

COAL MINING SAFETY & HEALTH ACT 1999 ("the Act")  
COAL MINING SAFETY & HEALTH REGULATION 2001 ("the Regulation")

**NOTICE OF HOLDERS APPOINTMENT OF AN OPERATOR FOR A COAL MINE\***

(Pursuant to section 49 of the Act)

Being the Holder of relevant mining tenure(s), under *section 5 of the Mineral Resources Act 1989*, I give notice in the table below, of details required by section 49 of the Act relevant to the appointment of a Coal Mine Operator.

DETAILS OF HOLDER			
<b>NAME(S) OF HOLDER(S):</b> <i>Please show % holdings</i>			
		Yarrabee Coal Company Pty Ltd	
<b>ADDRESS OF HOLDER:</b>			
Level 11, 68 York Street, Sydney NSW 2000			
<b>HOLDERS REPRESENTATIVE:</b>			
sch4p4(6) Personal information			
<b>REPRESENTATIVE'S CONTACTS:</b>	<b>Phone:</b>	sch4p4(6) Personal information	<b>Fax:</b> 02 8243 5399
	<b>Email:</b>	sch4p4(6) Personal information@yarrabeecoal.com.au	
DETAILS OF COAL MINE OPERATOR <small>(as defined in section 21 of the Act and appointed under section 53)</small>			
<b>NAME OF OPERATOR:</b>		Yarrabee Coal Company Pty Ltd	
		<b>ABN No:</b> 30 010 849 402	
<b>ADDRESS OF OPERATOR:</b>			
Level 11, 68 York Street, Sydney NSW 2000			
<b>DATE OF APPOINTMENT:</b>			
27 March 2012			
<b>OPERATORS REPRESENTATIVE:</b>			
sch4p4(6) Personal information			
<b>REPRESENTATIVE'S CONTACTS:</b>	<b>Phone:</b>	sch4p4(6) Personal information	<b>Mobile:</b> sch4p4(6) Personal information
	<b>Email:</b>	sch4p4(6) Personal information@yarrabeecoal.com.au	
		<b>Fax:</b>	02 8243 5398
DETAILS OF COAL MINE			
<b>MINE NAME:</b>		Yarrabee Coal Mine	
		<b>START DATE:</b> December 2009	
<b>MINE ADDRESS:</b>		Boonal Haul Road, Blackwater QLD 4717	
		<b>Phone:</b> 07 4983 8902	
		<b>Fax:</b> 07 4983 8998	
		<b>After hours No:</b> sch4p4(6) Personal information	
<b>RELEVANT MINING TENURES:</b> ML1770, ML80049, ML80050, ML80096, ML80104, MDL160, MLA80172, EPC621, EPC717, EPC1117, EPC1177, EPC1429, EPC1668, EPC1684			
<b>MINE BOUNDARY:</b>		<i>Refer attached plan showing the boundary of the mine</i>	
<b>SITE SENIOR EXECUTIVE</b>	sch4p4(6) Personal information	<b>Phone:</b>	sch4p4(6) Personal information
		<b>Fax:</b>	07 4983 8998
		<b>Mobile:</b>	sch4p4(6) Personal information
		<b>Email:</b>	sch4p4(6) Personal information@yarrabeecoal.com.au
sch4p4(6) Personal information			

Further, a copy of this notice has been entered into the Mine Record.

Signed..... sch4p4(6) Personal information  
(Holder or representative of the holder)

Date: 27/3/12

I am aware of my obligations under the Act as the operator of the above named coal mine and I accept appointment to this position. The details of this confirmation have been entered in the Mine Record.

Signed..... sch4p4(6) Personal information  
Coal mine operator or representative of coal mine operator - delete as applicable)

Date: 27/3/12



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as Yarrabee Coal Mine (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR
DATE OF APPOINTMENT: 30 September 2015
NAME OF COMPANY: Yarrabee Coal Company Pty Ltd
ABN: 30 010 849 402
BUSINESS ADDRESS: Boonal Haul Road, Blackwater QLD 4717
POSTAL ADDRESS: PO Box 431, Blackwater QLD 4717
COMPANY CONTACT DETAILS: Phone: (07) 4983 8900 Fax: (07) 4983 8998 Email: yarrabeecoal@yancoal.com.au
NAME OF THE OPERATOR'S REPRESENTATIVE\* (\* the person to whom correspondence from the Mines Inspectorate will be addressed) sch4p4(6) Personal information
POSITION WITHIN THE COMPANY: General Manager, Open Cut Operations - Eastern Region
CONTACT DETAILS OF THE REPRESENTATIVE: Phone: (07) 4983 8900 Mobile: sch4p4(6) Personal information Email: sch4p4(6) Personal information@yancoal.com.au Fax: (07) 4983 8998

