
LICENCE CONDITIONS – Penrice MPL

First Schedule

1.	The Miscellaneous Purposes Licence (MPL) is granted for the purpose of stockpiling and storage of overburden, and rehabilitation in association with the mining operation known as Penrice Quarry authorised under mining tenement(s) PM86, PM120, ML 6233
2.	If in the opinion of the Minister the scope of operations associated with this MPL have been significantly modified, the Minister may review the licence conditions of this MPL, including any bond under this MPL, and impose new licence conditions as necessary.
3.	The Licensee must not commence or undertake any operations on the land under the MPL until a Mining and Rehabilitation Program (MARP) has been approved by the Director of Mines.
4.	The Licensee must implement and comply with the approved MARP.
5.	The Licensee must review the MARP/ on request of the Director of Mines within a time specified in the request and submit the revised MARP for approval to the Director of Mines.
6.	The MARP must comply with the requirements of guidelines approved by the Director of Mines and include environmental outcomes and criteria that are developed in consultation with the Penrice Community Consultative Group and other relevant stakeholders.
7.	The criteria included in the MARP must demonstrate clear and unambiguous achievement of the environmental outcomes listed in Schedule 2 by: <ul style="list-style-type: none">• Including the specific parameters to be measured and monitored by the Licensee• Specifying the locations that the parameters will be measured, or how these locations will be determined• Clearly stating the acceptable values for demonstrating achievement of the outcome, with consideration of any inherent errors of measurement• Specifying the frequency of monitoring by the Licensee• Identifying what background or control data are to be used or specify how it will be acquired (if necessary)
8.	The Licensee agrees to the approved MARP being made available for public inspection.
9.	The Licensee must demonstrate upon request and to the Director of Mines, the Licensee's capability and competence to comply with the requirements of the Mining Act, 1971, the conditions of this licence, and the MARP.
10.	The Licensee accepts that the Director of Mines may withdraw a MARP approval if in the Director's opinion, the Licensee is not complying with the approval, or has not demonstrated satisfactory capability to comply with the approval.

11.	The Licensee must provide to the Director of Mines a Mining and Rehabilitation Compliance Report (MARCR) on operations carried out on the licence and compliance with the approved MARP. The MARCR must be submitted quarterly from the the date the licence was granted, or at some other time agreed with the Director of Mines in accordance with guidelines approved by the Director of Mines. The licensee agrees to the MARCR being made available for public inspection.
12.	The Licensee must, if requested by the Director of Mines, undertake an independent audit of achievement of the environmental outcomes in the MARP, by an independent expert approved by the Director of Mines. The audit will be made available to the public, in a manner and form as determined by the Director of Mines.
13.	Prior to licence relinquishment, the Licensee must provide to the Minister a Mine Completion Report prepared in accordance with guidelines approved by the Director of Mines, which demonstrates achievement of the closure criteria as specified in the current MARP.
14.	<p>The Licensee must, prior to commencing operations under this Licence and for the duration of the Licence maintain public liability insurance to cover all operations under the Licence (including sudden and accidental pollution) in the name of the Licensee for a sum not less than \$ 20 million or such greater sum as specified by the Director of Mines, and make such amendments to the terms and conditions of the insurance as the Director of Mines may require.</p> <p>A copy of the cover note of certificate of currency for the insurance must be provided to the Director of Mines upon request.</p> <p>If requested by the Director of Mines, the Licensee must engage a independent and reputable risk assessor to prepare a risk assessment report detailing the public liability risks arising out of the conduct of operations on the Licence, and recommending the level of amount of public liability cover (in respect of any one occurrence) that should be effected and maintained by the Licensee. In preparing the risk assessment report, the assessor must consult with the landowner and the Director of Mines.</p> <p>In specifying the level of insurance required, the Director of Mines accepts no liability for the completeness, adequacy of the sum insured, the limit of liability, the scoped coverage, the conditions or exclusions of the insurance in respect of how the Licensee may or may not respond to any loss, damage or liability.</p>
15.	The Licensee must report any non-compliance with the Act, these conditions and approved MARP to the Director of Mines. A verbal notification must be provided within 24 hours after the Licensee becomes aware of the non-compliance. A written report must be provided within 3 days or such time period as approved by the Director of Mines.
16.	In requesting a review of the bond required under the Mining Act, the Minister may request that written quotes from a third party are obtained by the licensee for the cost of rehabilitating the site to the requirements specified in the approved MARP.

