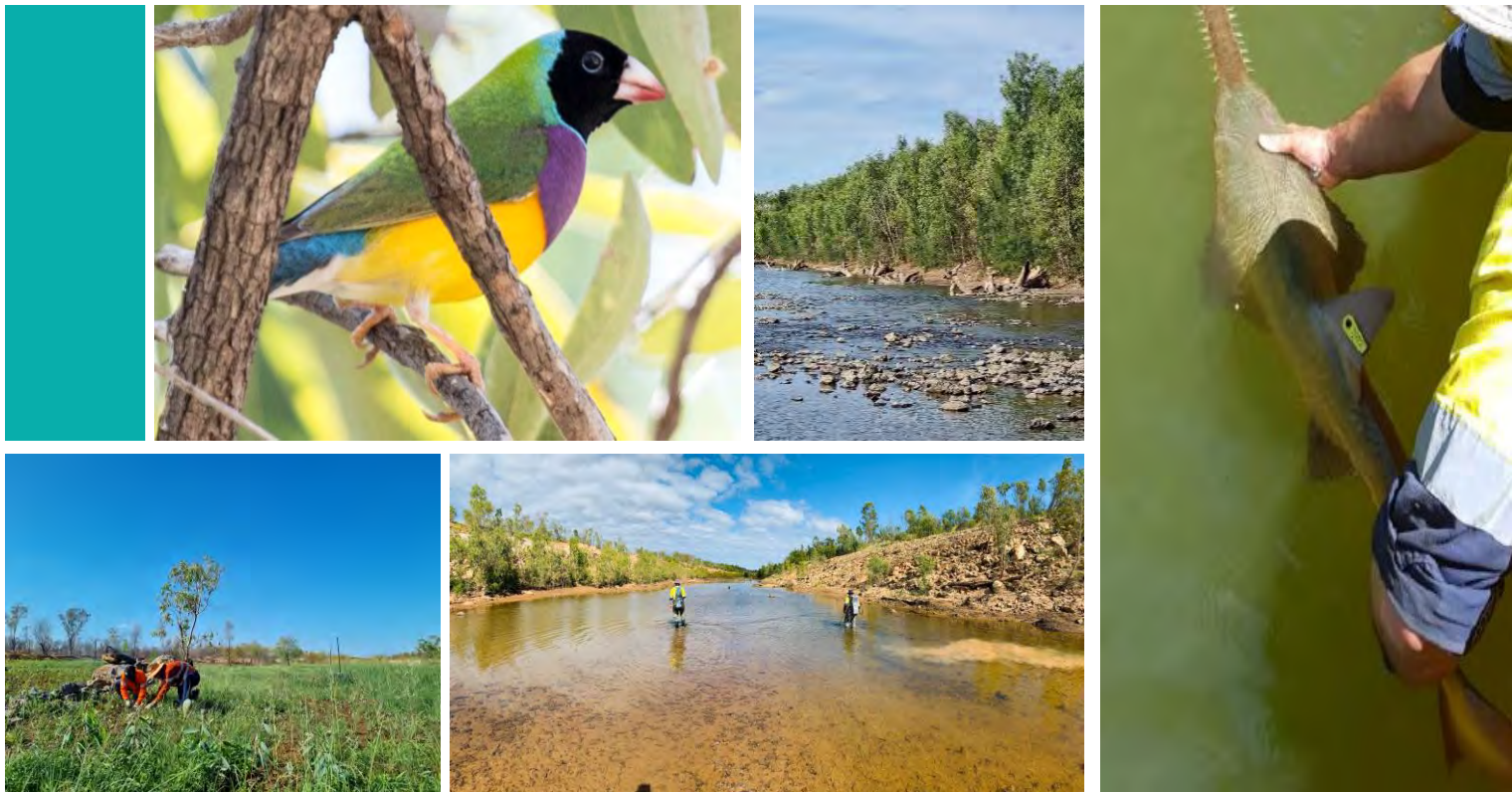


EPBC 2014/7210: Annual Compliance Report

November 2023 to November 2024



# EPBC 2014/7210: Annual Compliance Report

## McArthur River Mine Overburden Management Project

November 2023 to November 2024

McArthur River Mining Pty Ltd

24 January 2025



A GLENORE COMPANY

## Executive Summary

McArthur River Mining Pty Ltd (MRM) obtained approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) on 12 June 2019 for the Overburden Management Project (Approval 2014/7210). EPBC Act Approval 2014/7210 (the Approval) issued to McArthur River Mining Pty Ltd (MRM) in 2019 was subsequently revised on 18 December 2020 and 29 April 2022, with provisions for the protection of species and communities listed as threatened or migratory under the EPBC Act.

The purpose of this Compliance Report is to fulfil the reporting requirements for an Annual Compliance Report under Part B, Condition 7 of the EPBC Act Approval 2014/7210 for the reporting period 13 November 2023 to 12 November 2024. The report has been prepared in accordance with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) *Annual Compliance Report Guidelines 2023*.

The primary objective of the Approval conditions are to minimise potential impacts to the health of the McArthur River, and the health and abundance of listed species under the EPBC Act such as the Gouldian Finch (*Erythrura gouldiae*) and Largetooth Sawfish (*Pristis pristis*). To address these objectives, MRM has developed and implemented an extensive range of approved monitoring programs at the McArthur River Mine (the Mine) and Bing Bong Loading Facility (BBLF) located in the Gulf of Carpentaria.

**THE REPORT FOUND**

- ✓ MRM's operations are **not adversely impacting** the population health or migration of Largetooth Sawfish.
- ✓ The McArthur River and its creeks were in **good health**.
- ✓ MRM continues to achieve **100% compliance** with all of the active conditions of the EPBC Approval.



Largetooth Sawfish (*Pristis pristis*)

A total of 23 conditions of the Approval were active during the reporting period. MRM maintained compliance with all active conditions of the Approval throughout the reporting period and continues to achieve the overarching environmental outcome *that the action does not cause impacts to the McArthur River that reduce the abundance or population health of EPBC Act listed species*.

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Over the 2024 sampling period (early dry and late dry season), six Largemouth Sawfish were captured throughout the survey area, including sites within and upstream of the mineral lease. The presence of juvenile Sawfish upstream of the Mine provides ongoing confirmation that this vulnerable species remains able to navigate the McArthur River Diversion Channel and that activities occurring within the Mineral Leases are not having a measurable negative impact on the Largemouth Sawfish population within the McArthur River.



Results from the early dry and late dry season surveys suggest that the McArthur River catchment is not being adversely influenced by current mining operations. Furthermore, monitoring results indicate that the recovery of the McArthur River Diversion Channel is on a positive trajectory towards that of natural sections of the McArthur River as rehabilitation works progress.

These conclusions have been supported by Dr Dean Thorburn of Indo-Pacific Environmental (IPE) following a review of MRM's environmental performance over the reporting period. An accompanying letter detailing IPE's conclusions is included as an appendix to this report.



McArthur River Mine acknowledges the Gudanji and Yanyuwa people of the Gulf Region, the Traditional Owners of the land on which our mine site and Bing Bong Loading Facility operate. We pay our respects to past, present and emerging elders and thank elders for the knowledge and wisdom they share with our people. We also pay our respects to Garrwa and Marra elders and acknowledge their connection to the country on which we operate.

#### DOCUMENT PROPERTIES

<b>Date</b>	24 January 2025 (Version 1)
<b>Department, Area</b>	Health, Safety, Environment & Community
<b>Prepared by</b>	McArthur River Mining Pty Ltd
<b>EPBC Approval Number</b>	EPBC 2014/7210 (as varied on 29 April 2022)

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# 1 Introduction

## 1.1 Operator Details

McArthur River Mining Pty Ltd (MRM) is a subsidiary of Glencore and is the operator of the McArthur River Mine (the Mine). MRM operations consist of the open pit mine, a concentrator and processing plant, and the Bing Bong Loading Facility (BBLF) in the Gulf of Carpentaria. MRM is the world's largest producer of zinc in bulk concentrate form and zinc concentrate. The majority of concentrate is transported from the Mine to the BBLF by road. From there, it is loaded onto a barge and transported to ships at sea in the Gulf of Carpentaria. Lead concentrate is transported to the Mt Isa mine by road.

### 1.1.1 Project Location

The Mine is located in the Gulf Region of the Northern Territory (NT), approximately 45 kilometres (km) south-west of the township of Borroloola and 715 km south-east of Darwin within five contiguous mineral leases (Mineral Lease Northern [MLN] 1121, MLN 1122, MLN 1123, MLN 1124 and MLN 1125; Figure 1 and Figure 2).

The BBLF is situated within MLN 1126, located at the Bing Bong Port in the Gulf of Carpentaria and on the Bing Bong Pastoral Lease (Figure 3).

