Earth Resources Regulator Statement of Reasons

Renewal of Exploration Licence EL5395 held by Rezir Limited



Introduction

On 23 October 2024 I, Laura Helm, Director, Statutory Authorisations, Earth Resources Regulator, Department of Environment, Energy and Climate Action, as delegate of the Minister for Energy and Resources under the instrument of delegation dated 1 January 2023, made a decision pursuant to section 31 of the *Mineral Resources* (*Sustainable Development*) Act 1990 (MRSDA) to, by instrument, renew exploration licence 5395 (EL5395). A copy of the signed instrument of renewal is Attachment 1.

Legislative Framework

Licences may be renewed by an instrument served on the applicant that has been approved by the Minister, or their delegate, in accordance with section 31 of the MRSDA.

Mandatory considerations

Section 31(1) provides that the Minister must refuse to renew a licence if the applicant does not satisfy the Minister as to the matter specified in section 15(6)(ba) (that is, that the applicant genuinely intends to do work) unless the applicant satisfies the Minister that the applicant has identified minerals in the land covered by the licence and that-

(a) additional time is necessary to assess the economic viability of mining those minerals; or

(b) it is not at present economically viable to mine those minerals but it may become so in the future.

Section 31(5) provides that the Minister may only renew an exploration licence twice.

Section 31(6) provides in the case of a second renewal of an exploration licence, the Minister may only renew the licence if the Minister-

- (a) Considers there are exceptional circumstance to warrant that second renewal; and
- (b) Is satisfied that there is a likelihood of the licensee identifying minerals in the land covered by the licence during the period for which the licence may be renewed.'.

Discretionary considerations

Section 31(2) provides that the Minister may refuse to renew a licence if the Minister is satisfied as to any one or more of the following matters -

- (a) the applicant as a licensee has not substantially complied with-
 - (i) subject to subsection (3), this Act or the regulations; or
 - (ii) any condition to which-
 - (A) the licence that is the subject of the application for renewal is subject; or
 - (B) a work plan is subject; or
 - (iii) any condition specified under section 44; or
 - (iv) any relevant planning scheme or permit; or

(b) the applicant as a licensee has unreasonably delayed in trying to obtain any necessary consent or other authority;



(c) the applicant as a licensee has not commenced work within the time specified in or allowed under section 42(5);

(d) the applicant as a licensee has endangered the public or an employee on or near the land covered by the licence that is the subject of the application for renewal;

(e) the applicant as a licensee has undertaken work on land otherwise than in accordance with a work plan;

(f) the applicant as a licensee no longer complies with section 15(6)(a), (b), (ba), (c) or (d);

(g) in the case of an application for the renewal of a mining licence, the area covered by the licence is depleted of minerals to the extent that it is no longer feasible to mine that area;

(h) in the case of an application for the renewal of a mining licence or retention licence, it is not feasible to mine minerals in the area covered by the licence and will not be feasible to do so in the foreseeable future;

(i) in the case of an application for the renewal of a retention licence, the applicant as a licensee has failed to comply with a requirement under section 112A.

Principles of sustainable development

Section 2A provides that, in administering the MRSDA, regard should be given to the principles of sustainable development, as set out in section 2A(2).

I now provide this statement of reasons for my decision.

Background

On 25 January 2012, Oresome Australia Pty Ltd was granted an exploration licence EL5395 for a period of three years and which was due to expire on 24 January 2015. On 25 January 2015, Oresome Australia Pty Ltd, with Kalbar Resources Ltd acting as agent in regard to ongoing exploration on EL5395 was granted the first renewal of the exploration licence EL5395 for a period of five years and which was due to expire on 24 January 2020.

On 3 December 2018, EL5395 was transferred from Oresome Australia Pty Ltd to Kalbar Resources Ltd. On 22 August 2019 Kalbar Resources Ltd changed its name to Kalbar Limited. On 7 November 2023, Kalbar Limited changed its name to Rezir Limited (Rezir Ltd).

