

Environmental authority EPVL00351313

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

Permit¹ number: EPVL00351313

Environmental authority takes effect on 24 August 2015.

The anniversary date remains 20 March.

Environmental authority holder(s)

Name	Registered address
Capricorn Sapphire Pty Ltd	Unit 1 Level 1 South Mill Centre 9 Bowman Street SOUTH PERTH WA 6151

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - ML	ML70419

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.

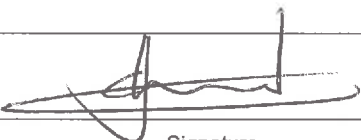
An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

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

Contaminated land

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

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, 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

Christopher Loveday
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

24 AUGUST 2015

Date

Enquiries:
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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)

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:

- *Code of Environmental Compliance for Mining Lease Projects* Variations to the standard conditions include:

Department Interest: General

- A1** 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.
- A2** 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.*
- A3** 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*.
- A4** The environmental authority holder must develop and implement during the continuation of this authority, a program to ensure that all employees and contractors on site are aware of and comply with the relevant requirements for this authority
- A5** The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.
- A6** If there is any inconsistency between a standard environmental condition referred to in **A5** and an additional condition in this environmental authority, the additional condition prevails to the extent of any inconsistency.



- A7** Words and phrases used throughout this environmental authority are defined in the Definitions section of this authority. Where a definition for a term used in this environmental authority is sought and the term is not defined within this environmental authority, the definitions in the *Code of Environmental Compliance for Mining Lease Projects* and the definitions in the *Environmental Protection Act 1994*, its regulations and policies must be used.
- A8** The environmental holder must notify the administering authority and the landholder by written notification (including by email and fax) as soon as practicable but within 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.
- A9** **Tenure**
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 Resources Act 1989*, of each of relevant mining tenements.

Department Interest: Land

Nature Conservation

- B1** The environmental authority holder must comply with each of the 'Nature Conservation' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*, except condition 14, which is replaced by conditions **B2** to **B11** of this environmental authority.
- B2** The environmental authority holder must not undertake mining activities within any Category A Environmentally Sensitive Area
- Note: The criteria for mining activities forming a Level 1 or Level 2 mining project are identified within the Environmental Protection Act 1994 and subordinate legislation. Under a Level 2 mining project the mining activities are not, or will not be, carried out in a Category A Environmentally Sensitive Area.*
- B3** The environmental authority holder must not undertake mining activities within any Category B Environmentally Sensitive Area (Attachment 1).
- Note: The criteria for mining activities forming a Level 1 or Level 2 mining project are identified within the Environmental Protection Act 1994 and subordinate legislation. Under a Level 2 mining project the mining activities are not, or will not be, carried out in a Category B Environmentally Sensitive Area.*
- B4** The environmental authority holder must not undertake mining activities within any Category C Environmentally Sensitive Area
- B5** The environmental authority holder must not undertake any mining activities within 2 kilometres of any Category A Environmentally Sensitive Area.
- B6** The environmental authority holder must not have more than 6 ha of disturbance caused by mining activities, at any one time, within 1 kilometre of any Category B Environmentally Sensitive Area
- Note: The criteria for mining activities forming a Level 1 or Level 2 mining project are identified within the Environmental Protection Act 1994 and subordinate legislation. Under a Level 2 mining project the mining activities do not, or will not, at any one time cause more than 10ha of land to be significantly disturbed.*
- B7** Habitat trees must be protected.
- B8** Trees or shrubs with nests of birds of prey (raptors) whether active or not, or visibly active non-raptor bird nests must be protected.
- B9** No clearing of mature trees is authorised except with approval of the administering authority.
- B10** Debris from clearing or felling of trees must not accumulate within two (2) meters of any retained tree.



B11 Burning of vegetation is not permitted.

Campsites

B12 The environmental authority holder must comply with each of the 'Campsites' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

B13 Campsites must not be established within 1 kilometre of any Category B Environmentally Sensitive Area.

Contaminant Release

B14 Mine affected water must not be released to waters.

Note: It is an offence under the Environmental Protection Act 1994 to unlawfully deposit a prescribed water contaminant (i) in waters or... (ii) at another place, and in a way, so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters.

Stormwater and Water Sediment Controls

B15 The environmental authority holder must comply with each of the 'Erosion and Sediment Control' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

B16 An Erosion and Sediment Control Plan must be developed by an appropriately qualified person and implemented for all stages of the mining activities on the site to minimise erosion and the release of sediment to receiving waters and contamination of storm water.

B17 Surface runoff must be managed where necessary to minimise sedimentation and erosion.

B18 Sediment control barriers installed, should be made of non-organic material to prevent the spread of weeds.

Dams

B19 The holder of this environmental authority is authorised to construct two dams with a total combined surface area of 0.14ha.

B20 No dam may be constructed below RL226, as identified in Attachment 2.

B21 Any dam constructed in accordance with conditions 2 and 3 must only accept mine affected water generated in the wash plant area, as identified in Attachment 2.

B22 The holder of this environmental authority must ensure that each dam is designed, constructed, operated and maintained in accordance with accepted engineering standards and is fit for the purpose for which it is intended.

B23 The hazard category of each dam must be assessed by a suitably qualified and experienced person at least once per year, based on documented evidence sufficient to define or confirm the current nature and extent of environmental consequences for potential failure of that dam. Hazard category is to be determined in accordance with the Department of Mines and Energy's *Site Water Management Technical Guideline for Environmental Management of Exploration and Mining in Queensland 1995*.

B24 Dams having a hazard category assessed as significant or high, must be specifically authorised in this environmental authority.

B25 Where the hazard category of a dam is assessed as significant or high (ie a regulated structure), the holder of the environmental authority must act immediately to ensure:

- a) the administering authority is advised of the current location and details of that dam; and
- b) the dam meets the hydraulic performance required of the assessed hazard category within twelve months of that assessment; and



c) the dam is authorised within the environmental authority within twelve months of that assessment.
Note: the holder of the environmental authority will be required to prepare design plans and certification by a suitably qualified and experienced person that the design of the regulated structure will deliver the performance stated within the design plan to the administering authority as part of the amendment application.

- B26** The condition of dams must be monitored for early signs of loss of structural or hydraulic integrity, based on the advice of a suitably qualified and experienced person. The methods of monitoring and frequency of monitoring shall be as assessed by that suitably qualified and experienced person, based on the hazard category and particular circumstances of each dam.
- B27** In the event of early signs of loss of structural or hydraulic integrity, the holder of this environmental authority must immediately take action to prevent or minimise any actual or potential environmental harm, and report in writing any findings and actions taken to the administering authority within 28 days of that event.
- B28** The holder of this environmental authority must not abandon any dam but must decommission each dam such that ongoing environmental harm is prevented.
- B29** As a minimum, decommissioning must be conducted such that each dam:
- a) either:
 - i. a stable landform, that no longer contains flowable substances, or
 - ii. approved or authorised under relevant legislation for a beneficial use, or
 - iii. is a void authorised by the administering authority to remain after decommissioning; and
 - b) compliant with the rehabilitation requirements of this environmental authority.

Groundwater

- B30** The holder of this environmental authority must develop and submit to the administering authority for approval before commencing any mining activities, a scientifically based groundwater monitoring program ('GWMP') capable of detecting significant changes to the levels and quality of the groundwater from the point known as "Kubota Bore".
- B31** The GWMP must include provision for the environmental authority holder to:
- (a) accurately monitor the groundwater quarterly and report the results thereof to the administering authority, or otherwise on the request of the administering authority;
 - (b) maintain records of the testing and monitoring carried out on the groundwater;
 - (c) produce to the administering authority on request, such records and data relied on to verify the groundwater monitoring results reported by the environmental authority holder;
 - (d) promptly notify the administering authority and the landholder of any significant changes detected to the groundwater levels or quality;
 - (e) comply with the water sampling method set out in the current edition of the administering authority's *Water Quality Sampling Manual*;
- B32** Upon the administering authority approving the GWMP, the holder of this environmental authority must implement the program and comply with its terms.
- B33** The administering authority shall provide to the landholder a copy of the approved GWMP, and if so requested by the landholder, a copy of the quarterly monitoring results.
- B34** Any change to the GWMP shall be of no effect unless a copy of the proposed change is first given to the landholder and the change is approved in writing by the administering authority.



Flood Protection Levee

- B35** Design requirements for the levee and adjacent mining excavation include:
- a) the crest level of the levee crest shall be 1m above the 2010-11 flood event height for the adjacent watercourses; and
 - b) setbacks from the watercourses and mining excavation slopes adjacent to the levee must be maintained, and the mining excavation designed and undertaken such that the levee will remain stable in operation and the excavated slope will have a geotechnical of safety of 1.5 or above based on an accepted engineering stability analyses.
- B36** The flood protection levee authorised under this environmental authority must be constructed and maintained such that:
- a) it does not result in increased erosion of the bank or bed of Policemen Creek;
 - b) it does not significantly impact upon riparian or existing remnant vegetation;
 - c) it does not significantly impact upon the Category B Environmentally Sensitive Area (Attachment 1);
 - d) it does not create increased flood levels upstream during operation (afflux) such that damage is caused to the property of others that would not otherwise be caused; and
 - e) the levee itself will not erode, to the extent that the erosion may jeopardise the integrity of the levee, during any flood events.
- B37** The hazard category of each levee must be assessed by a suitably qualified and experienced person at least once per year, based on documented evidence sufficient to define or confirm the current nature and extent of environmental consequences for potential failure of that dam. Hazard category is to be determined in accordance with the Department of Mines and Energy's *Site Water Management Technical Guideline for Environmental Management of Exploration and Mining in Queensland 1995*.
- B38** Levee's having a hazard category assessed as significant or high, must be specifically authorised by an environmental authority.
- B39** Where the hazard category of a levee is assessed as significant or high (ie a regulated structure), the holder of the environmental authority must act immediately to ensure:
- a) the administering authority is advised of the current location and details of that levee; and
 - b) the levee meets the hydraulic performance required of the assessed hazard category within twelve months of that assessment; and
 - c) the levee is authorised within the environmental authority within twelve months of that assessment.

Note: *the holder of the environmental authority will be required to prepare design plans and certification by a suitably qualified and experienced person that the design of the regulated structure will deliver the performance stated within the design plan to the administering authority as part of the amendment application.*

- B40** The condition of constructed levees including the surface area between the non-creek side of the toe of the levee and the end wall crest of the open-cut mining pit should be monitored for surface cracks and must at a minimum be inspected and assessed by a suitably qualified and experienced person at least once per year between the months of May and October inclusive (i.e. during the 'dry' season and before the onset of the 'wet' season), and at any time if alarming, unusual or otherwise unsatisfactory conditions are observed.

Regulated Structures

- B41** The holder of this environmental authority is not authorised to construct any regulated structures.

Roads and Tracks

- B42** The environmental authority holder must comply with each of the 'Roads and Tracks' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.
- B43** Existing access and fence line tracks must be used where possible



- B44** The holder of the environmental authority must consult with the landowner prior to establishing any new roads and/or tracks.
- B45** Any new tracks are to be constructed by linking naturally cleared or disturbed areas and must be less than five (5) meters in width.
- B46** All new tracks are to be recorded with a Global Positioning System and records kept of their location and made available to the administering authority on request.
- B47** Track construction involving blade clearing of established ground cover vegetation is to be minimised.
- B48** Tracks should not be used when soil is saturated and prone to displacement or erosion by vehicle movement.
- B49** All tracks, including water course crossings, must be commissioned and operated in accordance with the *Code of practice for native timber forest production (2002)*.

Waste Management

- B50** The environmental authority holder must comply with each of the 'Waste Management' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*, except condition 22, which is replaced by condition **B44** of this environmental authority.
- B51** All waste must be removed and disposed of offsite.