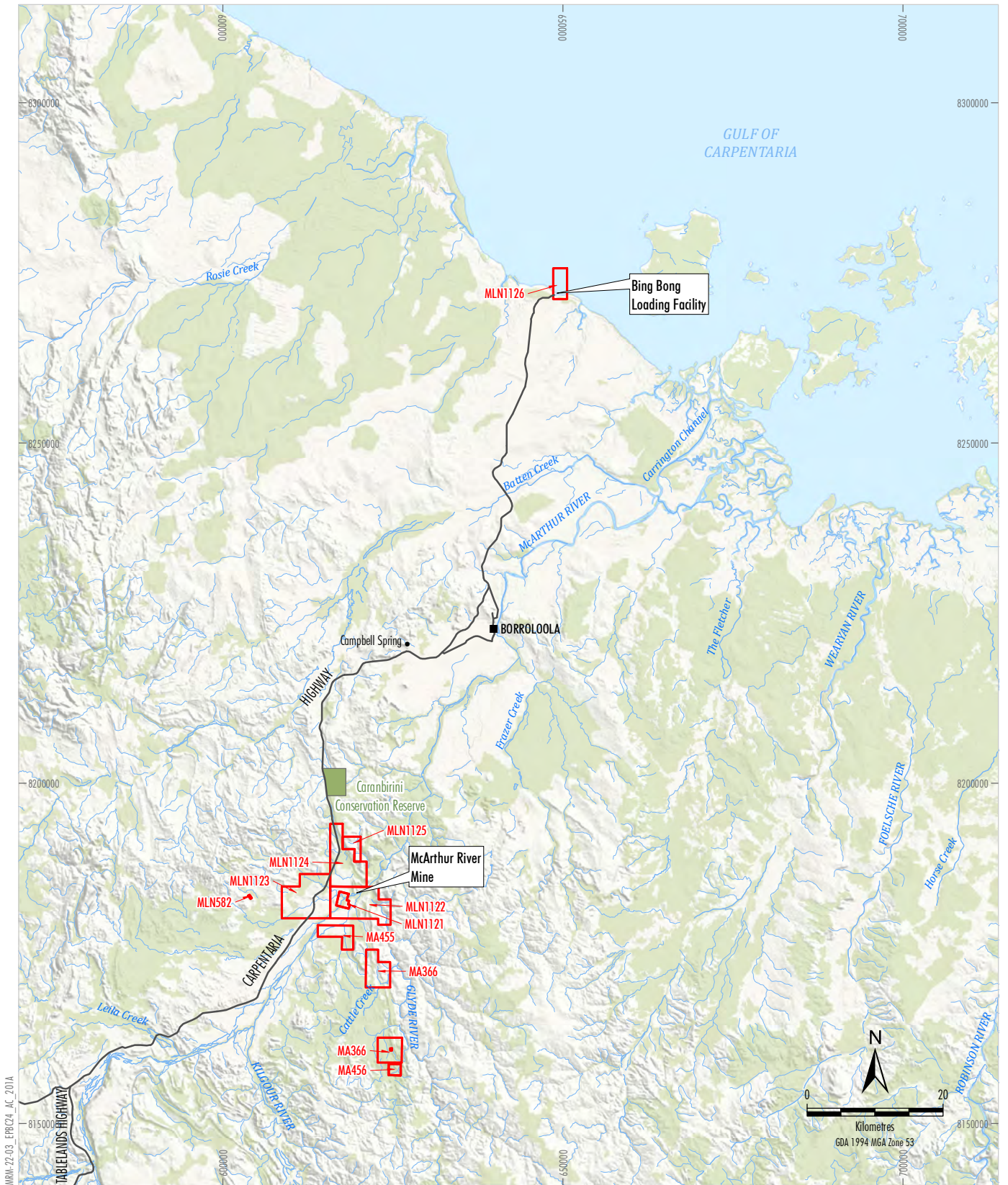
### 1.1.2 History of Development

The Mine is a major open pit operation, mining one of the largest known sedimentary stratiform zinc-lead-silver deposits. The orebodies were discovered in 1955 by Mount Isa Mines Limited. Initial development did not commence until 1975, when a small decline and pilot plant were constructed on-site. Development of MRM's underground operation commenced in 1994, with the first shipment of concentrate commencing in mid-1995.

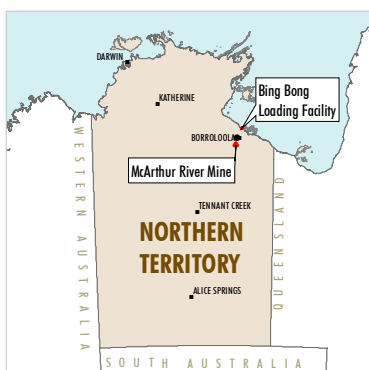
MRM were authorised to construct and operate an open pit lead, zinc and silver mine to replace the closed underground mine on 20 February 2009.

MRM submitted the Overburden Management Project (OMP) Environmental Impact Statement (EIS) in early 2017 and subsequently, a Supplementary OMP EIS in 2018 incorporating amendments to the classification of overburden and resultant modifications to overburden emplacement design, particularly the North Overburden Emplacement Facility (NOEF).

In July 2018, the Northern Territory Environment Protection Authority (NT EPA) completed its assessment of the OMP EIS and issued *Assessment 86 for the McArthur River Mine Overburden Management Project* (Assessment Report 86), recommending the OMP for approval. The OMP was formally authorised and commenced on 13 November 2020.



ANM-22-03 EPBC24 AC 201A



- LEGEND**
- Mineral Lease/Exploration
  - Major Road
  - River/Creek

Source: Geoscience Australia - Topography (2006); Department of Environment and Natural Resources (2016)

**McARTHUR RIVER MINE**  
Regional Locality

**Figure 1**



**LEGEND**  
 Mineral Lease

Source: Department of Environmental and Natural Resources (2016); MRM (2024)  
 Orthophoto: MRM (2024)

McARTHUR RIVER MINE  
 Mine Site

**Figure 2**





LEGEND  
 Mineral Lease

Source: Department of Environment and Natural Resources (2016); MRM (2024)  
 Orthophoto: MRM (2022)

McARTHUR RIVER MINE  
 Bing Bong Loading Facility

Figure 3

### 1.1.3 Operational Activities

Key operational activities undertaken at the Mine include:

- Mining of ore within the Open Pit using excavators, and transport by haul truck to the run-of-mine (ROM) pad for stockpiling.
- Mining of waste rock within the Open Pit using excavators, and transport by haul truck to the NOEF.
- Overburden emplacement facility construction activities to manage waste rock, including compaction and clay capping of waste rock.
- Processing of ore via crushing, heavy/medium separation, grinding, flotation, lead oxidation, dewatering and concentrate handling and storage.
- Thickening of tailings generated by ore processing and piping of tailings for disposal at the Tailings Storage Facility (TSF).
- Construction of embankment lifts at the TSF.
- Transport of product materials by road train along the Carpentaria Highway to the BBLF, where the product is barged offshore for transfer to ocean-going vessels in the Gulf of Carpentaria.
- Other ancillary activities, such as dam construction, flood protection works, rehabilitation and excavation of borrow material for construction activities.

### 1.1.4 Environmental Risk

MRM updated the environmental risk assessment as part of the Mining Management Plan (MMP) submission on 15 March 2024. MRM's latest environmental risk assessment concluded that the risk profile remains consistent with the OMP EIS (i.e. all risks under the MMP were determined to be low or medium based on the assessment matrix). No new environmental risks were identified during the reporting period.

## 1.2 Scope and Purpose

This Annual Compliance Report has been prepared to fulfil the requirements of Part B, Condition 7 of EPBC Act Approval 2014/7210 (the Approval). This report details MRM's compliance with the 36 conditions of the Approval for the annual reporting period, from 13 November 2023 to 12 November 2024. MRM will publish an Annual Compliance Report and notify the Department of Climate Change, Energy, the Environment and Water (the Department) of publication on an annual basis (refer to Table 1).

The report has been prepared in accordance with the Department Annual Compliance Report Guidelines 2023.

## 2 Approval Details

MRM obtained approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 12 June 2019 for the management of non-benign overburden and surface water at the Mine through the reconfiguration of the NOEF known as the Overburden Management Project (OMP).

The Approval issued to MRM in 2019 was subsequently revised on 18 December 2020 and 29 April 2022, with provisions for the protection of species and communities listed as threatened or migratory under the EPBC Act.

The Approval details the relevant controlling provisions to meet the outcome that the proposed action does not cause impact to the McArthur River by reducing the abundance or population health of EPBC Act listed species (i.e. Largetooth Sawfish and Gouldian Finch). Conditions relate to present and future operations at MRM.

**TABLE 1: EPBC 2014/7210 APPROVAL DETAILS**

<b>EPBC Approval Number</b>	2014/7210
<b>Approval holder</b>	McArthur River Mining Pty Ltd (MRM)
<b>ABN / ACN</b>	90 008 167 815 / 008 167 815
<b>Registered Business Address</b>	Level 44, 1 Macquarie Place, Sydney NSW 2000
<b>Postal Address</b>	PO Box 36821, Winnellie NT 0821
<b>Approved Project</b>	Overburden Management Project
<b>Proposed Action</b>	To manage the non-benign overburden and surface water at the McArthur River Mine through the reconfiguration of the Northern Overburden Emplacement Facility, through other Overburden Emplacement Facilities, use of the Tailings Storage Facility or alternative strategies, at the McArthur River Mine, 45 km southwest of Borrooloola, Gulf Region, Northern Territory (See EPBC Act referral 2014/7210).
<b>Approval Date</b>	12 June 2019
<b>Approval Variations</b>	Revised 18 December 2020 and 29 April 2022
<b>Expiry of the Approval</b>	30 January 3019

### Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

<b>Signed</b>	
<b>Full name</b>	Lana Treasure
<b>Position</b>	Manager – Health, Safety and Environment
<b>Organisation (ABN)</b>	McArthur River Mining Pty Ltd (ABN 90 008 167 815)
<b>Date</b>	24 January 2025

### 3 Compliance Summary

Table 2 summarises MRM’s performance against each condition of the Approval. As detailed in Table 2, MRM maintained compliance with all conditions throughout the reporting period.

**TABLE 2: COMPLIANCE WITH CONDITIONS OF EPBC ACT APPROVAL 2014/7210**

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
<b>Part A - Conditions specific to the action</b>				
Original dated 12/06/2019	1	<p>To minimise impacts to <b>EPBC Act listed species</b>, the <b>approval holder</b> must:</p> <p>a. Meet the objective of no impact to the health of the McArthur River as a result of the mine.</p> <p>b. Meet the outcome that the action does not cause impacts to the McArthur River that reduce the <b>abundance or population health</b> of <b>EPBC Act listed species</b>.</p> <p>The conditions below describe how both the objective and outcome are to be achieved by the <b>approval holder</b>, including through the establishment of appropriate methodologies, standards and baselines.</p>	Compliant	<p><b>Ongoing.</b> MRM’s Environmental Management System (EMS) is governed by overarching objectives including <i>“Protect the McArthur River beneficial uses and community values from mining impacts”</i>. The EMS is supported by the monitoring plans and programs that have been implemented in accordance with this approval, which outline appropriate methodologies, standards and baseline values. MRM continues to operate in accordance with its Adaptive Management Plan (AMP) and other environmental management plans required under its NT approvals.</p> <p>During the reporting period, MRM has conducted a number of monitoring programs and assessments to demonstrate compliance with relevant parts (a) and (b) of Condition 1. The relevant programs and assessments concluded that the Mine was not impacting on the health of the McArthur River or the abundance or population of EPBC Act listed species.</p> <p>A summary of findings from the relevant monitoring programs is included below:</p> <ul style="list-style-type: none"> <li>• <b>Annual Environmental Monitoring Report (EMR)</b> – an annual synthesis of monitoring data to assess MRM’s environmental performance.                             <ul style="list-style-type: none"> <li>- During the most recent reporting period (1 May 2023 to 30 April 2024), the annual EMR concluded that MRM’s key environmental objectives are being achieved, including: <i>“protection of the McArthur River beneficial uses and community values from mining impacts”</i> and <i>“Facilitate development of the ecosystems and their functions along the McArthur River Diversion Channel for terrestrial and aquatic flora and fauna.”</i></li> </ul> </li> </ul>

