



# Tomingley Gold Project Modification 4

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Increasing the residual storage facility (RSF)  
capacity and management of exploration materials

State Significant Development Modification Assessment (MP 09\_0155 MOD4)

May 2020



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Title: Tomingley Gold Project

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*Cover image: Residue Storage Facility - Tomingley Gold Project; Source: Tomingley Gold Operations Pty Ltd*

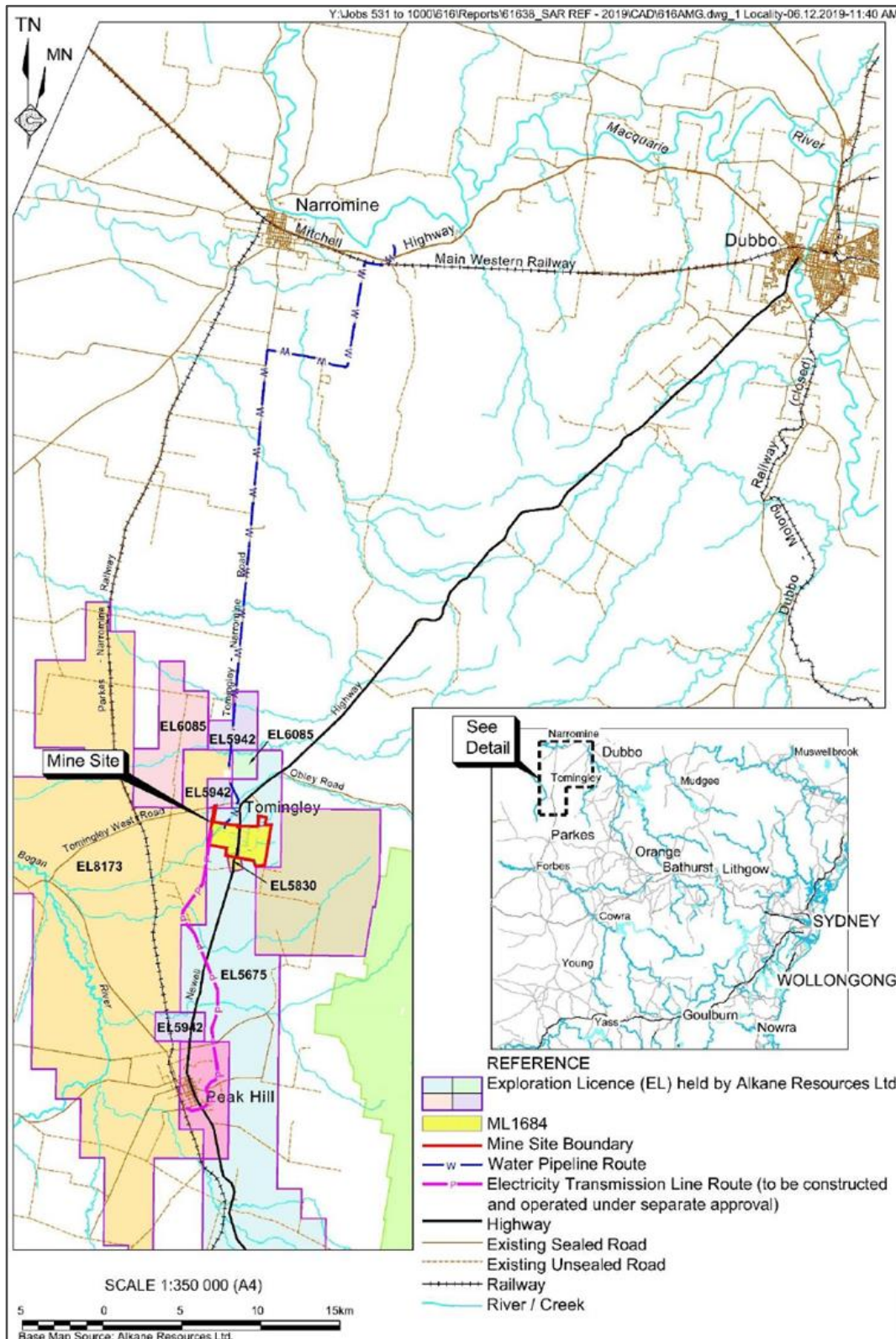
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# 1 Introduction

Tomingley Gold Operations Pty Ltd (TGO), a wholly owned subsidiary of Alkane Resources Ltd (Alkane) operates the Tomingley Gold Project (the project), located south of Tomingley village, approximately 50 kilometres (km) southwest of Dubbo in the Narromine local government area. The mine site is bisected by the Newell Highway, connecting Parkes and Dubbo (see **Figure 1**).



