

# Notice

## *Environmental Protection Act 1994*

### Information request

*This information request is issued by the administering authority under section 140 of the Environmental Protection Act 1994 to request further information needed to assess an application for a proposed PRC plan.*

To: Noranda Pacific Pty Ltd  
Level 44, 1 Macquarie Place  
SYDNEY NSW 2000

ATTN: Maryann Wipaki

Email: maryann.wipaki@glencore.com.au

Your reference: EPML00982013 / 101/0008765

### Further information is required to assess an application for a PRCP schedule

#### 1. Application details

The application for a proposed PRC plan was received by the administering authority on 31 May 2022.

Land description: Mining lease (ML) ML5568

#### 2. Information request

The administering authority has considered the abovementioned application and is writing to inform you that further information is required to assess the application (an information request).

The information requested is specified in Attachment 1 to this notice.

#### 3. Actions

The abovementioned application will lapse unless you respond by giving the administering authority -

- all of the information requested; or
- part of the information requested together with a written notice asking the authority to proceed with the assessment of the application; or
- a written notice –
  - stating that you do not intend to supply any of the information requested; and
  - asking the administering authority to proceed with the assessment of the application.

A response to the information requested must be provided by **12 February 2023** (the information response period). If you wish to extend the information response period, a request to extend the period must be made at least 10 business days before the last day of the information response period.

The response to this information request or a request to extend the information response period can be submitted to the administering authority by email to [ESCairns@des.qld.gov.au](mailto:ESCairns@des.qld.gov.au).

If the information provided in response to this information request is still not adequate for the administering authority to make a decision, your application may be refused as a result of section 176 of the *Environmental Protection Act 1994*, where the administering authority must have regard to any response given for an information request.

#### **4. Human rights**

A human rights assessment was carried out in relation to this decision, and it was determined that the decision is compatible with human rights.

If you require more information, contact Marie Courteville, Senior Environmental Officer, on the telephone number listed below.



Signature

12/07/2022

Date

**Chris Wake**

Department of Environment and Science  
Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries:**

Minerals Business Centre  
PO Box 7230, Cairns QLD 4870  
Phone: (07) 4222 5163  
Email: [ESCairns@des.qld.gov.au](mailto:ESCairns@des.qld.gov.au)

#### **Attachments**

Attachment 1: Additional information requested for proposed PRC plan – Noranda Pacific Pty Ltd

Attachment 1: Additional information requested for proposed PRC plan – Noranda Pacific Pty Ltd

| Item                                | Relevant section (proposed PRC plan and/or PRCP Guideline)                                                  | Matter                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Information Request                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>Rehabilitation Planning Part</b> |                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1                                   | Spatial Information                                                                                         | A spatial information submission was made on 30 June 2022 and passed initial validation on 07 July 2022.                                                                                                                                                                                                                                                                                                                                                              | Provide an updated Rehabilitation Planning Part that includes a reviewed spatial information document and captures all the relevant spatial information requirements including the updates and changes captured within this information request.                                                                                                                                                    |
| 2                                   | 3.2 Post Mining Land Use                                                                                    | In accordance with s126C(1)(d) of the EP Act, the PRC plan must state the extent to which each PMLU is consistent with any strategies or plans for the land of a local government, the State or Commonwealth. To ensure the proposed PRC plan adequately addresses this requirement, further information is required.                                                                                                                                                 | Provide an updated PRC plan including discussion regarding the extent to which each proposed PMLU is consistent with any strategies or plans for the land of a local government, the State or Commonwealth.                                                                                                                                                                                         |
| 3                                   | 3.6.1 General rehabilitation practices                                                                      | The Rehabilitation Planning Part relies on the results and conclusions from several technical reports, which in some instances have not been provided to support the application.<br>It is recommended that these are provided as they are necessary to justify the proposed rehabilitation and management methodologies.                                                                                                                                             | Provide a copy of the following technical reports: <ul style="list-style-type: none"> <li>- Waste Rock and Spoil Management Plan (WRSMP)</li> <li>- ATCW report referenced in section 3.6.2.1.1</li> <li>- RGS Environmental Consultants Pty Ltd referenced in section 3.6.1.1</li> <li>- <i>Engeny 2020 Lady Loretta Mine – Leachate Management Dam Construction Report</i> referenced.</li> </ul> |
| 4                                   | 3.6.1 General Practices.<br>PRCP Guideline, Section 3.6.1 General rehabilitation practices, Landform design | Limited information is presented to demonstrate the erosion stability associated with the final landform. For example, 25% (maximum) slopes are proposed for a number of batters such as the ROM pad side-hill landform and the re-profiled batters of decommissioned dams, and specific slope gradients are proposed for the WRE crest and batters.<br>Erosional stability is referred to in the Lady Loretta PMLUP (2018) based upon the recommendations drawn from | Provide an updated PRC plan that presents the conclusions and assumptions of previous modelling and investigations regarding the stability of proposed slopes and the suitability of materials (including waste characterisation studies) used to construct the final landform.                                                                                                                     |