<p>Original dated 12/06/2019</p>	<p>1</p>	<p>(continued)</p>	<p>Compliant</p>	<ul style="list-style-type: none"> <li>• <u>Annual Aquatic Fauna Diversity and Abundance Monitoring Program</u> – a biannual assessment of aquatic fauna diversity and abundance, including the Largetooth Sawfish, upstream and downstream of mining operations.                         <ul style="list-style-type: none"> <li>- The diversity and abundance of aquatic fauna species recorded during the reporting period were consistent with those recorded in past surveys. No significant difference in aquatic fauna assemblages between performance indicating sites and reference sites was detected. This indicates the McArthur River catchment, including the Largetooth Sawfish and other aquatic fauna, is not being adversely impacted by mining operations.</li> <li>- Additionally, in-stream placement of woody debris and the ongoing establishment of riparian vegetation has increased species richness and abundance within the McArthur River Diversion Channel.</li> </ul> </li> <li>• <u>Annual Acoustic Monitoring of Largetooth Sawfish and Barramundi Monitoring Program</u> – an annual assessment of acoustic monitoring data to determine Largetooth Sawfish and Barramundi movement throughout the McArthur River.                         <ul style="list-style-type: none"> <li>- Acoustic monitoring data for the Largetooth Sawfish and Barramundi indicated these migratory species were continuing to successfully navigate the McArthur River Diversion Channel, which provides ongoing confirmation that the life-cycles of these migratory species remains unaffected.</li> <li>- Furthermore, the capture rate for Largetooth Sawfish throughout the McArthur River catchment and upstream of the McArthur River Diversion Channel were within the expected ranges. This demonstrates that the McArthur River Diversion Channel or activities occurring within the mineral lease were not considered to be restricting Largetooth Sawfish movement throughout the McArthur River catchment or having a negative impact on the population or recruitment.</li> </ul> </li> <li>• <u>Gouldian Finch Monitoring and Management</u> – the requirement for the monitoring and management plan under Condition 6 and 7 has not yet been triggered, however work is underway to meet the relevant due date.                         <ul style="list-style-type: none"> <li>- As stated within the NT EPA Northern Territory Assessment Report 86, “the NT EPA considers that the proposed clearing [for the Overburden Project] would not significantly reduce the overall occupancy area of the Gouldian Finch”.</li> <li>- The mitigation measures recommended within the NT EPA Northern Territory Assessment Report 86, such as cattle and weed management, continue to be implemented across the site. As stated within the assessment</li> </ul> </li> </ul>
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Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
				<p>report, should the proposed mitigation measures be adopted, the likelihood of significant residual impact on the Gouldian Finch population is low.</p> <ul style="list-style-type: none"> <li>- Management of Gouldian Finch nesting and foraging habitat continued in accordance with the requirements of Condition 3. Compliance with Condition 3 is summarised in the appropriate section below.</li> </ul> <p>The outcomes of these annual monitoring programs demonstrate that MRM has met the objective and outcome of Condition 1. A letter from Indo-Pacific Environmental supporting this conclusion is provided in Appendix 1.</p>
Original dated 12/06/2019	2	The <b>Minister</b> may determine that a plan, strategy or program approved by the Northern Territory Government satisfies the requirement for a plan, strategy or program required under these conditions.	Not Applicable	No such determination has been made by the Minister over the reporting period.
As varied 18/12/2020	3a	<p>To minimise impacts to <b>EPBC Act listed species</b>, the approval holder must not clear more than 7.1 ha of <b>nesting habitat</b> for the <b>Gouldian Finch</b> in the <b>project footprint</b> as part of this action, and the approval holder must:</p> <p>a. exclude cattle from at least 452 ha of potential <b>foraging habitat</b> for the <b>Gouldian Finch</b>; and</p>	Compliant	<p><b>Ongoing.</b> All approved vegetation clearing is managed through an internal Ground Disturbance Permit process. During this process, Gouldian Finch nesting habitat is identified and (if cleared) recorded in a register to prevent total cleared area to date exceeding the approval limit of 7.1 hectares (ha).</p> <p>During the reporting period, approximately 0 ha of Gouldian Finch nesting habitat was cleared as part of operational development. Since the commencement of the Action, GIS mapping data indicates a total 6.99 ha of Gouldian Finch nesting habitat has been cleared. Clearing extents remain within the 7.1 ha approval limit.</p> <p>In accordance with MRM's Cattle Management Plan, a Cattle Exclusion Zone (CEZ) is maintained around operational areas of the Mine. The CEZ excludes cattle from a minimum 2,600 ha of potential foraging habitat for the Gouldian Finch.</p> <p>Scheduled inspections of the CEZ fence are completed throughout the year to identify breaches or areas requiring repair or maintenance. Cattle musters are conducted periodically, in accordance with the Cattle Management Plan and cattle are removed from the CEZ as soon as practicable.</p>
As varied 18/12/2020	3b	b. establish <b>key food grasses</b> for the <b>Gouldian Finch</b> when rehabilitating the <b>Tailings Storage Facility</b> and <b>Northern Overburden Emplacement Facility</b> .	Not Applicable	<p><b>Condition has not been triggered.</b></p> <p>Rehabilitation of the TSF has not yet commenced, however it is noted that the requirement is included in MRM's Rehabilitation Management Plan for future implementation. Progressive rehabilitation of the NOEF has commenced and will continue in accordance with the Rehabilitation Management Plan.</p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	4	To minimise impacts to <b>EPBC Act listed species</b> , the proposed pit lake, if developed, must remain hydraulically <b>isolated</b> from the McArthur River and its floodplain as there is not sufficient understanding of the potential risks associated with opening the proposed pit lake to the McArthur River. If in the future the pit lake is again proposed to be hydraulically connected to the McArthur River, a referral may be required for a decision to be made by the <b>Minister</b> under the <b>EPBC Act</b> .	Not Applicable	<b>Condition has not been triggered.</b>  The development of a pit lake is a component of MRM's mine closure planning. Considering that current life of mine extends to 2038, MRM is a minimum of 14 years from mine closure and the development of a pit lake.
As varied 29/04/2022	5a	To minimise impacts to <b>EPBC Act listed species</b> , by ensuring that acid and metalliferous drainage from the <b>Northern Overburden Emplacement Facility, Tailings Storage Facility and mine pit</b> does not present an unacceptable risk to the environment, the <b>approval holder</b> must submit the following completed studies to the <b>Department</b> for approval by the <b>Minister</b> :  a. within 18 months of this <b>approval</b> , a study to determine the capacity for attenuation of <b>metals</b> and <b>acid</b> within the groundwater system. This study must estimate the available attenuation capacity and if, and when, this capacity will be exceeded. The study must have particular regard to the groundwater system beneath and impacted by the <b>Northern Overburden Emplacement Facility</b> and must also include other relevant areas of the site including the <b>mine pit</b> and <b>Tailings Storage Facility</b> . The study must include geochemical modelling that examines the effects on metal concentrations of oxidation of sulphur and depletion of buffering capacity. The study must include an assessment of potential management options that could be implemented if the attenuation capacity is exceeded and identify a suitable management option that will be implemented;	Compliant	<b>Complete.</b> The <i>EPBC Condition 5a - Metal Attenuation report 2020</i> study report addressing Condition 5a was provided to the Department on 11 December 2020.
As varied 29/04/2022	5b	b. within 18 months of this <b>approval</b> , a study to identify and characterise any hydraulic connection between the <b>mine pit</b> and the McArthur River. The study must assess how this connectivity could affect water quality in the McArthur River and include an assessment of potential management options to satisfy the requirements of condition 1, including how any material stored within the <b>mine pit</b> should be managed; and	Compliant	<b>Complete.</b> The <i>Open Pit – McArthur River Hydraulic Connections</i> study report addressing Condition 5b was provided to the Department on 11 December 2020.

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
As varied 29/04/2022	5c	<p>c. within 5 years of this <b>approval</b>, a study to determine the long-term (1000 years) stability and performance of the <b>mine pit</b> levee. This study must assess and confirm the stability of the structure in terms of resistance to erosion and must consider the effectiveness of the structure in isolating the <b>mine pit</b> from a 0.1% Annual Exceedance Probability (AEP) event. The study must consider the potential for climate change to increase the magnitude (including the depth of flooding and the velocity of flooding) of a 0.1% AEP event for the <b>life of the project</b>. If the study finds that the <b>current levee</b> may not be effective, the study must be extended to include an assessment of potential management options that could be implemented and identify a management option that will be effective in maintaining the stability and performance of the structure. The report of the study must commit the <b>approval holder</b> to implement the effective option.</p> <p>Upon approval by the <b>Minister</b>, the <b>approval holder</b> must implement any commitments made in an approved study and use the studies to inform the adaptive management plan required by condition 6.</p>	Compliant	<p><b>Complete.</b> The <i>Mine Levee Wall Stability</i> study report addressing Condition 5c was provided to the Department on 12 June 2024.</p> <p>The geotechnical aspects of the Condition 5c study have been addressed through the geotechnical assessment prepared by GHD, while erosion, flooding, hydrologic and hydraulic related aspects have been addressed through the stability and performance review prepared by WRM Water and Environment.</p>
As varied 29/04/2022	6	<p>To minimise impacts to <b>EPBC Act listed species</b> the <b>approval holder</b> must submit an adaptive management plan to the <b>Department</b> for approval by the <b>Minister</b>, within 12 months of the date the study to determine the long-term (1000 years) stability and performance of the <b>mine pit</b> levee required by condition 5(c) is approved by the <b>Minister</b>. The adaptive management plan and its individual component plans must consider all available relevant data (including data from the studies required by condition 5).</p> <p>Upon written request from the <b>Minister</b>, the <b>approval holder</b> must provide the model files for any part of the adaptive management plan for review, either to the <b>Minister</b> or to a third party. The <b>Minister</b> may request revisions to the modelling. If such a revision is requested, the <b>approval holder</b> must revise the modelling and resubmit a report describing the new model run and the results to the <b>Minister</b> within a timeframe specified by the <b>Minister</b> in the written request.</p>	Not Applicable	<p><b>Condition has not yet been triggered.</b> The revised AMP is required within 12 months of the approval of the Condition 5c study above.</p>



Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
		<p>If modelling required under condition 6A(a) and 6A(b) shows impacts to water quality are greater than in modelling previously provided to the <b>Minister</b>, within three months of these results being obtained, the <b>approval holder</b> must revise and submit to the <b>Minister</b> for approval relevant plans including the surface water (condition 6B) and groundwater (condition 6C) monitoring and management plans and the adaptive management plan (condition 6) to include mitigation measures that will reduce impacts to levels that will ensure that site-specific guideline values described in condition 7 are not exceeded. The approved adaptive management plan must be implemented during <b>all stages of the project</b>, including care and maintenance.</p> <p>The adaptive management plan must include:</p> <p>A. general requirements</p> <p>a. a new conceptual water model for the <b>mine project area and surrounds</b> and update the numerical groundwater, surface water quality and particle tracking models. The models must include all the geological, hydrogeological, geophysical and water quality information and data that has been acquired for, and is referred to in, the <b>Environmental Impact Statement</b>;</p> <p>b. an updated groundwater model, which assesses the impact of hydraulic loading on the groundwater system of the <b>Northern Overburden Emplacement Facility (NOEF)</b>;</p> <p>c. reports describing the new and updated models described in condition 6A(a), and 6A(b) and results. The reports must be presented in a form that shows the new results and clearly explains the differences between the results of the updated modelling and the results of modelling presented in the <b>Environmental Impact Statement</b>, and the causes of this difference;</p> <p>d. procedures that ensure that <b>monitoring data</b> is responded to in a timely manner by triggering appropriate actions, responses and changes to planned management and mitigation (i.e. related to water quality objectives and early warning triggers);</p>		

