

29 June 2022



Government  
of South Australia

Department for  
Energy and Mining

Mr John Peters  
Director  
Leigh Creek Copper Mine Pty Ltd  
3 Laundess Avenue  
PANANIA NSW 2213

Via email: [REDACTED]

Dear Mr Peters

***Mining Act 1971 – Notification of approved Program for Environment Protection and Rehabilitation for Mineral Lease (ML) 5467 – Mountain of Light Copper Mine***

The Program for Environment Protection and Rehabilitation (the Program) for ML 5467, as submitted on 12 January 2022, has been approved by the Department for Energy and Mining (DEM) as Program Number MPEPR2022/135, in accordance with Section 70C(5) of the *Mining Act 1971* (the Act).

You are reminded that in accordance with Section 70D(3) of the Act, you must comply with this approved program.

This approval does not constitute endorsement of the systems that you have in place to manage the mining operations in compliance with the Act. Whilst your capability to undertake this activity has been considered in this approval, the responsibility for compliance with the Act always remains with the tenement holder.

**Scope of approval**

This approval authorises the mining and processing of oxide ore only. A revised Program is required to be submitted and approved to authorise the mining and processing of transitional and sulphide ore.

**Program conditions**

In accordance with section 70C(7a) of the Act, the Program is subject to the conditions listed in the attached notice (see **Attachment 1**).

**Native Vegetation**

The Program includes a revised native vegetation management plan for the additional clearance of 15.11 hectares of native vegetation on ML 5467.

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The Significant Environmental Benefit (SEB) for the clearance of this vegetation has been calculated as \$139,035 (including administration fee). The SEB was calculated in accordance with the *Guide for a Significant Environmental Benefit for the clearance of native vegetation associated with the Minerals and Petroleum Industry* (2017).

Clearance of native vegetation and demonstration of SEB, as described in Section 5 of the Program, are approved in accordance with the *Native Vegetation Regulations 2017*.

As your preferred option is to pay into the Native Vegetation Fund, evidence that payment of \$139,035 (including administration fees) has been made must be provided to DEM before any clearance is undertaken.

Please notify DEM if you would like an invoice for the SEB to be raised so that payment can be made via Electronic Funds Transfer. Alternatively, if payment is to be made via a cheque, please make the cheque out to the "Native Vegetation Council" and send it to DEM to be forwarded to the Native Vegetation Council.

#### **Rehabilitation Financial Assurance**

DEM has determined the rehabilitation liability estimate to be \$2,890,000 based on the information provided and discussions with you.

There is an existing financial assurance of \$200,000 held for this operation. Accordingly, a financial assurance of \$2,690,000 must be paid. This will be formally requested under separate letter.

#### **Environment Protection Act 1993**

Please ensure that the operations on the Leigh Creek Copper Mine (Mountain of Light site) are undertaken in accordance with the current EPA licence No 29324.

#### **Landscape South Australia Act 2019**

Please ensure that the excavation and diversion of an ephemeral watercourse is undertaken in accordance with the water activity affecting permits issued on 10 June 2022 in accordance with the *Landscape South Australia Act 2019*.

Under the requirements of the *Landscape South Australia Act 2019* a water licence is required for the Leigh Creek Copper Mine. You are advised to consult with the Department for Environment and Water, Water Licensing Branch to obtain a licence for the use of groundwater from the South Australian Arid Lands Landscape Board.

#### **Aboriginal Heritage Act 1988**

To ensure the protection and preservation of Aboriginal sites, objects and remains, you are reminded that you must comply with the *Aboriginal Heritage Act 1988* and associated regulations.

### **Compliance Reporting**

In accordance with Regulation 77 of the Mining Regulations and [Terms of Reference 009](#), you are required to submit an annual compliance report. The report must include information on if negotiations on the transfer of liability for monitoring and maintenance of water management structures post mining have progressed.

### **Work, Health and Safety Act 2012**

In accordance with Chapter 10 of the *Work Health and Safety Regulations 2012* (SA), you must meet the requirements for mine operators in South Australia, which include a notification for mining operations, the establishment of a Safety Management System, the identification of Principal Mining Hazards and development of a Principal Mining Hazard Management Plan. Further information on your responsibilities, including a guide to Chapter 10, and the Mine Operator Notification Form, is available on the SafeWork SA [website](#).

Should you require any further assistance, please contact Peter Lane, Principal Mining Compliance Officer on [REDACTED] or [DEM.MiningRegRehab@sa.gov.au](mailto:DEM.MiningRegRehab@sa.gov.au).

