

## Permit<sup>1</sup>

*Environmental Protection Act 1994*

### Environmental authority EPVX00725813

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

**Permit<sup>1</sup> number: EPVX00725813**

**Environmental authority takes effect 16 June 2014.**

The anniversary date of the environmental authority is 25 May.

#### Environmental authority holder(s)

| Name                          | Registered address                                   |
|-------------------------------|------------------------------------------------------|
| Vale Coal Exploration Pty Ltd | Level 11, 100 Creek Street<br>BRISBANE CITY QLD 4000 |

#### Environmentally relevant activity and location details

| Environmentally relevant activity(ies)                                                                                                | Location(s) |
|---------------------------------------------------------------------------------------------------------------------------------------|-------------|
| ERA 9 – a mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance. | EPC1146     |

#### 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.

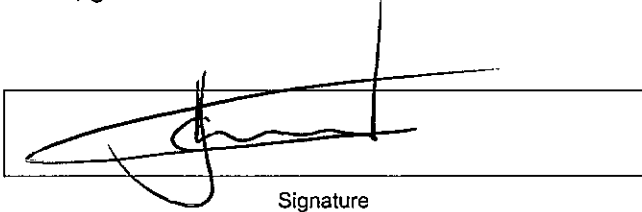
A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

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



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.



Signature

Christopher Loveday  
Department of Environment and Heritage Protection  
Delegate of the administering authority  
*Environmental Protection Act 1994*

16/06/14

Date

**Enquiries:**  
Brianna Ryan  
Department of Environment and Heritage  
Protection  
PO Box 3028  
EMERALD QLD 4720  
Phone: (07) 4987 9320  
Fax: (07) 4987 9399  
Email: [brianna.ryan@ehp.qld.gov.au](mailto:brianna.ryan@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

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*

### **Schedule A: General**

**A1** This environmental authority does not authorise environmental harm unless a condition contained within the authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

**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 acceptance criteria defined within this environmental authority.*

**A3** The environmental authority holder must develop and implement during the continuation of this authority, a program to ensure that all employees and contractors on site are aware of and comply with the relevant requirements of this environmental authority.

### **Activity**

**A4** The holder of this environmental authority is not authorised to undertake costeaning or bulk sampling.

**A5** 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 13 and 21, which are replaced by the conditions in this environmental authority.

**A6** Contaminants must not be released to the receiving environment unless authorised by this environmental authority.

**Maintenance of Measures, Plant and Equipment**

- A7** The environmental authority holder must:
- a) Install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority;
  - b) Maintain such measures, plant and equipment in a proper condition; and
  - c) Operate such measures, plant and equipment in a proper manner.

**Monitoring, Reporting and Emergency Response Procedures**

- A8** The environmental authority holder must notify the administering authority by written notification as soon as practicable but within 24 hours after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance, with the conditions of this environmental authority.

- A9** The notification in condition A8 must include, but not be limited to, the following:
- a) the environmental authority number and name of the holder
  - b) the name and telephone number of the designated contact person
  - c) the location of the emergency or incident
  - d) the date and time of the emergency or incident
  - e) the time the holder of the environmental authority became aware of the emergency or incident
  - f) where known:
    - i. the estimated quantity and type of substances involved in the emergency or incident
    - ii. the actual or potential cause of the emergency or incident
    - iii. a description of the nature and effects of the emergency or incident including environmental risks, and any risks to public health or livestock
  - g) any sampling conducted or proposed, relevant to the emergency or incident
  - h) immediate actions taken to prevent or mitigate any further environmental harm caused by the emergency or incident; and
  - i) what notification of stakeholders who may be affected by the emergency or incident has occurred or is being undertaken.

- A10** Within ten (10) business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following:
- (a) results and interpretation of any samples taken and analysed
  - (b) outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and
  - (c) proposed actions to prevent a recurrence of the emergency or incident.



