

Environmental Enforcement Order

Environmental Protection Act 1994

Pursuant to section 362

ORDER ID	STAT-E-101147534
Date of issue	21 July 2026
Issued to (you)	Dingo Minerals Pty Ltd ACN: 690 667 933 <i>For the purpose of this Environmental Enforcement Order (EEO), 'you' means the recipient of this EEO.</i>
Registered address	Level 7, 43 Franklin Street, Adelaide, SA, 5000
Site address (the premises)	Barbara Copper Project, (20°25'27.23"S, 139°51'3.06"E)
Land reference	ML 90241
CC to	N/A
Issued by (the delegate)	Samuel Hedge, A/Compliance Delivery Manager Delegate of the Administering Authority Chief Executive of the Department of the Environment, Tourism, Science and Innovation (the department)
Relevant Grounds	s359(e)(ii) To secure compliance with the conditions of an environmental authority. S359(c) To secure compliance with the general environmental duty under section 319 of the <i>Environmental Protection Act 1994</i> (the Act).
Service method	☒ Registered post ☐ Hand delivered ☒ Also by email ☐ Orally (s369(2))
Contact	If you have any questions about this EEO, please contact: Eric Zurek, Minerals and Northern Compliance Cairns Email: ESTownsville@detsi.qld.gov.au Telephone: (07) 4722 5334
Further information	Please read the Information Sheet - Recipient of an Environmental Enforcement Order (detsi.qld.gov.au) for further information (search for ESR/2024/6802 on www.detsi.qld.gov.au). Terms used in this EEO have their meaning defined in the Definitions section of the EEO or, if not defined, in the <i>Environmental Protection Act 1994</i> (the Act).

Why are we writing to you?

You have a proactive **general environmental duty** to prevent and minimise any environmental harm. You also have a proactive **duty to restore the environment** if environmental harm has been caused by you.

The department has responsibility for enforcing the Act.

The delegate for the department is issuing this EEO to you, pursuant to s362 of the Act, to secure compliance with the Act in relation to activities being undertaken at the premises.

The delegate reasonably suspects that you have contravened section 430 and s319 of the Act at the premises. The delegate has issued this EEO to you under section 362 of the Act to remedy the contravention, avoid further contraventions, and keep the department informed.

What are you required to do?

The required actions listed below are to be remedied in full by the required dates.

Requirements take effect from the date of service and remain in force until the date specified, unless this EEO is amended, repealed, finalised or stayed beforehand.

Appointment of Appropriately Qualified Person

1. By 5:00pm on **4 August 2026**, you must submit to the administering authority evidence that you have engaged an **appropriately qualified person** (AQP) with relevant skills, qualifications and experience to:
 - a. carry out an investigation into the source, cause and management of elevated groundwater levels beneath the Waste Rock Dump Dam (WRD Dam) (the *WRD Dam Investigation*); and
 - b. prepare a *Water Management Plan* for the Barbara Copper Project for the 2026/2027 wet season and care and maintenance state.

Waste Rock Dump Dam Investigation

2. You must carry out a Waste Rock Dump Dam Investigation that includes at minimum the following components:
 - a. using water quality and water level monitoring data (groundwater, surface water and stored water) and any other relevant information, determine the source/origin of contaminants in groundwater in the vicinity of the WRD Dam.
 - b. determine the actions necessary to mitigate or intercept the release of contaminants from the source or origin.
 - c. determine the cause of elevated groundwater levels in the area of the WRD Dam.
 - d. determine the actions necessary to:
 - i. reduce groundwater levels beneath the WRD Dam liner;
 - ii. mitigate liner uplift; and
 - iii. maintain liner integrity.
 - e. quantify the effect of the raised liner on the storage capacity of the WRD Dam by conducting a volumetric survey.
 - f. assess the adequacy of and, if necessary, recommend additional measures to reduce catchment inflows to the WRD Dam.
 - g. include an integrity assessment on the liner and identify any defects that are causing, or likely to cause, loss of containment.
3. By 5:00pm on **31 August 2026**, you must have the **appropriately qualified person** engaged under requirement 1 of this EEO prepare a WRD Dam Investigation Report. The report must include:
 - a. the findings of the WRD Dam Investigation (Requirement 2 (a) to (g)).

