



# Hillgrove Mines Environmental Assessment

Section 75W Modification to Development Consent 98/35

Prepared for  
**Hillgrove Mines Pty Ltd**

11 January 2018

**DOCUMENT TRACKING**

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# Contents

<b>Submission of Environmental Assessment .....</b>	<b>v</b>
<b>1 Introduction .....</b>	<b>1</b>
1.1 Background .....	1
1.2 The Applicant .....	2
1.3 Document Purpose .....	2
1.4 Overview of the Modification .....	2
1.5 Director General’s Requirements .....	2
1.6 Development Consent Modification Process .....	2
<b>2 Site Description .....</b>	<b>4</b>
2.1 Site Location .....	4
2.2 Project Area .....	4
2.3 Land Use & Ownership .....	4
2.4 Land Zoning .....	4
2.5 Geology, Topography and Hydrology .....	6
2.6 Climate .....	6
<b>3 Existing and Proposed Mine Operations .....</b>	<b>6</b>
3.1 Overview .....	6
3.2 Existing Approvals .....	7
3.3 Environmental Management .....	11
3.3.1 Performance .....	12
3.4 Proposed Future Operations and Projects .....	13
3.5 Site Operations .....	13
3.5.1 Development Consent and Environmental Impact Assessment Project .....	13
<b>4 REGULATORY FRAMEWORK .....</b>	<b>14</b>
4.1 Approvals Path .....	14
4.2 New South Wales Legislation .....	14
4.2.1 Environmental Planning & Assessment Act 1979 .....	14
4.2.2 Other Key NSW State Legislation .....	15
4.2.3 State Environmental Planning Policies .....	16
4.3 Commonwealth Legislation .....	17
4.3.1 Environment Protection & Biodiversity Conservation Act 1999 .....	17
<b>5 STAKEHOLDER ENGAGEMENT .....</b>	<b>18</b>
5.1 Department of Planning & Environment .....	18

5.1.1	Division of Resources & Energy .....	18
5.2	Local Government .....	18
5.3	Commonwealth .....	18
5.4	Save Our Macleay River Committee (SOMR) .....	18
<b>6</b>	<b>JUSTIFICATION FOR MODIFICATION .....</b>	<b>19</b>
6.1	Justification .....	19
6.2	Sustainable Development.....	20
6.3	Conclusion .....	21
<b>7</b>	<b>References .....</b>	<b>21</b>
<b>8</b>	<b>ABBREVIATIONS .....</b>	<b>22</b>
<b>Appendix A Development Consent DA98/35 .....</b>		<b>23</b>

## List of figures

Figure 1: Location of Hillgrove Mines .....	3
Figure 2: Hillgrove Mine Site Layout (orientated North) .....	1

## List of tables

Table 1: Hillgrove Mine Land Ownership, Title and Occupancy (Hillgrove Mines Pty Ltd, 2014).....	5
Table 2: Details of previous Modifications to DA 98/35 .....	7
Table 3: Leases, Licenses, Consents and Approvals (Hillgrove Mines Pty Ltd, 2014).....	7
Table 4: Tenements (Hillgrove Mines Pty Ltd, 2014).....	9
Table 5: Environmental Monitoring (Hillgrove Mines Pty Ltd, 2014).....	11
Table 6: Objects of the NSW EP&A Act.....	14
Table 7: Relevant NSW State Legislation .....	16
Table 8: Summary of State Environmental Policies .....	16
Table 9: Antimony Metal Price History .....	19
Table 10: Proposed consent timeframe .....	20

# Submission of Environmental Assessment

Prepared under Section 75W of the *Environmental Planning and Assessment Act 1979*

## Environmental Assessment Prepared By:

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## Development Application

Proponent Name Hillgrove Mines Pty Ltd  
Proponent Address 130 Brackin Street, Hillgrove NSW 2350  
Land to be Developed Hillgrove Mines  
130 Brackin St, Hillgrove NSW 2350  
Local Government Area of Armidale Regional Council  
Development Description Modification to existing Condition 4 of development consent DA98/35 to extend the prescribed term for the authorised development to 31 December 2023.

## Declaration

I hereby certify that I have prepared the contents of this document and to the best of my knowledge:

- It contains all available information that is relevant to the environmental assessment of the proposed development to which the document relates; and
- It is true in all material particular and does not, by its presentation or omission of information, materially mislead.

Name Linden Burch

Signature  on behalf of Linden Burch

Date 11 January 2018

# 1 Introduction

## 1.1 Background

Hillgrove Mines Pty Ltd (**HMPL**) is an Australian private company that owns and operates the Hillgrove Gold and Antimony Mine (**Mine**), which is located approximately 30 kilometres east of Armidale in the Armidale Regional local government area (Figure 1).

The Mine was granted development consent (DA 98/35) by the Minister for Urban Affairs and Planning under section 91 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) on 18 November 1998 (**Consent**). The Consent for the Mine has been modified on three occasions, and authorises development which includes:

- development of the underground Brackins Spur Mine;
- construction and operation of surface facilities including a tailings storage facility, pressure oxidation processing plant, stockpile areas, office and amenity facilities and associated infrastructure; and
- construction of haulage roads that traverse Bakers Creek Gorge to the Brackins Spur and Lower Cooney Mines.

A copy of the Consent for the Mine is found at **Appendix A** of this document. At present, condition 4 of the Consent authorises HMPL to carry out mining operations and processing of up to 250,000 tonnes of ore per annum to produce antimony and gold concentrates at the Mine until the end of December 2019.

HMPL purchased the Mine in March 2013. The Mine was not operational at the time of the purchase – mining operations had been suspended by the previous owner since August 2009.

Mining operations commenced in late 2013 with over \$100M of start-up and sustaining capital being spent on the project. In December 2015, the Mine was placed into care and maintenance due to a significant fall in the antimony commodity price. The extent of the decline in the antimony price is further discussed in Section 6 of this document.

During the period that the Mine has been into care and maintenance, HMPL has developed a strategy to provide sustainable operating conditions at the Mine.

Key objectives of this strategy were to:

- carry out a comprehensive exploration drilling program to increase the mineral resource gold inventory;
- to increase the known gold resources so as to decrease future revenue dependence on antimony;
- to develop a resource model and mine plan which could then be subject to a pre-feasibility assessment and form the basis of HMPL's future State significant development consent application.

HMPL invested approximately \$10 million in its drilling program. That program was successful in delivering significant additional gold resources.

This document is an environmental assessment for a proposed modification to the Consent to vary condition 4 of the Consent to permit the continuation of mining operations at the Mine until 31 December 2023 (**Modification**). The Modification is sought to allow mining operations to continue at the Mine whilst

HMPL continues to undertake detailed planning of future operations, including the preparation of an application for State significant development and accompanying environmental impact statement to carry out mining operations and construct new facilities at the Mine.

The re-start of operations at the Mine under the Consent will require a significant capital investment. In order to secure funds for that investment it is desirable that the Consent permit of the currently approved mining operations continue beyond December 2019. A modification of condition 4 of the Consent to authorise the continuation of mining operations until 31 December 2023 will provide adequate time for the recommissioning of the mine, the preparation of a detailed mine plan, carrying out of baseline studies and preparation of an environmental impact assessment, the assessment phase of the proposed State significant development application, the determination of the State significant development application, and the determination of a referral under the *Environment Protection and Biodiversity Conservation Act, 1999*.

This Modification will not include any changes to existing mining operations or activities currently approved under the Consent. As HMPL is actively seeking investment for the operation it is not possible to definitively predict the exact timeframe for restart. A proposed timeframe, however, is further discussed in Section 6.

At the time of the Modification application, Clause 12 of Schedule 6A of the EP&A Act provides that section 75W of Part 3A of the EP&A Act continues to apply to modifications of development consents referred to in clause 8J(8) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) following the repeal of Part 3A in October 2011.

The Consent is a development consent that falls within clause 8J(8) of the EP&A Regulation, because it is a Ministerial consent granted under Part 4 of the EP&A Act prior to 1 August 2005.

Therefore, section 75W of the EP&A Act continues to apply to modifications to the Mine, notwithstanding its repeal.

HMPL consulted with the Department of Planning and Environment in November 2017 in relation to seeking the necessary approvals for the Modification and, based on this consultation, this environmental assessment has been prepared under section 75W of the EP&A Act.

