

Notice

Environmental Protection Act 1994

Environmental Protection Order

This environmental protection order is issued by the administering authority pursuant to section 358 of the Environmental Protection Act 1994.

Economite Pty Ltd
291 MILPERRA ROAD
REVESBY, NSW, 2212

Your reference: EPSL00294513

Our reference: C-CPLRC-100089379; E-100089381

1 September 2021

Take notice: that under the *Environmental Protection Act 1994* (the Act) this environmental protection order (EPO) is issued to Economite Pty Ltd (ACN 002 545 619) (you) by the administering authority. The administering authority is the Chief Executive of the Department of Environment and Science (the department).

The EPO is issued in respect to the activities at the Mt Allison Mining Project on land described as Lot 8 on Plan CL40381, situated at Mining Leases (MLs) 80135 and ML80137 (the premises).

A. Grounds

This EPO is issued on the following grounds:

1. To secure compliance with condition B14 of Environmental Authority (EA) EPSL00294513.
2. To secure compliance with condition B18 of EA EPSL00294513.

The facts and circumstances forming the basis for these grounds are:

1. You are the holder of EA EPSL00294513, which took effect on 29 March 2007, and authorises mining activities on ML80137, ML80136, ML80135, ML80139 and ML80138, located in Calliope. You refer to this site as the Mt Allison Mining Project.

2. Condition B14 of EA EPSL00294513 states

For all other areas, the holder of the environmental authority must complete the rehabilitation processes on areas disturbed by mining activities, apart from those areas currently being utilised for mining activities, as soon as practical and within six months of the completion of works in those areas.

3. Condition B18 of EA EPSL00294513 states

The holder of the environmental authority must rehabilitate areas disturbed by mining activities to a stable landform, similar to that of the surrounding undisturbed areas.

4. On 19 August 2019, authorised persons of the department inspected disturbed areas located on ML80136, ML80135 and ML80137. The authorised persons observed areas of active erosion and scouring associated with site works undertaken by you, along with a number of historic drill hole casings left above ground level and drilling sites that had not been rehabilitated.
5. On 10 September 2019, the department requested information from you regarding details of disturbance undertaken on the premises.
6. On 23 October 2019, you provided the department with a proposal to complete the rehabilitation works in two stages. Stage One, submission of an inspection report detailing disturbances on site and Stage Two, submission of a rehabilitation report detailing works completed resulting from findings of the Stage One Inspection Report.
7. On 16 December 2019, Groundwork Plus provided correspondence on your behalf including the Stage One Inspection Report. The Stage One Inspection Report identified that mining activities on ML80135 and ML80137 were carried out in 2008 and 2009.
8. The Stage One Inspection Report identified a number of actions required to rehabilitate areas affected by mining activities undertaken during the term of the mining leases which are subject to the requirements of EA EPSL00294513.
9. Following review of the Stage One Inspection Report, the department requested that you complete the identified actions in the report by 31 March 2020, and the Stage Two Rehabilitation Report be provided to the department by 24 April 2020.
10. The department received follow-up correspondence from you dated 21 February 2020, 21 May 2020 and 8 September 2020 seeking extensions to complete rehabilitation works on ML80135 and ML80137 by 30 April 2020, 30 September 2020 and 31 March 2021, respectively.
11. On 4 February 2021, the department sent correspondence requesting you to provide a status update on the Stage Two Rehabilitation by 19 February 2021. The update was to include all rehabilitation works completed as outlined in Table 3 – Rehabilitation Action Plan of the Stage One Inspection Report.
12. To date, you have not completed the rehabilitation works.
13. Based on the site inspection of 19 August 2019, the Stage One Inspection Report and engagement with you, the department is reasonably satisfied that you are not complying with your rehabilitation obligations as outlined in conditions B14 and B18 of EA EPSL00294513.
14. As you have not taken appropriate measures to rehabilitate the premises, despite being given opportunity to do so, the department considers it is reasonable to require you to take the stated reasonable steps to secure compliance with conditions B14 and B18 of EA EPSL00294513.

B. Requirements

In accordance with this EPO, you are required to do the following:

- By **15 September 2021** engage a suitably qualified person (SQP) to oversee and document the works required under this EPO, and provide written notification of the appointment to the department, along with details of how the nominated person meets the definition of an SQP.

