

Appendix B
Relevant Legislation and Other Documentation

Commonwealth and State legislation, policies and other documentation relevant to the Coburn Mineral Sand Project are listed in Tables B-1 to B5. These tables are not necessarily all-inclusive, but are used to identify the key documentation.

Table B-1
Relevant Commonwealth Legislation

Title	Applicability
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	The proposed Project was referred to the Department of Environment and Heritage under this Act due to potential impacts on listed threatened species and migratory species protected under international agreements.
<i>Australian Heritage Commission Act 1975</i>	The Council assesses nominations for the National Heritage List and the Commonwealth Heritage List and compiles the Register of the National Estate. There are 13 places listed on the Register of the National Estate in the Shark Bay area.

Table B-2
Relevant National Policies and Strategies

Title	Applicability
1996 National Strategy for the Conservation of Australia's Biological Diversity	Applies to the clearing of remnant vegetation as principles and objectives of the National Strategy aim to conserve biological diversity.
1992 National Strategy for Ecologically Sustainable Development	Provides guidelines for the use of natural resources in an ecologically sustainable manner.
Australian and New Zealand Environmental and Conservation Council (ANZECC) National Framework for the Management and Monitoring of Australia's Native Vegetation 1999	Provides guidelines for the management and monitoring of native vegetation.
National Water Quality Management Strategy. Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ 2000)	Provides a water quality management framework, including the key steps for developing water quality guidelines and water quality objectives.
The National Environment Protection Measure (NEPM) for Air Quality	A set of national air quality standards to apply in all States and Territories. These standards have been set by the National Environment Protection Council (NEPC). The levels specified in the NEPM provide a benchmark and assist in the protection against air pollution.
Environment Protection and Biodiversity Conservation Regulations, 2000. Schedule 5: Australian World Heritage Management Principles (regulation 10.01)	Principles for the management of a World Heritage Property, in accordance with Australia's obligations under the World Heritage Convention.

Table B-2 (cont.'d)

Title	Applicability
Framework Convention on Climate Change 1992	Provides the principles of the convention and commitments of member parties.
Code of Practice on Radiation Protection in the Mining and Milling of Radioactive Ores, 1987 ¹	Specifies the standards, practices, procedures and measures to prevent and limit risk to employees and the public from mining and milling of radioactive ores.
Commonwealth Code of Practice in the Safe Transport of Radioactive Materials, 2001	Outlines the international regulations, with modifications, clarifications and dose limits.
Australian Code of Practice for Transport of Dangerous Goods by Road and Rail, 1992	Specifies the standards, practices, procedures and measures for the transport of dangerous goods by road or rail.
National Standard and Code of Practice for the Control of Major Hazard Facilities (Worksafe Australia, 1996)	Provides standards, practices, procedures and measures for the control of facilities considered to be major hazard facilities.

Table B-3
Relevant State Legislation, Regulations and Codes of Practice

Title	Applicability
<i>Environmental Protection Act 1986</i> (as amended)	The Operation is being formally assessed under Part IV of this Act. Any Works Approvals or Licences required for the Project are issued under Part V of the Act.
<i>Environmental Protection (Noise) Regulations 1997</i>	Represents the prescribed standards for noise under the <i>Environmental Protection Act 1986</i> . Acceptable noise levels for different times of the day are specified.
<i>Mining Act 1978</i>	Provides regulation of mining projects.
<i>Rights in Water and Irrigation Act 1914</i>	Applies to the management of water resources and the equitable and efficient use of water resources.
<i>Aboriginal Heritage Act 1972-1980</i>	Relates to the protection and preservation of Aboriginal sites.
<i>Wildlife Conservation Act 1950</i>	Applies to the protection of wildlife in Western Australia.
<i>Conservation and Land Management Act 1984</i>	Applies to the protection of state forest, timber reserves, national parks, conservation parks, nature reserves, marine nature reserves, marine parks and marine management areas.
<i>Water and Rivers Commission Act 1995</i>	Applies to the protection and management of all water sources.
<i>Soil and Land Conservation Act 1945</i>	Applies to disturbance of soil in Western Australia.
<i>Explosives and Dangerous Goods Act 1961-1978</i>	Applies to the authorisation, importation, manufacture, storage, carriage, sale and use of explosives and dangerous goods in Western Australia.
<i>Mines Safety and Inspection Act 1994</i> <i>Mines Safety and Inspection Regulations 1995</i> <i>Part 16: Radiation Safety</i>	This is the applicable legislation and covers every aspect of safety in relation to radiation.

¹ Currently being re-written as the 'Code of Practice and Safety Guide for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing'.