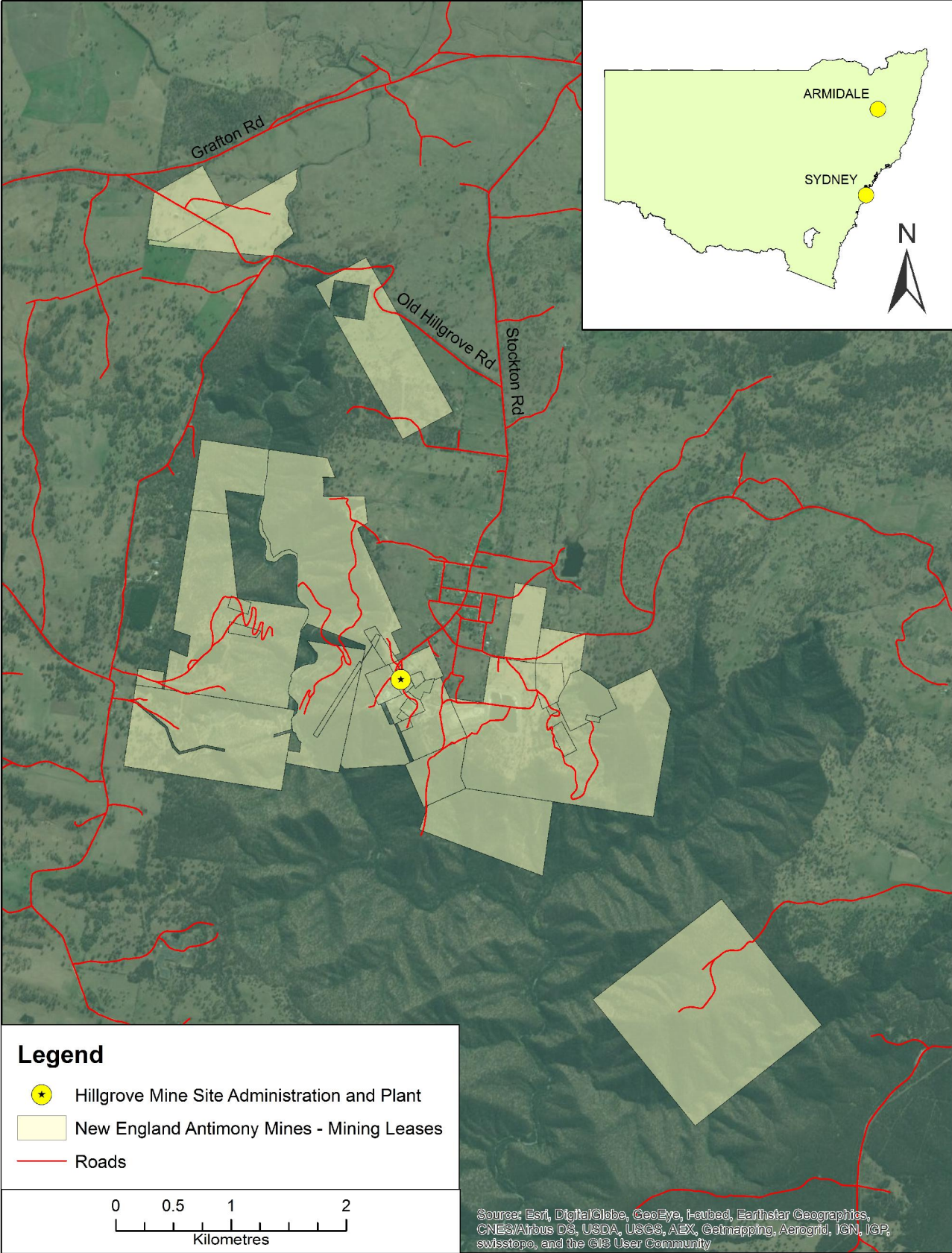


Figure 1: Location of Hillgrove Mines

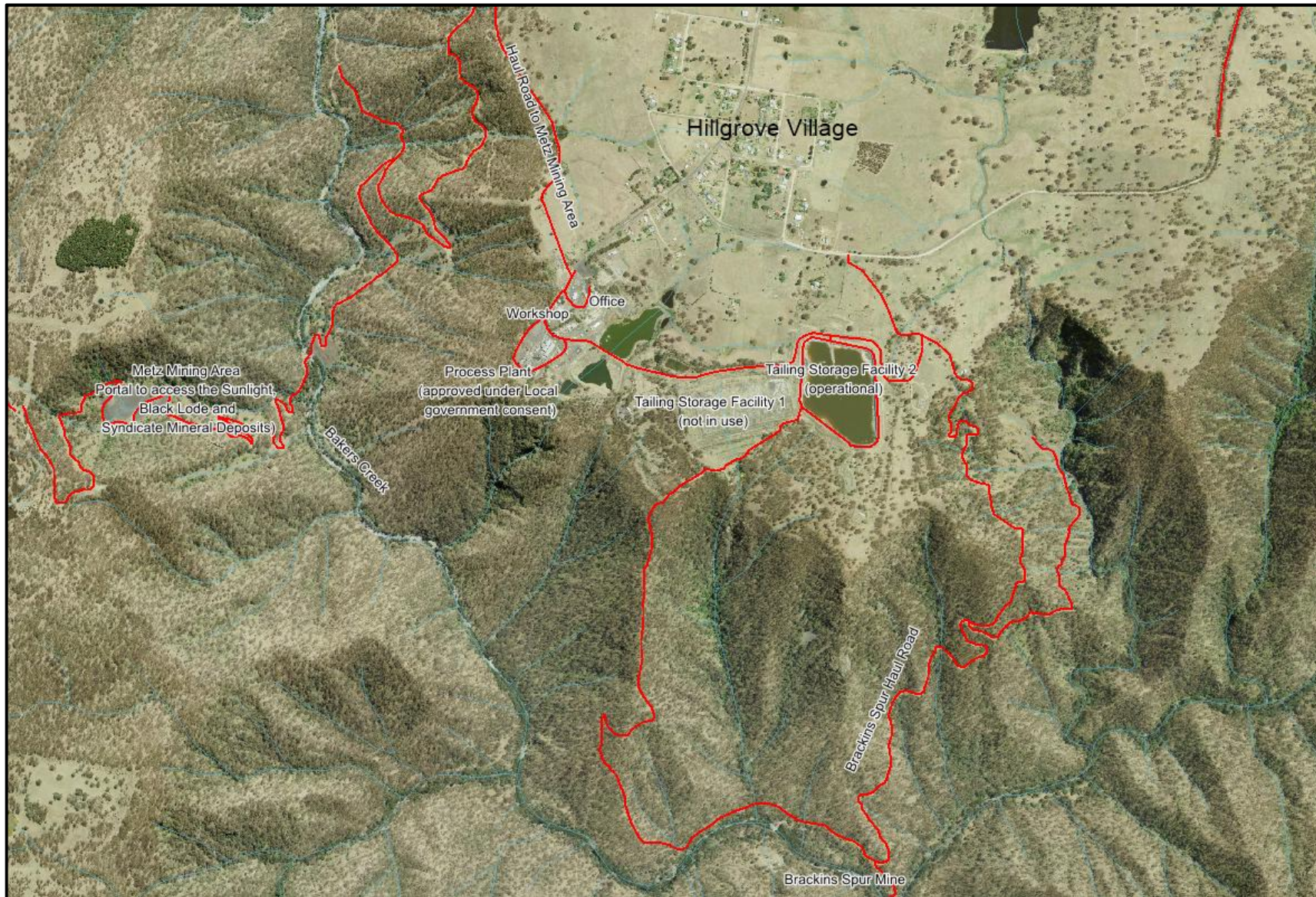


Figure 2: Hillgrove Mine Site Layout (orientated North)

## 1.2 The Applicant

The applicant for this modification is Hillgrove Mines Pty Ltd who is the owner and operator of Hillgrove Mines. The relevant postal address is:

Hillgrove Mines Pty Limited  
130 Brackin Street  
Hillgrove via Armidale  
NSW 2350.

## 1.3 Document Purpose

This Environmental Assessment (EA) has been prepared by Eco Logical Australia to support the application to modify Condition 4 of Development Consent DA 98/35 pursuant to Section 75W of the EP&A Act.

## 1.4 Overview of the Modification

The objective of this Modification is to obtain approval for the continuation of mining operations at the Mine up to and including 31 December 2023.

## 1.5 Director General's Requirements

There were no Director General's Requirements (DGR's) issued for this proposed Modification.

## 1.6 Development Consent Modification Process

Development consent 98/35 was granted to New England Antimony Mines NL, the applicant of the original development application on the 18 November 1998 by the then Minister for Urban Affairs and Planning under section 91 of Part 4 of the EP&A Act. HMPL, the current operator of Hillgrove Mine, is seeking a modification to DA 98/35 under s75W of the EP&A Act. This modification will allow for the continuation of mining operations until 31 December 2023 through changing the date in Condition 4 that prescribes the term for the continuation of mining operations.

Although Part 3A of the EP&A Act was repealed in 2011, Schedule 6A of the EP&A Act allows s75W to continue to apply to modifications of approvals originally granted under Part 4. Transitional provisions for Part 3A projects have been provided within the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). These provisions allow projects that were approved under Part 4 of the EP&A Act to be modified under s75W. Clause 8J(8) of the EP&A Regulation states that:

*"For the purposes only of modification, the following development consents are taken to be approvals under Part 3A of the Act and section 75W of the Act applies to any modification of such a consent:*

- (a) a development consent granted by the Minister under section 100A or 101 of the Act,*
- (b) a development consent granted by the Minister under State Environmental Planning Policy No 34-Major Employment-Generating Industrial Development ,*
- (c) a development consent granted by the Minister under Part 4 of the Act (relating to State significant development) before 1 August 2005 or under clause 89 of Schedule 6 to the Act,*

*(d) a development consent granted by the Land and Environment Court, if the original consent authority was the Minister and the consent was of a kind referred to in paragraph (c).*

*The development consent, if so modified, does not become an approval under Part 3A of the Act.”*

Clause 8J(8) of the EP&A Regulation refers to consents that the transitional provisions can be applied to. As development consent 98/35 was granted under Part 4 of the EP&A Act before the 1 August 2005, clause 8J(8) is applicable to this modification, thus allowing modification under section 75W.

The modification of a Part 4 development consent under s75W of the EP&A Act requires completion of the NSW DP&E Application to modify a development consent. This application form will be supported by the submission of this EA.

Section 75W allows the Minister for Planning to modify an existing development consent. Should the modification to DA 98/35 be approved, it will remain a development consent under Part 4 of the EP&A Act.

## 2 Site Description

### 2.1 Site Location

Hillgrove Mines (the site) is an existing underground mine located within the Hillgrove mineral field approximately 30 kilometres west of Armidale within the New England Region of New South Wales (Figure 1). The site is located within the local government area (LGA) of Armidale Regional Council (ARC).

The main access into the site is via Waterfall Way from which two roads allow access to the site; Old Hillgrove Road and Stockton Road. The village of Hillgrove is immediately north of the site. The main surface facilities and infrastructure are located immediately south of the village of Hillgrove with some facilities being located within Bakers Creek Gorge.

The typical landscape of the region is a flat to undulating plateau rising approximately 1000 m above sea level. The site is on the edge of a plateau north of Bakers Creek which gives way to a series of deep dissecting gorges leading into the World Heritage listed area of Oxley Wild Rivers National Park.

The site is surrounded by a typical rural setting with a previously cleared landscape associated with primary production and previous activities in the area. The entire Bakers Creek valley floor and the surrounding slopes have historically been cleared for the purpose of fuelling steam generation, although in the recent decades, re-establishment of vegetation has occurred within the slopes of the valley (New England Antimony Mines 1999).

### 2.2 Project Area

The project area (Figure 1) is within existing mine limits and the existing Consent boundary (see Table 1). This modification does not propose any changes to the project area.

### 2.3 Land Use & Ownership

The main land use of the surrounding land is primary production in the form of grazing and rural residential.

Four Crown Land portions have been subject to a Native Title agreement from three Aboriginal Nations (New England Antimony Mines 2000).

Land ownership within the site mainly consists of mining leases over Crown Land or freehold land owned by Hillgrove Mines.

### 2.4 Land Zoning

The land zoning of the site is RU1 Primary Production according to *Armidale Dumaresq Local Environmental Plan 2012* (LEP).

