

Permit

Environmental Protection Act 1994

Environmental authority EPML00349713

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

Environmental authority number: EPML00349713

Environmental authority takes effect on 2 June 2023.

Transfers of this environmental authority are not authorised.

Environmental authority holder(s)

Name(s)	Registered address
Sibelco Australia Pty Ltd	C/- Christies Level 3, 240 Queen Street Brisbane QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3 12 – Mining mineral sand	ML1108

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).

Mobile and temporary activities

If you operate a mobile and temporary environmentally relevant activity (ERA), other than regulated waste transport, you are required to maintain a work diary. You must:



- use the approved form for a work diary (ESR/2015/1696);
- keep the work diary records for 2 years after the last entry;
- inform the administering authority within 7 days of the work diary being lost or stolen;
- record the information required in the work diary for each location within 1 day of leaving the location.

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 *Planning Act 2016* 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.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

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.

T. Gibbs

Signature

2 June 2023

Date

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

Enquiries:
Minerals Business Centre
PO Box 7230, CAIRNS 4870
(07) 4222 5352
ESCairns@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

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

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

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.resources.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

The environmentally relevant activities conducted at the authorised locations must be conducted in accordance with the following site-specific conditions of approval:

- Schedule A – General
- Schedule B – Air
- Schedule C – Water
- Schedule D – Noise
- Schedule E – Waste
- Schedule F – Land
- Schedule G – Community
- Schedule H – Definitions
- Schedule I – Maps and Plans

Schedule A – General

Contravention of conditions

(A1-1) Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must:

- a) be reported to the administering authority within 24 hours of becoming aware of the contravention; and
- b) include the nature and circumstances of the contravention and any immediate actions taken.

(A1-2) As soon as reasonably practicable but no later than 20 business days of a report made under condition (A1-1) (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:

- a) the potential circumstances and actions that may have contributed to the contravention; and
- b) reasonable and practicable measures that will be implemented to address the cause of the contravention to prevent future contraventions of this nature.

(A1-3) As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition (A1-2) (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.

(A1-4) The outcome of the investigation carried out under condition (A1-2) and the reasonable and practicable measures implemented under condition (A1-3) must be recorded.

Maintenance of Measures, Plant and Equipment

(A2-1) The environmental authority holder must:

- a) take all *control measures* and install plant and equipment necessary to ensure compliance with the conditions of this *environmental authority*.
- b) maintain such *control measures*, plant, and equipment in a proper condition; and
- c) operate such *control measures*, plant, and equipment in a proper manner.

Storage and Handling of Flammable or Combustible Liquids

(A3-1) Spillage of any flammable or combustible liquids or other chemicals must be contained and rectified to prevent environmental harm (other than of trivial nature).

(A3-2) Storage of flammable or combustible liquids must be in accordance Australian Standard 1940 – Storage and Handling of Flammable and Combustible Liquids.

Mining Operations

(A4-1) Notwithstanding condition (A4-2), *mining activities* on the *authorised mining tenement* must not be conducted within a *category A or B environmentally sensitive area* or within Cooroon Cooroonpah Creek.

(A4-2) *Mining operations* can only be conducted within the *authorised mining tenement* if:

- a) an *Environmental Studies Report (ESR)* (in accordance with condition A5-3) has been completed for those operations; and
- b) a *planning document* for those operations has been prepared which complies with the statutory requirements and incorporates the matters set out in condition (A6-1).

Baseline Environmental Studies

- (A5-1) *Baseline environmental studies* must be conducted for areas where the *mining activities* may occur and where those activities could have an impact on or detrimentally affect the *environmental values* pertaining to such areas and the *zone of impact*.

The purpose of the *baseline environmental studies* and the ESR is to survey the constituents of the environmental and to determine the *environmental impact(s)* including any environmental harm from the *mining activities* so that the *control measures* can be identified to protect *environmental values*.

