



Department of
**Environment and
Heritage Protection**

14-JAN-2014

To: New Lenton Coal Pty Ltd and MPC Lenton
Pty Ltd
C/- New Lenton Coal Pty Ltd
PO Box 47
IPSWICH QLD 4305

Our reference: 199860

Application details

I refer to the application that was received by the administering authority on 06-JAN-2014.

Land description: EPC865.

Decision

Your application has been approved and your environmental authority (reference EPVX00661413) is attached.

Additional comments or advice You are advised that if you are not the owner of the land to which the environmental authority relates, you have 10 business days from receipt of this environmental authority to give each owner of the land, written notice that you have been issued this environmental authority.

Should you have any further enquiries, please contact Shari Sievers on telephone 1300 130 372 Option 4.

Yours sincerely



Signature

14/1/2014

Date

Linda Langridge
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enclosed

Permit - environmental authority (reference EPVX00661413)

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPVX00661413

Environmental authority takes effect on 14-JAN-2014.

The anniversary date of this environmental authority remains 7th November.

Environmental authority holder

Name	Registered address
MPC Lenton Pty Ltd	C/- ClarkeKann Lawyers Level 7 300 Queen Street BRISBANE CITY QLD 4000
New Lenton Coal Pty Ltd	3/22 Magnolia Drive BROOKWATER QLD 4300

Environmentally relevant activity and location details

Environmentally relevant activity	Location
Mining - EPC	EPC865

Additional information for applicants

Environmentally relevant activities

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

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

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation



It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

Linda Langridge
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

14/1/2014

Date

Enquiries:
Shari Sievers
Permit and Licence Management
Department of Environment and Heritage
Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
Fax: (07) 3330 5875
Email: palm@ehp.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

Department Interest – General

A1 Provide a financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.

A2 The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.

Note: Where progressive rehabilitation is completed and acceptable to the administering authority, progressive reductions to the amount of financial assurance will be applicable where rehabilitation has been completed in accordance with the rehabilitation conditions specified in this environmental authority.

A3 For exploration activities 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*, except Condition 13, which is replaced by the conditions of this authority.

A4 If there is any inconsistency between a standard environmental condition and an additional condition in this environmental authority, the additional condition prevails to the extent of any inconsistency.

A5 The conditions of this environmental authority are in force until surrender of the authority is accepted pursuant to the *Environmental Protection Act 1994* (EP Act). The conditions apply unless an amendment is approved pursuant to the EP Act.

A6 Words 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 *Code of Environmental Compliance for Exploration and Mineral Development Projects* and the definitions in the EP Act, its regulations and policies must be used.

Department Interest – Land

General

- B1** The holder of this environmental authority is not authorised to undertake mining or exploration activities within Category B Environmentally Sensitive Areas (ESA) of EPC865.
- B2** Mining activities on EPC865 must not cause more than 10 Ha of disturbance at any one time.

Drilling sites

- B3** This environmental authority authorises the construction of four (4) conventional drill holes within the 500 metre buffer zone of Category B ESA of EPC865 in accordance with the locations shown in *Attachment 1 – Location of drill holes and seismic lines on EPC865*.
- B4** Drill holes are to be located as far as practicable in previously cleared areas within the 500 metre buffer zone of a Category B ESA.
- B5** The operational area of individual drill sites must not exceed 1000m².
- B6** Drill holes are limited to less than 250mm in diameter.
- B7** The construction of sumps must not exceed 10m².
- B8** Topsoil stripping must be limited to the sump area. Where topsoil is removed it must be stockpiled for respreading at the completion of use.

Seismic Lines

- B9** This environmental authority authorises the construction of 3D seismic lines within 500 metres from a Category B ESA of EPC865 in accordance with the locations shown in *Attachment 1 – Location of drill holes and seismic lines on EPC865*.
- B10** Spacing of 3D seismic survey track gridlines in any Category B Environmentally Sensitive Area may only be undertaken at minimal intervals of 40m.

Tracks

- B11** Existing access and fence line tracks must be used. New tracks may only be constructed with approval of the administering authority.
- B12** Constructed tracks must be less than 5m in width.

