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*Planning and Environment Act 1987*

**EAST GIPPSLAND PLANNING SCHEME**

**FINGERBOARDS MINERAL SANDS PROJECT**  
**INFRASTRUCTURE AREA**

Incorporated Document ~~October 2018~~ **[Date]**

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## 1 INTRODUCTION

This document is an Incorporated Document in the East Gippsland Planning Scheme (planning scheme) pursuant to section 6(2)(j) of the Planning and Environment Act 1987 (Vic).

It is referred to as the Fingerboards Mineral Sands Project Infrastructure Area Incorporated Document ((Date)) in the Schedule to Clause 45.12 of the planning scheme.

An Environment Effects Statement has been prepared and assessed pursuant to the Environment Effects Act 1978 (EE Act) in respect of the Fingerboards Mineral Sands Project (Project), which is to be delivered within the land identified as Project Area on Attachment 1 to this document (Project Area).

This Incorporated Document facilitates the delivery of the Fingerboards Mineral Sands Project outside the Mining Licence Area.

This document gives effect to specific controls for the purpose of Clause 45.12 in the East Gippsland Planning Scheme.

The specific control in this Incorporated Document allows the project land to be used and developed for the purpose of the project, and excludes any other control in the East Gippsland Planning Scheme insofar as they apply to the project components listed in clause 3 other than Clause 45.01 Public Acquisition Overlay and Schedule to Clause 45.01 Public Acquisition Overlay.

The This document facilitates the Project, by providing a specific control in this Incorporated Document does not apply to the for the purpose of Clause 45.12 of the planning scheme in respect of the use and development of the project land for purposes other than the project. Use and development of the project land-Project Area for purposes other than the project must be in accordance the purpose of infrastructure associated with the East Gippsland Planning Scheme-Project (Project Infrastructure).

## 2 LAND TO WHICH THIS DOCUMENT APPLIES

The Fingerboards Mineral Sands Project Incorporated Document applies to the Specific Controls Overlay (SCO1) under the East Gippsland Planning Scheme and reproduced in Attachment 1 to this document. SCO1 is collectively referred to in this Incorporated Document as the project land.

This document applies to land shown as SCO1 on the planning scheme maps in the planning scheme (SCO1 Land).

### 3 **THIS DOCUMENT ALLOWS CONTROL**

- ~~(a)~~ This control allows ~~Despite any provision to the contrary or any inconsistent provision of the Planning Scheme this document allows the~~ project land SCO1 Land to be used and developed for the purpose of the Project Infrastructure, as set out in paragraph (c) below, and subject to the conditions set out in Section 4.
- ~~(b)~~ This control excludes any other control in the planning scheme which may apply to the use or development of the SCO1 Land for the purpose of the Project, as set out in paragraph (c) below, other than Clause 42.02 Vegetation Protection Overlay and Schedule 1 to Clause 42.02 Vegetation Protection Overlay; Clause 45.01 Public Acquisition Overlay and Schedule to Clause 45.01 Public Acquisition Overlay; Clause 52.02 Easements Restrictions and Reserves; and Clause 52.17 Native Vegetation.
- ~~(a)~~ The use and development of the SCO1 Land for the purpose of the Project Infrastructure comprises the following use and development; following purposes:
- ~~(b)~~(c) A new water pipeline in or adjacent to existing road reserves to an existing pumping station to the north of the project land (Option 1) with an easement in or adjacent to the road reserve to accommodate it;
- ~~(c)~~ A new water pipeline and a 30 metres wide easement over private land to a new pumping station constructed on private land by Kalbar (Option 2);
- ~~(d)~~ A water pipeline and associated bore pumps to the south of the project land;

