

Environmental authority EPML00313313

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

Environmental authority number: EPML00313313

Environmental authority takes effect on 15 November 2016

Environmental authority holder(s)

Name(s)	Registered address
CITIC AUSTRALIA COPPABELLA PTY LTD	Level 7, CITIC House 99 King Street MELBOURNE VIC 3000
KC RESOURCES PTY. LTD.	Suite 3B Level 33 52 Martin Place SYDNEY NSW 2000
NS COAL PTY LTD	Level 2, Navision House 10 Market Street BRISBANE CITY QLD 4000
PEABODY COPPABELLA PTY LTD	Level 5 100 Melbourne Street SOUTH BRISBANE QLD 4101
WINCHESTER COAL OPERATIONS PTY LTD	Commonwealth Bank Building Level 25 240 Queen St BRISBANE CITY QLD 4000 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3 13: Mining black coal	ML70385
Schedule 3 13: Mining black coal	ML70387
Schedule 3 13: Mining black coal	ML70384
Schedule 3 13: Mining black coal	ML70386

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:

- 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.

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

Enquiries:
Coal & Gemstone Mining
Department of Environment and Science

Phone: 07 4987 9320
Email: crmining@des.qld.gov.au

Date issued: 25 June 2021

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 with the attached document(s) entitled:

- *Code of Environment Compliance for Exploration and Mineral Development Project (EM586)*

Location: ML70384, ML70385, ML70386 and ML70387

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	Condition
A1	This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition of this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.
A2	<p>Maintenance of measures, plant and equipment</p> <p>The holder of this environmental authority must:</p> <ul style="list-style-type: none"> a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; b) maintain such measures, plant and equipment in a proper and efficient condition; c) operate such measures, plant and equipment in a proper and efficient manner; and d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.

A3	<p>Monitoring</p> <p>Except where specified otherwise in another condition of this environmental authority, all monitoring records or reports required by this environmental authority must be kept for a period of not less than five (5) years.</p>
A4	<p>Financial Assurance</p> <p>The activity must not be carried out until the environmental authority holder has given financial assurance to the administering authority as security for compliance with this environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the Act.</p>
A5	<p>The amount of financial assurance must be reviewed by the holder of this environmental authority when a plan of operations is amended or replaced or the authority is amended.</p>
A6	<p>Notification of emergencies, incidents and exceptions</p> <p>The holder of this environmental authority must notify the administering authority by written notification 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.</p>
A7	<p>Within ten (10) business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following:</p> <ul style="list-style-type: none"> a) results and interpretation of any samples taken and analysed; b) outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and c) proposed actions to prevent a recurrence of the emergency or incident.
A8	<p>Complaints</p> <p>The holder of this environmental authority must record all environmental complaints received about the mining activities including:</p> <ul style="list-style-type: none"> a) name, address and contact number for of the complainant; b) time and date of complaint; c) reasons for the complaint; d) investigations undertaken; e) conclusions formed; f) actions taken to resolve the complaint; g) any abatement measures implemented; and h) person responsible for resolving the complaint.

A9	The holder of this environmental authority must, when requested by the administering authority, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the administering authority to investigate any complaint of environmental harm. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the administering authority within ten (10) business days of completion of the investigation, or no later than ten (10) business days after the end of the timeframe nominated by the administering authority to undertake the investigation.
A10	<p>Where a condition of this environmental authority requires compliance with a standard, policy or guideline published externally to this environmental authority and the standard is amended or changed subsequent to the issue of this environmental authority, the holder of this environmental authority must:</p> <p>a) comply with the amended or changed standard, policy or guideline within two (2) years of the amendment or change being made, unless a different period is specified in the amended standard or relevant legislation, or where the amendment or change relates specifically to regulated structures referred to in Condition G8, the time specified in that condition; and</p> <p>b) until compliance with the amended or changed standard, policy or guideline is achieved; continue to remain in compliance with the corresponding provision that was current immediately prior to the relevant amendment or change.</p>

Agency interest: Air	
Condition number	Condition
B1	Subject to Conditions B2 and B3 the release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.
B2	When requested by the administering authority, dust and particulate 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.

B3	<p>If the environmental authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of Condition B1:</p> <p>a) dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulates - Deposited matter- Gravimetric method of 1991 (or more recent editions), or</p> <p>b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, at a sensitive or commercial place downwind of the operational land, when monitored in accordance with:</p> <p style="margin-left: 20px;">a. particulate matter- Determination of suspended particulate PM10 high-volume sampler with size-selective inlet- Gravimetric method, when monitored in accordance with AS 3580.9.6 Methods for sampling and analysis of ambient air- Determination of suspended particulate matter- PM (sub) 10 high volume sampler with size-selective inlet- Gravimetric method of 1990 (or more recent editions); and</p> <p style="margin-left: 20px;">b. any alternative method of sampling PM10, which may be permitted by the Air Quality Sampling Manual as published from time to time by the administering authority.</p>
B4	<p>If monitoring indicates exceedence of the relevant limits in Condition B3, then the environmental authority holder must:</p> <p>a) address the complaint including the use of appropriate dispute resolution if required; and</p> <p>b) immediately implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.</p>

Agency interest: Waste Management

Condition number	Condition
C1	Unless otherwise permitted by the conditions of this environmental authority or with prior approval from the administering authority and in accordance with a relevant standard operating procedure, waste must not be burnt.
C2	The holder of this environmental authority may burn vegetation cleared in the course of carrying out extraction activities provided the activity does not cause environmental harm at any sensitive place or commercial place.

