Permit

Environmental Protection Act 1994

Environmental authority EPPR04319616

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

Environmental authority number: EPPR04319616

Environmental authority takes effect on 14 February 2019

Environmental authority holder(s)

Name(s)	Registered address
VITRINITE PTY LTD	Suite 2, Level 6 12 Creek Street "Blue Tower" BRISBANE CITY QLD 4000 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Schedule 2A, 09: A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPC1710
Resource Activity, Schedule 2A, 09: A mining activity involving drilling, costeaning, pitting or carrying out geological surveys causing significant disturbance	EPC1731

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).

ABN 46 640 294 485

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Sustainable Planning Act 2009 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

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

Date issued: 14 February 2019

Enquiries:
Coal & Gemstone Mining
Department of Environment and Science
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)

Legislative Requirements and Conditions of Environmental Authority

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 this environmental authority:

Agency interest: General	
Condition number	**Condition**
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	**Monitoring** Except where specified otherwise in another condition of this environmental authority, all monitoring records, or reports, required by this authority must be kept for a period of not less than five (5) years. Records must include, but are not limited to, the location of all disturbance activities undertaken, including fluids and any additives used for drilling.
A3	**Financial assurance** The activity must not be carried out until the environmental authority holder has given financial assurance to the administering authority as security for compliance with this environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the *Environmental Protection Act 1994*.
A4	The holder of this environmental authority must review the amount of financial assurance when the authority is amended.
A5	**Notification of emergencies and incidents** The holder of this environmental authority must notify the administering authority by written notification within twenty-four (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.
A6	Within ten (10) business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following: a) Results and interpretation of any samples taken and analysed; b) Outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and c) Proposed actions to prevent a recurrence of the emergency or incident.

A7	**Complaints** The holder of this environmental authority must record all environmental complaints received about the mining activities including: a) Name, address and contact number for the complainant; b) Time and date of complaint; c) Reasons for the complaint; d) Investigations undertaken; e) Conclusions formed; f) Actions taken to resolve the complaint; g) Any abatement measures implemented; and h) Person responsible for resolving the complaint.
A8	**Chemicals and flammable or combustible liquids** Flammable and combustible liquids, including petroleum products, should be stored and handled in accordance with the latest edition of AS1940—*The storage and handling of flammable and combustible liquids*. Where no relevant Australian standard exists for a stored material, the holder must store such materials within an effective on-site containment system.
A9	The holder of the environmental authority must ensure that spills of hazardous contaminants are cleaned up as quickly as practicable. Such spillage must be cleaned in a way that prevents the release of such contaminants to waters.
Agency interest: Land	
Condition number	**Condition**
B1	The holder of the environmental authority must not carry out activities in a Category A Environmentally Sensitive Areas.
B2	The environmental authority holder is authorised to carry out activities within 500m of, and within, Category B Environmentally Sensitive Areas in accordance with **Table B1** and as depicted in **Figures 1.1, 1.2, 2.1 and 2.2**. The activities may be implemented in a staged manner.

Table B1 – Authorised Disturbance within 500m of, and within, Category B Environmentally Sensitive Areas

Activity	Location	Limitation of Activity	Maximum Disturbance of each activity	Maximum Total Disturbance for the Activity
EPC1710				
Drill Pads	Within 500m of a Category B Environmentally Sensitive Area	72	400m^2	2.08 ha
	Within a Category B Environmentally Sensitive Area	30	400m^2	1.2 ha
Roads and Tracks	Within 500m of a Category B Environmentally Sensitive Area	5m maximum width	5m maximum width	1.92 ha
	Within a Category B Environmentally Sensitive Area	5m maximum width	5m maximum width	0.8 ha
EPC1731				
Drill Pads	Within 500m of a Category B Environmentally Sensitive Area	5	400m^2	0.2 ha
	Within a Category B Environmentally Sensitive Area	5	400m^2	0.2 ha
Roads and Tracks	Within 500m of a Category B Environmentally Sensitive Area	5m maximum width	5m maximum width	0.13 ha
	Within a Category B Environmentally Sensitive Area	5m maximum width	5m maximum width	0.13 ha