- ~~(i)~~ bore pumps within that part of the SCO1 Land generally south-east of the Project Area in the vicinity of Chettles Road and Cowells Lane, to the extent necessary to provide for the extraction of no more than 2.9 GL/year;
- ~~(ii)~~ any buildings or works required to implement the mitigation measures generally in accordance with the Minister's Assessment of the Project dated [date] made pursuant to the EE Act or the requirements of any plan required by this control (other than the removal of native vegetation);
- ~~(iii)~~ Construction and use of a new road adjacent to Chettles Road, and new roads continuing south from Chettles Road over private land to ~~the~~ new railway siding east of Cowells Lane, and north from Chettles Road to the Project Area;
- ~~(iii)~~ iv) New 66kV and 22kV powerlines adjacent to Chettles Road and the new ~~road extensions~~ roads south and north of Chettles Road;
- ~~(iii)~~ A new water pipeline adjacent to Chettles Road, ~~between the Project Area and the new road extensions south and north of Chettles Road;~~
- ~~(iv)~~ v) Creation of easements ~~bore pumps referred to accommodate their~~ sub-paragraph (i) above ~~three matters;~~
- ~~(v)~~ Noise bunding including earthworks along sections of the new ~~road extensions south and north of Chettles Road and the haulage route~~ roads referred to the rail siding;
- ~~(vi)~~ A rail siding (one of two options) adjacent to the Bairnsdale railway line in ~~sub-paragraph (iii) above;~~
- ~~(vii)~~ Road diversions, road widenings and roadworks including intersection upgrades (local and Road Zone Category 1) ~~and use of land for road;~~
- ~~(viii)~~ Any temporary construction works offices; ~~and associated car parking; and~~
- ~~(ix)~~ Subdivision for the purposes of acquiring land for road and roadworks improvements and upgrades ~~(not including any subdivision which creates a lot of less than 40 hectares);~~
- ~~(ix)~~ Vegetation removal associated with any of the above.
- ~~(d)~~ The use and development of the SCO1 Land for accommodation or food and drink premises, whether or not ancillary to another use of the land, is prohibited.
- ~~(e)~~ The control in this Incorporated Document does not apply to the use and development of the SCO1 Land for any purpose other than that described in ~~paragraph (c) above~~. Any use and development of the SCO1 Land for a purpose other than the purpose listed in ~~paragraph (c) above~~ must be in

accordance with the planning scheme.

## 4 CONDITIONS

The following conditions apply to this document.

### 4.1 GENERAL

#### 4.1.1 Master Plan

1. Prior to the commencement of any use or development, including any use or development of the Project Area, a master plan in respect of the use and development of the SCO1 Land must be prepared and approved to the satisfaction of the responsible authority.
2. The master plan may be amended to the satisfaction of the responsible authority.
3. The master plan must be prepared having regard to each of the plans required by this control, and must show:
  - (a) The location of buildings, works, roads and proposed activities within the SCO1 Land;
  - (b) Areas of vegetation proposed to be removed and retained.

#### 4.1.1.2 Development Plan

- ~~1.4.~~ Prior to the commencement of ~~buildings and works~~any use or development, a development plan must be prepared and approved to the satisfaction of the responsible authority.
- ~~2.5.~~ The development plan may be prepared and approved in stages or in respect of any of ~~the individual project components~~development -listed in ~~[clauseSection -3].~~
- ~~6.~~ The development plan must be generally in accordance with the master plan.
- ~~3.7.~~ The development plan may be amended to the satisfaction of the responsible authority.
- ~~4.8.~~ The development plan must show:
  - (a) the land subject to the development plan;
  - ~~(a)~~(b) The location of buildings, works and proposed activities within the ~~project~~SCO1 Land;
  - (c) Elevations of buildings and above ground proposed works;

~~(d)~~ All vegetation to be removed and retained.

~~5-9.~~ The development plan in respect of land zoned Public Conservation and Recreation Zone must include a copy of the written consent of the public land manager or, if there is no public land manager, the Secretary, Department of Environment, Land, Water and Planning, to the proposed use and or development of that land.

~~6-10.~~ The use or development as shown on the development plan must not be altered without the written consent of the responsible authority.

#### 4.1.24.1.3 **Traffic and ~~Roads~~Transport**

~~7-11.~~ Prior to the commencement of any use or development, including any use or development of land within the Project Area, a Traffic and Transport Management Plan must be prepared by a suitably qualified traffic engineer in consultation with Transport for Victoria, East Gippsland Shire Council and relevant emergency services, Country Fire Authority, Rural Ambulance Victoria, and Victoria Police to the satisfaction of the responsible authority and the Head, Transport for Victoria. The plan must address all elements of the Project and Project Infrastructure, within the Project Area and the SCO1 Land, and with consideration given to mining and processing operations associated with the Project, and may be prepared in stage or in respect of any of the individual project components listed in clause 3.

