Permit[1]

Environmental Protection Act 1994

Environmental authority EPVX00716813

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

Permit[1] number: EPVX00716813

Environmental authority takes effect on 17 February 2017

Anniversary day: 7 August

The anniversary date of this environmental authority is the same day each year. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
CAML Resources Pty Ltd	Level 12 300 Queen Street BRISBANE CITY QLD 4000
Foxleigh Coal Pty Ltd	
Nippon Steel & Sumitomo Metal Australia Pty Ltd T/A NIPPON STEEL AUSTRALIA PTY LIMITED	

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - Exploration	EPC1139

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.

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

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 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.

G Naylor

Signature

17 February 2017

Date

Gillian Naylor
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Business Centre (Coal)
Department of Environment and Heritage Protection
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EMERALD QLD 4720
Phone: (07) 4987 9320
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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

With the exception of any variations, the conditions of approval for this environmental authority include standard conditions contained within the attached document(s) entitled:

- *Code of environmental compliance for exploration and mineral development projects – Version 1.1 (EM586)*Variations to the standard conditions include:
- Condition 13

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval:

Agency Interest: General	
Condition Number	**Condition**
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.
Agency Interest: Land	
Condition Number	**Condition**
B1	**General** The holder of this environmental authority is not authorised to undertake mining or exploration activities within any Environmentally Sensitive Area of EPC1139.
B2	**Drill sites** This environmental authority authorises the construction of 41 conventional drill pads to include 41 conventional drill holes within the specified Areas 1, 2, 3 and 4 within the 500 metre buffer zone of Category B Environmentally Sensitive Areas of EPC1139 in accordance with the locations shown in *Attachment 1: Location of drill pads and seismic lines (EPC1139) in Category B Environmentally Sensitive Areas* (ESA).
B3	Drill pads constructed in accordance with condition **B2** are to be located as far as practicable in previously cleared areas of the 500 metre buffer zone of Category B Environmentally Sensitive Areas of EPC1139.
B4	The operational area of individual drill sites must not exceed 900m^2.
B5	Drill holes are limited to less than 250mm in diameter.
B6	The construction of sumps must not exceed 2.5m x 2.0m x 1.0m deep.
B7	Topsoil stripping must be limited to the sump area. Where topsoil is removed it must be stockpiled for respreading at the completion of use.
B8	**Seismic Lines** This environmental authority authorises the construction of 2D seismic lines within the 500 metre buffer zone of Category B Environmentally Sensitive Areas on EPC1139 in accordance with the locations shown in *Attachment 2: Detail of Proposed Exploration within the 500 metre buffer zone of Category B Environmentally Sensitive Areas* of EPC1139.
B9	Spacing of 2D seismic gridlines within *the 500 metre buffer zone of Category B Environmentally Sensitive Area* of EPC1139 may only be undertaken at minimal intervals of 200m.

B10	The environmental authority holder is authorised to undertake a maximum of 1630 metres in length of 2D seismic survey tracks within *the 500 metre buffer zone of Category B Environmentally Sensitive Areas* of EPC1139.
B11	2D seismic lines constructed in accordance with Condition B8 must not exceed 4 metres in width.
B12	2D seismic lines constructed in accordance with Condition B8 must not cause disturbance to the bed and banks of any watercourse.
B13	The holder of this environmental authority is not authorised to undertake 3D seismic survey tracks in Environmentally Sensitive Areas or within 500 metres of an Environmentally Sensitive Areas.
B14	**Tracks** Existing access and fence line tracks must be used wherever possible. The holder of the environmental authority must consult with the landowner prior to establishing any new tracks within the 500 metre buffer zone of *Category B Environmentally Sensitive Areas* of EPC1139. Any new tracks are to be constructed by linking naturally cleared or disturbed areas.
B15	Construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available.
B16	Constructed tracks must be less than 5 metres in width, including shoulder width.
B17	Track construction involving blade clearing of established ground cover vegetation and/or clearing of mature trees is to be minimised.
B18	Tracks should not be used when soil is saturated and prone to displacement or erosion by vehicle movement.
B19	All new tracks are to be recorded with GPS and records kept of their location and made available to the administering authority on request.
B20	**Other Land Disturbance** Activities must not include costeaning or bulk sampling.
B21	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.
B22	Campsites must not be established within the 500 metre buffer zone of *Category B Environmentally Sensitive Areas* of EPC1139.
B23	All waste must be removed and disposed of offsite.
B24	Burning of vegetation is not permitted.