- A11** The environmental authority holder must notify, in writing, the occupiers or registered owners of affected land and any other potentially impacted stakeholder as soon as reasonably practicable after becoming aware of any emergency or incident that has the potential to impact on environmental values or breaches any condition of this environmental authority concerning releases of contaminants to the environment.
- A12** The notification in condition A11 must include the following:
- a) the location of the emergency or incident
  - b) the date and time of the emergency or incident
  - c) the estimated quantity and type of any substances involved in the emergency or incident
  - d) the potential impacts to environmental values caused by the emergency or incident; and
  - e) where there is potential impact on livestock or human health, precautionary measures that should be taken.
- A13** Record, compile and keep for a minimum of five (5) years all monitoring results required by this environmental authority and make available for inspection all or any of these records upon request by the administering authority.
- A14** Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conduct all monitoring.

### **Schedule B: Air**

#### **Air Quality**

- B1** When requested by the administering authority or as a result of a complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer), dust and particulate monitoring must be undertaken, and the results thereof notified to the administering authority within fourteen (14) days following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place. Dust and particulate matter must not exceed the following levels when measured at any sensitive receptor or commercial place:
- (a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with *Australian Standard AS 3580.10.1 of 2003* (or more recent editions); and
  - (b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging period, at a sensitive receptor or commercial place downwind of the site, when monitored in accordance with:
    - (i) *Australian Standard AS 3580.9.6 of 2003* (or more recent editions) *Ambient air – Particulate matter – Determination of suspended particulate PM10 high-volume sampler with size-selective inlet – Gravimetric method*; or

- (ii) Any alternative method of monitoring PM10 which may be permitted by the current edition of the *Air Quality Sampling Manual* as published from time to time by the administering authority.

- B2** If monitoring indicates exceedance of the relevant limits in condition B1, then the environmental authority holder must:
- (a) address the complaint including the use of appropriate dispute resolution if required; and
  - (b) immediately implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.

**Schedule C: Water**

**Erosion and Sediment Control**

- C1** Contaminants must not be released to any waters or the bed and banks of any waters.
- C2** Sediment control barriers must be made of non-organic material to prevent the spread of weeds.
- C3** Diversion drains and sediment control barriers must be in place immediately after any clearing.

**Schedule D: Waste**

**Waste Management**

- D1** General Waste must not be disposed of within EPC1146.
- D2** Regulated Waste must not be disposed of within EPC1146.
- D3** Waste must not be burned or allowed to be burned on EPC1146 unless by the approval of the administering authority.
- D4** All waste generated in carrying out activities must be stored, handled and transferred in a proper and efficient manner. Waste must not be released to the environment, stored, transferred or disposed contrary to the *Environmental Protection (Waste Management) Regulation 2000*.

**Schedule E: Land**

- E1** The environmental authority holder is not authorised to carry out mining activities on EPC1146 within any Category B Environmentally Sensitive Area.
- E2** The environmental authority holder is authorised to carry out mining activities on EPC1146 within 500m of any Category B Environmentally Sensitive Area subject to conditions of this authority.

- E3** The total area of disturbance authorised by this environmental authority on EPC1146 within 500m of any Category B Environmentally Sensitive Areas must not exceed 1.025 hectares.

**Nature Conservation**

- E4** In carrying out activities on EPC1146 all reasonable and practicable measures must be taken to prevent or minimise the likelihood of environmental harm being caused within the 500m buffer of any Category B Environmentally Sensitive Area.
- E5** The edge of a drill site should not be within 20 meters of any raptor nest, whether active or not.
- E6** No dead trees are to be removed unless they are a safety risk.
- E7** Clearing of habitat trees is not authorised except with the approval of the administering authority.
- E8** Clearing of mature trees is not authorised except with the approval of the administering authority.
- E9** Burning of vegetation is not permitted.

**Hazardous Contaminants**

- E10** All explosives, hazardous chemicals, corrosive substances, toxic substances, gases and dangerous goods must be stored and handled in accordance with the current Australian Standard where such is applicable.
- E11** Flammable and combustible liquids, including petroleum products, must be stored and handled in accordance with the latest edition of *AS1940 – The storage and handling of flammable and combustible liquids*.
- E12** The environmental authority holder must minimise the potential for contamination of land and waters by diverting stormwater around contaminated areas and facilities used for the storage of chemicals and flammable or combustible liquids.
- E13** All chemicals and flammable or combustible liquids stored on site that have the potential to cause environmental harm must be stored in or serviced by an effective containment system that is impervious to the materials stored and managed to prevent the release of liquids to waters or land. Where no relevant Australian Standard is available, the following must be applied:
- a) storage tanks must be bunded so that the capacity and construction of the bund is sufficient to contain at least 110% of a single storage tank or 100% of the largest storage tank plus 10% of the second largest storage tank in multiple storage areas, and



- b) drum storages must be bunded so that the capacity and construction of the bund is sufficient to contain at least 25% of the maximum design storage volume within the bund.