**Table 1: Hillgrove Mine Land Ownership, Title and Occupancy (Hillgrove Mines Pty Ltd, 2014)**

Land Ownership, Title & Occupancy	Relevant Mining Lease (ML)	Relevant Gold Lease (GL)	Relevant Private Lands Lease (PLL)	Relevant Mining Purpose Lease (MPL)
Crown Land	ML600 ML749 ML772 ML810 ML945 ML972 ML1100 ML1441 ML1442 ML1603 ML1604 ML5643 ML6282 ML5643	GL3959 GL3980		MPL146 MPL220 MPL745 MPL919 MPL1427
Freehold Land Owned by Hillgrove Mines	ML231 ML391 ML392 ML655 ML1440 ML1598 ML1599 ML1601 ML1602		PLL350 PLL661 PLL804 PLL416 PLL1252 PLL3827	
Freehold Land Not Owned by Hillgrove Mines	ML205 ML219 ML592 ML649 ML714 ML961 ML1020 ML1026 ML1101 ML1332 ML1600	GL5845		
<b>Total Leases</b>	<b>33</b>	<b>3</b>	<b>6</b>	<b>5</b>

## 2.5 Geology, Topography and Hydrology

The geology of the Hillgrove mineral fields has some 200 individual deposits generally of vein type, up to 1.5 km in strike length and 5 m in width. The veins are the product of a multi-phase mineralisation in the following sequence:

- Barren Quartz
- Quartz-Scheelite
- Quartz-Arsenopyrite-Pyrite-Gold
- Quartz-Stibnite-Gold
- Quartz-Stibnite-Calcite
- Barren Quartz-Chlorite

The topography of the region varies from the undulating plateau rising approximately 1000 m above sea level to the steep and dramatic gorges of Bakers Creek and Macleay River.

The main catchment of the immediate surrounds of the site is the Bakers Creek catchment, which ultimately flows into Macleay River and discharges into the Pacific Ocean at South West Rocks along the east coast of NSW. Bakers Creek flows through the Hillgrove Mines' leases before it drops from the New England escarpment at Baker's Creek Falls approximately 2.5 km NNW of Hillgrove village and flows south for 17 km before joining the Macleay River (Hillgrove Mines Pty Ltd 2014). Four Mile Creek (a smaller tributary) flows from the north-east and converges with Bakers Creek (Hillgrove Mines Pty Ltd 2014). A small local tributary drains into Swamp Creek, which flows south into Four Mile Creek. All of the drainage lines in the Bakers Creek catchment are intermittent (Hillgrove Mines Pty Ltd 2014). Bakers Creek sediment and water quality exhibit high levels of antimony and arsenic contamination due to the presence of the ore bodies and historic dumping of mine waste into the waterway.

## 2.6 Climate

The climate of the region is cool temperate with warm summers. The average annual maximum and minimum temperatures recorded at the Armidale Tree Group Nursery station (056037) are 26.8°C and -0.4°C respectively (BoM 2017). The average annual rainfall collected at the Armidale Station is 754.8 mm with an average of 85 rain days per year. November is the wettest month, with an average rainfall of 97.8 mm over an average of 9 rain days.

During most months the rate of evaporation exceed precipitation with annual average evaporation of approximately 1,230 mm and average daily evaporation of 3.4 mm (Hillgrove Mines Pty Ltd, 2014).

Winds direction and speed are variable although from January to April the winds are predominantly east to south-east and from June to August predominantly west to south-west (Hillgrove Mines Pty Ltd, 2014).

# 3 Existing and Proposed Mine Operations

## 3.1 Overview

The Mine is currently in a state of care and maintenance. However, after the successful completed gold exploration drilling program and the future raising of further capital, it is intended to return the mine to normal operations at some stage. Normal approved operations include:

- Production from the Syndicate mining complex at Metz at a maximum production rate of 250 ktpa; and

- Ore processing to produce two marketable concentrates (Sb and Au). DA 98/35 also allows for the tertiary treatment of the gold concentrate utilising the Pressure Oxidation Plant and a Carbon in Leach circuit however these would require further commercial review prior to recommissioning.

### 3.2 Existing Approvals

DA 98/35 was approved on the 18 November 1998 pursuant to the EP&A Act. DA 98/35 provides consent for the Hillgrove Mine expansion, Brackins Spur and Lower Cooney Haul Roads, as well as Tailings Storage Facility 2.

DA 98/35 has been modified three times. Table 2 below provides the details of each Modification to DA 98/35.

Hillgrove Mines operate under Environment Protection Licence (EPL) 921, which authorises various discharge points across the site subject to conditions contained within the licence.

**Table 2: Details of previous Modifications to DA 98/35**

Modification Number	Date Approved	Details of Modification
1	10/11/2000	Re-alignment of the haul road to Brackins Spur
2	25/11/2005	Relocation of TSF 2
3	23/7/2015	Change of Condition 4 to clearly prescribe the term of authorised operation as 31 December 2019

All leases, licences, consents and approvals relevant to the operations at Hillgrove Mines Pty Ltd are listed in Table 3 below.

**Table 3: Leases, Licenses, Consents and Approvals (Hillgrove Mines Pty Ltd, 2014)**

Consent	Date	Authority	Comments
DUAP Mining Extension CC-7 Dec 1998 DA S98/35	18/11/1998	DP&E	Consent for mine expansion. Brackins Spur and Lower Cooney Haul roads, TSF2
Environmental Protection Licence 921	N/A	EPA	Environmental Protection Licence for the Hillgrove mine
DA 19/2000/A Metals Processing Facility (formerly Antimony Trioxide Plant DA 0001/0019)	29/09/2006	ARC	Modification to initial consent DA 0001/0019 for construction of a metals processing facility
Metz Development - DA42/82	23/07/1982	ARC	Initial development of the Metz mining area
Mining lease application 35 and 76 portion 15 parish of Metz	09/07/1981	ARC	Mining lease application 35 and 76 portion 15 parish of Metz

Consent	Date	Authority	Comments
Clarks Gully open pit – DA 37/92	12/11/1992	ARC	Open cast gold mining operation on Lot 1 DP 976685, parish of Metz
Storage and Mixing of Dangerous Goods – DA 1999/105	17/04/2000	ARC	Storage of explosives in magazines at Freehold
Radiation Licence to Sell/Possess	N/A	EPA	Licence to sell or possess radioactive substances or items containing radioactive substances - Currently being renewed
On-Site Sewage System – DA 9900/1655SEP	30/06/2004	ARC	Garibaldi winder septic system
On-Site Sewage System – DA 9900/1656SEP	30/06/2004	ARC	Office septic system
On-Site Sewage System - DA 9900/0337SEP	30/04/2004	ARC	Licence for septic system at Metz
Surface Water Licence 30SL043402	12/08/2003	NSW Office of Water (NOW)	Bakers Creek
Surface Water Licence 30SL037535	27/02/2005	NOW	Town Reservoir
DSC letter ref Hillgrove 2 – TSF 2 design dated 18 March 2005	18/03/2005	NSW DSC	DSC letter accepting TSF 2 design with conditions
Bakers Creek Crossings	29/06/2000	DPI - Fisheries	Requirements for construction of Bakers Creek crossings for Brackins Spur and Lower Cooney Road
Dredging and Reclamation Permit 13/143	05/11/13	DPI - Fisheries	Permit to dredge Bakers Creek to construct two crossings for the Lower Cooney Road
DA 22/81 Workshop	23/06/1981	ARC	Workshop
DA 95/26 Continuing Mineral Extraction	08/03/2004	ARC	Continuing Mineral Extraction – covering leases that pre-date the EP&A Act 1979
Mining Lease Application No. 47	16/04/1980	ARC	Supporting documentation for ML 1101
DA 43/81 Mining Lease Application 35 and 76	09/07/1981	ARC	
DA 0102/005AM Modification to Metz consent (42/82) for 7 level pad	25/05/2003	ARC	DA 0102/005AM Modification to Metz consent (42/82) for 7 level pad

Consent	Date	Authority	Comments
Hillgrove Crown Land Licence No. LI 382759	09/12/08	DoL	Licence for lease of 15 crown land blocks in Hillgrove.
DA 26/2005/A Construction of Sunlight Haul Road	21/9/06	ARC	Construction of Sunlight haul road from Metz to Bakers Creek
DA 0607/0022	14/08/2009	ARC	Construction of Office and amenities block at Hillgrove

All tenements held are shown below in

Table 4. The Hillgrove project encompasses a total of 51 tenements comprised of 33 Mining Leases, 3 Gold Leases, 6 Private Lands Leases, 5 Mining Purpose Leases and 4 Exploration Licences (Hillgrove Mines Pty Ltd, 2014).

**Table 4: Tenements (Hillgrove Mines Pty Ltd, 2014)**

Licence Number	Date Granted	Expiry Date	Status
EL3326	23/08/1989	22/08/2020	Current
EL5973	19/08/2002	18/08/2019	Current
EL5997	27/09/2002	26/09/2019	Current
EL6419	17/05/2005	16/05/2018	Current
GL3959	08/02/1933	11/02/2020	Current
GL3980	29/03/1933	11/02/2020	Current
GL5845	16/02/1968	11/02/2030	Current
ML205	21/05/1976	11/02/2020	Current
ML219	16/06/1976	11/02/2020	Current
ML231	21/07/1976	11/02/2020	Current
ML391	16/02/1977	11/02/2020	Current
ML392	16/02/1977	11/02/2020	Current
ML592	03/05/1978	11/02/2020	Current
ML600	10/05/1978	11/02/2020	Current
ML649	04/10/1978	11/02/2020	Current
ML655	04/10/1978	11/02/2020	Current
ML714	21/03/1979	11/02/2020	Current
ML749	04/07/1979	11/02/2020	Current
ML772	05/09/1979	04/09/2020	Renewal currently being processed*

Licence Number	Date Granted	Expiry Date	Status
ML810	05/03/1980	11/02/2020	Current
ML945	08/07/1981	11/02/2020	Current
ML961	09/12/1981	11/02/2020	Current
ML972	06/01/1982	11/02/2020	Current
ML1020	03/11/1982	11/02/2020	Current
ML1026	08/12/1982	11/02/2020	Current
ML1100	09/11/1983	11/02/2020	Current
ML1101	09/11/1983	11/02/2020	Current
ML1332	07/10/1993	11/02/2020	Current
ML1440	12/02/1999	11/02/2020	Current
ML1441	12/02/1999	11/02/2020	Current
ML1442	12/02/1999	11/02/2020	Current
ML1598	04/12/2007	11/02/2020	Current
ML1599	04/12/2007	11/02/2020	Current
ML1600	04/12/2007	11/02/2020	Current
ML1601	04/12/2007	11/02/2020	Current
ML1602	04/12/2007	11/02/2020	Current
ML1603	04/12/2007	11/02/2020	Current
ML1604	04/12/2007	11/02/2020	Current
ML5643	14/11/1958	11/02/2020	Current
ML6282	12/03/1971	11/02/2020	Current
MPL146	09/08/1978	11/02/2020	Current
MPL220	07/12/1983	11/02/2020	Current
MPL745	29/03/1933	11/02/2020	Current
MPL919	31/08/1938	11/02/2020	Current
MPL1427	06/07/1973	11/02/2020	Current
PLL350	28/05/1932	11/02/2020	Current
PLL416	20/12/1935	11/02/2020	Current
PLL661	27/07/1943	11/02/2020	Current
PLL804	22/07/1949	22/07/2032	Current
PLL1252	23/12/1969	11/02/2020	Current
PLL3827	21/08/1973	11/02/2020	Current

\*Hillgrove has been working with DRE to determine the delay/issues with the renewal of this tenement.

