Permit[1]

Environmental Protection Act 1994

Environmental authority EPVL01333513

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

Permit[1] number: EPVL01333513

Environmental authority takes effect on 31 July 2013.

Environmental authority holder(s)

Name	Registered address
Yvonne Palmer	18 Newman Drive Emerald QLD 4720

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
16 Mining Gold Ore *Environmental Protection Regulation 2008 – Schedule 2A*	ML70102 ML7294

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.

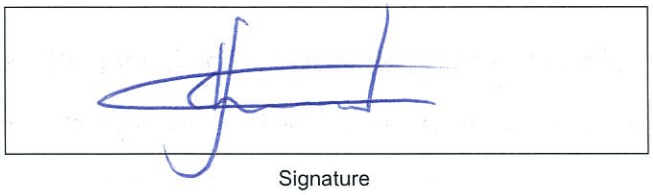
A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

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

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

29/07/13

Date

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

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ADDITIONAL ADVICE ABOUT THIS APPROVAL

This approval pursuant to the Environmental Protection Act 1994 does not remove the need to obtain any additional approval for this activity which might be required by other State and / or Commonwealth legislation. Other legislation administered by the Queensland Government for which a permit may be required includes but is not limited to:

- Mineral Resources Act 1989;
- Forestry Act 1958;
- Strategic Cropping Land Act 2011;
- Water Act 2000; and
- Nature Conservation Act 1992.

Applicants are advised to check with all relevant statutory authorities and comply with all relevant legislation.

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)

Offences under the legislation

This section sets out some of the offences that you should be aware of as you are carrying out your activity. This is not an exhaustive list of all of the environmental offences under the legislation.

- 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)

If you commit one of these offences, you could be fined, prosecuted, or required by the administering authority to take some action. If you do commit an offence while carrying out your activity, the administering authority will take enforcement action in accordance with its Enforcement Guidelines.

Contravention of a condition of an environmental authority

It is a legal requirement for you to comply with the conditions in your environmental authority. You must also ensure that anyone operating under the environmental authority also complies with the conditions. This might include contractors visiting the site temporarily or transport operators loading and unloading materials on site, and all staff employed at the site. Multiple people may be prosecuted if an offence is committed. If you think that you have breached a condition of your environmental authority, it is your responsibility to fix the problem and bring yourself back into compliance with the condition. You should not wait for the administering authority to tell you what do to. You may be required to contact the administering authority by the conditions in your environmental authority and the duty to notify.

Penalties for a breach of a condition of an environmental authority vary from penalty infringement notices (PIN) for one-off offences that are easily rectified to the issuing of statutory notices such as an environmental evaluation, transitional environmental program or an environmental protection order. In serious cases the administering authority may initiate court proceedings to have a court order issued or may prosecute those responsible for the breach.

The maximum penalty for breaching a condition of your environmental authority is $1.1 million for a company or $220,000 or 2 years in prison for an individual.

CONDITIONS

Schedule A: General Conditions

Prevent or Minimise the Likelihood of Environmental Harm

A1 This **environmental authority** does not authorise environmental harm unless a condition contained within the **environmental authority** explicitly authorises the harm. Where there is no condition or the **environmental authority** is silent on a matter, the lack of condition or silence shall not be construed as authorising harm.

A2 All reasonable and practicable **measures must** be taken to minimise the likelihood of environmental harm being caused.

Financial Assurance

A3 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.

A4 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.*

Activity

A5 The holder of this **environmental authority** must comply with each of the environmental conditions contained in the *Code of Environmental Compliance for Mining Lease Projects* except condition 14 which is replaced by the conditions within this authority.

A6 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.

Schedule F: Land

Land Disturbance

F1 The **environmental authority holder** is authorised to undertake mining activities, within the 1km buffer of any **Category B Environmentally Sensitive Areas**, in accordance with ***Attachment 1: EPVL01333513 Location of mining activities: ML70102 and ML7294.***

F2 The **environmental authority holder** is not authorised to undertake any mining activities in any **Category B Environmentally Sensitive Area.**

Roads and Tracks

F3 Existing access and fence line **tracks** must be used wherever possible. Any new **tracks** are to be constructed (with prior consultation of the landowner) by linking naturally cleared or disturbed areas.

F4 When constructing **tracks**, the **environmental authority holder** must minimise disturbance and avoid clearing of trees in or within the 1km buffer and in **Category B Environmentally Sensitive Areas**.

Rehabilitation

F5 Rehabilitation must be carried out in accordance with the *Code of Environmental Compliance for Mining Lease Projects.*

F6 Rehabilitation of disturbance within the 1km buffer of **Category B Environmentally Sensitive Areas** must be completed as soon as practicable, but no longer than **three (3) months** after completion of the disturbance activity.

