

Application form

Environmental Protection Act 1994

Site specific application for a new environmental authority for a resource activity

This is the approved form to make a site specific application for an environmental authority under sections 124, 125 and 126 of the Environmental Protection Act 1994 (EP Act) for an environmentally relevant activity (ERA) which is a resource activity.

It is recommended that you read the information on what to provide with an application, prior to making an application. This information is located on the Queensland Government's business and industry website at www.business.qld.gov.au (use the search words "Environmental Licence"). This website also has a diagnostic tool called a "Forms and fees finder" which will take you through a series of questions and provide a customised result which will identify any forms, fees and supporting information you need to make an application.

Only use this application form if you are applying for a new environmental authority (EA) where:

- ☒ At least one of the ERAs being applied for is for a resource activity, that is: (a) a geothermal activity, (b) a greenhouse gas (GHG) storage activity, (c) a mining activity or (d) a petroleum activity.
- ☒ If an activity listed in schedule 2 of the EP Reg is being applied for, it is integral to the operation of the resource ERA.
- ☒ An application for a relevant resource tenure has been made or will be made at the same time as this application.
- ☒ The applicant/s for the resource tenure are exactly the same as the applicant/s for this environmental authority application.
- ☒ The ERA/s being applied for do not form part of an ERA project under an existing environmental authority.
- ☒ The ERA/s being applied for are not being carried out as part of a significant project.
- ☒ If more than one ERA is being applied for:
 - o All of the ERAs are operationally interrelated, that is, the operation cannot function without all of the ERAs. Separate applications will need to be made for the ERAs that cannot be carried out as a single integrated operation.
 - o The places where the ERAs will be carried out are close enough to make the integrated day to day management of the activities feasible.
 - o The ERAs being applied for will be carried out under the day to day management of a single responsible person (e.g. a site manager or operations manager)

OR

- ☒ The administering authority has refused your amendment application and requires you to make a site-specific application for a new EA to replace your existing EA.

It is recommended that you have a pre-lodgement meeting about this application:

- Please fill out and lodge the form "Application for a pre-design/pre-lodgement meeting" (EM1125¹), prior to lodging this application for an environmental authority.

¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.qld.gov.au.

Site specific application for a new environmental authority for a resource activity

1. Applicant details

Is there more than one applicant?	<input type="checkbox"/> No, please provide applicant's details here. <input checked="" type="checkbox"/> Yes, please provide the principal applicant's details here and other applicants' details at attachment 1— <i>"Joint applicants and appointment of principal applicant"</i>	
Name - individual or contact person if applicant is a business Ryan Kinnealy - Principal Environment, BHP Billiton Mitsubishi Alliance	Suitable Operator Number 337010	
Business name (include trading name if relevant) BHP Coal Pty Ltd and Others - See Attachment A	ABN/ACN (if relevant) 83 010 595 721	
Residential or registered business address (not a post office box) Level 23, Riparian Plaza, 71 Eagle Street, Brisbane, QLD 4000	Phone (07) 33292969	
Postal address (if different from above)	Facsimile	
Email ryan.kinnealy@bmacoal.com	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email	

Nomination of an agent for this application

I/we nominate the below agent to act on my/our behalf and to receive correspondence relating to this application.

Name of agent - individual or contact person if the agent is a business Ryan Kinnealy - Principal Environment, BHP Billiton Mitsubishi Alliance	
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Postal address	Phone 0427176239
Email ryan.kinnealy@bmacoal.com	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email

2. Registered suitable operator status

A suitable operator is a person or a corporation assessed under section 318I of the EP Act as being suitable to carry out an ERA and is listed on the suitable operator register on the EHP website at www.ehp.qld.gov.au (use the search words "suitable operator register").