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
		<p>e. procedures that ensure that monitoring plans are regularly reviewed to consider the adequacy of the monitoring locations, frequencies and analytical suite to be measured, and these are improved in a timely manner;</p> <p>f. criteria for monitoring and evaluating the effectiveness of mitigation and management measures and a mechanism for reporting in a timely manner to the <b>Minister</b> when a current adaptive management approach is inadequate and how this will be rectified;</p> <p>g. a commitment to regularly review management options and contingencies (every 2 to 5 years during operations) taking into account recent advances in best practices;</p> <p>h. a commitment to achieve improved water quality and reduced <b>toxicant</b> levels in <b>surface waters</b> within 20 years after the cessation of mining for all monitoring sites for which site-specific guideline values have been developed in accordance with condition 6B(c) for <b>toxicants</b> where baseline levels are above default guideline values; and</p> <p>i. procedures that ensure that water <b>monitoring data</b> is collected for the <b>life of the project</b> including care and maintenance if the project enters this phase. All <b>monitoring data</b> must be provided to the <b>Minister</b> upon request.</p> <p>B. a surface water monitoring and management plan. This plan must:</p> <p>a. clearly identify (including on a map) all proposed water quality monitoring sites and flow gauging locations and, for each, justify the purpose/objective and monitoring frequency and timing. The plan must also specify and justify which sites are appropriate downstream monitoring sites (i.e. downstream of mine impacts) for derivation of site-specific guideline values. Water quality monitoring sites must include:</p> <ul style="list-style-type: none"> <li>i. locations on <b>natural waterways</b> (permanent, ephemeral/intermittent and pools);</li> <li>ii. locations within the <b>mine water management system</b>, including all water stores that can discharge (either controlled or uncontrolled) to the environment;</li> </ul>		

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
		<ul style="list-style-type: none"> <li>iii. <b>locations upstream of any possible mine influence</b> that will be used as control sites;</li> <li>iv. a monitoring location that is upstream of the confluence of the McArthur River and the Glyde River (as locations below the confluence would be diluted by the Glyde River); and</li> <li>v. an additional <b>compliance location</b>, to be located on Emu Creek, that is to be established by 2025 (as at this location and soon after this time, groundwater modelling predicts that sulfate will migrate from the <b>NOEF</b> to the area).</li> </ul> <ul style="list-style-type: none"> <li>b. clearly identify and justify the proposed monitoring frequency, which must be sufficient to capture variability in the system, and locations of monitoring that will be undertaken for <b>all stages of the project</b> (including care and maintenance) and the analyte suite to be measured;</li> <li>c. specify site-specific guideline values for appropriate downstream monitoring sites identified in condition 6B(a). These guideline values must be calculated as specified in condition 7. Guideline values must include, but are not limited to, concentrations of sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium. Default guideline values (as defined in <b>ANZG 2018</b> or a future relevant ANZG) can be used until the studies required under condition 7 have been completed);</li> <li>d. specify early warning trigger values for water quality at appropriate monitoring sites identified in condition 6B(a). These early warning trigger values must allow early identification of when water or sediment quality could be impacted. Early warning trigger values must include, but are not limited to, concentrations of sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium;</li> </ul>		

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		<p>e. include a process for reviewing the data collected (at least every three months during operations including one review at the end of the <b>dry season</b> and one review at the end of the <b>wet season</b> and annually during closure), examining trends in water quality and comparing monitoring data with relevant modelling predictions at all monitoring sites required under condition 6B(a). The plan must detail for each monitoring site a robust statistical method for determining whether observations show a statistically significant difference from predictions. The plan must provide for the method to be applied to all data collected at each monitoring site. If the application of this method shows a statistically significant difference, this must be reported to the <b>Minister</b> in accordance with the timeframes required under Part B - condition 8 and a review of the modelling must be undertaken;</p> <p>f. include a trigger action response plan that clearly identifies timeframes and contingencies to be implemented for exceedance for both the site-specific guideline values required under condition 6B(c) or the early warning trigger values under condition 6B(d). The trigger action response plan must also include commitment(s) to implement contingencies in the event that the available capacity of attenuation of metals and acid within the groundwater system, as determined by the study required under condition 5(a), is exceeded;</p> <p>g. include baseline levels of sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium at appropriate sites identified in condition 6B(a) and justify these levels based on existing or, if data are not available, specify a process for collecting suitable data and defining baseline levels.</p> <p>C. a groundwater monitoring and management plan. This plan must:</p> <p>a. clearly identify all monitoring sites (including on a map) and, for each, justify the purpose/objective and the frequency and timing of monitoring. This must include control sites at <b>locations upstream of any possible mine influence</b>;</p> <p>b. clearly identify the proposed timing and frequency of sampling, what monitoring is applicable to <b>all stages of the project</b> (including care and maintenance) and the analyte suite;</p>		

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
		<p>c. designate some of the monitoring sites identified in condition 6C(a) as appropriate sites for derivation of site-specific guideline values and justify this selection. The plan must specify site-specific guideline values for all of these appropriate monitoring sites. These guideline values must be calculated as specified in condition 7. Guideline values must include, but are not limited to, concentrations of sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium. Default guideline values (as defined in <b>ANZG 2018</b> or the subsequent currently official Australian Guideline for Fresh and Marine Water Quality) can be used until the studies required under condition 7 have been completed;</p> <p>d. specify site specific early warning trigger values for water quality at appropriate monitoring sites as required under condition 6C(c). These early warning trigger values must allow early identification of when water quality could be impacted. Early warning trigger values must include but are not limited to concentrations for sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium;</p> <p>e. include a process for reviewing the data collected (at least six-monthly during operations including one review at the end of the <b>dry season</b> and one review at the end of the <b>wet season</b> and annually during closure), examining trends in water quality and comparing monitored data with relevant modelling predictions at all monitoring locations. The plan must detail for each monitoring site a robust statistical method for determining whether observations show a statistically significant difference to predictions. The plan must provide for the method to be applied to all data collected at each monitoring site. If the application of this method shows a statistically significant difference, this must be reported to the <b>Minister</b> in accordance with the timeframes required under Part B condition 8 and a review of the modelling must be undertaken;</p> <p>f. include a trigger action response plan with clearly identified timeframes and contingencies to be implemented for exceedances of either the site-specific guideline values in condition 6C(c) or the early warning trigger values in condition 6C(d);</p>		

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		<p>g. include locations for additional paired monitoring bores located to the southwest of <b>Barramundi Dreaming</b> and a paired monitoring bore with an associated surface water monitoring location on <b>Emu Creek</b> north of <b>Barramundi Dreaming</b>. Potential impacts arising from hydraulic loading and other groundwater flow changes, including surface and groundwater quality changes, from the <b>Northern Overburden Emplacement Facility</b> must be monitored. These monitoring sites are additional to the monitoring sites required by condition 6C(a); and</p> <p>h. include a definition of <b>baseline</b> water quality that includes concentrations of sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium at appropriate sites identified in condition 6C(a). These concentrations must be justified based on existing data. If data are not available, the plan must specify a process for collecting suitable data and defining baseline water quality within 12 months.</p> <p>D. a sediment monitoring and management plan. This plan must:</p> <p>a. clearly identify (including on a map) all monitoring sites and, for each, justify the objective/purpose and the frequency and timing of monitoring. This must include:</p> <ul style="list-style-type: none"> <li>i. control sites at <b>locations upstream of any possible mine influence</b>;</li> <li>ii. monitoring sites in areas where elevated lead and zinc levels have already been identified; and</li> <li>iii. monitoring sites in soils and sediments around the <b>Tailings Storage Facility</b>, the <b>Northern Overburden Emplacement Facility</b>, the <b>mine pit</b> and within surface water features including the McArthur River and its diversion, <b>Surprise Creek</b>, <b>Barney Creek</b> and its diversion and <b>Emu Creek</b>.</li> </ul> <p>b. clearly specify the frequency and timing of sampling for <b>all stages of the project</b> (including care and maintenance) and the analyte suite;</p>		

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
		<p>c. include site-specific guideline values for appropriate monitoring sites identified as required under condition 6D(a). These values must be calculated as required in condition 7. Guideline values must include, but are not limited to, concentrations of sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium. Interim values can be used until the studies required under condition 7 have been completed;</p> <p>d. include a process for reviewing the data collected, examining trends in water quality and comparing monitored data with relevant modelling predictions at all monitoring sites identified as required under condition 6D(a). A statistically robust criteria for determining if observations are significantly different to predictions must be determined for each monitoring site. If any of these criteria are exceeded this must be reported to the <b>Minister</b> in accordance with the timeframes specified in Part B condition 8 and a review of the modelling undertaken;</p> <p>e. include a trigger action response plan with clearly identified timeframes and contingencies to be implemented for exceedances of either the site-specific guideline values required under condition 6D(c) or the early warning trigger values required under condition 6D(d); and</p> <p>f. include a plan for monitoring and managing the impacts of lead rich dust on the <b>Gouldian Finch</b>. The plan must include a commitment to monitor the composition and density of <b>key food grasses</b> for the <b>Gouldian Finch</b> in the <b>project footprint</b> and manage the impacts of lead and zinc on <b>foraging habitat</b> and <b>nesting habitat</b> for the <b>Gouldian Finch</b>.</p> <p>E. a synthesis of all environmental monitoring and management plans required under conditions 6B, 6C and 6D that describes the interconnections between these plans. This synthesis must identify:</p> <p>a. how all monitoring data collected under the various environmental monitoring and management plans will be considered in order to assess the effectiveness of the mitigation, management and contingency measures; and</p>		

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		b. how all monitoring data collected under the various environmental monitoring and management plans will be integrated to identify trends in water quality and inform the adaptive management plan in condition 6.		
As varied 18/12/2020	7	<p>To minimise impacts to <b>EPBC Act listed species</b>, the site-specific guideline values required under conditions 6B, 6C and 6D must be developed in accordance with <b>ANZG (2018)</b> (or a future relevant ANZG) by a <b>suitably qualified person</b>.</p> <p>A. Guideline values must:</p> <p>a. include values for the following toxicants and physico-chemical parameters as a minimum:</p> <ul style="list-style-type: none"> <li>i. <b>Toxicants:</b> for all surface water, ground water and sediment monitoring sites: sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium.</li> <li>ii. Physico-chemical parameters: For all surface water, ground water and sediment monitoring sites: pH and electrical conductivity. Where relevant, values should also be adjusted for water hardness, measured as milliequivalents per litre</li> </ul> <p>b. include parameters capable of detecting potential threats to terrestrial and aquatic species, determined from a food web of the terrestrial and aquatic areas that are relevant to <b>EPBC Act listed species</b>. This food web must inform the likely bioaccumulation rates and risks of <b>metals</b> to <b>EPBC Act listed species</b>; and</p> <p>c. be developed to address possible risks to <b>EPBC Act listed species</b>, including the <b>Gouldian Finch</b> and the <b>Large-tooth Sawfish</b>.</p> <p>B. The <b>approval holder</b> must:</p> <p>a. ensure that 95% of samples of water and sediment quality do not exceed site-specific guideline values at monitoring sites determined in accordance with conditions 6B, 6C and 6D; and</p> <p>b. ensure that 95% of sediment samples (measured in accordance with condition 6D) do not exceed site-specific guideline values at monitoring sites that address mine-related impacts for the following metals: sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium within four years of the date of <b>approval</b> and at all</p>	Not Applicable	Condition has not yet been triggered.



Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
		<p>monitoring events for the <b>life of the project</b> thereafter. The site-specific guideline values for sediments must be developed from a source approved by the <b>Minister</b>.</p>		
<p><b>Original dated 12/06/2019</b></p>	<p>8</p>	<p>To minimise impacts to <b>EPBC Act listed species</b>, within 12 months of the date of <b>approval</b> the <b>approval holder</b> must develop and implement standard operating procedures for the collection and processing of all surface water, groundwater, soil, and sediment samples required under conditions 6B, 6C and 6D. The standard operating procedures must:</p> <ol style="list-style-type: none"> <li>a. prescribe all collection, handling and sample processing steps to be undertaken prior to samples being delivered to a suitable qualified laboratory for analysis. This includes explicit instructions for cleaning of sampling and processing equipment;</li> <li>b. prescribe quality assurance and quality control procedures in the field and laboratory. This must include, but is not limited to, collection and analysis of field and laboratory duplicate and blank samples;</li> <li>c. include a program for reviewing the standard operating procedures. This will include regular auditing, quality control and quality assurance procedures to ensure that the standard operating procedures are being correctly implemented and are effective; and</li> <li>d. be submitted to the <b>Minister</b> for approval at least three months prior to the proposed date of commencement of surface water, groundwater and sediment sampling required under conditions 6B, 6C and 6D.</li> </ol>	<p>Compliant</p>	<p><b>Partially complete.</b> MRM has developed and is implementing standard operating procedures for the collection and processing of surface water, groundwater, soil, and sediment samples at the Mine and BBLF.</p> <p>These procedures were finalised in May 2020 in accordance with the condition and were uploaded to MRM's intranet site on this date.</p> <p>MRM will continue to review and refine these procedures as the monitoring programs required under Conditions 6B, 6C and 6D are developed, and will submit the procedures to the Minister three months prior to the commencement of the monitoring programs.</p>
<p><b>Original dated 12/06/2019</b></p>	<p>9</p>	<p>If the <b>Minister</b> concludes from the results of the study required by Condition 5a that buffering capacity of the groundwater system is insufficient to enable the <b>approval holder</b> to meet the outcomes of condition 1, the <b>approval holder</b> must submit a plan for approval by the <b>Minister</b> the implementation of which will prevent any increase in water contamination by <b>metals</b> in the McArthur River arising from the project. If the <b>Minister</b> or the <b>approval holder</b> determines that sufficient mitigation is not possible then the <b>approval holder</b> must submit within 2 years a <b>plan</b> that will ensure that the outcomes of condition 1 are met by the <b>approval holder</b>. The approved plan must be implemented.</p>	<p>Not Applicable</p>	<p><b>Condition has not been triggered.</b></p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
As varied 29/04/2022	10a	<p>To minimise impacts to <b>EPBC Act listed species</b>, by ensuring protection of the environment from potential contamination and failure of the proposed <b>Northern Overburden Emplacement Facility</b> the <b>approval holder</b> must:</p> <p>a. within 4 years of the date of this <b>approval</b>, develop a geotechnical plan for the <b>Northern Overburden Emplacement Facility</b>. The plan must include measures to limit erosion (including cavitation), supported by erosion modelling. The plan must be written by a geotechnical engineer. The plan must be completed to the satisfaction of the <b>Department</b> and submitted to the <b>Department</b> for the <b>Minister's</b> approval. The <b>approval holder</b> must not change the structure of the <b>Northern Overburden Emplacement Facility</b> unless a revised version of the geotechnical plan for the <b>Northern Overburden Emplacement Facility</b> that addresses the proposed change is approved by the <b>Minister</b>. The approved plan must be implemented;</p>	Compliant	<p><b>Complete.</b> The <i>Geotechnical Management Plan</i> required under Condition 10a was provided to the Department on 12 June 2023.</p>

<p><b>As varied 29/04/2022</b></p>	<p>10b</p>	<p>To minimise impacts to <b>EPBC Act listed species</b>, by ensuring protection of the environment from potential contamination and failure of the proposed <b>Northern Overburden Emplacement Facility</b> the <b>approval holder</b> must:</p> <p>b. within 4 years of the date of this <b>approval</b>, develop and submit to the <b>Department</b> for approval by the <b>Minister</b>, a geosynthetic liner testing plan. The plan must be developed by an expert with at least 5 years relevant experience. The plan must outline a process to test the effectiveness of geosynthetic liner cover options for the <b>Northern Overburden Emplacement Facility</b>, including a geosynthetic liner /compacted clay layer combination. The testing must be designed to demonstrate the performance of the geosynthetic liner over the long term (1000 years). This must include accelerated aging testing. Testing must also be performed on rehabilitated areas of the <b>Northern Overburden Emplacement Facility</b>. All relevant performance parameters must be monitored, including:</p> <ul style="list-style-type: none"> <li>i. slope stability during extreme events;</li> <li>ii. cover performance as a result of heat effects;</li> <li>iii. cover performance if erosion exposes the liner at the surface, including the effects of (acidic tropical) rainfall and sunlight;</li> <li>iv. effects of plant, including tree, roots on the integrity of the cover;</li> <li>v. resistance of the cover to burrowing animals;</li> <li>vi. tolerance of the geosynthetic liner to expected differential settlement;</li> <li>vii. veracity of cover longevity predictions;</li> <li>viii. likely long-term maintenance requirements; and</li> <li>ix. tolerance of the geosynthetic liner for the chemistry of water to which it may be exposed. This must include acidic leachate from unneutralised acidic drainage.</li> </ul> <p>The approved plan must be implemented within 5 years of the date of this <b>approval</b>. The <b>approval holder</b> must report results of all tests and monitoring to the <b>Minister</b> every three years.</p>	<p>Compliant</p>	<p><b>Complete.</b> The <i>Geosynthetic Liner Testing Plan</i> required under Condition 10b was provided to the Department on 12 June 2023.</p>
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Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
As varied 29/04/2022	10c	<p>To minimise impacts to <b>EPBC Act listed species</b>, by ensuring protection of the environment from potential contamination and failure of the proposed <b>Northern Overburden Emplacement Facility</b> the <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>c. If requested by the <b>Department</b>, develop a plan which details what other mitigation measures can be implemented if the <b>geosynthetic liner option</b> for the <b>Northern Overburden Emplacement Facility</b> proves unsuccessful. The plan must be submitted to the <b>Minister</b> for approval within one year of the date of this request. The approved plan must be implemented.                             <ul style="list-style-type: none"> <li>i. If other mitigation measures are not demonstrated to be effective to the satisfaction of the <b>Minister</b>, then the <b>approval holder</b> must submit a variation to its current <b>mining management plan</b> that allows all mine derived wastes to be stored in the <b>mine pit</b> within 6 months of the geosynthetic liner option being proven to be unsuccessful. The varied approved plan must be implemented.</li> <li>ii. The <b>approval holder</b> must not store mine derived wastes in the mine pit unless the <b>Minister</b> has approved new surface water and ground water models not based on rapid filling of the pit lake and ground water level recovery.</li> </ul> </li> </ul>	Not Applicable	Condition has not been triggered.
Original dated 12/06/2019	11	To minimise impacts to <b>EPBC Act listed species</b> , in areas where the <b>Northern Overburden Emplacement Facility</b> is to be expanded as part of this action the basal layer of the <b>Northern Overburden Emplacement Facility</b> foundation must be constructed with a maximum saturated hydraulic conductivity of $10^{-9}$ metres per second to limit seepage to groundwater.	Compliant	<p><b>Ongoing.</b> The NOEF is constructed in accordance with MRM's NOEF Management Plan, which specifies that the foundation of the NOEF must be constructed with a maximum saturated hydraulic conductivity of <math>10^{-9}</math> metres per second.</p> <p>In accordance with NT regulatory requirements, detailed design reports for the construction of each stage of the NOEF are provided to MRM's Independent Certifying Engineer (ICE) for review and endorsement, prior to commencing construction works. The detailed designs outline the construction requirements for each stage, including the maximum hydraulic conductivity of the basal compacted clay liner (CCL).</p> <p>During the construction phase for the basal CCL, push tube samples are collected and analysed for hydraulic conductivity. Results are provided to the ICE for review and confirmation and are provided in the 'as-constructed reports' completed for each stage.</p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
As varied 29/04/2022	12	<p>Within 12 months of the date of the <b>approval</b> the <b>approval holder</b> must submit to the <b>Minister</b> a report that includes:</p> <ul style="list-style-type: none"> <li>a. the results of further detailed design studies for the groundwater interception scheme to be implemented adjacent the <b>Northern Overburden Emplacement Facility</b>;</li> <li>b. the results of further studies undertaken to characterise any preferential flow paths that may exist in the geological formations through which contaminated water is modelled to flow that contain dolomite rock, including an analysis of how any flow paths could reduce the effectiveness of the interception scheme;</li> <li>c. the components of the proposed interception scheme and a plan for implementing the scheme within 2 years of the date of the <b>approval</b>;</li> <li>d. a detailed plan for the operation and monitoring of the interception scheme for the <b>life of the project</b> including during any care and maintenance. This plan must clearly detail how monitoring will demonstrate effectiveness of the interception scheme; and</li> <li>e. the predicted improvements to water quality expected as a result of implementing the interception scheme.</li> </ul> <p>The reviewed report, following approval by the <b>Minister</b>, must be used to inform the adaptive management plan required by condition 6 and the geotechnical plan for the <b>Northern Overburden Emplacement Facility</b> required by condition 10.</p>	Compliant	<p><b>Complete.</b> The <i>NOEF Interception Scheme Report</i> required under Condition 12 was provided to the Department on 12 June 2020.</p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	13	<p>Within five years of the date of the <b>approval</b> the <b>approval holder</b> must submit a management plan for the management of the <b>Tailings Storage Facility</b> after mining ceases to the <b>Department</b> for approval by the <b>Minister</b>. This plan must include:</p> <ul style="list-style-type: none"> <li>a. a commitment to reprocess all material within the <b>Tailings Storage Facility</b> within 15 years of the end of mining;</li> <li>b. a commitment to undertake geochemical analysis of the material (including bore water) within 50 m of the <b>Tailings Storage Facility</b> footprint. The plan will determine disposal options for contaminated materials commensurate with the type and level of contamination, including disposal within the <b>mine pit</b>; and</li> <li>c. a program for geochemical analysis of the reprocessed waste material to identify the level and type of contamination that would likely impact on meeting the requirements of condition 1(b). The plan must include, but may not be limited to, the option of encapsulating waste material before deposition within the <b>mine pit</b>.</li> </ul> <p>The approved management plan must be implemented.</p>	Compliant	<p><b>Complete.</b> The <i>Long-Term Tailings Management Plan</i> required under Condition 13 was provided to the Department on 12 June 2024.</p> <p>MRM received approval of the plan from the Department on 9 December 2024. MRM is in progress of implementing the plan.</p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
As varied 18/12/2020	14	<p>Within 24 months of the date of the <b>approval</b> the <b>approval holder</b> must submit an aquatic ecology monitoring and management plan to the <b>Department</b> for approval by the <b>Minister</b>. The plan must:</p> <ul style="list-style-type: none"> <li>a. clearly identify the locations of all monitoring sites (including providing a map) and for each monitoring site specify the frequency, timing and types of monitoring that will be undertaken and its purpose/objectives. This must include control sites at <b>locations upstream of any possible mine influence</b>;</li> <li>b. include modelling of the extent and duration of drawdown on <b>refuge pools</b> in the dry season during operations;</li> <li>c. include monitoring of <b>refuge pools</b> including for water quality and water level;</li> <li>d. include a plan to monitor the health of the <b>surface waters</b>;</li> <li>e. include a non-lethal monitoring program to measure the presence and abundance of <b>Largetooth Sawfish</b>;</li> <li>f. develop the triggers and corrective actions that will be implemented in the event that the monitoring required under condition 14c indicates that drawdown of refuge pools may impact on the <b>Largetooth Sawfish</b> and its habitat;</li> <li>g. identify where supplementary water will be sourced, how sourced water will match the <b>baseline</b> water quality determined by implementing the requirements of condition 8, and describe a process for quality control if the corrective actions identified in condition 14f include supplementary watering of <b>refuge pools</b>; and</li> <li>h. demonstrate how the translocation is consistent with the <b>Department's EPBC Act Policy Statement on Translocation of Listed Threatened Species</b> if the corrective actions required under 14f include translocation of the <b>Largetooth Sawfish</b>.</li> </ul> <p>The approved aquatic ecology monitoring and management plan must be implemented.</p>	Compliant	<p><b>Complete.</b> The <i>Aquatic Ecology Management Plan</i> (AEMP) was submitted to the Department on 12 June 2021. Independent Experts Professor Barry Noller, Dr Kalman Benedeck and Associate Professor David Morgan were endorsed by the Department on 24 January 2023.</p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
As varied 18/12/2020	15	To minimise the impact of <b>weeds on foraging habitat and nesting habitat</b> for the <b>Gouldian Finch</b> in the <b>project footprint</b> , the <b>approval holder</b> must implement the weed management plan provided to the <b>Department</b> as Appendix S of the Supplement to the <b>Environmental Impact Statement</b> from the <b>commencement of the action</b> .	Compliant	<p><b>Ongoing.</b> MRM's Weed Management Plan provided in Appendix S of the Supplement EIS describes the integrated weed management strategy implemented at the Mine, in order to comply with the NT <i>Weed Management Act 2013</i> (the WM Act) and other approval requirements.</p> <p>The Weed Management Plan addresses MRM's obligations and is consistent with the surrounding land user's strategy. The plan will be reviewed to incorporate changes such as weeds declared under the WM Act, weeds removed from the declared list under the WM Act, or changes of weed class declaration are considered as part of this review process. Furthermore, local conditions are considered, including the review of the previous years weed control activities, potential new outbreaks as identified by MRM, McArthur River Station or the Department of Environment, Parks and Water Security.</p>
As varied 29/04/2022	16	<p>All <b>plans</b> required under this approval to be submitted for approval by the <b>Minister</b> must:</p> <p>a. include:</p> <ul style="list-style-type: none"> <li>i. an <b>independent expert</b> review that has been conducted according to terms of reference agreed by the <b>Department</b> in writing; and</li> <li>ii. contain advice on how the <b>independent expert</b> review findings have been addressed in the submitted <b>plans</b>.</li> </ul> <p>b. address findings of the <b>independent expert</b> review to the satisfaction of the <b>Minister</b>.</p>	Compliant	<p><b>In Progress.</b> Terms of Reference for the Independent Expert review of management plans required under Condition 16 were accepted by the Department on 24 January 2023.</p> <p>Independent reviewers have been endorsed for reports and plans required under Conditions 5a, 5b, 5c, 6, 10a, 10b, 12, 13 and 14. The independent review process is currently underway for reports and plans required under Conditions 5a, 5b, 5c, 10a, 10b, 12 and 14.</p> <p>The independent review process has been completed for the plan required under Condition 13.</p>
<b>Part B - Standard administrative conditions</b>				
Original dated 12/06/2019	1	The <b>approval holder</b> must notify the <b>Department</b> in writing of the date of <b>commencement of the action</b> within <b>10 business days</b> after the date of <b>commencement of the action</b> .	Compliant	<p><b>Complete.</b> MRM received approval of the OMP under the NT <i>Mining Management Act 2001</i> on 13 November 2020. The OMP commencement under the EPBC Act occurred on 13 November 2020.</p> <p>Please refer to correspondence 'Commencement of Action – McArthur River Mine Overburden Management Project, Gulf Region, NT (EPBC 2014/7210)' provided to the Department on 17 November 2020 for more information.</p>
Original dated 12/06/2019	2	If the <b>commencement of the action</b> does not occur within 5 years from the date of this approval, then the <b>approval holder</b> must not <b>commence the action</b> without the prior written agreement of the <b>Minister</b> .	Not Applicable	MRM received approval of the OMP under the NT <i>Mining Management Act 2001</i> on 13 November 2020. The OMP commencement under the EPBC Act occurred on 13 November 2020.



Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	3	The <b>approval holder</b> must maintain accurate and complete <b>compliance records</b> .	Compliant	<b>Ongoing.</b> MRM maintains an online Environmental Obligations Register that enables action assignment, tracking and recording of compliance against the full list of conditions for MRM's various environmental approvals.
Original dated 12/06/2019	4	If the <b>Department</b> makes a request in writing, the <b>approval holder</b> must provide electronic copies of <b>compliance records</b> to the <b>Department</b> within the timeframe specified in the request.  <b>Note: Compliance records</b> may be subject to audit by the <b>Department</b> or an independent auditor in accordance with section 458 of the <b>EPBC Act</b> , and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the <b>Department's</b> website or through the general media.	Not Applicable	<b>Condition not triggered.</b> No requests for compliance records were made during the audit period.
Original dated 12/06/2019	5	The <b>approval holder</b> must: a. submit <b>plans</b> electronically to the <b>Department</b> for approval by the <b>Minister</b> ; b. publish each <b>plan</b> on the <b>website</b> within 20 <b>business days</b> of the date the plan is approved by the <b>Minister</b> or of the date a revised action management plan is submitted to the <b>Minister</b> , unless otherwise agreed to in writing by the <b>Minister</b> ; c. exclude or redact <b>sensitive data</b> or information from <b>plans</b> published on the <b>website</b> or provided to a member of the public; and d. keep <b>plans</b> published on the <b>website</b> until the end date of this approval.	Compliant	<b>Ongoing.</b> The following plans have been approved by the Minister, and subsequently published to the website within 20 business days: <ul style="list-style-type: none"> <li>▪ The <b>Long-term Tailings Management Plan</b> required under Condition 13.</li> </ul> The following plans have been submitted to the Department, and are pending approval by the Minister: <ul style="list-style-type: none"> <li>▪ The <b>Geotechnical Management Plan</b> required under Condition 10a</li> <li>▪ The <b>Geosynthetic Liner Testing Plan</b> required under Condition 10b</li> <li>▪ The <b>Aquatic Ecology Management Plan</b> required under Condition 14.</li> </ul> The plans will be published following approval by the Department.
Original dated 12/06/2019	6	The <b>approval holder</b> must ensure that any <b>monitoring data</b> (including <b>sensitive data</b> or information), surveys, maps, and other spatial and metadata required under the conditions of this <b>approval</b> , is prepared in accordance with the <b>Department's Guidelines for biological survey and mapped data</b> (2018) and submitted electronically to the <b>Department</b> in accordance with the requirements of conditions.	Compliant	<b>Ongoing.</b> MRM will continue to prepare and electronically submit monitoring information and data in accordance with this and other relevant conditions.

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	7	<p>The <b>approval holder</b> must prepare a <b>compliance report</b> for each 12 month period following the date of <b>commencement of the action</b>, or as otherwise agreed to in writing by the <b>Minister</b>. The <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>a. publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the relevant 12 month period and remain published for the <b>life of the project</b>;</li> <li>b. notify the <b>Department</b> by email that a <b>compliance report</b> has been published on the <b>website</b> within five <b>business days</b> of the date of publication;</li> <li>c. keep all <b>compliance reports</b> publicly available on the <b>website</b> until this approval expires;</li> <li>d. exclude or redact <b>sensitive data</b> or information from <b>compliance reports</b> published on the <b>website</b>; and</li> <li>e. where any <b>sensitive data</b> or information has been excluded from the version published, submit the full <b>compliance report</b> to the <b>Department</b> within 5 <b>business days</b> of publication.</li> <li>f. include monitoring information for the relevant period in accordance with Part B condition 6. The proponent must also submit to the <b>Minister</b> all <b>monitoring data</b> (in spreadsheet format) for the relevant period in accordance with Part B Condition 6 to accompany the <b>compliance report</b>.</li> </ul> <p>Note: <b>Compliance reports</b> may be published on the <b>Department's</b> website. The first <b>compliance report</b> may report a period less than 12 months so that it and subsequent compliance reports aligns with the similar requirement under state approval.</p>	Compliant	<p><b>Ongoing.</b> MRM published the Annual Compliance Report for the 2022-2023 reporting period on 8 February 2024 and notified the department by email of the publication on 15 February 2024 in accordance with Part A and B of Condition 7. The report was prepared in-line with the DCCEEW Annual Report Guidelines (2023) and covered the 12 month reporting period of 13 November 2022 to 12 November 2023.</p> <p>MRM will continue to publish future Annual Compliance Reports in accordance with this condition.</p>
Original dated 12/06/2019	8	<p>The <b>approval holder</b> must notify the <b>Department</b> in writing of any: <b>incident</b>; non-compliance with the conditions; or non-compliance with the commitments made in <b>plans</b>. The notification must be given as soon as practicable, and no later than two <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> <li>a. the condition which is or may be in breach; and</li> <li>b. a short description of the incident and/or non-compliance.</li> </ul>	Not Applicable	<p><b>Condition has not been triggered.</b> No relevant incidents or non-compliances have occurred within the reporting period.</p>

