

Notice

Environmental Protection Act 1994

Notice of decision - Temporary emissions licence

This statutory notice is issued by the administering authority pursuant to section 357F of the Environmental Protection Act 1994, to advise you of a decision or action.

To: Capricorn Copper Pty Ltd
Level 3, 232 Adelaide Street
BRISBANE QLD 4000

Via electronic transmission only

Attention: Geraldine McGuire, Manager Environment & Community
Email: geraldine.mcguire@29metals.com

Your reference: EPML00911413

Our reference: 101/0008746

1 Application details

Application for temporary emissions licence (TEL) for mining activities conducted under environmental authority EPML00911413 at ML5407, ML5412, ML5413, ML5418, ML5419, ML5420, ML5429, ML5430, ML5441, ML5442, ML5443, ML5444, ML5451, ML5454, ML5457, ML5459, ML5467, ML5485, ML5486, ML5489, ML5500, ML5548, ML5549, ML5550, ML5562, ML5563, ML90180, ML90181 and ML90182.

2 Decision

Thank you for your application for a temporary emissions licence. Your application, which was received by this office on 18 March 2024 at 8:15AM, has been granted on different terms than those submitted

3 Reason for the decision

The TEL has been approved as specified in this notice with additional conditions specified in relation to reporting, notification and a limit on the maximum level of electrical conductivity authorised in the receiving environment.

These additional requirements have been included to minimise potential environmental harm in Gunpowder Creek.

4 Human rights

A human rights assessment was carried out in relation to this decision/action and it was determined that no human rights are engaged by this decision.



5 Review and appeal rights

You may apply to the administering authority for a review of this decision within 10 business days after receiving this notice. You may also appeal against this internal review decision to the Land Court. Information about your review and appeal rights is attached to this notice. This information is guidance only and you may have other legal rights and obligations.

6 Temporary emissions licence

This temporary emissions licence commences on 18 March 2024 and ends on 31 March 2024.

The licence permits the following emission:

- Release of contaminants from W1 release point to Gunpowder Creek when criteria specified in the conditions of this TEL are achieved.

The licence overrides the following conditions of your environmental authority EPML00911413:

- (C2-3) *Waters released from the location listed in Schedule C - Table 1 (Contaminant Release Point) must not exceed the contaminant limit listed in Schedule C - Table 2 (Release Contaminant Limits) for any specified parameter.*
- (C2-5) *The maximum volume of treated waste waters released in any twelve (12) month period shall not exceed 500,000 cubic metres.*
- (C2-6) *The holder must ensure that contaminant release to receiving waters does not occur unless background flow exceeds 1.1 metres³/second at all times.*

The following conditions apply to this licence:

- TEL1** All conditions of environmental authority EPML00911413 continue to apply unless specified otherwise in this TEL.
- TEL2** Conditions (C2-3), (C2-5) and (C2-6) of environmental authority EPML00911413 do not apply for the period of this TEL.
- TEL3** Contaminants must only be released to the receiving waters at the release point specified in Schedule C – Table 1 (Contaminant Release Point) of environmental authority EPML00911413.
- TEL4** The release of contaminants to waters must be monitored at the release point specified in **TEL3** for each quality characteristic and at the frequency specified in **TEL Table 1 (Contaminant Release Limits and Monitoring)**.
- TEL5** The quality of the release must not exceed the contaminant release limits listed in **TEL Table 1 (Contaminant Release Limits)** for each respective background receiving waters flow.
- TEL6** When releasing contaminants to waters, flow in the background receiving waters must be monitored continuously in cubic metres per second (m³/s).
- TEL7** All waters released from the release point specified in **TEL3**, must be discharged in a manner that ensures the effective dilution and dispersion of contaminants.
- TEL9** The release of contaminants to waters under this TEL must not cause:
- a) erosion of the bed and banks of the receiving waters; and/or
 - b) disturbance to vegetation; and/or
 - c) a build-up of sediment.

TEL Table 1 – Contaminant Release Limits

Contaminant (mg/L unless specified otherwise)	Contaminant limit ¹ (maximum release limit unless specified otherwise) and minimum background receiving waters flow			Monitoring frequency
	3m ³ /s	4m ³ /s	8m ³ /s	
pH (pH units)	6 to 9	6 to 9	6 to 9	Hourly
Electrical conductivity (uS/cm)	For interpretative purposes only.			Hourly
Total dissolved solids	7,500	8,200	9,100	At commencement of release and daily thereafter
Dissolved oxygen	Greater than 2	Greater than 2	Greater than 2	
Sulfate	4,600	5,200	5,700	
Total suspended solids	30	30	30	
Arsenic ²	0.25	0.25	0.25	
Cobalt ²	5	5	5	
Copper ²	2.5	5	10	
Lead ²	0.05	0.05	0.05	
Zinc ²	10	10	10	
Oil & grease	No detectable film or odour	No detectable film or odour	No detectable film or odour	

¹ The contaminant limit for metals and metalloids is based on the 'total' metals fraction.

² All metals and metalloids will be monitored as both total (unfiltered) and dissolved (field filtered) levels.

TEL10 Receiving waters in Gunpowder Creek must be monitored continuously for electrical conductivity and pH at the locations specified in Schedule C – Table 3 (Receiving Water Monitoring Locations) of environmental authority EPML00911413.

TEL11 Electrical conductivity in Gunpowder Creek must not exceed 1 500uS/cm when measured at the locations specified in **TEL10**.

TEL12 Monitoring of Gunpowder Creek water quality downstream of the release point specified in **TEL3** must be undertaken following cessation of all TEL releases sufficient to determine if there are any ongoing water quality impacts associated with the TEL releases.

TEL13 Monitoring required by this TEL must be in accordance with the requirements of the current published edition or version of the Queensland Government's 'Monitoring and Sampling Manual 2018 – Environmental Protection (Water) Policy 2009' unless otherwise approved by the administering authority.

TEL14 All monitoring devices must be calibrated and maintained according to the manufacturer's instruction manual.

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- TEL15** Within 10 business days of cessation of releases under this temporary emissions licence, a report must be provided to the administering authority containing:
- a) an analysis of all monitoring results carried out in accordance with the conditions of this temporary emissions licence;
 - b) whether the releases under this temporary emissions licence may have caused any environmental harm; and
 - c) the measures taken to prevent or minimise environmental harm occurring from the releases.
- TEL16** Prior to any release occurring, downstream landholders and downstream water users that may be impacted by any releases under this temporary emissions licence must be notified of:
- a) the characteristics of the release that will occur under this temporary emissions licence, including volume, quality, date, time, and duration of release; and
 - b) the measures taken to prevent or minimise environmental harm occurring from the release.

Should you have any queries in relation to this notice, please contact the department via the detail provided below.



Signature

18 March 2024

Date

Rebecca McAuley
Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
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Phone: (07) 4222 5352
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Attachments

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[Information sheet Internal review and appeals](#) (ESR/2015/1742)