- By **7 January 2022** you must complete rehabilitation works at the premises, consistent with your obligations under EA EPSL00294513. The rehabilitation works at a minimum must include, but is not limited to, completion of actions listed in Table 3, Rehabilitation Action Plan, outlined in correspondence from Groundwork Plus dated 16 December 2019. A copy of the correspondence is provided at Annexure 1.
- By **15 January 2022** you must submit a rehabilitation report to the department via email to cwes_gladstone@des.qld.gov.au, prepared and signed off by the SQP, which:
 - a) Details works undertaken to rehabilitate all non-active mining areas on the premises; and
 - b) Certifies that the premises is in compliance with its rehabilitation obligations under EA EPSL00294513.

Definition

“**Suitably qualified person (SQP)**” means a person or persons who has professional qualifications, training, skills, and experience relevant to the EPO requirements and can give authoritative assessment, advice, and analysis in relation to the EPO requirement using the relevant protocols, standards, methods, or literature.

C. Obligations

If you propose to dispose of the place or business to which the EPO relates, you **must** advise the buyer of the existence of this EPO.

If you cease to carry out the activity to which this EPO relates, you **must** give written notice of ceasing to carry out the activity to the department within 10 days of ceasing the activity.

Take notice:

- the requirements of this order take effect immediately upon service of the order;
- failure to comply with this order is an offence under the Act;
- this order remains in force until further notice from the administering authority.

D. Penalty

Failure to comply with an EPO is an offence.

- The maximum penalty for a corporation for wilfully contravening an EPO is 31,250 penalty units.
- The maximum penalty for a corporation for contravening an EPO is 22,500 penalty units.

Failure to provide written notice to the buyer is an offence.

- The maximum penalty for a corporation is 250 penalty units.

Failure to provide written notice within 10 business days of ceasing the activity to the department is an offence.

- The maximum penalty for a corporation is 250 penalty units.

Section 3 of the Penalties and Sentences Regulation 2015 prescribes the monetary value of a penalty unit.

E. Reviews and appeals

The provisions regarding review of decisions and appeals may be found in sections 519 to 539 of the Act.

A person who is dissatisfied with certain decisions of the department, may be able to apply to have the department review that original decision.

Generally, a request to have a decision reviewed must be made:

- within 10 business days of the decision being notified to the person;
- be supported by enough information to enable the department to decide the application for review; and
- be made using the application for review of an original decision form ([ESR/2015/1573](#)).¹

Where an application has been made for a decision to be reviewed, the applicant may also apply to the relevant court for a stay of the decision to secure the effectiveness of the review.

Once the original decision has been reviewed, a person who is dissatisfied with the review decision may be able to appeal against that decision to the relevant court within 22 business days after receiving notice of the review decision.

A person whose interests are or would be adversely affected by a decision of the department may also be able to request a statement of reasons for a decision or a statutory order review under the *Judicial Review Act 1991*.

For further information about reviews and appeals see the information sheet - internal review and appeal to the Planning and Environment Court ([ESR/2015/1572](#)). You may have other legal rights or obligations and should seek your own legal advice.

Should you have any queries in relation to the notice, please contact Myra dela Cruz, Senior Environmental Officer, on telephone number 07 4971 6529.



Signature

1 September 2021

Date

Gus Gonzo

Manager, Minerals (Compliance)

Delegate of the Chief Executive

Department of Environment and Science

Environmental Protection Act 1994

Enquiries:

Gladstone Compliance Centre
Department of Environment and Science
PO Box 5065
GLADSTONE QLD 4680
Ph: (07) 4971 6508
Email: CWES_Gladstone@des.qld.gov.au

¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.ehp.qld.gov.au.

Annexure 1 – Stage One Report dated 16 December 2019



Date: 16 December 2019
Ref: 1772_620_005

Myra dela Cruz
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Dear Myra,

RE: Compliance inspection, ML80135, ML80136, ML80137, ML80138, ML80139, EPSL00294513, 19 August 2019

Groundwork Plus Pty Ltd ('Groundwork Plus') acts on behalf of Economite Pty Ltd ('Economite') in relation to the Mount Allison Mining Project.