Rehabilitation & Reporting	
Condition number	**Condition**
C1	Rehabilitation of areas disturbed within the 500 metre buffer zone of the *Category B Environmentally Sensitive Areas* must commence as soon as practicable to the extent that erosion impacts are minimised, and be completed as soon as practicable but no longer than three (3) months after completion of the disturbance activity.
C2	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.
C3	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 rehabilitation works completed to demonstrate compliance with Condition C1 and C2 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 2009*.

"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 administrating authority under the *Environmental Protection Act 1994*.

"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 administrating 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" – Schedule 12 of the *Environmental Protection Regulation 2008* defines general waste as meaning " waste other than regulated waste". Waste rock, overburden and the contents of tailings dams are not included in the definition of general waste for the purposes of these conditions.

"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.

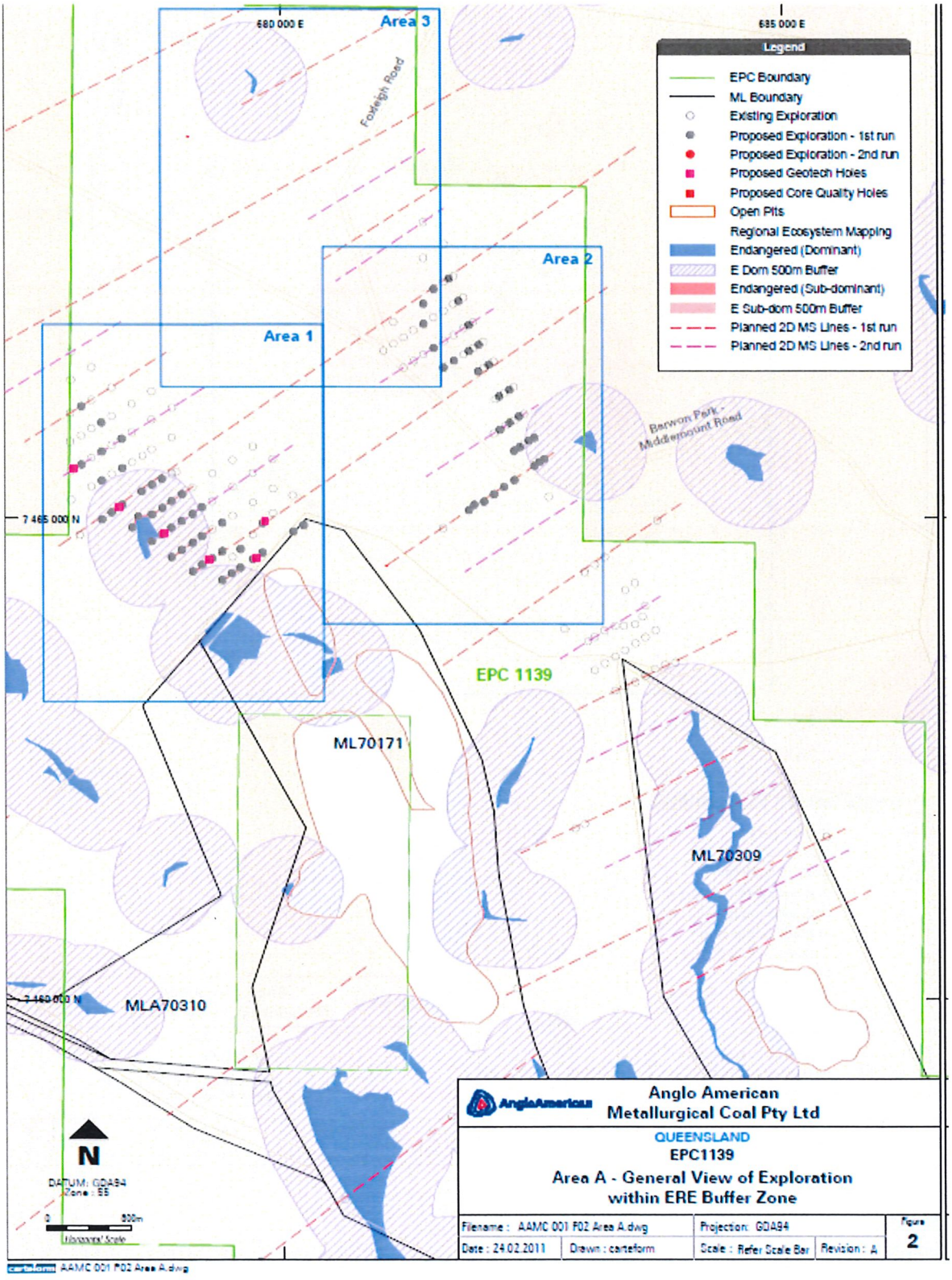
"watercourse" means a river, creek or stream in which water flows permanently or intermittently in a visibly defined channel (natural, artificial or artificially improved) with:

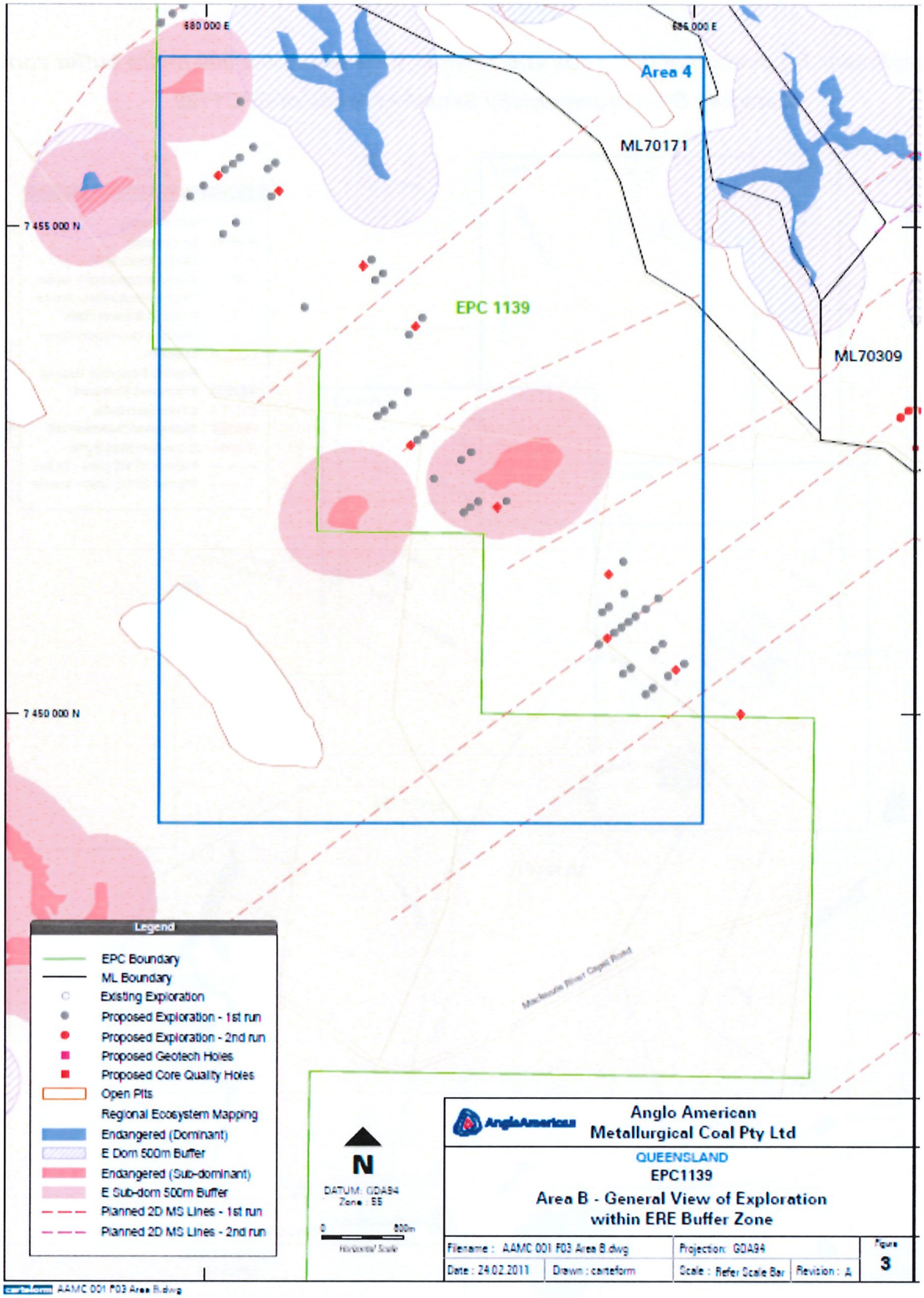
(a) continuous bed and banks;

