

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: Capricorn Stone Products Pty Ltd
227 Power Station Road
STANWELL 4702 QLD

Email: scott@steerec.com.au

ATTN: Scott Botting, Tamsyn Smith

Our reference: EPML04041216; 101/0001600

Further information is required to assess an application for a proposed PRC plan.

1. Application details

The application for a proposed PRC plan was re-submitted to the administering authority on 27 January 2022.

The application relates to environmental authority number EPML04041216 effective 21 September 2016 issued to Capricorn Stone Products Pty Ltd.

Land description: Mining Lease (ML) 7341, ML80102

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 outlined in Appendix 1 of this notice.

3. Actions

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

- (a) all of the information requested; or
- (b) part of the information requested together with a written notice asking the authority to proceed with the assessment of the application; or
- (c) a written notice –

- i. stating that you do not intend to supply any of the information requested; and
- ii. asking the administering authority to proceed with the assessment of the application.

A response to the information requested must be provided by no later than **3 September 2022** (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 using email address 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.

If you require more information, please contact the department using the contact details provided below.



Signature

22/02/2022

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 5334
Email: ESCairns@des.qld.gov.au

Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP 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 alteration is required by the EP 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@des.qld.gov.au or telephone 13 74 68.

Attachments

Appendix 1: Additional information required for proposed PRC plan

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Item	Relevant section (Proposed PRC plan, PRCP Schedule)	Matter	Information Request
PRC plan - rehabilitation planning part			
1	Rehabilitation and management methodology (section 3.5 proposed PRC Plan) Monitoring and maintenance (section 3.7 proposed PRC Plan)	The 2016 Rehabilitation Management Plan (RMP) in the Appendix of the PRC Plan does not include all the key information that is required to support the proposed PRCP schedule. The following information should be provided: • Flooding susceptibility and influence across site - NRM Flood check mapping (https://floodcheck.information.qld.gov.au/) indicates some impacts from Basin 1% AEP and Basin Extreme Events on Lot 252 SP275125. Knowledge of flooding is integral to the rehabilitation planning process and should inform design of the final landform. An assessment of the flooding susceptibility and influence across the site should be included. If flooding is a consideration, additional information may also be required (see section 3.6.1 – flooding of the PRCP Guideline). • Soil material assessment – Section 6.4 of the RMP describes soils in the area and section 10 describes testing of soil to be completed in the rehabilitated landscape. The proposed rehabilitation methodology is to spread topsoil over 13.2ha. An assessment of soil should be provided in the RMP that identifies the quantity of available topsoil required to complete the target rehabilitation methodology, the location (i.e., with respect to haul distance) and accessibility of the material (i.e. is the material located on the tenure or are other approvals required?). • Final landform design – This is a key component of rehabilitation and closure planning. Information is provided in section 10.2 of the RMP, however it is difficult to visualise the final landform proposed based on the provided information. The proposed PRC Plan states that RA2 will be battered but it is unclear how slopes within RA1 will be rehabilitated. It is recommended that further information is provided to describe the final landform, slopes, and drainage	Provide a revised proposed PRC Plan that articulates the relevant information and key recommendations to justify and support the proposed PRCP Schedule and addresses the identified information gaps including: • Flooding susceptibility and influence • Soil and capping material assessment • Final landform design • Water management • Monitoring and maintenance.

		features. This may be achieved by providing a series of maps, figures or cross sections depicting the final landform. • Description of water management - The management of surface water is a key consideration in achieving long-term rehabilitation success. It is difficult to visualise the proposed water management in the final landform design based on available information. It is recommended that a description of the pathway and fate of sediment and long-term/on-going water management requirements be described in the plan. This may include a series of figures, maps, or plans depicting drainage features/ water management structures in the final landform. • Monitoring and maintenance – Information on planned types of monitoring is provided in section 11 of the RMP. However, reference monitoring sites are not defined. It is recommended that a schedule of monitoring, reporting and review for each milestone is included that identifies and describes how and when the monitoring will be carried out to demonstrate a milestone and milestone criteria have been achieved.	
2	Tailings storage facility, voids, and underground mining (sections 3.6.2, 3.6.3 and 3.6.3 PRCP Guideline)	Some PRCP Guideline content requirements for the rehabilitation planning part of the PRC Plan may not apply to your operation. Where this is the case (e.g. tailings storage facility, void, underground mine) it is recommended to include a heading and brief explanation of why the information requirement has been omitted in the proposed PRC Plan. This is to ensure that the proposed PRC Plan meets the PRCP Guideline requirements.	Provide a revised PRC plan that includes a heading and explanation for PRCP Guideline information requirements that have been omitted.
3	Project planning – Rehabilitation/improvement planning (s3.1 PRCP Guideline)	The expectation is that all disturbed land available for rehabilitation should be progressively rehabilitated throughout the operation of the mine. The proposed PRC Plan states that <i>'land will only become available at mine closure because extraction is based on consumer demand for different colours and grades of sandstone found at different locations across the site, resulting in a need to keep multiple extraction faces open and with no means to predict in which order or at which time different areas of the resource will be exhausted'</i> . The proposed PRC Plan states that the entire extractive area will be required for the entire life of the mine and that the volume of available material will support the life of mine for approximately	Provide an explanation of how the volume of material available for extraction, and hence the life of mine has been calculated, to justify the proposed commencement of rehabilitation in 80 years.