On 22 January 2020, Kalbar Limited (now Rezir Ltd) lodged with the Earth Resources Regulator (ERR) a second renewal application for EL5395. Pursuant to section 29(2) of the MRSDA, EL5395 continues in operation until the application is granted and registered or refused.

In response to various requests for further information from Departmental officers within the ERR group, Rezir Ltd provided the following:

- Completed Fit and Proper Person Questionnaire dated 27 June 2024
- Information regarding the exceptional circumstances to support a second renewal
- Confirmation of Directors, Secretaries, Chief Executive Officer, Employees and lead consultants
- Police Checks for all Directors, Alternate Directors and Secretary.
- Financial information supporting its ability to fund the work
- A Community Engagement Plan

Departmental officers within ERR undertook an ASIC Banned and Disqualified check and Bankruptcy check on the Directors, Secretary, and Alternate Directors of Rezir Ltd with no adverse findings.

I assessed the renewal application based on the documents including those submitted with the renewal application and the further information supplied.

My decision of 23 October 2024

I had regard to the following matters in making my decision to approve the instrument of renewal for exploration licence EL5395 under section 31 of the MRSDA:

1. Consideration of section 31(1)

Section 31(1) – genuine intent to do work - Noting my conclusion that the applicant had a genuine intent to do work (below), the mandatory consideration in section 31(1) has been satisfied.

2. Consideration of sections 31(2)(f); and 15(6)(a), (b), (ba), (c) and (d)

Section 15(6)(a) – Is a fit and proper person to hold a licence.

In considering the fit and proper standing of Rezir Ltd, I considered information regarding Rezir Ltd and its subsidiary, Gippsland Critical Minerals Pty Ltd (GCM), given there is overlap in the Directors of GCM and Rezir Ltd. I had regard to ERR's Operational Policy – Fit and Proper Person and the relevant statutory provisions of the MRSDA and the following matters

I had regard to the following matters:

- No issues or concerns were identified through Police checks, Bankruptcy searches and searches of the Banned and Disqualified register on the current Directors of Rezir Ltd or GCM.
- No issues or concerns were disclosed in the Fit and Proper Person Questionnaire completed by the current Directors of Rezir Ltd.
- Mine Free Glenaladale (MFG) made submissions to ERR alleging that the applicant behaved unethically towards the local community, including though a lack of consultation, difficulty accessing ESS documents from the applicant, threatening behaviour and intimidation.
- One landowner within the licence area raised concerns about how land access arrangements were put in place, contractor behaviour while accessing their land and how they were contacted by the applicant.

I consider that the GCM's conduct during the EES and its project planning for the Fingerboards mine proposal fell short of the standard expected of a Victorian earth resources company. There was no evidence that GCM was deliberately obstructive or deceitful. While its project planning and technical assessments were insufficiently accurate and mature to properly support the EES, evidence did not suggest there was negligence or incompetence that would warrant an adverse fit and proper finding. Some actions taken by GCM to limit interaction with MFG seemed to be reasonable actions designed to ensure the safety and wellbeing of its employees. I also noted that the GCM's key personnel and directors have been replaced since the EES outcome and the submissions made by community and MFG about the applicant's conduct during the EES.

GCM appeared to have a particularly difficult relationship with one landowner. Licensees require consent or compensation agreements to be in place before entering land to conduct exploration activities. No other complaints from owners or occupiers of land within the EES project area. There was no evidence of a pattern of behaviour in relation to land access that would warrant an improper person finding.

I was therefore satisfied that Rezir Ltd is a fit and proper person to hold a licence.

Section 15(6)(b) - Intends to comply with the MRSDA

In considering whether Rezir Ltd intends to comply with the MRSDA, I noted that Rezir Ltd has one breach of the MRSDA (failure on behalf of a licensee to provide an Annual Technical Report for the 2020/2021 reporting period by the due date). The Annual Technical Report was subsequently lodged. There have been no other breaches of the MRSDA.

