

Frequently asked questions

Progressive rehabilitation and closure (PRC) plans

1. When will the PRC plan framework commence?

- The requirement for a PRC plan commences 1 November 2019 (PRCP start date).

2. Who is required to prepare a PRC plan?

- Only the holders of environmental authorities (EAs) issued under a site-specific application relating to a mining lease need to prepare a PRC plan.
- The requirement does not apply to petroleum activities, geothermal activities, greenhouse gas storage activities, or prescribed environmentally relevant activities. For these activities, the rehabilitation of disturbed land will continue to be conditioned under the EA.

3. What if an environmental authority was issued before the PRCP start date?

- All existing EAs issued under a site-specific application relating to a mining lease will be transitioned into the PRC plan framework.
(Refer [transitional arrangements](#) section below)

4. What is the purpose of a PRC plan?

- The PRC plan requires the holder of an EA to plan for how they will undertake progressive rehabilitation of the land disturbed by mining activities (authorised under an EA) back to a stable condition. It specifies the condition the land must be in before the EA may be surrendered.

5. What is required in a PRC plan?

- The PRC plan consists of a rehabilitation planning part, and a PRCP schedule, which is approved by the administering authority (Department of Environment and Science).

6. Does the PRC plan replace the rehabilitation requirements in an environmental authority?

- The PRC plan replaces the rehabilitation requirements in an EA and sets out how the land will be progressively rehabilitated throughout the life of the mine.

7. What requirements need to be met in a PRC plan?

- The rehabilitation planning part and PRCP schedule both must meet the requirements prescribed in the EP Act and PRCP guideline, however, it is only the PRCP schedule that is approved (or refused) by the department.

8. Is a PRC plan required as part of an environmental impact statement?

- Proponents that undergo an environmental impact statement process for a mining activity that involves a site-specific application for a mining lease are required to prepare a PRC plan as a requirement of the terms of reference.

Submission and assessment process

9. How is a PRC plan submitted?

- A new site-specific application for an EA relating to a mining lease must be accompanied by a proposed PRC plan, unless section 125(6) of the EP Act applies to the application.
- Where there is no proposed PRC plan for a site-specific application for a mining activity relating to a mining lease, the administering authority must include in an information request a requirement that the applicant submit a proposed PRC plan for the application.
- The proposed PRC plan and completed PRC plan approved form (ESR/2019/4957) must be submitted to the department's business centre that services the industry applicable to the EA.
- There is no additional fee for an EA application which includes a proposed PRC plan.

10. How is a PRC plan assessed?

- Similar to the EA assessment process, the assessment process for a proposed PRC plan consists of four stages: application stage, information stage, notification stage and the decision stage.
- The assessment timeframes for an EA application that is accompanied by a proposed PRC plan are similar to those for an EA assessment process. However, the timeframes for the information and decision stages are extended by 10 business days. The timeframes for the assessment process will be different if a public interest evaluation is required for the proposed PRC plan.
- The PRCP schedule and EA will be assessed with separate decision considerations; however, the application, as a whole, will have only one decision.
- An EA application will be automatically refused if either the EA or proposed PRCP schedule is refused.

11. What decisions can the department make on a PRC plan?

- The department may decide to approve, approve with conditions, or refuse a proposed PRCP schedule.
- As the PRCP schedule is a statutory document, the department may amend a proposed PRCP schedule prior to its approval, including imposing conditions or changing the wording of milestones to ensure they are enforceable.

12. What is received in an approved decision notice?

- If both the EA and PRCP schedule are approved, the site-specific EA application as a whole will be approved with a single decision notice. The decision notice will be accompanied by two statutory documents, the EA and the PRCP schedule.

13. Can the decision be appealed?

- If the applicant, or a submitter, is not satisfied with the decision made, they may request that the department refer the application for the EA, including the accompanying proposed PRC plan, to the Land Court.

Transitional arrangements

14. What are the PRC plan transitional arrangements?

- Existing mining operations will only transition into the PRC plan framework once they have been issued a transition notice from the department stating the requirement to submit a transitional PRC plan.
- Transition notices will be issued through a 3-year transition period from the PRCP start date.
- Where the EA is issued on or after the PRCP start date for an application made prior the PRCP start date, the transition notice will be issued within 6 months after the EA is issued.

15. When do I need to submit my PRC plan if I am captured by the transitional arrangements?

- The transition notice will state a date, of at least 6 months from the day the notice is given, by which the EA holder must submit a proposed PRC plan for assessment. The proposed PRC plan and completed PRC plan approved form (ESR/2019/4957) must be submitted to the department's business centre that services the industry applicable to your EA.
- An amendment to an existing site-specific environmental authority (or any other post-approval environmental authority dealings) will **not** trigger an application of a PRC plan.
- There is no fee for submitting a transitional PRC plan.

16. Can a PRC plan be submitted before a transition notice is issued?

- An EA holder who wishes to voluntarily develop a proposed PRC plan can contact the department stating their intent to prepare and submit a PRC plan. However, it will be up to the department to decide whether to issue a transition notice. The department is only required to start assessing a proposed PRC plan once the plan has been provided in accordance with the notice.

17. Does a transitional PRC plan need to meet all the information requirements?

- Proposed PRC plans for existing EAs may be exempt from some information requirements for land if an outcome has been previously approved by the department.

18. How is a transitional PRC plan assessed?

- A transitional PRC plan is assessed as though it was submitted as part of an EA application, although some stages may not apply and timeframes may differ.

Further information

Further information is available at:

<https://www.business.qld.gov.au/running-business/environment/licences-permits/rehabilitation/progressive-rehabilitation-closure-plans>

Contact details

For further information contact the department's business centre that services your industry.

Minerals Business Centre

Telephone: 07 4222 5352

Email: ESCairns@des.qld.gov.au

Coal Business Centre

Telephone: 07 4987 9320

Email: CRMining@des.qld.gov.au