Are all applicants registered as a suitable operator?	
<input checked="" type="checkbox"/> Yes	Please include your suitable operator registration number in section one above. If there is more than one applicant, include all applicants' suitable operator registration number on Attachment 1. NOTE: The suitable operator number provided must belong to the exact same name as the applicants.
<input type="checkbox"/> No	You must apply on the attached <i>"Application to be a registered suitable operator"</i> , or if there is more than one applicant, complete a separate <i>"Application to be a registered suitable operator"</i> (Form EM745) and attach it to this application.

Site specific application for a new environmental authority for a resource activity

3. Description of land where the activity/ies will be carried out

GPS coordinates:	See Attachment B, C and D		
Provide a description of land below or on an attachment e.g. environmental values, bioregions and regional ecosystems, terrain, shallow ground water systems, floodplains, springs and soil descriptions. See Attachment B, C and D			
Project Name (if relevant):	Red Hill Mining Lease Project		
Tenure type/s (if known) e.g. DAA, EPM, EPC	Tenure Number	LGA	Date on application
MLA (part)	70421	Isaac R.C.	09/12/2009
ML (part)	1763	Isaac R.C.	Granted

☒ I have attached a description of land

4. Details of contaminated land

Is there a site management plan in effect for contaminated land that relates to the land that is the subject of this application?			
<input checked="" type="checkbox"/> No			
<input type="checkbox"/> Yes	Description of land eg Lot No.	Plan Number	LGA

5. Regional interests development approval (RIDA)

A regional interests development approval (RIDA) is required when a resource activity is proposed in an area of regional interest under the Regional Planning Interests Act 2014. Further information, including applications forms, can be found on the Department of State Development, Infrastructure and Planning (DSDIP) website, www.dsdip.qld.gov.au.

Is the resource activity located anywhere within an area of regional interest?	
<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes, which regional interest area, have or will you require a regional interests development approval?	
<input type="checkbox"/>	Priority Agricultural Areas (PAAs) application reference:
<input type="checkbox"/>	Priority Living Areas (PLAs) application reference:
<input type="checkbox"/>	Strategic Environmental Areas (SEAs) application reference:
<input type="checkbox"/>	Strategic Cropping Area (SCA, formerly Strategic Cropping Land) application reference:
<input type="checkbox"/>	No regional interests development approval required, I am an exempt activity.

Complete the tables below by advising which activities you are applying for and the locations where they will be conducted.

³ Prescribed ERAs listed in schedule 2 of the EP Reg can be carried out as part of a resource activity. The relevant ERA number is used as shorthand reference to describe which activities are authorised. This makes it clear as to what is authorised and in the event of a change of operation, when an amendment application needs to be made. The EA will include conditions for the prescribed ERA.

Site specific application for a new environmental authority for a resource activity

7. Coal seam gas activities

Does the application relate to coal seam gas (CSG) activities?	
<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes	<p>Documents dealing with the following matters about coal seam gas water generated in connection with carrying out the CSG activity must be attached:</p> <ul style="list-style-type: none"> (i) whether the proposed management of the coal seam gas water is consistent with the coal seam gas water management policy, including the prioritisation hierarchy for managing and using coal seam gas water; (ii) if the proposed management of the coal seam gas water is inconsistent with the prioritisation hierarchy for managing and using coal seam gas water—the reason for managing the coal seam gas water in the proposed way; <p>Documents dealing with the following matters for brine or salt generated from the management of the coal seam gas water mentioned generated in connection with carrying out the CSG activity must be attached:</p> <ul style="list-style-type: none"> (i) whether the proposed management of the brine or salt is consistent with the coal seam gas water management policy, including the prioritisation hierarchy for managing saline waste; (ii) if the proposed management of the brine or salt is inconsistent with the prioritisation hierarchy for managing saline waste—the reason for managing the coal seam gas water in the proposed way. <p>Additional information covering the matters outlined below must also be provided and attached:</p> <ul style="list-style-type: none"> • the quantity of CSG water the applicant reasonably expects will be generated in connection with carrying out each relevant CSG activity • the flow rate at which the applicant reasonably expects the water will be generated • the quality of the water, including changes in the water quality the applicant reasonably expects will happen while each relevant CSG activity is carried out • the proposed management of the water including, for example, the use, treatment, storage or disposal of the water • the measurable criteria (the management criteria) against which the applicant will monitor and assess the effectiveness of the management of the water, including, for example, criteria for each of the following: <ul style="list-style-type: none"> (i) the quantity and quality of the water used, treated, stored or disposed of (ii) protection of the environmental values affected by each relevant CSG activity (iii) the disposal of waste, including, for example, salt, generated from the management of the water • the action proposed to be taken if any of the management criteria are not complied with. This will also need to include actions to make sure that the management criteria will be able to be complied with in the future. <p>If a CSG evaporation dam is proposed, an evaluation of the following must also be included:</p> <ul style="list-style-type: none"> • best practice environmental management for managing the CSG water • alternative ways for managing the water.