- b. a schedule of actions, with associated timeframes, to remedy the impact of elevated groundwater beneath the liner.
 - c. a schedule of actions, with associated timeframes, to repair any defects or damage to the integrity of the liner and mitigate liner uplift.
4. By 5:00pm on **25 September 2026** you must submit the WRD Dam Investigation Report to the administering authority.
5. By 5:00 pm on **1 October 2026**, you must commence implementation of the schedule of actions recommended by the **appropriately qualified person** in the WRD Dam Investigation Report and thereafter complete each action in accordance with the timeframes specified in that report.
6. By 5:00pm on **6 November 2026** you must submit a **completion report**, detailing the status of all actions recommended by the AQP in the WRD Dam Investigation Report, to the administering authority.

Water Management Plan

7. By 5:00pm on **31 August 2026**, you must have the **appropriately qualified person** engaged under requirement 1 of this EEO prepare an updated and fit-for-purpose **Water Management Plan** for care and maintenance activities at the Barbara Copper Project.
8. The **Water Management Plan** must:
 - a. include a contemporary site water balance;
 - b. consider seepage interception and recovery required to mitigate elevated groundwater levels at the WRD Dam;
 - c. consider segregation of waters to avoid cross-contamination;
 - d. include a Trigger Action Response Plan;
 - e. overcome site access constraints during significant rainfall events;
 - f. identify contingency measures to prevent unauthorised releases of contaminated water;
 - g. identify water transfer, storage management and pumping arrangements available during wet season conditions; and
 - h. identify actions to ensure compliance with monitoring and notification requirements during periods when site access is restricted.
9. By 5:00pm on **25 September 2026** you must submit the **Water Management Plan** to the administering authority.
10. By **16 October 2026** you must implement the **Water Management Plan**.

Certified System Design Plan and Operational Plan

11. By 5:00pm on **21 August 2026**, you must engage a **suitably qualified and experienced person** to develop a **certified system design plan** and an **operational plan** for the integrated containment system for all regulated structures at the premises. The **certified system design plan** and **operational plan** must address the period of likely care and maintenance, but at minimum at least the period of 1 November 2026 to 1 May 2027, at the Barbara Copper Project. The **certified system design plan** and **operational plans** must consider relevant matters including the availability and operability of necessary water management and monitoring infrastructure, DSA and ESS requirements, water balance assumptions, pump capacity and availability, storage curves, wet season access constraints, and contingency arrangements for prolonged site isolation.
12. By 5:00pm on **1 October 2026**, you must submit updated certified **system design plan** and **operational plan** to the administering authority.
13. By 5:00pm on **1 November 2026** the certified **system design plan** and **operational plan** must be

implemented.

14. All submissions required by this EEO are to be sent via email to ESTownsville@detsi.qld.gov.au

Background and relevant matters:

Definitions used in this EEO (that are not exactly as the Act defines or implies them)