Agency interest: Noise	
Condition number	Condition
D1	Subject to Condition D2 , noise from the mining activity must not cause an environmental nuisance, at any sensitive place.
D2	When requested by the administering authority, noise 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 place, and the results must be notified within fourteen (14) days to the administering authority following completion of monitoring.
D3	If the environmental authority holder can provide evidence through monitoring that the limits defined in Table D1- Noise Limits and Table D2- Airblast Overpressure Level- Sensitive Place inclusive are not being exceeded then the holder is not in breach of Condition D1 . Monitoring must include: <ul style="list-style-type: none"> a) LA, max adj, T; b) the level and frequency of occurrence of impulsive or tonal noise; c) atmospheric conditions including wind speed and direction; and d) location, date and time of recording.
D4	If monitoring indicates exceedance of the limits in Table D1 - Noise Limits , then the environmental authority holder must: <ul style="list-style-type: none"> a) address the complaint including the use of appropriate dispute resolution if required; or b) immediately implement noise abatement measures so that emissions of noise from the activity do not result in further environmental nuisance.

Table D1 – Noise Limits

Noise Level Db(A) measured as	Monday to Saturday			Sundays and Public Holidays		
	7pm-6pm	6pm-10pm	10pm-7am	9am-6pm	6pm-10pm	10pm-9am
Noise measured at a "noise sensitive place"						
LA10,adj,10 mins	b/g+5	b/g+5	b/g+0	b/g+5	b/g+5	b/g+0
LA1,adj,10 mins	b/g+10	b/g+10	b/g+5	b/g+10	b/g+10	b/g+5

Table D2 – Airblast Overpressure Level – Sensitive Place

Noise Parameter	Monday to Saturday 6am-7pm	Sundays and Public Holidays 9am-7pm
Noise measured at a "noise sensitive place"		
Airblast overpressure level (dB linear peak)	115dB (80th percentile)	115dB (80th percentile)
Airblast overpressure level (dB linear peak)	120 dB (maximum)	120 dB (maximum)

D5	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authorities Noise Measurement Manual.
D6	Subject to Condition D7 , vibration from the mining activity must not cause an environmental nuisance, at any sensitive place.
D7	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 any mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive place, and the results must be notified within fourteen (14) days to the administering authority following completion of monitoring.
D8	If the environmental authority holder can provide evidence through monitoring that the limits defined in Table D3 - Vibration Limits are not being exceeded then the holder is not in breach of Condition D6 . Monitoring must include: <ul style="list-style-type: none"> a) location of the blasts/s within the mining area (including which bench level); and b) atmospheric conditions including temperature, relative humidity and wind speed and direction; and c) location, date and time of recording.

Table D3 – Vibration Limits

Vibration Parameter	Vibration measured at a sensitive place	
	Monday to Saturday 6am-7pm	Sundays and Public Holidays 9am – 7pm
Houses and low rise residential buildings and commercial building not included below.	10 mm/s peak particle velocity	10 mm/s peak particle velocity

Agency interest: Groundwater	
Condition number	Condition
E1	<p>Prior to commencement of mining activities other than exploration, the holder of the environmental authority must develop and implement a groundwater monitoring program. The program must be able to detect a significant change to groundwater quality values (consistent with the current suitability of the groundwater for industrial use) due to activities that are part of this mining project. The groundwater monitoring program must detail:</p> <ul style="list-style-type: none"> a) the location of groundwater monitoring sites and the aquifers the sites are monitoring; b) the frequency at which sampling will be undertaken; c) the groundwater contaminant trigger levels; d) the groundwater monitoring reporting requirements; and e) management measures to effectively mitigate and manage potential impacts on aquifers and existing groundwater users.
E2	<p>Groundwater potentially affected by the mining operations must be monitored at two different representative locations within the Johnson Extended Project area.</p>
E3	<p>If the groundwater contaminant trigger levels defined in Table E1 – Groundwater Contaminant Trigger Values are exceeded then the environmental authority holder must complete an investigation into the potential for environmental harm and notify the administering authority within twenty-eight (28) days of receiving the analysis results. Trigger values for Table E1 – Groundwater Contaminant Trigger Values are to be provided to the administering authority prior to the commencement of underground mining activities.</p>

Table E1 – Groundwater Contaminant Trigger Values

Water Quality Indicator	Unit	Trigger Values
Electrical Conductivity	µS/cm	To be provided based on existing and planned groundwater baseline studies
pH	pH Units	To be provided based on existing and planned groundwater baseline studies
Dissolved solids (total)	mg/L	To be provided based on existing and planned groundwater baseline studies
Carbonate	mg/L	To be provided based on existing and planned groundwater baseline studies.
Bicarbonate	mg/L	To be provided based on existing and planned groundwater baseline studies
Total Alkalinity	mg/L	To be provided based on existing and planned groundwater baseline studies
Sulphate	mg/L	To be provided based on existing and planned groundwater baseline studies
Chloride	mg/L	To be provided based on existing and planned groundwater baseline studies
Calcium	mg/L	To be provided based on existing and planned groundwater baseline studies
Magnesium	mg/L	To be provided based on existing and planned groundwater baseline studies
Sodium	mg/L	To be provided based on existing and planned groundwater baseline studies
Potassium	mg/L	To be provided based on existing and planned groundwater baseline studies
Aluminium	mg/L	To be provided based on existing and planned groundwater baseline studies
Antimony	mg/L	To be provided based on existing and planned groundwater baseline studies
Arsenic	mg/L	To be provided based on existing and planned groundwater baseline studies
Molybdenum	mg/L	To be provided based on existing and planned groundwater baseline studies
Selenium	mg/L	To be provided based on existing and planned groundwater baseline studies
Silver	mg/L	To be provided based on existing and planned groundwater baseline studies
Iron	mg/L	To be provided based on existing and planned groundwater baseline studies
Mercury	mg/L	To be provided based on existing and planned groundwater baseline studies
Petroleum Hydrocarbons (total)		
C6 – C9 Fraction	µg/L	To be provided based on existing and planned groundwater baseline studies
C10 – C14 Fraction	µg/L	To be provided based on existing and planned groundwater baseline studies
C15 – C28 Fraction	µg/L	To be provided based on existing and planned groundwater

		baseline studies
C29 – C36 Fraction	µg/L	To be provided based on existing and planned groundwater baseline studies
C10 – C36 Fraction (sum)	µg/L	To be provided based on existing and planned groundwater baseline studies