Site specific application for a new environmental authority for a resource activity

8. Matters of national environmental significance

There are currently nine matters of national environmental significance (MNES) which have been defined in the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)*. These are:

- world heritage properties
- national heritage places
- wetlands of international importance (listed under the Ramsar Convention)
- listed threatened species and ecological communities
- migratory species protected under international agreements
- Commonwealth marine areas
- the Great Barrier Reef Marine Park
- nuclear actions (including uranium mines)
- a water resource, in relation to coal seam gas development and large coal mining development

To determine whether the proposed ERA/s will have a significant impact on MNES and for referral requirements, please refer to the guidance provided by the Federal Government's Department of Environment on www.australia.gov.au and www.environment.gov.au.

Would the carrying out of the proposed ERA/ERA project be likely to have a significant impact on a matter of national environmental significance?

- ☐ No
- ☒ Yes, has the proposal been referred to the Federal Government Environment Minister or delegate for formal assessment and approval?
- ☒ Yes – Reference/referral number: 2013/6865
- ☐ No

9. ANZSIC Code for the activity

The Australian and New Zealand Industrial Classification (ANZSIC) is used by the Australian Bureau of Statistics. It is required to be displayed in the public register.

What is the ANZIC code for the activity?

- | | |
|--|--|
| <input checked="" type="checkbox"/> 1101 Black coal mining | <input type="checkbox"/> 1313 Copper ore mining |
| <input type="checkbox"/> 1102 Brown coal mining | <input type="checkbox"/> 1314 Gold ore mining |
| <input type="checkbox"/> 1311 Iron ore mining | <input type="checkbox"/> 1315 Mineral sand mining |
| <input type="checkbox"/> 1312 Bauxite mining | <input type="checkbox"/> 1316 Nickel ore mining |
| <input type="checkbox"/> 1317 Silver-lead-zinc ore mining | <input type="checkbox"/> 1200 Oil and gas extraction |
| <input type="checkbox"/> 1319 Metal ore mining (other metallic mineral ores) | <input type="checkbox"/> Other |

10. Environmental impact statement

Has an environmental impact statement (EIS) process under Chapter 3 of the EP Act, been completed for all the proposed ERAs that are the subject of this application?

☒ No

What is the title and project name of the completed EIS?

Date EIS assessment report issued:

☐ Yes

Is the environmental risk of each ERA the same as the assessment in the EIS?

- ☐ Yes, go to *Question 13 Details of waste management*
- ☐ No

Site specific application for a new environmental authority for a resource activity

11. EIS triggers

Where an EIS process under Chapter 3 of the EP Act has not been completed, or if the environmental risk has changed since the EIS was completed, please complete the table below. The information provided here will assist in determining whether an EIS is required. If your response to any question is yes, you must describe or attach details of how the criterion is triggered including details of the impact.

