

Permit

Environmental Protection Act 1994

Environmental authority EPVL04189416

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

Environmental authority number: EPVL04189416

Environmental authority takes effect on the date the EA is issued

The anniversary date of this environmental authority is 19 July each year.

Environmental authority holder(s)

Name(s)	Registered address
BRIGALOW MINING GROUP PTY LTD	Unit 203, 490 Pacific Hwy ST LEONARDS NSW 2065

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non-Scheduled - Mining Activity - Mining Lease (ML)	ML100370
	ML100371
	ML70341
	ML70402
	ML70404
	ML70439
	ML70513

Additional information for applicantsEnvironmentally 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:

- 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 *Planning Act 2016* 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.

The anniversary day of this environmental authority is the same day each year as the original take effect date unless you apply to change the anniversary day. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

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.

T. Gibbs

Signature

19 September 2024

Date

Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Mineral Business Centre
Department of Environment, Science and
Innovation
Phone: (07) 4222 5334
Email: ESCairns@des.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at <https://www.rshq.qld.gov.au/>, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Conditions of Environmental Authority**Schedule A - Conditions for ML100370 and ML100371****General**

- G1 The conditions of approval for this environmental authority are the standard conditions contained within the *Eligibility criteria and standard conditions for mining lease activities - Version 2 – ESR/2016/2241*.
- G2 All reasonable steps must be taken to ensure the activity complies with the eligibility criteria and standard conditions.

Schedule B – Conditions for ML70341, ML70402, ML70404, ML70439 and ML70513**General**

- A1 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 conditions 14 and 22 which are replaced by the conditions within this authority
- A2 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 E

- E1 All waste must be removed and disposed of offsite

Schedule F

- F1 The environmental authority holder is authorised to undertake mining activities in Category C Environmentally Sensitive Areas provided prior consultation is undertaken and written consent obtained from the relevant authority responsible for administering that particular environmentally sensitive area.
- F2 The environmental authority holder is authorised to undertake mining activities, within the 500m Category B Environmentally Sensitive Area.
- F3 The environmental authority holder is not authorised to undertake any mining activities in any Category B Environmentally Sensitive Area.
- F4 Native Vegetation is not to be burnt on lease without prior written consent from the relevant authority responsible for administering that particular environmentally sensitive area.
- F5 Native Vegetation is not to be removed off lease or destroyed without prior consultation and written consent from the relevant authority responsible for administering the Category C Environmentally Sensitive Area.

Roads and Tracks

- F6 When constructing tracks, the environmental authority holder must minimise disturbance and avoid clearing of trees within the 500m buffer and in Category B Environmentally Sensitive Area.

Rehabilitation

- F7 Rehabilitation of disturbance within the 500m 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.

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 demonstrated compliance with this environmental authority

Definitions

Key terms and/or phrases used in this documents are defined in this. Applicants should note that 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.

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

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

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

Category C environmentally sensitive area as is detailed in the *Code of environmental compliance for mining lease projects*.

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.

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 wat 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.

Must, an obligation or necessity

Native vegetation means vegetation that occurs naturally in certain area.

Tracks means roads, tracks or paths, greater than to (10) meters in length, that have been fully stripped or 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 ENVIRONMENTAL AUTHORITY