

**From:** MACDONALD Debbie-Jo [debbie-Jo.Macdonald@dnrm.qld.gov.au]  
**Sent:** Friday, 6 December 2013 11:42 AM  
**To:** 'tnorthcott@jellinbah.com.au'  
**CC:** PALM; Mines Emerald; Wyeth Jo; Gilmour Adam; Loveday Chris  
**Subject:** ML70477 - Certificate of Application and Certificate of Public Notice  
**Attachments:** 70477 signed cover letter.pdf; EPML00659513\_Lake Vermont\_Draft\_EA.pdf; 70477 signed CPN 6 Dec 2013.pdf; 70477 signed COA 6 Dec 2013.pdf; lc-f-9.doc; sd-mi-no-public-notification-requirement-em510.doc; Declaration of compliance form MRA.rtf

Good morning Tom,

Today I have issued the Certificate of Application (COA) and the Certificate of Public Notice (CPN) for ML70477 Lake Vermont West.

The objection period commences today 6 December 2013 and closes on Wednesday 12 February 2014.

I have attached the COA, CPN, letter, draft EA and stat decs for you. Please read these carefully and advise me immediately if there are any concerns. The combined notice is available on our website for advertising and details are in the letter.

Please print and sign the COA immediately.

A copy of everything is also in today's snail mail.

Please let me know if you have any questions.

Cheers

Debbie-Jo MacDonald  
Principal Mining Registrar Assessment, Coal Resource Management Centre

**Telephone** 07 4936 0361 **Mobile** sch4p4( 6) **Facsimile** 07 4936 0375

**Email** debbie-jo.macdonald@dnrm.qld.gov.au

[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) [www.mines.industry.qld.gov.au](http://www.mines.industry.qld.gov.au)

Department of Natural Resources & Mines

Building E, 25 Yeppoon Road, Parkhurst QLD 4702

PO Box 3679, Red Hill Rockhampton QLD 4701

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Department of Natural Resources and Mines  
Form 7.2A  
Version 1

Mineral Resource Act 1989  
(Section 252)

**CERTIFICATE OF APPLICATION FOR MINING LEASE NO. 70477**

This is to certify that the undermentioned made application on the day and at the time indicated hereunder for a mining lease under the provisions of the abovementioned Act.

Mining Lease No. 70477                      Mining District EMERALD  
Locality APPROXIMATELY 16 KILOMETRES NORTH-EAST OF DYSART TOWNSHIP

Local Government  
Isaac (R)

Date and Time Marked Out 13-AUG-2012 10:00 AM

Date and Time Application Lodged 16-AUG-2012 11:15 AM

Mining For/Purpose  
ROAD / ACCESS / RIGHT OF WAY  
ENVIRONMENTAL DAM  
STOCK PILE ORE / OVERBURDEN  
TAILINGS / SETTLING DAM  
TEMPORARY ACCOMMODATION  
WORKSHOP / MACHINERY / STORAGE  
WATER MANAGEMENT

Term of Lease Applied For 30 years

Tenancy Type Sole Holder

<u>Full Name of Applicant/s</u>	<u>Share %</u>
BOWEN BASIN COAL PTY LTD	100.000000000000



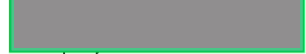
Form 7.2A  
Version 1

**Mineral Resource Act 1989**  
(Section 252)

**CERTIFICATE OF APPLICATION FOR MINING LEASE NO. 70477**

Issued at ROCKHAMPTON this 06th of December, 2013

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Mining Registrar



I verily believe that the particulars set forth in this Certificate of Application represent the particulars of this Mining Lease Application. I accept the Certificate of Application as printed to facilitate the processing of this application further.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Applicant  
on behalf of Applicant(s)

Released by DNRM  
under the  
RTI Act 2009

Ref: 70477  
 Contact: Debbie-Jo MacDonald  
 Telephone: 07 4936 0361  
 Facsimile: 07 4936 0375  
 Email: mines.rockhampton@dhrm.qld.gov.au



Department of  
**Natural Resources and Mines**

5 December 2013

Bowen Basin Coal Pty Ltd  
 C/- Jellinbah Resources Pty Ltd  
 GPO Box 374  
 BRISBANE QLD 4001

Dear Sir/Madam

**Certificate of Public Notice for Mining Lease 70477**

I refer to your application for a mining lease (ML) lodged on 16 August 2012 in the Emerald Mining District.

I have issued a Certificate of Application under section 252 of the *Mineral Resources Act 1989* (MRA). This indicates that you are an eligible person and have complied with the requirements of the MRA with respect to the application. It does **not** mean that the application has been approved.

You are required to sign and return the **attached** Certificate of Application. However, before doing so, please check that the details on the certificate are accurate.

Please immediately date the Certificate of Application, take a photocopy of the certificate and return the original to the Mining Registrar at PO Box 3679, Red Hill Qld 4701.

Within five (5) business days of signing the certificate, you are required to give a copy of the certificate and the application for mining lease to each owner of:

- the land the subject of the proposed mining lease; and
- any other land necessary for access to that land.

If you do not provide a copy to each owner within five (5) business days, you are required to seek the Mining Registrar's approval for an extension of time.

I have also issued a Certificate of Public Notice (the Certificate) under section 252A of the MRA. The Certificate is **attached** to this letter. Please check that the details on the certificate are accurate. The last day of the objection period is 12 February 2014. The *Environmental Protection Act 1994* (EPA) administering authority has also been given a copy of the Certificate. A copy of the Certificate will be posted at this office where it will remain until the last objection day.

Department of Natural Resources and Mines  
 PO Box 3679  
 RED HILL QLD 4701  
 Queensland Australia  
 Telephone + 61 7 49360 362  
 Facsimile + 61 7 49360375  
 Website mines.industry.qld.gov.au  
 ABN 98 628 485 885



You have a number of obligations in respect of the Certificate. These obligations are set out in section 252B of the MRA. You must, within **five (5) business days** after the Certificate is given to you:

- Post a **copy** of the Certificate and a **copy** of the Combined Public Notice of Environmental Authority on the datum post of the land the subject of the proposed mining lease ('**relevant land**');
- Durably engrave or mark the number of the proposed mining lease on the datum post;
- Give a **copy** of the Certificate, Combined Public Notice of Environmental Authority and the application for mining lease to (excluding the applicant's Financial and Technical Resources, but including any additional document about the application given to the Mining Registrar):
  - *Each* owner of relevant land or any other land necessary for access to the relevant land;
  - *Each* holder or applicant for an exploration permit or mineral development licence over the land for a mineral other than a mineral to which the proposed mining lease relates; and
  - The relevant local government.

You must ensure that the copy of the Certificate posted on the datum post remains there until the end of the last objection day for the application.

#### **ADVERTISING REQUIREMENTS**

You must publish the Combined Public Notice of Mining Lease and the Environmental Authority (Mining Lease) under the MRA and EPA in the CQ News.

A template of the combined notice is located at <http://mines.industry.qld.gov.au/mining/minerals-tenures.htm> and is provided to assist you in preparing to advertise. Prior to advertising, you are required to thoroughly check the details included in the combined notice and ensure compliance with the requirements of the MRA and the EPA\*.

The publication must take place on or before 23 January 2014.

*Note: No map or sketch plan has been approved for publication with this mining lease application.*

*\* This notice is issued under transitional provisions of the current Environmental Protection Act 1994 section 683 – 'Effect of commencement on particular applications'.*

#### **PRIOR TO LAST DAY OF OBJECTION**

Section 260(1) of the MRA allows before the last objection day ends, an entity may lodge an objection in writing in the approved form against the application for mining lease and/or the Environmental Authority pursuant to section 216 and 217 of the EPA. This might be extended if a conference is held with an owner of the relevant land, less than five (5) business days before the end of the objection period, to a period five (5) business days after the end of the conference.

## **CONSENT OR VIEWS THAT MAY BE REQUIRED**

### **Restricted Land** (Section 238 of the MRA)

If the mining lease is over the surface of land that is restricted land (as defined in the schedule of the MRA), then the applicant must obtain the owner of the land's written consent before the last objection day ends.

## **AFTER LAST OBJECTION DAY**

The applicant must within five (5) business days, or a time decided by the Mining Registrar, give the Mining Registrar:

- (a) A Statutory Declaration pursuant to section 252C under the MRA;
- (b) A Statutory Declaration pursuant to section 214 under the EPA; and
- (c) Additional Applicant Information and a Statutory Declaration for the Land Court, where objections are received.

*Note: The mining lease application cannot proceed until you provide the above documents. If you do not provide the documentation within five (5) business days, you will be required to seek the Mining Registrar's consent for a longer period to lodge the statutory declarations.*

## **PRIOR TO GRANT**

A Compensation Agreement with the landowner must be lodged with the Mining Registrar. Should this Agreement not be lodged within three (3) months of the recommendation of the Land Court, the matter of the compensation will be referred to the Land Court for a determination.

Before your application can be granted, you must fulfil any requirements under the *Native Title Act 1993* (Cwlth).

Should you have any further enquiries, please contact our office on (07) 4936 0362.

Yours sincerely

sch4p4( 6) Personal information (s

Debbie-Jo MacDonald  
Principal Mining Registrar  
Coal Resource Management Centre

LAST DAY FOR POSTING/ENGRAVING/SERVING: 13 December 2013

LAST DAY FOR ADVERTISING: 21 January 2014

LAST DAY FOR OBJECTIONS: 12 February 2014

LAST DAY FOR LODGING DECLARATIONS: 19 February 2014

Attachments:

1. Certificate of Application
2. Certificate of Public Notice
3. Declaration of Compliance under the MRA
4. Statutory Declaration under the EPA
5. Land Court of Queensland: Additional Applicant Information and Statutory Declaration for the Land Court
6. Copy of draft Environmental Authority

CC: District Manager  
Department of Environment and Heritage Protection  
PO Box 19  
EMERALD QLD 4720

Manager – Ecoaccess Customer Service Unit  
Department of Environment and Heritage Protection  
PO Box 15155  
CITY EAST QLD 4002

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under the  
RTI Act 2009



Department of Natural Resources and Mines  
Form 7.2B  
Version 1

Mineral Resources Act 1989  
(Section 253)

**CERTIFICATE OF PUBLIC NOTICE FOR MINING LEASE NO. 70477**

*This is to certify that the undermentioned made application on the day and at the time indicated hereunder for a mining lease under the provisions of the abovementioned Act.*

**Mining Lease No.** 70477                      **Mining District:** EMERALD  
**Locality** APPROXIMATELY 16 KILOMETRES NORTH-EAST OF DYSART TOWNSHIP  
**Local Government**  
Isaac (R)

**Date and Time Marked Out** 13-AUG-2012 10:00 AM

**Date and Time Application Lodged** 16-AUG-2012 11:15 AM

**Mining For/Purpose**

ROAD / ACCESS / RIGHT OF WAY  
ENVIRONMENTAL DAM  
STOCK PILE ORE / OVERBURDEN  
TAILINGS / SETTLING DAM  
TEMPORARY ACCOMMODATION  
WORKSHOP / MACHINERY / STORAGE  
WATER MANAGEMENT

The application and additional documents given to the Department about this application may be inspected at the Mines Lodgement Office at ROCKHAMPTON.

**Term of Lease Applied For** 30 years

<b>Full Name of Applicant/s</b>	<b>Share %</b>
BOWEN BASIN COAL PTY LTD	100.000000000000

Any objection to this Mining Lease Application must be lodged, with the Mines Lodgement Office at ROCKHAMPTON on or before the 12th of February, 2014 a copy of such objection is required to be served upon the Applicant(s) on or before that date at the following address:-

C/- MR TIMOTHY O'BRIEN  
GPO BOX 374  
BRISBANE  
QLD 4001



**Mineral Resources Act 1989**  
(Section 253)

**CERTIFICATE OF PUBLIC NOTICE FOR MINING LEASE NO. 70477**

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Issued at ROCKHAMPTON this 06th of December, 2013

sch4p4(6) Personal information



Chief Executive

Debbie-Jo MacDonald



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under the  
RTI Act 2009



# Declaration of compliance

Sections 252A – 252C *Mineral Resources Act 1989*

A statutory declaration is a written statement of facts that is sworn or declared under the *Oaths Act 1867*. This statutory declaration should be completed and forwarded to the administering authority within 5 business days after the objection period, in accordance with s 252C of the *Mineral Resources Act 1989*.

Please use a pen, and write neatly using **BLOCK LETTERS**. Cross where applicable

## OATHS ACT 1867

QUEENSLAND

TO WIT

**Re: Public notice prepared for the application for:**

(please tick one of the following)

mining lease application; or

**Described as:**

**On land described as:**

I

Insert the name of the person making this declaration

of

Insert the street address of the person making this declaration

in the State of Queensland do solemnly and sincerely declare that in accordance with s 252C of the *Mineral Resources Act 1989*, in relation to the above mentioned application:

Proponent/company name

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Have (please tick only one of the following):

fully complied with the public notice requirements of sections 252A-252B of the *Mineral Resources Act 1989*, in the case of a mining lease application

OR

not fully complied with the public notification requirements of sections 252A-252B of the *Mineral Resources Act 1989* and the details of non compliance are as follows:

The certificate of public notice was published in the following media:

1.

2.

Insert publication name

Insert publication date

The certificate of public notice has been given to the following persons by registered post\*\* or in person:

1.

2.

3.

4.

Insert name, address and dates

\*\* Attach registered mail receipt

Taken and declared before me, at

[Empty box for location]

Insert location

this

[Empty box for day]

day of

[Empty box for month]

in the year

[Empty box for year]

Insert day (e.g. 18th)

Insert month

Insert year

[Empty box for signature]

Signed

(Person making this declaration)

[Empty box for signature]

Signed

(Delete whichever are not applicable — Justice of the Peace / Commissioner for Declarations / Solicitor / Barrister)

[Empty box for name and registration number]

Printed name and registration number (if applicable)

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Department of  
**Environment and  
Heritage Protection**

SENDER TO KEEP  
583209533017



30 September 2013

To: Mr Dan Cawte  
General Manager  
Bowen Basin Coal Pty Ltd  
Level 7, 12 Creek Street  
BRISBANE QLD 4000

Cc: The Mining Registrar  
Department of Natural Resources and Mines  
PO Box 245  
EMERALD QLD 4720

Email: dcawte@jellinbah.com.au

Your reference: EPML00659513 (MIN100736808)  
Our reference: 171781

**Application details**

I refer to the application that was received by the administering authority on 27 August 2012.

Land description: ML70331.

**Decision**

Your application has been approved and your draft environmental authority (reference EPML00659513) is attached.

Should you have any further enquiries, please contact Adam Gilmour on telephone (07) 4987 9342.

Yours sincerely

sch4p4(6) Personal information (signature)

Signature

30/9/13

Date

Christopher Loveday  
Department of Environment and Heritage Protection  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enclosed**

Permit – draft environmental authority (reference EPML00659513)

ES - Reg Serv - Central West -Mining -  
Emerald Office  
PO Box 3028  
99 Hospital Road  
EMERALD QLD 4720  
Phone: (07) 4987 9342  
Fax: (07) 4987 9399  
Website [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
ABN 46 640 294 485

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RTI Act 2009



File/Ref EMD2215

30 September 2013

Mining Registrar  
Qld Mines and Energy  
Department of Natural Resources and  
Mines  
PO Box 245  
Emerald QLD 4720

C/c Mr Dan Cawte  
General Manager  
Bowen Basin Coal Pty Ltd  
Level 7, 12 Creek Street  
Brisbane QLD 4000

Dear Sir/Madam

**Amendment Application for Environmental Authority (EA) EPML00659513  
(MIN100736808)**

The Department of Environment and Heritage Protection (the department) refers to the amendment application for environmental authority EPML00659513 lodged by Bowen Basin Coal Pty Ltd on the 27 August 2012 for Lake Vermont Coal Project, for additional Mining Lease (ML70477) and associated infrastructure.

The amendment application has been deemed to be significant environmental harm, with no EIS required. The draft Environmental Authority (EA) has been developed and public notification of the application under s211 of the *Environmental Protection Act 1994* is required.

Please find attached a draft Environmental Authority (EA) to progress the public notification period.

Should you have any further enquiries, please do not hesitate to contact Adam Gilmour, Senior Environmental Officer of the department on telephone (07) 4987 9342.

Yours sincerely 1

sch4p4(6) Personal information (signature) [redacted]

Christopher Loveday  
**Manager (Environmental Services - Mining)  
Central Region**

Department of Environment and Heritage Protection  
PO Box 3028  
99 Hospital Road  
Emerald Queensland 4720  
Telephone 07 4987 9342  
Facsimile 07 4987 9399  
Website [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
ABN 46 640 294 485

# Permit<sup>1</sup>

*Environmental Protection Act 1994*

## Draft Environmental authority

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

**Permit<sup>1</sup> number: EPML00659513**

Effective date: Draft

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

The anniversary day of this environmental authority is the same day each year as the effective day.

**Environmental authority holder(s)**

Name	Registered address
Bowen Basin Coal Pty Ltd	Level 7 12 Creek Street BRISBANE CITY QLD 4000

**Environmentally relevant activity and location details**

Environmentally relevant activity (yes)	Location(s)
<p><b>Environmental Protection Regulation 2008, Schedule 2</b></p> <p><b>ERA 31</b> Mineral processing, Threshold 2 processing, in a year, the following quantities of mineral products, other than coke – (b) more than 100000.</p> <p><b>ERA 8, 3(b).</b> &gt;500m<sup>3</sup> of dangerous goods Class 3 or Class C1 or C2 combustible liquids under AS 1940.</p> <p><b>ERA 16, 2(a)</b> Extracting rock or other material: 5,000-100,000t/yr and 3(a) Screening rock or other material: 5,000-100,000 t/yr.</p> <p><b>ERA 33,</b> &gt;5,000 tpa</p> <p><b>ERA 60,</b> 1(a) Waste disposal facility &lt;50,000 tpa</p> <p><b>ERA 63,</b> 1(b)(i) Sewage treatment: &gt;100-1,500EP.</p> <p><b>ERA 13</b> Mining black coal</p>	<p>ML70331</p> <p>ML70477</p>

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

\* Note - All applications received by the administering authority prior to 1 April 2013 have been assessed under the *Environmental Protection Act 1994* as at 14 March 2013. Applications received by the administering after 1 April 2013 will be assessed under the *Environmental Protection Act 1994* revised and published on 1 April 2013.



**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, 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.

<div style="border: 1px solid green; padding: 2px;">sch4p4( 6) Personal information (signature)</div>	<div style="text-align: center; font-size: 24px;">30/9/13</div>
Signature	Date

Christopher Loveday  
 Department of Environment and Heritage Protection  
 Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**  
 Adam Gilmour  
 ES - Reg Serv - Central West -Mining - Emerald  
 Office  
 PO Box 3028  
 99 Hospital Road  
 EMERALD QLD 4720  
 Phone: (07) 4987 9342  
 Fax: (07) 4987 9399  
 Email: adam.gilmour@ehp.qld.gov.au

### 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

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

- A1** Provide financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.

