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Environmental Authority (Mining Lease) Non-Code Compliant Level 2 Mining Project
Permit[1] Number: MIN200470306
Section 171 — Environmental Protection Act 1994

Takes Effect From: 26-OCT-2007

Details

Permit Holder(s)	Name	Address
Principal Holder	BRS Quarries Australia Pty Ltd	14-16 Sennell Street PARRAMATTA NSW 2150

Activity(s)	Location(s)
Mining Lease	ML50227

The anniversary date of the environmental authority is 26 October.

The environmental authority is subject to the attached conditions of approval.

Lawrence Wade 26 October 2007

Lawrie Wade
Manager Operations
Delegate
Environmental Protection Agency
26-OCT-2007

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

Environmental Protection Agency
www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

Schedule A - General

Financial assurance

(A1-1) 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 (A1-1) must be in accordance with a copy of 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 Opmining activitytions and calculated using the formula: (Financial Assurance = Highest Total Annual Rehabilitation Cost x Percentage Required)

(A1-2) 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.

Maintenance of measures, plant and equipment

(A2-1) The environmental authority holder must ensure:

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

Monitoring

(A3-1) 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.

(A3-2) Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conducts all monitoring.

Exception Reporting

(A-4-1) The holder of this environmental authority must notify the administering authority in writing of any monitoring result, which indicates an exceedance of any environmental authority condition limit. The notification must be within 28 days of completion of analysis.

Notification of Emergencies and Incidents

(A5-1) As soon as practicable 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, the holder of this environmental authority must notify the administering authority of the incident by telephoning EPA's Pollution Hotline on 1300 130 372 or local office or facsimile.

(A5 -2) The notification of emergencies or incidents as required by condition (A5-1) must include but not be limited to the following:

(a) the name of the operator of the mining activity;

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(b) the location of the emergency or incident;

(c) the number of the environmental authority;

(d) the name and telephone number of the designated contact person;

(e) the time of the incident;

(f) the time the operator of the mining activity became aware of the incident;

(g) the suspected cause of the incident;

(h) the quantity and the substance released;

(i) the environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and

(i) actions taken to prevent any further release and to mitigate any environmental harm caused by the release.

(A5-3) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

(A5-4) Not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition (A5-2) in addition to:

(a) outcomes of actions taken at the time to prevent or minimise environmental harm and/or environmental nuisance, and

(b) proposed actions to prevent a recurrence of the emergency or incident.

Spill Kit

(A-6-1) An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the mining activity must be kept at the site, and in each vehicle used if the activity is a mobile mining activity.

Definition of Mining Area

(A7-1) The only areas permitted to be extracted is Lot 155 on CSH133, County of Cavendish, Parish of Helidon, located at 174 Goldmine Road, Helidon as shown in Figure 2.6 entitled "Ste Plan showing all features."

Definitions

(A8-1) Words and phrases used throughout this EA are defined in Schedule H – Definitions. 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.

Schedule B - Air

Dust nuisance

(B1-1) Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place:

(a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); or

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

- Australian Standard AS 3580.9.6 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.

(B1-2) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring.

Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:

(a) for a complaint alleging dust nuisance, dust deposition; and / or

(b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

(B1-3) **Dust Management**

In the event that dust or particulate matter exceeds the levels specified in condition (B1-1) at a nuisance sensitive or commercial place, the holder of the environmental authority must, within four (4) weeks of the request of the administering authority, develop a dust management plan. The dust management plan must address at least, but not be limited to, the following matters:

(a) identification of dust sources and activities at the place(s) which impact on dust sensitive areas;

(b) control or abatement measures that can be undertaken to reduce identified dust sources;

(c) the expected reduction of dust emissions at the dust sensitive place that would be achieved from implementing the proposed measures;

(d) the handling of future dust complaints;

(e) community liaison and consultation; and

(f) training of staff in dust management practices.

(B1-4) Upon completion of the dust management plan it must be submitted to the administering authority within 14 days for its review and comment.

(B1-5) After the administering authority has commented on the dust management plan, the holder of the environmental authority must implement the plan as soon as practicable.

(B2-1) **Nuisance**

The release of noxious or offensive odours or any other noxious airborne contaminants resulting from the activity must not cause a nuisance at any nuisance sensitive or commercial place.

