

Permit

Environmental Protection Act 1994

Environmental authority EA0001450

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

Environmental authority number: EA0001450

Environmental authority takes effect on 18 October 2018

Environmental authority holder(s)

Name(s)	Registered address
Slade Garland	479 Bluff Rd BROUGHTON QLD 4820 Australia
Nicola Graham	479 Bluff Rd BROUGHTON QLD 4820 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Non-Scheduled, Mining Activity, Mining Lease - ML	ML70406

Additional information for applicants

Environmentally relevant activities

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

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA 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 an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

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- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Sustainable Planning Act 2009 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Michelle Ramsay
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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Date issued: 19 October 2018

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Obligations under the Environmental Protection Act 1994

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of Environmental Authority

With the exception of any variations, the conditions of approval for this environmental authority include standard conditions contained within the attached document(s) entitled:

- Code of environmental compliance for Mining Lease Projects.

Variations to the standard conditions are included within the conditions of the permit.

Agency Interest: General	
Condition Number	Condition
General	
A1	The holder of this environmental authority must comply with each of the Standard Environmental Conditions contained in the <i>Code of Environmental Compliance for Mining Lease Projects</i> in addition to the conditions listed in this environmental authority, except for condition 14 of the <i>Code of Environmental Compliance for Mining lease Projects</i> , which is replaced by the conditions of this environmental authority.
Activity	
A2	This environmental authority does not authorise environmental harm unless a condition contained within the authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
A3	For any persons carrying out activities under this environmental authority, the holder of this environmental authority must ensure all persons are made aware of the conditions of this environmental authority, and the legal obligations to comply with all conditions.
Maintenance of Measures, Plant and Equipment	
A4	The holder of this environmental authority must: a) Install all measured, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and b) Maintain such measures, plant and equipment in a proper condition; and c) Operate such measures, plant and equipment in a proper manner.
Monitoring, Reporting and Emergency Response Procedures	
A5	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.
A6	The holder must notify the administering authority by written notification as soon as practicable but within 24 hours after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance, with the conditions of this environmental authority. <i>Note: Written notification to the administering authority must be addressed to the Manager or Project Manager of the local Administering Authority via email or facsimile (49879399). Verbal notification may be made to the Pollution Hotline on 1300 130 372, available 24 hours 7 days a week.</i>
A7	The notification in condition A6 must include, but not be limited to, the following: a) The environmental authority number and name of the holder; b) The name and telephone number of the designated contact person; c) The location of the emergency or incident; d) The date and time of the emergency or incident; e) The time the holder of the environmental authority became aware of the emergency or incident; f) Where known: i. the estimated quantity and type of substances involved in the emergency or incident; ii. the actual or potential cause of the emergency or incident; iii. a description of the nature and effects of the emergency or incident including environmental risks, and any risks to public

	health or livestock; g) Any sampling conducted or proposed, relevant to the emergency or incident; h) Immediate actions taken to prevent or mitigate any further environmental harm caused by the emergency or incident; and i) What notification of stakeholders who may be affected by the emergency or incident has occurred or is being undertaken.
A8	As soon as practicable, but not more than 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.
A9	The holder must notify, in writing, the occupiers or registered owners of affected land and any other potentially impacted stakeholder as soon as reasonably practicable after becoming aware of any emergency or incident that has the potential to impact on environmental values or breaches any condition of this environmental authority concerning releases of contaminants to the environment.
A10	The notification in condition A9 must include the following: a) The location of the emergency or incident; b) The date and time of the emergency or incident; c) The estimated quantity and type of any substances involved in the emergency or incident; d) The potential impacts to environmental values caused by the emergency or incident; and e) Where there is potential impact on livestock or human health, precautionary measures that should be taken. f) The potential impacts to environmental values caused by the emergency or incident; and g) Where there is potential impact on livestock or human health, precautionary measures that should be taken.
Agency Interest: Water	
Contaminant Release	
B1	Mine affected water must not be released to waters. <i>Note: It is an offence under the Environmental Protection Act 1994 to unlawfully deposit a prescribed water contaminant (i) in waters or ... (ii) at another place, and in a way, so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters.</i>
B2	All waters on site must be contained so that water does not leave the boundaries of each mining tenement authorised under this environmental authority.
Dams	
B3	Regulated structures are not authorised under this environmental authority.
B4	Prior to the construction of any dams on site, the administering authority must first be consulted.
B5	No dam is to be constructed within 350 metres of mature tree areas of a Category B Environmentally Sensitive Area.
Agency Interest: Waste	
Waste Management	
C1	All waste must be removed and disposed of offsite.
Agency Interest: Land	
Disturbance	
D1	Prior to the commencement of mining activities on a new tenure, the holder of this environmental authority must identify and submit to the administering authority, areas of prior land disturbance, including historic mining disturbances, on all mining tenements authorised under this environmental authority.
Topsoil Management	
D2	Topsoil stockpiles must not exceed 2 metres in height
Roads and Tracks	
D3	Where possible, existing access and fence line tracks must be used.

