

Permit¹

Environmental Protection Act 1994

Environmental authority EPVX01488113

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

Permit¹ number: EPVL01488113

Environmental authority takes effect on 25 March 2014

Environmental authority holder(s)

Name	Registered address
Brian Herbert	PO Box 1825 EMERALD QLD 4720

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - ML	ML2119 ML2121

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).

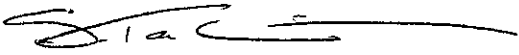
Contaminated land

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

25 March 2014

Date

Sam Tarlinton
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

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 the following conditions:

Agency Interest: General	
Condition number	Condition
Prevent or Minimise the Likelihood of Environmental Harm	
A1	All reasonable and practicable measures must be taken to minimise the likelihood of environmental harm being caused.
Maintenance of Plant and Equipment	
A2	The holder of this environmental authority must maintain all plant and equipment necessary to ensure compliance with the conditions of this environmental authority.
Notification of Emergencies, Incidents and Exceptions	
A3	The holder of this environmental authority must notify the administering authority by written notification within twenty-four (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.
A4	The holder of this environmental authority must notify the administering authority by written notification within twenty-four (24) hours , after becoming aware of any emergency, incident or information about circumstances which results, or may result in, environmental harm not in accordance with the conditions of this environmental authority, or a contravention of the conditions of this environmental authority.

A5	The notification in conditions A3 and A4 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, i) what notification of stakeholders who may be affected by the emergency or incident has occurred, or is being undertaken.
A6	Within ten (10) business days following the initial notification of an emergency or incident, or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority, including the following: a) Results and interpretation of any samples taken and analysed; b) Outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and c) Proposed actions to prevent a recurrence of the emergency or incident.
Complaints	
A7	In the event of a complaint about any mining activity that, after investigation, is in the opinion of an authorised person causing a nuisance at a sensitive place, the holder of this environmental authority must take appropriate action to mitigate the nuisance. The holder of this environmental authority must take the action within the reasonable time set by the administering authority.
A8	The holder of this environmental authority must record all environmental complaints received about the mining activities including the following details: a) Name, address and contact number for of the complainant; b) Time and date of complaint; c) Reasons for the complaint; d) Investigations undertaken; e) Conclusions formed; f) Actions taken to resolve the complaint; g) Any abatement measures implemented; and h) Person responsible for resolving the complaint. This information must be made available for inspection by the administering authority on request.

A9	The holder of this environmental authority must, when requested by the administering authority, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the administering authority to investigate any complaint of environmental harm. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the administering authority within ten (10) business days of completion of the investigation, or no later than ten (10) business days after the end of the timeframe nominated by the administering authority to undertake the investigation.
Agency Interest: Land	
Environmentally Sensitive Areas	
B1	The holder of this environmental authority must comply with each of the standard environmental conditions contained in the <i>Code of Environmental Compliance for Mining Lease Projects</i> except Condition 14 which is replaced by Conditions B2 to B4 of this environmental authority.
B2	The holder of this environmental authority may not carry out activities within 2km of a category A environmentally sensitive area.
B3	The holder of this environmental authority may carry out mining activities within 1km of a category B environmentally sensitive areas which are depicted in Figures 1 and 2.
B4	The holder of this environmental authority must not carry out activities in a category A or B environmentally sensitive area. Prior to carrying out activities in a category C environmentally sensitive area, consult with the relevant administering authority. If it is determined through consultation that additional conditions are necessary, the holder must comply with those conditions.
Rehabilitation and Reporting	
B5	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.
B6	An annual report must be prepared each year and submitted with each annual return and be made available to the administering authority upon request. The report must include details of mining activities undertaken including: • A map identifying the mining activities undertaken to date and the area of disturbance for each activity; • The location of any newly constructed tracks; • Any rehabilitation activities undertaken to date and the area of disturbance for each activity to demonstrate compliance with this environmental authority.
Waste	
B7	All waste must be removed and disposed of offsite.