- (A5-2) The following conditions set out the process that must be followed for carrying out the *baseline environmental studies*.
- a) Terms of reference must be prepared prior to commencing the *baseline environmental studies*. The terms of reference must address the matters that are to be included in the *baseline environmental studies*.
 - b) *Stakeholders* must be consulted about a draft terms of reference. The views of *stakeholders* must be considered when finalising the terms of reference. For the purpose of this condition, the *administering authority* is a *stakeholder*.
 - c) *Baseline environmental studies* must satisfy the final terms of reference.
- (A5-3) An *Environmental Studies Report (ESR)* must be submitted to the *administering authority* at least one month prior to the commencement of *mining operations*.

The ESR must:

- a) Provide the results of the *baseline environmental studies*.
- b) Identify the *environmental values* and location thereof within the *authorised mining tenement* and *zone of impact*.
- c) Provide an assessment of the *environmental impact* of the *mining activities* on *environmental values*.
- d) State *control measures* to protect *environmental values*.
- e) State *trigger levels* for indicators³ of possible impacts on *environmental values*, the *trigger levels* being relevant to alert of potential causation of *environmental harm*.
- f) Include a proposed monitoring program.
- g) Propose buffer zone locations and dimensions to protect the environmental values of the Cooroon Cooroonpah Creek and of *category A and B environmentally sensitive areas*; and
- h) Include the results of *stakeholder* consultation undertaken for the *baseline environmental studies* and the ESR including:
 - i. a summary of the concerns and interests raised by *stakeholders*.
 - ii. a summary of issues where agreement with *stakeholders* could not be reached.
 - iii. ongoing *stakeholder* consultation arrangements during the mining activities; and
 - iv. any identified issues which require further *stakeholder* involvement.

³ NOTE: Indicators could include water level, water quality, stability, abundance of a significant species, variance between pre and post mining landform, concentrations of a contaminant in air, water or soil, indicators of impacts on an environmental values between pre and post mining, but on the basis that they take account of naturally occurring variations in the environmental values.

(A5-4) At least two months prior to submission of the ESR required by condition (A5-3), a draft of the ESR addressing the matters stated in conditions (A5-3) (a) to (h) must be submitted to the *administering authority*.

(A5-4a) For the purposes of this environmental authority, the ESR includes the following:

- a) Environmental Studies Report for Vance Mining Lease (ML1108), North Stradbroke Island, Queensland dated 15 October 2007 prepared by URS for Unimin Australia Limited; and
- b) *Approved Environmental Management Plan (EMP)*; and
- c) *Approved Wallum Sedgefrog Management and Monitoring Plan*.

NOTE: For the purposes of this EA, any amendments to the approved ESR must be approved by both the administering authority *Environmental Protection Act 1994* and the administering authority *Environment Protection and Biodiversity Conservation Act 1999*.

(A5-4b) Notwithstanding any other conditions of this environmental authority, the environmental authority holder must implement the:

- a) Environmental Studies Report for Vance Mining Lease (ML1108), North Stradbroke Island, Queensland dated 15 October 2007 prepared by URS for Unimin Australia Limited; and
- b) *Approved EMP*; and
- c) *Approved Wallum Sedgefrog Management and Monitoring Plan*.

from the date of this environmental authority for mining activities in ML1108.

NOTE: where inconsistencies are found to exist between the ESR and the *approved EMP* including the *approved Wallum Sedgefrog Management and Monitoring Plan*, then the contents of the *approved EMP* will prevail.

(A5-4c) The holder of the environmental authority must not cause an environmental impact(s) which amounts to environmental harm beyond the boundary of the authorised mining tenement.

(A5-4d) Within the boundary of the authorised mining tenement, the holder of this environmental authority must not cause environmental harm beyond those areas nominated for the mining activity in the planning document.

Mine Planning

(A6-1) The following details must be included in a *planning document*, in addition to any statutory requirements of such a document:

- a) Areas where *mining activities* will occur.
- b) Locations of *control measures* (where applicable).
- c) Information derived from the ESR (including the *approved EMP*, *approved Wallum Sedgefrog Management and Monitoring Plan* and the environmental values thereof to be protected); and
- d) If any *environmental values* have a specific location, specify that location; and
- e) The *control measures* provided for in the ESR (including the *approved EMP* and *approved Wallum Sedgefrog Management and Monitoring Plan*).

