Environmental Assessment Charter

For
Dry Creek Salt Field Closure
Under
The Cth EPBC Act and the SA Mining Act

XX May 2015

Record of Revisions to this Charter

<table>
<thead>
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<th>Date of Issued Revision</th>
<th>Summary of Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>XX May 2015</td>
<td>Original Version</td>
</tr>
</tbody>
</table>

Commonwealth Government reference: EPBC 2015/7418

SA Government reference:


**Private Mines:** 248, 199, MPLA0.
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1. Purpose of This Charter

The purpose of this Charter is to provide an agreed framework by which the Commonwealth Department of the Environment (DoE) and the South Australian Department of State Development (DSD) will work with Ridley Dry Creek Pty Ltd (RDC) to achieve coordinated assessment and decision making for the environmental regulation of those aspects of the closure of the Dry Creek Salt Field that are subject to both the EPBC Act (Cth, 1999) and the Mining Act (SA, 1971).

These aspects relate specifically to the operations to implement the proposed “Controlled Action” defined in the EPBC Referral submitted to DoE:


This Referral resulted in a determination that this proposed “Controlled Action” required assessment and a decision about whether approval for it should be given under the EPBC Act.


The operations for the proposed “Controlled Action” also would form part of the operations by which RDC would close its mining operations at the site in accordance with the Mining Act (SA). These operations to achieve mine closure require revision to an existing State approved Program for Environment Protection and Rehabilitation (PEPR).

https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/cat5/Record?w=NATIVE%28%2Ctext+ph+is+%27%27limestone%27%27%29&sid=2ca213ef6027477587f17f435a9dd6ad&upp=0&order=native%28%2Ctitle%27%29&rpp=10&r=1&set=1&m=191

The current approved PEPR covers the present holding pattern of operations at the site, following cessation of salt production. It also covers the studies, investigations and design work to plan the operations to achieve mine closure.

Therefore the proposed “Controlled Action” requires coordinated assessment and decision making by both DoE and DSD.

The charter is a project management tool the parties (RDC, DoE, DSD) will use to clearly articulate Commonwealth and State agency and proponent contacts, project timelines, response timeframes, and key meeting milestones to discuss project issues.

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1 DSD is regarded as the lead government agency for State legislation, given this is a project about mine closure. As such it is assumed DSD will coordinate with and refer to other government agencies as required – such as DEWNR, DPTI, EPA, PIRSA – and in so doing ensure that they too comply with this Charter.
The charter has been developed with consideration of:


The charter is not legally binding and does not replace the project’s State and Commonwealth guidelines for assessment. The charter is intended to complement the TOR and guidelines and assist all parties to use their best endeavours to achieve coordinated assessment and decision making under the EPBC Act and Mining Act.

Any changes to the charter are to be documented and the parties agree that they will endeavour to resolve issues in a timely manner and keep the charter up to date.

2. Background

2.1. Summary Project Description

The Dry Creek Salt Field has been divided for purposes of investigation and closure planning into 4 Sections (see following Figure)
Legend

Study Area
- Section 1 - Dry Creek
- Section 2 - St Kilda
- Section 3 - Port Gawler
- Section 4 - Middle Beach

- Pumps

Figure 1: Study Area

Project: Dry Creek Closure and Rehabilitation
Client: Ridley Corporation

Project No.: 13001 Date: 01/01/2015

Created by: [Name]
BLA
Beau Lane & Associates Pty Ltd.
101/3-4 Cornwall Road
Halifax East, VIC 3002
Phone: (03) 941-2002 / Fax: (03) 941-2004
www.blapty.com.au

B E N E F I T S
- E C O N O M I C
- E N V I R O N M E N T A L
- S E C U R I T Y
- C O M M U N I T Y
- E C O N O M I C
- E N V I R O N M E N T A L
- S E C U R I T Y
- C O M M U N I T Y

Dry Creek Environmental Assessment Charter 150505.docx
The holding pattern has divided Sections 2 to 4 into two groups of ponds

**Drained Ponds (1,038 ha)**
- Section 2: PA6 TO PA12;
- Section 3: XC1, XC2, XC2S, XC2E; and Section 4: XF1, XF2, XE4.

**Wet Ponds: (3,186 Ha)**
- Section 2: PA3 TO PA5;
- Section 3: XA 1, XA 2, XA 3, XA 4, XA 7, XB 3, XB 4, XB 5, XB 6, XB 8, XB 8A, XC3, XD1, XE7; and
- Section 4: XE1-3, XE5, XE6, XE6A.

A self assessment has shown that the draining of the ponds for the 'holding pattern' identified above (the Drained Ponds) has not affected MNES, and it is unlikely that progressing them further to closure will do so. Therefore, activities in the drained ponds are not part of the proposed Action.

Activities in the wet ponds are of two kinds, described below.

- Activities for holding pattern management or for the investigation, planning and design of the closure of RDC’s operations in the inundated ponds. A Self Assessment (see Appendix 5) was produced that concluded that holding pattern management and identified activities for the investigation, planning and design of the closure of RDC’s operations were considered to not have significant impact on Matters of National Environmental Significance (MNES). Activities for holding pattern management in the inundated ponds is not part of the proposed Action.