END OF CONDITIONS

Figure(s)

Figure 1: Location of Category B Environmentally Sensitive Areas within the vicinity of ML2119.

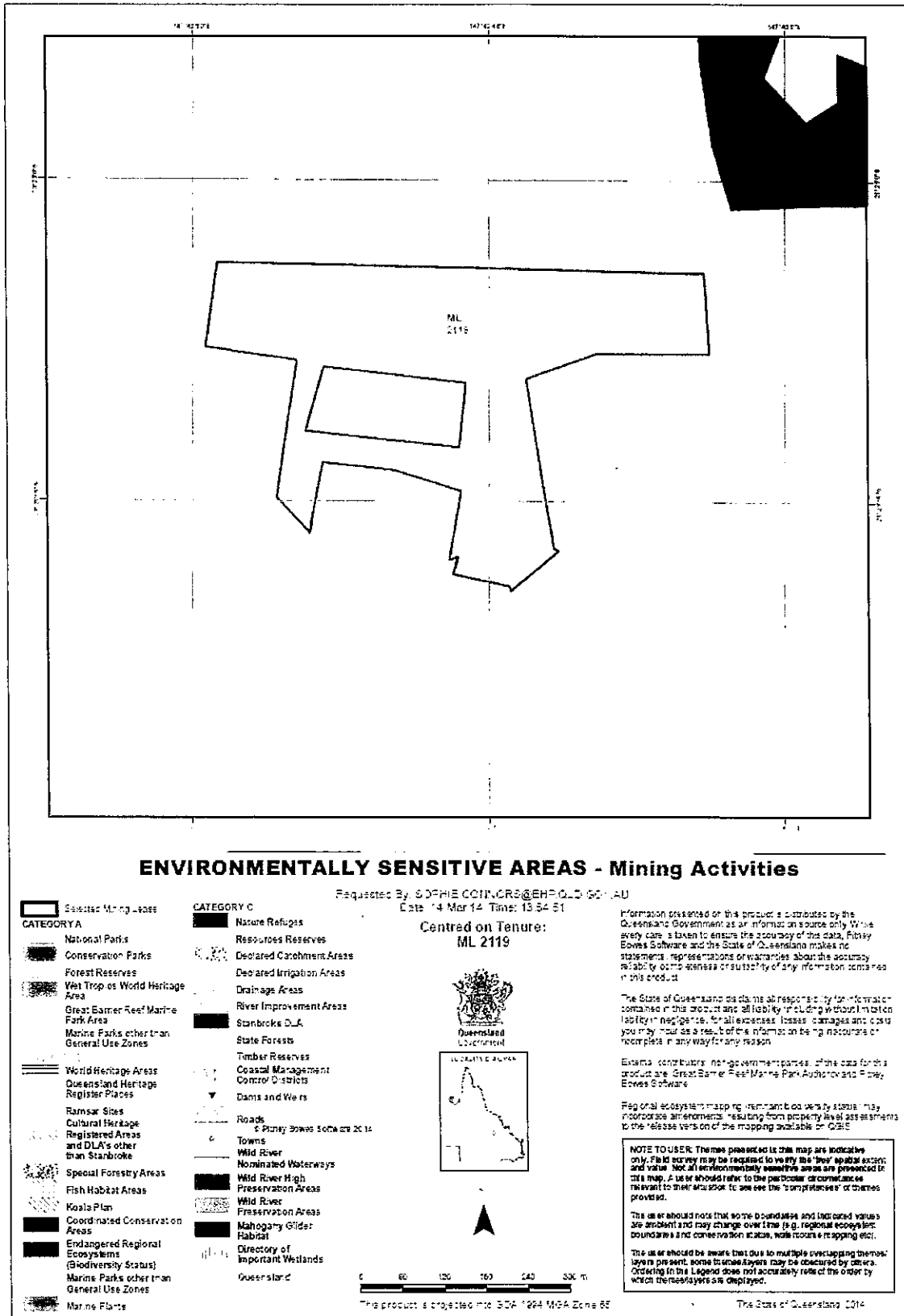