		80 to 100 years. It is unclear how the resource available and hence the life of mine has been estimated.	
4	Community consultation (section 3.2 the proposed PRC Plan)	Section 3.2.2 of the proposed PRC plan states that no record of community consultation is available, and that community consultation will be planned to be undertaken every 15 years. The community consultation objectives in section 3.2.2 and the community consultation table at Appendix D of the proposed PRC plan indicates community members would be informed of details of any proposed changes to rehabilitation at the site. However, consultation prior to making changes to the rehabilitation plan and/or consultation frequency is not included. Additionally, it is unclear when the consultation is planned to begin and to continue every 15 years after that.	Provide a revised PRC plan that clarifies: • When proposed community consultation will commence, and • Whether consultation will be undertaken should there be changes to rehabilitation plans or final outcomes or should the timing of progressive rehabilitation change.
PRC plan - PRCP Schedule			
5	Final site design and reference maps	The final site design and the rehabilitation map provided with the proposed PRC Plan require refinement to meet the PRCP Guideline requirements for a final design and a reference map, because: • The final site design does not depict the PMLU for undisturbed areas of the tenures. • In both maps, rehabilitation areas do not depict the maximum disturbance area and do not incorporate all disturbed land within the relevant tenure. Appendix 2 of the PRCP Guideline provides examples of a final site design and a reference map.	Provide a revised: • Final site design that depicts all PMLUs for all land within the relevant resource tenures including undisturbed land, and rehabilitation areas that incorporate all disturbed land, and • A revised Reference Map that shows the boundary of each rehabilitation area incorporating all disturbed land on the relevant tenure (only areas of disturbance need to be included on the Reference Map).
6	Developing a PRCP Schedule (section 4.1 PRCP Guideline)	Requirements for a PRCP Schedule are set out in Section 4.1 of the PRCP Guideline. Refinement of the proposed PRCP Schedule is necessary to meet these requirements, including: • Date area is available for commencement of each milestone should be entered into the tables for RA1 and RA2. • Milestone completion dates must be 10 December of the relevant year as per section 4.1 step 7 of the PRCP Guideline, to provide a consistent reporting period.	Provide a revised proposed PRCP Schedule that includes: • Nominated years for commencement of each milestone, and • Milestone completion dates of 10 December of each relevant year.

7	Rehabilitation milestones	Section 4.1 step 4 of the PRCP Guideline identifies the purpose of rehabilitation milestones is to represent each significant event or step in rehabilitating the land to a stable condition and the purpose of milestone criteria is to reflect the rehabilitation methodology and include parameters that are measurable for achieving a milestone. Appendix 3 of the PRCP Guideline sets out reference milestones that where relevant should be used in the proposed PRCP Schedule. The proposed PRCP Schedule currently doesn't reflect this approach and some of the proposed milestones would be more appropriate as milestone criteria (e.g. RM2 Erosion controlled to prevent sediment from entering waterways, RM3 Topsoil is stable and resistant to erosion etc). It is recommended that the proposed PRCP Schedule is revised to ensure milestones and milestone criteria are reflective of the requirements in section 4.1 step 4 of the PRCP Guideline and reference milestones are incorporated where relevant. Further examples are available on the public register portal at https://apps.des.qld.gov.au/public-register/.	Revise rehabilitation milestones to reflect significant rehabilitation events or steps.
8	Milestone criteria	Refinement of milestone criteria in the proposed PRCP Schedule to meet SMART principles (outlined in section 4.1, step 4 of the PRCP guideline) is required. For example: • Some criteria are not specific or measurable because that are reliant on information in other documents, for example RM5 and RM7 criteria. Relevant criteria from the proposed PRC Plan and attachments should be specified within the proposed PRCP Schedule • Further justification is needed regarding milestone criteria for erosion in RM1 and RM4. For example, '<i>Erosion ratings are suitable for long term safety</i>' and '<i>Erosion structures are fit for purpose</i>' do not provide enough information to assess how the milestone criteria will be achieved. Examples may be accessed in approved PRCP Schedules that are available on the public register portal at https://apps.des.qld.gov.au/public-register/. • Criteria regarding stability are included early in the rehabilitation process (e.g.: at RM1), prior to other rehabilitation works being completed (e.g.: vegetation). It is important that a criterion for the land achieving stable condition after rehabilitation works have been conducted is also proposed against the final milestone.	Revise milestone criteria to meet SMART principles (see section 4.1, step 4 of the PRCP guideline).

9	Milestone criteria inconsistencies	There are some inconsistencies in the proposed PRCP Schedule for which clarification is requested: • Rehabilitation milestone (RM) 3 relating to the application of topsoil has been applied to rehabilitation area (RA) 3, however, topsoiling of this area is not proposed in the PRC Plan, instead the area is proposed to be retained for future landholder use • RM8 states topsoil will be spread to 150mm whereas section 10.2 of the proposed PRC Plan states topsoil will be spread at 200mm.	Provide information and/or revised proposed PRCP Schedule that addresses identified inconsistencies.
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