

Permit

Environmental Protection Act 1994

Environmental authority EPML00421413

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

Environmental authority number: EPML00421413

Environmental authority takes effect on 20/05/2025.

The anniversary date of this environmental authority is 16 May each year.

Environmental authority holder(s)

Name(s)	Registered address
Gumigil Pty Limited	15 Milman Street, MARLBOROUGH QLD 4705

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3 – 20(a) Claypit, dimension stone or mining gemstones (including the material from which gemstones are extracted)—at least 5,000t but not more than 100,000t in a year	ML5769, ML5770, ML5781, ML5782, ML5791, ML5792, ML5795, ML5802, ML7197, ML7198.

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 land give written notice to the administering authority if they become aware of the following:

- the presence of, or happening of an event involving, a hazardous contaminant on the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- if the land is contaminated land – a change in the condition of the land that is causing, or is reasonably likely to cause, serious or material environmental harm (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 land (notice must be given within 20 business days).

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.



Signature

Ben Byrd
Department of the Environment, Tourism, Science
and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

21 May 2025

Date

Enquiries:
Business Centre Coal
Department of the Environment, Tourism, Science
and Innovation
Phone: (07) 4987 9320
Email: CRMining@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 the Environment, Tourism, Science and Innovation to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site-specific conditions of approval.

This environmental authority consists of the following Schedules and Appendices:

Schedule A	General
Schedule B	Air
Schedule C	Water
Schedule D	Acoustic
Schedule E	Land
Schedule F	Waste
Attachment 1 Figure 1	Locations of Gullies 1 to 7 with Water Monitoring Points (N)
Attachment 2	Definitions

Schedule A: General	
Condition number	Condition
A1	The holder must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and (b) maintain such measures, plant and equipment in a proper condition; and (c) operate such measures, plant and equipment in a proper manner.
A2	Monitoring Record, compile and keep all monitoring results required by this environmental authority and make available for inspection all or any of these records upon request by the administering authority.
A3	Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conducts all monitoring.
A4	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm (other than trivial harm) and maintained in accordance with Section 5.9 of AS 1940 - Storage and Handling of Flammable and Combustible Liquids of 1993.
A5	Words and phrases used throughout this EA are defined in <i>Attachment 2 – Definitions</i> . Where a definition for a term used in this EA is sought and the term is not defined within this EA, the definitions in the <i>Environmental Protection Act 1994</i> , its Regulations and Environmental Protection Policies must be used.
A8	The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the Code of Environmental Compliance for Exploration and Mineral Development Projects January 2001 when conducting, maintaining and rehabilitating exploration activities on those parts of mining leases not subject to active mining at the time.
A9	All complaints received must be recorded including details of complainant, reasons for the complaint, investigations undertaken, conclusions formed, and actions taken. This information must be made available for inspection by the administering authority on request.

Schedule B: Air	
Condition number	Condition
B1	The release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance at any sensitive place.

Schedule C: Water	
Condition number	Condition
C1	Storm water contaminated by the mining activity disturbance, other than road access, must be treated in a sediment dam(s) of a minimum capacity of 1500 m ³ per hectare of disturbance before release (sediment dam size criteria).
C2	All roads will have run-off control structures at suitable intervals to minimise erosion and direct runoff on to natural ground.
C3	End of pipe release limits for process water and storm water contaminated by mining activities must be monitored at the locations and frequencies defined in Table C1 – End of pipe monitoring locations and frequency , and <i>Figure 1 – Locations of Gullies with Water Monitoring Points</i> and comply with the contaminant limits defined in Table C2 – End of pipe contaminant release limits . Note: See Table C1 – End of pipe monitoring locations and frequencies ; Table C2 – End of pipe contaminant release limits ; and <i>Figure 1 – Locations of Gullies with Water Monitoring Points</i> .
C4	Complete an investigation into the release of contaminated storm water from areas disturbed by mining and submit a report entitled 'Sediment Control' to the administering authority evaluating the success of sediment dam size criteria in condition C1 to meet the limits in conditions C2 and C3 in comparison to catchment backgrounds within two months following two wet seasons or rain events resulting in over-flows of sediment dams after April 2005. The investigation shall include all gullies affected by mining that leave the mining leases; appropriate reference gullies not disturbed by mining; and Marlborough and Develin Creeks upstream of Gumigil's mining during high flows.
C5	All reasonable and practicable erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
C6	The method of water sampling required by this environmental authority must comply with that set out in the latest edition of the administering authority's Monitoring and Sampling Manual.