*Note: The calculation of financial assurance for condition A1 must be in accordance with the administering authority's 'Guideline –Financial assurance under the Environmental Protection Act 1994' (EM1010), and may include a performance discount. The amount is defined as the maximum total rehabilitation cost for complete rehabilitation of all disturbed areas, which may vary on an annual basis due to progressive rehabilitation. The amount required for the financial assurance must be the highest total rehabilitation cost calculated for any year of the Plan of Operations and calculated using the formula: (Financial Assurance = Highest total annual rehabilitation cost x Percentage required).*

- A2** The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.

- A3** In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this authority.

*Note: This authority authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this 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.*

- A4** The environmental authority holder must ensure:
- a) that all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority are installed;
  - b) that such measures, plant and equipment are maintained in a proper condition; and
  - c) that such measures, plant and equipment are operated in a proper manner.

- A5** 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.



- A6** Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conducts all monitoring.
- A7** All reasonable actions are to be taken to minimise environmental harm, or potential environmental harm, resulting from any emergency, incident or circumstances not in accordance with the conditions of this environmental authority.
- A8** As soon as practicable after becoming aware of any emergency, incident or information about circumstances which results or may result in environmental harm not in accordance with the conditions of this environmental authority, the administering authority must be notified in writing.
- A9** Not more than **ten (10) business days** following the initial notification of an emergency, incident or information about circumstances which result or may result in environmental harm, written advice must be provided to the administering authority in relation to:
- proposed actions to prevent a recurrence of the emergency or incident;
  - the outcomes of actions taken at the time to prevent or minimise environmental harm; and
  - proposed actions to respond to the information about circumstances which result or may result in environmental harm.
- A10** As soon as practicable, but not more than **six (6) weeks** following the initial notification of an emergency, incident or information about circumstances which result or may result in environmental harm, environmental monitoring must be performed and written advice must be provided of the results of any such monitoring performed to the administering authority.
- A11** The notification of emergencies, incidents or circumstances (incident) which result or may result in environmental harm in accordance with condition **A10** must include but not be limited to the following:
- the holder of the environmental authority;
  - the location of the incident;
  - the number of the environmental authority;
  - the name and telephone number of the designated contact person;
  - the time of the incident;
  - the time the holder of the environmental authority became aware of the incident;
  - the suspected cause of the incident;
  - the environmental harm caused, threatened, or suspected to be caused by the incident; and
  - actions taken to prevent any further incident and mitigate any environmental harm caused by the incident.
- A12** Contaminants must not be released to the receiving environment unless they are in accordance with the contaminant limits authorised by this environmental authority.
- A13** 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.
- A14** The environmental authority holder is approved for a coal extraction rate of up to **twelve (12) million tonnes per annum (Mtpa)** of run-of-mine coal (ROM) in accordance with EPML00659513.



**Agency interest: Air**

- B1** The release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any nuisance sensitive or commercial place.
- B2** 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 nuisance sensitive 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 ( $\mu\text{m}$ ) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive 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 Air Quality Sampling Manual as published from time to time by the administering authority.
- B3** If monitoring indicates exceedence of the relevant limits in condition **B2**, 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.
- B4** The release of noxious or offensive odour(s) or any other noxious or offensive airborne contaminant(s) resulting from the mining activity must not cause an environmental nuisance at any nuisance sensitive or commercial place.
- B5** When requested by the administering authority, odour monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within **fourteen (14) days** to the administering authority following completion of monitoring.
- B6** If the administering authority determines the odour released to constitute an environmental nuisance, then the environmental authority holder must:
- a) address the complaint including the use of appropriate dispute resolution if required; and
  - b) immediately implement odour abatement measures so that emissions of odour from the activity do not result in further environmental nuisance.



## Draft Environmental authority EPML00659513 – Lake Vermont Coal Mine

**Agency interest: Water**

- C1** Contaminants that will, or have the potential to cause environmental harm must not be released directly or indirectly to any waters as a result of the authorised mining activities, except as permitted under the conditions of this environmental authority.
- C2** Unless otherwise permitted under the conditions of this environmental authority, the release of mine affected water to waters must only occur from the release points specified in **Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)** and depicted in **Figure 1 (Gauging Stations)** attached to this environmental authority.
- C3** The release of mine affected water to internal water management infrastructure that is installed and operated in accordance with a water management plan that complies with conditions **C32** to **C37** inclusive is permitted.

**Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)**

Release Point (RP)	Latitude (decimal degree, GDA94)	Longitude (decimal degree, GDA94)	Mine Affected Water Source and Location	Monitoring Point	Receiving Waters Description
RP 1	-22.4305	148.4433	Mine Area	Pipe or drain	Unnamed gully and Isaac River
RP 2	-22.4377	148.4482	Mine Area	Pipe or drain	Unnamed gully and Isaac River
RP 3	-22.4621	148.4638	Mine Area	Pipe or drain	Unnamed gully and Isaac River
RP 4	-22.4289	148.3886	Mixed Mine Water (pumped to release point)	Pipe or drain	Phillips Creek
RP 5	-22.4063	148.4265	Mixed Mine Water (pumped to release point)	Pipe or drain	Phillips Creek
RP 6	-22.4362	148.3845	Mixed Mine Water (pumped to release point)	Pipe or drain	Phillips Creek
RP 7	-22.4436	148.3846	Mixed Mine Water (pumped to release point)	Pipe or drain	Phillips Creek

- C4** The release of mine affected water to waters in accordance with condition **C2** must not exceed the release limits stated in **Table 2 (Mine Affected Water Release Limits)** when measured at the monitoring points specified in **Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)** for each quality characteristic.

Table 2 (Mine Affected Water Release Limits)

Quality Characteristic	Release Limits	Monitoring frequency	Comment
Electrical conductivity (uS/cm)	Release limits specified in Table 4 for variable flow criteria.	Daily during release (the first sample must be taken within 2 hours of commencement of release)	
pH (pH Unit)	6.5 (minimum) 9.0 (maximum)	Daily during release.(the first sample must be taken within 2 hours of commencement of release)	
Turbidity (NTU)	N/A	Daily during release* (first sample within 2 hours of commencement of release)	Turbidity is required to assess ecosystems impacts and can provide instantaneous results.
Suspended Solids (mg/L)	1,500	Daily during release* (first sample within 2 hours of commencement of release)	Suspended solids are required to measure the performance of sediment and erosion control measures.
Sulphate (SO <sub>4</sub> <sup>2-</sup> ) (mg/L)	Release limits specified in Table 4 for variable flow criteria	Daily during release* (first sample within 2 hours of commencement of release)	

Note: \*Limit for suspended solids can be omitted if turbidity limit is included. Limit for turbidity not required if suspended solids limit included. Both indicators should be measured in all cases.

- C5** The release of mine affected water to waters from the release points must be monitored at the locations specified in **Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)** for each quality characteristics and at the frequency specified in **Table 2 (Mine Affected Water Release Limits)** and **Table 3 (Release Contaminant Trigger Investigation Levels)** **Potential Contaminants.**

*Note: the administering authority will take into consideration any extenuating circumstances prior to determining an appropriate enforcement response in the event condition C5 is contravened due to a temporary lack of safe or practical access. The administering authority expects the environmental authority holder to take all reasonable and practicable measures to maintain safe and practical access to designated monitoring locations.*



Table 3 (Release Contaminant Trigger Investigation Levels) Potential Contaminants

Quality Characteristic	Trigger Levels (µg/L)	Comment on Trigger Level	Monitoring Frequency
Aluminium	55	For aquatic ecosystem protection, based on SMD guideline	Commencement of release and thereafter weekly during release
Arsenic	13	For aquatic ecosystem protection, based on SMD guideline	
Cadmium	0.2	For aquatic ecosystem protection, based on SMD guideline	
Chromium	1	For aquatic ecosystem protection, based on SMD guideline	
Copper	2	For aquatic ecosystem protection, based on LOR for ICPMS	
Iron	300	For aquatic ecosystem protection, based on low reliability guideline	
Lead	4	For aquatic ecosystem protection, based on SMD guideline	
Mercury	0.2	For aquatic ecosystem protection, based on LOR for CV FIMS	
Nickel	11	For aquatic ecosystem protection, based on SMD guideline	
Zinc	8	For aquatic ecosystem protection, based on SMD guideline	
Boron	370	For aquatic ecosystem protection, based on SMD guideline	
Cobalt	90	For aquatic ecosystem protection, based on low reliability guideline	
Manganese	1900	For aquatic ecosystem protection, based on SMD guideline	
Molybdenum	34	For aquatic ecosystem protection, based on low reliability guideline	
Selenium	10	For aquatic ecosystem protection, based on LOR for ICPMS	
Silver	1	For aquatic ecosystem protection, based on LOR for ICPMS	
Uranium	1	For aquatic ecosystem protection, based on LOR for ICPMS	
Vanadium	10	For aquatic ecosystem protection, based on LOR for ICPMS	
Ammonia	900	For aquatic ecosystem protection, based on SMD guideline	
Nitrate	1100	For aquatic ecosystem protection, based on ambient Qld WQ Guidelines (2006) for TN	
Petroleum hydrocarbons (C6-C9)	20		
Petroleum hydrocarbons (C10-C36)	100		
Fluoride (total)	2000	Protection of livestock and short term irrigation guideline	
Sodium (mg/L)	180	Australian Drinking Water Guidelines. Trigger may require amendment if future advice from Queensland Health becomes available	

## Note:

- All metals and metalloids must be measured as total (unfiltered) and dissolved (filtered). Trigger levels for metal/metalloids apply if dissolved results exceed trigger.
- The quality characteristics required to be monitored as per Table 3 can be reviewed once the results of two years monitoring data is available, or if sufficient data is available to adequately demonstrate negligible environmental risk, and it may be determined that a reduced monitoring frequency is appropriate or that certain quality characteristics can be removed from Table 3 by amendment.
- SMD – slightly moderately disturbed level of protection, guideline refers ANZECC & ARMCANZ (2000).
- LOR – typical reporting for method stated. ICPMS/CV FIMS – analytical method required to achieve LOR.

- C6** If quality characteristics of the release exceed any of the trigger levels specified in **Table 3 (Release Contaminant Trigger Investigation Levels) Potential Contaminants** during a release event, the environmental authority holder must compare the down stream results in the receiving waters to the trigger values specified in **Table 3 (Release Contaminant Trigger Investigation Levels) Potential Contaminants** and:
- 1) where the trigger values are not exceeded then no action is to be taken; or
  - 2) where the down stream results exceed the trigger values specified Table 3 for any quality characteristic, compare the results of the down stream site to the data from background monitoring sites and;
    - a) if the result is less than the background monitoring site data, then no action is to be taken; or
    - b) if the result is greater than the background monitoring site data, complete an investigation into the potential for environmental harm and provide a written report to the administering authority in the next annual return, outlining:
      - i) details of the investigations carried out; and
      - ii) actions taken to prevent environmental harm.

*Note: Where an exceedance of a trigger level has occurred and is being investigated, in accordance with C6 2)b) of this condition, no further reporting is required for subsequent trigger events for that quality characteristic.*

- C7** If an exceedance in accordance with condition **C6 2)b)** is identified, the holder of the authority must notify the administering authority within **fourteen (14)** days of receiving the result.
- C8** The holder must ensure a stream flow gauging station/s is installed, operated and maintained to determine and record stream flows at the locations and flow recording frequency specified in **Table 4 (Mine Affected Water Release during Flow Events)**.
- C9** Notwithstanding any other condition of this environmental authority, the release of mine affected water to waters in accordance with condition **C2** must only take place in accordance with the receiving water flow criteria for discharge specified in **Table 4 (Mine Affected Water Release during Flow Events)** for the release point(s) specified in **Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)**.
- C10** The release of mine affected water to waters in accordance with condition **C2** must not exceed the Electrical Conductivity and Sulphate release limits or the Maximum Release Rate (for all combined release point flows) for each receiving water flow criteria for discharge specified in **Table 4 (Mine Affected Water Release during Flow Events)** when measured at the monitoring points specified in **Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)**.



Table 4 (Mine Affected Water Release during Flow Events)

Receiving water/ stream	Release Point (RP)	Gauging station	Gauging Station Latitude (decimal degrees GMSD)	Gauging Station Longitude (decimal degrees GMSD)	Receiving Water Flow Recurrence Frequency	Receiving Water Flow Criteria or discharge (m <sup>3</sup> /s)	Maximum release rate (for all combined RP flows)	Electrical Conductivity Release Limits
Isaac River	RP1, RP2, and RP3.	Isaac at Deverill (DERM Gauging Station #130410 A)	-22.1726	148.3822	Continuous (minimum daily)	≥37.5 m <sup>3</sup> /sec	0.5 m <sup>3</sup> /sec	Electrical conductivity (uS/cm): <1,500 (Maximum, based on protection of aquatic ecosystems)  Sulphate (mg/L): <300
Phillips Creek	RP4, RP5, RP6 and RP7	Phillips Creek upstream from RP 4 (Low Flow) and Isaac at Deverill (Med Flow)	-22.4503	148.33762	Continuous (minimum daily)	Low/No Flow 28 days after natural flow events that exceed 7.5 m <sup>3</sup> /s at Isaac at Deverill	0.5 m <sup>3</sup> /s	Electrical conductivity (uS/cm): <720  Sulphate (mg/L): <300
						Medium Flow ≥7.5 m <sup>3</sup> /s in the Isaac River.	<0.610 m <sup>3</sup> /s	Electrical conductivity (uS/cm) < 1,500 – Sulphate (mg/L): <600
						High Flow ≥1.0 m <sup>3</sup> /s at Phillips Creek Gauging Station AND ≥37.5 m <sup>3</sup> /s in the Isaac River.	<0.223 m <sup>3</sup> /s	Electrical conductivity (uS/cm) < 3,500 Sulphate (mg/L): <1,200
							<0.684 m <sup>3</sup> /s	Electrical conductivity (uS/cm) < 5,500  Sulphate (mg/L): <1,400

**C11** The daily quantity of mine affected water released from each release point must be measured and recorded at the monitoring points in **Table 1 (Mine Affected Water Release Points, Sources and Receiving Waters)**.



- C12** Releases to waters must be undertaken so as not to cause erosion of the bed and banks of the receiving waters, or cause a material build up of sediment in such waters.
- C13** The environmental authority holder must notify the administering authority as soon as practicable and no later than **twenty-four (24) hours** after commencing to release mine affected water to the receiving environment. Notification must include the submission of written advice to the administering authority of the following information:
- release commencement date/time;
  - expected release cessation date/time;
  - release point/s;
  - release volume (estimated);
  - receiving water/s including the natural flow rate; and
  - any details (including available data) regarding likely impacts on the receiving water(s).

*Note: Notification to the administering authority must be addressed to the Manager and Project Manager of the local Administering Authority via email or facsimile.*

- C14** The environmental authority holder must notify the administering authority as soon as practicable (nominally within **twenty-four (24) hours** after cessation of a release event) of the cessation of a release notified under Condition **C13** and **within twenty-eight (28) days** provide the following information in writing:
- release cessation date/time;
  - natural flow volume in receiving water;
  - volume of water released;
  - details regarding the compliance of the release with the conditions of Agency Interest: Water of this environmental authority (i.e. contamination limits, natural flow, discharge volume);
  - all in-situ water quality monitoring results; and
  - any other matters pertinent to the water release event.

*Note: Successive or intermittent releases occurring within **twenty-four (24) hours** of the cessation of any individual release can be considered part of a single release event and do not require individual notification for the purpose of compliance with conditions **C14** and **C15**, provided the relevant details of the release are included within the notification provided in accordance with conditions **C14** and **C15**.*

- C15** If the release limits defined in **Table 2 (Mine Affected Water Release Limits)** are exceeded, the holder of the environmental authority must notify the administering authority within **twenty-four (24) hours** of receiving the results.
- C16** The authority holder must, within **twenty-eight (28) days** of a release that exceeds the conditions of this authority, provide a report to the administering authority detailing:
- the reason for the release;
  - the location of the release;
  - all water quality monitoring results;
  - any general observations;
  - all calculations; and
  - any other matters pertinent to the water release event.



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- C17** Water storages stated in **Table 5 (Water Storage Monitoring)** which are associated with the release points must be monitored for the water quality characteristics specified in **Table 6 (Onsite Water Storage Contaminant Limits)** at the monitoring locations and at the monitoring frequency specified in **Table 5 (Water Storage Monitoring)**.

Table 5 (Water Storage Monitoring)

Water Storage Description	Latitude (GDA94)	Longitude (GDA94)	Monitoring Location	Frequency of Monitoring
Environmental Dam 1	-22.4590	148.4054	Near spillway	Quarterly
Environmental Dam 3	-22.4432	148.4087	Near spillway	Quarterly
Environmental Dam 4	-22.4289	148.3901	Near Spillway	Quarterly
Environmental Dam 5	-22.4319	148.4091	Near spillway	Quarterly
Future Environmental Dam 6	TBD	TBD	Near Spillway	Quarterly
Sediment Dam 1	-22.4612	148.4642	Near Spillway	Quarterly
Sediment Dam 3	-22.4370	148.4480	Near spillway	Quarterly
Open Pit Water	mobile	mobile	N/A	Quarterly

- C18** In the event that waters storages defined in **Table 5 (Water Storage Monitoring)** exceed the contaminant limits defined in **Table 6 (Onsite Water Storage Contaminant Limits)**, the holder of the environmental authority must implement measures, where practicable, to prevent access to waters by all livestock.

Table 6 (Onsite Water Storage Contaminant Limits)

Quality Characteristic	Test Value	Contaminant Limit
pH (pH unit)	Range	Greater than 4, less than 9 <sup>2</sup>
EC ( $\mu\text{S}/\text{cm}$ )	Maximum	5970 <sup>1</sup>
Sulphate (mg/L)	Maximum	1000 <sup>1</sup>
Fluoride (mg/L)	Maximum	2 <sup>1</sup>
Aluminium (mg/L)	Maximum	5 <sup>1</sup>
Arsenic (mg/L)	Maximum	0.5 <sup>1</sup>
Cadmium (mg/L)	Maximum	0.01 <sup>1</sup>
Cobalt (mg/L)	Maximum	1 <sup>1</sup>
Copper (mg/L)	Maximum	1 <sup>1</sup>
Lead (mg/L)	Maximum	0.1 <sup>1</sup>
Nickel (mg/L)	Maximum	1 <sup>1</sup>
Zinc (mg/L)	Maximum	20 <sup>1</sup>

Note:

<sup>1</sup> Contaminant limit based on ANZECC & ARMCANZ (2000) stock water quality guidelines.

<sup>2</sup> Page 4.2-15 of ANZECC & ARMCANZ (2000) "Soil and animal health will not generally be affected by water with pH in the range of 4–9".

Note: Total measurements (unfiltered) must be taken and analysed

**C19**

The quality of the receiving waters must be monitored at the locations specified in **Table 8 (Receiving Water Upstream Background Sites and Down Stream Monitoring Points)** for each quality characteristic and at the monitoring frequency stated in **Table 7 (Receiving Waters Contaminant Trigger Levels)**.

