

Permit

Environmental Protection Act 1994

Environmental authority EPVX03835216

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

Environmental authority number: EPVX03835216

Environmental authority takes effect on 28 June 2019

Environmental authority holder(s)

Name(s)	Registered address
NC COAL COMPANY PTY LIMITED	Level 44 Gateway Building 1 Macquarie Place SYDNEY NSW 2000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Schedule 2A, 09: A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPC977

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:

Environmental authority

- 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 Sustainable Planning Act 2009 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.

Wayne Boyd
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Department of Environment and Science
Phone:
Email:

Date issued: 28 June 2019

Environmental authority

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)

The anniversary date of this environmental authority remains 8 July. An annual return and the payment of the annual fee will be due each year on this day.

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
A1	This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition or this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.
A2	Monitoring Except where specified otherwise in another condition of this environmental authority, all monitoring records, or reports, required by this authority must be kept for a period of not less than five (5) years. Records must include, but are not limited to, the location of all disturbance activities undertaken, including fluids and any additives used for drilling.
A3	Financial assurance The activity must not be carried out until the environmental authority holder has given financial assurance to the administering authority as security for compliance with this environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the <i>Environmental Protection Act 1994</i> .
A4	The amount of financial assurance must be reviewed by the holder of this environmental authority when the authority is amended.
A5	Notification of emergencies and incidents The holder of this environmental authority must notify the administering authority by written notification within twenty-four (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.
A6	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.

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



A7	Complaints The holder of this environmental authority must record all environmental complaints received about the mining activities including: a) Name, address and contact number for the complainant; b) Time and date of complaint; c) Reasons for the complaint; d) Investigations undertaken; e) Conclusions formed; f) Actions taken to resolve the complaint; g) Any abatement measures implemented; and h) Person responsible for resolving the complaint.
A8	Chemicals and flammable or combustible liquids Flammable and combustible liquids, including petroleum products, should be stored and handled in accordance with the latest edition of AS1940—<i>The storage and handling of flammable and combustible liquids</i>. Where no relevant Australian standard exists for a stored material, the holder must store such materials within an effective on-site containment system.
A9	The holder of the environmental authority must ensure that spills of hazardous contaminants are cleaned up as quickly as practicable. Such spillage must be cleaned in a way that prevents the release of such contaminants to waters.
Agency interest: Land	
Condition number	Condition
B1	The mining activity must not, at any one time, cause more than 10 hectares of land to be significantly disturbed.
B2	The operational area of each individual drill site must not exceed 1000m ² .
B3	This environmental authority does not authorise costeaning or bulk sampling.
B4	The holder of the environmental authority must not carry out activities in a Category A Environmentally Sensitive Area.
B5	Activities involving machinery must not be carried out within 1 kilometre of a Category A Environmentally Sensitive Area.
B6	Activities involving machinery are authorised to be carried out within a Category B Environmentally Sensitive Area only at the locations specified in Table 1: Authorised exploration sites in 2017 , and identified in Attachment 1 .
B7	Activities involving machinery are authorised to be carried out within 500 metres of a Category B Environmentally Sensitive Area only at the locations specified in Table 1: Authorised exploration sites in 2017 , and identified in Attachment 1 .

Table 1: Authorised exploration sites in 2017

FID	Hole	Type	Area	Tenure	East	North	Collar
36	NNOH43	OH	Kangaroo	EPC977	596898	7663232	230
49	NNOH60	OH	Kangaroo	EPC977	595850	7663750	100
50	NNOH61	OH	Kangaroo	EPC977	596100	7663749	100
51	NNOH62	OH	Kangaroo	EPC977	596350	7663752	100
52	NNOH63	OH	Kangaroo	EPC977	596600	7663500	100
53	NNOH64	OH	Kangaroo	EPC977	596591	7663751	100
54	NNOH65	OH	Kangaroo	EPC977	596900	7663499	100
55	NNOH66	OH	Kangaroo	EPC977	595726	7663623	100
56	NNOH67	OH	Kangaroo	EPC977	595850	7664000	100
57	NNOH68	OH	Kangaroo	EPC977	596100	7664000	100
58	NNOH69	OH	Kangaroo	EPC977	596350	7664000	100

B8	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.
B9	The holder of the environmental authority must not carry out activities within 100m of a Historical, Archaeological or Ethnographic site.
B10	Erosion and Sediment Control The holder of the environmental authority must design, install and maintain adequate banks and/or diversion drains to minimise the potential for storm water runoff to enter disturbed areas.
B11	The holder of the environmental authority must design, install and maintain adequate erosion and sediment control structures wherever necessary to prevent or minimise erosion of disturbed areas and the sedimentation of any watercourse, waterway, wetland or lake.
B12	The holder of the environmental authority must ensure that topsoil is removed and stockpiled prior to carrying out any mining activity. The mixing, and erosion, of topsoil and overburden stockpiles must be prevented or minimised.
B13	The holder of the environmental authority must plan and conduct activities on site to prevent any potential or actual release of a hazardous contaminant.
B14	Acid sulphate soils The holder of the environmental authority must treat and manage acid sulphate soils in accordance with the latest edition of the Queensland Acid Sulfate Soil Technical Manual.
B15	Roads and tracks The holder of the environmental authority must consult with the landowner prior to establishing any new roads and tracks.
B16	When constructing new roads and tracks, the holder of the environmental authority must ensure that the area and duration of disturbance to land, vegetation and watercourses is minimised.