Monitoring

(A7-1) From 2 June 2023, unless otherwise specified by a condition of this environmental authority, records must be:

- a) kept for the period outlined in **Table 1 – Record keeping requirements**; and
- b) provided to the administering authority upon request and in the format requested.

Table 1 – Record keeping requirements

Description of records	Retention requirement
<i>Monitoring results</i>	Retain for the life of the activity
All other records	Retain for at least 5 years

(A7-2) All monitoring and sampling required by the conditions of this environmental authority must be carried out, interpreted, and recorded by an appropriately qualified person(s).

(A7-3) Unless otherwise authorised in writing by the administering authority, all laboratory analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) accreditation for such analyses.

The only exception to this condition is for in situ monitoring of pH, conductivity, temperature, dissolved oxygen, and turbidity.

Annual Environmental Report

(A8-1) By 1 September each year, an Annual Environmental Report (AER) that assesses the environmental performance of the holder must be submitted to the administering authority. The report must include:

- a) A summary of any actions taken to comply with conditions A1-1 to A1-4 of this environmental authority.
- b) *Monitoring results* and an interpretation of these results by an appropriately qualified person.
- c) Discussion of the progress of rehabilitation towards achieving the objectives, targets and performance indicators stated in the ESR, the *approved EMP* and the *approved Wallum Sedgefrog Management and Monitoring Plan* and their conformance with the trigger levels.
- d) Discussion of any emerging issues with the rehabilitation progress
- e) Details of any environmental incidents and complaints; and
- f) Details of consultations held with stakeholders including community consultation meetings, circulation of minutes and presentations, agreements reached.

END OF CONDITIONS FOR SCHEDULE A

Schedule B – Air

Dust Nuisance

- (B1-1) The release of dust or other particulate matter resulting from the mining activities must not cause an environmental nuisance at any sensitive place in the opinion of an authorised person.
- (B1-2) For the purposes of condition (B1-1), the mining activities will not cause environmental nuisance where dust or other particulate matter resulting from the activities does not exceed the following limits when measured at any sensitive place:
- a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with the Australian Standard 3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulates – Deposited Matter – Gravimetric method: or
 - b) A concentration of suspended particulate matter with an aerodynamic diameter of less than 10 micrometres (μm) (PM10) of 150 micrograms per cubic metre over a 24-hour averaging time at a sensitive place downwind, when monitored in accordance with:
 - i. Australian Standard AS 3590.9.6 Methods for sampling and analysis of ambient air – Determination of particulate matter – PM (sub) 10 high-volume sampler with size-selective inlet – Gravimetric method; or
 - ii. Any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.
- (B1-3) Dust or other particulate monitoring must be undertaken as directed by the administering authority to investigate any complaint of environmental nuisance, which complaint in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief, and the results thereof notified to the administering authority within 14 days following completion of monitoring. Monitoring must be carried out at a site relevant to the potentially affected sensitive place and at upwind control site(s) and must include:
- a) For complaint alleging dust nuisance, dust deposition; and
 - b) For a complaint alleging adverse health effects caused by dust; the concentration per cubic metre of suspended PM10 over a 24hr averaging time.
- (B1-4) If an authorised person's opinion is that environmental nuisance is being caused by dust or other particulate matter from the mining activities, the holder must:
- a) Address the complaint including the use of an appropriate dispute resolution if required; or
 - b) Immediately implement abatement measures so that emission of dust or other particulate matter from the activities does not result in further environmental nuisance.

END OF CONDITIONS FOR SCHEDULE B

Schedule C – Water

(C1-1) The mining activities must not cause environmental harm to Cooroon Cooroonpah Creek, the associated aquifer, or any ecosystems dependent thereupon.

