



INDUSTRY REFERENCE GROUP for MINING PROPOSAL REFORM - MINUTES

MEETING NO. 1

Date: 25 November 2014
Time: 11:00am
Venue: Conference Room Level 6, North

PRESENT:

DMP

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| Phil Gorey | (PG) | Executive Director, Environment (Chair) |
| Jodie Hipper | (JH) | Executive Assistant, Environment (Minute Taker) |
| Steve Tantala | (ST) | Director Operations, Environment |
| Daniel Endacott | (DE) | Team Leader, Minerals South |

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| Angela Bishop | (AB) | Senior Environmental Advisor, Environment & Rehabilitation Planning, Iluka Resources Limited |
| Belinda Bastow | (BB) | Consulting Advisor to AngloGold Australia |
| Grant O'Donoghue | (GO) | Acting Manager, Government & Environmental Approvals, Rio Tinto |
| James Hesford | (JHE) | Manager Environment, Polaris Metals Pty Ltd |
| John Symonds | (JS) | Planning & Environment Committee Chair, Cement Concrete and Aggregates Australia (CCA) / Development Manager, Hanson's |
| Mat Brook | (MB) | Associate at Strategen Environmental Consultants, Environmental Consultants Association |
| Norm Galli | (NG) | Manager Environment, Sustainability, AngloGold Australia |
| Rhys Houlihan | (RH) | Superintendent, Statutory Approvals & Compliance, Karara Mining Limited |
| Simon Bennison | (SB) | Chief Executive Officer, Association of Mining & Exploration Companies (AMEC) |

OBSERVERS

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| Dan Machin | (DM) | General Manager, Minerals South |
| Felicity Huxtable | (FH) | Environmental Officer, Environment, Minerals South |
| Emily Safe | (ES) | Environmental Officer, Environment, Minerals Kalgoorlie |

APOLOGIES:

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| Graham Short | (GS) | National Policy Manager, Association of Mining & Exploration Companies (AMEC) |
| Brett Maguire | (BM) | Group Manager – Environment, Fortescue Metals Group |

| No. | Item | Action |
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| 1. | Welcome and Apologies | |
| 2. | <p data-bbox="277 280 655 309"><i>Programme Administration Items</i></p> <p data-bbox="277 342 786 371">Introduction to Mining Proposal (MP) Reform</p> <p data-bbox="277 409 1345 472"><u>2.1 PG (Chair) provided an overview into the process of the Reforming Environmental Regulation (RER) and Mining Proposal (MP) reform.</u></p> <ul data-bbox="363 510 1342 1099" style="list-style-type: none"> • Acknowledged and thanked people for their personal time and commitment to RER and MP reform. It is only with this commitment that meaningful change comes about. • RER Advisory Panel overlooking all of DMP's reform to reduce administration and boost compliance. • The Industry reference Group forms a critical part of the RER. • The purpose of this group is to support: <ul style="list-style-type: none"> ○ the development of a new Mining Proposal in line with the proposed risk/outcomes based approach. ○ a proposed structure for the new document; and ○ determine the information, including baseline data that should be provided to underpin a proponent's submission for assessment. ○ develop a framework for new Mining Proposal (MP) Guidelines. • The findings of this group will be reported to the RER advisory panel and will inform them and the Environment Division's MP Reform working group. • Meetings will be held quarterly. • Once the Guidelines are complete, a couple of further meetings with this same group will be held in relation to the online lodgement system. <p data-bbox="277 1133 1342 1162"><u>2.2 ST provided an overview of the reform to MP's and the Environmental Management System.</u></p> <ul data-bbox="363 1200 1342 1357" style="list-style-type: none"> • The environment policy and objectives will be brought to the group to work, once we have clear direction on the definition of environment and duty of care, which form current legislative amendments. • The legislative amendments will go out to industry associations for comment - CCAA, CME, AMEC and APLA. | |
| 3. | <p data-bbox="277 1395 683 1424">Discussion on Submissions Received</p> <p data-bbox="277 1429 1158 1491">Report - Submissions received on the Mining Proposal Reform Discussion Paper - November 2014 - 000765.Emily.SAFE.docx</p> <p data-bbox="277 1529 1345 1559"><u>3.1 DE provided a presentation on the submissions received for the MP Reform discussion paper.</u></p> <ul data-bbox="363 1597 1321 2112" style="list-style-type: none"> • In October 2014 a discussion paper was released for public comment for 4 weeks, a briefing session was also held. 13 submissions were received. • Key aspects of framework <ul style="list-style-type: none"> ○ Stakeholder engagement ○ Baseline environmental data ○ Environment risk assessment ○ Environment outcomes ○ Environmental reporting • Feedback / main areas of concern <ul style="list-style-type: none"> ○ Duplication and regulatory overlap ○ risk based assessment – supported, also requests for flexibility ○ Outcome based regulation – supported ○ Strong support for a revision based system - Revising one MP rather than having several. • This group will have first cut at drafting DMP's environmental objectives • Tabled draft MP Structure. | |