E4	If the groundwater contaminant trigger levels defined in the groundwater monitoring program are exceeded then the environmental authority holder must complete an investigation into the potential for environmental harm and notify the administering authority within twenty-eight (28) days of receiving the analysis results.
E5	The construction, maintenance and management of groundwater bores (including groundwater monitoring bores) must be undertaken in a manner that prevents or minimises impacts to the environment and ensures the integrity of the bores to obtain accurate monitoring.
E6	Annual report for groundwater Following development of the groundwater program pursuant to Condition E1 , all groundwater monitoring data must be reviewed on an annual basis. The review must include the assessment of groundwater levels and quality, and the suitability of the monitoring network. An annual report that assesses the impacts of mining on groundwater, and includes all groundwater monitoring results, must be forwarded to the administering authority by 30 September each year.
E7	Temporary Interference with waterways 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 Natural Resources and Mines (or its successor) Guideline – Activities in a Watercourse, Lake or Spring associated with Mining Activities.
E8	Stormwater and Water Sediment Controls 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.
E9	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 E28 ; and b) water management infrastructure that is installed and operated, in accordance with a Water Management Plan that complies with Condition F27 , for the purpose of ensuring water does not become mine affected water.
E10	Water Reuse 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 (with the consent of the third party).

E11	<p>Water General</p> <p>All determinations of water quality must be:</p> <ul style="list-style-type: none"> a) performed by a person or body possessing appropriate experience and qualifications to perform the required measurements; b) made in accordance with methods prescribed in the latest edition of the administering authority's Water Quality Sampling Manual: <p><i>Note: Condition F37 requires the Water Quality Manual to be followed and where it is not followed because of exceptional circumstances this should be explained and reported with the results.</i></p> <ul style="list-style-type: none"> c) collected from the monitoring locations identified within this environmental authority, within ten (10) hours of each other where possible; d) carried out on representative samples; and e) laboratory testing must be undertaken using a laboratory accredited (e.g. NATA) for the method of analysis being used.
E12	<p>Annual Water Monitoring Reporting</p> <p>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:</p> <ul style="list-style-type: none"> a) the date on which the sample was taken; b) the time at which the sample was taken; c) the monitoring point at which the sample was taken; d) the measured or estimated daily quantity of the contaminants released from all release points; e) the release flow rate at the time of sampling for each release point; f) the results of all monitoring and details of any exceedences with the conditions of this environmental authority; and g) water quality monitoring data must be provided to the administering authority in the specified electronic format upon request.
E13	<p>Water Management Plan</p> <p>A Water Management Plan must be developed by an appropriately qualified person and implemented.</p>
E14	<p>Saline Drainage</p> <p>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.</p>
E15	<p>Acid Rock Drainage</p> <p>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.</p>

E16	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.
------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Agency interest: Subsidence	
Condition number	Condition
F1	A Subsidence Management Strategy must be developed by an appropriately qualified person(s) and implemented by the holder of this environmental authority prior to the commencement of activities that result in subsidence.

F2	<p>The Subsidence Management Strategy must:</p> <ul style="list-style-type: none">a) provide for the proper and effective management of the actual and potential environmental impacts resulting from the mining activity and to ensure compliance with the conditions of this environmental authority;b) describe the proposed impacts of subsidence on any land, watercourse and floodplain including but not limited to:<ul style="list-style-type: none">1. physical condition of surface drainage:<ul style="list-style-type: none">a. erosion;b. areas susceptible to higher levels of erosion such as watercourse confluences;c. incision processes;d. stream widening;e. tension cracking;f. lowering of bed and banks;g. creation of instream waterholes;h. changes to local drainage patterns;2. overland flow:<ul style="list-style-type: none">a. capture of overland flow by subsided long-wall panels;b. increased overbank flows due to lowering of high bank of watercourses;c. the portion of local and large scale catchment likely to be captured by subsided long-wall panels and the associated impacts on downstream users;3. surface water quality;4. land condition:<ul style="list-style-type: none">a. current land condition to be impacted by subsidence;5. infrastructure:<ul style="list-style-type: none">a. detail of existing infrastructure (pipelines, railway, powerlines and haul roads) should be identified where there is a potential impact from effects of land subsidence;c) propose options for mitigating any impacts associated with subsidence and how these mitigation methods will be implemented;d) describe cumulative impacts on watercourses or catchments; ande) include a program for monitoring and review of the effectiveness of the Subsidence Management Plan.
----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

F3	<p>A Subsidence Panel Plan will be developed for each longwall panel by a suitably qualified and experienced person, prior to longwall mining occurring in that panel.</p> <p><i>The Subsidence Panel Plan must:</i></p> <ul style="list-style-type: none"> a) assess the plan against the requirements under Condition F2; b) include recommended actions to ensure actual and potential environmental impacts are effectively managed for the longwall panel; and c) assess the condition of the previous longwall panel, including the structural, geotechnical and hydraulic adequacy of the subsided longwall panel and the adequacy of the works with respect to the Subsidence Panel Plan, as far as data relating to the previous panel is available at the time of assessment.
F4	<p>The holder of this environmental authority must attach to the review report required by Condition F3, a written response to the report and recommended actions, detailing the actions taken or to be taken by the environmental authority on stated dates:</p> <ul style="list-style-type: none"> a) to ensure compliance with this environmental authority; and b) to prevent a recurrence of any non-compliance issues identified.
F5	<p>The review report required by Condition F3 and the written response to the review report required by Condition F4 must be submitted to the administering authority upon request.</p>

Agency interest: Dams	
Condition number	Condition
G1	<p>The consequence category of any structure must be assessed by a suitably qualified and experienced person in accordance with the <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635)</i> at the following times:</p> <ul style="list-style-type: none"> a) prior to the design and construction of the structure, if it is not an existing structure; or b) if it is an existing structure, prior to the adoption of this schedule; or c) prior to any change in its purpose or the nature of its stored contents.
G2	<p>A consequence assessment report and certification must be prepared for each structure assessed and the report may include a consequence assessment for more than one structure.</p>
G3	<p>Certification must be provided by the suitably qualified and experienced person who undertook the assessment, in the form set out in the <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635)</i>.</p>
G4	<p>Design and construction of a regulated structure</p> <p>Conditions G5 to G9 inclusive do not apply to existing structures.</p>

