

Permit

Environmental Protection Act 1994

Environmental authority EPPR03277115

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

Environmental authority number: EPPR03277115

Environmental authority takes effect on 15 November 2018

Environmental authority holder(s)

Name(s)	Registered address
QUEENSLAND COKING COAL PTY LTD	Suite 2, Level 6, 12 Creek Street "Blue Tower" BRISBANE CITY QLD 4000 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Schedule 2A, 09: A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPC1233

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:

Environmental authority

- 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.

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

Enquiries:
Coal & Gemstone Mining
Department of Environment and Science
Phone: 07 4987 9320
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Date issued: 01 February 2019

Environmental authority

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

Legislative requirements

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.

Obligations under the Mining and Quarrying Safety and Health Act 1999

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the Mining and Quarrying Safety and Health Act 1999. For more information on your obligations under this legislation contact Mine Safety and Health at www.dnrme.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Work diary

The environmental authority holder is required under section 318X of the Environmental Protection Act 1994 to maintain a work diary. The work diary is available at www.qld.gov.au using the publication number ESR/2015/1696 as a search term.

Agency interest: General

Condition number	Condition
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| A1 | This environmental authority does not authorise environmental harm unless a condition contained within the authority explicitly authorises the harm. Where there is no condition or the authority is silent on a matter, the lack of condition or silence shall not be construed as authorising harm. |
| A2 | Financial Assurance
Mining activities must not be carried out until financial assurance has been given to the administering authority as security for compliance with the environmental authority and any costs or expenses, or likely costs or expense, mentioned in section 298 of the <i>Environmental Protection Act 1994</i> . |
| A3 | The area and duration of disturbance to land and vegetation must be minimised. Not more than 1000m ² can be disturbed at any one location, |
| A4 | Mining activity(ies) must not cause environmental nuisance at a nuisance sensitive place. |
| A5 | Costeaning or bulk sampling activities are not authorised by this environmental authority. |
| A6 | Contaminants must not be directly or indirectly released to land, water, groundwater or air except for those releases authorised by the conditions of this environmental authority. |
| A7 | Burning of vegetation is not permitted. |

A8 Monitoring, Reporting and Emergency Response Procedures

The holder of this environmental authority must notify the administering authority by written notification within 24 hours, after becoming aware of any noncompliance with the conditions of this environmental authority.

A9 Within ten (10) business days following the initial notification following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further 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 unlawful environmental harm; and
- c) proposed actions to prevent a recurrence of the emergency or incident.

Agency interest: Air

Condition number	Condition
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B1	The mining activity(ies) must not cause the release of dust or particulates that cause environmental nuisance beyond the boundary of the site.
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Agency interest: Water

Condition number	Condition
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C1	Mining exploration activities must not be carried out: a) in standing waters, wetlands or lakes; b) in a watercourse; c) within 3m of the top of the bank of any waters, wetlands, lakes or watercourses; or d) within or on the levee banks of the normal flow channel.
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Agency interest: Land

Condition number	Condition
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D1 The environmental authority holder must not carry out activities in a Category A Environmentally Sensitive Area. Activities involving machinery must not be carried out within 1km of a Category A Environmentally Sensitive Area. Prior to carrying out mining activities in a Category C Environmentally Sensitive Area, consultation must be held with the administering authority to determine if additional conditions are necessary.

D2 Exploration Drilling Program – within 500 metres and in any Category B Environmentally Sensitive Area

This environmental authority authorises the holder to carry out exploration drilling activities, including associated access tracks, within any Category B Environmentally Sensitive Area (ESA) and associated 500m buffer to the ESA, in accordance with Table B1. The activities may be implemented in a staged manner.