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	9	<p>The <b>approval holder</b> must provide to the <b>Department</b> the details of any <b>incident</b> or non-compliance with the conditions or commitments made in <b>plans</b> as soon as practicable and no later than <b>10 business days</b> after becoming aware of the <b>incident</b> or non-compliance, specifying:</p> <ul style="list-style-type: none"> <li>a. any corrective action or investigation which the <b>approval holder</b> has already taken or intends to take in the immediate future;</li> <li>b. the potential impacts of the <b>incident</b> or non-compliance; and</li> <li>c. the method and timing of any remedial action that will be undertaken by the <b>approval holder</b>.</li> </ul>	Not Applicable	<b>Condition has not been triggered.</b>
Original dated 12/06/2019	10	The <b>approval holder</b> must ensure that <b>independent audits</b> of compliance with the conditions are conducted for the 12 month period from the <b>commencement of the action</b> , and subsequently as requested in writing by the <b>Minister</b> .	Compliant	<p><b>Complete.</b> The Independent Audit Report prepared by accredited auditor Ken Holmes of Barnett &amp; May, was submitted electronically to the Department on 21 October 2022. The Audit Period set by the Auditor covered the period 13 November 2020 to 12 November 2021.</p> <p>No requests for future reports have been received from the Minister.</p>
Original dated 12/06/2019	11	<p>For each <b>independent audit</b>, the <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the <b>Department</b>;</li> <li>b. only commence the <b>independent audit</b> once the audit criteria have been approved in writing by the <b>Department</b>; and</li> <li>c. submit an audit report to the <b>Department</b> within the timeframe specified in the approved audit criteria.</li> </ul>	Compliant	<p><b>Complete.</b></p> <ul style="list-style-type: none"> <li>a. MRM provided the name and qualifications of the independent auditor to the Department on 5 November 2021 via the correspondence "MRM   EPBC 2014/7210 – Independent Auditor Endorsement". The Department subsequently endorsed Ken Holmes to undertake the audit via correspondence received on 1 December 2021. The draft audit criteria were then prepared by the approved auditor (as per the then Department of the Environment and Energy's 2019 Independent Audit and Audit Report Guidelines and was provided to the Department for endorsement on 21 April 2022.</li> <li>b. The Department approved the Audit Criteria on 22 April 2022. The independent audit commenced on 27 April 2022.</li> <li>c. The Independent Audit Report was submitted to the Department on 21 October 2022, within the timeframe specified in the approved audit criteria.</li> </ul>
Original dated 12/06/2019	12	The <b>approval holder</b> must publish the audit report on the <b>website</b> within <b>10 business days</b> of receiving the <b>Department's</b> approval of the audit report and keep the audit report published on the <b>website</b> until the end date of this approval.	Compliant	<b>In progress.</b> The audit report submitted in accordance with Condition 11 is under review by the Department. MRM will publish the Independent Audit Report on its website within 10 business days of receiving the Department's approval of the report.

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	13	The <b>approval holder</b> may, at any time, apply to the <b>Minister</b> for a variation to an action management plan approved by the <b>Minister</b> under Part B conditions 6, 7 and 13 or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the <b>EPBC Act</b> . If the <b>Minister</b> approves a revised action management plan (RAMP) then, from the date specified, the <b>approval holder</b> must implement the RAMP in place of the previous action management plan.	Not Applicable	<b>Condition has not been triggered.</b> No request under section 143A of the EPBC Act has been made by MRM.
Original dated 12/06/2019	14	The <b>approval holder</b> may choose to revise an action management plan approved by the <b>Minister</b> under Part B conditions 6, 7 and 13 or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the <b>EPBC Act</b> , if the taking of the action in accordance with the RAMP would not be likely to have a <b>new or increased impact</b> .	Not Applicable	Administrative condition.

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	15	<p>If the <b>approval holder</b> makes the choice under Part B condition 14 to revise an action management plan without submitting it for approval, the <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>a. notify the <b>Department</b> in writing that the approved action management plan has been revised and provide the <b>Department</b> with:                             <ul style="list-style-type: none"> <li>i. an electronic copy of the RAMP;</li> <li>ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP;</li> <li>iii. an explanation of the differences between the approved action management plan and the RAMP;</li> <li>iv. the reasons the <b>approval holder</b> considers that taking the action in accordance with the RAMP would not be likely to have a <b>new or increased impact</b>; and</li> <li>v. written notice of the date on which the <b>approval holder</b> will implement the RAMP (RAMP implementation date), being at least <b>20 business days</b> after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the <b>Department</b>.</li> </ul> </li> <li>b. subject to condition 14, implement the RAMP from the RAMP implementation date.</li> </ul>	Not Applicable	Condition has not been triggered.
Original dated 12/06/2019	16	<p>The <b>approval holder</b> may revoke their choice to implement a RAMP under Part B condition 15 at any time by giving written notice to the <b>Department</b>. If the <b>approval holder</b> revokes the choice under Part B condition 15, the <b>approval holder</b> must implement the previous action management plan approved by the <b>Minister</b>.</p>	Not Applicable	Condition has not been triggered.

Date of Decision	Condition Number	Condition	Compliance Status	Evidence/Comments
Original dated 12/06/2019	17	<p>If the <b>Minister</b> gives a notice to the <b>approval holder</b> that the <b>Minister</b> is satisfied that the taking of the action in accordance with the RAMP would be likely to have a <b>new or increased impact</b>, then:</p> <p>a. Part B condition 15 does not apply, or ceases to apply, in relation to the RAMP; and</p> <p>b. the <b>approval holder</b> must implement the action management plan specified by the <b>Minister</b> in the notice.</p>	Not Applicable	Administrative condition.
Original dated 12/06/2019	18	<p>At the time of giving the notice under Part B condition 17, the <b>Minister</b> may also notify that for a specified period of time, Part B condition 15 does not apply for one or more specified action management plans.</p> <p>Note: Part B conditions 13, 14, 15, 16, 17 and 18 are not intended to limit the operation of section 143A of the <b>EPBC Act</b> which allows the <b>approval holder</b> to submit a revised action management plan, at any time, to the <b>Minister</b> for approval.</p>	Not Applicable	Administrative condition.
Original dated 12/06/2019	19	All management plans required under this approval should be prepared in line with the Department's Environmental Management Plan Guidelines.	Compliant	<b>Complete.</b> MRM has prepared all management plans required under this approval in line with the Department's Environmental Management Plan Guidelines.
Original dated 12/06/2019	20	Within 30 days after the <b>completion of the action</b> , the <b>approval holder</b> must notify the <b>Department</b> in writing and provide <b>completion data</b> .	Not Applicable	<b>Condition has not been triggered.</b>

Note: Approval definitions are provided in Appendix 2.

## 4 Conclusion

This Annual Compliance Report was prepared in accordance with the DCCEEW Annual Compliance Report Guidelines (2023) and adequately addresses MRM's compliance with the conditions of the Approval, per the reporting requirements of Part B, Condition 7.

The Approval conditions were established with the primary goal of safeguarding the McArthur River's health and protect listed species under the EPBC Act. MRM has implemented rigorous monitoring programs at the Mine, which includes extensive analysis of surface water, groundwater and fluvial sediment within the catchment area. MRM's comprehensive monitoring programs and proactive approach to environmental procedures ensures the ongoing compliance and protection of the relevant EPBC Act listed species discussed in this report.

This report concludes that MRM maintained compliance with all active conditions of the Approval throughout the reporting period and achieved the overarching objective and outcome of Condition 1, which states '*no impact to the health of the McArthur River as a result of the mine*'; and '*that the action does not cause impacts to the McArthur River that reduce the abundance or population health of EPBC Act listed species*'.

A review of monitoring data for the reporting period indicates the Mine is not adversely impacting the health of the McArthur River, nor impacting upon the Largetooth Sawfish population or migration. The Environmental conditions within the McArthur River provide a supportive habitat for the growth and survival of this Vulnerable species as confirmed by independent expert, Dr. Dean Thorburn of Indo-Pacific Environmental.

**APPENDIX 1 – INDO-PACIFIC ENVIRONMENTAL LETTER**



**APPENDIX 2 – DEFINITIONS ATTACHED TO APPROVAL**

Date of Decision	Definitions Attached to Approval
Original dated 12/06/2019	<b>Abundance or population health</b> is as described in the <b>Environmental Impact Statement</b> .
Original dated 12/06/2019	<b>Acid</b> includes pH, and should be less than 6 pH.
Original dated 12/06/2019	<b>All stages of the project</b> includes: a. Stage 1: Commencement of proposal (estimated 2019) b. Stage 2: Open Cut Mining Operations (estimated 2019 to 2037) c. Stage 3: Tailings Reprocessing Phase (estimated 2038 to 2047) d. Stage 4: Closure Phase (estimated 2048 to 3019)
Original dated 12/06/2019	<b>ANZG (2018)</b> means the Australian and New Zealand Guidelines for Fresh and Marine Water Quality. Australian and New Zealand Governments and Australian state and territory governments. Canberra ACT, Australia.
Original dated 12/06/2019	<b>Approval</b> means this approval to take the action under section 133 of the <b>EPBC Act</b> as noted in the date of decision section of this approval.
Original dated 12/06/2019	<b>Approval holder</b> means the name of the person to whom the approval is granted.
Original dated 12/06/2019	<b>Barney Creek</b> means Barney Creek identified in Figure 2.
Original dated 12/06/2019	<b>Barramundi Dreaming</b> means Barramundi Dreaming identified in Figure 2.
Original dated 12/06/2019	<b>Baseline</b> means data collected from 1 July 2017 to 30 June 2019, except for sites where data were not collected during this period. For those sites, <b>Baseline</b> means data for the earliest 24 months for which data is available.
Original dated 12/06/2019	<b>Business day</b> means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
Original dated 12/06/2019	<b>Clear and Clearing</b> means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the <i>Australian weeds strategy 2017 to 2027</i> for further guidance).
Original dated 12/06/2019	<b>Commencement of the action</b> means any preparatory works required to be undertaken including clearing vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for buildings or infrastructure; excluding the installation of fences and signage.
Original dated 12/06/2019	<b>Completion data</b> means an environmental report and spatial data information clearly detailing how the conditions of this approval have been met. The Department’s preferred spatial data format is shapefile.
Original dated 12/06/2019	<b>Completion of the action</b> means that <b>all stages of the project</b> have permanently ceased.
Original dated 12/06/2019	<b>Compliance location</b> means a monitoring point at which the site-specific or generic guideline values are not to be exceeded.
Original dated 12/06/2019	<b>Compliance records</b> means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the <b>approval holder’s</b> possession or that are within the <b>approval holder’s</b> power to obtain lawfully;