Table 7 (Receiving Waters Contaminant Trigger Levels)

Quality Characteristic	Trigger Level*	Monitoring Frequency
pH	6.5 – 8.0	Daily during the release*
Electrical Conductivity ( $\mu\text{S}/\text{cm}$ )	1000	
Suspended solids (mg/L)	1500	
Sulphate ( $\text{SO}_4^{2-}$ ) (mg/L)	300	
Sodium (mg/L)	180	

\*Samples shall not be collected where access to monitoring points presents a serious health and safety risk.



**Table 8 (Receiving Water Upstream Background Sites and Down Stream Monitoring Points)**

Monitoring Points	Receiving Waters Location Description	Latitude (GDA94)	Longitude (GDA94)
Upstream Background Monitoring Points			
MP 1	Downs Creek at Mine Access and Golden Mile Road intersection	-22.5413	148.4091
MP 2	Phillips Creek	-22.4572	148.3862
Downstream Monitoring Points			
MP3	Isaac River	-22.3559	148.4941
MP4	Phillips Creek	-22.3889	148.4323
MP5	Isaac River	-22.4514	148.5611
MP6	Carfax Gully	-22.4549	148.5398

**Notes:**

- a) The upstream monitoring point should be within 5km of the release point.
- b) The downstream point should not be greater than 5km from the release point.
- c) The data from background monitoring points must not be used where they are affected by releases from other mines.

**C20** If quality characteristics of the receiving water at Isaac River and Carfax Gully monitoring points exceed any of the trigger levels specified in **Table 7 (Receiving Waters Contaminant Trigger Levels)** during a release event the environmental authority holder must compare the downstream results to the upstream results in the receiving waters and:

- a) where the downstream result is the same or a lower value than the upstream value for the quality characteristic then no action is to be taken; or
- b) where the downstream results exceed the upstream results complete an investigation into the potential for environmental harm and provide a written report to the administering authority in the next annual return, outlining:
  - i) details of the investigations carried out; and
  - ii) actions taken to prevent environmental harm.

*Note: Where an exceedance of a trigger level has occurred and is being investigated, in accordance with C20 b)ii) of this condition, no further reporting is required for subsequent trigger events for that quality characteristic.*

**C21** The environmental authority holder must develop and implement a Receiving Environment Monitoring Program (REMP) to monitor, identify and describe any adverse impacts to surface water environmental values, quality and flows due to the authorised mining activity. This must include monitoring the effects of the mine on the receiving environment periodically (under natural flow conditions) and while mine affected water is being discharged from the site.

For the purposes of the REMP, the receiving environment is Phillips Creek and the Isaac River within 15km downstream of the release points. The REMP should encompass any sensitive receiving waters or environmental values downstream of the authorised mining activity that will potentially be directly affected by an authorised release of mine affected water.

**C22** The REMP must:

- a) assess the condition or state of receiving waters, including upstream conditions, spatially within the REMP area, considering background water quality characteristics based on accurate and reliable monitoring data that takes into consideration temporal variation (e.g. seasonality); and
- b) be designed to facilitate assessment against water quality objectives for the relevant environmental values that need to be protected; and
- c) include monitoring from background reference sites (e.g. upstream or background) and downstream sites from the release (as a minimum, the locations specified in **Table 8 (Receiving Water Upstream Background Sites and Down Stream Monitoring Points)**); and
- d) specify the frequency and timing of sampling required in order to reliably assess ambient conditions and to provide sufficient data to derive site specific background reference values in accordance with the *Queensland Water Quality Guidelines 2009*. This should include monitoring during periods of natural flow irrespective of mine or other discharges; and
- e) include monitoring and assessment of dissolved oxygen saturation, temperature and all water quality parameters listed in **Table 2 (Mine Affected Water Release Limits)** and **Table 3 (Release Contaminant Trigger Investigation Levels) Potential Contaminants**; and
- f) include, where appropriate, monitoring of metals/metalloids in sediments (in accordance with ANZECC & ARMCANZ 2000, BATLEY and/or the most recent version of AS5667.1 Guidance on Sampling of Bottom Sediments); and
- g) include, where appropriate, monitoring of macroinvertebrates in accordance with the AusRivas methodology, and
- h) apply procedures and/or guidelines from ANZECC & ARMCANZ 2000 and other relevant guideline documents; and
- i) describe sampling and analysis methods and quality assurance and control; and
- j) incorporate stream flow and hydrological information in the interpretations of water quality and biological data.

**C23** A REMP Design Document that addresses each criterion presented in Conditions **C22** and **C23** must be prepared and submitted to the administering authority. Due consideration must be given to any comments made by the administering authority on the REMP Design Document and subsequent implementation of the program.

**C24** A report outlining the findings of the REMP, including all monitoring results and interpretations in accordance with conditions **C22** and **C23** must be prepared annually and made available on request to the administering authority. This must include an assessment of background reference water quality, the condition of downstream water quality compared against water quality objectives, and the suitability of current discharge limits to protect downstream environmental values.



- C25** Mine affected water may be piped or trucked or transferred by some other means that does not contravene the conditions of this environmental authority and deposited into artificial water storage structures, such as farm dams or tanks, or used directly at properties owned by the environmental authority holder or a third party for the purpose of:
- supplying stock water subject to compliance with the quality release limits specified in **Table 9 (Stock Water Release Limits)**; or
  - supplying irrigation water subject to compliance with quality release limits in **Table 10 (Irrigation Water Release Limits)**; or
  - supplying water for construction and/or road maintenance in accordance with the conditions of this environmental authority.

**Table 9 (Stock Water Release Limits)**

Quality Characteristic	Units	Minimum	Maximum
pH	pH units	6.5	8.5
Electrical Conductivity	µS/cm	N/A	5000

**Table 10 (Irrigation Water Release Limits)**

Quality characteristic	Units	Minimum	Maximum
pH	pH units	6.5	8.5
Electrical Conductivity	µS/cm	N/A	2,900*

\* based on ANZECC Water Quality for Irrigation and General Use guideline EC limit for moderately tolerant crops.

- C26** Mine affected water may be piped or trucked or transferred by some other means that does not contravene the conditions of this environmental authority and deposited into artificial water storage structures, such as dams or tanks, for the purpose of supplying water to other mines in the region. The volume, pH and electrical conductivity of water transferred must be monitored and recorded.
- C27** If the responsibility for mine affected water is given or transferred to another person in accordance with conditions **C25** or **C26**:
- the responsibility for the mine affected water must only be given or transferred in accordance with a written agreement (the third party agreement); and
  - the third party agreement must include a commitment from the person utilising the mine affected water to use it in such a way as to prevent environmental harm or public health incidents and specifically make the persons aware of the General Environmental Duty (GED) under section 319 of the *Environmental Protection Act 1994*, environmental sustainability of the water disposal and protection of environmental values of waters; and
  - the third party agreement must be signed by both parties to the agreement.

- C28** All determinations of water quality and biological monitoring must be:
- performed by a person or body possessing appropriate experience and qualifications to perform the required measurements;
  - made in accordance with methods prescribed in the latest edition of the Department of Environment and Heritage Protection's Monitoring and Sampling Manual;
  - collected from the monitoring locations identified within this environmental authority, within **ten (10) hours** of each other where possible;
  - carried out on representative samples; and
  - analysed at a laboratory accredited (e.g. NATA) for the method of analysis being used.

*Note: Condition C29 requires the Monitoring and Sampling Manual to be followed and where it is not followed because of exceptional circumstances this should be explained and reported with the results.*

- C29** The release of any contaminants as permitted by this environmental authority, directly or indirectly to waters, other than internal water management infrastructure that is installed and operated in accordance with a water management plan that complies with conditions **C32** to **C37** inclusive:
- must not produce any visible discolouration of receiving waters; and
  - must not produce any slick or other visible or odorous evidence of oil, grease or petrochemicals nor contain visible floating oil, grease, scum, litter or other objectionable matter.

- C30** The following information must be recorded in relation to all water monitoring required under the conditions of this environmental authority and submitted to the administering authority in the specified format with each annual return:
- the date on which the sample was taken;
  - the time at which the sample was taken;
  - the monitoring point at which the sample was taken;
  - the measured or estimated daily quantity of mine affected water released from all release points;
  - the release flow rate at the time of sampling for each release point;
  - the results of all monitoring and details of any exceedances of the conditions of this environmental authority; and
  - water quality monitoring data must be provided to the administering authority in the specified electronic format upon request.

- C31** Temporarily destroying native vegetation, excavating, or placing fill in a watercourse, lake or spring necessary for, and associated with, mining operations must be undertaken in accordance with Department of Environment and Resource Management *Guideline - Activities in a Watercourse, Lake or Spring associated with Mining Activities*.

- C32** A Water Management Plan must be developed by an appropriately qualified person and implemented by 16 April 2012.



- C33** The Water Management Plan must:
- a) provide for effective management of actual and potential environmental impacts resulting from water management associated with the mining activity carried out under this environmental authority; and
  - b) be developed in accordance with Department of Environment and Resource Management guideline Preparation of water management plans for mining activities (EM324) and include:
    - i) a study of the source of contaminants;
    - ii) a water balance model for the site;
    - iii) a water management system for the site;
    - iv) measures to manage and prevent saline drainage;
    - v) measures to manage and prevent acid rock drainage;
    - vi) contingency procedures for emergencies; and
    - vii) a program for monitoring and review of the effectiveness of the water management plan.
- C34** The Water Management Plan must be reviewed each calendar year and a report prepared by an appropriately qualified person. The report must:
- a) assess the plan against the requirements under condition **C33**;
  - b) include recommended actions to ensure actual and potential environmental impacts are effectively managed for the coming year; and
  - c) identify any amendments made to the water management plan following the review.
- C35** The holder of this environmental authority must attach to the review report required by condition **C34**, a written response to the report and recommended actions, detailing the actions taken or to be taken by the environmental authority holder on stated dates:
- a) to ensure compliance with this environmental authority; and
  - b) to prevent a recurrence of any non-compliance issues identified.
- C36** The review report required by condition **C34** and the written response to the review report required by condition **C35** must be submitted to the administering authority with the subsequent annual return under the signature of the appointed signatory for the annual return.
- C37** A copy of the Water Management Plan must be provided to the administering authority on request.
- C38** The holder of this environmental authority must ensure proper and effective measures are taken to avoid or otherwise minimise the generation and/or release of saline drainage.
- C39** The holder of this environmental authority must ensure proper and effective measures are taken to avoid or otherwise minimise the generation and/or release of acid rock drainage.
- C40** An Erosion and Sediment Control Plan must be developed by an appropriately qualified person and implemented for all stages of the mining activities on the site to minimise erosion and the release of sediment to receiving waters and contamination of stormwater.
- C41** Stormwater, other than mine affected water, is permitted to be released to waters from:
- a) erosion and sediment control structures that are installed and operated in accordance with the Erosion and Sediment Control Plan required by condition **C40**; and
  - b) water management infrastructure that is installed and operated, in accordance with a Water Management Plan that complies with conditions **C32** to **C37** inclusive, for the purpose of ensuring water does not become mine affected water.

- C42** The maintenance and cleaning of any vehicles, plant or equipment must not be carried out in areas from which contaminants can be released into any receiving waters.
- C43** Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable to minimise the release of wastes, contaminants or materials to any stormwater drainage system or receiving waters.
- C44** All effluent released from the sewage treatment facilities must be monitored at the frequency and for the parameters specified in below table.

Table 11(Sewage Effluent Quality Limits)

Quality Characteristics	Release Limit	Units	Limit Type	Monitoring Frequency
5 day BOD	20	mg/L	max	Monthly
pH	6.5 – 8.5	pH units	range	Monthly
Free Chlorine Residual	1	mg/L	max	Monthly
Thermotolerant Coliforms	<100	Cfu/100 ml <sup>2</sup>	max	Monthly
Total Phosphorus	15	mg/L	max	Monthly
Total Nitrogen	30	mg/L	max	Monthly

- C45** Sewage effluent used directly from the sewage treatment facilities for dust suppression or irrigation must not exceed sewage effluent release limits defined in **Table 11(Sewage Effluent Quality Limits)**.
- C46** Sewage effluent used for dust suppression or irrigation must not cause spray drift or over spray to any sensitive or commercial place.
- C47** Sewage effluent from sewage treatment facilities not used for dust suppression or irrigation must be reused or evaporated.
- C48** Solids that accumulate in the sewage treatment facilities (including the evaporation pond) are to be removed by an appropriately licensed regulated waste transporter and disposed of under the terms and conditions of the licence.
- C49** Sewage effluent irrigation areas must have a separation distance of at least **thirty (30) metres** from any groundwater bores and surface waters.
- C50** The irrigation of treated effluent must be carried out in a manner such that:
- vegetation is not damaged;
  - soil erosion and soil structure damage is avoided;
  - there is no surface ponding of treated effluent;
  - percolation of treated effluent beyond the plant root zone is minimised;
  - the capacity of the land to assimilate nitrogen, phosphorus, salts, water and organic matter (as measured by oxygen demand) is not exceeded; and
  - the quality of groundwater is not adversely affected.
- C51** Notices must be prominently displayed on any treated effluent irrigation area warning staff and the public that the area is irrigated with treated effluent and not to use or drink the treated effluent. These notices must be maintained in a visible and legible condition.



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**C52** The daily volume of contaminants released to land must be determined by an appropriate method, for example a flow meter and records kept of such determinations.

**Agency Interest: Noise and Vibration**

**D1** Noise from activities must not cause an environmental nuisance at any noise sensitive or commercial place.

**D2** All noise from activities must not exceed the levels specified in **Table 12 (Noise limits)** at any noise affected place.

**Table 12 (Noise limits)**

Noise level dB(A)	Monday to Sunday (including public holidays)		
	7am - 6pm	6pm - 10pm	10pm - 7am
	<b>Noise measured at a 'Sensitive Receptor'</b>		
L <sub>A10</sub> , adj, 10 mins	B/g + 5	B/g + 5	B/g + 3
L <sub>A1</sub> , adj, 10 mins	B/g + 10	B/g + 10	B/g + 8
	<b>Noise measured at a 'Commercial place'</b>		
L <sub>A10</sub> , adj, 10 mins	B/g + 10	B/g + 10	B/g + 5
L <sub>A1</sub> , adj, 10 mins	B/g + 15	B/g + 15	B/g + 10

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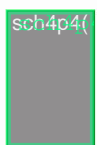
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- D3 Noise is not considered to be a nuisance under condition D1 if monitoring shows that noise does not exceed the levels in the time periods specified in **Table 12 (Noise limits)**.
- D4 When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within **fourteen (14) days** to the administering authority. Monitoring must include:
  - a)  $L_{A10, adj, 10 mins}$
  - b)  $L_{A1, adj, 10 mins}$
  - c) the level and frequency of occurrence of impulsive or tonal noise;
  - d) atmospheric conditions including wind speed and direction;
  - e) effects due to extraneous factors such as traffic noise; and
  - f) location date and time of recording.
- D5 If monitoring indicates exceedence of the relevant limits in condition D2, then the environmental authority holder must:
  - a) address the complaint including the use of appropriate dispute resolution if required; and
  - b) immediately implement noise abatement measures so that emissions of noise from the activity do not result in further environmental nuisance.
- D6 The method of measurement and reporting of noise monitoring must comply with the current edition of the administering authority's Noise Measurement Manual.
- D7 Vibration from the licensed activities must not cause an environmental nuisance, at any sensitive or commercial place.
- D8 The vibration limits from blasting operations on the premises must not exceed the limits defined in **Table 13 (Vibration limits)** at any nuisance sensitive or commercial place.

**Table 13 (Vibration Limits)**

Location	Vibration Measured – Monday to Friday 7am – 6pm
	Saturday, Sunday and Public Holidays 9am – 6pm
Sensitive or Commercial Place	For vibrations of more than 35Hz – not more than 25 mm per second ground vibration, peak particle velocity; or For vibrations of not more than 35Hz – not more than 10 mm per second ground vibration, peak particle velocity

- D9 When requested by the administering authority, vibration monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within **fourteen (14) days** to the administering authority following completion of monitoring.
- D10 Monitoring of vibration limits must include the following descriptors, characteristics and conditions:
  - a) location of the blast(s) within the mining area (including which bench level);
  - b) atmospheric conditions including temperature, relative humidity and wind speed and direction; and
  - c) location, date and time of recording.





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- D11 If monitoring indicates exceedence of the relevant limits in condition D8, (**Table 13 – Vibration Limits**), then the environmental authority holder must:
  - a) address the complaint including the use of appropriate dispute resolution if required; and
  - b) immediately implement vibration abatement measures so that vibration from the activity does not result in further environmental nuisance.
- D12 The airblast overpressure level from blasting operations on the premises must not exceed the limits defined in Table 14 (Airblast overpressure level) at any nuisance sensitive or commercial place.

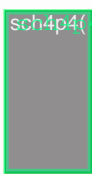
**Table 14 (Airblast overpressure level)**

Location	Airblast Overpressure Measured
Sensitive or commercial place	Airblast pressure level is not more than 115dB (Linear Peak) for 4 out of 5 consecutive blasts initiated and not greater than 120 db (Linear peak) at any time.

- D13 When requested by the administering authority, airblast overpressure monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within **fourteen (14) days** to the administering authority following completion of monitoring.
- D14 Airblast overpressure monitoring must include the following descriptors, characteristics and conditions:
  - a) location of the blast(s) within the mining area (including which bench level);
  - b) atmospheric conditions including temperature, relative humidity and wind speed and direction; and
  - c) location, date and time of recording.
- D15 If monitoring indicates exceedence of the relevant limits in condition D12, then the environmental authority holder must:
  - a) address the complaint including the use of appropriate dispute resolution if required; and
  - b) immediately implement airblast overpressure abatement measures so that airblast overpressure from the activity does not result in further environmental nuisance.
- D16 The method of measurement and reporting of airblast overpressure levels must comply with the current edition of the administering authority’s Noise Measurement Manual.

**Agency interest: Land**

- E1 Contaminants must not be released to land in manner which constitutes nuisance, material or serious environmental harm.
- E2 Topsoil must be strategically stripped ahead of mining in accordance with a topsoil management plan.
- E3 A topsoil inventory which identifies the topsoil requirements for the Lake Vermont Coal project and availability of suitable topsoil on site must be detailed in the Plan of Operations.



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- E4** All areas significantly disturbed by mining activities must be rehabilitated to a stable landform with a self-sustaining vegetation cover in accordance with **Table 15 (Final Land Use and Rehabilitation Approval Schedule)** and **Table 16 (Landform Design Criteria)**.

**Table 15 (Final Land Use and Rehabilitation Approval Schedule)**

	Disturbance Type			
	Residual Voids	Co-disposal	Spoil Emplacements	Infrastructure Including Dams, Roads and Tracks
Projective Surface area (ha)	150	500	3095	680
Post mine land use	Water body	Nature conservation	Pasture and nature conservation	Water body and nature conservation
Post mine land description	Water filled void	Elevated landform	Elevated landform	Dams, remainder restored to approx. original contours
Post mine land classification <sup>(1)</sup>	Class 5 suitability	Class 5 suitability	Class 3 and 4 suitability	Class 5 suitability
Projective cover range	N/A	50%	70%	N/A
Species mix	N/A	Native species	Pasture and native species	N/A

Note 1: Suitability for cattle grazing on improved pastures.

