



**Government  
of South Australia**

*Mining Act 1971*

**TENEMENT DOCUMENT**

**MINERAL LEASE**

<b>TENEMENT HOLDER</b>	OneSteel Manufacturing Pty Limited (ACN 004 651 325)
<b>CLASS OF LEASE</b>	Mineral Lease (ML)
<b>MINERAL LEASE NUMBER</b>	6473
<b>COMMENCEMENT DATE</b>	15 January 2018
<b>TERM OF LEASE</b>	Ten (10) years
<b>EXPIRY DATE</b>	14 January 2028
<b>MINERAL(S)</b>	Minerals (Iron Ore)
<b>AREA OF LEASE</b>	128.92 hectares

**DATE BY WHICH THE PROPOSED PEPR MUST BE SUBMITTED: 14 January 2019**

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### **Details of Grant of a Mining Tenement**

1. On 15 January 2018, pursuant to Part 6 of the Act, the Minister made a statutory grant of a mineral lease (the Mining Tenement) described in this Tenement Document.
2. The Mining Tenement is granted:
  - 2.1. To OneSteel Manufacturing Pty Limited (ACN 004 651 325);
  - 2.2. For the purpose of recovering the Mineral(s) described in the First Schedule of this Tenement Document.
3. The Mining Tenement is numbered ML 6473.
4. The Mining Tenement is:
  - 4.1. Subject to the Terms and Conditions prescribed by the Act and Regulations and specified in this Tenement Document; and
  - 4.2. Subject to the Additional Terms and Conditions specified in the First and Second Schedules (respectively) of this Tenement Document.

### **Terms and conditions required by the Act to be specified in the Tenement Document**

#### **Description of the Land**

5. The Mining Tenement is granted over an area of 128.92 hectares and is located in the Middleback Range area, approximately 35km west of Whyalla.
6. The location of the Mining Tenement is more specifically defined in the map and coordinates specified in the Third Schedule of this Tenement Document.

#### **Term, Commencement and Expiration**

7. The Mining Tenement is granted for the term of ten (10) years. The term of the Mining Tenement commenced on 15 January 2018, and, unless it is earlier renewed, surrendered or cancelled, the Mining Tenement will cease on 14 January 2028.

**Rental**

8. The Tenement Holder shall pay, by way of rental, such sums as may be prescribed and in accordance with section 40 of the Act and regulation 42 of the Regulations.

**Compensation**

9. The Minister may, at any time, require the Tenement Holder to pay to any person an amount of compensation stipulated by the Minister, to which that person is, in the opinion of the Minister, entitled in consequence of mining operations in pursuance of the rights granted and the obligations imposed by the grant of the Mining Tenement.

**Suspension and Cancellation: Stipulation of Process**

10. Pursuant to subsection 41(1) of the Act, the Minister may suspend or cancel the Mining Tenement if the Tenement Holder contravenes or fails to comply with a term or condition of this Tenement Document or a provision of the Act (which includes the Regulations).
11. Pursuant to subsection 41(2) of the Act, the Minister may stipulate in the tenement document a process for suspension or cancellation that must be followed before the powers in subsection 41(1) may be exercised.
12. The process for suspension of the Mining Tenement shall be as stipulated in the Fourth Schedule of this Tenement Document.
13. The process for cancellation of the Mining Tenement shall be as stipulated in the Fifth Schedule of this Tenement Document.

**Environmental outcomes specified pursuant to Regulation 65 of the Regulations**

14. The Sixth Schedule of this Tenement Document sets out outcomes contemplated in regulation 65(2) of the Regulations, that the Tenement Holder is required to address in any program submitted in accordance with Part 10A of the Act.

*Explanatory note: The Sixth Schedule may also contain strategies and criteria which the Department has formed the view would address the outcomes set out in that Schedule.*

## **Restatement of selected provisions from the Act**

### **Explanation of Restatements**

15. All of the restatements in this portion of this Tenement Document are included for guidance only and do not replace the substantive provisions of the Act or the Regulations.
16. If any restatement is inconsistent with the substantive provisions of the Act or the Regulations, the restatement will be invalid and the substantive provision of the Act or the Regulations will prevail and the Tenement Holder is required to comply with the substantive provision of the Act or the Regulations.
17. The Tenement Holder is still required to comply with any provision of the Act or Regulations that is not restated in this Mineral Lease.

### **Restatement of rights conferred on Tenement Holder**

18. The grant of the Mining Tenement confers an exclusive right upon the Tenement Holder including officers, employee(s), contractor(s) or duly authorised agent(s) of the Tenement Holder, to conduct mining operations on the Land, for the Mineral(s), subject to the provisions of the Act and the Regulations, and the terms and conditions of this Tenement Document.
19. The grant of the Mining Tenement authorises the Tenement Holder, including officers, employee(s), contractor(s) or duly authorised agent(s) of the Tenement Holder, to sell, or dispose of, the Mineral(s) recovered in the course of mining operations conducted in pursuance of the grant or to utilise any such mineral(s) for any commercial or industrial purpose, subject to the payment of royalty.

### **Restatement of rights and powers not conferred on the Tenement Holder**

20. The grant of the Mining Tenement does not confer any right on the Tenement Holder:
  - 20.1. To use the Land for any purpose other than the authorised mining operations.
  - 20.2. To confer any rights on any other person in relation to the Mining Tenement.

