

## Permit<sup>1</sup>

*Environmental Protection Act 1994*

### Environmental authority EPVX04324516

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

**Permit<sup>1</sup> number: EPVX04324516**

**Environmental authority takes effect 21 October 2016**

The anniversary date of the environmental authority is 8 August

**Environmental authority holder(s)**

| Name                          | Registered address                               |
|-------------------------------|--------------------------------------------------|
| Yarrabee Coal Company Pty Ltd | Level 25<br>363 George Street<br>SYDNEY NSW 2000 |

### Environmentally relevant activity and location details

| Environmentally relevant activity(ies) | Location(s) |
|----------------------------------------|-------------|
| Mining - EPC                           | EPC1177     |

### 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.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

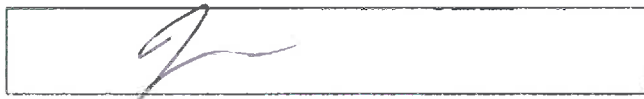
#### Contaminated land

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,

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

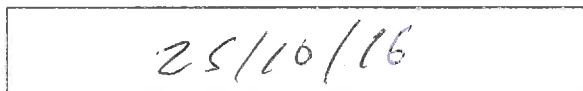


contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

Juliana McCosker  
Department of Environment and Heritage Protection  
Delegate of the administering authority  
*Environmental Protection Act 1994*



Date

**Enquiries:**  
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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); and
- 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) Version 2.00;

Variations to the standard conditions include:

- Condition 13

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval:

| Agency interest: General |                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Condition number         | Condition                                                                                                                                                                                                                                                                                                                                                              |
| A2                       | <b>Activity</b><br>The holder of this environmental authority must comply with each of the standard 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 <b>Condition A13</b> , which is replaced by the conditions of this authority. |
| A3                       | 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.                                                                                                                                                            |
| A4                       | 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 condition or silence shall not be construed as authorising harm.                                                                 |



| Agency interest: Land |                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Condition number      | Condition                                                                                                                                                                                                                                                                                                                                                    |
| B1                    | <b>Land Disturbance</b><br>The holder of the environmental authority must not carry out activities in <b>Category A or B Environmentally Sensitive Areas</b> . Activities involving machinery must not be carried out within 1km of <b>Category A Environmentally Sensitive Areas</b> .                                                                      |
| B2                    | <b>Exploration</b><br>The holder of the environmental authority is authorised to carry out exploration mining activities on EPC1177 within the 500m buffer zone of any Category B Environmentally Sensitive Areas in accordance with <b>Table B1: Authorised disturbance within the 500m buffer zone of any Category B Environmentally Sensitive Areas</b> . |

**Table B1: Authorised disturbance within the 500m buffer zone of any Category B Environmentally Sensitive Areas**

| Activity                | Limitation of activity within the 500m buffer zone of any Category B Environmentally Sensitive Area | Maximum disturbance authorised for each activity within the 500m buffer zone of any Category B Environmentally Sensitive Area | Maximum disturbance authorised within the 500m buffer zone of any Category B Environmentally Sensitive Area |
|-------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Exploration Drill Holes | 8                                                                                                   | 0.1ha per drill pad                                                                                                           | 0.8ha                                                                                                       |
| Access Tracks           | 3m wide                                                                                             | 0.3ha                                                                                                                         | 0.3ha                                                                                                       |

|    |                                                                                                                                                                                                                  |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| B3 | <b>Campsites</b><br>The holder of the environmental authority is not authorised to establish camps within the <b>500m buffer zone of any Category B Environmentally Sensitive Areas</b> .                        |
| B4 | <b>Prescribed Environmental Matters</b><br>Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority or the <i>Environmental Offsets Act 2014</i> . |
| B5 | <b>Rehabilitation</b><br>The holder of the environmental authority is authorised to carry out rehabilitation work within the <b>500m buffer zone of any Category B Environmentally Sensitive Area</b> .          |



|    |                                                                                                                                                                                                                   |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| B6 | Rehabilitation must be carried out in accordance with the requirements of the <i>Eligibility criteria and standard conditions for exploration and mineral development projects (ESR/2016/1985) Version 2.00</i> . |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### Definitions

Words and phrases used throughout the environmental authority 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.

**'prescribed environmental matters'** has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State Environmental Significance listed in Schedule 2 of the *Environmental Offsets Regulation 2014*.

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

## END OF PERMIT

### Attachments

*Eligibility criteria and standard conditions for exploration and mineral development projects—(ESR/2016/1985) Version 2.00.*