**Table 16 (Landform Design Criteria)**

Parameter	Adopted Design Value
Maximum vertical height	50m
Final Dump Rehabilitation Slope Angles	1:6 final slope with a 5m wide drain/berm every 10m vertical height
Maximum length of uninterrupted batter	70m



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- E5** Complete an investigation into rehabilitation of disturbed areas and submit a report to the administering authority proposing acceptance criteria to meet the outcomes in **Table 15 (Final Land Use and Rehabilitation Approval Schedule)** and **Table 16 (Landform Design Criteria)** by **30 January 2014**. The investigation is to consider the re-establishment of representative regional ecosystems and functioning habitat of areas equal to or greater than areas to be cleared and specific revegetation performance descriptors (e.g. rehabilitated areas are to display characteristics of the existing (pre-mining) regional ecosystems). The rehabilitation management plan must, at a minimum:
- a) map existing areas of rehabilitation;
  - b) detail rehabilitation methods applied to areas;
  - c) identify success factors for areas;
  - d) detail future rehabilitation actions to be completed on areas;
  - e) identify **three (3) reference** and **three (3) rehabilitation** sites to be used to develop rehabilitation success criteria;
  - f) contain landform design criteria including end of mine design;
  - g) detail how landform design will be consistent with the surrounding topography;
  - h) specify future planned rehabilitation methods for disturbed areas;
  - i) explain planned native vegetation rehabilitation areas and corridors;
  - j) describe rehabilitation monitoring and maintenance requirements to be applied to all areas of disturbance;
  - k) itemise revegetation criteria;
  - l) describe end of mine landform design plan and post mining land uses across the mine;
  - m) specify spoil characteristics, soil analysis, soil separation for use on rehabilitation;
  - n) include a cost benefit analysis / triple bottom line assessment (or an alternative assessment method) of the proposed final landform design criteria and alternatives; and
  - o) identify potential problems and how they will be addressed.

**E6** Residual voids must comply with the following outcomes:

- a) Residual voids must not cause any serious environmental harm to land, surface waters or any recognised groundwater aquifer, other than the environmental harm constituted by the existence of the residual void itself and subject to any other condition within the environmental authority; and
- b) Residual voids must comply with **Table 17 (Residual Void Design)**.

**Table 17 (Residual Void Design)**

Vermont Final Voids	0.5:1 (approx. 60°)	60% (approx 30°)	150
Vermont Final Voids	0.5:1 (approx. 60°)	60% (approx 30°)	150





- E7** Complete an investigation into residual voids and submit a report to the administering authority proposing acceptance criteria to meet the outcomes in **E6** and landform design criteria in **Table 17 (Residual Void Design)** by **30 January 2014**. The investigation must at a minimum include the following:
- a) a study of options available for minimising final void area and volume;
  - b) a void hydrology study, addressing the long-term water balance in the voids, connections to groundwater resources and water quality parameters in the long term;
  - c) a pit wall stability study, considering the effects of long-term erosion and weathering of the pit wall and the effects of significant hydrological events;
  - d) a study of void capability to support native flora and fauna; and
  - e) a proposal/s for end of mine void rehabilitation success criteria and final void areas and volumes.
- These studies will be undertaken during the life of the mine, and will include detailed research and modelling.
- E8** The rehabilitated landform criteria and residual void outcomes must be reviewed every **three (3) years** from the anniversary date of the reports conditioned in **E5** and **E7**. Any amendments to rehabilitation criteria and landform designs must be re-submitted to the administering authority.
- E9** Complete an assessment report, to be undertaken by a Registered Professional Engineer of Queensland (RPEQ), of geotechnical issues and erosivity of the proposed final landforms, including final voids, by **30 January 2014** to demonstrate long-term landform stability. Reference is to be made to the *Queensland Mining Guidelines* (or subsequent reprints) in making this assessment.
- E10** The Environmental Management Plan and Plan of Operations must be consistent with the geotechnical and erosivity assessment identified in condition **E9**, within **three (3) months** of the completion of the assessment.
- E11** The Plan of Operations must be consistent with the objectives of the *1991 Environmental Management Policy for Mining in Queensland* for progressive and final rehabilitation of disturbed areas from the date of the first inclusion of rehabilitation works within the Plan of Operations.
- E12** Progressive rehabilitation must commence as soon as practicable when areas become available within the operational land.
- E13** Once rehabilitation has commenced, the holder of the environmental authority must conduct a Rehabilitation Monitoring Program on a yearly basis, which must include sufficient spatial and temporal replication to enable statistically valid conclusions as established under the rehabilitation program.
- E14** The Rehabilitation Monitoring Program must be developed and implemented by a person possessing appropriate qualifications and experience in the field of rehabilitation management, nominated by the environmental authority holder.
- E15** The Rehabilitation Monitoring Program must be included in the Plan of Operations and updated with each subsequent Plan of Operations, describing:
- a) how the rehabilitation objectives as per condition **E4** will be achieved; and
  - b) verification of rehabilitation success.

- E16** A Post Closure Management Plan for the site must be prepared at least **18 months prior** to the final coal processing on site and implemented for a nominal period of:
- a) at least **thirty (30) years** following final coal processing on site; or
  - b) a shorter period if the site is proven to be geotechnically and geochemically stable and it can be demonstrated to the satisfaction of the administering authority that no release of contaminants from the site will result in environmental harm.
- E17** The Post Closure Management Plan must include the following elements:
- a) operation and maintenance of:
    - i) wastewater collection and reticulation systems;
    - ii) wastewater treatment systems;
    - iii) the groundwater monitoring network;
    - iv) final cover systems; and
    - v) vegetative cover.
  - b) monitoring of:
    - i) surface water quality;
    - ii) groundwater quality;
    - iii) seepage rates;
    - iv) erosion rates;
    - v) the integrity and effectiveness of final cover systems; and
    - vi) the health and resilience of native vegetation cover.
- E18** A Mining Waste Management Plan together with the certification by an appropriately qualified person must be developed, implemented and maintained during the continuation of the environmental authority. The Mining Waste Management Plan must at a minimum include:
- a) characterisation programs to ensure that all mining waste is progressively characterised during disposal for net acid producing potential, salinity and the following contaminants: pH, Electrical Conductivity (EC), Acid Neutralising Capacity (ANC), Net Acid Generation (NAG) (reporting NAG capacity and NAG pH after oxidation), Total Sulphur (S), Chromium Reducible Sulphur (Scr), Boron (B) Cadmium (Cd), Iron (Fe), Aluminium (Al), Copper (Cu), Magnesium (Mg), Manganese (Mn), Calcium (Ca), Sodium (Na), Zinc (Zn) and Sulphate (SO<sub>4</sub>);
  - b) characterisation programs to ensure that the physical properties of the mining waste is progressively characterised during disposal;
  - c) the availability or leachability of metals from the mining waste;
  - d) quantification of PAF from mining waste present;
  - e) review impacts of the PAF mining waste on the rehabilitation;
  - f) management actions for mining waste that has been identified as having a high availability or leachability of metals;
  - g) management actions for mining waste that has been defined as PAF;
  - h) identification of environmental impacts and potential environmental impacts;
  - i) control measures for routine operations to minimise likelihood of environmental harm;
  - j) contingency plans and emergency procedures for non-routine situations; and
  - k) periodic review of environmental performance and continual improvement.
- E19** All flammable and combustible liquids must be contained within an on-site containment system and controlled in a manner that prevents environmental harm and maintained in accordance with the current version of AS 1940 – *Storage and Handling of Flammable and Combustible Liquids*.
- E20** Spillage of all flammable and combustible liquids must be controlled in a manner that prevents environmental harm.



- E21** All chemicals must be contained within an on-site containment system and controlled in a manner that prevents environmental harm and maintained in accordance with the current version of the relevant Australian Standard.
- E22** Spillage of all chemicals must be controlled in a manner that prevents environmental harm.
- E23** All infrastructure constructed by or for the environmental authority holder during the licensed activities including water storage structures, must be removed from the site prior to surrender, except where agreed in writing by the post mining land owner / holder.
- Note: This is not applicable where the landowner / holder is also the environmental authority holder.*
- E24** Disturbance due to exploration activities in areas not authorised to be mined must be rehabilitated in accordance with provisions detailed in the *Code of Environmental Compliance for Exploration and Mineral Development Projects (EM586)*.

**Agency interest: Waste**

- F1** Scrap tyres stored awaiting disposal or transport for take-back and recycling, or waste-to-energy options must be stored in stable stacks and at least **ten (10) metres** from any other scrap tyre storage area, or combustible or flammable material, including vegetation.
- F2** All reasonable and practicable fire prevention measures must be implemented, including removal of grass and other materials within a **ten (10) metre** radius of the scrap tyre storage area.
- F3** Disposing of scrap tyres resulting from the authorised activities in spoil emplacements is acceptable, provided tyres are placed as deep in the spoil as reasonably practicable.
- F4** Scrap tyres resulting from the mining activities disposed within the operational land must not impede saturated aquifers or compromise the stability of the consolidated landform.



- F5** A Waste Management Plan must be maintained and implemented and cover:
- a) describe how the Lake Vermont Coal Project recognises and applies the waste management hierarchy, as defined in the *Waste Reduction and Recycling Act 2011*;
  - b) identify characterisations of wastes generated from the project and general volume trends over the past **five (5) years**;
  - c) a program for safe recycling or disposal of all wastes - reusing and recycling where possible;
  - d) waste commitments with auditable targets to reduce, reuse and recycle;
  - e) the waste management control strategies must consider:
    - i) the type of wastes;
    - ii) segregation of the wastes;
    - iii) storage of the wastes;
    - iv) transport of the wastes;
    - v) monitoring and reporting matters concerning the waste;
    - vi) emergency response planning;
    - vii) disposal, reused and recycling options;
  - f) identify the potential adverse and beneficial impacts of the wastes generated;
  - g) detail the hazardous characteristics of the waste generated (if any);
  - h) cover a disposal procedure for hazardous wastes;
  - i) outline the process to be implemented to allow for continuous improvement of the waste management systems;
  - j) identify responsible staff (positions) for implementing, managing and reporting the Waste Management Plan; and
  - k) cover a staff awareness and induction program that encourages re-use and recycling.
- F6** Waste must not be burned or allowed to be burned on the licensed site unless by approval of the administering authority.
- F7** Records must be kept for **five (5) years**, and must include the following information:
- a) date of pickup of waste;
  - b) description of waste;
  - c) cross reference to relevant waste transport documentation;
  - d) quantity of waste;
  - e) origin of the waste;
  - f) destination of the waste; and
  - g) intended fate of the waste, for example, type of waste treatment, reprocessing or disposal.
- Note: Records of documents maintained in compliance with a waste tracking system established under the Environmental Protection Act 1994 or any other law for regulated waste will be deemed to satisfy this condition.*
- F8** Records of trade and regulated wastes or material leaving the mining lease for recycling or disposal, including the final destination and method of treatment, must be in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- F9** All regulated waste received at and removed from the site must be transported by a person who holds a current authority to transport such waste under the provisions of the *Environmental Protection Act 1994*.
- F10** Except as otherwise provided by the conditions of this authority, all waste removed from the site must be taken to a facility that is lawfully allowed to accept such waste under the provisions of the *Environmental Protection Act 1994*.

**Agency interest: Dams**

- G1** The hazard category of any structure must be assessed by a suitably qualified and experienced person:
- a) in accordance with the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635); and
  - b) in any of the following situations:
    - i) prior to the design and construction of the structure; or
    - ii) prior to any change in its purpose or the nature of its stored contents; and
    - iii) in accordance with the Manual for assessing Hazard Categories and Hydraulic Performance of Dams (EM635).
- G2** A hazard assessment report and certification must be prepared for any structure assessed and the report may include a hazard assessment for more than one structure.
- G3** The holder must, on receipt of a hazard assessment report and certification, provide to the administering authority one paper copy and one electronic copy of the hazard assessment report and certification.
- G4** Certification must be provided by the suitably qualified and experienced person who undertook the assessment, in the form set out in the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635).
- G5** The holder must take reasonable and practical measures so that each dam associated with the mining activity is designed, constructed, operated and maintained in accordance with accepted engineering standards and is fit for the purpose for which it is intended.
- G6** All regulated structures must be designed by, and constructed under the supervision of, a suitably qualified and experienced person in accordance with the requirements of the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635).
- G7** Construction of a regulated structure is prohibited unless the holder has:
- a) submitted a hazard category assessment report and certification to the administering authority;
  - b) commissioned a suitably qualified and experienced person to prepare a design plan for the structure; and
  - c) received the certification from a suitably qualified and experienced person for the design and design plan and the associated operating procedures in compliance with the relevant condition of this authority.
- G8** Certification must be provided by the suitably qualified and experienced person who oversees the preparation of the design plan, in the form set out in the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635).
- G9** Regulated structures must:
- a) be designed and constructed in accordance with and conform to the requirements of the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635);
  - b) be designed and constructed with due consideration given to ensuring that the design integrity would not be compromised on account of:
    - i) floodwaters from entering the regulated dam from any watercourse or drainage line; and
    - ii) wall failure due to erosion by floodwaters arising from any watercourse or drainage line.



- G10** The design plan for a regulated structure must include, but is not limited to:
- 1) certification that the design plan:
    - a) is in accordance with the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635), including subsidiary certifications if necessary; and
    - b) addresses the requirements in **G10 2)** to and including **G10 8)**
  - 2) a design report which provides:
    - a) a description of all the documents which constitute the design plan;
    - b) a statement of:
      - i) the applicable standards including engineering criteria, industry guidelines, relevant legislation and regulatory documents, relied upon in preparing the design plan; and
      - ii) all relevant facts and data used in preparing the design plan, including any efforts made to obtain necessary facts and data, and any limitations or assumptions to facts and data used in preparing the design plan;
      - iii) the hazard category of the regulated structure; and
      - iv) setting out the reasoning of the suitably qualified and experienced person who has certified the design plan, as to how the design plan provides the necessary required performance;
    - c) documentation of hydrological analyses and estimates required to determine all elements of the design including volumes and flow capacities;
    - d) detailed criteria for the design, operation, maintenance and decommissioning of the regulated structure, including any assumptions;
    - e) design, specification and operational rules for any related structures and systems used to prevent failure scenarios;
  - 3) drawings showing the lines and dimensions, and locations of built structures and land forms associated with the regulated structure;
  - 4) consideration of the interaction of the pit design with the levee or regulated dam design;
  - 5) an operational plan that includes:
    - a) normal operating procedures and rules (including clear documentation and definition of process inputs in the DSA allowance);
    - b) contingency and emergency action plans including operating procedures designed to avoid and/or minimise environmental impacts including threats to human life resulting from any overtopping or loss of structural integrity of the regulated structure;
  - 6) a plan for the decommissioning and rehabilitation of the regulated structure at the end of its operational life;
  - 7) details of reports on investigations and studies done in support of the design plan;
  - 8) any other matter required by the suitably qualified and experienced person.
- G11** Certification by the suitably qualified and experienced person who supervises the construction must be submitted to the administering authority on the completion of construction of the regulated structure, and state that:
- a) the 'as constructed' drawings and specifications meet the original intent of the design plan for that regulated structure;
  - b) construction of the regulated structure is in accordance with the design plan.



- G12** Where a regulated dam is to be managed as part of an integrated containment system and the DSA volume is to be shared across the integrated containment system, the design and operating rules for the system as a whole must be documented in a system design plan that is certified by a suitably qualified and experienced person.
- G13** The system design plan must contain:
- a) the design plans;
  - b) the 'as constructed' plans;
  - c) the operational rules for each individual regulated dam that forms part of the integrated system;
  - d) the standards of serviceability and accessibility of water transfer equipment or structures; and
  - e) the operational rules for the system as a whole.
- G14** Operation of a regulated structure is prohibited unless:
- a) the holder has submitted to the administering authority:
    - i) one paper copy and one electronic copy of the design plan and certification of the 'design plan' in accordance with condition **G38**, and
    - ii) a set of 'as constructed' drawings and specifications, and
    - iii) certification of those 'as constructed drawings and specifications' in accordance with condition **G11**, and
    - iv) where the regulated structure is to be managed as part of an integrated containment system for the purpose of sharing the DSA volume across the system, a copy of the certified system design plan.
  - b) the requirements of this authority relating to the construction of the regulated structure have been met; and
  - c) the holder has entered the details required under this authority, into a Register of Regulated Dams.
- G15** Each regulated structure must be maintained and operated in a manner that is consistent with the current design plan, the current operational plan, and the associated certified 'as constructed' drawings for the duration of its operational life until decommissioned and rehabilitated.
- G16** The holder must take reasonable and practicable control measures to prevent the causing of harm to persons, livestock or wildlife through the construction and operation of a regulated structure. Reasonable and practicable control measures may include, but are not limited to:
- a) the secure use of fencing, bunding or screening; and
  - b) escape arrangements for trapped livestock and fauna
- G17** The Mandatory Reporting Level (the MRL) must be marked on a regulated dam in such a way that during routine inspections of that dam, it is clearly observable.
- G18** The holder must, as soon as practical and within **forty-eight (48) hours** of becoming aware, notify the administering authority when the level of the contents of a regulated dam reaches the MRL.
- G19** The holder must, immediately on becoming aware that the MRL has been reached, act to prevent the occurrence of any unauthorised discharge from the regulated dam.
- G20** Each regulated structure must be inspected each calendar year by a suitably qualified and experienced person.

- G21** At each annual inspection, the condition and adequacy of all components of the regulated structure must be assessed:
- a) against the most recent hazard assessment report and design plan (or system design plan);
  - b) against recommendations contained in previous annual inspections reports;
  - c) against recognised dam safety deficiency indicators;
  - d) for changes in circumstances potentially leading to a change in hazard category;
  - e) for conformance with the conditions of this authority;
  - f) for conformance with the 'as constructed' drawings;
  - g) for the adequacy of the available storage in each regulated dam, based on an actual observation or observations taken **after 31 May each year but prior to 1 November** of that year, of accumulated sediment, state of the containment barrier and the level of liquids in the dam (or network of linked containment systems); and
  - h) for evidence of conformance with the current operational plan.
- G22** A suitably qualified and experienced person must prepare an annual inspection report containing details of the assessment and including recommended actions to ensure the integrity of the regulated structure.
- G23** The suitably qualified and experienced person who prepared the annual inspection report must certify the report in accordance with the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635).
- G24** The holder must:
- a) upon receipt of the annual inspection report, consider the report and its recommendations and take action to ensure that the regulated structure will safely perform its intended function; and
  - b) within **twenty (20) business days** of receipt of the annual inspection report, notify the administering authority in writing, of the recommendations of the inspection report and the actions being taken to ensure the integrity of each regulated structure.
- G25** A copy of the annual inspection report must be provided to the administering authority upon request and within **ten (10) business days**.
- G26** On **1 November of each year**, storage capacity must be available in each regulated dam (or network of linked containment systems with a shared DSA volume), to meet the Design Storage Allowance (DSA) volume for the dam (or network of linked containment systems).
- G27** The holder must, as soon as possible and within **forty-eight (48) hours** of becoming aware that the regulated dam (or network of linked containment systems) will not have the available storage to meet the DSA volume on **1 November of any year**, notify the administering authority.
- G28** The holder must, immediately on becoming aware that a regulated dam (or network of linked containment systems) will not have the available storage to meet the DSA volume on **1 November of any year**, act to prevent the occurrence of any unauthorised discharge from the regulated dam or linked containment systems.
- G29** The holder must assess the performance of each regulated dam or linked containment system over the preceding November to May period based on actual observations of the available storage in each regulated dam or linked containment system taken **prior to 1 July of each year**.