For further information refer to section 142 and 143 of the EP Act as well as the Guideline: Triggers for Environmental Impact Statements under the *Environmental Protection Act 1994* for mining, petroleum and gas activities (EM942). This guideline is available at www.qld.gov.au

Criteria-EIS Triggers	Response	Details
<p>Only tick yes to this particular question, if the answer to all three criteria below, is yes.</p> <p>1. The proposed ERA project is for a mining activity, other than a mining activity carried out for specified works⁴:</p> <ul style="list-style-type: none"> below the surface of a wild river high preservation area or wild river special floodplain management area, or under a nominated waterway in a wild river preservation area. <p>2. The proposed ERA project is not related to a significant project.</p> <p>3. An EIS relating to the activity has not been submitted under the EP Act for the ERA project.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E
Is the ERA project for a mining activity which involves the removal of two million tonnes/year or more of run-of-mine (ROM) ⁵ ore or coal?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E
Is the ERA project for a mining activity that involves the removal of 1 million tonnes per year or more of run-of-mine (ROM) ore or coal on or under a floodplain or a coastal hazard area?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E
Is the ERA project for a mining activity which involves the introduction of a novel or unproven resource extraction process, technology or activity ⁶ ?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E
Is the ERA project for a petroleum and gas activity that is likely to have a total disturbance area of greater than 2000 hectares at any 1 time during the life of the proposed project? This includes areas occupied by well pads (single or multi-directional), access tracks and roads, water storages, and process plants?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E
Is the ERA project for a petroleum and gas activity that is likely to involve the construction of a high pressure pipeline over a distance of 300 kilometres or greater?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E
Is the ERA project for a petroleum and gas activity that is likely to involve the construction of a liquefied natural gas plant?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	See Attachment E

⁴Specified works has the meaning as listed in section 48(2) of the *Wild Rivers Act 2005*

⁵ ROM ore or coal means the material excavated but prior to washing or chemical concentration. It does not include overburden.

⁶ For example: underground coal gasification; in-seam coal slurring; a new method of ore concentration. This will be decided on a case-by-case basis and this trigger is not intended to discourage innovation.

Site specific application for a new environmental authority for a resource activity

12. Assessment of the environmental impact

Where an Environmental Impact Statement (EIS) process under Chapter 3 of the EP Act, has not been completed, or if the environmental risk has changed since the EIS was completed, you must attach to this application an assessment of the likely impact of each ERA on environmental values including:

- a description of the environmental values likely to be affected by each relevant activity
- details of any emissions or releases likely to be generated by each relevant activity
- a description of the risk and likely magnitude of impacts on the environmental values
- details of the management practices proposed to be implemented to prevent or minimise adverse impacts
- details of how the land the subject of the application will be rehabilitated after each relevant activity ceases

☒ I have attached an assessment of the environmental impact and specific supporting information.

13. Details of waste management

Describe the proposed measures for minimising and managing waste generated by the activity/ies below or on an attachment.

See Attachment E

☒ I have attached the proposed measures.

Site specific application for a new environmental authority for a resource activity

14. Environmental offsets

An environmental offset may be required for an ERA where despite all reasonable measures to avoid and minimise impacts on certain environmental matters, there is still likely to be a significant residual impact on one or more of those matters.

You must verify the presence, whether temporary or permanent, of those environmental matters. For more information refer to the State Significant Impact Guideline at the Queensland Government website at: www.qld.gov.au/environment/pollution/management/offsets/index.html

Offset delivery can be staged, however for this to occur, the condition of any approved environmental authority needs to state that both the activity and the offset may be staged. As part of your notice of election for each stage under the Environmental Offsets Act 2014 you are required to provide a detailed assessment of the quantum of impact of that stage and the offset obligation requirement to be delivered for that stage.

Do the environmentally relevant activities being applied for cause a significant residual impact to a prescribed environmental matter (other than a matter of local environmental significance)?

☐ No

☒ Yes, please attach supporting information that:

- details the magnitude and duration of the likely significant residual impact on each prescribed environmental matter (other than matters of local environmental significance) for the entire activity; and
- demonstrates that all reasonable measures to avoid and minimise impacts on each of those matters will be undertaken; and
- if the activity is to be staged, details of how the activity is proposed to be staged

- ☒ I have attached the supporting information.

