

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 amendment application for a site-specific environmental authority.

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

ATTN: Geraldine McGuire
Email: Geraldine.mcguire@29metals.com

Your reference: A-EA-AMD-100566732

Our reference: EPML00911413, 101/0008746

Further information is required to assess an amendment application for environmental authority

1. Application details

The amendment application for a site-specific environmental authority was received by the administering authority on 19 December 2023.

The application reference number is: **A-EA-AMD-100566732**

Land description Mining Lease (ML) 5407, 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. 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 specified in attachment 1 to 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 **27 August 2024** (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 by email to 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.

4. Human rights

A human rights assessment was carried out in relation to this decision and it was determined that **the decision is compatible with human rights.**

If you require more information, please contact the Minerals Business Centre on the telephone number listed below.



Signature

27 February 2024

Date

Scott Sullivan
Executive Director
Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
PO Box 7230, Cairns QLD 4870
Phone: (07) 4222 5352
Email: ESCairns@des.qld.gov.au

Attachment 1: Information Request

Item	Description	Information Request
1	Closure Strategy	<p>The information provided in the application on the closure approach for Esperanza Pit was insufficient and of poor quality, with the proposed approach not supported by the department.</p> <p>You are requested to provide details on a permanent closure strategy for Esperanza Pit that meets contemporary environmental standards and prevents oxidation of tailings material either through:</p> <ol style="list-style-type: none"> 1. A permanent water cover at all times over the tailings, at a minimum depth which is sufficient to prevent the oxidation of tailings as supported by best practice evidence; or 2. An alternative strategy that prevents oxidation and contamination from the tailings into the pit water body through proven best practice approaches (e.g. water-shedding cover). <p>For the chosen closure strategy, the following information is required:</p> <ul style="list-style-type: none"> • Modelling which demonstrates: <ul style="list-style-type: none"> ○ That the tailings will not be exposed to an oxidating environment; and ○ The final stabilised water level greater than the currently modelled 300-year period. The model must continue until there is demonstrated stabilisation of pit water levels. • The long-term water management strategy to reach closure, including: <ul style="list-style-type: none"> ○ Details on how long evaporators will be in use at site, and evidence to justify this. ○ Details on how the pit water levels will be managed in the long-term. • If a water cover is proposed also include: <ul style="list-style-type: none"> ○ Evidence to demonstrate that the Design Storage Allowance (DSA) will not be exceeded on 1 November each year under the closure scenario, and that at no time the Maximum Operating Level of RL 222m would be exceeded; and ○ The final DSA and Mandatory Reporting Level (MRL) for the closure case based on the stabilised water levels in the pit. • If an alternative closure strategy is proposed, the following is required: <ul style="list-style-type: none"> ○ Details on the strategy; and ○ Evidence to support the approach; and ○ The impact on pit water management and associated water quality.
2	Compliance with DSA/MRL	<p>Provide updated modelling and corresponding RL for Esperanza Pit to show the projection/timeline towards and up to compliance based on the provided water balance model (Engeny, 29 Metals Capricorn Copper Pty Ltd, System Design Plan, 15 December 2023) under the following scenarios:</p> <ul style="list-style-type: none"> • Compliance to prescribed DSA level 1409.2 ML under the following scenarios: <ul style="list-style-type: none"> ○ Current approval (i.e., DSA 1409.2 ML and MRL 443.4 ML) without evaporators and without tailings deposition. ○ Current approval with evaporators and without tailings deposition. ○ Current approval with evaporators and with tailings deposition. ○ Current approval without evaporators and with tailings deposition. • Compliance to proposed DSA level 496.8 ML under the following scenarios: <ul style="list-style-type: none"> ○ Proposed DSA (i.e., DSA 496.8 ML and MRL 496.8 ML) without evaporators and without tailings deposition. ○ Proposed DSA with evaporators and without tailings deposition. ○ Proposed DSA with evaporators and with tailings deposition.

Item	Description	Information Request
		<ul style="list-style-type: none"> ○ Proposed DSA without evaporators and with tailings deposition. <p>This timeline must show:</p> <ul style="list-style-type: none"> ● Monthly changes in water level volumes (and corresponding pit RL).
3	Evaporator Spray Drift	<p>Evaporator spray drift may cause accumulation of contaminants in catchments, potentially where runoff is not captured. With the proposed use of evaporators, provide information on:</p> <ul style="list-style-type: none"> ● The location of all evaporators and the associated fallout from spray drift; and ● How spray drift will be managed to prevent contamination of the environment.
4	Integrated Water Management	<p>Provide further details on the whole of site integrated water management, including:</p> <ul style="list-style-type: none"> ● Current onsite contaminated water inventory, including the contemporary volumes for Esperanza Pit, Esperanza Underground and Mill Creek Dam, as well as all water storages across the site. ● Volume of contaminated water from underground workings, seepages, and contaminated surface runoff under normal site operating conditions. ● Location and capacity for any potential additional contaminated water storages that could support contaminated water capture and/or water treatment on site to limit the reliance on Esperanza Pit. ● Water treatment options for current and future contaminated water inventory on site, including details and implementation timeframes for options including but not limited to water treatment plants. ● A long-term water management plan for maintaining compliance with the integrated containment system DSA/s across the site and in accordance with the environmental authority.