(b) an extended period of flow for some months after rain ceases, and

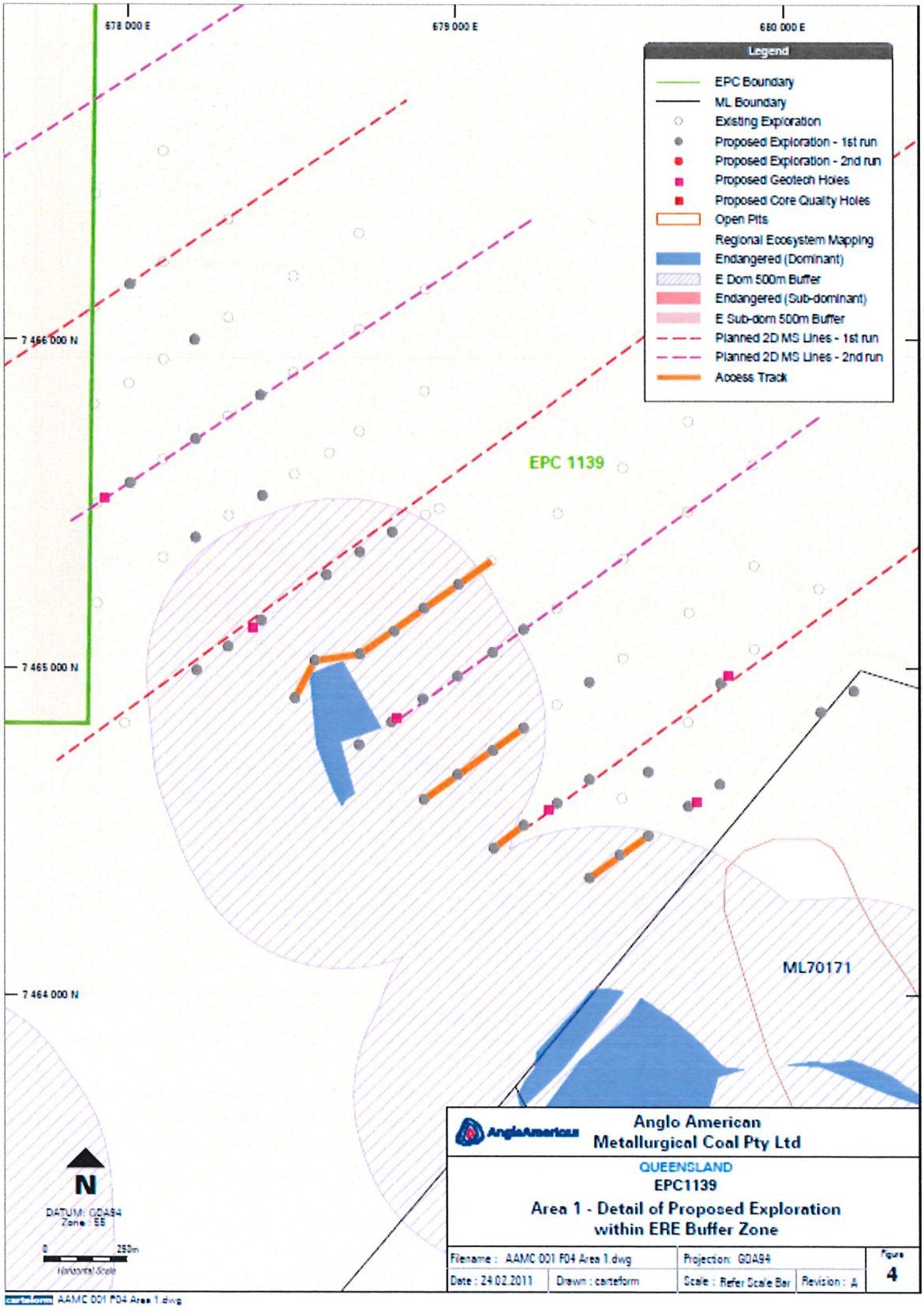
(c) an adequacy of flow that sustains basic ecological processes and maintains biodiversity