**Figure 1 | Regional Context** (Source: Modification Report (MOD 4) - Tomingley Gold Project)

## 1.1 Approved Project

The area around the mine comprises mainly rural and rural-residential properties, with 30 residences located in Tomingley village.

The project was approved under delegation from the Minister for Planning and Infrastructure in July 2012. The project approval has been modified three times, and allows TGO to carry out the following activities until 31 December 2022:

- extract ore from 3 open cut mine pits (Wyoming 1, Wyoming 3 and Caloma 1 Open Cut) and one underground mine (Wyoming 1 Underground);
- process (using cyanide) up to 1.5 million tonnes (Mt) of ore per annum;
- transport processed ore from the site via road;
- construct and operate a Residue Storage Facility (RSF) up to Stage 6 over an area of approximately 50 hectares (ha), with storage capacity of approximately 6.57 Mt and a maximum elevation of 280.5 metres above Australian Height Datum (mAHD); and
- construct and operate other mining infrastructure including a processing plant, three out-of-pit waste rock emplacement areas (WRE1, WRE2 and WRE3), and ancillary infrastructure.

The project's construction under this approval commenced in February 2013, with open-cut mining commencing in November 2013, and gold production commencing in February 2014. **Figure 2** presents the approved layout of the project site. Open cut mining operations have now ceased, and the mine is now operating only as an underground mining operation.

The RSF is a prescribed off-stream paddock style dam, comprised of two cells with central decant ponds. The RSF embankments have been raised up to Stage 6 using the downstream lift construction method for the central, southern, western and northern embankments and centreline lift method for the decant and eastern embankments.

The project currently employs approximately 130 people and its contribution to the NSW taxes and royalties is up to approximately \$2 million per year.

## 1.2 Associated Licences and Activities

Alkane is undertaking a range of mineral exploration activities within its exploration licence (EL) areas around the project site and has identified the San Antonio and Roswell (SAR), Wyoming South, Myalls United, McLean's and El Paso prospects, located within the EL5830 and EL5675 areas south of the project site (see **Figure 3**).

Due to a steep dip of the SAR prospects mineralisation, Alkane is seeking an approval from the Resources Regulator (now within the Department of Regional NSW) under the *Mining Act 1992* to allow construction of an underground exploration decline through a Review of Environmental Factors.

