



TOMINGLEY

GOLD OPERATIONS PTY LTD

(A wholly owned subsidiary of Alkane Resources Ltd)

ABN 53 149 040 371



Tomingley Gold Project

MOD6 Submissions Report

Major Project Application

MP09_0155-Mod-6



Prepared by



R.W. CORKERY & CO. PTY. LIMITED

May 2022

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MOD6 Submissions Report

for

Tomingley Gold Project

Major Project Application No. MP09_0155-Mod-6

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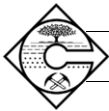
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ACRONYMS

AHD	Australian height datum
DPE	Department of Planning and Environment
LSPS	Local Strategic Planning Statement
RSF	Residue Storage Facility
RWC	R.W. Corkery & Co. Pty Limited
SAR	San Antonio and Roswell
TGEP	Tomingley Gold Extension Project
TGO	Tomingley Gold Operations



EXECUTIVE SUMMARY

Tomingley Gold Operations Pty Limited (the “Applicant”) submitted an application for a modification of State Significant Development consent MP09_0155 for the Tomingley Gold Operations (the “Proposed Modification”). The application was accompanied by a *Modification Report* prepared by R.W. Corkery & Co. Pty Limited (RWC). The *Modification Report* was exhibited from 31 March 2022 to 13 April 2022. During and following that period, five submissions were received by the Department of Planning and Environment (DPE) from Government agencies. No submissions were received from any private organisation or members of the public.

A response has been provided to each of the Government Agency submissions.



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1. INTRODUCTION

1.1 SCOPE

Tomingley Gold Operations Pty Limited (the “Applicant”) submitted an application for a modification of State Significant Development consent MP09_0155 for the Tomingley Gold Operations (the “Proposed Modification”). The application was accompanied by a *Modification Report* prepared by R. W. Corkery & Co. Pty Limited (RWC). The *Modification Report* was exhibited from 31 March 2022 to 13 April 2022. During and following that period, five submissions were received by the Department of Planning and Environment (DPE) from Government agencies. No submissions were received from any private organisation or members of the public.

This *Submissions Report* provides an analysis of, and responses to, the advice provided and key matters outlined in Government agency submissions. In addition, the proposed conditions of Development Consent suggested by some Government agencies have been considered. This Report concludes with an updated evaluation of the Proposed Modification’s merits that reflect all additional matters arising from the review of submissions. A total of two appendices are provided as follows:

1. Register of Submitters
2. Updated table of mitigation measures

This Report has been prepared generally in accordance with the requirements of *State significant development guidelines – preparing a submissions report* dated November 2021.