#### **Spill Kit**

- E14** An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes, chemicals and flammable and combustible liquids associated with the activity must be kept at the site.
- E15** Anyone operating with wastes, chemicals or flammable and combustible liquids under this approval must be trained in the use of the spill kit.

#### **Drilling, Excavating and Sampling**

- E16** The environmental authority holder is authorised to undertake no more than **one (1)** exploration drill sites within the 500 meter buffer of any Category B Environmentally Sensitive Area.
- E17** The holder of the environmental authority must implement the following measures to limit disturbance within tenure EPC1146:
- a) drill holes must not exceed 300mm in diameter

#### **Weed Management**

- E18** All equipment such as earthmoving and drilling equipment must be used in a manner which prevents the spread of weeds and minimise unnecessary disturbance of topsoil and ground cover vegetation.

#### **Gridlines and Geophysical Surveys**

- E19** The environmental authority holder is not authorised to undertake 2D seismic surveys within 500m of any Category B Environmentally Sensitive Area.
- E20** The environmental authority holder is not authorised to undertake 3D seismic surveys within 500m of any Category B Environmentally Sensitive Area.

#### **Topsoil and Overburden Management**

- E21** Topsoil stripping within the 500m buffer of any Category B Environmentally Sensitive Area must not exceed the sump area of 20m<sup>2</sup> (e.g. 4m x 5m).

#### **Road and Tracks**

- E22** Any existing access and fence line tracks must be used, where practical.
- E23** Any new tracks are to be constructed by linking naturally cleared or previously disturbed areas, where practical.

- E24** The construction of any new tracks must be recorded with a Global Positioning System (GPS) in GDA94 coordinate system and records kept of their location and made available to the administering authority upon request
- E25** Tracks are not to be constructed greater than 5m in width.
- E26** The environmental authority holder is authorised to undertake no more than 878metres of tracks within 500m of any Category B Environmentally Sensitive Area.
- E27** No clearing or disturbance for access to monitoring boreholes will take place within the 500m buffer of any Category B Environmentally Sensitive Area.

**Campsites**

- E28** Campsites must not be established within Environmentally Sensitive Areas or within 500m of any Category B Environmentally Sensitive Area.

**Service, Maintenance and Storage Areas**

**Non-artesian Drill Holes**

- E29** The holder of the environmental authority must decommission and rehabilitate all non-artesian exploration drill holes within the 500m buffer of any Category B Environmentally Sensitive Area, apart from those to be converted to a monitoring bore or a water bore, but no later than 3 months after the hole was drilled.
- E30** The holder of the environmental authority must isolate sub-artesian water aquifers where a drill hole intersects more than one water bearing strata in accordance with the '*Minimum Construction Requirements for Water Bores in Australia*' (Australian Government, February 2012) or latest edition.
- E31** Non-artesian exploration drill holes to be changed to water bores must be converted within 3 months of the exploration drill hole being drilled.  
NOTE: Water Bores are licensed under the *Water Act 2000*.
- E32** The holder of the environmental authority must convert all non-artesian exploration drill holes required for ongoing monitoring and evaluation purposes to monitoring bores:  
a) within 3 months of the exploration drill hole being drilled; and  
b) in accordance with the '*Minimum Construction Requirements for Water Bores in Australia*' (Australian Government, February 2012) or latest edition.
- E33** The location and monitoring results of each non-artesian exploration drill hole converted to a monitoring bore must be included within the annual report (see condition F6).



**Monitoring Bores**

- E34** The holder of this environmental authority must construct all monitoring bores in accordance with the *Minimum Construction Requirements for Water Bores in Australia* (Australian Government, February 2012) or latest edition.
- E35** The holder of this environmental authority must decommission and rehabilitate all monitoring bores in accordance with the *Minimum Construction Requirements for Water Bores in Australia* (Australian Government, February 2012) or latest edition.

**Schedule G: Rehabilitation**

**Previous disturbance**

- F1** All outstanding rehabilitation on mining tenure EPC1146 must be rehabilitated in accordance with this environmental authority.
- F2** All outstanding rehabilitation on mining tenure EPC1146 under Environmental Authority EPVX00725813, including disturbance within the 500m buffer of any Category B Environmentally Sensitive Area must be rehabilitated within six (6) months of the commencement of this Environmental Authority.

**Rehabilitation and reporting**

- F3** Rehabilitation of areas disturbed within the 500m buffer 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.
- F4** The environmental authority holder must revegetate disturbed areas within 500m of any Category B Environmentally Sensitive Area with plant species that will promote the same vegetation type and density of cover to that of the surrounding undisturbed areas.
- F5** All land subject to mining activities must be rehabilitated to a non-polluting, safe, stable and self-sustaining landform.
- F6** An annual report must be prepared each year and submitted with each annual return. The report must include a map and details of all exploration activities undertaken, including details of new tracks, monitoring bores and progressive rehabilitation works completed to demonstrate compliance with **F1 to F6**.

**END OF CONDITIONS**



## DEFINITIONS

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies and codes must be used. If a word remains undefined it has its ordinary meaning.

**Activity** means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

**Administering authority** means the Department of Environment and Heritage Protection or its successor or predecessors.

**Appropriately qualified person(s)** means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

**Boundary** means within 1m of the cadastral boundary of the approved place.

**Category B environmentally sensitive area** as per the definitions within the *Environmental Protection Regulation 2008*.

**Category C environmentally sensitive area** as per the definitions within the *Environmental Protection Regulation 2008*.

**Contaminate** means to render impure by contact or mixture.

**Contaminant** A contaminant can be –

- a) a gas, liquid or solid; or
- b) an odour; or
- c) an organism (whether alive or dead), including a virus; or
- d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- e) a combination of contaminants.

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

**Environmental authority** means an environmental authority under Chapter 5 of the *Environmental Protection Act 1994*.

**Environmental authority holder** means the holder of this environmental authority.

**Environmental nuisance** (the Act) is unreasonable interference or likely interference with an **environmental value** caused by—

- a) aerosols, fumes, light, noise, odour, particles or smoke; or
- b) an unhealthy, **offensive** or unsightly condition because of contamination; or
- c) another way prescribed by regulation.

**Environmental value** (the Act) is—

- a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
- b) another quality of the environment identified and declared to be an **environmental value** under an environmental protection policy or regulation.

**Financial assurance** means a security required under the *Environmental Protection Act 1994* by the administering authority to cover the cost of rehabilitation or remediation of disturbed land or to secure compliance with the environmental authority.

**Prescribed contaminants** means contaminants listed within Schedule 9 of the *Environmental Protection Regulation 2008*.

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

**Mature tree** means any tree that is 70% or greater of the predominant canopy height.

**Measures** has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

**Must**, an obligation or necessity.

**Native vegetation** means vegetation that occurs naturally in a certain area.

**Noxious** means harmful or injurious to health or physical well-being.

**Offensive** means causing offence or displeasure; is unreasonably disagreeable to the sense; disgusting, nauseous or repulsive.

**Sensitive place** includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) a kindergarten, school, university or other educational institution; or
- d) a medical centre or hospital; or
- e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- f) a public thoroughfare, park or gardens; or
- g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.
- h) a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