- B13** Authorised track construction involving blade clearing of established ground cover vegetation and/or clearing of mature trees is to be minimised.
- B14** All new tracks are to be recorded with GPS in GDA94 coordinate system and records kept of their location and made available to the administering authority on request.
- B15** All tracks, including water course crossings, must be commissioned and operated in accordance with the *Code of Practice for Native Timber Forest Production on State Lands 2007*.
- B16** Tracks should not be used when soil is saturated and prone to displacement or erosion by vehicle movement.

Other Land Disturbance

- B17** Activities must not include costeaning or bulk sampling.
- B18** All equipment such as earthmoving and drilling equipment must be used in a manner which prevents the spread of weeds and minimises unnecessary disturbance of topsoil and ground cover vegetation.
- B19** Prior to entering any area which is 500 metres from a Category B ESA all vehicles, machinery and equipment must be washed down in accordance with the department's latest version of the *Queensland Checklist for Clean Down Procedures* document.
- B20** Campsites must not be established within 500 metres of Category B ESA.
- B21** All waste must be removed and disposed of offsite.
- B22** Burning of vegetation is not permitted.
- B23** All reasonable and practical measures should be taken to prevent the spread of weeds on EPC865.

Rehabilitation & Reporting

- B24** Rehabilitation of areas disturbed within 500 metres from a Category B ESA must commence as soon as practicable and be completed as soon as practicable but no longer than three (3) months after completion of the disturbance activity.
- B25** Rehabilitation must be undertaken in accordance with requirements of the *Code of Environmental Compliance for Exploration and Mineral Development Projects*, and to the satisfaction of the administering authority.
- B26** An annual report must be prepared each year and submitted with each annual return. The report must include a map showing the location of completed drill holes authorised by this environmental authority, as well as details of progressive rehabilitation works completed to demonstrate compliance with Conditions B24 and B25 of this environmental authority.

END OF CONDITIONS

Definitions

“administering authority” means the Department of Environment and Resource Management or its successor.

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

“campsite” means 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 B environmentally sensitive area” means any of the areas mentioned in section 26 of the *Environmental Protection Regulation 2008*.

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

“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 (exploration) issued by the administering authority under the *Environmental Protection Act 1994*.

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

“Environmentally Sensitive Areas” refers to locations, however large or small, that have environmental values that contribute to maintaining biological diversity and integrity, have intrinsic or attributed scientific, historical or cultural heritage value, or are important in providing amenity, harmony or sense of community. Refer to Appendix A of the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

“financial assurance” means a security deposit, either cash or a bank guarantee, that is held by the administering authority to cover the potential:

- (a) costs to rehabilitate areas disturbed by mining activities; and
- (b) costs to restore property improvements disturbed by mining activities; and
- (c) failure of the tenure holder to pay rents and royalties.

“general waste” means waste other than regulated waste.

“landowner” is as per the definition in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

“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.

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

“rehabilitation processes” means the measures and actions taken to achieve rehabilitation outcomes, including any or all of the following:

- removing all unwanted infrastructure;
- backfilling mine excavations (e.g. pits) and capping drill holes;
- reshaping the land surface to a stable landform similar to that of surrounding undisturbed areas;
- spreading of topsoil;
- spreading seed or planting seedlings to promote revegetation;
- benching ridge cuts and removing any overhanging material.

“significantly disturbed land” - Land is significantly disturbed if –

- (a) it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it.

Significantly disturbed land includes:

- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- areas where land use suitability or capability has been diminished;
- areas within a watercourse, waterway, wetland or lake where mining project activities occur;
- areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after mining has ceased; or
- areas where land has been contaminated.

