

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: EPVL00695213

Environmental authority takes effect on 01-OCT-2014.

The anniversary date of this environmental authority remains 2-MARCH. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Mr Neil Graham	39 Deeley Avenue SAPPHIRE QLD 4702
Mr Gary Graham	13 Mallyon Street EMERALD QLD 4720

Environmentally relevant activity and location details

Environmentally relevant activity	Location
Mining - ML	ML70408

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.

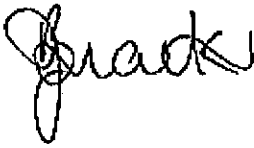
An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.

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

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

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, 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

Jodie Brackenbury
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

01-10-2014

Date

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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 are as per the attached schedule of conditions.

Conditions of Environmental Authority

Department Interests - General

- A1 Provide 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 rehabilitation conditions specified in 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 If there is any inconsistency between a standard environmental condition referred to in the *Code of Environmental Compliance for Mining Lease Projects* and an additional condition in this environmental authority, the additional condition prevails to the extent of any inconsistency.

Activity

- A5 Contaminants must not be released to the receiving environment unless they are in accordance with the contaminant limits authorised by this environmental authority.
- A6 This environmental authority does not authorise environmental harm unless a condition contained within the authority explicitly authorises that harm. Where there is no condition or the authority is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Monitoring, Reporting and Emergency Response Procedures

- A7 The environmental authority holder must comply with each of the 'Monitoring, Reporting and Emergency Response Procedures' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.
- A8 All reasonable actions are to be taken to minimise environmental harm, or potential environmental harm, resulting from any emergency, incident or circumstances not in accordance with the conditions of this environmental authority.
- A9 The holder must notify the administering authority by written notification 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.
- A10 The notification in condition A9 must include, but not be limited to, the following:
 - a) The environmental authority number and name of the holder;
 - b) The name and telephone number of the designated contact person;
 - c) The location of the emergency or incident;
 - d) The date and time of the emergency or incident;
 - e) The time the holder of the environmental authority became aware of the emergency or incident;

f) Where known:

- i. the estimated quantity and type of substances involved in the emergency or incident;
- ii. the actual or potential cause of the emergency or incident;
- iii. a description of the nature and effects of the emergency or incident including environmental risks, and any risks to public health or livestock;

g) Any sampling conducted or proposed, relevant to the emergency or incident;

h) Immediate actions taken to prevent or mitigate any further environmental harm caused by the emergency or incident; and

j) What notification of stakeholders who may be affected by the emergency or incident has occurred or is being undertaken.

A11 As soon as practicable, but not more than 6 weeks following the initial notification of an emergency, incident or information about circumstances which result or may result in environmental harm, environmental monitoring must be performed and written advice must be provided of the results of any such monitoring performed to the administering authority.

A12 The holder must notify, in writing, the occupiers or registered owners of affected land and any other potentially impacted stakeholder as soon as reasonably practicable after becoming aware of any emergency or incident that has the potential to impact on environmental values or breaches any condition of this environmental authority concerning releases of contaminants to the environment.

A13 The notification in condition A12 must include the following:

- a) The location of the emergency or incident;
- b) The date and time of the emergency or incident;
- c) The estimated quantity and type of any substances involved in the emergency or incident;
- d) The potential impacts to environmental values caused by the emergency or incident; and
- e) Where there is potential impact on livestock or human health, precautionary measures that should be taken.

Department Interest – Air

Air Quality

B1 The environmental authority holder must comply with each of the 'Air Quality' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Department Interest – Water

Contaminant Release

C1 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.

- C2** 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*.

Dams

- C3** The environmental authority holder must comply with each of the 'Dams' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Department Interest - Noise

Noise Emissions

- D1** The environmental authority holder must comply with each of the 'Noise Emissions' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Department Interest - Waste

Waste Management

- E1** 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*.

Department Interests - Land

Land Disturbance

- F1** The environmental authority holder must comply with each of the 'Land Disturbance' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Topsoil and Overburden Management

- F2** 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*.

Hazardous Contaminants

- F3** The environmental authority holder must comply with each of the 'Hazardous Contaminants' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Nature Conservation

- F4** 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 F5 to F9 of this environmental authority.
- F5** The environmental authority holder must not undertake mining activities within any Category A Environmentally Sensitive Area.
- F6** The environmental authority holder must not undertake mining activities within any Category B Environmentally Sensitive Area.
- F7** The environmental authority holder must not undertake mining activities within any Category C Environmentally Sensitive Area.