The Mount Allison Mining Project is comprised of five (5) Mining Leases (MLs), namely ML 80135, ML 80136, ML 80137, ML 80138 and 80139 ('the site') and is further regulated under Environmental Authority (EA) EPSL00294513, administered by the Department of Environment and Science (DES).

1. Purpose

This letter has been prepared with reference to the information requested by DES including the following:

- Drill hole ID and/or types (refer to Section 5. Areas of Disturbance).
- GPS coordinates (kmz and shape file format) (refer to Section 5. Areas of Disturbance).
- Commencement date of disturbance (refer to Section 5. Areas of Disturbance).
- Completion date of drilling activities (refer to Section 5. Areas of Disturbance).
- Any drill hole retained for other uses, such as future mineral resources evaluation purposes or as a groundwater monitoring bore (refer to Section 8. Site Inspection Findings).
- Any excavations retained for use as livestock water drinking supplies (refer to Section 8. Site Inspection Findings).
- Date rehabilitation commenced, if applicable (refer to Section 6. 2014 Rehabilitation Work Undertaken and Section 10. Schedule for Rehabilitation for proposed commencement).
- Rehabilitation status (refer to Section 8. Site Inspection Findings).

The purpose of this letter is to capture the findings from the site inspection and to detail recommendations for rehabilitation of areas affected by activities undertaken during the term of the MLs which are subject to the requirements of the EA.

This letter addresses the requirements of the Stage one and Stage two work as outlined by Hetherington Exploration & Mining Title Services (QLD) Pty Ltd ('Hetherington') as outlined in the email correspondence dated 23 October 2019.

2. Site Location

Table 1 provides a summary of the mining tenement details for each ML. Plate 1 provides an illustration of the layout of the mining tenements.

Table 1 - Summary of Mining Tenement Details

ML Number	80135	80136	80137	80138	80139
Commencement Date	01/09/2007	01/09/2007	01/09/2007	01/09/2007	01/09/2007
Expiry Date	31/08/2042	31/08/2042	31/08/2042	31/08/2042	31/08/2042
Minerals / Purpose	Copper Ore Garnet Gold Iron-- Magnetite Silver Ore	Copper Ore Garnet Gold Iron-- Magnetite Silver Ore	Copper Ore Garnet Gold Iron-- Magnetite Silver Ore	Copper Ore Garnet Gold Iron-- Magnetite Silver Ore	Copper Ore Garnet Gold Iron-- Magnetite Silver Ore
Total Area (ha)	49.6311	49.9272	47.7669	47.7451	49.6014

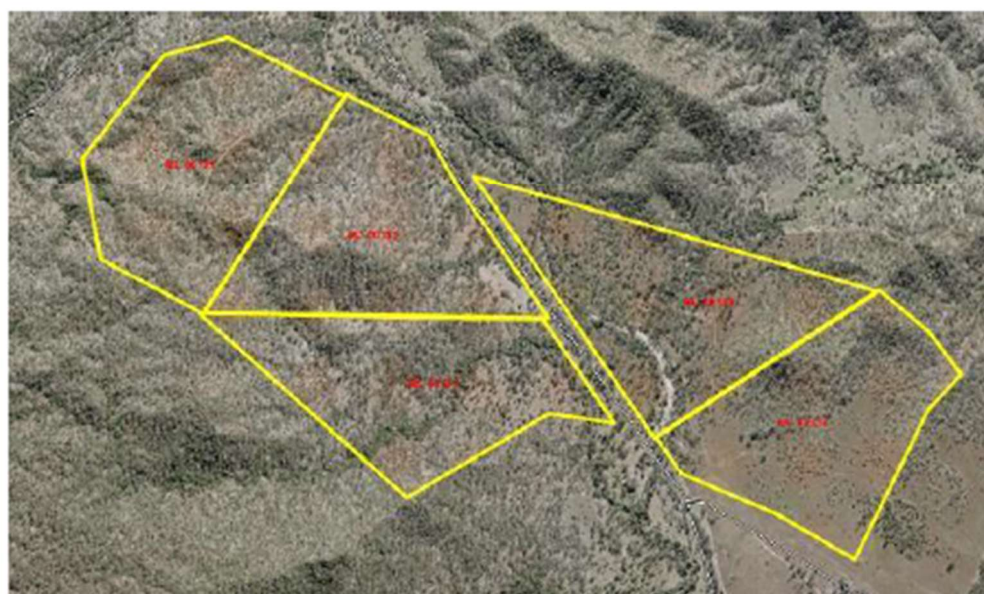


Plate 1 - Site Location Plan

3. Historical Tenements

The site was formerly overlain by several Exploration Permit for Minerals (EPMs) which enabled exploratory activities in the locality.