DETAILS OF THE MINE
DESCRIPTION: Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates) The description of the land includes all tenures on the attached plan including the EPC's and MDL.
MINE IDENTIFICATION NUMBER: MO1432
MINE ADDRESS: Boonal Haul Road, Blackwater
MINE POSTAL ADDRESS: PO Box 431, Blackwater QLD 4717
CONTACT DETAILS: Mobile: sch4p4(6) Personal information Phone: (07) 4983 8900 Email: sch4p4(6) Personal information@yancoal.com.au Fax: (07) 4983 8998

As a representative of the Holder(s), sch4p4(6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
provide to the Operator any information required or permitted to be given under the MQSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
use an electronic signature on the Mine Record Entry.

Signed: sch4p4(6) Personal information Date: 01/10/2015 dd / mm / yyyy

Press to Save
Press to Print

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

Table with 5 columns: South Region, Central Region, Central Region, North Region, North Region. Each column contains contact details for the respective region, including PO Box, address, phone, fax, and email.

## Relevant Excerpts from CMSHA 1999

### **CMSHA, s. 9 Meaning of coal mine**

(1) A coal mine is any of the following places—

- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
- (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
- (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
- (d) a place that was a coal mine while works are done to secure it after its abandonment;
- (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.

(2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.

(3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—

- (a) to ensure public safety; or
- (b) to rehabilitate it; or
- (c) to secure it.

**CMSHA, Schedule 3 – Definitions - Holder** means for a coal mine, means the holder under the Mineral Resources Act 1989 of an exploration permit, mineral development licence or mining lease for the coal mine.

**(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder**, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

### **CMSHA, s. 40 Obligations of holders**

(1) This section applies if the holder and the coal mine operator for a coal mine are or are to be different persons.

(2) The holder must—

- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—
  - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and
  - (ii) to prepare and implement principal hazard management plans for the mine; and
- (b) include in the contract appointing the coal mine operator an obligation on the operator—
  - (i) to establish a safety and health management system for the mine; and
  - (ii) other than for exploration activities under an exploration permit or mineral development licence—to be a party to a mines rescue agreement.

### **CMSHA, s. 46 Notices by holder**

(1) Before coal mining operations start at a coal mine or a separate part of a surface mine, the holder for the mine must give the inspector located in the region in which the mine is situated notice of—

- (a) the name and address of the coal mine operator for the mine or part; and
- (b) the name of, and a description of the land (including its boundary) comprising, the mine or part; and
- (c) the date on which operations are to start at the mine or part.

(2) Subsection (1)(b) and (c) do not apply to exploration activities under an exploration permit or mineral development licence.

(3) The holder must not change the following for a coal mine without first giving the inspector located in the region in which the mine is situated notice—

- (a) the coal mine operator;
- (b) the name of the mine.

### **CMSHA, s. 53 Appointment of coal mine operator**

(1) The holder for a coal mine may, by written contract, appoint a person as the coal mine operator for the mine or, if mine is or includes a separate part of a surface mine, the separate part.

(2) An appointment of a person as coal mine operator for a part of a coal mine that is not a separate part of a surface mine is ineffective.

**CMSHA, s. 21 Meaning of coal mine operator**

(1) A coal mine operator for a coal mine is—

- (a) the holder; or
- (b) if another person has been appointed as the coal mine operator under section 53 and the appointment is notified to the chief inspector under section 49, the other person.

(2) If—

- (a) another person mentioned in subsection (1)(b) is appointed as the coal mine operator for a separate part of a surface mine; and
- (b) the appointment is notified to the chief inspector under section 49; the person's responsibilities and safety and health obligations under this Act as a coal mine operator for a coal mine are limited to the separate part of the surface mine.