Table C1 – End of pipe monitoring locations* and frequency

Monitoring point	Latitude (GDA 94)	Longitude (GDA 94)	Monitoring frequency**
Gully 1	22° 57.234	149° 51.720	During one high flow event per month
Gully 2.	22° 57.385	149° 51.511	During one high flow event per month
Gully 3.	22° 57.880	149° 51.564	During one high flow event per month
Gully 4.	22° 58.026	149° 51.579	During one high flow event per month
Gully 5, 6 and 7.	22° 58.188	149° 49.951	During one high flow event per month

* See also *Figure 1 – Locations of Gullies 1 to 7 with Water Monitoring Points (N)*

** Sampling by rising stage sampler or equivalent method.

Table C2 – End of pipe contaminant release limits

Monitoring Point	Parameter	Units	Minimum	Maximum
Gully 1,2,3,4 and 5, 6, & 7	Total Suspended Solids (TSS)	mg/L	n/a	800

Schedule D: Acoustic	
Condition number	Condition
D1	Noise nuisance Subject to requirement of condition D2 and condition D3 noise from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.

Table D1 - 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 other than at a commercial place’					
LA10, adj, 10 mins	b/g+5	b/g+5	b/g+3	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
	Noise measured at a ‘Commercial place’					
LA10, adj, 10 mins	b/g+10	b/g+10	b/g+5	b/g+10	b/g+10	b/g+5
LA1, 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 Administering Authority’s Noise Manuals.

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 or commercial place, and the results must be notified within 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 are not being exceeded, then the holder is not in breach of condition D1 . Monitoring must include: (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. Note: See Table D1 – Noise limits and Table D2 – Airblast overpressure level

Table D2 - Airblast overpressure limits

Location	Monday to Friday 7am – 6pm and Saturday 7am – 6pm	Sundays and Public Holidays 9am – 5pm
Sensitive place	Air blast overpressure level of 115 db (linear peak) for four (4) out of five (5) consecutive blasts initiated and not greater than 120db (linear peak) at any time.	Air blast overpressure level of 110db (linear peak).
Commercial place	Air blast overpressure level of 115 db (linear peak) for four (4) out of five (5) consecutive blasts initiated and not greater than 120db (linear peak) at any time.	

Note: The method of measurement and reporting of airblast overpressure levels must comply with the latest edition of the Administering Authority's vibration and air blast overpressure monitoring guideline.

D4	If monitoring indicates exceedance of the limits in Attachment 1 for Table D1 – Noise limits and Table D2 – Airblast overpressure level, then the environmental authority 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 activity do not result in further environmental nuisance. Note: See Table D1 – Noise limits and Table D2 – Airblast overpressure level.
D5	The method of measurement and reporting of noise levels must comply with the latest edition of the Administering Authority's Noise Measurement Manual.
D6	Vibration nuisance Subject to requirements of condition N7 and condition N8 vibration from the mining activity must not cause an environmental nuisance, at any sensitive or commercial 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 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 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: (a) location of the blast/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. Note: See Table D3 – Vibration limits.

D9	If monitoring indicates exceedance of the relevant limits in Table D3 – Vibration limits, then the environmental authority holder must: (a) address the complaint including the use of appropriate dispute resolution if required; or (b) immediately implement vibration abatement measures so that vibration from the activity does not result in further environmental nuisance. Note: See Table D3 – Vibration limits.
-----------	--

Table D3 – Vibration limits

Location	Vibration measured	
	Monday to Friday 7 am - 6 pm and Saturday 7am - 6 pm	Sundays and public holidays 9am - 5 pm
Sensitive place	5 mm/s peak particle velocity for four (4) out of five (5) consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.	5 mm/s peak particle velocity for four (4) out of five (5) consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.
Commercial place	10 mm/s peak particle velocity for four (4) out of five (5) consecutive blasts and not greater than 15 mm/s peak particle velocity at any time.	

Note: The method of measurement and reporting of vibration levels must comply with the latest edition of the Environmental Protection Agency's vibration and air blast overpressure monitoring guideline.

