

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



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Executive Director
Resource Assessments and Business Systems

Sydney

16 APRIL

2015

SCHEDULE 1

The project approval (MP 09_0155) for the Tomingley Gold Project, granted by the Deputy Director-General, Development Assessment and Systems Performance on 24 July 2012.

SCHEDULE 2

1. Delete the definitions for Department, Director-General, EA and Minister from the Definitions, and insert the following in alphabetical order:

Department
EA

Department of Planning and Environment
Environmental Assessment titled '*Tomingley Gold Project: Environmental Assessment*' dated November 2011 and associated response to submissions titled '*Tomingley Gold Project: Response to Submissions*', dated March 2012, as modified by letter dated 11 May 2012 from Alkane Resources Ltd; modification application dated 14 September 2013 and the supporting documentation; and correspondence from Tomingley Gold Operations Pty Ltd to the Department dated 21 October 2013; Environmental Assessment titled '*Tomingley Gold Project: Environmental Assessment – Modification 2*' dated December 2014.

Minister
Secretary

Minister for Planning
Secretary of the Department, or nominee

2. Delete all references to "Director-General" and replace with "Secretary".
 3. Insert a new condition after condition 4 of schedule 3 as follows:
 - 4A. The Proponent shall only undertake construction works on the modified amenity bund between 7am and 6pm Monday to Friday and 8am and 1pm Saturday.
- Notes:
- For the location of the modified amenity bund, see the figure in Appendix 2.
 - The maximum height of the modified amenity bund must not exceed 8 m, unless otherwise agreed by the Secretary.
4. In condition 18 (b) of schedule 3, delete "and relocate, modify and/or stop operations on site", and replace with "to guide the day-to-day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures".
 5. In condition 18 (d) of schedule 3, delete "minimise any visible air pollution generated by the project;", and replace with "monitor and report on compliance with the relevant air quality conditions in this approval;".

6. Delete condition 27 of schedule 3 and replace with:

Water Performance Measures

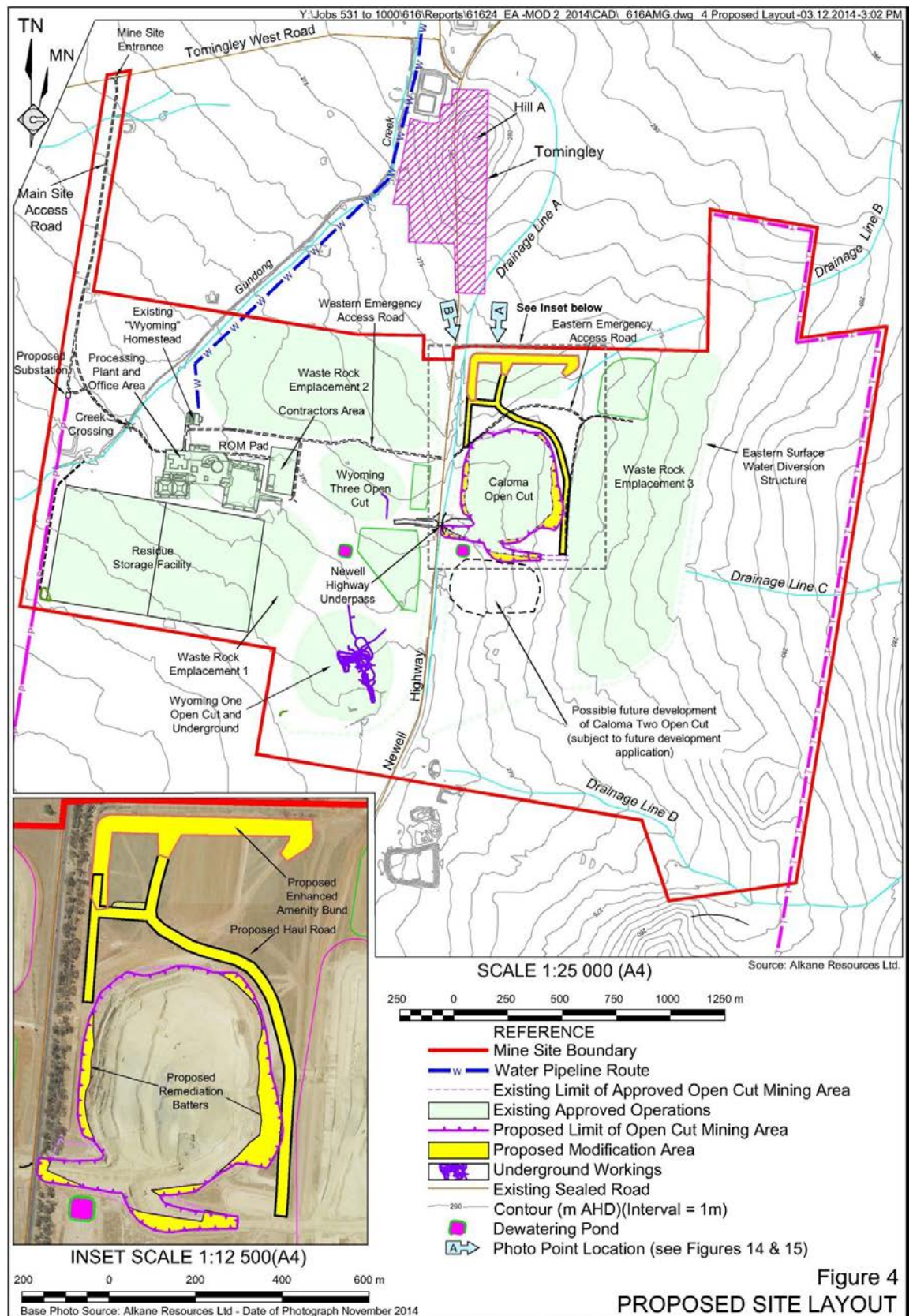
The Proponent shall comply with the performance measures in Table 8 to the satisfaction of the Secretary.