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|   | and Waste characterisation                   | <p>supporting technical studies which employed the WEPP model. It is further assumed that the options assessments and closure design studies completed by ATCW referred to in Section 3.6.2.1.1 of the Rehabilitation Planning Part may contain conclusions regarding the erosional stability of the proposed final landform.</p> <p>To further satisfy the requirements of the PRCP Guideline and to demonstrate the land will be stable, the conclusions and assumptions of previous modelling and investigations regarding the stability of proposed slopes and the suitability of materials (including waste characterisation studies) used to construct the final landform must be provided in the Rehabilitation Planning Part.</p>                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5 | 3.6.1.1 Soil and Capping Material Assessment | <p>This section does not provide enough information as to the inventory of borrow and topsoil materials. The amount of topsoil and non-mineralised material required for remaining rehabilitation activities are documented, and some information as to the quantity topsoil is available. However, there is no information regarding the quality of the material and whether ameliorants are required.</p> <p>To clarify rehabilitation strategies proposed by the PRC plan, it is recommended that additional information is included in Table 13 regarding:</p> <ul style="list-style-type: none"> <li>- A description of what material 'General Backfill' is and where this material will be sourced from.</li> <li>- Clarification as to which Rehabilitation Areas the topsoil and subsoil materials will be applied.</li> <li>- Clarification regarding the depth of Rock Mulch to be applied as the NAF protection layer on the WRE Batter (assumed to be 3m based on information provided in the table).</li> <li>- Clarification regarding the depth of Rock Armour to be applied as a protection layer to the WRE</li> </ul> | <p>Provide an updated PRC plan that includes further information regarding:</p> <ul style="list-style-type: none"> <li>- The quantity of topsoil material required to complete rehabilitation at each site,</li> <li>- A description of what material 'General Backfill' is and where this material will be sourced from.</li> <li>- Clarification as to which Rehabilitation Areas the topsoil and subsoil materials will be applied.</li> <li>- Clarification regarding the depth of Rock Mulch to be applied as the NAF protection layer on the WRE Batter.</li> <li>- Clarification regarding the depth of Rock Armour to be applied as a protection layer to the WRE.</li> </ul> |