(3) If—

- (a) 1 or more persons are appointed as coal mine operators for separate parts of a surface mine; and
- (b) the appointments are notified to the chief inspector under section 49; the holder's responsibilities and safety and health obligations under this Act as a coal mine operator for the coal mine are limited to the part of the mine to which the appointments do not apply.

(4) For this section, a part of a surface mine is taken to be a separate part of a surface mine only if—

- (a) the part is geographically separated from the rest of the mine; and
- (b) there is no physical overlapping of coal mining operations between the part and the operations in another part of the mine; and
- (c) the coal mine operator for the part is in control of—
  - (i) the coal mining operations carried out in the part of the mine; and
  - (ii) the resources associated with the operations.

(5) A person may be appointed coal mine operator for more than 1 mine or separate part of a surface mine.

**CMSHA, s.41 Obligations of coal mine operators**

(1) A coal mine operator for a coal mine has the following obligations—

(a) to ensure the risk to coal mine workers while at the operator's mine is at an acceptable level, including, for example, by providing and maintaining a place of work and plant in a safe state;

(b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts coal mining operations;

(c) not to carry out an activity at the coal mine that creates a risk to a person on an adjacent or overlapping petroleum authority if the risk is higher than an acceptable level of risk under the Petroleum and Gas (Production and Safety) Act 2004;

(d) to appoint a site senior executive for the mine;

(e) to ensure the site senior executive for the mine—

(i) develops and implements a safety and health management system for the mine; and

(ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;

(f) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from coal mining operations is at an acceptable level;

(g) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.

(2) Without limiting subsection (1), the coal mine operator has an obligation not to operate the coal mine without a safety and health management system for the mine.

(3) In this section—

**adjacent or overlapping petroleum authority** means any of the following under an Act as follows if, under that Act, its area is adjacent to, or overlaps with, the land the subject of the mining tenure under which the coal mine is operated—

(a) a 1923 Act petroleum tenure under the Petroleum Act 1923;

(b) a petroleum tenure under the Petroleum and Gas (Production and Safety) Act 2004.

**CMSHA, s. 50 Notices by coal mine operator**

(1) Before coal mining operations start at a coal mine, the coal mine operator must give the inspector for the region in which the coal mine is situated notice of the name and address of the site senior executive for the mine.

(2) Also, the coal mine operator must, within 7 days after the appointment, give the inspector for the region notice of the following appointments including the name and address of the person appointed—

(a) the appointment of a new site senior executive;

(b) an appointment under section 57.

(3) When land is added to or omitted from a coal mine, the coal mine operator must, within 1 month after the addition or omission, give to the inspector located in the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.



## NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as Yarrabee Coal Company PTY Ltd

(Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR		
DATE OF APPOINTMENT:	27/03/19	
NAME OF COMPANY:	Yarrabee Coal Company LTY Ltd	
ABN:	30 010 849 402	
BUSINESS ADDRESS:	Boonal Haul Road, Blackwater QLD 4717	
POSTAL ADDRESS:	PO Box 431 Blackwater QLD 4717	
COMPANY CONTACT DETAILS:	Phone: 07 4983 8950	Mobile:
	Email:	
NAME OF THE OPERATOR'S REPRESENTATIVE* <i>(* the person to whom correspondence from the Mines Inspectorate will be addressed)</i>	sch4p4( 6) Personal information	
POSITION WITHIN THE COMPANY:	General Manager QLD WA Operations	
CONTACT DETAILS OF THE REPRESENTATIVE:	Phone: sch4p4( 6) Personal information	Mobile: sch4p4( 6) Personal information
	Email: sch4p4( 6) Personal information@yancoal.com.au	
DETAILS OF THE MINE		
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	YCC currently holds ten mining leases (ML), one Mineral Development Licence (MDL) and four exploration permits for Coal (EPC) which together make up Yarrabee Coal Mine. Two of the EPC's are held in conjunction with Wilpeena Holdings, a wholly owned subsidiary of Yancoal Australia PTY LTD	
MINE IDENTIFICATION NUMBER:	MO1432	
MINE ADDRESS:	Boonal Haul Road, Blackwater QLD 4717	
MINE POSTAL ADDRESS:	PO Box 431, Blackwater QLD 4717	
CONTACT DETAILS:	Mobile:	Phone: 07 4983 8950
	Email:	

As a representative of the Holder(s) sch4p4( 6) Personal information  
(Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
  - provide to the Operator any information required or permitted to be given under the CMSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
  - use an electronic signature on the Mine Record Entry.

