

Permit

Environmental Protection Act 1994

Environmental authority EPVX00467213

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

Environmental authority number: EPVX00467213

Environmental authority takes effect on 16 December 2013

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)
Non-Scheduled Mining Activity Exploration Permit Coal - EPC	EPC749

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: 19 October 2020

Enquiries:

Coal & Gemstone Mining
Department of Environment and Science

Phone: 07 4987 9320
Email: crmining@des.qld.gov.au

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)

Conditions of environmental authority

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

B1 The holder of the Environmental Authority must consult with the Department of Environment and Resource Management to identify the specific values that must be preserved within the area identified as an Endangered Regional Ecosystem¹.

B2 The holder of the Environmental Authority must not carry out intrusive exploration (drilling, track construction, gridlines, and geophysical lines) activities in areas identified as Endangered Regional Ecosystem.

B3 The holder is authorised to carry out intrusive exploration activities within 500 m of an Endangered Regional Ecosystem².

B4 The Environmental Authority holder must consult with the Department of Environment and Resource Management prior to commencing rehabilitation to determine the most appropriate techniques for the specific area.

¹ Important Note to Condition (B1)

Environmental authority

Environmentally Sensitive Area identified in and adjacent to EPC749 are listed in the table below.

Category	Land Area Classification	General Location	Who to Contact
Category B	Endangered Regional Ecosystem (including but limited to the following): 11.3.4 11.4.9 11.9.5	The ecosystems are located in: Blocks Sub-blocks 1708 Z,U,P 1709 Q,L,M	Environmental Operations Central West (Emerald) PO Box 906 Emerald Qld 4720 Ph (07) 4982 4555 Fax (07) 4982 2568

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

² Important Note to Condition (B3)

Condition B3 is a condition that overrides the Standard Environmental Conditions (SEC) 13 to the extent that SEC13 prohibits the holder of the Environmental Authority carrying out mining activities within 500 m of a Category B Environmentally Sensitive Area (ie. An Endangered Regional Ecosystem).

END OF PERMIT