Permit[1]

Environmental Protection Act 1994

Environmental authority EPVL04432016

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

Permit[1] number: EPVL04432016

Environmental authority takes effect on 10 November 2016.

The anniversary date of this environmental authority is 15 February. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
New Gympie Gold Pty Ltd	Central Plaza One, Level 30, 345 Queen St, BRISBANE CITY, QLD, 4000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining – Variation EA	ML50114

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.

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)

	10 /11 /2016
Signature	Date

Jacob Toe
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

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Location: **ML50114**

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	**Condition**
A1-1	The environmental authority holder must comply with each of the eligibility criteria and standard environmental conditions contained in the most recent version of the *Eligibility criteria and standard conditions for mining lease activities*.
A1-2	Financial assurance must be lodged with the administering authority in the amount, the form and within the time required by the administering authority.
Maintenance of measures, plant and equipment	
A2-1	The environmental authority holder must ensure: - that all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority are installed; - and that such measures, plant and equipment are maintained in a proper condition; - and that such measures, plant and equipment are operated in a proper manner.
Monitoring	
A3-1	Record, compile and keep for a minimum of five years all monitoring results required by this environmental authority and make available for inspection all or any of these records upon request by the administering authority.
A3-2	Where monitoring is a requirement of this environmental authority, ensure that a competent person(s) conducts all monitoring.
Storage and handling of flammable and combustible liquids	
A4-1	Spillage of all flammable and combustible liquids must be contained within an on-site containment system and controlled in a manner that prevents environmental harm (other than trivial harm) and maintained in accordance with Section 5.9 of AS 1940 - Storage and Handling of Flammable and Combustible Liquids of 1993.
Definitions	
A5-1	Words and phrases used throughout this environmental authority are defined in the definitions. Where a definition for a term used in this environmental authority is sought and the term is not defined within this environmental authority, the definitions in the *Environmental Protection Act 1994*, its Regulations and Environmental Protection Policies must be used.
Environmental Management System	
A6-1	A Plan of Operations for the activities must include an Environmental Management System (EMS). The holder of this environmental authority must plan and conduct the mining activities according to an environmental management system that substantially conforms with ISO 14001 :1996 (environmental management systems with guidance for use).
Exploration	
A7-1	All exploration activities carried out on the mining leases must comply with each of the eligibility criteria and standard environmental conditions contained in the most recent version of the *Eligibility criteria and standard conditions for exploration and mineral development projects*.

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A7-2	Notwithstanding condition (A7-1), exploration activities involving machinery may be carried out within the 500m buffer zone, but not within 200m, of a Place of Cultural Heritage Significance, Protected Areas, Registered Places and Restricted Zones protected under the Queensland Heritage Act 1992, providing the cultural values of the sites are not adversely affected by exploration activities.
Agency interest: Air	
Condition number	**Condition**
Dust nuisance	
B1-1	Subject to Conditions (B1-2) and (B1-3) the release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.
B1-2	When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within 14 days to the administering authority following completion of monitoring.
B1-3	If the environmental authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of (B1-1): a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter· Gravimetric method of 1991; and b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a sensitive or commercial place downwind of the operational land, when monitored in accordance with: Particulate matter· Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method, when monitored in accordance with AS 3580.9.6 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM (sub) 10 high volume sampler with size-selective inlet- Gravimetric method of 1990; or Any alternative method of sampling PM10, which may be permitted by the 'Air Quality Sampling Manual' as published from time to lime by the administering authority. NOTE: You must propose which monitoring method is appropriate in accordance with condition (B1-3) (a) or (b) or both.
B1-4	If monitoring indicates exceedence of the relevant limits in Condition (B1-3), then the environmental authority holder must: a) address the complaint including the use of appropriate dispute resolution if required; or b) immediately implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.
Odour nuisance	
B2-1	The release of noxious or offensive odour(s) or any other noxious or offensive airborne contaminant(s) resulting from the mining activity must not cause an environmental nuisance at any sensitive or commercial place.

B2-2	When requested by the administering authority. odour monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within 14 days to the administering authority following completion of monitoring.
B2-3	If monitoring, or assessment by an authorised officer, indicates Condition (B2-1) is not being met then the environmental authority holder must: a) address the complaint including the use of appropriate dispute resolution if required ; or b) immediately implement odour abatement measures so that emissions of odour from the activity do not result in further environmental nuisance.
Agency interest: Water	
Condition number	**Condition**
General	
C1-1	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: Noise and vibration	
Condition number	**Condition**
D1-1	Subject to Conditions (D1-2) and (D1 -3) noise from the mining activity must not cause an environmental nuisance, at any sensitive or commercial place.
D1-2	When requested by the administering authority, noise monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive or commercial place, and the results must be notified within 14 days to the administering authority following completion of monitoring.
D1-3	If the environmental authority holder can provide evidence through monitoring that the limits defined in Table 1 inclusive, are not being exceeded then the holder is not in breach of Condition (D1-1). Monitoring must include: a. $L_{A\ 10.\ adj.\ 10\ mins}$; and b. $L_{A\ 1.\ adj.\ 10\ mins}$: and c. background noise level; and d. the level and frequency of occurrence of impulsive or tonal noise; and e. atmospheric conditions including wind speed and direction; and f. location, date and time of recording

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D1-4	If monitoring indicates exceedence of the limits in Table 10, then the environmental authority holder must: a. address the complaint including the use of appropriate dispute resolution if required; or b. immediately implement noise abatement measures so that emissions of noise from the activity do not result in further environmental nuisance.
D1-5	The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Heritage Protection's Noise Measurement Manual.

