

## Environmental Protection Act 1994

### Environmental authority

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

**Permit<sup>1</sup> number: EPVX00951113**

**Environmental authority takes effect on 06-OCT-2015.**

The anniversary date of this environmental authority remains 8 October. 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                      |
|--------------------------------|-----------------------------------------|
| David Oriel Industries Pty Ltd | 20 Commerce Street<br>WAUCHOPE NSW 2446 |

#### Environmentally relevant activity and location details

| Environmentally relevant activity(ies) | Location(s) |
|----------------------------------------|-------------|
| Mining - EPM                           | EPM18088    |

#### 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).

##### 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,

<sup>1</sup> Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

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

Jodie Brackenbury  
Department of Environment and Heritage Protection  
Delegate of the administering authority  
*Environmental Protection Act 1994*

28/10/2015

Date

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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

The conditions of approval for this environmental authority are standard conditions contained within the below Conditions of Environmental Authority.

#### CONDITIONS OF ENVIRONMENTAL AUTHORITY

##### General Permit Condition

###### Agency Interest: General

- PG1 The environmental authority does not take effect until the grant of the tenure to the environmental authority holder, or until each environmental authority holder has become a holder, under the *Mineral Resources Act 1989*, of each of the relevant mining tenements.
- PG2 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*.

##### Financial Assurance

- PG3 The environmental authority holder is to give the administering authority a financial assurance in the amount and form and at a time required by the administering authority.
- PG4 The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the Code of Environmental Compliance for Exploration and Mineral Development Projects, January 2001.

##### Agency Interest: Strategic Environmental Areas and Designated Precincts

- B1 Conditions B1 to B3 are additional conditions imposed on the environmental authority. If there is any inconsistency between a standard condition referred to in condition PG4 and an additional condition, the additional condition prevails to the extent of any inconsistency.
- B2 Contaminants must not be directly or indirectly released to waters in the Cape York Strategic Environmental Area or Designated Precinct.
- B3 Mining activities must not be carried out in the Cape York Designated Precinct.

##### Definitions:

**Strategic Environmental Area** As defined in the *Regional Planning Interests Regulation 2014*.

**Designated Precinct** As defined in the *Regional Planning Interests Regulation 2014*.

**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**

**Attachments**

- Code of Environmental Compliance for Exploration and Mineral Development Projects – Version 1.1.