	No
<i>Of concern regional ecosystem – 11.3.6</i>	0.33	No
<i>Of concern regional ecosystem – 11.3.25</i>	0.11	No
<i>Of concern regional ecosystem within a defined distance from the defining banks of a relevant watercourse – 11.3.2, 11.3.3, 11.3.4, 11.3.6, 11.3.25</i>	0.75	No
<i>Endangered regional ecosystem within a wetland or within 100m from the defining banks of a wetland– 11.3.1</i>	0.08	No
<i>Of concern regional ecosystem within a wetland or within 100m from the defining banks of a wetland– 11.3.2, 11.3.3</i>	0.11	No
<i>Essential habitat – Ornamental snake</i>	0.13	No
Protected wildlife habitat		
<i>Habitat for an animal that is vulnerable wildlife – Squatter pigeon</i>	1.97	No
<i>Habitat for an animal that is endangered wildlife – Koala</i>	1.84	No
<i>Habitat for an animal that is vulnerable wildlife – Yakka Skink</i>	0.43	No
<i>Habitat for an animal that is vulnerable wildlife – Greater Glider</i>	1.84	No
<i>Habitat for an animal that is vulnerable wildlife – Ornamental Snake</i>	0.43	No
<i>Habitat for an animal that is Special Least Concern wildlife – Short-beaked Echidna</i>	2.37	No

Definitions

“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 relative to the subject matter using the relevant protocols, standards, methods or literature.

“Archaeological site” – A site that has physical evidence of the past, which has the potential to increase our knowledge of earlier human occupation, activities and events.

“Artesian bore” - includes a shaft, well, gallery, spear or excavation, and any works constructed in connection with the shaft well, gallery, spear or excavation, that taps an aquifer and the water flows, or has flowed, naturally to the surface.

“Authority” means environmental authority (mining activities) under the Environmental Protection Act 1994.

“Bore site” - A bore site is the area encompassing the bore pad, the groundwater pumping bore and the observation bores surrounding the groundwater pumping bore, for any groundwater pumping bores authorised under a licence under the Water Act 2000.

“Banks” means the feature which confines major flows within a watercourse. They are steeper than a terrace and are generally of a slope greater than 1:1 on outer bends.

“Biodiversity values”

“Borehole” means either an artesian bore or a sub artesian bore.

“Bund/Bunded” means –

- (a) An earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. petrol, diesel, oil etc.); or
- (b) a structure to prevent or reduce soil erosion.

“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.

“Category A Environmentally Sensitive Area” means any of the following—

(a) any of the following under the Nature Conservation Act 1992—

- (i) a national park;
- (ii) a national park (Aboriginal land);
- (iii) a national park (Torres Strait Islander land);
- (iv) a national park (Cape York Peninsula Aboriginal land);
- (v) a regional park (general);
- (vi) a forest reserve;

(b) the wet tropics area under the Wet Tropics World Heritage Protection and Management Act 1993;

(c) the Great Barrier Reef Region under the Great Barrier Reef Marine Park Act 1975 (Cwlth);

(d) a marine park under the Marine Parks Act 2004, other than a part of the park that is a general use zone under that Act.

“Category B Environmentally Sensitive Area” means any of the following—

(a) any of the following areas under the *Nature Conservation Act 1992*—

- (i) a coordinated conservation area;
- (ii) an area of critical habitat or major interest identified under a conservation plan;
- (iii) an area subject to an interim conservation order;

(b) an area subject to the following conventions to which Australia is a signatory—

- (i) the ‘Convention on the Conservation of Migratory Species of Wild Animals’ (Bonn, 23 June 1979);
- (ii) the ‘Convention on Wetlands of International Importance, especially as Waterfowl Habitat’ (Ramsar, Iran, 2 February 1971);
- (iii) the ‘Convention Concerning the Protection of the World Cultural and Natural Heritage’ (Paris, 23 November 1972);

(c) a zone of a marine park under the *Marine Parks Act 2004*;

(d) an area to the seaward side of the highest astronomical tide;

(e) the following under the *Queensland Heritage Act 1992*—

- (i) a place of cultural heritage significance;
- (ii) a Queensland heritage place, unless there is an exemption certificate issued under that Act;

(f) an area recorded in the Aboriginal Cultural Heritage Register established under the *Aboriginal Cultural Heritage Act 2003*, section 46, other than the area known as the ‘Stanbroke Pastoral Development Holding’, leased under the Land Act 1994 by lease number PH 13/5398;

(g) a feature protection area, State forest park or scientific area under the *Forestry Act 1959*;

(h) a declared fish habitat area under the *Fisheries Act 1994*;

(i) a place in which a marine plant under the *Fisheries Act 1994* is situated;

(j) an endangered regional ecosystem identified in the database known as the ‘Regional ecosystem description database’ kept by the department.