F7 All land subject to mining activities **must** be rehabilitated within **six (6) months** of concluding mining activities to a non-polluting, safe, stable and self-sustaining landform as per the *Code of Environmental Compliance for Mining Lease Projects.*

Reporting

F8 An annual report **must** be prepared each year and submitted with each annual return. The report **must** include a map identifying **all** mining activities undertaken to date on each tenure under this **environmental authority**. The map is to clearly distinguish between proposed, completed and rehabilitated mining activities to demonstrate compliance with this **environmental authority**.

END OF CONDITIONS

DEFINITIONS

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies and codes must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage Protection or its successor or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis to performance relative to the subject matter using the relevant protocols, standards, methods or literature.

Boundary means within 1m of the cadastral boundary of the approved place.

Category B environmentally sensitive area as per the definitions within the *Environmental Protection Regulation 2008.*

Category C environmentally sensitive area as per the definitions within the *Environmental Protection Regulation 2008.*
Contaminate means to render impure by contact or mixture.

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.

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 an environmental authority under Chapter 5 of the Environmental Protection Act 1994.
Environmental authority holder means the holder of this environmental authority.

Environmental nuisance (the Act) is unreasonable interference or likely interference with an **environmental value** caused by—
a) aerosols, fumes, light, noise, odour, particles or smoke; or
b) an unhealthy, **offensive** or unsightly condition because of contamination; or
c) another way prescribed by regulation.

Environmental value (the Act) is—
a) a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
b) another quality of the environment identified and declared to be an **environmental value** under an environmental protection policy or regulation.

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.

Prescribed contaminants means contaminants listed within Schedule 9 of the *Environmental Protection Regulation 2008.*

Landowner is as per the definition in the *Code of Environmental Compliance for Exploration and Mineral Development Projects.*

Mature tree means any tree that is 70% or greater of the predominant canopy height.

Measures has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

Must, an obligation or necessity.

Native vegetation means vegetation that occurs naturally in a certain area.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure; is unreasonably disagreeable to the sense; disgusting, nauseous or repulsive.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

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) a kindergarten, school, university or other 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 thoroughfare, park or gardens; or
g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.
h) a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Track/s 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.

You means the holder of the environmental authority.

Waste as defined in section 13 of the *Environmental Protection Act 1994.*

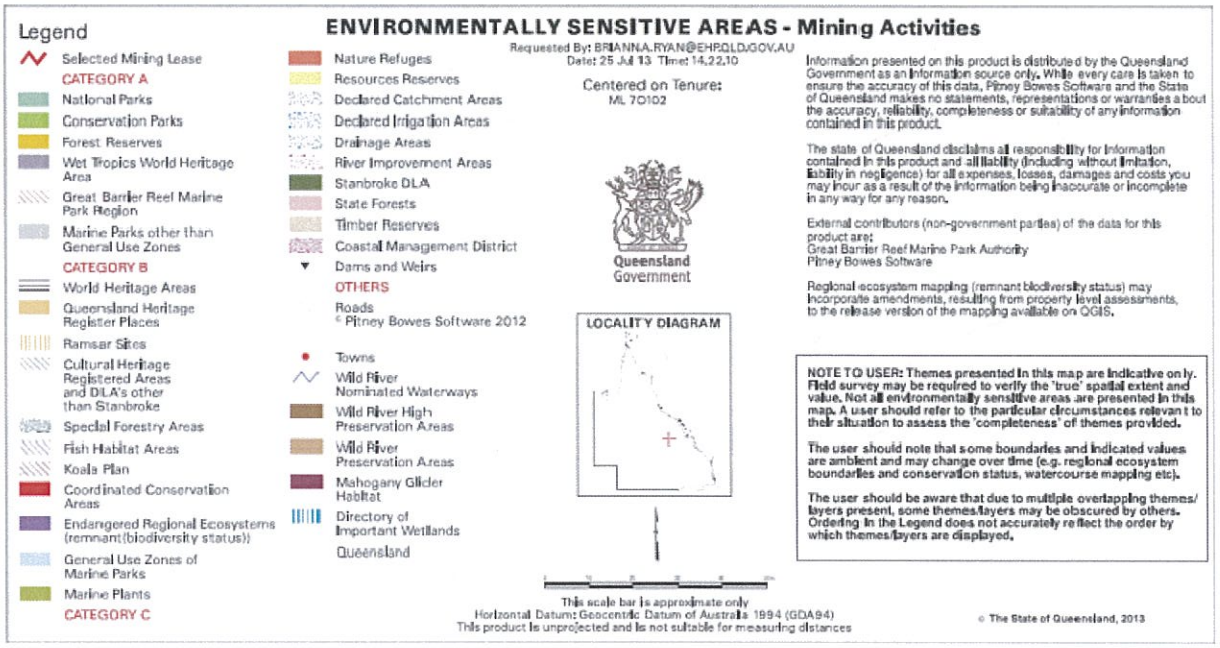
Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