Topsoil and Overburden Management

- B52** The environmental authority holder must comply with each of the 'Topsoil and Overburden Management' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.
- B53** Topsoil stockpiles must not exceed 4 metres in height.
- B54** Overburden stockpiles must not exceed 4 metres in height.
- B55** The spillage of any topsoil or overburden must be controlled in a manner that prevents environmental harm.

Infrastructure

- B56** All infrastructure, constructed by or for the environmental authority holder during the licensed activities including water storage structures, must be removed from the site prior to surrender, except where agreed in writing by the post mining land owner / holder.

Rehabilitation

- B57** The environmental authority holder must comply with each of the 'Rehabilitation' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.
- B58** Rehabilitation of areas disturbed by mining activities within 1 kilometre of any Category B Environmentally Sensitive Area must be completed as soon as practicable, but no longer than 6 months after completion of the disturbance activity.
- B59** The environmental authority holder must rehabilitate disturbed areas within 1 kilometre of any Category B Environmentally Sensitive Area with native plant species endemic to the area and buffel grass that will promote the same vegetation type and density of cover to that of the surrounding undisturbed areas both in and within 1 kilometre of any Category B Environmentally Sensitive Area.
- B60** All land subject to mining activities must be rehabilitated to a non polluting, safe, stable and self sustaining landform and in accordance with *Table 1: Rehabilitation schedule*.



Table 1: Rehabilitation schedule

	Disturbance type				
	Areas within one (1) kilometre of any Category B Environmentally Sensitive Area	Infrastructure	Road(s) and track(s)	General excavations	Riparian areas & drainage lines
Tenure ID	ML70419	ML70419	ML70419	ML70419	ML70419
Post mine land use	Native vegetation	Light intensity grazing	Light intensity grazing	Light intensity grazing	Native habitat & riparian vegetation
Post mine land description	Flat revegetated land	Flat revegetated land	Flat revegetated land	Flat revegetated land	Drainage line, low lying & riparian areas
Post mine land capability classification	VI	VI	VI	VI	N/A
Projective cover range (%)	30-50 Weediness is no greater than 5% higher than adjacent background landholders groundcover ¹	30-50 Weediness is no greater than 5% higher than adjacent background landholders groundcover ¹	30-50 Weediness is no greater than 5% higher than adjacent background landholders groundcover ¹	30-50 Weediness is no greater than 5% higher than adjacent background landholders groundcover ¹	30-50 Weediness is no greater than 5% higher than adjacent background landholders groundcover ¹
Species mix	Appropriate native vegetation and buffel grass	Appropriate native vegetation and buffel grass	Appropriate native vegetation and buffel grass	Appropriate native vegetation and buffel grass	Appropriate native vegetation and buffel grass

Note¹. Weediness includes weeds that are declared plants as defined under the Land Protection (Pest and Stock Route Management) Act 2002.

Note: The holder of this environmental authority is required to comply with all obligations under the Land Protection (Pest and Stock Route Management) Act 2002 or subsequent legislation.

- B61** An annual report must be prepared each year and submitted with each annual return. The report must include details of the mining activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with rehabilitation requirements of the environmental authority.
- B62** The environmental authority holder must complete rehabilitation of disturbed areas to the satisfaction of the administering authority.
- B63** An annual report must be prepared each year and submitted with each annual return. The report must include details of the mining activities undertaken and details of progressive rehabilitation works completed to demonstrate compliance with rehabilitation requirements of the environmental authority.
- B64** The environmental authority holder must complete rehabilitation of disturbed areas to the satisfaction of the administering authority.
- B65** In accordance with the *Water Act 2000*, the holder of this environmental authority is permitted to destroy vegetation, excavate and fill watercourses to establish temporary crossings when there is no flow. Works shall remain in place for no longer than four (4) weeks.