B20	Campsites Campsites are not authorised on EPC977.
B21	Rehabilitation Unless stated otherwise by conditions in this environmental authority, rehabilitation must be carried out in accordance with the most recent version of the document: <i>Eligibility criteria and standard conditions for exploration and mineral development projects</i> .
B22	Rehabilitation of disturbance within 500m of, and within, Category B Environmentally Sensitive Areas, must be undertaken as soon as practicable, but no longer than three (3) months after completion of the disturbance activity.
B23	Rehabilitation of disturbance within a Category B Environmentally Sensitive Area must achieve a stable landform, which includes the same vegetation types and density of cover to that of the surrounding undisturbed Category B Environmentally Sensitive Area.
B24	Notwithstanding condition B23 , all areas disturbed by activities carried out under this environmental authority must be rehabilitated to achieve the following outcomes; a) safe to humans and wildlife; b) non-polluting; c) stable; d) able to sustain the surrounding, undisturbed land use.
B25	Legacy Sites The holder of the environmental authority must decommission all drill holes identified in Table 2 , apart from those still required for monitoring purposes on or before 31 December 2018 by undertaking the following actions: 1) where practical dispose of all unused drill chips to the hole or to a sump pit and; 2) cap the hole at a depth that is appropriate for the previous land use of the area (unless the land owner stipulates a future use which requires the cap to be placed deeper); and 3) backfill the hole above the cap with soil or material similar to the surrounding soil or material.
B26	The holder of the environmental authority must rehabilitate all drill holes identified in Table 2 to a stable landform similar to that of surrounding undisturbed areas.

Table 2 – Drill holes to be decommissioned by 31 December 2018

Borehole ID	EAST	NORTH	Grid Coordinates
RDH213	595684.6	7663408.7	MGA94 Zone 55
RDH214	595393.9	7663184.6	MGA94 Zone 55
RDH215	595867.6	7663009.2	MGA94 Zone 55
RDH216	596351.0	7663003.3	MGA94 Zone 55
RDH217	596798.8	7662978.0	MGA94 Zone 55
RDH219	596685.5	7663445.6	MGA94 Zone 55
R3859	594089.0	7646691.9	MGA94 Zone 55
R3860	594346.4	7646694.4	MGA94 Zone 55
WC4117L	594242.8	7646883.2	MGA94 Zone 55

Agency interest: Waste	
Condition number	Condition
C1	Burning of vegetation is not permitted.
C2	All waste generated by the activity must be removed and disposed of offsite at a facility lawfully authorised to receive the waste, apart from inert drill cuttings, which can be used to backfill sumps, providing they do not cause actual or potential environmental harm.
Agency interest: Water	
Condition number	Condition
D1	The holder of this environmental authority must not directly or indirectly release contaminants to any waters.
Agency interest: Air And Noise	
Condition number	Condition
E1	The mining activity must not cause environmental nuisance at any sensitive place or commercial place.

Definitions

Key terms and/or phrases used in this document are defined in this section. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies, or the document *Eligibility criteria and standard conditions for exploration and mineral development projects*, 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.

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 A environmentally sensitive area, has the same meaning as defined within the *Environmental Protection Regulation 2008*.

Category B environmentally sensitive area, has the same meaning as defined within the *Environmental Protection Regulation 2008*.

Commercial place means a workplace used as an office or for business or commercial purposes, which is not part of the mining activity and does not include employees' accommodation or public roads.

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 (or disturbance) land includes:

- a) compacting, removing, covering, exposing or stockpiling of earth;
- b) removal or destruction of vegetation or topsoil or both to an extent where the land has been made susceptible to erosion;
- c) carrying out mining within a watercourse, waterway, wetland or lake;
- d) the submersion of areas by tailings or hazardous contaminant storage and dam/structure walls;
- e) temporary infrastructure, including any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc.) which is to be removed after the mining activity has ceased; or
- f) releasing of contaminants into the soil, or underlying geological strata.