- Activities that achieve closure of RDC’s operations in the inundated ponds. These activities might entail a combination of:
  - Draining ponds
  - Keeping ponds inundated but changing the hydraulic and salinity regime
  - Keeping ponds inundated but not changing the hydraulic and salinity regime

These activities form the proposed Action. Based on the information in Table 2, the total area of the salt field subject to the proposed Action is 2,416 ha, which represents 57 percent of the salt field and that portion of the salt field that supports the most birdlife, including MNES.

**The Controlled Action therefore involves the modification of the hydrological and salinity management of the above identified wet ponds, so that the ecological function of the site for MNES is protected and conserved.**

The outcome from the proposed Action will be the protection and conservation of the ecological function of the site for MNES. How this is achieved depends in part on the future
economic, social and environmental uses of the site and the role that the closure of RDC’s operations plays in preparing the site for these future uses.

RDC is actively exploring the possibilities for these future uses. However, to provide an initial focus for investigations and design of closure RDC has also devised a base case closure strategy that is independent of such uses, while not precluding any. This strategy would get modified as feasible and timely future uses emerge from the exploration being conducted by RDC. The base case closure strategy would drain as many of the inundated ponds as possible, leaving only those needed to provide the same quantities of habitat as was provided in a different configuration by the operational site for the different migratory birds that comprise the MNES.

**2.2. EPBC Act Process**

Following the Referral, the delegate for the Minister for the Environment decided:

- that the proposed “Controlled Action” is likely to have significant impact on the following matters protected by the EPBC Act:
  - Listed migratory species (Sections 20 and 20A); and
  - Listed threatened species and communities (Section 18 and 18 A)
- That the project will be assessed through preliminary documentation

Below are flow charts illustrating the EPBC Act process of assessment by Preliminary Documentation and the cost recovery stages for assessment by Preliminary Documentation from the Department’s Cost Recovery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) final Cost Recovery Implementation Statement.

**Stage 1.**

Whereby following payment the Department of Environment prepares an **assessment documentation request**. The statutory timeframe for this process is 10 business days. This involves:

- Meeting/s with RDC and state agencies;
- Review referral documentation and identify information required for the assessment;
- Request internal advice (i.e. Migratory Species Section);
- The preparation of an information request for preliminary documentation; and
- Brief the delegate.

**Stage 2.**

There is no time limit for initiation of this stage following the completion of **stage 1**. Once started, the statutory timeframe for this process is 10 business days.

Following payment the Department:

- Reviews draft Preliminary Documentation documents provided by RDC for accuracy;
• Reviews advertisements;
• Has Meeting/s with RDC;
• Liaises with State agencies; and
• Briefs the delegate.

Following delegate approval the Department issues a Direction to Publish, RDC then publishes the draft Preliminary Documentation for public comment (for a period of time determined by the delegate, typically 10-20 business days). Public Comments are sent directly to RDC. Typically the advertisement would appear in the Adelaide Advertiser, and documentation would be available on RDC’s website, a DEWNR office and a central library.

Following the public comment period:

• RDC’s information is revised taking into account public comments (if required, by RDC)
• RDC provides the minister with the revised information i.e.:
  o A cover letter;
  o Report/Table illustrating public comment and RDC’s response;
  o Revised documents (if appropriate); and
  o Each of the submissions

Stage 3

Following payment of the Stage 3 assessment fee, the Department

• The Department has 10 business days to approve the documentation once received from RDC (and the stage 3 assessment fee is paid)
• The Department:
  o Reviews any public/state comments on the proposed action;
  o Briefs delegate;
  o RDC displays and advertises that the final Preliminary Documentation is available for viewing (but not available for comment).

Stage 4

Following the Department’s approval of the Preliminary Documentation, RDC pays the Stage 4 assessment fee for the preparation of a recommendation report, draft and final decision.

• The statutory timeframe for this process is 40 business days;
• The Department:
  o assesses impacts of the proposed action on controlled matters and considers environmental history, social and economic impacts;
  o Requests internal advice as appropriate;
  o Prepares a recommendation and draft approval conditions (which are sent to RDC and state agencies for comment);
  o Review proposed offset and mitigation management measures;
  o Liaises with relevant state agencies;
  o Briefs delegate; and
  o Updates databases.
## Preliminary documentation assessment process