- B66** The following areas must be securely fenced by the environmental authority holder:
- (a) all active mining areas, including mining pits, tailings dams and machinery areas;
 - (b) all areas undergoing rehabilitation; and
 - (c) all bunded areas while those areas are in the process of being vegetated, up and until the time that those areas are capable of supporting grazing.
- B67** The following areas must not be fenced, and the landowner must have free access to manage the balance lands and to graze cattle in the following areas, at all times:
- (a) all areas not the subject of active mining; and
 - (b) all bunded areas that have been vegetated and are capable of supporting grazing.



Definitions

“authority” means environmental authority (mining lease) under the *Environmental Protection Act 1994*.

“active birds nests” means birds are nesting or there are eggs in the nest or hollow.

“administering authority” means the Department of Environment and Resource Management or its successor.

“cover material” means any soil or rock suitable as a germination medium or landform armouring

“bund” see “levee”.

“certification”, “certifying” or “certified” by a suitably qualified and experienced person in relation to a design plan or an annual report regarding dams, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit at any time:

- a) exactly what is being certified and the precise nature of that certification.
- b) the relevant legislative, regulatory and technical criteria on which the certification has been based;
- c) the relevant data and facts on which the certification has been based, the source of that material, and the efforts made to obtain all relevant data and facts; and
- d) the reasoning on which the certification has been based using the relevant data and facts, and the relevant criteria.

“construction” or “constructed” in relation to a regulated structure includes building a new dam or levee and modifying or lifting an existing dam or levee, but does not include investigations and testing necessary for purposes of preparing a design plan.

“dam” means a land-based structure or a void that contains, diverts or controls flowable substances, and includes any substances that are thereby contained, diverted or controlled by that land-based structure or void and associated works.

A “dam” does *not* mean

- a) a fabricated or manufactured tank or container, designed and constructed to an Australian Standard that deals with strength and structural integrity of that tank or container.
- b) an otherwise dry mining pit/sump used for the storage of water.

“density of cover” - In reference to trees and/or shrubs, it means the number of trees or shrubs in a specified area (e.g. 50 trees per square kilometre). With reference to understorey plant species (e.g. grasses and forbs), it means the percentage of surface area covered by a particular species

“design plan” is the documentation required to describe the physical dimensions of the regulated structure, the materials and standards to be used for construction of the regulated structure, and the criteria to be used for operating the regulated structure. The documents must include all investigation and design reports, plans and specifications sufficient to hand to a contractor for construction, and planned decommissioning and rehabilitation outcomes; so as to address all hazard scenarios that would be identified by a properly conducted hazard assessment for the structure. Documentation must be such that a ‘suitable qualified and experience person’ could conduct an independent review without seeking further information from the designer.

“disturbed” means any area that has had its natural state altered by the action or interference of carrying out an activity associated with the mining project. This does not include bund walls that are fully established with vegetative matter and capable of supporting grazing activities.

“dyke” see “levee”.

“ERE” means an endangered regional ecosystem identified in the database maintained by the department called ‘Regional Ecosystem Description Database’ containing regional ecosystem numbers and descriptions.

“environmental authority holder” means the holder of this environmental authority.

“floodwater” means water overflowing, or that has overflowed, from waters, river, creek, stream, lake, pond, wetland or dam onto or over riparian land that is not submerged when the watercourse or lake flows between or is contained within its bed and banks.

“flowable substance” means matter or a mixture of materials which can flow under any conditions potentially affecting that substance. Constituents of a flowable substance can include water, other liquids fluids or solids, or a mixture that includes water and any other liquids, fluids or solids either in solution or suspension.

“foreseeable future” is the period used for assessing the total probability of an event occurring. Permanent structures and ecological sustainability should be expected to still exist at the end of a 150 year foreseeable future with an acceptable probability of failure before that time.

“Habitat Trees” means those that contain a hollow of 10cm in diameter or bigger and are 2m or more in height.

“hazard” in relation to a dam as defined, means the potential for environmental harm resulting from the collapse or failure of the dam to perform its primary purpose of containing, diverting or controlling flowable substances.