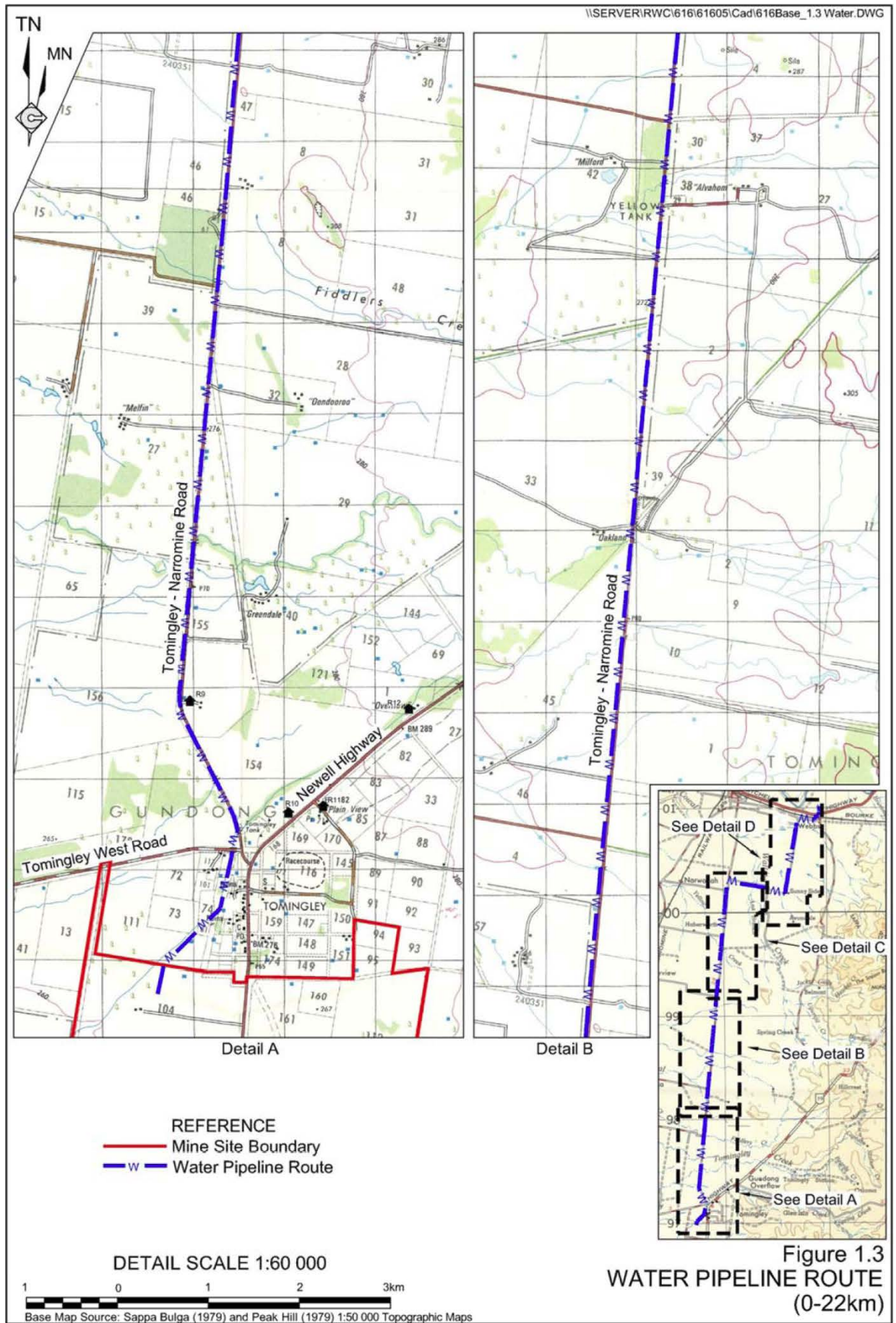
Table 8: Water management performance measures

