



**Environmental Authority (Exploration)
Non Code Compliant Level 2 Mining Project
Permit¹ Number: MIN204122712**

This permit is issued by the administering authority to authorise the activity specified in the permit in accordance with the conditions specified in the permit. This decision was made pursuant to Section 258 of the Environmental Protection Act 1994.

Takes Effect From: 10 September 2012

Details

Permit Holder(s)	Name	Address
Principal Holder	Belview Coal Pty Ltd	288 Edward Street, Brisbane QLD 4000

Activity(s)	Location(s)
Exploration – Coal	EPC 1114

The anniversary date of the environmental authority is *31 January*

The environmental authority is subject to the attached conditions of approval.

Christopher Loveday
Delegate
Environmental Protection Act 1994
Department of Environment and Heritage Protection
10 September 2012

Enquiries:

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Additional advice about the approval

1. This approval pursuant to the *Environmental Protection Act 1994* does not remove the need to obtain any additional approval for this activity which might be required by other State and / or Commonwealth legislation. Other legislation administered by the Queensland Government for which a permit may be required includes but is not limited to the:

- a. *Aboriginal Cultural Heritage Act 2003*;
- b. The contaminated land provisions of the *Environmental Protection Act 1994*; and
- c. *Nature Conservation Act 1992*.

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

2. This approval pursuant to the *Environmental Protection Act 1994* does not absolve the need for the environmental authority holder to adhere to any provision of the *Environmental Protection Act 1994* or of any relevant State and/or Commonwealth legislation. Such provisions include but are not limited to are:

- a. Financial assurance Chapter 7 Part 6 *Environmental Protection Act 1994*;
- b. General environmental duty section 319 *Environmental Protection Act 1994*; and
- c. Duty to notify of environmental harm sections 320 to 320G *Environmental Protection Act 1994*.

3. If there is any inconsistency between a standard environmental condition referred to in the *Code of Environmental Compliance for Exploration and Mineral Development Projects* and an additional condition in this environmental authority, the additional condition prevails to the extent of any inconsistency.

4. This environmental authority consists of the following Schedules and Appendices:

Schedule A	General Conditions
Schedule F	Land
Schedule G	Definitions

CONDITIONS OF ENVIRONMENTAL AUTHORITY

SCHEDULE A – GENERAL CONDITIONS

- A1** 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 Conditions 2 and 13, which are replaced by the conditions of this environmental authority.

SCHEDULE F – LAND

- F1** The environmental authority holder must comply with each of the 'Land Disturbance' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*, except condition 2, which is replaced by conditions F2 to F3 of this environmental authority.

- F2** The environmental authority holder must ensure that the area and duration of disturbance to land and vegetation is minimised. Not more than 1000m² can be disturbed at any one location, excluding campsites and drill sites.

- F3** The operational area within the drill sites undertaken must not exceed 2500m² for any one location.

Nature Conservation

- F4** In carrying out activities on EPC 1114 all reasonable and practicable measures must be taken to prevent or minimise the likelihood of environmental harm being caused to any Category A, B or C Environmentally Sensitive Areas.
- F5** The environmental authority holder is **not** authorised to carry out mining activities on EPC1114 in any Category A, B or C Environmentally Sensitive Area.
- F6** The environmental authority holder is authorised to carry out mining activities on EPC1114 within 500 metres of Category B Environmentally Sensitive Areas, however, activities involving machinery must not be carried out within 1km of any Category A Environmentally Sensitive Area.
- F7** Prior to commencement of drilling, the locations of the drill sites within 500 metres of the Category B Environmentally Sensitive Areas must be supplied to the administering authority in the form of a map including the GPS locations of the drill holes to be undertaken prior to commencement of drilling.

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- F8** Habitat trees must be protected.
- F9** No clearing of mature trees is authorised except with approval of the administering authority.
- F10** Debris from clearing or felling of trees must not accumulate within two (2) metres of any retained tree.
- F11** Burning of vegetation is not permitted.
- F12** When carrying out mining activities within 500m of any Category B Environmentally Sensitive Area the holder of the environmental authority must do so in accordance with conditions **F13 to F40**.

Drilling, Excavating and Sampling

- F13** The environmental authority holder must comply with each of the 'Drilling, Excavating and Sampling' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- F14** The environmental authority holder must comply with each of the 'Exploration drill holes' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- F15** The environmental authority holder is authorised to undertake no more than 5 drill sites within 500m of any Category B Environmentally Sensitive Area.
- F16** The sumps for drill holes within 500 metres of any Category B Environmentally Sensitive Area must not exceed 19m².