Table B-3 (cont.'d)

Title	Applicability
<i>Radiation Safety Act 1975</i>	May be used by the mine inspectors and interpreted by the Health Department and Radiation Council for further clarification of the <i>Mines Safety and Inspection Act 1994, Mines Safety and Inspection Regulations, 1995, Part 16: Radiation Safety.</i>
<i>Radiation Safety (General) Regulations 1983</i>	
<i>Radiation Safety (Qualifications) Regulations 1980</i>	
<i>Radiation Safety (Transport of Radioactive Substances) Regulations 2001</i>	
Code of Practice on the Management of Radioactive Wastes from the Mining and Milling of Radioactive Ores, 1982	Provides measures for the management of the wastes resulting from mining radioactive ores.

Table B-4
Relevant State Position Papers and Guidance Statements

Title	Applicability
Environmental Protection of Native Vegetation in Western Australia. EPA Position Statement No. 2, December 2002	Overview of the EPA's position on the clearing of native vegetation in Western Australia, with particular references to agricultural areas.
Terrestrial Biological Surveys as an Element of Biodiversity Protection. EPA Position Statement No. 3, March 2002	Highlights the significance of biodiversity and the need to develop and implement best practice in terrestrial biological surveys.
Final Report of the Native Vegetation Working Group 2000	Provides strategies for the management of native vegetation in Western Australia.
Environmental Noise. EPA Guidance Statement No. 8 1998	Provides guidance about the assessment of noise emissions to proponents submitting proposals for environmental impact assessment. This Guidance Statement assists proponents in determining whether or not noise emissions will require detailed analysis. The Statement also provides guidelines for the derivation and presentation of technical information for assessment of noise impacts.
Air Quality and Air Pollution Modelling EPA Guidance Notes, June 2000	These guidance notes provide information with respect to air quality modelling expectations in Western Australia.
Assessment of Aboriginal Heritage. EPA Guidance Statement No. 41, April 2004	This Guidance Statement considers 'Aboriginal Heritage' as a relevant environmental factor in circumstances where they are linked directly to physical and biological attributes of the environment, and when the protection and management of those attributes are threatened as a result of a proposed development. The Statement provides information which the EPA will consider when assessing proposals where Aboriginal Heritage is a relevant environmental factor.
Terrestrial Flora Surveys for Environmental Impact Assessment in Western Australia. EPA Guidance Statement No.51, June 2004	Provides guidelines for conducting land flora surveys for the purpose of Environmental Impact Assessment.

Table B-4 (cont.'d)

Title	Applicability
Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. EPA Guidance Statement No. 56, June 2004	Provides guidelines for conducting land fauna surveys for the purpose of Environmental Impact Assessment.
Minimising Greenhouse Gases. EPA Guidance Statement No. 12, October 2002	Outlines measures to minimise the production of Greenhouse Gases.
Offsite Individual Risk from Hazardous Industrial Plant. Draft Guidance Statement No. 2, July 2000	Provides information which the EPA will consider when assessing proposals where off-site risk is a relevant environmental factor in an assessment to ensure the off-site individual risk is from new hazardous industrial plant is assessed and managed to assure public safety.
Assessment of Development Proposals in Shark Bay World Heritage Property. EPA Guidance Statement No. 49, November 2000	Outlines the assessment of proposals which could significantly impact the SBWHP.
Consideration of Subterranean Fauna in groundwater and Caves during Environmental Impact Assessment in Western Australia. EPA Guidance Statement No. 54, December 2003	Addresses the conservation of stygofauna and provides information regarding the assessment of proposals for which this is a relevant environmental issue.

Table B-5
Relevant Industry Guidelines

Title	Applicability
Strategic Framework for Mine Closure. Australian and New Zealand Minerals and Energy Council and Minerals Council Australia, 2000	Provides a set of objectives and principles designed to facilitate a broadly consistent framework for mine closure across Australia.
The Chamber of Minerals and Energy of Western Australia Inc, 1999. Mine Closure Guideline for Minerals Operations in Western Australia.	Provides a framework for closing a range of minerals industry operations to ensure a company does not leave itself, subsequent land owners or the State with unacceptable ongoing liability.
Guidelines on the Safe Design and Operating Standards for Tailings Storage (DoIR)	Provides standards and measures for the safe design and operation of tailings storage.
Guidelines on the Development of an Operating Manual for Tailings (DoIR)	Provides standards and measures for developing an operation manual for tailings.
International Council for Mining and Metals - Principles	<i>Only applicable if Proponent is a signatory, however still useful guidelines.</i>
AMI Code for Environmental Management	<i>Only applicable if Proponent is a signatory however still useful guidelines.</i>