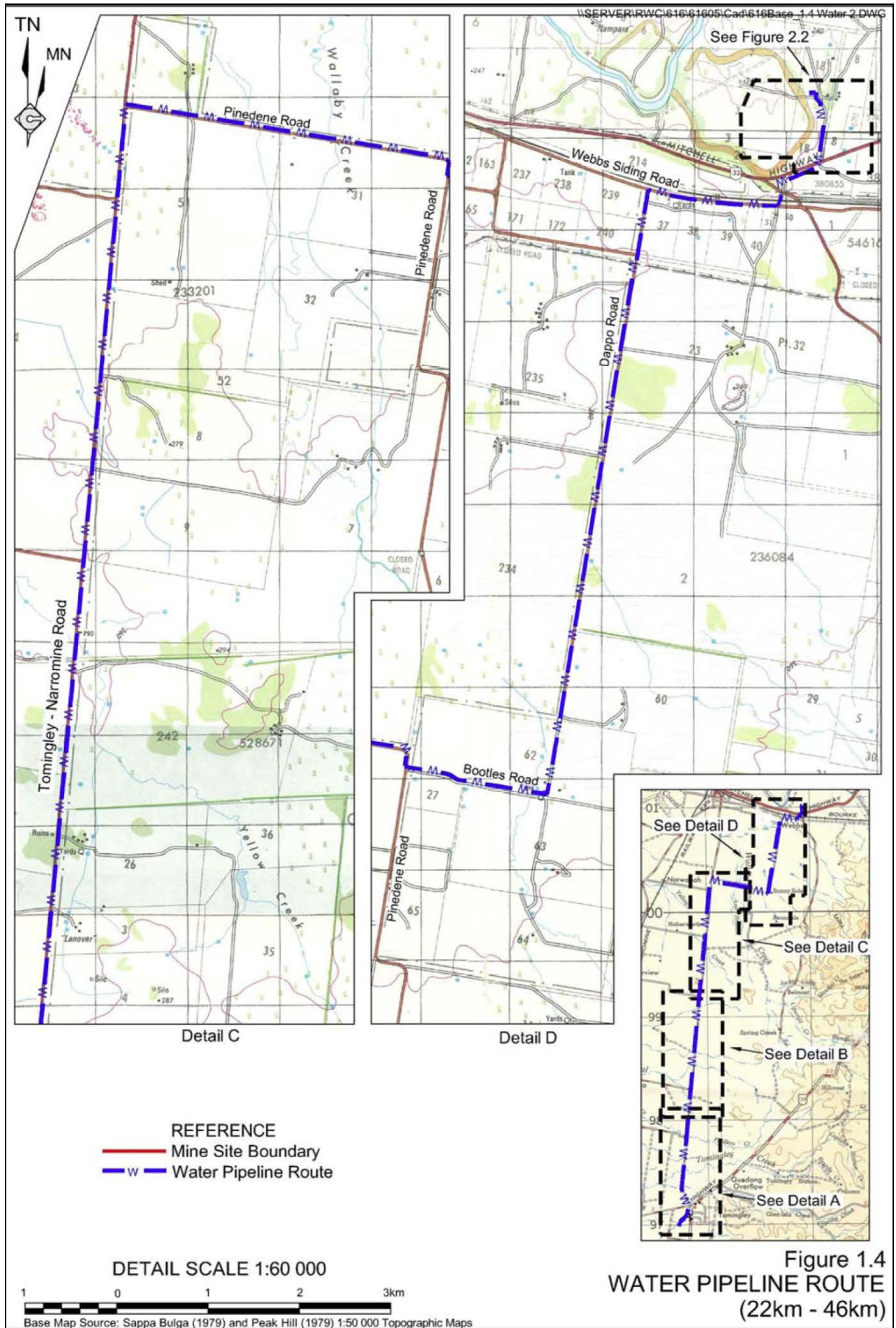
Feature	Performance Measure
Water management – General	Minimise the use of clean water on site Minimise the need for make-up water from external potable water supplies
Construction and operation of infrastructure	Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i> , <i>Volume 2A – Installation of Services</i> and <i>Volume 2C – Unsealed Roads</i> Design, install and maintain the infrastructure within 40 m of watercourses generally in accordance with the: <i>Guidelines for Controlled Activities on Waterfront Land (DPI 2007)</i>, or its latest version <i>Guidelines for fish habitat conservation and management – Chapter 4 (DPI 2013)</i>, or its latest version
Clean water diversion & storage infrastructure	Design, install and maintain the clean water system to capture and convey the 100 year ARI flood Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site
Sediment dams	Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries</i>
Mine water management system, including residue storage facility and associated collection pond	- No unlicensed or uncontrolled discharge of mine water off-site (except in accordance with condition 23) - Ensure that the capacity of the residue storage facility and associated collection pond is designed to meet the requirements of the <i>Environmental Guidelines – Management of Tailing Storage Facilities</i> (Vic DPI, 2004) and that the floor and walls are lined to achieve a permeability standard of at least 1×10^{-9} m/s, unless otherwise agreed by the EPA and the Secretary - Maintain adequate freeboard (i.e. minimum 500 mm) in the residue storage facility at all times - All water storages on site that receive chemical or salt laden water, including the dewatering ponds, raw water dams and process water dams are lined to achieve a permeability standard of at least 1×10^{-9} m/s, unless otherwise agreed by the EPA and the Secretary - Maintain adequate freeboard (i.e. minimum 200 mm) in the process water and raw water dams at all times
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards
Gundong Creek	Maintain or improve baseline channel stability Develop site-specific water quality trigger levels in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> procedures (DECC 2006), or its latest version

