

Permit

Environmental Protection Act 1994

Environmental authority EPVL02214614

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

Environmental authority number: EPVL02214614

Environmental authority takes effect on 22 February 2019

Environmental authority holder(s)

Name(s)	Registered address
Wolfgang Deimel	14 Chapel Ct WARWICK QLD 4370 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Non-Scheduled, Mining Activity, Mining Lease - ML	ML100140
Resource Activity, Non-Scheduled, Mining Activity, Mining Lease - ML	ML50288

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:

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- 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
- 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 Sustainable Planning Act 2009 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.

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.

Filiz Tansley
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

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Date issued: 22 February 2019

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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 this environmental authority are the standard conditions contained within the document entitled: *Eligibility criteria and standard conditions for mining lease activities* (ESR/2016/2241).

All reasonable steps must be taken to ensure the activity complies with the eligibility criteria and standard conditions.

Variations to the standard conditions include:

Agency interest: General

- 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.
- A2** 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;
 - (b) maintain such measures, plant and equipment in a proper and efficient condition;
 - (c) operate such measures, plant and equipment in a proper and efficient manner; and
 - (d) ensure all instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority are properly calibrated.
- A3** 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 EP Act.
- A4** The holder of this environmental authority must notify the administering authority by written notification 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.
- A5** Within 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.
- A6** The holder of this environmental authority must record all environmental complaints received about the mining activities including:
- (a) name, address and contact number for of the complainant;
 - (b) time and date of complaint;
 - (c) reasons for the complaint;
 - (d) investigations undertake;
 - (e) conclusions formed;
 - (f) actions taken to resolve the complaint;
 - (g) any abatement measures implemented; and

(h) person responsible for resolving the complaint.

- A7** 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 10 business days of completion of the investigation, or no later than 10 business days after the end of the timeframe nominated by the administering authority to undertake the investigation.

Agency interest: Waste Management

- B1** Unless otherwise permitted by the conditions of this environmental authority or with prior approval from the administering authority and in accordance with a relevant standard operating procedure, waste must not be burnt.
- B2** The holder of this environmental authority may burn vegetation cleared in the course of carrying out extraction activities provided the activity does not cause environmental harm at any sensitive place or commercial place.

Agency interest: Noise

- C1** Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.

Agency interest: Groundwater

- D1** The holder of this environmental authority must not release contaminants to groundwater.

Agency interest: Water

- E1** Contaminants that will, or have the potential to cause environmental harm must not be released directly or indirectly to any waters as a result of the authorised mining activities, except as permitted under the conditions of this environmental authority.

