

Permit¹

Environmental Protection Act 1994

Environmental authority

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

Permit¹ number: EPML00722813

Environmental authority takes effect on 15-SEP-2014.

The anniversary date of this environmental authority remains 19th June. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Chongherr Investments Ltd	Level 34 Central Plaza 1 345 Queen Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - ML Claypit, dimension stone or gemstones - 20(a)	ML50016 ML50213

Additional information for applicants

Environmentally relevant activities

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

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority 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).

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation



Contaminated land

It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

15/09/2014

Date

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Obligations under the *Environmental Protection Act 1994*

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

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

Conditions of environmental authority

Location: ML50016, ML50213

Relevant activity: Mining - ML Claypit, dimension stone or gemstones - 20(a)

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

CONDITIONS OF ENVIRONMENTAL AUTHORITY

General Permit Condition

Agency Interest: General

PG1 Financial assurance

Provide a financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.

NOTE: The calculation of financial assurance for condition [G1] must be in accordance with Guideline 17 and may include a performance discount. The amount is defined as the maximum total rehabilitation cost for complete rehabilitation of all disturbed areas, which may vary on an annual basis due to progressive rehabilitation. The amount required for the financial assurance must be the highest Total Rehabilitation Cost calculated for any year of the Plan of Operations and calculated using the formula: (Financial Assurance = Highest Total Annual Rehabilitation Cost x Percentage Required).

PG2 Monitoring

Record, compile and keep for a minimum of five years 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.

PG3 The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.

NOTE: Where progressive rehabilitation is completed and acceptable to the administering authority, progressive reductions to the amount of financial assurance will be applicable where rehabilitation has been completed in accordance with the acceptance criteria defined within this environmental authority.

PG4 Maintenance of measures, plant and equipment

The environmental authority holder must ensure:

- (a) that all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority are installed; and
- (b) that such measures, plant and equipment are maintained in a proper condition; and
- (c) that such measures, plant and equipment are operated in a proper manner.

PG5 Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conducts all monitoring.

PG6 Definitions

Words and phrases used throughout this EA are defined in Attachment [2] Environmental authority word definitions non-standard mining activities. 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 Environmental Protection Act 1994, its Regulations and Environmental Protection Policies must be used.

PG7 Mining activities must not cause more than 30ha of significantly disturbed land at any one time.

Agency Interest: Air

PA1 Dust nuisance

Subject to requirement of [A2 and A3] 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.

PA2 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 14 days to the administering authority following completion of monitoring.

PA3 Notwithstanding condition A1, dust and particulate matter must not exceed the following levels when measured at any sensitive or commercial place:

(a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS3580.10.1 of 2003 (or more recent editions); or

(b) a concentration of particulate matter with aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24-hour averaging time, at a sensitive or commercial place downwind of the site, when monitored in accordance with:

Australian Standard AS3580.9.6 of 2003 (or more recent editions) "Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet Gravimetric Method"; or

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.

PA4 Prevent or minimise the release of dust from vehicles used for transporting aggregates from the site.

PA5 Trafficable areas must be maintained to prevent or minimise the release of wind blown or traffic generated dust to the atmosphere.

PA6 Stockpiles must be maintained to prevent or minimise the release of wind blown dust to atmosphere.

Agency Interest: Biodiversity

PB1 Mining activities undertaken on ML50016 and ML50213 must not cause environmental harm to any category A or B environmentally sensitive area.

PB2 A flora assessment of ML50016 and ML50213 must be undertaken prior to disturbance of any additional areas as at the date of issue of this EA and no longer than within six months from the date of approval.