B3	Prior to carrying out activities in a Category C Environmentally Sensitive Areas, the holder of this environmental authority must seek approval from the administering authority.
B4	Significant residual impacts to prescribed environmental matters present on EPC 1731 and EPC 1710 are not authorised under this environmental authority or the *Environmental Offsets Act 2014*.
B5	**Drilling, excavation and sampling** The operational area of each individual drill site must not exceed 400m^2.
B6	This environmental authority does not authorised costeaning or bulk sampling.
B7	Drill holes must not exceed 200mm in diameter.
B8	The construction of sumps must not exceed 10m^2.
B9	**Roads and tracks** The construction and operation of any access track must be undertaken in accordance with the most recent version of the document: *Eligibility criteria and standard conditions for exploration and mineral development projects*.
B10	**Acid sulphate soils** Treat and manage acid sulphate soils in accordance with the latest edition of the Queensland Acid Sulfate Soil Technical Manual.
B11	**Erosion and Sediment Control** The holder of the environmental authority must design, install and maintain adequate banks and/or diversion drains to minimise the potential for storm water runoff to enter disturbed areas.
B12	The holder of the environmental authority must design, install and maintain adequate erosion and sediment control structures wherever necessary to prevent or minimise erosion of disturbed areas and the sedimentation of waters.
B13	**Campsites** Campsites are not authorised on EPC1710 or EPC1731.
B14	**Rehabilitation** Unless stated otherwise by conditions in this environmental authority, rehabilitation must be carried out in accordance with the most recent version of the document: *Eligibility criteria and standard conditions for exploration and mineral development projects.*
B15	Rehabilitation of disturbance within 500m of, and within, Category B Environmentally Sensitive Areas, must be completed as soon as practicable, but no longer than **three (3) months** after completion of the disturbance activity.
B16	Rehabilitation of disturbance within a Category B Environmentally Sensitive Area must achieve a stable landform, which includes the same vegetation types and density of cover to that of the surrounding undisturbed Category B Environmentally Sensitive Area.
B17	**Reporting** A report must be prepared and submitted to the administering authority at intervals no greater than **six (6) months,** commencing 25 October 2018.

B18	The report, as required by condition **B16** must include the following information: (a) the location and area (ha) of all areas currently disturbed by the activities carried out under this environmental authority, which have not been rehabilitated, including coordinates; (b) the location and area (ha) of all areas currently under rehabilitation, or have been fully rehabilitated, including coordinates; (c) the date each access track and drill pad was disturbed; (d) the date each access track and drill pad was rehabilitated; (e) the date each drill hole was constructed; (f) the date each drill hole was decommissioned; and (g) a map distinguishing the areas of proposed, completed and rehabilitated disturbance areas.
Agency interest: Waste	
Condition number	**Condition**
C1	Burning of vegetation is not permitted.
C2	All waste generated by the activity must be removed and disposed of offsite at a facility lawfully authorised to receive the waste, apart from inert drill cuttings, which can be used to backfill sumps, providing they do not cause actual or potential environmental harm.
Agency interest: Noise	
Condition number	**Condition**
D1	Noise emissions must be managed in accordance with the most recent version of the document: *Eligibility criteria and standard conditions for exploration and mineral development projects.*
Agency interest: Air	
Condition number	**Condition**
E1	Air impacts must be managed in accordance with most recent version of the document: *Eligibility criteria and standard conditions for exploration and mineral development projects.*
Agency interest: Water	
Condition number	**Condition**
F1	The holder of this environmental authority must not directly or indirectly release contaminants to any waters.

END OF CONDITIONS

Definitions:

Key terms and/or phrases used in this document are defined in this section. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies, or the document *Eligibility criteria and standard conditions for exploration and mineral development projects*, must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Science or its successor or predecessors.

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

Category A environmentally sensitive area, has the same meaning as defined within the *Environmental Protection Regulation 2008*.

Category B environmentally sensitive area, has the same meaning as defined within the *Environmental Protection Regulation 2008*.

Contaminant A contaminant can be –

a) a gas, liquid or solid; or

b) an odour; or

c) an organism (whether alive or dead), including a virus; or

d) energy, including noise, heat, radioactivity and electromagnetic radiation; or

e) a combination of contaminants.

Disturbed (or disturbance) land includes:

a) compacting, removing, covering, exposing or stockpiling of earth;

b) removal or destruction of vegetation or topsoil or both to an extent where the land has been made susceptible to erosion;

c) carrying out mining within a watercourse, waterway, wetland or lake;

d) the submersion of areas by tailings or hazardous contaminant storage and dam/structure walls;

e) temporary infrastructure, including any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc.) which is to be removed after the mining activity has ceased; or

f) releasing of contaminants into the soil, or underlying geological strata.

However, the following areas are not included when calculating areas of 'disturbance':

a) areas off lease (e.g. roads or tracks which provide access to the mining lease);

b) areas previously disturbed which have achieved the rehabilitation outcomes;

c) by agreement with the administering authority, areas previously disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);

d) areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc.) which is to be left by agreement with the landowner.

e) disturbance that pre-existed the grant of the tenure.

Environmental authority means an environmental authority under Chapter 5 of the *Environmental Protection Act 1994.*

Environmental authority holder means the holder of this environmental authority.

Environmental nuisance (**the Act**) is unreasonable interference or likely interference with an environmental value caused by—

a) aerosols, fumes, light, noise, odour, particles or smoke; or

b) an unhealthy, offensive or unsightly condition because of contamination; or

c) another way prescribed by regulation.

Landowner is as per the definition in the document: *Eligibility criteria and standard conditions for exploration and mineral development projects.*

'm' means metres.

