

Permit¹

Environmental Protection Act 1994

Environmental Authority

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

Permit¹ number: EPVL00339413

Environmental authority takes effect on 8 November 2013

The anniversary date of this environmental authority is 10 July

Environmental authority holder(s)

Name	Registered address
Cairns Marble Australia Pty Ltd	94 Cook Street PORTSMITH QLD 4870

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - ML	ML20096 ML20720

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.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

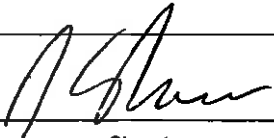
It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being,

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

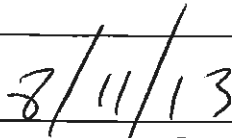


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contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.


Signature

Dean Sharpe
Delegate of the administering authority
Environmental Protection Act 1994


Date

Enquiries:
5b Sheridan Street
PO Box 7230
CAIRNS QLD 4870
Phone: (07) 4222 5334
Fax: (07) 4222 5070

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:

- The code of environmental compliance for mining lease projects.

Variations to the standard conditions include:

- G15 Notwithstanding condition 14 of the *Code of Environmental Compliance for Mining Lease Projects*, the holder of this environmental authority is permitted to conduct mining activities within 2 kilometres of, but not within, the Chillagoe - Mungana Caves National Park (Category A Environmentally Sensitive Area).

The current conditions of EPVL00339413 (formerly non-code compliant level 2 environmental authority MIN200945809):

Agency Interest: General

- G1 The environmental authority does not take effect until the grant of the tenure to the environmental authority holder, or until each environmental authority holder has become a holder, under the *Mineral Resource Act 1989*, of each of the relevant mining tenements.
- G2 The conditions of this environmental authority are in force until a surrender of the authority is accepted pursuant to the *Environmental Protection Act 1994*. The conditions apply unless an amendment is approved pursuant to the *Environmental Protection Act 1994*.
- G3 The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Financial Assurance

- G4 The environmental authority holder is to give the administering authority a financial assurance in the amount and form and at the time required by the administering authority.
- G5 The environmental authority holder must:
- install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and
 - maintain such measures, plant and equipment in a proper and efficient condition; and



- operate such measures, plant and equipment in a proper and efficient manner

Monitoring

- G6 The environmental authority holder must record, compile, evaluate and keep all monitoring results, records and documents required by this administering authority, and any complaints received about the mining activities, and produce copies, or make available for inspection all or any of these records upon request by administering authority
- G7 Where monitoring is a requirement of this environmental authority, ensure that an appropriately qualified person conducts all monitoring.

Notifications of Emergencies, Incidents and Exceptions

- G8 You must, as soon as practicable after becoming aware of:
- (a) 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; or
 - (b) any monitoring result that indicates an exceedence of any environmental authority limit, notify the administering authority of the release by telephone, facsimile or other electronic means.
- G9 The notification must include, but not limited, to the following:
- the environmental authority number and name of holder;
 - the name and telephone number of the designated contact person;
 - the location of the emergency or incident;
 - the date and time of the incident;
 - the time the holder of the environmental authority became aware of the incident;
 - the estimated quantity and type of any substances involved in the incident;
 - the actual or potential cause of the incident;
 - a description of the nature and effects of the incident including environmental harm caused, threatened, or suspected to be caused by the incident;
 - any sampling conducted or proposed, relevant to the emergency or incident: and
 - immediate actions taken to prevent or mitigate any further environmental caused by the release.

Complaints

- G10 Records must be kept of all environmental complaints received about the mining activities including the following details:
- name, address and contact number for complainant;
 - time and date of complaint;
 - reasons for the complaint;
 - investigations undertaken;
 - conclusions formed;
 - actions taken to resolve complaint;
 - any abatement measures implemented; and
 - person responsible for resolving the complaint.

Waste

- G11 All general waste generated on site must be disposed of to the Chillagoe Landfill.
- G12 All waste rock generated on site must be stockpiled in the designated area identified on Map 1.

Land

- G13 The residual void must not cause any serious environmental harm to land, surface waters or any recognised groundwater aquifer, other than the environmental harm constituted by the existence of



the residual void itself, and subject to any other condition within this environmental authority.

- G14 The residual void must be effectively bunded (with the exception of access ramps) to limit access to the pit wall.