- G30** The holder must take action to modify its water management or linked containment system so as to ensure that the regulated dam or linked containment system will perform in accordance with the requirements of this authority, for the subsequent November to May period.

*Note: Action may include seeking the necessary approvals for physical modification of a regulated dam.*

- G31** The holder must provide a copy of any reports, documentation and certifications prepared under this authority, including but not limited to any Register of Regulated Structures, hazard assessment, design plan and other supporting documentation, to a new holder and the administering authority on transfer of this authority.

- G32** Prior to the cessation of the environmentally relevant activity, each regulated structure must be decommissioned such that:

- a) ongoing environmental harm is minimised by the regulated structure:
  - i) becoming a safe site for humans and animals at the completion of rehabilitation; or
  - ii) becoming a stable landform, that no longer contains flowable substances and minimises erosion impacts; or
  - iii) not allowing for acid mine drainage; or
  - iv) being approved or authorised under relevant legislation for a beneficial use; or
  - v) being a void authorised by the administering authority to remain after decommissioning; and
- b) the regulated structure is compliant with all other relevant rehabilitation requirements of this authority.

- G33** Each regulated structure named in Column 1 of **Table 18 (Location of regulated structures)** must be wholly located within the control points noted in columns 2 and 3 of **Table 18 (Location of regulated structures)**, below, for that structure.

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Table 18 (Location of regulated structures)

Co-disposal Storage 1	-22.4610	148.3968
	-22.4528	148.3967
	-22.4527	148.4064
	-22.4609	148.4065
Co-disposal Storage 2	-22.4411	148.3966
	-22.4410	148.4092
	-22.4545	148.4093
	-22.4546	148.3967
	-22.4411	148.3966
Co-disposal Storage 3	-22.4410	148.4092
	-22.4322	148.3858
	-22.4319	148.4091
	-22.4455	148.4092
	-22.4457	148.3859
	-22.4322	148.3858
Co-disposal Storage 4	-22.4319	148.4091
	-22.4546	148.3996
	-22.4365	148.3994
	-22.4367	148.3849
Co-disposal Storage 5	-22.4547	148.3850
	-22.4636	148.3997
	-22.4501	148.3996
	-22.4502	148.3850
	-22.4638	148.3851
ED1	-22.4627	148.4026
	-22.4591	148.4026
	-22.4591	148.4035
	-22.4519	148.4035
ED3	-22.4474	148.4034
	-22.4338	148.4033
	-22.4337	148.4120
	-22.4473	148.4122
ED4	-22.4337	148.3918
	-22.4276	148.3877
	-22.4244	148.3935
	-22.4305	148.3976
ED5	-22.4322	148.3848
	-22.4319	148.4091
	-22.4455	148.4092
	-22.4457	148.3849
ED6	-22.4546	148.3996
	-22.4338	148.3994
	-22.4340	148.3848
	-22.4547	148.3850
MIA1	-22.4726	148.4080

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[Redacted Header]		
	-22.4726	148.4129
	-22.4771	148.4130
	-22.4771	148.4081
MIA2	-22.4302	148.4013
	-22.4410	148.4014
	-22.4411	148.3917
	-22.4303	148.3916
MWD1	-22.4681	148.4065
	-22.4302	148.4062
	-22.4301	148.4139
	-22.4455	148.4141
MWD2	-22.4573	148.4074
	-22.4527	148.4074
	-22.4527	148.4112
	-22.4572	148.4113
MWD3	-22.4681	148.4104
	-22.4618	148.4065
	-22.4581	148.4132
	-22.4644	148.4172
MWD4	-22.4833	148.4289
	-22.4752	148.4163
	-22.4698	148.4203
	-22.4778	148.4329
MWD5	-22.4910	148.4271
	-22.4806	148.4254
	-22.4782	148.4430
	-22.4885	148.4447

1 The 'name of the regulated structure' should refer to the name for example, process residue facility and decant dam.  
 2 A minimum of three control points is required to constrain the location of all activities associated with the regulated structure. Additional infrastructure which forms part of any regulated dam may include appurtenant works consisting of seepage collections systems, runoff diversion bunds, containment systems, pressure relief wells, decant and recycle water systems. Note that details on tailing discharge pipelines would be included in this table only if they have not been included in the design plan required in condition G10.  
 3 This location reference is the reference for schedule G Table G4 flood level and crest level.

**G34** Each regulated dam named in column 1 of **Table 19 (Basic Details of Regulated Dams)**, must be consistent with the details noted in Columns 2 through to and including Column 7 of Schedule G - Table **G2**, below, for that dam.



Table 19 (Basic Details of Regulated Dams)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Name of Regulated Dam	Dam Type Category	Maximum Surface Area of Dam (ha)	Maximum Volume of Dam (m <sup>3</sup> )	Maximum Height of Dam (m)	Spillway Level (m a.s.l.)	Use of Dam
Co-disposal Storage 1	TBA	70	10,000,000	30	TBA	To contain solid carboniferous and earth material wastes
Co-disposal Storage 2	TBA	100	15,000,000	30	TBA	To contain solid carboniferous and earth material wastes
Co-disposal Storage 3	TBA	120	18,000,000	30	TBA	To contain solid carboniferous and earth material wastes
Co-disposal Storage 4	TBA	120	18,000,000	30	TBA	To contain solid carboniferous and earth material wastes
Co-disposal Storage 5	TBA	120	18,000,000	30	TBA	To contain solid carboniferous and earth material wastes
ED1	TBA	70	3,000,000	10	TBA	To capture and contain mine water
ED3	TBA	70	4,000,000	15	TBA	To capture and contain mine water
ED4	TBA	40	1,000,000	15	TBA	To capture and contain mine water
ED5	TBA	80	4,000,000	15	TBA	To capture and contain mine water
ED6	TBA	80	4,000,000	15	TBA	To capture and contain mine water
MIA1	TBA	5	120,000	15	TBA	To capture and contain mine water
MIA2	TBA	5	120,000	15	TBA	To capture and contain mine water
MWD1	TBA	20	1,000,000	15	TBA	To capture and contain mine water
MWD2	TBA	20	1,000,000	15	TBA	To capture and contain mine water
MWD3	TBA	20	1,000,000	15	TBA	To capture and contain mine water
MWD4	TBA	20	1,000,000	15	TBA	To capture and contain mine water
MWD5	TBA	20	1,000,000	15	TBA	To capture and contain mine water

1 The name of the regulated dam should refer to the name of the dam, for example, process residue facility and decant dam and should be the same name used in Schedule G Table G1 for the dam.

2 For regulated dams which do not require a dam wall, input the maximum void depth, for example, where dams are formed by excavating below the land surface or backfilling a residual void.

3 The use or purpose of the regulated dam should outline the designed function, for example, 'the permanent containment of tailings resulting from the extraction of nickel, cobalt and other metals at the XYZ refinery'.

**G35** Each regulated dam named in Column 1 of Table 18 (Location of regulated structures), must meet the hydraulic performance criteria noted in Columns 2 through to and including Column 4 of Table 20 (Hydraulic Performance of Regulated Dams), below, for that dam.



**Table 20 (Hydraulic Performance of Regulated Dams)**

Column 1	Column 2	Column 3	Column 4
Name of Regulated Dam	Storage Category (EDs)	Declared Hazard Category	Mandatory Reporting Level (CA 1010.055 AEP)
Regulated Dams (Co-disposal, Mine Water Dams, Mine infrastructure Dams & Environmental Dams)	0.001	0.05 AEP	0.01 AEP, 72 hour duration event

**G36** Each regulated structure specified below must, within a period of five years (the transitional period) from 16 December 2013, meet the performance requirements of conditions **G34** and **G35**:

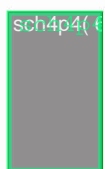
- a) Co-disposal Storage 1;
- b) Co-disposal Storage 2;
- c) Co-disposal Storage 3;
- d) Co-disposal Storage 4;
- e) Co-disposal Storage 5;
- f) ED1-ED6;
- g) MIA1-MIA2; and
- h) MWD1-MWD5

**G37** Existing structures, constructed prior to the grant of this Environmental Authority and not listed in condition **G36**, must be assessed as per condition **G1** and if assessed as a regulated structure included in condition **G34** and **G35** within the transitional period as per condition **G36**.

**G38** During the transitional period, each regulated structure specified in condition **G36** must comply with either conditions **G34** and **G35** of this authority.

**G39** During the transitional period, for each declared regulated structure listed in condition **G36**, either:

- a) Certification must be provided, by a suitably qualified and experienced person, in the form set out in the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams:
  - i) that the declared regulated structure is suitable for use as a regulated structure and can be transitioned to meet with either conditions **G34** and **G35** of this authority; and
  - ii) of any design plans for the modification of the declared regulated structure where modification is required to meet with either conditions **G34** and **G35** of this authority; or
- b) The declared regulated structure must be decommissioned.



- G40** A Register of Regulated Dams must be established and maintained by the holder and include, as a minimum, the following information for each regulated dam:
- a) date of entry in the register;
  - b) name of the dam, its purpose and intended/actual contents;
  - c) location of the dam defined by coordinates (latitude and longitude in GDA94) within five metres at any point from the outside of the dam including its storage area;
  - d) the hazard category of the dam as assessed using the Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635);
  - e) dates, names, and reference numbers of all document(s) lodged as part of a design plan for the dam;
  - f) name and qualifications of the suitably qualified and experienced person who certified the design plan and 'as constructed' drawings;
  - g) for the regulated dam, other than in relation to any levees –
    - i) the dimensions (metres) and surface area (hectares) of the dam measured at the footprint of the dam;
    - ii) dam crest volume (megalitres);
    - iii) spillway crest level (metres AHD);
    - iv) maximum operating level (metres AHD);
    - v) storage rating table of stored volume versus level (metres AHD);
    - vi) design storage allowance (megalitres) and associated level of the dam (metres AHD);
    - vii) mandatory reporting level (metres AHD);
  - h) the design plan title and reference relevant to the dam;
  - i) the date construction was certified as compliant with the design plan;
  - j) the name and details of the suitably qualified and experienced person who certified that the constructed dam was compliant with the design plan;
  - k) details of the composition and construction of any liner;
  - l) the system for the detection of any leakage through the floor and sides of the dam;
  - m) dates when the regulated dam underwent an annual inspection for structural and operational adequacy, and to ascertain the available storage volume for **1 November of any year**;
  - n) dates when recommendations and actions arising from the annual inspection were provided to the administering authority;
  - o) dam water quality as obtained from monitoring required under this authority as at **1 November of each year**.
- G41** The holder must provisionally enter the required information in the Register of Regulated Dams when a design plan for a regulated dam is submitted to the administering authority.
- G42** The holder must make a final entry of the required information in the Register of Regulated Dams once compliance with condition **G14** has been achieved.
- G43** The holder must ensure that the information contained in the Register of Regulated Dams is current and complete on any given day.
- G44** All entries in the Register of Regulated Dams must be approved by the chief executive officer for the holder of this authority, or their delegate, as being accurate and correct.
- G45** The holder must, at the same time as providing the annual return, supply to the administering authority a copy of the records contained in the Register of Regulated Dams, in the electronic format required by the administering authority.



**Agency interest: Community**

- H1** All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.
- H2** The holder of this environmental authority must record the following details for all complaints received and provide this information to the administering authority on request:
- a) time, date, name and contact details of the complainant;
  - b) reasons for the complaint;
  - c) conclusions formed; and
  - d) any actions taken.
- H3** In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the licensed place specifically or the industrial estate where the licensed place is located.

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## Definitions

Key terms and/or phrases used in this document are defined in this. Applicants should note that 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.

**‘annual exceedance probability or AEP’** the probability that at least one event in excess of a particular magnitude will occur in any given year.

**‘assessed and assessment’** by a suitably qualified and experienced person in relation to a hazard assessment of a dam, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit of the assessment:

- (a) exactly what has been assessed and the precise nature of that determination;
- (b) the relevant legislative, regulatory and technical criteria on which the assessment has been based;
- (c) the relevant data and facts on which the assessment has been based, the source of that material, and the efforts made to obtain all relevant data and facts; and
- (d) the reasoning on which the assessment has been based using the relevant data and facts, and the relevant criteria.

**‘associated works’** in relation to a dam, means:

- (a) operations of any kind and all things constructed, erected or installed for that dam; and
- (b) any land used for those operations.

**‘authority’** means an environmental authority or a development approval.

**‘acid rock drainage’** means any contaminated discharge emanating from a mining activity formed through a series of chemical and biological reactions, when geological strata is disturbed and exposed to oxygen and moisture.

**‘airblast overpressure’** means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dBL).

**‘appropriately qualified person’** means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

**‘background’**, with reference to the water schedule means the average of samples taken prior to the commencement of mining from the same waterway that the current sample has been taken.

**‘certification’, ‘certifying’ or ‘certified’** by an appropriately qualified and experienced person in relation to a design plan or an annual report regarding dams/structures, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit at any time:

- a) exactly what is being certified and the precise nature of that certification;
- b) the relevant legislative, regulatory and technical criteria on which the certification has been based;
- c) the relevant data and facts on which the certification has been based, the source of that material, and the efforts made to obtain all relevant data and facts; and
- d) the reasoning on which the certification has been based using the relevant data and facts, and the relevant criteria.



**'construction or constructed'** in relation to a dam includes building a new dam and modifying or lifting an existing dam, but does not include investigations and testing necessary for the purpose of preparing a design plan.

**'blasting'** means the use of explosive materials to fracture:

- a) rock, coal and other minerals for later recovery; or
- b) structural components or other items to facilitate removal from a site or for reuse.

**'chemical'** means:

- a) an agricultural chemical product or veterinary chemical product within the meaning of the Agricultural and *Veterinary Chemicals Code Act 1994* (Commonwealth); or
- b) a dangerous good under the Australian Code for the Transport of Dangerous Goods by Road and Rail approved by the Australian Transport Council; or
- c) a lead hazardous substance within the meaning of the Workplace Health and Safety Regulation 1997;
- d) a drug or poison in the Standard for the Uniform Scheduling of Drugs and Poisons prepared by the Australian Health Ministers' Advisory Council and published by the Commonwealth; or
- e) any substance used as, or intended for use as:
  - i. a pesticide, insecticide, fungicide, herbicide, rodenticide, nematocide, miticide, fumigant or related product; or
  - ii. a surface active agent, including, for example, soap or related detergent; or
  - iii. a paint solvent, pigment, dye, printing ink, industrial polish, adhesive, sealant, food additive, bleach, sanitiser, disinfectant, or biocide; or
  - iv. a fertiliser for agricultural, horticultural or garden use; or
  - v. a substance used for, or intended for use for mineral processing or treatment of metal, pulp and paper, textile, timber, water or wastewater; or
  - vi. manufacture of plastic or synthetic rubber.

**'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.

**'construction'** or **'constructed'** in relation to a regulated structure includes building a new regulated structure and lifting or otherwise modifying an existing regulated structure, but does not include investigations and testing necessary for the purpose of preparing a design plan.

**'dam'** means a land-based structure or a void that contains, diverts or controls flowable substances, and includes any substances that are thereby contained, diverted or controlled by that land-based structure or void and **associated works**. A dam does not mean a fabricated or manufactured tank or container, designed and constructed to an Australian Standard that deals with strength and structural integrity of that tank or container.

**'dam crest volume'** means the volume of material (liquids and/or solids) that could be within the walls of a dam at any time when the upper level of that material is at the crest level of that dam. That is, the instantaneous maximum volume within the walls, without regard to flows entering or leaving (eg via spillway).

**'design storage allowance or DSA'** means an available volume, estimated in accordance with the *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635)* published by the administering authority, must be provided in a dam as at 1 November each year in order to prevent a discharge from that dam to an annual exceedance probability (AEP) specified in that manual.

**'disturbance'** of 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.

'**EC**' means electrical conductivity.

'**effluent**' treated waste water released from sewage treatment plants.

'**emergency action plan**' means documentation forming part of the operational plan held by the holder or a nominated responsible officer, that identifies emergency conditions that sets out procedures and actions that will be followed and taken by the dam owner and operating personnel in the event of an emergency. The actions are to minimise the risk and consequences of failure, and ensure timely warning to downstream communities and the implementation of protection measures. The plan must require dam owners to annually update contact details that are part of the plan, and to comprehensively review the plan at least every five years.

'**flowable substance**' means matter or a mixture of materials which can flow under any conditions potentially affecting that substance. Constituents of a flowable substance can include water, other liquids fluids or solids, or a mixture that includes water and any other liquids fluids or solids either in solution or suspension.

'**hazard**' in relation to a dam as defined, means the potential for environmental harm resulting from the collapse or failure of the dam to perform its primary purpose of containing, diverting or controlling flowable substances.

'**hazard category**' means a category, either low significant or high, into which a dam is assessed as a result of the application of tables and other criteria in 'Manual for Assessing Hazard Categories and Hydraulic Performance of Dams'.

'**holder**' means:

- (a) where this document is an environmental authority, any person who is the holder of, or is acting under, that environmental authority; or
- (b) where this document is a development approval, any person who is the registered operator for that development approval.

'**hydraulic performance**' means the capacity of a regulated dam to contain or safely pass flowable substances based on a probability (AEP) of performance failure specified for the relevant hazard category in the *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635)*.

'**infrastructure**' means water storage dams, levees,, roads and tracks, buildings and other structures built for the purpose of the mining activity.

'**land**' in the Agency interest: Land schedule of this document means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the *Environmental Protection Act 1994*. For the purposes of the *Acts Interpretation Act 1954*, it is expressly noted that the term 'land' in this environmental authority relates to physical land and not to interests in land.



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**'land use'** –means the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

**'leachate'** means a liquid that has passed through or emerged from, or is likely to have passed through or emerged from, a material stored, processed or disposed of at the operational land which contains soluble, suspended or miscible contaminants likely to have been derived from the said material.

**'levee'** means an embankment that only provides for the containment and diversion of stormwater or flood flows from a contributing catchment, or containment and diversion of flowable materials resulting from releases from other works, during the progress of those stormwater or flood flows or those releases; and does not store any significant volume of **water** or **flowable substances** at any other times.