	The Licensee must meet all the charges and costs in obtaining and maintaining a Bond
--	--

Second Schedule

1.	Landforms constructed as a result of mining operations and vegetation cover must integrate and harmonise with the surrounding landscape when viewed from the Barossa Valley floor and roads as specified in the Barossa Council development plan and other locations specified and agreed by the Penrice Community Consultative Group.
2.	The Licensee must in constructing and operating the Licence, ensure that there are no public nuisance impacts from noise emanating from the Licence.
3.	The Licensee must in constructing and operating the Licence ensure that there are no nuisance impacts to local residents and adjacent land uses from air emissions and dust generated by mining operations.
4.	The Licensee must in constructing and operating the Licence ensure that there are no public injuries and or deaths resulting from unauthorised entry to the site that could have been reasonably prevented.
5.	The Licensee must take responsibility for resourcing, participating and maintaining to the satisfaction of the Director of Mines, a Community Consultative Committee for the term of the Licence, with terms of reference as endorsed from time to time by the Director of Mines
6.	The Licensee will be responsible for recording and addressing complaints received from the public with respect to the mining operations by: - <ul style="list-style-type: none"> • Providing a dedicated and publicly advertised telephone line, available during mine working hours; • Record details of complaints and the Licensee's response in a register, which will be made available to authorised officers under the <i>Mining Act, 1971</i>; • Ensuring that a response is provided to the complainant as early as possible and within two working days; and • Reporting the complaint details and the Licensee's response at the next relevant Penrice Community Consultative Group meeting.
7.	The Licensee must in constructing and operating the Licence, ensure that there is no disturbance to Aboriginal or European artefacts or sites of significance unless prior approval under the relevant legislation is obtained.
8.	The Licensee must, in constructing and operating the Licence ensure no

	<p>permanent loss of abundance or diversity on or off the Licence through:</p> <ol style="list-style-type: none"> a. clearance, b. other damage; <p>To native vegetation unless prior approval under the relevant legislation is obtained, except as specified for under clause 9 below.</p>
9.	The Licensee must ensure that there is no clearance of native vegetation within the riparian zone of the Jaeckeli Creek
10.	The Licensee must in constructing and operating the Licence ensure that the existing soil quality and quantity is maintained.
11.	The Licensee must, in constructing and operating the Licence ensure no water contaminated as a result of mining operations leaves the lease area or results in loss of or contamination of soil on or off the Licence.
12.	<p>The Licensee must demonstrate prior to licence expiry or surrender that the following outcomes will be achieved indefinitely post mine closure to the satisfaction of the Director of Mines:</p> <ul style="list-style-type: none"> • Landforms constructed as a result of mining operations and vegetation cover must integrate and harmonise with the surrounding landscape when viewed from the Barossa Valley floor and roads as specified in the Barossa Council development plan and other locations specified and agreed by the Penrice Community Consultative Group. •The risks to the health and safety of the public and fauna are as low as reasonably practical •Constructed landforms and ecosystems are resilient and self-sustaining. •The site is physically stable
13.	The licensee must within 3 months of licence grant, develop and implement a management plan for the preservation and restoration of the Jaeckeli creek riparian zone within the MPL to the satisfaction of the Director of Mines
14.	The Licensee must, within 4 months of licence grant, submit a report containing an analysis of options and a justified conclusion for overburden storage and/or disposal associated with the Penrice Angaston Quarry until 2033 to the satisfaction of the Director of Mines.
15.	The Licensee must not place more than 2 Million tonnes of overburden and any additional material necessary to achieve rounding to meet the approved landscape design to a maximum height of 349m RL AHD.