15. Publication of application notice and documents

As the applicant, you are required to make the application notice, application documents and the response to any information requests available on a website during the public notification period. By providing the address below you give permission for the administering authority to link to your website during the public access period.

What is the website address for the application notice and application documents?

www.bhpbilliton.com

Details of contact person if technical assistance is required:

Name: Ryan Kinnealy

Telephone: 0427176239

Email: ryan.kinnealy@bmacoal.com

16. Payment of fees

You are required to pay an application fee at the time of application. If your application is approved you will be required to pay a fee annually. Each ERA has a regulated fee and the annual fee will be the highest annual fee of any ERA associated with the project. The first annual fee will be invoiced when one or more of the tenures are granted. Information on fees is available at www.business.gov.au.

Please select your payment method for the application fee below:

☐ Cheque or money order payable to the Department of Environment and Heritage Protection (attached).

☒ Credit card. Please provide contact details and we will contact you for payment to be made over the telephone.

Telephone number: 0427176239


Site specific application for a new environmental authority for a resource activity

Applicant certification

I declare that the information I have provided is true and correct. I understand that it is an offence to give information that I know is false, misleading or incomplete.

I will comply with all conditions on my environmental authority as well as any relevant provision in the *Environmental Protection Act 1994*.

I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of the management practices proposed or implemented.

Signature 

Date 06/07/2015

Submit your completed application (in word searchable electronic PDF format) to: for mining activities to:

Mining Registrar
Department of Natural Resources and Mines
DNRM have a list of office locations for mining registrars on their website www.dnrm.qld.gov.au

for all other resource activities via email to palm@ehp.qld.gov.au or:

Post:
Permit and Licence Management
Department of Environment and Heritage
Protection
GPO Box 2454
BRISBANE QLD 4001

Courier or hand delivery:
Permit and Licence Management
Department of Environment and Heritage
Protection
Level 3, 400 George Street
BRISBANE QLD 4000
Hours: 8.30am–4.30pm business days

Further Information:
www.business.qld.gov.au
Email: palm@ehp.qld.gov.au
Phone: 13 QGOV (13 74 68)

Privacy statement

The Department of Environment and Heritage Protection (EHP) is collecting the information on this form to process your application for an environmental authority. This collection is authorised under sections 124 to 126 of the *Environmental Protection Act 1994*. Some information may be given to the Department of Natural Resources and Mines (DNRM) for the purposes of processing this application. 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 or telephone: (07) 3330 5436.

Site specific application for a new environmental authority for a resource activity

Attachment 1

Joint applicants and appointment of principal applicant

We are joint applicants for this environmental authority and hereby appoint: BHP Coal Pty Ltd
as the principal applicant to receive statutory documents relating to this application.

Name - individual or contact person if applicant is a business	Suitable Operator Number ⁷
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	Facsimile
Email	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email
Signature	Date

Name - individual or contact person if applicant is a business	Suitable Operator Number
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	Facsimile
Email	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email
Signature	Date

Name - individual or contact person if applicant is a business	Suitable Operator Number
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	Facsimile
Email	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email
Signature	Date

⁷ To obtain an Environmental Authority all applicants must be on the register of suitable operators. If you are already registered provide your number on this attachment. If you are not registered complete and attach an "Application to be a registered suitable operator" (Form EM745) to this application.

Site specific application for a new environmental authority for a resource activity

Name - individual or contact person if applicant is a business	Suitable Operator Number
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	Facsimile
Email	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email
Signature	Date

Name - individual or contact person if applicant is a business	Suitable Operator Number
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	Facsimile
Email	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email
Signature	Date

Name - individual or contact person if applicant is a business	Suitable Operator Number
Business name (include trading name if relevant)	ABN/ACN (if relevant)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	Facsimile
Email	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email
Signature	Date