However, the following areas are not included when calculating areas of 'disturbance':

- a) areas off lease (e.g. roads or tracks which provide access to the mining lease);
- b) areas previously disturbed which have achieved the rehabilitation outcomes;
- c) by agreement with the administering authority, areas previously disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);

- d) areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc.) which is to be left by agreement with the landowner.
- e) disturbance that pre-existed the grant of the tenure.

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.

Landowner is as per the definition in the document: *Eligibility criteria and standard conditions for exploration and mineral development projects*.

‘m’ means metres.

Measures includes any measures to prevent or minimise environmental impacts of the mining activity such as bunds, silt fences, diversion drains, capping, and containment systems.

Rehabilitation the process of reshaping and revegetating land to restore it to a stable landform

sensitive place means:

- 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) an 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 park or gardens.

the Act means the *Environmental Protection Act 1994*.

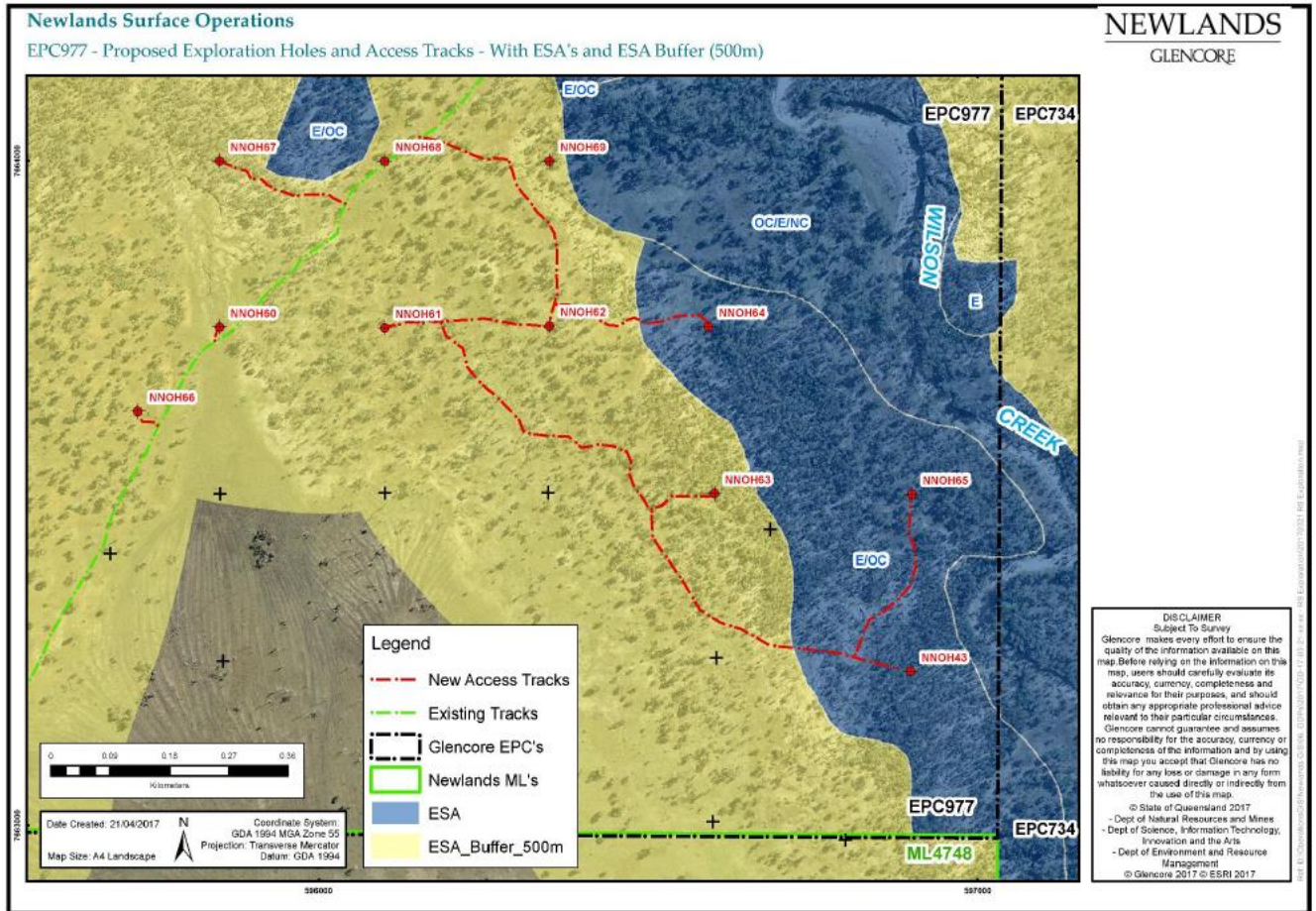
Track/s means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

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 natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.

Attachment 1: Map of authorised exploration activities for 2017 within EPC977



END OF PERMIT