

Permit¹

Environmental Protection Act 1994
Environmental Authority (Exploration or Mineral Development) Non Code Compliant
Level 1 Mining Project

Permit¹ Number: MIN104395712

This permit is issued by the administering authority to authorise the activity specified in the permit in accordance with the conditions specified in the permit. This decision was made pursuant to Section 264 of the Environmental Protection Act 1994.

Takes Effect From: 11 February 2013

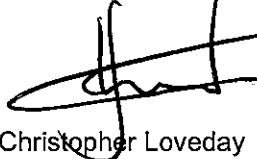
Details

Permit Holder(s)	Name	Address
Principal Holder	Bligh Coal Limited	C/o Idemitsu Australia Resources Pty Ltd Level 28, AMP Place 10 Eagle Street Brisbane Qld 4000
Joint Holder/s	Idemitsu Australia Resources Pty Ltd	Level 28, AMP Place 10 Eagle Street Brisbane Qld 4000
	LG International (Australia) Pty Ltd	Level 14, Suite 3 201 Miller Street North Sydney NSW 2060

Activity(s)	Location(s)
Mineral Development - Coal	MDL 217
<i>Environmental Protection Regulation 2008 – Schedule 6</i>	MDL 218

The anniversary date of the environmental authority is *04 March* each year.

The environmental authority is subject to the attached conditions of approval.



Christopher Loveday
Delegate of Administering Authority
Environmental Protection Act 1994
11 February 2013

Enquiries:
Permit and Licence Management
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¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation



Additional advice about the approval

1. This approval pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for this activity that might be required by other state and/or Commonwealth legislation. Other legislation administered by the administering authority for which a permit may be required includes but is not limited to the:
 - *Strategic Cropping Land Act 2011*;
 - *Wild Rivers Act 2005*;
 - *Aboriginal Cultural Heritage Act 2003*;
 - *Land Protection (Pest and Stock Route Management) Act 2002*;
 - *Nature Conservation Act 1992*;
 - *Vegetation Management Act 1999*;
 - *Mineral Resources Act 1989*;
 - *Water Act 2000*;
 - *Forestry Act 1959*; and
 - *Environmental Protection and Biodiversity Conservation Act 1999*.
2. This approval pursuant to the *Environmental Protection Act 1994* does not absolve the need for the environmental authority holder to adhere to any provision of the *Environmental Protection Act 1994* or of any relevant State and/or Commonwealth legislation. Such provisions include but are not limited to are:
 - Financial assurance Part 7 and section 367 *Environmental Protection Act 1994*;
 - General environmental duty section 319 *Environmental Protection Act 1994*; and
 - Duty to notify of environmental harm section 320 *Environmental Protection Act 1994*.
3. If there is any inconsistency between a standard environmental condition referred to in the *Code of Environmental Compliance for Exploration and Mineral Development Projects* and an additional condition in this environmental authority, the additional condition prevails to the extent of any inconsistency.
4. This environmental authority consists of the following Schedules and Appendices:

Schedule	Department Interest
Schedule A	General Conditions
Schedule B	Additional Conditions
Definitions	
Figure 1: Location of MDL's 217 and 218 and ESA	



Schedule A - General conditions

- A1 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*.
- A2 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.
- A3 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 dated January 2001*.

Schedule B – Additional conditions for Environmentally Sensitive Areas

- B1 The holder of the Environmental Authority must consult with the Administering Authority to identify the specific values that must be preserved within the area identified as an Environmentally Sensitive Area (Endangered Regional Ecosystem). Environmentally sensitive areas identified within and adjacent to MDL 217 and 218 are listed in the table below.

Category	Land Area Classification	General location
Category B	Endangered Regional Ecosystem (including but not limited to): 11.4.9; 11.5.3 11.4.8; 11.4.3 11.3.3; 11.3.1 11.3.37; 11.3.32	Refer to figure 1.

Note: The Endangered Regional Ecosystems are outlined in "The Conservation Status of Queensland's Bioregional Ecosystems", by Sattler & Williams, 1999.

Note: Conditions B1-B6 are conditions that override the Standard Environmental Condition (SEC) 13 to the extent that SEC 13 prohibits the holder of the environmental authority carrying out mining activities in, or within 500 m, of an Category B Environmentally Sensitive Area (ie. an Endangered Regional Ecosystem).

- B2 The holder of the Environmental Authority is authorised, subject to the conditions of this authority, to carry out standard mining activities on the relevant tenement in, or within 500 m of, any Endangered Regional Ecosystem.