*Explanatory note: For example, the Tenement Holder cannot grant rights to a party under a Joint Venture Agreement (or other agreement however described), to conduct mining operations on the Land in that party's own right. The Tenement Holder may engage employees, contractors or agents to perform work on the tenement on the Tenement Holder's behalf).*

**Restatement of obligations imposed on Tenement Holder: Program for environment protection and rehabilitation**

21. The Tenement Holder must not carry out mining operations unless there is an approved program for environment protection and rehabilitation (an Approved PEPR).
22. A Proposed PEPR will only be approved when it complies with the requirements of Part 10A of the Act and the Regulations.
23. To comply with Part 10 A of the Act, the Proposed PEPR must:
  - 23.1. Contain the information specified in section 70B(2) of the Act and regulation 65(2), (5), (6) of the Regulations and determinations made by the Minister under regulation 65(7) of the Regulations (if any);
  - 23.2. Comply with any applicable conditions specified in this Tenement Document (if any);
  - 23.3. Address any relevant environmental outcomes listed in the Sixth Schedule of this Tenement Document.

*Explanatory note: At the date of grant, the determinations are available at:  
[www.minerals.dpc.sa.gov.au/publications\\_and\\_information/ministerial\\_determinations](http://www.minerals.dpc.sa.gov.au/publications_and_information/ministerial_determinations)*

24. In accordance with regulation 65(10) of the Regulations, the Tenement Holder must submit to the Department of State Development for ministerial approval a Proposed PEPR that fully complies with the Act and Regulations within twelve (12) months after the grant of the Mining Tenement unless the Tenement Holder has been granted an extension of time for such submission.

*Explanatory note: Until otherwise notified, the Tenement Holder may apply for an extension of time in writing to the Director of Mines, GPO Box 320, Adelaide, SA 5001, setting out the reasons why the Tenement Holder seeks an extension and the date when the Tenement Holder estimates that the document will be ready for submission to the Minister.*

**Restatement of obligations imposed on Tenement Holder: Working conditions**

25. In accordance with regulation 35 of the Regulations, unless otherwise determined or agreed by the Minister, the Tenement Holder must:
  - 25.1. Commence mining operations in accordance with the Approved PEPR within twelve (12) months after its approval; and
  - 25.2. Thereafter continue mining operations in accordance with the requirements of the program in the Approved PEPR.

*Explanatory note: Until otherwise notified, the Tenement Holder may apply for an extension of time in writing to the Director of Mines, GPO Box 320, Adelaide, SA 5001, setting out the reasons why the Tenement Holder seeks an extension and the date when the Tenement Holder estimates that the document will be ready for submission to the Minister.*

**Restatement of obligations imposed on Tenement Holder: Other**

26. In addition to obligations about the conduct of mining operations and rehabilitation, the Act and Regulations impose other obligations on the Tenement Holder including obligations to:
  - 26.1. Comply with Part 3 of the Act (royalties).
  - 26.2. Comply with the applicable provisions of Part 9 of the Act (entry onto land and use of declared equipment).
  - 26.3. Comply with the applicable provisions of Part 9B of the Act (native title).
  - 26.4. Comply with the provisions of section 76 of the Act (mining returns) to the extent relevant to a mineral lease.
  - 26.5. Comply with section 77 of the Act (records and geological samples) and regulation 84 of the Regulations.
  - 26.6. Comply, as necessary, with section 83 of the Act (ministerial consent for dealings in relation to the Tenement) and regulations 44 and 70 of the Regulations.
  - 26.7. Comply, insofar as applicable to a mineral lease, with regulation 86 of the Regulations (compliance reports).
  - 26.8. Comply with the requirement in regulation 43 of the Regulations to maintain all posts, boundary indicator markers and notices in the positions required by the Regulations as applicable.
  - 26.9. Permit the pastoral lessee (if any) of the Land to have free access and use at all times for domestic purposes, and for the purposes of watering stock from any surface water on the land which shall not have been provided or stored by artificial means by the Tenement Holder.

**Restatement of Exempt Land**

27. In accordance with section 9 of the Act, the grant of the Mining Tenement does not authorise prospecting, exploring or mining upon any exempt land unless or until the benefit of the exemption is waived under section 9AA.



**Restatement of Bond**

28. In accordance with section 62 of the Act, the Minister may by written notice require the Tenement Holder to pay a bond in such sum and subject to such terms and conditions as ensure, in the opinion of the Minister, that the following will be satisfied:

28.1. Any civil or statutory liability likely to be incurred by the Tenement Holder in the course of carrying out mining operations;

28.2. The present and future obligations of the Tenement Holder in relation to the rehabilitation of land disturbed by mining operations.

*Explanatory note: The terms and conditions referred to in this paragraph will be imposed in the written notice given by the Minister. The Minister may include a term or condition that the bond may be increased if circumstances arise during the term of this Mineral Lease which increases the rehabilitation liability or increases the cost of civil or statutory liability.*

**Restatement of Fees**

29. The Tenement Holder shall pay all fees imposed by the Act and Regulations from time to time.

**Restatement of Renewal**

30. This Mineral Lease shall be renewed in accordance with the Act.

**Restatement of Surrender**

31. The Tenement Holder may apply to surrender the Mining Tenement during its term in accordance with the Act and the Regulations.

**Restatement of Forfeiture**

32. The Mining Tenement is subject to the forfeiture provision of the Act being sections 70 and 85.

**Restatement of Notices**

33. Notices under the Act will be served in accordance with regulation 106 of the Regulations.

**Restatement of Mining Register**

34. Section 15A of the Act requires the Mining Registrar to keep a register of, amongst other things, mineral leases. Upon payment of the prescribed fee, the public may inspect the Mining Register.