In considering whether Rezir Ltd intends to comply with the MRSDA, I considered the compliance history of its subsidiary, GCM. I was not required to consider the compliance history of GCM but considered it prudent to do so, given there is overlap in the Directors of GCM and Rezir Ltd. GCM has not had a breach of the MRSDA.

Given that Rezir Ltd rectified its non-compliance in relation to submission of the Annual Technical Report, and that all subsequent reports have been submitted in accordance with requirements, and that GCM has no history of failing to comply, I considered that Rezir Ltd intends to comply with the MRSDA.

Section 15(6)(ba) - Genuinely intends to do work

In considering whether Rezir Ltd has a genuine intent to do work, I considered:

- the financial information provided by Rezir Ltd, which demonstrates that it is able to fund the work required under the licence.
- the technical expertise available to Rezir, which demonstrates that it is able to deliver the program of work.
- evidence of the work already undertaken on EL5395 since the initial grant in 2012.
- the significant work undertaken on the adjacent retention licence RL2026 held by Rezir Ltd's subsidiary GCM, including preparation of an EES over 5 years.

- the Technical Report 'Mineral Resource Reporting Update on the Fingerboards (& Glenaladale) Zircon & Rare Earths Mineral Sands Project'.
- Historical technical reports for the area now within EL5395.

While limited exploration work has been undertaken in recent times specifically within EL5395, I accepted submissions made by the applicant that EL5395 forms part of the broader Fingerboards Project area (and the larger Glenaladale Resource). Historical technical reports confirm that significant mineralisation has been located within the land within EL5395, which is an extension of the mineralisation previously located in the surrounding Glenaladale. I accepted that the location of EL5395 – nested within RL2026 and RL2023 – and the regional geology support the applicant's submission on the interrelatedness of these licences as part of a larger project area. I accepted that it was logical and rationale for them to focus investment on RL2026 in particular to progress the EES process for the Fingerboards Minerals Sands Project, as a precursor to progressing towards establishing the commercial viability of mining the resource within EL5395. I also accepted that it was possible for the applicant to complete work necessary for the preparation of a mineralisation report, which would be required if they were to apply for a retention licence prior to the expiry of the licence. I therefore accepted that they had a genuine intent to do work, despite the short time left in the term of the licence.

On these basis, I considered that Rezir Ltd has a genuine intention to do work on the licence.

Section 15(6)(c) - Has an appropriate program of work

In considering whether EL5395 has an appropriate program of work, I considered:

- the program of work provided in the renewal application
- information provided by the applicant in response to various requests for information.

At the time of decision, I considered that it was possible for the applicant to complete the work necessary for the preparation of a mineralisation report, which would be required if they were to apply for a retention licence prior to the expiry of the licence. I formed this view based on the applicant's submission that the zone of influence of drilling on neighbouring retention licences RL2023 and RL2026 is likely to contribute to the assessment of potential mineralisation. I also noted their submission that it is likely the applicant would seek a retention licence and combine it with its existing retention licences in the area.

On this basis, despite the short time left in the term of the licence, I considered that the applicant has an appropriate program of work.

Section 15(6)(d) - Is likely to be able to finance the proposed work and rehabilitation of the land

In considering whether Rezir Ltd is likely to be able to finance the proposed work and rehabilitation of the land under the licence, I considered the financial information provided by Rezir Ltd which demonstrated that Rezir Ltd had appropriate and sufficient funds to finance the proposed work and rehabilitation.

I considered that the financial information provided satisfactory evidence that Rezir Ltd will be able to fund the work and the rehabilitation.

3. Consideration of sections 31(5) and 31(6)

Section 31(5) - Minister may only renew an exploration licence twice

As this is the second renewal of the exploration licence, s 31(5) is met.

