

Environmental Enforcement Order

Section 362 of the *Environmental Protection Act 1994*



Department of the
Environment, Tourism,
Science and Innovation

Order id: STAT-E-100918194

Issued to: SAVANNAH GOLDFIELDS LIMITED (ACN 003 049 714)
Level 21 Matisse Tower 110 Mary Street BRISBANE
CITY QLD 4000 Australia

For the purpose of this notice "you" means the recipient of this notice or your authorised representative.

Site address: Agate Creek Mine, Mining Lease (ML) 100030 (the "premises")

Issued by: Jacob Toe, Department of the Environment, Tourism, Science and Innovation (the "delegate")



Signed by delegate

Date: 5 August 2025

Enforcement grounds: Section 359(c) – To secure your compliance with the general environmental duty under section 319 of the *Environmental Protection Act 1994* (the Act);

Section 359(f)(i) – It is alleged that you are contravening section 426 of the Act and considered likely that this will continue or be repeated.

Service method: Via registered post and email: RCooper@savannahgoldfields.com

Why are we writing to you?

The delegate of the Department of the Environment, Tourism, Science and Innovation (the "administering authority") has decided to issue this Environmental Enforcement Order (EEO) to you under section 362(1) of the Act based on the enforcement grounds detailed above and for the reasons specified in this notice.

What are you required to do?

Please read this EEO carefully and carry out all the required actions listed below by the required dates.

If you have any questions about this EEO, please contact the administering authority by email ESTownsville@detsi.qld.gov.au or telephone (07) 4222 5322.

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EEO requirements:

1. This EEO remains in effect until it is stayed, amended, revoked or finalised.
2. Cease all mining activities at the premises other than any actions explicitly and solely required to:
 - a) Meet environmental obligations under EA conditions; and/or
 - b) Comply with your GED and prevent unauthorised environmental harm; and/or
 - c) Comply with this EEO; or
 - d) Unless otherwise authorised via written notice from the administering authority.
3. You must not conduct any Ground Disturbance Activities at the premises until such time as:
 - a) This EEO ceases to have effect; or
 - b) You receive written notice from the administering authority that your mining activities are fully authorised under the Act.

Note: Written notice could include a decision notice under the Act confirming approval of an amendment application for the EA.

4. At all times, you must maintain personnel, plant and equipment at the premises necessary to comply with this EEO.
5. By **8 September 2025**, provide a certified copy of any current Landowner Agreement documents that relate to acceptance of Significantly Disturbed Land or infrastructure by the underlying landholder via email to ESTownsville@detsi.qld.gov.au.
6. By **3 October 2025**, you must ensure that a survey of all mine disturbance has been completed by a third-party person.

Note: the third-party person who undertakes the survey may utilise information collected from other sources but is responsible for verifying the suitability and any limitations of that information, along with confirming that it is sufficient to comply with the requirements of this EEO.

7. The survey under requirement 6 of this EEO must:
 - a) Measure the surface area of all Significantly Disturbed Land and Mine Workings at the premises in square metres; and
 - b) Accurately apportion and categorise all Significantly Disturbed Land and Mine Workings to a Mine Disturbance Type sufficient to determine compliance with all requirements of the Act; and
 - c) Include both mapping and a tabulated inventory of all Significantly Disturbed Land and Mine Workings; and
 - d) Be certified by the third-party person who completed the survey.
8. By **17 October 2025**, you must ensure that an Environmental Management Plan has been developed and documented for the premises that details how all land disturbed by the mining activity will be managed to ensure GED obligations are met and prevent unauthorised environmental harm.
9. The Environmental Management Plan under requirement 8 of this EEO must include at minimum:
 - a) An environmental risk assessment; and
 - b) Water management provisions; and
 - c) Erosion and sediment control provisions.
10. By **3 August 2026**, you must either:
 - a) Have obtained approval for all mine disturbance at the premises through an EA amendment completed under the Act; or

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- b) Completed and documented a Mine Rehabilitation Plan.
11. Any Mine Rehabilitation Plan completed under requirement 10(b) of this EEO must:
- a) Be completed and certified as meeting all requirements of this EEO by a third-party person; and
 - b) Include detailed plans to rehabilitate all mine disturbance at the premises that exceeds the thresholds prescribed under the Eligibility Criteria; and
 - c) Address all matters prescribed in the department's progressive rehabilitation and closure plan statutory guideline as if the Mine Rehabilitation Plan was a Progressive Rehabilitation Closure Plan under section 126C of the Act.
12. From receipt of this EEO, provide a report at least once every calendar month by email to ESTownsville@detsi.qld.gov.au detailing your compliance with this EEO and all actions undertaken to comply.
13. All requirements of this EEO must be completed by an Appropriately Qualified and Experienced Person.
14. You must provide any information, reports or data produced or collected as a requirement of this EEO to the department within twenty-four (24) hours of a request, by email to ESTownsville@detsi.qld.gov.au.

