

Permit

Environmental Protection Act 1994

Environmental authority EPVX00726313

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

Environmental authority number: EPVX00726313

Environmental authority takes effect on When 250D of EP Act Provisions have been met

Environmental authority holder(s)

Name(s)	Registered address
Edwin Vella	1190 Rubyvale Road SAPPHIRE QLD 4702

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Resource Activity, Non-Scheduled, Mining Activity, Exploration Permit Mineral - EPM	EPM27263
	EPM27468
Resource Activity, Non-Scheduled, Mining Activity, Mining Lease - ML	ML80019
	ML80020

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:

- 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 effective date. 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

7 November 2023

Date

Teale Gibbs
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
Department of Environment and Science
Phone: 07 4222 5352
Email: ESCairns@des.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

- G1** With the exception of any variations, the conditions of approval for this environmental authority include standard conditions contained within the attached document(s) entitled:
- *Eligibility criteria and standard conditions for exploration and mineral development projects- Version 2* (ESR/2016/1985)
 - *Eligibility criteria and standard conditions for mining lease activities- Version 2* (ESR/2016/2241)
- G2** The holder of this environmental authority must take all reasonable steps to ensure the relevant activity complies with the eligibility criteria for the activity.

Permit conditions

Specific conditions for Exploration Permit for Minerals 27263 & 27468 (refer Attachment 1)

- A1** Rehabilitation of any land disturbed by mining activities on tenures EPM8715, EPM16644 and EPM26269 since the date that EPM8175, EPM16644 and EPM26269 were granted remains the responsibility of the Environmental Authority holder and all rehabilitation must be conducted in accordance with *Eligibility criteria and standard conditions for exploration and mineral development projects- Version 2* (ESR/2016/1985).
- A2** The environmental authority holder must comply with each of the Standard conditions contained in the *Eligibility criteria and standard conditions for exploration and mineral development projects – Version 2* for exploration tenures. Where an inconsistency with the standard and the additional conditions of this environmental authority exists, the additional conditions of this environmental authority prevail to the extent of the inconsistency.
- A3** The holder of the environmental authority must not carry out activities in a Category A, B or C Environmentally Sensitive Area. Where no reasonable alternative exists, activities involving machinery near a Category A or B Environmentally Sensitive Area must be carried out using the following order of preference:
- Pre-existing areas of significant disturbance;
 - Undisturbed areas more than 100m from the Environmentally Sensitive Area;
 - Undisturbed areas less than 100m from the Environmentally Sensitive Area.
- A4** Drilling and other low impact activities such as seismic test work, maintenance, monitoring and rehabilitation activities may be undertaken within the buffer zone of Category A or B Environmentally Sensitive Areas. Drilling activities undertaken in the buffer zone of a Category A or B Environmentally Sensitive Area must be undertaken in accordance with the requirements specified in Conditions **A5** to **A9**.
- A5** Drilling or seismic grid
- a. Spacing of gridlines within the Endangered Regional Ecosystem buffer may only be undertaken at no less than 500m a part.
 - b. Spacing of gridlines may be reduced to 250m at no more than six specified prospects within the Endangered Regional Ecosystem buffer.
 - c. The environmental authority holder is authorised to undertake no more than 10 drill holes within the Endangered Regional Ecosystem buffer.

- A6** Drill sites
- a. Operational areas must be no greater than 500m².
 - b. Individual sump surface areas must be no greater than 20m². Multiple sump systems may be utilised provided that clearing in addition to the above mentioned authorised operating 500m² areas is not required.
 - c. Topsoil stripping is limited to sump areas, drill pads and access areas.
 - d. Clearing of mature trees is prevented or minimised.
 - e. Drill pads must be rehabilitated with species endemic to the grazing land and in a way that reduces erosion in the shortest possible time.
 - f. All drill holes are to be capped on completion of drilling.
- A7** Tracks
- a. Spacing between new tracks is not less than 500m.
 - b. Existing access and fence line tracks are used where possible and any new tracks are constructed by linking natural clearing where possible.
 - c. Track construction involving blade clearing of established ground cover vegetation and/or clearing of mature trees is prevented or minimised.
 - d. Construction of new crossing of major natural drainage lines is prevented or minimised.
- A8** Other land disturbance
- a. Exploration does not involve costeaning or bulk sampling in buffer zones of Environmentally Sensitive Areas.
 - b. Establishing exploration camps will not involve clearing in buffer zones of Category A or B Environmentally Sensitive Areas.
 - c. Burning of vegetation is not permitted.
 - d. All waste must be removed and disposed of offsite.
- A9** Equipment use
- a. Rubber wheeled vehicles and machinery is used where possible.
 - b. Transport of weeds on vehicles and machinery is prevented.
- A10** Significant residual impacts to prescribed environmental matters located on EPM27263 and/or EPM27468 are not authorised under this environmental authority or the *Environmental Offsets Act 2014* (EO Act).
- A11** 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.