### 3.3 Environmental Management

Environmental management plans (EMP) were reviewed and submitted to DPE in December 2015 as required by Condition 52 of DA98/35. These plans cover environmental aspects such as air quality, surface and ground water, erosion and sediment control, heritage, flora and fauna and hydrocarbon management. These management plans provide procedures and standards for the management of environmental risks and the ability to measure the environmental performance of Hillgrove Mines and identify management actions that may be required. Environmental management actions required during exploration activities are addressed in the Exploration Environmental Management Plans.

Condition 8 of DA 98/35 requires HMPL to prepare and submit an Annual Environmental Management Plan (AEMP) Report. This report is required to include:

- A review of the effectiveness of environmental management for the subject land, including all control, mitigation and management measures required in the conditions of the consent.
- a review of performance in terms of the conditions of development consent;
- results of environmental monitoring in respect of air quality, water quality, and noise and vibration; and
- a record of any complaints received in relation to the environmental performance of the mine and actions taken in response to complaints.

Environmental monitoring is undertaken onsite for several different environmental aspects addressed within the environmental management plans. Environmental monitoring is undertaken in accordance with the requirements of statutory approvals including DA 98/35 and EPL 921. The monitoring activities undertaken at HM are outlined within Table 5 below.

**Table 5: Environmental Monitoring (Hillgrove Mines Pty Ltd, 2014)**

Environmental aspect	Monitoring undertaken
Air Quality	HM operates under EPL 921, which requires a dust monitoring network of 11 depositional dust gauges maintained in accordance with AS/NZS 3580.10.1:2003. These gauges are monitored monthly and samples are analysed for antimony, arsenic, lead, mercury, total insoluble matter, total solids and coarse particulates.
Noise and Vibration	Noise monitoring is undertaken on an as required basis to determine compliance with EPL conditions. Noise monitoring will generally aim to be completed at the closest residence in Hillgrove on a bimonthly basis.
Surface water	The EPL requires implementation of a surface water monitoring network around the site. Surface water is monitored monthly and samples are analysed for a variety of analytes.
Groundwater	The EPL requires ground water monitoring of 11 adits around the site. Water from these adits is monitored quarterly and samples are analysed for a variety of analytes.
Erosion and Sediment Control	Suspended solids are measured on a monthly basis at all surface water monitoring locations. In addition, regular inspections are conducted of critical areas within the recycled water storage system for signs of erosion or potential issues.
Hydrocarbons and Chemicals	A register of MSDS for hydrocarbon and chemical products used on the site will be maintained. These record the places of storage and use of each substance.

Environmental aspect	Monitoring undertaken
	<p>Records of the volumes of use (store issue and fuel farm records) will be kept to track volumes being used.</p> <p>All hydrocarbon and chemical storage and dispensing facilities will be subject to regular inspections.</p>
Waste Management	Regular inspections will be carried out on waste management facilities. Waste tracking data will be received from the waste contractor regularly and the data will be reviewed.
Waste Rock	Regular inspections of waste rock stockpiles will be completed. This generally occur on a monthly basis and is carried out by a qualified engineer. Sampling of waste rock being placed into a stockpile will occur on a six-monthly basis or when there is a significant operational or geological changes (e.g. new parent rock being mined). Testing will be completed for various metals.
Exploration	<p>Monitoring of exploration activities will include:</p> <ul style="list-style-type: none"> <li>• Regular inspections of drill sites (pre, post and during);</li> <li>• Noise monitoring in response to noise complaints;</li> <li>• Water, soil, dust sampling and analysis as required; and</li> <li>• Inspections of drill site following rehabilitation until completed.</li> </ul>
Aboriginal and European Heritage	<p>Any issues arising at HM regarding Aboriginal or European heritage will be reported as part of the AEMR process.</p> <p>Any artefacts that require removal or destruction due to mining operations will be reported to the relevant authorities and necessary approvals gained prior to destruction.</p>
Feral Animals and Weeds	Inspections will be completed regularly on areas where there are known colonies of weeds/feral animals until such time as they are effectively controlled or eradicated. Whilst conducting other routines activities (eg. water monitoring) any existence of weeds/feral animals will be noted and recorded for corrective actions. Monitoring for specific weeds and feral animals will be undertaken in accordance with a species specific management plan (contained within the MOP).
Rare and Threatened Flora and Fauna	Issues arising at HM regarding Rare and Threatened Flora and Fauna will be reported as part of the AEMR process.

### 3.3.1 Performance

Condition 10 of DA98/35 required an independent environmental audit to be conducted against the conditions of the consent. This was completed in August 2016 and identified to follow:

- Condition 34 – Non-compliant Low Risk, relating to noise monitoring and assessment criteria;
- Condition 36 – Non-compliant Low Risk, exceedance of blasting criteria on the surface (conducted by a previous operator in 2007); and
- Condition 31 – Non-compliant Administrative, the report required by this condition was submitted 24 hours late.

### 3.4 Proposed Future Operations and Projects

#### 3.5 Site Operations

This modification does not propose to change or modify any current operations at HMPL. A summary of the proposed operations, as already approved and conducted prior to cessation of operations in 2015, is provided:

- Underground (narrow vein stoping of Sb/Au ores, modified avoca or similar mining methods) mining in the Metz mining area at a maximum rate of 250ktpa. The mine is accessed by two portals in Metz Gully, a gully within Bakers Creek Gorge;
- Haulage of ore from the Metz Mining area across to Hillgrove Process Plant ROM using trucks;
- Processing the ore to Au and Sb concentrates (crushing, grinding, flotation, thickening and filtration).
- Onsite tailings management in Tailings Storage Facility No. 2.
- Shipping of concentrates by road freight from Hillgrove to various customers.

In 2015 HMPL employed approximately 120 full time employees and it is anticipated that any restart of operations would require a minimum of 100.

##### 3.5.1 Development Consent and Environmental Impact Assessment Project

HMPL plan to prepare a new consolidated development application for approval under the NSW Environmental Planning Policy (State and Regional Development) 2011, as a State Significant Development. The Modification of Condition 4 of the Consent will allow for the planning, assessment and approval phases of the future State significant development application. The prescription of time for the continued operations of the approved Hillgrove Mine (DA 98/35) up until the 31 December 2023 will enable the following to occur whilst revenue is generated by the mining operations authorised by the Consent:

- Exploration, Environmental and Feasibility investigations to continue;
- Mineable/probable resource defined and concept mine/production plans developed;
- Presentation of Conceptual Project Development Plan to Division of Resources and Energy (DRE) - Mineral Resources;
- DRE in principle support for mining/production concept, Department of Planning & Environment (DP&E) notified;
- Request for Director General Requirements (DGRs) lodged with DP&E;
- Lodgement of State Significant Development Application with DP&E (Lodgement of Mining Lease Application (MLA) with DRE );
- Environmental Impact Statement (EIS) Requirements Issued (DGRs);
- EIS Studies and Preparation of EIS;
- Approval process, including:
  - Public exhibition of EIS and submissions invited from agencies, community and any interested parties
  - Assessment of EIS and submissions by DP&E
  - Minister for Planning and Environment may appoint Planning Assessment Commission (PAC) to advise on certain key issues
  - Minister for Planning & Environment (or the Minister's delegate) determines application.

## 4 REGULATORY FRAMEWORK

### 4.1 Approvals Path

Consent 98/35 was granted to New England Antimony Mines NL the applicant of the original development application on the 18 November 1998 by the then Minister for Urban Affairs and Planning under section 91 of Part 4 of the EP&A Act. Hillgrove Mines Pty Ltd, the current operator of Hillgrove Mines, is seeking a modification to DA 98/35 under s75W of the EP&A Act. This modification will allow for the continuation of operations until 31 December 20123 through extension of Condition 4 of DA 98/35 prescribing the term of the authorised development to 31 December 2023.

Although Part 3A of the EP&A Act was repealed in 2011, Schedule 6A of the EP&A Act allows s75W to continue to apply to modifications of approvals originally granted under Part 4. Clause 8J(8) of the EP&A Regulation refers to consents that the transitional provisions can be applied to. As development consent 98/35 was granted under Part 4 of the EP&A Act before the 1 August 2005, clause 8J(8) is applicable to this modification thus allowing modification under section 75W.

Section 75W allows the Minister for Planning to modify an existing development consent. Should the modification to DA 98/35 be approved, it will remain a development consent under Part 4 of the EP&A Act.

In addition to this, Part 2 clause 7 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*, states that mining development for underground mining carried out on any land may be carried out with development consent.

There were no Director General's Requirements issues for this modification.

### 4.2 New South Wales Legislation

#### 4.2.1 Environmental Planning & Assessment Act 1979

The EP&A Act is the principal planning legislation for NSW. It provides a framework for the overall environmental planning and assessment of development proposals. The objects of the EP&A Act generally seek to promote management and conservation of natural and artificial resources, whilst allowing appropriate development to occur. The principles of ecologically sustainable development and public participation are also objects of the EP&A Act. The consistency of this Modification with the objects of the EP&A Act are outlined in **Table 6**.

