



Department of **Energy, Mines,
Industry Regulation and Safety**

Response to submissions

Mining Development and Closure Proposal Guideline

December 2024

The purpose of the Mining Development and Closure Proposal Guideline is to provide guidance to applicants on how to prepare a Mining Development and Closure Proposal (MDCP) in accordance with the *Mining Act 1978* (Mining Act) and the Mining Regulations 1981 (Regulations).

MDCPs are being introduced by the *Mining Amendment Act 2022* (Amendment Act) and will be a single application document that only captures information required for assessment of a proposed mining operation.

Stakeholder feedback has been considered in developing the draft Mining Development and Closure Proposals Guideline.

Stakeholder comments

The MDCP Guideline (the Guideline) was released on the DEMIRS website for public comment from 19 March 2024 to 27 May 2024, with a number of stakeholders providing feedback.

The review process notified respondents that their submissions would be made publicly available on the DEMIRS website. For the purposes of grouping and responding to feedback from stakeholders more efficiently, the submissions have been arranged by theme. Feedback submissions are included verbatim.

Key themes of feedback received

The key themes of this feedback were related to:

- General Comments
- Specific feedback on Guidelines:
 - Section 1: Preparation of a MDCP
 - Section 2: Contents of a MDCP
 - Section 3: Description of proposed mining operation
 - Section 4: Legislative framework
 - Section 5: Baseline data and analysis
 - Section 6: Stakeholder engagement
 - Section 7: Post mining land use
 - Section 8: Risk assessment and management
 - Section 9: Environmental and closure outcomes
 - Section 10: Monitoring
 - Section 11: Closure implementation
 - Appendices
- Efficiencies and Reducing Duplication
- Format and Presentation

DEMIRS thanks all stakeholders for their considered input into the process.

Ref #	Stakeholder	Comment	DEMIRS Response
GENERAL COMMENTS			
1.	Association of Mining and Exploration Companies (AMEC)	<p>Introduction AMEC appreciates the opportunity to provide industry feedback on the consultation draft for the Guideline for Preparing Mining Development and Closure Proposal.</p> <p>About AMEC The Association of Mining and Exploration Companies (AMEC) is a national industry association representing over 570 member companies across Australia. Our members are mineral explorers, emerging miners, producers, and a wide range of businesses working in and for the industry. Collectively, AMEC's member companies account for over \$100 billion of the mineral exploration and mining sector's capital value.</p> <p>Mineral exploration and mining make a critical contribution to Australia's economy, directly employing over 274,000 people. In 2021/22 Industry generated a record high \$413 billion in resources exports, invested \$3.86 billion in exploration expenditure to discover the mines of the future, and collectively paid over \$63 billion in royalties and taxes.</p> <p>General Feedback AMEC welcomes the advent of the MDCP Guidelines to transform and reform environmental assessments and approvals in WA. Our feedback is driven by a strong awareness of the need to eliminate duplication for both proponents and departments to reduce the cost of doing business and administrative burden. It reflects substantial feedback and interest from Industry. The following are our priority recommendations:</p> <p>1. Clarify instructions and technical terms: The most common issue that Industry found during this review process is the lack of explanation attached to the requirements and a lack of details defining new technical terms. The submission details examples in each section below.</p> <p>2. Avoid duplication: AMEC wholly endorses DEMIRS' commitment to the assessment of these factors will not need to be replicated in the MDCP. The proposed activities need to be within the spatial boundaries and scope of the EPA assessment for this to apply. In response, AMEC recommends the following:</p>	<p>DEMIRS thanks AMEC for its submission, and notes its support of the concept of the MDCP Guidelines and openness to ongoing discussions. Individual comments are responded to in relevant sections below.</p> <p>DEMIRS notes that Section 4 of the Guideline requires applicants to detail all relevant environmental approvals and requirements, so these can be considered as part of DEMIRS' assessment.</p> <p>To help define terms and phrases, a Glossary has been included in the final version of the Guideline and made to align with terminology of other departments where possible. However note that 'activity envelope' terminology was selected to align with the Amendment Act. 'Activity envelope' is also preferred to distinguish from the Environmental Protection Authority's (EPA's) 'development envelope'.</p>

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		<ul style="list-style-type: none"> • Not only will assessment not be needed, no conditions of DEMIRS approval would be required as a result, because that is in-train or done by another Decision-Making Authority (DMA). • Terms and phrases are better defined, so as to clarify the intent and requirement of MDCP Guidelines and to avoid ambiguity or confusion with similarly related terms used by other departments, such as EPA; DWER and DBCA. For example, consider renaming “activity envelope to “development envelope” to align with EP Act IV terminology. Proposals subject to EP Act should ensure that environmental impacts assessed under the EP Act are not duplicated of DEMIRS MDCP assessment and conditioning process. • The interface between DEMIRS application of the MDCP Guidelines and Approvals Statement under Mining Act is directly aligned with the metes and bounds of other environmental approval jurisdictions, particularly those under the Environmental Protection Act of EPA/DWER and Biodiversity Conservation Act 2016 of Department of Biodiversity Conservation and Attractions. AMEC suggests this could be included in Section 4 of the Guidelines. • Insufficient guidance and references – Industry have voiced concern about the lack of resources or difficulties with accessing additional resources when undertaking this process. AMEC encourages the Department to provide case studies or exemplary information from previous years for better explanation to proponents. Similarly, the draft MDCP guidance document contains in text citations without full reference to aid the reader. A full reference list at the end of the document is strongly recommended. <p>3. Continue to work with Industry to refine the content of Appendix 4: The DEMIRS Standard Outcomes will be fundamental to the success of contemporary implementation and future assurance under the MDCP program. The definitions cited in many cases are absolutist; subjective, overly prescriptive and/or likely erode other assigned rights authorised by approvals granted by other DMAs. We would welcome an opportunity to provide further feedback to DEMIRS to resolve these standards to make them achievable and implementable and provide risk managed holistic environmental outcomes that meet approval conditions. Also, Industry has suggested emerging trends in landscape ecohydrology indicates that closure and rehabilitation criteria as stated in the draft may not be met. A focus might instead be given to trends or rates as adopted targets rather than absolute attainment. This area requires more technical work, and it could be informed by that of CRC TIME.</p>	

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		<p>Conclusion AMEC welcomes an ongoing discussion with DEMIRS regarding the content the Draft Mine Development and Closure Proposal Guideline. The content of this document is important, and how it is drafted will have a long term impact on the mining industry.</p>	
2.	<p>Amalgamated Prospectors and Leaseholders Association (APLA)</p>	<p>This submission by the Amalgamated Prospectors and Leaseholders Association Inc (APLA) is made on behalf of its 2100+ members. APLA has been representing prospectors for 120 years since 1904.</p> <p>Prospectors are the backbone of many regional towns and communities throughout Western Australia, and are a critical part of the mineral exploration ecosystem. A detailed survey carried out by Minelab/BDO in 2019-20 highlighted that prospectors contribute \$354million into regional economies throughout the State. Our members carry out small mining operations on a daily basis and abide by the rules and regulations contained within the Mining Act 1978 and Mining Regulations 1981 plus other government regulatory requirements.</p> <p>Background DEMIRS has a draft Mining Development and Closure Proposal for Small Mining Operations out for consultation. APLA members have used and are still using the current Mine Development and Closure Plan without any problems. The existing document is straight forward, easy to understand and fit for purpose.</p> <p>Conclusion APLA recognises the current Small Mine and Closure Plan is working very well and is fit for purpose however, to make the document compliant with the 2022 Mining Act amendments, APLA suggests to simply add a clause relating to the risk assessments required for the environment section.</p>	<p>DEMIRS thanks APLA for its submission.</p> <p>The 'Mining Development and Closure Proposal for Small Mining Operations' form has been revised to largely align with current pro-forma documents, noting that some new inclusions (as an example, risk assessment) are required in order to meet the requirements of the amended Mining Act and Regulations.</p>
3.	<p>Cement Concrete and Aggregates Australia (CCAA)</p>	<p>Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide comments to the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) on the Draft Mining Development and Closure Proposal (MDCP) Guideline and draft Small Operations Proforma.</p> <p>CCAA is the peak body for the heavy construction materials industry in Australia. Our members operate cement manufacturing and distribution facilities, concrete batching plants, hard rock quarries and sand and gravel extraction operations throughout the nation. CCAA membership produce the majority of Australia's cement, concrete & aggregates, and ranges from large global companies to SMEs and family operated businesses.</p>	<p>DEMIRS thanks CCAA for its submission, and notes its support of streamlining measures and previous engagement in consultation. It also notes CCAA's support of the Guideline objectives. Individual comments are responded to in relevant sections below, and adjustments to the Guidelines made where appropriate.</p>

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		<p>CCAA welcomes efforts to streamline administrative processes and reduce unnecessary red tape. CCAA also welcomes the engagement provided via the Industry Reference Group that offered initial feedback to DEMIRS in developing this draft.</p> <p>CCAA supports the objectives of the MDCP Guideline as outlined in Page 4 of the draft document, especially how the information required will be targeted and proportionate to the nature, scale and type of activity being undertaken and the level of environmental risk posed by the activity.</p> <p>CCAA makes the following detailed comments to improve the documents clarity, purpose, application and efficiency of process:</p> <ul style="list-style-type: none"> • General – the numbering for each of the issues covered by the MDCP should be consistent so that for each MDCP submitted to DEMIRS, the section number is the same, e.g., Section 1 - Description of Proposed Mining Operation, Section 2 – Legislative Framework, etc. Such a consistent template will help standardise the documents and assist with online submissions. <p>As briefly discussed during our meeting on 7 May'24, CCAA would like to pursue the opportunity presented by DEMIRS to develop a bespoke, industry specific, risk assessment and risk register for low risk BRM operations, e.g. rural quarry that is run only on a campaign basis as the local market demands.</p> <p>Western Australia's regulatory environment needs to be internationally competitive to continue to attract capital to invest into the state to ensure a sustainable and competitive heavy construction materials industry. This in turn facilitates Western Australia's productivity, housing affordability and lower infrastructure costs.</p>	
4.	Chamber of Minerals and Energy of WA (CME)	<p>The Chamber of Minerals and Energy of Western Australia (CME) is the peak representative body for the resources sector in WA. CME is funded by member companies responsible for 86 per cent of the State's mineral workforce employment.</p> <p>In 2022-23, the WA resources sector accounted for 47 per cent of WA's economic activity, 91 per cent of goods exports, 47 per cent of investment and 11 per cent of employment (direct). The sector also contributed to 33 per cent of the WA Government's general revenue, enabling the provision of public goods and services such as doctors and nurses, teachers and police.</p>	DEMIRS thanks CME for its submission, and notes its support of developing the MDCP Guideline and openness to participating in further discussions on this matter. Specific comments are responded to in relevant sections below.

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		<p>Draft Mining Development & Closure Proposal Guideline CME provides the following comments and recommendations in relation to the draft Mining Development & Closure Proposal Guideline (draft Guideline), below and in Appendix 1 – ‘CME Comments and Recommendations - Draft MDCP Guideline’.</p> <p>Appendix 1 – CME Comments and Recommendations Specific comments related to the draft Guideline are included in Appendix 1. CME recognises DEMIRS ongoing engagement with industry and we remain committed to supporting the development of an MDCP Guideline that meets regulator and proponents’ environmental and efficiency objectives. We would welcome the opportunity to host further discussions to support the development of the guidance.</p>	
5.	CME	<p>Amendment to Approvals Statement CME notes there is specific guidance provided throughout the draft Guideline to support proponents specifically seeking an amendment to an existing mining operation.</p> <p>As this information exists throughout the draft Guideline, CME suggests that an appendix consolidating this information may be useful to those applicants only seeking to use an MDCP to amend an existing Approvals Statement.</p>	Comment noted. An appendix consolidating the guidance information to support proponents seeking an amendment to an existing Approvals Statement has been included in the final version of the Guideline.
6.	CME	<p>Mine Closure Plans Frequently Asked Questions CME notes there is an explanation provided in the Frequently Asked Questions (FAQ) document in relation to Mine Closure Plans, including the content requirements for MDCPs compared to MCPs at Attachment 2 of the FAQ.</p> <p>It is unclear how the FAQ document will be used following the finalisation of the draft Guideline, however, CME recognises the value of this document for proponents and believes there is benefit in either incorporating the relevant explanations into the MDCP Guideline, or maintaining the FAQ document as an addendum to the MDCP Guideline.</p> <p>Mine closure outcomes and requirement to submit an MCP Despite the detail provided in the FAQ and draft Guideline, CME and industry remain concerned that a requirement to submit an MCP (albeit now post-approval) and the mine closure considerations required for an MDCP, continue to be a point of duplication.</p>	<p>DEMIRS acknowledges CME’s comments, and has considered this in developing the final version of the Guideline. Information included in the FAQ document has been retained and captured in the accompanying ‘Mining Development and Closure Proposal and Approvals Statement Framework’ document released with the Guideline.</p> <p>Regarding detail required, DEMIRS acknowledges that the level of detail required to be presented in a MDCP will depend on many factors, including the life of the mine, complexity of activities, and closure risks.</p>

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		<p>Further, CME believes that lack of flexibility in the specific detail sought for closure requirements for MDCP does not adequately account for the variety of mining operations in WA, the impact of specific regional context on mine closure options and the significant range (and in some cases unpredictability) in mine site longevity.</p> <p>Additionally, CME members consider the requirements relating to mine closure outcomes, specifically a proponents' obligation to outline how mining activities will be rehabilitated and closed, are overly prescriptive. This requirement is burdensome and potentially prohibitive, as it does not reflect the reality that some closure options may be indeterminate at the stage of MDCP submission, due to the aforementioned factors.</p> <p>CME notes there is increasing variability and utilisation of mine site adjacent infrastructure, particularly renewable power generating infrastructure. In that context, it is important that requirements related to mine site closure don't stymie adjacent infrastructure development and utilisation, through the creation of additional administrative and process burdens associated with preparing and submitting MDCPs throughout the life of a mine site.</p> <p>CME strongly recommends that MDCP only requires a proponent to outline high-level principles related to future mine closure, as details related to mine closure will be addressed in the separate Mine Closure Plan. We recommend that the draft Guideline is amended to reflect this. While refining closure requirements is the subject of further industry engagement with the recently released Mine Closure Plan Guideline consultation, CME believes there is an opportunity for the draft Guideline to be improved to meet MDCP objectives and the state's approvals and risk management thresholds. This would ensure dynamic opportunity for proponents and communities remain, without the need for extensive MCP and MDCP revisions throughout the life of a mine.</p> <p>Without limiting our future engagement and representation on the draft MCP Guideline, CME notes the importance of maintaining uniform standards and forms across both the MDCP and MCP processes.</p>	
7.	The Environment Institute of Australia and New Zealand (EIANZ)	<p>The Environment Institute of Australia and New Zealand (EIANZ) (the Institute), Western Australia (WA) Division (the Division) is pleased to have this opportunity to provide comments on the Draft Mining Development and Closure Proposals Guideline and Draft Small Operations Mining Development and Closure Proposal Proforma Guidelines under the Mining Amendment Act 2022.</p>	DEMIRS thanks EIANZ for its submission.