Specific conditions for Mining Lease 80020 (refer to Attachment 2):

Department Interest: General

- B1** The environmental authority holder must comply with each of the Standard Conditions contained in the *Eligibility criteria and standard conditions for mining lease activities – Version 2* for mining leases. Where an inconsistency with the standard and the additional condition of this environmental authority exists, the additional conditions of this environmental authority prevail to the extent of the inconsistency.
- B2** The financial assurance is to remain in force until the administering authority is satisfied that no claim on the assurance is likely.
- B3** 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*.
- B4** **Activity**
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.
- B5** **Monitoring, Reporting and Emergency Response Procedures**
The environmental authority holder must comply with each of the 'Monitoring, Reporting and Emergency Response Procedures' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities – Version 2*.
- B6** 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.
- B7** 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.
- B8** The notification in condition B8 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.

- B9** As soon as practicable, but no 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.
- B10** 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.
- B11** The notification in condition B11 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.

Department Interest: Air

C1 Air Quality

The environmental authority holder must comply with each of the 'Air Quality' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

Department Interest: Water

D1 Contaminant Release

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.*

D2 Activities within watercourses

Destroying native vegetation, excavating, or placing fill within watercourse, lake or spring, as defined under the *Water Act 2000*, necessary for and associated with the mining operation, and not located within a Category A, Category B or Category C Environmentally Sensitive Area must be undertaken in accordance with the Department of Natural Resources and Mines' (or its successor) Guideline- activities in a watercourse, lake or spring associated with resource activity or mining operations, version 3, 2012.

- D3** In accordance with condition D2, the holder of this environmental authority is permitted to destroy vegetation, excavate and fill watercourses to establish temporary crossings when there is no flow. Works shall remain in place for no longer than 4 weeks.

- D4** The environmental authority holder will ensure that the construction of new crossings over watercourses within 1 kilometre of any Category B Environmentally Sensitive Area is to be avoided and only permitted when no reasonable alternative is available, and in accordance with the Department of Natural Resources and Mines' (or its successor) Guideline- activities in a watercourse, lake or spring associated with resource activity or mining operations, version 3, 2012.

D5 Stormwater and Water Sediment Controls

The environmental authority holder must comply with each of the 'Erosion and Sediment Controls' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

D6 Dams

The environmental authority holder must comply with each of the 'Dams' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

D7 The number of dams permitted is restricted to no more than five (5) dams at any one time.

D8 Regulated structures are not authorised under this environmental authority.

Department Interest: Noise

E1 Noise Emissions

The environmental authority holder must comply with each of the 'Noise Emissions' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

Department Interest: Waste

F1 Waste Management

The environmental authority holder must comply with each of the 'Waste Management' conditions contained within the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

F2 All waste must be removed and disposed of offsite.

Department Interest: Land

G1 Land Disturbance

The environmental authority holder must comply with each of the 'Land Disturbance' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

G2 Topsoil and Overburden Management

The environmental authority holder must comply with each of the 'Topsoil and Overburden Management' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

G3 Topsoil stockpiles must not exceed 2 metres in height.

G4 Overburden stockpiles must not exceed 5 metres in height.

G5 The spillage of any topsoil or overburden must be controlled in a manner that prevents environmental harm.

G6 Hazardous Contaminants

The environmental authority holder must comply with each of the 'Hazardous Contaminants' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

G7 Nature Conservation

The environmental authority holder must comply with each of the 'Nature Conservation' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*, except condition **A14**, which is replaced by conditions **G8** to **G13** of this environmental authority.

G8 The environmental authority holder must not undertake mining activities within any Category A Environmentally Sensitive Area.

G9 The environmental authority holder must not undertake any mining activities within 2 kilometres of any Category A Environmentally Sensitive Area.