### Stage 1 Assessment fee

- **Base costs (A)**: $1,874
- **Total**

### Stage 2 Assessment fee

- **Base costs (A)**: $1,874
- **Total**

### Stage 3 Assessment fee

- **Base costs (A)**: $4,628
- **Total**

### Stage 4 Assessment fee

- **Base costs (A)**: $8,681
- **Total**

### Fee for service

<table>
<thead>
<tr>
<th>Base costs (A)</th>
<th>Additional Complexity (B)*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,874</td>
<td>Case by case basis using complexity matrix (16% of total complexity fee)</td>
<td>$(A) = (B) = Stage 1 fee</td>
</tr>
<tr>
<td>$1,874</td>
<td>Case by case basis using complexity matrix (16% of total complexity fee)</td>
<td>$(A) = (B) = Stage 2 fee</td>
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<tr>
<td>$4,628</td>
<td>Case by case basis using complexity matrix (52% of total complexity fee)</td>
<td>$(A) = (B) = Stage 3 fee</td>
</tr>
<tr>
<td>$8,681</td>
<td>Case by case basis using complexity matrix (100% of total complexity fee)</td>
<td>$(A) = (B) = Stage 4 fee</td>
</tr>
</tbody>
</table>

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* It is proposed that the total complexity fee for a project is paid in installments across the various fee points based on the proportion of work (percentage) to be completed for each stage of the assessment.

**If no further information is required ([as per section 95(2) of the EPBC Act]) then the stage 1 Base [A], and 16% of the complexity fees will not be applicable, as this stage in the process does not occur, therefore reducing the overall fee payable.

***If further information is required ([as per section 95(3) of the EPBC Act]) then the final fees will be, Base [A] SCOST, and 84% of the total complexity fee.

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Figure 8. Fee stages flow chart for preliminary documentation.
2.3. **SA Mining Act PEPR Process**

The document referred to herein as the State “approved PEPR” is Version 1 of the PEPR / MOP for the site and addresses the matters shown in Table 1. As the salt field is under two types of tenure with different regulatory regimes under the *Mining Act 1971*, this document provides an integrated:

- Program for Environment Protection and Rehabilitation (PEPR) under s 70B of the Mining Act for the mining tenements; and
- Mine Operations Plan (MOP) under s 73G of the Mining Act for the private mines.

The approved PEPR / MOP is a document that sets out operations to be undertaken by RDC during the holding pattern phase of operations in addition to activities required to plan for closure of the Dry Creek Salt Field.

Activities on a Mining Tenement or Private mine can only be conducted in accordance with an approved PEPR / MOP. The PEPR / MOP contains Environmental Outcomes and measurement criteria for operational activities and mine completion. This PEPR / MOP will undergo a number of controlled revisions because the complexity of the issues posed by the site means that the investigation, design and implementation of closure will happen in stages, with works proceeding at different times and rates in different parts of the site. There can only be one approved PEPR per mining tenement, hence subsequent approved PEPRs will supersede current PEPRs.

**Table 1: Scope PEPR/MOP**

<table>
<thead>
<tr>
<th>Revision</th>
<th>Date</th>
<th>Document File Name</th>
<th>Scope of Works</th>
<th>Chapters changed / added since last integrated PEPR/MOP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>16/12/2014</td>
<td>Dry Creek Salt Field PEPR December 2014.pdf</td>
<td>1. Residual Operations in Section 1 of the Salt Field 2. Holding Pattern in Sections 2 to 4 of the Salt Field 3. Investigations and trials</td>
<td>This is the first version of the PEPR / MOP.</td>
</tr>
</tbody>
</table>

DSD Mining Compliance & Regulation (MCR) have a recommended process and minimum information requirements for proposed changes to PEPRs. The guidance for this process states:
**Introduction**

All existing operations must be managed in accordance with the Lease and Licence conditions and an approved PEPR (Program for Environment Protection and Rehabilitation).

Where a change to existing operations or circumstances is required, the tenement holder will need to undertake an assessment of the proposed change and determine if the change is within or out of scope of the approved PEPR and or the scope of the originally granted lease. This assessment will then be submitted to DSD for confirmation of whether the notification is sufficient or if a PEPR or lease condition review is required.

A change is considered significant (Level 1, 2 or 3) if it:

- is significantly outside the scope of that originally assessed when the lease was granted
- impacts the lease or licence conditions,
- results in any additional risks or increase in the existing risk profile, or
- requires any modification to the approved outcomes or measurement criteria.

**Assessing the significance level of a proposed change to an existing PEPR**

The following process, as shown in Figure 1, is to be used a guide to the assessment process to justify the level of significance for the PEPR change.

![Diagram](image)

**Figure 1: Assessing the significance level of a proposed change to operations**

**Significance Level 1 change (Tenement review)**

For a PEPR review that requires a change which is not within scope of the existing lease or licence conditions, such as a new or significant increase in risk level, or is
outside of the scope of proposed operations that was assessed as part of the original tenement grant requires submission of a mining proposal, including proposed changes to existing lease or licence conditions which results in a new round of public consultation. The bond amount required under the Mining Act may also need to be recalculated.

**Significance Level 2 or 3 change (PEPR review)**
A PEPR review which only requires minor alterations to existing outcomes and/or measurement criteria and is still covered by pre-existing lease conditions will not be required to undertake a new round of public consultation as the existing operation remains within the existing scope of the lease or licence conditions. The reviewed PEPR, incorporating the changes, is required to be submitted to DMITRE for approval.