- PB3 The flora assessment of ML50016 and ML50213 must be undertaken by a suitably qualified person and include GPS recording and mapping of:
- (a) locations of plants identified as Endangered, Vulnerable or Rare (EVR) under Nature Conservation (Wildlife) Regulation 1994; and
 - (b) over-mature trees bearing significant hollows (habitat trees).
- PB4 A development map of ML50016 and ML50213 must be prepared within three (3) months from the date of approval, which clearly identifies areas to be retained, showing:
- (a) results of the flora assessment, including locations of Endangered, Vulnerable and Rare (EVR) species and habitat trees; and
 - (b) proposed buffer zones around EVR species and habitat trees identified.
- PB5 The development map must clearly identify:
- (a) ML boundaries;
 - (b) existing infrastructure;
 - (c) proposed roads and access tracks; and
 - (d) proposed location and sequencing of mining activities.
- PB6 The flora assessment, development map and any supporting documentation must be submitted to the Environmental Protection Agency prior to commencement of mining activities.
- PB7 Prepare a vegetation management plan to:
- (a) protect state and regionally significant values contained within areas of remnant vegetation;
 - (b) identify performance indicators for successful rehabilitation, particularly milestones for the establishment of EVR species during the life of the project;
 - (c) outline clearing protocols, fire and weed management strategies; and
 - (d) map buffer zones to protect EVR species and Endangered Regional Ecosystem.
- PB8 Prepare a fauna management plan to include:
- (a) successional clearing protocols as related to EVR species and significant fauna habitat; and
 - (b) the use of qualified wildlife spotters during clearing.

Agency Interest: Land

- PL1 All areas significantly disturbed by mining activities must be rehabilitated to the final land description as defined in Attachment [1] Table [1] Final land use and rehabilitation approval schedule.
- Note: See Attachment [1] for Table [1] Final land use and rehabilitation approval schedule.
- PL2 Progressive rehabilitation must commence when areas become available within the operational land.
- PL3 The water quality of any residual water bodies must comply with the water quality guidelines for livestock drinking water stated in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.
- PL4 Prepare a stormwater management plan to include:
- (a) the location and design capacity of sediment dam(s) and description of the site drainage system;
 - (b) details of how the sediment dam(s) will be managed to prevent uncontrolled overflows of turbid water during storm events; and
 - (c) details of how the site will be managed to minimise erosion.
- PL5 Topsoil must be removed and stockpiled prior to carrying out mining activities.
- PL6 Excavations less than three (3) metres deep must be backfilled with available overburden and waste rock as soon as practical following completion of mining activities.
- PL7 Where it is impractical to return overburden and waste rock to excavations deeper than three (3) metres, overburden and waste rock stockpiles must accord with condition Land L1.
- PL8 Storage of flammable or combustible liquids shall accord with Australian Standard 1940 - Storage and Handling of Flammable and Combustible Liquids.
- PL9 Mining activities must be conducted so as to prevent land contamination.
- PL10 Within a period of six months from date of approval, a Rehabilitation Plan must be submitted for acceptance to the administering authority, addressing the following issues:
- (a) staging of rehabilitation;
 - (b) final landform design;
 - (c) proposed species list; and
 - (d) rehabilitation success criteria (including species diversity and density cover).

PL11 Rehabilitation must be completed in accordance with the Rehabilitation Plan and to the satisfaction of the administering authority.

PL12 **Land Rehabilitation**
The site (including all disturbed areas such as slopes, sedimentation dam(s) and stockpile areas) must be rehabilitated in a manner such that:

(a) vegetation endemic to ML50016 and ML50213 must be planted and established to achieve a species composition and density to that of the surrounding undisturbed area (Analogue Site G);

(b) effective erosion control measures are implemented in rehabilitated areas;

(c) the quality of stormwater, other water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium and total manganese are not likely to cause environmental harm;

(e) the water quality of any residual water body meets relevant criteria for the post-mine land use (native bushland) and does not have potential to cause environmental harm; and

(f) the final land form is stable and not subject to slumping.

Agency Interest: Noise

PN1 Noise nuisance

Subject to requirement of [N2 and N3] noise from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.

