

19 July 2024



3 Water Street Red Hill 4059
T: +61 7 3368 1033
E: information@ardent-group.com.au
W: ardent-group.com.au
ABN: 38 609 696 764

Kajal Chand
Environmental Officer (Assessments)
Minerals and Northern Compliance
Environmental Services and Regulation
Department of Environment Science and Innovation

By Email: ESCairns@des.qld.gov.au
CC: kajal.chand@des.qld.gov.au

Dear Kajal,

**RE: Chum Street EA EPML00634213
PRC Plan and Schedule Application
Response to Not properly made application Notice**

With reference to the notice dated 5 April 2024, advising that the application for a proposed PRC Plan for Chum Street Pty Ltd (application reference C-EATPRCP-100623563), lodged on 20 March 2024, was not properly made.

On behalf of our client, I enclose;

1. Table 1 – Response to Reasons for application not being properly made – included with this letter
2. Chum Street_Ardent LOA
3. ASIC Current Company Search Extract_Chum Street Pty Ltd
4. PRCP Application Form V1 - Signed
5. PRC Plan Part A (text and figures)
6. PRC Plan Part B – PRCP schedule
7. PRC Plan Part B Appendix 2
8. PRC Plan Part B Appendix 3 (parts a and b)
9. PRC Plan Part B Appendix 4
10. . PRC Plan Part B Appendix 5
11. Figure 21 - RA Plan_V1
12. Figure 22 - PMLU Plan_V1

Due to file size, Items 5 to 12 have been sent across 4 emails.

Please let me know if you have any problems receiving or accessing this information.

The digital data (shapefiles) have been lodged to spatialsubmit@des.qld.gov.au.

Should the Department have any questions or require any further information, please do not hesitate to contact me.

Yours faithfully,

Joanne Salmon
Senior Consultant
Ardent Group Pty Ltd

Table 1 – Response to application not being properly made



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Table 1 –Not Properly Made Response Table

Item	Relevant section (proposed PRC plan and/or PRCP Guideline)	Matter	Notes from Meeting 28 June 2024	Chum Street Response
a)	Fauna presence and populations	Baseline information on fauna presence and populations required by section 126C(1)(j) of the EP Act and section 3.1 of the PRCP Guideline has not been provided in the rehabilitation planning part. This information is considered necessary by the administering authority (as per section 126C(1)(j) of the EP Act) to decide whether to approve the PRCP schedule.	Baseline data is not available due to the lack of records kept prior to the original mining disturbance. Information to be provided on habitat present on the site as known to the current holder, per pre-clearing (rehabilitation) and publicly available mapping.	Additional vegetation/habitat information provided in Section 3.1.8 and 3.1.9 of the Part A Report.
b)	Primary mine features	Information on primary mine features on site required by section 126C(1)(b) and (c)(ii) EP Act and section 3.1 of the PRCP Guideline has not been provided in the rehabilitation planning part. The departmental spatial imagery indicates that features such as clay extraction pits, sediments traps, stockpiles, access tracks and bitumen hardstands are part of mining features on Claypave site. A description of the project must be included in the rehabilitation planning part as required by section 3.1 of the PRCP Guideline.	Current mine features differ to those included in the ERC due to the progress of rehabilitation works. Information to be provided on the mine features that were present on site prior to the commencement of rehabilitation.	Revised Section 2.5 of the Part A Report details the mine features present prior to the commencement of rehabilitation.

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c)	PMLUs	The PRC plan proposes PMLUs that have not been previously addressed in EPML00634213 (the Land Outcome Document), for example 'native ecosystem' and 'permanent infrastructure'. In addition the naming convention of the proposed PMLU should be consistent with the LOD, for example 'other- scientific purposes' and 'other-residential' should be demonstrated to be substantially similar to the approved PMLU 'scientific purposes' and 'residential' respectively. Consideration of PMLU options, and evidence based comparison and justification for each proposed PMLU against alternative options are not provided within the planning part. This information is required in accordance with section 126C(1)(j) of the EP Act and section 3.2 of the PRCP Guideline.	Alternative PMLU, i.e. native ecosystem, was included in the original submission for areas of vegetation not impacted by mining disturbance. PMLU areas to be consistent with those shown in the LOD, with explanation of constraints to be imposed by development approvals. The naming convention e.g. Other – residential was adopted to maintain consistency with the spatial data format. Descriptions to be amended to be consistent with the LOD.	Revised Section 3.3 and Section 5 of the Part A Report identifies PMLU's consistent with the LOD.
d)	Soil and capping material	The information on soil and capping material assessment within section 8.3 does not meet the requirements outlined in section 3.6.1 of the PRCP Guideline including: - the quality and quantity of available resources such as topsoil and backfill material required to complete the target rehabilitation methodology; - the location and accessibility of cover material (i.e. is the material located on the tenure or are other approvals required) - an assessment to determine the need for ameliorants and fertilisers; - the relationship between soils and vegetation ecosystems for the PMLU and rehabilitation methodology	Topsoil stripped prior to the commencement of rehabilitation works is stockpiled onsite. Revegetation contractors will nominate specific ameliorants and/or fertilisers at the time of topsoil placement. Topsoil analysis information to be provided, including the likely requirement for ameliorants. Soil testing from geotechnical and engineering specifications to be included.	Revised Section 8.4.3 provides information on topsoil and backfill materials, their location and accessibility, topsoil analysis information and requirement for ameliorants. Backfill compaction and engineering standards and specifications are also included in the revised Section 8.4.3.

