

Permit

Environmental Protection Act 1994

Environmental authority EPVX00810413

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

Environmental authority number: EPVX00810413

Environmental authority takes effect on 18 July 2016.

Environmental authority holder(s)

Name(s)	Registered address
ROLLESTON COAL HOLDINGS PTY LIMITED	Level 44, Gateway Building 1 Macquarie Place SYDNEY NSW 2000
SUMISHO COAL AUSTRALIA PTY LIMITED	Level 33 225 George Street SYDNEY NSW 2000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled - Mining Activity - Exploration Permit Coal (EPC)	EPC538
Non-Scheduled - Mining Activity - Exploration Permit Coal (EPC)	EPC595

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 *Planning Act 2016* 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

Enquiries:
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EMERALD QLD 4720
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Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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 document entitled:

- *Eligibility criteria and standard conditions for exploration and mineral development projects*

Variations to the standard conditions include:

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	<p>The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.</p> <p><i>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.</i></p>
A3	For exploration activities the environmental authority holder must comply with each of the standard environmental conditions contained in the <i>Eligibility criteria and standard conditions for exploration and mineral development projects</i> , except Condition A13, 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 <i>Environmental Protection Act 1994</i> .
Agency interest: Land	
Condition number	Condition
B1	<p>General</p> <p>The holder of this environmental authority is not authorised to undertake mining or exploration activities in a Category A Environmentally Sensitive Area or Category B Environmentally Sensitive Area.</p>
B2	Prior to carrying out activities in a Category C Environmentally Sensitive Area, the holder of this environmental authority must consult with the administering authority. If it is determined through the consultation that additional conditions are necessary, the holder must comply with those conditions.

B3	<p>Drill sites</p> <p>The holder of the environmental authority is authorized to have a maximum of ten (10) active drill holes at any one time within 1 km of Category A Environmentally Sensitive Areas and 500 m of Category B Environmentally Sensitive Areas. The 1 km Category A Environmentally Sensitive Areas and Category B Environmentally Sensitive Areas can be seen in Attachment 1.</p>
B4	<p>Drill holes are to be located as far as practicable in previously cleared areas within 1 km of Category A Environmentally Sensitive Areas and 500 m of Category B Environmentally Sensitive Areas.</p>
B5	<p>The operational area of individual drill sites must not exceed 500 m².</p>
B6	<p>The construction of sumps must not exceed 20 m² outside of the 1km buffer zone of Category A Environmentally Sensitive Areas and the 500m buffer zone of Category B Environmentally Sensitive Areas.</p>
B7	<p>The construction of sumps must not exceed 10 m² within 1 km of Category A Environmentally Sensitive Areas and 500 m of Category B Environmentally Sensitive Areas.</p>
B8	<p>Topsoil stripping must be limited to the sump area. Where topsoil is removed it must be stockpiled for respreading at the completion of use.</p>
B9	<p>Seismic lines</p> <p>The holder of this environmental authority is not authorised to undertake 2D or 3D seismic survey tracks within 1 km of Category A Environmentally Sensitive Areas and 500 m of Category B Environmentally Sensitive Areas.</p>
B10	<p>Tracks</p> <p>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 1 km of Category A Environmentally Sensitive Areas and 500 m of Category B Environmentally Sensitive Areas. Any new tracks are to be constructed by linking previously cleared or disturbed areas.</p>
B11	<p>Spacing of tracks within 1 km of Category A Environmentally Sensitive Areas and 500 m of Category B Environmentally Sensitive Areas may only be undertaken at no less than 500 m apart.</p>
B12	<p>Other land disturbance</p> <p>Activities must not include costeaning or bulk sampling.</p>
B13	<p>Campsites must not be established within the Category A or Category B Environmentally Sensitive Areas, or within the 1 km buffer zone of a Category A Environmentally Sensitive Area or the 500 m buffer zone of a Category B Environmentally Sensitive Area.</p>

B14	All waste must be removed and disposed of offsite.
B15	Burning of vegetation is not permitted.
B16	Rehabilitation and reporting Rehabilitation of areas disturbed within 1 km of Category A Environmentally Sensitive Areas and 500 m of 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.
B17	Rehabilitation must be undertaken in accordance with requirements of the <i>Eligibility criteria and standard conditions for exploration and mineral development projects</i> , and to the satisfaction of the administering authority.
B18	An annual report must be prepared each year and submitted to the administering authority upon request. 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 B16 and B17 of this environmental authority.