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		<p>The Institute is the leading professional body in Australia and New Zealand for environmental practitioners and promotes independent and interdisciplinary discourse on environmental issues. On all issues and all projects, the Institute advocates good practice environmental management delivered by competent and ethical environmental practitioners.</p> <p>We forward this submission on behalf of the WA EIANZ members. The WA Division currently has approximately 200 members, while the Institute has more than 2,100 members across Australia in a range of technical disciplines, including certified environmental practitioners (CEnVP), ecological consultants, environmental advocates, and environmental impact specialists working in government, industry, consultancies and the community.</p> <p>Again, we thank the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) for the opportunity to be consulted on this Discussion Paper.</p> <p><i>Role of the EIANZ</i></p> <p>The EIANZ, as the leading membership-based professional organisation for environmental practitioners in Australia and New Zealand, is an advocate for good practice environmental management. The Institute supports environmental practitioners and promotes independent and interdisciplinary discussion on environmental issues. The Institute also advocates environmental knowledge and awareness, advancing ethical and competent good practice environmental management.</p> <p>A Certified Environmental Practitioner Scheme (CEnVP) (www.cenvp.org) is in place to assess and certify competent experienced environmental practitioners working in government, industry, consultancies, and the community. This includes specialist competencies such as Impact Assessment, Ecology and Site Contamination.</p> <p>The EIANZ is an advocate for environmental assessment, management and monitoring investigations and reports being certified by suitably qualified and experienced persons for the completeness and scientific rigour of the documents. One of the ways of recognising a suitably qualified practitioner is through their membership of, and certification by, an organisation that holds practitioners accountable to a code of ethics and professional conduct, such as the EIANZ.</p>	

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		<p>The EIANZ is a not-for-profit, charitable organisation incorporated in Victoria, and a registerable Australian body under the <i>Corporation Act 2001</i> (Cwlth), allowing it to operate in all Australian jurisdictions.</p>	
8.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>We have identified some possible issues and associated suggestions in the guidelines. These are described below.</p> <p>(2) <u>Required level of Aboriginal heritage information is not well described:</u> Aboriginal Heritage is an area of confusion for many proponents and First Nations stakeholders. Greater guidance on the minimum requirements to include or aspects to address in the MDCP would provide clarity to proponents and advisors.</p> <p>Section 5.1 Environmental and Social Setting states that it should include description of heritage, and Section 4.3 Interaction with Aboriginal Heritage Act states that where heritage matters are relevant to the operation, they would expect to see this reflected in the stakeholder engagement strategy and post-mining land use. However, there is no further detail included in the guidelines about what level of heritage information DEMIRS expects to see. Therefore, it could be interpreted that only a description of Aboriginal heritage, information on stakeholder engagement, and post-mining land use are required.</p> <p>Previous guidelines / procedures required confirmation that the Aboriginal Heritage Due Diligence Guidelines prepared by DPLH (2013) have been considered to determine the level of risk, and that consent under the Aboriginal Heritage Act (when there is an impact to a heritage site) has been obtained prior to approval of a Mining Proposal (Environmental Applications Administrative Procedures, DMIRS, 2020). These requirements are not stated in the draft MDCP guidelines.</p> <p>It is suggested that DEMIRS:</p> <ul style="list-style-type: none"> • Update the Environmental Applications Administrative Procedures to remove the constraint on deciding on a Mining Proposal until consent under the Aboriginal Heritage Act has been obtained (when there is an impact to a heritage site). • Provide further explicit detail in the MDCP guidelines about the minimum level of Aboriginal heritage information required to be provided. The minimum level of information should consider that 	<p>DEMIRS acknowledges EIANZ's comment and has updated the relevant section of the Guideline to provide clarity on the heritage information required to be presented.</p>

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		<p>progressive development of the mining operation might entail progressive detailed Aboriginal heritage surveys and consent to disturb, in which case there might not be heritage surveys covering the entire activity envelope. If DEMIRS accepts that impacts to Aboriginal heritage are regulated under the Aboriginal Heritage Act, then the minimum level of information should not specify heritage surveys over the entire activity envelope or site layout.</p>	
9.	Mine Earth	<p>Thank you for the opportunity to provide comment on the draft Guideline for preparing Mining Development and Closure Proposals. Please find our comments for each section of the guideline in Table 1 below.</p>	<p>DEMIRS thanks Mine Earth for its submission. Responses to specific comments are included in relevant sections below.</p>
10.	Okane Consultants	<p>Good morning and thank you for the opportunity to provide feedback on the Draft Mining Development and Closure Proposal Guideline.</p> <p>The following table is submitted on behalf of Okane Consultants.</p>	<p>DEMIRS thanks Okane Consultants for its submission. Individual comments are responded to in relevant sections below.</p>
11.	Stantec	<p>It is understood that the Mining Amendment Act 2022 replaces the requirement to submit a Mining Proposal and Mine Closure Plan (MCP) with a Mine Development Closure Proposal (MDCP), as an integrated document.</p> <p>Stantec appreciates the opportunity to provide feedback on the Draft Mine Development Closure Proposal Guidelines (March 2024), developed by the Department of Energy, Mines Industry Regulation and Safety (DEMIRS).</p> <p>Firstly, Stantec commends DEMIRS for releasing both the MDCP guidelines, Frequently Asked Questions, and new Mine Closure Plan documents in synchrony to enable efficient understanding and cross-comparison.</p> <p>Stantec has several comments, these comments are divided into two areas: comment on the approach, and comments related to content.</p>	<p>DEMIRS thanks Stantec for its submission, and notes its support for the release of the draft Guideline and related documents in synchrony. Please see responses to specific comments in the relevant sections below.</p>
SECTIONS 1: PREPARATION OF A MDCP			
12.	AMEC	<p>Section 1 Preparation of a Mining Development and Closure Proposal AMEC requests further clarification for the following:</p> <ul style="list-style-type: none"> Regulatory context: How would the Environmental Objectives Policy for Mining differ from those under the Environmental Protection Act? There is a risk of conflicting objectives. 	<p>DEMIRS acknowledges AMEC's comments and provides the following clarification:</p> <ul style="list-style-type: none"> DEMIRS' 'Environmental Objectives Policy for Mining' has been revised to align with environmental objectives considered under the <i>Environmental Protection Act 1986</i>

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		<ul style="list-style-type: none"> • Administrative Procedures: Although the Environmental Application Administrative Procedures were released in June 2023, the Guideline still refers to the Mining Proposal Guidelines. Will these administrative procedures reference be updated in the MDCP? • The Approval Statement: How will it relate to the MDCP, and the level of detail needed. The indication of the Approval Statement to support the MDCP means that this also needs to be clearly described concurrently. • Amendment to Tenement Conditions: Will approval statements be reflected in the amendment to tenement conditions? How would proponents access a review of the statement? • 1.4 Mine Closure Plan (MCP): Does the MCP require all the common information from the MDCP/MP, or is a cross-reference sufficient? If not, this raises the potential of detail of closure info between MDCP and also again in the MCP. • 1.5 Small Mining Operations: Could transmission lines, solar, and wind farms be considered Small Mining Operations? Unless specifically supporting a particular mine site and included in an original MDCP submission, and while it would seem the level of impact and level of closure. • 1.6 Substantial Change: Examples are needed to explain what 'expansions or alterations' will trigger a new MDCP. Please clarify what constitutes a 'substantial change' for this purpose. <p>AMEC recommends the following:</p> <p>1.5 Small mining operations: the term “small mining operation” should be clearly defined and differentiated from other forms of operations. Reference to the distinct form is also needed.</p> <p>1.6 Amendments to information recorded on an Approvals Statement: this section requires further explanation. Specifically, mining activities could encompass a wide range of activities, from exploration, production to closure. List the specific activities intended to be reported, and the type of mining involved.</p>	<p>to ensure consistency across government and further reduce duplication in environmental assessment.</p> <ul style="list-style-type: none"> • The administrative procedures will be updated in due course to incorporate MDCP. • A conceptual template of the Approvals Statement was provided with the draft Guideline to provide guidance on the type of detail that would be captured. A template for the Approvals Statement will not be specified in the Guideline to allow for updates as required. Issued Approvals Statement will be publicly available through Resources Online. • Where appropriate DEMRS has reduced duplication of information required in MDCP and MCP. • The 'Mining Development and Closure Proposal for Small Mining Operations' form cannot be used as a mechanism to seek approval for amendments or extensions to sites or projects that are not considered small mining operations. • Consistent with existing wording in the guideline, 'Expansions and alterations' is considered to be activities/expansions beyond what is recorded on the Approvals Statement.

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13.	CCAA	<ul style="list-style-type: none"> Section 1.2 Pre-submission engagement – CCAA supports the principle of early engagement with DEMIRS, and the scoping document template is a useful guide to applicants to help focus the scoping meeting discussions with DEMIRS. Section 1.5 Small mining operations – CCAA supports the concept of a Small Mining Operations Proforma but the thresholds outlined are set too low so the form will only have limited application and not provide the intended streamlining of process to basic raw material applications. CCAA suggests the thresholds are changed to less than 10 ha in area and less than 5 m deep, provided all other approvals are in place such as clearing, for the process to be applicable to its members. Section 1.6 Amendments to information recorded on an Approvals Statement – Further clarity is required regarding the Approvals Statement when changes are made to the operation. CCAA considers that the new Approvals Statement should only change to incorporate the conditions relevant to the new aspects of the operation outlined in the new MDCP. The new Approvals Statement should then cover the whole operation, including the new conditions relevant to the changed operation as well as the previous, unchanged conditions. 	<p>DEMIRS notes CCAA's support for the principle of early engagement and use of the scoping document template.</p> <p>The criteria for a small mining operation have been revised to remove reference to tonnage limit.</p> <p>The 'Mining Development and Closure Proposal and Approvals Statement Framework' document has been developed with the purpose of outlining the procedural aspects of the new framework, including how an Approvals Statement is updated following submission of an MDCP.</p>
14.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>1.2 Pre-submission engagement, p.6</i> Industry has noted the importance of pre-submission engagement that ideally involves the assessing officer, who can provide structured feedback for the applicant.</p> <p>Based on industry feedback, CME believes that pre-submission engagement will be particularly important following the finalisation and introduction of the MDCP Guideline, and therefore recommends that pre-submission engagement provides sufficient time for DEMIRS to review the scoping document and provide detailed feedback to the applicant.</p> <p><i>1.3 Approvals Statement, p.7, Paragraph 2</i> CME recommends that to further embed procedural fairness, in addition to the opportunity to review their draft Approvals Statement, proponents should also be provided with assessment decision documents. CME further believes that the provision of draft documentation should be followed by an opportunity for further engagement between DEMIRS and the applicant, including the ability to comment, question and seek amendment/clarification regarding the draft Approvals Statement.</p>	<p>DEMIRS notes CME's feedback on, and support for, pre-submission engagement.</p> <p>At the approvals stage, MDCP takes the place of the MCP and is intended to provide sufficient information on closure. It should be noted that parallel assessment for the Mining Act and Environment Protection Act (EP Act) currently occurs.</p> <p>Note that the level of detail required in the Guideline's Section 11 (Closure Implementation) depends on many factors, including the complexity of the project and life of the mine. Information on mine closure planning is required to be included in the MDCP to demonstrate that the proposed activities can meet DEMIRS' environmental objective for mine closure and rehabilitation.</p> <p>As per Guideline Scope, the Mining Act requires that activities "for purposes of, or in preparation for, mining operations, or carrying out mining operations..." should be included in the MDCP, and then recorded on the Approvals Statement.</p>

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		<p><i>1.4 Submission of a Mine Closure Plan, p.7</i> Industry is seeking further guidance as to how DEMIRS will determine an MDCP assessment, when an activity (or multiple activities) included in the MDCP, has not yet been approved in an MCP that is subject to a Part IV assessment.</p> <p>In addition to comments outlined in our correspondence, industry considers requirements relating to MDCP and a separate MCP create unnecessary duplication. CME strongly recommends that MDCP only requires a proponent to outline high-level principles related to future mine closure, as details related to mine closure will be addressed in the separate Mine Closure Plan. We recommend that the draft Guideline is amended to reflect this.</p> <p><i>1.5 Small mining operations, p.7</i></p> <ul style="list-style-type: none"> • <i>Listed Item No.4</i> - The statement, that a small mining operation does not involve "amendments to sites or projects that are not considered small mining operations." is confusing. It is unclear whether it is the 'amendment' to the project or the 'project' itself that would not be considered a small mining operation. • Bullet point 3 provides a circular definition. CME recommends removing the "/or" immediately prior to point 3 and additional wording at point 3, clarifying that activities required to support small mining operations as defined in points 1 and 2. <p><i>1.6 Amendments to information recorded on an Approvals Statement, p.7-8</i></p> <ul style="list-style-type: none"> • <i>Bullet point 1</i> – It is unclear what DEMIRS will consider "new mining activities" and whether this is strictly limited to mining, or includes activity associated with mining. • CME notes that it is unclear which section the draft Guideline is referring to in the final sentence of section 1.6. Does the reference to "This section" refer to section 1.6, or the multiple subsections throughout the document, titled "Amendments to an Approval Statement"? 	<p>Other feedback is addressed where appropriate in the final version of the Guideline.</p>
15.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>Further clarity should be provided around the definition of small mining operations, and the terminology and definitions should be consistent between guidelines and regulations.</p>	<p>DEMIRS has revised the criteria for small mining operations to reflect current criteria more closely. A small mining operations policy document has also been developed to outline DEMIRS' expectations of the environmental regulatory requirement that apply to small mining operations under the Mining Act. The final version of the 'Mining Development and Closure Proposal' form</p>