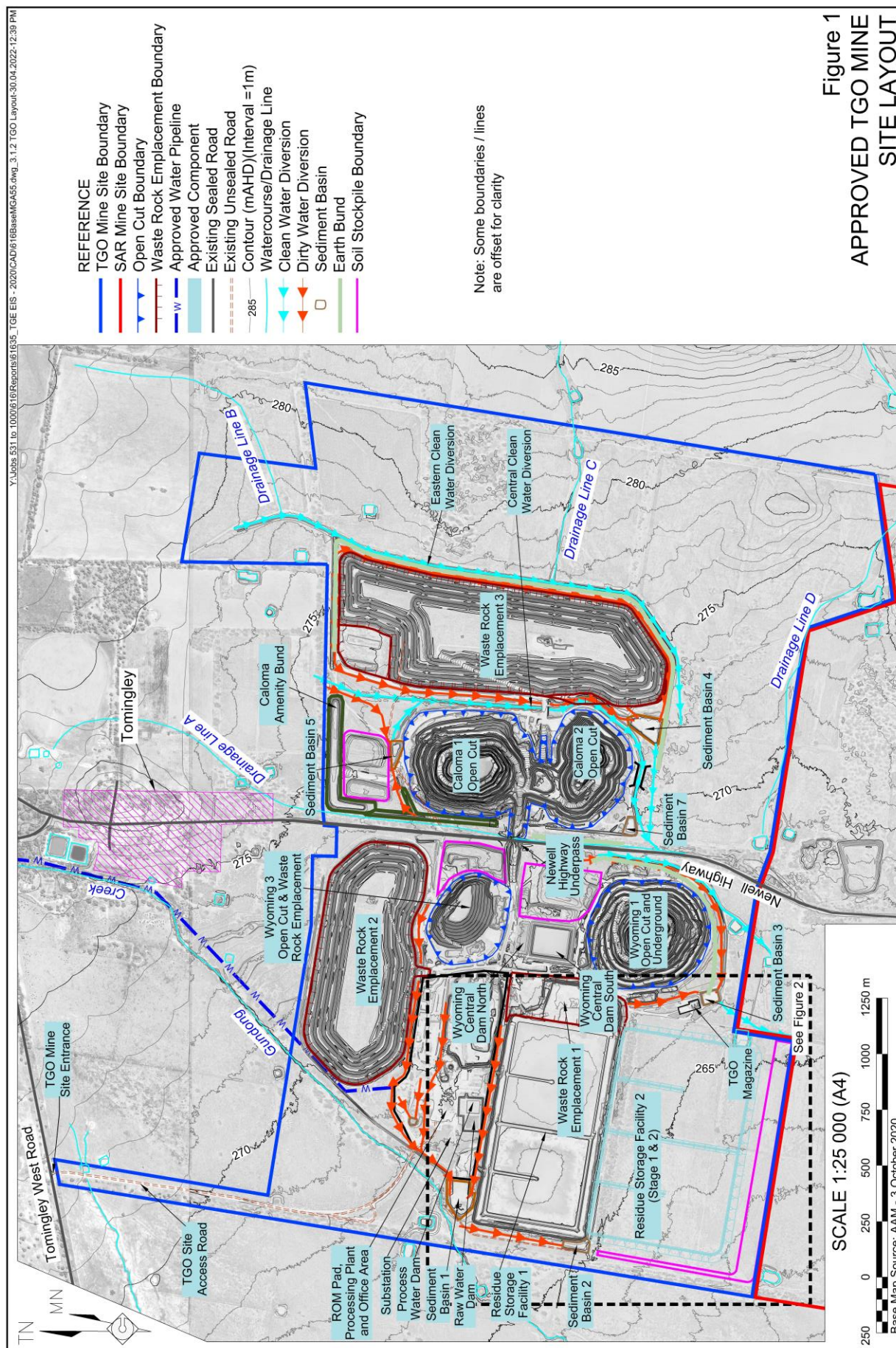
1.2 PROJECT OVERVIEW

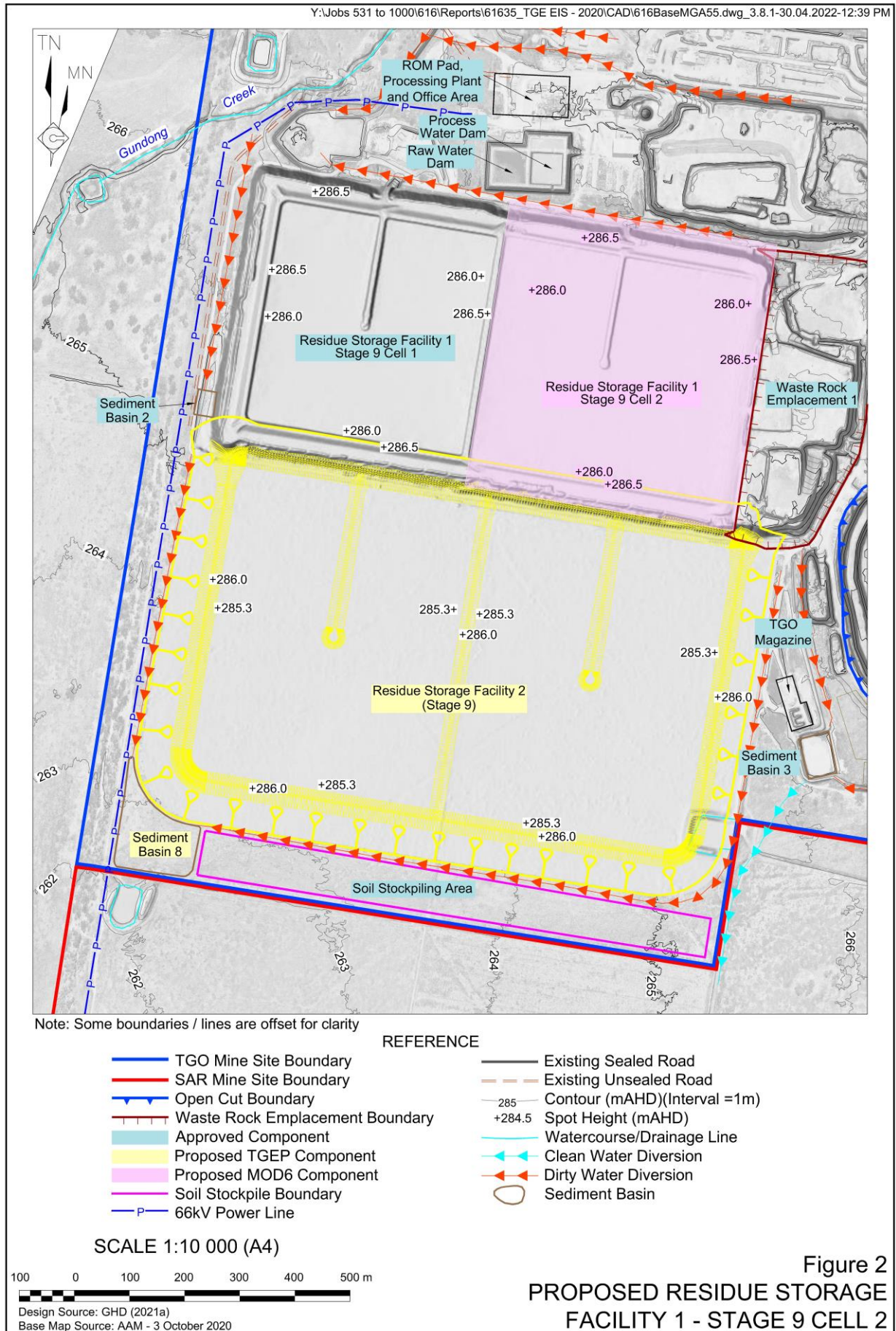
The Tomingley Gold Operations gold mine (the TGO Mine) is located immediately south of Tomingley Village, NSW (the TGO Mine Site). The TGO Mine operates in accordance with State Significant Development consent MP09_0155. **Figure 1** displays the approved layout of the TGO Mine Site and **Figure 2** displays the Proposed Modification.

The Proposed Modification would involve the construction and use of Stage 9 Cell 2 of Residue Storage Facility 1, including the following.

- Increased capacity to approximately 9.33Mt.
- Increase in maximum elevation of Cell 2 from 284.5m AHD to 286.5m AHD.

No other changes to the existing and approved TGO Mine are proposed or would be required as part of the Proposed Modification.







The construction and use of a second residue storage facility, namely Residue Storage Facility 2, to Stage 2 or a maximum elevation of 272m AHD, was approved as part of Modification 5 for MP09_0155. Due to various constraints from additional design requirements, the ongoing COVID-19 pandemic, and unseasonable extreme meteorological conditions, the construction of RSF2 has been significantly delayed. Consequently, the Proposed Modification is required to ensure that adequate capacity is retained in Residue Storage Facility 1 while Residue Storage Facility 2 is constructed. Without the Proposed Modification, the Applicant may be required to reduce or cease mining and processing operations within the TGO Mine Site.



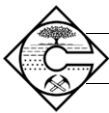
2. ANALYSIS OF SUBMISSIONS

During and following the formal exhibition period (31 March 2022 to 13 April 2022) submissions were provided to DPE from the following Government Agencies.

- Dams Safety NSW.
- Environmental Protection Authority.
- Mining, Exploration and Geoscience.
- Narromine Shire Council.
- Resources Regulator.

No public submissions were received from any organisation, company or members of the public. **Appendix 1** presents a compilation of the submissions received.