Section 31(6)(a) considers there are exceptional circumstances to warrant that second renewal;

In considering whether there were exceptional circumstances to warrant a second renewal, I considered ERR's Exceptional Circumstances Policy and submissions made by the applicant in response to requests for further information.

On 18 December 2016, the Minister for Planning required Rezir Ltd predecessor (Kalbar Limited) to prepare an Environment Effects Statement (EES) under the *Environmental Effects Act 1978,* for the 'Fingerboards Mineral Sands Project' situated within adjacent retention licence RL2026. The EES hearings concluded in July 2021, with the Minister issuing his Assessment in November 2021.

In considering whether EL5395 met exceptional circumstances to warrant the second renewal, I considered that it was reasonable for Rezir Ltd to prioritise its resources to complete the EES process given the location of EL5395 (adjacent to RL2026) and that the significant work required as part of the EES, which included preparation of

technical studies, engagement with multiple authorities and agencies, and preparation for and participation in a public hearing which took place over the course of 10 weeks from 3 May – 22 July 2021, constituted exceptional circumstances.

In forming the view that these circumstances were exceptional, I noted that only a small number of licence holders under the MRSDA have undergone an EES process and the significant time and resources required to complete this process.

On this basis, I considered Rezir Ltd to have had exceptional circumstances that warrant a second renewal.

Section 31(6)(b) is satisfied that there is a likelihood of the licensee identifying minerals in the land covered by the licence during the period for which the licence may be renewed.

In considering the likelihood of the licensee identifying minerals, I considered:

- the Technical Report 'Mineral Resource Reporting Update on the Fingerboards (& Glenaladale) Zircon & Rare Earths Mineral Sands Project'
- Historical technical reports for the area now within EL5395
- Advice from the Geological Survey of Victoria.

Historical technical reports confirm that significant mineralisation has been located within the land within EL5395, which is an extension of the mineralisation previously located in the surrounding Glenaladale.

On this basis, I considered there to be a likelihood of the licensee identifying minerals in the land covered by the licence during the renewal period.

5. Considerations under section 31(2)

Departmental officers within ERR assessed the application to renew against the discretionary refusal grounds under section 32(2) and concluded there were no matters giving rise to any reason to refuse renewal listed under section 32(2)((a) - (i). On the basis of this assessment, I did not exercise my discretion to refuse renewal under section 31(2).

4. Other matters

I additionally considered that the request to renew EL5395 was consistent with the purpose and objectives of the MRSDA, in particular:

- That section 31 of the MRSDA sets out the requirements for approval of an instrument of renewal, as part of:
 - an efficient and effective system for approvals (section 2(1)(a)(i))
 - an effective administrative structure for making decisions concerning the allocation of mineral resources for the benefit of the general public (section 2(1)(a)(iii))
 - a legal framework aimed at ensuring that risks posed to the environment, to members of the public, or to land, property or infrastructure by work being done under a licence are eliminated or minimised as far as reasonably practicable (section 2(1)(b)(i)); and
- That the renewal request met the requirements of section 31.
- That if approved, the renewals would support potential investment in exploration for minerals and the establishment of mining activities (subject to future decisions under the MRSDA), consistent with the objective of the MRSDA to encourage and facilitate exploration for minerals and foster the establishment and continuation of mining operations under section 2(1)(a).

I had regard to, and considered that, the renewal requests were consistent with the principles of sustainable development under section 2A of the MRSDA, in particular noting that Rezir Ltd (as the licensee) has a duty to consult the community on issues that affect them under section 39A of the MRSDA

5. Decision

On the basis of the information outlined in this statement, I was satisfied of the matters I was required to be satisfied about under sections 31(1), (5) and (6) and was not satisfied of any of the matters that enabled me to refuse to renew the licence under section 31(2). I accordingly decided to renew the licence, and I duly approved and executed the instrument of renewal.

The renewal instrument expired on 24 January 2025.