Schedule E: Land	
Condition number	Condition
E1	All areas significantly disturbed by mining activities must be rehabilitated to the final land use suitability description as defined in Table E1 – Landform design criteria, final land use and rehabilitation approval schedule .
E2	Progressive rehabilitation must commence when areas become available within the operational land.
E3	Areas which are to be rehabilitated to native ecosystem must comply with the following outcomes: (a) achievement of a self-sustaining native ecosystem with a species composition and distribution similar to analogue site(s); and (b) all areas significantly disturbed by mining activities must be rehabilitated to the landform design criteria defined in Table E1 Landform design criteria, final land use and rehabilitation approval schedule; and (c) landforms are stable and have been reshaped as close as practicable to the aspect orientation of analogue site(s).
E4	Complete an investigation into rehabilitation of disturbed areas defining specific stability criteria and monitoring, and submit a report to the administering authority proposing acceptance criteria to meet the outcomes in condition E3 and landform design criteria in Table E1 Landform design criteria, final land use and rehabilitation approval schedule by 31 December 2007.
E5	Infrastructure All infrastructure, constructed by or for the environmental authority holder during the mining activities including water storage structures, must be removed from the site prior to mining lease surrender, except* where agreed in writing by the post mining land owner/holder. Note: *This exception is not applicable where the landowner/holder is also the environmental authority holder.

Table E1 – Landform design criteria, final land use and rehabilitation approval schedule

Tenure	Disturbance Type	Landform design - maximum slope (%)	Projected Surface Area (ha)	Post-mining land use description	Land suitability classification (conservation)**		Analogue site* identification
					Pre-mining	Post-mining	
ML5791, ML5792 & (ML5769, ML5770, ML7198 & ML5782 - future mining)	Eastern Cut (incl. Gullies 1,2,3,4 & 5)						Old Western Dump; Bench 3 extended; & 1970 cut
	-Active faces (gullies 1, 2, 3 & 4)	Angle of repose	16	Native ecosystem (NE)	1	3	
	-Face (gully 5)	Angle of repose	4	NE	1	4	
	-Tops	25	16.5	NE	1	2	
	-Pit walls (competent)	200	3	NE	1	3	
	-Pit walls (in competent)	100	0.5	NE	1	3	
	-Sediments	17	10	NE	1	2	
	-Dam Sediments Walls	17 33	6 (total)	NE	1	2	
	Western Cut (old workings)						
	- Faces (gullies 6 & 7)	Angle of repose	5	NE	1	4	
	-Dams	17	3	NE	1	2	
	-Sediments	17	4	NE	1	2	
	Exploration pits	Natural surface	1	NE	1	2	
	ML5795 ML5781	Maintenance & infrastructure site	Natural surface	0.5	NE	1	
ML5802 ML7197	Roads	Natural surface	14	NE	1	2	

*Justification and locations of analogue sites for each disturbance type must be provided in the plan of operations.

**Note: Land Suitability Classification for conservation determined by method in *Land Suitability Assessment Techniques* in Technical guidelines for the environmental management of exploration and mining in Queensland, DME, 1995.

