

Permit

Environmental Protection Act 1994

Environmental authority EPPR04190216

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

Environmental authority number: EPPR04190216

Environmental authority takes effect on 11 November 2016.

The anniversary date of this environmental authority is the same day each year as the take effect 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.

Environmental authority holder(s)

Name(s)	Registered address
DANOLA PTY LTD	Level 11, 307 Queen Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Schedule 3 - 09 - A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPM11455
Schedule 3 - 09 - A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPM12858
Schedule 3 - 09 - A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPM18950
Schedule 3 - 09 - A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPM26275
Schedule 3 - 09 - A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPM8854

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.

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

Enquiries:
Minerals Business Centre
Department of the Environment, Tourism,
Science and Innovation
Phone: 07 4222 5352
Email: 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

Location: Approximately 230 km southwest of Brisbane on the Queensland/New South Wales border, 7km east of Texas, partially within the Arcot State Forest (Mount Gunyan), Goondiwindi Shire.
Exploration Permit Mineral (EPM)8854; EPM11455; EPM12858; EPM18950; EPM26275

Relevant activity/ies:

Mining - EPM - 9, Site Specific

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

Schedule A—General conditions

General

- A1** This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition or this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.
- A2** The environmental authority holder must comply with each of the standard environmental conditions contained in the most recent version of the *Eligibility criteria and standard conditions for exploration and mineral development projects*.
- A3** If there is any inconsistency between a standard condition referred to in condition A2 and a site specific condition of this environmental authority, the site specific condition of this environmental authority prevails to the extent of any inconsistency.
- A4** The mining activity must not, at any one time, cause more than 10ha of land to be significantly disturbed.
- A5** The environmental authority holder must:
- a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority
 - b) maintain such measures, plant and equipment in a proper and efficient condition
 - c) operate such measures, plant and equipment in a proper and efficient manner
 - d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.
- A6** All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
- A7** The environmental authority holder must record and notify the administering authority of any emergency or incident which demonstrates non-compliance with conditions of this environmental authority.

Financial Assurance

- A8** Financial assurance must be lodged with the administering authority in the amount, the form and within the time required by the administering authority.

Notification of emergencies, incidents and exceptions

- A9** The environmental authority holder must notify the administering authority by written notification within 24 hours, after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with, the conditions of this environmental authority.
- A10** Within 10 business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following:
- a) results and interpretation of any samples taken and analysed
 - b) outcomes of actions taken at the time to prevent or minimise unlawful environmental harm
 - c) proposed actions to prevent a recurrence of the emergency or incident.

Complaints

- A11** The environmental authority holder must record all environmental complaints received about the mining activities including:
- a) name, address and contact number for of the complainant
 - b) time and date of complaint
 - c) reasons for the complaint

- d) investigations undertaken
- e) conclusions formed
- f) actions taken to resolve the complaint
- g) any abatement measures implemented
- h) person responsible for resolving the complaint.

A12 The environmental authority holder must, when requested by the administering authority, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the administering authority to investigate any complaint of environmental harm. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the administering authority within 10 business days of completion of the investigation, or no later than 10 business days after the end of the timeframe nominated by the administering authority to undertake the investigation.

A13 Where a condition of this environmental authority requires compliance with a standard, policy or guideline published externally to this environmental authority and the standard is amended or changed subsequent to the issue of this environmental authority, The environmental authority holder must:

- a) Comply with the amended or changed standard, policy or guideline within two years of the amendment or change being made, unless a different period is specified in the amended standard or relevant legislation; and
- b) Until compliance with the amended or changed standard, policy or guideline is achieved, continue to remain in compliance with the corresponding provision that was current immediately prior to the relevant amendment or change.

Community Engagement

A14 The environmental authority holder must establish, promote and maintain easily accessible lines of communication between residents, stakeholders and land owners, reasonably expected to be affected by the mining activity to ensure that environmental impacts are identified and managed. This must include but not be limited to the following:

- a) regular meetings with all residents, stakeholders and land owners, at intervals of not more than six (6) months; and
- b) the establishment of a consultative committee with representation open for all residents, stakeholders and land owners, that meets at regular intervals as determined by the committee.

END OF SCHEDULE A

Schedule B—Air**Air quality**

- B1** Odours or air emissions must not cause environmental harm to any sensitive place or commercial place.

END OF SCHEDULE B

Schedule C—Noise**Noise emissions**

- C1** Noise generated by the activity must not cause environmental harm to any sensitive place or commercial place.

END OF SCHEDULE C

Schedule D—Land and rehabilitation

Environmentally Sensitive areas

- D1** Despite standard condition A13 of the *Eligibility criteria and standard conditions for exploration and mineral development projects*, activities involving machinery may be carried out within 1km of a category A environmentally sensitive area or within 500m of a category B environmentally sensitive area.
- D2** The environmental authority holder may carry out activities within category B environmentally sensitive areas and Arcot State Forest.
- D3** The area of disturbance within category B environmentally sensitive areas must not exceed 1.8ha.
- D4** The environmental authority holder must not damage or destroy any mature trees with a trunk diameter of greater than 25cm.
- D5** A flora and fauna impact assessment, prepared by a suitably qualified person, must be submitted to the administering authority prior to commencement of disturbance within category B or C environmentally sensitive areas.
- D6** An appropriately qualified spotter/catcher must be engaged to work ahead of vegetation clearing to ensure the protection of prescribed native wildlife and breeding places.