**Restatement of Mining Operations**

35. As defined by section 6 of the Act “mining operations” means:
- 35.1. Operations carried out in the course of prospecting, exploring or mining for minerals; or
  - 35.2. Without limiting paragraph 35.1, any operations by which minerals are recovered from any place or situation, including by recovering minerals from the sea or a natural water supply; or
  - 35.3. On-site operations undertaken to make minerals recovered from the site a commercially viable product, other operations involving such minerals, or other operations involving minerals brought on to the site of a mine for processing; or
  - 35.4. Operations for the rehabilitation of land on account of the impact of any operations under a preceding paragraph; or
  - 35.5. Operations that are directly related to any operations under a preceding paragraph;  
but does not include –
  - 35.6. An investigation or survey under section 15 of the Act; or
  - 35.7. Fossicking; or
  - 35.8. The surface removal of loose rock material disturbed by agricultural operations.
36. This definition applies to operations that occur during all phases of the mine’s life.

**Restatement of requirement to notify of a change in status**

37. The Tenement Holder must comply with regulation 98(1)(c) and 98(2).
- 37.1. If the Tenement Holder is a natural person, he or she is required to notify the Mining Registrar of a declaration of bankruptcy within fourteen (14) days of the declaration.
  - 37.2. If the Tenement Holder is a company, it is required to notify the Mining Registrar of its being placed under official management, or in liquidation or receivership within fourteen (14) days of any of those events.

**Restatement of Public Liability Insurance**

38. The Tenement Holder must comply with regulation 90, which concerns public liability insurance.

**Definitions**

39. In this Tenement Document, the following words have the following meanings:
- 39.1. **“the Act”** means the *Mining Act 1971* of South Australia;
  - 39.2. **“Additional Terms and Conditions”** means the Additional Terms and Conditions authorised by section 34(4) of the Act and set out in the First and Second Schedules of this Tenement Document respectively;
  - 39.3. **“AMD”** means Acid and Metalliferous Drainage;
  - 39.4. **“Applicant”** means the person or persons who applied for the Mining Tenement;
  - 39.5. **“Approved PEPR”** means the program for environment protection and rehabilitation under Part 10A of the Act, which has received ministerial approval;
  - 39.6. **“Business Day”** means any day that is not a Saturday, Sunday or a public holiday in South Australia;
  - 39.7. **“Contamination”** and **“contaminated”** mean the presence of chemical substances in concentrations greater than the background concentrations (if any), where the presence of the chemical substances in the greater concentrations has resulted in:
    - 39.7.1. Actual or potential harm to the health or safety of human beings that is not trivial, or
    - 39.7.2. Actual or potential harm to water that is not trivial, or
    - 39.7.3. Other actual or potential environmental harm that is not trivial;
  - 39.8. **“DRP”** means Decommissioning and Rehabilitation Plan;
  - 39.9. **“Environmental Values (ground and surface water)”** means the environmental values recognised in the South Australian Environment Protection (Water Quality) Policy 2015 and the *‘Australian and New Zealand Guidelines for Fresh and Marine Water Quality, October 2000, Paper No 4’*;
  - 39.10. **“EPA”** means the Environment Protection Authority under the *Environment Protection Act 1993* of South Australia;
  - 39.11. **“the Land”** means the land over which this Mining Tenement is granted and which is described in paragraphs 5 and 6 of this Tenement Document and in the Third Schedule of this Tenement Document;

- 39.12. **“Mine completion”** means the Land has been rehabilitated to an extent that the Minister could approve an application for surrender of the Mining Tenement on the basis that the Tenement holder has complied with sub-regulation 45(1) of the Regulations and there is no obstacle under sub-regulation 45(3) of the Regulations;
- 39.13. **“mineral lease”** means the Mining Tenement granted to the Tenement Holder as referred to in paragraph 1 of this Tenement Document;
- 39.14. **“Mineral(s)”** means the Mineral(s) referred to on the front page of this Mineral Lease and in the First Schedule;
- 39.15. **“Mining Tenement”** or **“Tenement”** means the mineral lease granted to the Tenement Holder as referred to in paragraph 1 of this Tenement Document;
- 39.16. **“the Minister”** means the Minister for Mineral Resources and Energy (or any substituted Minister);
- 39.17. **“PEPR”** means Program for Environment Protection and Rehabilitation;
- 39.18. **“PM 10”** means the fraction of particulates in air 10 micrometres or less in aerodynamic diameter;
- 39.19. **“the Program”** means the Approved PEPR as defined above;
- 39.20. **“Proposed PEPR”** means the document required by regulation 65(10) of the Regulations to be submitted for ministerial approval within twelve (12) months of the date of grant of the Mining Tenement;
- 39.21. **“Regulations”** means the Mining Regulations 2011 of South Australia;
- 39.22. **“site”** means the Land;
- 39.23. **“SMP”** means Social Management Plan;
- 39.24. **“TDD”** means the Total Dust Deposition (including both ambient and mine related dust);
- 39.25. **“Tenement Document”** means this document;
- 39.26. **“Tenement Holder”** means the person, or persons, to whom this the Mining Tenement is granted and includes;
- 39.26.1. If the Tenement Holder is a natural person, the executors, administrators and assigns of that person;
- 39.26.2. If the Tenement Holder is a body corporate, the successors, administrators or permitted assigns thereof.

*Explanatory Note: “The Tenement Holder” has the same meaning as “the mining operator” as defined by section 6 of the Act.*

- 39.27. **“third party land users”** means the owner of land (as defined by the Act) and any persons lawfully occupying land with the licence of the owner, or the consent of the owner and “third party land use” has a corresponding meaning;
- 39.28. **“Weeds”** means any invasive plant that threatens native vegetation in the local area or any species recognised as invasive in South Australia.
- 39.29. **“WRD”** means the Waste Rock Dump.