**Table 6: Objects of the NSW EP&A Act**

Objects of the EP&A Act	Consistency with the Proposed Modification
5 a) to encourage: <ul style="list-style-type: none"> <li>i. the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,</li> </ul>	Operational impacts from the current operations of the Hillgrove Mine have been considered within the existing approval (DA98/35) and within the approved MOP.

ii.	the promotion and co-ordination of the orderly and economic use and development of land,	The proposed Modification is consistent with the statutory and strategic planning controls of the region and will be compliant with relevant conditions of approval under DA98/35.
iii.	the protection, provision and co-ordination of communication and utility services,	Not applicable to the proposed Modification
iv.	the provision of land for public purposes,	Not applicable to the proposed Modification
v.	the provision and co-ordination of community services and facilities, and	Not applicable to the proposed Modification
vi.	the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and	The proposed Modification will not further impact the environment beyond what has been assessed and approved within existing approvals. This Modification is requesting replacement of Condition 4 with a new condition that prescribes the term of the authorised development, with no additional disturbance areas to those already approved.
vii.	ecologically sustainable development, and	This proposed Modification is consistent with the principles of ecological sustainable development as outlined in Section 6.
viii.	(the provision and maintenance of affordable housing, and	Not applicable to the proposed Modification
5 b)	to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and	Not applicable to the proposed Modification
5 c)	to provide increased opportunity for public involvement and participation in environmental planning and assessment.	Hillgrove Mine undertook significant consultation during the preparing of the 2014-2016 MOP as as what is proposed under this modification no further consultation has been deemed as required.

#### 4.2.2 Other Key NSW State Legislation

The existing approvals relevant to the Hillgrove Mine are outlined in Section 3.

This Modification will require the use of existing approvals, licenses and/or authorities under various other pieces of NSW legislation for the modification to extend Condition 4. Table 7 outlines the relevant NSW legislation and indicates the implications for the Modification.

**Table 7: Relevant NSW State Legislation**

NSW Legislation	Implications (approvals, licenses and/or authorities)
<i>Protection of the Environment Operations Act 1997 (POEO Act)</i>	This proposed Modification will continue to operate within the existing approved disturbance footprints within the MLs outlined in Section 3.
<i>Mining Act 1992</i>	Hillgrove Mine currently holds multiple ML's as outlined within Section 3.
<i>Dams Safety Act 1978</i>	Not relevant to this Modification
<i>Crown Lands Act 1989</i>	The Crown Lands Act provides for the administration and management of Crown land. The project area includes Crown land. This Modification will not require a licence to use Crown land under the provision of <i>the Crown Lands Act</i> .
<i>Roads Act 1989</i>	Not relevant to this Modification
<i>Biodiversity Conservation Act 2016 (BC Act)</i>	No listed threatened species under the BC Act will be impacted as no further disturbance areas are proposed. No approvals under the BC Act are required for this Modification.
<i>National Parks &amp; Wildlife Act 1974 (NPW Act)</i>	The NPW Act contains for the provisions for the protection of national parks and conservation areas, as well as native fauna and flora and Aboriginal places and objects in NSW. No approvals under the NPW Act are required for this Modification.
<i>Aboriginal Land Rights Act 1983</i>	Not relevant to this Modification
<i>Heritage Act 1977</i>	Not relevant to this Modification
<i>Contaminated Land Management Act 1997</i>	Not relevant to this Modification

#### 4.2.3 State Environmental Planning Policies

**Table 8** below gives an overview of the State Environmental Planning Policies (SEPP) that are of relevance to Hillgrove Mines and whether they are applicable to this Modification.

**Table 8: Summary of State Environmental Policies**

SEPP	Description	Relevance to HMPL
<i>SEPP Mining, Petroleum Production and Extractive Industries 2007</i>	The Mining SEPP recognises the importance of mining, petroleum production and extractive industries in NSW. It provides a series of overarching aims relating to the development and sustainable management of these industries.	The mine is not located on Strategic Agricultural Land (Part 4AA). This SEPP is not considered to be applicable to this Modification.
<i>State Environmental Planning Policy No. 44 – Koala Habitat Protection</i>	This SEPP was introduced to protect potential and core Koala habitat in NSW. Under SEPP 44, developers of land with Koala	Armidale Regional Council is listed as one of the Councils to which SEPP 44 applies.

	habitat (as defined in the SEPP) have to consider the impact of their proposals on Koalas, and in certain circumstances, prepare individual Koala plans of management for their land.	This SEPP is not considered to be applicable to this Modification.
<i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i>	State Environmental Planning Policy 33 (SEPP 33) aims to ensure that proposals are suitably located and able to demonstrate that they can be built and operated with an adequate level of safety and pollution control.	This SEPP is not considered to be applicable to this Modification.

### 4.3 Commonwealth Legislation

#### 4.3.1 Environment Protection & Biodiversity Conservation Act 1999

The EPBC Act protects matters of National Environmental Significance (NES), such as threatened species and ecological communities, migratory species (protected under international agreements), and National Heritage places (among others).

Any actions that will, or are likely to have a significant impact on the matters of NES require referral and approval from the Australian Government Environment Minister. Significant impacts are defined by the Commonwealth (reference <http://www.environment.gov.au/epbc/guidelines-policies.html>) for matters of NES. The EPBC Act referrals process can produce one of three outcomes:

- Non-controlled action: Assessment and approval under the EPBC Act is not required. The project may proceed without further approval under the EPBC Act
- Non-controlled action – specified manner: Assessment and approval under the EPBC Act is not required provided the action is undertaken in a specific way (similar to conditions)
- Controlled Action: The project will, or is likely, to have a significant impact on one or more matters of national environmental significance.

Modification for extension of time of DA98/35 will not further impact any matters of NES as the Hillgrove Mine impact footprint will not change from existing approved disturbance boundaries. There are no Commonwealth approvals that will require updating as a result of this modification.

## 5 STAKEHOLDER ENGAGEMENT

Stakeholder engagement is ongoing and forms part of the activities of Hillgrove Mines. The stakeholder engagement described below is relevant only to the Modification.

### 5.1 Department of Planning & Environment

A meeting with DPE was held in Sydney on 30 November 2017. The current situation was explained by Hillgrove Mine representatives and DPE agreed that a Section 75W modification could be received for the purposes of the extension of Condition 4 to 31 December 2023.

#### 5.1.1 Division of Resources & Energy

For the purposes of this Modification, there has been no requirement for engagement with DRE.

### 5.2 Local Government

For the purposes of this Modification, there has been no requirement for engagement with Local Government.

### 5.3 Commonwealth

For the purposes of this Modification, there has been no requirement for engagement with the Commonwealth.

### 5.4 Save Our Macleay River Committee (SOMR)

SOMR is a group of people representing the lower Macleay Catchment that are interested in the health of the Macleay River. HMPL has engaged with SOMR (regular meetings and site visits) since around 2013, when the operation restarted. A summary of the proposed modification and operation update was sent on 8<sup>th</sup> January 2018. SOMR thanked HMPL for the update and provided no additional comments.

## 6 JUSTIFICATION FOR MODIFICATION

The requirement and justification of the proposed Modification is shown below. This justification has considered environmental, social and economic matters, as well as the principles of Sustainable Development and the compliance of the proposed Modification with the objectives of the EP&A Act.

### 6.1 Justification

Condition 4 currently provides that mining operations can occur only up to 31 December 2019. At the time of the previous modification this date was believed to be adequate to allow the following activities to occur:

- 2015-2016 Exploration for additional resources to extend the life of mine;
- 2017 Prepare an SSD application to the DPE for a consolidated operation; and
- 2018-2019 Allow a reasonable period of time for the approval process to be completed.

It was the intent to be operational for the entire five year period. When operations were suspended in December 2015, the Mine had only completed one year of the intended period.

Operations were suspended due solely to a significant fall in the antimony commodity price which resulted in the Mine being operated at a loss. At the time operations restarted in April 2014, the antimony price was over \$US9,866 per tonne and by late 2015 it had collapsed to \$US5,677 per tonne. Table 9 depicts the antimony price over the decade commencing in January 2007. The antimony price is less than the gold price, and can be subject to sudden declines.

**Table 9 Antimony Metal Price History**

**METAL PRICES BULLETIN AVERAGE MONTHLY METAL PRICE PER METRIC TON CIF USA**

Month	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Month
Jan	6025	5952	4989	6583	14,027	11,850	11,492	9,877	8,543	5,456	7,683	Jan
Feb	6002	6228	4839	6661	14,950	11,960	10,803	10,072	7,937	5,374	7,650	Feb
Mar	5958	6027	4630	6697	16,452	13,051	10,626	10,141	8,234	5,511	8,653	Mar
Apr	5947	6002	4484	8488	17,879	13,503	10,458	9,866	8,488	5,585	8,945	Apr
May	5997	6404	4643	9287	16,769	13,917	10,351	9,711	8,616	6,283	8,763	May
Jun	5950	6663	5038	8860	15,997	13,977	10,183	9,755	8,300	6,504	8,548	Jun
Jul	5974	6561	5421	9425	14,815	13,531	9,893	9,797	7,824	6,724	7,937	Jul
Aug	6008	6746	6065	10,114	14,991	12,886	10,086	9,755	7,330	7,176	8,351	Aug
Sep	5988	6724	6067	11,161	15,454	12,814	10,417	9,659	6,790	7,634	8,460	Sep
Oct	5941	6645	6471	11,343	15,419	12,911	10,472	9,469	6,462	7,785	8,157	Oct
Nov	6051	6393	6504	12,098	14,509	12,732	10,340	9,281	6,049	7,584		Nov
Dec	5982	5806	6355	13,228	13,062	12,125	9,893	9,039	5,677	7,606		Dec
High	6051	6746	6504	13,228	17,879	13,977	11,492	10,141	8,616	7,785	8,945	High
Low	5941	5806	4484	6583	13,062	11,850	9,893	9,039	5,677	5,374	7,650	Low
Avg	5985	6346	5459	9495	15,360	12,938	10,418	9,702	7,521	6,602	8,315	Avg

The outlook for the antimony market was not especially favourable. HMPL made the decision to further define known gold resources and reposition the asset in the gold market, which has proven far more stable than antimony. HMPL invested over \$10 million in a comprehensive drilling program and was successful in defining significant additional resource in the Sunlight Lode which forms part of the Syndicate mining complex.

The past year has been spent developing options for robust economic models for a restart of operations. In addition, a number of engineering studies have commenced that are required for future operations

which would be assessed in the EIS for the proposed State significant development application. This includes additional tailings storage capacity in TSF2.

Significant capital will be required for a restart of mining operations and the procurement of that capital will be facilitated if the authorised mine life is extended to December 2023.

The intent of the HMPL is to continue to pursue a new consolidated SSD approval however with the interruption to operations and subsequent resource appraisal this has been delayed. In addition, the current Condition 4 of DA 98/35 does not provide confidence for investment given the contracted timeframe now available to develop and submit a SSD application and receive approval. This is deemed a significant risk to restarting the operation in the short term.

The extension of time will allow HMPL to complete the anticipated activities as described in Table 10.