12. The Traffic and Transport Management Plan must include:

(a) mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as appropriate:applicable to the Project Infrastructure and the SCO1 Land;

(b) Identification and assessment of the road and associated infrastructure at risk from damage, deterioration or dilapidation arising from the construction and operation of the mineProject, including a detailed existing conditions audit of all identified roads and infrastructure;

(c) A program of regular inspection works to be carried out during construction of the Project and Project Infrastructure to identify road safety hazards or maintenance works necessary as a result of construction traffic;

~~(d)~~ A program of regular inspection works to be carried out during operation of the Project to identify road safety hazards or maintenance works necessary as a result of operation of the Project;

~~(e)~~ A program of regular inspection works to be carried out during rehabilitation of the Project to identify road safety hazards or maintenance works necessary as a result of decommissioning or rehabilitation of the Project;

~~(d)~~(f) A program to rehabilitate existing road and infrastructure to a safe and usable condition during construction, operation and during and at the conclusion of decommissioning of the mineProject;

- ~~(e)~~(g) Measures to be taken to manage traffic impacts associated with construction and ongoing operation of the ~~mine on surrounding roads~~Project on surrounding roads, including consultation with all agricultural landholders within 2 km of the Project Area to understand where, when and how the local road network is used for the transport of machinery and stock, and strategies to reduce impacts of traffic associated with the Project and Project Infrastructure on the use of the local road network by agricultural users;
- ~~(f)~~(h) Details of ~~required~~ road widening ~~required~~ and upgrades ~~required~~ to accommodate additional traffic or oversize vehicles.
- (i) ~~The detailed design and construction of intersections and roadways, including functional layout plans.~~
  - (i) ~~The design of all areas for parking and storage of vehicles and machinery.~~
  - (k) ~~The designs and associated approvals for all proposed works.~~
  - (l) ~~The construction works required prior to the commencement of the operational stage of the mine.~~
  - (m) ~~The preparation of Road Safety Audits for all proposed roads and intersections to be used by mine vehicles.~~
  - (n) ~~A requirement that all mitigation works and management measures recommended by the Traffic and Transport Management Plan be implemented to the satisfaction of and at no cost to the Head, Transport for Victoria or East Gippsland Shire Council (EGSC).~~
  - (o) ~~A requirement for the payment of a bond and a section 173 agreement regarding the timing, delivery and remediation of State and EGSC transport assets at no cost to the State or EGSC.~~
- ~~(e)~~(p) A requirement to enter into agreements with the relevant road authority regarding ongoing pavement maintenance to specific transport corridors prior to the commencement of ~~the operation of the Project~~any use or development associated with the Project, including any use or development of land within the Project Area.
13. ~~The Traffic and Transport Management Plan must address the requirements of the Environmental Management Plan and any other relevant requirement of the plans required by this control.~~
- ~~14.~~ 14. The Traffic and Transport Management Plan must be implemented to the satisfaction of the relevant road authority.
15. ~~The use and development must not commence until the agreements required by the Traffic and Transport Management Plan with the relevant road authorities have been entered into to the satisfaction of the responsible authority.~~



#### **4.1.34.1.4 Noise Management Plan**

~~9.16.~~ Prior to the commencement of:

- (a) construction of the Project or any Project Infrastructure, a Construction Noise Management Plan (CNMP) must be prepared in accordance with relevant Environment Protection Authority Victoria (EPA) Noise Control Guidelines, to the satisfaction of the responsible authority and the EPA; and
- (b) operation of the Project or any Project Infrastructure, an Operational Noise Management Plan (ONMP) must be prepared in accordance with EPA Guidelines, to the satisfaction of the responsible authority and the EPA.

~~17.~~ Each plan must address all elements of the Project ~~as relevant. The plans and Project Infrastructure.~~

~~10.18.~~ Each of the CNMP and ONMP must include, but not be limited to:

- ~~(a)~~ Performance requirements;
- ~~(a)~~ mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as applicable to the Project Infrastructure and the SCO1 Land;
- ~~(b)~~ Performance requirements, including maximum noise limits for the Project in accordance with *Noise from Industry in Regional Victoria* (EPA Publication 1411), as amended or replaced;
- ~~(b)(c)~~ A noise compliance procedure;
- ~~(c)(d)~~ A noise complaints evaluation procedure; and
- ~~(d)(e)~~ A noise complaints response procedure.