Topics raised by the five Government Agencies generally relate directly with the matters administered by the respective Agencies. In accordance with *State Significant Development Guidelines – Preparing a Submissions Report*, issues raised by each of the five submitters have been directly addressed in Section 4.



3. ACTIONS TAKEN SINCE EXHIBITION

3.1 OTHER APPLICATIONS

3.1.1 Introduction

The TGO Mine currently operates in accordance with development consent MP09_0155. In addition to the Proposed Modification, the Applicant is currently preparing an application for the seventh modification of MP09_155 (MOD 7). Furthermore, the Applicant is in the process of applying for development consent for the Tomingley Gold Extension Project (TGEP). **Figure 3** presents the areas within the TGO Mine Site the subject of each of these applications and the following subsections provide a brief overview of each. These applications will be assessed in parallel with the assessment for the current MOD6 application. The following subsections provide a brief overview of the Applicants' other applications.

3.1.2 MOD 7 – Wyoming 1 Open Cut Northern Ramp

MOD 7 seeks consent for the following (**Figure 3**).

- Relocation of a section of the existing Soil Stockpile 2.
- Construction and use of a Northern Ramp to permit safe, long-term access to the Wyoming 1 Open Cut.
- Minor amendments to the final landform to reflect the construction of the Northern Ramp.

MOD 7 would not result in any additional surface disturbance within the TGO Mine Site.

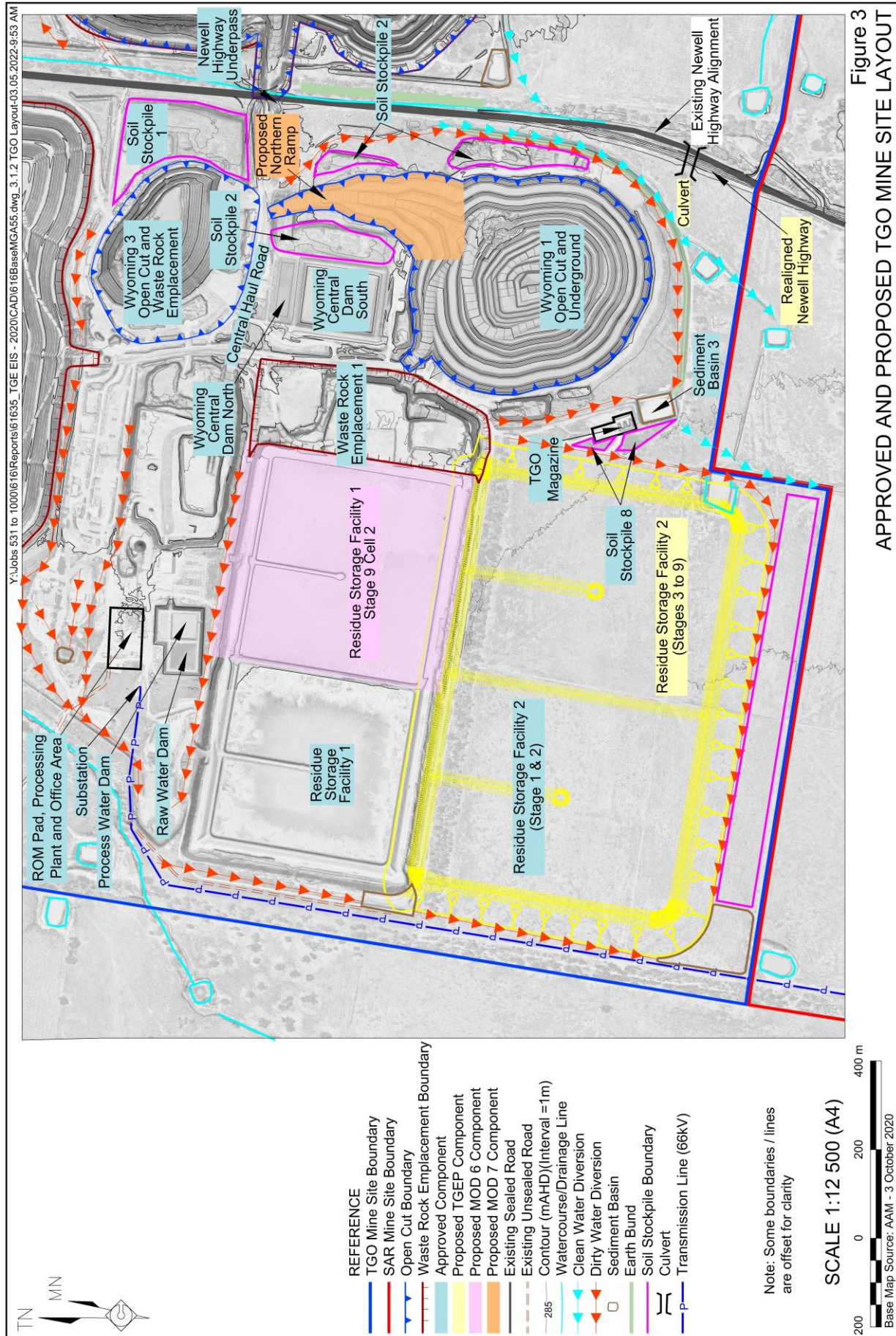
A *Scoping Report* for MOD 7 was submitted via the Planning Portal on 17 May 2022. The Report had yet to be accepted by the Department at the time of finalisation of this document.