Hetherington has advised that the EPMs relevant to the locality include the following:

- EPM11309, effective from 13 September 1996 to 15 February 2000, held by Central Queensland Magnetite Pty Ltd (CQM).
- EPM11984, effective from 9 September 1999 to 15 February 2000, held by CQM.
- EPM12809, effective from 15 February 2000 to 14 February 2007, held by CQM.
- EPM16411, effective from 22 October 2007 to 7 August 2019, held by Economite.

Hetherington has advised that EPMs 11309 and 11984 were conditionally surrendered in favour of EPM12809. All three tenements were held by CQM.

In 2007, Economite applied for, and were granted, EPM 16411 over sub-blocks that overlap the current MLs. In association with the EPM 16411 application, EA reference EPSX00625113 was granted by DES for the exploration activities.

Plate 2 provides a graphic illustration of the location of the historical EPMs in relation to the Mt Allison MLs.

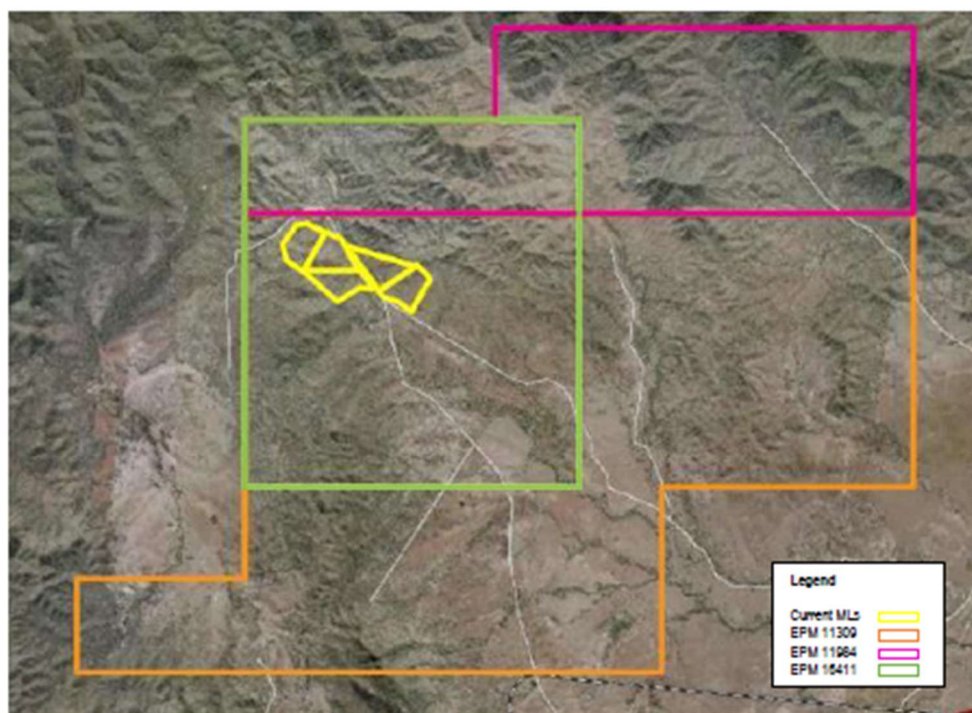


Plate 2 – Historical EPM Layout Plan
(figure reprinted from Queensland Globe (2019))

4. Historical Document Review

The following documents were reviewed for the purpose of this letter:

- EPM 16411 annual reports for all years between 2007 to 2018.
- *Final Report for EPM 16411* (Economite 2019)
- *Mt Allison Borehole locations, intersections and assays 20-5-09*.
- *Plan of Operations* (Economite 2007).
- *Application for surrender of an environmental authority for a resource activity*, signed 24 July 2019.

