



EMD2012/2951

Permit¹

Environmental Protection Act 1994

Environmental Authority (Exploration) for Non Code Compliant Level 2 Mining Project

Permit¹ Number: MIN200842008

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: 27 September 2012

Details

Permit Holder(s)	Name	Address
Principal Holder	Emerald Coal Pty Ltd	C/- Stanmore Coal Limited GPO Box 2602 BRISBANE QLD 4001

Activity(s)	Location(s)
Mining Exploration - Coal	EPC1168

The anniversary date of the environmental authority is **4 July**.

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

Christopher Loveday
Delegate of Administering Authority
Environmental Protection Act 1994
27 September 2012

¹ Permit include licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Heritage Protection.

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 that might be required by other state and/or Commonwealth legislation. Other legislation administered by the administering authority for which a permit may be required includes but is not limited to the:
 - *Aboriginal Cultural Heritage Act 2003*;
 - The contaminated land provisions of the *Environmental Protection Act 1994*;
 - *Nature Conservation Act 1992*.

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:
 - Financial assurance Part 7 and section 367 *Environmental Protection Act 1994*;
 - General environmental duty section 319 *Environmental Protection Act 1994*; and
 - Duty to notify of environmental harm section 320 *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
Appendix 1	Location map/s



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 condition 13, which is replaced by the conditions in this environmental authority.

SCHEDULE F – LAND

- F1** The environmental authority holder must not carry out activities in a category A or B environmentally sensitive area. Activities involving machinery must not be carried out within 1 kilometre of a category A environmentally sensitive area. Prior to carrying out activities in a category C environmentally sensitive area, the environmental authority holder must consult with the administering authority and comply with any necessary additional conditions determined through that consultation.

- F2** The environmental authority holder is authorised to undertake exploration activities within 500 metres of a category B environmentally sensitive area. In addition to relevant standard environmental conditions contained in the Code of Environmental Compliance for Exploration and Mineral Development Projects, activities within 500 metres of a category B environmentally sensitive area must be conducted in accordance with conditions F3 to F16 of this environmental authority.

Note: For the location of category B environmentally sensitive areas on EPC1168 and the 500 metre buffer, refer to Attachment 1: EPC1168 site location.

- F3** Campsites, gridlines and geophysical surveys, costeaning and bulk sampling activities are not authorised within 500 metres of a category B environmentally sensitive area.

Drilling

- F4** No more than 30 drill sites are to be located within 500 metres of a category B environmentally sensitive area.

- F5** Drill holes are to be a maximum of 200mm diameter.

- F6** Sumps and flare pits must not be constructed within 500 metres of a category B environmentally sensitive area.

- F7** All drilling fluids and muds must be contained within above ground portable mud systems and waste fluids and muds disposed of off-site at an appropriate facility authorised to accept such wastes.

Tracks

- F8** Where possible, existing access and fence line tracks must be used.

- F9** New tracks are to be constructed by linking already cleared or disturbed areas.

- F10** Tracks are not to be constructed greater than 5 metres in width.

- F11** Spacing of tracks must not be less than 250 metres.

Nature Conservation

- F12** The environmental authority holder must minimise disturbance to any category B environmentally sensitive area.
- F13** No clearing of mature trees is authorised except with approval of the administering authority.
- F14** Burning of vegetation is not permitted.

Rehabilitation and Reporting

- F15** Rehabilitation of drill sites within 500 metres of a Category B environmentally sensitive area must be carried out in accordance with the *Code of Environmental Compliance for Exploration and Mineral Development Projects* as soon as practicable but no longer than 3 months after completion of drilling at each individual drill site.
- F16** An annual report must be prepared each year and submitted with each annual return. The report must include details of exploration activities undertaken, including:
- GPS coordinates in GDA94 datum of constructed and/or completed drill sites;
 - the number of drill holes proposed/completed at each drill site;
 - the location of drill sites relevant to category B environmentally sensitive areas;
 - the location of any newly constructed tracks; and
 - details of progressive rehabilitation works completed to demonstrate compliance with condition F15.

END OF CONDITIONS



SCHEDULE G – DEFINITIONS

Note: Where a term is not defined within this environmental authority, the definitions in the Code of Environmental Compliance for Exploration and Mineral Development Projects, Environmental Protection Act 1994, its regulations and Environmental Protection Policies, the Acts Interpretation Act 1954 or the Macquarie Dictionary must be used in that order.

“administering authority” means the Department of Environment and Heritage Protection or its successor.

“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 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.

a **“drill site”** can contain multiple drill holes within the boundaries of that drill site and within the limitations of this environmental authority. Drill sites typically allow for establishment of drilling equipment, an equipment laydown area, sample laydown area, vehicle turnaround, 4WD parking and temporary office.

“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.

“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 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” 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.

“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.

“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 and 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.

