

**Permit Number: MIN204207412**

*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: 2 October 2012**

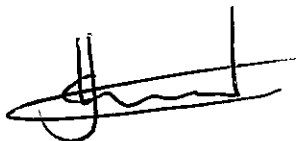
**Details**

Permit Holder(s)	Name	Address
Principal Holder	Area Coal Pty Ltd	Level 7, 10 Felix Street Brisbane City, QLD, 4000

Activity(s)	Location(s)
Environmental Protection Regulation 2008 – Schedule 6	EPC1859
ERA 1 Drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	

The anniversary date of the environmental authority is **18 August**.

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



Christopher Loveday  
Delegate  
Environmental Protection Act 1994  
Department of Environment and Heritage Protection  
2 October 2012

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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 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:
  - *Strategic Cropping Land Act 2011*;
  - *Wild Rivers Act 2005*;
  - *Aboriginal Cultural Heritage Act 2003*;
  - *Land Protection (Pest and Stock Route Management) Act 2002*;
  - *Nature Conservation Act 1992*;
  - *Vegetation Management Act 1999*;
  - *Mineral Resources Act 1989*;
  - *Water Act 2000*;
  - *Forestry Act 1959*; and
  - *Environmental Protection and Biodiversity Conservation Act 1999*.
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:
  - 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 B	Air
Schedule C	Water
Schedule D	Noise
Schedule E	Waste
Schedule F	Land
Schedule G	Rehabilitation
Schedule H	Definitions
Appendix 1	Location map – drill sites

## CONDITIONS OF ENVIRONMENTAL AUTHORITY

### ***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 environmental authority holder must provide financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.
- A3** 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.*
- A4** 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 and Condition 21 which are replaced by the conditions in this environmental authority.
- A5** 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.
- A6** The holder of this environmental authority is not authorised to undertake costeaning or bulk sampling.
- 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.
- A8** The environmental authority holder must develop and implement a program to ensure that all employees and contractors on site are aware of and comply with the relevant requirements of this environmental authority.

**Monitoring, Reporting and Emergency Response Procedures**

- A9** The environmental authority holder must comply with each of the 'Monitoring, Reporting and Emergency Response Procedures' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- A10** 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.
- A11** The notification in condition **A10** 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.
- A12** 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.
- A13** 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.

- A14** The notification in condition **A13** 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.
- A15** 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.
- A16** Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conduct all monitoring.

**Schedule B: Air**

**Air Quality**

- B1** The environmental authority holder must comply with each of the 'Air Quality' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- B2** The release of dust or particulate matter or both resulting from exploration activities must not cause an environmental nuisance at any sensitive receptor or commercial place.
- B3** 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.

- B4** If monitoring indicates exceedence of the relevant limits in condition **B3**, 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** The environmental authority holder must comply with each of the 'Erosion and Sediment Control' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- C2** Contaminants must not be released to any waters or the bed and banks of any waters.
- C3** Sediment control barriers must be made of non-organic material to prevent the spread of weeds.
- C4** Diversion drains and sediment control barriers must be in place prior to performing exploration activities.

#### **Schedule D: Noise**

##### **Noise Emissions**

- D1** The environmental authority holder must comply with each of the 'Noise Emissions' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

**Schedule E: Waste**

**Waste Management**

- E1** The environmental authority holder must comply with each of the 'Waste Management' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*, except condition 21, which is replaced by Conditions **E2 to E5** of this environmental authority.
- E2** General Waste must not be disposed of within EPC1859.
- E3** Regulated Waste must not be disposed of within EPC1859.
- E4** Waste must not be burned or allowed to be burned on EPC1859 unless by the approval of the administering authority.
- E5** 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 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*.
- F2** The environmental authority holder is not authorised to carry out mining activities on EPC1859 within any Category A Environmentally Sensitive Area.
- F3** The environmental authority holder is not authorised to carry out mining activities on EPC1859 within any Category B Environmentally Sensitive Area.
- F4** The environmental authority holder is authorised to carry out mining activities on EPC1859 within 500m of any Category B Environmentally Sensitive Area subject to conditions of this authority.
- F5** The total area of disturbance authorised by this environmental authority on EPC1859 within 500m of any Category B Environmentally Sensitive Areas must not exceed **0.2 hectares (2000m<sup>2</sup>)**.
- F6** The environmental authority holder must gain approval from the administering authority prior to conducting any mining activities within a Category C Environmentally Sensitive Area.