~~19.~~ ~~The Construction Noise Management Plan~~ Both the CNMP and the Operational Noise Management Plan must be prepared and be implemented for the duration of ONMP must address the operation requirements of the Fingerboards mineral sands mine Environmental Management Plan and any other relevant requirement of the plans required by this control.

~~11.20.~~ The CNMP must be implemented during construction of the Project and Project Infrastructure, to the satisfaction of the responsible authority and ~~Environment Protection Authority~~ the EPA.

#### **~~12. Environmental Management Plan~~**

~~21.~~ The use and development of the project land must be undertaken in accordance with an Environmental Management Plan ~~prepared~~ ONMP must be implemented during operation and approved during and at the conclusion of decommissioning of the Project and Project Infrastructure, to the satisfaction of the responsible authority ~~and the EPA.~~

#### **4.1.5 Environmental Management Plan**

~~13-22.~~ Prior to the commencement of any use and development, including any use and/or development of the ~~project~~-Project Area, an Environmental Management Plan (EMP) must be prepared to the satisfaction of the responsible authority.

~~14-23.~~ The Environmental Management Plan may be prepared in stages or in respect of any of the individual project components listed in clause 3. EMP must include mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as applicable to the Project Infrastructure and SCO1 Land. The mitigation measures must address the following areas and any other relevant matters:

- ~~(a) The Environmental Management Plan~~ Agriculture and horticulture;
- ~~(b) Air quality;~~
- ~~(c) Cultural heritage;~~
- ~~(d) Geotechnical;~~
- ~~(e) Greenhouse gas;~~
- ~~(f) Groundwater;~~
- ~~(g) Land use and planning;~~
- ~~(h) Noise and vibration;~~
- ~~(i) Radiation;~~
- ~~(j) Socioeconomic;~~
- ~~(k) Surface water;~~
- ~~(l) Terrestrial and aquatic biodiversity; and~~
- ~~(m) Visual and landscape.~~

~~24.~~ The EMP must be generally consistent with any works approval approved by the EPA in respect of the Project and or the Project Infrastructure.

~~15-25.~~ The EMP, including the mitigation measures and all plans and procedures required by them, must be implemented to the satisfaction of the responsible authority.

#### **4.1.44.1.6 Construction Management Plan**

~~16-26.~~ Prior to commencement of use and development of each relevant project component listed in [clause-Section 3], a Construction Management Plan must be prepared to the satisfaction of and be approved by the responsible authority.

~~17-27.~~ All construction works must be undertaken and completed in accordance with the approved Construction Management Plan to the satisfaction of the responsible authority.

~~18-28.~~ The Construction Management Plan must include, but not be limited to:

- (a) mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as applicable to the construction of the Project Infrastructure and the development of the SCO1 Land;
- ~~(a)~~(b) A staging plan for all construction phases;
- ~~(b)~~(c) Location of any temporary construction works office and machinery storage area;
- ~~(c)~~(d) Construction timeframes;
- ~~(d)~~(e) Details of hours of construction;
- ~~(e)~~(f) Intended access and routes of all construction vehicles;
- ~~(f)~~(g) Vehicle and machinery exclusion zones;
- ~~(g)~~(h) Measures and techniques to manage surface water runoff and to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas;
- ~~(h)~~(i) Measures to protect sites of conservation or archaeological significance during construction;
- ~~(i)~~(j) Measures to protect existing vegetation;
- ~~(j)~~(k) Measures and techniques to manage weeds;
- ~~(k)~~(l) Measures and techniques to manage dust;
- ~~(l)~~(m) Measures and techniques to manage erosion;
- ~~(m)~~(n) Location of a machinery and vehicle wash down area;
- ~~(n)~~(o) Management of litter, construction wastes and chemical storage;
- ~~(o)~~(p) Details of where construction personnel shall park;
- ~~(p)~~(q) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
- ~~(q)~~(r) The removal of works, buildings and staging areas on completion of the construction phase;
- (s) All measures necessary to ensure compliance with the other plans required by this control;
- ~~(r)~~(t) Methods of ensuring all contractors are informed of the requirements of the plan and persons responsible for ensuring the plan is adhered to.

