Permit

Environmental Protection Act 1994

Environmental authority P-EA-100203784

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

Environmental authority number: P-EA-100203784

Environmental authority takes effect upon grant of tenure.

Environmental authority holder(s)

Name(s)	Registered address
The Austral Bricks Co Pty Ltd	105 Gardner Road, ROCHDALE, QLD, 4123

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Non- Scheduled Mining Activity – Exploration Permit Mineral (EPM)	EPM28268

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

Queensland Government

- 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

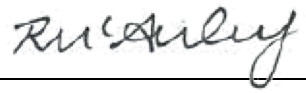
c) otherwise – on the day the authority is issued.

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.

	9 November 2022
Signature	Date

Rebecca McAuley
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

Conditions of approval for this environmental authority are the eligibility criteria and standard conditions contained within the attached document (s) entitled:

- *Eligibility criteria and standard conditions for exploration and mineral development projects – Version 2*

All reasonable steps must be taken to ensure the activity complies with the eligibility criteria and standard conditions.

Variation Conditions

General

V1 Except where the variation conditions apply, the holder of this environmental authority must comply with all conditions in the *Eligibility criteria and standard conditions for exploration and mineral development projects - Version 2 (ESR/2016/1985).* To the extent where any inconsistencies exist, the variation conditions below prevail.

Matters of State Environmental Significance

V2 **Significant residual impacts** to **prescribed environmental matters** are not authorised under this environmental authority or the *Environmental Offsets Act 2014*.

V3 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.

Environmentally Sensitive Areas

V4 Notwithstanding condition A13 of the *Eligibility criteria and standard conditions for exploration and mineral development projects – Version 2 (ESR/2016/1985)*, the environmental authority holder is authorised to carry out exploration activities up to 50m from, but not within a Category B Environmentally Sensitive Area on EPM28268, providing no environmental harm occurs.

Definitions

'appropriately qualified person' means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

'prescribed environmental matters' has the meaning in section 10 of the *Environmental Offsets Act 2014*, limited to the matters of State environmental significant listed in schedule 2 of the *Environmental Offsets Regulation 2014*.

'significant residual impact' has meaning in section 8 of the *Environmental Offsets Act 2014*.

END OF ENVIRONMENTAL AUTHORITY