F8 The environmental authority holder must not undertake any mining activities within 2 kilometres of any Category A Environmentally Sensitive Area.

F9 The environmental authority holder must not have more than 10ha of disturbance caused by mining activities, at any one time, within 1 kilometre of any Category B Environmentally Sensitive Area (see attachment 1).

Roads and Tracks

F10 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*.

Campsites

F11 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*.

Mine and Process Plant

F12 The environmental authority holder must comply with each of the 'Mine and Process Plant' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Service, Maintenance and Storage Areas

F13 The environmental authority holder must comply with each of the 'Service, Maintenance and Storage Areas' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Lease Projects*.

Rehabilitation

F14 The environmental authority holder must comply with each of the 'Rehabilitation' Standard Environmental Conditions contained in the *Code of Environmental Compliance for Mining Leases*.

F15 Rehabilitation of areas disturbed by mining activities within 1km of any Category B Environmentally Sensitive Area must be completed as soon as practicable, but no longer than six months after completion of the disturbance activity.

F16 All land subject to mining activities must be rehabilitated to a non polluting, safe, stable and self sustaining landform.

Conditions Specific to Mining Types

F17 The environmental authority holder must comply with each of the Standard Environmental Conditions contained in section 3.3 'Conditions for specific mining types' within the *Code of Environmental Compliance for Mining Lease Projects*.

END OF CONDITIONS

DEFINITIONS

Administering authority	means the Department of Environment and Resource Management or its successor.
Authority	means environmental authority (exploration) under the <i>Environmental Protection Act 1994</i> .
Campsite	means the area encompassing any dwelling, amenities (e.g. toilet block, power generator), sewage or general waste disposal facility and includes the office area and vehicle parking areas associated with a temporary or permanent mining camp.
Category B Environmentally Sensitive Area	means any of the areas mentioned in section 26 of the <i>Environmental Protection Regulation 2008</i> .
Disturbed	means any area that has had its natural state altered by the action or interference of carrying out an activity associated with the exploration project.
Endangered Regional Ecosystem	means an Endangered Regional Ecosystem (ERE) identified in the database maintained by the department called 'Regional Ecosystem Description Database' containing regional ecosystem numbers and descriptions.
Environmental authority	means an environmental authority (exploration) issued by the administering authority under the <i>Environmental Protection Act 1994</i> .
Environmentally Sensitive Areas	refers to locations, however large or small, that have environmental values that contribute to maintaining biological diversity and integrity have intrinsic or attributed scientific, historical or cultural heritage value, or are important in providing amenity, harmony or sense of community. Refer to Appendix A of Code of Environmental Compliance for Exploration and Mineral Development Projects.
Financial assurance	means a security deposit, either cash or a bank guarantee, that is held by the administering authority to cover the potential: (a) costs to rehabilitate areas disturbed by mining activities; and (b) costs to restore property improvements disturbed by mining activities; and (c) failure of the tenure holder to pay rents and royalties.
General waste	Schedule 9 of the <i>Environmental Protection Regulation 1998</i> defines general waste as "means waste other than regulated waste". Waste rock, overburden and the contents of tailings dams are not included in the definition of general waste for the purposes of these conditions.
Landowner	is as per the definition in the <i>Code of Environmental Compliance for Mining Lease</i> .
Mature tree	is any tree with a diameter at breast height (DBH) of 300mm or more.
Native vegetation	means vegetation that occurs naturally in a certain area
Progressive rehabilitation	means rehabilitation (defined below) undertaken progressively or a staged approach to rehabilitation as mining operations are ongoing.
rehabilitation processes	means the measures and actions taken to achieve rehabilitation outcomes, including any or all of the following: - removing all unwanted infrastructure; - backfilling mine excavations (e.g. pits) and capping drill holes; - reshaping the land surface to a stable landform similar to that of surrounding undisturbed areas; - spreading of topsoil; - spreading seed or planting seedlings to promote revegetation; - benching ridge cuts and removing any overhanging material.
Standard environmental conditions	For an environmental authority, means the standard environmental conditions approved for the authority under section 549 of the <i>Environmental Protection Act 1994</i> .

tracks means roads, tracks or paths, greater than ten (10) metres in length, that have been fully stripped of all vegetation to enable the progress of vehicles, equipment or pedestrians.

END OF DEFINITIONS

Attachment 1: ML70408 and the surrounding Endangered Regional Ecosystems