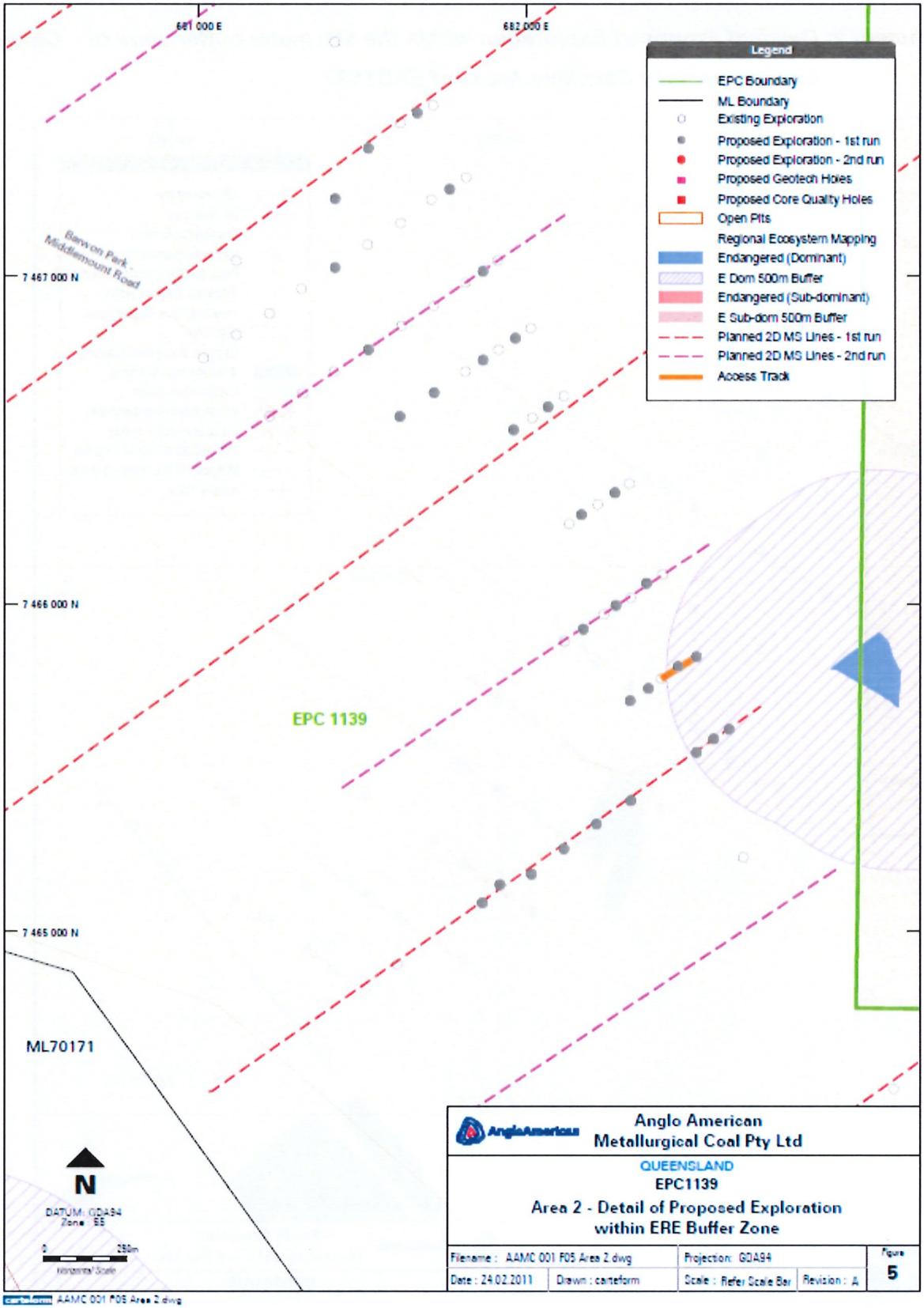
Attachment 1: Location of drill pads and seismic lines within the 500 metre buffer zone of Category B Environmentally Sensitive Areas of EPC1139.