Table D1: Authorised disturbance within 500 metres and in any Category B Environmentally Sensitive Area

Activity	Limitation of activity within Category B Environmentally Sensitive Area	Limitation of activity within 500m buffer of Category B Environmentally Sensitive Area	Maximum footprint of disturbance permitted for each activity within Category B Environmentally Sensitive Area and within 500m buffer of Category B Environmentally Sensitive Area	Maximum disturbance authorised within Category B Environmentally Sensitive Area	Maximum disturbance authorised within Category B Environmentally Sensitive Area 500m buffer
Exploration Drill sites	8	19	400m ² per drill pad 250mm diameter per drill hole 9m ² per sump	0.32ha within existing previously cleared areas	0.76ha
Access tracks	Existing access tracks only	1,500m	5m wide per track	0.26ha	0.54ha

- D3 All drill holes must be constructed to prevent the ingress of any contaminant.
- D4 Drill holes within 500 metres of any Category B Environmentally Sensitive Areas are to be located as far as practicable in previously cleared areas.
- D5 The environmental authority holder must minimise clearing of mature trees within 500 metres and in any Category B Environmentally Sensitive Area.
- D6 **Sediment and erosion control**
Sediment and erosion control measures to prevent soil loss and deposition beyond disturbed land must be implemented and maintained.
- D7 Topsoil must be removed from areas to be disturbed by mining activities and stockpiled in a manner that will minimise erosion. Topsoil stripping within 500 metres and in any Category B Environmentally Sensitive Area must be limited to the sump area.
- D8 Dead trees within 500 metres and in any Category B Environmentally Sensitive Area must not be removed unless they are a safety risk.
- D9 Measures to prevent fauna being harmed from entrapment must be implemented during the construction and operation of the mining activity.
- D10 **Tracks**
Within 500 metres and in any Category B Environmentally Sensitive Area existing access and fence line tracks must be used wherever possible and any new tracks are to be constructed by linking naturally cleared or disturbed areas.
- D11 **Campsites**
This environmental authority does not authorise a camp on EPC1233.
- D12 **Acid forming material**
The holder of the environmental authority must take all reasonable and practicable measures to leave potentially acid-forming rock, soil and sediments undisturbed.
- D13 The holder of the environmental authority must ensure that actual acid-forming rock, soil and sediments are managed in such a way that:
- a) the material is not exposed to air or water, wherever possible;
 - b) leachate does not contaminate the receiving environment;
 - c) if acid-forming rock, soil or sediments are disposed of, the disposal method implemented must prevent leachate or acid drainage.

D14 Reporting

A report must be prepared and submitted to the administering authority every six (6 months), with every second report to coincide with the annual return date.

D15 Upon request, the environmental authority holder must provide the report required by Condition D14, to the administering authority with twenty eight (28) days of the request being made.

D16 The report, as required by Condition D14 must include the following information:

- a. The location and area (ha) of all areas currently disturbed by the activities carried out under this environmental authority, which have not been rehabilitated, are currently under rehabilitation and/ or have been fully rehabilitated, including coordinates;
- b. The date each access track and drill sites was disturbed;
- c. The date each access track and drill sites was rehabilitated;
- d. The date each drill hole was constructed;
- e. The date each drill hole was decommissioned; and
- f. A map distinguishing the areas of proposed, completed and rehabilitated disturbance areas.

Agency interest: Rehabilitation

**Condition Condition
number**

E1 Land disturbed by mining activities must be rehabilitated in accordance with **Table E1: Rehabilitation Requirements**.

Table E1: Rehabilitation Requirements

Vegetation Category	Timeframe	Rehabilitation Goal	Rehabilitation Requirements	Completion Criteria
Category B Environmentally Sensitive Areas	Within 3 months of completion of works	Non-polluting, safe, stable and self-sustaining landform	seeding or planting with native plant species that will promote same vegetation type and density of cover to that of the surrounding undisturbed vegetation category	Certification by a suitably qualified and experienced person that land disturbed by mining activities has been rehabilitated in accordance with this environmental authority.
500m buffer of Category B Environmentally Sensitive Areas				

All other areas	As soon as practical and at least within six months of completion of works	Non-polluting, safe, stable and self-sustaining landform	seeding or planting species that will promote vegetation of a similar species and density of cover to that of the surrounding undisturbed vegetation category	
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Agency interest: Waste

Condition number Condition

F1 All waste must be removed and disposed of offsite.