(B2-2) Trafficable areas must be maintained to prevent or minimise the release of wind blown or traffic generated dust to the atmosphere.

(B2-3) Stockpiles must be maintained to prevent or minimise the release of wind blown dust to the atmosphere.

(B2-4) Prevent or minimise the release of dust from vehicles used for transporting products from the site.

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(B2-5) This environmental authority does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the licensed place.

Schedule C - Water

(C1-1) Effective erosion protection and sediment control measures must be implemented and maintained to minimise erosion and release of sediment to waters.

(C1-2) Diversion drains and/or contour banks must be designed, installed and maintained to minimise the potential for stormwater runoff to enter areas disturbed by the mining activity.

(C1-3) The mining activity must be conducted to prevent any release of any hazardous contaminant to waters.

(C1-4) Sediment laden water must not be directly or indirectly released from the site to any waters.

Stream sediment contaminant levels

(C2-1) All reasonable and practicable erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

(C2-2) The holder of this environmental authority must implement the water erosion and sediment control plan contained in *section 2.12.1 of the Environmental Management Plan dated April 2007.*

Schedule D - Noise and vibration

Noise Nuisance

(D1-1) Noise from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.

(D1-2) Not withstanding any other condition of this environmental authority, no mining activity or the servicing of on-site plant and equipment is to be carried out:

(a) outside the hours of 7.00 am to 6.00 pm Mondays to Saturdays;
(b) on Sundays; and
(c) on public holiday(s).

(D1-3) All noise from mining and associated activities must not exceed the levels specified in Table 1 - Noise Limits at any nuisance sensitive or commercial place.

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Table 1 - Noise Limits

Noise level dB(A) measured as	Monday to Saturday 7am - 6pm	At all other times
	Noise measured at a 'Noise sensitive place'	
$L_{A10, adj, 10 mins}$	BG + 5	INAUDIBLE
$L_{A1, adj, 10 mins}$	BG + 10	
	Noise measured at a 'Commercial place'	
$L_{A10, adj, 10 mins}$	BG + 10	INAUDIBLE
$L_{A1, adj, 10 mins}$	BG + 15	

NOTE

Bg = "background level", for a specified time interval, in relation to an investigation of a noise, means the A-weighted sound pressure level that is equalled or exceeded for 90% of that part of the interval in which the investigated noise is absent.

If background is less than 25 dB(A) then 25 dB(A) is to be used as the background sound pressure level.

* Table 1 does not purport to set operating hours for the mining activity.

Noise Monitoring

(D2-1) When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority following completion of monitoring.

Monitoring must include:

(a) L_A 10, adj, 10 mins
(b) L_A 1, adj, 10 mins
(c) $L_{Amax, adj, T}$;
(d) $L_{Abg, T}$ (or $L_{A90, T}$);
(e) $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 99);
(f) Max $L_{pA T}$;
(g) $L_{Aeq, T}$;
(h) the level and frequency of occurrence of impulsive or tonal noise;
(i) atmospheric conditions including wind speed and direction;
(j) effects due to extraneous factors such as traffic noise;
(k) location, date and time of recording; and details of measurement instrumentation and measurement procedure.

(D2-3) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

(D2-4) In the event of a complaint about noise, and at the request of the administering authority, the holder of the environmental authority must, within two weeks, develop a noise management plan. The Noise Management Plan must address at least, but not be limited to, the following matters:

(a) identification of component noise sources and activities at the place(s) which impact on

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nuisance sensitive places;

(b) the measured and/or predicted level of these noise sources and activities at nuisance sensitive places;

(c) the control or abatement measures that can be undertaken to reduce identified intrusive noise sources;

(d) the level of noise at nuisance sensitive places that would be achieved from implementing these measures.

(e) the handling of future noise complaints;

(f) community liaison and consultation; and

(g) training of staff in noise management practices.

(D2-5) Upon the completion of the Noise Management Plan it must be submitted to the administering authority within 14 days for its review and comment.

(D2-6) After the administering authority has provided comment on the noise management plan, the holder of this environmental authority must have due regard to any comments made by the administering authority, and must implement the plan as soon as practicably possible.

(D2-7) When requested by the administering authority, noise 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.