- B3 When carrying out mining activities within an Endangered Regional Ecosystem the holder of the environmental authority must do so in accordance with the scale and intensity of activities as outlined below:

Site Access

Drilling or Seismic Grid Lines

- 1.1. Spacing of gridlines is not less than 500m apart; and
- 1.2. Spacing may be reduced to 250m at no more than three specified prospects.

Drill sites

- 1.3. Operational area is no greater than 1000m²;
- 1.4. Sump size is no greater than 10m²;
- 1.5. Topsoil stripping is limited to sump area; and
- 1.6. Clearing of mature trees is prevented or minimised.

Tracks

- 1.7. Spacing between tracks is not less than 500m;
- 1.8. Existing access and fence line tracks are used where possible and any new tracks are constructed by linking natural clearings where possible;
- 1.9. Track construction involving blade clearing of established ground cover vegetation and/or clearing of mature trees is prevented or minimised;
- 1.10. Line of sight clearing is prevented or minimised; and
- 1.11. Construction of new crossings of major natural drainage lines is prevented or minimised.

Other Land Disturbance

- 1.12. Exploration does not involve costeaning or bulk sampling in areas of Endangered Regional Ecosystems; and
- 1.13. Establishing exploration camps will not involve clearing areas of Endangered Regional Ecosystems.

Equipment use

- 1.14. Rubber tyred, low ground pressure vehicles and machinery is to be used where possible; and
- 1.15. Transport of weeds on vehicles and machinery is prevented.

- B4 The environmental authority holder will limit total disturbance within any areas identified as Endangered Regional Ecosystems to a maximum area of 1% of the remnant patch or up to a maximum area of 1000 square metres at any one location.

- B5 In regard to complying with Standard Environmental Condition 42, the holder of the environmental authority must revegetate the areas identified as Endangered Regional Ecosystems with plant species from the same ecosystem type. Consult with the Administering Authority prior to commencing rehabilitation to determine the most appropriate techniques and seed mixture for the specific area.

- B6 Rehabilitation of all areas disturbed within the Endangered Regional Ecosystem will be completed as soon as practical but no longer than three months after completion of the disturbance activity.

END OF CONDITIONS



Definitions

Words and phrases used throughout this licence are defined below except where identified in the *Environmental Protection Act 1994 (EP Act 1994)* or subordinate legislation. Where a word or term is not defined, the ordinary English meaning applies, and regard should be given to the *Macquarie Dictionary*.

"administering authority" means the Department of Environment and Heritage Protection or its successor.

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

"bed and banks" for a waters, river, creek, stream, lake, lagoon, pond, swamp, wetland or dam means land over which the water of the waters, lake, lagoon, pond, swamp, wetland or dam normally flows or that is normally covered by the water, whether permanently or intermittently; but does not include land adjoining or adjacent to the bed and banks that is from time to time covered by floodwater.

"bunded" means within bunding consistent with Australian Standard 1940.

"competent person" means a person with the demonstrated skill and knowledge required to carry out the task to a standard necessary for the reliance upon collected data or protection of the environment.

"contaminate" means to render impure by contact or mixture.

"contaminated" means the substance has come into contact with a contaminant.

"contaminant" - a contaminant can be:

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

"control measure" means any action or activity that can be used to prevent or eliminate a hazard or reduce it to an acceptable level.

"cover material" means any soil or rock suitable as a germination medium or landform armouring.

"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 an environmental authority granted in relation to an environmentally relevant activity under the *Environmental Protection Act 1994*.

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

“environmentally relevant activity” means an environmentally relevant activity as defined under Section 18 of the *Environmental Protection Act 1994* and listed under Schedule 2 of the *Environmental Protection Regulation 2008*.

“ERE” means an endangered regional ecosystem identified in the database maintained by the department called ‘Regional Ecosystem Description Database’ containing regional ecosystem numbers and descriptions.

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

“general waste” means waste other than regulated waste.

“hazardous waste” means a substance, whether liquid, solid or gaseous that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause environmental harm.

“infrastructure” means water storage dams, roads and tracks, buildings and other structures built for the purpose of mining 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, 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.

“mature trees” means any tree relevant to the tenure that is classified as a *commercial sized tree* by the *Code of Practice for Native Forest Timber Production 2002*

“native vegetation” means vegetation that occurs naturally in a certain area.