3.1.3 Tomingley Gold Extension Project

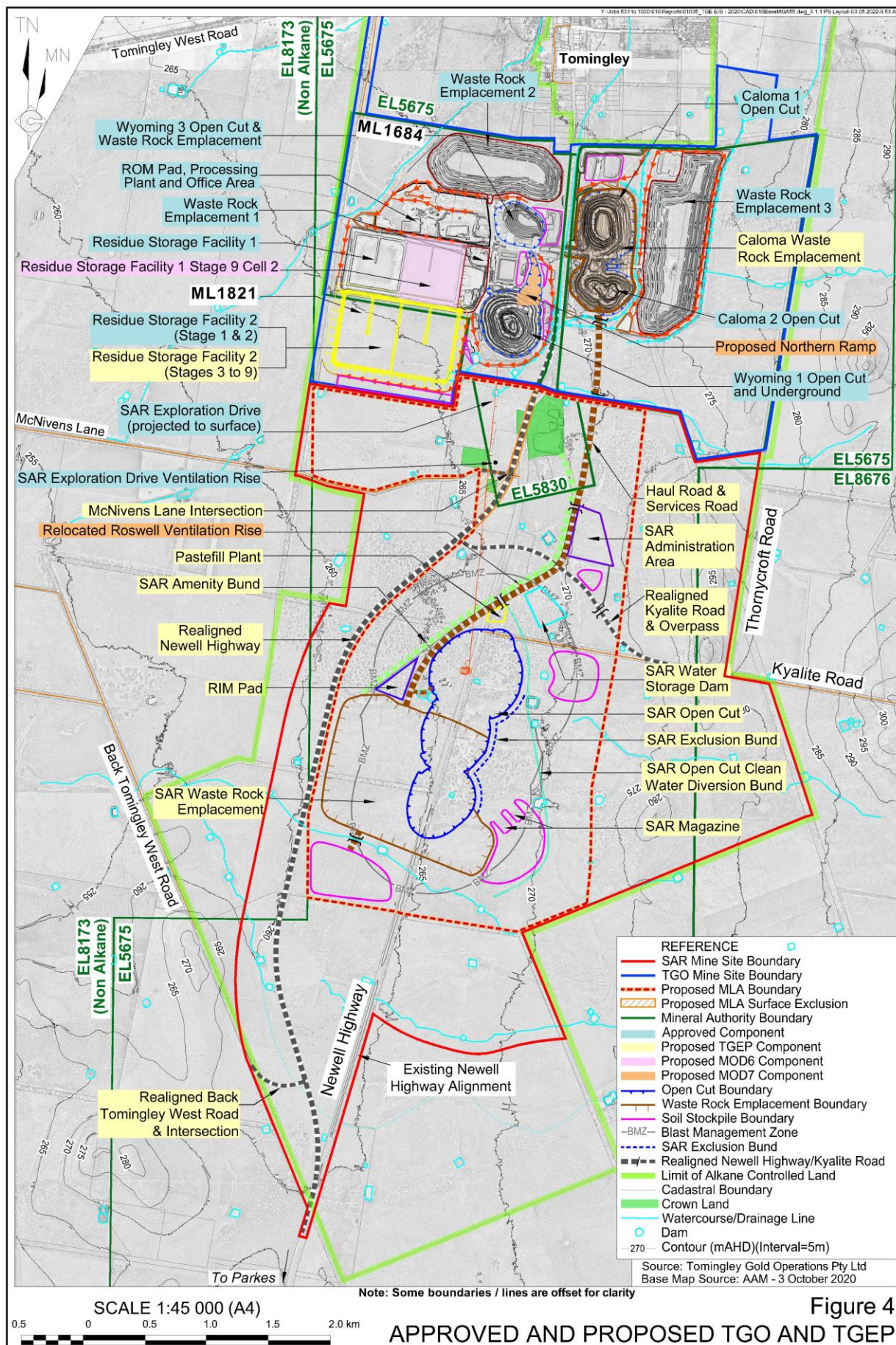
The *Environmental Impact Statement* for the TGEP seeks consent for the extension of the existing TGO Mine to incorporate mining of the San Antonio and Roswell (SAR) deposits through the development of the SAR Mine. The TGEP EIS was publicly exhibited between 28 February and 28 March 2022.