Definitions that apply to this notice:

- a) 'Act' means the *Environmental Protection Act 1994*.
- b) 'Appropriately qualified and experienced person' means a person who has professional qualifications, training and experience relevant to the nominated subject matter, who can give authoritative assessment, advice and analysis on performance relative to the subject matter using relevant protocols, standards, methods and literature.
- c) 'EA' means environmental authority EPSL03068015.
- d) 'GED' means general environmental duty, as defined under section 319 of the Act.
- e) 'Ground Disturbance Activities' means any activities that involve disturbance of land or waters, may facilitate the winning of ore or are related to mineral exploration.
- f) 'Landholder Agreement' means a written legal agreement between the mining lease holder and the underlying landholder regarding the retention of mine infrastructure post-surrender of the EA.
- g) 'Mine Workings' means an area from which ore or overburden has been extracted, or on which waste rock is stored, that is not:
 - i. Substantially rehabilitated to the satisfaction of the administering authority; or
 - ii. Used for constructing a camp site, road, plant, tailings dam, water storage dam or other infrastructure.
- h) 'Mining lease' refers to mining lease ML100030.
- i) 'Significantly Disturbed Land' means land is significantly disturbed if – (a) it is contaminated land; or (b) it has been disturbed and human intervention is needed to rehabilitate it. Significantly disturbed land includes:
 - i. Areas where soil has been compacted, removed, covered, exposed, or stockpiled;
 - ii. Areas where vegetation has been removed or destroyed to an extent where the land has been made susceptible to erosion; (vegetation & topsoil)
 - iii. Areas where land use suitability or capability has been diminished;
 - iv. Areas within a watercourse, waterway, wetland or lake where mining project activities occur;
 - v. Areas submerged by tailings or hazardous contaminant storage and dam walls in all cases; - areas under temporary infrastructure. Temporary infrastructure includes any

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infrastructure (roads, tracks, bridges, culverts, dams, bores, buildings, fixed machinery, hardstand areas, airstrips, helipads etc) which is to be removed after mining has ceased;
or

- vi. Areas where land has been contaminated.

Background

1. You are responsible for the operation and maintenance of the premises.
2. You are the holder of the EA and ML100030, and therefore responsible for the operation and maintenance of the premises.
3. Under the EA, you are only authorised to undertake eligible environmentally relevant activities (ERA) at the premises, as stipulated within the *Code of environmental compliance for Mining Lease Projects – Version 1.1* (the Code).
4. Eligibility criteria (a) and (e) of the Code requires that:
 - a) *The mining activity does not, or will not, at any one time, cause more than 10ha of land to be significantly disturbed;*
 - e) *the mining activity does not, or will not, at any one time, cause more than 5ha of either of the following to be significantly disturbed-*
 - i. *a riverine area;*
 - ii. *mine workings;*
5. Section 426 of the Act states that 'a person must not carry out an environmentally relevant activity unless the person holds, or is acting under, an environmental authority for the activity'.
6. On 27 May 2025, the department conducted a drone flight to survey the premises as part of an inspection.
7. The results of that drone survey confirmed that:
 - a) There is more than 10ha of Significantly Disturbed Land at the premises; and
 - b) More than 5ha of that Significantly Disturbed Land can be further categorised as 'Mine Workings'.
8. The department alleges that you have not complied with eligibility criteria (a) and (e) within the Code, and are therefore carrying out an ineligible ERA (specifically Schedule 3, ERA 16 mining gold ore as specified under the *Environmental Protection Regulation 2019*), which is not authorised under the EA.
9. As such, you are alleged to be in contravention of section 426 of the Act.
10. The department has formed the view that there are reasonable and practicable measures available to reduce the risk of environmental harm and secure compliance with your general environmental duty, as detailed under the requirements of this EEO notice.
11. Accordingly, the department has decided to issue this EEO to you pursuant to section 362(1) of the Act in response to the matters detailed above and having duly considered the standard criteria as required under section 363 of the Act.
12. This EEO takes effect from the date of service and remains in force until it is stayed, amended, revoked or finalised.

Warnings and information about this EEO

A PERSON WHO IS BOUND BY THIS EEO AND WHO FAILS TO COMPLY WITH THIS EEO, WITHOUT A REASONABLE EXCUSE, COMMITS AN OFFENCE UNDER THE ACT.

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- The maximum penalty for wilfully contravening an EEO is 1,655 penalty units, totalling \$276,219.50 for an individual, or \$1,381,097.50 for a corporation.
- The maximum penalty for contravening an EEO is 600 penalty units, totalling \$100,140.00 for an individual, or \$500,700.00 for a corporation.

Note that under section 493 of the Act that each executive officer of the corporation may be taken to have also committed an offence, of failing to ensure the corporation complies with the Act.

If you propose to dispose of the premises or business to which the EEO relates, you must advise the buyer of the existence of this EEO. Failure to provide written notice to the buyer of the existence of the order is an offence under section 369C of the Act with a maximum penalty of 50 penalty units, totalling \$7,740.00 for an individual, or \$36,700.00 for a corporation.

Further information about EEOs can be found on the [department's website](#).

Review and appeal rights

Under Chapter 11, Part 3 of the Act, a dissatisfied person may apply for a review of this EEO within 10 business days of receiving this EEO; and a dissatisfied person who is dissatisfied with the review decision may appeal against the decision to the Court.

A request for review is to be made using the approved form 'Application for review of original decision' (available at www.qld.gov.au). Applications for reviews are to be sent to Permit and Licence Management, Department of the Environment, Tourism, Science and Innovation: via email at palm@detsi.qld.gov.au, or by mail to the following address: GPO. Box 2454, Brisbane, QLD, 4001.

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

You may have other legal rights or obligations and should seek your own legal advice.

Privacy statement

Section 540 of the Act requires the department to maintain a register of certain documents and information authorised under the Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety unless redaction in part is required by the Act. For more information on the department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters, please email privacy@detsi.qld.gov.au or telephone 13 74 68.

Accessibility

Contact us if you need this information in an accessible format such as large print or audio.

Interpreter assistance



If you need interpreter assistance or want this document translated, please contact us and advise your preferred language. If you are deaf, or have a hearing or speech impairment, contact us through the [National Relay Service](#).