Attachments

Attachment

Signed instruments of renewal

LAURA HELM

Director Statutory Authorisations, Earth Resources Regulator Date: 19/02/2025

MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990

INSTRUMENT OF RENEWAL - EXPLORATION LICENCE

I, Laura Helm, acting as the delegate of the Minister and pursuant to section 31 of the *Mineral Resources* (*Sustainable Development*) *Act 1990* (the Act), hereby renew the exploration licence according to Table 1 below and subject to the Conditions and Schedule of Conditions below.

LICENCE TYPE	Exploration Licence
LICENCE NUMBER	EL5395
DATE OF GRANT OF LICENCE	25 January 2012
NAME/S OF LICENSEE/S	Rezir Limited
ADDRESS/ES OF LICENSEE/S	Level 1, 1002 Hay Street, Perth, Western Australia 6000
LOCATION	(8322) Stratford Map sheet/s
CURRENT AREA (BEFORE RENEWAL)	9 graticular sections
AREA RELINQUISHED	0 graticular sections
AREA OF RENEWED LICENCE	9 graticular sections
LICENCE RENEWED TO EXPIRE	24 January 2025
STRATUM OF LAND	Not applicable
GENERAL NATURE AND PURPOSE OF ANY CHANGED CONDITIONS	To ensure that the conditions remain appropriate to work done under the licence

TABLE 1

Signed

Jewa Helm

Laura Helm Director Statutory Authorisations

Date: 23/10/2024

Date of Registration 23/10/2024	
Time of Registration	
3:28 pm	
<u>E</u> S	
REGISTRAR	
Mineral Resources (Sustainable Development)	

F 90016401

Act 1990

EXPLORATION LICENCE RENEWAL CONDITIONS

- 1. The licensee must expend in connection with exploration of the land a minimum of **\$24,000** per year, unless this requirement is varied, or application of this requirement is suspended for a specified period, in accordance with the Act.
- 2. The reporting date is 30 September annually.

EXPLORATION LICENCE SCHEDULE OF CONDITIONS

IMPORTANT NOTE: The conditions in this Schedule address a wide range of exploration activities. You may not have approval for all the activities described. Work other than "low impact exploration" may only be undertaken in accordance with a Work Plan approved by the Department of Energy, Environment and Climate Action (DEECA).

For further information about compliance with licence conditions or requirements for work plans refer to the *Code of Practice for Mineral Exploration* and *Standard Work Plan Guidelines for Exploration* or *Area Work Plan Guidelines for Exploration* available at <u>www.resources.vic.gov.au</u> or at major DEECA offices.

PART A GENERAL CONDITIONS

1. ADMINISTRATIVE ARRANGEMENTS

1.1 The licensee must ensure that the relevant Earth Resources Regulator (ERR) Deputy Chief Inspector is at all times aware of the appropriate contact person for activities conducted under an exploration licence.

2. COMMUNITY ENGAGEMENT

2.1 The licensee must identify their communities for the proposed operation and consult with the identified communities.

3. NATIVE VEGETATION AND FAUNA

3.1 The licensee must take all reasonable measures to avoid, minimise and/or offset the removal and disturbance of native vegetation and faunal habitats.

4. BOX-IRONBARK REGION

4.1 Where activities are proposed to be undertaken in a Box-Ironbark region, the licensee must undertake a preliminary assessment of vegetation and faunal habitats of areas of interest in that Box-Ironbark region to identify and mark areas or sites to be avoided in the exploration project.

5. PUBLIC LIABILITY INSURANCE

5.1 Prior to commencing any work, the licensee must have public liability insurance that covers all work authorised under the licence and ensure the insurance is valid at all times while work occurs under the licence.

6. PUBLIC SAFETY ZONES

6.1 The licensee must take all reasonable measures to minimise their impact on the operation of a public safety zone.

7. SOIL MANAGEMENT

7.1 The licensee must take all reasonable measures to minimise impacts on the physical and biological health of soil.

8. PLANT DISEASES, WEEDS AND PEST ANIMALS

8.1 The licensee must ensure that all soil that is imported into the exploration licence area is free of disease and noxious weeds.