7. Delete conditions 28, 29 and 30 of schedule 3.
8. In condition 33 of schedule 3, replace all references to “Table 8” with “Table 9”.
9. In condition 51 of schedule 3:
- replace all references to “Table 9” with “Table 10”; and
 - delete reference to “Table 8” and replace with “Table 9”.
10. Delete Appendices 2, 4 and 6 replace with the following:

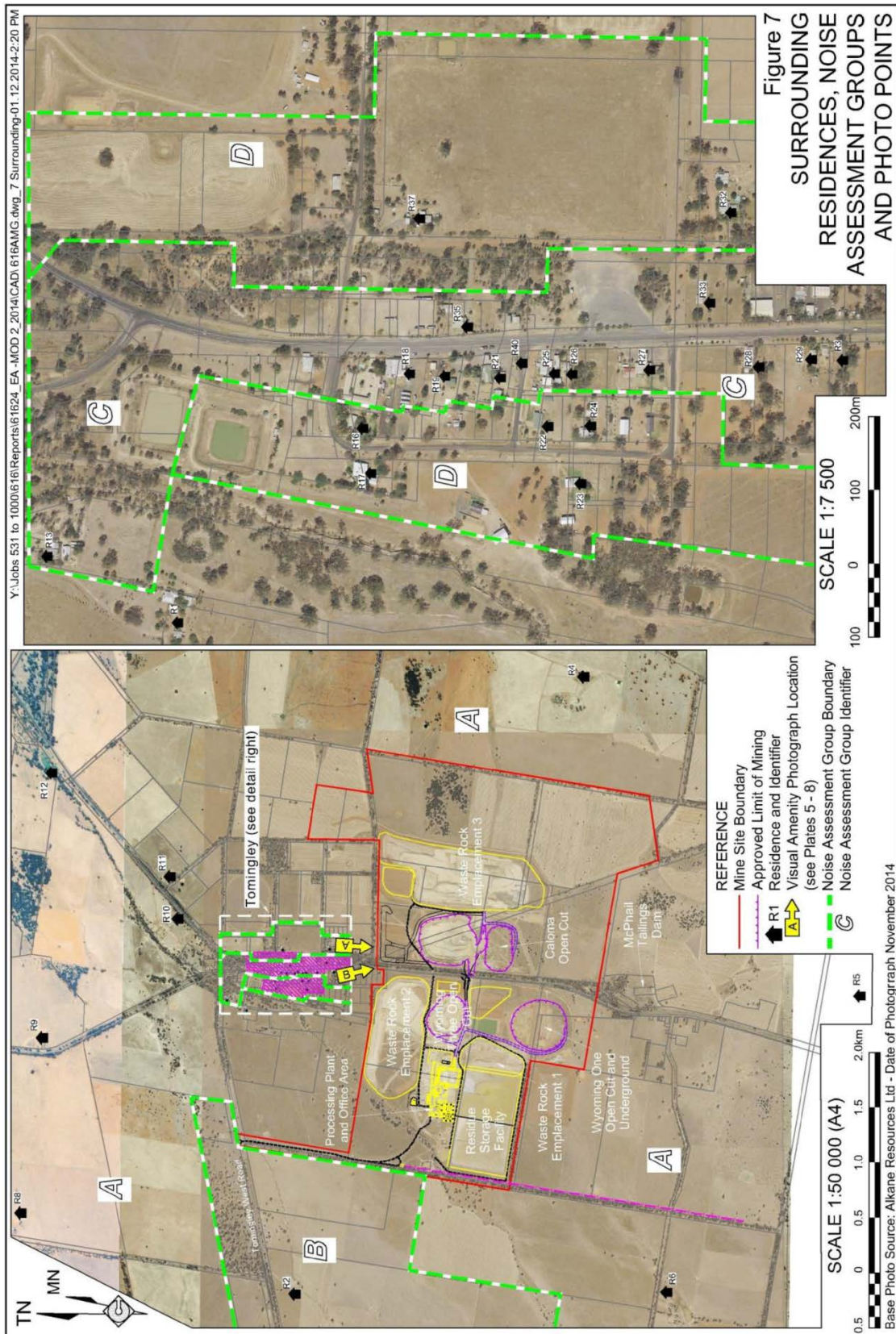
APPENDIX 2 PROJECT LAYOUT PLANS







APPENDIX 4 NOISE RECEIVER LOCATIONS



APPENDIX 6 REHABILITATION PLAN

