Permit[1]

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[1] number: EPVX01836214

Environmental authority takes effect 11 February 2014

Environmental authority holder(s)

Name	Registered address
MacMines Austasia Pty Ltd	Suite 19, Level 9 320 Adelaide Street BRISBANE CITY QLD 4000

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
Mining - EPC	EPC987

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,

[1] 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	Date
	10 February 2014

Christopher Loveday
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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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 approval for this environmental authority include standard conditions contained within the document entitled:

- Code of Environmental Compliance for Exploration and Mineral Development Projects

Variations to the standard conditions include:

Agency Interest Schedule A: General	
Condition number	**Condition**
General	
A1	The holder of this environmental authority must comply with each of the standard environmental conditions contained in the *Code of Environmental Compliance for Exploration and Mineral Development Projects* except Condition 2 which is replaced by Condition A2 of this environmental authority.
A2	The holder of this environmental authority must ensure that the area and duration of disturbance to land and vegetation is minimised. Not more than $2500m^2$ can be disturbed at any one location, excluding campsites.
A3	An annual report must be prepared each year and submitted with each annual return. The report must include details of exploration activities undertaken including: • GPS coordinates in GDA94 datum of constructed and/or completed drill sites; • The date each drill hole was drilled • The number of drill holes proposed/completed at each drill site; • The location of any drill hole(s) being converted to monitoring bores; and • The location of any newly constructed tracks.
Notification of Emergencies, Incidents and Exceptions	
A4	The holder of this environmental authority must notify the administering authority by written notification within **twenty-four (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	The holder of this environmental authority must notify the administering authority by written notification within **twenty-four (24) hours**, after becoming aware of any emergency, incident or information about circumstances which results, or may result in, environmental harm not in accordance with the conditions of this environmental authority, or a contravention of the conditions of this environmental authority.

A6	The notification in **conditions A4 and A5** 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.
A7	Within **ten (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.
Complaints	
A8	In the event of a complaint about any mining activity that, after investigation, is in the opinion of an authorised person causing a nuisance at a sensitive place, the holder of this environmental authority must take appropriate action to mitigate the nuisance. The holder of this environmental authority must take the action within the reasonable time set by the administering authority.
A9	The holder of this environmental authority must record all environmental complaints received about the mining activities including the following details: a) Name, address and contact number for of the complainant; b) Time and date of complaint; c) Reasons for the complaint; d) Investigations undertaken; e) Conclusions formed; f) Actions taken to resolve the complaint; g) Any abatement measures implemented; and h) Person responsible for resolving the complaint. This information must be made available for inspection by the administering authority on request.
A10	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 **ten (10) business days** of completion of the investigation, or no later than **ten (10) business days** after the end of the timeframe nominated by the administering authority to undertake the investigation.

Definitions

'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.

'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; or

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.

'infrastructure' means water storage dams, levees, roads and tracks, buildings and other structures built for the purpose of the mining activity.

'land' means land excluding waters and the atmosphere, that is, the term has a different meaning from the term as defined in the *Environmental Protection Act 1994*. For the purposes of the *Acts Interpretation Act 1954,* it is expressly noted that the term 'land' in this environmental authority relates to physical land and not to interests in land.

'measures' includes any measures to prevent or minimise environmental impacts of the mining activity such as bunds, silt fences, diversion drains, capping, and containment systems.

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

'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.

'watercourse' has the same meaning given in the *Water Act 2000*.

'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.

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