

Permit

Environmental Protection Act 1994

Environmental authority EPPR01590313

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

Environmental authority number: EPPR01590313

Environmental authority takes effect on 09 July 2019

Environmental authority holder(s)

Name(s)	Registered address
KC RESOURCES PTY. LTD.	Suite 3B Level 33 52 Martin Place SYDNEY NSW 2000
CITIC AUSTRALIA COPPABELLA PTY LTD	Level 7, CITIC House 99 King Street MELBOURNE VIC 3000
NS COAL PTY LTD	Level 2, Navision House 10 Market Street BRISBANE CITY QLD 4000
PEABODY COPPABELLA PTY LTD	Level 5 100 Melbourne Street SOUTH BRISBANE QLD 4101
WINCHESTER COAL OPERATIONS PTY LTD	Commonwealth Bank Building Level 25 240 Queen St BRISBANE CITY QLD 4000 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3 09: A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPC649

Additional information for applicants

Environmentally relevant activities

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

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

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Sustainable Planning Act 2009* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

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

Date issued: 14 October 2020

Enquiries:

Department of Environment and Science

Phone:

Email:

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)

Legislative Requirements and Conditions of Environmental Authority

Condition Number	Condition
Agency Interest: General	
A1	The environmental authority does not take effect until the grant of tenure to the environmental authority holder, or until each environmental authority holder has become a holder, under the <i>Mineral Resources Act 1989</i> , of each of the relevant mining tenements.
A2	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> .
A3	The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the <i>Code of environmental compliance for exploration and mineral development projects, Version 1.1 (EM586)</i> , except Condition 13, which is replaced by the conditions in this environmental authority.
A4	The environmental authority holder must develop and implement during the continuation of this environmental authority, a program to ensure that all employees and contractors on site are aware of and comply with the requirements of this authority.
A5	Financial assurance The activity must not be carried out before the environmental authority holder has given financial assurance to the administering authority as security for compliance with this environmental authority and any costs or expenses, or likely costs and expenses, mentioned in section 298 of the Act.
A6	The amount of financial assurance must be reviewed by the holder of this environmental authority when the authority is amended.
Agency Interest: Water	
B1	Contaminants must not be released to waters.

Agency Interest: Land	
C1	The environmental authority holder is authorised to carry out mining activities on EPC649 in or within 500 metres of a Category B – ‘endangered regional ecosystem’, as defined under schedule 12 of the Environmental Protection Regulation 2008.
C2	In carrying out mining activities in or within 500 metres of any Category B endangered regional ecosystem, the environmental authority holder must comply with each of the standard environmental conditions contained in the <i>Code of environmental compliance for exploration and mineral development projects, Version 1.1 (EM586)</i> .
C3	In carrying out mining activities on EPC649 all reasonable and practicable measures must be taken to prevent or minimise the likelihood of environmental harm being caused to Category B ‘endangered regional ecosystems’, 11.3.1, 11.5.9, 11.9.1 and 11.9.5.
C4	When carrying out mining activities in or within 500 metres of Category B endangered regional ecosystems the holder of this environmental authority must do so in accordance with conditions C5 to C15.
C5	Drill sites a) Locate drill sites outside of endangered regional ecosystems, where practicable; b) Drill sites are to be no closer than 500 metres apart; c) Drill site spacing may be reduced to 250 metres apart at no more than 50 specified points (or in accordance with the program nominated in Figure 1); d) Operational area is to be no greater than 1000 square metres; e) Sump size is to be no greater than 10 square metres; f) Topsoil stripping must be limited to sump area; and g) Clearing of mature trees must be avoided as far as practicable.
C6	Drilling or seismic grid a) Spacing of drilling access and 2D seismic lines is not less than 500 metres apart; and b) Spacing of drilling access and 2D seismic lines may be reduced to 250 metres at no more than 50 specified points.

C7	Access a) Locate access tracks outside of endangered regional ecosystems wherever possible; b) Spacings between tracks must not be less than 250 metres; c) Existing access and fence line tracks must be used where possible and any new tracks constructed must link natural clearings where possible; d) Access construction must avoid clearing of mature trees where practicable; e) Line of site clearing must be avoided; f) Construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available; g) All tracks must be constructed and maintained with adequate drainage to avoid accelerated erosion; and h) All new tracks are to be recorded with GPS and records kept of their location and made available to regulatory authorities on request.
C8	Other land disturbance a) Activities must not include costeaning or bulk sampling; b) All equipment such as earthmoving and drilling equipment must be used in a manner which minimises unnecessary disturbance of topsoil and ground cover vegetation; c) Camp sites must not be established; and d) All waste with exception of treated effluent must be removed and disposed of off-site. Treated effluent must be managed in accordance with conditions C13 to C15 of this environmental authority
C9	Rehabilitation and reporting a) Rehabilitation of areas disturbed within endangered regional ecosystems must be completed as soon as practicable but no longer than three months after completion of the disturbance activity; b) The environmental authority holder must revegetate disturbed areas of endangered regional ecosystems with native species endemic to the area that will promote the same vegetation type and density of cover to that of the surrounding undisturbed areas of endangered regional ecosystem; and

	c) An annual report must be prepared each year and submitted with each annual return. The report must include details of exploration activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with C9(b).
C10	Despite condition C8(c) of this environmental authority, a campsite depicted in Figure 1 is permitted in existing cleared land and existing access tracks within 500 metres of Category B endangered regional ecosystems and in existing cleared land and existing access tracks within 100 metres of a riverine area.
C11	The campsite depicted in Figure 1 must not impact the adjacent Category B 'endangered regional ecosystems'.
C12	The campsite depicted in Figure 1 must not impact adjacent riverine areas.
C13	Treated sewage effluent may only be released to land that is located at a minimum distance of 100 metres from riverine areas.
C14	The release of treated sewage effluent to land authorised under this environmental authority must be carried out in a manner such that: a) Vegetation is not damaged; b) Soil quality is not adversely impacted; c) There is no surface ponding or runoff to waters; d) There are no aerosols or odours; e) Deep drainage below the root zone of any vegetation is minimised; and f) The quality of shallow aquifers is not adversely affected.
C15	When circumstances prevent the irrigation of treated sewage effluent to land, such as during or following rain events, waters must be directed to wet weather storage or alternative measures must be taken to store or lawfully dispose of effluent.

Figure 1 Mining activities in EPC649