- 8.2 The licensee must take all reasonable measures to minimise the spread of weeds, pest animals and plant diseases whilst undertaking exploration activities.
- 8.3 The licensee must adhere to any biosecurity protocols that have been adopted on private or Crown land.

9. WATER QUALITY AND AQUATIC HABITAT

- 9.1 The licensee must design, install and maintain erosion and sediment controls to prevent erosion of areas of disturbed land and sedimentation of waterways.
- 9.2 Where exploration activities are being conducted in waters or on the banks of waterways with water in them, the licensee must take all reasonable measures to minimise sedimentation of the waterway.
- 9.3 The licensee must take all reasonable measures to prevent contaminated runoff from entering receiving waterways.

10. FUELS, LUBRICANTS AND HAZARDOUS MATERIALS

- 10.1 The licensee must take all reasonable measures to prevent contamination of the environment by the release of fuels, lubricants and hazardous materials.
- 10.2 The licensee must ensure that spills of hazardous materials are cleaned up as quickly as practicable. Such spillage must not be cleaned up by hosing, sweeping or otherwise releasing such contaminant into waterways.
- 10.3 Within the Box-Ironbark region, the licensee must install trays or similar apparatus beneath machinery to protect the soil and vegetation from oil/fuel leaks or spills.

11. ABORIGINAL CULTURAL HERITAGE

- 11.1 The licensee must ensure Aboriginal cultural heritage is not harmed as a result of works undertaken within the licence area.
- 11.2 Within areas where ground intrusive exploration works or the removal of native vegetation are proposed on Crown land in the Box-Ironbark region, an assessment of Aboriginal cultural heritage values must be undertaken.

12. HERITAGE (NON-INDIGENOUS)

- 12.1 The licensee must ensure non-indigenous cultural heritage is not harmed as a result of works undertaken within the licence area.
- 12.2 Within areas where ground intrusive exploration works or the removal of native vegetation are proposed on Crown land in the Box-Ironbark region, an assessment of non-indigenous cultural heritage values must be undertaken.

13. FIRE PRECAUTION

- 13.1 The licensee must take all reasonable measures to prevent the ignition and spread of fire.
- 13.2 Prior to undertaking any exploration activities, the licensee must develop and implement a fire response and readiness plan.

14. WASTE AND REDUNDANT EQUIPMENT

14.1 The licensee must ensure all waste generated on site is disposed of at an appropriate waste management facility.

15. CAMPING

- 15.1 The licensee may only establish campsites with the permission of the Crown land Manager or private land owner/occupier.
- 15.2 The licensee must select, establish and manage campsites to minimise risks to the environment and/or the health and safety of people.

16. NOISE

- 16.1 Within the licensed area, the licensee must ensure that noise generated by exploration activities does not exceed limits set by the Environment Protection Authority, Victoria and the local council.
- 16.2 The licensee must take all reasonable measures to avoid causing nuisance noise.

17. AIR EMISSIONS, DUST AND LIGHTING

17.1 The licensee must take all reasonable measures to prevent adverse impacts as a result of the release of dust, odour and/or emission of light.

18. LIVESTOCK, DOMESTIC ANIMALS AND CROPS

18.1 The licensee must take all reasonable measures to prevent adverse impacts to livestock¹ and crops.

19. GEOPHYSICAL AND GEOCHEMICAL SURVEYS AND GRIDLINES

- 19.1 In designing and constructing geophysical and geochemical surveys, the licensee must take all reasonable measures to prevent adverse impacts to the environment and/or the health and safety of people.
- 19.2 Prior to designing and constructing geophysical and geochemical surveys, the licensee must consult with the Crown land Manager and/or private land owner/occupier about the position of gridlines and geophysical lines.

