**Application for Extractive Industry Licence – Clause 2.3 Requirements**

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| **Clause** | **Requirement** | **Applicant Comment** | **Administration Response** |
| 2.3 (1) (a) | 3 copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing - | - | **Non compliant**  Scale provided is 1:50,000.  Whilst recognising large size of the proposal, the map scale is insufficient to determine the proposed excavation area in any reliable detail. |
| ...(i) | The existing and proposed land contours based on the Australian  Height Datum and plotted at 1 metre contour intervals; | Refer to figure 2. | **Non compliant**  Contours not provided. |
| ...(ii) | The land on which the excavation site is to be located; | Refer to section 2.1 and figure 1. | Compliant |
| ...(iii) | The external surface dimensions of the land; | Refer to section 2.1 and figure 1. |  |
| ...(iv) | The location and depth of the existing and proposed excavation of the land; | Refer to section 2.1 and 3.2.  Excavation area: 401.6099 ha  Depth of excavation area: 2 to 6m. | **Non compliant**  Actual excavation area, including distance from adjacent property boundaries, cannot be determined at scale provided. |
| ...(v) | The location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land; | Refer to section 3.5.1 and figure 7. | Compliant  However, scale not effective to determine setback of internal roads from adjacent property boundaries. |
| ...(vi) | The location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land; | Refer to section 3.4 and figure 6. | Compliant  No buildings proposed. All infrastructure relocated on regular basis across mine pit. |
| ...(vii) | The location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other  encumbrances over, on, under or adjacent to or in the vicinity of the land; | The existing powerlines have been removed from the excavation area.  Refer to figure 2. | **Non compliant**  Scale insufficient to determine location of infrastructure and where excluded from excavation area. |
| ...(viii) | The location of all existing dams, watercourses, drains or sumps on or adjacent to the land; | Refer to figure 2. | **Non compliant**  Figure 2 does not map watercourses, drains or sumps. |
| ...(ix) | The location and description of existing and proposed fences, gates and warning signs around the land; and | The location and description of gates and warning signs will be erected in accordance with the *Mines Safety and Inspection Act.* | **Non compliant**  Information not provided. |
| ...(x) | The location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere; | The stockpiling of excavated material will be within the Shire of Murray and not subject to this application. | **Non compliant**  Locations of stockpiling, for example topsoil, are not provided. |
| 2.3(1)(b) | 3 copies of a works and excavation programme containing - | - | **Non compliant**  A works and excavation programme was not provided, with cursory discussion only provided in the application. |
| ...(i) | The nature and estimated duration of the proposed excavation for which the licence is applied; | Refer to section 3.2 of this report. | Compliant |
| ...(ii) | The stages and the timing of the stages in which it is proposed to carry out the excavation; | Refer to section 3.2 of this report. | **Non compliant**  No information provided on the actual location and timing of stages – only that staged approach will be taken. |
| ...(iii) | Details of the methods to be employed in the proposed excavation and a description of any on-site processing works; | Refer to section 3.3 of this report. | Compliant |
| ...(iv) | Details of the depth and extent of the existing and proposed excavation of the site; | Refer to section 2.1 and 3.2.  Excavation area: 401.6099 ha  Depth of excavation area: 2 to 6 m. | **Non compliant**  No contours are shown to demonstrate where depth varies across the site. |
| ...(v) | An estimate of the depth of and description of the nature and quantity of the overburden to be removed; | Only 2.7% of the material mined is removed from site.  Refer to section 3.2 of this report. | Compliant |
| ...(vi) | A description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled; | Vegetation to be removed by mechanical means.  Top soil will be stockpiled to be reused in the rehabilitation process.  Stockpiles will be associated with the excavation area. | **Non compliant**  No information regarding when and where topsoil will be removed and stockpiled. |
| ...(vii) | A description of the means of access to the excavation site and the types of thoroughfares to be constructed; | Refer to section 3.5.1 of this report. | **Non compliant**  No information regarding the specific location and construction of internal roads. |
| ...(viii) | Details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles; | Refer to section 3.5.1 of this report. | Compliant |
| ...(ix) | A description of any proposed buildings, treatment plant, tanks and other improvements; | Refer to section 3.4 of this report. | Compliant |