Matters of State Environmental Significance (MSES) are a component of the biodiversity state interest that is defined under the State Planning Policy (SPP) and defined under the Schedule 2 of the Environmental Offsets Regulation 2014.

Measures includes any measures to prevent or minimise environmental impacts of the mining activity such as bunds, silt fences, diversion drains, capping, and containment systems.

Prescribed Environmental Matter has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significant listed in schedule 2 of the Environmental Offsets Regulation 2014.

Rehabilitation the process of reshaping and revegetating land to restore it to a stable landform.

Significant residual impact has the meaning in section 8 of the *Environmental Offsets Act 2014.*

the Act means the *Environmental Protection Act 1994*.

Track/s means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

You means the holder of the environmental authority.

Waste as defined in section 13 of the *Environmental Protection Act 1994*.

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.

END OF DEFINITIONS

Attachments

Figure 1: Previously authorised disturbance within 500m of, and within, Category B Environmentally Sensitive Areas on EPC 1710

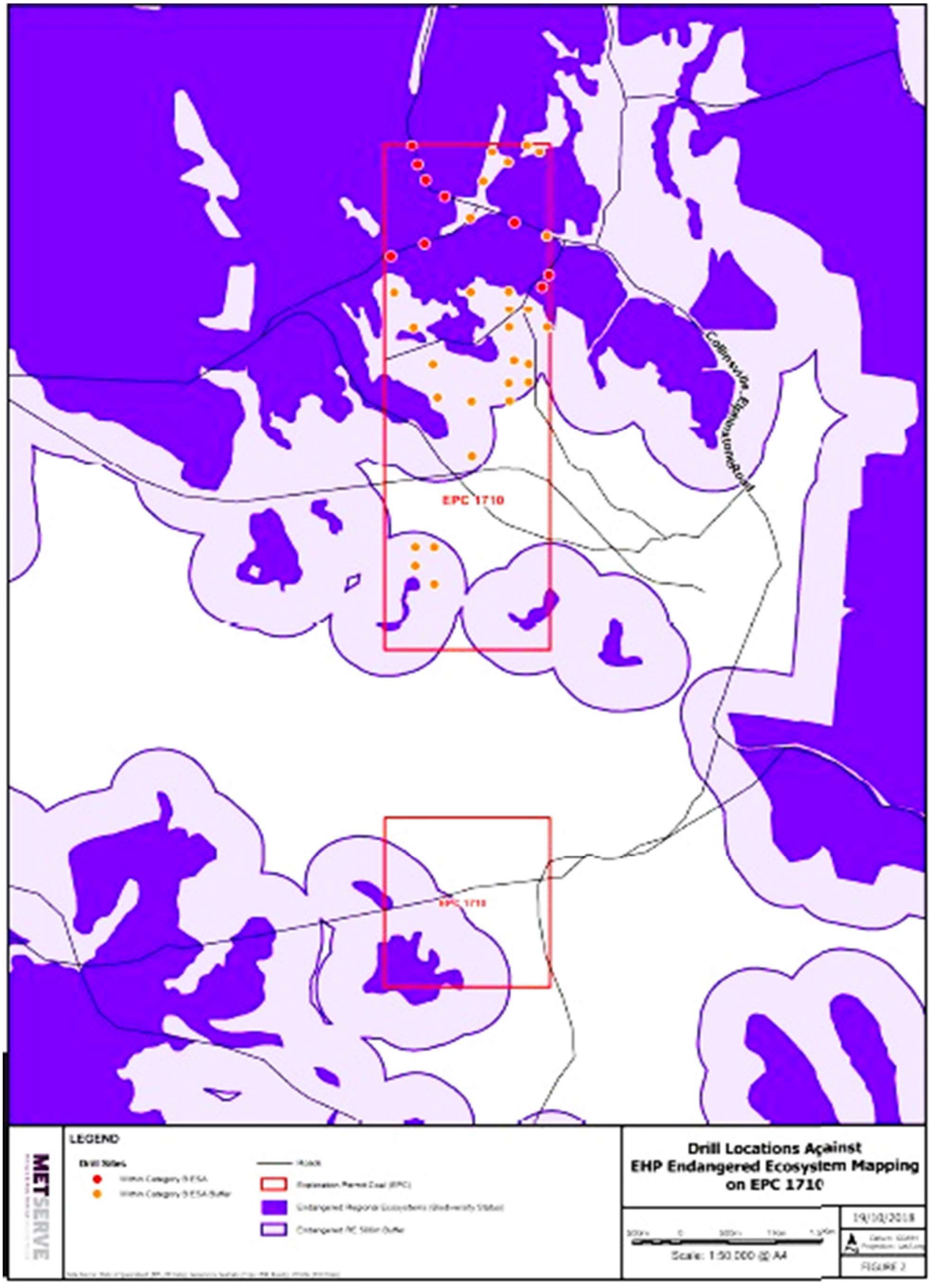


Figure 1.1: Previously authorised drill sites location on EPC 1710 – Satellite image