Schedule E - Waste

(E1-1) All regulated waste removed from the site must be by a person who holds a current authority to do so under the *Environmental Protection Act 1994.*

(E1-2) Procedures must be implemented to ensure that wastes generated on the site are minimised, recycled, stored, handled and transferred in a proper and efficient manner. Disposal of such waste must be at a facility licensed to accept such waste.

Storage of tyres

(E2-1) Tyres stored awaiting disposal or transport for take-back and, recycling, or waste-to-energy options - should be stockpiled in volumes less than 3m in height and 200m^2 in area and at least 10 metres from any other tyre storage area.

(E2-2) All reasonable and practicable fire prevention measures must be implemented, including removal of grass and other materials within a 10 metres radius of the scrap tyre storage area.

Disposal of tyres

(E3-1) Where practicable, scrap tyres resulting from the mining activities can be disposed of in underground stopes provided this practice does not cause an unacceptable fire risk or compromise mine safety.

(E3-2) Disposing of scrap tyres resulting from the mining activities in spoil emplacements is acceptable, provided tyres are placed as deep in the spoil as reasonably practicable.

(E3-3) Scrap tyres resulting from the mining activities disposed within the mining activity land must not impede saturated aquifers or compromise the stability of the consolidated landform.

(E3-4) Procedures must be implemented to ensure that wastes mining activity on the site are minimised, recycled, stored, handled and transferred in a proper and efficient manner. Disposal of such waste must be at a facility lawfully able to accept such waste.

(E3-5) Waste and/or vegetation must not be burned on site.

Schedule F - Land

(F1-1) Contaminants must not be released to land.

(F1-2) The mining activities must be undertaken in stages comprising of maximum area of 2.5 ha per each stage.

(F1-3) In carrying out the mining and associated activities on Lot 155 on CSH133 ensure that the maximum total area of disturbance does not exceed 5 ha at any one time.

(F1-4) The top layer and sub layers of the soil profile must be removed, stockpiled separately and retained for the purpose of rehabilitation of disturbed areas.

(F1-5) The mining pits must be inspected immediately after any storm and flood event to check that the landform is stable and that no erosion has resulted from the storm event. Any areas found to have suffered damage from storm and/or flood event must be reinstated immediately. All mining work must cease whilst the damaged sections are being reinstated.

Development Plan

(F2-1) The Development Plan of Lot 155 on CSH133 must be implemented from the commencement of mining activities, which clearly identifies areas to be retained, showing:

(a) 510 metres buffer to any Endangered Regional Ecosystem (ERE);

(b) 450 metres buffer to any environmental sensitive area;

(c) 500m fenced (using white marker posts spaced at 20 metres apart) buffer to the centre of the bed of any tributary to Alice Creek;

(d) results of flora assessment, including locations of any Endangered, Vulnerable and Rare (EVR) species and habitat trees; and

(d) proposed buffer to any EVR plants and habitat trees identified.

(F2-2) The development plan must clearly identify:

(a) Lot boundaries;

(b) Existing infrastructure;

(c) Proposed roads and access tracks; and

(d) Proposed location and sequencing of mining areas.

(F2-3) The Development Plan must not be implemented or amended where such implementation or amendment would result in a contravention of any condition of this environmental authority.

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(F2-4) A copy of the Development Plan must be kept at the authorised place.

(F2-5) A permit for the clearing of, or interference with, rare or threatened species listed under the *Nature Conservation (Wildlife) Regulation 1994* must be obtained.

Rehabilitation Plan

(F3-1) The Site Rehabilitation Plan must not be implemented or amended where such implementation or amendment would result in a contravention of any condition of this development approval.

(F3-2) A copy of the Site Rehabilitation Plan must be kept at the authorised place.

(F3-3) Areas disturbed by the mining activity must be rehabilitated to a stable landform as shown in *Figure 1.5 and Figure 1.6 of amended mining lease application dated 31 August 2007 entitled "Progressive Mining Rehabilitation."*

(F3-4) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of mining are commenced.