In addition to the EPM16411 annual reports and documents, available annual reports for historical EPMs 11309 and 12809 were sourced from QDEX (Queensland Digital Exploration Reports). As shown in Plate 2, EPM11984 did not apply over land the subject of the Mt Allison MLs, and therefore it has not been further considered in this investigation of rehabilitation obligations.

Review of the annual reports and EA surrender form for EPM16411 has determined that no physical, on-ground exploration occurred under EPM 16411 during the term of the tenement.

The *Annual Report: Exploration Permit (Minerals) No. 12809: 15 February 2005 to 14 February 2006* (Barrett 2006) provides a summary of the exploration carried out since 1996 over EPMs 11984 and 12809.

In the annual report, Barrett (2006)¹ stated the following:

"From 1996 CQM carried out exploration for magnetite and garnet using rock chip sampling and assaying, cadastral survey, magnetic profiling and mineralogical assessments. Several magnetic anomalies were located, but were unprospective for magnetite. In 1997 CQM switched its attention to deposits of andradite garnet located at Mount Allison in the NW corner of the EPM, and a substantial resource of the mineral was established. In 1999/2000, additional magnetic surveying and drilling of anomalous zones was carried out at Mt Allison and Mt. Grim. From 1996 to the end of 2000 CQM spent in excess of \$1.5 million on the various work programs. Work from 2000 to 2004 was planned to be metallurgical testing for better separation methods, but this was curtailed by the accidental loss of the garnet ore body drilling samples by the metallurgical contractor. During this period when legal issues were being resolved, the project was kept under review by revision of the geological data and continuing market monitoring"(p. 4).

The Plan of Operations (Economite 2007) states:

The ore stripped from this activity is for the purpose of conducting an initial mineral recovery / feasibility study only. We envisage this study to have a minimal impact on the environment as it is occurring on less than 0.5 Ha segment of the lease.

Based on review of the EPM 16411 annual reports and final report, and the Mt Allison Borehole locations, intersections and assays 20-5-09 and Plan of Operations (Economite 2007), it has been determined that the exploration was carried out under the MLs and associated EA ref EPSL002945513, not the former EPMs.

5. Areas of Disturbance

As shown in Plate 2, EPM 11984 did not apply over land the subject of the Mt Allison MLs, and therefore it has not been further considered in this investigation of rehabilitation obligations. Table 2 provides a summary of the historical disturbance at the site in relation to each tenement. This summary of disturbances relates to physical, on-ground activities only and excludes non-intrusive exploration activities such as geophysical surveys.

No excavations capable of retaining water for livestock drinking water supply were understood to have been created during the current term of the MLs.

The location of the 2008 bulk sampling test pit and the 2009 drill holes are illustrated in the attached figures Drawing No. 1772.DRG.003 – Confirmed Drill Hole Locations.

Table 2 – Summary of Disturbance

Commencement Date of Disturbance	Estimated Completion Date of Disturbance	Tenure	Summary	Responsible Entity
1999	1999	EPM11309	12 angled drill holes, 22 vertical drill holes and two angled, diamond drill holes.	Central Queensland Magnetite Pty Ltd
N/A	N/A	EPM 16411	See summary for MLs 80135 and 80137 below.	Economite
2008	2008	ML 80135	Bulk sampling (approx. 0.5 hectares)	Economite
20 May 2009	20 May 2009	ML 80135 and 80137	60 diamond drill holes	Economite

Table notes:

N/A = Not applicable, no disturbance under EPM

= Economite activities.

= Third party activities.

¹ Barrett, P. J., (2006). Annual Report: Exploration Permit (Minerals) No. 12809: 15 February 2005 to 14 February 2006.

6. 2014 Rehabilitation Work Undertaken

In July 2014, Groundwork Plus undertook a review of the rehabilitation requirements and carried out a field inspection of the MLs. As a result of this review, it was recommended that rehabilitation be focused on re-implementation of sustainable drainage patterns at the site (i.e. recontouring, battering, infilling wash outs, and diversion drain and whoa boy installation), combined with weed management.

It is understood that Economite engaged the landowner, Mr Greg Bennett to carry out the above-mentioned actions; however, extreme regional weather events over subsequent years resulted in damage to the works. This letter outlines measures to address these damages.