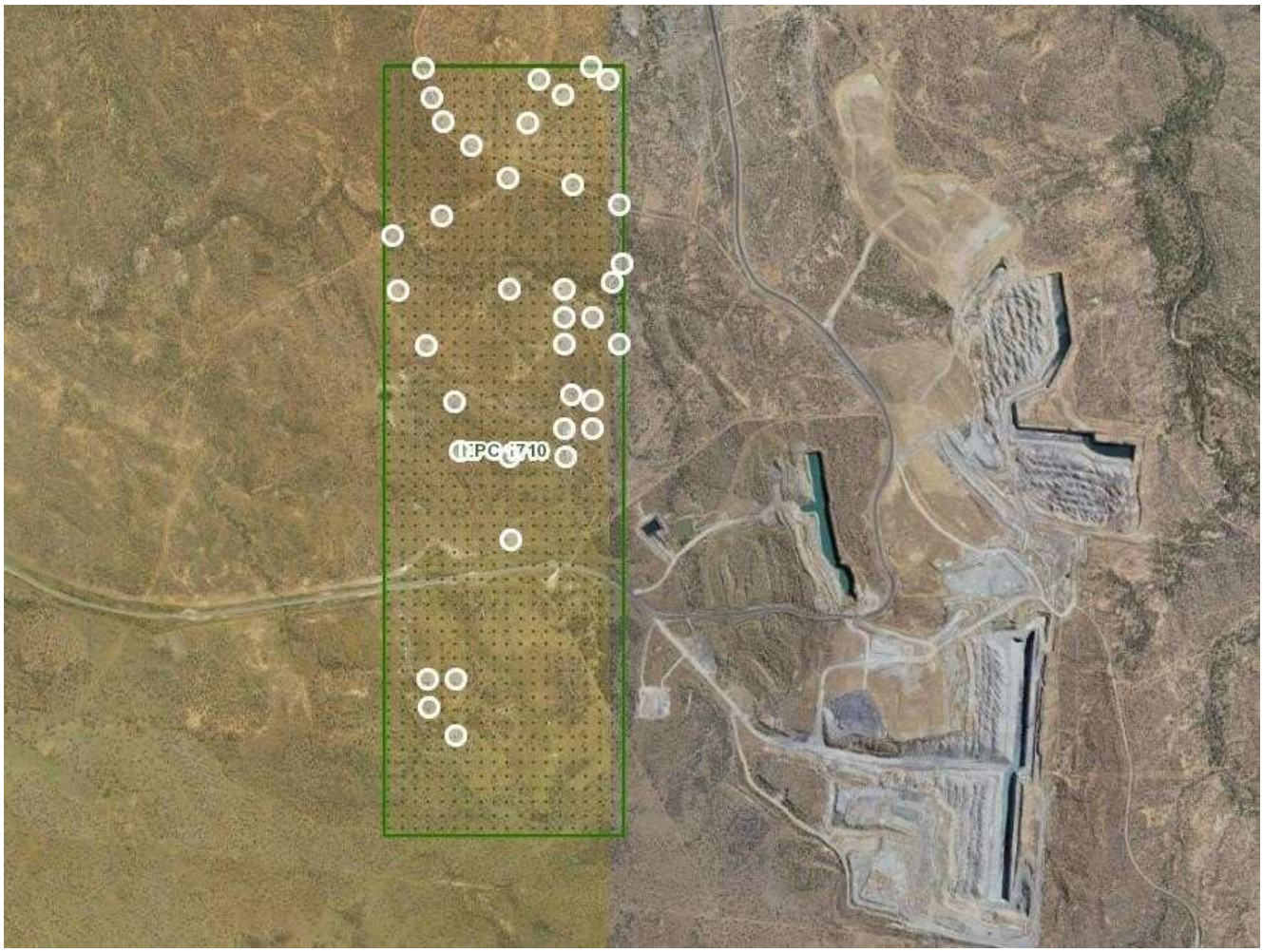


Figure 1.2: Proposed drill sites location on EPC 1710 – Satellite image

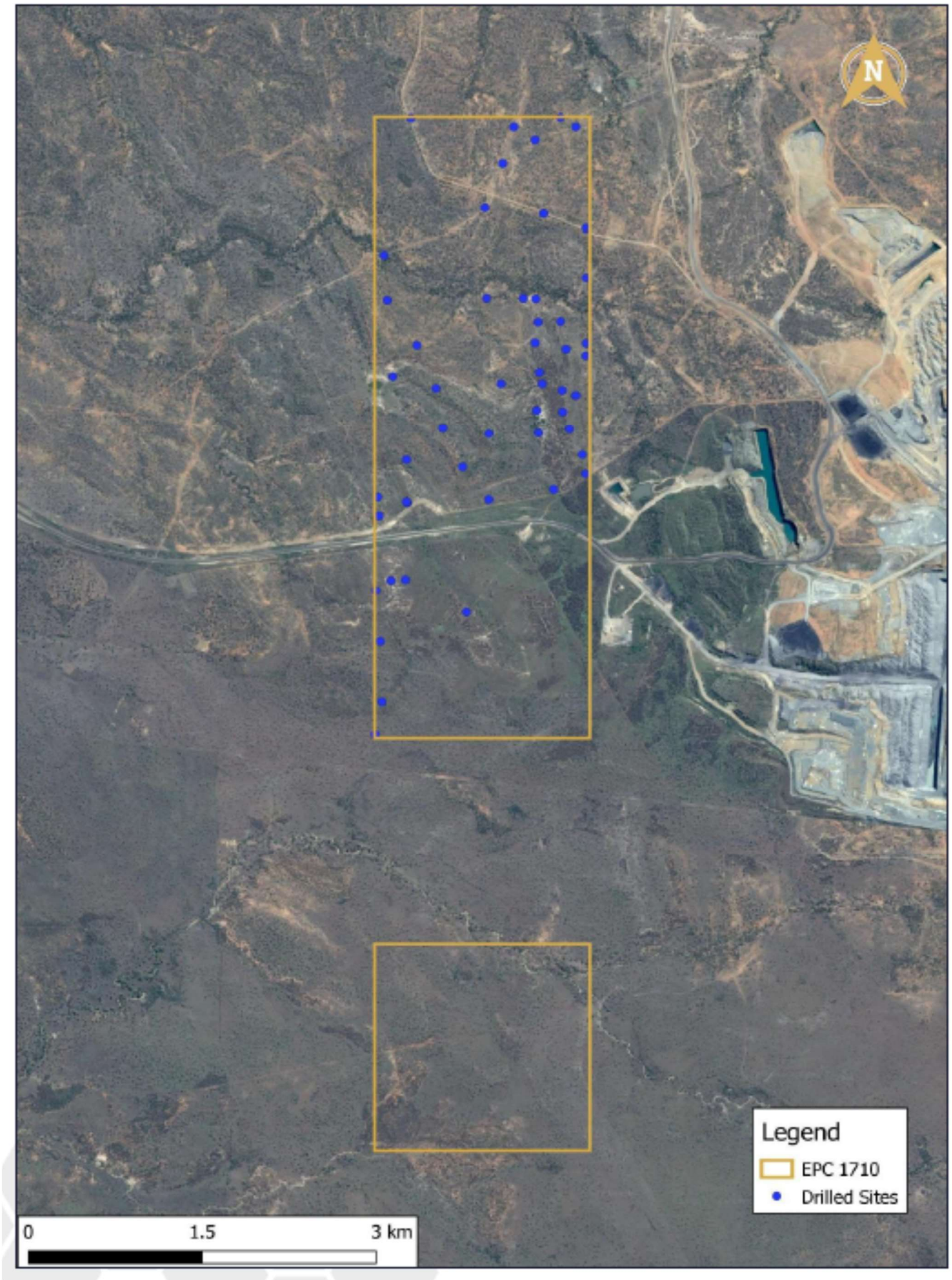


Figure 2: Previously authorised disturbance within 500m of, and within, Category B Environmentally Sensitive Areas on EPC 1731