G5	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 <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures</i> (EM635).
G6	Construction of a regulated structure is prohibited unless the holder has submitted a consequence category assessment report and certification to the administering authority has been certified by 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.
G7	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 <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures</i> (EM635), and must be recorded in the Regulated Dams/Levees register.
G8	Regulated structures must: <ul style="list-style-type: none"> a) be designed and constructed in accordance with and conform to the requirements of the <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures</i> (EM635); b) be designed and constructed with due consideration given to ensuring that the design integrity would not be compromised on account of: <ol style="list-style-type: none"> 1. Floodwaters from entering the regulated dam from any watercourse or drainage line; and 2. Wall failure due to erosion by floodwaters arising from any watercourse or drainage line.
G9	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: <ul style="list-style-type: none"> a) The 'as constructed' drawings and specifications meet the original intent of the design plan for that regulated structure; and b) Construction of the regulated structure is in accordance with the design plan.

G10	<p>Operation of a regulated structure, except for an existing structure, is prohibited unless:</p> <p>a) the holder has submitted to the administering authority:</p> <ol style="list-style-type: none"> 1. one paper copy and one electronic copy of the design plan and certification of the 'design plan' in accordance with Condition G8; 2. a set of 'as constructed' drawings and specifications; 3. certification of those 'as constructed drawings and specifications' in accordance with Condition G9; and 4. 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. <p>b) the requirements of this authority relating to the construction of the regulated structure have been met;</p> <p>c) the holder has entered the details required under this authority, into a Register of Regulated Dams; and</p> <p>d) there is a current operational plan for the regulated structures.</p>
G11	Each regulated structure must be maintained and operated, for the duration of its operational life until decommissioned and rehabilitated, in a manner that is consistent with the current operational plan and, if applicable, the current design plan and associated certified 'as constructed' drawings.
G12	<p>Mandatory reporting level</p> <p>Conditions G14 to G17 inclusive only apply to Regulated Structures which have not been certified as low consequence category for 'failure to contain – overtopping'.</p>
G13	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.
G14	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.
G15	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.
G16	The holder must record any changes to the MRL in the Register of Regulated Structures.
G17	<p>Design Storage Allowance</p> <p>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.</p>
G18	By 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).

G19	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.
G20	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.
G21	Annual inspection report Each regulated structure must be inspected each calendar year by a suitably qualified and experienced person.
G22	At each annual inspection, the condition and adequacy of all components of the regulated structure must be assessed and a suitably qualified and experienced person must prepare an annual inspection report containing details of the assessment and include 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 <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635)</i> .
G24	The holder must: a. within twenty (20) business days of receipt of the annual inspection report, provide to the administering authority: i. the recommendations section of the annual inspection report; and ii. if applicable, any actions being taken in response to those recommendations; and b. if, following receipt of the recommendations and (if applicable) actions, the administering authority requests a full copy of the annual inspection report from the holder, provide this to the administering authority within ten (10) business days of receipt of the request.
G25	Decommissioning and Rehabilitation Dams must not be abandoned but be either: a) decommissioned and rehabilitated to achieve compliance with Condition G28 ; or b) be left in-situ for a beneficial use(s) provided that: i. it no longer contains contaminants that will migrate into the environment; and ii. it contains water of a quality that is demonstrated to be suitable for its intended beneficial use(s); and iii. the administering authority, the holder of the environmental authority and the landholder agree in writing that the dam will be used by the landholder following the cessation of the environmentally relevant activity(ies).

G26	<p>After decommissioning, all significantly disturbed land caused by the carrying out of the environmentally relevant activity(ies) must be rehabilitated to meet the following final acceptance criteria:</p> <ul style="list-style-type: none"> a. the landform is safe for humans and fauna; b. the landform is stable with no subsidence or erosion gullies for at least three (3) years; c. any contaminated land (e.g. contaminated soils) is remediated and rehabilitated d. not allowing for acid mine drainage; or e. there is no ongoing contamination to waters (including groundwater); f. rehabilitation is undertaken in a manner such that any actual or potential acid sulfate soils on the area of significant disturbance are treated to prevent or minimise environmental harm in accordance with the Instructions for the treatment and management of acid sulfate soils (2001) g. all significantly disturbed land is reinstated to the pre-disturbed soil suitability class; h. for land that is not being cultivated by the landholder: i. groundcover, that is not a declared pest species is established and self-sustaining <ul style="list-style-type: none"> i. vegetation of similar species richness and species diversity to pre-selected analogue sites is established and self-sustaining, and ii. the maintenance requirements for rehabilitated land is no greater than that required for the land prior to its disturbance caused by carrying out the petroleum activity(ies); and iii. for land that is to be cultivated by the landholder, cover crop is revegetated, unless the landholder will be preparing the site for cropping within three (3) months of petroleum activities being completed.
G27	<p>Register of Regulated Dams</p> <p>A Register of Regulated Dams must be established and maintained by the holder for each regulated dam.</p>
G28	<p>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.</p>
G29	<p>The holder must make a final entry of the required information in the Register of Regulated Dams once compliance with Conditions G10 and G11 has been achieved.</p>
G30	<p>The holder must ensure that the information contained in the Register of Regulated Dams is current and complete on any given day.</p>
G31	<p>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.</p>
G32	<p>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.</p>

Agency interest: Land and Rehabilitation	
Condition number	Condition
H1	Table H1 – Final land use and rehabilitation objectives is to be completed and provided to the administering authority prior to the commencement of underground mining activities. Land disturbed by mining activities must be rehabilitated in accordance with Table H1 – Final land use and rehabilitation objectives .