**Interpretation**

40. For the purposes of interpreting this Tenement Document the following will apply:
- 40.1. Unless otherwise stated, any term which is used in this Tenement Document which has a specific meaning in the Act or the Regulations, has that same meaning in this Tenement Document;
  - 40.2. The masculine shall include the feminine, words importing persons shall include corporations, and the singular shall include the plural when the context or circumstances require and unless inconsistent with or repugnant to the context the following words shall have the meanings set opposite to them respectively –
    - 40.2.1. “amendment” includes an addition, excision or substitution;
    - 40.2.2. “the Land” includes any part thereof; and
    - 40.2.3. “the term” includes any renewal or extension thereof.
  - 40.3. If the Mining Tenement is granted to more than one person, all of the persons to whom it is granted are all jointly and severally liable for compliance with the Act, the Regulations and this Tenement Document, including the Additional Terms and Conditions in the First and Second Schedules of this Tenement Document respectively;
  - 40.4. If, by virtue of a dealing under section 83 of the Act, the Mining Tenement comes to be held by more than one person, they will all be jointly and severally liable for compliance with the Act, the Regulations and this Tenement Document including the Additional Terms and Conditions in the First and Second Schedules of this Tenement Document respectively;
  - 40.5. If any act pursuant to Tenement Document would otherwise be required to be done on a day which is not a Business Day, then that act may be done on the next Business Day;
  - 40.6. To the extent that there is any inconsistency, on the one hand, between a term of this Tenement Document or any Additional Term or Condition, and, on the other hand, the Act or Regulations, the Act or Regulations shall prevail;
  - 40.7. Subject to the transitional provisions in any amendment to the Act or the Regulations, all provisions referred to in this Tenement Document shall be taken to include any such amendment;

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- 40.8. Subject to the transitional provisions in any amendment to the Act or the Regulations, to the extent that there is any inconsistency, on the one hand, between a term of this Tenement Document or any Additional Term or Condition, and, on the other hand, any amendments to the Act or Regulations, the amended Act or Regulations shall prevail;
  - 40.9. Footnotes and Explanatory notes do not form part of this Tenement Document;
  - 40.10. The contents page does not form part of this Tenement Document;
  - 40.11. The front page and all of the Schedules form part of this Tenement Document.
-



**Executed by the Tenement Holder(s) in accordance with regulation 41**

SIGNED by OneSteel Manufacturing Pty Limited (ACN 004 651 325) )  
in accordance with section 127 of the )  
*Corporations Act 2001* and its Constitution )

.....  
Signature of Director

.....  
Signature of Director/Secretary

.....  
Print Name of Director

.....  
Print Name of Director/Secretary

.....  
Date

.....  
Date

**When executed, the Tenement Document will  
be entered into the Mining Register and will  
be available through the Mining Register  
Search Tool on the South Australian Resources  
Information Gateway (SARIG) at  
<https://map.sarig.sa.gov.au>**

Entered in the Mining Register on 15 January 2018  
In accordance with section 15A(1)(c) of the Act.

Signed by .....  
Junesse Martin  
Mining Registrar

.....  
Date

**FIRST SCHEDULE**

**ADDITIONAL TERMS**

*Explanatory note: A term is a clause that gives a right to a Mining Tenement.*

**Authorised Mining Operations**

1. The grant of the Mining Tenement authorises mining operations (only) for the recovery of Iron Ore.
2. The grant of the Mining Tenement authorises mining operations (only) that are consistent with the mining operations described in the Mining Proposal document dated 23 June 2017 and subsequent Response Document dated 8 November 2017.

**SECOND SCHEDULE**  
**ADDITIONAL CONDITIONS**

*Explanatory note: A condition is a clause that imposes a restriction on a Mining Tenement.*

<b>INDEX TO SECOND SCHEDULE (ADDITIONAL CONDITIONS)</b>	<b>Condition No.</b>
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**Air Quality**

1. The Tenement Holder must develop an air quality dispersion model that predicts the changes in air quality and dust deposition at the nearest sensitive receptors as a result of mining operations.
2. The air quality dispersion model must address the cumulative effect of all mining operations within the Iron Baron Mining Area.
3. The air quality dispersion model must be developed in accordance with the South Australian EPA Ambient Air Quality Assessment Guideline August 2016.
4. The results of the air quality dispersion model must be compared against:
  - 4.1. the South Australian Environment Protection (Air Quality) Policy 2016 (Schedule 3) ground level concentrations for PM 10; and
  - 4.2. total dust deposition of less than 4g/m<sup>2</sup>/month; and
  - 4.3. the mine contribution of total dust deposition of less than 2g/m<sup>2</sup>/month.
5. A report summarising the results of the air quality dispersion model must be provided to the Director of Mines (or other authorised officer) within three (3) months from the grant of the Mining Tenement (or within such longer period that the Director of Mines (or other authorised officer) may allow).

**Native Vegetation**

6. The native vegetation dust impact scoring system and descriptors (Mining Proposal<sup>[FK(1)]</sup> page 221) and the native vegetation outcome measurement criteria (Mining Proposal page 226) must be reviewed by an independent and suitably qualified expert approved by the Director of Mines (or other authorised officer) to ensure that they are effective measurement criteria to demonstrate achievement of the Native Vegetation Outcome Sixth Schedule Clause 15.
7. The review must address the following matters (but not limited to):
  - 7.1. the appropriateness of the scoring system and descriptors to measure if clearance (as defined by the Native Vegetation Act 1991) has occurred;
  - 7.2. which scores and descriptors describe if clearance has occurred; and
  - 7.3. recommendations for any amendments to the scoring system and descriptors to improve their effectiveness as measurement criteria.
8. The expert must prepare a report of the findings of the review and this report must be provided to the Director of Mines (or other authorised officer) within three months of the grant of the Mining Tenement (or within such longer period that the Director of Mines (or other authorised officer) may allow).