| ...(x) | Details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained; | Refer to section 3.8 of this report. | **Non compliant**  Detail not provided. |
| ...(xi) | A description of the measures to be taken to minimise dust nuisance, erosion, watercourse siltation and dangers to the general public; | Refer to the following sections for a  range of matters:  • Section 3.5.2 Noise  • Section 3.5.3 Blasting  • Section 3.5.4 Dust  • Section 3.5.5 Odour  • Section 3.5.6 Flora  • Section 3.5.7 Fauna  • Section 3.6 Water Resources  • Section 3.9 Visual amenity | **Non compliant**  Final management plans not provided. |
| ...(xii) | A description of the measures to be taken to comply with the Environmental Protection (Noise) Regulations 1997; | Refer to the Ministerial Approval appended at appendix 2. | **Non compliant**  No staging information provided to demonstrate where noise impacts demand restricted working times. |
| ...(xiii) | A description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land; | Refer to section 2.4 of this report for site environment.  Refer to the following sections for  impacts on environment in the vicinity  of the land:  • Section 3.5.4 Dust  • Section 3.5.6 Flora  • Section 3.5.7 Fauna  • Section 3.6 Water Resources  • Section 3.9 Land Use Impacts  • Section 3.10 Visual amenity | **Non compliant**  Detailed management plans not provided.  See consultant reviews regarding specific issues. |
| ...(xiv) | Details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation; and | Refer to section 3.5.6 of this report. | **Non compliant**  Insufficient detail provided, for example location of revegetated linkage and any significant trees or vegetation to be excluded from excavation area. |
| ...(xv) | A description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas; | Refer to section 3.10 of this report. | **Non compliant**  See visual impact review.  No detail provided on location of screening efforts. |
| 2.3(1)(c) | 3 copies of a rehabilitation and decommissioning programme indicating - | - | **Non compliant**  No rehabilitation and decommissioning programme provided. |
| ...(i) | The objective of the programme, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site; | The Ministerial Approval requires the preparation of a Rehabilitation Management Plan to the requirements of the CEO of the Environmental Protection Authority. The objectives of the programme will be comprehensively dealt with through the environmental assessment process. | **Non compliant**  Detail not provided. |
| ...(ii) | Whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations; | Progressively in accordance with the Ministerial Approval. | Compliant |
| ...(iii) | How any face is to be made safe and batters sloped; | The excavation area will not result in pits the mineral sands is removed from just below the top soil. | **Non compliant**  Detail not provided. |
| ...(iv) | The method by which topsoil is to be replaced and revegetated; | The Ministerial Approval requires the preparation of a Rehabilitation  Management Plan to the requirements of the CEO of the Environmental Protection Authority. The objectives of the programme will be comprehensively dealt with through the environmental assessment process. | **Non compliant**  Detail not provided. |
| ...(v) | The numbers and types of trees and shrubs to be planted and other landscaping features to be developed | In accordance with the rehabilitation management plan included in the Ministerial Approval. | **Non compliant**  Detail not provided. |
| ...(vi) | how rehabilitated areas are to be maintained; and | In accordance with the rehabilitation management plan included in the Ministerial Approval. | **Non compliant**  Detail not provided. |
| ...(vii) | The programme for the removal of buildings, plant waste and final site cleanup. | There will be no permanent structures that are to be removed from the excavation area. All structures associated with processing are located in the Shire of Murray and are not subject to this approval. | **Non compliant**  Detail not provided. |
| 2.3(1)(d) | Evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public thoroughfare or such other land in the vicinity. | - | **Non compliant**  Not provided. |
| 2.3(1)(e) | A certificate from a licensed surveyor certifying the correctness of-   1. The plan referred to in paragraph (a); and 2. The datum peg and related point referred to in paragraph (d); | - | **Non compliant**  Not provided. |
| 2.3(1)(f) | Evidence that the requirements of clause 2.2(1) and (2) have been carried out. | - | Compliant.  Advertising was carried out by the Shire. |
| 2.3(1)(g) | Copies of all land use planning approvals required under any planning legislation; | To be provided on approval. | **Non compliant**  Planning approval refused by Council in May 2010. |
| 2.3(1)(h) | The consent in writing to the application from the owner of the excavation site; | Refer to Appendix 1. | Compliant. |