Permit

Environmental Protection Act 1994

Environmental authority EPVL00832513

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

Environmental authority number: EPVL00832513

Environmental authority takes effect on 28 April 2017. This is the take effect date.

The anniversary date of this environmental authority is 08 February. The payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name(s)	Registered address
CALDER CONTRACTING PTY LTD	721 CALDER ROAD WYNYARD TAS 7325

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled - Mining Activity - Mining Lease (ML)	ML70409

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

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- 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 *Planning Act 2016* 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.

The anniversary day of this environmental authority is 08 February unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day.

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.

Department of the Environment, Tourism, Science and Innovation
This environmental authority has been automatically issued by an electronic system that is approved by the chief executive under section 555 of the *Environmental Protection Act 1994*

Enquiries:
Minerals Business Centre
Department of the Environment, Tourism, Science, and Innovation
Phone: 07 4222 5352
Email: ESCairns@detsi.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@detsi.qld.gov.au or telephone 13 74 68.

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)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads, the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (to clear vegetation), and the Department of Primary Industries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.nrmmrrd.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Legislative Requirements and Conditions of Environmental Authority

Condition

General

A1 The holder of this environmental authority must comply with each of the Standard Environmental Conditions contained in the Eligibility criteria and standard conditions for mining lease activities in addition to the conditions listed in this environmental authority, except for condition A13 of the Eligibility criteria and standard conditions for mining lease activities, which is replaced by the conditions of this environmental authority.

A2 Provide financial assurance in the amount and form required by the administering authority prior to the commencement of activities proposed under this environmental authority.

A3 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 may be applicable where rehabilitation has been completed in accordance with the acceptance criteria defined within this environmental authority.

A4 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.

A5 **Activity**

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 environmental authority is silent on the matter, the lack of a condition or silence shall not be construed as authorising harm.

A6 **Maintenance of Measures, Plant and Equipment**

The holder of this environmental authority must:

a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and

b) maintain such measures, plant and equipment in a proper condition; and

c) operate such measures, plant and equipment in a proper manner.

A7 **Monitoring, Reporting and Emergency Response Procedures**

All reasonable actions are to be taken to minimise environmental harm, or potential environmental harm, resulting from any emergency, incident or circumstance not in accordance with the conditions of this environmental authority.

A8 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.

Note: Notification may be made to the Pollution Hotline on 1300 130372, available 24 hours 7 days a week.

A9 The notification in condition AB 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 the 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

i) What notification of stakeholders who may be affected by the emergency or incident has occurred

or is being undertaken.

A10 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.

A11 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.

A12 The notification in condition A11 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.

Condition

Water

B1 **Contaminant Release**

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 reasonable be expected to wash, blow, fall or otherwise move into waters.

B2 **Dams**

Prior to the construction of any dams on site, the administering authority must first be consulted.

B3 No dam is to be constructed within 350 metres of mature tree areas of a Category B Environmentally Sensitive Area.

B4 Regulated structures are not authorised under this environmental authority.

Condition

Waste

C1 **Waste Management**

All waste must be removed and disposed of offsite.

Condition

Land

D1 **Disturbance**

Prior to the commencement of mining activities on a new tenure, the holder of this environmental authority must identify and submit to the administering authority, areas of prior land disturbance, including historic mining disturbances, on all mining tenements authorised under this environmental authority.

D2 Surface runoff must be managed where necessary to minimise sedimentation and erosion.

D3 **Topsoil and Overburden Management**

Topsoil stockpile must not exceed 2 metres in height.

D4 Overburden stockpiles must not exceed 5 metres in height.

D5 **Roads and Tracks**

Where possible, existing access and fence line tracks must be used.

D6 New tracks are to be constructed by linking already cleared or disturbed areas and no trees are to be cleared.

D7 Tracks are not to be constructed greater than 4 metres in width.

D8 **Nature Conservation**

The holder of this environmental authority must not undertake activities within any Category A Environmentally Sensitive Area.

D9 The holder of this environmental authority must not undertake any mining activities within 2 kilometres of any Category A Environmentally Sensitive Area.

D10 The holder of this environmental authority must not undertake mining activities within any Category B Environmentally Sensitive Area.

D11 The holder of this environmental authority may undertake mining activities within 1 kilometre of a Category B Environmentally Sensitive Area.

Note: Category B Environmentally Sensitive Areas (e.g. Endangered Regional Ecosystems) exist within and around ML70409. Refer to Attachment 1.

D12 The holder of this environmental authority must not undertake mining activities within any Category C Environmentally Sensitive Area.

D13 Habitat trees must be protected.

D14 Trees or shrubs with nests of birds of prey (raptors) whether active or not, or visibly active non-raptor bird nests must be protected.

D15 No clearing of mature trees is authorised except with approval of the administering authority.

D16 Debris from clearing or felling of trees must not accumulate within 2 metres of any retained tree.

D17 Burning of vegetation is not permitted.

D18 No Declared Pest Species are to enter any mining tenement under this environmental authority.

D19 The holder of this environmental authority must prevent the spread of Declared Pest Species by ensuring that all vehicles and machinery are adequately cleaned before taking the vehicles in and out of areas where Declared Pest Species are present.