7. Site Inspection Details

A site inspection of the relevant disturbance areas was undertaken on 21 November 2019 by David Doolan of Groundwork Plus, in the company of landowner, Sophie Bennett.

The intent of the site visit was to inspect areas of disturbance, assess the current conditions, and record locations of any remedial works to be undertaken.

8. Site Inspection Findings

For ease of interpretation, a summary of key findings for each main category of disturbance is provided below, with recommendations relating to each also provided. The key areas of disturbance are:

- Bore Casings and Structures (refer Section 8.1)
- Access Roads (refer Section 8.2)
- Erosion Areas (refer Section 8.3)
- Drainage Feature Crossing (refer Section 8.4)
- Ore Body Test Site (refer Section 8.5)
- Concrete Pipes (refer Section 8.6)

8.1 Bore Casings and Structures

Status

As detailed in Table 1, approximately 60 diamond drill holes were progressed in 2009. Approximately 31 bore locations were positively identified, each with remnants of bore infrastructure remaining. Typically, these were white PVC casing extending between 200 mm to 600 mm above ground, either angular or straight (depending on the desired drill core angle). It is very likely that not all of the 60 originally drilled bores were finished with these white PVC casing as a number of drill holes that were visited did not have any permanent remnants present. Refer to Drawing No. 1772.DRG.003 – Confirmed Drill Hole Locations for the locations of these casings and photographs to show the condition of a selection of these bores during the inspection.

Action Required

These white PVC casing are proposed to be removed as they no longer serve a purpose or requirement for the site.

It is recommended that each of the white PVC casings is removed to below the ground level and the resultant drill void backfilled with material.

8.2 Access Roads

Status

Refer to Drawing No. 1772.DRG.004 – Access Roads for the locations of access tracks that were attended to as part of the inspection. These access tracks were presumably formed during the drilling program.

These access tracks were the subject of the previous assessment in 2014 (refer **Section 6**), which resulted in recommendations for some improvements such as drainage and erosion control. Since that time, significant high intensity rainfall events have occurred which has resulted in some erosion and scouring. On 21 November 2019, some portions of the access tracks were observed to be in a fair condition, stable and with some grass cover present; however, these are interspersed with areas that require improvements.

The access tracks in their current state are anticipated to be of beneficial use for the landowner, in that access is available to parts of the site not previously accessible. These could be useful in the event of fires or general ability to traverse one's property.

The access tracks were "cut in", meaning the topographic characteristics has been altered. This in and of itself is not an issue; however, it is not likely to be beneficial for the access tracks to have the pre-disturbance topographic characteristics returned. Works can be undertaken to stabilise and address erosion and drainage issues to return these areas to a stable condition.

Action Required

The access tracks are likely to present an ongoing benefit for the landowner in accessing areas of the property. The access tracks are proposed to be retained with a written landowner agreement.

There are three distinct areas of the existing access roads that require erosion and sediment control implementation, these are shown on **Drawing No. 1772.DRG.003 – Access Roads**. These areas are to be reprofiled, with drainage controls installed, and seeded to promote grass growth. There are local areas within the access tracks that will benefit from some reprofiling and drainage improvements, these will be identified and actioned during the rehabilitation works.

Flow diversion banks are recommended to be installed at the downstream end of the higher gradient access roads, with stormwater directed towards a dedicated drainage outlet.

The benefit of using flow diversion banks is that they can be placed on dispersive soils without cutting into the substrate², minimising the potential for generating additional erosion and scour. To mitigate high flow velocities adjacent to the banks, check dams should also be formed to slow runoff flows.

The site has the benefit of rock being present both in stockpile at the ore body test site, and other locations, and the local geology of the site means that rock is close to the surface. It is recommended that major overland drainage features, that transect roads, are rock lined to prevent scour erosion during high velocity events.

Final surfaces are to have grass seed applied to promote growth.

8.3 Erosion Areas

Status

Erosion and scouring have occurred in drainage lines extending downslope from the ridge due to high velocity rainfall events. In addition, some of the formed batters, present as a result of the access track formation, have some erosion present on the exposed faces.

The location and condition of some of these areas of erosion is provided in **Drawing No. 1772.DRG.005 – Erosion Area Examples**.