**Transparency**

9. The Tenement Holder agrees to the Approved PEPR and any compliance reports and reportable incident reports, submitted in accordance with the Regulations, being made available for public inspection.

**Notification of Cessation of Operations**

10. Within thirty (30) days of becoming aware of any event or decision which is likely to give rise to the cessation of mining operations or mining related activities for a period of more than seven (7) days and prior to the cessation of mining operations, the Tenement Holder must notify the Director of Mines in writing of the event or decision. The notice must specify the date upon which the mining operations are expected to cease or have ceased, an estimate of the period of cessation and an outline of the steps to develop any required DRP under Second Schedule Condition 12.

**Decommissioning and Rehabilitation Plan (DRP)**

11. The Tenement Holder must comply with a DRP approved in accordance with Second Schedule Conditions 12 and 13 when decommissioning or rehabilitating the Mining Tenement.
12. Unless the Director of Mines (or other authorised officer) otherwise directs, a DRP must be submitted to the Director of Mines (or other authorised officer) for approval within thirty (30) days of any notification provided to the Director of Mines in relation to the notification of cessation of operations under Second Schedule Condition 10, and that DRP must:
  - 12.1. set out the activities and scheduling required for the carrying out of the rehabilitation works specified in the Approved PEPR;
  - 12.2. be prepared in accordance with any guidelines provided by the Director of Mines (or other authorised officer).
13. If, in the opinion of the Director of Mines (or other authorised officer), mining operations or mining related activities on the Mining Tenement have substantially ceased for two years or more, the Director of Mines (or other authorised officer) may:
  - 13.1. require that the Tenement Holder submits a DRP for approval dealing with the requirements set out in Second Schedule Condition 12; and/or
  - 13.2. direct the Tenement Holder to rehabilitate the Mining Tenement in accordance with the Approved PEPR and/or any DRP.

**Compliance with Regulation 98(1)**

14. A notification required by regulation 98(1) must be in writing.

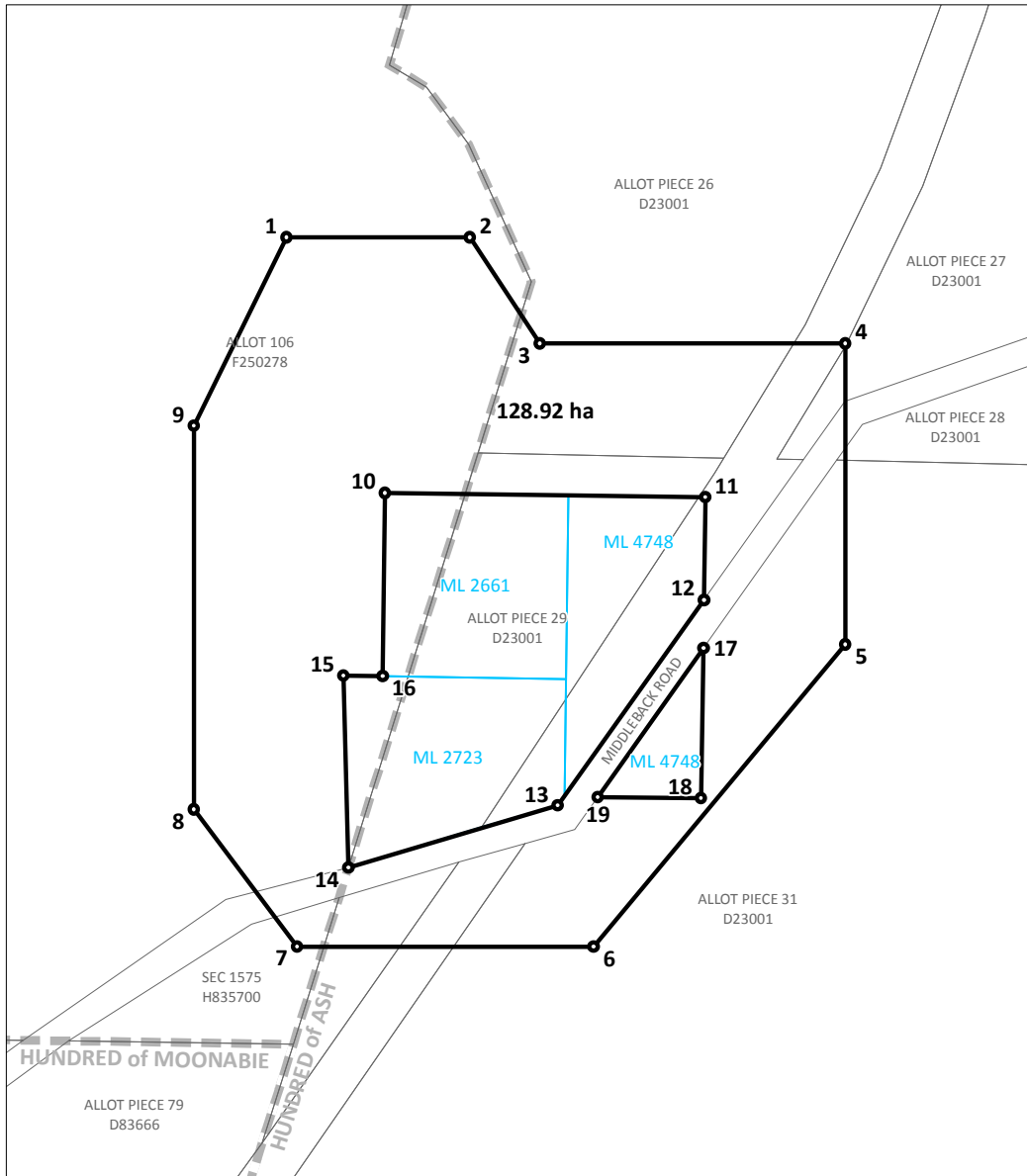
**Other Legislation**

15. The Tenement Holder must comply with all State and Commonwealth legislation and regulations applicable to the activities undertaken pursuant to this Mining Tenement including (but not limited to) the:
  - 15.1. *Environment Protection and Biodiversity Conservation Act 1999;*
  - 15.2. *Development Act 1993;*
  - 15.3. *Planning, Development and Infrastructure Act 2016;*
  - 15.4. *Dangerous Substances Act 1979;*
  - 15.5. *National Parks and Wildlife Act 1972;*
  - 15.6. *Natural Resources Management Act 2004;*