Table H1 – Final land use and rehabilitation objectives

Mine Domain	Mine Feature Name	Rehabilitation Goal	Rehabilitation Objectives	Indicators	Completion Criteria
Roads and tracks	Exploration access tracks	Rehabilitation to pre- drilling status for access to the area	Refer to <i>Code of Environmental Compliance for Exploration and Mineral Development Projects</i> .	TBA	TBA
Exploration	Drill pads and seismic lines	Refer to <i>Code of Environmental Compliance for Exploration and Mineral Development Projects</i> .	Refer to <i>Code of Environmental Compliance for Exploration and Mineral Development Projects</i> .	TBA	TBA
Infrastructure	TBA	TBA	TBA	TBA	TBA
Subsidence Panels	TBA	TBA	TBA	TBA	TBA

H2	Rehabilitation must commence progressively in accordance with the plan of operations.
H3	Before applying for surrender of a mining lease, the holder must (if applicable) provide to the administering authority a site investigation report under the Act, in relation to any part of the mining lease which has been used for notifiable activities or which the holder is aware is likely to be contaminated land, and also carry out any further work that is required as a result of that report to ensure that the land is suitable for its final land use.
H4	Before applying for progressive rehabilitation certification for an area, the holder must (if applicable) provide to the administering authority a site investigation report under the Act, in relation to any part of the area the subject of the application which has been used for notifiable activities or which the holder is aware is likely to be contaminated land, and also carry out any further work that is required as a result of that report to ensure that the land is suitable for its final land use under Condition H1 .
H5	Minimise the potential for contamination of land by hazardous contaminants.

H6	<p>Biodiversity Offsets</p> <p>The holder of this environmental authority must provide an offset for impacts on applicable state significant biodiversity values, in accordance with Queensland Biodiversity Offset Policy. The biodiversity offset must be consistent with the requirements for an offset as identified in the Biodiversity Offset Strategy (as per Condition H7) and must be provided:</p> <ul style="list-style-type: none"> a) prior to impacting on state significant biodiversity values; or b) where a land based offset is to be provided, within twelve (12) months of the later of either of the following: <ul style="list-style-type: none"> a. the date of issue of this environmental authority; or b. the relevant stage identified in the Biodiversity Offset Strategy submitted under Condition H7; or c) where an offset payment is to be provided, within four (4) months of the later of either of the following: <ul style="list-style-type: none"> a. the date of issue of this environmental authority; or b. the relevant stage identified in the Biodiversity Offset Strategy submitted under Condition H7.
H7	<p>A Biodiversity Offset Strategy must be developed and submitted to the administering authority within either 30 days, or a lesser period agreed to by the administering authority, prior to impacting on the applicable state significant biodiversity values.</p>

Agency interest: Exploration Activities	
Condition number	Condition
I1	The environmental authority holder is authorised to carry out exploration activities in or within five hundred (500) metres of Endangered Regional Ecosystems located within ML70384, ML70385, ML70386 and ML70387.
I2	When carrying out exploration activities in or within five hundred (500) metres of any Endangered Regional Ecosystems, the holder of the environmental authority must do so in accordance with Conditions I3 to I7 .
I3	<p>Drilling or Seismic Grid</p> <ul style="list-style-type: none"> a) Spacing of grid lines or 2D seismic lines is not less than five hundred (500) metres apart; b) spacings may be reduced to two hundred and fifty (250) metres at no more than fifty (50) specified points; and c) seismic lines constructed within Endangered Regional Ecosystems must not exceed a total disturbance area of twenty (20) hectares.
I4	<p>Drill Sites</p> <ul style="list-style-type: none"> a) Operational area is to be no greater than nine hundred (900) square metres; b) sump size is to be no greater than ten (10) square metres; c) topsoil stripping must be limited to sump area; and d) clearing of mature trees must be avoided as far as practicable.
I5	<p>Tracks</p> <ul style="list-style-type: none"> a) Spacings between parallel tracks must not be less than two hundred and fifty (250) metres; b) existing access and fence line tracks must be used where possible and any new tracks constructed must link natural clearings where possible; c) track construction involving blade clearing or established ground cover vegetation and/or clearing of mature trees is prevented or minimised; d) line of site clearing must be avoided; e) construction of new crossings over watercourses must be avoided and is only permitted when no reasonable alternative is available; and f) all tracks must be constructed and maintained with adequate drainage to avoid accelerated erosion.

16	Other Land Disturbances a) Activities must not include costeaning or bulk sampling; b) all equipment such as earthmoving and drilling equipment must be used in a manner which minimises unnecessary disturbance of topsoil and ground cover vegetation; and c) camp sites must not be established.
17	Disturbance due to exploration activities must be rehabilitated in accordance with provisions detailed in the <i>Code of Environmental Compliance for Exploration and Mineral Development Projects</i> .

Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. 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.

Administering authority -

- a) For a matter, the administration and enforcement of which has been devolved to a local government under section 514 of the *Environmental Protection Act 1994*; or
- b) For all other matters - the Chief Executive of the Environmental Protection Agency; or
- c) Another State Government Department, Authority, Storage Operator, Board or Trust, who's role is to administer provisions under other enacted legislation (e.g. Department of Natural Resources who licence referable dams under the *Water Act 2000*).

Annual exceedence probability (AEP) - For a given rainfall event the AEP is the probability that the event will be exceeded within a one year period. The AEP is usually expressed as a one in 'n' (years) or a percentage.

Approved form - A form approved by the administering authority.

Banks - The feature which confines major flows within a watercourse. They are steeper than a terrace and are generally of a slope greater than 1:1 on outer bends.

Bund -

- a) An earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. petrol, diesel, oil etc); or
- b) A structure to prevent or reduce soil erosion.

Campsite - The area encompassing any dwelling, amenities (e.g. toilet block, power generator), sewage or general waste disposal facility and includes the office area and vehicle parking areas associated with a temporary or permanent mining camp.

Contaminant - The *Environmental Protection Act 1994* defines, under Section 11, a contaminant as:

- a) a gas, liquid or solid; or
- b) an odour; or
- c) an organism (whether alive or dead), including a virus; or
- d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- e) a combination of contaminants.

Contamination - Section 10 of the *Environmental Protection Act 1994* defines contamination of the environment as the release (whether by act or omission) of a contaminant into the environment.