Date of Decision	Definitions Attached to Approval
Original dated 12/06/2019	<b>Compliance reports</b> means written reports: <ol style="list-style-type: none"> <li>a. providing accurate and complete details of compliance, <b>incidents</b>, and noncompliance with the conditions and the <b>plans</b>;</li> <li>b. consistent with the <b>Department's Annual Compliance Report Guidelines (2014)</b>;</li> <li>c. include a shapefile of any clearance of any <b>protected matters</b>, or their habitat, undertaken within the relevant 12-month period; and</li> <li>d. annexing a schedule of all <b>plans</b> prepared and in existence in relation to the conditions during the relevant 12 month period.</li> </ol>
As varied 18/12/2020	<b>Construction</b> means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of fences and signage.
Original dated 12/06/2019	<b>Current levee</b> means the levee as described in the <b>Environmental Impact Statement</b> .
Original dated 12/06/2019	<b>Department</b> means the Australian Government agency responsible for administering the <b>EPBC Act</b> .
Original dated 12/06/2019	<b>Department's EPBC Act Policy Statement on Translocation of Listed Threatened Species</b> means the <i>Department's EPBC Act Policy Statement on Translocation of Listed Threatened Species</i> available on Department's website at <a href="http://www.environment.gov.au/resource/epbc-act-policy-statement-translocation-listedthreatened-species-assessment-under-chapter">http://www.environment.gov.au/resource/epbc-act-policy-statement-translocation-listedthreatened-species-assessment-under-chapter</a>
Original dated 12/06/2019	<b>Dry season</b> means the period from 1 May until 31 October each year.
Original dated 12/06/2019	<b>Emu Creek</b> means Emu Creek identified in Figure 2.
As varied 18/12/2020	<b>Environmental impact statement</b> means the environmental impact statement McArthur River Mining Pty Ltd (March 2017) and supplementary environmental impact statement McArthur River Mining Pty Ltd (March 2018) (available online at <a href="https://ntepa.nt.gov.au/your-business/public-registers/environmental-impactassessments-register/completed-assessments/register/mcarthur-river-mine-overburden">https://ntepa.nt.gov.au/your-business/public-registers/environmental-impactassessments-register/completed-assessments/register/mcarthur-river-mine-overburden</a> ).
Original dated 12/06/2019	<b>EPBC Act</b> means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Original dated 12/06/2019	<b>EPBC Act listed species</b> means the <b>EPBC Act</b> listed <b>Gouldian Finch</b> ( <i>Erythrura gouldiae</i> ) and <b>Largetooth Sawfish</b> ( <i>Pristis pristis</i> ).
Original dated 12/06/2019	<b>EPBC Regulations</b> means the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> .
Original dated 12/06/2019	<b>Footprint</b> means the maximum proposed footprint described in Figure 1.
Original dated 12/06/2019	<b>Foraging habitat</b> for the <b>EPBC Act</b> listed <b>Gouldian Finch</b> includes annual grasses including <i>Sorghum intrans</i> , <i>Sorghum stipoideum</i> , <i>Sorghum timorense</i> and <i>Schizachyrium</i> species in the dry season and perennial grasses including <i>Chrysopogon fallax</i> , <i>Alloteropsis semialata</i> and <i>Triodia</i> species in the wet season.
Original dated 12/06/2019	<b>Geosynthetic liner option</b> means the geosynthetic liner option proposed in the <b>Environmental Impact Statement</b> .
Original dated 12/06/2019	<b>Gouldian Finch</b> means the <b>EPBC Act</b> listed Gouldian Finch ( <i>Erythrura gouldiae</i> ).
Original dated 12/06/2019	<b>Incident</b> means any event which has the potential to, or does, impact on <b>protected matter(s)</b> .

Date of Decision	Definitions Attached to Approval
Original dated 12/06/2019	<b>Independent audit:</b> means an audit conducted by an independent and <b>suitably qualified person</b> as detailed in the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> (2015).
As varied 29/04/2022	<b>Independent expert</b> means a person or persons approved by the <b>Department</b> as possessing the professional qualifications, training, skills and/or experience related to the nominated subject matter, and demonstrating independence by not having: <ul style="list-style-type: none"> <li>i. conflicting or competing interests with the approval holder, the approval holder's staff, representatives or associated persons, or the project; and</li> <li>ii. any individual, employment or family affiliation to the approval holder, the approval holder's staff, representatives or associated persons, other than as relevant to performing and receiving payment for the performance of duties required by these conditions of approval.</li> </ul> <p><b>Note:</b> points i. and ii. above may be satisfied by submission of a signed Declaration of Independence accepted by the <b>Department</b>.</p>
Original dated 12/06/2019	<b>Isolated</b> means that water from the pit lake must not be able to enter the McArthur River or its floodplain by any means.
As varied 18/12/2020	<b>Key food grasses for the Gouldian Finch</b> include <i>Triodia</i> species, <i>Sorghum</i> species, <i>Chrysopogon fallax</i> , <i>Alloteropsis semialata</i> and <i>Heteropogon triticeus</i> .
Original dated 12/06/2019	<b>Largetooth Sawfish</b> means the <b>EPBC Act</b> listed species <i>Pristis criticus</i> .
Original dated 12/06/2019	<b>Life of the project</b> means from the date of approval to the end of the period for which the approval has effect.
Original dated 12/06/2019	<b>Locations upstream of any possible mine influence</b> means locations on <b>natural waterways</b> upstream of the <b>footprint</b> of the <b>action</b> as defined in the <b>Environmental Impact Statement</b> .
As varied 18/12/2020	<b>Metals</b> includes sulfate, zinc, lead, cadmium, arsenic, cobalt, manganese, nickel and thallium.
Original dated 12/06/2019	<b>Mine pit</b> means the <b>open cut</b> identified in Figure 1.
Original dated 12/06/2019	<b>Mine project area and surrounds</b> includes the mine pit, Northern Overburden Emplacement Facility, Tailings Storage Facility to Emu Creek and the Djirrinmini Waterhole.
Original dated 12/06/2019	<b>Mine water management system</b> means the mine water management system as described in the <b>Environmental Impact Statement</b> .
Original dated 12/06/2019	<b>Minister</b> means the Australian Government Minister administering the <b>EPBC Act</b> including any delegate thereof.
Original dated 12/06/2019	<b>Monitoring data</b> means the data required to be recorded under the conditions of this approval.
Original dated 12/06/2019	<b>Natural waterways</b> includes but may not be limited to, the McArthur River and associated tributaries (including Barney Creek, Little Barney Creek, Emu Creek, Surprise Creek), waterholes (Djirrinmini Waterhole, Eight Mile Waterhole, Wurrini Waterhole and Nanbadini Waterhole) and diversion channels.
As varied 18/12/2020	<b>Nesting habitat</b> for the <b>EPBC Act</b> listed <b>Gouldian Finch</b> includes hollow-bearing smooth-barked gums, including Eastern Snappy Gum ( <i>Eucalyptus leucophloia</i> ), on low to mid-high open woodland on hillslopes, scarp-foot slopes, plateau and hillcrests.
Original dated 12/06/2019	<b>New or increased impact</b> a new or increased environmental impact or risk relating to any <b>protected matter</b> , when compared to the likely impact of implementing the action management plan that has been approved by the <b>Minister</b> under Part B conditions 13, 14, 15, 16, 17 and 18, including any subsequent revisions approved by the <b>Minister</b> , as outlined in the <i>Guidance on 'New or Increased Impact' relating to changes to approved management plans under EPBC Act environmental approvals</i> (2017).

Date of Decision	Definitions Attached to Approval
Original dated 12/06/2019	<b>Northern Territory Assessment Report 86</b> means the Northern Territory Environment Protection Authority (2018). <i>McArthur River Mine Overburden Mine Overburden Management Project</i> . Available online at <a href="https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/553081/mrm_overburden_assessment_report.pdf">https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/553081/mrm_overburden_assessment_report.pdf</a> .
Original dated 12/06/2019	<b>Northern Overburden Emplacement Facility</b> means the <b>Northern Overburden Emplacement Facility</b> identified in Figure 1.
Original dated 12/06/2019	<b>Plan(s)</b> means any of the documents required to be prepared, approved by the <b>Minister</b> , and/or implemented by the <b>approval holder</b> and published on the website in accordance with these conditions (includes action management plans and/or strategies);
As varied 18/12/2020	<b>Project footprint</b> means the areas enclosed by the blue lines designated as 'Indicative Overburden Management Project Footprint' in Figure 1
Original dated 12/06/2019	<b>Protected matter</b> means a matter protected under a controlling provision in Part 3 of the <b>EPBC Act</b> for which this approval has effect.
As varied 29/04/2022	<b>Refuge pools</b> includes water holes within the McArthur River including, but not limited to, the Djirrinmini Waterhole, Eight Mile Waterhole and Wurrini Waterhole.
Original dated 12/06/2019	<b>Sensitive ecological data</b> means data as defined in the Australian Government Department of the Environment (2016) <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> .
Original dated 12/06/2019	<b>Stage 4</b> of the proposal is as defined under <b>all stages of the project</b> .
Original dated 12/06/2019	<b>Suitably qualified person</b> means a person who has sufficient professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature and is approved by the Department in writing.
Original dated 12/06/2019	<b>Surface waters</b> includes, but is not limited to, the McArthur River and associated tributaries (including Barney Creek, Little Barney Creek, Emu Creek, Surprise Creek) and waterholes (Djirrinmini Waterhole, Eight Mile Waterhole, Wurrini Waterhole and Nanbadini Waterhole).
Original dated 12/06/2019	<b>Surprise Creek</b> means Surprise Creek identified in Figure 2.
Original dated 12/06/2019	<b>SW 12</b> means the surface water monitoring site SW 12 identified in the <b>Environmental Impact Statement</b> .
Original dated 12/06/2019	<b>Tailings Storage Facility</b> means the Tailings Storage Facility identified in Figure 1.
Original dated 12/06/2019	<b>Terrestrial and aquatic areas</b> means the <b>McArthur River Mine Overburden Management Project</b> envelope and <b>surface waters</b> .
Original dated 12/06/2019	<b>Toxicant</b> means a substance capable of producing an adverse response (effect) in a biological system, and which may, at sufficiently high concentration, seriously injure structure or function or produce death ( <b>ANZG (2018)</b> ).
Original dated 12/06/2019	<b>Water quality and health</b> is as defined under condition 8(e) (i.e. 95 per cent of samples of water and sediment quality must not exceed site-specific guidelines values at appropriate monitoring sites determined in accordance with conditions 7A, 7B and 7C).
Original dated 12/06/2019	<b>Website</b> means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.
Original dated 12/06/2019	<b>Weeds</b> includes, but is not limited to, Mission Grass ( <i>Cenchrus pedicellatum</i> ), Devil's Claw ( <i>Martynia annua</i> ), Horehound ( <i>Hyptis suaveolens</i> ), Bellyache Bush ( <i>Jatropha gossypifolia</i> ), Parkinsonia ( <i>Parkinsonia aculeate</i> ) and Noogoora Burr ( <i>Xanthium strumarium</i> ).
Original dated 12/06/2019	<b>Wet season</b> means November to April.
As varied 18/12/2020	<b>Figure 1</b> – Maximum Project Footprint showing <b>Gouldian Finch nesting habitat</b> (based on Fig 6-18 from Supplementary EIS)

Date of Decision	Definitions Attached to Approval
Original dated 12/06/2019	<b>Figure 2</b> – Surface Water Features – Local Drainage Network and Selected Cultural Features