**Significance Level 4 change (minor change)**
The tenement holder must notify DMITRE of proposed operation changes that have been justified as within scope of the existing PEPR. The notification should include a description of the change, including a map where appropriate, and confirmation that the change will not contravene lease or licence conditions, increase environmental risks or require any modification to approved outcomes or measurement criteria.

The operations for the proposed “Controlled Action” are expected by RDC to constitute a Significance Level 2 or 3 change.

Each revision to this PEPR / MOP will be prepared in steps – consultation draft, submission for assessment, final approval. It is intended that the development of each revision of the PEPR / MOP will be the subject of extensive consultation with relevant government agencies and the community so that it addresses their issues and requirements.

2.4. **Need for Coordination of Assessment Processes and Outcomes**

There is a need to coordinate the DSD and DoE assessment processes and outcomes, because:

- The DoE processes have formal statutory timelines; whereas the DSD PEPR assessment process does not have statutory timelines.

- The structure and approach embodied in the State approved PEPR has been arrived at through significant consultation between RDC and the relevant State agencies, coordinated by DSD. The agreed intent is that this structure and approach be carried through with the anticipated revisions to the document to deal with specific plans for closure operations;
The DoE processes are necessarily focussed on compliance with the EPBC Act and environmental impacts on Matters of National Environmental Significance; the DSD processes have to consider economic, social and environmental risks. They also, under the overarching framework provided by the Mining Act, have to consider a range of other State legislation and policies; and the EPBC Act. These various Acts and Policies may seek differing compliance requirements, and there is a need for reconciliation of these to produce an integrated, coherent, measureable and achievable set of compliance requirements (PEPR outcomes and criteria, and conditions of approval for the proposed “Controlled Action” operations) so that there is process certainty and so that compliance with one Act or policy does not risk non-compliance with another.

The information requirements to support assessments by DoE and DSD may be different, and yet there is a need to plan and conduct an integrated programme of studies, investigation and design so that the requirements of both can be met in a time- and cost-effective manner.

The DoE processes have a formal public comment period – focussing on the impacts on Matters of National Environmental Significance; the DSD has no formal public comment period, but requires to be satisfied that the proponent has developed its PEPR taking account of the views of key stakeholders through a suitable consultation and engagement process. In the case of this project that consultation and engagement (for closure) is inextricably bound with that needed to be undertaken by RDC with the land owners (SA Government and RDC, and then its successors) for the development of future land uses. In the interests of process certainty there is a need to coordinate but not confuse these various consultation and engagement processes.

3. Goals for Coordinated Assessment & Decision Making Processes

The following are the goals for the coordinated assessment and decision making processes for this project. They are compatible with The Department of the Environment (DoE) Service Charter 2014 – 2016:

- **Integrated Scope of Assessment**

  RDC, DoE and DSD will agree on an integrated set of issues, priorities and scopes for the studies, investigations, and design needed to inform the assessment by DOE and DSD.

- **Effective, efficient and predictable**

  DoE and DSD will each take a streamlined, fit for purpose, consistently applied regulatory approach, appropriate for the circumstances, and designed to achieve clearly identifiable, achievable and compatible (as between DoE and DSD) environmental outcomes and mine completion outcomes.

- **Practical**

  There will be performance-based criteria focusing on desired environmental outcomes and mine completion outcomes rather than inputs. Desired environmental outcomes and mine completion outcomes will be achievable in a practical sense, using recognised industry and national standards. There will be consistency between
the State and Commonwealth requirements for environmental outcomes, mine completion outcomes and performance-based criteria.

- **Balanced and Objective**
  DoE and DSD will make a balanced assessment of the environmental impacts, using a Risk-based approach to assess that RDC have set out environmental outcomes that reflect an agreed and acceptable level of impact to stakeholders. Decisions will be based on sound scientific and technical information.

- **Timely**
  Assessment and Decisions by DoE and DSD will be made in a timely fashion.

- **Flexible**
  Alternative and innovative approaches to achieving the desired environmental outcomes, and that take account of changing circumstances, will be considered and enabled if appropriate.

- **Fair and equitable**
  Stakeholders will be engaged and informed and their views will be taken into account. The interests of all stakeholders will be considered.

- **Transparent**
  Public release of information on the regulatory processes and decisions will be timely, coordinated and appropriate and when agreed by RDC, DoE and DSD.

### 4. Process and Timing Overview

#### 4.1. **Process**

The following chart provides an overview of the process that will be conducted in a coordinated manner, following the principles outlined in Section 3, for the assessment of the operations for the proposed controlled action.
### 4.2. Timing

The parties will develop and keep updated a time programme that identifies milestones and target dates for these. The parties will collaboratively regularly review progress towards these milestones and target dates.