Agency Interest: Water

Release to waters

- W1 There must be no release of pit water from the licensed place.
- W2 Pit water must be irrigated in the irrigation area identified in Map 1

Groundwater

- W3 Groundwater, affected by the mining activities must be monitored at the locations and frequencies defined in Table 1 and Map 1 for the parameters listed in Table 2.

Table 1: (Groundwater monitoring locations and frequency)

Monitoring Point	Eastings (Datum AGD 66)	Northing (Datum AGD 66)	Monitoring frequency
Bore WB1 (Monitoring)	0239439	8099461	Groundwater levels – weekly during dewatering / mining Water quality – February and October
Bore WB2 (Reference)	0239501	8099761	Groundwater levels – weekly during dewatering / mining Water quality – February and October

- W4 If groundwater at any site defined Table 1, exceed any of the contaminant trigger levels stated in Table 2, the environmental authority holder must:
- (a) complete an investigation in accordance with the ANZECC (2000) methodology, into the potential for environmental harm;
 - (b) provide a written report to the administering authority within 3 months of the date of the original exceedence, outlining:
 - (i) details of the investigations carried out; and
 - (ii) actions taken to prevent environmental harm.

Table 2: (Groundwater trigger levels - unfiltered)

Parameter	Unit	Trigger Levels	Level type
EC	µS/cm	80 th percentile ¹ of	Mean ⁴

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		reference site ² or 250 ³ , whichever is higher	
pH	pH units	20 th percentile ¹ of reference site ² or 6 ³ , whichever is lower 80 th percentile ¹ of reference site ² or 7.5 ³ , whichever is higher	Median ⁴ Median ⁴
Turbidity	NTU	80 th percentile ¹ of reference site ² or 15 ³ , whichever is higher	Median ⁴

¹ Trigger levels based on the 80th or 20th percentile are derived using ANZECC (2000) methodology and are based on the reference site defined in Table 1.

² Reference site as defined in Table 1.

³ ANZECC (2000) trigger levels for aquatic ecosystems of slightly – moderately disturbed systems – Table 3.4.1 level of protection 95% / Table 3.3.4 / 3.3.5 - tropical Australian upland rivers.

⁴ The mean and median must be determined based on no more than ten (10) consecutive samples

W5 The groundwaters defined in Table 1 must not exceed any of the contaminant limits defined in Table 3.

Table 3: (Groundwater contaminant limits - unfiltered)

Parameter	Unit	Limit ¹ (all sites defined in Table 1)	Limit type
EC	µS/cm	1500 ¹	Maximum
pH	pH units	6.0-8.5 ¹	Range

¹ ANZECC (2000) – Primary Industries – livestock drinking water quality / drinking water quality whichever is more stringent.

W6 The method of sampling waters must comply with that set out in the latest edition of the Administering Authorities Monitoring and Sampling Manual 2009.

W7 The holder of the environmental authority must conduct continuous monitoring of water levels in Ti Tree Cave to an accuracy of at least 0.001m for at least 1 month prior to commencement of dewatering activities.

W8 During dewatering activities, the water level data in Ti Tree Cave must be downloaded from the data logger at a frequency of not less than once every 2 hours.

W9 During mining activities, the water level data in Ti Tree Cave must be downloaded from the data logger at a frequency of not less than once every 4 weeks.

Handwritten signature/initials

- W10 In the event that during the extraction of marble there is ingress of water, (excluding rainfall) into the pit that results in water levels rising more than 1 metre per hour, all marble extraction must cease immediately and the administering authority must be notified.
- W11 If the level of water in Ti Tree Cave fluctuates by more than 0.1m in a 7day period, dewatering and/or mining activities must cease immediately and the administering authority must be notified.
- W12 All data derived from continuous monitoring of water levels in Ti Tree Cave must be forwarded to the administering authority at least once every 4 weeks prior to and during dewatering and mining.
- W13 Extraction of marble is authorised under this environmental to take place at any time. From December to April extraction of marble is only authorised if there is no dewatering.
- W14 Extraction of marble is only permitted within the proposed mining area identified on Map 1 as defined in Table 4.