- 15.7. *Public and Environmental Health Act 1987;*
- 15.8. *Aboriginal Heritage Act 1988;*
- 15.9. *Heritage Places Act 1993;*
- 15.10. *Work Health and Safety Act 2012;*
- 15.11. *Environment Protection Act 1993;*
- 15.12. *Native Vegetation Act 1991;*
- 15.13. *Mines and Works Inspection Act 1920;*
- 15.14. *Road Traffic Act 1961; and*
- 15.15. *Wilderness Protection Act 1992.*

THIRD SCHEDULE

MAP



NOTE: The boundary of this lease is depicted so as to best represent the relationship to the surrounding cadastral parcels. The legal boundary is to be ascertained by the coordinates specified.

DATE PRODUCED: 19/12/2017



## THIRD SCHEDULE

## DESCRIPTION OF AREAS

All that part of the State of South Australia, bounded by a line joining the points of coordinates set out in the following table:

Map Grid of Australia 1994 Zone 53				
Point	Easting		Northing	
1	699373.90	mE	6334784.20	mN
2	699776.30	mE	6334784.20	mN
3	699929.00	mE	6334551.80	mN
4	700598.90	mE	6334551.60	mN
5	700598.90	mE	6333892.00	mN
6	700047.00	mE	6333229.00	mN
7	699397.20	mE	6333229.00	mN
8	699170.90	mE	6333530.10	mN
9	699170.90	mE	6334370.40	mN

Excluding those areas bounded by lines joining the points of coordinates set out in the following tables:

Map Grid of Australia 1994 Zone 53				
Point	Easting		Northing	
10	699589.60	mE	6334223.84	mN
11	700291.83	mE	6334214.34	mN
12	700288.79	mE	6333989.64	mN
13	699968.93	mE	6333538.31	mN
14	699509.29	mE	6333401.89	mN
15	699499.10	mE	6333822.73	mN
16	699584.15	mE	6333821.58	mN

Map Grid of Australia 1994 Zone 53				
Point	Easting		Northing	
17	700287.35	mE	6333883.27	mN
18	700282.90	mE	6333553.99	mN
19	700056.19	mE	6333557.06	mN

Area: 128.92 ha

Based on information provided by the applicant.



**FOURTH SCHEDULE**  
**PROCESS FOR SUSPENSION**

**Issuance of Suspension Show Cause Notice**

1. Where the Minister is of the view that there may be grounds to consider whether to suspend the grant of the Mining Tenement, the Minister shall give written notice to the Tenement Holder, which shall:
  - 1.1. Specify the provision of the Act or the Regulations, or the term or condition of the grant of the Mining Tenement, that the Minister believes the Tenement Holder has contravened or failed to comply with; and
  - 1.2. Give the Tenement Holder thirty (30) Business Days from the date of the written notice to show cause why the grant of the Mining Tenement should not be suspended (“the Suspension Show Cause Notice”).

**Minister’s action if Tenement Holder does not respond**

2. If the Tenement Holder does not respond to the Suspension Show Cause Notice within thirty (30) Business Days, the Minister may suspend the grant of the Mining Tenement without further notice (in accordance with the process outlined below).

**Minister’s action if Tenement Holder does respond**

3. If the Tenement Holder responds to the Suspension Show Cause Notice within thirty (30) Business Days, the Minister will consider the Tenement Holder’s submission and decide whether to suspend the grant of the Mining Tenement (in accordance with the process outlined below).

**Written Notice of Minister’s decision**

4. The Minister shall give written notice to the Tenement Holder of the Minister’s decision:
  - 4.1. If the decision is to suspend the grant of the Mining Tenement, the written notice shall be called “Notice of Decision: Suspended”.
  - 4.2. If the decision is to not to suspend the grant of the Mining Tenement, the written notice shall be called “Notice of Decision: Not Suspended”.
5. A Notice of Decision: Not Suspended, may contain any information that the Minister considers relevant.
6. A Notice of Decision: Suspended, shall:

- 6.1. Specify the reason for suspension;
- 6.2. specify the period of suspension;
- 6.3. specify the action (if any) the Tenement Holder may be required to take for the Minister to consider revoking the suspension, and the time frame for taking that action; and
- 6.4. inform the Tenement Holder of their right of appeal to the Environment, Resources and Development Court in accordance with subsection 41(3) of the Act.

#### **Minister's action if Tenement Holder takes action as specified in Notice of Decision**

7. If the Tenement Holder takes the action specified by the Minister under paragraph 6.3, the Minister will consider revoking the suspension.
8. If the Minister revokes the suspension, the Minister will, within a reasonable time write to the Tenement Holder informing the Tenement Holder of the revocation.

#### **Minister's action if Tenement Holder appeals**

9. If the Tenement Holder appeals to the Environment, Resources and Development Court the Minister will consider exercising the discretion under section 41(4) of the Act, to stay the operation of the suspension until the appeal is finally disposed of.
10. If the Environment, Resources and Development Court, or a court of further appeal finally determines that it is satisfied that there is no proper ground for the suspension, and so orders, the Minister will reinstate the grant of the Mining Tenement in accordance with section 41(5) of the Act.