The initial milestones are:

<table>
<thead>
<tr>
<th>Milestone No</th>
<th>Part of Flowchart Stage</th>
<th>What</th>
<th>When</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Charter for Coordinated Assessment and Decision Making Processes</td>
<td>RDC pays Stage 1 cost recovery invoice from DoE</td>
<td>End February 2015</td>
</tr>
</tbody>
</table>
| 2            | DoE issues request for information for preliminary documentation comprising:  
  - Outcomes from RDC’s evaluation of commercial proposals for future land uses, including the proposed mosaic of future land uses  
  - The Brett Lane and Associates evaluation report from its 2014 and 2015 bird monitoring programmes  
  - The proposed strategy and operations for the “Controlled Action” taking account of the above two items | End March 2015 |
<p>| 3            | Finalisation of the 1st implementation version of this Charter | End April 2015 |
| 4            | Commercial Proposals for future land uses | Once the proposals have been evaluated and decisions made on them, the strategies for closure of the various relevant parts of the site can be refined and discussed | 3rd Q 2015 |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>5</td>
<td>Define operations for the controlled action</td>
<td>RDC identifies the broad nature and scope of operations to implement the refined strategies, and provides this information to DoE and DSD, with Preliminary Risk and Impact Assessments and the proposed objectives and scope of studies, investigation and design of the works to implement these refined strategies</td>
</tr>
<tr>
<td>6</td>
<td>Define risk-based priorities, objectives &amp; scopes of studies, investigation, design</td>
<td>The parties agree on the proposed objectives and scope of studies, investigation and design</td>
</tr>
<tr>
<td>7</td>
<td>Conduct studies, investigation, design</td>
<td>RDC conducts the necessary studies, investigation and design</td>
</tr>
<tr>
<td>8</td>
<td>Risk and Impact Assessment; Environmental Outcomes and Measurement Criteria; and Confirm structure / content for PEPR Revision for Operations for &quot;controlled action&quot;; and Draft PEPR Revision for Operations for &quot;controlled action&quot;</td>
<td>RDC provides drafts of these, and the parties then review, discuss these to enable finalisation</td>
</tr>
<tr>
<td>9</td>
<td>Subsequent stages in the flow chart</td>
<td></td>
</tr>
</tbody>
</table>
5. Establishing the Issues, Priorities and Scope of Assessment

The parties will develop a common understanding of:

- the issues, priorities and scopes of assessment to be conducted by DoE and DSD under their respective legislation; and

- RDC will develop and seek Agency comment and guidance on the objectives, scope and priorities for the studies, investigations and design that are necessary to inform the assessments.

This will be achieved through the following steps:

1. RDC is seeking commercial proposals from selected respondents for proposed future uses of (parts of) the Dry Creek Salt field. The proposals will be received and evaluated to select preferred proponents and the mosaic of future land uses by about end June.

2. RDC will use this mosaic of future uses and information about the potential time frames to their implementation to review, and if possible refine, its current Base Case Closure Strategy. That Base Case Closure Strategy is the basis of the EPBC Referral, and the Referral also explains that the strategy may change depending on the nature and timing of the future land uses.

3. From the Base Case Closure Strategy (as revised) RDC will prepare a description of the operations for its implementation. These operations will include actions to prevent, mitigate, offset or control risks.

4. Using this description of operations, RDC will prepare a preliminary risk and impact assessment, using the approach in the existing approved PEPR (see Section 6 below). That risk assessment will account for limitations and uncertainties in information available at that time.

5. The outcomes from the above will be “workshopped” with the Agencies to:
   
   a. Define the issues, priorities and scopes of assessment to be conducted by DoE and DSD under their respective legislation; and from this

   b. Agree issues and objectives for the Studies, Investigations and Design to inform the assessments by DoE and DSD. This will enable RDC to develop and propose the scopes and programme for these Studies, Investigation and Design (see Section 7 below)

6. RDC will then be in a position to engage with other key stakeholders to inform them of the proposed scopes and programme for these Studies, Investigation and Design, and to seek feedback (where appropriate) on these.

7. RDC can then finalise the plan and programme for these Studies, Investigation and Design, and report these to the Agencies, along with a synopsis of the issues, comments and feedback from other key Stakeholders showing how these have been dealt with.
6. Establishing The Risk and Impact Assessment Approach

The parties will establish an agreed approach to the assessment of risks and impact, by means of the following steps:

1. The risk and impact assessment approach used in the existing State approved initial PEPR will be used which is set out in South Australian Ministerial Determination – MD005.

2. A preliminary risk and impact assessment will be prepared, to inform the selection of the issues, priorities and scope of assessment.

3. The Agencies and RDC will use the lessons learnt from this risk and impact assessment to refine and agree the approach.

4. The refined approach will be documented and applied to the results of the studies, investigations and design conducted to inform the assessments.

The following extract from the State approved PEPR summarises the risk and impact assessment approach used for that document:

*The approach taken to impact and risk assessment is consistent with that prescribed in the Ministerial Determination 005. This approach also meets the requirements for a mine operation plan in Reg 80 of the Mining Regulations. Reg 80 requires the development of objectives, whereas Ministerial Determination 005 requires proposed outcomes for each environmental component. To avoid confusion, and recognising the integrated nature of the salt field operation, the term ‘outcomes’ is used in this chapter to apply to environmental objectives, identified in accordance with reg 80.*

A distinction is made between:

- Events that are planned to occur as part of the project design. An impact assessment considers the expected consequence of such events.
- Events that are not planned but that may occur. These are considered through a risk assessment and reflect either the uncertainties in impact assessment or the potential failure of control and management strategies.