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| | <p>3.2 <u>Key points of the group discussion.</u></p> <ul style="list-style-type: none"> • Suggestion made that the guidance material be drafted with input from all stakeholders, industry including parties that could potentially challenge it (e.g. Conservation Council). • Industry to take ownership of the MP, to ensure an outcome based regulatory system for MPs works, how activities will impact and how it will be managed, monitored and how the company will respond to any incidents. The MP should include what is important for both industry and the regulators. • Duplication will be addressed by the RER Working Group, this is a separate process consulting with Department of Environmental Regulation (DER) however this cannot be addressed until we settle the MP Reform. • Approvals for the Environmental Protection Authority (EPA) are duplicated by the MPs. This is something that can be addressed on a case by case basis. A solution could be to refer to the EPA or DER approvals within the MP, and DMP improves internal guidance to assessors on how to avoid duplication of assessment. • Concerns raised in relation to non-technical persons at EPA completing technical reviews, rather than more technical people within DMP. It was confirmed that, if the EPA do require any technical expertise this is called upon to other agencies including DMP for rehab, closure etc. • Question raised - will DMP expect to receive any information provided to another agency as part of the Annual Environmental Report (AER)? • It was suggested having one document / combine the MP and Mine Closure Plan (MCP), as one holistic approval. <p>ACTION: JH – to include Integration of the AER, MRF, various forms and suite of reports flexibility as a standing agenda item.</p> <ul style="list-style-type: none"> • It was confirmed that DMP are not moving away from the tenement based approval system. • A one submission and revision scenario is currently proposed. | <p>JH</p> |
| <p>4.</p> | <p>MP Baseline Data Table Discussion on Submissions Received MP Baseline Data Table - 000302.Felicity.HUXTABLE.docx</p> <p>DE provided a presentation on further work DMP has done on defining the environmental factors and the baseline data that would be required in a MP:</p> <ul style="list-style-type: none"> • DMP has refined the environmental factors provided in the discussion paper. • Some environmental factors could be combined eg. geology, waste etc. all part of materials characterisation, while including in the Guidelines a background and clear description of the deliverables; including providing reference tables and decision charts. • We've added atmospheric conditions and noise as factors. <p><u>4.1 Key points of the discussion</u></p> <ul style="list-style-type: none"> • Consider geotechnical issues, geotech relating to environmental factors. • More prescriptive guidance required as to the level of detail required for surface water investigation. There is concern with the detail that DMP is requesting on occasions. <p>ACTION: BB – to provide 2 reports as examples that should not be referred to when requesting evidence for water.</p> <p>ACTION: DE – need to confirm if atmospheric conditions have already been addressed by DER.</p> <ul style="list-style-type: none"> • Mineral characterisation required from materials extracted and discarded. Required so we can assess if there would be an environmental risk. • DMP is getting into some 'new territory' when looking at stygofauna and troglofauna, and SREs. There is still a lot of scientific uncertainty regarding these issues. | <p>BB</p> <p>DE</p> |

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| | <p>ACTION: Existence of stygo's and trogofauna is hard to ascertain. DE – will explore this, speak to DPAW and see if a clear expectation can be set.</p> <ul style="list-style-type: none"> • Online submissions may not dovetail with the new guidelines. <p>ACTION: DMP – to prepare a paper on risks with process steps and good guidance. Eg chemicals like cyanide are high risk, need to ensure that a proponent in their own opinion does not class a chemical as low because they have good risk management and don't expect an incident. Paper to be distributed December and comments to come back by late January.</p> <ul style="list-style-type: none"> • There is no fixed date for the release of the MP Guidelines. • Industry will want to know where the MP Guidelines fit, where it will materialise and when it will come into play. • Threats that mining may create are not adequately covered in the environmental factors – dieback, weeds, fire, feral animals. <p>ACTION: DMP - to draft what the threats are; to see if they fit anywhere within the existing factors as part of the MP Guidelines and whether or not we need to create anything additional.</p> <ul style="list-style-type: none"> • Need adaptive management and where possible develop a relevant standard. | <p>DE</p> <p>DMP</p> <p>DMP</p> |
| 5. | <p>Next Meeting 18 February 2015 Level 6 Conference Rm, DMP, Mineral House, 100 Plain Street, East Perth</p> | |

Appendix: Industry Reference Group for Mining Proposal Reform - Action Log

Key: Phil Gorey (PG), Jodie Hipper (JH), Steve Tantala (ST), Dan Machin (DM), Daniel Endacott (DE), Felicity Huxtable (FH), Emily Safe (ES), Angela Bishop (AB), Belinda Bastow (BB), Grant O'Donoghue (GO), James Hesford (JHE), John Symonds (JS), Mat Brook (MB), Norm Galli (NG), Rhys Houlihan (RH), Simon Bennison (SB), Graham Short (GS), Brett Maguire (BM).

| # | Date | Details from meeting | Action | Owner | Due | Closed | Result | Status |
|-----|-----------|--|--|-------|-----------|--------|--|--------|
| 001 | 25-Nov-15 | Integration of the AER, MRF, various forms | Include Integration of the AER, MRF, various forms and suite of reports flexibility as a standing agenda item. | JH | 18-Feb-15 | | | Open |
| 002 | 25-Nov-15 | Provide 2 reports - water | Provide 2 reports as examples that should not be referred to when requesting evidence for water. | BB | 18-Feb-15 | | | Open |
| 003 | 25-Nov-14 | Atmospheric conditions | Need to confirm if atmospheric conditions have already been addressed by DER | DE | 18-Feb-15 | | | Open |
| 004 | 25-Nov-14 | Existence of stygo's and trogofauna | Existence of stygo's and trogofauna is hard to ascertain. Explore this, speak to DPAW and see if a clear expectation can be set. | DE | 18-Feb-15 | | | Open |
| 005 | 25-Nov-14 | Risk Paper | Prepare a paper on risks with process steps and good guidance. Eg chemicals like cyanide are high risk, need to ensure that a proponent in their own opinion does not class a chemical as low because they have good risk management and don't expect an incident. Paper to be distributed December and comments to come back by late January. | DM | 16-Jan-15 | | 17-Dec-14: Planning to release the draft to the group in late Dec/early Jan. | Open |
| 006 | 25-Nov-14 | Environmental Threats | Draft what the threats are; to see if they fit anywhere within the existing factors as part of the MP Guidelines and whether or not we need to create anything additional. | DMP | 18-Feb-15 | | | Open |