**Track/s** means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

**You** means the holder of the environmental authority.

**Waste** as defined in section 13 of the *Environmental Protection Act 1994*.

**Waters** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

**Watercourse** means a watercourse as defined under the *Water Act 2000*.

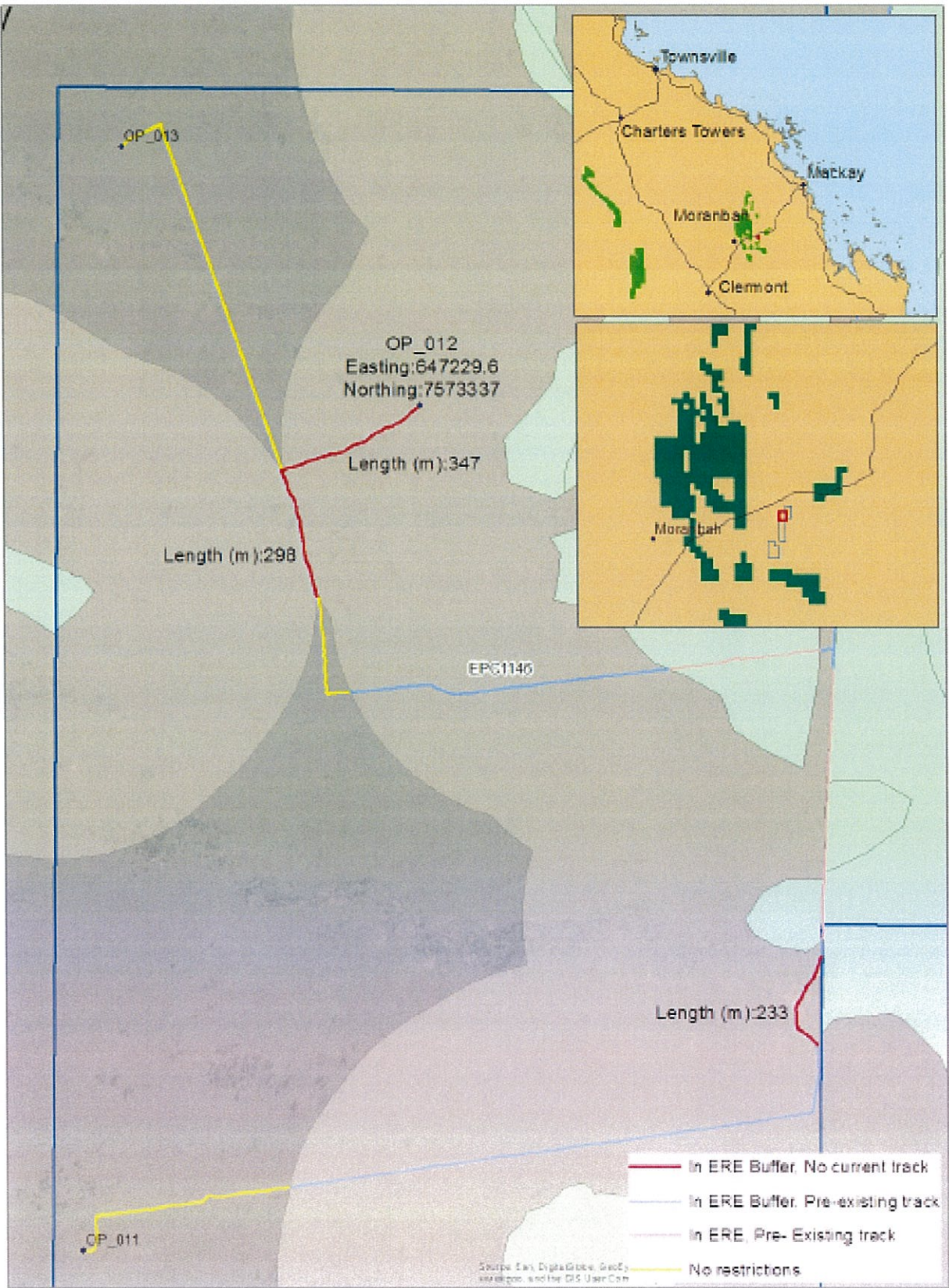
## END OF PERMIT

### Attachments

Attachment 1: Map 1 – Location of the drill hole and access tracks in the ERE buffer zone.

**Attachment 1: Map 1 – Location of the drill hole and access tracks in the ERE buffer zone.**





EPC 1146 - Oben Park Access tracks - ERE map - Close up

Coordinate System: GDA 1984 MGA Zone 55  
Datum: GDA 1984  
Drawn By: Bolar  
Date: 15/04/2014

- Legend
- Boreholes
  - Roads
  - EPC 1146 Oben Park
  - ERE
  - ERE Buffer