END OF CONDITIONS FOR SCHEDULE C

Schedule D – Noise

Noise Nuisance

- (D1-1) Subject to condition (D1-3), noise from the mining activities must not cause an environmental nuisance at any sensitive place in the opinion of an authorised person.
- (D1-2) Noise monitoring must be undertaken as directed by the administering authority to investigate any complaint of environmental nuisance caused by noise, which complaint in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief, and the results thereof notified to the administering authority within 14 days following completion of monitoring. For the purposes of this condition, noise monitoring must be done in accordance with the latest edition of the Environmental Protection Agency *Noise Measurement Manual* and include:
- a) $L_{A, \max \text{ adj, T}}$.
 - b) $L_{A10, \text{ adj, 10 mins}}$.
 - c) $L_{A1, \text{ adj, 10 mins}}$.
 - d) $L_{A90, 10 \text{ mins}}$.
 - e) Relevant background sound level.
 - f) The level and frequency of occurrence of impulsive or tonal noise.
 - g) Atmospheric conditions including wind speed and direction; and
 - h) Location date and time of recording.
- (D1-3) For the purposes of condition (D1-1), the mining activities will not cause environmental nuisance where noise from the activities does not exceed the limits specified in Schedule D – Table 1.
- (D1-4) If an authorised person’s opinion is that the nuisance is being caused by noise from the mining activities, the holder must:
- 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 activities does not result in further environmental nuisance.

Schedule D – Table 1 (Noise limits)

Noise Level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am – 6pm	6pm – 10pm	10pm – 7am	9am – 6pm	6pm – 10pm	10pm – 9am
	Noise measured at a ‘Noise sensitive place’					
$L_{A10, \text{ adj, 10 mins}}$	b/g + 5	b/g + 5	b/g + 3	b/g + 5	b/g + 5	b/g + 0
$L_{A1, \text{ adj, 10 mins}}$	b/g + 10	b/g + 10	b/g + 5	b/g + 10	b/g + 10	b/g + 5
	Noise measured at a ‘Commercial place’					
$L_{A10, \text{ adj, 10 mins}}$	b/g + 10	b/g + 10	b/g + 5	b/g + 10	b/g + 10	b/g + 5
$L_{A1, \text{ adj, 10 mins}}$	b/g + 15	b/g + 15	b/g + 10	b/g + 15	b/g + 15	b/g + 10

NOTE: The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency’s Noise Manuals.

END OF CONDITIONS FOR SCHEDULE D

Schedule E – Waste**Waste Handling**

(E1-1) All regulated waste removed from the authorised mining tenement must be by a person who holds a current authority to transport such waste under the provisions of the *Environmental Protection Act 1994*.

Waste Disposal

(E2-1) Waste generated by the mining activities must not be burned on the *authorised mining tenement*.

END OF CONDITIONS FOR SCHEDULE E

Schedule F – Land

Progressive Rehabilitation

(F1-1) Progressive rehabilitation must be achieved for disturbed areas not required for the ongoing conduct of the mining activities.

Rehabilitation Outcomes

(F2-1) The *environmental authority holder* must complete an investigation into *rehabilitation* of disturbed areas and submit a report (Stage 1 Report) to the *administering authority* proposing *acceptance criteria* by 30 June 2007. That report must address:

- a) Post mining *land use*.
- b) Landform aspects.
- c) Landform geotechnical stability criteria.
- d) Revegetation *acceptance criteria*.
- e) Ground and surface water quality criteria.
- f) Water levels of surface water bodies and wetlands; and
- g) Post mine closure maintenance and monitoring requirements.

(F2-2) All areas disturbed by the *mining activities* in Stage 1 of ML1108 (as shown in Schedule I – Figure 1) must be rehabilitated in accordance with the *acceptance criteria* prescribed in the Stage 1 Report required by condition (F2-1) as may be modified by the *administering authority*. Where no such modification is notified by the *administering authority* to the *environmental authority holder* within six months of receipt of the Stage 1 Report, then the *acceptance criteria* prescribed in the report will apply.

(F2-3) With the exception of Stage 1 of ML1108 (as shown in Schedule I – Figure 1), the holder of this environmental authority must implement the landform and rehabilitation objectives contained in the *approved EMP*.