The SAR Mine Site would be located immediately to the south of the TGO Mine Site (**Figure 4**). The principal activities associated with the EIS are as follows.

- The realignment the Newell Highway and Kyalite Road, including the intersections of the Newell Highway and Kyalite Road, McNivens Lane and Back Tomingley West Road.
- Surface and underground mining operations within the SAR Mine Site, including the delivery of waste rock and ore to the TGO Mine Site for disposal, stockpiling and/or processing.



Tomingley Gold Operations Pty Ltd
Tomingley Gold Project





- Continued operation of the TGO Mine as approved under development consent MP09_0155, beyond the approved end of mine life on 31 December 2025, including construction and use of:
 - Stages 3 to 9 of Residue Storage Facility 2;
 - a grinding mill and associated modification to the crushing circuit within the TGO Processing Plant; and
 - use of the Caloma 1 and 2 Open Cuts for in-pit placement of waste rock.
- The connection of the existing “Dappo” bore to the Applicant’s existing and approved water supply pipeline that runs from Narromine to the TGO Mine Site.

The TGEP *Submissions Report* was submitted via the Planning Portal on 6 May 2022.

3.2 UPDATED CONSTRUCTION AND OPERATION SCHEDULE

Since completion of the *Modification Report* the Applicant has continued to update and revise the construction and operation schedule for Residue Storage Facilities 1 and 2. In summary major construction operations for Residue Storage Facility 2 has been delayed from the originally anticipated early 2022 commencement until July 2022 as a result of adverse weather conditions, as well as the requirement to obtain final approval for the Water Management Plan (Table 1).

Table 1
Anticipated Scheduling

	2022								2023			
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Approved and Proposed TGO Residue Storage Facility Operations												
RSF1 Stage 8 Cell 2 Operation												
REF1 Stage 9 Cell 1 Construction												
RSF1 Stage 9 Cell 1 Operation												
RSF1 Stage 9 Cell 2 Construction												
RSF1 Stage 9 Cell 2 Operation												
RSF2 Stage 1 Construction												
RFS2 Stage 1 Operation												
Proposed TGO MOD 7 Operations												
Construction of Northern Ramp												
Proposed TGEP Operations												
TGEP construction/major earthworks												
Key												
	Approved TGO component				Proposed MOD 7 component							
	Proposed MOD 6 component				Proposed TGEP component							

Source: Tomingley Gold Operations Pty Limited.



4. RESPONSE TO SUBMISSIONS

4.1 INTRODUCTION

This section provides a detailed response to those matters raised by all Government agencies as requiring further information or clarification. Where relevant, text extracted or paraphrased from individual agency submissions is presented in *italics*, with responses to issues raised provided in normal text.

