

**NOTICE OF A MODIFICATION TO A DEVELOPMENT CONSENT
UNDER SECTION 96(2) OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Under Section 96(2) of the *Environmental Planning and Assessment Act 1979*, I, the Minister for Planning, modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Andrew Refshauge MP
Minister for Planning

Sydney,

2002

File No: S92/00717

SCHEDULE 1

The development consent (DA 44/95) granted by the Minister for Urban Affairs and Planning on 6 September 1996, under Section 91 of the unamended *Environmental Planning and Assessment Act 1979*, for the construction and operation of a gold/copper mine, crushing facilities and associated infrastructure at Cadia Hill, 25 km south-west of Orange.

SCHEDULE 2

1. Replace Condition 1 with the following:

The Applicant shall carry out the development generally in accordance with the:

- (a) Development Application 44/95;
- (b) Environmental Impact Statement titled *Cadia Gold Mine*, dated October 1995, and prepared by AGC Woodward-Clyde Pty Limited;
- (c) Submissions to the Commission of Inquiry;
- (d) Modification Application MOD-92-11-2002-i;
- (e) Statement of Environmental Effects titled *Cadia Hill Gold Mine* dated October 2002, and prepared by Resource Strategies Pty. Ltd.; and
- (f) As modified by these conditions.

2. Insert at the end of Condition 26 the following:

The Applicant shall review and where necessary revise the Mining Operations Plan to address the issues associated with Modification Application MOD-92-11-2002-i.

3. Insert at the end of Condition 28 the following:

The Applicant shall review and where necessary revise the Site Management Plan to address the issues associated with Modification Application MOD-92-11-2002-i.

4. Insert at the end of Condition 29 (a) the following:

The Applicant shall review and where necessary revise the Integrated Erosion and Sediment Control Plan to address the issues associated with Modification Application MOD-92-11-2002-i.

5. Insert Condition 30 (d) as follows:

The Applicant shall review and where necessary revise the Vegetation Management and Landscape Plan to address the issues associated with Modification Application MOD-92-11-2002-i.

6. Renumber Condition 45 to Condition 45 (a)

7. Insert Condition 45 (b) as follows:

The Applicant shall provide a diversion for Cadiangullong Creek, as proposed in Modification Application MOD-92-11-2002-i, to a flow capacity and structural standard required by DLWC.

8. Insert Condition 45 (c) as follows:

The Applicant must topsoil suitable areas along the Cadiangullong Creek diversion extension batters and establish areas of endemic plants such as *Casuarina spp.* as part of the overall Cadia Hill site rehabilitation program.

9. Insert Condition 45 (d) as follows:

The Applicant must ensure that existing snags and living riparian timber are, where practicable, recovered from the existing Cadiangullong Creek bed and relocated into the existing Cadiangullong Creek bed diversion.

10. Insert Condition 45 (e) as follows:

The Applicant shall develop and implement an environmental monitoring program in all sections of the Cadiangullong Creek diversion in consultation with NSW Fisheries, or as agreed by the Director-General.

11. Replace Condition 57 (b) with the following:

57 b) (i) The Applicant shall review and where necessary revise the Cadia Blast Management Plan to address the issues associated with Modification Application MOD-92-11-2002-i.

57 b) (ii) For the Cadia Engine House, Crusher Room and Chimney structures within the State Heritage Register curtilage (SHR No. 779), the peak particle velocity for ground vibrations shall not exceed a limit of 15 mm/s, measured at the Chimney blast monitoring point, without anti-vibration strengthening.