Watercourse means a watercourse as defined under the *Water Act 2000.*

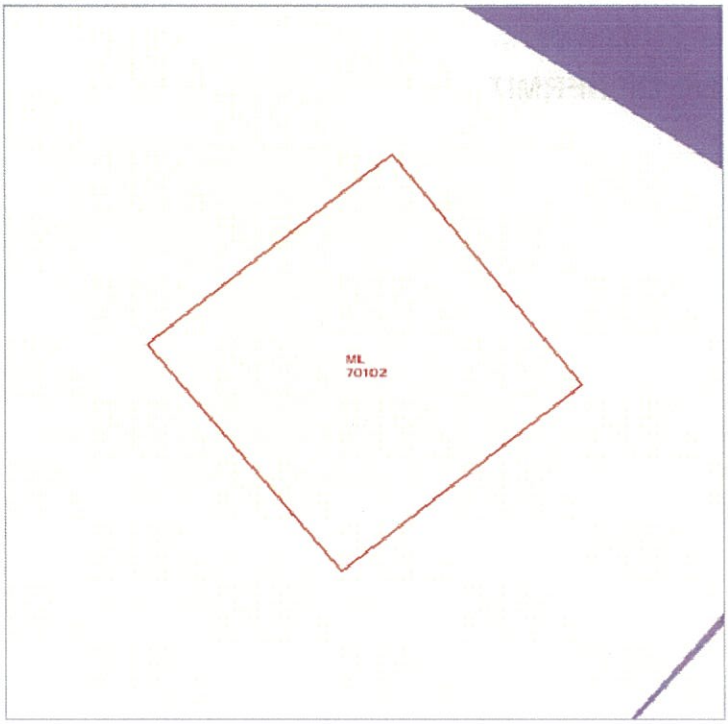
END OF DEFINITIONS

Attachment 1: EPVL01333513 Location of mining activities: ML70102 and ML7294.

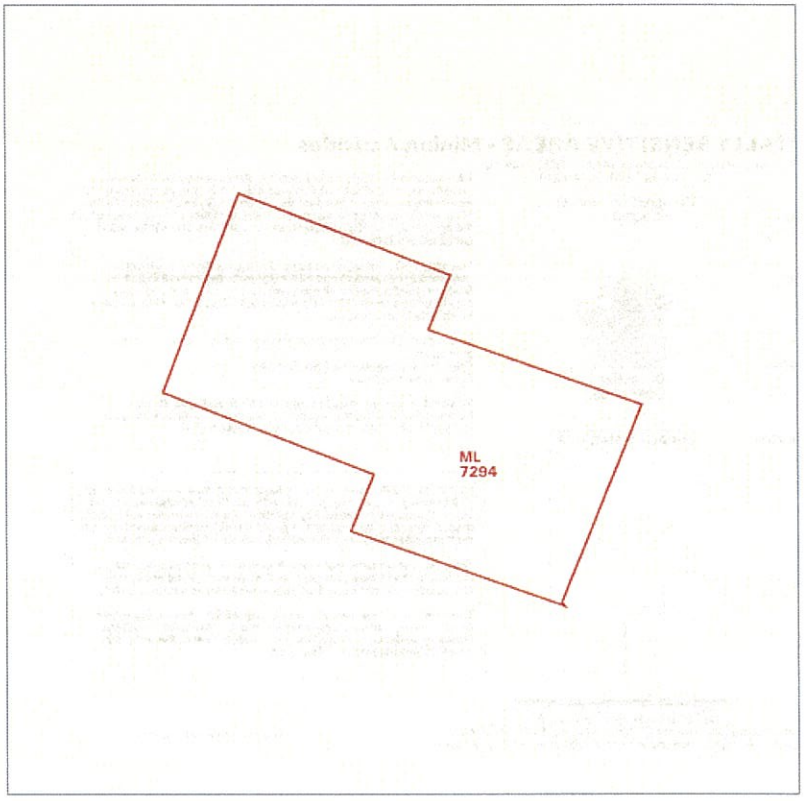
Legend for attached maps



ML70102:



ML7924:



END OF PERMIT