PN2 The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

PN3 Notwithstanding condition N1, noise from mining activities must not exceed the criteria specified in Attachment 1 - Table 3.

PN4 Where it is determined by an authorised person that monitoring results indicate environmental nuisance, the holder of the environmental authority 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 mining activities do not result in further environmental nuisance.

PN5 Noise monitoring must be undertaken as directed by the administering authority to investigate any complaint about noise nuisance caused by mining activities. The administering authority must be notified of the results within 14 days following completion of monitoring. For the purposes of this condition, noise monitoring must be done by a competent person in accordance with the latest edition of the Environmental Protection Agency Noise Measurement Manual and include:

(a) LA, max adj, T;

(b) relevant background sound level;

(c) the level and frequency of occurrence of impulsive or tonal noise;

- (d) atmospheric conditions including wind speed and direction; and
- (e) location, date and time of measurements.

Agency Interest: Social

PS1 Complaint response

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.

Agency Interest: Waste

- PW1 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.
- PW2 Procedures must be implemented to ensure that wastes generated on the site are minimised, recycled, sorted, handled and transferred in a proper and efficient manner. Disposal of such waste must be at a facility lawfully able to accept such waste.
- PW3 Waste and/or vegetation must not be burned on site.
- PW4 All regulated waste removed from site must be by a person who holds a current authority to do so under the Environmental Protection Act 1994.
- PW5 Tyres stored awaiting disposal or transport for take-back and, recycling or waste-to-energy options - should be stockpiled to a height of less than 3m and 200 sq.m in area and at least 10m from any other tyre storage area.

Agency Interest: Water

- PWA1 The method of water sampling required by this environmental authority must comply with that set out in the latest edition of the Environmental Protection Agency's Water Quality Sampling Manual.
- PWA2 Subject to requirements of Condition WA1, if the receiving water contaminant trigger limits defined in Attachment 1 - Table 6 'Receiving Water Contaminant Trigger Limits', are exceeded then the environmental authority holder must complete an investigation into the potential for environmental harm and notify the administering authority within one month of receiving the analysis results.
- PWA3 Mining must be conducted to prevent the release of any hazardous contaminants to water.
- PWA4 Diversion drains and/or contour banks must be designed, installed and maintained to minimise the potential for stormwater runoff to enter areas disturbed by mining.
- PWA5 Effective erosion and sediment control structures must be designed, installed and maintained wherever necessary to prevent the erosion of disturbed/ rehabilitated areas and the release of sediment to waters.

- PWA6 Subject to requirements of [WA7], if the groundwater contaminant trigger levels defined in Attachment 1 - Table 8 'Groundwater Contaminant Trigger Levels', are exceeded then the environmental authority holder must complete an investigation into the potential for environmental harm and notify the administering authority within one month of receiving the analysis results.
- PWA7 Subject to requirements of [WA7], groundwater contaminant limits must not exceed the contaminant limits defined in Attachment 1 - Table 9 'Groundwater Contaminant Limits'.
- PWA8 Groundwater
- Groundwater affected by mining activities must be monitored at the locations and frequencies defined in Attachment 1 - Table 7 'Groundwater Monitoring Locations and Frequency and Sketch 3 of the current Environmental Management Plan.
- PWA9 Release to waters
- Receiving water affected by the release of process water or stormwater contaminated by the mining activities or both must be monitored at the locations and frequencies defined in Attachment 1 - Table [4] 'Receiving Water Monitoring Locations and Frequency' and Sketch 3 of the current Environmental Management Plan and comply with the contaminant limits defined in Attachment 1 - Table [5] 'Receiving Water Contaminant Limits'.

ATTACHMENT 1 - TABLES

Table 1 – Final Land Use and Rehabilitation Approval Schedule

	Extraction Pits	Stormwater dam(s)	Overburden Dumps	Infrastructure areas	Loading/ storage areas	Road(s) and track(s)	General Exploration
Tenure ID	ALL	ALL	ALL	ALL	ALL	ALL	ALL
Projective surface area (ha)	23.0	7.6	15.2	7.6	11.4	6.0	5.4
Map reference	Sketches 2-4	Sketches 2-4	Sketches 2-4	Sketches 2-4	Sketches 2-4	Sketches 2-4	Sketches 2-4
Reference site (optional)	G	G	G	G	G	G	G
Post mine land use	NB and WSF	NB and WSF	NB	NB	NB	NB	NB
Projective cover range (%)	70%	70%	70%	70%	70%	70%	70%
Species mix	Existing	Existing	Existing	Existing	Existing	Existing	Existing

Note:

Existing – similar to existing species mix for relevant reference site (undisturbed areas)

NB – Native bushland

WSF – water storage facilities

G – reference site (co-ordinates N-27, 30.029°, E-152, 06.449)

Table 2 – Landform Slope Profiles for Rehabilitation Areas

Disturbance Type	Slope Range (%)	Projective Surface Area (ha)	Maximum Slope Length
Extraction Pits	0-30% pit walls only 0-15% remaining areas	23.0	30m (up to 30%) 60m up to 15%
Stormwater Dam(s)	0-10%	706	100m
Overburden Dump(s)	0-20%	15.2	40m
Infrastructure and Storage areas	0-10%	19.0	100m
Road(s) and track(s)	0-10%	6.0	100m
General Exploration	0-10%	5.4	100m

Table 3 – Noise Limits

Noise Level dB(A) Measured as	Monday to Saturday			Sunday and Public Holidays		
	7am – 6pm	6pm – 10pm	10pm – 7am	9am – 6pm	6pm – 10pm	10pm – 9am
Noise measured at a 'sensitive place'						
L _{A10} , adj, 10mins	Background + 5dB(A)	Background + 5dB(A)	Background + 0dB(A)	Background + 5dB(A)	Background + 5dB(A)	No audible noise
L _{A1} , adj, 10mins	Background + 10dB(A)	Background + 10dB(A)	Background + 5dB(A)	Background + 10dB(A)	Background + 10dB(A)	Background + 5dB(A)
Noise measured at a 'Commercial Place'						
L _{A10} , adj, 10mins	Background + 10dB(A)	Background + 10dB(A)	Background + 5dB(A)	Background + 10dB(A)	Background + 10dB(A)	Background + 5dB(A)
L _{A1} , adj, 10mins	Background + 15dB(A)	Background + 15dB(A)	Background + 10dB(A)	Background + 15dB(A)	Background + 15dB(A)	Background + 10dB(A)

General Note: In no case is the background noise level LA90, 15mins to be less than 25dB(A). In the event that measured background noise is less than 25dB(A), then 25dB(A) is to be used.

Table 4 – Receiving Water Monitoring Locations and Frequency

Monitoring Point	Latitude (GDA 94)	Longitude (GDA 94)	Monitoring Frequency
F	27, 30.161'	152, 05.642'	During overflow from stormwater dam
E	27, 30.220'	152, 06.039'	During overflow from stormwater dam

Table 5 – Receiving Water Contaminant Limits

Parameter	Units	Limits	Trigger Type
pH	pH	6 – 9	Range
Total Dissolved Solids (TDS)	mg/L	4000	Maximum
Sulphate	mg/L	1000	Maximum
Nitrate as N	mg/L	100	Maximum
Chromium (Cr)	mg/L	1.0	Maximum
Mercury (Hg)	mg/L	0.002	Maximum
Selenium (Se)	mg/L	0.02	Maximum
Aluminium (Al)	mg/L	5	Maximum
Lead (Pb)	mg/L	0.1	Maximum
Cadmium (Cd)	mg/L	0.01	Maximum
Arsenic (As)	mg/L	0.5	Maximum
Cobalt (Co)	mg/L	1.0	Maximum
Copper (Cu)	mg/L	1.0	Maximum
Zinc (Zn)	mg/L	20.	Maximum
Boron (Bo)	mg/L	5.0	Maximum
Nickel (Ni)	mg/L	1.0	Maximum
Calcium (Ca)	mg/L	1000	Maximum
Magnesium (Mg)	mg/L	1000	Maximum

Note: contaminant limits are based on ANZECC (2000) for livestock drinking water quality and analysed for total metals (unfiltered).