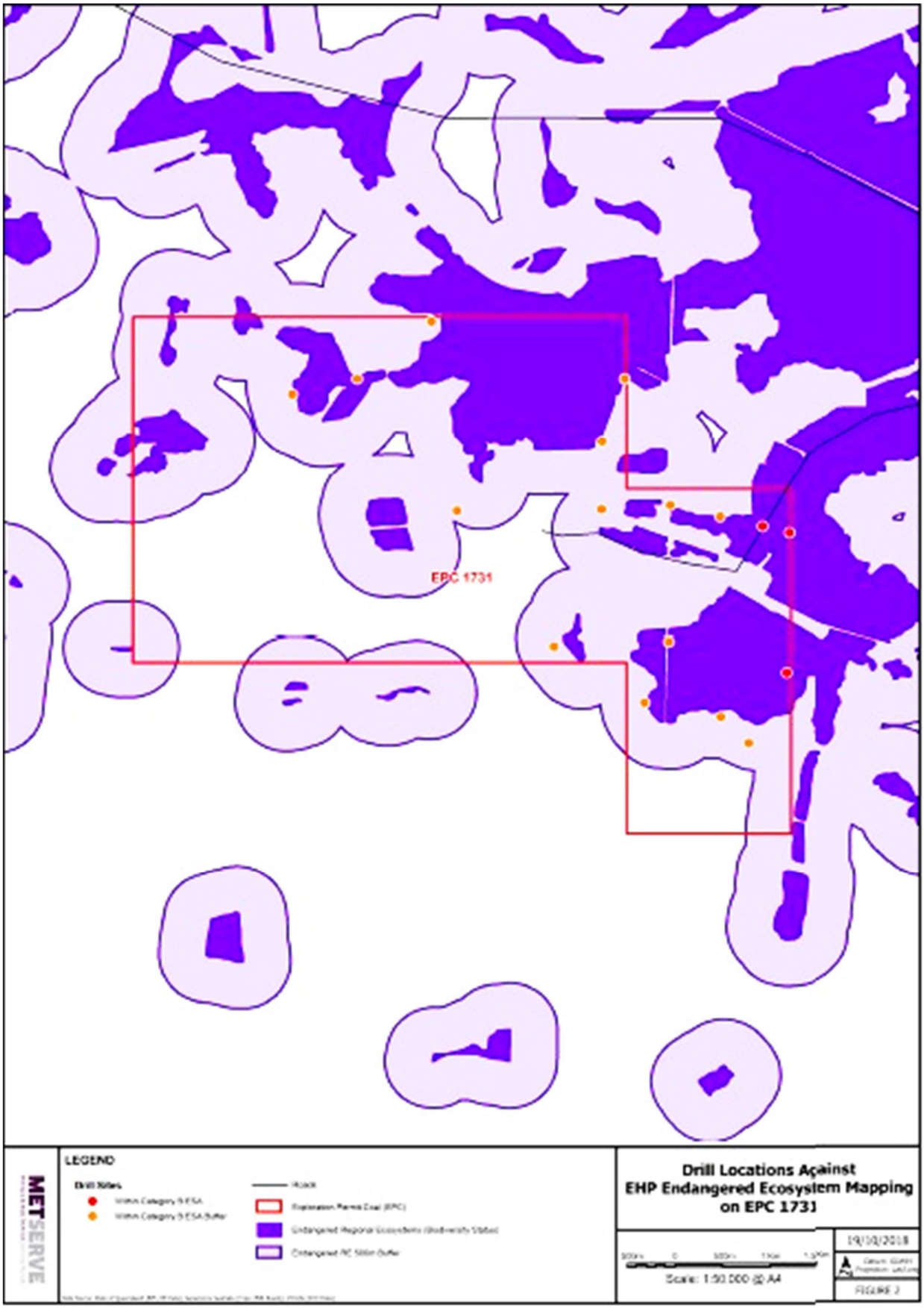


Figure 2.1: Previously authorised drill sites location on EPC 1731 – Satellite image

