



**VARIATION OF CONDITIONS ATTACHED TO APPROVAL**  
**Carrapateena Project copper-gold mining and processing, 65 km east of**  
**Woomera, SA (EPBC 2017/7895)**

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

**Approved action**

**Person to whom the approval is granted** OZ Minerals Carrapateena Pty Ltd (ACN 149 626 255)  
OZM Carrapateena Pty Ltd (ACN 007 756 443)

**Approved action** To construct and operate an underground sub-level caving mine, processing facility and associated support infrastructure, 65 km east of Woomera, SA [See EPBC referral 2017/7895 and variation received 2 June 2017].

**Variation**

**Variation of conditions attached to approval** The variation is:  
  
Delete condition 14 attached to the approval and substitute with condition 14 specified in the table below.  
  
Insert new conditions 17 and 18 as specified in the table below.  
  
Insert definitions of Business days, Compliance report, Incident and Plans.

**Date of effect** This variation has effect on the date the instrument is signed

**Person authorised to make decision**

**Name and position** Chris Videroni  
Acting Assistant Secretary  
Assessments (WA, SA, NT) and Post Approvals Branch

**Signature**

**Date of decision** 14 December 2018

Date of decision	Conditions attached to approval
Original dated 29/3/2018	1) To manage the impacts of the action on the <b>environment</b> , the person taking the action must implement the conditions of the <b>SA approval</b> .
Original dated 29/3/2018	2) The person taking the action must not impact more than 1740 hectares of <b>Plains Rat habitat</b> within the <b>disturbance footprint</b> .
Original dated 29/3/2018	3) Prior to <b>commencement</b> of the action, to compensate for residual impacts to the <b>Plains Rat</b> , the person taking the action must acquire an <b>offset property</b> which must contain: <ul style="list-style-type: none"> <li>a. a <b>population</b> of the <b>Plains Rat</b></li> <li>b. no less than 1740 hectares of <b>Plains Rat habitat</b></li> <li>c. <b>habitat quality</b> equal to that of the <b>Plains Rat habitat</b> within the <b>disturbance footprint</b>.</li> </ul>
Original dated 29/3/2018	4) The person taking the action must maintain or improve the <b>habitat quality</b> of the existing <b>Plains Rat habitat</b> at the acquired <b>offset property</b> for the life of this approval.
Original dated 29/3/2018	5) Within 2 years from <b>commencement</b> of the action, the person taking the action must change the tenure of the <b>offset property</b> for conservation purposes using an appropriate legal mechanism for long term protection.
Original dated 29/3/2018	6) Prior to the <b>commencement</b> of the action, the person taking the action must engage a <b>suitably qualified expert</b> to undertake a <b>Night Parrot</b> survey within the <b>development envelope</b> . The <b>Night Parrot</b> survey must be undertaken in accordance with the <b>EPBC Act Night Parrot survey guidelines</b> . Within three months of the <b>Night Parrot</b> survey being completed, the person taking the action must provide the <b>Department</b> with the <b>Night Parrot</b> survey results.
Original dated 29/3/2018	7) Should the <b>Night Parrot</b> or evidence of the <b>Night Parrot</b> be recorded during the survey, the person taking the action must submit for the <b>Minister's</b> approval, a <b>Night Parrot</b> Management Plan that must include: <ul style="list-style-type: none"> <li>a. Details of the <b>Night Parrot</b> survey results, including the methodology, timing and area surveyed.</li> <li>b. An assessment of the impacts to the <b>Night Parrot</b> that will result from the action.</li> <li>c. Management actions that will avoid, minimise and/or offset both the immediate and long-term impacts of the action on the <b>Night Parrot</b>.</li> <li>d. Monitoring and reporting requirements that demonstrate the management actions are effectively being implemented and achieve the intended results. This should include the frequency, intensity and duration of monitoring.</li> </ul> <p>The person taking the action must not <b>commence</b> the action prior to the <b>Minister</b> approving the <b>Night Parrot</b> Management Plan. The approved <b>Night Parrot</b> Management Plan must be implemented.</p>