**'low hazard dam'** means any dam that is not a high or significant hazard category as assessed using the *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635)*

**'m'** means metres.

**'mandatory reporting level or MRL'** means a warning and reporting level determined in accordance with the criteria in the *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635)* published by the administering authority.

**'mine affected water':**

- a) means the following types of water:
  - i. pit water, tailings dam water, processing plant water;
  - ii. water contaminated by a mining activity which would have been an environmentally relevant activity under Schedule 2 of the Environmental Protection Regulation 2008 if it had not formed part of the mining activity;
  - iii. rainfall runoff which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated, excluding rainfall runoff discharging through release points associated with erosion and sediment control structures that have been installed in accordance with the standards and requirements of an Erosion and Sediment Control Plan to manage such runoff, provided that this water has not been mixed with pit water, tailings dam water, processing plant water or workshop water;
  - iv. groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;
  - v. groundwater from the mine's dewatering activities;
  - vi. a mix of mine affected water (under any of paragraphs i)-v) and other water.
- b) does not include surface water runoff which, to the extent that it has been in contact with areas disturbed by mining activities that have not yet been completely rehabilitated, has only been in contact with:
  - i. land that has been rehabilitated to a stable landform and either capped or revegetated in accordance with the acceptance criteria set out in the environmental authority but only still awaiting maintenance and monitoring of the rehabilitation over a specified period of time to demonstrate rehabilitation success; or
  - ii. land that has partially been rehabilitated and monitoring demonstrates the relevant part of the landform with which the water has been in contact does not cause environmental harm to waters or groundwater, for example:
    - a. areas that are been capped and have monitoring data demonstrating hazardous material adequately contained with the site;
    - b. evidence provided through monitoring that the relevant surface water would have met the water quality parameters for mine affected water release limits in this environmental authority, if those parameters had been applicable to the surface water runoff; or
  - iii. both.

**'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.



**'modification or modifying'** (see definition of 'construction')

**'NATA'** means National Association of Testing Authorities, Australia.

**'natural flow'** means the flow of water through waters caused by nature

**'non polluting'** means having no adverse impacts upon the receiving environment.

**'operational plan'** for a dam means a document that amongst other things sets out procedures and criteria to be used for operating a dam during a particular time period. The operational plan as defined herein may form part of a plan of operations or plan otherwise required in legislation.

**'peak particle velocity (ppv)'** means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mm/s).

**'receiving environment'** in relation to an activity that causes or may cause environmental harm, means the part of the environment to which the harm is, or may be, caused. The receiving environment includes (but is not limited to):

- a) a watercourse;
- b) groundwater; and

**'regulated dam'** means any dam in the significant or high hazard category as assessed using the *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams (EM635)* published by the administering authority.

**'rehabilitation'** the process of reshaping and revegetating land to restore it to a stable landform

**'release event'** means a surface water discharge from mine affected water storages or contaminated areas on the licensed place.

**'representative'** means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the mining activities.

**'saline drainage'** The movement of waters, contaminated with salts, as a result of the mining activity.

**'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.

Note: The definition of 'sensitive place' and 'commercial place' is based on Schedule 1 of EPP Noise. That is, a sensitive place is inside or outside on a dwelling, library & educational institution, childcare or kindergarten, school or playground, hospital, surgery or other medical institution, commercial & retail activity, protected area or an area identified under a conservation plan under *Nature Conservation Act 1992* as a critical habitat or an area of major interest, marine park under *Marine Parks Act 2004*, park or garden that is outside of the mining lease and open to the public for the use other than for sport or organised entertainment. A commercial place is inside or outside a commercial or retail activity.

A mining camp (i.e., accommodation and ancillary facilities for mine employees or contractors or both, associated with the mine the subject of the environmental authority) is not a sensitive place for that mine or mining project, whether or not the mining camp is located within a mining tenement that is part of the mining project the subject of the environmental authority. For example, the mining camp might be located on



neighbouring land owned or leased by the same company as one of the holders of the environmental authority for the mining project, or a related company. Accommodation for mine employees or contractors is a sensitive place if the land is held by a mining company or related company, and if occupation is restricted to the employees, contractors and their families for the particular mine or mines which are held by the same company or a related company.

For example, a township (occupied by the mine employees, contractors and their families for multiple mines that are held by different companies) would be a sensitive place, even if part or all of the township is constructed on land owned by one or more of the companies.

**'structure'** means dam or levee.

**'spillway'** means a weir, channel, conduit, tunnel, gate or other structure designed to permit discharges from the dam, normally under flood conditions or in anticipation of flood conditions.

**'suitably qualified and experienced person'** in relation to regulated structures means a person who is a Registered Professional Engineer of Queensland (RPEQ) under the provisions of the *Professional Engineers Act 2002*, and has demonstrated competency and relevant experience;

- a. for regulated dams, an RPEQ who is a civil engineer with the required qualifications in dam safety and dam design.
- b. for regulated levees, an RPEQ who is a civil engineer with the required qualifications in the design of flood protection embankments.

Note: It is permissible that a suitably qualified and experienced person obtain subsidiary certification from an RPEQ who has demonstrated competence and relevant experience in either geomechanics, hydraulic design or engineering hydrology.

**'system design plan'** means a plan that manages an integrated containment system that shares the required DSA volume across the integrated containment system.

**' $\mu\text{S/cm}$ '** means micro siemens per centimetre.

**void** means any constructed, open excavation in the ground.

**'watercourse'** has the same meaning given in the *Water Act 2000*.

**'water quality'** means the chemical, physical and biological condition of water.

**'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.

## END OF DEFINITIONS

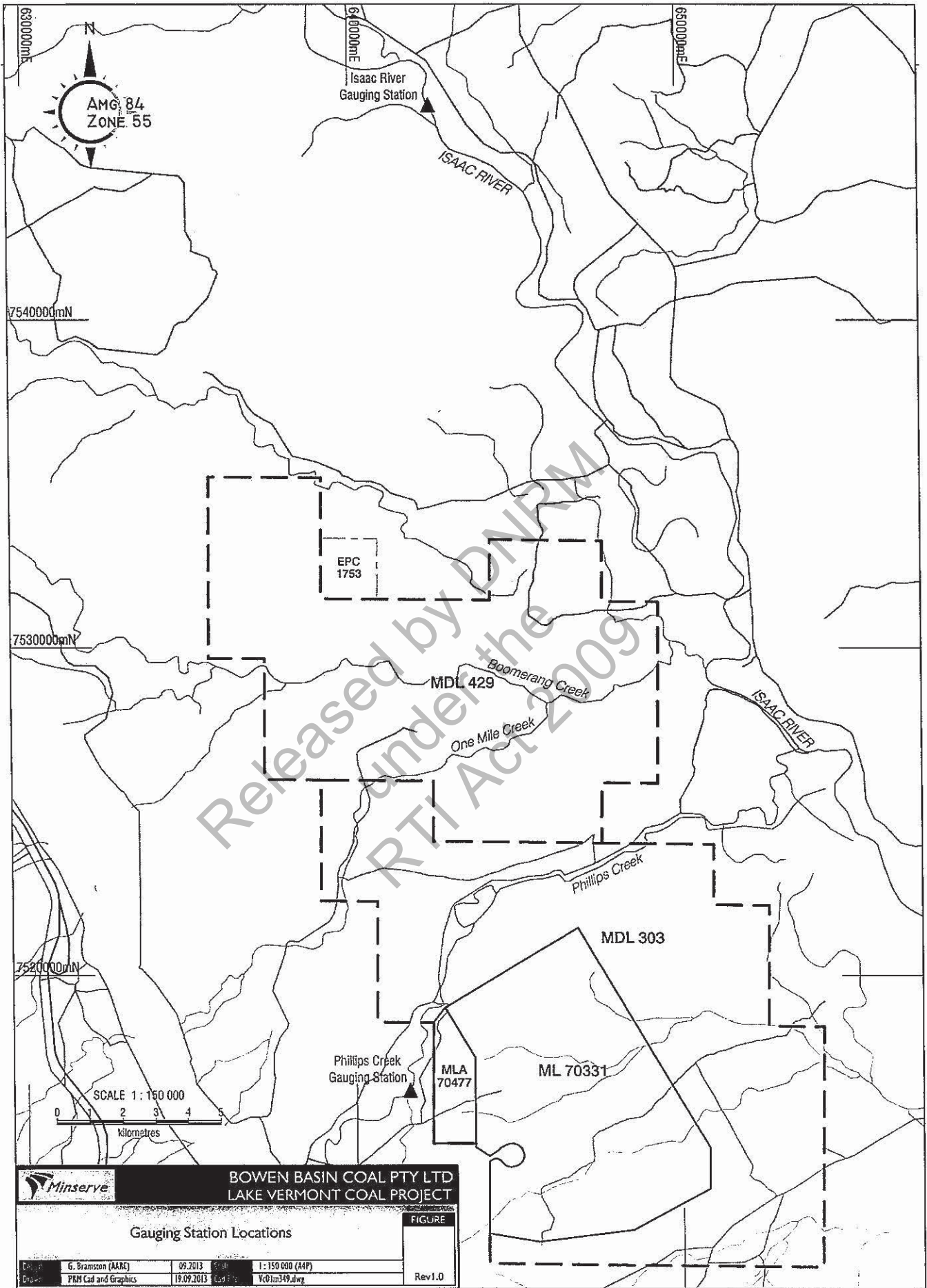


Figure 1 (Gauging Stations)



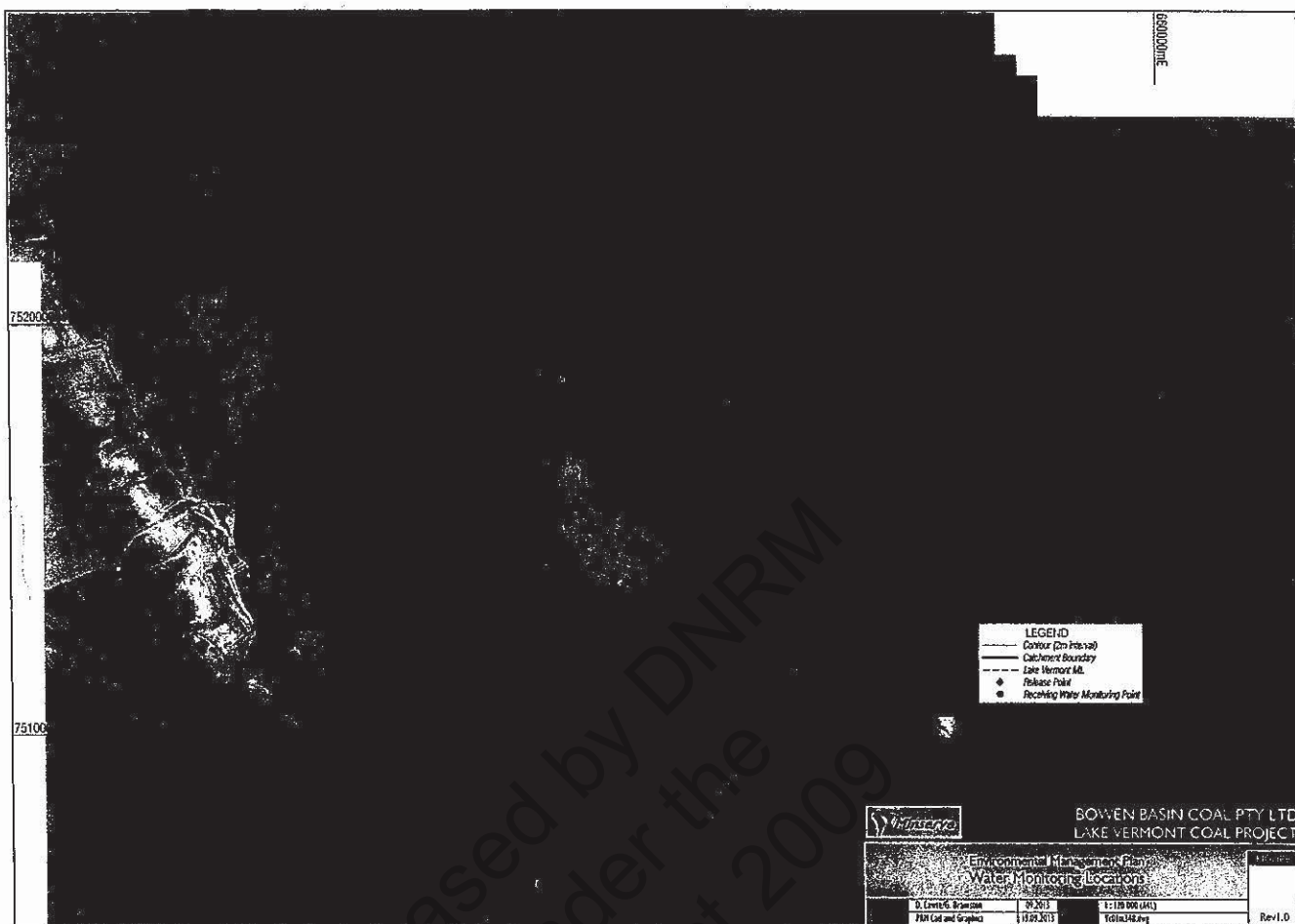


Figure 2 (Authorised Release Point Locations)

END OF PERMIT

sch4p4( 6)

## LAND COURT OF QUEENSLAND

### ADDITIONAL APPLICANT INFORMATION AND STATUTORY DECLARATION FOR THE LAND COURT

*To be completed by an applicant for a proposed mining claim or mining lease in respect of which objections have been lodged. The applicant must return the completed form to the Department of Natural Resources and Mines within five (5) business days after the last objection day and provide a copy to each objector.*

*Please print clearly. If insufficient space, attach separate numbered sheets.*

**Tenure Identifier:**

---

**EA Identifier:**

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**Date of Application:**

---

**Name of Applicant/s:**

---

**Is this an application for the inclusion of additional surface area in respect of an existing mining lease?**

YES

NO

#### ADDITIONAL INFORMATION

1. Is the information supplied in the application, and supporting documents true and complete and still accurate? Yes  No

If no, please supply details:

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2. Does the sketch map provided with the application show the location of the following:

(a) land which is to be used as access; Yes  No

(b) reserves, restricted land and restricted areas Yes  No

(c) mineralised areas and areas proposed to be mined Yes  No

(d) proposed mine infrastructure (camp, workshop, processing plant, waste storage/treatment, etc) Yes  No

(e) public infrastructure (power lines, telephone lines, pipelines, roads, parks, etc) Yes  No

(f) nearby private residences (including estimates of distance) Yes  No

If any 'No' box was ticked, please attach a sketch map showing those details. Attached



3. Is the proposed area of the mining claim or mining lease mineralised? Yes  No

If yes, please identify the available evidence:

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4. Explain the proposed level of development within the area applied for and how the mineral resources within that area will be utilised:

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5. Detail the type and location of the activities proposed to be carried out under the mining claim or mining lease and their likely impact on the surface of the land:

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6. For mining lease applications, explain the reasons for the term of the lease sought:

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7. For mining claim applications that relate to corundum, gemstones or other precious stones, explain the reasons for the proposed area of the mining claim:

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8. Within the proposed mining claim or mining lease area:

(a) specify the current land uses:

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(b) identify any other prospective uses of the land:

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Released by DNRHM  
under the  
RTI Act 2009

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9. How will the proposed mining claim or mining lease operations affect:

(a) the current and prospective uses of the land within the proposed mining claim or mining lease area:

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(b) any public infrastructure (power lines, telephone lines, pipelines, roads, parks, etc) over, on or under the proposed mining claim or mining lease area:

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(c) the rights of holders of (or applicants for) any other mining tenements in the area of the proposed mining claim or mining lease:

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Released by DAIRM  
under the  
RTI Act 2009

10. Give details of your (or your company's) past experience concerning mining:

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11. As far as you are aware, have you, your company or any of its directors ever had a:

- (a) notice to rectify non-compliance or damage;
- (b) notice to show cause;
- (c) tenure cancelled;
- (d) penalty imposed; or
- (e) conviction,

under the *Mineral Resources Act 1989*.

Yes  No

If yes, please supply details including (if applicable) how the matter was resolved:

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LAND COURT OF QUEENSLAND

STATUTORY DECLARATION

Oaths Act 1867

QUEENSLAND  
TO WIT

I, ..... of ....., in the  
State of Queensland, do solemnly and sincerely declare that:

- 1. I am the Applicant referred to above.\*
- 2. I am authorised to complete and sign this form on behalf of the Applicant.\*
- 3. All information set out on this form is true, complete and accurate.
- 4. I am aware that it is a criminal offence to make a declaration that I know is false in a material particular.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

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under the  
RTI Act 2009

.....  
*Signature of declarant / deponent*

Taken and declared before me at.....this..... day of .....20....

.....  
*(Solicitor / Justice of the Peace /  
Commissioner for Declarations)*

*\*Delete whichever is not applicable*

# Statutory declaration

Environmental Protection Act 1994

## Statutory declaration for public notice requirements

A statutory declaration is a written statement of facts that is sworn or declared under the Oaths Act 1867. This statutory declaration should be completed and forwarded to the administering authority within 5 business days after the objection period, in accordance with s. 214 of the Environmental Protection Act 1994. You must attach a copy of the application notice to this statutory declaration.

### OATHS ACT 1867

QUEENSLAND

TO WIT

**Re: Public notice prepared for the application for:**

(please tick one of the following)

- environmental authority (mining lease); or  
 environmental authority (mining claim); or  
 amendment of environmental authority (mining lease)

**Described as:**

**On land described as:**

I

Insert the name of the person making this declaration

of

Insert the street address of the person making this declaration

in the State of Queensland do solemnly and sincerely declare that in accordance with s. 214 of the *Environmental Protection Act 1994*, in relation to the above mentioned application:

Proponent/company name

## Statutory declaration

### Statutory declaration for public notice requirements

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Have (please tick only one of the following):

- fully complied with the public notice requirements of either: ss. 211-212 of the *Environmental Protection Act 1994*, in the case of an application for an environmental authority (mining lease or mining claim); or s. 254 and s. 212 of the *Environmental Protection Act 1994*, in the case of an application to amend an environmental authority (mining lease).

OR

- not fully complied with the public notification requirements of ss. 211-212 or s. 254 and s. 212 of the *Environmental Protection Act 1994* and the details of non compliance are as follows:

The application notice (attached) was published in the following media:

1.	
2.	

Insert publication name


Insert publication date

And the application notice has been given to the following persons

1.	
2.	
3.	