Table 6 – Receiving Water Contaminant Trigger Levels

Parameter	Units	Limits	Trigger Type
pH	pH	6 – 8	Range
Total Dissolved Solids (TDS)	mg/L	3000	Maximum
Sulphate	mg/L	500	Maximum
Nitrate as N	mg/L	50	Maximum
Chromium (Cr)	mg/L	0.5	Maximum
Mercury (Hg)	mg/L	0.001	Maximum
Selenium (Se)	mg/L	0.01	Maximum
Aluminium (Al)	mg/L	2.5	Maximum
Lead (Pb)	mg/L	0.05	Maximum
Cadmium (Cd)	mg/L	0.005	Maximum
Arsenic (As)	mg/L	0.25	Maximum
Cobalt (Co)	mg/L	0.5	Maximum
Copper (Cu)	mg/L	0.5	Maximum
Zinc (Zn)	mg/L	10	Maximum
Boron (Bo)	mg/L	2.5	Maximum
Nickel (Ni)	mg/L	0.5	Maximum
Calcium (Ca)	mg/L	500	Maximum
Magnesium (Mg)	mg/L	500	Maximum

Note: Contaminant trigger limits are based on 50% of the contaminant limits defined in the ANZECC (2000) for livestock drinking water quality and analysed for total metals (unfiltered).

Table 7 - Groundwater Monitoring Locations and Frequency

Monitoring Point	Latitude (GDA 94)	Longitude (GDA 94)	Surface RL (m)	Monitoring Frequency
Water Bore on ML 50016	27, 29.989'	152, 05.827'	240	quarterly

Table 8 – Groundwater Contaminant Trigger Levels

Parameter	Units	Limits	Trigger Type
pH	pH	5 – 9	Range
Sulphate	mg/L	100	Maximum
Nitrate as N	mg/L	10	Maximum
Chromium (Cr)	mg/L	0.1	Maximum
Mercury (Hg)	mg/L	0.002	Maximum
Selenium (Se)	mg/L	0.025	Maximum
Aluminium (Al)	mg/L	0.5	Maximum
Lead (Pb)	mg/L	0.02	Maximum
Cadmium (Cd)	mg/L	0.005	Maximum
Arsenic (As)	mg/L	0.05	Maximum
Cobalt (Co)	mg/L	0.1	Maximum
Copper (Cu)	mg/L	0.1	Maximum
Zinc (Zn)	mg/L	2.0	Maximum
Boron (Bo)	mg/L	0.7	Maximum

Table 9 – Groundwater Contaminant Limits

Parameter	Units	Limits	Trigger Type
pH	pH	4.8 – 9	Range
Sulphate	mg/L	200	Maximum
Nitrate as N	mg/L	20	Maximum
Chromium (Cr)	mg/L	0.2	Maximum
Mercury (Hg)	mg/L	0.004	Maximum
Selenium (Se)	mg/L	0.05	Maximum
Aluminium (Al)	mg/L	1.0	Maximum
Lead (Pb)	mg/L	0.04	Maximum
Cadmium (Cd)	mg/L	0.01	Maximum
Arsenic (As)	mg/L	0.1	Maximum
Cobalt (Co)	mg/L	0.2	Maximum
Copper (Cu)	mg/L	0.2	Maximum
Zinc (Zn)	mg/L	4.0	Maximum
Boron (Bo)	mg/L	1.4	Maximum

Attachment 2 – Definitions

Words and phrases used throughout this permit¹ are defined below. Where a definition for a term in this permit¹ is sought and the term is not defined within this permit¹ the definitions provided in the relevant legislation shall be used.

