

Permit

Environmental Protection Act 1994

Environmental authority EPVL00360613

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

Environmental authority number: EPVL00360613

Environmental authority takes effect on 26 March 2020

Environmental authority holder(s)

Name(s)	Registered address
Kay Frances Fitzgerald	45 Deirosi Road HERBERTON QLD 4887 Australia
Patrick Charles Fitzgerald	45 De Rossi Road WONDECLA QLD 4887 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled Mining Activity Mining Lease - ML	ML20244 ML20440 ML20659 ML5219

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

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

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

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Sustainable Planning Act 2009* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the

additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Filiz Tansley
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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Department of Environment and Science

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Date issued: 26 March 2020

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of environmental authority

With the exception of any variations, the conditions of approval for this environmental authority are the standard conditions contained within the attached document:

- Code of environmental compliance for mining lease projects (Version 0) (EM588)

All reasonable steps must be taken to ensure the activity complies with the eligibility criteria and standard conditions.

Variations to the standard conditions include:

Agency Interest: General

- PG1 The environmental authority does not take effect until the grant of the tenure to the environmental authority, or until each environmental authority holder has become a holder, under the Mineral Resources Act 1989, of each of the relevant mining tenements.
- PG2 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*.

Financial Assurance

- PG3 The environmental authority holder is to give the administering authority a financial assurance in the amount and form and at a time required by the administering authority.
- PG4 The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the Code of Environmental Compliance for Mining Lease Projects.

Agency Interest: Heritage

- PH1 Notwithstanding Condition 14 of the Code of Environmental Compliance for Mining Lease Projects, the environmental authority holder is authorised to carry out mining activities within 1 km of a Category B Environmentally Sensitive Area (The Anglo-Saxon and Groganville Township), providing no environmental harm occurs.

Agency Interest: Impacts on Surrounds

- PI1 Important Note: the relevant Code of Environmental Compliance for Mining Lease Projects imposes certain restrictions on mining activities within or adjacent to Category A, B or C Environmentally Sensitive Areas, watercourses, wetlands and lakes. Please ensure that the relevant provisions of the Code are complied with.

Agency Interest: Land

- PL1 10-15% of the creeks will contain rock bars that will not be disturbed by mining activities.
- PL2 Bends and meanders within the natural stream will be re-created as mining progresses to a similar extent as undisturbed areas. Outer bends will be armoured with coarse rock.
- PL3 Important Note to Condition (PI-1) and (PL2)
- Conditions PL1 and PI-2 are conditions that override the Standard Environmental Conditions (SEC) 43 and 44.

END OF ENVIRONMENTAL AUTHORITY

Attachments

- Code of environmental compliance for mining lease projects (Version 0) (EM588)