Insert name, address and dates



# Statutory declaration Statutory declaration for public notice requirements

Taken and declared before me, at   
Insert location

this  day of  in the year   
Insert day (e.g. 18th) Insert month Insert year

Signed

(Person making this declaration)

Signed

(Delete whichever are not applicable — Justice of the  
Peace / Commissioner for Declarations / Solicitor /  
Barrister)

Printed name and registration number (if applicable)

Released by DNRM  
under the  
RTI Act 2009

**From:** tnorthcott@jellinbah.com.au [tnorthcott@jellinbah.com.au]

**Sent:** Monday, 17 February 2014 2:48 PM

**To:** MACDONALD Debbie-Jo

**Subject:** Re: Stat Dec and Other For ML70477

**Attachments:** 170214\_MRA Stat Dec ML70477.pdf; 170214\_EPA Stat Dec ML70477.pdf; Arrow Consent to ML70477.pdf; BMA Consent to ML70477.pdf; Lot 1 SP 190747.pdf

Hi Debbie-Jo

Please see **attached** the following:

- 1) Statutory Declarations for Compliance (MRA and EPA);
- 2) Overlapping Tenure Consent;
- 3) Landowner Restricted Area Consent (and Title search for access road);

Please let me know if you have any questions or require further information.

Kind regards

Tom

**Thomas Northcott**

Legal Manager

Jellinbah Resources Pty Ltd

GPO Box 374

Brisbane Qld 4001 Australia

Phone : +61 7 3877 6702

Mobile: +61 (0) sch4p4

Fax : +61 7 3221 7119

e-mail : [tnorthcott@jellinbah.com.au](mailto:tnorthcott@jellinbah.com.au)

[www.jellinbah.com.au](http://www.jellinbah.com.au)

Released by DNRM  
under the  
RTI Act 2009

RECEIVED  
09 DEC 2013

BY: .....

# Statutory Declaration

*Environmental Protection Act 1994*

## Declaration of compliance with public notice requirements (resource activities)

A statutory declaration is a written statement of facts that is sworn or declared under the Oaths Act 1867. This statutory declaration should be completed in accordance with s. 158 of the Environmental Protection Act 1994 (EP Act). A copy of the published application notice must be attached to this document.

Please complete the below table to identify the activity that public notification was undertaken for.

Please tick 1 of the following		Declaration requirements
Environmental authority application	<input type="checkbox"/>	<p>This statutory declaration must be completed and forwarded to the administering authority within 5 business days after the submission period ends. A copy of the application notice must also be attached to the declaration.</p> <p>EP Act reference:</p> <ul style="list-style-type: none"> <li>ss. 152 and 153 (standard or variation application for a mining activity relating to a mining lease)</li> <li>ss. 152, 153 and 156(3) (site specific application for a resource activity).</li> </ul>
Amendment application for an environmental authority	<input checked="" type="checkbox"/>	<p>This statutory declaration must be completed and forwarded to the administering authority within 5 business days after the submission period ends. A copy of the application notice must also be attached to the declaration.</p> <p>EP Act reference:</p> <ul style="list-style-type: none"> <li>ss. 153, 156(3) and 233.</li> </ul>

Information about public notice requirements and public submissions relating to site-specific applications and amendment applications for resource activities other than mining is contained in the guideline *Public notices and submissions about site-specific applications for environmental authorities for resource activities other than mining*, which is available at [www.qld.gov.au](http://www.qld.gov.au) using EM877 as a search term.

**Forward this statutory declaration to:**

For address details on where to forward this statutory declaration, please refer to Appendix A.



## Statutory Declaration

## Declaration of compliance for public notice requirements (resource activities)

## Oaths Act 1867

QUEENSLAND  
TO WITEPMLO0659513  
(MIN100736808)

For an application for:

an amendment to an environmental authority(Type of application (e.g. 'an environmental authority' or 'an amendment to an environmental authority'),  
and reference number (e.g. application reference or environmental authority number))I, THOMAS FREDERICK JOHN NORTHCOTT

(Name of person making this declaration)

of, L7, 12 Creek St, Brisbane QLD

(Street address of the person making this declaration)

in the State of Queensland do solemnly and sincerely declare that in accordance with section 158 of the  
*Environmental Protection Act 1994*, in relation to the above mentioned application, the applicantBOWEN BASIN COAL PTY LTD

(Applicant name e.g. proponent or company name)

has (please tick only 1 of the following):

 Fully complied with the public notice requirements of either (tick applicable box):

- ss. 152-153 of the EP Act, in the case of an application for an environmental authority where the application is a standard or variation application
- ss. 152-153 and 156(3) of the EP Act, in the case of an application for an environmental authority where the application is a site specific application
- ss. 153, 156(3) and 233 of the EP Act, in the case of an application to amend an environmental authority.

or

 Not fully complied with the public notification requirements of either (please tick only one of the following):

- ss. 152-153 of the EP Act, in the case of an application for an environmental authority where the application is a standard or variation application
- ss. 152-153 and 156(3) of the EP Act, in the case of an application for an environmental authority where the application is a site specific application
- ss. 153, 156(3) and 233 of the EP Act, in the case of an application to amend an environmental authority.

If you have stated that the applicant **has not** fully complied with the public notification requirements please provide details of and the reasons for the non-compliance in the table below (or provide attachment):

Declaration of compliance for public notice requirements (resource activities)

The application notice (attached) was published in the following media:

1.	CQ NEWS	20/12/13
2.		
3.		
4.		
5.		

Insert publication name
Insert publication date

tick to indicate the attachment of the application notice.

If more space is required to provide any information required by this statutory declaration, please attach the required information to the back of this statutory declaration.

tick to indicate if there is an attachment.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Taken and declared before me, at 66 Eagle Street, Brisbane, Queensland

Insert location

this 17th day of February in the year 2014

Insert day (e.g. 18th)

Insert month

Insert year

sch4p4( 6) Personal information (s

sch4p4( 6) Personal information (signature)

Signed

Signed

(Person making this declaration)

(Cross out whichever is not applicable) ~~Justice of the Peace / Commissioner for Declarations / Solicitor / Barrister~~

Jessica Snell

Print name and registration number (if applicable)

Declaration of compliance for public notice requirements (resource activities)**Enquiries:**

Permit and Licence Management

Phone: 13 QGOV (13 74 68)

Fax: (07) 3330 5875

Email: [palm@ehp.qld.gov.au](mailto:palm@ehp.qld.gov.au)

**Privacy statement**

The Department of Environment and Heritage Protection (EHP) is collecting the information on this form to decide compliance with public notice requirements. This collection is authorised under s. 158 of the EP Act. Some information may be given to the Department of Natural Resources and Mines (DNRM) for the purposes of assessing the application or amendment application for an environmental authority. Your personal information will only be accessed by authorised employees within these departments and will not be disclosed to any other parties unless authorised or required by law.

For queries about privacy matters please email [privacy@ehp.qld.gov.au](mailto:privacy@ehp.qld.gov.au) or telephone: (07) 3330 5436.

Released by DNRM  
under the  
RTI Act 2009



## Declaration of compliance for public notice requirements (resource activities)

### Appendix A—where to send the statutory declaration

#### Mining activity relating to a mining lease

##### Where there is a Certificate of Public Notice under the *Mineral Resources Act 1989*

Forward this document to the Department of Natural Resources and Mines (DNRM) if the statutory declaration is being made for either an environmental authority application or an amendment application that is for a mining activity relating to a mining lease.

DNRM have a list of office locations for mining registrars on their website [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au). Forward this document to the DNRM office in the district in which the mining tenement is located.

##### Where there is no Certificate of Public Notice under the *Mineral Resources Act 1989*

Forward this document to the local Department of Environment and Heritage Protection office, in which your activity is located.

For a list of office locations, please go to [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) and use 'business centres' as a search term.

#### Non mining resource activity (i.e. petroleum activity, geothermal activity or greenhouse gas storage activity)

Forward this document to:

##### Regular or registered post:

Department of Environment and Heritage Protection  
GPO Box 2454, Brisbane QLD 4001  
Attention: Energy Regulation and Implementation Unit (Level 7, 400 George Street)

##### Courier or hand delivery:

Department of Environment and Heritage Protection  
Level 3, 400 George Street, Brisbane QLD 4000  
Attention: Energy Regulation and Implementation Unit (Level 7, 400 George Street)



**Jobs**

**Medical & Healthcare**



**Careers with Queensland Health**

**Clinical Nurses**

Emerald Hospital, Central Queensland Hospital and Health Service. Remuneration value up to \$96 147 p.a., comprising salary between \$78 664 - \$84 268 p.a. (f/i) or comprising salary between \$39.67 - \$42.50 p.h. (p/f) employer contribution to superannuation (up to 12.75%) and annual leave loading (17.5%) (Nurse Grade 6) (Several positions available, hours negotiable) (Applications will remain current for 12 months.) **Duties/Abilities:** Deliver quality nursing care at an advanced level while providing direction and support to other nursing staff.  
**Enquiries:** Jacquelyn Loch (07) 4987 9517.  
**Job Ad Reference:** H13CH12147.  
**Application Kit:** (07) 4920 7357 or www.health.qld.gov.au/workforus  
**Closing Date:** Tuesday, 7 January 2013.

**You can apply online at**

www.health.qld.gov.au/workforus  
 A criminal history check may be conducted on the recommended person for the job. A non-rolling policy applies to Queensland Government buildings, offices and motor vehicles.

Great state.  
 Great opportunity.



**Mining**



**HEAVY DIESEL FITTER**

Crush Tech Mining is seeking an experienced HD Diesel Fitter for several crushing and screening projects in the CQ area.  
 • Heavy Mobile Plant Experience  
 • Exposure to Crushers, Conveyors, Screens (preferred, not essential)  
 • Standard 11, Blue/White Card  
 • Manual Drivers Licence  
 Please email resume and qualifications to: hr@crushtechmining.com

**Tributes**

**Funeral Notices**

**MAYNE, Vivian Charles (Mick)**

Formally of Norwood, Springsure.

Beloved Husband of Patience. Dearly loved Father and Father-in-law of Keith and Robyn, Graham and Rhonda, Stanley. Loved Grandfather to Amanda, Connie, Mark, Kirsty, Steven, Jodi, Tracey, Lanie, Charles, and 17 Great-grandchildren.

Family and Friends are invited to attend Mick's Funeral Service to be held at St Peter's Anglican Church, Springsure on Saturday, 21st December, 2013 at 10.00 a.m. Followed by Committal at the Springsure Cemetery.

**Central Highlands Funeral Services**

3 Powell Street, Emerald  
 Phone 4982 2910

**Funeral Directors & Services**

**Essential Funerals**

Burials from \$2995, excl Cemetery Fees  
 Servicing Central Qld. Phone: 4921 2673

**Central Highlands Funeral Services**

**Funeral Directors**

Your Only Central Highlands Based Funeral Home  
 3 Powell Street, Emerald  
 Phone: 4982 2910  
 We're here and we care.

**Share your thoughts and be informed**

To place your tribute, please contact our Mail & Sites team

1300 136 181

or visit your daily newspaper website

**Tributes**

**In Memoriam**

**Bath, Graham John**



**"Piebald"**

Tragically taken 28/12/89  
 Aged 22 years

To some you were Graham but to most just Piebald

Missed Always by Mum & Deborah

**Neville Sleeman**

~ 15.01.1932 - 23.12.2012 ~

God saw you getting tired and a cure was not to be, so he put his arms around you and whispered "come to me" with tearful eyes we watched you, we watched you fade away.

Although we loved you dearly, we could not make you stay. A golden heart stop beating, hard working hands now rest, God broke our hearts to prove to us, he only takes the best.

You are always in our hearts and always loved.

From your loving wife Eveline and Family Paul, Jo, Chloe, Corbin, Bella and Hobi.

**Notices**

**Legal Notices**

**NOTICE OF INTENTION TO APPLY FOR GRANT**

After 14 days from today an application for Grant of Letters of Administration on Intestacy of **ALLEN PAUL WILLIAM JOHNSON** late of 62 Archers Road, Springsure, Queensland, deceased, will be made by **ALLEN STANLEY JOHNSON** and **JENNIFER MARY JOHNSON** to the Supreme Court at Rockhampton.

You may object to the grant by lodging a caveat in that registry.

Any person having any claim, whether as creditor or beneficiary or otherwise, against the Estate are required to send particulars of their claim to the Applicant's solicitors named below within six (6) weeks of the date of publication of this Notice. At the end of that period, the Applicants will distribute the assets of the deceased among the persons entitled to those assets. In doing so, and relying on Section 67 of the Trusts Act 1973, the applicants will have regard only to the claims which have been notified to them.

Lodged by: **ROBERT HARRIS RIVETT LAWYERS** 21 James Street, Yeppoon QLD 4703

**NOTICE OF INTENTION TO APPLY FOR GRANT**

After 14 days from today an application for a grant of Probate of the will dated 25 July 2006 of **CLARA MAY HUDDY** late of the Laura Johnson Home, Mount Isa Queensland, deceased will be made by **ELWIN GEORGE HUDDY** and **GRAHAM LESLIE HUDDY** to the Supreme Court at Townsville.

You may object to the grant by lodging a caveat in that registry.

All creditors or others having a claim against the estate are requested to send in particulars of their claim to the applicant's solicitors within six (6) weeks of the date of publication of this notice. At the expiration of this time, the Applicants will proceed to distribute the assets of the estate, having regard only to the claims of which the applicants have received notice.

Lodged by: **L A Evans Solicitor** Barkly Building 71 Camooweal Street Mount Isa Q 4825

**NOTICE OF INTENTION TO APPLY FOR GRANT**

After 14 days from today an application for a grant of probate of the will dated 7 September 1998 of **MARCIA KATE PHILLIPS** late of Avalon Nursing Home, 126 Borilla Street, Emerald, Queensland deceased will be made by **AUSTRALIAN EXECUTOR TRUSTEES LIMITED** ABN 84 007 863 794 to the Supreme Court at Brisbane.

You may object to the grant by lodging a caveat in that registry.

All creditors and other persons having a claim against the estate of the deceased are required to send particulars of their claim to the applicant's solicitor within 6 weeks from the date of publication of this notice at the expiration of which time, pursuant to section 67 of the Trusts Act 1973 (Qld), the executor will proceed to distribute the assets of the testator among the persons entitled thereto having regard only to the claims of which the executor has notice. Lodged by **McInnes Wilson Lawyers**, GPO Box 1089, BRISBANE QLD 4001

**Notices**

**Public Notices**



**Shepton Quarry**

Supply and delivery of basalt hard rock gravels and aggregates to all parts of the Central Highlands and beyond.

- Modern crushing plant producing consistent, quality products
- Range of superior products including road base, pre-coat screening, flood rock and concrete aggregate
- 3rd party QA accreditation
- NATA certified testing lab on site
- Affordable crusher dust for \$5/tonne
- EFTPOS for easy payment
- Delivery for large and small jobs

Contact Shepton Quarry today on 07 4986 4400 or sales@shepton.com.au

**PUBLIC NOTICE OF APPLICATION FOR MINING LEASE AND ENVIRONMENTAL AUTHORITY (MINING LEASE)**

Mineral Resources Act 1989 - Section 252B  
 Environmental Protection Act 1994 - Section 211 (superseded\*)

**Proposed Coal Mining Infrastructure - Mining Lease Application Number/s 70477 and for a term of 30 years - Emerald Mining District**

It is advised that application has been made for a mining lease and environmental authority under the provisions of the above mentioned Acts, for the mining/purpose of coal mining infrastructure on the following land parcels within the Isaac Regional Council:

Lot 4 on CNS382, Freehold

The application is located at approximately 16 kilometres North-East of Dysart

The applicant(s) are: **BOWEN BASIN COAL PTY LTD 100%**

Date and time Applications Lodged: 16 August 2012 at 11:5AM

Mining activities to be carried out include: road, access, right of way; environmental dams; stock pile ore, overburden; tailings; settlement dam; temporary accommodation; workshop, machinery storage; water management.

**Mining lease application documents**

The applicant documents consist of the Application for Mining Lease and copies of or extracts from the application documents, and the endorsed Certificate of Public Notification detailing the location and description of the land applied for (including surface area and access), may be downloaded from the Department's website [www.mines.industry.qld.gov.au](http://www.mines.industry.qld.gov.au) or may be inspected at the Department of Natural Resources and Mines office - Department of Natural Resources and Mines office, Building E, 25 Yeppoon Road, Parkhurst QLD 4702 or may be obtained by contacting the local mines office on (07) 4936 0362

**Environmental authority documents**

The application documents for the proposal consist of the following:

Application for Mining Lease together with an application for an Amendment to the Environmental Authority and an Environmental Management Plan.

Copies of, or extracts from, the application documents may be inspected at the Department of Environment and Heritage Protection, 99 Hospital Road, Emerald QLD 4720 or may be obtained by contacting Permit and Licence Management by phone on 1300 130 372 or by email on [palm@ehp.qld.gov.au](mailto:palm@ehp.qld.gov.au).

**Making a properly made objection**

It is advised that any person/entity may make an objection to the grant of the mining lease, and/or about the application for the environmental authority, the draft environmental authority for the application, or a condition included in the draft environmental authority. The objection period, during which objections can be given, concludes on 12 February 2014.

A properly made objection must be received on or before the last day of the objection period. It must also be made in writing, address to:

**Mines lodgement office - Rockhampton**  
 Department of Natural Resources and Mines  
 PO BOX 3679  
 Red Hill, Rockhampton 4701

A properly made objection is one that: states the grounds of the objection and the facts and circumstances relied on in support of the grounds; is signed and dated by each person/entity (i.e. signatory) making the objection; states the name and address of each signatory.

Intending objectors to the mining lease application may contact the local mines office on (07) 4936 0362 and obtain the approved objection form or obtain the approved objection form (MRA-20) from the department's website. [www.mines.industry.qld.gov.au](http://www.mines.industry.qld.gov.au)

Intending objectors to environmental authority may contact the Project Officer Adam Gilmour Department of Environment and Heritage Protection on (07) 4987 9342 to obtain an objection form or obtain a copy from the department's website. [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au).

A copy of the objection must also be served upon the applicant/s on or before the last day of the objection period at the following address:

Jellinbah Group Pty Ltd  
 Level 7, 12 Creek Street  
 BRISBANE QLD 4000

\* This notice is issued under transitional provisions of the current Environmental Protection Act 1994 section 683 - 'Effect of commencement on particular applications'

**Share your thoughts and be informed**

**Tributes, Celebrations & Public Notices**

To place your notice, please contact our Mail & Sites team: 1300 136 181

or visit your daily newspaper website





# Declaration of compliance

Sections 252A – 252C Mineral Resources Act 1989

A statutory declaration is a written statement of facts that is sworn or declared under the *Oaths Act 1867*. This statutory declaration should be completed and forwarded to the administering authority within 5 business days after the objection period, in accordance with s 252C of the *Mineral Resources Act 1989*.