Contaminated land - Schedule 3 of the *Environmental Protection Act 1994* defines contaminated land as land contaminated by a hazardous contaminant. (See below for a definition of hazardous contaminant.)

Contaminated land register - Means the register kept by the administering authority under section 541 of the *Environmental Protection Act 1994*.

Costeaning - The digging of a trench or pit across the seam or ore body for exposing, sampling and mapping of the ore body.

Culvert - A covered channel or a pipe of large diameter conveying water below ground level. Also applies to a tunnel through which water is pumped or permitted to flow.

Declared plant area - Areas designated by the Department of Natural Resources or Local Government as areas infested with plants declared under section 69 of the *Rural Lands Protection Act 1985* (section 70 (3) lists the categories of declared plants).

Declared plant - A plant that has been declared under the *Rural Lands Protection Act 1985*.

Density of cover - In reference to trees and/or shrubs, it means the number of trees or shrubs in a specific

area (e.g. 50 trees per square kilometre). With reference to understorey plant species (e.g. grasses and forbs), it means the percentage of surface area covered by a particular species.

Designated service area - Is a nominated site, selected and managed to minimise contamination of land or water, where the majority of services or maintenance of machinery or plant is to be conducted.

Disturbed - Any area that has had its natural state altered by the action or interference of carrying out an activity associated with the exploration project.

Environment - Section 8 of the *Environmental Protection Act 1994* defines the environment as:

- a) ecosystems and their constituent parts, including people and communities; and
- b) all natural and physical resources; and
- c) the qualities and characteristics of locations, places and areas, however large or small, that contribute to their biological diversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community; and
- d) the social, economic, aesthetic and cultural conditions that affect, or are affected by, things mentioned in paragraphs (a) to (c).

Environmental audit statement - Verifies the accuracy of the final rehabilitation report and identifies any residual financial assurance requirements.

Environmental authority - Means a licence or approval issued by the administering authority under the *Environmental Protection Act 1994*.

Environmental management register - Means the register kept by the administering authority under section 541 of the *Environmental Protection Act 1994*.

Environmental nuisance - Section 15 of the *Environmental Protection Act 1994* defines environmental nuisance as "unreasonable interference or likely interference with an environmental value" caused by:

- a) noise, dust, odour, light; or
- b) an unhealthy, offensive or unsightly condition because of contamination; or
- c) another way prescribed by regulation, (e.g. unreasonable noise or dust emissions).

Environmental protection policy - Means an environmental protection policy approved under chapter 2 of the *Environmental Protection Act 1994*.

Environmental relevant activity - Means an activity prescribed by regulation as an environmental relevant activity.

Environmentally sensitive areas - Refers to locations, however large or small, that have environmental values that contribute to maintaining biological diversity and integrity, have intrinsic or attributed scientific, historical or cultural heritage value, or are important in providing amenity, harmony or sense of community. Refer to Appendix A.

Environmental value - Section 9 of the *Environmental Protection Act 1994* defines an environmental value as:

- a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
- b) another quality of the environment identified and declared to be an environmental value under an Environmental Protection Policy or Regulation (e.g. water suitable for swimming in or drinking)

Final rehabilitation report - Means a final rehabilitation report prepared under chapter 5, part 10, division 2, subdivision 2 of the *Environmental Protection Act 1994*. The report assesses the extent to which the standard environmental conditions and any additional conditions of the environmental authority have been met.

Financial assurance - Means a security deposit, either cash or a bank guarantee that is held by the administering authority to cover the potential:

- a) costs to rehabilitate areas disturbed by mining activities; and
- b) costs to restore property improvements disturbed by mining activities; and
- c) failure of the tenure holder to pay rents and royalties.

Hazardous contaminant - Schedule 3 of the *Environmental Protection Act 1994* defines a hazardous contaminant as "a contaminant that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of:

- a. its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity, flammability; or
- b. its physical, chemical or infectious characteristics (e.g.: spills of mercury, cyanide, petrol, diesel or oil)*.

Infrastructure - Project infrastructure includes roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, pipelines, powerlines, airstrips, helipads etc, which are constructed or installed specifically for the project.

Lake - A natural or artificial body of water, either permanent or intermittent.

Landowner - Schedule 3 of the *Environmental Protection Act 1994* defines the owner of the land as –

1. The "owner" of land is—

- a) for freehold land—the person recorded in the freehold land register as the person entitled to the fee simple interest in the land; or
- b) for land held under a lease, licence or permit under an Act—the person who holds the lease, licence or permit; or
- c) for trust land under the *Land Act 1994*—the trustees of the land; or
- d) for Aboriginal land under the *Aboriginal Land Act 1991*—the persons to whom the land has been transferred or granted; or
- e) for Torres Strait Islander land under the *Torres Strait Islander Land Act 1991*—the persons to whom the land has been transferred or granted; or
- f) for land for which there is a native title holder under the *Commonwealth Native Title Act*— each registered native title party in relation to the land.

2. Also, a mortgagee of land is the owner of the land if—

- a) the mortgagee is acting as a mortgagee in possession of the land and has the exclusive management and control of the land; or
- b) the mortgagee, or a person appointed by the mortgagee, is in possession of the land and has the exclusive management and control of the land.

Licensed general waste disposal facility - A site authorised by the administering authority to receive general waste or limited regulated waste (e.g. a rubbish dump).

Limited regulated waste - Schedule 9 of the *Environmental Protection Regulation 2008*, defines limited regulated waste. The only limited regulated wastes relevant to mining projects as asbestos and tyres.

Material environmental harm - Section 16 of the *Environmental Protection Act 1994* defines material environmental harm as:

1. material environmental harm is environmental harm (other than environmental nuisance)-
 - a. that is not trivial or negligible in nature, extent or context; or
 - b. that causes actual or potential loss or damage to property of an amount of, or amounts totalling, more than the threshold amount but less than the maximum amount; or
 - c. that results in costs of more than the threshold amount but less than the maximum amount being incurred in taking appropriate action to –
 - i. prevent or minimise the harm; and
 - ii. rehabilitate or restore the environment to its condition before the harm.