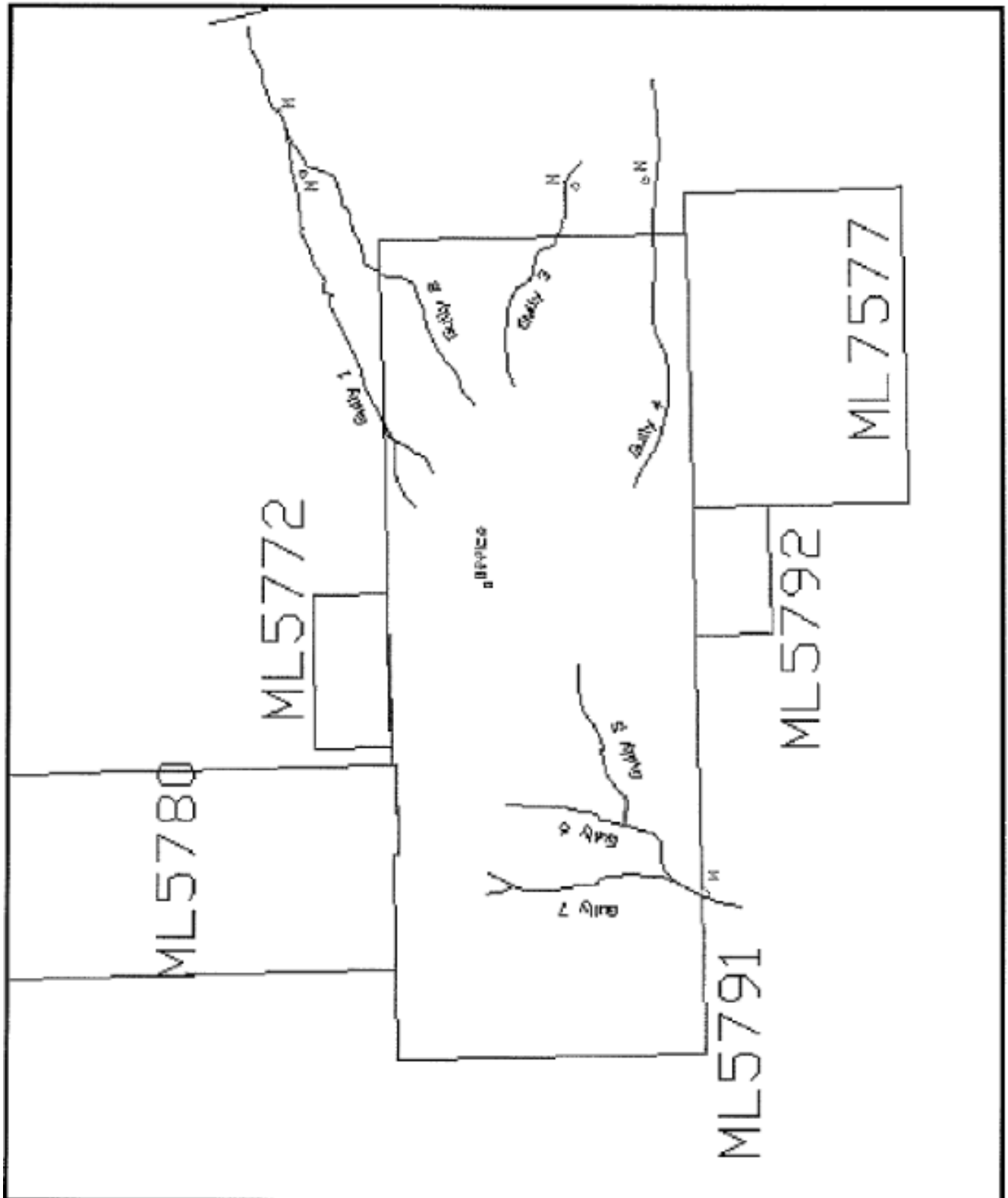
Class definitions for land use suitability as applied for conservation uses:

1. Areas well suited for conservation uses must possess significant conservation benefits in the pre mining environment and be capable of being returned to that use post mining
2. These areas are suited to conservation use in that a significant component of the pre mining conservation values can be restored post mining. There will however be some loss in conservation values where soil terrain or hydrological post-mining conditions may inhibit the full replication of the pre-mining values
3. These lands contain significant conservation values pre mining, however, restoration of all of these values may not be feasible. These areas could however, be restored to a form of conservation use which provides alternative conservation benefits
4. These lands contain limited conservation value pre mining and/or are incapable of being effectively restored post mining to any alternative conservation use which provides similar benefits. The area could however be restored to provide a stable form of use which does not impact on surrounding conservation values.

Schedule F: Waste	
Condition number	Condition
F1	Tyres stored awaiting disposal or transport for take-back and, recycling, or waste-to-energy options - should be stockpiled in volumes less than 3m in height and 200m ² in area and at least 10m from any other tyre storage area.
F2	All reasonable and practicable fire prevention measures must be implemented, including removal of grass and other materials within a 10m radius of the scrap tyre storage area.

ATTACHMENT 1

Figure 1- Locations of Gullies 1 to 7 with Water Monitoring Points (N)



ATTACHMENT 2**Definitions**

Words and phrases used throughout this environmental authority are defined below. Where a definition for a term used in this environmental authority is not provided within this environmental authority but is provided in the *Environmental Protection Act (EP Act) 1994* or subordinate legislation, the definition in the EP Act or subordinate legislation must be used.

Acceptance criteria means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly disturbed by the mining activities. Acceptance criteria may include information regarding:

- a) vegetation establishment, survival and succession;
- b) vegetation productivity, sustained growth and structure development;
- c) fauna colonisation and habitat development;
- d) ecosystem processes such as soil development and nutrient cycling, and the recolonisation of specific fauna groups such as collembola, mites and termites which are involved in these processes;
- e) microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration;
- f) effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development;
- g) resilience of vegetation to disease, insect attack, drought and fire; and
- h) vegetation water use and effects on ground water levels and catchment yields.

Airblast overpressure means energy transmitted from the blast site within the atmosphere in the form of pressure waves. The maximum excess pressure in this wave, above ambient pressure is the peak airblast overpressure measured in decibels linear (dBL).