57 b) (iii) Prior to implementation of the anti-vibration strengthening, blast monitoring at the Cadia Engine House, Crusher Room and Chimney structures within the State Heritage Register curtilage (SHR No. 779) shall be conducted in the following manner:

(a) The Applicant shall monitor ground vibration levels for each blast in accordance with the Cadia Blast Management Plan;

(b) The Applicant shall install geophones and/or strain gauges on the Cadia Engine House, Crusher Room and Chimney structures to monitor vibration levels for each blast, to the satisfaction of the Director of the NSW Heritage Office;

(c) The Applicant shall provide weekly reports, or at intervals agreed by the Director-General, to a suitably qualified structural engineer summarising the number of blasts and the vibration levels for each blast at the Cadia Engine House, Crusher Room and Chimney structures;

(d) Appointment of the suitably qualified structural engineer shall be approved by the Director of the NSW Heritage Office. The structural engineer must be appropriately qualified

to assess the impact and significance of ground vibrations from blasting on heritage structures;

(e) The Applicant shall conduct regular daily inspections, or at intervals agreed by the Director-General, of the Cadia Engine House, Crusher Room and Chimney structures to check for any deterioration in the heritage fabric and immediately report any damage to the Cadia Engine House, Crusher Room and Chimney structures to the appointed structural engineer and NSW Heritage Office. Blasting shall cease immediately if damage is noticed;

(f) After any reported damage the structural engineer shall:

- carry out an inspection as soon as practicable, but no later than three days after the Applicant reports any damage;
- provide a written report to the Director of the NSW Heritage Office, including a photographic record; and
- provide a written report to the Applicant and the NSW Heritage Office advising on any remedial measures that may be required;

(g) Immediately upon being notified to do so by the NSW Heritage Office, the Applicant shall implement any remedial measures that may be required under the supervision of the structural engineer; and

(h) Inspections shall be carried out by a structural engineer after one month or after 20 blasts exceeding 3 mm/s, whichever is the sooner, and then at six monthly intervals or after 120 blasts exceeding 3 mm/s or as recommended by the structural engineer. These inspections should also determine whether any deterioration in the heritage fabric, including mortar has occurred.

57 b) (iv) The Applicant must install anti-vibration strengthening on the Cadia Engine House, Crusher Room and Chimney structures within the State Heritage Register curtilage (SHR No. 779) in accordance with an approval issued under Section 60 of the NSW Heritage Act 1977 from the Director of the NSW Heritage Office.

57 b) (v) Once anti-vibration strengthening on the Cadia Engine House, Crusher Room and Chimney structures within the State Heritage Register curtilage (SHR No. 779) is complete, the peak particle velocity limit in condition 57 b) (ii) may be varied in accordance with an approval issued under Section 60 of the NSW Heritage Act 1977 from the Director of the NSW Heritage Office.

12. Insert at the end of Condition 63 the following:

The Applicant shall review and where necessary revise the groundwater monitoring network to address the issues associated with Modification Application MOD-92-11-2002-i.

13. Insert Condition 81 (c) as follows:

The Applicant shall review and where necessary revise the Safety Management System to address the issues associated with Modification Application MOD-92-11-2002-i.

14. Renumber Condition 92 to Condition 92 (a)

15. Insert Condition 92 (b) as follows:

The Applicant must undertake archaeological works in Cadia Village in accordance with Approval No. 02/S140/092, issued under Section 140 of the NSW Heritage Act 1977 by the Director of the NSW Heritage Office, and as amended by Higginbotham, 2002, Research Design for Lower Cadia Village.

16. Insert Condition 92 (c) as follows:

The Applicant must ensure an approval under Section 140 of the NSW Heritage Act 1977 is obtained from the Director of the NSW Heritage Office to undertake any additional archaeological works that are not covered by Approval No. 02/S140/092.

17. Insert Condition 92 (d) as follows:

The Applicant must ensure an approval under Section 60 of the NSW Heritage Act 1977 is obtained from the Director of the NSW Heritage Office to undertake archaeological works in State Heritage Register curtilage (SHR No. 779).

18. Insert Condition 92 (e) as follows:

Within six months of completing the excavation program, the Applicant must submit final details of the interpretation strategy for the Cadia Village site, including information relating to the display and housing of artefacts within a public space, to the Director of the NSW Heritage Office for approval. Within 12 months of completing the excavation program, the Applicant must complete the interpretation for the Cadia Village site.

19. Insert a new Condition as follows:

FLORA AND FAUNA MANAGEMENT

109. The Applicant shall review and where necessary revise the Ridgeway Gold Mine Flora and Fauna Management Plan to address the issues associated with Modification Application MOD-92-11-2002-i.