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		<p>Aspects to clarify / identified issues include:</p> <ul style="list-style-type: none"> • The draft guideline uses the term “small mining operations”. The draft Mining Regulations Amendment uses the term “low impact mining activity”. Are these intended to have the same meaning? If so, the same term should be used, and the definitions should be aligned. Currently, there are differences in the definition (e.g. excavations no larger than 40,000 m3 vs excavations to a maximum depth of 4 m). • Would groundwater monitoring or abstraction bores fall under the category of small mining operations? They would intersect groundwater but are not excavations. • The draft guideline states that small mining operation do not involve permanent landforms above the natural surface. The meaning of landform should be explained – e.g. would this include about elements such as a processing plant pad? • It is not clear if the small mining operations process is meant to apply only to small-scale operations, or if it can also apply to early works related to larger projects. • It should be clearly stated whether the small mining operations approval qualifies as “low impact or other mineral activities” for the purpose of the Native Vegetation Clearing Permit exemption under Regulation 5, item 20. <p>The above clarifications could be best included in the MDCP guidelines, Section 1.5 Small Mining Operations.</p>	<p>and supporting ‘Small Mining Operations Policy’ will be released in early 2025.</p>
16.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>We have identified some possible issues and associated suggestions in the guidelines. These are described below.</p> <p>(1) <u>Transition arrangements for existing operations are not addressed:</u> Section 1.6 states that the “amendments” section does not apply to existing mining operations that want to switch to an Approvals Statement for the first time. The draft MDCP guideline does not address the transition approach anywhere else. This is a gap in the guidance as many existing mining operations will not know how to go through the transition process.</p>	<p>Comments noted. The purpose of the Guideline is to assist in the preparation of a MDCP, where appropriate procedural information has been captured in the accompanying ‘Mining Development and Closure Proposal and Approvals Statement Framework’ document</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>It is suggested that the following information should be provided on how existing operations can transition to a new approval system:</p> <ul style="list-style-type: none"> • Is there a timeframe / deadline or event that would force an existing operation to transition to an Approvals Statement? • Can existing operations use previous Mining Proposal guidelines for making changes to their operations, or do they have to use the MDCP process? • If existing operations have to use the MDCP process for making changes, how will this work – as they won't have an Approvals Statement to modify. • Will proponents be required to submit a MDCP that covers all their existing approvals / operations? If so, will this be assessed under updated environmental standards, which might be more strict than when the original approval was granted? 	
17.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>We have identified some possible issues and associated suggestions in the guidelines. These are described below.</p> <p>(5) <u>There is no template for the Approvals Statement:</u> It is suggested that:</p> <ul style="list-style-type: none"> • DEMIRS provide a template for the Approvals Statement as an appendix, so that proponents know what to expect. • DEMIRS allows / requires proponents to define their proposal activities and elements components of the Approvals Statement as part of the MDCP. For example, the mining activities details tables included in the MDPC should align with the Approvals Statement template. This will ensure the proponent appropriately delineates their proposal activities, and the Approval Statement aligns with proponent's expectations. This will minimise re-work by DEMIRS to respond to tenement holder comments on the Approvals Statement. 	<p>A template for the Approvals Statement was provided within the FQA document released with the draft MDCP guideline. The template was provided to demonstrate how information from the MDCP translates into the Approvals Statement. A template of the Approvals Statement will not be specified in the Guidelines to allow for update as required.</p> <p>The Approvals Statement is the final approvals instrument issued by DEMIRS and does not need to be completed by the applicant.</p> <p>DEMIRS will ensure alignment with information required in the MDCP and information presented on the Approvals Statement.</p>
18.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>(1) <u>Amendments for operations with an Approvals Statement are well addressed:</u> Section 1.6 indicates what circumstances / extent of change would trigger a new MDCP to be submitted for assessment. Various sub-sections of the</p>	DEMIRS acknowledges EIANZ's comment.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>guidelines include subheadings that provide guidance on the level of detail required to be provided for an amendment.</p>	
SECTION 2: CONTENTS OF A MDCP			
19.	AMEC	<p>Section 2 - Contents of a Mining Development and Closure Proposal</p> <ul style="list-style-type: none"> Industry feedback suggests that Section 2 is redundant and should not be a standalone section. AMEC suggests that integrating the content to another section. 	<p>Comment noted. DEMIRS has restructured the Guideline to remove Section 2.</p>
20.	APLA	<p>General Comments</p> <p>APLA has long recognised the current Small Mining and Closure Plan has and still is operating adequately however the newly proposed Small Mining and Closure Plan doesn't meet the needs of the numerous small mine operators throughout Western Australia and is too restrictive to the point whereby the document is unworkable.</p> <p>At present mining operations are contained by total footprint area of 10 ha not tonnage or volume and should remain so. The definition DEMIRS has assumed that small mining operations be considered is that excavations should not exceed 40,000M³. This assumption is not measurable nor workable and leaves the small mine operator with the problem of how to measure all excavations. The simple 10ha rule should apply to all excavation methods.</p> <p>DEMIRS draft document; Proposal Description Section 2.5 requires "Details of excavations, including maximum number, length, width and depth (in metres)" This is a hypothetical question as small mine operations, quite often, don't know to what extent any excavation will end up in the future as it depends solely on the availability of payable ore or alluvial gold.</p> <p>Confirmation excavations will not encounter groundwater Section 2. If no exploration drilling has been carried out, the small mine operator would have little information available to determine if (1) groundwater is present and (2) what depth is the ground water, however the document requires you to tick the box "yes" with no opportunity to say "no".</p> <p>Details of scrape and detect, including maximum number, length, width and depth (in metres) Section 2.7 This is another hypothetical question as the small mine operator is basing the proposal on surface rock deposits, soil sampling, landforms, historic mining data, and other records. The extent of the scrape and detect operations depends on the recovery of payable alluvial gold, which may expand over a large area or could be confined to a small patch only. The current</p>	<p>DEMIRS notes APLA's feedback and have revised individual suggestions accordingly in the Guideline. Specifically, criteria have been revised to remove reference to a tonnage limit, and to reflect the current small mining operations current criteria.</p> <p>DEMIRS notes that the level of information required for the proposal description has not changed from the current small mining operations proforma.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		document has set parameters with all the present agreed and allowable activities workable, however the proposed activities will be considerably reduced in the new draft. For example, losing the ability and severely limiting many types of mining excavations and processing operations including sluicing and wet plants which are common small-scale processing techniques.	
SECTION 3: DESCRIPTION OF THE PROPOSED MINING OPERATIONS			
21.	AMEC	<p>Section 3 Description of Proposed Mining Operation AMEC requests further clarification for the following matters:</p> <ul style="list-style-type: none"> • DEMIRS requests proponents to provide a summary of the entire operation as context for the approvals. Please outline the elements of information required from proponents as well as administrative information such as cut-off dates and timeframes. • 3.1 Proposal Description: elsewhere, AMEC suggests a framework to assist DEMIRS to ensure that there is no regulatory duplication between Part IV EP Act approvals and the Approvals Statement? In short, the Proposal Content Document required under Part IV of the EP Act requires the proposal description include elements during each stage of the mine life, including rehabilitation and closure. • 3.4 Activity Details: will proponents be required to give information for both of maximum disturbance areas? (but be able to incrementally develop smaller areas). <p>Additionally, define terms:</p> <ul style="list-style-type: none"> ○ Provide more context for the term “construction”. How it is applied and what does it entail? How does one differentiate between maintaining and building since both activities could be considered a “construction” activity. ○ The term “appropriate” is highly objective in “Where appropriate the proposed activities in Table 1 should be defined using the categories presented in Schedule 1 of the Mining Rehabilitation Fund Regulation 2013”– supply scenarios where activities are deemed appropriate. A case study may help. <ul style="list-style-type: none"> • 3.5 Additional Information: presenting a case study would be helpful. Not all activities have reports or the same level of details. Whether a surface water 	<p>DEMIRS acknowledges AMEC’s proposed changes, and specific comments on wording and terminology have been addressed in the Guideline where appropriate.</p> <p>The purpose of the ‘description of proposed mining operation’ section is to capture details of the proposed mining activities so they can be appropriately recorded on the Approval Statement. It is also the intent to collect enough contextual information to understand the risk pathways in a spatial context.</p> <p>Note that the term ‘activity envelope’ has been used to appropriately align with the terminology used in the Amendment Act.</p> <p>Aspects of the ‘description of proposed mining operation’ section have been refined to ensure the appropriate level of detail is provided, this includes providing examples of information to be displayed in the activity tables.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>diversion will be included in high risk engineered structure also needs clarification.</p> <p>AMEC recommends the following:</p> <ul style="list-style-type: none"> • DEMIRS and EPA/DWER should detail how interagency jurisdiction between DEMIRS and DWER will be determined and applied. This will avoid irregularities and duplications. • 3.2 Activity envelope: consider renaming “activity envelope to “development envelope” in line with EP Act IV terminology. Proposals subject to s38 EP Act should ensure that environmental impacts assessed under the EP Act are not duplicate of DEMIRS MDCP process. • 3.2 Activity Envelope: It indicates that a risk-based approach to environmental impact assessment will be undertaken; however, the example provided does not appear to account for risk and requires 100% coverage in survey efforts. These two concepts do not align, and the use of the example should be reconsidered. Rather than stipulating a survey, it is recommended that DEMIRS present an example explaining how the survey effort is determined. • 3.3 Site Plan – ensure there is sufficient space in the activity details table for proponents to present information about exclusion buffers. • 3.4 Activity details: MDCP should include a written description of the proposed mining activities detailing relevant construction, design, and operational requirements. Please beware of possible duplication as members have pointed out similarities to section 3.1. • 3.4 Table 1: consider adopting term “Total proposed activity area (ha)” instead of “Total activity area (ha)” if only referring to areas with proposed activity underway. Additionally, please explain "Tenement purpose," including the requirements from proponents and how the information should be presented. • The Guideline does not have sections dedicated to high risk and complex mining activities which means proponents do not have the opportunity to provide sufficient information. AMEC recommends the Department to create a table for High-Risk Activities and Complex Mining Activities, matching the 	

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>formats of Table 2 or, incorporate high risk and complex mining activities as a component of risk assessment 3.5.</p> <ul style="list-style-type: none"> • Additionally, AMEC would encourage DEMIRS to include supplementary resources to support the Guideline users, including references and links to external information. • Closure Design section: “Design concepts” implies that no detail is required, but second dot point asks for “Initial detail diagrams...”. Please change to “Conceptual diagrams...”, or similar term. • Further, with reference to the statement “...project should demonstrate key landforms can be successfully rehabilitated...”, this cannot be “demonstrated” until proposed methods have been implemented. • Please change statement to “...project should provide enough information to indicate key landforms can be successfully rehabilitated ”. 	
22.	APLA	<p>Indicative Site Layout Plan and Activity Envelope Section 3 requests “indicative locations of all proposed and existing activities” This is another “best guess” question as the actual or proposed activities are dependent on what information the applicant has sourced, what equipment is available, what timeline is proposed and how/ where the excavated material being treated, to name a few. The tick box shows “yes” for what reason?</p> <p>DEMIRS draft document considers small mining operations don’t involve permanent landforms above the natural surface. This will now preclude exploration and permanent shaft sinking, decline and small open pit operations and conducting test trial mining operations with various mullock/ ore stockpiles deemed not part of a small mining operation. If an operation, as referenced above, is not considered to fit into a small mining proposal category then a full-blown mining proposal would be required costing many hundreds of thousand dollars and be cost prohibitive for small miners. For example, applying for a small open pit situation would cost around \$500k.</p> <p>Small ASX companies require an avenue for prompt low-cost approval to do starter and test pits. Having a tonnage limitation would preclude the ability to do this type of activity. For example, prospectors may have a Joint Venture (JV) with an ASX registered company or others to do a small pit for a cash flow prior to implementing</p>	<p>DEMIRS acknowledges APLA’s comments, and notes that the site plan and the tick box check to indicate a site plan has been attached is an existing requirement.</p> <p>The criteria for small mining operation have been revised to remove reference to permanent landforms.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		a full and detailed mining proposal. The draft MDCP for SMO would preclude these operations.	
23.	CCAA	<ul style="list-style-type: none"> • Section 3.2 – Activity Envelope – CCAA recommends that other regulatory agencies such as the EPA and DWER recognise the term Activity Envelope so that consistent terminology is used between the various Government agencies to reduce confusion. • The Site Plan format will need to be flexible to consider how infrastructure such as mobile crushing plant, stockpiles, and laydown areas move over time as the quarry develops in a staged development process. • Section 3.4 – Activity details – CCAA notes the requirement for more detail to be provided for mining voids. Keeping in mind the principle that the information required will be targeted and proportionate to the nature, scale and type of activity being undertaken and the level of environmental risk posed by the activity, CCAA recommends that the simple geology of basic raw material (BRM) operations should be recognised in the design detail required in the MDCP. This is in comparison to the more geologically more complex metalliferous mines that require a much higher drill density to enable reserve calculations and mining void details. 	DEMIRS acknowledges CCAA's comments, and in developing the final guideline has attempted to facilitate flexibility with the site plan and tables.
24.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>3. Description of Proposed Mining Operation, p.8</i> CME seeks to understand how DEMIRS will ensure there is no regulatory duplication between Part IV of the Environmental Protection Act 1986 and an MDCP, given that the Proposal Content Document required under Part IV of the EP Act requires the proposal description of elements during each stage of the mine life, including rehabilitation and closure.</p> <p><i>3.1 Proposal description, p.8</i></p> <ul style="list-style-type: none"> • Sub-heading formatting issue. • <i>Amendment to an Approvals Statement</i> – Where the draft Guideline requires proponents "provide a brief summary of the whole operation to provide context for the approval.", it is unclear whether that summary applies to the entire existing operation or only the new or amended operation. <p><i>3.2 Activity envelope, p.9</i></p>	<p>DEMIRS has revised the 'description of proposed mining operation' section to clearly define how activities are to be categorised and described.</p> <p>The purpose of the 'description of proposed mining operation' section is to capture details of the proposed mining activities so they can be appropriately recorded on the Approval Statement.</p> <p>Specific comments have been considered and addressed in the Guideline where appropriate.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> • The requirement to ensure baseline information provided in an MDCP considers the entire activity envelope, is not workable for certain surveys (such as groundwater or stygofauna) where the activity type is directly relevant to the environmental risk. CME recommends the environmental survey requirements should be set by activity type. • Industry has highlighted the difficulties that can arise in reviewing mining proposals that have number of exclusion areas marked out, and the required associated explanation. We recommend consideration be given to alternative ways of highlighting multiple exclusion areas. <p><i>3.3 Site plan, p.10-11</i></p> <ul style="list-style-type: none"> • CME recommends that the draft Guidelines clarify whether a scaled map is required, and whether a specific scale ratio is required by DEMIRS, noting that other maps in the draft Guideline have these specifically requirements listed (e.g. see section 5.3.1). • Guidance as to what aspects an MDCP should include in the site plan are not clear and potentially burdensome. The extensive activity detail is not considered to be a necessary requirement. • CME recommends that proposed activities required to be included in the site plan, exclude low risk activities and are better defined. Further, CME recommends that only activities occurring within the activity envelope should be included in the site plan. • CME notes that sensitive features are not listed as a requirement to be included in a site plan, but are expressly referred to in subsequent paragraphs of the draft Guideline. • <i>Paragraph 3</i> – CME notes that the second sentence of paragraph 3 is long and not easily understood. Further, the final sentence of paragraph 3 references buffers or location limitations being specified in the activity details tables or environmental outcomes, however, the example tables provided are not designed to allow input of this data. <p><i>3.4 Activity details, p.11-13</i></p> <ul style="list-style-type: none"> • CME notes that the draft Guideline requirement to include a written description of the proposed mining activities detailing relevant construction, design and operational requirements, duplicates the requirement of section 3.1 Proposal Description, with the exception of the "construction" element of the written description. CME seeks amendments to the draft Guideline to remove this duplicative requirement or clarification that duplicative written descriptions are not required. 	