Date of decision	Conditions attached to approval
Original dated 29/3/2018	<p>8) Prior to the <b>commencement</b> of the action, the person taking the action must engage a <b>suitably qualified expert</b> to undertake a <b><i>Frankenia plicata</i></b> survey within the <b>development envelope</b>. The <b><i>Frankenia plicata</i></b> survey must be undertaken in accordance with contemporary survey methods. Within three months of the <b><i>Frankenia plicata</i></b> survey being completed, the person taking the action must provide the <b>Department</b> with the <b><i>Frankenia plicata</i></b> survey results.</p>
Original dated 29/3/2018	<p>9) Should the <b><i>Frankenia plicata</i></b> be recorded during the survey, the person taking the action must submit for the <b>Minister's</b> approval, a <b><i>Frankenia plicata</i></b> Management Plan that must include:</p> <ul style="list-style-type: none"> <li>a. Details of the <b><i>Frankenia plicata</i></b> survey results, including the methodology, timing and area surveyed.</li> <li>b. An assessment of the impacts to the <b><i>Frankenia plicata</i></b> that will result from the action.</li> <li>c. Management actions that will avoid, minimise and/or offset both the immediate and long-term impacts of the action on the <b><i>Frankenia plicata</i></b>.</li> <li>d. Monitoring and reporting requirements that demonstrate the management actions are effectively being implemented and achieve the intended results. This should include the frequency, intensity and duration of monitoring.</li> </ul> <p>The person taking the action must not <b>commence</b> the action prior to the <b>Minister</b> approving the <b><i>Frankenia plicata</i></b> Management Plan. The approved <b><i>Frankenia plicata</i></b> Management Plan must be implemented.</p>
Original dated 29/3/2018	<p>10) Within 3 months following the change of tenure referred to in condition 5) the person taking the action must provide the <b>Department</b> with <b>written evidence</b> that the <b>offset property</b> has been secured for conservation purposes using an appropriate legal mechanism.</p>
Original dated 29/3/2018	<p>11) Within 30 days after the <b>commencement</b> of the action, the person taking the action must advise the <b>Department</b> in writing of the actual date of commencement.</p>
Original dated 29/3/2018	<p>12) The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, and make them available upon request to the <b>Department</b>. Such records may be subject to audit by the <b>Department</b> or an independent auditor in accordance with section 458 of the <b>EPBC Act</b>, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the <b>Department's</b> website. The results of audits may also be publicised through the general media.</p>
Original dated 29/3/2018	<p>13) Within 30 days after <b>completion</b> of the action, the person taking the action must advise the <b>Department</b> in writing of the actual date of <b>completion</b> and provide a map clearly defining the date, location and</p>

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	<p>actual impact within the <b>Disturbance footprint</b> of the action and be accompanied with a <b>shapefile</b>.</p>
As varied on the date of this notice	<p>14) The approval holder must prepare a <b>compliance report</b> for each 12 month period following the date of <b>commencement of the action</b>, or as otherwise agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> <li>a) publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the relevant 12 month period;</li> <li>b) notify the <b>Department</b> by email that a <b>compliance report</b> has been published on the <b>website</b> within five <b>business days</b> of the date of publication;</li> <li>c) keep all <b>compliance reports</b> publicly available on the <b>website</b> until this approval expires;</li> <li>d) exclude or redact <b>sensitive ecological data</b> from <b>compliance reports</b> published on the <b>website</b>; and</li> <li>e) where any <b>sensitive ecological data</b> has been excluded from the version published, submit the full <b>compliance report</b> to the <b>Department</b> within 5 <b>business days</b> of publication.</li> </ul> <p><b>Note:</b> The first <b>compliance report</b> may report a period less than 12 months so that it and subsequent compliance reports align with the similar requirement under state approval.</p>
Original dated 29/3/2018	<p>15) Upon the direction of the <b>Minister</b>, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the <b>Minister</b>. The independent auditor must be approved by the <b>Minister</b> prior to the commencement of the audit. Audit criteria must be agreed to by the <b>Minister</b> and the audit report must address the criteria to the satisfaction of the <b>Minister</b>.</p>
Original dated 29/3/2018	<p>16) If, at any time after 5 years from the date of this approval, the person taking the action has not <b>commenced</b> the action, then the person taking the action must not <b>commence</b> the action without the written agreement of the <b>Minister</b>.</p>
As varied on the date of this notice	<p>17) The approval holder must notify the <b>Department</b> in writing of any: <b>incident</b>; non-compliance with the conditions; or non-compliance with the commitments made in <b>plans</b>. The notification must be given as soon as practicable and no later than two <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> <li>a) the condition which is or may be in breach; and</li> <li>b) a short description of the <b>incident</b> and/or non-compliance.</li> </ul>