Infrastructure

(F3-1) All infrastructure for the mining activities, including water storage structures, must be removed from the subject land prior to surrender of the environmental authority, except where otherwise agreed to in writing by the post mining landowner.

END OF CONDITIONS FOR SCHEDULE F

Schedule G – Community**Complaint Response**

(G1-1) All complaints received must be recorded by the environmental authority holder including details of a complainant, reasons for a complaint, investigations undertaken, conclusions formed, and actions taken. This information must be made available for inspection by the *administering authority* upon request.

END OF CONDITIONS FOR SCHEDULE G

Schedule H – Definitions

(H1-1) Words and phrases used throughout this environmental authority are defined in Schedule H – Definitions. Where a definition for a term used in this environmental authority is sought and the term is not defined herein, the definitions in the *Environmental Protection Act 1994*, regulations made under that Act and Environmental Protection Policies as amended from time to time or ordinary meaning must be used.

Interpretation

“EMOS” means the Environmental Management Overview Strategy report titled “Unimin Australia Limited, North Stradbroke Island, Environmental Management Overview Strategy, ML1108” dated March 2004. Where required, interpretation of this environmental authority should be in the context of the EMOS.

Definitions

“acceptance criteria” means standards by which actions implemented to rehabilitate land are deemed to be complete (same as completion criteria).

“ambient (or total) noise” at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for a relevant time interval.

“appropriately qualified person” means a person who has professional qualifications, training, skills or experience relevant to the EA requirements and can give authoritative assessment, advice, and analysis in relation to the EA requirements using the relevant protocols, standards, methods, or literature.

“approved Environmental Management Plan / approved EMP” means the Environmental Management Plan dated February 2023 Version 6 titled “North Stradbroke Island, Silica Sand Mining Operations, ML1108” for Sibelco Australia Pty Limited

“approved Wallum Sedgefrog Management and Monitoring Plan” means the Wallum Sedgefrog Management and Monitoring Plan dated 2019, prepared by BAAM Pty Ltd for Sibelco Australia Pty Ltd ML1108 Vance Lease

“authorised mining tenement” means those mining tenements listed on page 1 of this environmental authority.

“authority” means environmental authority (mining activities) issued under the *Environmental Protection Act 1994*.

“baseline environmental studies” means the studies referred to in conditions (A5-1), (A5-2) hereof.

“category A or B environmentally sensitive area” has the meaning given in the *Environmental Protection Act 1994*.

“control measures” means actions that can be taken in order to prevent or minimise environmental impacts or environmental harm. Control measures can be but are not limited to planning, procedural, physical, or engineering controls. Control measures has the same intent as ‘risk treatment’ in Australian Standard 4360 (Risk Management).

“commercial place” means a place used as an office for business or commercial purposes, other than such a place within the authorised mining tenement.

“competent person” means a person with sufficient demonstrated skill, knowledge and qualifications required to carry out a task to a necessary standard for protection of the environment.

“environmental aspect” means an element of the mining operations or activities that can interact with the environment. A significant environmental aspect is one that can have a significant environmental impact or can cause environmental harm.

“environmental harm” has the meaning given in the *Environmental Protection Act 1994*.

“environmental impacts” means changes that occur in the environment as a result of the mining activities. Such impacts can be positive, negative, or neutral.

“environmental management system” means a management system that includes organisational structure, planning activities, responsibilities, practices, procedures, processes, and resources for developing, implementing, achieving, reviewing, and maintaining an environmental policy and for achieving compliance with an environmental authority and the general environmental duty prescribed by section 319 of the *Environmental Protection Act 1994*.

“environmental value” has the meaning given in the *environmental Protection Act 1994*.

“ESR” means an environmental studies report referred to in condition (A5-3).

“expected impact” means the predicted changes to an environmental value under normal conditions by the influence of an authorised activity. Methods available for the determination of expected impact include:

- Predictions based on historical data.
- Knowledge based intuition.
- Numerical analysis; and
- Modelling.