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D4	Tracks are not to be constructed greater than 4 metres in width.
Nature Conservation	
D5	The holder of this environmental authority must not undertake mining activities within any Category A Environmentally Sensitive Area.
D6	The holder of this environmental authority must not undertake any mining activities within 2 kilometres of any Category A Environmentally Sensitive Area.
D7	The holder of this environmental authority must not undertake mining activities within any Category B Environmentally Sensitive Area.
D8	The holder of this environmental authority may undertake mining activities within 1 kilometre of a Category B Environmentally Sensitive Area. <i>Note: Category B Environmentally Sensitive Areas (e.g. Endangered Regional Ecosystems) exist within and/or around the tenures within this environmental authority.</i>
D9	The holder of this environmental authority must not undertake mining activities within any Category C Environmentally Sensitive Area.
D10	Burning of vegetation is not permitted.
D11	No <i>Declared Pest Species</i> are to enter any mining tenement under this environmental authority.
D12	The holder of this environmental authority must prevent the spread of <i>Declared Pest Species</i> by ensuring that all vehicles and machinery are adequately cleaned before taking the vehicles in and out of areas where <i>Declared Pest Species</i> are present.
Rehabilitation and Reporting	
D13	The holder of this environmental authority must rehabilitate all sites disturbed from mining within 3 months after completion of the disturbance.
D14	All land subject to mining activities within 1 kilometre of a Category B Environmentally Sensitive Area must be rehabilitated to a non-polluting, safe, stable and self-sustaining landform.
D15	The holder of this environmental authority must revegetate disturbed areas within 1 kilometre of any Category B Environmentally Sensitive Area with native plant species endemic to the area.
D16	An annual report must be prepared each year and submitted with each annual return. The report must include details of the mining activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with rehabilitation requirements of the environmental authority.
Agency Interest: Community	
Complaint Response	
E1	All complaints received must be recorded including investigations undertaken, conclusions formed and actions taken. This information must be made available to the administering authority on request.
E2	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) name, address and contact number of the complainant (if not available record – not identified; b) time and date of complaint; c) investigations undertaken; d) conclusions formed; e) actions taken to resolve complaint; f) any abatement measures implemented; and person responsible for resolving the complaint; and g) person responsible for resolving the complaint.
E3	When requested by the administering authority, the holder of this environmental authority must undertake relevant specified monitoring within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint of environmental harm at any sensitive or commercial place. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures implemented must be provided to the administering authority within 14 days of completion of the investigation.

DEFINITIONS

Key terms and/or phrases used in this document are defined in this section. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies and codes must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities under the *Environmental Protection Regulation 2008*, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successor or predecessors.

Boundary means within 1m of the cadastral boundary of the approved place.

Environmentally sensitive area as per the definitions within the *Environmental Protection Regulation 2008*.

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

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.

Environmental authority means an environmental authority under Chapter 5 of the *Environmental Protection Act 1994*.

Environmental authority holder means the holder of this environmental authority.

Financial assurance means a security required under the *Environmental Protection Act 1994* by the administering authority to cover the cost of rehabilitation or remediation of disturbed land or to secure compliance with the environmental authority.

Measures has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

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.

Must, an obligation or necessity.

Non-polluting means having no adverse impacts upon the receiving environment.

Self-sustaining means an area of land which has been rehabilitated and has maintained the required acceptance criteria without human intervention for a period nominated by the administering authority.

Stable in relation to land, means land form dimensions are or will be stable within tolerable limits now and in the foreseeable future. Stability includes consideration of geotechnical stability, settlement and consolidation allowances, bearing capacity (trafficability), erosion resistance and geochemical stability with respect to seepage, leachate and related contamination generation.

Structure means dam or levee.

Track/s means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

END OF PERMIT