D20 **Rehabilitation and reporting**

The holder of this environmental authority must rehabilitate all sites disturbed from mining within 3 months after completion of the disturbance.

D21 All land subject to mining activities within 1 kilometre of a Category B Environmentally Sensitive Area must be rehabilitated to a non-polluting, safe, stable and self-sustaining landform.

D22 The holder of this environmental authority must revegetate disturbed areas within 1 kilometre of any Category 8 Environmentally Sensitive Area with native plant species endemic to the area.

D23 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 and environmental authority.

Condition

Social

E1 **Complaint Response**

All complaints received must be recorded including investigations undertaken, conclusions formed and actions taken. This information must be made available to the administering authority on request.

E2 The holder of this environmental authority must record the following details for all complaints received and provide this information to the administering authority on request:

a) name, address and contact information of the complainant (if not available record - not identified);

b) time and date of complaint;

c) investigations undertaken;

d) conclusions formed;

e) actions taken to resolve complaint;

f) any abatement measures implemented; and

g) person responsible for resolving the complaint.

E3 When requested by the administering authority, the holder of this environmental authority must undertake relevant specified monitoring within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint of environmental harm at any sensitive place or commercial place. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures implemented must be provided to the administering authority within 14 days of completion of the investigation.

Definition

"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 Environmental and Heritage Protection or its successor.

"campsite" means the area encompassing any dwelling, amenities (e.g. toilet block, power generator), sewage or general waste disposal facility that includes the office area and vehicle parking areas associated with a temporary or permanent mining camp.

"contaminate" means to render impure by contact or mixture.

"contaminated" means the substance has come into contact with a contaminant.

"contaminant" A contaminant can be -

a) a gas, liquid or solid; or

b) an odour; or

c) an organism (whether alive or dead), including a virus; or

d) energy, including noise, heat, radioactivity and electromagnetic radiation; or

e) a combination of contaminants.

"declared pest species" are listed in Schedule 2 of the Land Protection (Pest and Stock Route Management) Regulation 2003.

"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.

"environmental authority" means the environmental authority under Chapter 5 of the Environmental Protection Act 1994.

"environmentally relevant activity" means an environmentally relevant activity as defined under Section 18 of the Environmental Protection Act 1994 and listed under Schedule 2 of the Environmental Protection Regulation 2008.

"financial assurance" means a security required under the Environmental Protection Act 1994 by the administering authority to cover the cost of rehabilitation or remediation of disturbed land or to secure compliance with the environmental authority.

"general waste" means waste other than regulated waste.

"hazardous waste" means a substance, whether liquid, solid, or gaseous that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause environmental harm.

"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 Manual for Assessing Hazard Categories and Hydraulic Performance of Dams.

"habitat trees" means those that contain a hollow of 1Dem in diameter or bigger and are 2m or more in height.

"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.

"lake" includes -

a) lagoon , swamp or other natural collection of water, whether permanent or intermittent; and

b) the bed and banks and any other element confining or containing the water.

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

"mine affected water" means the following types of water:

i. pit water, tailings dam water, processing plant water;

ii. 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;

iii. rainfall runoff which has been in contact with any areas disturbed by any 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 ;

iv. groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;

v. groundwater from the mine's dewatering activities;

vi. 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 ram 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 Manual for Assessing Hazard Categories and Hydraulic Performance of Dams published by the administering authority.

"regulated waste" means non-domestic waste mentioned in schedule 7 of the Environmental Protection Regulation 2008 (whether or not it has been treated or immobilised) , and includes -

a) for an element - any chemical compound containing the element; and

b) anything that has contained the waste.

"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 .

"sensitive place" means:

a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

b) a motel, hotel or hostel; or

c) an educational institution;or

d) a medical centre or hospital; or

e) a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or

f) a public park or gardens.

"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.

"waste" as defined in section 13 of the Environmental Protection Act 1994.

"water" means -

a) water in waters or spring;

b) underground water;

c) overland flow water; or

d) water that has been collected in a 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