“ $L_{A 10, \text{adj}, 10 \text{ mins}}$ ” means the A-weighted sound pressure level, adjusted for tonal character and impulsiveness of the sound, exceeded for 10% of any 10-minute measurement period, using Fast response.

“ $L_{A 90, T}$ ” Background sound pressure level $L_{A 90, T}$ is the A- weighted sound pressure level obtained using time-weighting ‘F’ exceeded for 90 percent of the measuring period ‘T’.

“ $L_{A 1, \text{adj}, 10 \text{ mins}}$ ” means the A-weighted sound pressure level, adjusted for tonal character and impulsiveness of the sound, exceeded for 1% of any 10-minute measurement period, using Fast response.

“ $L_{A, \text{max adj}, T}$ ” means the average maximum A-weighted sound pressure level, adjusted for noise character, and measured over any 10-minute period using Fast response.

“land” in the “land schedule” of this document means land excluding waters and atmosphere.

“land use” refers to description of the purpose(s) for land after cessation of mining activities thereupon.

“mining activities” has the meaning given in the *Environmental Protection Act 1994*.

“mining operations” means clearing, topsoil stripping and stockpiling, extracting, tailings placement etc., but excludes exploration activities or measures taken solely to control environmental impacts, monitoring, rehabilitation, conducting *baseline environmental studies* and gaining access to areas for these purposes.

“mining operation area(s)” means those areas identified in a planning document where mining activities or operations will occur.

“monitoring results” includes analysis results (laboratory and in situ) and monitoring reports.

“noise sensitive place” means –

- A dwelling, mobile home or caravan park, residential marina, or other residential premises.
- A motel, hotel, or hostel.
- A kindergarten, school, university, or other educational institution.
- A medical centre or hospital.
- A protected area; and
- A park or gardens.

And includes the curtilage of any such place.

“noxious” means harmful or injurious to health or physical wellbeing, other than trivial harm.

“planning document” means any document that describes a plan of *mining activities* and has a term of not more than five years. A plan of operations under section 233 of the *Environmental Protection Act 1994* is a planning document for the purpose of this environmental authority.

“progressive rehabilitation” means rehabilitation (defined below) undertaken progressively or in stages as mining activities or operations are ongoing.

“protected area” means a protected area under the *Nature Conservation Act 1992*; a marine park under the *Marine Parks Act 1992* or a World Heritage Area.

“records” includes any written procedures, plans, monitoring results and monitoring programs required under a condition of this environmental authority.

“rehabilitation” means the process of reshaping and revegetating land to restore it to a stable post mining state and in accordance with the acceptance criteria, and where relevant includes remediation of contaminated land.

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

“sensitive place” means:

- A dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises excluding accommodation for persons engaged in the mining activities.
- A motel, hotel, or hostel.
- A kindergarten, school, university, or other educational institution.
- A medical centre or hospital.
- A protected area; and
- A public park or gardens (including a protected area); and
- A commercial place.

And includes the curtilage of any such place.

“stable” means geotechnical stability of a rehabilitated landform where instability caused by settlement and subsidence has ceased.

“Stage 1 Report” means the North Stradbroke Island Project Report on Investigation into Rehabilitation of Disturbed Areas. Mining Lease No. ML 1108 – Stage 1. Version 1 dated 18/6/2007 and as amended by Sibelco Australia Pty Ltd on 09/02/2023.

“stakeholder” means an individual or group concerned with or affected by the conduct of mining activities in accordance with the conditions of an environmental authority.

“trigger level” means the extent or level of change in or to an environmental value that necessitates a response to prevent causation of environmental harm.

“trivial harm” means environmental harm which is not material or serious environmental harm and will not cause actual or potential loss or damage to property of an amount totalling more than \$5,000.

“waters” includes a river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water being natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, groundwater and any part thereof.

“zone of impact” means those areas, whether on or off the authorised *mining tenement(s)*, where mining activities could or do result in a change in the environment. See also definition for environmental impact.