Yours sincerely



**Paul De Ionno**  
**Director Mining Regulation**  
**Delegate of the Minister for Energy and Mining**  
**Delegate of the Native Vegetation Council**  
Cc: John Speck, Mine Manager-Leigh Creek Copper Mine Pty Ltd [REDACTED]

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## Attachment 1 – Notice of Program Approval Conditions for MPEPR 2022/135

In accordance with section 70C(7a) of the *Mining Act 1971* (the Act), this notice is provided to the Tenement Holder “Leigh Creek Copper Mine Pty Ltd” to specify the following conditions to which the Program No MPEPR2022/135 (the Program) is subject to:

### Oxide ore

- 1.0 The Tenement Holder must develop a procedure to ensure that only material defined as oxide ore is mined within Stages 1 and 2, and no transitional or sulphide ore is mined (as described in section 4.4.2.2 and 4.4.2.3 of the Program).
- 2.0 The procedure must be submitted to the Director Mining Regulation, Department of Energy and Mining prior to commencement of Stage 1 mining.
- 3.0 The Tenement Holder must ensure this procedure is effectively implemented for the duration of the Program unless an alternative is approved by the Director Mining Regulation.

*Explanatory Note: These conditions are necessary as the Tenement Holder has set out a clear procedure in the Program that allows for the delineation of oxide and transitional/sulphide ore boundary, and to ensure the achievement of environmental outcomes.*

### Aboriginal Heritage Management

- 4.0 Ensure exclusion zones are established and maintained in accordance with the conditions of clearance as set out in the ‘Report of a work area clearance inspection for the Leigh Creek Copper Mine of locations associated with proposed new infrastructure at Leigh Creek in the Northern Flinders Ranges, South Australia **Confidential**’ (Carver and Bradshaw April 2022).

*Explanatory Note: This condition is necessary to ensure the achievement of the environmental outcome ‘no damage, disturbance or interference to Aboriginal and non-Aboriginal sites, objects or remains as a result of mining operations unless it is authorised under the Aboriginal Heritage Act 1988 or Heritage Places Act 1993’ set by the Tenement Holder.*

### Program Review

- 5.0 In accordance with Section 70C of the Act a revised Program must be submitted **within six (6) months of the date of this letter**. The revised Program must address the following matters:

#### General

- 5.1 Complete commitments made in the Future Works Schedule (Program Table 11-43) and update the revised Program to reflect the outcomes of the works.
- 5.2 Review and revise operational outcome measurement criteria (noting that the Program states that some criteria are dependent on the Future Works Schedule).
- 5.3 Include a consistent and clear whole of mine life plan integrating construction, operation, closure and post closure, including (but not limited to):
  - 5.3.1 additional detail, plans and procedures in relation to:
    - 5.3.1.1 co-disposal as a strategy to manage Acid and Metalliferous Drainage; and
    - 5.3.1.2 covers for all final landforms.
  - 5.3.2 integration of outcomes and recommendations from the Landloch report (Program Appendix S) on landform evolution modelling.

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*Acid and Metalliferous Drainage*

5.4 Review and revise the Acid and Metalliferous Drainage (AMD) assessment and AMD management plan to address the following matters:

- 5.4.1 an assessment of metal leaching from heap leach and waste rock.
- 5.4.2 incorporation of results from 5.4.1 in addition to the seepage assessments committed to in the Future Works Schedule (Program Table 11-43).
- 5.4.3 evidence that the co-disposal strategy will be effective in mitigating and/or managing AMD to ensure achievement of environmental outcomes.

5.5 The revised AMD assessment and AMD management plan must be peer reviewed by a suitably qualified independent expert approved by the Director of Mining Regulation, Department of Energy and Mining.

*Mine Closure Planning*

5.6 Review and revise the mine closure plan to address the following matters:

- 5.6.1 A review of mine completion criteria to ensure they are clear and effective.
- 5.6.2 Incorporation of the outcomes from 5.6.1, including outcomes from the assessment completed in 5.4.
- 5.6.3 Incorporation of the outcomes from the completion of “Current and Future Works” (Program Table 11-43)
- 5.6.4 Incorporation and integration of recommendations made by the Landloch Report (Program Appendix S)
- 5.6.5 Include additional details with regards to the design of the surface water management structures to demonstrate that they will be effective post closure and achieve relevant mine completion outcomes
- 5.6.6 Provide an update on negotiations on the surrender of the tenement in accordance with Terms of Reference TOR 005 (Section 2.9.1 Mine Completion - Description of mine site at completion).

*Explanatory Note:* Condition 5.0 aligns with commitments made by the Tenement Holder in the Program. DEM notes that the Program (Appendix Q preamble) states that a new mine closure plan is being developed.