

Permit

Environmental Protection Act 1994

Environmental authority EPSL02941115

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

Environmental authority number: EPSL02941115

Environmental authority takes effect on 08 January 2021

Environmental authority holder(s)

Name(s)	Registered address
Raymond Jack Michael Fitzgerald Snr	Lot 10 Peninsula Development Road LAKELAND QLD 4871

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled Mining Activity Mining Lease - ML	ML20422 ML20408 ML20421
Non-Scheduled Mining Activity Mining Lease - ML	ML100256

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.

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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, using the search term 'managing contaminated land'.

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

Enquiries:
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Date issued: 08 January 2021

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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)

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 Natural Resources, Mines and Energy (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Conditions of environmental authority**Part 1: Conditions of approval for ML100256****Schedule G – General**

1-G1. The environmental authority holder must comply with each of the standard conditions contained in the document entitled *Eligibility criteria and standard conditions for mining lease activities (ESR/2016/2241) – Version 2.00*.

1-G2. Where there is a discrepancy between a standard condition and a condition of this environmental authority, the environmental authority condition applies.

Schedule L – Land

1-L1 Despite standard condition A13 of the *Eligibility criteria and standard conditions for mining lease activities (ESR/2016/2241) – Version 2.00*, activities may be carried out within the 1km buffer of a Category B environmentally sensitive area.

1-L2 Despite standard condition A14 of the *Eligibility criteria and standard conditions for mining lease activities (ESR/2016/2241) – Version 2.00*, activities may be carried out within the 100m buffer of the identified historical site and Queensland Heritage place, 'Palmer Goldfield Mining Landscape (Listing number 600427)'.

1-L3 The environmental authority holder must ensure that the activity does not cause any impact to a Category B environmentally sensitive area.

1-L4 The environmental authority holder must not cause a significant residual impact to any prescribed environmental matters as defined under the *Environmental Offsets Act 2014*.

1-L5 Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:

- a) completed by an appropriately qualified person; and
- b) kept for the life of the environmental authority.

Definitions

Key terms and/or phrases used in Part 1 of this document are defined in this section and the *Eligibility criteria and standard conditions for mining lease activities (ESR/2016/2241) – Version 2.00*. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

‘significant residual impact’ is defined under section 8 of the *Environmental Offsets Act 2014*.

‘appropriately 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.

‘prescribed environmental matters’ has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the Matters of State Environmental Significance listed in schedule 2 of the *Environmental Offsets Regulation 2014*.

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Part 2: Conditions of approval for ML20408, ML20421 and ML20422

The conditions of approval for this environmental authority are standard conditions contained within the attached document(s) entitled:

- Code of environmental compliance for Mining Lease Projects (EM588)

END OF PERMIT

Attachments

*The following applies to **ML100256**–*

- *Eligibility criteria and standard conditions for mining lease activities (ESR/2016/2241) – Version 2.00*

*The following applies to **ML20408, ML20421 and ML20422**–*

- *Code of environmental compliance for Mining Lease Projects (140521/EM588/Version 1.1)*