

19/01/2006
VC37

SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4** .

MINING POLICY AREA NO.1

Purpose

To allow the Demonstration Mine Stage to proceed.

To define an area containing known reserves of mineral sands in the Drung South area.

To allow mineral prospecting/exploration, mineral processing of mineral sands in an environmentally sensitive manner and with regard for the amenity of adjacent land uses.

To enable the establishment of buildings and works necessary for such operations.

To ensure that any land disturbed by such operations is appropriately rehabilitated.

1.0

19/01/2006
VC37

Requirement before a permit is granted

A Development Plan and Environmental Management Program must be prepared in consultation with and to the satisfaction of the responsible authority, prior to the issue of a planning permit for buildings and/or works generally in accordance with the Concept Plan for Policy Area Mineral Production No.1 which is incorporated into this scheme.

A Review Committee must advise the Responsible Authority on such matters that the Responsible Authority may refer to this Committee concerning the Development Plan, Environmental Management Program and/or subsequent planning permit(s), or matters that the members of the Committee may wish to bring to the attention of the Responsible Authority.

The Environmental Review Committee shall consist of officers from:

- Horsham Rural City Council
- Department of Natural Resources and Environment
- Wimmera Mallee Water
- Department of Business and Industry
- Department of Infrastructure
- Department of Human Services
- Environment Protection Authority, and
- Any other authority, agency or person the Responsible Authority considers necessary. The mine owner must call meetings of the Committee when directed by the Responsible Authority.

2.0

19/01/2006
VC37

Conditions and requirements for permits

All development must generally be in accordance with the Development Plan except for variations approved by the responsible authority.

3.0

19/01/2006
VC37

Requirements for development plan

The Development Plan and Environmental Management Program is to be considered in conjunction with the Working Plan required under the Mining Lease and must show:

- The general location, size, extent and intended use of all mining, processing and associated facilities, buildings, works and development on the land. All fixed plant must be of an environmentally sensitive colour to the satisfaction of the responsible authority;
- Internal access roads, car parking and loading and unloading areas;

- The location of storage and disposal areas for over-burden and tailings;
- Details of water supply and waste water disposal facilities, water recycling facilities and site drainage;
- Details of domestic and non-hazardous waste disposal sites;
- Storage and disposal facilities for fuels and other chemicals;
- The extent of on-site vegetation clearance and any erosion prevention works;
- Work program;
- Hours of operation;
- Dust suppression methods;
- Details of all fencing and landscaping works;
- Rehabilitation proposals for the areas affected by the conduct of mining and processing operations. (These proposals to form part of the working plan and proposal as required under the Mining Lease);
- A fire control plan;
- Monitoring program, and
- Any other matters as determined by the responsible authority.

The Development Plan and Environmental Management Program may be modified at any time provided that such modifications are prepared in consultation with and to the satisfaction of the responsible authority.

Roads and Access

All internal site access roads, car parking, loading and unloading facilities must be located and constructed to the satisfaction of the responsible authority in consultation with the Regional Mining Engineer, Minerals and Petroleum Victoria, Department of Natural Resources and Environment.

Access to any State or National Highway or declared road for the haulage of mineral products must be subject to the prior written agreement of the Roads Corporation. This agreement must include all works associated with intersection treatments of the above roads and any local roads used by the mine owner.

The use of any road under the control of the responsible authority for the haulage of mineral products must be subject to an Agreement between the responsible authority and the mine owner covering the construction and maintenance of such road or roads to a standard as specified by the responsible authority.

Noise, Dust and Amenity

Noise and fumes generated by mining operations must not exceed the permissible levels specified or recommended by the Environment Protection Authority.

Dust resulting from any mining activity is to be controlled to the satisfaction of the responsible authority.

The use and development must not adversely affect the amenity of the locality to an unreasonable extent, as determined by the Responsible Authority, by the emission of vibration, smell, waste-water, waste products, grit, oil or otherwise.

Operational and Administrative

The storage, use and disposal of any chemicals must be to the satisfaction of the Regional Mining Engineer, and must be notified to the responsible authority and Country Fire Authority (Horsham Region).

Disposal of any waste chemicals off site must be referred to the Environment Protection Authority in

accordance with the provisions of the Industrial Waste Strategy.

The ore must be mined by a dry mining technique in accordance with the works program approved by the Department of Natural Resources and Environment.

Tailings, water storage and retention dams must be installed in accordance with the Development Plan.

All tailings and all waters used in the processing of materials, must be retained on site unless either removed for re-use elsewhere or deposited in mined-out areas in a manner approved by the responsible authority, or discharged in accordance with approvals granted by the Environment Protection Authority.

The mine owner must enter into an Agreement with the Responsible Authority under Section 173, and registered under Section 181, of the Planning and Environment Act 1987, to place a notification on the title to the land indicating those areas that have been subject to mining and reclamation activities.

Fire Control

A fire control vehicle must be provided within the Mineral Production Policy Area No. 1 to the satisfaction of the Regional Officer, Region 17, Country Fire Authority.

Erosion Control

All earthworks, vegetation clearance, operation workings, roadworks and stockpile areas must be located and carried out to minimise erosion and to the satisfaction of the responsible authority.

Rehabilitation

Areas within the Mining Policy Area No. 1 must be appropriately rehabilitated to the satisfaction of the Regional Mining Engineer and the responsible authority in accordance with the Development Plan which should aim to achieve a level of effective tree cover (canopy) equivalent to not less than 10% of the disturbed area.

Guidelines for approval

In determining whether the Development Plan and Environmental Management Program or any modification to this plan or the Concept Plan is satisfactory, the responsible authority must have regard to the following:

- the economic significance of the site;
- the existing usage of the site and the likely impact of the proposed operations on the amenity of adjoining and nearby areas;
- the topography of the land and the likely on and off-site environmental impacts of the operations;
- the proposed means of access to the site and its likely impact on the environment and the amenity of adjoining and nearby areas;
- the suitability of the proposed method of operation, including equipment to be used, hours of operation, water, waste and tailings management and the effectiveness of proposed dust, noise and emission controls;
- the extent of vegetation clearance required for site works and road access and the effectiveness of any proposed erosion prevention works;
- the effectiveness of proposed rehabilitation works;
- other approvals required under relevant legislation and comments received from other authorities; and
- any other matters determined by the responsible authority.