**Nature Conservation**

- F7** The environmental authority holder must comply with each of the 'Nature Conservation' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*, except condition 13, which is replaced by conditions of this environmental authority.
- F8** The environmental authority holder is authorised to undertake no more than **five (5)** exploration drill holes within the 500 meter buffer of any Category B Environmentally Sensitive Area in accordance with the locations specified in *Attachment 1*.
- F9** In carrying out activities on EPC1859 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.
- F10** The holder of the environmental authority must implement the following measures to limit disturbance within tenure EPC1859:
- (a) each individual drill pad area must not exceed 400m<sup>2</sup> (20m x 20m);
  - (b) drill holes must not exceed 300mm in diameter.
- F11** The environmental authority holder must conduct the excavation of drill pads using appropriate plant and equipment to minimise disturbance and allow for progressive rehabilitation.
- F12** All drill sumps must be fenced off to keep out livestock and native animals or will be shaped in such a way that animals can exit the sump until fully rehabilitated.
- F13** The edge of a drill site must not be within 20 meters of any raptor nest, whether active or not.
- F14** No dead trees are to be removed unless they are a safety risk.
- F15** Clearing of habitat trees is not authorised except with the approval of the administering authority.
- F16** Clearing of mature trees is not authorised except with the approval of the administering authority.
- F17** Burning of vegetation is not permitted.



**Hazardous Contaminants**

- F18** 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*.
- F19** 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.
- F20** 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*.
- F21** 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.
- F22** Drilling fluids must be biodegradable and non-toxic.

**Spill Kit**

- F23** 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.
- F24** Anyone operating with wastes, chemicals or flammable and combustible liquids under this approval must be trained in the use of the spill kit.

**Other Level 2 Environmentally Relevant Activities**

- F25** The environmental authority holder must comply with each of the 'Other Level 2 Environmentally Relevant Activities' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

**Drilling, Excavating and Sampling**

- F26** 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*.



**Weed Management**

- F27** 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**

- F28** 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*.
- F29** The environmental authority holder is not authorised to undertake 2D seismic surveys.
- F30** The environmental authority holder is not authorised to undertake 3D seismic surveys.

**Topsoil and Overburden Management**

- F31** 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*.
- F32** Topsoil stripping within the 500m buffer of any Category B Environmentally Sensitive Area must not exceed each individual sump area of 400m<sup>2</sup> (e.g. 1 individual sump at 20m x 20m).
- F33** Where topsoil is removed, it must be stockpiled for re-spreading at the completion of use.

**Road and Tracks**

- F34** 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*.
- F35** Any existing access and fence line tracks must be used, where practical.
- F36** Any new tracks are to be constructed by linking naturally cleared or previously disturbed areas, where practical.
- F37** 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.
- F38** Tracks are not to be constructed greater than 5m in width.



**F39** Construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available. The administering authority must be consulted prior to any work in or near a waterway.

**F40** Tracks should not be used when soil is saturated and prone to displacement or erosion from vehicle movement.

#### **Campsites**

**F41** The environmental authority holder must comply with each of the 'Campsites' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

**F42** Campsites must not be established within Environmentally Sensitive Areas or within 500m of any Category B Environmentally Sensitive Area.

#### **Service, Maintenance and Storage Areas**

**F43** The environmental authority holder must comply with each of the 'Service, Maintenance and Storage Areas' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.

#### **Non-artesian Drill Holes**

**F44** 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, no later than 3 months after the hole was drilled.

**F45** 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.

**F46** 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*.

**F47** 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.

**Monitoring Bores**

- F49** 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.
- F50** 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**

**Rehabilitation and reporting**

- G1** The environmental authority holder must comply with each of the 'Rehabilitation' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects*.
- G2** 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.
- G3** 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.
- G4** All land subject to mining activities must be rehabilitated to a non-polluting, safe, stable and self sustaining landform.
- G5** 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 and progressive rehabilitation works completed to demonstrate compliance with **G1 to G4**.

**END OF CONDITIONS**

### **Schedule H: Definitions**

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 Environmental Protection Act 1994, its regulations and policies must be used.

**“Administering Authority”** is defined under Schedule 4 of the *Environmental Protection Act 1994* as:

- for a matter, the administration and enforcement of which has been devolved to a local government under section 514—the local government; or
- for all other matters—the chief executive

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

**“Campsite”** 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.

**“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 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 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 12 of the *Environmental Protection Regulation 2008* defines general waste as “waste other than regulated waste”.

**“Habitat tree”** A tree used or potentially used by hollow-dwelling fauna. Habitat trees are identified as a living tree with one or more visible hollows of 10cm or more in diameter that are positioned at least 2m above the base of the tree.

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

**"Mature trees"** are trees greater than 20 centimetres diameter at breast height (measured at 1.3 metres from the ground)

**"Progressive rehabilitation"** means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

**"Regulated Waste"** as per the definition in the *Environmental Protection Regulation 2008*.

**"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"** under section 28(1) of the *Environmental Protection Regulation 2008*, land is significantly disturbed if -:

- it is contaminated land; or
- it has been disturbed and human intervention is needed to rehabilitate it –
- to a condition required under the relevant environmental authority; or
- if the environmental authority does not require the land to be rehabilitated to a particular condition – to the condition it was in immediately before the disturbance.

