

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: EPVL01715213

Environmental authority takes effect 14 December 2013

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee which is currently \$570.00 will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
Colin Robertson	10 Wentworth Street LEICHHARDT QLD 4305

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - ML	ML70407

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.

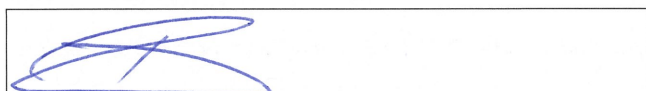
A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

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

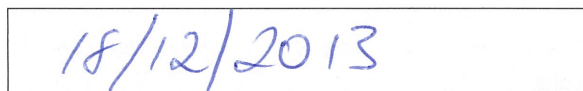


It is a requirement of the EP Act that if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.



Signature

Tristan Roberts
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994



Date

Enquiries:
Callum Gawne
Environmental Services and Regulation
PO Box 413
Rockhampton QLD 4700
Phone: 07 4837 3334
Email: callum.gawne@ehp.qld.gov.au

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, Version 1* - Variations to the standard conditions include:

Schedule A: General

- A1** 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.
- 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 may be applicable where rehabilitation has been completed in accordance with the acceptance criteria defined within 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*.

Activity

- A4** 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.

Maintenance of Measures, Plant and Equipment

- A5** 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.

Monitoring, Reporting and Emergency Response Procedures

- A6** 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.



- A7** 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: Written notification to the administering authority must be addressed to the Manager or Project Manager of the local Administering Authority via email or facsimile (4987 9399). Verbal notification may be made to the Pollution Hotline on 1300 130 372, available 24 hours 7 days a week.

- A8** 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
 - i) What notification of stakeholders who may be affected by the emergency or incident has occurred or is being undertaken.

- A9** 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.

- A10** 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.

- A11** The notification in condition A10 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.

Schedule B: Water

Contaminant Release

- B1** 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.

- B2** All waters on site must be contained so that water does not leave the boundaries of each mining tenement authorised under this environmental authority.



Dams

- B3** Prior to the construction of any dams on site, the administering authority must first be consulted.
- B4** No dam is to be constructed within 350 metres of mature tree areas of a Category B Environmentally Sensitive Area.
- B5** Regulated structures are not authorised under this environmental authority.

Schedule C: Waste

Waste Management

- C1** All waste must be removed and disposed of offsite.

Schedule D: Land

Disturbance

- D1** 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** Land and groundwater must not be contaminated.
- D4** Where any land, groundwater or waters are contaminated from mining activities carried out under this environmental authority, action must be taken immediately to address the problem to prevent environmental harm from occurring.

Topsoil and Overburden Management

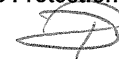
- D5** Topsoil stockpiles must not exceed 2 metres in height.
- D6** Overburden stockpiles must not exceed 5 metres in height.

Roads and Tracks

- D7** Where possible, existing access and fence line tracks must be used.
- D8** New tracks are to be constructed by linking already cleared or disturbed areas and no trees are to be cleared.
- D9** Tracks are not to be constructed greater than 4 metres in width.

Nature Conservation

- D10** The holder of this environmental authority must not undertake mining activities within any Category A Environmentally Sensitive Area.
- D11** The holder of this environmental authority must not undertake any mining activities within 2 kilometres of any Category A Environmentally Sensitive Area.
- D12** The holder of this environmental authority must not undertake mining activities within any Category B Environmentally Sensitive Area.
- D13** The holder of this environmental authority may undertake mining activities within 1 kilometre of a Category B Environmentally Sensitive Area.
- D14** The holder of this environmental authority must not undertake mining activities within any Category C Environmentally Sensitive Area.



- D15** Habitat trees must be protected.
- D16** Trees or shrubs with nests of birds of prey (raptors) whether active or not, or visibly active non-raptor bird nests must be protected.
- D17** No clearing of mature trees is authorised except with approval of the administering authority.
- D18** Debris from clearing or felling of trees must not accumulate within 2 metres of any retained tree.
- D19** Burning of vegetation is not permitted.
- D20** No *Declared Pest Species* are to enter any mining tenement under this environmental authority.
- D21** 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.
- Rehabilitation and reporting**
- D22** The holder of this environmental authority must rehabilitate all sites disturbed from mining within 3 months after completion of the disturbance.
- D23** 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.
- D24** The holder of this environmental authority must revegetate disturbed areas within 1 kilometre of any Category B Environmentally Sensitive Area with native plant species endemic to the area.
- D25** 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 of the environmental authority.

Schedule E: Community

Complaint Response

- E1** 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 number 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 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.



Definitions

“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 Environment and Heritage Protection or its successor.

“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 an 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.

“habitat trees” means those that contain a hollow of 10cm 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 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 from 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*.

END OF PERMIT