**Table 10 Proposed consent timeframe**

Year	Action
2018	Seek co-investor and/or initiate potential buyer process
Early 2019	Recruit required teams to commence project work
Late 2019 – Early 2020	Follow up drilling programme aimed to increase resources
Late 2020	Modify and finalise mine plan based on drilling programme
2021	Initiate restart programme within existing development consent
Late 2021	Finalise EIS for consolidated SSD approval based on early restart results
Early 2022	Submission of EIS for new consolidated consent
2022 - 2023	Allow adequate time for the SSD approval process to be completed

There will be no change to current mining operations or infrastructure because of this Modification. Therefore, there will be no greater environmental impact than was previously approved under the existing DA 98/35.

## 6.2 Sustainable Development

Through activities currently undertaken at Hillgrove Mines, it has been shown that the principles of Ecologically Sustainable Development (ESD) have been considered and integrated into existing mining plans and operations. Examples of this include risk assessment, environmental monitoring, mitigation measures and risk controls, communication with employees and the community, as well as efficient mine planning have ensured that the development at Hillgrove Mines is consistent with the principles of ESD.

Prior to the cessation of operation in 2015, HMPL directly employed approximately 120 personnel at the operations. Any restart would require an estimated minimum of 100 full time employees. In addition to this, there were an estimated 240 indirect and induced jobs within the Armidale region and wider that benefited from the continued operations of the mine. The re-starting of mining operations at Hillgrove Mine will have a significant positive impact on the local and regional economy.

### 6.3 Conclusion

The Modification of Condition 4 will allow operations to recommence at the Mine, whilst HMPL undertake detailed planning of future operations, prepare an Environmental Impact Statement and begin the approval requirements for a consolidated development application for future operations. It will also significantly increase confidence in investment that is required to fund a restart of operations. As the modification does not contain proposed changes to existing operations, it will not result in any additional environmental impacts other than those previously assessed and approved under the Consent.

## 7 References

Bureau of Meteorology (BOM). 20147. Monthly Climate Stats, Armidale (tree group nursery) (056037) Available: [http://www.bom.gov.au/climate/averages/tables/cw\\_056037.shtml](http://www.bom.gov.au/climate/averages/tables/cw_056037.shtml) [18 December 2017].

Hillgrove Mines Pty Ltd. 2016. *Hillgrove Mines, Mining Operations Plan 2016-2019*.

New England Antimony Mines. 1999. *Hillgrove Extension Underground Mining Project, Amendment to Development Application S98/35, Statement of Environmental Effects*, Prepared by Martin and Associated Pty Ltd.

New England Antimony Mines. 2000. *Hillgrove Extension Underground Mining Project, Amendment to Development Application S98/35, Statement of Environmental Effects*, Prepared by E.A. Systems Pty Limited.

## 8 ABBREVIATIONS

ARC	Armidale Regional Council
DP&E	Department of Planning and Environment
DPI	NSW Department of Primary Industries
DRE	Division of Resources and Energy (Division of the Department Trade and Investment, Regional Infrastructure and Services)
DSC	NSW Dams Safety Committee
EPA	Environmental Protection Authority
EP&A Act	<i>Environmental Protection and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Protection and Assessment Regulation 2000</i>
HM	Hillgrove Mines
HMPL	Hillgrove Mines Pty Ltd
LEP	<i>Armidale Dumaresq Council Local Environmental Plan 2012</i>
LGA	Local Government Area
ML	Mining Lease
MOP	Mining Operations Plan
MSDS	Material Safety Data Sheet
NOW	NSW Office of Water
NSW	New South Wales
s75W	Part 3A, section 75W of the <i>Environmental Protection and Assessment Act 1979</i>
TSF	Tailings Storage Facility

## Appendix A Development Consent DA98/35

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

**DETERMINATION OF DEVELOPMENT APPLICATION UNDER SECTION  
91 OF THE UNAMENDED ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979**

I, the Minister for Urban Affairs and Planning, under section 91 of the unamended Environmental Planning and Assessment Act 1979 (EP&A Act) determine the development application referred to in Schedule 1 by granting consent to that application subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions generally is to minimise any adverse effects from the development, consistent with the objectives of the Act. These conditions are listed in Schedule 2.

The “unamended” EP&A Act means the EP&A Act, as in force immediately before 1 July 1998.

Craig Knowles MP  
**Minister for Urban Affairs and Planning**

Sydney

1998

File No: S98/00802

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Note: Section 91 of the unamended EP&A Act continues to apply to development applications that were made but not determined by the consent authority under that section before the appointed day as if the EP&A Amendment Act 1997 had not been enacted.

**SCHEDULE 1**

**Application made by:** New England Antimony Mines NL

**To:** The Minister for Urban Affairs and Planning

**In respect of:** MLA 141, MLA 195, MLA 216 and Portions 2, 101, 130, 171, 380, 406, Parish Metz, County Sandon, Hillgrove via Armidale

**For the following:** Hillgrove extension underground mining project

**Development Application:** Development Application No. 98/35 lodged with Dumaresq Council on 30 June 1998, accompanied by an Environmental Impact

Statement prepared by Martin and Associates Pty  
Ltd dated June 1998

**Determination:**

(1) To determine the date upon which this consent becomes effective, refer to section 93 of the unamended Act;

(2) To determine the date on which this consent lapses, refer to section 99 of the unamended Act;

(3) Section 97 of the unamended Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within 12 months after the receipt of the notice under section 92 of the unamended Act.

## SCHEDULE 2

### CONDITIONS OF DEVELOPMENT CONSENT

#### LIST OF ABBREVIATIONS

The Applicant Council	New England Antimony Mines NL Dumaresq Shire Council
The Department	The Department of Urban Affairs and Planning
The Director-General	Director-General of the Department of Urban Affairs and Planning
DLWC	Department of Land and Water Conservation
DMR	Department of Mineral Resources
EPA	Environment Protection Authority
NPWS	National Parks and Wildlife Service
Subject development	the development to which this consent applies
Subject land	the land to which this consent applies

Red type represents 2000 Modification

Blue type represents 2005 Modification

#### GENERAL

1. (a) The Applicant shall carry out the development generally in accordance with the:
  - development application DA 98/35, dated 30 June 1998, lodged with Dumaresq Shire Council and the accompanying Environmental Impact Statement (EIS), dated June 1998, and prepared by Martin and Associates Pty Ltd;
  - modification application DIA No. 08/99, dated 17 August 1999, and accompanying Statement of Environmental Effects (SEE), dated August 1999, and prepared by Martin and Associates Pty Ltd;
  - modification application DA 98-35 M2, dated 10 November 2000 and accompanying SEE, dated November 2000, and prepared by E.A. Systems Pty Limited; and
  - conditions of this consent.
- (b) If there is any inconsistency between the above, the conditions of this consent, or then the most recent document, shall prevail to the extent of any inconsistency.

## **STATUTORY AND OTHER REQUIREMENTS**

2. The Applicant shall meet the statutory requirements of all public authorities having responsibilities for environmental protection, pollution control, and land and water conservation approvals and licences in respect of the mine extension and associated works encompassed by DA No. 98/35 and the re-alignment of the haul road to Brackins spur and associated works encompassed in DIA No. 08/99.
3. The Applicant shall comply with all reasonable requirements of the Director-General in respect of the implementation of any measures arising from reports submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.

## **DURATION AND SCOPE OF CONSENT**

4. This consent shall lapse 12 (twelve) years after the date of commencement of substantial construction. The Applicant shall provide the Director-General with written advice of the date of commencement of substantial construction, as soon as is practicable after that date.
5. This consent does not apply to the construction and operation of the Antimony Trioxide Plant or the construction and operation of a water supply pipeline to the mine from the Gara River. These works require a separate development consent.

## **ENVIRONMENTAL OFFICER**

6. The Applicant shall employ an Environmental Officer whose qualifications are acceptable to the Director-General in consultation with Council and the Department of Mineral Resources. The Environmental Officer shall be responsible for ensuring that all environmental safeguards proposed for the development and as required by this consent and other statutory approvals are monitored and enforced from the commencement of construction.

## **ENVIRONMENTAL MANAGEMENT PLAN**

7. The Applicant shall prepare an Environmental Management Plan/s (EMP/s) covering both the construction and operation phases of the development. The Plan/s shall include, but not be limited to:
  - (a) details of the mine infrastructure and facilities to be developed;
  - (b) erosion and sediment control measures (Condition 16);
  - (c) noise and vibration management procedures (Condition 32);
  - (d) results of investigations into potentially acid producing waste rock (Condition 20);
  - (e) where relevant, monitoring procedures relating to water quality, air quality, noise and vibration, and the tailings storage facility;
  - (f) management measures for any fauna and flora species listed under the Threatened Species Conservation Act 1995 that occur on the site.

The EMP/s shall be prepared to the satisfaction of the Director-General, Council, DMR, EPA, NPWS and DLWC. The construction EMP (or that part of the EMP covering the construction phase) shall be submitted prior to the commencement of construction works. The operation EMP (or that part of the EMP covering the operation phase) shall be submitted before the commencement of operations on the site.

## **ENVIRONMENTAL MANAGEMENT PLAN REPORT**

8. The Applicant shall prepare and submit to the Director-General an Annual Environmental Management Plan (AEMP) Report. The first report shall be prepared and submitted within twelve (12) months of the substantial commencement of construction. A copy of the EMP Report should also be submitted to the Council and EPA. The report shall generally include:
  - (a) a review of the effectiveness of environmental management for the subject land, including all control, mitigation and management measures required in the conditions of this consent;
  - (b) a review of performance in terms of the conditions of development consent;
  - (c) results of environmental monitoring in respect of air quality, water quality, and noise and vibration; and
  - (d) a record of any complaints received in relation to the environmental performance of the mine and actions taken in response to complaints.

(Note: Provided all requirements of this condition are met, the Applicant may prepare the above AEMP Report in conjunction with any other annual environmental report required by another regulatory authority).

## **COMPLIANCE REPORTS**

9. At least 2 (two) weeks prior to the commencement of substantial construction (or within such period as otherwise agreed to by the Director-General), the Applicant shall submit for the approval of the Director-General a compliance report detailing compliance with all the relevant conditions that apply at this stage.

At least 2 (two) weeks prior to the commencement of operations associated with the development (or within such period as otherwise agreed to by the Director-General), the Applicant shall submit for the approval of the Director-General a compliance report detailing compliance with all the relevant conditions that apply at this stage.