Note: This environmental authority does not authorise the taking of native wildlife or the tampering with a breeding place that is being used by prescribed native wildlife to incubate or rear the animal's offspring.

Exploration

- D7** Exploration drill holes must be capped immediately following the cessation of drilling.

Waste

- D8** All general and regulated waste generated in carrying out the activity must be removed to a facility that can lawfully recycle or dispose the waste.

Chemicals and flammable or combustible liquids

- D9** All explosives, hazardous chemicals, corrosive substances, toxic substances, gases and dangerous goods should be stored and handled in accordance with the current Australian standard where such is applicable.

END OF SCHEDULE D

Schedule E—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 EP Act 1994 or subordinate legislation, the definition in the EP Act or subordinate legislation must be used.

‘administering authority’ has the meaning as per Schedule 4 of the *Environmental Protection Act 1994*.

‘air emission’ has the meaning as per Schedule 2 of the *Environmental Protection (Air) Policy 2008*.

‘breeding place’ of an animal, means a bower, burrow, cave, hollow, nest or other thing that is commonly used by the animal to incubate or rear the animal’s offspring.

‘category A environmentally sensitive area’ has the meaning as per Schedule 12, part 1 of the *Environmental Protection Regulation 2008*.

‘category B environmentally sensitive area’ has the meaning as per Schedule 12, part 1 of the *Environmental Protection Regulation 2008*.

‘chemical’ has the meaning as per Schedule 12, part 2 of the *Environmental Protection Regulation 2008*.

‘commercial place’ means a workplace 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.

‘disturbed’ means any area that has had its natural state altered by the action or interference of carrying out an activity associated with the exploration project.

‘environmental harm’ has the meaning as per section 14 of the *Environmental Protection Act 1994*.

‘financial assurance’ has the meaning as per chapter 5, part 12, division 2 of the *Environmental Protection Act 1994*.

‘general waste’ has the meaning as per Schedule 12, part 2 of the *Environmental Protection Regulation 2008*.

‘holder’, for a mining tenement, means a holder of the tenement under the *Mineral Resources Act 1989*, and the holder of the associated environmental authority under the *Environmental Protection Act 1994*.

‘land’ in the **‘land schedule’** of this document means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the *Environmental Protection Act 1994*. For the purposes of the *Acts Interpretation Act 1954*, it is expressly noted that the term ‘land’ in this environmental authority relates to physical land and not to interests in land.

‘native wildlife’ means any taxon or species of wildlife (including flora) indigenous to Australia.

‘regulated waste’ has the meaning as per section 65 of the *Environmental Protection Regulation 2008*.

‘sensitive place’ means:

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

Note: The definition of ‘sensitive place’ and ‘commercial place’ is based on Schedule 1 of EPP Noise. That is, a sensitive place is inside or outside on a dwelling, library and educational institution, childcare or kindergarten, school or playground, hospital, surgery or other medical institution, commercial & retail activity, protected area or an area identified under a conservation plan under *Nature Conservation Act 1992* as a critical habitat or an area of major interest, marine park under *Marine Parks Act 2004*, park or garden that is outside of the mining lease and open to the public for the use other than for sport or organised entertainment. A commercial place is inside or outside a commercial or retail activity.

A mining camp (i.e., accommodation and ancillary facilities for mine employees or contractors or both, associated with the mine the subject of the environmental authority) is not a sensitive place for that mine or mining project, whether or not the mining camp is located within a mining tenement that is part of the mining project the subject of the environmental authority. For example, the mining camp might be located on neighbouring land owned or leased by the same company as one of the holders of the environmental authority for the mining project, or a related company. Accommodation for mine employees or contractors is a sensitive place if the land is held by a mining company or related company, and if occupation is restricted to the employees, contractors and their families for the particular mine or mines which are held by the same company or a related company.

For example, a township (occupied by the mine employees, contractors and their families for multiple mines that are held by different companies) would be a sensitive place, even if part or all of the township is constructed on land owned by one or more of the companies.

‘significantly disturbed land’ has the meaning as per Schedule 12, part 1 in the *Environmental Protection Regulation 2008*.

‘spotter/catcher’ means a person who holds a rehabilitation permit in accordance with section 207 of the *Nature Conservation (Wildlife Management) Regulation 2006* for the purpose of care and rehabilitation of a sick, injured or orphaned protected animal, or a protected animal whose habitat has been, or will be, destroyed by human activity or a natural disaster.

‘suitably qualified person’ means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

END OF SCHEDULE E

END OF PERMIT

Attachments

Eligibility criteria and standard conditions for exploration and mineral development projects – Version 2
(ESR/2016/1985)