Permit

Environmental Protection Act 1994

Environmental authority EPVX01126213

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

Environmental authority number: EPVX01126213

Environmental authority takes effect on 06-July-2021**.**

The anniversary date of this environmental authority is 22 January. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

Environmental authority holder(s)

Name(s)	Registered address
Peabody Moorvale West Pty Ltd	Level 3 100 Melbourne Street SOUTH BRISBANE QLD 4101
CITIC AUSTRALIA COAL PTY LTD	CITIC HOUSE Level 7, 99 King Street MELBOURNE VIC 3000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled - Mining Activity - Mineral Development Licence (MDL)	MDL495

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).

ABN 46 640 294 485

Queensland Government

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

Coal & Gemstone Mining
Department of Environment and Science
Phone: 07 4987 9320
Email: crmining@des.qld.gov.au

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)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

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 entitled:

- *'Eligibility criteria and standard conditions for exploration and mineral development projects—Version 2'* (ESR/2016/1985)

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following variation conditions of approval:

Schedule A: General	
Condition number	**Condition**
G1	The conditions of the environmental authority are in force until a surrender of the authority is accepted pursuant to the *Environmental Protection Act 1994*. The conditions apply unless an amendment is approved pursuant to the *Environmental Protection Act 1994*.
G2	The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the *'Eligibility criteria and standard conditions for exploration and mineral development projects—Version 2'* (ESR/2016/1985) conditions attached to this document, except condition **A13**, which is replaced by the conditions in **schedule B** of this environmental authority.

Schedule B: Land	
Condition number	**Condition**
B1	The environmental authority holder must not carry out activities in category A or B environmentally sensitive areas. Activities involving machinery must not be carried out within 1km of category A environmentally sensitive areas. Prior to carrying out mining activities in a category C environmentally sensitive area, consultation must be held with the administering authority to determine if additional conditions are necessary.
B2	The environmental authority holder is authorised to carry out mining activities on MDL495 within 500m of category B environmentally sensitive areas where authorised under the conditions of this environmental authority.
B3	The environmental authority holder is authorised to excavate no more than **five (5)** soil test pits within 500m of category B environmentally sensitive areas in accordance with the locations shown in **Figure 1 – Location of soil test pits on MDL495**.
B4	Disturbance due to soil test pits must not exceed **three (3) m^2** at any one location.
B5	The environmental authority holder must minimise disturbance within 500m of category B environmentally sensitive areas and avoid clearing mature trees.

B6	All new tracks are to be recorded with GPS and records kept of their location and made available to regulatory authorities on request.
B7	The mining activity does not, or will not, at any one time, cause more than **ten (10) ha** of land to be significantly disturbed.
B8	**Rehabilitation** All soil test pits must be backfilled following completion of excavation.
B9	The holder of the environmental authority must ensure that the area and duration of disturbance to land and vegetation is minimised.

Definitions

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

"Soil test pits" means an excavation formed using a backhoe or other similarly sized excavator, created for the purpose of displaying the soil profile for its description and sampling.

Appendices

Figure 1 – Location of soil test pits on MDL495

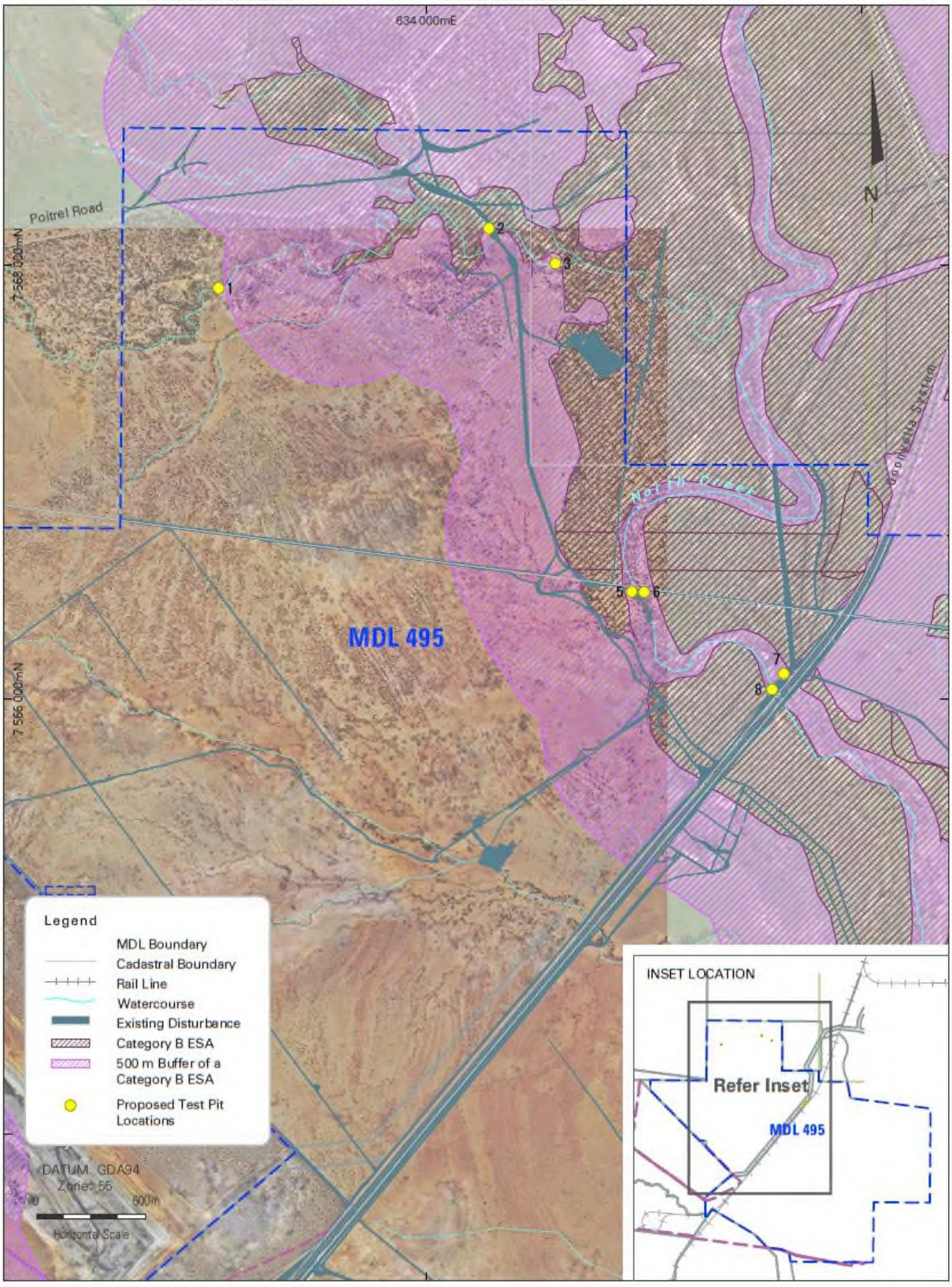

FIGURE 1 - MDL495

END OF ENVIRONMENTAL AUTHORITY