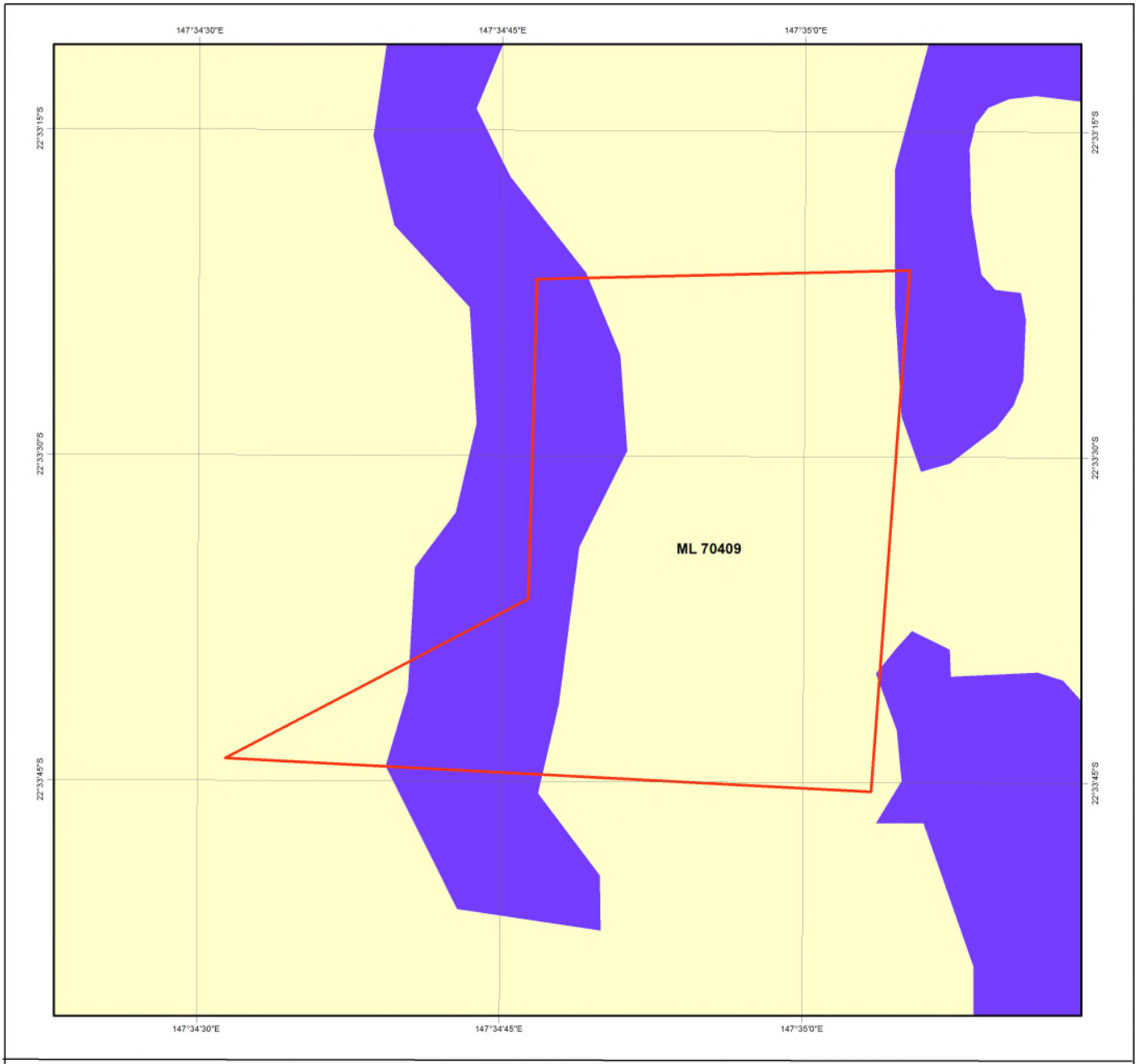
h) any part-thereof.

"watercourse" means a watercourse as defined under the Water Act 2000.

Appendices

Attachment 1- Map of Environmentally Sensitive Areas in and surrounding Mining Lease 70409

END OF ENVIRONMENTAL AUTHORITY



ENVIRONMENTALLY SENSITIVE AREAS - Mining Activities

Selected Mining Lease (ML)

CATEGORY A

- National Parks
- Conservation Parks
- Forest Reserves
- Special Wildlife Reserve
- Wet Tropics World Heritage Area
- Great Barrier Reef Marine Park Area
- Marine Parks other than General Use Zones

CATEGORY B

- Queensland Heritage Register Places
- Ramsar Sites
- Cultural Heritage Registered Areas and DLA's other than Stanbroke
- Special Forestry Areas
- Seaward Side of Highest Astronomical Tide
- Fish Habitat Areas
- Coordinated Conservation Areas
- Endangered Regional Ecosystems - regrowth and remnant (Biodiversity Status)
- General Use Zones of Marine Parks
- Marine Plants

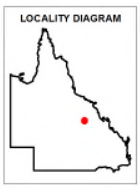
CATEGORY C

- Nature Refuges
- Resources Reserve
- State Forests
- Timber Reserves
- River Improvement Areas
- Stanbroke DLA
- Coastal Management District
- Dams and Weirs

OTHERS

- Towns
- Roads
- Repealed Wild River Nominated Waterways
- Repealed Wild River Preservation Areas
- Repealed Wild River High Preservation Areas
- Mahogany Glider Habitat
- Directory of Important Wetlands
- Queensland

LOCALITY DIAGRAM



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This product is projected into GDA 1994 MGA Zone 55

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NOTE TO USER: Themes presented in this map are indicative only. Field survey may be required to verify the 'true' spatial extent and value. Not all environmentally sensitive areas are presented in this map. A user should refer to the particular circumstances relevant to their situation to assess the 'completeness' of themes provided.

The user should note that some boundaries and indicated values are ambient and may change over time (e.g. regional ecosystem boundaries and conservation status, watercourse mapping etc).

The user should be aware that due to multiple overlapping themes/ layers present, some themes/layers may be obscured by others. Ordering in the Legend does not accurately reflect the order by which themes/layers are displayed.

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