² Catchments & Creeks Pty Ltd, (2017). *Erosion and Sediment Control for Road Construction*. Accessed November 29, 2019 via <https://www.catchmentsandcreeks.com.au/docs/ESC-Field-Guide-for-Road-Construction-Part-1-screen.pdf>

Action Required

Similar to the actions required for the access tracks, areas of erosion are to be reprofiled, with the active erosion removed. Local drainage controls are required to slow the velocity of overland flow, and to also provide some protection to the soil.

Within the concentrated drainage paths, rock lining should be added to the concentrated flow paths to provide for a more stabilised surface, particularly at the outlets.

Seeding of any reprofiled areas is also recommended to aid in rehabilitation.

8.4 Drainage Feature Crossing

Status

As part of the access track construction, a crossing was installed across one of the natural drainage features with a concrete pipe installed to allow water conveyance.

Scouring has occurred around this concrete pipe and the presence of the pipe is no longer required.

The location and condition of this area is provided in **Drawing No. 1772.DRG.006 – Other Matters**

Action Required

As this crossing no longer serves a purpose, and there is erosion present, it is recommended that this structure is removed, and the banks of the drainage path reprofiled to match up and down gradient.

8.5 Ore Body Test Site

Status

As part of the exploration and resource evaluation, a small ore body test site was progressed on site. The area includes a small flat pad, with an excavation into the side of the mountain. The exposed material is largely rock. The location and condition of this area is provided in **Drawing No. 1772.DRG.006 – Other Matters**.

Action Required

The area could be generally tidied to create a berm at the base of the excavation to capture any rockfall (though unlikely).

8.6 Concrete Pipes

Status

There are some concrete pipes that are present at the site. These no longer serve a purpose and should be removed. The location of these are provided in **Drawing No. 1772.DRG.006 – Other Disturbances**.

Action Required

Remove concrete pipes. Note that the landowner may have use for these materials.

9. Conditions Relevant to Rehabilitation

The following provides an assessment of the current site status against EA conditions B14 and B18.

B14: For all other areas, the holder of the environmental authority must complete the rehabilitation processes on areas disturbed by mining activities, apart from those areas currently being utilised for mining activities, as soon as practical and within six months of the completion of works in those areas.

Refer to the actions outlined in **Section 8** for details of the rehabilitation works proposed to address this condition.

B18: The holder of the environmental authority must rehabilitate areas disturbed by mining activities to a stable landform, similar to that of the surrounding undisturbed areas.

Refer to the actions outlined in **Section 8** for details of the rehabilitation works proposed to address this condition.

10. Schedule for Rehabilitation

Table 3 – Rehabilitation Action Plan has been developed to set out a schedule for rehabilitation actions at the site.

It is noted that the wet season for the Fig Tree locality extends from December to February each year. Therefore, the rehabilitation works, which largely focus on stabilisation, should be timed for periods of drier weather to ensure the potential for erosion is minimised.

Table 3 – Rehabilitation Action Plan

Actions	Due Date	Assigned To
Bore Castings and Structures (refer Section 8.1 for required actions)	31 March 2020	Economite Pty Ltd
Access Roads (refer Section 8.2 for required actions)	31 March 2020	Economite Pty Ltd
Erosion Areas (refer Section 8.3 for required actions)	31 March 2020	Economite Pty Ltd
Drainage Feature Crossing (refer Section 8.4 for required actions)	31 March 2020	Economite Pty Ltd
Ore Body Test Site (refer Section 8.5 for required actions)	31 March 2020	Economite Pty Ltd
Concrete Pipes (refer Section 8.6 for required actions)	31 March 2020	Economite Pty Ltd
Landowner agreement obtained for all remaining infrastructure.	Prior to any ML / EA surrender application	Economite Pty Ltd

11. Concluding Remarks

Should you require additional information, or further clarification regarding any of the items discussed in this advice, please contact Yoland Dowling via email to ydownling@groundwork.com.au or via phone on (07) 3871 0411.

Yours faithfully
Groundwork Plus



David Doolan
Associate | Senior Environmental Consultant



Yoland Dowling
Senior Environmental Consultant

cc. Garry McClenahan
Email: garry@burwell.com.au

Brian Martin
Email: brian@hemtsqld.com.au