Table 1 (Noise limits)

Noise level dB(A) measured as	Noise measured at a 'sensitive place'			Noise measured at a 'Commercial place'		
	7am – 6pm	6pm – 10pm	10pm – 7am	7am – 6pm	6pm – 10pm	10pm – 7am
$L_{A10, adj\ 10\ min}$	b/g+5	b/g+5	b/g+3	b/g+10	b/g+10	b/g+5
$L_{A1, adj\ 10\ min}$	b/g+10	b/g+10	b/g+5	b/g+15	b/g+15	b/g+10

NOTE: *['b/g'* means background noise levels]

Vibration nuisance	
D2-1	Blasting operations are not to be conducted within the mining leases to which this environmental authority relates.
Agency interest: Waste	
Condition number	**Condition**
Storage of tyres	
E1-1	Tyres stored awaiting disposal or transport for take-back and, recycling, or waste-to-energy options - should be stockpiled in volumes less than 3m in height and 200m^2 in area and at least 10m from any other tyre storage area.
E1-2	All reasonable and practicable fire prevention measures must be implemented, including removal of grass and other materials within a 10m radius of the scrap tyre storage area.
Disposal of tyres	
E2-1	Where practicable, scrap tyres resulting from the mining activities can be disposed of in underground stopes provided this practice does not cause an unacceptable fire risk or compromise mine safety.
E2-2	Disposing of scrap tyres resulting from the mining activities in spoil emplacements is acceptable, provided lyres are placed as deep in the spoil as reasonably practicable.
E2-3	Scrap tyres resulting from the mining activities disposed within the operational land must not impede saturated aquifers or compromise the stability of the consolidated landform.
Waste Handling and management	
E3-1	All regulated waste removed from site must be removed by a licensed waste removal and transport contractor for recycling or disposal in a licensed regulated waste disposal facility.

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E3-2	The holder of this environmental authority must not: - allow waste to burn or be burned at or on the licensed place; or - remove waste from the licensed place and burn such waste elsewhere. (This condition does not apply to the material that is required to be burnt under quarantine regulations and, burning of such materials is to be carried out in a way that does not cause environmental harm and this condition does not refer to activities carried out under the provisions of the *Fire and Emergency Services Act 1990*.)
Agency interest: Land	
Condition number	**Condition**
Infrastructure	
F1-1	All infrastructure, constructed by or for the environmental authority holder during the mining activities including water storage structures, must be removed from the site prior to mining lease surrender, except where agreed in writing by the post mining land owner / holder. NOTE: This is not applicable where the landowner / holder is also the environmental authority holder.
Agency interest: Community	
Condition number	**Condition**
Complaint response	
G1-1	All complaints received must be recorded including details of complainant, reasons for the complaint, investigations undertaken, conclusions formed and actions taken. This information must be made available for inspection by the administering authority on request.

Definitions

Key terms and/or phrases used in this document are defined in this section. 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.

Acceptance criteria	means the measures by which the actions implemented to rehabilitate the land are deemed to be complete. The acceptance criteria indicate the success of the rehabilitation outcome or remediation of areas which have been significantly been disturbed by the mining activities. Acceptance criteria may include information regarding: - vegetation establishment, survival and succession; - vegetation productivity, sustained growth and structure development; - fauna colonisation and habitat development; - ecosystem processes such as soil development and nutrient cycling, and the recolonisation of specific fauna groups such as collembola , mites and termites which are involved in these processes; - microbiological studies including recolonisation by mycorrhizal fungi, microbial biomass and respiration; - effects of various establishment treatments such as deep ripping, topsoil handling, seeding and fertiliser application on vegetation growth and development; - resilience of vegetation to disease, insect attack, drought and fire; - vegetation water use and effects on ground water levels and catchment yields.
ambient (or total) noise	at a place, means the level of noise at the place from all sources (near and far), measured as the Leq for an appropriate time interval.
competent person	means a person with the demonstrated skill and knowledge required to carry out the task to a standard necessary for the reliance upon collected data or protection of the environment.
authority	means environmental authority (mining activities) under the *Environmental Protection Act 1994*.
blasting	means the use of explosive materials to fracture- (a) rock , coal and other minerals for later recovery; or (b) structural components or other items to facilitate removal from a site or for reuse.
commercial place	means a work place used as an office or for business or commercial purposes, which is not part of the mining activity and does not include employees accommodation or public roads.
environmental authority holder	means the holder of this environmental authority.
hazardous waste	means any substance, whether liquid, solid or gaseous, derived by or resulting from , the processing of minerals that tends to destroy life or impair or endanger health.
$L_{A\ 10.\ adj,\ 10\ mins}$	means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.
$L_{A\ 1,\ adj,\ 10\ mins}$	means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10-minute measurement period, using

	Fast response
$L_{A, max\ adj, T}$	means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response
noxious	means harmful or injurious to health or physical well-being, other than trivial harm
protected area	means - a protected area under the *Nature Conservation Act 1992*; or - a marine park under the *Marine Parks Act 2004*; or - a World Heritage Area.
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 .
sensitive place	means; - a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or - a motel, hotel or hostel; or - an educational institution; or - a medical centre or hospital; or - a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or - a public park or gardens.
trivial harm	means environmental harm which is not material or serious environmental harm and will not cause actual or potential loss or damage to property of an amount of, or amounts totalling more than $5,000.
waters	includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), storm water channel, storm water drain, and groundwater and any part thereof.

END OF PERMIT

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