Please use a pen, and write neatly using **BLOCK LETTERS**. Cross where applicable

**OATHS ACT 1867**

QUEENSLAND

TO WIT

**Re: Public notice prepared for the application for:**

(please tick one of the following)

mining lease application; or

**Described as:**

ML 70477

**On land described as:**

LOT 4 ON CNS382

I

THOMAS FREDERICK JOHN NORTHCOTT

Insert the name of the person making this declaration

of

L7, 12 CREEK ST BRISBANE QLD

Insert the street address of the person making this declaration

in the State of Queensland do solemnly and sincerely declare that in accordance with s 252C of the *Mineral Resources Act 1989*, in relation to the above mentioned application:

BOWEN BASIN COAL PTY LTD

Proponent/company name

Released by DIRM  
Under the RTI Act 2009



Have (please tick only one of the following):

fully complied with the public notice requirements of sections 252A-252B of the *Mineral Resources Act 1989*, in the case of a mining lease application

OR

not fully complied with the public notification requirements of sections 252A-252B of the *Mineral Resources Act 1989* and the details of non compliance are as follows:

The certificate of public notice was published in the following media:

1.	CQ NEWS	20/12/13
2.		

Insert publication name Insert publication date

The certificate of public notice has been given to the following persons by registered post\*\* or in person:

1.	MR Brett Garner (Land & Tenements - General Manager) BHP MITSUBISHI ALLIANCE (on behalf of all Landowners) On 11 December 2013
2.	CEO - Isaac Regional Council AND Hand delivered to PO Box 97 David Brown (Mining Liaison) Moranbah QLD 4744 Isaac Regional Council
3.	
4.	

Insert name, address and dates

\*\* Attach registered mail receipt

Taken and declared before me, at 66 Eagle Street, Brisbane, Queensland  
Insert location

this 17th day of February in the year 2014  
Insert day (e.g. 18th)                      Insert month                      Insert year

sch4p4( 6) Personal informati

Signed

(Person making this declaration)

sch4p4( 6) Personal information (signature)

 Signed

(Delete whichever are not applicable — ~~Justice of the Peace / Commissioner for Declarations / Solicitor / Barrister~~)

Jessica Snell, lawyer

Printed name and registration number (if applicable)

Released by DNRIM  
under the  
RTI Act 2009

10 December 2013

Chief Executive officer  
Isaac Regional Council  
PO Box 97  
MORANBAH QLD 4744

Dear Sir,

**Mining Lease Application (Infrastructure) – 70477**

Bowen Basin Coal Pty Ltd has applied for Mining Lease 70477 (Lake Vermont Infrastructure Area).

The Mining Registrar has issued the:

- 1) Certificate of Application;
- 2) Certificate of Public Notice; and
- 3) Public Notice of Environmental Authority relating to the mining lease.

BBC is required to provide the Local Government with the following **enclosed** documents:

1. Certificate of Application;
2. Certificate of Public Notice and Combined Public Notice;
3. Mining Lease Applications 70445, 70446, 70448 and 70449; and
4. Draft Environmental Authority.

Please see attached data stick with the required documents supplied in electronic format.

Please contact me on 07 3877 6702 if you have any questions regarding this matter.

Yours faithfully,

sch4p4( 6) Perso

Thomas Northcott  
Legal Manager



Jellinbah Resources Pty Ltd ABN 60 010 825 215  
Level 7, 12 Creek Street, Brisbane  
GPO Box 374 Brisbane Q 4001 Australia  
Telephone + 617 3877 6700 Facsimile +617 3221 7119  
www.jellinbah.com.au



11 December 2013

Land and Tenements General Manager  
BHP Mitsubishi Alliance

**By Hand Delivery – Brett Garner**

Dear Mr Garner,

**Mining Lease Application (Infrastructure) – 70477**

**Landowner of Lot 4 on CNS382**

As you are aware, Bowen Basin Coal Pty Ltd has applied for Mining Lease 70477 (Lake Vermont Infrastructure Area).

The Mining Registrar has issued the:

- 1) Certificate of Application;
- 2) Certificate of Public Notice; and
- 3) Public Notice of Environmental Authority relating to the mining lease.

BBC is required to provide the Local Government with the following **enclosed** documents:

1. Certificate of Application;
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3. Mining Lease Application 70477; and
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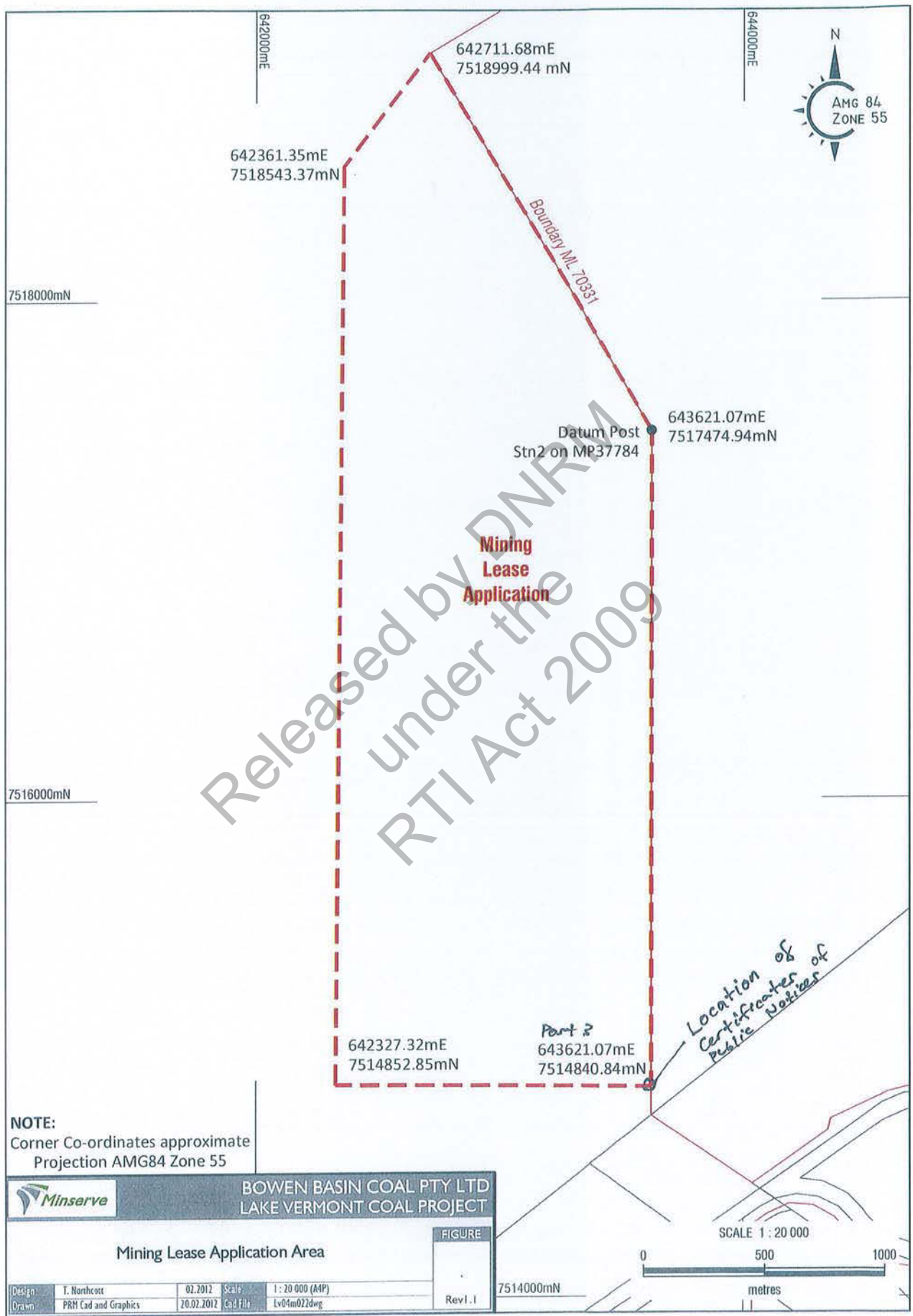


13-12-2013













12-02-2014



29 November 2013  
Ref:

The Minister  
Department of Natural Resources & Mines  
P O Box 15216  
CITY EAST QLD 4002

Dear Minister

**CONSENT TO THE GRANTING OF A MINING LEASE**

CH4 Pty Ltd (ABN 29 092 501 016), Arrow CSG (ATP 364) Pty Ltd (ABN 34 092 970 557) and AGL Energy Limited (ABN 74 115 061 375) are the holders of authority to prospect (ATP)1103 which underlies the area of mining lease application (MLA) 70477 which has been applied for by Bowen Basin Coal Pty Ltd.

For the purposes of the Mineral Resources Act 1989 (Qld), CH4 Pty Ltd, Arrow CSG (ATP 364) Pty Ltd and AGL Energy Limited as holders of ATP 1103 consent to the Minister recommending the grant of the mining lease.

Yours faithfully

Signed by an authorised representative of

**CH4 Pty Ltd**

~~Arrow CSG (ATP 364) Pty Ltd~~

sch4p4(6) Personal information (signature) [redacted]

**AGL Energy Limited**

sch4p4(6) Personal information [redacted]

Name of Authorised Representative and Title

**Stephan van Santbrink**  
Company Secretary

Name of Authorised Representative and Title

**MICHAEL FRASER**  
CEO



Ref: ML 70477  
 Contact: Debbie-Jo MacDonald  
 Telephone: 07 4936 0361  
 Facsimile: 07 4936 0375  
 Email: mines.rockhampton@dnrm.qld.gov.au



Department of  
Natural Resources and Mines

6 October 2015

Bowen Basin Coal Pty Ltd  
 C/- Jellinbah Resources Pty Ltd  
 GPO Box 374  
 BRISBANE QLD 4001

Dear Sir/Madam

### Certificate of Public Notice for Mining Lease 70477

I refer to your application for a mining lease (ML) lodged on 16 August 2012 in the Emerald Mining District.

I have issued a Certificate of Application under section 252 of the *Mineral Resources Act 1989* (MRA). This indicates that you are an eligible person and have complied with the requirements of the MRA with respect to the application. It does **not** mean that the application has been approved.

You are required to sign and return the **attached** Certificate of Application. However, before doing so, please check that the details on the certificate are accurate.

Please immediately date the Certificate of Application, take a photocopy of the certificate and return the original to the Mining Registrar at PO Box 3679, Red Hill Qld 4701.

Within five (5) business days of signing the certificate, you are required to give a copy of the certificate and the application for mining lease to each owner of:

- the land the subject of the proposed mining lease; and
- any other land necessary for access to that land.

If you do not provide a copy to each owner within five (5) business days, you are required to seek the Mining Registrar's approval for an extension of time.

I have also issued a Certificate of Public Notice (the Certificate) under section 252A of the MRA. The Certificate is **attached** to this letter. Please check that the details on the certificate are accurate. The last day of the objection period is 12 February 2014. The *Environmental Protection Act 1994* (EPA) administering authority has also been given a copy of the Certificate. A copy of the Certificate will be posted at this office where it will remain until the last objection day.

Department of Natural Resources and Mines  
 PO Box 3679  
 RED HILL QLD 4701  
 Queensland Australia  
**Telephone + 61 7 49360 362**

Facsimile + 61 7 49360375

Page 87 of 91  
 Website mines.industry.qld.gov.au  
 ABN 98 628 485 885

You have a number of obligations in respect of the Certificate. These obligations are set out in section 252B of the MRA. You must, within **five (5) business days** after the Certificate is given to you:

- Post a **copy** of the Certificate and a **copy** of the Combined Public Notice of Environmental Authority on the datum post of the land the subject of the proposed mining lease ('**relevant land**');
- Durably engrave or mark the number of the proposed mining lease on the datum post;
- Give a **copy** of the Certificate, Combined Public Notice of Environmental Authority and the application for mining lease to (excluding the applicant's Financial and Technical Resources, but including any additional document about the application given to the Mining Registrar):
  - *Each* owner of relevant land or any other land necessary for access to the relevant land;
  - *Each* holder or applicant for an exploration permit or mineral development licence over the land for a mineral other than a mineral to which the proposed mining lease relates; and
  - The relevant local government.

You must ensure that the copy of the Certificate posted on the datum post remains there until the end of the last objection day for the application.

#### **ADVERTISING REQUIREMENTS**

You must publish the Combined Public Notice of Mining Lease and the Environmental Authority (Mining Lease) under the MRA and EPA in the CQ News.

A template of the combined notice is located at <http://mines.industry.qld.gov.au/mining/minerals-tenures.htm> and is provided to assist you in preparing to advertise. Prior to advertising, you are required to thoroughly check the details included in the combined notice and ensure compliance with the requirements of the MRA and the EPA\*.

The publication must take place on or before 23 January 2014.

*Note: No map or sketch plan has been approved for publication with this mining lease application.*

\* This notice is issued under transitional provisions of the current Environmental Protection Act 1994 section 683 – 'Effect of commencement on particular applications'.

#### **PRIOR TO LAST DAY OF OBJECTION**

Section 260(1) of the MRA allows before the last objection day ends, an entity may lodge an objection in writing in the approved form against the application for mining lease and/or the Environmental Authority pursuant to section 216 and 217 of the EPA. This might be extended if a conference is held with an owner of the relevant land, less than five (5) business days before the end of the objection period, to a period five (5) business days after the end of the conference.

## **CONSENT OR VIEWS THAT MAY BE REQUIRED**

### **Restricted Land** (Section 238 of the MRA)

If the mining lease is over the surface of land that is restricted land (as defined in the schedule of the MRA), then the applicant must obtain the owner of the land's written consent before the last objection day ends.

## **AFTER LAST OBJECTION DAY**

The applicant must within five (5) business days, or a time decided by the Mining Registrar, give the Mining Registrar:

- (a) A Statutory Declaration pursuant to section 252C under the MRA;
- (b) A Statutory Declaration pursuant to section 214 under the EPA; and
- (c) Additional Applicant Information and a Statutory Declaration for the Land Court, where objections are received.

*Note: The mining lease application cannot proceed until you provide the above documents. If you do not provide the documentation within five (5) business days, you will be required to seek the Mining Registrar's consent for a longer period to lodge the statutory declarations.*

## **PRIOR TO GRANT**

A Compensation Agreement with the landowner must be lodged with the Mining Registrar. Should this Agreement not be lodged within three (3) months of the recommendation of the Land Court, the matter of the compensation will be referred to the Land Court for a determination.

Before your application can be granted, you must fulfil any requirements under the *Native Title Act 1993* (Cwlth).

Should you have any further enquiries, please contact our office on (07) 4936 0362.

Yours sincerely

Debbie-Jo MacDonald  
Principal Mining Registrar  
Coal Resource Management Centre

LAST DAY FOR POSTING/ENGRAVING/SERVING: 13 December 2013

LAST DAY FOR ADVERTISING: 21 January 2014

LAST DAY FOR OBJECTIONS: 12 February 2014

LAST DAY FOR LODGING DECLARATIONS: 19 February 2014



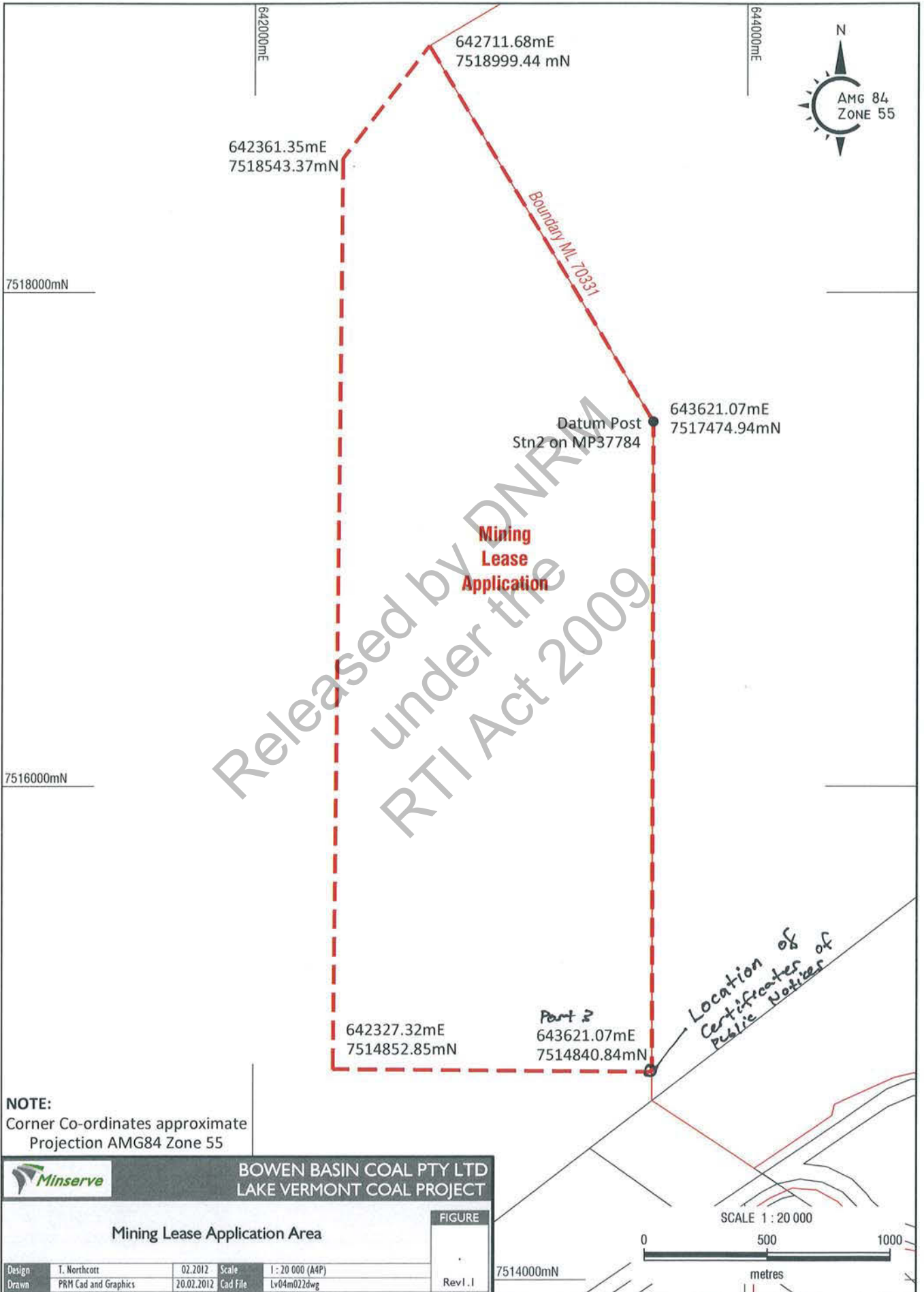
Attachments:

1. Certificate of Application
2. Certificate of Public Notice
3. Declaration of Compliance under the MRA
4. Statutory Declaration under the EPA
5. Land Court of Queensland: Additional Applicant Information and Statutory Declaration for the Land Court
6. Copy of draft Environmental Authority

CC: District Manager  
Department of Environment and Heritage Protection  
PO Box 19  
EMERALD QLD 4720

Manager – Ecoaccess Customer Service Unit  
Department of Environment and Heritage Protection  
PO Box 15155  
CITY EAST QLD 4002

Released by DNRM  
under the  
RTI Act 2009



		<b>BOWEN BASIN COAL PTY LTD LAKE VERMONT COAL PROJECT</b>	
<b>Mining Lease Application Area</b>			
		<b>FIGURE</b>	
Design	T. Northcott	02.2012	Scale 1:20 000 (A4P)
Drawn	PRM Cad and Graphics	20.02.2012	Cad File Lv04m022dwg
			Rev: 1