Figure 2.2: Proposed drill sites location on EPC 1731 – Satellite image

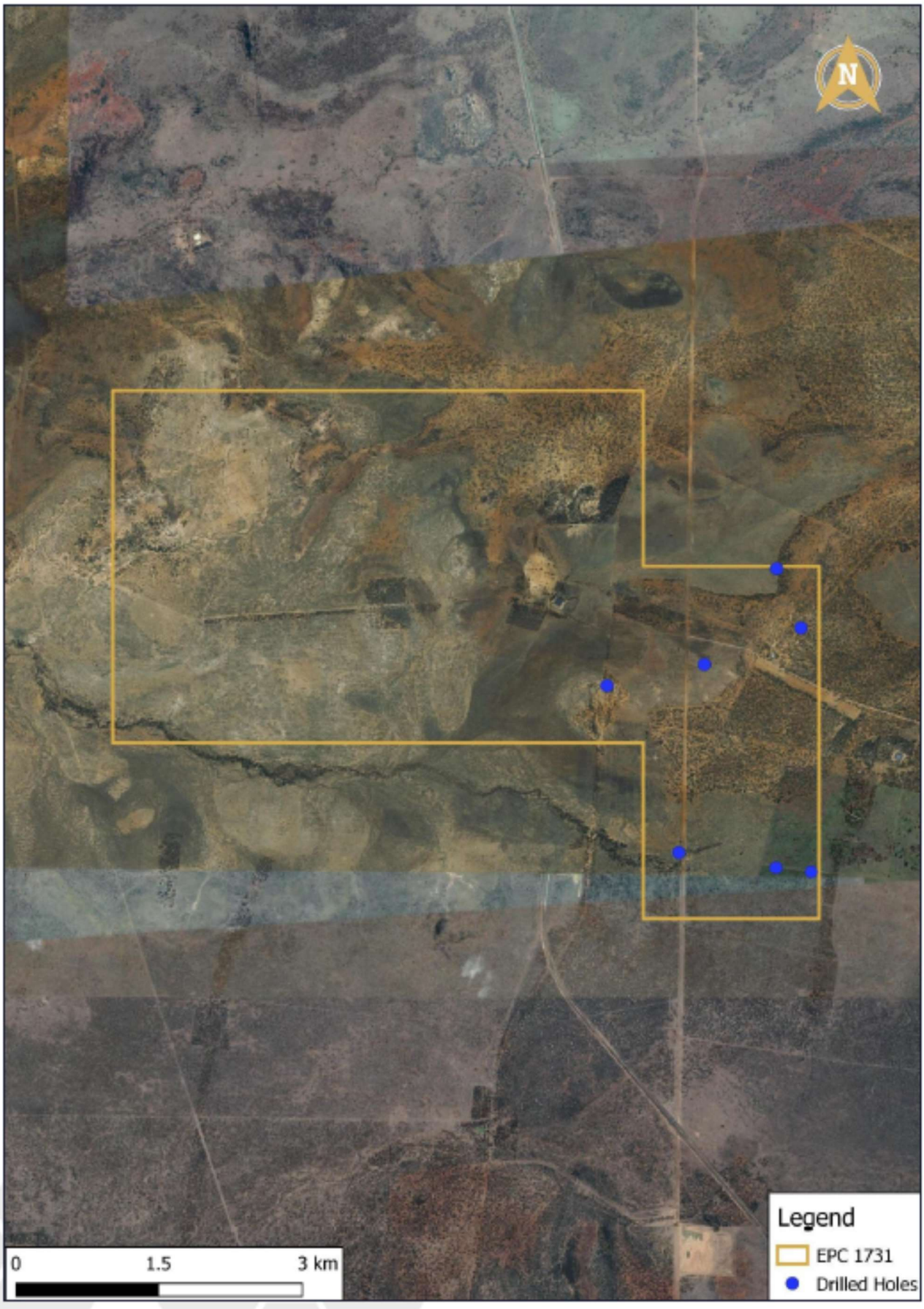


Figure 3: Previously authorised disturbance within Matters of State Environmentally Significant Areas on EPC 1710