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As varied on the date of this notice	<p>18) The approval holder must provide to the <b>Department</b> the details of any <b>incident</b> or non-compliance with the conditions or commitments made in <b>plans</b> as soon as practicable and no later than 30 days after becoming aware of the <b>incident</b> or non-compliance, specifying:</p> <ul style="list-style-type: none"> <li>a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</li> <li>b) the potential impacts of the incident or non-compliance; and</li> <li>c) the method and timing of any remedial action that will be undertaken by the approval holder.</li> </ul>

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As varied on the date of this notice	<p><b>Business days</b> means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.</p> <p><b>Commencement, commenced, commence:</b> The construction of any infrastructure, excluding fences, signage, and Advanced Exploration Activities Excluded from Referral 2017/7895 as shown in the figure at <u>Attachment A</u>.</p> <p><b>Completion</b> is the day after the mine has been rehabilitated as required by the <b>SA approval</b>.</p> <p><b>Compliance report:</b> means written reports:</p> <ul style="list-style-type: none"> <li>i. providing accurate and complete details of compliance, <b>incidents</b>, and non-compliance with the conditions and the <b>plans</b>;</li> <li>ii. consistent with the <b>Department's Annual Compliance Report Guidelines (2014)</b></li> <li>iii. include a shapefile of any clearance of any <b>protected matters</b>, or their habitat, undertaken within the relevant 12 month period; and</li> </ul> <p>annexing a schedule of all <b>plans</b> prepared and in existence in relation to the conditions during the relevant 12 month period</p> <p><b>Department:</b> The Australian Government Department or any other agency administering the <b>EPBC Act</b> from time to time.</p> <p><b>Disturbance footprint:</b> as defined in the figure at <u>Attachment A</u>.</p> <p><b>Environment:</b> as defined by section 528 of the <b>EPBC Act</b>.</p> <p><b>EPBC Act:</b> <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>.</p> <p><b>Frankenia plicata:</b> is the <b>EPBC Act</b> listed <i>Frankenia plicata</i>.</p> <p><b>Habitat quality:</b> is the ecological condition of the offset property that enables the Plains Rat to persist in the area.</p> <p><b>Incident:</b> means any event which has the potential to, or does, impact on protected matter(s).</p>

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	<p><b>Minister:</b> The Minister administering the <b>EPBC Act</b> and includes a delegate of the Minister.</p> <p><b>Night Parrot:</b> is the <b>EPBC Act</b> listed <i>Pezoporus occidentalis</i>.</p> <p><b>Offset attributes:</b> is an excel file ('.xls') capturing relevant attributes of the <b>offset property</b>, including the corresponding <b>EPBC Act</b> reference ID number, the physical address of the <b>offset property</b>, coordinates of the boundary points in decimal degrees, the <b>protected matters</b> for which the <b>offset property</b> compensates, any additional <b>EPBC Act</b> protected matters that are benefiting from the <b>offset property</b>, the size of the <b>offset property</b> in hectares and the legal mechanism used to protect and conserve the <b>offset property</b>.</p> <p><b>Offset property:</b> an area of land located within a 100 km radius of the <b>disturbance footprint</b>.</p> <p><b>Plans:</b> means any of the documents required to be prepared, approved by the <b>Minister</b>, and/or implemented by the approval holder and published on the <b>website</b> in accordance with these conditions (includes action management plans and/or strategies)</p> <p><b>Plains Rat habitat:</b> large open gypseous cracking clay areas associated with minor drainage features, and depressions within gibber stony plains.</p> <p><b>Plains Rat:</b> is the <b>EPBC Act</b> listed <i>Pseudomys australis</i>.</p> <p><b>Population:</b> a number of Plains Rat individuals among which interbreeding occurs.</p> <p><b>SA approval:</b> means the SA Minister for Mineral Resources and Energy Approval (record number 2017D054379) or as varied by the SA Minister for Mineral Resources and Energy and the recommended conditions as stated in the four Tenement Documents (ML6471, MLP152, MLP153, and MLP154) excluding Second Schedule condition 27 of ML6471.</p> <p><b>Shapefile:</b> is an ESRI shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes of the <b>Disturbance footprint</b> and <b>Offset Property</b>, including the shape, <b>EPBC Act</b> reference ID number and <b>protected matters</b> present at the relevant site. Attributes should also be captured in '.xls' format.</p> <p><b>Suitably qualified expert:</b> is a person with relevant tertiary qualifications and a minimum of ten (10) years demonstrated experience as a botanist or ecologist in a relevant field of natural science.</p> <p><b>Survey guidelines:</b> is the <i>Survey guidelines for Australia's threatened birds: Guidelines for detecting birds listed as threatened under the EPBC Act</i> (Department of the Environment, Water, Heritage and the Arts, 2010 - Erratum April 2017).</p> <p><b>Written evidence:</b> must include a description of the <b>offset property</b>, including the amount of <b>Plains Rat habitat</b>, the <b>habitat quality</b>, a map clearly defining the location and boundaries of the <b>offset property</b> and be accompanied with <b>offset attributes</b> and a <b>shapefile</b>.</p>