Signed: ... sch4p4( 6) Personal information Date: 27/03/19  
dd / mm / yyyy  
(representative of the holder)

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

<p><b>South Region</b> PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 <a href="mailto:rockyminesinsp@dnrme.qld.gov.au">rockyminesinsp@dnrme.qld.gov.au</a></p>	<p><b>North Region</b> PO Box 1801 Mackay Q 4740 P (07) 4999 8512 <a href="mailto:minesmackay@dnrme.qld.gov.au">minesmackay@dnrme.qld.gov.au</a></p>	<p><b>Board of Examiners</b> PO Box 15216 City East Q 4003 P (07) 3199 8037 <a href="mailto:dnrmbossecretary@dnrme.qld.gov.au">dnrmbossecretary@dnrme.qld.gov.au</a></p>
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## Relevant Excerpts from CMSHA 1999

### **CMSHA, s. 9 Meaning of coal mine**

(1) A coal mine is any of the following places—

- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
- (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
- (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
- (d) a place that was a coal mine while works are done to secure it after its abandonment;
- (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.

(2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.

(3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—

- (a) to ensure public safety; or
- (b) to rehabilitate it; or
- (c) to secure it..

**CMSHA, Schedule 3 – Definitions - Holder** means for a coal mine, means the holder under the Mineral Resources Act 1989 of an exploration permit, mineral development licence or mining lease for the coal mine.

**(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder**, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

### **CMSHA, s. 40 Obligations of holders**

(1) This section applies if the holder and the coal mine operator for a coal mine are or are to be different persons.

(2) The holder must—

- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—
  - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and
  - (ii) to prepare and implement principal hazard management plans for the mine; and
- (b) include in the contract appointing the coal mine operator an obligation on the operator—
  - (i) to establish a safety and health management system for the mine; and
  - (ii) other than for exploration activities under an exploration permit or mineral development licence—to be a party to a mines rescue agreement.

### **CMSHA, s. 46 Notices by holder**

(1) Before coal mining operations start at a coal mine or a separate part of a surface mine, the holder for the mine must give the inspector located in the region in which the mine is situated notice of—

- (a) the name and address of the coal mine operator for the mine or part; and
- (b) the name of, and a description of the land (including its boundary) comprising, the mine or part; and
- (c) the date on which operations are to start at the mine or part.

(2) Subsection (1)(b) and (c) do not apply to exploration activities under an exploration permit or mineral development licence.

(3) The holder must not change the following for a coal mine without first giving the inspector located in the region in which the mine is situated notice—

- (a) the coal mine operator;
- (b) the name of the mine.

### **CMSHA, s. 53 Appointment of coal mine operator**

(1) The holder for a coal mine may, by written contract, appoint a person as the coal mine operator for the mine or, if mine is or includes a separate part of a surface mine, the separate part.

(2) An appointment of a person as coal mine operator for a part of a coal mine that is not a separate part of a surface mine is ineffective.

**CMSHA, s. 21 Meaning of coal mine operator**

- (1) A coal mine operator for a coal mine is—
- (a) the holder; or
  - (b) if another person has been appointed as the coal mine operator under section 53 and the appointment is notified to the chief inspector under section 49, the other person.
- (2) If—
- (a) another person mentioned in subsection (1)(b) is appointed as the coal mine operator for a separate part of a surface mine; and
  - (b) the appointment is notified to the chief inspector under section 49; the person's responsibilities and safety and health obligations under this Act as a coal mine operator for a coal mine are limited to the separate part of the surface mine.
- (3) If—
- (a) 1 or more persons are appointed as coal mine operators for separate parts of a surface mine; and
  - (b) the appointments are notified to the chief inspector under section 49; the holder's responsibilities and safety and health obligations under this Act as a coal mine operator for the coal mine are limited to the part of the mine to which the appointments do not apply.
- (4) For this section, a part of a surface mine is taken to be a separate part of a surface mine only if—
- (a) the part is geographically separated from the rest of the mine; and
  - (b) there is no physical overlapping of coal mining operations between the part and the operations in another part of the mine; and
  - (c) the coal mine operator for the part is in control of—
    - (i) the coal mining operations carried out in the part of the mine; and
    - (ii) the resources associated with the operations.
- (5) A person may be appointed coal mine operator for more than 1 mine or separate part of a surface mine.