However, the following areas are not included:

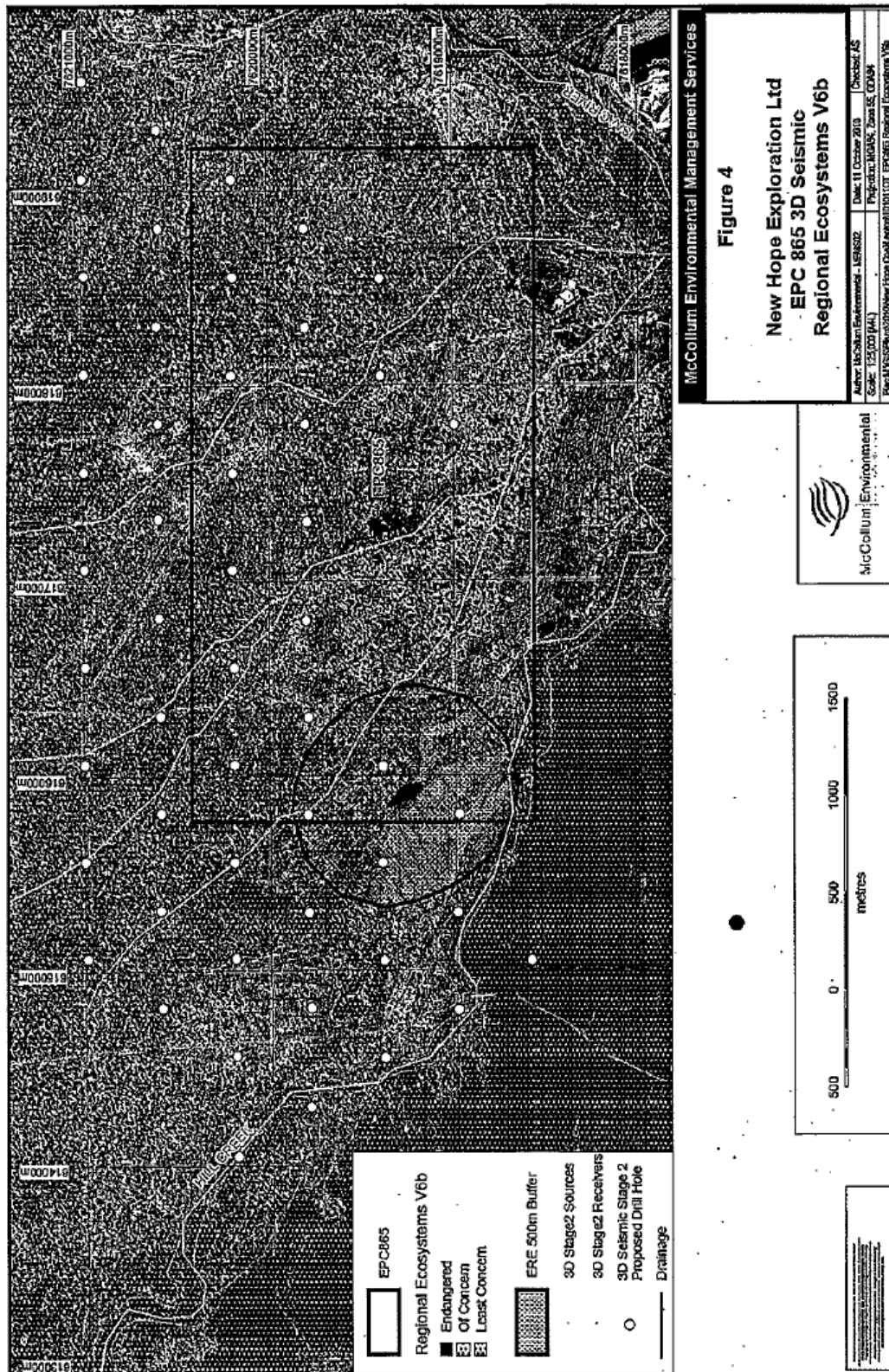
- areas off lease (e.g. roads or tracks which provide access to the mining lease);
- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the administering authority, areas previously significantly disturbed which have not achieved the rehabilitation objectives due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be
- recorded in the Landowner Agreement and lodged with the administering authority;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

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

“watercourse” means a river, creek or stream in which water flows permanently or intermittently in a visibly defined channel (natural, artificial or artificially improved) with:

- (a) continuous bed and banks;
- (b) an extended period of flow for some months after rain ceases, and
- (c) an adequacy of flow that sustains basic ecological processes and maintains biodiversity

Attachment 1 – Location of drill holes and seismic lines on EPC865



END OF PERMIT

Attachments

Code of environmental compliance for exploration and mineral development projects