20. EXPLOSIVES

20.1 When using explosives or high electrical currents, all reasonable measures must be taken to prevent harm or disturbance to people, domestic animals, livestock and wildlife.

21. TRACKS AND ROADS

- 21.1 In designing and constructing tracks and roads, the licensee must take all reasonable measures to prevent adverse impact to the environment.
- 21.2 Prior to designing and constructing tracks and roads, the licensee must consult with the public land manager, responsible road authority and/ or private landowner/ occupier
- 21.3 Prior to using a closed road the licensee must gain consent from the responsible road authority.
- 21.4 Prior to conduction ground intrusive exploration works on a road the licensee must gain consent from the responsible road authority.

22. DRILL SITES, COSTEANS, TRENCHES AND BULK SAMPLING EXCAVATIONS

22.1 The licensee must take all reasonable measures to prevent adverse impacts of establishing costeans, drill holes, bulk sample excavations and trenches to the environment and/or the health and safety of people.

23. DRILLHOLE OPERATIONS, CONSTRUCTION AND DECOMMISSIONING

- 23.1 The licensee must ensure that all reasonable measures are taken to minimise the impacts of drilling operations and that the operations are conducted in a manner that ensures protection of the environment, human health and amenity.
- 23.2 The licensee must prevent contamination of aquifers as a result of drilling operations.
- 23.3 The licensee must ensure that where a drillhole is to be left open overnight or longer, a temporary cap is fitted.
- 23.4 The licensee must ensure that accurate records of decommissioning procedures are kept to provide future reference, and to demonstrate to the Department of Energy, Environment and Climate Action that the drillholes have been satisfactorily plugged and abandoned.

¹ For the purpose of these conditions, bees are defined as livestock.

24. UNDERGROUND EXPLORATION

- 24.1 The licensee must ensure that during underground exploration and development works, access shafts, adits and declines are made safe.
- 24.2 The licensee must ensure that on completion of underground exploration and development works, access shafts, adits or declines no longer required are permanently closed off and the site made safe for the public and wildlife.

25. REHABILITATION

- 25.1 The licensee must ensure that disturbed areas are rehabilitated as soon as possible after the completion of exploration works.
- 25.2 The licensee must ensure that indigenous species used in rehabilitation are sourced from the local area, of local provenance and appropriate to the site's Ecological Vegetation Class (EVC).

26. REPORTING, MONITORING AND AUDITING

- 26.1 The licensee must implement a program for monitoring environmental impacts and rehabilitation.
- 26.2 The licensee must submit an annual report that includes:
 - (a) A report about the environmental management of exploration activities including the results of any environmental audits conducted.
 - (b) Quantity, area and type of native vegetation removed.
 - (c) Details of current progressive rehabilitation activities.
 - (d) A rehabilitation report detailing completed rehabilitation activities over that year.
- 26.3 The licensee must notify the Department of Energy, Environment and Climate Action as soon as practical of any environmental incident which results in:
 - (a) An emission not authorised by licence, work authority or work plan.
 - (b) Any deviations from conditions or environmental standards outlined for the site.
- 26.4 Within seven (7) days of an environmental incident, the licensee must prepare and forward a report to the Department of Energy, Environment and Climate Action detailing the following information:
 - (a) The cause, time and duration of the incident.
 - (b) The native vegetation or threatened flora/fauna affected by the incident (if applicable).
 - (c) The type, volume and concentration of every pollutant discharged as a result of the incident.
 - (d) Action taken by the licensee in relation to the incident.
 - (e) Action taken to prevent any recurrence of the incident.

27. DOCUMENTATION AND RECORDS

- 27.1 The licensee must record activities undertaken and results arising from the environmental and rehabilitation monitoring program, any auditing undertaken and any complaints received.
- 27.2 The licensee must ensure that documentation generated through the environmental and rehabilitation monitoring program, auditing and any complaints received is appropriately stored and accessible to relevant personnel and is available upon request by an ERR inspector.