Item	Relevant section (proposed PRC plan and/or PRCP Guideline)	Matter	Notes from Meeting 28 June 2024	Chum Street Response
e)	Revegetation	The revegetation plan in section 8.10 of the rehabilitation planning part does not meet the requirements outlined in section 3.6.1 of the PRCP Guideline including: • clearly articulate revegetation objectives for the site that are consistent with the PMLUs, and rehabilitation milestones identified in the PRCP schedule; • identify key flora species including pasture plants and tree and shrub species representative of the proposed PMLU; • identify any species of conservation significance relevant to the mine's approval; • identify any fauna habitat and use requirements - where fauna habitat is proposed, a management and monitoring plan to describe how the rehabilitated areas will be utilised by fauna and what other management measures would need to be implemented; • include evidence and justification for any analogue sites of the monitoring plan; • identify what plant/seed mixes are appropriate for the PMLU and where the mixes will be sourced—locally sourced seed should be used where appropriate; • identify seed density application rate and timing of seeding; • identify the growth media that would be suitable to sustain the PMLU and whether this is available on site	Update PMLU info as per item c) above and specify what is trying to be achieved (safe, stable, non-polluting). Cover crop seed species to be selected based on AQP advice, seasonality. Include mapping (current publicly available) of conservation significant species.	Revised Section 8.10 includes objectives for the revegetation works, cover crop selection and seeding rates. Vegetation mapping provided in revised Section 3.1.8 and information included in revised Section 8.10.
f)	Void closure plan	The rehabilitation planning part does not include a void closure plan that meets the requirements of section 126C(1)(e) and (i) and (j) of the EP Act and section 3.6.3 of the PRCP Guideline. Section 8.10 of the plan states that there are no mine voids present on site and therefore a void closure plan is not included however, as per item (b),	Provide information on rehabilitation of excavation pits, including free draining landforms, engineering standards for the residential and commercial PMLUs. Include information regarding stability and how	Revised Section 8.12 includes information on rehabilitation of excavation pits, engineering standards, supervision and assessment.

Item	Relevant section (proposed PRC plan and/or PRCP Guideline)	Matter	Notes from Meeting 28 June 2024	Chum Street Response
		the site consists of excavation pits which is proposed to be rehabilitated to suit residential and industrial PMLU. Provide a proposed PRC Plan that includes a void closure plan as required by sections 3.6.3 of the PRCP Guideline.	this will be assessed (geotechnical supervision by AQP during works) in lieu of void closure plan.	
g)	Risk assessment	The risk assessment provided in the application does not meet the requirements of section 126C(1)(j) of the EP Act and section 3.7 of the Guideline. The risk assessment does not identify the risks of the residential, industrial and scientific purposes PMLUs causing environmental harm and not being safe and structurally stable and provide a risk treatment plan that details how identified risks will be managed and minimised. The risk assessment provided in the plan only assesses risks related to proposed native ecosystem PMLU. Further, the risk treatment plan provided for native ecosystem PMLU does not detail the following: • those responsible for the approval and implementation of the plan; • resource requirements; • performance measures and constraints; • and timing and scheduling Please provide information required by section 126C(1)(j) of the EP Act and section 3.7 of the Guideline.	Risk assessment to include impacts from rainfall, including risk of flooding. For PMLUs revegetated with ground cover, include assessment of impacts from contamination, geotechnical stability, erosion failure of groundcover, sedimentation of erosion. For the powerline easement, risk of not getting agreement from Council, and for scientific purposes PMLU, include risks regarding sediment trap management agreement.	Revised risk assessment in Section 9.2 includes all nominated PMLUs and associated risks.
h)	Rehabilitation planning part	The rehabilitation planning part does not include information to demonstrate milestone criteria including (but not limited to) topsoil, surface requirements, revegetation, surface water quality limits, and achievement of stable conditions, are in accordance with SMART principles and section 4.1 of the PRCP Guideline and section 126C(1)(j) of the EP Act:	Schedule to be updated with site specific values, incorporating the engineering design standards, level of supervision, topsoil requirements and how this will be demonstrated.	

Item	Relevant section (proposed PRC plan and/or PRCP Guideline)	Matter	Notes from Meeting 28 June 2024	Chum Street Response
		• The selection of each criterion is justified; • Sufficient criteria are developed to adequately measure success in achieving a milestone; • The criteria define outcomes that support the proposed post-mining land use; • The manner the criteria will be measured against is clear, scientifically justified and meaningful; and • The data relating to the proposed criteria will be reviewed and analysed; • identify the growth media that would be suitable to sustain the PMLU and whether this is available on site Provide a proposed PRC Plan that includes information in the rehabilitation planning part to support SMART milestone criteria in accordance with Step 5, Section 4.1 of the PRCP Guideline.		