“nature” includes:

- a) ecosystems and their constituent parts; and
- b) all natural and physical resources; and
- c) natural dynamic processes.

“noxious” means harmful or injurious to health or physical well being.



"operational land" means the land associated with the project for which this environmental authority has been issued.

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

"protected area" means:

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

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

"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.

"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.

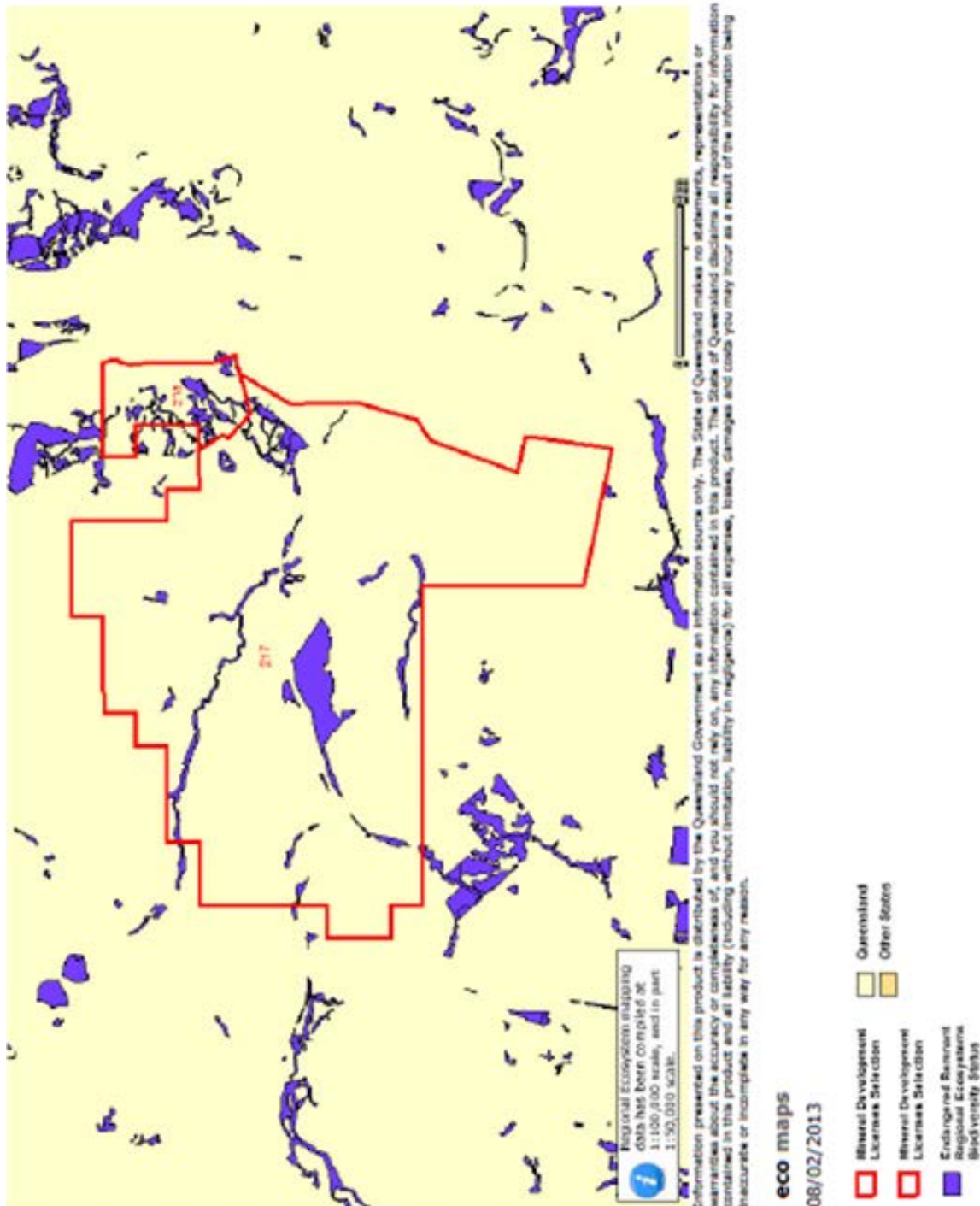
"watercourse" means a watercourse as defined under Chapter 2 of the *Water Act 2000*.

"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, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, and groundwater and any part thereof.

END OF DEFINITIONS



Figure 1: Location of MDL's 217 and 218 and ESA



END OF ENVIRONMENTAL AUTHORITY