“hazard category” means a category, either low significant or high, into which a dam is assessed as a result of the application of tables and other criteria in the Site Water Management Technical Guideline for Environmental Management of Exploration and Mining in Queensland (DME 1995).

“infrastructure” means water storage dams, roads and tracks, buildings and other structures built for the purpose of mining activities but does not include other facilities required for the long term management of mining impacts or the protection of potential resources. Such other facilities include dams, waste rock dumps, voids, or ore stockpiles and buildings as well as other structures whose ownership can be transferred and which have a residual beneficial use for the next owner of the operational land or the background land owner.

“levee”, “dyke” or “bund” means a long embankment that is designed only to provide for the containment and diversion of stormwater or flood flows from a contributing catchment, or containment and diversion of flowable materials resulting from releases from other works, during the progress of those stormwater or flood flows or those releases; and does not store any significant volume of water or flowable substances at any other times.

“mature trees” means a tree that is 70% or greater of the predominant canopy height.

“mine affected water” means the following types of water:

- a) pit water, tailings dam water, processing plant water;
- b) water contaminated by a mining activity which would have been an environmentally relevant activity under Schedule 2 of the *Environmental Protection Regulation 2008* if it had not formed part of the mining activity;
- c) rainfall runoff which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated, excluding rainfall runoff discharging through release points associated with erosion and sediment control structures that have been installed in accordance with the standards and requirements of an Erosion and Sediment Control Plan to manage runoff containing sediment only, provided that this water has not been mixed with pit water, tailings dam water, processing plant water or workshop water;
- d) groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;
- e) groundwater from the mine’s dewatering activities;
- f) a mix of mine affected water (under any of paragraphs i)-v)) and other water.

“native vegetation” - Vegetation that occurs naturally in a certain area.

“non-raptor” means any bird apart from birds of prey.

“progressive rehabilitation” means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.

“raptors” means a bird of prey. Families of birds classed as raptors include eagles, hawks, falcons and owls.



“regulated structure” means any dam or levee in the significant or high hazard category as assessed using the Site Water Management Technical Guideline for Environmental Management of Exploration and Mining in Queensland (DME 1995).

“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.

“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.

“stable” in relation to land, means land form dimensions are or will be stable within tolerable limits now and in the foreseeable future. Stability includes consideration of geotechnical stability, settlement and consolidation allowances, bearing capacity (trafficability), erosion resistance and geochemical stability with respect to seepage, leachate and related contaminant generation.

“storm water” means all surface water runoff from rainfall.

“suitably qualified and experienced person” in relation to dams means a person who is a Registered Professional Engineer of Queensland (RPEQ) under the provisions of the *Professional Engineers Act 2002*, or at the relevant time holds a 'deemed registration' within the meaning of the *Mutual Recognition (Queensland) Act 1992*; and has knowledge, suitable experience and demonstrated expertise in relevant fields, as set out below:

- a) knowledge of engineering principles related to the structures, geomechanics, hydrology, hydraulics, chemistry and environmental impact of dams; and
- b) a total of five years of demonstrated expertise in the geomechanics of dams with particular emphasis on stability, geology and geochemistry, and
- c) a total of five years of demonstrated expertise in three of the following categories:
 - investigation and design of dams.
 - construction, operation and maintenance of dams.
 - hydrology with particular reference to flooding, estimation of extreme storms, water management or meteorology.
 - hydraulics with particular reference to sediment transport and deposition, erosion control, beach processes.
 - hydrogeology with particular reference to seepage, groundwater.
 - solute transport processes and monitoring thereof.
 - dam safety.

“sump” see “dam”.

“waters” includes –

- a) river, creek, stream in which water flows permanently or intermittently either:
 - i) in a natural channel, whether artificially improved or not; or
 - ii) in an artificial channel that has changed the course of the river, creek or stream; or
- b) lake, lagoon, pond, swamp, wetland, dam; or
- c) unconfined surface water; or
- d) storm water channel, storm water drain, roadside gutter; or
- e) bed and banks and any other element of a river, creek, stream, lake, lagoon, pond, swamp, wetland, storm water channel, storm water drain, roadside gutter or dam confining or containing water; or
- f) groundwater; or
- g) non-tidal or tidal waters (including the sea); or
- h) any part-thereof.

