

Permit¹

Environmental Protection Act 1994

Environmental authority EPVL02094514

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

Permit¹ number: EPVL02094514

Environmental authority takes effect on 16 January 2015.

The anniversary date of the environmental authority is 1 January.

Environmental authority holder(s)

Name	Registered address
Mark Bayly	Lot 1 Maudehill Road DEEPWATER QLD 4674

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - ML	ML70519

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

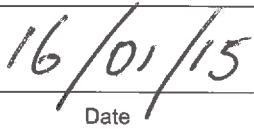


Contaminated land

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

Justin Cagney
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994


Date

Enquiries:
Business Centre (Coal)
Department of Environment and Heritage
Protection
PO Box 3028
EMERALD QLD 4720
Phone: (07) 4987 9320
Email: CRMining@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* Variations to the standard conditions include the following conditions:

Schedule A: General Conditions

Prevent or Minimise the Likelihood of Environmental Harm

- A1 This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition or this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.

Financial Assurance

- A2 The activity must not be carried out until the environmental authority holder has given financial assurance to the administering authority as security for compliance with this environmental authority and any costs or expenses, or likely costs or expenses, mentioned in section 298 of the Act.

Activity

- A3 The holder of the environmental authority must comply with each of the conditions contained in the Code of Environmental Compliance for Mining Lease Projects except condition 14 which is replaced by the conditions within this authority.

Schedule F: Land

Land Disturbance

- F1 This environmental authority holder is authorised to undertake mining activities, within the 1km buffer of Category B Environmentally Sensitive Areas, as shown in *Attachment 1: EPVL02094514 Location of ML70519*.
- F2 The environmental authority holder is not authorised to undertake any mining activities in any Category A or B Environmentally Sensitive Areas, or within 2km of a Category A 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 existing cleared or disturbed areas.
- F4 When constructing tracks, the environmental authority holder must minimise disturbance and avoid clearing of trees within the 1km buffer zone of Category B Environmentally Sensitive Areas.

Rehabilitation

- F5 Rehabilitation of disturbance within the 1km buffer zone 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.

Reporting

- F6 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

Words and phrases used throughout this environmental authority are defined below. Where a definition for a term used in this environmental authority is not provided within this environmental authority, but is provided in the EP Act 1994 or subordinate legislation, the definition in the EP Act or subordinate legislation must be used.

'disturbance' of land includes:

- a) compacting, removing, covering, exposing or stockpiling of earth;
- b) removal or destruction of vegetation or topsoil or both to an extent where the land has been made susceptible to erosion;
- c) carrying out mining within a watercourse, waterway, wetland or lake;
- d) the submersion of areas by tailings or hazardous contaminant storage and dam/structure walls;
- e) temporary infrastructure, including any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after the mining activity has ceased; or
- f) releasing of contaminants into the soil, or underlying geological strata.

However, the following areas are not included when calculating areas of 'disturbance':

- a) areas off lease (e.g. roads or tracks which provide access to the mining lease);
- b) areas previously disturbed which have achieved the rehabilitation outcomes;
- c) by agreement with the administering authority, areas previously disturbed which have not achieved the rehabilitation objective(s) due to circumstances beyond the control of the mine operator (such as climatic conditions);
- d) areas under permanent infrastructure. Permanent infrastructure includes any infrastructure (roads, tracks, bridges, culverts, dam/structures, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be left by agreement with the landowner.
- e) disturbance that pre-existed the grant of the tenure.

'land' in the 'land schedule' of this document means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the *Environmental Protection Act 1994*. For the purposes of the *Acts Interpretation Act 1954*, it is expressly noted that the term 'land' in this environmental authority relates to physical land and not to interests in land.

'm' means metres.

'rehabilitation' the process of reshaping and revegetating land to restore it to a stable landform.