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|                              |                                                                                                                                                              | (assumed to be 2m based on information provided in the table).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 6                            | <p>3.6.1.1.3 Rock Mulch.</p> <p>PRCP Guideline, Section 3.6.1 General rehabilitation practices, Soil and capping material assessment.</p>                    | <p>Based on information provided in the Rehabilitation Planning Part and the proposed PRCP schedule, it appears that in several Rehabilitation Areas the Rock Mulch will be utilised as the growth media (without the application of topsoil). Limited information is provided to demonstrate the suitability of this material to act as a growth media. For example, physicochemical parameters such as pH, organic carbon and nutrients, salinity, sodicity and dispersive characteristics. It is noted that this section refers to additional investigations carried out by RGS Environmental Consultants Pty Ltd and further supporting information may be available.</p>                                                                                                                                                                                                                                                                                                                                          | <p>Provide an updated PRC plan with further discussion to demonstrate the suitability of the Rock Mulch to act as a growth media for the proposed PMLUs. As above, provide a copy of the technical report by RGS Environmental Consultants Pty Ltd which is referred to in this section.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Landform design - WRE</b> |                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 7                            | <p>3.6.2 Final Landform Design – WRE</p> <p>3.6.2.2 WRE Crest;</p> <p>3.6.8.4 Application of Seed; and</p> <p>3.6.2.7 Sustain the PMLU of Native Habitat</p> | <p>It is noted that much of the waste rock generated from the operations was Potentially Acid Forming (PAF) material, which is proposed to be permanently stored within the WRE. Hence the cover system is critical to minimising the potential release of contaminants from the WRE.</p> <p>The proposed Store and Release cover system includes the Infiltration Storage Layer which will be comprised of a 1.5m deep application of Rock Mulch intended to act as a growth medium for vegetation. Section 3.6.2.2 describes this as “the growth media for a vegetation community dominated by trees.” Table 16 (Section 3.6.8.4) includes a number of mid-storey Species to be sown on the WRE Crest, including Mulga (<i>Acacia aneura</i>) as a priority species for the WRE crest. The department notes that some native species such as the Mulga have a taproot up to 3 meters.</p> <p>It is also noted that proposed cover design presented in the Lady Loretta PLMUP (2018) indicates a deeper, 2m layer</p> | <ul style="list-style-type: none"> <li>- Include further supporting information to justify the changes to the previously proposed cover system design in the PLMUP;</li> <li>- Provide information regarding how the proposed cover design mitigates the impacts of all contaminants of concern;</li> <li>- Provide permeability testing at locations that are representative of the surface of the WRD and provide modelling based on those tests.</li> <li>- Provide a risk assessment of the cover not achieving a stable condition, a treatment plan that complies with the PRCP Guideline and suitable RMs to be used as indicators of success.</li> <li>- Confirm whether the species provided with Table 16 of the PRCP Plan are suitable and will not impact the integrity of the proposed WRE cover system.</li> </ul> |

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|                                   |                               | <p>of rocky mulch overlain by a 100mm growth media layer for the ISL to ensure vegetation growth is supported and vertical movement of moisture into the encapsulated waste rock is minimised. The proposed PRC plan indicates that the rocky mulch application will be 1.5m deep and with no application of growth media, which is different to the cover design presented by the Land Outcome Document.</p> <p>Further justification is required as to whether the depth of rock mulch layer and the vegetation community to be established on the WRE crest will ensure the ongoing structural integrity of the cover system is not impacted by the influence of plant roots and adequately mitigates against vertical movement of moisture into the encapsulated waste rock.</p> |                                                                                                                                                                                                                                                                            |
| <b>Risk Assessment</b>            |                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                            |
| 8                                 | 3.7 Risk assessment – General | For most identified risks, limited information has been provided regarding the selection of the relevant treatment options and limited information has been provided regarding the resourcing requirements (both internally and externally) necessary for completing the nominated treatment action/s.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Provide additional justification regarding the reasoning for selection of the relevant treatment options. Provide additional information regarding any resourcing requirements (both internally and externally) necessary for completing the nominated treatment action/s. |
| 9                                 | 3.7 Risk assessment           | The provided risk assessment in Table 17 does not appear to consider risks associated with failure of rehabilitation due to natural events such as drought, floods, storms, fire etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Ensure the risk assessment includes relevant factors that may impact on the success of rehabilitation.<br>Note that the Monitoring Management Plan will also require updating accordingly to the additional identified risks.                                              |
| 10                                | 3.7 Risk assessment           | The risk assessment acknowledges a risk that the cover system may not perform as required, however additional information is required to better understand the proposed controls and relevant treatment options that would be implemented to address the potential for the WRE cover to fail or in the event that it does not perform adequately.                                                                                                                                                                                                                                                                                                                                                                                                                                    | Provide additional information regarding remedial measures in the risk treatment plan with regards to the potential for the WRE cover to fail.                                                                                                                             |
| <b>Monitoring and Maintenance</b> |                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                            |