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> • Section 3.4 notes that "where appropriate" proposed activities should be defined using categories presented in Schedule 1, without then going on to provide direction as to when it would be appropriate to do so. The draft Guideline should be amended to provide this guidance. • <i>Paragraph 1</i> – The risk assessment referred to in this section presents a duplication of work required in section 8 of the draft Guideline. • <i>Paragraph 2</i> – The mining activities listed, which are those that "DEMIRS considers to be of a higher risk and therefore requiring additional details", doesn't appear to be exhaustive, nor is it well defined. Industry has highlighted that either minimum requirements or further guidance on this definition, is required. • <i>Bullet point 4</i> – CME notes that the term "highly engineered" is subjective. For example, does this include surface water diversions? CME suggest this requirement is removed entirely or alternatively while recognising the need for flexibility, DEMIRS should further define this term. • <i>Final sentence p.12</i> – CME notes that it is unclear on what basis DEMIRS will make that assessment and what process will follow if DEMIRS does identify relevant information not included by the proponent in their MDCP. • <i>Amendment to an Approvals Statement</i> – Industry has noted the requirement for further guidance on what DEMIRS expects to see in MDCPs that seek to amend existing mining operations. As amendments may result in changes to existing activity areas, the draft Guideline should be explicit in how this is to be reflected in an MDCP. • CME seeks the inclusion of guidance on how proponents should present overlapping activity areas. <p><i>3.5 Additional Information, p.14</i></p> <ul style="list-style-type: none"> • CME recommends section 3.5 is reworked to provide clearer guidance and defined terms, with industry highlighting this section as confusing and lacking clarity. Specifically, it is unclear which landforms or structures need 	

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>detailed designs and which need conceptual design details only, noting specifically that those listed under “detailed design information” as a guide, could be considered “key landforms”.</p> <ul style="list-style-type: none"> • CME notes that the reference to "key" landforms is subjective and further guidance or definition of this term is required. • <i>Closure Designs for key landforms</i> – CME understands the requirement to provide flood modelling is a new requirement and seeks to understand the justification for this. • Closure Designs for Key Landforms It appears that this is the only point where conceptual closure designs are deemed appropriate. CME strongly recommends that MDCP only requires a proponent to outline high-level principles related to future mine closure, as details related to mine closure will be addressed in the separate Mine Closure Plan. We recommend that the draft Guideline is amended to reflect this. 	
25.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>(2) <u>Flexibility for disturbance area per activity type is permitted:</u> Activity details are required to be specified as total disturbance per tenement. This provides flexibility for the proponent in terms of the specific disturbance per activity type, within each tenement. This approach is endorsed as it will simplify the application and reduce the number of potential amendments for administrative changes to activity types. If possible, it would be great if the simplification can go even further, and require only the total disturbance for the project (i.e. not a breakdown per tenement).</p> <p>It is suggested that the DEMIRS AER and MRF templates be updated to align with the Approvals Statement:</p> <ul style="list-style-type: none"> • Currently the DEMIRS AER and MRF submissions require the approved area of disturbance per activity type to be specified. This level of detail is not required / included in the Approvals Statement. • It is suggested that the DEMIRS AER and MRF templates be adjusted to reference the total approved disturbance per tenement, with no breakdown of approved disturbance per activity type. This will reflect the information in the Approvals Statement and will reduce effort by proponents and DEMIRS in gathering and reviewing information. • The actual disturbance per activity type would still be reported. 	<p>DEMIRS notes that while this concept was explored, it is not proposed at this stage due to the tenement-centric nature of the Mining Act.</p> <p>DEMIRS notes this comment, however as changes to reporting are out of scope of the MDCP Guideline, these changes will be considered in due course with development and implementation of Resources Online.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
26.	Mine Earth	<p>Table 1: Mine Earth comments on the MDCP guideline</p> <p>Description of a Proposed Mining Operation</p> <p>Section 3.2 Site plan – Practically, how could buffers be presented in the activity tables?</p> <p>Section 3.4 Activity details – Confirming that written descriptions of all the infrastructure and features proposed at the mine needs to be included? The Activity tables are not enough on their own?</p> <p>3.5 Closure design for key landforms – Closure designs for key landforms, this section seems out of place and presented prematurely prior to any discussion of materials to be managed and closure risks etc. To prevent repetition and errors this should just be described in section 11</p>	DEMIRS acknowledges Mine Earth’s feedback, and has made revisions to the ‘description of proposed mining operation’ section as appropriate.
27.	Stantec	<p>Comments on specific content</p> <p>3.3 Site plan (p.10) – It is recommended within the proposed and existing activities, an indication of the waste rock landform abandonment bund to be included.</p> <p>3.4 Total mining area (p.11) – It is recommended that closure footprint (abandonment bund, reshaped Waste Rock landform).</p> <p>3.5 Additional information: closure designs for landforms (p.13) – The word “should” has been used to include closure designs for key landforms. The implication of “should” is non-prescriptive and would appear that one of the greatest risks of closure (i.e. stable landforms and the cost of reshaping WRL) has not been duly considered. It is recommended that “should” be replaced with “it is required”. Designs could be indicative (i.e. an example) if final design is not yet feasible.</p> <p>Notably, the document uses “should” 125 times, which does not indicate that information requirements are clear, and likely leads to inefficiency in compiling and assessing documents.</p> <p>3.5 Additional information: sterilisation report (p.14) – Sterilisation seems highly subject to change and does not seem like necessary information at proposal stage.</p>	DEMIRS acknowledges Stantec’s comments and has reviewed the Guideline where appropriate, to reduce duplication and repetitious terminology in this section.
SECTION 4: LEGISLATIVE FRAMEWORK			
28.	AMEC	Section 4 Legislative framework	DEMIRS acknowledges AMEC’s feedback, and has reviewed the Guideline accordingly where appropriate.

Ref #	Stakeholder	Comment	DEMIRS Response																				
		<p>AMEC believes that a fundamental to streamlining and reform in WA's environmental regulation is provision of hard interfaces between departmental administration of its legislation. This should be done by recognising the Guidelines and Guidance which, for major projects, already exists via Part IV of EP Act and other legislation. AMEC welcomes the DEMIRS Guideline text that reads:</p> <p style="text-align: center;"><i>“Assessment of these factors will not need to be replicated in the MDCP. The proposed activities need to be within the spatial boundaries and scope of the EPA assessment for this to apply.”</i></p> <p>DEMIRS MDCP Guidelines should, though, provide guidance as part of the Approvals Statement framework; while recognising other precedent Authorities to give proponent certainty and assign rights in planning and design; and facilitates WA government streamlining.</p> <p>Details should be given in the MDCP Guideline of where the key interfaces are with other DMAs, and how they do or don't effect or affect DEMIRS requirements of MDCPs and their Approvals Statements.</p> <p>Clarification of the association and relationship between DEMIRS factors for Mining Proposal/MDCP and EPA/DWER (and DBCA) factors for EIA and their approvals is of critical importance as shown below:</p> <table border="1" data-bbox="394 922 1373 1222"> <thead> <tr> <th data-bbox="394 922 645 967">DEMIRS</th> <th data-bbox="645 922 936 967">EPA/DWER under</th> <th data-bbox="936 922 1137 967">Instrument</th> <th data-bbox="1137 922 1373 967">DBCA</th> </tr> </thead> <tbody> <tr> <td data-bbox="394 967 645 1034"><i>Land and Soils</i></td> <td data-bbox="645 967 936 1034">Terrestrial Environmental Quality; Landforms</td> <td data-bbox="936 967 1137 1034">Pt IV; Pt V EP Act CS Act</td> <td data-bbox="1137 967 1373 1034">-</td> </tr> <tr> <td data-bbox="394 1034 645 1078"><i>Water Resources</i></td> <td data-bbox="645 1034 936 1078">Inland Waters</td> <td data-bbox="936 1034 1137 1078">RIWI Act; PtV EPAct</td> <td data-bbox="1137 1034 1373 1078">-</td> </tr> <tr> <td data-bbox="394 1078 645 1155"><i>Biodiversity</i></td> <td data-bbox="645 1078 936 1155">Flora and vegetation; Terrestrial Fauna; Subterranean Fauna</td> <td data-bbox="936 1078 1137 1155">Pt IV; Pt V EP Act Pt IV Pt IV</td> <td data-bbox="1137 1078 1373 1155">Listed flora BC Reg Listed fauna BC Reg</td> </tr> <tr> <td data-bbox="394 1155 645 1222"><i>Rehabilitation and Mine Closure</i></td> <td data-bbox="645 1155 936 1222">-</td> <td data-bbox="936 1155 1137 1222">Pt IV (as required)</td> <td data-bbox="1137 1155 1373 1222">-</td> </tr> </tbody> </table> <p>Note that themes of Sea, Air and People are also considered under assessment by EPA/DWER.</p> <p><i>Figure 1. Proposed interaction between DEMIRS and those of other agencies</i></p> <p>In relation to the content of other assessments and approvals, there are many Environmental Factors (using different terms) that may be considered by other DMAs (EPA; DWER; DBCA) in relation to similar DEMIRS factors; and if they are</p>	DEMIRS	EPA/DWER under	Instrument	DBCA	<i>Land and Soils</i>	Terrestrial Environmental Quality; Landforms	Pt IV; Pt V EP Act CS Act	-	<i>Water Resources</i>	Inland Waters	RIWI Act; PtV EPAct	-	<i>Biodiversity</i>	Flora and vegetation; Terrestrial Fauna; Subterranean Fauna	Pt IV; Pt V EP Act Pt IV Pt IV	Listed flora BC Reg Listed fauna BC Reg	<i>Rehabilitation and Mine Closure</i>	-	Pt IV (as required)	-	<p>DEMIRS' 'Environmental Objectives Policy for Mining' has been revised to align with environmental objectives considered under the <i>Environmental Protection Act 1986</i>.</p>
DEMIRS	EPA/DWER under	Instrument	DBCA																				
<i>Land and Soils</i>	Terrestrial Environmental Quality; Landforms	Pt IV; Pt V EP Act CS Act	-																				
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Ref #	Stakeholder	Comment	DEMIRS Response
		<p>deemed assessable these are often done before any Mining Act decision is or can be made.</p> <p>Where these other instruments exist or are required, there is no need for imposition of additional assessment or MDCP approval conditions. Table 3 in Section 4 welcomes to advice about parallel approvals and it is AMECs view is that upon review DEMIRS would hold their assessment in abeyance. Alternatively, if necessary, depending on timing conclude its approval conditioning by citing an assessment and/or approval under the other jurisdiction.</p> <p>In relation to Section 4, AMEC's recommendations are that:</p> <ul style="list-style-type: none"> • where primary or other DMA conditions exist, those prescribed approval conditions are acknowledged by DEMIRS, and no other DEMIRS Standard Outcome need be stipulated as the significant matters are determined elsewhere within WA's jurisdiction. It may be the case that DEMIRS chooses to replicate the same conditions of the primary approval in its MDCP Approval Statement. • Where other approval instruments (e.g. NVCP; industry scheduled activity licensing; water licence etc...) applies, only those DEMIRS Standard Outcomes to be applied are additional to managing a residual risk rated as being moderate or higher. Industry will provide further feedback on rating low residual risks as unremarkable and not worthy of conditions within MDCPs, but dealt with by implementation of subordinate best-practice/due-diligence site based plans; • DEMIRS MDCP approval should not be duplicative not different in content of conditions, requirements or outcomes for activities otherwise authorised by other instruments of regulation by EPA, DWER or DBCA. It is akin to Heritage being considered by DPLH and, if required by the developer, authorised accordingly by aboriginal heritage Ministerial consent. <p>Furthermore, AMEC requests further clarification for the following:</p> <ul style="list-style-type: none"> • The statement: "...As far as practicable, DEMIRS will not duplicate assessment of any component of an activity that also requires approval from another regulatory agency". Industry would like to understand how this is achieved, particularly when considering and comparing EPA Environmental Factors to DEMIRS environmental factors. If it is practicable 	

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>to know that an assessment or approval is duplicative, why would it be chosen to be done? A mechanism to avoid duplication has been proposed above.</p> <ul style="list-style-type: none"> • “Legislation that may be relevant” includes Dangerous Goods Safety Act and the Health Act (for example). This and other legislation listed are generally not considered relevant to “environmental approvals” and therefore generally irrelevant to the intended framework. Some clarification may be required to define which aspects of each piece of legislation may be relevant, otherwise it will be left to interpretation. • Section 4.2 All dot points are aspects that could or should be considered as part of the Application of NVCP. If indirect considerations have been included in NVCP application, confirm these will not require further assessment, regardless of whether they are conditioned in the NVCP. 	
29.	CCAA	<ul style="list-style-type: none"> • Section 4 - Legislative framework – note the minor typo that should read <i>Aboriginal Heritage Act 1972</i>, not 1978. • Section 4.1 - Mining operations assessed under Part IV of the <i>Environmental Protection Act 1986</i> – CCAA supports the efforts to reduce duplication of regulatory effort and for the MDCP to outline the factors being assessed by the Environmental Protection Authority (EPA) and that these factors will not need to be replicated in the MDCP. CCAA notes that Part IV assessment generally happens after the MDCP assessment and hence the Relevant Ministerial Condition column in Table 4 is unlikely to be able to be populated. This is an area where concurrent assessment would be reasonable rather than assessment in series, i.e., one after the other. • Section 4.2 - Mining operations requiring a Native Vegetation Clearing Permit under Part V of the <i>Environmental Protection Act 1986</i> – CCAA notes the common duplication in the flora assessment under Part V of the EP Act and under the <i>Mining Act</i> and recommends that opportunities to reduce this duplication and further streamline this often-contentious aspect are implemented. 	DEMIRS acknowledges CCAA’s comments, and has reviewed the Guideline where appropriate.
	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p>4. <i>Legislative Framework, p.14</i></p> <ul style="list-style-type: none"> • <i>Table 3</i>– While recognising DEMIRS express intent to "not duplicate assessment of any component of an activity", the requirement to complete 	Where appropriate, DEMIRS has reviewed and revised the Guideline in light of CME’s feedback. Note that the legislative framework is consistent with current Mining Proposal guidelines, and Tables have been provided to assist with consistent information being provided in the MDCP.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>Table 3 remains administratively burdensome for the proponent, and CME query why this content would be included in the MDCP given it relates to framing the regulatory remit of the Department.</p> <ul style="list-style-type: none"> • Incorrect reference to the <i>Aboriginal Heritage Act 1978</i>. Correct reference is the <i>Aboriginal Heritage Act 1972</i>. <p>4.1 Mining operations assessed under Part IV of the <i>Environmental Protection Act 1986</i>, p. 15</p> <ul style="list-style-type: none"> • “Assessment of these factors will not need to be replicated in the MDCP” – Industry has noted that it remains unclear how this should be applied throughout the document. Examples provided referenced the Baseline Data and Analysis and the Monitoring section. CME recommends clarification throughout the draft Guideline outlining how proponents identify assessments undertaken by EPA. 	
SECTION 5: BASELINE DATA AND ANALYSIS			
30.	AMEC	<p>Section 5 Baseline data and analysis</p> <p>AMEC requests further clarification for the following:</p> <ul style="list-style-type: none"> • 5.1 Environmental and social setting: the concept of environmental and social sensitivity is introduced in this section; however, no further definition is provided. • 5.3.1. Soils: expand on “potential of soil pathogen” by using reference to external sources and clarify the maximum number of samples required. • 5.3.2 Subsurface materials and mining waste: the criticality of undertaking characterisation testing is unclear. • 5.3.3 Rehabilitation material balance: block model output is a new requirement, not in existing MPs. Detail as to why this new requirement exists is sought. • Section 5.3.2 Subsurface materials and mining waste: <ul style="list-style-type: none"> ○ Table 6. Modelled maximum quantity is repeated. ○ A section for subsurface material to be used for growth media should be added to this section. • 5.4 Water resources: 	<p>DEMIRS thanks AMEC for its feedback, and has considered in amending and clarifying the Guideline and terminology where applicable.</p> <p>DEMIRS’ ‘Environmental Objectives Policy for Mining’ has been revised to align with environmental objectives considered under the <i>Environmental Protection Act 1986</i>.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> ○ Identify the baseline details required. The information required to determine site specific triggers require at least two years surveys which may not be possible for projects. ○ Only salinity and pH are required for water quality characteristics. How should contamination risk be determined if a surface water baseline concentration of anion, cation and metals is not determined? ○ It is unclear what additional information would be required for diversion structures. <ul style="list-style-type: none"> ● 5.5 Biodiversity: how will DEMIRS ensure that biodiversity factors that are assessed and regulated through Part IV are not duplicated under a MDCP approval statement. DEMIRS should be consistent with EPA's recommendation and advice. <p>AMEC recommends the following:</p> <ul style="list-style-type: none"> ● Define the concept of environmental and social sensitivity in the context of the MDCP or provide a link to existing sources if previously mentioned in other documents. Provide in depth guidance regarding affected communities and social settings beyond what is already understood in relation to stakeholder engagement. ● Clarify the requirements needed for 5.3.2 Subsurface materials and mining waste – Characterising testing. ● Reformat Table 6: should not have quantities of soils, these should be in section 5.3.1. ● Include a requirement for a map outlining surface after infrastructure. ● In cases where overburden will be used as growth media, only then it should be assessed for, dispersity, fertility. 	
	APLA	<p>Baseline Data and Risk Assessment. Section 7.1.3 Management/ controls states "Scrape and detecting and dry blowing operations are to be progressively rehabilitated so that no more than two hectares will be open (meaning disturbed without rehabilitation works being completed) at any one time." Small mine operators work across a tenement in an orderly fashion and part of the scrape and detect operation, sampling is carried out to determine if fine gold is present requiring either dry blowing or a wet sluice treatment. Limiting the entire workable area to 2</p>	<p>DEMIRS acknowledges APLA's comments, and where appropriate, the draft Guideline has been updated to reflect current small operation template more closely. Management strategies proposed including the two hectares open at one time for scrape and detect activities is a consistent requirement from the existing small operations form.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>hectares can restrict how effective operations are carried out and allowing for sufficient space to work in a safe manner. It is necessary to be able to stay within the 10-hectare limit as setout in the current small mining operations guidelines.</p> <p>Section 7.3.1 Existing status. DEMIRS is now asking for technical descriptions that can only be answered by specialist consultants, at prohibitive costs and could cause delays in the approval process.</p> <p>Currently the Small Mining Proposal for small mining operations is used as an attachment for a mining lease application/s and can be completed in a timely fashion. The draft document with new onerous ultra vires requirements means the proponent would not be able to get the application completed in a timely fashion to attach to a mining lease application. In fact, one could be tied up in consultative requirements and not be able to lodge a mining application prior to a prospecting license expiring, then the proponent is put in a situation where they could lose the tenure. Local small miners are aware of what fauna and flora are present within the boundaries of their mining lease and all precautions would be taken not to interfere or cause harm with either fauna or flora. It may be noted that when a prospecting license is granted there are conditions by which proponents must abide by and one of those conditions relates to specific flora that maybe present on the granted prospecting license. When a POW is approved, in most cases, any sensitive or vulnerable flora will be identified and a photo will be attached to the POW so that the proponent has a clear picture of what to look out for and take the required steps for protection.</p> <p>Section 7.3.2 Impacts from proposed activities states "Select all potential environmental impacts on biodiversity that apply to the proposed activities" The list includes death of fauna, loss of conservation significant fauna habitat, loss of conservation significant flora and vegetation clearing outside approved areas. Until actual activities commence and soil, rock and vegetation are cleared there is no way of knowing what the actual impact would be on local fauna and flora.</p>	
31.	Bamford Consulting Ecologists	<p>General comments</p> <ul style="list-style-type: none"> • Cumulative impacts rarely seem to be considered well. Especially a concern in already fragmented landscapes. • Static fauna (trapdoor spiders listed under the EPBC Act, Malleefowl mounds) may be impacted even when very small areas are cleared...surely this is a breach under the EPBC Act?) 	DEMIRS thanks Bamford Consulting Ecologists for its submission. Approval of a MDCP does not exempt applicants from complying with all other regulatory requirements (such as those under the EPBC Act or BC Act).