680 000 E
696 000 E
Area 4
ML70171
7 455 000 N
EPC 1139
ML70309
7 450 000 N
Legend
EPC Boundary
ML Boundary
Existing Exploration
Proposed Exploration - 1st run
Proposed Exploration - 2nd run
Proposed Geotech Holes
Proposed Core Quality Holes
Open Pits
Regional Ecosystem Mapping
Endangered (Dominant)
E Dom 500m Buffer
Endangered (Sub-dominant)
E Sub-dom 500m Buffer
Planned 2D MS Lines - 1st run
Planned 2D MS Lines - 2nd run
N
DATUM: GDA94
Zone : 55
0
500m
Horizontal Scale
Anglo American
Metallurgical Coal Pty Ltd
QUEENSLAND
EPC1139
Area B - General View of Exploration
within ERE Buffer Zone
Filename : AAMC 001 F03 Area B.dwg
Projection: GDA94
Date : 24.02.2011
Drawn : carteform
Scale : Refer Scale Bar
Revision : A
Figure
3
AAMC 001 F03 Area B.dwg

Attachment 2: Detail of Proposed Exploration within the 500 metre buffer zone of Category B Environmentally Sensitive Areas of EPC1139.




681 000 E
682 000 E
7 467 000 N
7 466 000 N
7 465 000 N
Barwon Park - Middlemount Road
EPC 1139
ML70171
Legend
EPC Boundary
ML Boundary
Existing Exploration
Proposed Exploration - 1st run
Proposed Exploration - 2nd run
Proposed Geotech Holes
Proposed Core Quality Holes
Open Pits
Regional Ecosystem Mapping
Endangered (Dominant)
E Dom 500m Buffer
Endangered (Sub-dominant)
E Sub-dom 500m Buffer
Planned 2D MS Lines - 1st run
Planned 2D MS Lines - 2nd run
Access Track
N
DATUM: GDA94
Zone : 55
0
250m
Horizontal Scale
Anglo American
Metallurgical Coal Pty Ltd
QUEENSLAND
EPC1139
Area 2 - Detail of Proposed Exploration
within ERE Buffer Zone
Filename : AAMC 001 F05 Area 2.dwg
Projection: GDA94
Date : 24.02.2011
Drawn : carteform
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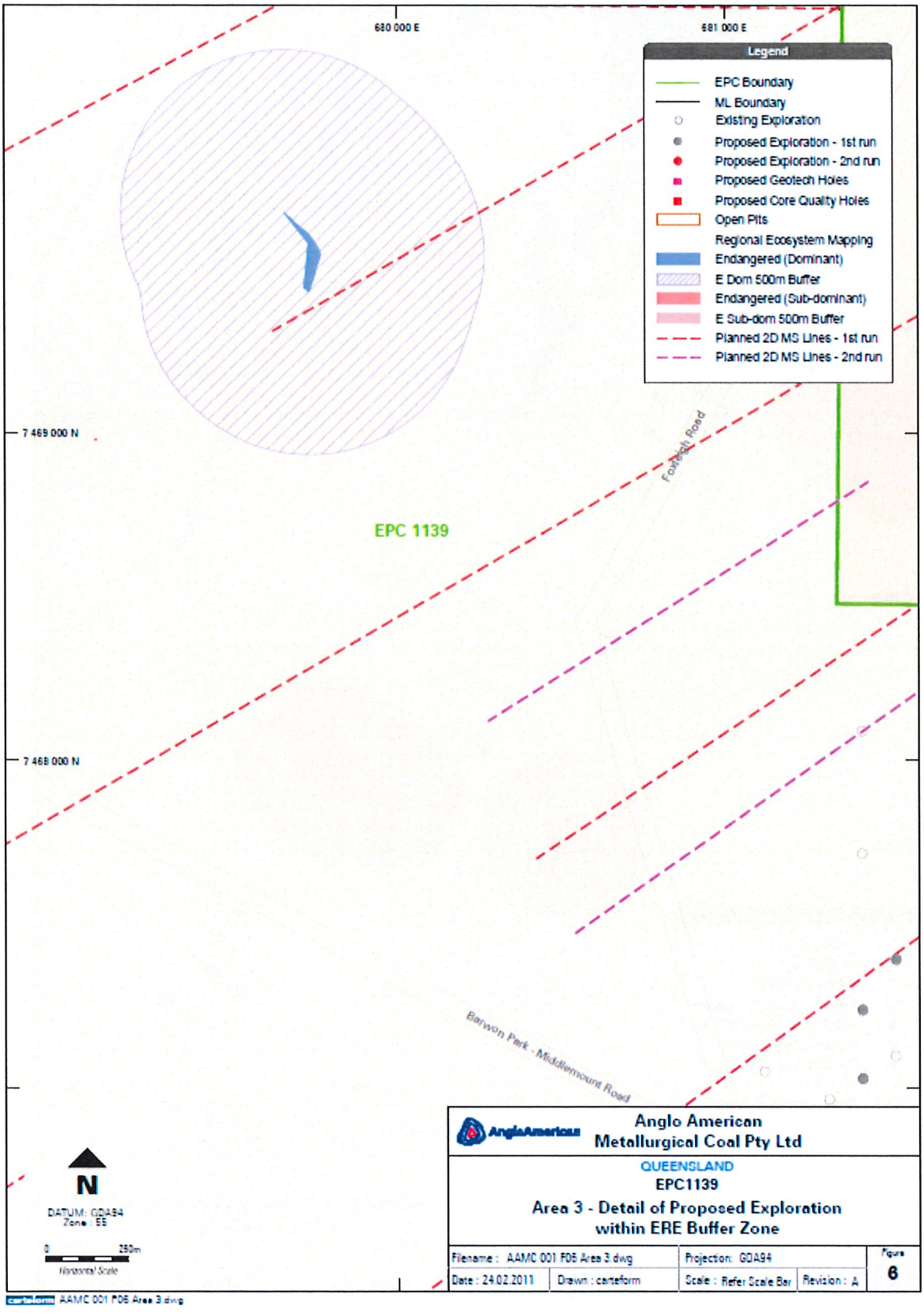
Revision : A
Figure
5
carteform AAMC 001 F05 Area 2.dwg