*Impact and risk assessment were undertaken jointly. The process identified:*

- The existing environment and the views of any affected parties
- Any applicable legislation and standards that must be met for an environmental component
- Actual or potential environmental impact events that could occur as a consequence of the activities in this PEPR / MOP. The impact event analysis considered:
  - The source of the impact event
  - The pathway through which a receptor could be impacted
  - The key environmental receptors that could be impacted by the*
event
- Whether the source, pathway and receptor are all present. A potential impact event will not occur if one of these is absent
- The factors that limit the impact
- The control and management strategies that are being or will be employed by RDC
- The significance of the impact, taking into account the proposed strategies.

- Limitations in the impact assessment, uncertainties or unplanned events that could result in a higher impact than expected. This includes any uncertainties relating to the effectiveness of the control and management strategies
- The risk associated with a higher than expected impact
- Whether a potential or actual impact event requires an outcome to be specified
- The environmental outcomes that RDC proposes to achieve, taking into account stakeholder views and legislation and standards
- The criteria proposed to be used to measure whether the proposed outcome will be met.

An outcome has been proposed for all potential and actual impact events unless:
- The impact is assessed as low or negligible; and
- The risk of greater impact is assessed as low or negligible; and
- There are no regulatory standards applying to the impact event.

7. Establishing the Scope of Studies, Investigations and Design

The scope of studies, investigations and design will have two broad purposes:

1. To enable RDC to specify and cost those operations for the Controlled Action that best satisfy technical and commercial feasibility criteria, in the context that the outcomes of the operations will need to:
   a. Achieve the desired environmental outcomes contained in the approved PEPR and any subsequent revised PEPR
   b. Facilitate the completion of the commercial transactions by which RDC transfers responsibility for site management to third parties through the process of surrendering Mining Lease(s) through achievement of PEPR completion criteria.

2. To provide the evidence needed to satisfy DoE and DSD about:
   a. the description of risks and impacts from the proposed operations for the Controlled Action, and the proposed activities to prevent, minimise, mitigate and offset these risks and impacts; and
b. the steps and target timeline by which the parties will establish an agreed Scope of Studies, Investigations and Design to inform the assessments by DoE and DSD.

Establishing this scope will:

1. Use the results available from the investigations and studies already underway, such as:
   a. Acid Sulphate Soil Investigations
   b. Waterbird monitoring
   c. Topographic and Bathymetric Survey
   d. Vegetation survey
   e. Pond water level and quality monitoring
      i. Pond water entrainment and discharge volumes and salinity

2. Use the preferred mosaic of future land uses arising from the commercial proposals being presently sought by RDC, and the implications from these land uses for the nature and scope of work that RDC would need to do to enable the mining lease surrender and land transactions to occur that would pave the way to these uses;

3. Involve preparation of preliminary assessments, drawing on the above information, of:
   a. the potential environmental risks and impacts from that work by RDC
   b. the potential environmental risks and impacts associated with the condition of the site at the end of that work by RDC
   c. the technical and commercial feasibility of that work by RDC

4. Use the outcomes of these preliminary assessments to inform RDC’s judgements about priorities and objectives for specific studies, investigations and design tasks. The highest priorities would attach to issues that carried the higher risks, or the greater uncertainties, or which had the greater influence on technical and commercial feasibility.

5. Involve providing DSD and DoE with:
   a. a discussion paper containing the outcomes from items 3. and 4, and also
   b. a draft scoping document.

6. Involve discussions between RDC, DSD and DoE on a draft scoping document prepared from the above:
8. Establishing Desired Environmental Outcomes and Performance-based Criteria

The following extract from the State approved initial PEPR articulates the following goals for a set of overarching environmental values and outcomes for Closure:

Closure works planning and design (to be provided in revisions to this PEPR/MOP), whether to implement the Base Case Closure Strategy or to implement other closure strategies informed by specific future land uses, will provide for adaptive risk-based planning and management of the rehabilitation and closure works. These will aim to achieve the following general environmental, social and economic outcomes:

**Environmental**

- Rehabilitation of the land, groundwater, surface water and ecosystems within the site will, in part, necessarily involve some interactive, mutually dependent natural geochemical, physical and biological processes which take time to occur and reach completion. At the point of mine completion, the rehabilitation needs to have established that these processes are underway, and are progressing in directions that lead to environmental sustainability and sensibly minimal residual environmental risks.
- The protection of air, land, groundwater and surface water quality outside the site so that the health, safety, and amenity of people and ecosystems that use or depend on these are protected, both during the work to achieve completion and after completion.
- Practicable, risk-based environment monitoring and management plans with clear goals, environmental control measures, inspection and monitoring measures, performance indicators and criteria, reporting requirements and resourcing requirements, to provide ongoing environmental risk management of the land, groundwater, surface water and ecosystems within the site following mine completion.
- Compliance with relevant, applicable, regulatory requirements, as identified in consultations with regulatory government agencies, including DSD, EPA, PIRSA and Commonwealth Department of the Environment.
- Application of the precautionary principle, defined as follows:
  - Environment Protection Act 1993 (SA): to apply a precautionary approach to the assessment of risk of environmental harm and ensure that all aspects of environmental quality affected by pollution and waste (including ecosystem sustainability and valued environmental attributes) are considered in decisions relating to the environment.
  - Environment Protection and Biodiversity Conservation Act 1999 (Cth): lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.