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> I do appreciate that the current NVCP process, and guidance from DCCEEW and the WAEPa, can be inefficient (and often ineffective!!). But it wouldn't be hard to develop a streamlined approach to risk assessment for small scale mining activities that would provide guidance to reduce impacts. It is a matter of reviewing true biodiversity values in a landscape, and assessing risk against key threatening processes. 	
32.	CCAA	<ul style="list-style-type: none"> Section 5 - Baseline data and analysis – It is especially important to reinforce the principle in this section that the information required will be targeted and proportionate to the nature, scale and type of activity being undertaken and the level of environmental risk posed by the activity. Section 5.1 - Environmental and social setting – It is suggested that a brief description of other baseline data sets such as the regional geological setting, regional flora and fauna systems and regional hydrology regime are also included in this section. This would enable the detail provided in Sections 5.2 – 5.5 to be placed in a proper context. 	DEMIRS acknowledges the feedback from CCAA and has considered it in reviewing the Guideline. The Guideline has been updated to clarify the baseline and environmental information required to be presented will be dependent on the nature and scale of the proposed activities and the environment in which they are undertaken.
33.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>5.1 Environmental and social setting & 5.2 DEMIRS Environmental Factors, p.17</i> Industry has noted confusion regarding the description headings and information required in sections 5.1 and 5.2. CME recommends further guidance is provided that specifically highlights where environmental factors such as soils and land, groundwater, geochemistry and physical characteristics reside. In addition to this, we recommend clearer instruction is included regarding how the information is presented.</p> <p><i>5.2 DEMIRS Environmental Factors, p.18</i></p> <ul style="list-style-type: none"> <i>Bullet point 1</i> – Reference to the relevant table should be specific, i.e. Table 5. <i>Bullet point 3</i> – CME strongly recommends that MDCP only requires a proponent to outline high-level principles related to future mine closure, as details related to mine closure will be addressed in the separate Mine Closure Plan. We recommend that the draft Guideline is amended to reflect this. CME notes that where a proposal is subject to a section 38 assessment under the Environmental Protection Act 1986, technical studies are publicly available on EPA's website. To avoid administrative duplication, CME seeks confirmation that proponents can refer to the EPA assessment with regard 	DEMIRS acknowledges CME's comments and recommendations, and have considered these in revising the Guideline where appropriate. Rehabilitation and closure are built into the mine planning process, and as such, guidance around baseline data collection has been clarified in the Guideline to assist with this.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>to technical studies submitted as baseline data. Reference to this should be made explicit in the draft Guideline.</p> <ul style="list-style-type: none"> • <i>Amendment to an Approval Statement</i> Use of "(provide explanation)" is confusing and is not reflective of style used in guidelines. <p>5.3.2 <i>Subsurface materials and mining waste, p.19-21</i></p> <ul style="list-style-type: none"> • <i>Table 6</i> – Industry does not consider there is justification for the requirement to present "soils", "waste rock", "ore" and "processed waste (tailings)" in one table, and may lead to confusion. Further, column header "Modelled maximum quantity (m3)" exists twice on the same table. Industry has noted that the inclusion of ore (in the table?) is irrelevant, as it ultimately becomes tailings, or where there is low grade it is managed as waste rock. Further, risk factors of erosivity, sodicity, dispersity and fertility are only a concern for materials placed on the surface, not within waste rock landforms. These qualities should only be determined for any subsurface material that will be used for armouring or growth medium. CME recommends this reporting requirement is reconsidered and further industry engagement is conducted to ensure reporting requirements are justified and clear. • <i>Sampling</i> – Sampling requirements should be made clearer. For example, do all samples require assay tests or in some instances are ABA tests sufficient. • <i>Characterisation testing</i> – "Fibrous leaching test", should be two bullet points. • <i>Table 7</i> – Industry has advised that this table requires further guidance and terms require clear definitions. For example: <ul style="list-style-type: none"> ○ In the event of multiple samples. how many samples do leachable metals need to be present in before being reported? ○ What sulphur concentrations are required? For example, average sulphur for a 20 Mt will not likely provide useful information. Further, is a specific test, such as XRF or laboratory determination, required? ○ Should volume be reported in cubic meters, noting that samples are calculated from tonnage. ○ Which method should be used to determine PAF and NAF material, as there are several methods. • Industry notes there is: <ul style="list-style-type: none"> ○ Geochemical risk for Surface material should address dispersivity, erosivity, sodicity and fertility, as well as the risk of Acid Sulfate Soils. 	

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> ○ Geochemical risk for Subsurface material should address risk of: acid drainage, metalliferous drainage, saline drainage, alkaline drainage, fibrous material, radioactivity, spontaneous combustion, dewatering of acidic rock units, and risk of sinkholes from dewatering karstic rock units. ● <i>Block model</i> – CME questions the requirement for proponents to develop block models, noting that companies regularly update modelling as part of their grade control. Industry notes this requirement is included in waste characterisation literature, but refer to block models of sulphur concentrations or PAF/NAF materials, and not ore location as referenced in the draft Guideline. <p><i>5.4.1 Surface water & 5.4.2 Groundwater, p.22</i> Given only salinity and pH is required for water quality characteristics, industry is uncertain as to how contamination risk will be established if a surface water and groundwater baseline concentrations of anions, cations and metals is not determined.</p>	
34.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>Some of the elements of the draft MDCP Small Operations Guidelines that are endorsed are:</p> <ul style="list-style-type: none"> ● 7 Baseline data and risk assessment: <ul style="list-style-type: none"> ● Checklists of common types of impacts are given for each environmental aspect. These prompts will help to identify relevant environmental impacts. ● Lists of common management measures and controls are given for each environmental aspect will help to ensure that relevant management measures are considered and applied. ● Standard environmental outcomes are given for each environmental aspect, which would be part of the Approvals Statement if the MDCP is approved. The proposed outcomes provide clarity to the proponent of minimum expectations, and an opportunity to challenge or comment for any standard environmental outcomes that might not be suitable. 	DEMIRS notes EIANZ's feedback on the MDCP Small Operations Guidelines and endorsement of the listed elements.
35.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>We have identified some possible issues and associated suggestions in the guidelines. These are described below.</p>	DEMIRS notes and has considered EIANZ's feedback in reviewing the Guideline's consideration of climate change.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>(4) <u>Climate change is not addressed:</u> Section 5.1 environmental and social setting includes a description of seasonal and climatic conditions. There is no explicit mention of consideration for climate change implications.</p> <p>It is suggested that:</p> <ul style="list-style-type: none"> • Explicit requirement is included to consider changing climatic conditions relevant to the life of mine and mine closure planning. • Climate change risks that might trigger or impact early closure should be addressed. 	
36.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>(4) <u>Mining material characterisation guidelines are provided</u> Section 5.3.2 provides guidelines for mining material characterisation, which broadly align with the Draft Guidance – Materials Characterisation Baseline Data Requirements for Mining Proposals (2016). It is not clear if the MDCP guidelines are intended to supersede the Draft Guidance.</p> <p>Materials characterisation is often a point of confusion with proponents. It would be useful to have a separate guidance that addresses this, so that the stand-alone guidance can be provided to relevant personnel to ensure materials characterisation meets the relevant requirements. It is suggested that the Draft Guidance – Materials Characterisation Baseline Data Requirements for Mining Proposals be finalised, and the MDCP guidelines refer to the (finalised) Guidance for further detail.</p>	DEMIRS notes this feedback from EIANZ, and has updated the Guideline to provide clarity on the intent of the guidance provided for materials characterisation.
37.	EIANZ	<ul style="list-style-type: none"> • Section 5.5 Biodiversity refers to various EPA guidelines for ecological surveys. Several of these guidelines have since been updated and re-issued. It is suggested that the MDCP guidelines should use a general reference to “the most recent EPA technical guidance on flora surveys”, or similar approach. 	DEMIRS notes this suggestion and has updated the Guideline accordingly.
38.	Mine Earth	<p>Baseline data and Analysis Is there any objection supplying the bulk of the baseline data information in Tables?</p> <p>5.3 Soils When including indicative volumes of major soils occurring within the activity envelope, confirming if this is to specify volumes of soils occurring within</p>	<p>There is no objection to supplying the bulk of baseline data information in tables.</p> <p>DEMIRS notes Mine Earth’s feedback and has considered these comments in reviewing soils and subsurface material and mining waste sections of the Guideline.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>proposed disturbance footprints that may be available for recovery as rehabilitation resources, not just volumes for the entire activity envelope? “Soil characterisation to ensure the risk posed by adverse components can be determined” - Suggest this is expanded to include “Physical and chemical characterisation of soils to identify baseline characteristics and potential use as a rehabilitation medium, including susceptibility to erosion and ability to support the growth of local vegetation. Key parameters include:</p> <ul style="list-style-type: none"> • Soil salinity and pH • Exchangeable cations and sodicity • Plant-available nutrients • Soil texture / particle size distribution • Soil structural stability (Emerson Test and potential for clay dispersion) • Hydraulic conductivity • Propensity for hard-setting • Total metal concentrations • Water repellence (where identified as a risk) <p>“Potential for soil pathogens, such as dieback” - this is very vague. Any soil has the potential for soil pathogens. The potential for specific pathogens, such as dieback should be assessed via specific botanical survey in susceptible areas.</p> <p>There's no mention of acid sulphate soils. This risk of acid sulphate soil occurrence, particularly in susceptible areas, should be addressed, with detailed assessment conducted if a significant risk of disturbance of acid sulphate soils is identified.</p> <p>5.3.2 Subsurface materials and mining waste Suggest for the example table 6 that the third column ‘Lithology breakdown (PAF/NAF/Dispersive)’ is split into two columns under a ‘Lithology breakdown’ heading row, to include ‘Lithology type’ in one column’ and ‘Key risk factor (e.g. PAF/NAF/Dispersive)’ in another column in a sub-heading row. The final column ‘Modelled Maximum Quantity (m3)’ can also be brought in as a sub-heading under the ‘Lithology breakdown’ heading row to differentiate the two columns currently with this title. Currently the example table layout is unnecessarily confusing.</p> <p>The bullet point which indicates “erosive, sodic and/or dispersive material”; should be changed to “sodic / dispersive or highly erodible material”, as “erosive” is not the correct word. Soils or mine waste materials are potentially “erodible”. External forces such as water and wind are potentially “erosive”.</p> <p>There's no specific mention of assessment of the physical durability / potential erodibility of mine waste materials. This is an important component of a mine waste</p>	

Ref #	Stakeholder	Comment	DEMIRS Response				
		<p>inventory / material balance to identify suitable placement of waste rock material, e.g. identification of material suitable as a source of rock armour.</p> <p>The "Sampling" paragraph should include "physical" assessment as well as geochemical.</p> <p>Table 7 should include a column for the "Durability / Erosional stability" of waste rock lithotypes.</p> <p>The "Block model" paragraph states that the "applicant understands the volume and location of each ore type to be mined". Suggest that this should be changed to "applicant understands the volume, location and characteristics of each lithology to be mined"</p> <p>5.4.2 Groundwater Where groundwater is intercepted by the operation, details of the final pit lake should be included and its hydrogeology (is it a groundwater sink etc?).</p>					
39.	Okane Consultants	<table border="1" data-bbox="389 740 1382 916"> <thead> <tr> <th data-bbox="389 767 667 815">Section</th> <th data-bbox="667 767 1382 815">Recommendation</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 815 667 916">Section 5: Baseline data and analysis</td> <td data-bbox="667 815 1382 916">Consider moving some of the detailed baseline data analysis requirements to an appendix to improve readability e.g. rock characterisation</td> </tr> </tbody> </table>	Section	Recommendation	Section 5: Baseline data and analysis	Consider moving some of the detailed baseline data analysis requirements to an appendix to improve readability e.g. rock characterisation	DEMIRS acknowledges this feedback from Okane Consultants, however detailed guidance information will remain in the body of the document at this stage. DEMIRS is committed to continuous review and improvement and will look to develop separate guidance notes for key aspects at a later stage.
Section	Recommendation						
Section 5: Baseline data and analysis	Consider moving some of the detailed baseline data analysis requirements to an appendix to improve readability e.g. rock characterisation						
40.	Stantec	<p>Comments on specific content</p> <p>5.1 Environmental and social setting (p.17) – The Baseline Data section requirements are incomplete, aspects not currently listed as a requirement for the MDCP are necessary to inform a risk assessment in addition to understanding any implications for rehabilitation and closure.</p> <p>To avoid confusion this could be made consistent with the terminology and information requirements presented in the MCP guidelines.</p> <p>5.2 DEMIRS Environmental Factors (p.17) – The inclusion of this section also leads to confusion, this information could be presented in Section 5.1.</p> <p>To avoid duplication this information could be made consistent with the terminology and information requirements presented in the MCP guidelines.</p>	DEMIRS acknowledges Stantec's comments on Section 5 of the draft Guideline, and has updated and reviewed in light of these comments as appropriate to clarify information required. Note that the level of baseline data required is the same as current Mining Proposal guidelines, and will be kept the same for ease of transition.				