Definitions

“**administering authority**” is the agency that administers the environmental authority provisions under the *Environmental Protection Act 1994*.

“**authority**” means environmental authority 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 defined in Schedule 12, Part 1 of the *Environmental Protection Regulation 2008*.

“**costeaming**” 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 issued by the administering 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 3 of the *Eligibility criteria and standard conditions for exploration and mineral development projects*.

“**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*.

“**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:

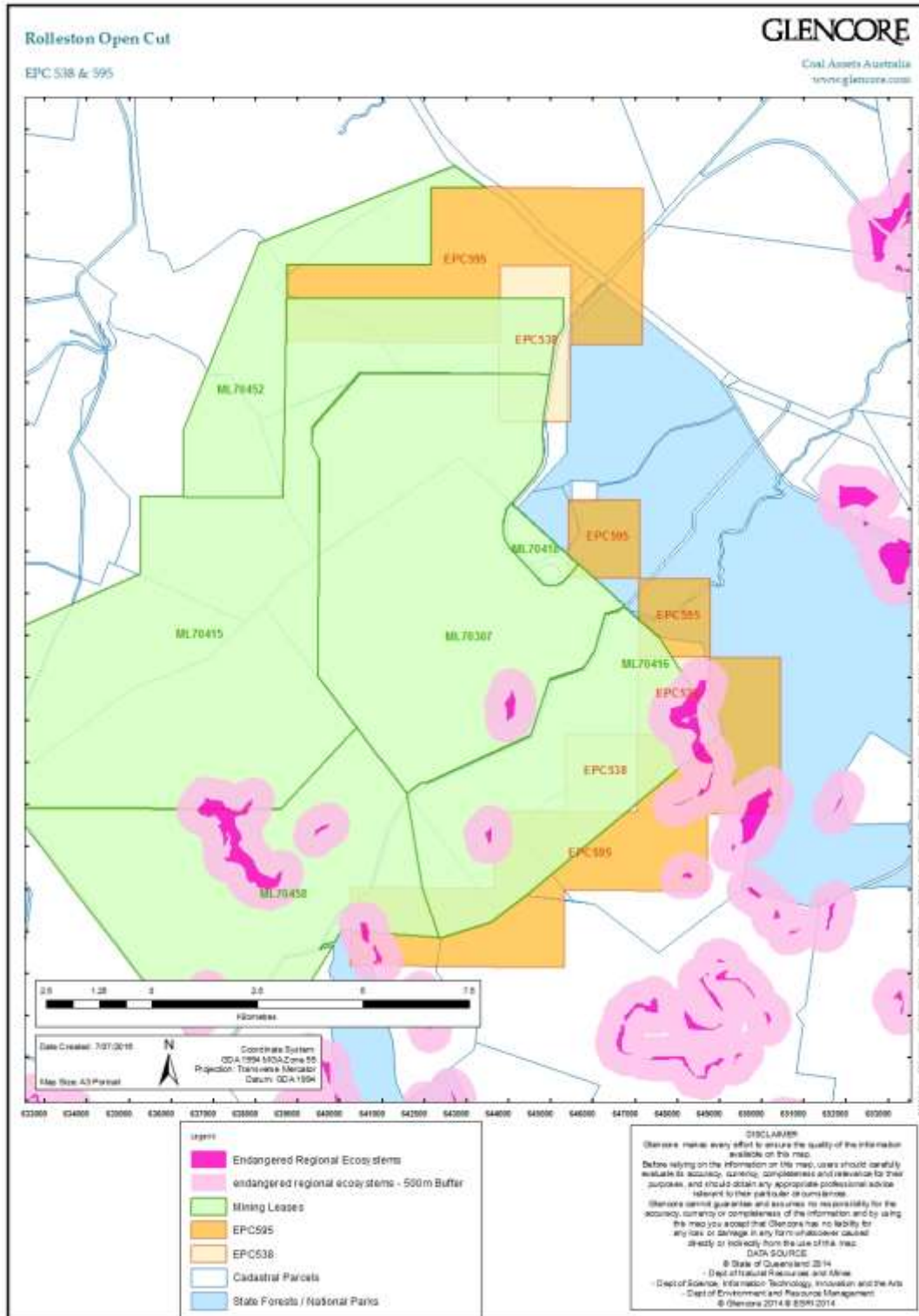
- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- areas where land use suitability or capability has been diminished;
- areas 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.

Attachment 1 – Map of Category A Environmentally Sensitive Areas and Category B Environmentally Sensitive Areas



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