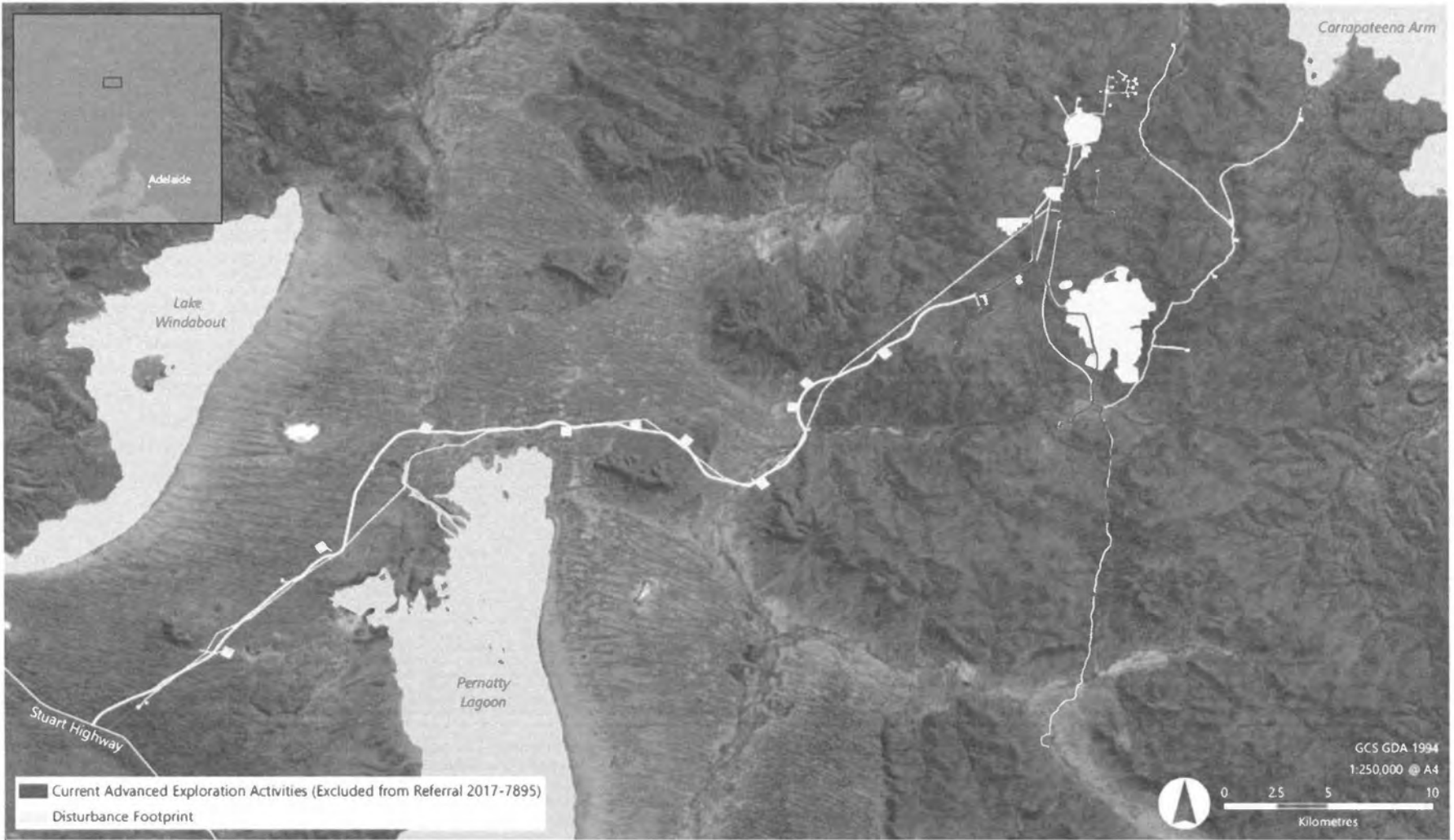


Figure 4.2: Disturbance Footprint and Areas Excluded from Referral 2017-7895

CARRAPATEENA PROJECT