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>5.3.2 Subsurface materials and mining waste (p.19 – 22) – The inclusion of this section also leads to confusion, this information could be presented in Section 5.1.</p> <p>To avoid duplication this information could be made consistent with the terminology and information requirements presented in the MCP guidelines.</p> <p>It is noted that it may be difficult to attain the level of information requested on the following aspects for new projects:</p> <ul style="list-style-type: none"> • fibrous materials (more testing for proponents) • introduction of TENORM –is this relevant for mining clients (generated industrial wastes)? • meeting the MEND guidance for representative samples might be difficult (sometimes you just don't get the number of samples per lithology required). <p>5.4 Water resources (p.22-24) – A large amount of extra detail is requested for both surface and groundwater data. This level of information is more relevant in a mature MCP, where specific knowledge gaps exist.</p>	
SECTION 6: STAKEHOLDER ENGAGEMENT			
41.	AMEC	<p>Section 6 Stakeholder engagement AMEC requests further clarification for the following:</p> <ul style="list-style-type: none"> • Section 6 highlights the importance of stakeholder engagement but does not have supporting reasons for why the Department requests for this. <p>AMEC recommends the following:</p> <ul style="list-style-type: none"> • Include an in-depth explanation of how DEMIRS utilises and assesses stakeholder engagement evidence and its intended purpose. <p>Reference to Table 6 on Page 26 is incorrect and should be updated to refer to Table 9.</p>	<p>DEMIRS acknowledges AMEC's feedback, and has adjusted the Guideline to include a brief rationale.</p> <p>DEMIRS notes AMEC's comment and has updated the table reference accordingly.</p>
42.	APLA	<p>Land Use and Stakeholder Engagement. Section 6.4 Presently Section 118 of the Mining act 1978 and Reg 64b requires proponents to “<i>notify</i>” the Pastoralist- not consult, the new document is steering proponents to seek approval from pastoralist and other “<i>relevant stakeholder/s</i>” which appears that DEMIRS is now giving them the power of Veto. The current requirements are and have been working for</p>	<p>The ‘Mining Development and Closure Proposal for Small Mining Operations’ form has been revised to clearly define stakeholders, and the information required to be presented.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		numerous years and these should continue in their present form that is to “ <i>notify</i> ” the pastoralist or other stakeholders.	
43.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p>6. <i>Stakeholder Engagement, p.24-26</i></p> <ul style="list-style-type: none"> • <i>Bullet point 2</i> – The requirement to identify all relevant stakeholders with an interest in the proposal is unclear. This creates an obligation on the MDCP applicant, pivoting on a highly subjective term, "relevant stakeholders with an interest in the proposal". CME recommends the draft Guideline is clear in relation to how proponents discharge this obligation. • <i>Amendment to an Approval Statement</i> Use of "(provide explanation)" is confusing and is not reflective of style used in guidelines. 	<p>This section has been revised to remove ‘all’, and replace with ‘key stakeholders’.</p> <p>DEMIRS notes CME’s comment and has revised this statement.</p>
44.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>Some of the elements of the draft MDCP Small Operations Guidelines that are endorsed are:</p> <ul style="list-style-type: none"> • 6.4 Details of stakeholder engagement: Engagement must be reciprocal, with stakeholders given a chance to provide feedback on the project. Topics for discussion should cover [at least] key operational requirements, access/haulage routes, infrastructure needed, the post mining land use and closure outcomes. The advantage of this is that it Provides useful prompts for the proponent on what topics to address in stakeholder engagement. 	<p>The ‘Mining Development and Closure Proposal for Small Mining Operations’ form has been revised to clearly define stakeholders, and the information required to be presented..</p>
45.	Mine Earth	<p>Stakeholder Engagement</p> <p>6. Stakeholder engagement No longer required to map out future engagement?</p>	<p>It is DEMIRS expectation that stakeholder engagement occurs through the mine life. To assist applicants and operators in understanding the level of engagement that would be appropriate as the operation moves through the stages of mining, DEMIRS has developed a simple guidance table has been included in the Guideline.</p> <p>It is expected that future stakeholder engagement undertaken is recorded in the MCP.</p>
SECTION 7: POST MINING LAND USE			
46.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p>7. <i>Post mining land use, p.26-27</i></p>	<p>DEMIRS acknowledges CME’s feedback, and has revised the Guideline where appropriate to clarify a shared understanding of post mining land use.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> • CME strongly recommends that MDCP only requires a proponent to outline high-level principles related to future mine closure, as details related to mine closure will be addressed in the separate Mine Closure Plan. We recommend that the draft Guideline is amended to reflect this. Considering mine longevity and the pace of climate change, population and population demographic changes and advances in environmental science, what is considered possible and acceptable now may not be considered so in a decade. • The requirement for post mining land use to be "acceptable" to key stakeholders is not clear. How do proponents judge whether key stakeholders deem something as "acceptable"? 	
SECTION 8: RISK ASSESSMENT			
47.	AMEC	<p>Section 8 Risk assessment and management</p> <p>AMEC requests:</p> <ul style="list-style-type: none"> • That the Section is redrafted to make it clearer. • Clarification is provided as to whether the DEMIRS framework compulsory? If not, how flexible are the tools used in risk assessment? <p>AMEC requests further clarification for the following:</p> <ul style="list-style-type: none"> • 6.1 Risk treatments: when a MDCP includes high or above inherent risk pathways or risk pathways associated with long-lag risks, it may be of benefit to include a written description of these risk treatments in addition to the risk register". Please provide information on where this information should be included. <p>AMEC recommends the following:</p> <ul style="list-style-type: none"> • AMEC recommends incorporating Appendix 3. into this Risk Assessment Section and avoid using general statements so it is clearer in the outcomes sought. 	DEMIRS confirms that the risk assessment should be undertaken using the framework presented in the Guideline. Other comments are noted.
48.	CCAA	<ul style="list-style-type: none"> • Section 6 - Risk Assessment and Management – CCAA supports the risk assessment process in principle but suggests that Table 6 in Appendix 3 is too large, complex and cumbersome. This table needs to be split into two parts enabling the Risk Treatment and Environmental Outcome columns, where much of the detail is provided, to be presented concisely so that the table does not extend over numerous A3 sheets or endless Excel spreadsheets. 	Comments noted. The Risk register table has been refined to reduce the number of columns.
49.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>8. Risk Assessment and Management, p.27</i></p>	DEMIRS acknowledges CME's feedback, and has revised the Guideline for further clarity where appropriate.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>CME notes it is unclear whether all three criteria outlined under "Risk pathways do not need to be included in the risk assessment", are simultaneously required.</p> <p><i>8.1 Risk Treatments, p.28</i></p> <ul style="list-style-type: none"> • The draft Guideline is unclear as to where proponents should add the required written description associated with an MDCP that includes high or above inherent risk pathways. • Amendment to an Approval Statement CME believes this section requires further guidance for proponents. Industry has noted ambiguity regarding the extent to which a risk assessment should be included for an amendment to existing operations. Proponents seek to understand whether the requirement to provide a revised risk assessment depends on any of the below listed factors: <ul style="list-style-type: none"> ○ the level of risk (and whether any changes); ○ the nature of the risk (or any changes thereto); ○ whether the proponent considers that the changed activities are "minor in nature"; ○ What is "minor in nature"? ○ whether the ultimate environmental outcome will be the same or different; ○ whether there are any new risk pathways not already covered; or ○ a combination of the above. <p>CME further notes that use of "(provide explanation)" is confusing and is not reflective of style used in guidelines.</p> <ul style="list-style-type: none"> • Industry seeks further guidance on how proposed impacts to significant environmental values are expected to be captured. For example, if a project will have an unavoidable impact on populations of priority flora, a risk assessment of an 'unwanted event' would result in an 'inherent extreme' risk and the impact wouldn't be allowed. 	
50.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>We have identified some possible issues and associated suggestions in the guidelines. These are described below.</p> <p>(3) <u>The DEMIRS Risk Framework is mandatory, and the consequences descriptors are poorly defined:</u></p> <p>Section 6 and Appendix 3 specify that use of the DEMIRS risk framework is mandatory. This includes use of the DEMIRS consequences, likelihood, and risk rating, as well as the risk register table template.</p>	DEMIRS acknowledges this feedback from EIANZ, and consequence descriptors have been updated where possible to ensure they align with those of the EPA.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>The consequence descriptors are phrased to consider possible things that might happen (e.g. hydrocarbon spill, accidental clearing of vegetation). While this is appropriate for assessment of risks, this doesn't allow for effective assessment of direct impacts (e.g. planned clearing of vegetation, groundwater drawdown) – which is required to be assessed using the risk framework, as per the text in Section 6.</p> <p>The consequences of direct impacts would relate largely to the life of the mine – for example, the following major consequence description: “long-term (>10 years) loss of vegetation, a large portion of which is confined to the activity envelope”. The likelihood of this direct impact would be “almost certain”, leading to an extreme risk.</p> <p>The biodiversity consequence descriptors use generic terms such as “vegetation” and “fauna habitat”, which does not allow for consideration of significance of the environmental values – e.g. clearing of common vegetation as opposed to clearing of Threatened Ecological Community.</p> <p>Some consequences descriptors do introduce consideration of significance of environmental values, but it is not clear how the different components of the consequences descriptors interact – do all descriptors need to be met, or only one? E.g. major consequences for flora and vegetation:</p> <ul style="list-style-type: none"> • Localised and long-term (> 10 years) loss of vegetation, a large portion of which is confined to the activity envelope. [and? Or?] Project places significant pressure on continued survival of conservation significant vegetation on a regional scale. • Many consequence descriptors include reference to “impacts to environmental values”. Environmental values are defined in the DEMIRS risk framework (Appendix 3, Table 1) as “a beneficial use and/or an ecosystem health condition”. Beneficial use is a widely understood term. However, “ecosystem health condition” is not readily understood nor defined. <p>It is suggested that:</p> <ul style="list-style-type: none"> • The definition for “ecosystem health condition” should be included in Appendix 3, or the definition for “environmental value” should be amended to use widely understood terms. • The consequence descriptors for biodiversity should be amended to consider significance of biodiversity values, and assessment of direct impacts versus risks. Suggested consequences descriptors 	

Ref #	Stakeholder	Comment	DEMIRS Response																		
		<p style="text-align: center;">are provided in the following table, adapted from the DMIRS 2020 Mining Proposal Guidelines</p> <table border="1" data-bbox="398 277 1355 1225"> <thead> <tr> <th data-bbox="398 277 524 325">Rating</th> <th data-bbox="524 277 669 325">Insignificant</th> <th data-bbox="669 277 835 325">Minor</th> <th data-bbox="835 277 1001 325">Moderate</th> <th data-bbox="1001 277 1167 325">Major</th> <th data-bbox="1167 277 1355 325">Severe</th> </tr> </thead> <tbody> <tr> <td data-bbox="398 325 524 804">Biodiversity</td> <td data-bbox="524 325 669 804">Alteration or disturbance to an isolated area with minor impact (short-term / small area) on habitat or ecosystem.</td> <td data-bbox="669 325 835 804">Minor long-term impact. Alteration or disturbance to <10% of known regional extent of a habitat, community or species of conservation significance.</td> <td data-bbox="835 325 1001 804">Moderate long-term impact. Alteration or disturbance to 10-40% of known regional extent of a habitat, community or species of conservation significance.</td> <td data-bbox="1001 325 1167 804">Long-term impact on a wide scale. Alteration or disturbance to 40-70% of known regional extent of a habitat, community or species of conservation significance, recovery timeframe post-disturbance 5-15 years.</td> <td data-bbox="1167 325 1355 804">Impacts to ecological values likely to lead to total loss of species or key ecological values by removal of >70% of regional extent of significant community, habitat or species. If recovery is possible timeframe > 15 years.</td> </tr> <tr> <td data-bbox="398 804 524 1225">Water resource (quality and availability)</td> <td data-bbox="524 804 669 1225">Negligible change to hydrological processes, water availability or water quality. Water quality and availability remain suitable for current and likely future uses.</td> <td data-bbox="669 804 835 1225">Short-term (<1 year) change to hydrological processes, water availability or quality, may impact beneficial uses (human or environmental) but rectified within short time period (<1 year).</td> <td data-bbox="835 804 1001 1225">Medium-term (1-5 years) change to hydrological processes, water availability or quality, impacts beneficial uses (human or environmental) but rectified in medium time period (1-5 years).</td> <td data-bbox="1001 804 1167 1225">Long-term (5-15 years) change to hydrological processes, water availability or quality, that impacts beneficial uses (human or environmental), but ultimately reversible (5-15 years).</td> <td data-bbox="1167 804 1355 1225">Permanent change (>15 years) to hydrological processes, water availability or quality such that water is not suitable or available for current or likely beneficial uses (human or environmental).</td> </tr> </tbody> </table>	Rating	Insignificant	Minor	Moderate	Major	Severe	Biodiversity	Alteration or disturbance to an isolated area with minor impact (short-term / small area) on habitat or ecosystem.	Minor long-term impact. Alteration or disturbance to <10% of known regional extent of a habitat, community or species of conservation significance.	Moderate long-term impact. Alteration or disturbance to 10-40% of known regional extent of a habitat, community or species of conservation significance.	Long-term impact on a wide scale. Alteration or disturbance to 40-70% of known regional extent of a habitat, community or species of conservation significance, recovery timeframe post-disturbance 5-15 years.	Impacts to ecological values likely to lead to total loss of species or key ecological values by removal of >70% of regional extent of significant community, habitat or species. If recovery is possible timeframe > 15 years.	Water resource (quality and availability)	Negligible change to hydrological processes, water availability or water quality. Water quality and availability remain suitable for current and likely future uses.	Short-term (<1 year) change to hydrological processes, water availability or quality, may impact beneficial uses (human or environmental) but rectified within short time period (<1 year).	Medium-term (1-5 years) change to hydrological processes, water availability or quality, impacts beneficial uses (human or environmental) but rectified in medium time period (1-5 years).	Long-term (5-15 years) change to hydrological processes, water availability or quality, that impacts beneficial uses (human or environmental), but ultimately reversible (5-15 years).	Permanent change (>15 years) to hydrological processes, water availability or quality such that water is not suitable or available for current or likely beneficial uses (human or environmental).	
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51.	Mine Earth	<p>Risk Assessment and Management</p> <p>8. Risk assessment and management and Appendix 3</p>	DEMIRS has considered Mine Earth's feedback in revising the Guideline, and providing more detail on flexibility around different treatments for different factors, and flexibility around the risk register table.																		