4.2 DAMS SAFETY NSW

The Modification proposes an increase in proposed height for Cell 2 of Residue Storage Facility 1 at Tomingley Gold Mine. The existing RSF1 has been assigned a consequence category of 'Significant' largely due to the toxicity of the impounded tailings which contain cyanide in addition to toxic heavy metals such as arsenic and it is not anticipated that the proposed changes to Cell 2 will alter this.

Response

The Applicant acknowledges the above statement.

Residue Storage Facility 1 is a declared dam and as such all modifications to the dam require preparation of design reports and construction by 'competent persons' as defined under Clause 3(1) of Dams Safety Regulation 2019.

Response

Residue Storage Facility 1, including Stage 9 Cell 2, has been designed by Mr Tom Ridgeway of GHD. Mr Ridgeway is a competent person under the *Dams Safety Regulation 2019*. The Applicant would continue to engage competent persons under the Regulation to prepare required design reports as required.

Because the dam [RSF1] is close to blasting activity it should be designed with this in mind. The current blasting limit that DSNSW has placed on the embankments of RSF1 is a ppv of 50mm/s.

Response

Detailed design for Residue Storage Facility 1 Stage 9 include consideration of blasting-related impacts. The Applicant acknowledges the blast-related criteria and anticipates that that criteria will continue to apply to the modified Facility.

Dams Safety NSW is currently regulating the safety of Tomingley's RSF1 under dam safety conditions within Tomingley's Mining Lease. Regulation includes monitoring of seepage, subsidence and movement of the embankment, blast vibrations registering on the embankments and dam inspections.



Response

The Applicant contends that all existing environmental monitoring undertaken in accordance with the existing and approved monitoring program would continue to be implemented as required.

4.3 NSW ENVIRONMENT PROTECTION AUTHORITY

4.3.1 Air Quality

The modification report's Air Quality Impact Assessment (AQIA) that the proponent will prepare and implement relevant air quality-related management and mitigation measures as a air quality Trigger Action Response Plan (TARP) for the construction of the RSF 1 Stage 9 cell 2.

Therefore, the EPA [Environmental Protection Authority] recommends that the following be included as a condition of approval:

- 1. Prior to the commencement of the construction of RSF1 Stage 9 cell 2 the proponent must develop a Air Quality Trigger Action Response Plan for the RSF 1 Stage 9 cell 2 construction.*

Response

The Applicant would review, and if required revise, the existing Air Quality Management Plan following receipt of approval for the Proposed Modification in accordance with Condition 5 of Schedule 5 of MP09_0155. The review would be undertaken in consultation with the Environment Protection Authority. In particular, the Applicant would review and if required revise the Air Quality Trigger Action Response Plan presented in Sections 8.2 and 8.3 of the Plan. In light of the above, the Applicant contends that a specific condition requiring that the Air Quality Management Plan be revised would be repetition of an existing condition of consent and is not required.

4.3.2 Surface water

The Modification Report discusses that the Proponent will continue to implement the approved sitewide Water Management Plan and that the plan will be reviewed and if required revised, following receipt of any development approval. However, the Modification Report does not appear to address potential erosion and sediment control issues created by the construction of RSF 1 Stage 9 cell 2, stockpiling material in laydown areas, or construction vehicle movements.

Therefore, the EPA recommends that the following be included as a condition of approval:

- 1. Prior to commencing the construction of RSF 1 Stage 9 cell 2, the proponent must develop and implement an erosion and sediment control plan specific to the construction of RSF 1.*



Response

The Applicant contends that the construction and operation of the existing and approved RSF1 has been effectively managed in accordance with the existing and approved *Erosion and Sediment Control Plan* for the TGO Mine Site. As the Proposed Modification would not involve any intensification of or novel activities, a specific plan is not considered necessary. Notwithstanding this, the Applicant would review, and if required, revise the existing and approved *Erosion and Sediment Control Plan* following receipt of approval for the Proposed Modification in accordance with Condition 5 of Schedule 5 of MP09_0155. The review would be undertaken in consultation with the Environment Protection Authority. As a result, the Applicant contends that a specific condition requiring that the *Erosion and Sediment Control Plan* be revised would be repetition of an existing condition of consent and is not required.