END OF CONDITIONS

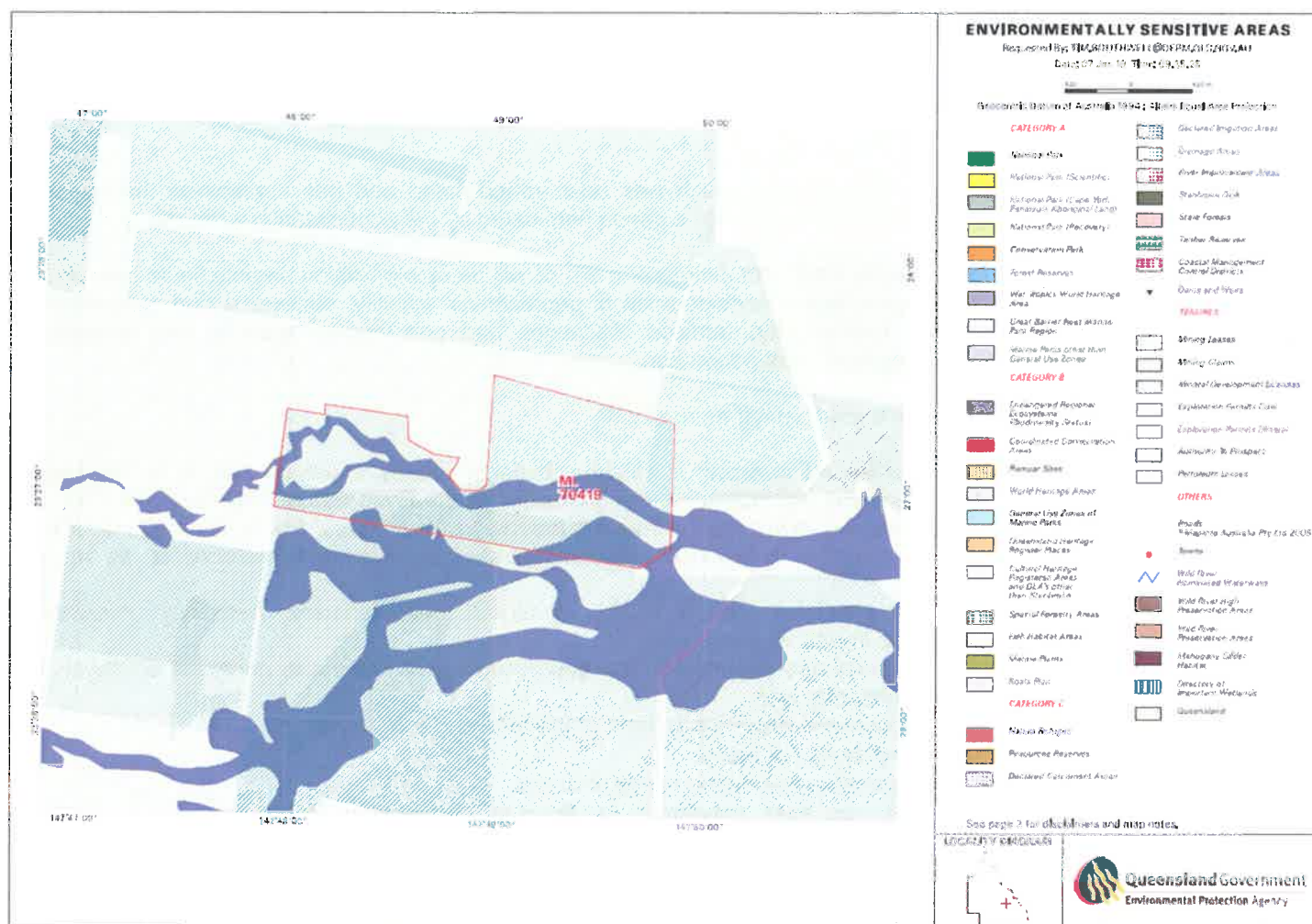
Attachments

Attachment 1: Category B Environmentally Sensitive Area

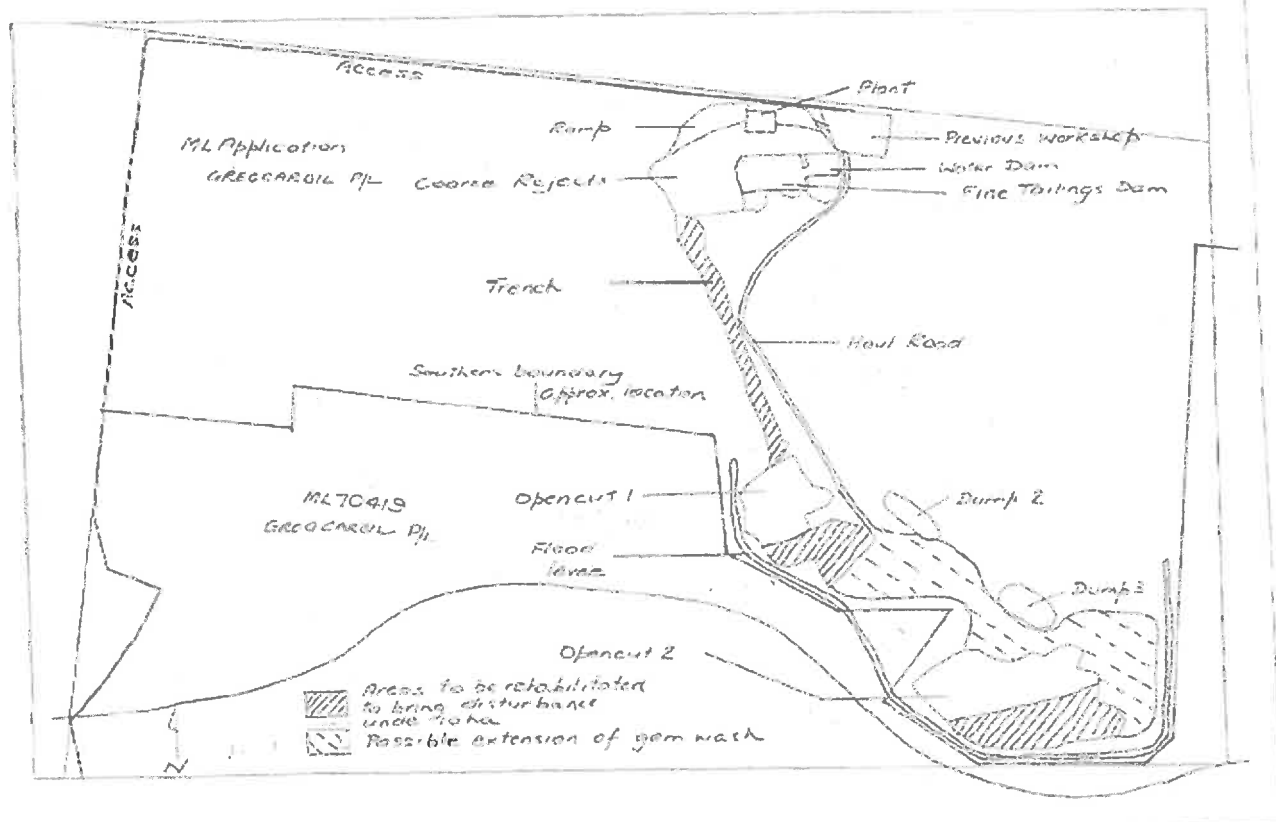
Attachment 2: Areas of historic disturbance to be rehabilitated by the holder of the Environmental Authority



Attachment 1: Environmentally Sensitive Areas



Attachment 2: Areas of historic disturbance to be rehabilitated by the holder of the Environmental Authority



END OF PERMIT