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 an appropriate time interval.

Authority means environmental authority (mining activities) under the *Environmental Protection Act 1994*.

Blasting means the use of explosive materials to fracture:

- a) rock, coal and other minerals for later recovery; or
- b) structural components or other items to facilitate removal from a site or for reuse.

Commercial place means a work place used as an office or for business or commercial purposes, which is not part of the mining activity and does not include employees accommodation or public roads.

Competent person means a person with the demonstrated skill and knowledge required to carry out the task to a standard necessary for the reliance upon collected data or protection of the environment.

Dam means a containment or proposed containment whether permanent or temporary, which is designed to contain, divert or control flowable substances. However, this does not include a fabricated or manufactured tank or container designed to recognised standard.

Environmental authority holder means the holder of this environmental authority.

Infrastructure means water storage dams, roads and tracks, buildings and other structures built for the purpose of mining activities but does not include other facilities required for the long term management of mining impacts

or the protection of potential resources. Such other facilities include dams, waste rock dumps, voids, or ore stockpiles and buildings as well as other structures whose ownership can be transferred and which have a residual beneficial use for the next owner of the operational land or the background landowner.

L_{A10, adj, 10 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 1, adj, 10 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, 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 the atmosphere.

Land suitability as defined in the *DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland*.

Land use means the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

Noxious means harmful or injurious to health or physical wellbeing, other than trivial harm.

Non-standard means a mining operation that if in the opinion of the administering authority does not have a low risk of serious environmental harm and the activities cannot comply with the criteria for standard mining activities prescribed in schedule 2 of the Environmental Protection Regulation 2019. The standard mining activity trigger criteria are as follows:

- the mining activities do not or will not cause more than 10 ha of land to be significantly disturbed at any one time;
- the mining activities do not or will not cause more than 5 ha of land to be significantly disturbed at any one time;
 - (a) in a riverine area;
 - (b) because of mine workings;
- The mining activities are not or will not be carried out in, or within 2 km of a category A Environmentally Sensitive Area;
- The mining activities are not or will not be carried out in, or within 1 km of a category B Environmentally Sensitive Area;
- The mining activities do not include a level 1 environmentally relevant activity;
- No more than 20 persons are carrying out or will, at any one time, carry out the mining activities.

Peak particle velocity (ppv) means a measure of ground vibration magnitude which is the maximum rate of change of ground displacement with time, usually measured in millimetres/second (mm/s).

Protected area means – a protected area under the *Nature Conservation Act 1992*, or

- a) a marine park under the Marine Parks Act 1992, or
- b) a World Heritage Area.

Progressive rehabilitation means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

Reference site (or analogue site) may reflect the original location, adjacent area or another area where rehabilitation success has been completed for a similar biodiversity. Details of the reference site may be as photographs, computer generated images and vegetation models etc.

Rehabilitation the process of reshaping and revegetating land to restore it to a stable landform and in accordance with the acceptance criteria set out in this environmental authority and, where relevant, includes remediation of contaminated land.

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

Sensitive place means:

- a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- b) a motel, hotel or hostel; or
- c) an educational institution; or
- d) a medical center or hospital; or
- e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
- f) a public park or gardens.

Significant disturbance includes land:

- (a) if it is contaminated land; or
- (b) it has been disturbed and human intervention is needed to rehabilitate it
 - i. to a state required under the relevant environmental authority; or
 - ii. if the environmental authority does not require the land to be rehabilitated to a particular state – to its state immediately before the disturbance.

Some examples of disturbed land include:

- 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 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 activities have ceased; or
- areas where land has been contaminated and a suitability statement has not been issued.

However, the following areas are not included:

- areas previously significantly disturbed which have achieved the rehabilitation outcomes;

- 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 the tenure.

Spillway means a passage or outlet from the dam through which surplus water flows.

Stable means landform dimensions are or will remain within tolerable limits now and in the foreseeable future. Stability includes consideration of geotechnical stability, settlement and consolidation allowances, bearing capacity (traffic ability), erosion resistance and geochemical stability with respect to seepage and contaminant generation.

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 of, or amounts totalling more than \$5,000.

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:

- (a) continuous bed and banks;
- (b) an extended period of flow for some months after rain ceases, and
- (c) an adequacy of flow that sustains basic ecological processes and maintains biodiversity.

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, bed and banks of any waters, dams, non-tidal or tidal waters (including the sea or any part-thereof).

END OF ENVIRONMENTAL AUTHORITY