“administering authority” means the Environmental Protection Agency or its successor.

“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 place used as an office or for business or commercial purposes.

“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.

“contaminant” under Section 11 of the *Environmental Protection Act 1994* means:

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

“contamination” under Section 10 of the *Environmental Protection Act 1994* means the release (whether by act or omission) of a contaminant into the environment.

“contaminated land” under Schedule 3 of the *Environmental Protection Act 1994* means land that is contaminated by a hazardous contaminant.

“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 a recognised standard.

“environmental nuisance” has the same meaning as defined in Section 15 of the *Environmental Protection Act 1994*.

“Environmentally sensitive areas” – refer 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. Environmentally sensitive areas are defined in Schedule 1A of the *Environmental Protection Regulations 1998*.

“environmental authority holder” means the holder of this environmental authority.

“ERE” mean endangered regional ecosystem.

“EVR” means endangered, vulnerable and rare.

“hazardous contaminant” under Schedule 3 of the *Environmental Protection Act 1994* means a contaminant that if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of:

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

“hazardous waste” means any substance, whether liquid, solid or gaseous, derived by or resulting from, the processing of minerals that tends to destroy life or impair or endanger health.

“ $L_{A, 10, \text{adj}, 10 \text{ mins}}$ ” 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.

“ $L_{A, \text{max adj}, T}$ ” 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 the atmosphere.

“land capability” as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

“land suitability” as defined in the DME 1995 Technical Guidelines for the Environmental Management of Exploration and Mining in Queensland.

“land use” term to describe the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

“mineral” means a substance which normally occurs naturally as part of the earth’s crust or is dissolved or suspended in water within or upon the earth’s crust and includes a substance which may be extracted from such a substance, and includes—

- (a) clay if mined for use for its ceramic properties, kaolin and bentonite;
- (b) foundry sand;
- (c) hydrocarbons and other substances or matter occurring in association with shale or coal and necessarily mined, extracted, produced or released by or in connection with mining for shale or coal or for the purpose of enhancing the safety of current or future mining operations for coal or the extraction or production of mineral oil there from;
- (d) limestone if mined for use for its chemical properties;
- (e) marble;
- (f) mineral oil or gas extracted or produced from shale or coal by in situ processes;
- (g) peat;
- (h) salt including brine;
- (i) shale from which mineral oil may be extracted or produced;
- (j) silica, including silica sand, if mined for use for its chemical properties;
- (k) rock mined in block or slab form for building or monumental purposes;

but does not include—

- (l) living matter;
- (m) petroleum within the meaning of the Petroleum Act 1923;
- (n) soil, sand, gravel or rock (other than rock mined in block or slab form for building or monumental purposes) to be used or to be supplied for use as such, whether intact or in broken form;
- (o) water.

“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 can not comply with the criteria for standard mining activities prescribed in Schedule 1A of the *Environmental Protection Regulation 1998*. 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;

“offensive” means causing reasonable offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

“protected area” means

- a protected area under the Nature Conservation Act 1992; or
- a marine park under the Marine Parks Act 1992; or
- 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.

“regulated waste” means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilized), and includes –

- for an element – any chemical compound containing the element; and
- anything that has contained the waste.

“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” includes;

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or
- a public park or gardens.

“significantly disturbed land and significant disturbance” means land that is:

- (a) contaminated land; or
- (b) 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 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.

"site" means the place to which this development approval relates or the premises to which this development approval relates.

"Stable" means geotechnical stability of the rehabilitated landform where instability related to the excessive settlement and subsidence caused by consolidation / settlement of the wastes deposited, and sliding / slumping instability has ceased.

"topsoil" means 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.

"watercourse" means river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

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

"you" or **"holder"** means the holder of an authority or approval or person acting under an authority or approval.

END OF PERMIT