**Social**

- Pro-active consultation to enable stakeholders, who are interested in, may be affected by or have influence on the achievement of rehabilitation and completion outcomes, to be well informed about the environmental constraints on and opportunities for future uses of the salt field land after closure.
- The protection of the important cultural and geological heritage values of the land at the site.
Economic

- The maintenance of the integrity and functionality of engineered structures at the site which protect land outside the site from adverse economic consequences of inundation from tides and storm surges in the Gulf St Vincent and Barkers Inlet.

Table 7 summarises the key overarching environmental values and outcomes sought from rehabilitation and closure. Criteria for the achievement of these outcomes, relevant to each stage in the rehabilitation and closure process, will be documented in subsequent revisions to the current approved PEPR / MOP. This section will describe the steps and target timeline by which the parties will establish an agreed environmental outcomes and measureable performance criteria for judging progress to and compliance with these outcomes.

Table 7 from the approved PEPR is copied below for ease of reference. This table will guide the development of the specific Environmental Outcomes and Performance Based Criteria for a single document (or set of documents) to be submitted to DoE and DSD for assessment.
Table 7: Strategic goals for mine completion and principles for outcomes and measurement criteria

(Note: The information in this table is aspirational and intended to guide the investigation and design of closure works to achieve mine completion. Informed by such investigations and design, revisions to this integrated PEPR / MOP will contain descriptions of specific operations for the closure works in different parts of the site. Those descriptions will be accompanied by specific environmental outcomes and measurement criteria that are broadly in line with the strategic goals and principles expressed in this table).

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<tr>
<th>Key environmental values</th>
<th>Strategic goals to protect key environmental values</th>
<th>Principles for establishing outcomes and measurement criteria specific to closure works for mine completion</th>
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| Terrestrial flora and fauna communities and species | • No adverse impacts from the condition of the site at mine completion on native flora and fauna communities and species on or off the salt field.  
• Compliance with EPBC Act requirements for mitigation and offset of impacts from the controlled action that will form part of the works to achieve mine completion.  
• Recolonisation of native vegetation habitats in drained parts of the site is demonstrably underway, with management measures in place to address any threatening processes (e.g. drainage problems, feral animals and weeds) and to ensure recolonisation will continue in the long term. | Criteria will need to enable demonstration that:  
• all clearance of native vegetation for mine completion has been undertaken with appropriate permissions. It is noted that clearance can also include loss from:  
  o physical works  
  o dust / contaminant deposition  
  o fire  
  o other damage.  
• no adverse offsite impacts from closure on native flora and fauna have occurred or are likely to occur  
• compliance with EPBC Act conditions including demonstrating offset requirements have been met  
• performance measures for vegetation recolonisation, as specified in an environmental management plan, are being or have been met. |
| Surface water | • The land surface within drained ponds at the site is free draining, such that ponding of water from rainfall, outside natural or man-made drainage courses within the site, is temporary and able to disappear within a reasonably short time, from a combination of infiltration, surface runoff, evaporation and evapotranspiration, without human intervention.  
• No adverse impacts on the marine environment from the discharge of surface water into the external environment from the site at defined discharge points approved under EPA Licences and Fisheries Management Act exemptions. | Criteria will need to enable demonstration that:  
• In drained ponds:  
  o ponding of water does not occur for a duration that results in unacceptable odour impacts on receptors  
  o the salinity of any discharge to the marine environment is at a level that does not result in environmental harm  
  o the quality and depths of water within natural or artificial water courses within the site are maintained to protect habitat for EPBC Act listed birds, or native vegetation |
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| Air quality              | • No adverse impacts on local communities from odours or dusts emanating from the salt fields. | Criteria will need to enable demonstration that:  
  • any organic material remaining in drained ponds is unlikely to result in unacceptable odour impacts as a consequence of either ponding of water, or loss of saturation  
  • ASS are appropriately managed to ensure unacceptable odour impacts do not occur  
  • algal blooms are not of a magnitude that would result in unacceptable odour impacts  
  • performance measures for recolonisation of drained ponds with vegetation are being or have been met, except where alternative land uses have been agreed  
  • other potential dust sources are managed to ensure there agreed outcomes for dust impacts on receptors are met. |
| Contamination / wastes, salinity, acid sulfate | • Any contamination or waste is remediated so that it complies with EPA policies and guidelines.  
• The constraints (if any) on post-closure land uses at the site from residual salt in soils or monosulfidic black oozes caused by salt field operations are understood.  
• No adverse impacts from acid sulfate soils and monosulfidic black oozes at the site on the external environment. | Criteria will need to enable demonstration that:  
  • remediation of contamination or waste has successfully occurred in any areas that were identified as requiring specific remediation measures  
  • impacts from ASS and MBO at the site comply with the other environmental outcomes in this table. |
| Infrastructure management to | • The existing bunds are maintained at their existing crest heights and with their integrity and functionality intact. | Criteria will need to enable demonstration that:  
  • the site has been left in a stable and non-polluting condition |
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| **protect public safety and the environment** | • All redundant gates, syphons, connections or other hydraulic flow control structures between ponds have been removed or blocked off / closed in a durable manner that protects public safety and the environment.  
• All redundant water pumps have been removed from site. The supporting structures, pipelines, flow control valves and power supplies associated with these pumps have also been removed or appropriately decommissioned in manner that protects public safety and the environment.  
• All remaining operating pumps, and their associated supporting structures, pipelines flow control valves and power supplies are in operable, well-maintained condition, with an effective care and maintenance plan in place.  
• All site fences and gates remain intact, with sufficient warning signs advising the public that entry to the site without permission from the land owner is forbidden and that entry carries safety risks.  
• All seepage drains remain functional. | • all infrastructure has been removed other than that which has been agreed will remain  
• all remaining operating pumps, and their associated supporting structures, pipelines flow control valves and power supplies, are in operable, well-maintained condition.  
• all bund banks and seepage drains are functional and stable. |
| **Community** | • Mine completion has broad acceptance by the community. | • The Closure PEPR / MOP will need to demonstrate that consultation and engagement with the community has occurred and resulted in their broad acceptance of the proposed works for mine completion |
| **Cultural and geological heritage** | • No adverse impacts on the cultural heritage values of the site.  
• The landforms of drained ponds are substantially unaffected by closure works. | Criteria will need to enable demonstration that:  
• cultural heritage values of the site before and at closure have been documented  
• landform within drained ponds is within agreed parameters that substantially retain the landforms existing prior to closure of the salt fields. |
9. Establishing the Scope and Format of the Report for Assessment by DoE and DSD