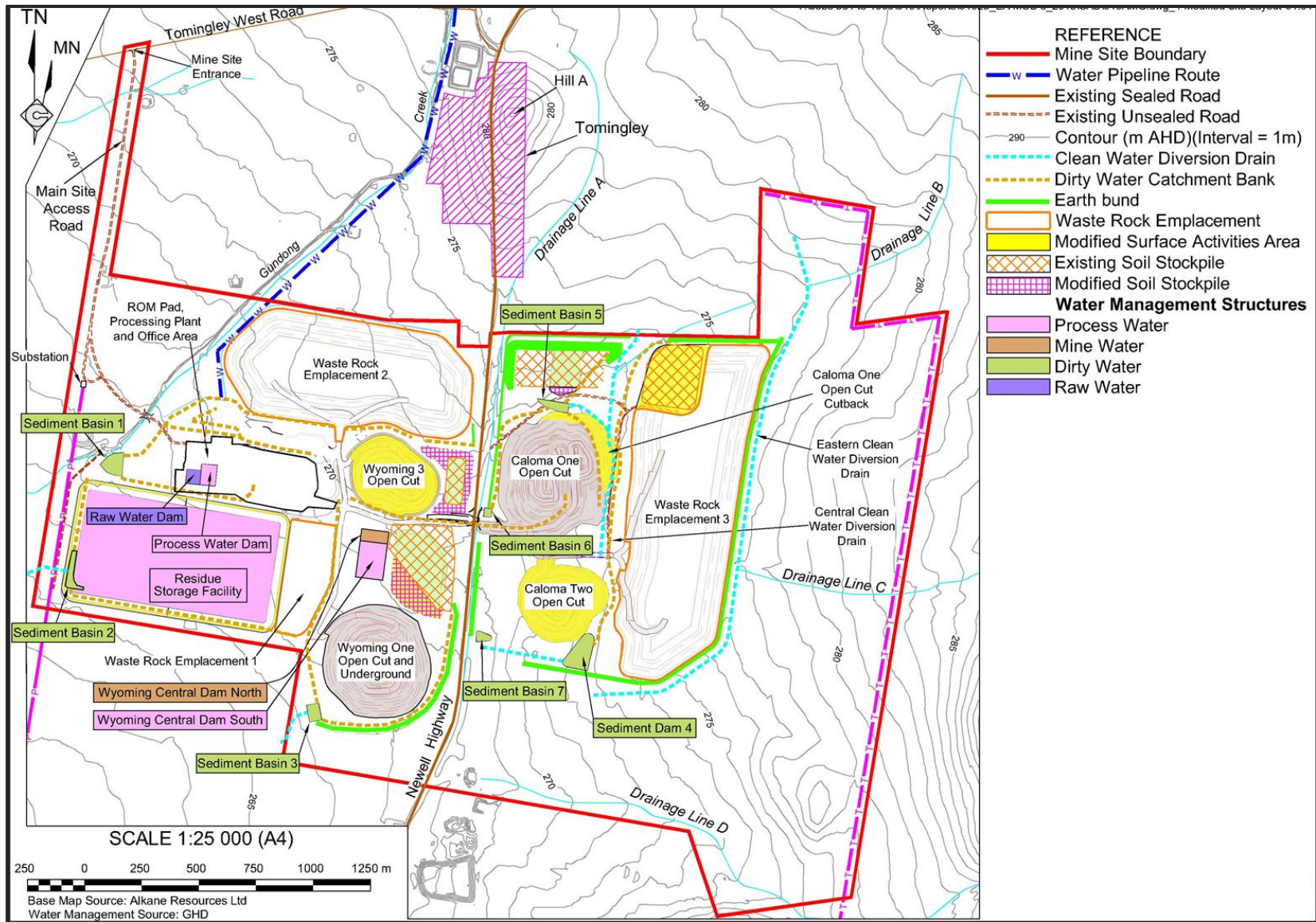