#### **The Mining Register**

11. All of the stages in the suspension process shall be recorded on the Mining Register by way of appropriate memoranda, for example:
  - 11.1. A memorandum Notice of Decision: Suspended;
  - 11.2. A memorandum Notice of Decision: Not Suspended;
  - 11.3. A memorandum of Minister's Decision to Revoke the Suspension;
  - 11.4. A memorandum of Appeal;
  - 11.5. A memorandum of Stay of Suspension by the Minister;
  - 11.6. Memoranda of all of the courts' orders (whether the Environment Resources and Development Court or subsequent appeal courts).

**FIFTH SCHEDULE**  
**PROCESS FOR CANCELLATION**

**Issuance of Cancellation Show Cause Notice**

1. Where the Minister is of the view that there may be grounds to consider whether to cancel the grant of the Mining Tenement, the Minister shall give written notice to the Tenement Holder, which shall:
  - 1.1. Specify the provision of the Act or the Regulations, or the term or condition of the grant of the Mining Tenement, that the Minister believes the Tenement Holder has contravened or failed to comply with; and
  - 1.2. give the Tenement Holder sixty (60) Business Days from the date of written notice to show cause why the grant of the Mining Tenement should not be cancelled (“the Cancellation Show Cause Notice”).

**Minister’s action if the Tenement Holder does not respond**

2. If the Tenement Holder does not respond to the Cancellation Show Cause Notice within sixty (60) Business Days, the Minister may cancel the grant of the Mining Tenement without further notice (in accordance with the process outlined below).

**Minister’s action if the Tenement Holder does respond**

3. If the Tenement Holder responds to the Cancellation Show Cause Notice within sixty (60) Business Days, the Minister will consider the Tenement Holder’s submission and decide whether to cancel the grant of the Mining Tenement (in accordance with the process outlined below).

**Written notice of Minister’s decision**

4. The Minister shall give written notice to the Tenement Holder of the decision:
  - 4.1. If the decision is to cancel the grant of the Mining Tenement, the written notice shall be called “the Notice of Decision: Cancelled”.
  - 4.2. If the decision is not to cancel the grant of the Mining Tenement, the written notice shall be called “the Notice of Decision: Not Cancelled”.
5. A Notice of Decision: Not Cancelled may contain any information that the Minister considers relevant.

6. A Notice of Decision: Cancelled shall:
  - 6.1. Specify the reason for cancellation;
  - 6.2. specify the date from which cancellation is effective; and
  - 6.3. inform the Tenement Holder of their right of appeal to the Environment, Resources and Development Court in accordance with subsection 41(3) of the Act.

#### **Minister's action if Tenement Holder appeals**

7. If the Tenement Holder appeals to the Environment, Resources and Development Court the Minister will consider exercising his discretion under section 41(4) of the Act, to stay the operation of the cancellation until the appeal is finally disposed of.
8. If the Environment, Resources and Development Court, or a court of further appeal finally determines that it is satisfied that there is no proper ground for the cancellation, and so orders, and the cancellation has not been stayed by the Minister under section 41(4) of the Act, or by order of the Environment, Resources and Development Court, the Minister will reinstate the grant of the Mining Tenement in accordance with section 41(5) of the Act.

#### **The Mining Register**

9. All stages in the cancellation process shall be recorded on the Mining Register by way of appropriate memoranda, for example:
  - 9.1. A memorandum Notice of Decision: Cancelled;
  - 9.2. A memorandum of Notice of Decision: Not Cancelled;
  - 9.3. A memorandum of Minister's Decision to Revoke the Cancellation;
  - 9.4. A memorandum of Appeal;
  - 9.5. A memorandum of Stay of Cancellation by the Minister;
  - 9.6. Memoranda of all of the courts' orders (whether the Environment, Resources and Development Court or subsequent appeal courts).

**SIXTH SCHEDULE****ENVIRONMENTAL OUTCOMES****AND ASSOCIATED CRITERIA AND STRATEGIES PURSUANT TO  
REGULATION 65 OF THE MINING REGULATIONS 2011**

*Explanatory note: The Sixth Schedule of this Tenement Document sets out outcomes contemplated in regulation 65(2) of the Regulations, that the Tenement Holder is required to address in any program submitted in accordance with Part 10A of the Act. The Sixth Schedule may also specify requirements for strategies and criteria relevant to the outcomes set out in that Schedule.*

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**Air Quality Outcome**

1. The Tenement Holder must during construction and operation ensure no nuisance impacts to local residents and the general public from air emissions, dust and odour generated from mining operations.

**Air Quality Strategies**

2. The Tenement Holder is required to address the following matters for the purposes of Regulation 65(2)(c) of the Regulations in relation to the Air Quality Outcome Sixth Schedule Clause 1:
  - 2.1. undertake meteorological monitoring on a permanent basis in accordance with relevant Australian standards to measure and record meteorological data including (but not limited to) wind speed and direction, temperature, humidity, atmospheric pressure, rainfall and evaporation.
  - 2.2. meteorological monitoring must be used to inform decisions for operational response and contingency measures to be implemented to ensure achievement of the outcome.
  - 2.3. progressive rehabilitation and stabilisation of disturbed areas undertaken throughout the life of mine to control dust emissions generated by wind erosion.

**Noise and Light Outcome**

3. The Tenement Holder must during construction and operation ensure no public nuisance impacts from noise or light emanating from the Land.

**Blasting Outcome**

4. The Tenement Holder must during construction and operation ensure that there are no public health, safety and nuisance impacts from air blast overpressure, vibrations, fumes, dust or fly rock as a result of blasting.