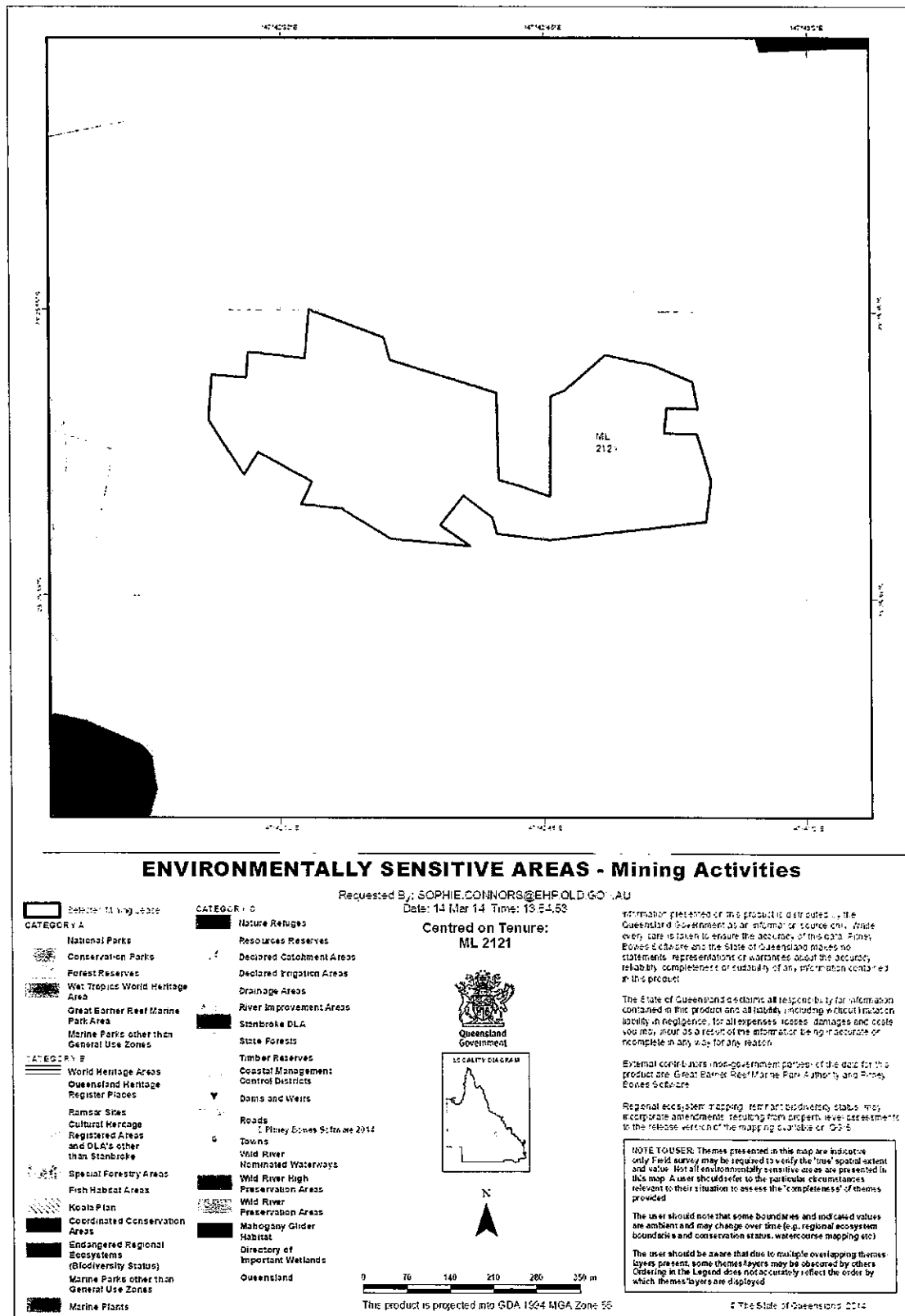


Figure 2: Location of Category B Environmentally Sensitive Areas within the vicinity of ML2121.



END OF PERMIT