In this section -

"maximum amount" means the threshold amount for serious environmental harm.

"threshold amount" means \$5 000 or, if a greater amount is prescribed by regulation, the greater amount.

Mine - Section 6A of the *Mineral Resources Act 1989*, defines mining as –

1. "Mine" means to carry on an operation with a view to, or for the purpose of –

- a. winning mineral from a place where it occurs; or
 - b. extracting mineral from its natural state; or
 - c. disposing of mineral in connection with, or waste substances resulting from, the winning or extraction.
2. For subsection (2), extracting includes the physical, chemical, electrical, magnetic or other way of separation of a mineral.
 3. Extracting includes, for example, crushing, grinding, concentrating, screening, washing, jigging, tabling, electro winning, solvent extraction electro winning (SX-EW), heap leaching, flotation, fluidised bedding, carbon-in-leach (CIL) and carbon-in-pulp (CIP) processing.
 4. However, extracting does not include -
 - a. a process in a smelter, refinery or anywhere else by which mineral is changed to another substance; or
 - b. testing or assaying small quantities of mineral in teaching institutions or laboratories, other than laboratories situated on a mining lease; or
 - c. an activity, prescribed under a regulation, that is not directly associated with winning mineral from a place where it occurs.
 5. For subsection (1)(c), includes the disposal of tailings and waste rock.
 6. A regulation under subsection (4)(c) may prescribe an activity by reference to the quantities of minerals extracted or to any other specified circumstances.

Native vegetation - Vegetation that occurs naturally in a certain area.

Noise sensitive place - Means any of the following places –

- a. a dwelling;
- b. a library, childcare centre, kindergarten, school, college, university or other educational institution;
- c. a hospital, surgery or other medical institution;
- d. a protected area or an area identified under a conservation plan as a critical habitat or an area of major interest, under the *Nature Conservation Act 1992*;
- e. a marine park under the *Marine Parks Act 1982*; and
- f. a park or garden that is open to the public (whether or not on payment of money) for use other than for sport or organised entertainment).

Notifiable activity - Means an activity in schedule 2 of the *Environmental Protection Act 1994*.

Outer bends - For a representative drawing of an outer bend of a watercourse refer to Figure 1 – “Cross Section Through a Watercourse” and Figure 2 – “Plan View of a Watercourse”.

Referable dam - The *Water Resources Act 1989* defines referable dams as -

- a) works or proposed works that include or would include a barrier whether permanent or temporary that does or could or would impound, divert or control water, which barrier-
 1. is more than 8 m in height and has a storage capacity of more than 500 ML; or
 2. is more than 8 m in height and has a storage capacity of more than 250 ML and a catchment area that is more than 3 times its maximum surface area or full supply level;
- b) works –
 - i. that consist of or include or would consist of or include a barrier whether permanent or temporary that does or could or would impound, divert or control water or hazardous waste, other than a barrier defined in paragraph (a);
 - ii. other than a barrier whether permanent or temporary that does or could or would impound, contain, divert or control hazardous waste; declared by the chief executive by notification published in the gazette to be a referable dam by reason of the danger to life or property that could or would eventuate upon the collapse or failure of or the escape of hazardous waste from those works and includes the storage areas created by the works but does not include a tank constructed of steel or concrete or a combination of those materials. The term does not include a weir, other than a weir that has a variable flow control structure on the crest of the weir.

Regulated waste - Schedule 9 of the *Environmental Protection Regulation 1998* defines regulated waste as non-domestic waste mentioned in schedule 7 (whether or not it has been treated or immobilised), and includes -

- a) for an element - any chemical compound containing the element; and

- b) anything that has contained the waste (e.g. Regulated waste commonly generated from mining projects include tyres, oils, cyanide, mercury and batteries)

Rehabilitation processes - The measures and actions taken to achieve rehabilitation outcomes, including any or all of the following:

- removing all unwanted infrastructure;
- backfilling mine excavations (e.g. pits) and capping drill holes;
- reshaping the land surface to a stable landform similar to that of surrounding undisturbed areas;
- spreading of topsoil;
- spreading seed or planting seedlings to promote revegetation;
- benching ridge cuts and removing any overhanging material.

Serious environmental harm - Section 17 of the *Environmental Protection Act 1994* defines serious environmental harm as -

1. environmental harm (other than environmental nuisance)
 - a. that causes actual or potential harm to environmental values that is irreversible, of a high impact or widespread; or
 - b. that causes actual or potential harm to environmental values of an area of high conservation value or special significance; or
 - c. that causes actual or potential loss or damage to property of an amount of, or
 - d. amounts totalling, more than the threshold amount; or
 - e. that results in costs of more than the threshold amount being incurred in taking appropriate action to:
 - i. prevent or minimise the harm; and
 - ii. rehabilitate or restore the environment to its condition before the harm.

In this section - "**Threshold amount**" means \$50 000 or, if a greater amount is prescribed by regulation, the greater amount.

Significantly disturbed land - Land is significantly disturbed if -

- a) it is contaminated land; or
- b) it has been disturbed and human intervention is needed to rehabilitate it.

Significantly disturbed land includes:

- areas where soil has been compacted, removed, covered, exposed or stockpiled;
- areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
- areas where land use suitability or capability has been diminished;
- areas within a watercourse, waterway, wetland or lake where mining project activities occur;
- areas submerged by tailings or hazardous contaminant storage and dam walls in all cases;
- areas under temporary infrastructure. Temporary infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after mining has ceased; or
- areas where land has been contaminated.

However, the following areas are not included:

- areas off lease (e.g. roads or tracks which provide access to the mining lease);
- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the EPA, areas previously significantly disturbed which have not achieved the rehabilitation objectives due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be recorded in the Landowner Agreement and lodged with the EPA;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of tenure.

Site management plan - Means a site management plan approved under chapter 7, part 8 of the *Environmental Protection Act 1994*.

Standard criteria - Are defined in schedule 3 of the *Environmental Protection Act 1994*.