Agency interest: Land and Rehabilitation

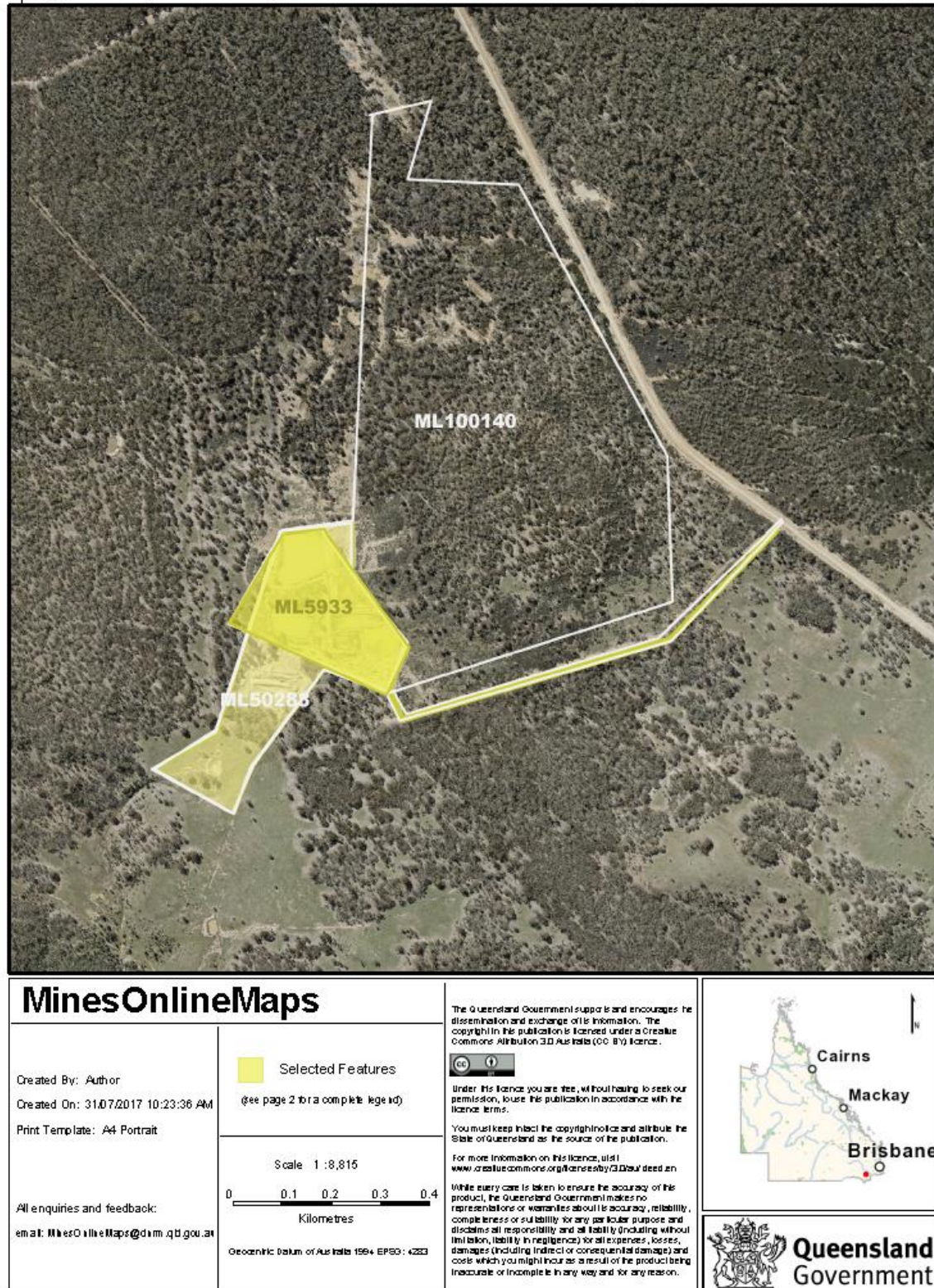
- F1** All previous disturbance on mining lease ML5933, since the date that tenure was granted, as depicted in Figure 1 (ML5933, ML50288 and ML100140), remains the responsibility of the environmental authority holder and all rehabilitation must be conducted in accordance with the *'Eligibility criteria and standard conditions for mining lease activities – ESR/2016/2241'*.
- F2** Significant residual impacts to prescribed environmental matters, are not authorised on ML100140 under this environmental authority or the *Environmental Offsets Act 2014*.
- F3** Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to that matter must be:
- (a) completed by an appropriately qualified person; and
 - (b) kept for the life of the environmental authority.

Agency interest: Nature Conservation

- G1** The holder of the environmental authority is authorised to carry out the mining activity on ML100140, within 1km from, but not in, the category B environmentally sensitive area provided that those activities do not cause any significant environmental harm.

Maps and Plans

Figure 1 (ML5933, ML50288 and ML100140)



Definitions

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

‘appropriately qualified person’ means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

‘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
- (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.

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

‘significant residual impact’ has the meaning in section 8 *Environmental Offsets Act 2014*.

END OF ENVIRONMENTAL AUTHORITY

Attachments

- *Eligibility criteria and standard conditions for mining lease activities (ESR/2016/2241) – Version 2*