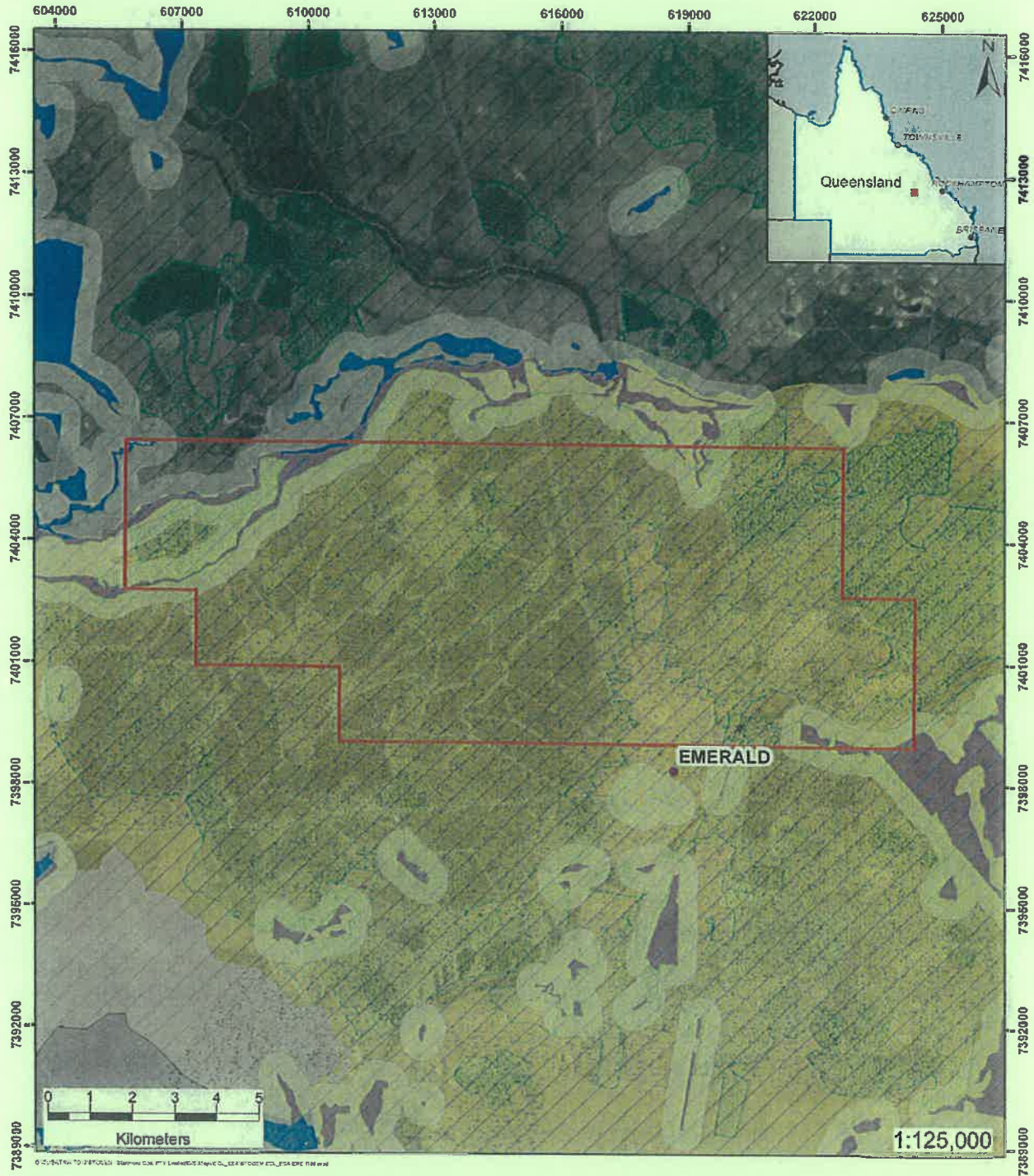
“tracks” means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

“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

END OF DEFINITIONS

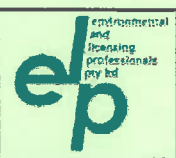
APPENDIX 1 – EPC1168 Site Location



Legend

- EPC
- Towns
- Cadastre
- Strategic Cropping Management Area
- Strategic Cropping Protection Areas
- Strategic Cropping Trigger Areas
- ESA CATEGORY A**
- National Parks
- Conservation Parks
- Forest Reserves
- Category A Buffer (1km)
- ESA Category B**
- Endangered Regional Ecosystems (Biodiversity Status)
- Category B Buffer (500m)
- Queensland Heritage Registered Places
- QLD Heritage Sites Buffer (100m)
- ESA Category C**
- State Forests
- Nature Refuges
- Dams and Weirs
- Drainage Areas

EPC 1168 Site Location	
<p>Figure 2</p> <p>Date: 30/05/2012</p> <p>Author: SF</p> <p>Checked: GD</p> <p>Revised: A1</p>	<p>Slalomore Coal Limited</p> <p>State of Queensland, Department of Environment and Heritage Protection, Queensland Environmental Protection Act 1987 and Queensland Heritage Act 1992</p> <p>Classification System: GDA 1984 MGA Zone 50</p>



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END OF ENVIRONMENTAL AUTHORITY