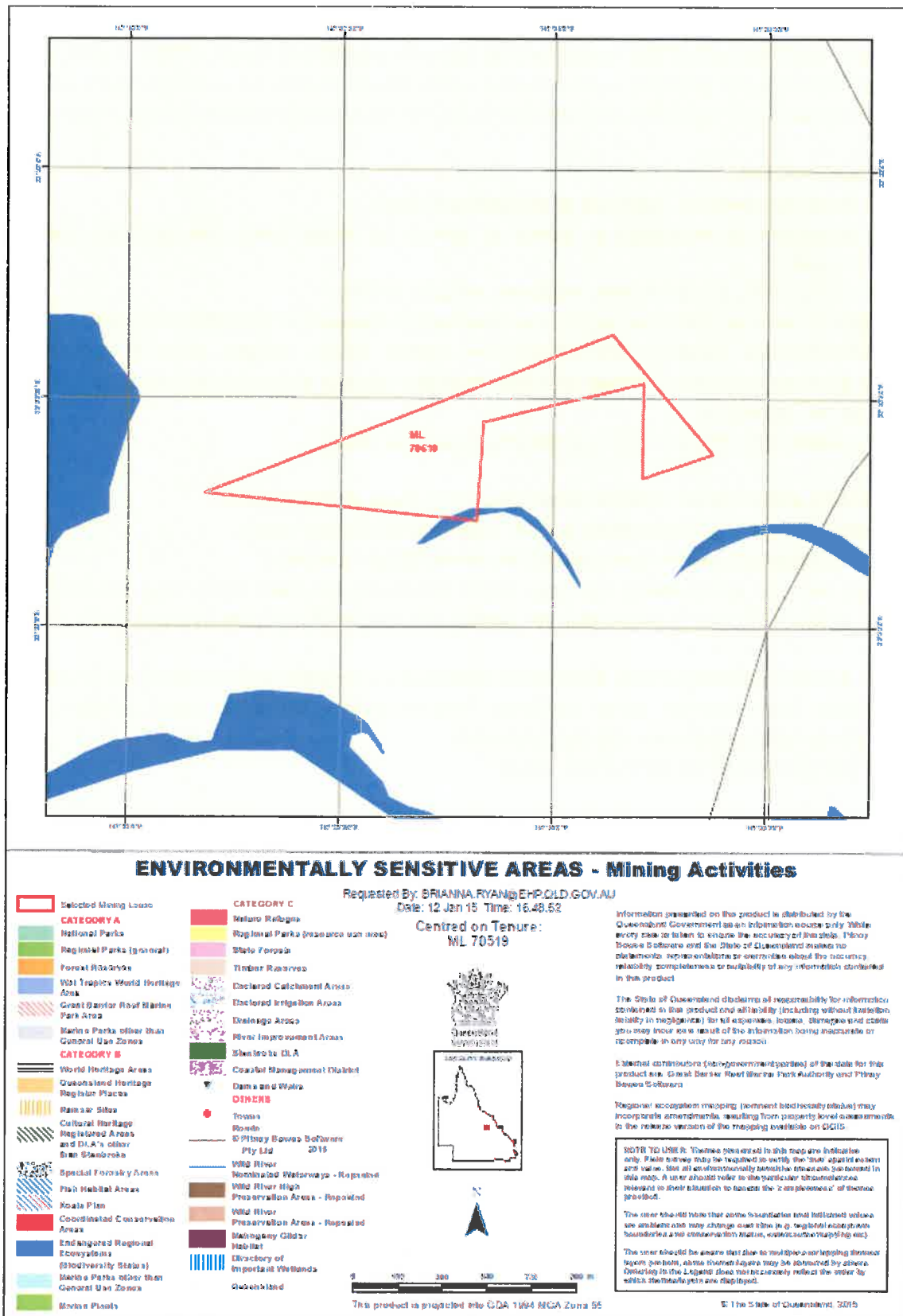
'the Act' means the *Environmental Protection Act 1994*.

END OF PERMIT

Attachments

Attachment 1: EPVL02094514 Location of ML70519.

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