**CMSHA, s.41 Obligations of coal mine operators**

- (1) A coal mine operator for a coal mine has the following obligations—
- (a) to ensure the risk to coal mine workers while at the operator's mine is at an acceptable level, including, for example, by providing and maintaining a place of work and plant in a safe state;
  - (b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts coal mining operations;
  - (c) not to carry out an activity at the coal mine that creates a risk to a person on an adjacent or overlapping petroleum authority if the risk is higher than an acceptable level of risk under the Petroleum and Gas (Production and Safety) Act 2004;
  - (d) to appoint a site senior executive for the mine;
  - (e) to ensure the site senior executive for the mine—
    - (i) develops and implements a safety and health management system for the mine; and
    - (ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;
  - (f) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from coal mining operations is at an acceptable level;
  - (g) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.
- (2) Without limiting subsection (1), the coal mine operator has an obligation not to operate the coal mine without a safety and health management system for the mine.
- (3) In this section—
- adjacent or overlapping petroleum authority** means any of the following under an Act as follows if, under that Act, its area is adjacent to, or overlaps with, the land the subject of the mining tenure under which the coal mine is operated—
- (a) a 1923 Act petroleum tenure under the Petroleum Act 1923;
  - (b) a petroleum tenure under the Petroleum and Gas (Production and Safety) Act 2004.

**CMSHA, s. 50 Notices by coal mine operator**

- (1) Before coal mining operations start at a coal mine, the coal mine operator must give the inspector for the region in which the coal mine is situated notice of the name and address of the site senior executive for the mine.
- (2) Also, the coal mine operator must, within 7 days after the appointment, give the inspector for the region notice of the following appointments including the name and address of the person appointed—
- (a) the appointment of a new site senior executive;
  - (b) an appointment under section 57.
- (3) When land is added to or omitted from a coal mine, the coal mine operator must, within 1 month after the addition or omission, give to the inspector located in the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.



### NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as Yarrabee (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR	
DATE OF APPOINTMENT:	27/03/19
NAME OF COMPANY:	Yarrabee Coal Company Pty Ltd
ABN:	30 010 849 402
BUSINESS ADDRESS:	Boonal Haul Road, Blackwater QLD 4717
POSTAL ADDRESS:	PO Box 431 Blackwater QLD 4717
COMPANY CONTACT DETAILS:	Phone: 07 4983 8950      Mobile:
	Email:
NAME OF THE OPERATOR'S REPRESENTATIVE* <i>(* the person to whom correspondence from the Mines Inspectorate will be addressed)</i>	sch4p4( 6) Personal information
POSITION WITHIN THE COMPANY:	General Manager QLD WA Operations
CONTACT DETAILS OF THE REPRESENTATIVE:	sch4p4( 6) Personal information      Mobile: sch4p4( 6) Personal information
	sch4p4( 6) Personal information      Email: sch4p4( 6) Personal information@yarrabeecoal.com.au

DETAILS OF THE MINE	
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	The area consists of 10 Mining Leases held by Yarrabee Coal Company (ML1770, ML80049, ML80050, ML80096, ML80104, ML80172, ML80195, ML80196, ML80197, ML80198), as well as EPC717, EPC1684 and MDL 160 and parts of EPC1429 and EPC621 generally south of the Mackenzie River. Parts of EPC1429 and EPC621 generally north of the Mackenzie River are excluded from the description of the land
MINE IDENTIFICATION NUMBER:	MIO1432
MINE ADDRESS:	Boonal Haul Road, Blackwater QLD 4717
MINE POSTAL ADDRESS:	PO Box 431, Blackwater QLD 4717
CONTACT DETAILS:	Mobile:      Phone: 07 4983 8950
	Email:

As a representative of the Holder(s), sch4p4( 6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
  - o provide to the Operator any information required or permitted to be given under the CMSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
  - o use an electronic signature on the Mine Record Entry.