Administering authority	Is the agency that administers the <i>Environmental Protection Act 1994</i>
Appropriately Qualified Person	Means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.
Authorised representative	A representative that has been nominated by the person this EEO relates to, for acting on their behalf when dealing with the Queensland Government to manage matters. For more information, read the guideline Authorisation letter to nominate an Authorised Holder Representative (available at www.qld.gov.au using the publication number ESR/2019/5168 as a search term).
Certification	Means assessment and approval must be undertaken by a suitably qualified and experienced person in relation to any assessment or documentation required by the <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures</i> (EM635) published by the administering authority, including design plans, 'as constructed' drawings and specifications, construction, operation or an annual report regarding regulated structures, undertaken in accordance with the Board of Professional Engineers of Queensland Policy Certification by RPEQs (ID: 1.4 (2A)).
Certify or Certified	By an appropriately qualified and experienced person in relation to a design plan regarding dams/structures, means that a statutory declaration has been made by that person and, when taken together with any attached or appended documents referenced in that declaration, all of the following aspects are addressed and are sufficient to allow an independent audit at any time: - exactly what is being certified and the precise nature of that certification - the relevant legislative, regulatory and technical criteria on which the certification has been based - the relevant data and facts on which the certification has been based, the source of that material, and the efforts made to obtain all relevant data and facts - the reasoning on which the certification has been based using the relevant data and facts, and the relevant criteria.
Design storage allowance or DSA	Design storage allowance or DSA means an available volume, estimated in accordance with the <i>Manual for Assessing Consequence Categories and Hydraulic Performance of Structures</i> (EM635) published by the Queensland Government administering authority, must be provided in a dam as at 1 November each year in order to prevent a discharge from that dam to an annual exceedance probability (AEP)

	specified in that Manual.
Extreme Storm Storage or ESS	Extreme Storm Storage or ESS means a storm storage allowance determined in accordance with the criteria in the Manual for Assessing Consequence Categories and Hydraulic Performance of Structures (EM635) published by the administering authority.
Land	This refers to the cadastral reference of the premises referenced in this EEO.
Operational Plan	Includes: Normal operating procedures and rules (including clear documentation and definition of process inputs in the DSA allowance); Contingency and emergency action plans including operating procedures designed to avoid and/or minimise environmental impacts including threats to human life resulting from any overtopping or loss of structural integrity of the regulated structure.
Suitably Qualified and Experienced Person	In relation to regulated structures means a person who is a Registered Professional Engineer of Queensland (RPEQ) under the provisions of the <i>Professional Engineers Act 2002</i> , and has demonstrated competency and relevant experience: For regulated dams, an RPEQ who is a civil engineer with the required qualifications in dam safety and dam design. For regulated levees, an RPEQ who is a civil engineer with the required qualifications in the design of flood protection embankments.
System Design Plan	Means a plan, developed in accordance with the relevant requirements of Environmental Authority EPML02840015, including conditions H10, H11 and H36 where applicable, that manages an integrated containment system that shares the required DSA and/or ESS volume across the integrated containment system.

Grounds for issuing this EEO:

1. The department is issuing you with an EEO pursuant to section 362(1) of the Act as it is satisfied that the following enforcement grounds exist:
2. In accordance with section 359(c) of the Act, it is considered necessary to issue an EEO to secure compliance with the general environmental duty (GED). The GED is detailed in section 319 of the Act and states:

"A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonably practicable measures to prevent or minimise the harm."
3. In accordance with section 359(e)(ii) of the Act, it is considered necessary to issue an EEO to secure compliance with a condition of an environmental authority (EA). Specifically, conditions A2, A4, H10, H11 and H36 of Environmental Authority EPML02840015. These conditions require, amongst other things:
 - a. prevention of unauthorised releases of contaminants to the environment;
 - b. installation, maintenance, and operation of measures necessary to ensure compliance with the EA; and
 - c. maintenance and operation of regulated structures in accordance with approved plans.