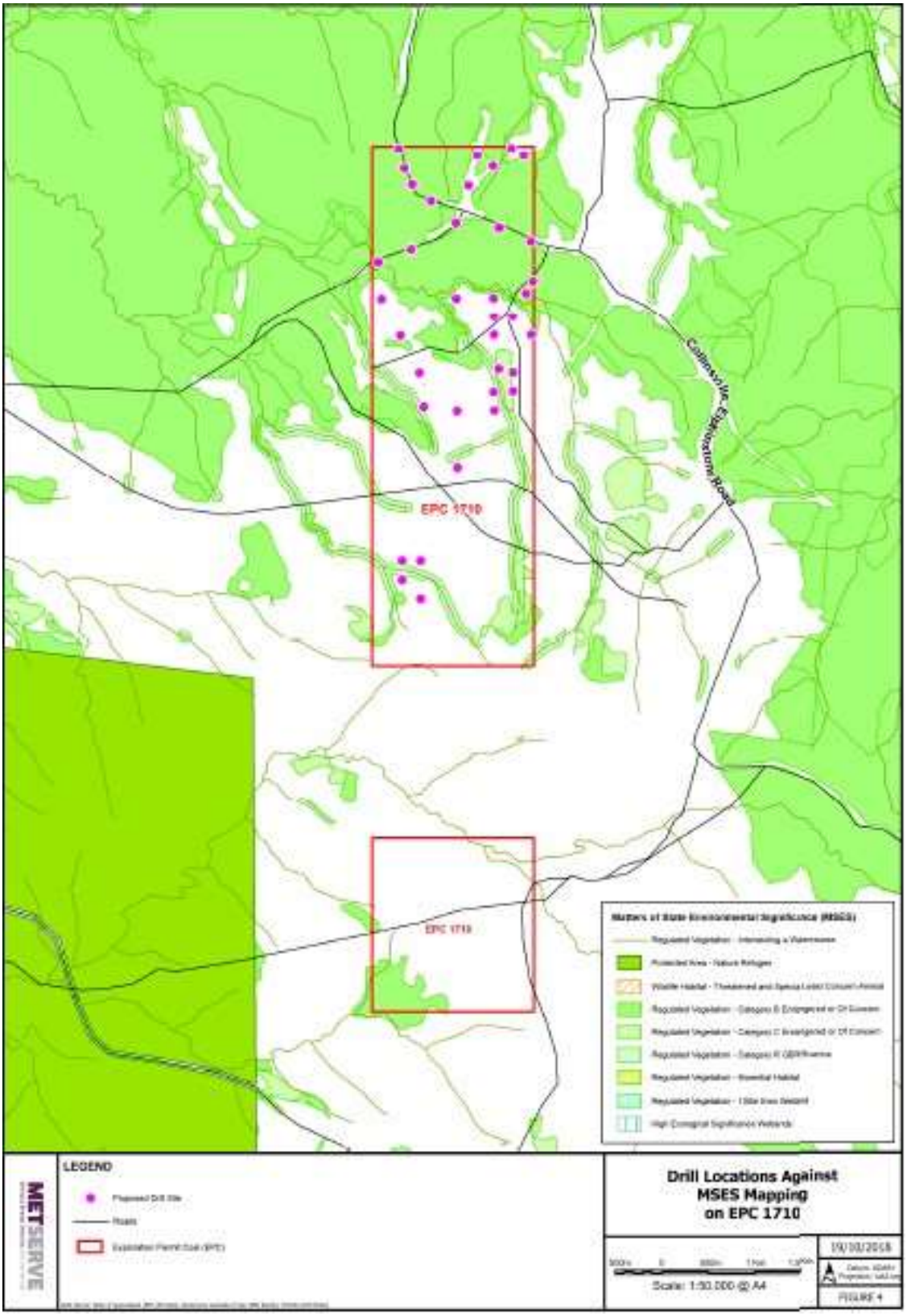
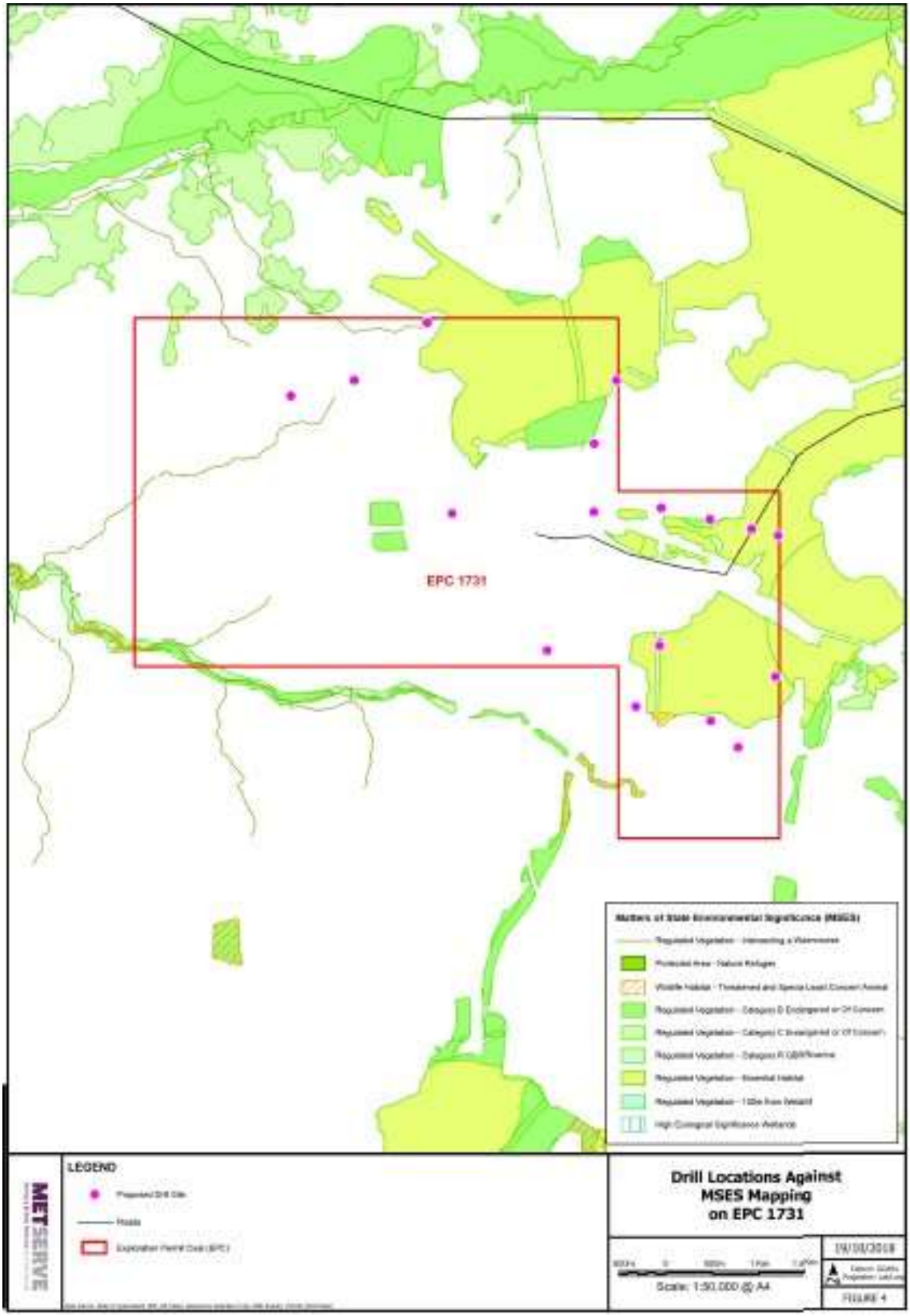


Figure 4: Previously authorised disturbance within Matters of State Environmentally Significant Areas on EPC 1731



END OF PERMIT