Signed: sch4p4( 6) Personal information (Representative of the Holder)

Date: 27/03/19 dd / mm / yyyy

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

<b>South Region</b> PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 <a href="mailto:rockyminesinsp@dnrme.qld.gov.au">rockyminesinsp@dnrme.qld.gov.au</a>	<b>North Region</b> PO Box 1801 Mackay Q 4740 P (07) 4999 8512 <a href="mailto:minesmackay@dnrme.qld.gov.au">minesmackay@dnrme.qld.gov.au</a>	<b>Board of Examiners</b> PO Box 15216 City East Q 4003 P (07) 3199 8037 <a href="mailto:dnrmbocesecretary@dnrme.qld.gov.au">dnrmbocesecretary@dnrme.qld.gov.au</a>
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## Relevant Excerpts from CMSHA 1999

### **CMSHA, s. 9 Meaning of coal mine**

- (1) A coal mine is any of the following places—
- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
  - (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
  - (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
  - (d) a place that was a coal mine while works are done to secure it after its abandonment;
  - (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.
- (2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.
- (3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—
- (a) to ensure public safety; or
  - (b) to rehabilitate it; or
  - (c) to secure it.

**CMSHA, Schedule 3 – Definitions - Holder** means for a coal mine, means the holder under the Mineral Resources Act 1989 of an exploration permit, mineral development licence or mining lease for the coal mine.

**(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder**, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

### **CMSHA, s. 40 Obligations of holders**

- (1) This section applies if the holder and the coal mine operator for a coal mine are or are to be different persons.
- (2) The holder must—
- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—
    - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and
    - (ii) to prepare and implement principal hazard management plans for the mine; and
  - (b) include in the contract appointing the coal mine operator an obligation on the operator—
    - (i) to establish a safety and health management system for the mine; and
    - (ii) other than for exploration activities under an exploration permit or mineral development licence—to be a party to a mines rescue agreement.

### **CMSHA, s. 46 Notices by holder**

- (1) Before coal mining operations start at a coal mine or a separate part of a surface mine, the holder for the mine must give the inspector located in the region in which the mine is situated notice of—
- (a) the name and address of the coal mine operator for the mine or part; and
  - (b) the name of, and a description of the land (including its boundary) comprising, the mine or part; and
  - (c) the date on which operations are to start at the mine or part.
- (2) Subsection (1)(b) and (c) do not apply to exploration activities under an exploration permit or mineral development licence.
- (3) The holder must not change the following for a coal mine without first giving the inspector located in the region in which the mine is situated notice—
- (a) the coal mine operator;
  - (b) the name of the mine.

### **CMSHA, s. 53 Appointment of coal mine operator**

- (1) The holder for a coal mine may, by written contract, appoint a person as the coal mine operator for the mine or, if mine is or includes a separate part of a surface mine, the separate part.
- (2) An appointment of a person as coal mine operator for a part of a coal mine that is not a separate part of a surface mine is ineffective.

**CMSHA, s. 21 Meaning of coal mine operator**

- (1) A coal mine operator for a coal mine is—
  - (a) the holder; or
  - (b) if another person has been appointed as the coal mine operator under section 53 and the appointment is notified to the chief inspector under section 49, the other person.
- (2) If—
  - (a) another person mentioned in subsection (1)(b) is appointed as the coal mine operator for a separate part of a surface mine; and
  - (b) the appointment is notified to the chief inspector under section 49; the person's responsibilities and safety and health obligations under this Act as a coal mine operator for a coal mine are limited to the separate part of the surface mine.
- (3) If—
  - (a) 1 or more persons are appointed as coal mine operators for separate parts of a surface mine; and
  - (b) the appointments are notified to the chief inspector under section 49; the holder's responsibilities and safety and health obligations under this Act as a coal mine operator for the coal mine are limited to the part of the mine to which the appointments do not apply.
- (4) For this section, a part of a surface mine is taken to be a separate part of a surface mine only if—
  - (a) the part is geographically separated from the rest of the mine; and
  - (b) there is no physical overlapping of coal mining operations between the part and the operations in another part of the mine; and
  - (c) the coal mine operator for the part is in control of—
    - (i) the coal mining operations carried out in the part of the mine; and
    - (ii) the resources associated with the operations.
- (5) A person may be appointed coal mine operator for more than 1 mine or separate part of a surface mine.