It is an objective that a single document (or set of documents) be submitted to DoE and DSD for their assessment. That document will form both:

- The PEPR revision (to supersede the current approved PEPR) (under the Mining Act, SA) that will be revised to deal with the operations necessary to implement the "Controlled Action"
- The Preliminary Documentation that provides the information, for the "Controlled Action" that is to be assessed under the EPBC Act

As a revision to the existing approved PEPR, this new document will follow its structure. It will however also include:

- Addition of an Appendix that will be dedicated to the matters of national environmental significance;
- Addition of other Appendices with the results of the studies, investigation and design
- Addition of a table of changes from the existing, approved PEPR, listing:
  - deletion of information that is no longer relevant
  - addition of information that is now relevant
- Other edits to the existing document that give effect to these changes

The Agencies and RDC will discuss and agree the scope and format for the single document for assessment, in light of the information arising from:

- The results of the studies, investigations and design;
- The subsequent refinement of the scope, sequence and methods of operations for implementing the controlled action
- The outcomes of the risk and impact assessment for these operations

10. Establishing the Stakeholder Consultation and Engagement Plan

This section will be prepared at a later stage, once the strategies for closure have been agreed, and the process to define scopes and programme for investigations, studies and design is underway. It will describe the steps by which the parties will establish agreed requirements for the stakeholder consultation and engagement plan, with agreed levels of involvement in its implementation by each party.
11. Responsibilities and Meetings

11.1. Responsibilities
This Charter respects each party’s responsibilities under the relevant Legislation:

- **RDC** – responsible:
  - As holder of Mining Tenements at the salt field, for compliance with the Mining Act
  - For compliance with the EPBC Act as it applies to Closure of the RDC’s operations at the Salt field
- **DSD** – responsible for administration and enforcement of the Mining Act
- **DoE** – responsible for administration and enforcement of the EPBC Act

11.2. Meetings
As a minimum, there will be quarterly meetings of the parties either using teleconference facilities or in Adelaide. Other meetings will be held as agreed to be needed.

The purposes of the meetings are to:

- Ensure that the Charter is being implemented as intended
- Identify and agree any revisions to this Charter
- Review progress towards milestones and target dates
- Discuss and resolve strategic and technical issues that are relevant to the assessment process
- Coordinate the approaches being adopted by DoE and DSD in their assessments
12. Signatures

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## Attachment 1: Project Contacts

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<th>Australian Government</th>
<th>State Government</th>
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<tr>
<td><strong>Primary Contact</strong></td>
<td></td>
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<td>Nick Withers</td>
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<td></td>
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<td>Land Management Consultant</td>
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<td>0400 473 572</td>
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<tr>
<td><strong>Secondary Contact</strong></td>
<td></td>
<td></td>
<td>Stephen Butler</td>
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<tr>
<td></td>
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<td></td>
<td>General Manager Ridley Land Corporation</td>
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