680 000 E
681 000 E
7 469 000 N
7 468 000 N
Legend
EPC Boundary
ML Boundary
Existing Exploration
Proposed Exploration - 1st run
Proposed Exploration - 2nd run
Proposed Geotech Holes
Proposed Core Quality Holes
Open Pits
Regional Ecosystem Mapping
Endangered (Dominant)
E Dom 500m Buffer
Endangered (Sub-dominant)
E Sub-dom 500m Buffer
Planned 2D MS Lines - 1st run
Planned 2D MS Lines - 2nd run
EPC 1139
Foxleigh Road
Barwon Park - Middlemount Road
N
DATUM: GDA94
Zone : 55
0
250m
Horizontal Scale
Anglo American
Metallurgical Coal Pty Ltd
QUEENSLAND
EPC1139
Area 3 - Detail of Proposed Exploration
within ERE Buffer Zone
Filename : AAMC 001 F06 Area 3.dwg
Projection: GDA94
Date : 24.02.2011
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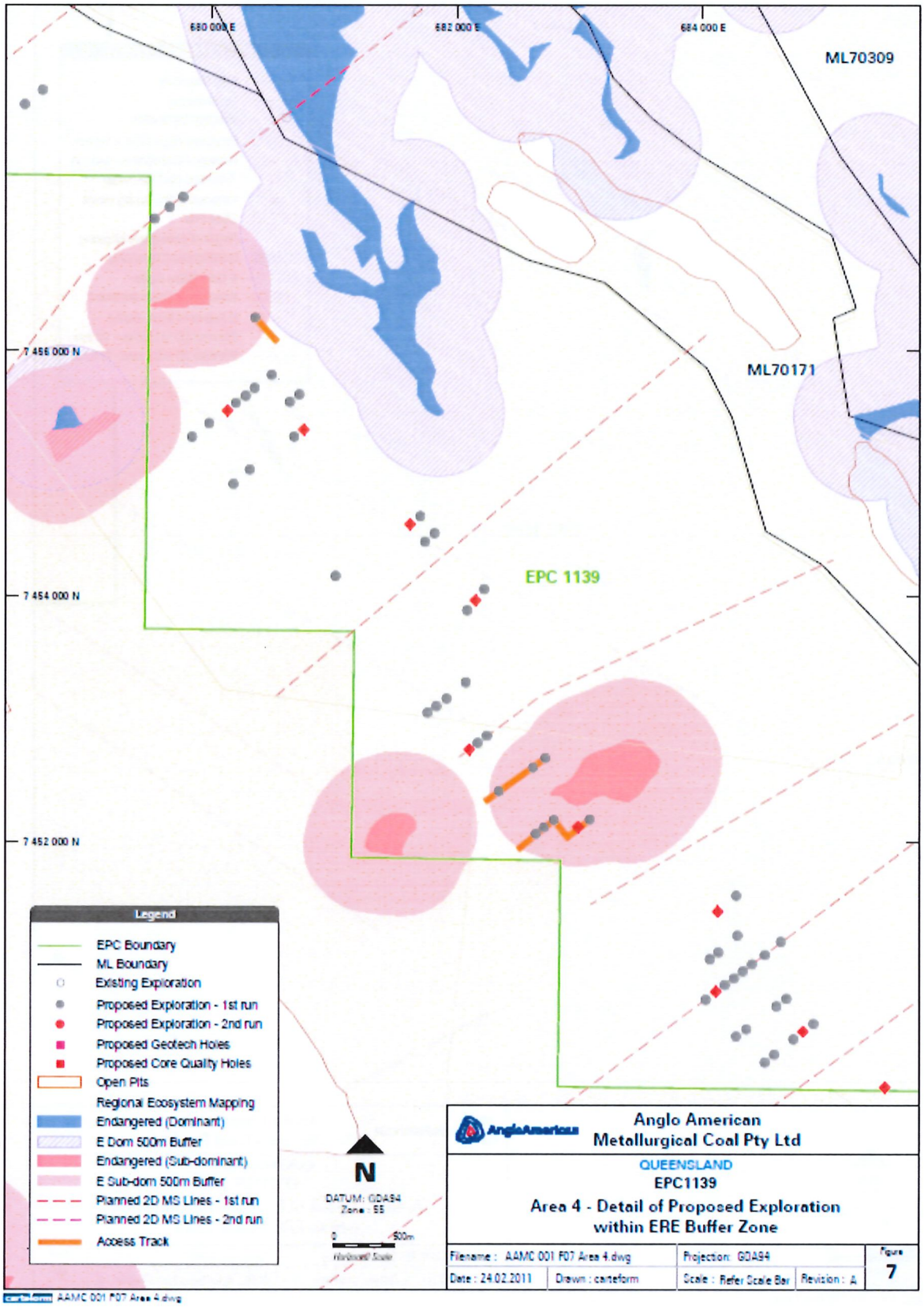
Revision : A
Figure
6
carteform AAMC 001 F06 Area 3.dwg


680 000 E
682 000 E
684 000 E
ML70309
ML70171
7 456 000 N
7 454 000 N
7 452 000 N
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E Dom 500m Buffer
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Planned 2D MS Lines - 1st run
Planned 2D MS Lines - 2nd run
Access Track
N
DATUM: GDA94
Zone : 55
0
500m
Horizontal Scale
AAMC 001 F07 Area 4.dwg
Anglo American
Metallurgical Coal Pty Ltd
QUEENSLAND
EPC1139
Area 4 - Detail of Proposed Exploration
within ERE Buffer Zone
Filename : AAMC 001 F07 Area 4.dwg
Projection: GDA94
Date : 24.02.2011
Drawn : canteform
Scale : Refer Scale Bar
Revision : A
Figure
7

Attachments

Code of Environmental Compliance for Exploration and Mineral Development Projects - Version 1.1 (EM586)