

# Permit

**Environmental Protection Act 1994**

**Environmental authority EPSL00272113**

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

**Environmental authority number: EPSL00272113**

**Environmental authority takes effect on 29 April 2020**

**Environmental authority holder(s)**

| Name(s)                        | Registered address                                      |
|--------------------------------|---------------------------------------------------------|
| MOUNT SYLVIA DIATOMITE PTY LTD | Suite 402 Level 4 309 Pitt St SYDNEY NSW 2000 Australia |

**Environmentally relevant activity and location details**

| Environmentally relevant activity/activities    | Location(s) |
|-------------------------------------------------|-------------|
| Non-Scheduled Mining Activity Mining Lease - ML | ML5966      |
| Non-Scheduled Mining Activity Mining Lease - ML | ML100100    |

**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 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](http://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.

Dean Sharpe  
Department of Environment and Science  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**  
Minerals Business Centre  
Department of Environment and Science  
Phone: 07 4222 5352  
Email: ESCairns@des.qld.gov.au

**Date issued: 29 April 2020**

**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

With the exception of any variations, the conditions of approval for this environmental authority include standard conditions contained within the attached document(s) entitled:

- *Eligibility criteria and standard conditions for mining lease activities – Version 2 (ESR/2016/2241)*

### Variation to the standard conditions include:

- L1** The holder of this environmental authority must not carry out activities in a category A or B environmentally sensitive area.
- L2** Notwithstanding Standard Environmental Condition A13, activities may be carried out within 2 km of a category A environmentally sensitive area or within 1km of a category B environmentally sensitive area. Prior to carrying out activities in a category C environmentally sensitive area, the holder of the environmental authority must consult with the relevant administering authority. If it is determined through the consultation that additional conditions are necessary, the holder must comply with these conditions.
- L3** Rehabilitation of any land disturbed by mining activities on tenures, ML5954, ML5955, ML5956 and ML5957 since the date that ML5954, ML5955, ML5956 and ML5957 were granted remains the responsibility of the environmental authority holder and all rehabilitation must be conducted in accordance with eligibility criteria and standard conditions for mining lease activities – Version 2 (ESR/2016/2241).

## Appendices

- *Eligibility criteria and standard conditions for mining lease activities – Version 2 (ESR/2016/2241)*

**END OF ENVIRONMENTAL AUTHORITY**