(F3-5) Rehabilitation must be completed in accordance with the *"Rehabilitation Programme" contained in Environmental Management Plan, dated 31 August 2007"* and including the following to the satisfaction of the administering authority:

(a) suitable vegetation endemic to the location is planted and established to achieve a species composition and density to that of the surrounding undisturbed areas where practicable and relevant to possible post mining land use;
(b) potential for erosion of the site is minimised;
(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 aluminum, and total manganese are not likely to cause environmental harm;
(d) the likelihood of environmental nuisance being caused by release of dust is minimised;
(e) the water quality of any residual water body meets relevant criteria for subsequent uses and does not have potential to cause environmental harm;
(f) the final landform is stable and not subject to slumping; and
(g) any actual and potential acid sulfate soils in or on the site are either not disturbed, or are submerged or treated, so as to not be likely to cause environmental harm.

(F3-6) Staging of mining for Year 1, Year 2, Year 3, Year 4 and Year 5 must not begin until the areas identified for rehabilitation under yearly plans 2007/2008, 2008/2009, 2009/2010, 2010/2011 and 2011/2012 are considered by the administering authority to be substantially commenced, which would be demonstrated by:

(a) the areas designated for rehabilitation are suitably prepared to sustain proposed planting;
(b) at least 80% of the vegetation required for the rehabilitation is planted;
(c) a management plan is implemented to ensure the planted areas are maintained, until these areas are considered rehabilitated by the administering authority in accordance with condition F4-5.

(F3-7) Areas nominated for rehabilitation under yearly plans 2007/2008, 2008/2009, 2009/2010, 2010/2011and 2011/2012 for the mining and associated activities will be considered rehabilitated by the administering authority when they comply with the following outcomes:

(a) achievement of a self sustaining native ecosystem with a species composition and distribution similar to the pre-mining species composition and distribution; and

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(b) the post mining landform must be suitable to support the native ecosystem and be stable and non-polluting.

(F3-8) Complete an investigation into rehabilitation of disturbed areas proposing acceptance criteria for the outcomes in condition F3-5. This report must be prepared by at least six (6) months prior to the completion of rehabilitation work as detailed in yearly plans 2007/2008, 2008/2009, 2009/2010, 2010/2011and 2011/2012 and kept on site for viewing by the administering authority upon request.

(F3-9) Native vegetation removal may be conducted only after:

(a) every effort has been made to keep the disturbed areas to a minimum;

(b) the areas to be cleared have been clearly delineated and identified to equipment operators and supervisors; and

(c) appropriate erosion and sediment control measures are in place.

(F3-10) A qualified fauna spotter / catcher holding a Rehabilitation Permit from the Queensland Parks and Wildlife Service is required to inspect any tree immediately prior to it being felled for the presence of vertebrate fauna. The fauna spotter / catcher is to be present at all times whilst native vegetation is being removed to collect, remove and rehabilitate any native animals that are displaced or injured as a consequence of vegetation clearing activities.

Infrastructure

(F4-1) All infrastructure, constructed by or for the environmental authority holder during the mining activities including water storage structures, must be removed from the site prior to mining lease surrender, except where agreed in writing by the post mining land owner / holder.

NOTE: This is not applicable where the landowner / holder is also the environmental authority holder.

Schedule G - Community

Complaint response

(G1-1) All complaints received must be recorded in a complaint register 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.

Schedule H - Definitions

"acceptance criteria" means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly been disturbed by the mining activities. Acceptance criteria may include information regarding:

- vegetation establishment, survival and succession;
- vegetation productivity, sustained growth and structure development;
- fauna colonisation and habitat development;
- ecosystem processes such as soil development and nutrient cycling, and the recolonisation of specific fauna groups such as collembola, mites and termites which are involved in these processes;
- microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration;
- effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development;
- resilience of vegetation to disease, insect attack, drought and fire;
- vegetation water use and effects on ground water levels and catchment yields.

"ambient (or total) noise" at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for an appropriate time interval.

"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.

"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 minmining activity/s for later recovery; or
(b) structural components or other items to facilitate removal from a site or for reuse.

"commercial place" means a work place 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.

"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 authority holder" means the holder of this environmental authority.

"hazardous waste" means any substance, whether liquid, solid or gaseous, derived by or resulting from, the processing of mining activity/s that tends to destroy life or impair or endanger health.

"$L_{A\ 10,\ adj,\ 10\ mins}$" 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.