The compliance reports shall include:

- (a) the dates of submissions of the various studies and/or requirements of various relevant conditions, and of their approvals and terms of approvals;
- (b) action taken or proposed to implement the recommendations made in the terms of approvals and/or studies

## **INDEPENDENT ENVIRONMENTAL AUDITING**

10. 12 (twelve) months after the commencement of operations, an independent environmental audit report shall be submitted to the Director-General, Council, the DMR and the EPA.

The audit shall be carried out at the Applicant's expense and shall be undertaken in accordance with the requirements of the Director-General in consultation with the EPA. The audit shall cover all aspects of monitoring and environmental performance, and compliance with reporting requirements, conditions of this consent and all relevant approvals and licences. The audit report shall be made available to the Director-General and Council. Further independent audits shall be conducted as directed by the Director-General.

The audit shall be carried out by a suitably qualified person as approved by the Director-General.

The Applicant shall comply with all reasonable requirements of the Director-General in respect of any measures arising from or recommended by the audit and within such time as agreed to by the Director-General.

## **CONSTRUCTION HOURS**

11. Any construction activity resulting in noise emission levels greater than 5 dB(A) above background, or resulting in tonal noise or impact noise likely to cause annoyance at any residence, shall be limited to the following hours:

7:00 am to 6:00 pm – Monday to Friday

7:00 am to 1:00 pm – Saturday

No construction activity on Sundays or public holidays.

## **TAILINGS STORAGE FACILITY**

12. The Applicant shall obtain approval from the NSW Dam Safety Committee for the construction of the tailings storage facility. All construction and operation works and monitoring and maintenance procedures shall be in accordance with the requirements of the NSW Dam Safety Committee. Copies of all relevant approvals from the NSW Dam Safety Committee shall be forwarded to the Director-General prior to the commencement of construction of the tailings storage facility.
13. The tailings storage facility shall be designed, constructed, operated, monitored and maintained such that all water received in the facility is evaporated, retained or reused and that there is no discharge of tailings water to the environment. The Applicant shall comply with all requirements of the EPA, DMR, and the NSW Dam Safety Committee to ensure that there is no seepage, leakage or overflow from the tailings storage facility.

*Notes:*

- *This condition applies to the management of water associated with rainfall events of up to 72 hours duration with a 1 in 100 year Average Return Interval; and*
- *The permeability target for the lining of tailings storage facility is a clay liner of 450 mm minimum thickness of  $1 \times 10^{-9}$  metres/sec permeability, or equivalent.*

14. Construction of the tailings storage facility shall be supervised at all times and certified by the Applicant's dam design engineer.

## **WATER QUALITY**

15. Any new effluent disposal system shall be subject to relevant approvals from the EPA and Council.
16. Prior to the commencement of construction, the Applicant shall prepare an Erosion and Sediment Control Plan to the satisfaction of DLWC, DMR and the EPA. The Plan shall provide details on all control measures to be implemented during construction works, including haul road construction and upgrading, and include contingency measures for dealing with high rainfall events during construction. The Plan shall also cover erosion and sediment control during the operational phase of the development. The Plan shall form part of the EMPs referred to in Condition 7.
17. In order to prevent dust and sediment trapped in vehicle wheels from entering Bakers Creek, all vehicle crossings over Bakers Creek shall be constructed such that under normal flow conditions vehicles do not enter the water.
18. The Applicant shall, in accordance with the requirements of the EPA, DMR and DLWC and the Director-General:
- (a) monitor and report on groundwater discharges from the existing and new mine adits; and
  - (b) implement appropriate measures to control contaminated water discharges from existing and new adits
19. Waste rock materials shall be stockpiled in controlled discharge areas such that there is no discharge of leachate to the environment.
20. Prior to the construction of any new adits and the commencement of mining operations at Brackins Spur, the Applicant shall conduct investigations to determine whether potentially acid producing waste rock will be extracted during construction and mining. Should these investigations reveal the existence of potentially acid producing waste rock, management measures for this material shall be included in the EMP referred to in Condition 7.

## FLORA AND FAUNA

21. Prior to the commencement of construction, the Applicant shall consult with the Comprehensive Resource Assessment (CRA) Manager at NPWS Northern Zone in relation to the possible occurrence of new eucalyptus species in the *Eucalyptus cypellocarpa* group on the subject land.
22. During construction of haul roads, all practical measures shall be implemented to reduce impacts on individuals and stands of *Eucalyptus michaeliana* and *Acacia Ingramii* and *Allocasuarina torulosa*. These measures shall include, but not be limited to, the fencing and flagging of individuals and stands and, where practicable, the avoidance of blasting in the vicinity of these species.
23. The Applicant shall implement all appropriate measures to avoid disturbance of all mature hollow-bearing trees on the subject land. Should disturbance of mature hollow-bearing trees be unavoidable, a suitably qualified person shall, prior to disturbance, inspect the relevant tree/s for the presence of the Black Cockatoo *Calyptorhynchus lathami*, the Red-tailed Black Cockatoo *Calyptorhynchus magnificus* and the Greater Broad-nosed Bat *Scoteanax rueppellii*. Should any these species be detected, the Applicant shall immediately contact NPWS with regard to the implementation of appropriate measures to minimise impacts on these species.
24. Prior to the disturbance of any tunnels, adits or mine shafts on the subject land, the Applicant shall conduct an inspection for the presence of the Large Bent-wing Bat *Miniopterus schreibersii*. Should this species be detected, the Applicant shall contact NPWS with regard to the implementation of appropriate measures to minimise impacts on the species.
25. Prior to the commencement of construction, the Applicant shall, in accordance with the requirements of the NPWS, undertake further investigations to determine the validity of the record of the Red-tailed Black Cockatoo *Calyptorhynchus magnificus* occurring on the subject land.

## VEGETATION MANAGEMENT AND LANDSCAPE PLAN

26. The Applicant shall submit a detailed Vegetation Management and Landscape Plan with the Building Application lodged with Council, or at another date as agreed to by Council. The Plan shall be prepared by a suitably qualified person and shall address, but not be limited to, the following matters:
  - (a) details of likely vegetation loss, means to minimise such loss and additional tree planting to offset this loss;
  - (b) details on screen planting around the new tailings storage facility, with particular attention to minimising the visibility of the facility from residences to the north; and
  - (c) details on the proposed landscaping treatment of the mine processing area and the new office area on the Bakers Creek Flat.

27. All landscaping and tree planting works shall be completed to the satisfaction of Council within 12 (twelve) months of the commissioning of the development.

#### **EXTERNAL APPEARANCE OF BUILDINGS AND STRUCTURES**

28. All buildings and structures shall be constructed using suitably coloured, non-reflective materials to the satisfaction of Council. Details shall be submitted with the Building Application lodged with Council.

#### **TRAFFIC AND PARKING**

29. All heavy vehicle movements associated with the subject development shall use the Stockton Road and Waterfall Way route for site ingress and egress.
30. Prior to the commencement of operations, the Applicant shall consult the RTA and Council on the funding and timing for the provision of a right hand turning lane (slip lane) for eastbound traffic on Waterfall Way at its intersection with Stockton Road. The turning lane shall be provided at the Applicant's expense.
31. On-site parking arrangements shall be to the satisfaction of Council.

#### **NOISE**

32. The applicant shall prepare a Noise and Vibration Management Plan in consultation with and to the approval of the EPA. The plan shall define the noise management procedures, monitoring protocols and measures for mitigating impacts including potential cumulative impacts, that can be implemented where necessary throughout the life of the project under normal meteorological conditions.
33. The two 175kW air compressors within the Pressure Oxidation Plant shall be enclosed in insulated cabinets and shall meet the noise level requirements referred to in Condition 34. The insulated cabinets are to be installed prior to the operation of the compressors.
34. The Applicant shall ensure that the  $L_{A10(15 \text{ minute})}$  noise levels due to the normal operation of the mine, when measured or computed at any residence (other than one owned by the Applicant), shall not exceed a noise level of 35 dB(A) or 30 dB(A) where the noise source is tonal in nature and shall comply with the requirements of the Environmental Noise Control Manual and the Noise Control Act 1975.

Should a noise complaint be received from any nearby residence, the Applicant shall investigate the complaint and implement appropriate mitigation measures as required. Any such complaints and subsequent actions undertaken by the Applicant shall be addressed in the Annual Environmental Management Plan Report (Condition 8).

35. Noise measurement shall be undertaken under prevailing weather conditions, in the absence of temperature inversions and over a period of time sufficient to be representative of the noise levels being emitted from the mine.
36. All above-ground blasting shall only be carried out between 9:00am and 3:00pm Monday to Friday. Blasting shall not be allowed on public holidays unless the Council in special circumstances and in consultation with the EPA, approves other times.
37. The Applicant shall give notice of proposed above-ground blasting times to residents within two (2) kilometres of the blasting site if requested by residents

## **HERITAGE**

38. A “Consent to Destroy” application under section 90 of the National Parks and Wildlife Act 1974 must be submitted and issued by the Director-General of National Parks and Wildlife for any Aboriginal archaeological sites that are to be damaged or destroyed as a result of any development.

The Applicant shall consult with the relevant local Aboriginal groups and to the satisfaction of the NPWS prior to a “Consent to Destroy” application being submitted.

39. In the event that Aboriginal artefacts are identified on the site during development through earthworks, construction or operation of the quarry, the Applicant shall contact the NPWS and cease work in the relevant location pending investigation and assessment of its heritage value by NPWS and the relevant local Aboriginal groups.
40. The Applicant shall consult with the NSW Heritage Council, Dumaresq Council, Armidale Folk Museum and Hillgrove Mining Museum if any European Heritage items, including any future item listed as an environmental heritage item in the Dumaresq LEP 1985, would be potentially affected during the life of the subject development.

## **AIR QUALITY**

41. The Applicant shall implement, in consultation with the EPA, dust control measures aimed at achieving relevant EPA dust deposition standards.
42. Dust sampling shall occur monthly within the development site at locations determined by the EPA with the results submitted annually to the EPA or such shorter intervals as required by the EPA.
43. As part of the EMP/s referred to in Condition 7, the Applicant shall prepare a Dust Management Plan which is to have particular regard to the tailings dams, ore stockpiles, internal haul roads and processing facilities.

44. The Applicant shall undertake periodic dust monitoring at any nearby property as required by the EPA following the request of a resident. The Applicant shall notify the resident/s of the general results of dust monitoring. Monitoring results shall be included in the EMP Report (Condition 8).