Examples of a disturbance to land -

- the covering, compaction, exposure, removal or stockpiling of soil or other material
- the destruction or removal of vegetation
- the carrying out of a mining activity in a watercourse or wetland
- the submergence of an area with a hazardous contaminant.

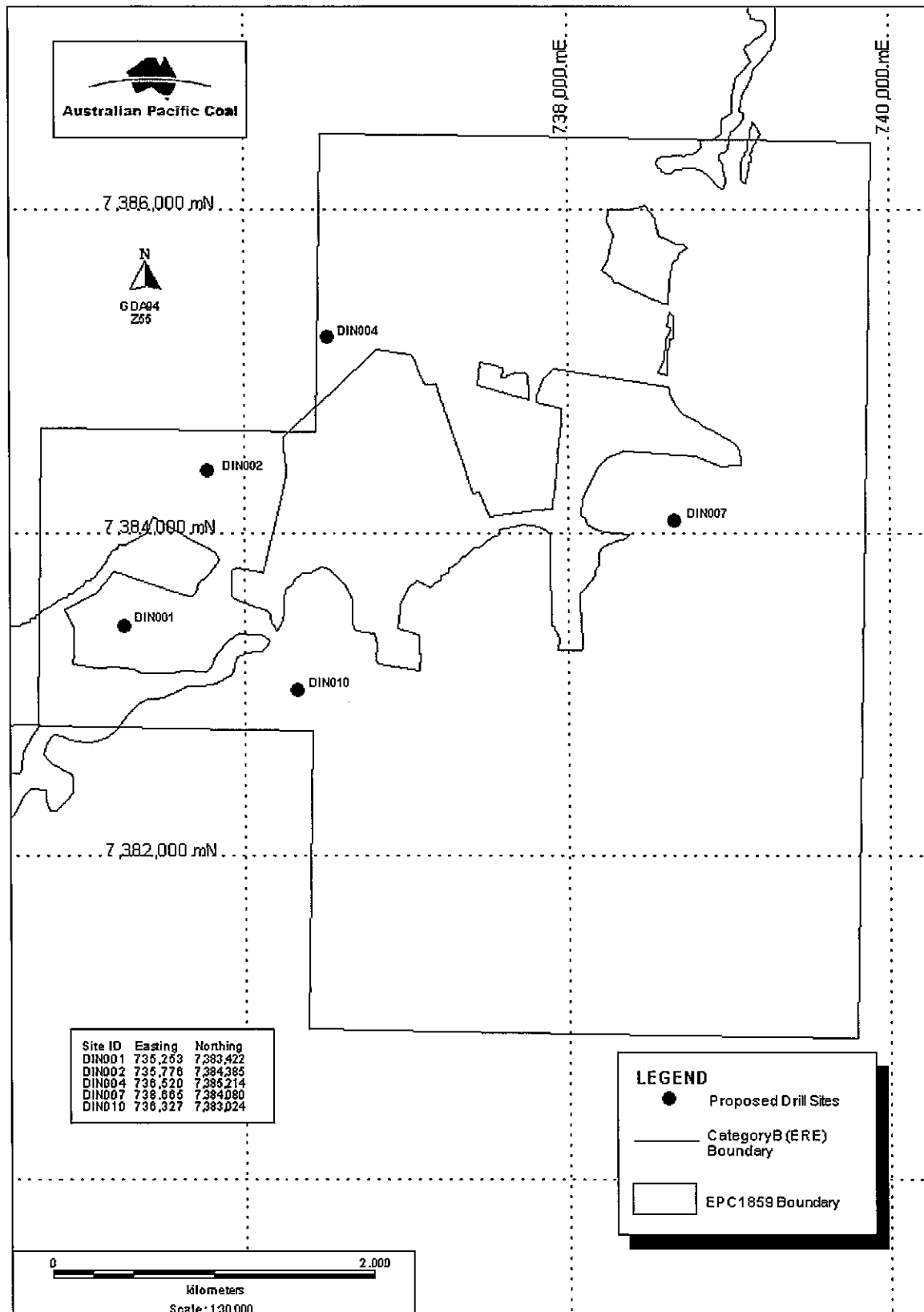
**"Standard environmental conditions"** For an environmental authority, means the standard environmental conditions approved for the authority under section 549 of the *Environmental Protection Act 1994*.

**"Watercourse"** means, under schedule 12, part 1, section 5 of the *Environmental Protection Regulation 2008* a river, creek or stream in which water flows permanently or intermittently –

- (a) in a natural channel, whether artificially improved or not; or
- (b) in an artificial channel that has changed the course of the watercourse.
- (c) A watercourse includes the bed and banks and any other element of a river, creek or stream confining or containing water.

## END OF DEFINITIONS

Attachment 1 – Exploration Activities within the 500m ESA buffer on EPC1859



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