#### **4.1.54.1.7 Native Vegetation Management Plan**

~~19.29.~~ Prior to the ~~removal, logging or destruction~~ commencement of any ~~native vegetation from any of the project land to which this document applies~~ use or development, a Native Vegetation Management Plan must be prepared to the satisfaction of and approved by the responsible authority and the Department of Environment, Land,

Water and Planning. The plan must include:

- ~~(a)~~ (a) A photograph of mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as applicable to the Project Infrastructure and the SCO1 Land;
- ~~(b)~~ (b) A site plan (drawn to scale) showing the boundaries of the site, existing native vegetation and the native vegetation to be removed;
- ~~(b)~~ (c) A description of the native vegetation to be removed, including the extent and type of native vegetation, the number and size of any trees to be removed and the Ecological Vegetation Class of the native vegetation;
- ~~(c)~~ (d) A written explanation of the steps that have been taken to:
  - (i) avoid the removal of native vegetation, ~~where possible~~;
  - (ii) minimise the removal of native vegetation;
  - (iii) appropriately offset the loss of native vegetation, if required;
- ~~(d)~~ (e) A written explanation that addresses the Guidelines for the Removal, Destruction or Lopping of Native Vegetation (DELWP, 2017) as if a permit was required to remove native vegetation.

30. The Native Vegetation Management Plan must address the requirements of the Environmental Management Plan and any relevant requirement of the other plans required by this control.

20-31 Prior to the removal, lopping or destruction of any native vegetation, an Offset Management Plan must be prepared to the satisfaction of the responsible authority and Department of Environment, Land, Water and Planning. The plan must include:

- (a) Methods of permanent protection for established offsets;
- (b) Location of the offsets;
- (c) Type of offsets to be provided;
- (d) Details of any revegetation including number of trees, shrubs and other plants; species mix; density; methods of interim protection and management until vegetation is established; and a Schedule of Works;
- (e) Details of any existing vegetation to be retained including methods of managing and restoring the vegetation and a Schedule of Works;
- (f) Actions to protect Large Old Trees and Very Large Old Trees that are hollow bearing and provide fauna habitat;
- (g) Identification of those responsible for implementing and monitoring the plan;
- (h) Time frames for implementing the plan.

#### 4.1.64.1.8 Fire and Emergency Management Plan

~~21.32.~~ Prior to commencement of ~~the any use or~~ development, a Fire and Emergency Management Plan must be prepared in consultation with the Country Fire Authority and the Department of Environment, Land, Water and Planning to the satisfaction of the responsible authority.

~~22.33.~~ The plan must address all elements of the Project and Project Infrastructure located within the Project Area and the SCO1 Land as relevant, including but not limited to the consideration of mining and processing operations associated with the Project. The plan must include, ~~as appropriate~~:

- ~~(a)~~ mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as applicable to the Project Infrastructure and the SCO1 Land;
- ~~(a)~~(b) Procedures for vegetation management, fuel control and the provision of firefighting equipment during declared fire danger periods;
- ~~(c)~~ Procedures for planned burns or other fuel reduction measures to reduce overall fuel hazard levels;
- ~~(b)~~(d) Protocols to address periods of high fire danger, including Total Fire Ban days and Code Red days;
- ~~(e)~~ Procedures for hot work permitting to reduce the potential for ignitions and suspension or shutdown of tasks which may cause ignition (such as site preparation works in vegetated areas) on days of elevated fire danger;
- ~~(e)~~(f) Criteria for the provision of static water supply solely for firefighting purposes in respect of bushfire and fires associated with the Project and Project Infrastructure;
- ~~(g)~~ Procedures for maintaining suppression equipment and plant to respond to spot fires;
- ~~(e)~~(h) Minimum ~~standard~~ standards for access roads and tracks to allow access for firefighting vehicles;
- ~~(i)~~ Bushfire awareness and response procedures, including responses to formal emergency alerts issued by authorities;
- ~~(e)~~(j) Details of response roles at the mine site;
- ~~(f)~~(k) Details of the location, design and role of fire refuges;
- ~~(l)~~ specification of BAL ratings for any buildings and identification of defensible space;
- ~~(g)~~(m) A program for monitoring the implementation of bushfire mitigation measures on an on-going basis; ~~and~~
- ~~(n)~~ Responsibility for, and frequency of, reviews of the plan; and
- ~~(h)~~(o) A requirement for the operator to facilitate ~~a~~annual familiarisation ~~visit~~visits to

the site and explanation of emergency services procedures, ~~on an annual basis~~, for the Country Fire Authority, Rural Ambulance Victoria, East Gippsland Shire Council Emergency Management Committee and Victoria Police.