- G10** The Environmental authority holder must not undertake any mining activities within in any Category B Environmentally Sensitive Area.
- G11** The environmental authority holder may undertake mining activities within 1 kilometre of a Category B Environmentally Sensitive Area.
- G12** The environmental authority holder must not have more than 8 ha of disturbance caused by mining activities, at any one time, within 1 kilometre of any Category B Environmentally Sensitive Area.
- G13** The environmental authority holder must not undertake mining activities within any Category C Environmentally Sensitive Area.
- G14** Habitat trees must be protected.
- G15** Trees or shrubs with nests of birds of prey (raptors) whether active or not, or visibly active non raptor bird nests must be protected.
- G16** No clearing of mature trees is authorised except with approval of the administering authority.
- G17** Debris from clearing or felling of trees must not accumulate within two (2) metres of any retained tree.
- G18** Burning of vegetation is not permitted.
- G19** **Other Level 2 Environmentally Relevant Activities**
The environmental authority holder must comply with each of the 'Other Level 2 Environmentally relevant Activities' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.
- G20** **Roads and Tracks**
The environmental authority holder must comply with each of the 'Roads and Tracks' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.
- G21** **Campsites**
The environmental authority holder must comply with each of the 'Campsites' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.
- G22** The environmental authority holder is authorised to have a campsite within 1 kilometre of a Category B Environmentally Sensitive Area, where written permission has been given by the landowner.
- G23** All campsites and any infrastructure within 1 kilometre of a Category B Environmentally Sensitive Area is to be removed within 3 months of completion of mining activities, unless written permission has been given from the landowner.
- G24** **Mine and Process Plant**
The environmental authority holder must comply with each of the 'Mine and Process Plant' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.
- G25** **Service, Maintenance and Storage Areas**
The environmental authority holder must comply with each of the 'Service, Maintenance and Storage Areas' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.
- G26** **Rehabilitation**
The environmental authority holder must comply with each of the 'Rehabilitation' conditions contained in the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

- G27** 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.
- G28** Rehabilitation of areas disturbed by mining activities within 1 kilometre of any Category B Environmentally Sensitive Area must be completed as soon as practicable, but no longer than 3 months after completion of the disturbance activity.
- G29** All land subject to mining activities within 1 kilometre of Category B Environmentally Sensitive Area must be rehabilitated to a non-polluting, safe, stable and self-sustaining landform.
- G30** **Conditions Specific to Mining Types**
The environmental authority holder must comply with each of the conditions contained in Schedule C 'Conditions for specific mining types' of the *Eligibility criteria and standard conditions for mining lease activities- Version 2*.

Department Interest: Community

H1 Complaint Response

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.

- H2** 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 complaint (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.

- H3** When requested by the administering authority, the environmental authority holder 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 place 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.

“bed and banks” for a waters, river, creek, stream, lake, lagoon, pond, swamp, wetland, or dam means land over which the water of the waters, lake lagoon, pond, swamp, wetland or dam normally flows or that is normally covered by the water, whether permanently or intermittently; but does not include land adjoining or adjacent to the bed and banks that is from time to time covered by floodwater.

“campsite” means the area encompassing any dwelling, amenities (e.g. toilet block, power generator), sewage or general waste disposal facility and include the office area and vehicle parking areas associated with a temporary or permanent mining camp.

“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 dead or alive), including a virus; or
- d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
- e) a combination of contaminants.

“dam” means a land based structure or a void that is designed to contain, divert or control flowable substances, and includes any substances that are thereby contained, diverted or controlled by that land-based structure or void and associated works. A dam does *not* mean a fabricated or manufactured tank or container, designed and constructed to Australian Standards that deals with strength and structural integrity of that tank or container

“density of cover” – In reference to trees and/or shrubs, it means the number of trees or shrubs in a specified area (e.g. 50 trees per square kilometre). With reference to understorey plant species (e.g. grasses and forbs), it means the percentage of surface area covered by a particular species.

“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*.

“environmental authority holder” means the holder of this environmental authority.

“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.

“floodwater” means water overflowing, or that has overflowed, from waters, river, creek, stream, lake, pond, wetland or dam onto or over riparian land that is not submerged when the watercourse or lake flows between or is contained within its bed and banks.

“flowable structure” means matter or a mixture of materials which can flow under any conditions potentially affecting that substance. Constituents of a flowable substances can include water, other liquids fluids or solids, or a mixture that includes water and any other liquids fluids or solids either in solution or suspension.

“foreseeable future” is the period used for assessing the total probability of an event occurring. Permanent structures and ecological sustainability should be expected to still exist at the end of a 150 year foreseeable future with an acceptable probability of failure before that time.

“general waste” means waste other than regulated waste.

“hazardous waste” means a substance, whether liquid, solid or gaseous that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause environmental harm.

“hazard category” means a category either low, significant or high, into which a dam is assessed as a result of

the application of tables and other criteria in the *Manual for Assessing Hazard Categories and Hydraulic Performance of Dams*.

“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 any other element confining to containing the water.

“levee” means a long embankment that is designed only to provide for the containment and diversion of stormwater or flood flows from a contributing catchment, or containment and diversion of flowable materials resulting from releases from other works, during the progress of those stormwater or flood flows or those releases; and does not store any significant volume of water or flowable substances at any other times.

“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; a mix of mine affected water (under any 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.

“void” means any constructed, open excavation in the ground.

“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) stormwater 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*.

Attachment 1:



