

CONSOLIDATED CONSENT

10/07074-5

SCHEDULE 2

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The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

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DEFINITIONS

Applicant	Evolution Mining (Cowal) Pty Limited, or any other person or persons who rely on this consent to carry out the development that is subject to this consent
BCA	Building Code of Australia
BCS	Biodiversity, Conservation and Science Directorate within the Department
Biodiversity offset strategy	The conservation and enhancement strategy described in the EIS, summarised in Tables 2, 2.1 and 2.2, and depicted conceptually in the figure in Appendix 3
BSC	Bland Shire Council
CEMCC	Community Environmental Monitoring and Consultative Committee
Cowal Gold Operations	The combined operations of the Open Cut Operations and the Underground Mine Development
DA	Development Application
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning, Industry and Environment
Development	The development described in the EIS
DPI Fisheries	NSW Department of Primary Industries Fisheries
DPIE Water	Water Division within the Department
DPI Agriculture	Department of Primary Industries – Agriculture
DSNSW	Dams Safety NSW
EIS	<p>The Environmental Impact Statement prepared by Resource Strategies and dated 13 March 1998, including the Statement of Intent by North Gold (WA) Ltd, as amended by the:</p> <ul style="list-style-type: none">• Applicant's primary submission, and submission in reply to the Commission of Inquiry;• modification application submitted by Barrick Australia Limited, dated 20 June 2003;• modification application and supporting information submitted by Barrick Australia Limited, dated 13 November 2003;• modification application and supporting information submitted by Barrick Australia Limited, dated 22 June 2004;• modification application and supporting documentation submitted by Barrick Australia Limited, dated 15 August 2006;• modification application and supporting documentation submitted by Barrick Australia Limited, dated 24 December 2007;• modification application and supporting documentation submitted by Barrick Australia Limited, dated 30 January 2009;• modification application and supporting documentation submitted by Barrick (Cowal) Limited, dated 23 June 2009;• modification application dated 25 March 2008 and supporting EA submitted by Barrick Australia Limited;• modification application dated 22 November 2010 and supporting letter submitted by Barrick (Cowal) Limited;• modification application dated 16 December 2010 (Mod 10) and supporting Environmental Assessment titled Cowal Gold Mine Water Supply Modification (Section 75W Modification) and dated December 2010, submitted by Barrick (Cowal) Limited;• modification application and supporting Environmental Assessment (Mod 11) titled Cowal Gold Mine Extension Modification and dated 12 September 2013, submitted by Barrick (Cowal) Limited;• modification application (Mod 12) dated 24 March 2016, submitted by Evolution Mining (Cowal) Pty Limited;• modification application (Mod 13) dated 11 November 2016, submitted by Evolution Mining (Cowal) Pty Limited;

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- modification application (Mod 14) dated 6 April 2018, and supporting information submitted by Evolution Mining (Cowal) Pty Limited;
- modification application (MOD15) dated 17 July 2019, submitted by Evolution Mining (Cowal) Pty Limited; and
- modification application (MOD 16) dated 30 September 2020, submitted by Evolution Mining (Cowal) Pty Limited, and additional information provided by the Applicant on 26 April 2021, 12 May 2021, 20 May 2021 and 22 September 2021 in support of the application.

EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heritage NSW	Heritage NSW in the Department of Premier and Cabinet
Incident	A set of circumstances that causes or threatens to cause material harm to the environment
IWL	Integrated Waste Landform
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions 6.1 and 6.4 of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent
m AHD	metres Australian Height Datum
Material harm	Is harm that: <ul style="list-style-type: none">• involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Mining operations	Includes the removal and emplacement of waste rock; the processing and handling of ore and the storage of tailings on site; and the transport of ore concentrate offsite
Mitigation	Activities associated with reducing the impacts of the development
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
Open Cut Operations	Open cut mining operations and associated development approved under this consent, as shown on the figure in Appendix 2
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements

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Resources Regulator	NSW Resources Regulator within the Department of Regional NSW
Planning Secretary	Secretary of the Department, or nominee
Site	As listed in Appendix 1 and shown in Appendix 2
Supplementary IWL activities	Construction of water management infrastructure, removal of soil and soil stockpiles and placement of clay materials at the IWL
TfNSW	Transport for NSW
Underground Mine Development	Underground mining operations and associated development approved under development consent SSD 10367 as shown on the figure in Appendix 2.

FOR INFORMATION

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1. GENERAL

1.1 Adherence to terms of DA, EIS, etc.

- (a) The Applicant must carry out the development:
- (i) generally in accordance with the EIS; and
 - (ii) in accordance with the conditions of this consent; and
 - (iii) in accordance with all written directions of the Planning Secretary made under condition 1.1(b);
- Note: The general layout of the development is shown in Appendix 2
- (b) Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (i) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (ii) the implementation of any actions or measures contained in any such document referred to in paragraph (a).
- (c) The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s listed in condition (a)(i). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition (a)(i), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

1.2 Limits on Consent

- (a) The Applicant may only carry out mining operations until 31 December 2040.
- Note: Under this consent, the Applicant is required to rehabilitate the site and perform additional undertakings to the satisfaction of the Planning Secretary and Resources Regulator. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.
- (b) The Applicant must not:
- (i) process more than 9.8 million tonnes of ore on site in a calendar year; and
 - (ii) crush more than 150,000 tonnes of waste rock for use as gravel road base in a calendar year.
- (c) The Applicant shall comply with the following maximum heights:
- (i) Northern Rock Emplacement - 308 m AHD;
 - (ii) Southern Rock Emplacement - 283 m AHD;
 - (iii) Southern Tailings Storage Facility – 248.4 m AHD;
 - (iv) Northern Tailings Storage Facility – 240.5 m AHD;
 - (v) Perimeter Rock Emplacement - 233 m AHD;
 - (vi) Mineralised Material Stockpile - 320 m AHD; and
 - (vii) Integrated Waste Landform - 246 m AHD.
- (d) Unless the Planning Secretary agrees otherwise, the Applicant must comply with the operating hours in Table 1.1.

Table 1.1: Operating hours

Activity	Hours
Construction of Tailings Storage Facility lifts or rock buttress	7 am to 6 pm, 7 days a week
Supplementary IWL activities	
Construction of Lake Cowal water supply pipeline (excluding construction at the western side of Lake Cowal)	7 am to 6 pm, Monday to Friday 8 am to 1 pm, Saturday
Lake Cowal Road realignment construction	No activities on Sundays or public holidays
All other activities	24 hours a day, 7 days a week

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1.3 Structural Adequacy

The Applicant shall ensure that all new buildings and structures on site, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Note: Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates (where applicable) for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

1.4 Demolition

The Applicant shall ensure that all demolition work undertaken on site is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

1.5 Protection of Public Infrastructure

Unless the Applicant and the applicable authority agree otherwise, the Applicant shall:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to any damage to roads caused as a result of general road usage.

1.6 Operation of Plant and Equipment

The Applicant shall ensure that all plant and equipment used on site, or to monitor the performance of the development, is maintained and operated in a proper and efficient manner.

1.7 Staging, Combining and Updating Strategies, Plans or Programs

- (a) With the approval of the Planning Secretary, the Applicant may:
 - (i) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (ii) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
 - (iii) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and
 - (iv) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by other consents for the Cowal Gold Operations.
- (b) If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- (c) If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

1.8 Dispute Resolution

In the event that the Applicant and the BSC or any Government agency, other than the Department, cannot agree on the specification or requirements applicable under this consent, the matter shall be referred by either party to the **Planning Secretary** for resolution. The **Planning Secretary's** determination on the dispute shall be final and binding on the parties.

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2. MINE MANAGEMENT

2.1 Deleted

2.2 Ore, Waste and Concentrate Production

The Applicant shall not transport ore or other excavated materials not required for either construction or maintenance works from other mines or locations to the mine site without the written approval of the relevant councils.

2.3 Mine and Public Safety

The Applicant shall secure the mine site as described in the EIS. The fence for the mining lease boundary shall be designed to minimise the impact on water birds and aquatic species.

2.4 Rehabilitation

(a) Rehabilitation Objectives

The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining leases(s) associated with the development under the *Mining Act 1992*. The rehabilitation must be generally consistent with the proposed rehabilitation objectives described in the EIS (and shown conceptually in the figure in Appendix 3), as amended by the approved rehabilitation strategy (see condition 3.8) and must comply with the objectives in Table 1.

Table 1: Rehabilitation objectives

Feature	Objective
Mine site (as a whole)	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Final landforms designed to incorporate micro-relief and integrate with surrounding natural landforms • Constructed landforms are to generally drain to the final void • Minimise long term groundwater seepage zones • Minimise visual impact of final landforms as far as is reasonable and feasible
Final void	<ul style="list-style-type: none"> • Minimise to the greatest extent practicable: <ul style="list-style-type: none"> • the size and depth of final void • the drainage catchment of final void • risk of flood interaction for all flood events up to and including the Probable Maximum Flood • To be permanently separated from Lake Cowal by the Lake Protection Bund • Highwall to be long-term stable • Minimise the ongoing runoff from clean areas into the final void
Surface infrastructure	<ul style="list-style-type: none"> • To be decommissioned and removed, unless Resources Regulator agrees otherwise
Agriculture	<ul style="list-style-type: none"> • Restore or maintain land capability generally as described in the EIS
Rehabilitation areas and other vegetated land	<ul style="list-style-type: none"> • Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems
Community	<ul style="list-style-type: none"> • Ensure public safety • Minimise adverse socio-economic effects associated with mine closure

(b) Progressive Rehabilitation

The Applicant shall rehabilitate the site progressively as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilization and rehabilitation strategies shall be employed when areas prone to dust generation cannot be permanently rehabilitated.

Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the development.

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(c) Rehabilitation Management Plan

The Applicant must prepare and implement a Rehabilitation Management Plan in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. The plan must:

- (i) describe how the rehabilitation of the site would be integrated with the biodiversity offset strategy for the development;
- (ii) include geotechnical analysis and review of ongoing open pit development, the management of the integrated waste and continued monitoring of the lake protection bund;
- (iii) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);
- (iv) describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform (including final voids) and final land use;
- (v) include a program to monitor, and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; and
- (vi) build to the maximum extent practicable on the other management plans required under this consent.

Note: *The Rehabilitation Management Plan may be combined with a Mining Operations Plan, or similar plan, required under the mining lease granted for the development.*

2.5 Security Deposits and Bonds

Security deposits and bonds will be paid as required by Resources Regulator under mining lease approval conditions.

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3. HERITAGE, FLORA AND FAUNA AND LAND MANAGEMENT

3.1 Heritage Management

- (a) The Applicant shall:
- (i) prepare and implement a Heritage Management Plan for the development to the satisfaction of the **Planning Secretary**. The plan shall be prepared in consultation with Bland District Historical Society, BSC, and Lake Cowal landholders/residents and address non-indigenous cultural heritage issues associated with the development;
 - (ii) prepare and implement an Indigenous Archaeology and Cultural Management Plan for the development to the satisfaction of the **Planning Secretary**. The plan shall be prepared in consultation with **Heritage NSW**, the Local Aboriginal Land Council, a consultant archaeologist, any other stakeholders identified by **Heritage NSW**; include a **Chance Finds Protocol** and identify future salvage, excavation and monitoring of any archaeological sites within the **site** prior to and during development, and to address Aboriginal cultural heritage issues; and
 - (iii) retain a Cultural Heritage Officer approved by the West Wyalong Local Aboriginal Land Council who is to be available on site during construction earthworks.
- (b) The Applicant shall monitor the effectiveness of measures outlined in the Heritage Management Plan and Indigenous Archaeology and Cultural Management Plan to the satisfaction of the **Planning Secretary**. A summary of the monitoring results is to be published annually on the Applicant's website for the development.
- (c) The Applicant must ensure that no harm occurs to any Aboriginal objects within the site unless an Aboriginal Heritage Impact Permit has been issued by **Heritage NSW** under section 90 of the *National Parks and Wildlife Act 1974*.

3.2 Flora and Fauna Management

- (a) The Applicant shall:
- (i) minimise the removal of trees and other vegetation from the mine site and restrict any clearance to the areas occupied by the mine activity, buildings and paved surfaces, and those areas necessary for fire control in accordance with BSC's requirements, and have regard to the draft Mid-Lachlan Regional Vegetation Management Plan (or its final version);
 - (ii) not disturb the area of **Belah Woodland** as identified in **Appendix 4**; and
 - (iii) not disturb the area of **Weeping Myall Open Woodland** as identified in **Appendix 4**.
- (b) The Applicant shall prepare and implement a Flora and Fauna Management Plan for the development to the satisfaction of the **Planning Secretary**. The plan shall be prepared in consultation with **DPI Fisheries** and **BCS**, and cover the mining lease area and monitoring of bird breeding areas as identified by the Applicant in consultation with **BCS**. The plan shall include, but not be limited to:
- (i) methods for monitoring daily and seasonal fauna usage of tailings dams and **IWL** (eg. species, number, location, habits), and whether deaths or other effects or incidents are occurring. Usage of the tailings dams and **IWL** shall be reported to the **BCS** on a six monthly basis, unless otherwise directed by the **Planning Secretary**;
 - (ii) development of a protocol for the reporting of any **cyanide related** native fauna deaths on the mining lease to the **BCS**, **DRE**, **Resources Regulator**, **CEMCC** and in the case of fish, **DPI Fisheries**. **Cyanide related** native fauna deaths must be reported as per this protocol within 24 hours (or next working day) following confirmation of the death being **cyanide related**. The Applicant shall maintain a record of **cyanide related** native fauna deaths this record must be published in the **Annual Review** and annually on the Applicant's website for the development;
 - (iii) provision for fauna autopsy facilities to enable the cause of any deaths to be quickly determined. The protocol required in sub clause (ii) above shall also detail collection and autopsy of fauna. This shall include but not be limited to collection and recording procedures, autopsy procedures and laboratory tests;
 - (iv) provision of contingency measures for reducing cyanide levels in the tailings dams and **IWL** in the event it is established that fauna deaths are occurring from cyanide in tailings dam and **IWL** water;
 - (v) development of effective mechanisms to keep fauna and avifauna away from the tailings storages, which shall include, but not be limited to:
 - minimising the area of open water in the tailings dams and **IWL**;
 - fencing to prevent both medium and large fauna, terrestrial and amphibians, from entering the area. Mesh will have holes no greater than 5cm in diameter;

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- making the area non-conductive to the establishment of wildlife habitats, as far as possible;
 - use of netting where practical; and
 - use of current best practice methods for avifauna deterrence;
- (vi) development of plans for the rescue and rehabilitation of wildlife that may become bogged/sick/trapped in the tailings dams and IWL or elsewhere within the mining lease area;
- (vii) methods to conserve and enhance wildlife values around Lake Cowal, within the mine lease area, including: protection and enhancement of existing retained habitats;
- (viii) provision to continue fauna and flora, fish, and aquatic invertebrate monitoring of the Lake Cowal region as documented in the EIS including investigation of fauna deaths off site if requested by the **Planning Secretary** where it is considered the deaths are attributable to activities on the site;
- (ix) details to relocate any threatened species and/or its habitat away from disturbed areas that are created by mine operations. This will include placement and maintenance of suitable types and numbers of artificial roosting boxes for bats such as the Greater Long-eared Bat and other animals (eg birds/possums) in undisturbed areas of the mine site; and
- (x) details of monitoring the mine's impacts particularly on birdlife in bird breeding areas identified by the Applicant in consultation with **BCS**, threatened fauna and flora, and fish and aquatic invertebrates around Lake Cowal, and outline contingency measures should impacts be identified as occurring.
- (c) The Applicant shall implement a Threatened Species Management Protocol for the development to the satisfaction of the **Planning Secretary**, which will include provisions for targeted searches prior to construction and proposed mitigation measures where threatened flora or fauna species are found.
- (d) The Applicant shall monitor the effectiveness of measures outlined in the Flora and Fauna Management Plan and Threatened Species Protocol to the satisfaction of the **Planning Secretary**. A summary of these monitoring results shall be published annually on the Applicant's website for the development.

3.3 Compensatory Wetland Management Plan

The Applicant shall prepare and implement a Compensatory Wetland Management Plan for the development to the satisfaction of the **Planning Secretary**. The plan shall be prepared in consultation with **BCS** and **DPI Fisheries**, Lake Cowal Landowners Association, and Lake Cowal Environmental Trust, and detail compensation measures for the loss of 120 hectares of wetland, through the enhancement of at least the equivalent area of existing wetland within the mine lease area during operation and following closure of the mine. The plan shall include, but not be limited to:

- (a) a definition of wetland which shall be all land up to the high water mark of Lake Cowal recognising that river red gum habitat is below high water mark;
- (b) measures to manage the enhanced wetlands without adversely impacting adjoining private properties; and
- (c) measures to improve habitats for wildlife including waterbirds, fish, aquatic organisms etc, in the wetlands covered by the plan.

3.4 Biodiversity Offset Strategy

- (a) The Applicant shall implement the biodiversity offset strategy summarised in Table 2, shown conceptually in **Appendix 3**, and described in detail in the EIS to the satisfaction of the **Planning Secretary**.

Table 2: Northern and Southern Offsets

Area	Minimum Size
Northern Offset Area (Enhancement Area)	80 ha
Southern Offset Area (Enhancement Area) (including 230 ha Mod 11 extension)	260 ha
Southern Offset Area (Revegetation Area)	100 ha
Total	440 ha

- (b) By the end of July 2015, unless the **Planning Secretary** agrees otherwise, the Applicant shall make suitable arrangements for the long term protection of the biodiversity offset areas in Table 2 to the satisfaction of the **Planning Secretary**.
- (b1) Within two years of commencing the construction of activities associated with Modification 14, unless the **Planning Secretary** agrees otherwise, the Applicant must secure the offset areas listed in Table 2.1 (or alternative offset areas with comparable ecological values as agreed in consultation with **BCS** and to the

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satisfaction of the **Planning Secretary**) by entering into a Biodiversity Stewardship Agreement(s), in accordance with the relevant provisions of the *Biodiversity Conservation Act 2016*, unless otherwise agreed with the **Planning Secretary**.

Table 2.1: Land based offsets – Modification 14

Area	Minimum Size
Offset Area 3	88 ha
Offset Area 4	157 ha
Offset Area 5	39.5 ha
Offset Area 6	202 ha
Total	486.5

Notes:

- To identify the areas referred to in Table 2.1 see the figure in Appendix 3.
- By entering a Stewardship Agreement, the Applicant will be required to develop a management plan for each of these offset areas and provide in perpetuity up-front funding to implement agreed management measures. Therefore, management of these offset areas does not need to be incorporated into the Biodiversity Management Plan required under condition 3.4(c) or conservation bond required under condition 3.4(d) below.

(b2) Retirement of Credits

Within two years of commencing the construction of activities associated with Modification 14, the Applicant must retire biodiversity credits of a number and class specified in Tables 2.2 and 2.3 below to the satisfaction of **BCS**.

The retirement of credits must be carried out in accordance with the requirements of the *NSW Biodiversity Offsets Scheme* and can be achieved by:

- acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
- making payments into the Biodiversity Conservation Fund; and
- funding a biodiversity conservation action that benefits the threatened entity impacted by the development, consistent with the 'Ancillary rules: Biodiversity conservation actions'.

Table 2.2: Ecosystem Credit Requirements

Area	PCT ID	Credits Required
Weeping Myall Open Woodland	26	109
Inland Grey Box - White Cypress Pine Woodland	82	816
River Red Gum Forest	249	19
Belah Woodland	55	193
Dwyer's Red Gum - White Cypress Pine - Currawang Woodland	185	18
Highly Modified Derived Grasslands	250	2,532
Total	-	3,687

Table 2.3: Species Credit Requirements

Area	Credits Required
Superb Parrot	7

Notes:

- Payments to an offset fund do not apply to EPBC Act listed threatened species and ecological communities.
- The number and class of credits in Tables 2.2 and 2.3 are credits created under the *Threatened Species Conservation Act 1995*.

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- Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, credits created under that Act are taken to be "biodiversity credits" under the Biodiversity Conservation Act 2016 under clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.

- (b3) The Applicant must use the ecosystem and species credits generated by the establishment of Biodiversity Stewardship Agreements for the offset areas in Table 2.1 to retire the biodiversity credit requirements of the development under condition 3.4(b2) of Schedule 2 of this consent, unless otherwise agreed with the **Planning Secretary**.

Note: If there is a surplus in credits following establishment of the Biodiversity Stewardship Agreement(s), then these remaining credits will be held by the Applicant for future use.

- (c) Biodiversity Management Plan

The Applicant shall prepare and implement a Biodiversity Offset Management Plan for the development to the satisfaction of the **Planning Secretary**. This plan must be prepared in consultation with **BCS** and include:

- (i) a description of the short, medium, and long term measures that would be implemented to:
 - implement the biodiversity offset strategy;
 - manage the remnant vegetation in the offset areas; and
 - integrate the implementation of the biodiversity offset strategy to the greatest extent practicable with the rehabilitation of the site;
- (iii) detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy, and triggering remedial action (if necessary);
- (iv) a detailed description of the measures that would be implemented for:
 - enhancing the quality of existing vegetation and fauna habitat in the biodiversity offset areas;
 - creating native vegetation and fauna habitat in the biodiversity offset areas;
 - maximising the salvage of resources from the disturbance areas on site, including the vegetative and soil resources – for beneficial use in the biodiversity offset areas;
 - collecting and propagating seed;
 - controlling weeds and feral pests;
 - controlling erosion;
 - managing any grazing;
 - controlling access; and
 - bushfire management;
- (v) a seasonally-based program to monitor and report on the effectiveness of these measures, and progress against the detailed performance and completion criteria;
- (vi) a description of the potential risks to successful implementation of the biodiversity offset strategy, and the contingency measures that would be implemented to mitigate against these risks; and
- (vii) details of who would be responsible for monitoring, reviewing, and implementing the plan.

- (d) Conservation Bond

By the end of July 2015, unless otherwise agreed by the **Planning Secretary**, the Applicant shall lodge a Conservation Bond with the Department to ensure that the biodiversity offset strategy summarised in Table 2 is implemented in accordance with the performance and completion criteria in the Biodiversity Offset Management Plan. The sum of the bond shall be determined by:

- (i) calculating the full cost of implementing the biodiversity offset strategy (other than land acquisition costs); and
 - (ii) employing a suitably qualified and experienced person to verify the calculated cost
- to the satisfaction of the **Planning Secretary**.

The calculation of the Conservation Bond must be submitted to the Department for approval at least 1 month prior to the lodgment of the bond.

If the offset strategy is completed generally in accordance with the completion criteria in the Biodiversity Offset Management Plan to the satisfaction of the **Planning Secretary**, the **Planning Secretary** will release the bond.

If the offset strategy is not completed generally in accordance with the completion criteria in the Biodiversity Offset Management Plan, the **Planning Secretary** will call in all, or part of, the conservation bond, and arrange for the completion of the relevant works.

Note: Alternative funding arrangements for long-term management of the biodiversity offset strategy, such as provision

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of capital and management funding as agreed by BCS as part of a Biobanking Agreement or transfer to conservation reserve estate can be used to reduce the liability of the conservation and biodiversity bond. The sum of the bond may be reviewed in conjunction with any revision to the Biodiversity Offset Management Plan.

3.5 Prevention of Soil Erosion

The Applicant shall prepare and implement the following plans to the satisfaction of the **Planning Secretary**:

- (a) an erosion and sediment control management plan for the site which shall include, but not be limited to:
 - (i) details of temporary and permanent sediment and erosion control systems to be used during both mine construction and operation, including for earthworks associated with landscaping;
 - (ii) details of salinity management; and
 - (iii) a program for reporting on the effectiveness of the sediment and erosion control systems and performance against objectives contained in the approved erosion and sediment control management plan, and EIS; and
- (b) a soil stripping management plan for the site which shall include, but not be limited to:
 - (i) details of the management of soil stockpiles, soil stripping techniques and scheduling;
 - (ii) any further requirements of **Resources Regulator**; and
 - (iii) a program for reporting on the effectiveness of the soil stripping methods and performance against objectives contained in the soil stripping management plan, and EIS.

3.6 Bushfire Management

The Applicant shall:

- (a) ensure the development is suitably equipped to respond to any fires on site; and
- (b) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site.

3.7 Land Management

The Applicant shall prepare and implement a Land Management Plan for all its land holdings to the satisfaction of the **Planning Secretary**. The plan shall be prepared in consultation with **BCS**, **DPIE Water**, **DPI Agriculture** and **BSC**, be consistent with the Flora and Fauna Management Plan, provide for proper land management including, but not limited to:

- (a) pastures and remnant vegetation management;
- (b) control of vermin and noxious weeds as required by the Local Lands Services, BSC and other relevant authorities;
- (c) integration of the latest versions of the Jemalong Land and Water Management Plan and the Lake Cowal Land and Water Management Plan; and
- (d) feral animal control.

3.8 Rehabilitation Strategy

The Applicant shall develop a strategy for the long term land use of the **site** on decommissioning of the mine site. The strategy shall include, but not be limited to: appropriate landuses within the **site**, which may include areas for conservation, agriculture or recreation, long term management of the area, environmental impacts of any uses and maintenance of necessary drainage characteristics and other features provided on the site. The strategy for long term land use of the **site** shall be submitted by Year 7 of mining operations or five years before mine closure, whichever is the sooner, in consultation with **Resources Regulator**, **DPI Agriculture**, **DPIE Water**, **BCS**, **BSC**, **CEMCC**, and to the satisfaction of the **Planning Secretary**.

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4. WATER MANAGEMENT

4.1 Water Supply

- (a) The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.
- (b) The Applicant must report on water extracted from the Cowal Gold Operations each year (direct and indirect) in the Annual Review, including water taken under each water licence.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development, including during rehabilitation and post mine closure.

4.2 Compensatory Water Supply

- (a) The Applicant must provide a compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than an impact that is minor or negligible) as a result of the Cowal Gold Operations, in consultation with DPIE Water, and to the satisfaction of the Planning Secretary.
- (b) The compensatory water supply measures must provide an alternative long term supply of water that is equivalent, in quality and volume, to the loss attributable to the Cowal Gold Operations. Equivalent water supply should be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner.
- (c) If the Applicant and the landowner cannot agree on whether the loss of water is attributed to the Cowal Gold Operations or the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.
- (d) If the Applicant is unable to provide an alternative long term supply of water, then the Applicant must provide compensation, to the satisfaction of the Planning Secretary.
- (e) However, conditions 4.2(a) to 4.2(d) do not apply if the Applicant has a compensatory water agreement with the owner/s of the land and the Applicant has advised the Department in writing of the terms of this agreement.

Notes:

- The Water Management Plan (see condition 4.4) is required to include trigger levels for investigating potentially adverse impacts on water supplies.
- The burden of proof that any loss of water supply is not due to mining impacts rests with the Applicant.
- For the avoidance of doubt, the Applicant is not required to provide compensatory water supplies under this consent if equivalent compensatory water supplies are provided under the consent for the Underground Mine Development.

4.3 Water Management Performance Measures

- (a) The Applicant must ensure that the Cowal Gold Operations complies with the performance measures in Table 2.4.

Table 2.4: Water management performance measures

Feature	Performance Measure
Water management – General	<ul style="list-style-type: none"> • Maximise water recycling, reuse and sharing opportunities • Minimise the need for make-up water from external supplies, particularly the use of higher quality water used by other land users • Design, install, operate and maintain water management infrastructure in a proper and efficient manner • Minimise risks to the receiving environment and downstream water users
Aquifers	<ul style="list-style-type: none"> • Negligible impacts to alluvial and fractured rock aquifers caused by the Cowal Gold Operations beyond those predicted in the EIS, including: <ul style="list-style-type: none"> – negligible change in groundwater levels beyond those predicted; – negligible change in water quality beyond those predicted; – negligible impact to other groundwater users; and

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Feature	Performance Measure
	<ul style="list-style-type: none"> - no exceedance of the minimal impact considerations in the <i>NSW Aquifer Interference Policy</i>
Lake Cowal and other surface water resources	<ul style="list-style-type: none"> • Negligible impacts to Lake Cowal and other surface water resources caused by the Cowal Gold Operations beyond those predicted in the EIS, including: <ul style="list-style-type: none"> - negligible change in lake volume; - negligible change in surface water quality; and - negligible impact to other surface water users
Borefields	<ul style="list-style-type: none"> • Implement all reasonable and feasible measures to ensure that extraction of groundwater from the borefields does not result in exceedances of established mitigation trigger response levels • Negligible impact to other groundwater users caused by the extraction of water from the borefields by the Applicant
Up-Catchment Diversion System (UCDS)	<ul style="list-style-type: none"> • Maximise, as far as reasonable and feasible, the diversion of all clean water around disturbed areas
Internal Catchment Drainage System (ICDS)	<ul style="list-style-type: none"> • Storages are suitably designed, installed and maintained to ensure no discharge of mine water or sediment-laden water outside the ICDS • Storages are suitably designed, installed and maintained to minimise the migration of pollutants due to discharges within the ICDS • Storages are suitably designed, installed and maintained to minimise permeability, and prevent or minimise the migration of pollutants due to seepage
Flood mitigation	<ul style="list-style-type: none"> • Design, install and maintain the lake isolation system to exclude exchange of water between the ICDS and Lake Cowal for all flood events up to and including the Probable Maximum Flood • Negligible change to off-site flood regime, including flows, levels, storage capacity or velocities
Chemical and hydrocarbon storage	<ul style="list-style-type: none"> • Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standard
Groundwater dependent ecosystems	<ul style="list-style-type: none"> • Negligible environmental consequences to groundwater dependent ecosystems • Negligible environmental consequences to fish and aquatic habitat

4.4 Water Management Plan

The Applicant must prepare a Water Management Plan for the Cowal Gold Operations to the satisfaction of the Planning Secretary. This plan must:

- be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- be prepared in consultation with DPIE Water, EPA, FSC, DPI Fisheries, DSNSW and Resources Regulator;
- be submitted to the Planning Secretary for approval prior to commencing any construction works associated with the Underground Mine Development and/or Modification 16 as described in the EIS, unless the Planning Secretary agrees otherwise;
- include a:
 - Site Water Balance that:

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- includes details of:
 - predicted inflows and outflows;
 - sources and security of water supply, including contingency planning for various climate scenarios and allocations;
 - preferential water supply to prioritise internal and poorer quality water supplies over external and higher quality water supplies;
 - measures to ensure that average extraction of water from the borefields does not exceed the relevant performance measures in Table 2.4;
 - water use and management;
 - any off-site water transfers; and
 - reporting procedures, including the annual preparation of an updated site water balance; and
 - investigates and implements all reasonable and feasible measures to minimise water use;
- (ii) Surface Water Management Plan, that includes:
- detailed baseline data on surface water flows and quality in Lake Cowal and other waterbodies (including Bland Creek and Sandy Creek) that could be affected by the Cowal Gold Operations;
 - a detailed description of the water management system, including the:
 - Up-Catchment Diversion System;
 - Internal Catchment Drainage System; and
 - Lake Isolation System;
 - detailed objectives and performance criteria, including trigger levels for investigating any potentially adverse impacts associated with the Cowal Gold Operations for:
 - the water management system;
 - downstream surface water flows and quality;
 - downstream flooding impacts;
 - water supply for other water users; and
 - lake, stream and riparian health;
 - a program to monitor and evaluate:
 - compliance with the relevant performance measures in Table 2.4 and the performance criteria established above;
 - the effectiveness of the water management system;
 - surface water flows and quality, stream and riparian health in Lake Cowal and other waterbodies (including Bland Creek and Sandy Creek) that could be affected by the Cowal Gold Operations;
 - downstream flooding impacts;
 - stability of the Lake Isolation System; and
 - impacts on water users;
 - reporting procedures for the results of the monitoring program; and
 - a plan to respond to any exceedances of the performance measures or performance criteria, and mitigate any adverse surface water impacts of the Cowal Gold Operations, including contingency strategies for addressing:
 - any discharge of pollutants from on-site water storages, tailings dams, emplacements, infrastructure and processing areas (including pipelines and borefield infrastructure); and
 - any identified impacts to Lake Cowal and other waterbodies;
- (iii) Groundwater Management Plan, that includes:
- detailed baseline data on groundwater levels, yield and quality in the region that could be affected by the Cowal Gold Operations, including privately-owned groundwater bores and groundwater dependent ecosystems;
 - a detailed description of the groundwater management system, including measures to ensure that long term average extraction from the borefields remains within the levels predicted in the EIS and/or below applicable trigger levels;
 - detailed objectives and performance criteria, including trigger levels for investigating any potentially adverse impacts associated with the Cowal Gold Operations for:
 - the groundwater management system;
 - local and regional aquifers;
 - groundwater users bores;
 - groundwater inflows to the mining operations;
 - seepage/leachate from water storages, tailings dams, emplacements, infrastructure and processing areas, and final void; and
 - groundwater dependent ecosystems;
 - a program to monitor and evaluate:
 - compliance with the relevant performance measures listed in Table 2.4 and the performance criteria established above;
 - the effectiveness of the groundwater management system;
 - groundwater inflows to the mining operations;
 - any localised enhanced groundwater inflows associated with faults or other structures;

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- seepage/leachate from water storages, tailings dams, emplacements, infrastructure and processing areas, and final void, including migration over the short and long term;
 - background changes in groundwater yield/quality against mine-induced changes;
 - impacts of the Cowal Gold Operations on:
 - local and regional aquifers;
 - Lake Cowal and other waterbodies;
 - groundwater supply of potentially affected landowners;
 - groundwater dependent ecosystems; and
 - reporting procedures for the results of the monitoring program; and
 - a plan to respond to any exceedances of the performance measures or performance criteria, and mitigate any adverse groundwater impacts of the Cowal Gold Operations, including contingency strategies for addressing:
 - seepage/leachate of pollutants from on-site water storages, tailings dams, emplacements, infrastructure and processing areas, and final void;
 - any localised enhanced groundwater inflows associated with faults or other structures;
 - any exceedance of trigger levels at the borefields; and
- (iv) a program to validate the water balance and groundwater model for the Cowal Gold Operations every 3 years, and compare against monitoring results with modelled predictions.

Note: *The groundwater monitoring program should provide for additional nested monitoring bores within Lake Cowal, as recommended by DPIE Water in its advice to the Department dated 29 April 2021, and by the independent groundwater expert engaged by the Department (advice dated 20 May 2021).*

- (e) The Applicant must implement the Water Management Plan as approved by the Planning Secretary

5. HAZARDOUS MATERIALS AND TAILINGS MANAGEMENT

5.1 Waste Rock Emplacement and Management

The Applicant shall construct and manage the waste rock emplacement as set out in the EIS, and to the satisfaction of **Resources Regulator**.

5.2 Tailings Emplacement and Management

The Applicant shall:

- (a) construct the tailings dams and IWL to the requirements of **Resources Regulator**, EPA and **DSNSW** and in consultation with **DPIE Water**; and
- (b) construct and compact the floor of the tailings dams and IWL to ensure an equivalent permeability of no more than 1×10^{-9} m/s over a thickness of 1 metre.

5.3 Cyanide Management

(a) Cyanide levels

The Applicant shall ensure that cyanide levels of the aqueous component of the tailings slurry stream do not exceed: 20mg CN_{WAD}/L (90 percentile over six months), and 30mg CN_{WAD}/L (maximum permissible limit at any time), at the **process plant**.

(b) Cyanide Management

The Applicant shall prepare and implement a cyanide management plan for the development to the satisfaction of the **Planning Secretary**. The plan is to be prepared in consultation with **Resources Regulator**, EPA and **DPIE Water** and include monitoring and reporting on cyanide use on the site. The plan shall make provision for, but is not limited to:

- (i) containing cyanide contaminated waters entirely within the mine site;
- (ii) maintaining weak acid dissociable (WAD) cyanide levels at the **process plant** to the levels stated in condition 5.3(a);
- (iii) contingency measures for cyanide reduction.

(c) Wildlife Deaths

In the event of wildlife deaths occurring due to cyanide, review of cyanide levels shall occur by the EPA in consultation with the Applicant and **Resources Regulator**. Any decision to require cyanide reduction shall include, but not be limited to, consideration of the number of fauna deaths, the species involved, antecedent condition of species, methods employed at the time to prevent use of tailings dams by fauna, and antecedent climatic and surface water conditions of the Lake and surrounding area. The Applicant shall notify the CEMCC of any reductions in cyanide levels as soon as practicable.

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(d) Cyanide Monitoring

The Applicant shall prepare and implement a cyanide monitoring program for the development to the satisfaction of the **Planning Secretary**. The plan must be prepared in consultation with **EPA** and **Resources Regulator**, and shall include, but not be limited to, provision for:

- (i) monitoring of CN_{WAD} levels of the aqueous component of the tailings slurry stream at the **process plant** twice daily or as otherwise directed by the **Planning Secretary**, with any increases above 20mg CN_{WAD}/L to be assessed daily to ensure compliance and reported **in the Annual Review**, unless otherwise agreed by the **Planning Secretary**. If the CN_{WAD} levels of 30mg/L are exceeded in the liquid at any time, discharge to the tailings dams shall cease until CN_{WAD} levels can be achieved below the levels stated in condition 5.3(a) and such exceedance shall be reported to the **EPA** within 24 hours;
- (ii) monitoring CN_{WAD} levels in the decant water of the tailings dams twice daily or as otherwise directed by the **Planning Secretary**;
- (iii) an on site laboratory for quickly establishing CN_{WAD} levels in the liquid at the **process plant** and in the decant ponds for monitoring purposes;
- (iv) on-line monitoring of CN(FREE) at locations where employees are operating;
- (v) establishing a monitoring regime for detection of cyanide movement beneath and adjacent to the tailings impoundments.

A summary of the cyanide monitoring results shall be provided on the Applicant's website for the development on a regular basis, or as directed by the **Planning Secretary**.

5.4 Hazards Management

*Note: The development consent conditions under 5.4(a)-(f) are related to offsite risk to people and the biophysical environment. The safety of all persons and operations on site is the responsibility of **Resources Regulator** under the Mines Inspection Act and Dangerous Goods Act.*

(a) Pre-Construction Studies

The Applicant shall prepare and submit for the approval of the **Planning Secretary**, the studies set out under subsections 5.4(a)(i) to 5.4(a)(iii) (the pre-construction studies), at least one month prior to the commencement of construction of the proposed development, (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as **Planning Secretary** may agree. Construction, other than of preliminary works, shall not commence until approval has been given by the **Planning Secretary** and, with respect to the fire safety study, approval has also been given by the Commissioner of the NSW Fire Brigades.

(i) *Fire Safety Study*

This study shall cover all aspects detailed in the Department's Hazardous Industry Planning Advisory Paper No. 2, "Fire Safety Study Guidelines" and the New South Wales Government's "Best Practice Guidelines for Contaminated Water Retention and Treatment Systems". The study shall also be submitted for approval to the New South Wales Fire Brigades.

The study should, in particular, address the fire related issues associated with the storage and use of Ammonium Nitrate, Sodium Isobutyl Xanthate, and Cyanide.

(ii) *Hazard and Operability Study*

The study is to be chaired by an independent qualified person approved by the **Planning Secretary** prior to the commencement of the study. The study shall be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 8, "HAZOP Guidelines". The HAZOP shall in particular address the monitoring, control, alarm and shutdown systems associated with xanthate and cyanide process streams.

(iii) *Final Hazard Analysis*

The analysis should be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6, "Guidelines for Hazard Analysis"*.

(b) Pre-Commissioning Studies

The Applicant shall prepare and submit for the approval of the **Planning Secretary** the following studies (the pre-commissioning studies), no later than two months prior to the commencement of commissioning of the proposed development, or within such period as the **Planning Secretary** may agree. Commissioning shall not commence until approval has been given by the **Planning Secretary**.

(i) *Transport of Hazardous Materials*

The study comprises arrangements covering the transport of hazardous materials including details

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of routes to be used for the movement of vehicles carrying hazardous materials to or from the proposed development. The study shall be carried out in accordance with the Department's draft "Route Selection" guidelines. Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies.

The study should also address (1) the issues associated with spills, cleanup procedures, training of clean-up teams, communication, and liaison with organisations such as the fire brigades, District Emergency Management Coordinator (and Committee), Local Emergency Management Committee(s), and state emergency services; (2) inspection and monitoring procedures for chemicals such as explosives, xanthates and cyanides prior to commencement of a trip, to verify the integrity of the packaging; and (3) measures to be taken to ensure that the temperature of the materials does not rise above safe levels.

(ii) *Emergency Plan*

A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The plan should be in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines"*, and include procedures for spillage, cleanup, control and protection, and rescue of wildlife during the emergency.

(iii) *Safety Management System*

A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and should be available for inspection by the **Planning Secretary** upon request. The safety management system should be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, "Safety Management"*.

(c) Hazard Audit

Twelve months after the commencement of operations of the proposed development or within such further period as the **Planning Secretary** may agree, the Applicant shall carry out a comprehensive hazard audit of the proposed development and submit a report of the audit to the **Planning Secretary**.

The audit shall be carried out at the Applicant's expense by a duly qualified independent person or team approved by the **Planning Secretary** prior to commencement of the audit. Further audits shall be carried out every three years or as determined by the **Planning Secretary** and a report of each audit shall within a month of the audit be submitted to the **Planning Secretary**. Hazard audits should be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines"*.

(d) Transport of Hazardous Materials

The Applicant must prepare and implement a Hazardous Materials Management Plan for the development to the satisfaction of the **Planning Secretary**. This plan must:

- (i) be prepared in consultation with Forbes, Bland and Lachlan councils, **TfNSW**, EPA, **DPIE Water and Resources Regulator**;
- (ii) be consistent with the *International Cyanide Management Code for the Manufacture, Transport and Use of Cyanide in the Production of Gold*; and
- (iii) describe the measures that would be implemented to ensure:
 - sodium cyanide and other toxic chemicals are stored and handled on the site in accordance with *AS/NZ 4452 – The Storage and Handling of Toxic Substances*;
 - the transportation of hazardous materials to or from the site on the local road network shown in Appendix 7 is undertaken in accordance with the *Department's Hazardous Industry Planning Advisory Paper No. 11 – Route Selection* and the *Australian Code for the Transport of Dangerous Goods by Road and Rail – current version*; and
 - detail the emergency procedures for the development consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1 – Emergency Planning*.

The Applicant must implement the approved Hazardous Materials Management Plan for the development.

Note: The approved Hazardous Materials Management Plan shall replace the pre-commissioning studies required by conditions 5.4(b)(i) and (ii) and the Hazardous Waste and Chemical Management Plan required by condition 5.7 of Schedule 2 of this consent.

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5.5 Domestic Waste

The Applicant shall dispose of all solid waste and putrescible matter from the site to the satisfaction of BSC.

5.6 Sewage and Associated Waste Management

The Applicant shall install the site sewage treatment facility, and dispose of treated sewage and sullage to the satisfaction of BSC and EPA, and in accordance with the requirements of the Department of Health.

5.7 Asbestos and Other Hazardous or Toxic Waste Management

The Applicant shall prior to commencement of construction works prepare a Hazardous Waste and Chemical Management Plan as set out in section 6.4.1 of the EIS in consultation with EPA and BSC, and to the satisfaction of the Planning Secretary.

FOR INFORMATION

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6. AIR, BLAST, NOISE AND VISUAL IMPACT MANAGEMENT

6.1 Air Management

(a) Impact Assessment Criteria

The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated from the Cowal Gold Operations do not cause exceedances of the criteria listed in Tables 3, 4 and 5 at any residence on privately-owned land.

Table 3: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 25 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^a 8 µg/m ³

Table 4: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^b 25 µg/m ³

Table 5: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 3-5:

^a *Cumulative impact* (i.e. incremental increase in concentrations due to the Cowal Gold Operations plus background concentrations due to all other sources).

^b *Incremental impact* (i.e. incremental increase in concentrations due to the Cowal Gold Operations on its own).

^c *Deposited dust* is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: *Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method*.

^d *Excludes extraordinary events* such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.

(b) Operating Conditions

The Applicant shall:

- (i) implement best management practice to minimise the off-site odour, fume, spontaneous combustion and dust emissions of the Cowal Gold Operations;
- (ii) implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the Cowal Gold Operations;
- (iii) minimise any visible off-site air pollution generated by the Cowal Gold Operations;
- (iv) minimise the surface disturbance on the Cowal Gold Operations;
- (v) minimise the air quality impacts of the Cowal Gold Operations during adverse meteorological conditions and extraordinary events (see noted above under Tables 3-5); and
- (vi) carry out regular monitoring to determine whether there is compliance with the relevant conditions of this consent,

to the satisfaction of the Planning Secretary.

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(c) Air Quality Management Plan

The Applicant shall prepare and implement an Air Quality Management Plan for the **Cowal Gold Operations** to the satisfaction of the **Planning Secretary**. This plan must:

- (i) be prepared in consultation with the EPA;
- (ii) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of **this consent**;
- (iii) include an air quality monitoring program that:
 - evaluates and reports on the:
 - the effectiveness of the air quality management system;
 - compliance with the air quality criteria;
 - compliance with the air quality operating conditions; and
 - defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents.

6.2 Meteorological Monitoring

For the life of the development, the Applicant shall ensure that there is a meteorological station in the vicinity of the site that complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

6.3 Blast Management

(a) Impact Assessment Criteria

The Applicant shall ensure that blasting on site does not cause any exceedence of the criteria in Table 6.

Table 6: *Blasting impact assessment criteria*

Location & Time	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedence
Residence on privately-owned land - Anytime	120	10	0%
Residence on privately-owned land – Monday to Saturday during day	115	5	5% of the total number of blasts over a period of 12 months
Residence on privately-owned land – Monday to Saturday during evening	105	2	5% of the total number of blasts over a period of 12 months
Residence on privately-owned land – Monday to Saturday at night, Sundays and public holidays	95	1	5% of the total number of blasts over a period of 12 months

However, these criteria do not apply if the Applicant has a written agreement with the relevant owner to exceed the limits in Table 6, and the Applicant has advised the Department in writing of the terms of this agreement.

(b) Blasting Frequency

The Applicant may carry out a maximum of 1 blast a day **for the Open Cut Operations** on site. This condition does not apply to blasts required to ensure the safety of the mine or its workers.

Note: For the purposes of this condition a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.

(c) Property Investigations

If the owner of any privately-owned land claims that buildings and/or structures on his/her land have been damaged as a result of blasting on the site, and the **Planning Secretary** agrees an independent investigation of the claim is warranted, then within 2 months of receiving this claim the Applicant shall:

- (i) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and
- (ii) give the landowner a copy of the property investigation report.

If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant shall repair the damage to the satisfaction of the **Planning Secretary**.

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If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the **Planning Secretary** for resolution.

(d) Operating Conditions

The Applicant shall:

- (i) implement best management practice to:
 - protect the safety of people and livestock in the areas surrounding blasting operations;
 - protect public or private infrastructure/property in the surrounding area from damage from blasting operations; and
 - minimise the dust and fume emissions of any blasting;
- (ii) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site; and
- (iii) carry out regular monitoring to determine whether the development is complying with the relevant conditions of **this consent**,

to the satisfaction of the **Planning Secretary**.

(e) Blast Management Plan

The Applicant shall prepare and implement a Blast Management Plan for the **Cowal Gold Operations** to the satisfaction of the **Planning Secretary**. This plan must:

- (i) be prepared in consultation with the EPA;
- (ii) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of **this consent**; and
- (iii) include a monitoring program for evaluating and reporting on compliance with the blasting criteria and operating conditions of **this consent**.

6.4 Noise Management

(a) Acquisition Upon Request

Upon receiving a written request for acquisition from the owner of any land listed in Table 7, the Applicant shall acquire the land in accordance with the procedures in condition 8.3.

Table 7: Land subject to acquisition upon request

Westella
Westlea

Note: To interpret the location referred to Table 7, see the map in Appendix 6.

(b) Additional Noise Mitigation

Upon receiving a written request from the owner of the residences listed in **Tables 7 and 7A**, the Applicant shall implement additional noise mitigation measures (such as double-glazing, insulation, and/or air conditioning) at the residence in consultation with the landowner. These measures must be reasonable and feasible, and directed towards reducing the noise impacts of the development on the residence.

If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the **Planning Secretary** for resolution.

Table 7A: Land subject to mitigation upon request

Lakeview III

Note: To interpret the location referred to Table 7A, see the map in Appendix 6.

(c) Impact Assessment Criteria

The Applicant shall ensure that the noise generated by the **Cowal Gold Operations** does not exceed the noise impact assessment criteria in Table 8 at any residence on privately-owned land.

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Table 8: Noise Impact Assessment Criteria dB(A)

Land	Day/Evening/Night L_{Aeq} (15min)	Night L_{AF} max
Lakeview III	38	52
The Glen	37	
Lakeview, Foxman Downs II	36	
All other privately-owned land	35	

Note: To identify the land referred to in Table 8, see the map in Appendix 6.

Noise generated by the Cowal Gold Operations is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the *Noise Policy for Industry* (EPA, 2017). The noise enhancing meteorological conditions determined by monitoring at the meteorological station required under condition 6.2 and as defined in Part D of the *Noise Policy for Industry* (EPA, 2017) apply to the noise criteria in Table 8.

However, these criteria do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

(d) Operating Conditions

The Applicant shall:

- (i) implement best management practice, including all reasonable and feasible mitigation measures, to minimise the operational, low frequency, and road noise of the development, including mitigation measures to:
- (ii) minimise the noise impacts of the development during meteorological conditions when the noise limits in [this consent](#) do not apply; and
- (iii) carry out regular attended monitoring to determine whether the development is complying with the relevant conditions of [this consent](#),

to the satisfaction of the [Planning Secretary](#).

(e) Noise Management Plan

The Applicant shall prepare and implement a Noise Management Plan for the [Cowal Gold Operations](#) to the satisfaction of the [Planning Secretary](#). This plan must:

- (i) be prepared in consultation with the EPA, and submitted to the [Planning Secretary](#) for approval prior to [commencing any construction works associated with the Underground Mine Development and/or Modification 16 as described in the EIS](#), unless the [Planning Secretary](#) agrees otherwise;
- (ii) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions in [this consent](#); and
- (iii) include a monitoring program that:
 - evaluates and reports on:
 - compliance with the noise criteria in [this consent](#); and
 - compliance with the noise operating conditions;
 - defines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents.

6.5 Visual Management

(a) Additional Visual Impact Mitigation

Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the mining operations and infrastructure on-site during the development, the Applicant shall implement additional visual impact mitigation measures (such as landscaping treatments or vegetation screens) to reduce the visibility of the mining operations and infrastructure from the residences on the privately-owned land.

These mitigation measures must be reasonable and feasible, and must be implemented within a reasonable timeframe.

If the owner of the residence and the Applicant cannot agree whether there are significant direct views from the residence, then either party may refer the matter to the [Planning Secretary](#) for resolution.

CONSOLIDATED CONSENT

If within 3 months of receiving this request, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the **Planning Secretary** for resolution.

Notes:

- *The additional visual impact mitigation measures must be aimed at reducing the visibility of the mining operations on site from affected residences, and do not require measures to reduce the visibility of the mining operations from other locations on the affected properties.*
- *The additional visual impact mitigation measures do not necessarily have to include the implementation of measures on the affected property itself (i.e. the additional measures could involve the implementation of measures outside the affected property boundary that provide an effective reduction in visual impacts).*

(b) Operating Conditions

The Applicant shall:

- implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts **from the Cowal Gold Operations**;
- ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;
- ensure no in-pit mobile lighting rigs shine directly above the pit wall and other mobile lighting rigs do not shine directly above the horizontal;
- ensure that all external lighting **at the Cowal Gold Operations** complies with relevant Australian Standards including *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version; and
- take all reasonable and feasible measures to shield views of mining operations and associated equipment from users of public roads and privately-owned residences,

to the satisfaction of the **Planning Secretary**.

CONSOLIDATED CONSENT

7. TRANSPORT MANAGEMENT

7.1 Road Transport

(a) Mine site access road

The Applicant shall use its best endeavours to ensure that the preferred mine access road routes as described in the EIS are the only routes used by employees and contractors travelling to and from the mine site.

Note: The preferred and alternate transport routes are shown in Appendix 7.

(b) Lake Cowal Road Realignment

The Applicant must design and construct the Lake Cowal Road realignment in consultation with BSC and in accordance with the *Austrroads Guide to Road Design* (as amended by TfNSW supplements).

(c) Road Upgrades

Prior to using the proposed mine access routes shown in Appendix 7, the Applicant must fund the road upgrades detailed in Table 9, to the satisfaction of the applicable roads authority and in accordance with the *Austrroads Guide to Road Design* (as amended by TfNSW supplements), unless otherwise agreed with the **Planning Secretary**.

Table 9: Road upgrades – Modification 14

Location	Upgrade requirements
Bena Street between Wamboyne Road and Burcher Road	Localised widening of Bena Street and Lake Cowal Road on approach to Wamboyne Road to allow vehicles to pass in the vicinity of the intersection
Wamboyne Road between Blow Clear Road and Bena Street	Maintenance of guide posts
Lake Cowal Road at the intersection with Bonehams Lane and the Mine Access Road	Install give way markings across Lake Cowal Road at the intersection with Bonehams Lane and the Mine Access Road
90-degree bend in Bonehams Lane	Improve signage at the bend with chevron alignment markers or similar
Bonehams Lane at Blow Clear Road	Install give way markings
Blow Clear Road on approach to Wamboyne Road	Replace the non-compliant crossroad warning sign with a give way ahead (W3-2) sign
Wamboyne Road at its intersection with Blow Clear Road	Upgrade the pavement for left turns from Wamboyne Road onto Blow Clear Road and upgrade intersection signage and line marking
Wamboyne Road (north) at its intersection with Wamboyne Road (southwest) and Fitzgerald Road	Install give way signs and line marking across Wamboyne Road (north) at its intersection with Wamboyne Road (southwest) and Fitzgerald Road and replace the non-compliant sight board
Wamboyne Road at its intersection with Bena Street and Lake Cowal Road	Install give way signs and line marking
Lonergans Lane at Blow Clear Road	Install give way signs and line marking
Lonergans Lane on its immediate approach to Blow Clear Road	Seal for approximately 20 m
Bodells Lane on its immediate approach to Newell Highway	Seal for approximately 20 m

Note: The proposed mine access routes referred to in this condition are the 'Condobolin – Sealed Network' route and 'Forbes – High Water Level' route shown in Appendix 7.

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(d) Transport Management Plan

The Applicant must prepare a Transport Management Plan for the Cowal Gold Operations to the satisfaction of the Planning Secretary. This plan must be prepared in consultation with TfNSW, Forbes, Bland and Lachlan councils and be submitted to the Planning Secretary for approval prior to commencing any construction works associated with the Underground Mine Development and/or Modification 16 as described in the EIS, unless the Planning Secretary agrees otherwise. The plan must include:

- (i) details of the transport routes to be used for development-related traffic, including roads to be used during construction of the pipeline duplication (as shown in Appendix 7);
- (ii) a protocol for undertaking dilapidation surveys to assess the:
 - existing condition of local roads along the approved transport routes prior to any development-related construction works; and
 - condition of local roads along these transport routes following any development-related construction works;
- (iii) a protocol for the repair of any local roads identified in the dilapidation surveys to have been damaged during development-related construction works;
- (iv) detailed plans and implementation schedules for the road upgrades specified in Table 9 of Schedule 2 of this consent;
- (v) detailed plans of the pipeline duplication and Lake Cowal Road realignment, as these works relate to impacts on local roads;
- (vi) details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport routes during construction and operation, including:
 - measures to manage development-related traffic, including vehicles associated with the pipeline construction, road realignment and gravel haulage campaigns;
 - measures to encourage the use of the employee shuttle bus service;
 - temporary traffic controls, including detours and signage;
 - notifying the local community about development-related traffic impacts;
 - minimising potential for conflict with school buses and other motorists as far as practicable;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust, wet weather;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing over-dimensional vehicles;
- (vii) a driver's code of conduct that addresses:
 - travelling speeds;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport routes; and
 - procedures to ensure that drivers implement safe driving practices;
- (viii) a complaints handling procedure; and
- (ix) a program to monitor and report on the effectiveness of the implementation of the measures in this plan.

The Applicant must implement the approved Transport Management Plan for the development.

8. ADDITIONAL PROCEDURES

8.1 Notification of Landowners/Tenants

- (a) By the end of September 2014, unless the **Planning Secretary** agrees otherwise, the Applicant shall notify in writing the owners of:
- (i) the land listed in Table 7 that they have the right to ask the Applicant to:
 - acquire their land at any stage during the development; and
 - install additional noise mitigation measures at any residence on their land;
 - (ii) any residence on privately-owned land which has, or would have, significant direct views of the mining operations and infrastructure on-site during the development, that they have the right to ask the Applicant to implement additional visual impact mitigation measures (such as landscaping treatments or vegetation screens) to reduce the visibility of the mining operations and infrastructure from the affected residences on the land.
- (b) As soon as practicable after obtaining monitoring results showing:
- (i) an exceedance of any relevant criteria in this consent, the Applicant shall notify the affected landowners in writing of the exceedance, and provide regular monitoring results to the landowner until the development is again complying with the relevant criteria; and
 - (ii) an exceedance of the relevant air quality criteria in this consent, the Applicant shall send a copy of the NSW Health fact sheet entitled "*Mine Dust and You*" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land.

8.2 Independent Review

If an owner of privately-owned land considers the development to be exceeding the criteria in this consent, then he/she may ask the **Planning Secretary** in writing for an independent review of the impacts of the development on his/her land.

If the **Planning Secretary** is satisfied that an independent review is warranted, then within 2 months of the **Planning Secretary's** decision, the Applicant shall:

- (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the **Planning Secretary**, to:
- consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the development is complying with the relevant impact assessment criteria in condition 6 of this consent; and
 - if the development is not complying with these criteria then:
 - determine if more than one mine or development is responsible for the exceedance, and if so the relative share of each mine or development regarding the impact on the land; and
 - identify the measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) give the **Planning Secretary** and landowner a copy of the independent review.

8.3 Land Acquisition

- (a) Within 6 months of receiving a written request from a landowner with acquisition rights, the Applicant shall make a binding written offer to the landowner based on:
- (i) the current market value of the landowner's interest in the property at the date of this written request, as if the property was unaffected by the development, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - presence of improvements on the property and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of any additional noise and/or visual mitigation measures under this consent;
 - (ii) the reasonable costs associated with:
 - relocating within the same local government area, or to any other local government area determined by the **Planning Secretary**;
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
 - (iii) reasonable compensation for any disturbance caused by the land acquisition process.

CONSOLIDATED CONSENT

However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the **Planning Secretary** for resolution.

Upon receiving such a request, the **Planning Secretary** shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- (1) consider submissions from both parties;
- (2) determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (i)-(iii) above;
- (3) prepare a detailed report setting out the reasons for any determination; and
- (4) provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the **Planning Secretary** for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the **Planning Secretary** shall determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (i)-(iii) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.

Within 14 days of this determination, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the **Planning Secretary's** determination.

If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the **Planning Secretary** determines otherwise.

- (b) The Applicant shall pay all reasonable costs associated with the land acquisition process described in condition 8.3(a) above.
- (c) If the Applicant and landowner agree that only part of the land shall be acquired, then the Applicant shall also pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.

CONSOLIDATED CONSENT

9. ENVIRONMENTAL MANAGEMENT, AUDITING AND REPORTING

9.1 Environmental Management

(a) Environmental Management Strategy

The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the **Planning Secretary**. This strategy must:

- (i) be submitted to the **Planning Secretary** for approval by the end of October 2014, unless the **Planning Secretary** agrees otherwise;
- (ii) provide the strategic framework for environmental management of the development;
- (iii) identify the statutory approvals that apply to the development;
- (iv) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
- (v) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise;
 - respond to any non-compliance;
 - respond to emergencies; and
- (vi) include:
 - copies of any strategies, plans and programs approved under the conditions of this consent; and
 - a clear plan depicting all the monitoring to be carried out in relation to the development.

(b) Annual Review

By the end of **March** each year, or as otherwise agreed with the **Planning Secretary**, the Applicant shall review the environmental performance of the **Cowal Gold Operations** to the satisfaction of the **Planning Secretary**. This review must:

- (i) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year;
- (ii) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the:
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EIS;
- (iii) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- (iv) identify any trends in the monitoring data over the life of the development, **including the ongoing interaction between the Cowal Gold Mine and Lake Cowal**;
- (v) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (vi) describe what measures will be implemented over the next year to improve the environmental performance of the development.

(c) Revision of Strategies, Plans and Programs

Within 3 months of:

- (i) the submission of an annual review under condition 9.1(b) above;
- (ii) **the submission of a non-compliance or incident notification under condition 9.3(a) or 9.3(b) below;**
- (iii) the submission of an audit under condition 9.2 (a) below;
- (iv) the approval of any modification to the conditions of this consent; or
- (v) a direction of the **Planning Secretary** under condition 1.1(b) of this consent;

the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.

If necessary, to either improve the environmental performance of the development or cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.

(d) Community Environmental Monitoring and Consultative Committee

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- (i) The Applicant shall establish and operate a Community Environmental Monitoring and Consultative Committee (CEMCC) for the **Cowal Gold Operations** to the satisfaction of the **Planning Secretary**. This CEMCC must:
- be comprised of an independent chair and at least 2 representatives of the Applicant, 1 representative of BSC, 1 representative of the Lake Cowal Environmental Trust (but not a Trust representative of the Applicant), 4 community representatives (including one member of the Lake Cowal Landholders Association);
 - be operated in general accordance with the **Department's Community Consultative Committee Guidelines: State Significant Projects (2019 or its latest version)**; and
 - monitor compliance with conditions of this consent and other matters relevant to the operation of the **Cowal Gold Operations** during the term of the consent.

Note: The CEMCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.

- (ii) The Applicant shall establish a trust fund to be managed by the Chair of the CEMCC to facilitate the functioning of the CEMCC, and pay \$2000 per annum to the fund for the duration of gold processing operations. The annual payment shall be indexed according to the Consumer Price Index (CPI) at the time of payment. The first payment shall be made by the date of the first Committee meeting. The Applicant shall also contribute to the Trust Fund reasonable funds for payment of the independent Chairperson, to the satisfaction of the **Planning Secretary**
- (iii) At least four years prior to mine closure the Applicant shall, in consultation with the CEMCC, identify and discuss post-mining issues, particularly in relation to reduced employment and consequent impacts on West Wyalong, and develop a mine workforce phase out plan. This plan shall be reviewed and updated in consultation with the CEMCC at the commencement of the final year of mining operations.
- (iv) The Applicant shall, in consultation with the CEMCC, develop appropriate strategies to support activities which promote special interest tourism related to the co-existence of mining and the Lake Cowal environment.

9.2 Independent Auditing and Review

(a) Independent Environmental Audit

- (i) By the end of July 2016, and every 3 years thereafter, unless the **Planning Secretary** directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the **Cowal Gold Operations**. This audit must:
- be prepared in accordance with the **Independent Audit Post Approval Requirements (2020 or as amended from time to time)**;
 - be led and conducted by a suitably qualified, experienced and independent team of experts (including ecology and rehabilitation experts, and in field's specified by the **Planning Secretary**) whose appointment has been endorsed by the Secretary;
 - be carried out in consultation with the relevant agencies, BSC and the CEMCC;
 - assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
 - recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

(ii) Deleted.

(b) deleted

9.3 Notification

(a) Incident Notification

The **Planning Secretary** must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 8.

(b) Non-Compliance Notification

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The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

9.4 Access to Information

The Applicant shall:

- (a) make the following information publicly available on its website:
 - (i) the EIS;
 - (ii) current statutory approvals for the development;
 - (iii) approved strategies, plans or programs required under the conditions of this consent;
 - (iv) a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
 - (v) a complaints register, which is to be updated on a monthly basis;
 - (vi) minutes of CEMCC meetings;
 - (vii) the last five annual reviews;
 - (viii) any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - (ix) regular reporting on the environmental performance of the development, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
 - (x) any other matter required by the Planning Secretary; and
 - (b) keep this information up to date,
- to the satisfaction of the Planning Secretary.

CONSOLIDATED CONSENT

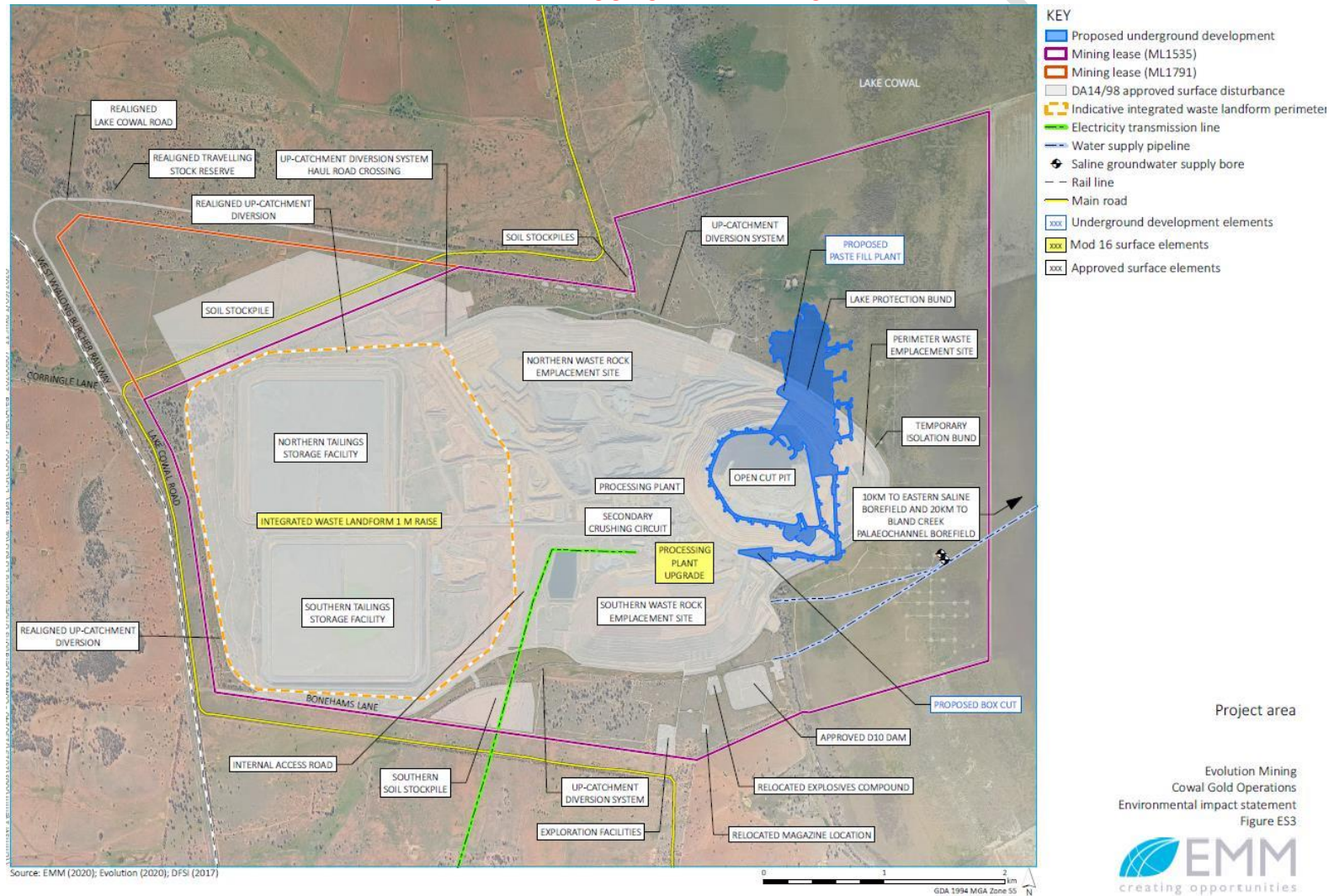
APPENDIX 1 SCHEDULE OF LAND

Mine Site	
Lot Number	Deposited Plan
37	39733
38	39733
1	530299
2	530299
7	753083
45	753083
23	753097
24	753097
25	753097
7001	1029713
100	1059150
101	1059150
102	1059150
103	1059150
104	1059150
105	1059150
106	1059150
107	1059150
1	1060709
2	1060709
1	1060907
2	1060907
7303	1143731
7323	1157291
Water Pipeline Route	
Lot Number	Deposited Plan
44	42918
45	42918
46	42918
47	42918
91	753077
18	753097

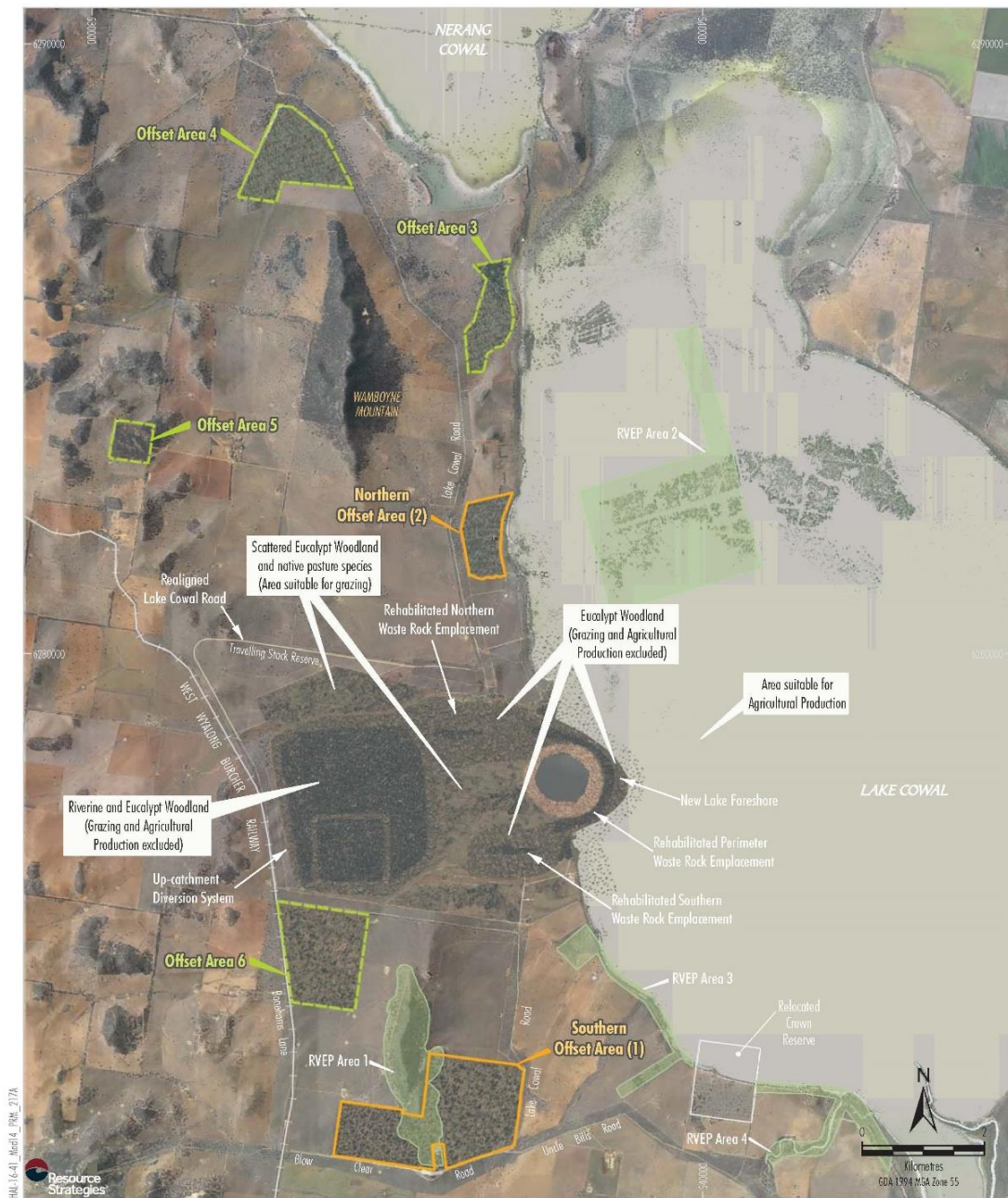
Notes:

- The Water Pipeline Route also traverses some lots listed under "Mine Site".
- The project site will also be taken to include:
 - any crown land, including road reserves, contained within the project site; and
 - any land which is required for the road upgrades specified in Appendix 7.

**APPENDIX 2
GENERAL LAYOUT OF THE DEVELOPMENT**



APPENDIX 3 BIODIVERSITY OFFSETS AND CONCEPTUAL REHABILITATION STRATEGY



- LEGEND**
- Existing Offset Area
(Voluntary Planning Agreement to be registered on the title of the lands)
 - Proposed Offset Area
(Biodemarcation Agreement to be registered on the title of the lands)
 - Remnant Vegetation Enhancement Program Area
(Management of these areas would be maintained for the term of Evolution's tenure of the land)

Source: Evolution (2018); © NSW Department of Finance, Services & Innovation (2017)
Orthophoto: Evolution (Oct 2017)



CGO PROCESSING RATE MODIFICATION
Conceptual Final Landform and Proposed Final Land Use Areas

Figure 5-1

APPENDIX 4 LOCATION OF WILGA AND BELAH WOODLAND



ML 1535 - April 2014
Resource Strategies

- | | |
|--|---|
| <p>LEGEND</p> <ul style="list-style-type: none"> Mining Lease Boundary (ML 1535) Mining Lease Application Boundary (MLA 1) Approximate Extent of Approved Surface Development Approximate Extent of Additional Modification Surface Disturbance Modification Component Area not to be Disturbed | <p>VEGETATION MAPPING</p> <ul style="list-style-type: none"> 1a Semi-arid Woodlands (Grassy sub-formation) - Riverine Plain Woodlands Weeping Myall Open Woodland (Semi Cleared in Moderate Condition) (LA212) Semi-arid Woodlands (Grassy sub-formation) - Northwest Floodplain Woodlands 4 Belah Woodland (Low Condition) (LA105) Threatened Ecological Communities Weeping Myall Woodland EEC (BC Act and EPBC Act) |
|--|---|

Source: Evolution (2018); © NSW Department of Finance, Services & Innovation (2017); AMBS (2017)
Orthophoto: Evolution (Oct 2017)

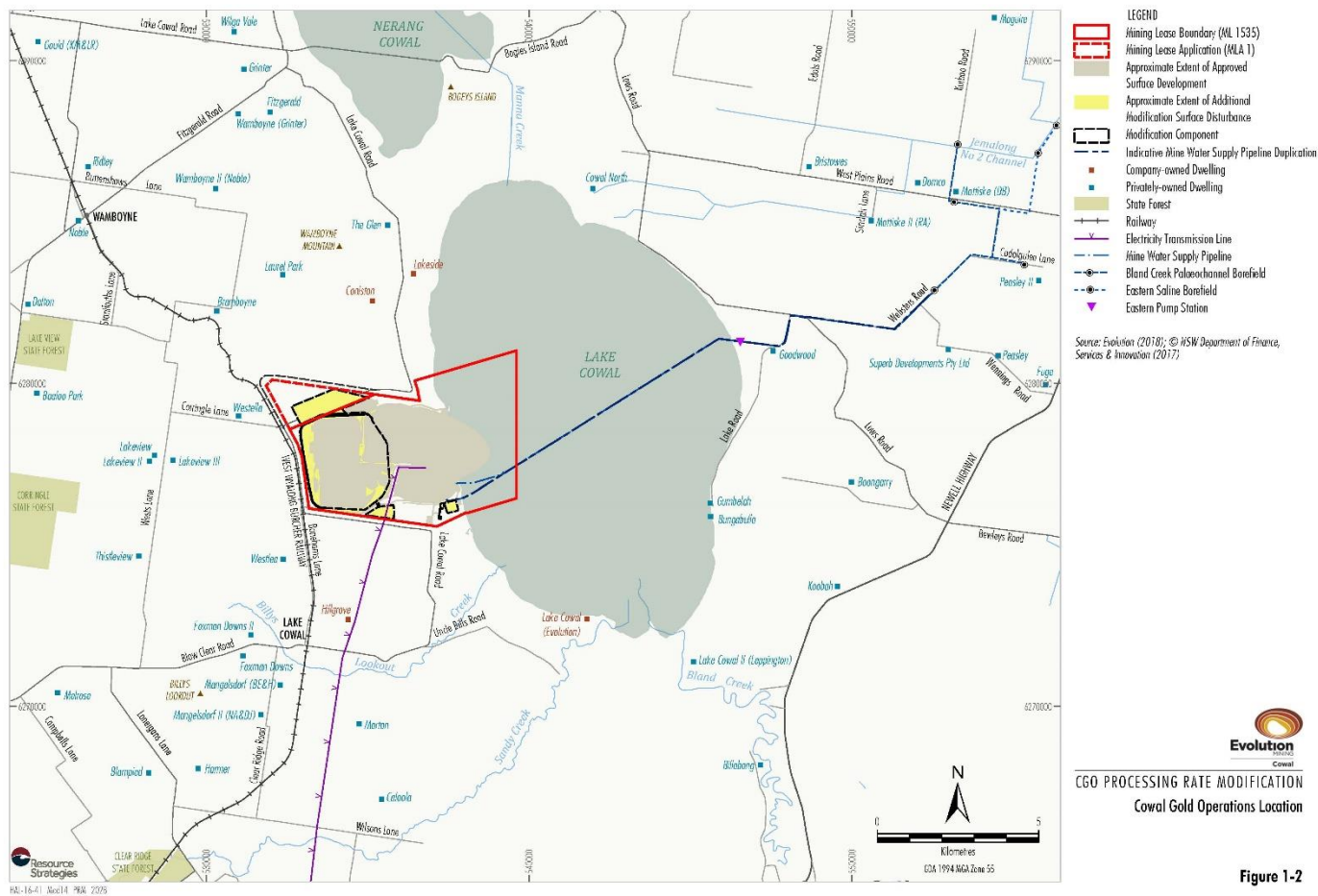
Evolution
Mining

CGO PROCESSING RATE MODIFICATION

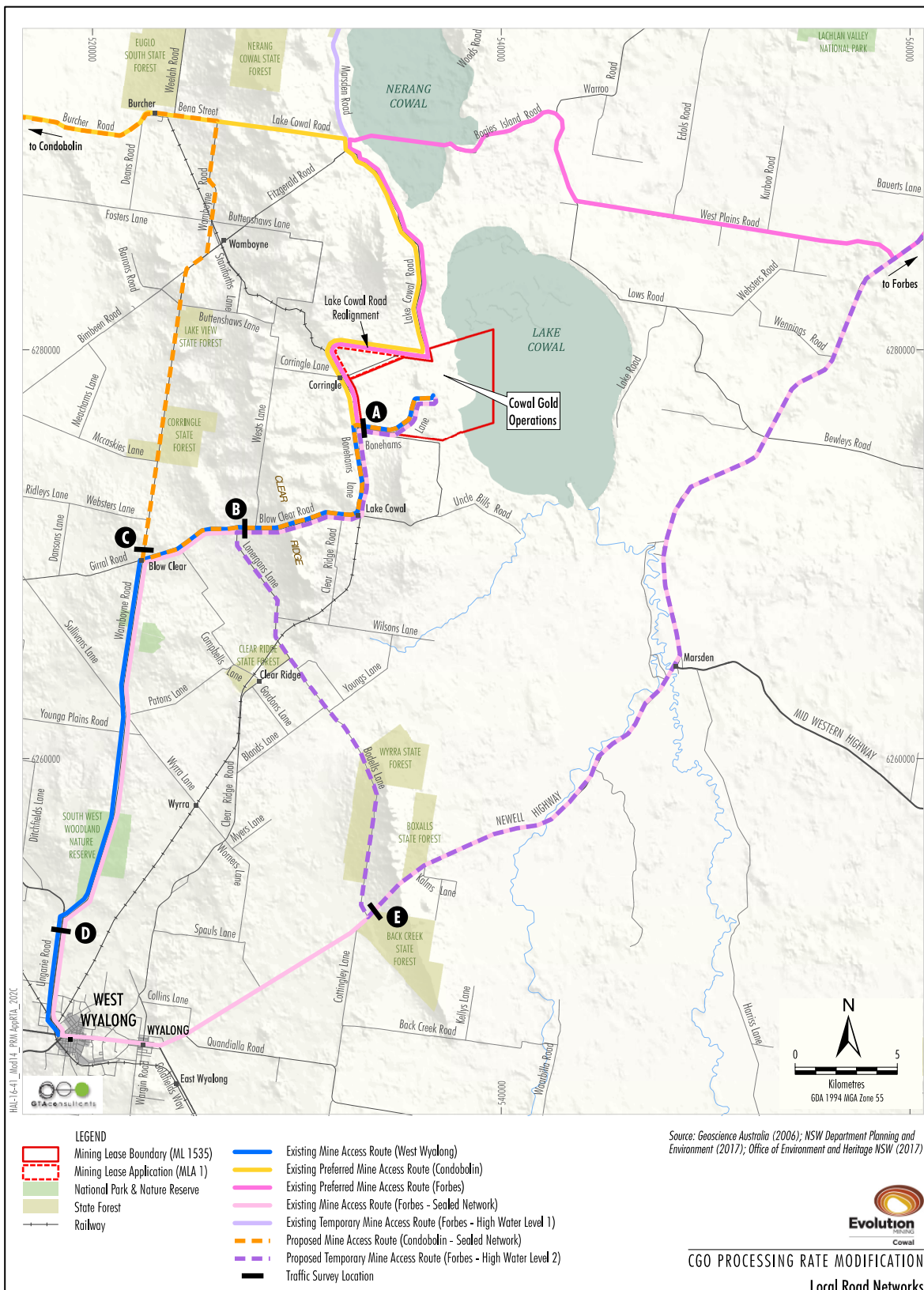
Appendix 4

APPENDIX 5
DELETED

APPENDIX 6 LOCATION OF RECEIVERS



APPENDIX 7 TRANSPORT ROUTES



APPENDIX 8

INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 9.3 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the Applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.