**CMSHA, s.41 Obligations of coal mine operators**

- (1) A coal mine operator for a coal mine has the following obligations—
  - (a) to ensure the risk to coal mine workers while at the operator's mine is at an acceptable level, including, for example, by providing and maintaining a place of work and plant in a safe state;
  - (b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts coal mining operations;
  - (c) not to carry out an activity at the coal mine that creates a risk to a person on an adjacent or overlapping petroleum authority if the risk is higher than an acceptable level of risk under the Petroleum and Gas (Production and Safety) Act 2004;
  - (d) to appoint a site senior executive for the mine;
  - (e) to ensure the site senior executive for the mine—
    - (i) develops and implements a safety and health management system for the mine; and
    - (ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;
  - (f) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from coal mining operations is at an acceptable level;
  - (g) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.
- (2) Without limiting subsection (1), the coal mine operator has an obligation not to operate the coal mine without a safety and health management system for the mine.
- (3) In this section—

**adjacent or overlapping petroleum authority** means any of the following under an Act as follows if, under that Act, its area is adjacent to, or overlaps with, the land the subject of the mining tenure under which the coal mine is operated—

  - (a) a 1923 Act petroleum tenure under the Petroleum Act 1923;
  - (b) a petroleum tenure under the Petroleum and Gas (Production and Safety) Act 2004.

**CMSHA, s. 50 Notices by coal mine operator**

- (1) Before coal mining operations start at a coal mine, the coal mine operator must give the inspector for the region in which the coal mine is situated notice of the name and address of the site senior executive for the mine.
- (2) Also, the coal mine operator must, within 7 days after the appointment, give the inspector for the region notice of the following appointments including the name and address of the person appointed—
  - (a) the appointment of a new site senior executive;
  - (b) an appointment under section 57.
- (3) When land is added to or omitted from a coal mine, the coal mine operator must, within 1 month after the addition or omission, give to the inspector located in the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as Yarrabee Coal Company PTY LTD (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR
DATE OF APPOINTMENT: 14 February 2017
NAME OF COMPANY: Yarrabee Coal Company PTY LTD
ABN: 30010849402
BUSINESS ADDRESS: Boonal Haul Road, Blackwater, QLD, 4717
POSTAL ADDRESS: PO Box 431, Blackwater QLD 4717
COMPANY CONTACT DETAILS: Phone: 0749838950 Fax: 07 4983 8998
NAME OF THE OPERATOR'S REPRESENTATIVE: sch4p4(6) Personal information
POSITION WITHIN THE COMPANY: General Manager - Eastern Region
CONTACT DETAILS OF THE REPRESENTATIVE: Phone: sch4p4(6) Personal information Mobile: sch4p4(6) Personal information Email: sch4p4(6) Personal information @yarrabee.com.au Fax: sch4p4(6) Personal information
DETAILS OF THE MINE
DESCRIPTION: YCC currently holds ten Mining Leases (ML), one Mineral Development Licence (MDL) and four Exploration Permits for Coal (EPC) which together make up Yarrabee Coal mine.
MINE IDENTIFICATION NUMBER: MO1432
MINE ADDRESS: Boonal Haul Road, Blackwater, QLD, 4717
MINE POSTAL ADDRESS: PO Box 431, Blackwater QLD 4717
CONTACT DETAILS: Mobile: Phone: 07 4983 8950 Email: Fax: 07 4983 8998

As a representative of the Holder(s), sch4p4(6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
provide to the Operator any information required or permitted to be given under the MQSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
use an electronic signature on the Mine Record Entry.

Signed: sch4p4(6) Personal information Date: 14/02/2017 (Representative of the Holder) dd / mm / yyyy

Press to Save

Press to Print

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

Table with 5 columns: South Region, Central Region, Central Region, North Region, North Region. Each column contains contact details for the respective region, including PO Box, address, phone, fax, and email.

## Relevant Excerpts from CMSHA

### **CMSHA, s. 9 Meaning of coal mine**

*(1) A coal mine is any of the following places—*

- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;*
- (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);*
- (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;*
- (d) a place that was a coal mine while works are done to secure it after its abandonment;*
- (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.*

*(2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.*

*(3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—*

- (a) to ensure public safety; or*
- (b) to rehabilitate it; or*
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- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—*
  - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and*
  - (ii) to prepare and implement principal hazard management plans for the mine; and*
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(e) to ensure the site senior executive for the mine—

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