Gridlines and Geophysical Surveys

- F17** The environmental authority holder must comply with each of the 'Gridlines and Geophysical Surveys' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- F18** The environmental authority holder is not authorised to undertake 2D seismic survey tracks within Category A Environmentally Sensitive Area.

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- F19** The environmental authority holder is not authorised to undertake 2D seismic survey tracks within Category B Environmentally Sensitive Areas.
- F20** The environmental authority holder is not authorised to undertake 2D seismic survey tracks within 500 metres of the Category A Environmentally Sensitive Areas.
- F21** The environmental authority holder is authorised to undertake 2D seismic survey tracks within 500 metres of Category B Environmentally Sensitive Area.
- F22** The environmental authority holder must not undertake more than 1.3ha of disturbance within 500m of Category B Environmentally Sensitive Area and avoid clearing mature trees for seismic activities.

Topsoil and Overburden Management

- F23** The environmental authority holder must comply with each of the 'Topsoil and Overburden Management' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- F24** Topsoil stripping is not authorised within any Category B Environmentally Sensitive Area.
- F25** Topsoil stripping within 500m of any Category B Environmentally Sensitive Area is limited to an area no greater than 2500m².

Hazardous Contaminants

- F26** The environmental authority holder must comply with each of the 'Hazardous Contaminants' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- F27** Spillage of all chemicals must be controlled in a manner that prevents environmental harm.

Roads and Tracks

- F28** The environmental authority holder must comply with each of the 'Roads and Tracks' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- F29** Any existing access and fence line tracks must be used.
- F30** Clearing of mature trees for construction of access tracks is not authorised.
- F31** Tracks are not to be constructed greater than 3m in width.
- F32** Spacing of tracks must not be less than 250m.
- F33** Track construction involving blade clearing of mature trees is to be prevented.
- F34** The environmental authority holder must minimise disturbance within 500m of any Category B Environmentally Sensitive Area when constructing tracks.

Other land disturbance

- F35** Exploration within 500m of any Category B Environmentally Sensitive Area must not involve costeaning or bulk sampling activities.
- F36** Construction of exploration camps is not authorised in or within any Category B Environmentally Sensitive Area.

Rehabilitation and reporting

- F37** Rehabilitation of areas disturbed by mining activities within 500 metres of any Category B Environmentally Sensitive Area must be completed as soon as practicable, but no longer than 3 months after completion of the disturbance activity.
- F38** The environmental authority holder must revegetate disturbed areas within 500 metres of any Category B Environmentally Sensitive Area with native plant species endemic to the area that will promote the same vegetation type and density of cover to that of the surrounding undisturbed areas within 500m of any Category B Environmentally Sensitive Area.

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- F39** All land subject to mining activities must be rehabilitated to a non polluting, safe, stable and self sustaining landform
- F40** An annual report must be prepared each year and submitted with each annual return. The report must include details of exploration activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with conditions **F37 to F39**.

END OF CONDITIONS

DEFINITIONS

“Artesian Bore” includes a shaft, well, gallery, spear or excavation, and any works constructed in connection with the shaft well, gallery, spear or excavation, that taps an aquifer and the water flows, or has flowed, naturally to the surface.

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

“Borehole” means either an artesian bore or a subartesian bore.

“Campsite” The area encompassing any dwelling, amenities (e.g. toilet block, power generator), sewage of general waste disposal facility and includes the office area and vehicle parking areas associated with a temporary or permanent mining camp.

“Costeaning” 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.

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

“Endangered regional ecosystem” means a regional ecosystem identified as endangered in the database maintained by the administering authority called ‘Regional Ecosystem description database’ containing regional ecosystem numbers and descriptions.

“Environmental Authority” means a licence or approval issued by the administering authority under the *Environmental Protection Act 1994*

“Environmental authority holder” means the holder of this environmental authority.

“Environmentally Sensitive Areas” refers to locations, however large or small, that have environmental values that contribute to maintained 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 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” schedule 9 of the *Environmental Protection Regulation 1998* defines general waste as “means 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.

“Native Vegetation” 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” 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 rehabilitated it.

Significantly disturbed land includes;

- Areas where soils 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 and topsoil)
- Areas where land use suitability or capability has been diminished;
- Areas within a watercourse, waterway, 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 EPA, 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 EPA;

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- Disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

“Standard environmental conditions” for an environmental authority, means the standard environmental conditions approved for the authority under section 549 of the *Environmental Protection Act 1994*.

“Subartesian bore” includes a shaft, well, gallery, spear or excavation, and any works constructed in connection with the shaft, well, gallery or excavation, that taps an aquifer and water does not flow and never has flowed naturally to the surface.

“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