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| 11                                                  | 3.8 Monitoring and maintenance                                                                                                                       | The Monitoring and Maintenance Plan provided is general in nature and does not directly correlate to the RMs included in the proposed PRCP schedule.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Provide additional information to explain the relationships between Table 18 and the monitoring and maintenance activities. For example, a comparison of monitoring activities and how they directly relate to the RMs and criteria could be included in the proposed PRC plan.                                                                                                                                        |
| <b>PRCP Schedule</b>                                |                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>4.2 - Rehabilitation Areas (RA)</b>              |                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12                                                  | <p>RA8 – Exploration, Roads and Tracks Native Habitat PMLU (15.7ha);</p> <p>RA9 – Exploration, Roads, tracks and Haul Road Grazing PMLU (24.7ha)</p> | <p>Confirm if the entirety of RA8 and RA9 (as indicated by Figure 017 Lady Loretta Rehabilitation Areas) will be disturbed. Alternatively, are the areas identified in the PRCP Schedule for each RA (i.e., RA8 15.7ha and RA9 24.7ha) a subset representing the actual disturbance? As the PRCP schedule will be a statutory instrument it is important that the Rehabilitation Map and areas nominated against Rehabilitation Milestones only reflect areas of disturbance.</p> <p>As proposed, there appear to be no Rehabilitation milestones /milestone criteria applied against RA8 and RA9 that demonstrate the decommissioning and surface works for areas disturbed by exploration. Section 2.2.7.1.2 of the Rehabilitation Planning Part describes how these areas are rehabilitated. Condition A3 of the EA requires exploration areas to be rehabilitated in accordance with ESR/2016/1985. This requirement is provided for in the schedule as RM1c), however has not been applied to either RA8 or RA9.</p> | <p>Provide an updated PRC plan (including the PRCP Schedule) that</p> <ul style="list-style-type: none"> <li>- Confirms if the entirety of RA8 and RA9 as presented by the Rehabilitation Area map will be disturbed and require rehabilitation.</li> <li>- Assigns the relevant Rehabilitation Milestone and criteria against RA8 and RA9 to demonstrate rehabilitation of areas disturbed by exploration.</li> </ul> |
| 13                                                  | RA10 – Underground Openings – Shafts, decline, portal.                                                                                               | It is acknowledged that RA10 only involves a small area of disturbance (0.6Ha). RM12 applies to this Rehabilitation Area and includes several criteria relevant to vegetation and erosion characteristics. Confirm if any revegetation activities are necessary for RA10 to ensure achievement of RM12 and update the PRCP schedule accordingly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Provide an updated PRC plan (including the PRCP Schedule) to confirm if revegetation activities are necessary within RA10 to ensure achievement of RM12.                                                                                                                                                                                                                                                               |
| <b>4.4 Criterion Rehabilitation Milestones (RM)</b> |                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 14 | Rehabilitation<br>Milestone Criteria<br>- General | <p>The intent of milestone criteria is that they provide measurable parameters to demonstrate achievement of the relevant Rehabilitation Milestone. There are a number of opportunities where additional criteria can be drawn from the Rehabilitation Planning Part into the proposed PRCP schedule, with the intent of providing a clear demonstration that the milestone has been achieved.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Drawing from information provided at section 3.6.2.8 of the Rehabilitation Planning Part, a criterion regarding the volume and quality of seepage from the WRE could be added at RM11a) to further demonstrate achievement of the design objectives of the cover system. Table 7 of the Rehabilitation Planning Part clearly articulates a number of elements and the design intent necessary to achieve the objective of chemically stable. It is recommended milestone criteria are proposed to demonstrate the design intent for these elements are achieved.</li> <li>• Revision to RM3c to include more specific backfill criteria e.g., Section 3.2.1.5 of the Rehabilitation Planning Part indicates backfill of the upper 460m of the mine decline.</li> <li>• Addition of a criterion at RM2 to demonstrate mineralised waste, soils and subsoils contaminated with heavy metals and salts have been encapsulated within the upper benches of the WRE.</li> </ul> | Consider the matter raised and provide an updated PRC plan (including the PRCP Schedule) where revisions have been made to Rehabilitation Milestone Criteria. |
| 15 | RM5                                               | Criterion RM5 relates to the decommissioning of Regulated Structures and Erosion and Sediment Control facilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Provide an amended PRC Schedule and consider additional criteria to demonstrate that the potential for land and water contamination                           |