Schedule I – Maps and Plans

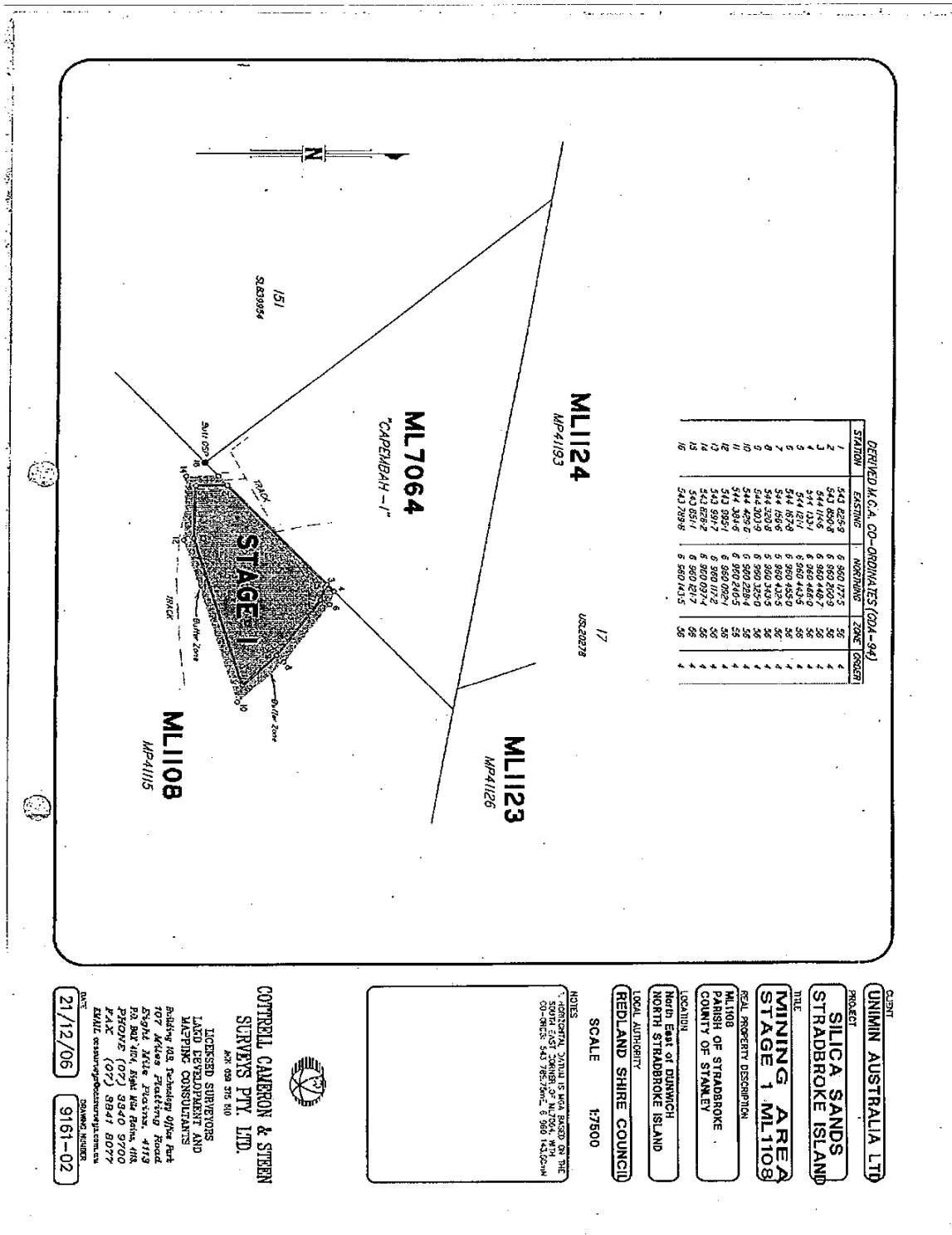


Figure 1 Drawing Number 9161- 02 dated 21/12/06 prepared by Cottrell Cameron & Steen Surveys Pty Ltd showing Mining Area Stage 1 for ML1108,

END OF ENVIRONMENTAL AUTHORITY