"$L_{A\ 1,\ adj,\ 10\ mins}$" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10-minute measurement period, using Fast response

"$L_{A,\ max\ adj,\ T}$" 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 use" term to describe the selected post mining use of the land, which is planned to occur after the cessation of mining operations.

"mining activity" 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—

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(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 operators for coal or the mining or production of mining activity oil there from;
(d) limestone if mined for use for its chemical properties;
(e) marble;
(f) mining activity oil or gas extracted or produced from shale or coal by in situ processes;
(g) peat;
(h) salt including brine;
(i) shale from which minmining activity 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.

"noxious" means harmful or injurious to health or physical well being, other than trivial harm.

"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, other than trivial harm.

"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.

"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.

"representative" means a sample set which covers the variance in monitoring or other data either due to natural changes or operational phases of the mining activities.

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"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" means;

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- an educational institution; or
- a medical center 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.

"significant disturbance" – includes land

(a) if it is contaminated land; or

(b) it has been disturbed and human intervention is needed to rehabilitate it.

i. to a state required under the relevant environmental authority; or

ii. if the environmental authority does not require the land to be rehabilitated to a particular state – to its state immediately before the disturbance.

Some examples of disturbed land include:

- 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 and a suitability statement has not been issued.

However, the following areas are not included:

- areas off lease (e.g. roads or tracks which provide access to the mining lease);
- areas previously significantly disturbed which have achieved the rehabilitation outcomes;
- by agreement with the EPA, areas previously significantly disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner. The agreement to leave permanent infrastructure must be recorded in the Landowner Agreement and lodged with the EPA;
- disturbances that pre-existed the grant of the tenure unless those areas are disturbed during the term of the tenure.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

"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.

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"watercourse" - Means a river, creek or stream in which water flows permanently or intermittently in a visibly defined channel (natural, artificial or artificially improved) with:

(a) continuous bed and banks;
(b) an extended period of flow for some months after rain ceases, and
(c) an adequacy of flow that sustains basic ecological processes and maintains biodiversity.

"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.

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Notice of Decision – Environmental Authority

This notice is issued by the Environmental Protection Agency to advise of a statutory decision made under section 171 of the Environmental Protection Act 1994.

Mrs Leah Callahan
Mining Registrar
Podium 2
Ground Floor
Department of Mines and Energy
P O Box 1475
COORPAROO QLD 4151

C/c BRS Civil (Australia) Pty Ltd
18/20 Jijaws Street
SUMNER PARK QLD 4074

Our Reference: 304627

Re: Application for Environmental Authority (Mining Lease) Non-Code Compliant Level 2 Mining Project

The Environmental Protection Agency has assessed an application for Environmental Authority (Mining Lease) Non-Code Compliant Level 2 Mining Project received on 03-OCT-2006 and wishes to advise you of our decision as specified below:

Principal Holder	Joint Holder(s)	Mining Tenement	Environmental Authority number	Decision
BRS Quarries Australia Pty Ltd	Nil	ML50227	MIN200470306	Granted

This Notice of Decision and the attached relevant environmental conditions constitute the draft environmental authority for this application.

Under section 211 of the *Environmental Protection Act 1994* you must give and publish a notice about this application to advertise the period during which the application documents may be inspected and objections may be given. If properly made objections are received the application may be granted with conditions that are different to the conditions in the draft environmental authority. If this occurs you will be required to pay the amount of the application fee for a non code compliant application.

The environmental authority does not take effect until the granting, under the *Mineral Resources Act 1989*, of each relevant mining tenement and each environmental authority holder has become a holder of a relevant mining tenement for the environmental authority.

The conditions of the environmental authority are in force until a surrender of the authority is approved pursuant to the *Environmental Protection Act 1994*. The conditions apply unless an amendment is approved pursuant to the *Environmental Protection Act 1994*.

26/10/07

Environmental Protection Agency
www.epa.qld.gov.au ABN 87 221 158 786

Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

If you require more information please contact Parma Nand, the Project Manager, on telephone number (07) 3225 8922.

Lawrence Wade 26 October 2007

Lawrie Wade
Manager – Environmental Operations
Delegate
Environmental Protection Agency
26 October 2007

Enquiries:
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