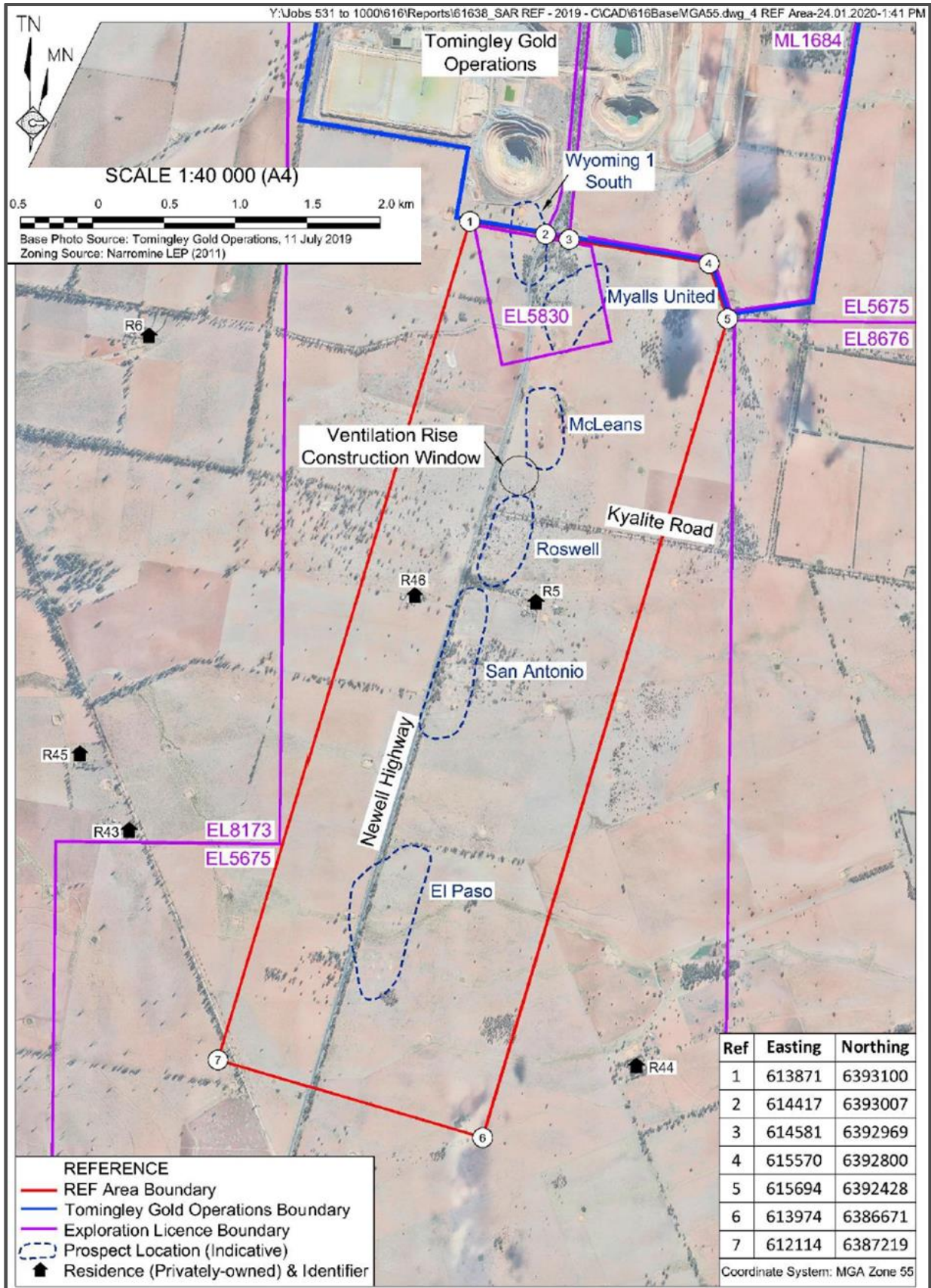