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

4. You are the holder of Environmental Authority EPML02840015 and are responsible for the operation and maintenance of the Barbara Copper Project on ML 90241.
5. The Barbara Copper Project is located approximately 50 kilometers north-west of Mount Isa and has been in care and maintenance since 2021. Dingo Minerals Pty Ltd acquired the site on 26 March 2026.
6. On 19 March 2026, the department was notified of an uncontrolled release of contaminated water from the WRD Sediment Dam. Information provided by the environmental authority holder indicates the release likely occurred between 20 and 25 February 2026 during significant monsoonal rainfall and prolonged site isolation. Monitoring and notification requirements associated with the release event were not complied with, limiting the department's ability to assess the volume, duration and environmental impact of the release.
7. On 19 May 2026, authorised persons of the department conducted an inspection of the site.
8. During the inspection, authorised persons of the administering authority observed that the WRD Dam liner remained affected by uplift associated with seepage conditions.
9. The uplifted liner reduces the storage capacity of the regulated structure.
10. Engineering assessments completed in 2022 and 2023 and regulated structure annual inspection reports from 2021, 2022, 2023, 2024 and 2025 identified the HDPE liner bubbling/lifting and seepage associated with the WRD Dam and recommended further investigation and management of these issues.
11. The Regulated Structures Operational Plan (uncertified) prepared by Round Oak Minerals in February 2022 states that the WRD Dam relies upon active transfer of water to the North Pit and South Pit to meet DSA/ESS obligations, maintain storage capacity and hydraulic performance as part of an integrated containment system.
12. A search of the administering authority's records indicates a certified System Design Plan or Operational Plan for the integrated containment system has not been received.
13. A review of the Regulated Structures Operational Plan (uncertified) indicates that it does not adequately address prolonged site isolation during wet season conditions, including how monitoring, notification, water transfers, pumping operations and contingency actions would continue when site access is restricted. These limitations are relevant to the February 2026 release event.
14. A review of the Consequence Category Assessment dated 2024 identified overtopping and dam break as credible failure scenarios and concluded that the release of water from the WRD Dam could adversely affect downstream Matters of State Environmental Significance, including wildlife habitat and regulated vegetation identified as essential habitat. The assessment concluded that such events could result in significant adverse environmental effects requiring extended remediation.
15. The department considers that the proposed requirements are necessary to secure compliance with the general environmental duty because the current information does not demonstrate that all reasonably practicable measures are in place to prevent or minimise the risk of environmental harm associated with storage and management of contaminated mine affected water within the WRD Dam and integrated containment system. The occurrence of the February 2026 release event, together with uncertainty regarding the hydraulic performance and operation of the WRD Dam and integrated containment system, indicates there is an ongoing risk of further unauthorised releases of contaminated water if appropriate action is not taken before the commencement of the 2026/27 wet

season.

16. The standard criteria, principles of environmental protection, emission criteria and human rights were considered prior to issuing this EEO.
17. Based on the facts and circumstances above, the administering authority considers it necessary to issue an EEO to:
 - a. secure compliance with the general environmental duty;
 - b. secure compliance with the conditions of Environmental Authority EPML02840015; and
 - c. identify measures necessary to prevent future unauthorised releases of contaminated water.

Offences

Failure to comply with this EEO is an offence unless you have a reasonable excuse. The maximum penalties are significant and are provided in s369A of the Act.

Penalties and obligations

It is important that you know the impact to you personally as an individual or as a corporation for not meeting your obligations.

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

Failure to provide a written notice to the buyer of the existence of the order is an offence. The maximum penalty is provided in s369C of the Act.

If you cease to carry out the activity to which this EEO relates, you must give written notice of ceasing to carry out the activity to the department within 10 days of ceasing the activity. **Failure to provide written notice to the department within 10 business days of ceasing the activity to which an EEO relates is an offence.** The maximum penalty is provided in s369D of the Act.

Right of review and appeal

The provisions regarding reviews of decisions and appeals are found in s519 to s539 of the Act.

A person who is dissatisfied with an original decision made by the department may apply to have that decision internally reviewed. Information about initiating an appeal in relation to this notice is contained within the [Internal Reviews and Appeals Information Sheet](#) (available at www.qld.gov.au using the publication number ESR/2015/1742 as a search term). A request for review or appeal is to be made using the approved form [Application for review of original decision](#) (available at www.qld.gov.au using the publication number ESR/2015/1573 as a search term).

Applications for reviews are to be sent to Permits and Licensing, 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.

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.

For a decision that is not an original decision, there are no formal review and appeal rights for a person who is dissatisfied with the decision made by the administering authority. The person may have other legal rights and may wish to seek 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 to 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. There is no general discretion allowing the department to withhold documents or information required to be kept on the public register.

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](#)