34. The Fire and Emergency Management Plan must address the requirements of the Environmental Management Plan and any relevant requirement of the other plans required by this control.

#### **4.1.9 Rehabilitation Plan**

35. Prior to commencement of the development, a Rehabilitation Plan must be prepared to the satisfaction of the responsible authority.

36. The plan must address all elements of the Project and the Project Infrastructure located within the Project Area and the SCO1 Land. The plan must include:

- (a) mitigation measures generally in accordance with the Minister's Assessment dated [date] made pursuant to the EE Act, as applicable to the Project Infrastructure and the SCO1 Land;
- (b) the standard of remediation, being at a minimum the restoration of land to a standard suitable for uses previous capable of being undertaken on the land and to a soil quality of equal of greater quality than previously existing on each site;
- (c) Demolition and removal of all buildings;
- (d) Remediation of bores, roads and removal of all infrastructure;
- (e) A bond to secure the completion of the remediation works;
- (f) A staging plan for all remediation phases;
- (g) Location of any temporary construction works office and machinery storage area;
- (h) Remediation timeframes;
- (i) Intended access and routes of all remediation vehicles;
- (j) Vehicle and machinery exclusion zones;
- (k) Measures and techniques to manage surface water runoff and to protect drainage lines and watercourses from sediment runoff from disturbed or under remediation areas;
- (l) Measures to protect sites of conservation or archaeological significance during remediation;
- (m) Measures to protect existing vegetation;
- (n) Measures and techniques to manage weeds;
- (o) Measures and techniques to manage dust;
- (p) Measures and techniques to manage erosion;

- (g) Location of a machinery and vehicle wash down area;
  - (r) Management of litter, remediation wastes and chemical storage;
  - (s) Details of where remediation personnel shall park;
  - (t) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
  - (u) The removal of works, buildings and staging areas on completion of the remediation phase;
  - (v) Methods of ensuring all contractors are informed of the requirements of the plan and persons responsible for ensuring the plan is adhered to.
37. The Rehabilitation Plan must address the requirements of the Environmental Management Plan and any relevant requirement of the other plans required by this control.

## 4.2 IMPLEMENTATION

~~38.~~ The ~~above~~ plans ~~in Clause 4.1~~ required by this control must be implemented and ~~associated~~ complied with to the satisfaction of the responsible authority, and to the satisfaction of any authority specified in the relevant clause of this control.

~~23-39.~~ All buildings, works and plantings must be maintained to the satisfaction of the responsible authority.

## 4.3 EXPIRY OF THIS CONTROL

~~24.~~ ~~The specific controls in this Incorporated Document expire~~ This control expires if:

~~25-40.~~ The ~~the~~ development and use is not started within four years of the approval date; and

~~41.~~ The exemption provided by this control in respect of the use and development of the SCO1 Land expires 20 years from the date of commencement of operation of the Project.

~~26-42.~~ If the use of the Project Area for the purpose of the Project and or the use of the SCO1 Land for the purpose of the Project Infrastructure has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years, or if the development of the SCO1 Land for the purpose of the Project Infrastructure is not completed within 20 years ~~after~~ of the date of commencement;

(a) the exemption provided by this control in respect of the use and development of the SCO1 Land ceases to have effect in respect of any use and development other than any use or development required by a requirement of the Rehabilitation Plan which has not yet been implemented or complied with to the satisfaction of the responsible authority;

