



VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Prominent Hill Copper – Gold Project, South Australia (EPBC 2005/2040)

This decision to vary the conditions attached to the approval is made under section 143(1)(c) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted Oz Minerals – Prominent Hill Limited
ABN: 40 005 482 824

Approved action The development of the Prominent Hill copper-gold project, South Australia, and as described in the referral received under the EPBC Act on 17 March 2005 [Reference: EPBC 2005/2040]

Variation

Variation of conditions of approval The variation is:
Revoke conditions 1 – 6 attached to the approval and add conditions 1 - 5 set out in Attachment A.

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

Person authorised to make decision

name and position Greg Manning
Assistant Secretary
Assessment (WA, SA, NT) & Post Approvals Branch

Signature

Date of decision 6 June 2018

Conditions attached to the approval

1. To mitigate impacts to the Thick-billed Grass Wren (*Amytornis modestus indulkanna*) and the Plains Rat (*Pseudomys australis*), the person taking the action must, prior to 1 July 2018, submit an Environmental Management Plan (EMP) for the approval of the **Minister**. The EMP must be prepared in accordance with the **Department's Environmental Management Plan Guidelines** and include, but not be limited to:
 - a) management measures to maintain or improve habitat condition, including:
 - i. measures to prevent and control human and stock access to species habitat; and
 - ii. the control of feral predator and weed species; and
 - b) feral predator, weed and habitat condition monitoring, triggers for management intervention and corrective actions.

The person taking the action must implement the approved EMP.

2. The person taking the action must, unless otherwise agreed by the **Minister**, submit by 30 September of each year (beginning in 2019) written advice to the **Minister** demonstrating how the person taking the action has complied with the conditions of this approval.
3. The person taking the action may choose to revise the plan approved by the **Minister** under condition 1 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan would not be likely to have a **new or increased impact**. If the person taking the action makes this choice they must notify the **Department** in writing that the approved plan has been revised and provide the **Department**, at least four weeks before implementing the revised plan, with:
 - i. an electronic copy of the revised plan;
 - ii. an explanation of the differences between the revised plan and the approved plan; and
 - iii. the reasons the person taking the action considers that the taking of the action in accordance with the revised plan would not be likely to have a **new or increased impact**.
4. The person taking the action may revoke its choice under condition 3 at any time by giving written notice to the **Department**. If the person taking the action revokes the choice to implement the revised plan, without approval under section 143A of the EPBC Act, the plan approved by the **Minister** must be implemented.
5. If the **Minister** gives a notice to the person taking the action that the **Minister** is satisfied that the taking of the action in accordance with the revised plan would be likely to have a **new or increased impact**, then:
 - i. condition 3 does not apply, or ceases to apply, in relation to the revised plan; and
 - ii. the person taking the action must implement the plan approved by the **Minister**.

To avoid any doubt, this condition does not affect any operation of conditions 3 and 4 in the period before the day the notice is given.

At the time of giving the notice, the **Minister** may also notify that for a specified period of time condition 3 does not apply for the plan required under the approval.

Conditions 3, 4 and 5 are not intended to limit the operation of section 143A of the EPBC Act which allows the person taking the action to submit a revised plan to the **Minister** for approval.

Definitions

Department means the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*

Department's Environmental Management Plan Guidelines is the Environmental Management Plan Guidelines, Commonwealth of Australia 2014, available at <http://www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines>.

Minister means the Minister responsible for the Environment Protection and Biodiversity Conservation Act 1999

New or increased impact is a new or increased impact on any matter protected by the controlling provisions for the action, when compared to the plan or program that has been approved by the Minister.