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|    |                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | during the decommissioning of the regulated structures will be appropriately managed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 16 | RM6                                                                                                                                                                                       | Criterion RM6 d) proposes the placement of “maximum thickness of 100 mm of growth media at ROM, Paste Plant and Batch Plant Area (RA7), subject to recommendations by suitably qualified person”. Justify how this value has been chosen and how it is suitable for the establishment of the PMLU or consider updating criterion RM6 accordingly.                                                                                                                                                                                                                                                                                                                                                           | Provide an updated PRC Plan that demonstrates that a growth media less 100mm would be suitable for revegetation planned and minimising erosion or amend relevant criterion in the PRC Schedule.                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 17 | RM7                                                                                                                                                                                       | As proposed, criterion RM7a) does not appear to reflect the intended areas of disturbance (i.e., all areas <u>excluding</u> the WRE).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Provide an updated PRCP Schedule to ensure criterion RM7 a) correctly refers to the relevant areas of disturbance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 18 | RM11<br><br>Section 7,<br>Appendix B<br>Flood<br>Assessment;<br>(WRM Flood<br>Assessment<br>report)                                                                                       | <p>The WRM Flood Assessment report models peak velocities along the proposed final landform drain west of the WRE of up to 2.7 m/s, and velocities in the steep drain into the former sediment dam at CDB of up to 3 m/s.</p> <p>Considering the velocities predicted and the runoff potential from the outer slopes of the WRE, consider reviewing the wording of milestone criteria RM11, specifically “No rill/gully erosion &gt; 500 mm”, to ensure the erosion trends from-long term monitoring are an input into assessing whether the final landform will meet the design objectives of negligible erosion (Section 3.6.2.1)</p>                                                                     | Provide an updated PRC plan and the PRCP Schedule with a criterion RM11 that ensures that the erosion onsite is negligible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 19 | RM12 and RM13<br><br>Proposed PRC<br>plan, Section 3<br>Rehabilitation<br>Planning<br><br>PRCP Guideline,<br>Section 4.1<br>Steps for<br>developing a<br>PRCP schedule,<br>Step 5 Develop | <p>Thresholds for the various Ecological Function Analysis (EFA) indices are proposed as milestone criteria (e.g., “Vegetation Dynamics &gt;40% of reference”).</p> <p>The Rehabilitation Planning Part does not currently justify the choice of thresholds. It is necessary to justify how the milestone criteria will demonstrate achievement of the relevant Rehabilitation Milestone which in turn achieves the required outcome of land in a stable condition.</p> <p>Both RM12 and RM13 propose the following criterion – “Contaminated land assessment completed by suitably qualified person”. Throughout the Rehabilitation Planning Part there are references to instances where contaminated</p> | <p>Provide an updated PRC plan (including the PRCP Schedule) that:</p> <ul style="list-style-type: none"><li>- Justifies the choice of thresholds for EFA indices as sufficient to achieve the final outcome of land in a stable condition and discuss why these thresholds were chosen.</li><li>- Considers the matter raised regarding earlier demonstration that contaminated land activities are completed and updates the Rehabilitation Planning Part and Schedule where necessary.</li><li>- Provides a definition for Low Intensity Grazing, sufficient to measure achievement of criterions RM13a)</li></ul> |

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|    | site-specific milestone criteria, and Appendix 3 Reference Milestones | <p>land investigations and any necessary remediation activities will be completed early in rehabilitation activities. For example, Section 3.6.7.3 Contamination from Mineralised Streams discusses the initial investigation and remediation efforts focussed on excavation of contaminated soil and sediments and disposal by placement in the crest of the WRE.</p> <p>Appendix 3 of the PRCP guideline provides an example of a Rehabilitation Milestone for “Remediation of contaminated land” which should be included where relevant in a PRCP schedule and scheduled to occur at the relevant moment in rehabilitation activities. That is, prior to final landform surface preparation and revegetation works.</p> <p>It is recommended that a definition for ‘Low intensity grazing’ (or a framework against which this can be measured) is provided as a footnote at RM13 to ensure RM13a) can be demonstrated as achieved.</p> |                                                                                                                                                                                                        |
| 20 | RM12 Groundwater Criteria                                             | <p>Criterion RM12 f) describes the “Assessment and validation by suitably qualified person that the long-term risks presented byground water contamination do not preclude the PMLU”. As proposed, this milestone criterion is unclear and inconsistent with the other proposed criterion RM13)h).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Provide an updated PRCP Schedule that includes clear contaminant limits applicable to the WRE, such as<br/> <i>“Groundwater quality to meet contaminant limits defined in the current EA##”</i></p> |