4.4 MINING, EXPLORATION AND GEOSCIENCE

MEG [Mining, Exploration and Geoscience] notes that the modification will not result in any additional surface disturbance with the Tomingley Gold Operations Mine Site or to approved operations under MP09_0155 and is supportive of the change.

Response

The Applicant acknowledges the above statement.

4.5 NARROMINE SHIRE COUNCIL

Council is supportive of the project overall. The Modification Report does not reference the Local Strategic Planning Statement (LSPS), however, the LSPS includes strategic support for the project, and acknowledges Tomingley Gold Operations as one of the Shire's largest employers.

Response

The Applicant acknowledges the above statement and would consider the *Local Strategic Planning Statement* in future development applications.

The village of Tomingley, located on the Newell Highway, is the southern access point for the Tomingley/Narromine/Gilgandra loop, which is an important road freight corridor in NSW. Having a clear indication of impacts to visual amenity and road impacts is important. Council's Department of Infrastructure and Engineering Services should be directly engaged with to discuss any changes proposed to the road use and off-site transportation. This is requested; however, it is acknowledged the Modification Report details that there would be no additional heavy or light vehicle movements on public roads during construction or operation of RSF1 Stage 9 Cell 2.

Response

The Applicant confirms that the Proposed Modification is unlikely to result in any additional heavy and/or light vehicle movements during the construction of the Proposed Cell.



Further it is noted the Report does not comment in depth on the Planning Agreement with Council. Council is obligated under the Agreement (clause 19) during the term of this agreement, to review and amend the agreement, if a new development application or modification of an existing planning consent is required for the development. It is requested that clarification be provided, that no change is sought to the Planning Agreement and as to whether contributions under sections 7.11 or 7.12 are excluded by the agreement (previous section 94 or 94A).

Response

The Applicant confirms no change is sought to the existing Planning Agreement with Narromine Shire Council regarding the Proposed Modification. Furthermore, the Applicant notes that an amended or replacement Planning Agreement is currently being prepared in consultation with Council

4.6 RESOURCES REGULATOR

Regulatory requirements if approved

The proponent will be required to comply with rehabilitation requirements under the mining authorisations prior to the commencement of the works associated with the proposal.

Response

The Applicant is currently preparing a *Rehabilitation Management Plan* in accordance with the *Mining Regulation 2016* for the TGO Mine Site. The Applicant contends that the Proposed Modification is unlikely to significantly change the existing rehabilitation risk environment of the approved Facility, and that the risk management strategies and controls that would be developed for the *Rehabilitation Management Plan* would be directly related and transferable to the proposed modified final landform.

The Resources Regulator may undertake assessments of the mine operators' proposed mining activities under the Work Health and Safety (Mines and Petroleum Sites) Act 2013 and Regulation as well as other WHS regulatory obligations.

Response

The Applicant would continue to work with the Resources Regulator to achieve the effective rehabilitation of the TGO Mine Site.



5. UPDATED EVALUATION OF THE PROPOSED MODIFICATION

Section 7 of the *Modification Report* presents an evaluation of the Proposed Modification. As no substantial amendment to the Proposed Modification as a result of the submissions received is proposed, an updated evaluation of the merits of the Proposed Modification is not required. In summary, the Applicant contends that the Proposed Modification continues to be consistent with:

- the principles of Ecologically Sustainable Development;
- the local and regional strategic planning context;
- statutory requirements for the application and operation of the proposed facility;
and
- community expectations.

In addition, the Proposed Modification would not result in unacceptable biophysical or social impacts and would enable the Applicant to continue to provide uninterrupted socio-economic benefits during the operation of the TGO Mine. Finally, the Applicant contends that the Proposed Modification would be in the public interest.



Appendices

(Total No. of pages including blank pages = 14)

- Appendix 1 Register of Submitters (2 pages)
- Appendix 2 Updated Measures to Mitigate
Environmental Impacts and Statement
of Commitments (10 pages)



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