“Category C Environmentally Sensitive Area” Refer to the definition of a ‘Category C Environmentally Sensitive Areas’ in the definition section of the ‘Eligibility Criteria and Standard Conditions for Exploration and Mineral Development Projects’ (ESR/2016/1985 – Version 2.00).

“Contaminant” - The Environmental Protection Act 1994 defines, under Section 11, a contaminant as:

- (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.

“Contamination” - Section 10 of the Environmental Protection Act 1994 defines contamination of the environment is the release (whether by act or omission) of a contaminant into the environment.

“Contaminated land” - Schedule 4 of the Environmental Protection Act 1994 defines contaminated land as land contaminated by a hazardous contaminant. (See below for a definition of hazardous contaminant.)

“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” means 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 a licence or approval issued by the administering authority under the Environmental Protection Act 1994.

“Environmental authority holder” means the holder of this environmental authority.

“Environmental nuisance” - Section 15 of the Environmental Protection Act 1994 defines environmental nuisance as “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. (e.g. unreasonable noise or dust emissions)”

“Environmental value” - Section 9 of the Environmental Protection Act 1994 defines an environmental value as:

- (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 (e.g. water suitable for swimming in or drinking).

“Ethnographic site” – An archaeological site of particular importance to the study of a cultural group A site containing objects from the past that allows the study of the way people lived and worked at that place in the past

“General Waste” - Schedule 12 of the Environmental Protection Regulation 2008 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.

“Hazardous contaminant” - Schedule 4 of the Environmental Protection Act 1994 defines a hazardous contaminant as “a contaminant that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of:

- (a) its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity, flammability; or
- (b) its physical, chemical or infectious characteristics (e.g.: spills of mercury, cyanide, petrol, diesel or oil)".

"Historical site" – A site containing objects from the past that allows the study of the way people lived and worked at that place in the past.

"Infrastructure" Project infrastructure includes roads, tracks, bores, drillholes, buildings, excavations, sampling sites etc., which are constructed or installed specifically for the project

"Landowner" - Schedule 4 of the Environmental Protection Act 1994 defines the owner of the land as –

- a) The "owner" of land is—
 - i. for freehold land—the person recorded in the freehold land register as the person entitled to the fee simple interest in the land; or
 - ii. for land held under a lease, licence or permit under an Act—the person who holds the lease, licence or permit; or
 - iii. for trust land under the Land Act 1994—the trustees of the land; or
 - iv. for Aboriginal land under the Aboriginal Land Act 1991—the persons to whom the land has been transferred or granted; or
 - v. for Torres Strait Islander land under the Torres Strait Islander Land Act 1991—the persons to whom the land has been transferred or granted; or
 - vi. for land for which there is a native title holder under the Native Title Act 1993 (Cwlth) —each registered native title party in relation to the land.
- b) Also, a mortgagee of land is the owner of the land if—
 - i. the mortgagee is acting as a mortgagee in possession of the land and has the exclusive management and control of the land; or
 - ii. the mortgagee, or a person appointed by the mortgagee, is in possession of the land and has the exclusive management and control of the land.

"Native vegetation" - Vegetation that occurs naturally in a certain area.

"New tracks" means any tracks established after 6 December 2021 in relation to resource activities authorised by this environmental authority.

"Notifiable activity" means an activity in schedule 3 of the Environmental Protection Act 1994.

"Overburden" means material overlying a mineral ore deposit, up to but not including the topsoil.

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

“Resource activities” means exploration activities permitted under this environmental authority that allows the holder to:

- a) conduct drilling;
- b) prepare tracks and drill pads;
- c) prepare laydown areas;
- d) construction of in-ground sumps;
- e) construction of soil test pits;
- f) construction of camps;
- g) install groundwater monitoring bores; and
- h) undertake seismic surveys

“Rehabilitation processes” means the measures and actions taken to achieve rehabilitation outcomes, including any or all of the following:

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

“Riverine area” refers to the land adjoining and associated with watercourses, including the bed, banks, adjoining terraced land and riparian vegetation.

“Sensitive place” means:

- (a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- (b) a motel, hotel or hostel; or
- (c) an educational institution; or
- (d) a medical centre or hospital; 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 gardens; or
- (g) a place used as a workplace, 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.

