

Environmental authority EPVX04183316

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

Permit¹ number: EPVX04183316

Environmental authority takes effect: 28 September 2016

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Peabody West Walker Pty Ltd	Level 5 100 Melbourne Street SOUTH BRISBANE QLD 4101
CITIC West Walker Pty Ltd	Level 7, CITIC House 99 King Street MELBOURNE VIC 3000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining – Mineral Development License (MDL)	MDL3020

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

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

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 if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

G Naylor

Signature

28 September 2016

Date

Gillian Naylor
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

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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 attached document(s) entitled:

- *Eligibility criteria and standard conditions for exploration and mineral development projects—* (ESR/2016/1985). Variations to the standard conditions include:

Agency interest: General	
Condition number	Condition
A1	Activity The holder of this environmental authority must comply with each of the environmental conditions contained in the <i>Eligibility criteria and standard conditions for exploration and mineral development projects—(ESR/2016/1985)</i> with the exception of Condition A13 which is replaced by the conditions within this authority.
A2	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 the inconsistency.

Agency interest: Land	
Condition number	Condition
B1	Land Disturbance The holder of the environmental authority 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 . Activities carried out within the 500m buffer zone of Category B Environmentally Sensitive Areas are confined to areas of pre-existing disturbance.

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B2	Exploration The holder of the environmental authority is not authorised to drill any drill holes within the 500m buffer zone of Category B Environmentally Sensitive Areas .
B3	Tracks constructed within the 500m buffer zone of Category B Environmentally Sensitive Areas : (a) must be less than 5 metres in width, including shoulder width and (b) must be more than 250m apart.
B4	Tracks within the 500m buffer zone of Category B Environmentally Sensitive Areas must not be used when soil is saturated or otherwise prone to displacement or erosion by vehicle movement.
B5	Campsites The holder of the environmental authority is not authorised to establish camps within Category B Environmentally Sensitive Areas or within the 500m buffer zone of Category B Environmentally Sensitive Areas .
B6	Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority or the <i>Environmental Offsets Act 2014</i> .

Definitions

Words and phrases used throughout this license are defined below except where identified in the *Environmental Protection Act 1994* or subordinate legislation. Where a word or term is not defined, the ordinary English meaning applies, and regard should be given to the Macquarie Dictionary.

'Category A environmentally sensitive area' means any of the following—

(a) any of the following under the *Nature Conservation Act 1992*—

- (i) a national park;
- (ii) a national park (Aboriginal land);
- (iii) a national park (Torres Strait Islander land);
- (iv) a national park (Cape York Peninsula Aboriginal land);
- (v) a regional park (general);
- (vi) a forest reserve;

(b) the wet tropics area under the *Wet Tropics World Heritage Protection and Management Act 1993*;

(c) the Great Barrier Reef Region under the *Great Barrier Reef Marine Park Act 1975* (Cwlth);

(d) a marine park under the *Marine Parks Act 2004*, other than a part of the park that is a general use zone under that Act.

'Category B environmentally sensitive area' means any of the following

(a) any of the following areas under the *Nature Conservation Act 1992*—

- (i) a coordinated conservation area;

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- (ii) an area of critical habitat or major interest identified under a conservation plan;
- (iii) an area subject to an interim conservation order;
- (b) an area subject to the following conventions to which Australia is a signatory—
 - (i) the 'Convention on the Conservation of Migratory Species of Wild Animals' (Bonn, 23 June 1979);
 - (ii) the 'Convention on Wetlands of International Importance, especially as Waterfowl Habitat' (Ramsar, Iran, 2 February 1971);
 - (iii) the 'Convention Concerning the Protection of the World Cultural and Natural Heritage' (Paris, 23 November 1972);
- (c) a zone of a marine park under the *Marine Parks Act 2004*;
- (d) an area to the seaward side of the highest astronomical tide;
- (e) the following under the *Queensland Heritage Act 1992*—
 - (i) a place of cultural heritage significance;
 - (ii) a Queensland heritage place, unless there is an exemption certificate issued under that Act;
- (f) an area recorded in the Aboriginal Cultural Heritage Register established under the *Aboriginal Cultural Heritage Act 2003*, section 46, other than the area known as the 'Stanbroke Pastoral Development Holding', leased under the *Land Act 1994* by lease number PH 13/5398;
- (g) a feature protection area, State forest park or scientific area under the *Forestry Act 1959*;
- (h) a declared fish habitat area under the *Fisheries Act 1994*;
- (i) a place in which a marine plant under the *Fisheries Act 1994* is situated;
- (j) an endangered regional ecosystem identified in the database known as the 'Regional ecosystem description database' kept by the department.

'Prescribed environmental matters' has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significant listed in schedule 2 of the Environmental Offsets Regulation 2014.

'Significant residual impact' has the meaning in section 8 *Environmental Offsets Act 2014*.

END OF PERMIT

Attachments

Eligibility criteria and standard conditions for exploration and mineral development projects—(ESR/2016/1985)