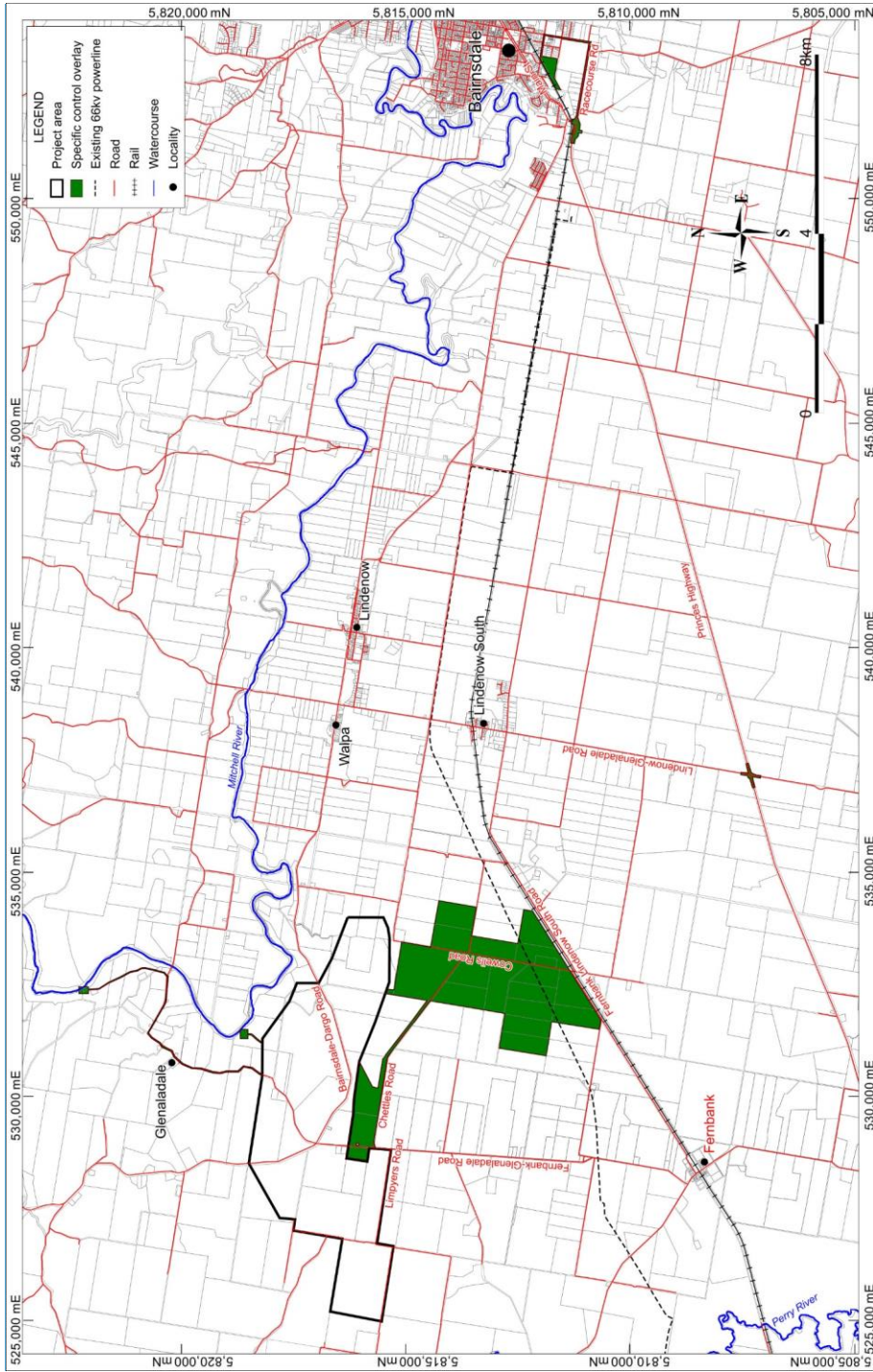
(b) any use and development of the SCO1 Land other than any use and development required by the Rehabilitation Plan must cease; and

(c) this control, other than the exemption provided by this control in respect of the use and development of the SCO1 Land, has effect until the requirements of the Rehabilitation Plan have been implemented and complied with to the satisfaction of the responsible authority, at which time the control expires.

~~27-43.~~ The responsible authority may extend the periods referred to above if a request is made in writing before these controls expire or within six months afterwards. A request to extend the periods above must include details of any necessary extension of time to any approvals held in respect of the Project.



**ATTACHMENT 1: ~~AREA TO WHICH INCORPORATED DOCUMENT~~  
~~APPLIES~~ PLAN OF PROJECT AREA AND SCO1 LAND**



**Commented [EGSC21]:** Amend to:  
 (a) Delete land associated with Baimbairu rail siding option;  
 (b) Delete winter fill option land (i.e. accord with maps produced and attached to TN009 (table doc 121).

**Commented [P2]:** Amend to correct depiction of SCO1 land per scheme maps.