Definitions

Key terms 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.

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

“authority” means environmental authority (mining lease) under the *Environmental Protection Act 1994*.

“banks” means the feature which confines major flows within a watercourse.

“bund” 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 area listed in Schedule 12, Section 1 of the Environmental Protection Regulation 2008.

“Category B Environmentally Sensitive Area” means any area listed in Schedule 12, Section 2 of the Environmental Protection Regulation 2008.

“Category C Environmentally Sensitive Area”

- Nature Refuges and Resource Reserves;
- Declared Catchment Areas, Declared Irrigation and Irrigation Project Areas, and Water Reservoirs and Drainage Areas;
- River Improvement Areas;
- Designated Landscape Area;
- Historic Mining Sites;
- State Forest or Timber Reserves;
- DPI Research Sites;
- Critical Areas and Public Purpose Reserves;
- Areas under Coastal Management Plans and Control Districts;
- An area subject to a State Planning Policy that the policy declares is in need of environmental protection;
- Erosion Prone Areas and Coastal Management Control Districts; and
- Areas of land occupied by the Bureau of Sugar Experiment Stations to conduct research.

“certified or certification” means a Statutory Declaration by a suitably qualified person or suitably qualified third party accompanying the written document stating:

- the person’s qualifications and experience relevant to the function
- that the person has not knowingly included false, misleading or incomplete information in the document
- that the person has not knowingly failed to reveal any relevant information or document to the administering authority
- that the document addresses the relevant matters for the function and is factually correct; and
- that the opinions expressed in the document are honestly and reasonably held.

“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 as the release (whether by act or omission) of a contaminant into the environment.

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

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

“disturbance” means any area that has had its natural state altered by the action or interference of carrying out an activity associated with the mining project.

“environmental authority” means an environmental authority (resource activity) issued by the administering authority under the Environmental Protection Act 1994.

“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.

“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.

“lake” means a natural or artificial body of water, either permanent or intermittent.

“mature trees” means any tree that is 70% or greater of the predominant canopy height.

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

“non polluting” means having no adverse impacts upon the receiving environment.

“nuisance sensitive place” includes:

- (a) within or outside of a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises;
- (b) within or outside of a motel, hotel or hostel;
- (c) within or outside of a kindergarten, school, university or other educational institution;
- (d) within or outside of a medical centre or hospital;
- (e) within a protected area under the *Nature Conservation Act 1992*, within a marine park under the *Marine Parks Act 1992* or a World Heritage Area;
- (f) within a public thoroughfare, park or gardens; and
- (g) within or outside of a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

“rehabilitation” the process of reshaping and revegetating land to restore it to a stable landform.

“self-sustaining” means not requiring on-going intervention and maintenance to maintain functional riverine processes and characteristics

“suitably qualified and experienced person” means a person who has professional qualifications, training or skills and experience relevant to the nominated subject matters and can give authoritative assessment, advice and analysis about performance relevant to the subject matters using relevant protocols, standards, methods or literature.

“tracks” means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

“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

“watercourse” has the meaning in Schedule 4 of the *Environmental Protection Act 1994* and means:

- 1) a river, creek or stream in which water flows permanently or intermittently:
 - (a) in a natural channel, whether artificially improved or not; or
 - (b) in an artificial channel that has changed the course of the watercourse.
- 2) watercourse includes the bed and banks and any other element of a river, creek or stream confining or containing water.

“waters” includes all or part of a river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.

“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” means 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.

END OF PERMIT

Attachments

Figure 1 – Location of previously authorised drill holes within the 500 metre buffer and in Category B Environmentally Sensitive Area.