Ref #	Stakeholder	Comment	DEMIRS Response				
		<p>Risks shouldn't be replicated for each environmental factor they affect. The risk could be listed once (one row for each risk) and the environmental factors it applies to can be summarised in one cell. This would avoid replication.</p> <p>The table is too big and hard to manage. Suggest a separate table for risks that require environmental outcomes.</p>					
52.	Okane Consultants	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%; text-align: center;">Section</th> <th style="text-align: center;">Recommendation</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">Section 8: Risk Assessment and Management</td> <td style="vertical-align: top;">The proposed standardised Environmental and Closure Risk Framework could be improved by including guidance on recommended Subject Matter Expert and Stakeholder (including Traditional Owners) involvement in risk assessment process.</td> </tr> </tbody> </table>	Section	Recommendation	Section 8: Risk Assessment and Management	The proposed standardised Environmental and Closure Risk Framework could be improved by including guidance on recommended Subject Matter Expert and Stakeholder (including Traditional Owners) involvement in risk assessment process.	Noted. The 'Risk Assessment and Management' section has been updated to provide guidance around including experts and stakeholders.
Section	Recommendation						
Section 8: Risk Assessment and Management	The proposed standardised Environmental and Closure Risk Framework could be improved by including guidance on recommended Subject Matter Expert and Stakeholder (including Traditional Owners) involvement in risk assessment process.						
SECTION 9: ENVIRONMENTAL AND CLOSURE OUTCOMES							
53.	AMEC	<p>Section 9 – Environmental and closure outcomes</p> <ul style="list-style-type: none"> • The guideline states that risks managed by other legislation(s) are excluded from the MDCP process, however, many categories reflected in Standard Outcomes in Appendix 4 are accounted for by other DMAs. • <i>“For many mining operations, DEMIRS standard environmental and closure outcomes will be adequate to document the outcome that will be achieved.... in some situations, the MDCP may need to include site specific outcomes”</i>. This is understood but, it important to acknowledge that should a site-specific outcome be adopted - in effect as a stricter approval condition – that the standard outcome is then sunset. • It is agreed that <i>development of completion criteria should commence upfront at the project approval stage and be reviewed and refined in MCP revisions throughout the mine life to respond to monitoring, research and trial information and any other information or change as appropriate</i>. The corollary to this proposition is that MDCP original submissions will necessarily be based on conceptual designs and techniques (that are sensible and reliable; but not necessarily proven). 	<p>DEMIRS notes this feedback.</p> <p>Outcomes presented in the Guideline have been developed to cover all cases where DEMIRS may be the main regulator. Further, in some circumstances, site specific outcomes may be required which effectively 'replace' standard outcomes – however only relevant outcomes will be included on the Approvals Statement.</p>				

Ref #	Stakeholder	Comment	DEMIRS Response
		AMEC recommends that it could either work with DEMIRS, or provide further feedback, to refine the stipulations of standard outcomes in Appendix 4 that would apply for meeting the requirements of MDCP/Approvals Statement.	
54.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>9. Environmental and closure risks, p.28</i></p> <p>CME seeks to clarify whether any amendment relevant to section 9 would also require a further update to a MCP, therefore becoming a point of duplication.</p>	Amendments to environmental and closure outcomes will be recorded on the Approvals Statement, and these can then be captured in the MCP when next revised.
55.	Mine Earth	<p>Environment and Closure Outcomes</p> <p>Section 9.1 standard environmental and closure outcomes The MDCP states that every risk pathway requires an outcome. Is this also the case for risk events that are considered low risk?</p> <p>One standard outcome should be around safety.</p> <p>Section 9.3 Completion criteria Should the example Closure Outcomes table 11 also include a reporting column, for example to include where a 'Close out report' or similar may be required to demonstrate compliance? Or is reporting and monitoring implied together?</p>	<p>DEMIRS has considered Mine Earth's feedback and updated the Guideline to clarify that the outcome is not required where regulated by another agency, or where risk pathway does not exist.</p> <p>Closure outcomes have been developed to support DEMIRS objective for rehabilitation and mine closure - <i>Mining activities are rehabilitated and closed in a manner to make them physically safe to humans and animals, geo-technically stable, geo-chemically non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use, with consideration for cultural values and without unacceptable liability to the State.</i> – which includes consideration of safety.</p> <p>Compliance reporting will be addressed through regular environmental reporting submitted to DEMIRS.</p>
SECTION 10: MONITORING			
56.	AMEC	<p>Section 10 Monitoring</p> <p>AMEC requests further clarification for the following:</p> <ul style="list-style-type: none"> This section requires the same level of detail as the standalone MCP. This is not only results in a large document, which is likely to lengthen assessment timeframes, but also runs the risk of conflicting information between the MDCP and DEMIRS. Please explain the reasons behind the duplication. 	DEMIRS acknowledges AMEC's concern around duplication, and clarifies that the MDCP follows an outcomes-based approach that relies on the applicant presenting a monitoring program that demonstrates how outcomes are being met.
57.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>10. Monitoring, p.31</i></p> <p>CME recommends the inclusion of guidance that supports the intent to avoid duplication and provides certainty. Specifically, where monitoring is undertaken</p>	DEMIRS acknowledges CME's concern around duplication, and clarifies that the MDCP follows an outcomes-based approach and the information on monitoring program should be specific to the outcomes proposed in the MDCP. Outcomes are not

Ref #	Stakeholder	Comment	DEMIRS Response
		under other regulatory approvals and considered to meet DEMIRS outcomes, we recommend DEMIRS provide additional wording in the draft Guideline to confirm that monitoring will not be a duplicated requirement in the approval statement. .	required where it can be demonstrate the aspect is regulated by another agency.
SECTION 11: CLOSURE IMPLEMENTATION			
58.	AMEC	<p>Section 11 Closure implementation AMEC recommends the following:</p> <ul style="list-style-type: none"> • Provide criteria for assessing the mine life as the current information is not sufficient. Please also include a feasible solution, or examples of what DEMIRS expects to see. <p>This information broadly overlaps with the requirements of a care and maintenance plan required under the <i>Work Health and Safety (Mines) Regulation 2022</i> and includes dangerous goods requirements.</p>	DEMIRS notes that information on the life of the mine is to be included in the glossary.
59.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>11. Closure implementation, p.31</i> Industry notes that section 11 requires the same level of information as the MCP. There is concern that this will result in the MDCP being a large document, which is likely to impact assessment timeframes, but also increases the risk of conflicting information between an MDCP and an MCP.</p> <p>CME strongly recommends that MDCP only requires a proponent to outline high-level principles related to future mine closure, as details related to mine closure will be addressed in the separate Mine Closure Plan. We recommend that the draft Guideline is amended to reflect this.</p>	<p>DEMIRS notes this feedback, and has reviewed the Guideline to consider the information required at the approvals stage compared to amendments.</p> <p>Overall, the level of detail to be provided about mine closure will depend on the life of the mine, the nature and scale of the activities and the environment in which the mine is operating.</p>
60.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>(5) <u>Knowledge gaps are explicitly addressed:</u> Section 9.2 provides a table template for a knowledge gap register, including actions, responsibility, timing and progress updates.</p>	DEMIRS notes EIANZ's feedback.
APPENDICES			

Ref #	Stakeholder	Comment	DEMIRS Response
61.	AMEC	<p>Appendices The following comments received from Industry relate to the appendices:</p> <p>Appendix 1 – MDCP Scoping Document Template</p> <ul style="list-style-type: none"> • Consideration of environmental factors and scope of work – please update methods with “detailed flora and fauna surveys”. <p>Appendix 2 - Example landform summary table</p> <ul style="list-style-type: none"> • Geotechnical design report: outline the information DEMIRS expects from proponents. <p>Appendix 3 – DEMIRS environmental risk assessment framework</p> <ul style="list-style-type: none"> • Example landform summary table - references to the steps within the hierarchy of control are inconsistent throughout this section. • Step 4 – Risk Treatment: explain how “high frequency low consequence events” and “low-frequency high consequence events” for the same risk pathway should be captured in the Risk Assessment? • Step 5 – Risk register: please reconsider the use of “Risk register”. This term is misleading because it can be interpreted as a standard list of risks and controls that a proponent must follow. 	<p>DEMIRS notes AMEC’s comments and has reviewed the Guideline Appendices as appropriate.</p>
62.	AMEC	<p>Appendix 4 – DEMIRS standard environmental and closure outcomes As stated earlier, AMEC would welcome an opportunity to provide further feedback on the wording in Appendix 4. The following comments reflect Industry feedback received:</p> <ul style="list-style-type: none"> • The proposed Standard Environmental and Closure Outcomes are essential to the MDCP outcomes and Approvals Statement yet in some places they use very restrictive language, which is absolutistic or subjective. This is detrimental to the intention of the outcomes and may potentially make them impossible to comply with or to enforce. For example, wording such as: ‘All suitable topsoil...’ and ‘Prevent all direct impacts to fauna etc’. Please revise the specific terminologies to ‘minimise’ or ‘manage’, similar to that used in Biodiversity Item B2.0. • The guideline states that risks managed by other legislations are excluded from the MDCP process, however, the first category from Standard outcomes in Appendix 4. is Land contamination which is managed by DWER under <i>Contaminated Sites Act 2003</i>. 	<p>DEMIRS acknowledges AMEC’s feedback, and has revised terminology accordingly where appropriate.</p> <p>Regarding the <i>Contaminated Sites Act 2003</i>, note that the MDCP outcomes are focused on preventing contamination, rather than managing once it has occurred. However the definition of contamination under this act is applied for consistency.</p> <p>Outcomes are also worded such that there is clarity that impact must be as a result of mining activities as recorded on the Approvals Statement. Outcomes do not relate to impacts caused by other stakeholders or land users.</p> <p>DEMIRS also notes that the closure outcomes are the broad goals to be achieved, while completion criteria will contain specific detail.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>Other examples of changes to phraseology for certainty:</p> <ul style="list-style-type: none"> <p>• Water resources W1.0 Consider rewording the outcome to read “The quality and quantity of surface water is not impacted as a result of mining activities”. The other surface water outcomes including W2.0, are more specific to the receptor and W1.0 could therefore be removed without reducing the quality of the outcome selection.</p> <p>• Fauna B3.0 “Mining activities undertaken in a manner that prevent all direct indirect impacts to native fauna outside of the activity envelope”. There will invariably be fauna that has a range extending over and outside the mine tenure. Given there will always be disturbance to vegetation and landforms, it would be impossible to prevent all impacts.</p> <p>• Environmental threats (introduced Animals) B6.0 The require for “no increase in diversity, distribution and population weed species and pathogens within the tenants” is difficult to achieve because most tenements are on pastoral leasehold, or near publicly accessible areas such as public roads. Pathogens and weeds classifications are also broad, encompassing a wide range of species and can transmit very differently.</p> <p>Industry recommends narrowing the scope of this goal and identify specific pathogens. Some temporal changes to weeds and introduced fauna are also inevitable during a mining activity. Similarly, species may be introduced by others sharing the tenement. The current proposed wording is too restrictive and unachievable.</p> <p>• Biodiversity B1.0 The outcome should be broadened to exclude legal land clearing that occurs either inside or outside of the activity envelope. Land clearing is often necessary for legal reasons, such as fire breaks and this may be misinterpreted by proponent as a breach of outcome. Thus, it is recommended that DEMIRS reword the outcomes description.</p> <p>• Biodiversity, Flora, and vegetation B2.0 Native vegetation clearance is expected as a part of approval, under the condition that it is done in an appropriate manner and obeys existing regulatory requirements.</p> 	

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>Further clarification is needed on “unauthorised” impacts because this outcome seems unrealistic.</p> <ul style="list-style-type: none"> Rehabilitation and mine closure, Geochemical stability C4.0 Pollution and contamination are managed by Environmental Protection Act 1986 and the Contaminated Sites Act 2003 respectively. Therefore, a general outcome statement would be more suitable, for example, “Constructed landforms are geochemically stable and mine drainage will be managed to prevent impact to environmental value and/or post mining land use.” Rehabilitation and mine closure, Infrastructure 15.0 DEMIRS need to provide more examples to enhance the section’s enforceability. Closure outcomes should be generic and flexible in the MDCP and Approvals document. This will allow the MCP to contain the specific and detailed closure outcomes to be regularly updated. 	
63.	APLA	<p>Section 8.2 Closure outcomes states “Constructed landforms are physically and geotechnically stable, to minimize erosion and to support revegetation and/ or the post mining land use, Constructed landforms will consider visual amenity and local topography, Constructed landforms are geochemically stable and will not cause pollution or contamination.” DEMIRS has stated they consider a small mining operation not to have “permanent landforms above the natural surface” APLA requests that the document be changed to have the option to have permanent landforms.</p>	<p>Comment noted. Criteria for small mining operations has been revised to remove reference to permanent landforms.</p>
64.	AMEC	<p>Appendix 4 – DEMIRS standard environmental and closure outcomes</p> <p>DEMIRS standard environmental and closure outcomes that should be adopted where the relevant risk pathway exists or may be amended for each specific site. These outcomes are to be met beyond boundaries for authorized operational areas and disturbance footprints in areas of the surrounding environment outside of the activity envelope.</p> <p><i>Proposed wording L1: Mined/processed materials to be managed so that seepage and drainage is controlled in the surrounding environment.</i></p> <p><i>Proposed wording L2: Environmentally hazardous chemicals, rubbish and other materials are removed from site or stored in a manner that controls emissions into the surrounding environment.</i></p>	<p>DEMIRS noted that AMEC provided specific changes to criteria, these were reviewed and considered. Environmental and closure outcomes have been revised where appropriate based on wholistic stakeholder feedback.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p><i>Proposed wording L4: Mining activities are managed so erosion and sedimentation is controlled into the surrounding environment.</i></p> <p><i>Proposed wording L5: Mining activities managed to control inundation of soils.</i></p> <p><i>Proposed wording L6: Suitable topsoil and other growth media or rehabilitation resources being harvested, stored and maintained for use in land rehabilitation.</i></p> <p><i>Proposed wording W1: As a result of mining activities, emissions into surface waters are controlled and/or treated before release into the surrounding environment.</i></p> <p><i>Proposed wording W2: Hydrological and ecological functions of surface water features are managed to minimize the risk of significant effects in the surrounding environment.</i></p> <p><i>Proposed wording W3: Emissions as a result of mining activities into groundwater are to be controlled and/or treated before release into the surrounding environment.</i></p> <p><i>Proposed wording W4: Groundwater levels are managed to minimize the risk of significant effects upon the surrounding environment and/or land uses.</i></p> <p><i>Proposed wording B1: Mining activities undertaken in a manner to avoid direct and indirect effects to native vegetation outside of the activity envelope.</i></p> <p><i>Proposed wording B2: Mining activities undertaken in a manner that minimise indirect impacts to native vegetation inside of the activity envelope.</i></p> <p><i>Proposed wording B3: Mining activities undertaken in a manner to avoid direct and indirect effects to native fauna outside of the activity envelope.</i></p> <p><i>Proposed wording B4: Avoid or otherwise report death or injury to native fauna from mining activities inside the activity envelope.</i></p> <p><i>Proposed wording B5: No increase in the diversity, distribution, and population of weed species and pathogens within the tenement(s) , as a result of mining activities.</i></p> <p><i>Proposed wording B6: No increase in the diversity or population of introduced animal species within the tenement(s), as a result of mining activities.</i></p>	