Table 4

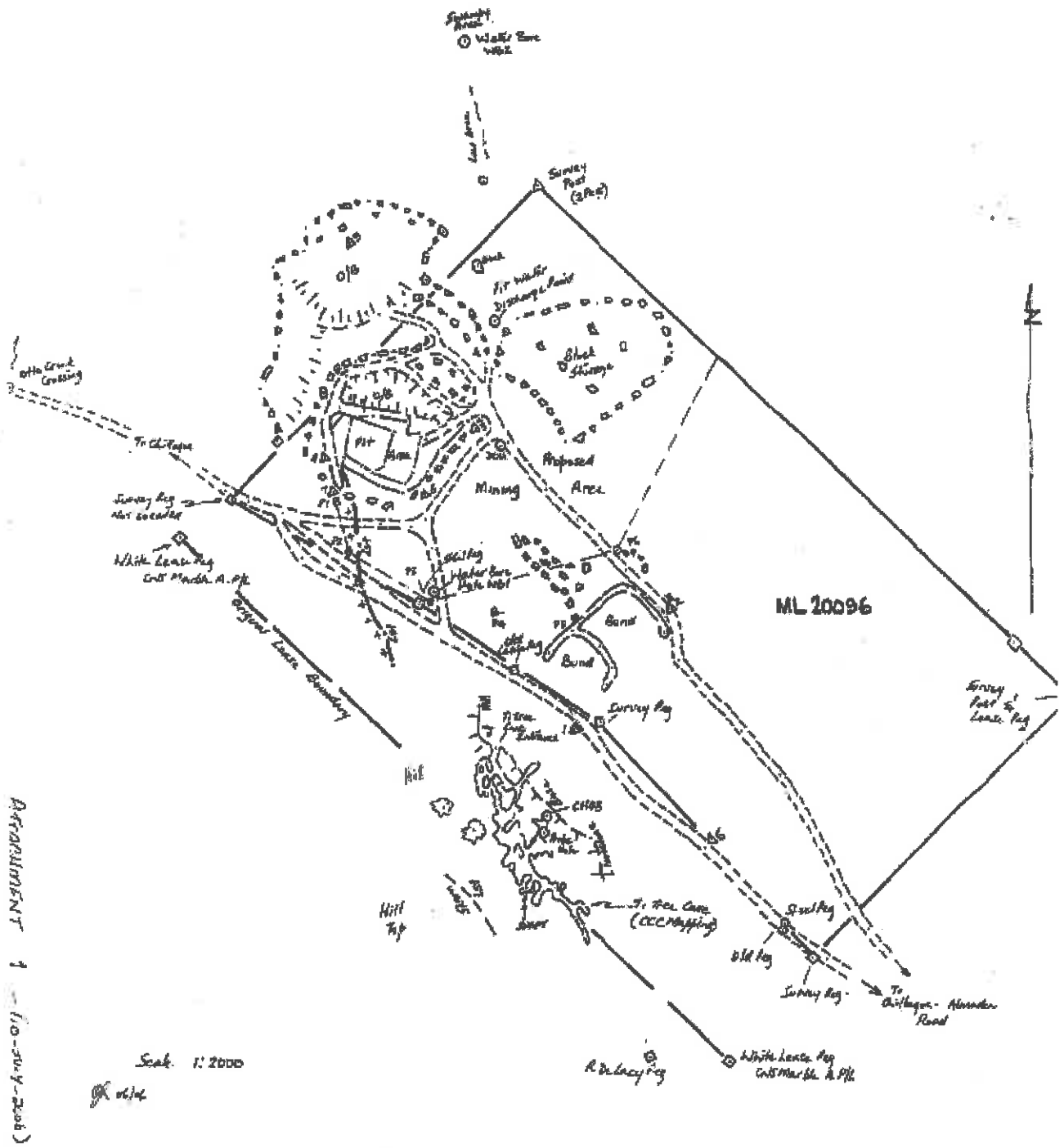
GPS point	Pit Peg Number	Easting (Datum AGD 66)	Northing (Datum AGD 66)
GPS 1	1	0239397	8099514
GPS 2	2	0239400	8099487
GPS 3	3	0239439	8099457
GPS 4	6	0239545	8099468

Attachments

- Map1
- The Code of Environmental Compliance for Mining Lease Projects

Map1

MAP 1



END OF PERMIT

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