## **HAZARDS AND SAFETY**

45. At least one month prior to the commencement of construction of the proposed process plant (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Director-General may agree, the Applicant shall prepare and submit for the approval of the Director-General the studies set out in paragraphs (a) to (d) (the pre-construction studies) below. Construction, other than of preliminary works, shall not commence until the Director-General has given approval and, with respect to the fire safety study, the Commissioner of the NSW Fire Brigades has also given approval.

(a) **FIRE SAFETY STUDY**

A fire safety study for the proposed development. This study shall cover all aspects detailed in the Department of Urban Affairs and Planning's *Hazardous Industry Planning Advisory Paper No. 2, "Fire Safety Study Guidelines"*. The study shall also be submitted for approval, to the NSW Fire Brigades.

In particular the study should address the fire related issues associated with the storage and use of Ammonium nitrate, AN explosive emulsion, SIBX and PAX and Cyanide

(b) **HAZARD AND OPERABILITY STUDY**

A Hazard and Operability Study for the proposed development, chaired by an independent qualified person approved by the Director-General prior to the commencement of the study. The study shall in particular address the monitoring, control, alarm and shutdown systems associated with the cyanide and xanthate process streams and be carried out in accordance with the Department of Urban Affairs and Planning's *Hazardous Industry Planning Advisory Paper No. 8, "HAZOP Guidelines"*.

(c) **FINAL HAZARD ANALYSIS**

A final hazard analysis of the proposed development. The analysis should be prepared in accordance with the Department of Urban Affairs and Planning's *Hazardous Industry Planning Advisory Paper No. 6, "Guidelines for Hazard Analysis"*. The FHA shall in particular address in detail of issues associated with the possible release of toxic materials from processes or the ponds due to plant upsets;

46. No later than 2 (two) months prior to the commencement of commissioning of the proposed development, or within such further period as the Director-General may agree, the Applicant shall prepare and submit for the approval of the Director-General the studies set out under paragraphs (a) to (c) (the pre-

commissioning studies) below. Commissioning shall not commence until the Director-General has given approval.

(a) TRANSPORT OF HAZARDOUS MATERIALS

Arrangements covering the transport of hazardous materials including details 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 of Urban Affairs and Planning'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

- i) issues associated with spills, cleanup procedures, training of clean-up teams, communication and liaison with organisations such as the fire Brigade and state emergency services
- ii) the 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;
- iii) measures to be taken to ensure that the temperature of the materials does not rise about safe levels

(b) 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 shall be in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines"*.

(c) 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 shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the *Department's Hazardous Industry Planning Advisory Paper No. 9, "Safety Management"*.

The SMS shall include details of:

- i) the location and control of all ignition sources throughout the plant;
- ii) safety features used in storage, transporting and usage of Xanthates including temperature and moisture control and ventilation.
- iii) equipment for monitoring cyanide levels and detection of system malfunction should have adequate redundancy in order to ensure a high level of integrity;

- iv) a detailed maintenance and testing program for the detection and shutdown systems should be included in the site safety manual and other relevant manuals;
- v) isolation valves which need to be operated in an emergency should have the capability of remote operation from a safe distance in the event of a localised failure, and
- vi) design of the emergency shutdown system should give particular attention to achieving fast detection and isolation of potentially high consequence leaks and spills

## **HAZARD AUDIT**

47. Twelve (12) months after the commencement of operations of the proposed development or within such further period as the Director-General may agree, the applicant shall carry out a comprehensive hazard audit of the proposed development and within one (1) month of the audit submit a report to the Director-General. The audit shall be carried out at the applicant's expense by a duly qualified independent person or team approved by the Director-General prior to commencement of the audit. Further audits shall be carried out every three (3) years or as determined by the Director-General and a report of each audit shall within one (1) month of the audit be submitted to the Director-General. Hazard audits shall be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines"*.

The audit shall include a review of the site safety management system and a review of all entries made in the incident register since the previous audit.

48. Within one (1) month of the date of this consent that Applicant shall consult with WorkCover NSW with regard to the storage and use of dangerous goods. At this time, the Applicant shall ensure that all WorkCover licences are valid.

# Notice of Modification

## Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission modifies the development consent referred to in Schedule 1, as set out in Schedule 2.



**Member of the Commission**



**Member of the Commission**

Sydney

23 July

2015

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### **SCHEDULE 1**

The development consent (DA 98/35) for the Hillgrove extension underground mining project, granted by the Minister for Urban Affairs and Planning on 18 November 1998.

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### **SCHEDULE 2**

1. Delete the reference to "MLA 141, MLA 195, MLA 216" in schedule 1 and replace with "ML 1440, ML 1441, ML 1442".
2. Delete the definitions for "The Applicant", "Council", "The Department", "The Director-General", "DLWC", "DMR" and "NPWS" in the list of abbreviations of Schedule 2, and insert the following in alphabetical order:

Applicant	Hillgrove Mines Pty Ltd, or any person who seeks to carry out the approved development under this consent
Council	Armidale Dumaresq Council
Department	Department of Planning and Environment
DRE	Division of Resources and Energy within the NSW Department of Trade & Investment
Mining Operations	Includes all ore extraction, processing, handling, storage and transportation activities carried out on the subject land under this consent, of a maximum of 250,000 tonnes of ore per annum
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee

3. Delete all references to "Director-General" except in condition 38 of schedule 2, and replace with "Secretary".
4. Delete all references to "DLWC" and replace with "NOW".
5. Delete all references to "DMR" and replace with "DRE".
6. Delete all references to "NPWS" except in condition 21 of schedule 2, and replace with "OEH".

7. Delete all the words after "E.A Systems Pty Limited;" in condition 1(a) of schedule 2 and insert the following:
  - Environmental Assessment titled *Hillgrove Mines Environmental Assessment*, dated 28 November 2014; and
  - conditions of this consent.
8. Delete condition 4 of schedule 2 and replace with the following:
  4. The Applicant may carry out mining operations and process up to 250,000 tonnes of ore per annum to produce Antimony and Gold concentrates on site until the end of December 2019.

*Note: This consent will continue to comply to all other aspects – other than the right to conduct mining operations – until the rehabilitation of the site and any additional undertakings have been carried out satisfactorily.*
9. Insert the following after condition 10 of schedule 2:
  - 10A. By the end of 2015 or within 3 months of receiving the EPA's environmental audit (whichever comes first), the Applicant shall commission an independent environmental audit of all aspects of the mine covered by this consent. Further independent environmental audits will be conducted every 3 years thereafter.
  - 10B. Within 1 month of receiving the environmental audit report, or as otherwise agreed with the Secretary, the Applicant shall submit a copy of the report to the Secretary, with a detailed response to any of the recommendations contained in the report, including a timetable for the implementation of any measures proposed to address the recommendations in the report. Any works recommended in the audit must be undertaken in accordance with this timetable to the satisfaction of the relevant agencies, unless otherwise agreed with the Secretary.
10. Delete "Comprehensive Resource Assessment (CRA) Manager at NPWS Northern Zone" in condition 21 of schedule 2, and replace with "OEH".
11. Insert the following after condition 31 of schedule 2:
  - 31A. By the end of December 2015, unless otherwise agreed with the Secretary, the Applicant shall commission an independent road safety audit of the intersection of Waterfall Way and Stockton Road. This audit must:
    - (a) be prepared by a suitably qualified person whose appointment has been approved by the Secretary; and
    - (b) recommend measures to reduce or mitigate any adverse (or potentially adverse) impacts to ensure that the intersection and its approaches comply with any relevant safety requirements and are providing a satisfactory level of service.
  - 31B. Within 1 month of receiving the road safety audit report, or as otherwise agreed with the Secretary, the Applicant shall submit a copy of the report to the Secretary, with a detailed response to any of the recommendations contained in the report, including a timetable for the implementation of any measures proposed to address the recommendations in the report. Any road works recommended in the audit must be undertaken in accordance with this timetable to the satisfaction of the relevant road authority, unless otherwise agreed with the Secretary.

*Note: In the event that there is a dispute between the Applicant and the relevant roads authority about the implementation of these conditions, then either party may refer the matter to the Secretary for resolution.*
  - 31C. The Applicant shall prepare and implement a code of conduct for drivers transporting materials to and from the site on public roads. This code of conduct must be prepared in consultation with RMS and Council and be submitted to the Secretary for approval by the end of September 2015, unless otherwise agreed with the Secretary.
12. Delete "the Director-General of National Parks and Wildlife" in condition 38 of schedule 2 and replace with OEH.
13. Insert the following after condition 48 of schedule 2:

## REHABILITATION

49. The Applicant shall rehabilitate the site to the satisfaction of DRE. This rehabilitation must be generally consistent with the objectives in Table 1.

*Table 1: Rehabilitation Objectives*

<b>Feature</b>	<b>Objective</b>
Mine site (as a whole)	<ul style="list-style-type: none"> <li>• Safe, stable &amp; non-polluting</li> <li>• Final land use compatible with surrounding land uses</li> <li>• Site to be revegetated with suitable plant species</li> </ul>
Surface infrastructure	<ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless DRE agrees otherwise</li> </ul>
Community	<ul style="list-style-type: none"> <li>• Ensure public safety and minimise the adverse socio-economic effects associated with mine closure</li> </ul>

*Notes*

- *These rehabilitation objectives apply to all environmental consequences caused by mining taking place after the date of this consent, and to all surface infrastructure and other disturbance which forms part of the development under this consent.*
  - *Rehabilitation of environmental impacts and consequences caused by mining which took place prior to the date of this consent may be subject to the requirements of other consents and/or applicable mining leases.*
50. The Applicant shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.
51. The Applicant shall prepare and implement a Rehabilitation Management Plan for the development, in consultation with the Department, OEH and Council, and to the satisfaction of DRE. This plan must
- (a) be submitted to DRE for approval by the end of December 2015, unless otherwise agreed with the Secretary;
  - (b) be prepared in accordance with any relevant DRE guideline and be consistent with the rehabilitation objectives in Table 1;
  - (c) describe how the performance of the rehabilitation would be monitored and assessed against the objectives in Table 1; and
  - (d) be integrated with the other management plans required under this consent.

## REVISION OF STRATEGIES AND PLANS

52. The Applicant shall review and revise all plans required under this consent and submit these revised documents to the Secretary for approval by December 2015, unless otherwise agreed with the Secretary.
53. Within 3 months of:
- (a) an annual environmental management plan report under condition 8;
  - (b) an audit under condition 10; or
  - (c) any modification to the conditions of this consent (except Modification 3),
- the Applicant shall review, and if necessary revise the plans required under this consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review, the revised document must be submitted to the Secretary for approval.

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

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