Ref #	Stakeholder	Comment	DEMIRS Response
		<p><i>Proposed wording C1: Final constructed landforms are physically and geotechnically stable, to minimise erosion and to support revegetation and/or the post mining land use.</i></p> <p><i>Proposed wording C2: The final placement of emplaced mined materials / infrastructure will be such that, after rehabilitation, it is not located within the pit zone of instability.</i></p> <p><i>Proposed wording C3: Constructed landforms will be constructed to be sympathetic to the landscape</i></p> <p><i>Proposed wording C4: Constructed landforms are geochemically stable and will not cause pollution or contamination outside the activity envelope in the post mining phase.</i></p> <p><i>Proposed wording C5: Contaminating materials have been removed, treated, managed and disposed in a manner consistent with the final land use requirements.</i></p> <p><i>Proposed wording C6: Surface drainage paths and flow characteristics are consistent with the regional drainage and/or post mining land use.</i></p> <p><i>Proposed wording C8: Groundwater levels and characteristics trend towards original levels and quality characteristics and/or support the post- mining land use.</i></p> <p><i>Proposed wording C10: Rehabilitated land vegetation cover is consistent with agreed reference vegetation communities and/or with the post-mining land use.</i></p> <p><i>Proposed wording C11: Rehabilitated areas trend towards creating habitat for native fauna, indicative of a post-mining land use.</i></p> <p><i>Proposed wording C12: The rehabilitated landscape has qualities and properties indicative of the target reference landscape and post-mining land use.</i></p> <p><i>Proposed wording C13: The disturbed mining environment is made safe by barriers to control the risk of access by humans and livestock/animals.</i></p> <p><i>Proposed wording C14: All underground workings are managed and closed for long-term ground stability and to minimize ground subsidence</i></p> <p><i>Proposed wording C15: No infrastructure left on site unless agreed to post-mining land managers/contracted owners.</i></p>	

Ref #	Stakeholder	Comment	DEMIRS Response
65.	CCAA	<ul style="list-style-type: none"> Appendix 4 - DEMIRS standard environmental and closure outcomes – This provides a reasonable list of outcomes and should be linked to the earlier scoping and description of the proposed mining operation in Section 3 and the key environmental factors covered in the Risk Register to ensure all aspects are covered. 	DEMIRS acknowledges CCAA's feedback, and notes that it is outside the current Guideline scope.
66.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>Appendix 1, p.38-39</i></p> <ul style="list-style-type: none"> CME recommends clarification that footnote one is to assist with projects that have also been referred to the EPA. <i>1. Consideration of environmental factors and scope of work</i> – In the table, reference to "Level 2 flora and fauna surveys" refers to outdated method, suggest replacing with contemporary reference. <p><i>Appendix 2, p.42</i> <i>Example landform summary table</i> – Further guidance is required on what DEMIRS seeks proponents to enter in relation to the "Geotechnical design report (if required)" row.</p> <p><i>Appendix 3, p.43, 47</i></p> <ul style="list-style-type: none"> References within this section need to be reviewed. Specifically, Table 1 follows Table 2 and references to steps within the hierarchy of control (p.45), are inconsistent. Further, industry has made the following comments: <ul style="list-style-type: none"> Regarding Step 4 - How should "high frequency low consequence events" and "low-frequency high consequence events" for the same risk pathway be captured in the risk assessment? Regarding Step 5 and ALARP - The last paragraph implies the risk register should be regularly revised. What is the purpose of this in the draft Guideline given an MDCP will never be revised: Does it infer that the same risk register should not be resubmitted for subsequent MDCPs without revision? Table 4 - The "description" reference "Occurs [X] to [Y] years in [Z] years." is confusing and should be clarified. <i>Definitions</i> – No definition of "substance" is provided, and whether this should include manufactured chemical, and not metal leaching from natural rock. "Geochemical stability" definition is vague, noting that rates of change are not parameters that are typically directly measured. No requirement to determine whether background metal concentrations exist, therefore how should the potential to present a risk be determined? 	DEMIRS has updated the Guideline where appropriate, in light of CME's feedback.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p><i>Appendix 4, p.56-58</i></p> <ul style="list-style-type: none"> • Further clarification is required on what is considered an "inundation of soil". • Industry notes that several of the outcomes listed are aspirational, particularly for sites that coexist with other land uses such as pastoral activities, public areas or roads that are used by the public. Specifically: <ul style="list-style-type: none"> ○ B4.0 - Prevention of avoidable death or injury to native fauna from mining related activities. ○ B5.0 - No increase in the diversity, distribution, and population of weed species and pathogens within the tenement(s) or surrounding land, as a result of mining activities. ○ C8.0 - Groundwater levels and characteristics reflect original levels and characteristics and/or support the target ecosystem and postmining land use. ○ C10.0 - Rehabilitated land is consistent with agreed reference vegetation communities and/or with the post-mining land use. • "Rehabilitation and Closure C6.0 - Surface drainage patterns, flows and characteristics are reinstated and are consistent with the regional drainage function and/or post mining land use." CME recommends further guidance regarding what characteristics are included in this outcome. 	
67.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>(6) <u>Standard environmental and closure outcomes are provided</u> Appendix 4 includes DEMIRS standard environmental and closure outcomes. The standard environmental and closure outcomes appear workable and include consideration of impacts within the activity envelope.</p> <p>Text in Appendix 4 states that the outcomes should be adopted where the relevant risk pathway exists. This implies that all standard outcomes that relate to an identified risk will be applied. It is suggested that this should be explicitly stated, rather than implied.</p> <p>The standard outcomes are necessarily general in nature (e.g. "Groundwater levels are managed to prevent detrimental impact upon the surrounding environment and/or land uses"). Closure outcomes are required to also detail site-specific completion criteria, performance indicator and monitoring. Section 7.2 of the MDCP guideline does provide</p>	DEMIRS acknowledges EIANZ's comments and has clarified the Guideline where appropriate.

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>for the proponent to nominate site-specific outcomes, where the standard outcomes are not appropriate, and this approach is supported.</p> <p>It is suggested that:</p> <ul style="list-style-type: none"> • Site-specific environmental performance criteria should be required to support and provide context for the standard environmental outcomes, adopting a similar approach to the closure outcomes. This would include the proposed outcome, performance criteria, monitoring method, and monitoring frequency. • While the generic environmental outcomes are useful to provide a framework for expectations, in most cases site-specific context would be required to understand the actual outcomes e.g. what level of groundwater is required to be maintained / not exceeded to ensure no detrimental impact, and to what environmental aspect? Is the focus on groundwater drawdown, or groundwater mounding? Flora? Groundwater resources? Subterranean fauna? 	
EFFICIENCIES AND REDUCING DUPLICATION			
68.	CME	<p>Assessment Duplication</p> <p>CME maintains that the introduction of Mining Development and Closure Proposals (MDCP) must avoid creating duplicative processes and establish efficiencies for both the regulator and proponents. As noted in our August 2023 submission on the Discussion Paper, development of MDCP is also an opportunity for the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) to critically assess and collaborate with the Department of Water and Environmental Regulation (DWER), to remove duplication.</p> <p>We note the intent of the MDCP to create consistency and efficiencies in assessment processes and approval document preparation. However, CME members have flagged a number of areas within the draft Guideline which appear to introduce duplication and increase uncertainty, going against this intent. Specific examples include:</p> <ul style="list-style-type: none"> • Concern that projects subject to s.38 assessment under the Environmental Protection Act 1986 (EP Act), will be subject to further assessment under section 3 of the draft Guideline. • A lack of clarity regarding any points of difference between EPA's Environmental Factors and DEMIRS objectives and how this may result in duplication. • Groundwater is subject to regulatory duplication between DWER and DEMIRS, but there is little understanding as to how DEMIRS will avoid 	<p>DEMIRS notes CME's comments on ensuring efficiencies and reducing duplication.</p> <p>DEMIRS acknowledges that alignment between DEMIRS and DWER regulations requires consideration and has attempted to clarify this throughout the document where appropriate.</p> <p>DEMIRS continues to explore further ways to reduce duplication between other regulatory agencies.</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>duplicating regulation applied through Part V of the EP Act and Rights in Water and Irrigation Act 1914.</p> <ul style="list-style-type: none"> • Concern that biodiversity factors assessed and regulated through Part IV of the EP Act are duplicated or differ under an MDCP approval statement. • Duplication between the draft Guideline's Standard Outcomes for 'land contamination' and requirements under the <i>Contaminated Sites Act 2003 (WA)</i>. 	
69.	EIANZ	<p><i>Benefits and associated suggestions</i></p> <p>(7) <u>Aspects regulated by other agencies will not be duplicated by DEMIRS, as far as practicable</u></p> <p>Section 4 provides a standard table for documenting risk pathways regulated by other agencies, and there is also a useful list of legislation to consider, as prompts for what might be regulated by other agencies.</p> <p>Further, specific instructions are provided for:</p> <ul style="list-style-type: none"> • Mining operations assessed under Part IV of EP Act. • Native veg clearing permits. • Aboriginal Heritage Act – this is the relevant legislation under which impacts to Aboriginal cultural heritage is regulated. DEMIRS expected to see information regarding stakeholder engagement and post-mining land use relevant to heritage matters. 	DEMIRS notes EIANZ's comments.
70.	Stantec	<p>It is understood that the MDCP has been introduced to streamline approvals. Stantec supports the intent of the reform to streamline approvals, and while we welcome the Department's efforts to address duplication and inefficiencies, it is our belief that this has not been achieved in all the cases when an MDCP has been requested.</p> <p>A reduction in duplication is evident when:</p> <ul style="list-style-type: none"> • Small changes, expansions or alterations are proposed to mining activities beyond what is recorded on the existing Approvals Statement; and • When minimal mining activities are proposed outside of the activity envelope recorded on the Approvals Statement. <p>Is deemed to be too detailed and inefficient for:</p> <ul style="list-style-type: none"> • when any changes are proposed to the tenements recorded on the Approvals Statement; or • to amend a closure outcome. 	<p>DEMIRS acknowledges Stantec's feedback. Amendments under the Amendment Act will require an MDCP for changes to closure outcomes, and the level of detail is intended to be proportional to the changes proposed. It is also intended that the MDCP is <u>not</u> a versioned document, and sections should outline the changes being made, to reduce duplication. DEMIRS has updated the Guideline to provide further clarity.</p> <p>Note that DEMIRS considers the move to MDCP reduces duplication at the approvals stage, submitting one document instead of two. Closure information is still required to be presented at the approvals stage to demonstrate that DEMIRS objectives can be met.</p> <p>DEMIRS also confirms that the Guideline is drafted such that all relevant closure information required for approval is captured. Subsequent MCP submissions will help DEMIRS track site</p>

Ref #	Stakeholder	Comment	DEMIRS Response
		<p>Since the MCP requirement will remain, Stantec would like to see the requirement be retained for a standalone MCP when new mining activities are proposed, especially large and complex projects. This will ensure that the correct structure for an MCP is established from the beginning of an operation and can easily be updated as required. It will also ensure that closure has been appropriately considered at the mining approval stage.</p> <p>If updates to closure outcomes are required, approval could be sought in the MCP update instead of submitting a new MDCP, after which, the Approvals Statement could be updated to reflect the most up to date closure outcomes. Submission of a new MDCP for this does not reduce duplication.</p> <p>The timeframe for submissions of a standalone MCP are still unclear. If an operation makes regular MDCP submissions, is this likely to push out the requirement for an MCP? The ongoing requirement for a stand-alone MCP in the <i>Mining Act 1978</i> and the inclusion of closure information into the MDCP document is regulatory duplication.</p> <p>Given the task of merging these two processes together is a significant exercise, it is important for industry to have confidence in the capacity of DEMIRS (available resources with appropriate expertise) to implement the proposed transition within the Department.</p> <p>Merging operational and closure environmental requirements should not be at the expense of the highest standards for environmental assessment, and closure planning. It is unclear if the level of detail captured at the project approval stage in the MDCP will ensure a robust environmental assessment of proposed activities can be undertaken.</p> <p>Stantec is concerned that if the <i>Mining Amendment Act 2022</i> removes the need for statutory guidelines for the form and content of an MCP, that the standard of information presented in an MCP will not be consistent, and that the current standard will drop.</p> <p>The inclusion of specific closure information in the MDCP, in addition to that required in an MCP appears duplicative and could lead to inconsistent outcomes. This is apparent where we have provided comments on specific content within the Draft MDCP Guideline.</p>	<p>progress towards agreed closure outcomes, as recorded on the Approvals Statement.</p>
FORMAT AND PRESENTATION			

Ref #	Stakeholder	Comment	DEMIRS Response
71.	AMEC	<p>Format</p> <p>The design and format of a document can significantly influence its reception, utility, and application. Industry feedback has suggested that the Department amend certain stylistic choices in the Draft Guideline to enhance user-friendliness, including:</p> <ul style="list-style-type: none"> • Ensuring consistency in font styles, sizes, and spacing throughout, particularly within tables. • Proportionately dividing sections and headlines to maintain consistent spacing between points, subpoints, and footnotes. • Streamlining accessibility by incorporating embedded links for external documents and websites. • Maintaining consistent colour schemes for tables and appendices. 	DEMIRS notes AMEC's comment and undertakes a final review of the Guideline (style, consistency) prior to final publication.
72.	CME	<p>Inclusion of a Glossary of Terms</p> <p>A range of technical terms are used throughout the draft Guideline, some of which are further defined in the document, such as "<i>key stakeholder</i>", "<i>higher risk mining activities</i>" and "<i>small mining operation</i>". For convenience, particularly when proponents seek to use the draft Guideline as a reference document, the CME recommends the inclusion of a 'Glossary' or 'Defined Terms' section at the beginning of document, noting terms specific to the Risk Assessment Framework are defined in Appendix 2 of the draft Guideline.</p>	DEMIRS notes CME's comment and has included a glossary in the final version of the Guideline.
73.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>Throughout document</i></p> <p>Example tables that proponents are expected to complete and submit as part of their MDCP are presented throughout the draft Guideline, industry has noted that ability to add columns or rows to suit applicants' specific purpose may be beneficial. CME seeks clarification as to whether some or all tables included in the draft Guideline are to be replicated precisely when completing an MDCP, or whether proponents can add additional rows and/or columns to support/manage their application.</p> <p>Further commentary at each table in the draft Guideline, outlining how a proponent may use or amend it, will be beneficial. See example:</p> <ul style="list-style-type: none"> • p.11, Table 1: Industry has noted an additional column to provide applicant reference notes would be beneficial. • p.12, Table 2: Splitting the 'Activity Area' column into two, one for 'tenement reference' and the other for 'area' will be easier for proponents to complete. • p.13, section 3.4: No example table provided for "Tenement Purpose". 	DEMIRS acknowledges CME's comments, and has been revised the Guideline to clarify where tables are mandatory (i.e. should not be modified) and where Tables are provided as an example and can be adapted by applicants to best present information required.

Ref #	Stakeholder	Comment	DEMIRS Response
		<ul style="list-style-type: none"> p.18, Table 5: CME notes the risk of broken links and corrupted documents when hyperlinking documents. 	
74.	CME	<p>Appendix 1 – CME Comments and Recommendations - Draft MDCP Guideline</p> <p><i>SCOPE, p.4, Paragraph 2</i> Reference to section 103AL(2)(b) in the second sentence requires parenthesis. Currently written as: "...in accordance with section 103AL(2)b or (3)..."</p>	Comment noted and reviewed in the final version of the Guideline.
75.	EIANZ	<p><i>Potential issues and associated suggestions</i></p> <p>We have identified some possible issues and associated suggestions in the guidelines. These are described below.</p> <p>(5) Administrative Edits</p> <ul style="list-style-type: none"> Sections appear to have been re-numbered, with references in the text not updated (e.g. Section 5.2 states that further guidance on aspect to be considered for DEMIRS environmental factors is provided in Section 9 – this doesn't appear to be the correct section reference). There is no MDCP checklist – will there be a checklist, comparable to the existing Mining Proposal checklist? 	DEMIRS has undertaken a final review of numbering and referencing prior to publishing.

Government of Western Australia

**Department of Energy, Mines, Industry Regulation
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8.30am – 4.30pm

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