They are:

- a. the principles of ecological sustainable development; and
- b. any applicable environmental protection policy; and
- c. any applicable Commonwealth, State or local government plans, standards, agreements or requirements; and
- d. any applicable environmental impact study, assessment or report; and
- e. the character, resilience and values of the receiving environment; and
- f. all submissions made by the applicant and interested parties; and
- g. best practice environmental management; and
- h. financial implications; and
- i. the public interest; and
- j. any applicable site management plan; and
- k. any other matter prescribed under a regulation.

Standard environmental conditions - For an environmental authority, means the standard environmental conditions approved for the authority under section 549 of the *Environmental Protection Act 1994*.

Standard mining activity - Means a mining activity decided to be a standard activity under section 151 of the *Environmental Protection Act 1994*.

Topsoil - The surface layer of a soil profile, which is usually more fertile, darker in colour, better structured and supports greater biological activity than underlying layers. The surface layer may vary in depth depending on soil forming factors, including parent material, location and slope, but generally is not greater than about 300mm in depth from natural surface.

Unreasonable noise - Section 18 of the *Environmental Protection (Noise) Policy 1997* defines unreasonable noise as - noise that:

- a) causes unlawful environmental harm; and
- b) is unreasonable, having regard to the following matters:
 - a. its characteristics;
 - b. its intrusiveness;
 - c. the time at which it is made;
 - d. where it can be heard;
 - e. other noises ordinarily present at the place where it can be heard; and
- c) is not declared to be reasonable in Schedule 2 of the *Environmental Protection (Noise) Policy 1997* 'Reasonable Noise Levels'.

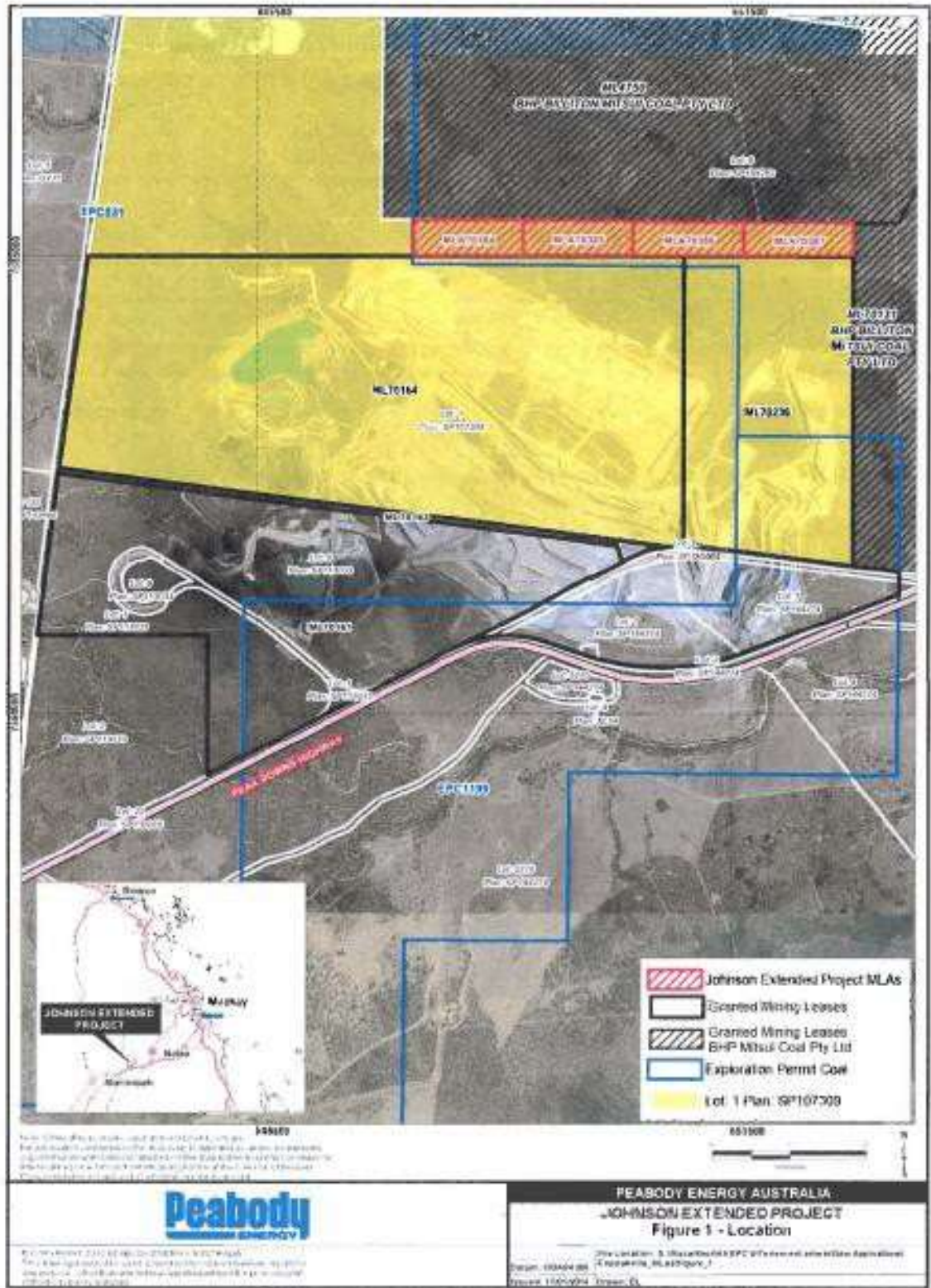
Watercourse - Means a river, creek or stream in which water flows permanently or intermittently in a visibly defined channel (natural, artificial or artificially improved) with clear bed and banks and evidence of biological dependence.

Waterway - A naturally occurring feature where surface water runoff normally collects, such as a clearly defined swale or gully, but only flows in response to a local rainfall event.

Wetland - Are areas of permanent or periodic/intermittent inundation, whether natural or artificial, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed 6m. Wetlands typically include areas such as lakes, swamps, marshes, estuaries or mudflats

Attachment

Appendix 1 – Map of Johnson Extended Project Location



END OF PERMIT