**Visual Amenity Outcome**

5. The Tenement Holder must during construction, operation and post-mine completion ensure that the form, contrasting aspects and reflective aspects of mining operations (including WRDs and infrastructure) are visually softened to blend in with the surrounding landscape.

**Soil and Land Disturbance Outcomes**

6. The Tenement Holder must during construction, operation and post-mine completion ensure no contamination of soil or increased erosion on or off the Land as a result of surface water flows from mining operations.
7. The Tenement Holder must during construction, operation and post-mine completion ensure that the existing (pre-mining) soil quality and quantity is maintained.
8. The Tenement Holder must ensure that the WRD final landforms will be chemically and physically stable post-mine completion.
9. The Tenement Holder must ensure that all commercial or industrial waste (which does not include waste rock) is disposed of in an EPA licensed facility.

**Public Safety Outcomes**

10. The Tenement Holder must during construction, operation and post-mine completion ensure no injury or fatality involving the public as a result of exploration, mining operations or closure that could have been reasonably prevented.
11. The Tenement Holder must demonstrate that post-mine completion, the risks to the health and safety of the public so far as it may be affected by mining operations are as low as reasonably practicable.

**Public Safety Strategies**

12. The Tenement Holder is required to address the following matters for the purposes of Regulation 65(2)(c) of the Regulations in relation to the Public Safety Post-Mine Completion Outcome in Sixth Schedule Clause 11:
  - 12.1. Ensure that the abandonment bund for the open pit on the Land is located in a geotechnically stable position in the long term and the design and location of the bund is in accordance with the Western Australian Guideline "Safety bund walls around abandoned open pit mines" (December 1997).

**Traffic Outcome**

13. The Tenement Holder must during construction and operation ensure no incidents or accidents resulting from mine-related road traffic or rail traffic that could have been reasonably prevented.

**Third Party Land Use, Property and Infrastructure Outcome**

14. The Tenement Holder must during construction, operation and post-mine completion ensure no unauthorised damage to third-party land use, property or infrastructure as a result of mining operations.

**Aboriginal and European Heritage Outcome**

15. The Tenement Holder must during construction, operation and post-mine completion ensure that there is no damage, disturbance or interference to Aboriginal or European heritage sites, objects or remains unless it is authorised under the relevant legislation.

**Native Vegetation Outcome**

16. The Tenement Holder must during construction, operation and post-mine completion ensure that there is no clearance of native vegetation caused by mining operations on or off the Land unless a Significant Environmental Benefit has been approved in accordance with the relevant legislation.

**Native Fauna Outcome**

17. The Tenement Holder must during construction, operation and post-mine completion ensure that there are no native fauna injuries or deaths due to mining operations that could have been reasonably prevented.

**Weeds, Pests and Pathogens Outcomes**

18. The Tenement Holder must during construction, operation and post-mine completion ensure no introduction of new species of weeds declared or listed under relevant legislation, plant pathogens or pests, nor a sustained increase in abundance of existing weed or pest species in the Land compared to adjoining land.

**Groundwater Outcomes**

19. The Tenement Holder must during construction, operation and post-mine completion ensure that there is no adverse impact to the environmental value of groundwater or groundwater dependent ecosystems as a result of AMD, chemicals or hydrocarbons from mining operations.



20. The Tenement Holder must during construction, operation and post-mine completion ensure that there is no adverse change to groundwater quantity within aquifers outside of the predicted extent of groundwater drawdown delineated by the groundwater model as a result of mining operations.

### **Groundwater Strategies**

21. The Tenement Holder is required to address the following matters for the purposes of Regulation 65(2)(c) of the Regulations in relation to the Groundwater Quantity Outcome in Sixth Schedule Clause 19:
  - 21.1. Establish groundwater monitoring bores that are at appropriate locations and of sufficient density and depth to measure groundwater levels and groundwater movement.
  - 21.2. Procedures for assaying and testing of drill cuttings or excavated material, produced during the course of blast hole drilling or mining, for verifying PAF and NAF information against the model and mine plans to provide a final check that all PAF and NAF materials have been correctly identified and placed;
  - 21.3. Undertake monitoring at appropriate locations and frequencies during mining operations to monitor for seepage from the WRDs.

### **Groundwater Criteria**

22. The Tenement Holder is required to address the following matters for the purposes of Regulation 65(2)(d) of the Regulations in relation to the Groundwater Environmental Value Outcomes in Sixth Schedule Clause 19:
  - 22.1. Establish compliance groundwater monitoring bores that are at appropriate locations and of sufficient density and depth to measure groundwater quality and environmental value.

### **Surface Water Outcome**

23. The Tenement Holder must during construction and operation ensure no surface water contaminated as a result of mining operations leaves the Land.

**Mine Completion Outcomes**

24. The Tenement Holder must demonstrate to the satisfaction of the Director of Mines (or other authorised officer) that the following mine completion outcomes (in so far as they may be affected by mining operations) are expected to be achieved and sustained post-mine completion:
- 24.1. Integrate and harmonise final landforms and vegetation with the surrounding landscape.
  - 24.2. The risks to the health and safety of the public, native fauna and livestock are as low as reasonably practical.
  - 24.3. Where practical, re-establishment of the pre-mining ecosystem and landscape function.
  - 24.4. The site is physically stable.
  - 24.5. No compromise of the quality and quantity of ground and or surface water to existing users and water dependent ecosystems.
  - 24.6. All mine waste materials left onsite are chemically and physically stable.
  - 24.7. No industrial or commercial waste left onsite.
  - 24.8. All mining related infrastructure is decommissioned and removed from the Land at mine completion unless the Director of Mines (or other authorised officer) has approved, in writing, for the infrastructure to remain.
  - 24.9. Where practical, the pre-mining land use is re-established.