

Permit

Environmental Protection Act 1994

Environmental authority EPVX00272013

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

Environmental authority number: EPVX00272013

Environmental authority takes effect on 17 December 2012

The anniversary date of this environmental authority is the same day each year and remains 25 January. 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.

Environmental authority holder(s)

Name(s)	Registered address
Peabody BB Interests Pty Ltd	Level 14, 31 Duncan Street, Fortitude Valley 4006
CITIC Australia Coal Pty Ltd	Level 7, CITIC HOUSE, 99 King Street, MELBOURNE VIC 3000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled Mining Activity - Exploration Permit Coal (EPC)	EPC676

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.

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

Enquiries:
Business Centre Coal
Department of Environment, Science and Innovation
Phone: 07 4987 9320
Email: CRMining@des.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able to take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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 EP Act. 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).

Conditions of environmental authority

Agency Interest: General	
Condition number	Condition
G1	The environmental authority does not take effect until the grant of the 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 relevant mining tenements.
G2	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> .
G3	Financial assurance 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.
G4	The environmental authority holder must comply with the Standard Environmental Conditions contained in the Code of Environmental Compliance for Exploration and Mineral Development Projects over the entire area covered by the tenure, except condition 13, which is replaced by conditions G4 to G14.
G5	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. Activities must not be carried out in a Category B Environmentally Sensitive area, except those Endangered Regional Ecosystems (ERE's) contained within the boundaries of EPC 676 as identified in Attachment 1 - Table 1. Activities involving machinery must not be carried out in or within 500m of a Category B Environmentally Sensitive Area, except those ERE's contained within the boundaries of EPC 676 as identified in Attachment 1 - Table 1 and those ERE's contained within a 500m buffer on adjoining tenures to EPC 676. Prior to carrying out any activities in a Category C Environmentally Sensitive Area, the environmental authority holder must consult the relevant Administering Authority. If it is determined that additional conditions are necessary the environmental authority holder will comply with those conditions.
G6	When carrying out activities within 500m of Endangered Regional Ecosystems (ERE's) as

	permitted by condition G5, the environmental authority holder must do so in accordance with conditions G7 to G10.
G7	Drilling or Seismic Grid (a) Spacing of gridlines is not less than 500 m apart; and (b) Spacings may be reduced to 250 m at no more than 50 specified points.
G8	Drill Sites (a) Operational area is to be no greater than 1000 m ² ; and (b) Sump size is to be no greater than 10 m ² ; and (c) Topsoil stripping must be limited to sump area; and (d) Clearing of mature trees must be avoided as far as practicable.
G9	Tracks (a) Spacings between tracks must not be less than 250 m; and (b) Existing access and fence line tracks must be used where possible and any new tracks constructed must link natural clearings where possible; and (c) Track construction must avoid clearing of mature trees where practicable; and (d) Line of site clearing must be avoided; and (e) Construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available; and (f) All tracks must be constructed and maintained with adequate drainage to avoid accelerated erosion; and (g) All new tracks are to be recorded with GPS and records kept of their location and made available to regulatory authorities on request.
G10	Other Land Disturbances (a) All equipment, such as earthmoving and drilling equipment must be used in a manner which minimises unnecessary disturbance of topsoil and ground cover vegetation; and (b) Establishing of exploration camps must not involve clearing of mature trees.
G11	Activities are authorised within Endangered Regional Ecosystems subject to conditions G12 to G15.
G12	Drilling or Seismic Grid

	(a) Spacing of gridlines is not less than 500 m apart; and (b) Spacing may be reduced to 250 m at no more than 50 specified points.
G13	Drill Sites (a) Operational area is to be no greater than 1000 m²; and (b) Sump size is to be no greater than 10 m²; and (c) Topsoil stripping must be limited to sump area; and (d) Clearing of mature trees must be avoided as far as practicable.
G14	Tracks (a) Spacings between tracks must not be less than 250 m; and (b) Existing access and fence line tracks must be used where possible and any new tracks constructed must link natural clearings where possible; and (c) Track construction must avoid clearing of mature trees where practicable; and (d) Line of site clearing must be avoided; and (e) Construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available; and (f) All tracks must be constructed and maintained with adequate drainage to avoid accelerated erosion; and (g) All new tracks are to be recorded with GPS and records kept of their location and made available to regulatory authorities on request.
G15	Other Land Disturbances (a) Activities must not include costeaning or bulk sampling; and (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; and (c) Camp sites must not be established.

Table 1 – Environmentally Sensitive Areas identified within EPC676

Environmentally Sensitive Area	Ecosystem	Status
Category A	Nil	Nil
Category B	11.3.1	Endangered
	11.4.1	Endangered
	11.4.9	Endangered
	11.9.1	Endangered
	Various small patches of ERE throughout EPC676 shown on mapping with no code identified.	Endangered
Category C	Nil	Nil

*Source EPA Web Site: Environmentally Sensitive Areas Mapping – 17 October 2005, Regional Ecosystem Vegetation Mapping – 18 October 2005, Regional Ecosystem Description Database (REDD) – 5 December 2005.

END OF ENVIRONMENTAL AUTHORITY