“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:

- i. areas where soil has been compacted, removed, covered, exposed or stockpiled;
- ii. areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil);
- iii. areas where land use suitability or capability has been diminished;
- iv. areas within a watercourse, waterway, wetland or lake where mining project activities occur;
- v. areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- vi. 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
- vii. areas where land has been contaminated.

However, the following areas are not included:

- a) areas off lease (e.g. roads or tracks which provide access to the mining lease);
- b) areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- c) 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);
- d) 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 Department of Environment and Heritage Protection; and
- e) disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

“Subartesian bore” - includes a shaft, well, gallery, spear or excavation, and any works constructed in connection with the shaft, well, gallery or excavation, that taps an aquifer and the water does not flow and never has flowed naturally to the surface.

“Topsoil” means the surface layer of a soil profile, which is usually 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 300mm in depth from natural surface.

“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

“Waterway” means a naturally occurring feature where surface water runoff normally collects, such as a clearly defined swale or gully, but only flows in response to a local rainfall event.

“Wetland” - are areas of permanent or periodic/intermittent inundation, whether natural or artificial, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed 6m. Wetlands typically include areas such as lakes, swamps, marshes, estuaries or mudflats.

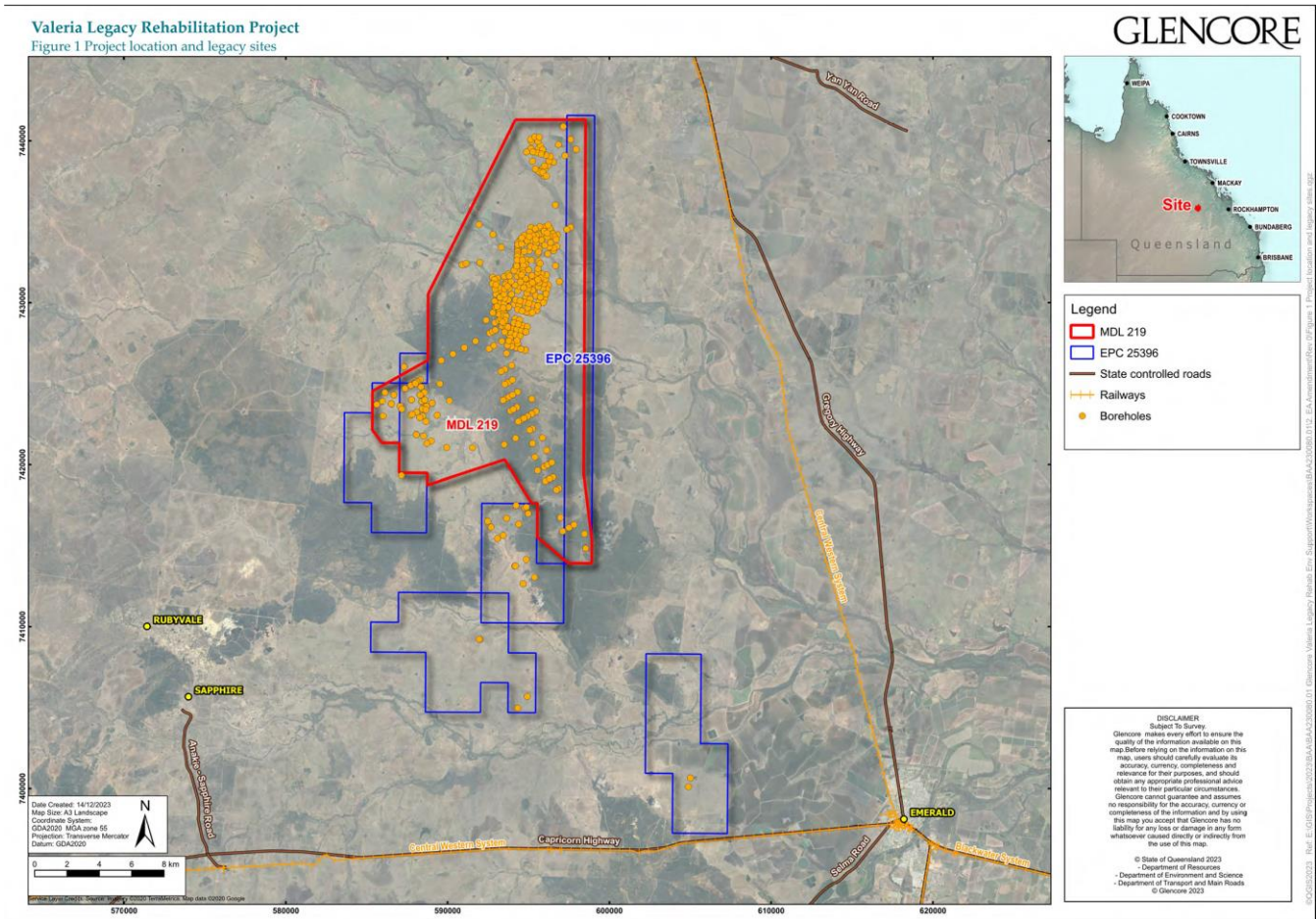


Figure 1 – Project location and legacy sites

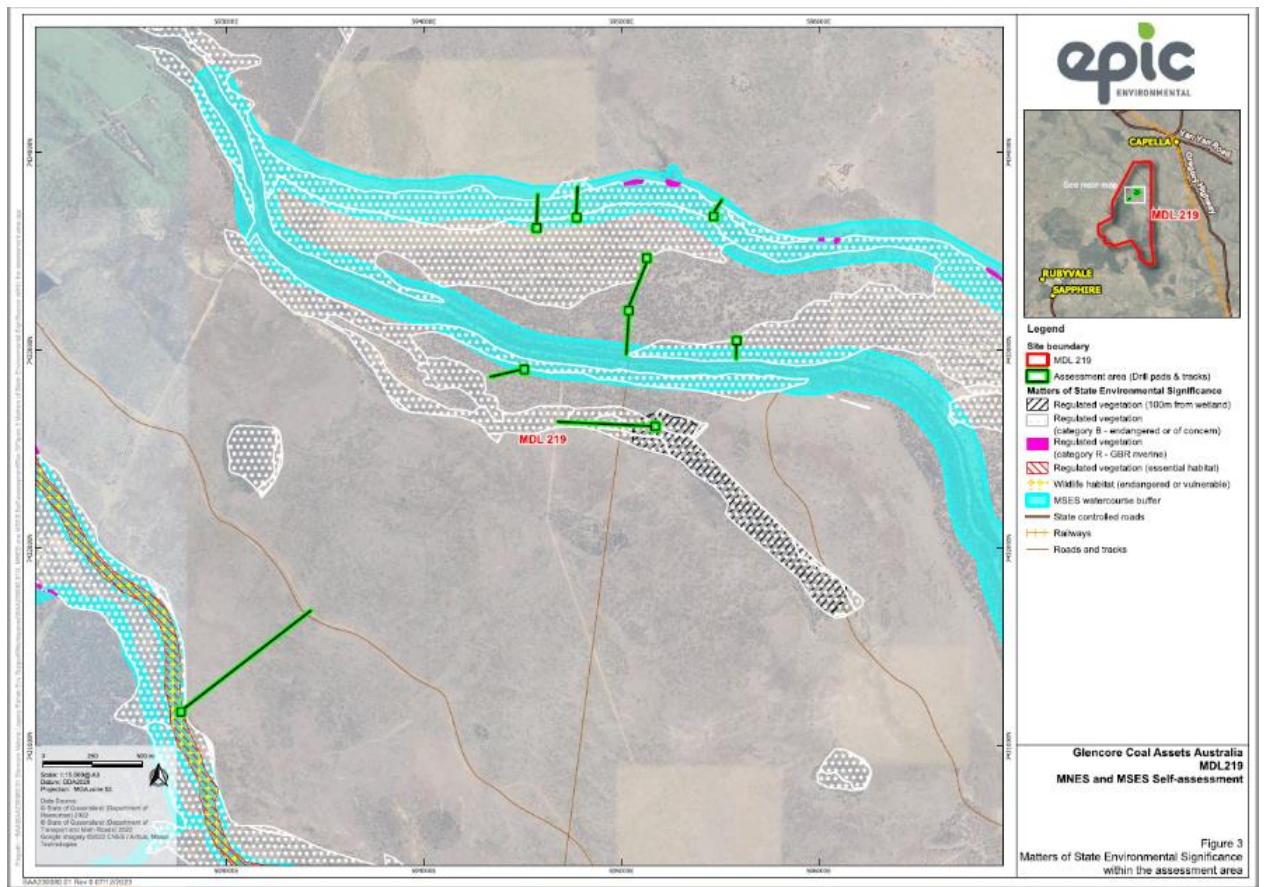


Figure 2 – Impacts to Matters of State Environmental Significance on MDL219

END OF ENVIRONMENTAL AUTHORITY