Figure 2 | Approved Project Layout (Source: Tomingley Gold Operations Pty Ltd)



**Figure 3 | Identified Prospects and REF Area (Source: Modification Report (MOD 4) - Tomingley Gold Project)**

## 2 Proposed modification

TGO's investigations into the project's mineral resource and ore reserve indicated additional resource near and at depth below the existing ore body. The proposed modification is described in the Modification Report and additional information provided by TGO (see **Appendix B** and **Appendix E**).

The proposal has two main components, involving increases to the RSF capacity and using the mine site and associated infrastructure to support underground exploration operations, including importation and disposal of waste rock and processing of bulk ore samples.

### 2.1 Increasing the RSF Capacity

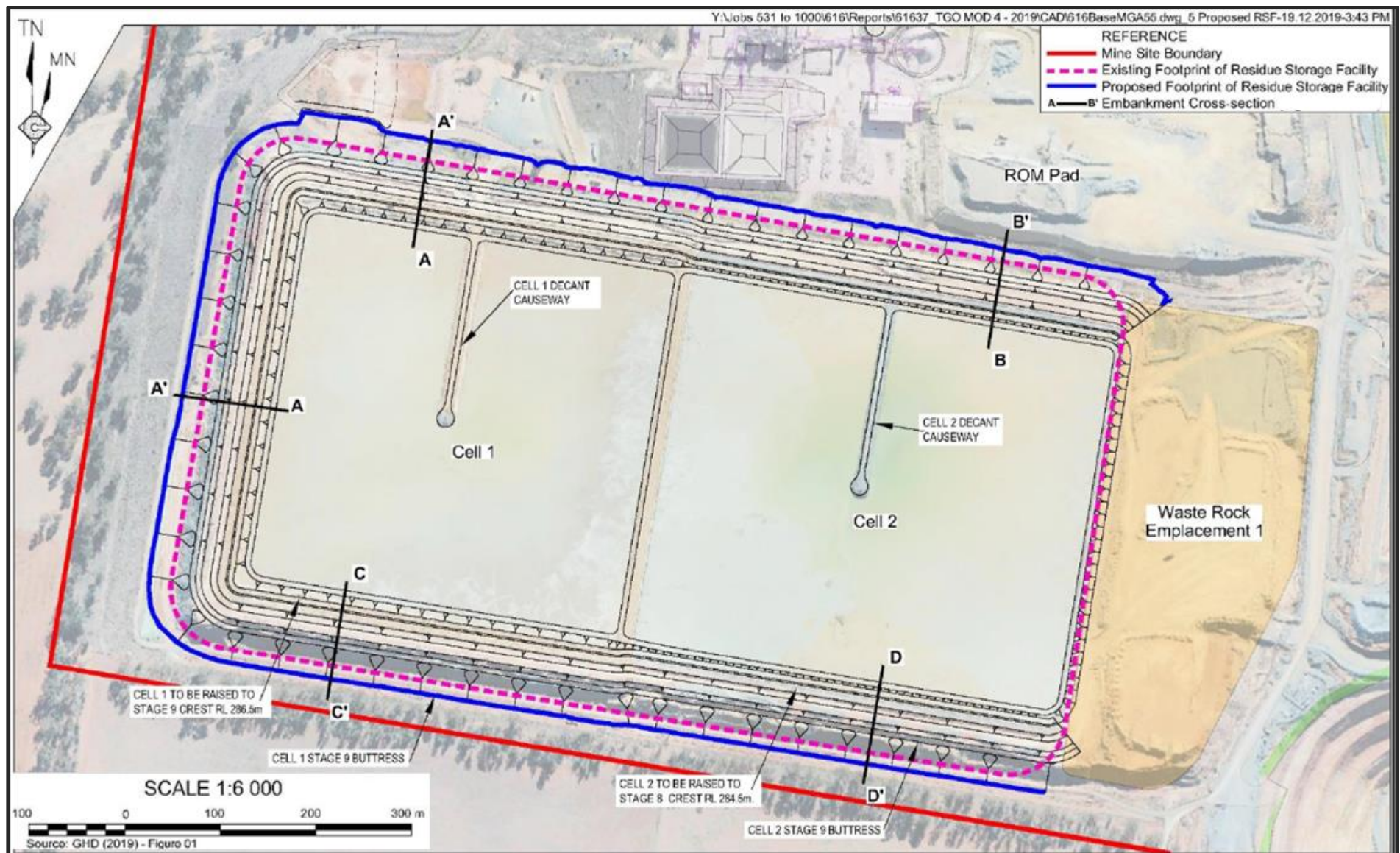
TGO has estimated that extraction of the additional resource would result in processing of about 2.96 Mt of ore between 1 July 2019 until the end of the project life on 31 December 2022. As of 1 July 2019, the remaining RSF capacity (Stage 6) was estimated to be about 1.01 Mt, which would result in a shortfall of about 1.95 Mt of capacity. In order to continue the approved underground mining at full scale by extracting and processing of the additional resource within the approved mining areas, TGO proposes to modify its project approval to increase the RSF capacity by 2.36 Mt (from approximately 6.57 Mt to approximately 8.93 Mt), involving:

- construction of Stages 7 to 9 raises to the RSF;
- increasing the approved maximum RSF elevation by 6 m from (280.5 mAHD to 286.5 mAHD); and
- increasing the approved RSF footprint from approximately 50 ha to approximately 55 ha.

Construction of the proposed lifts would use the waste rock material within the project's WREs or from on-going mining operations. Based on the RSF Stage 7-9 Concept Design Report (see **Appendix E**), TGO proposes to raise all the embankments by upstream construction, except for the eastern embankment within Cell 2 and decant embankments, which would be raised by centreline construction.

The proposal would involve constructing Cell 1 to Stage 9 and Cell 2 to Stage 8 based the project's capacity review and closure requirements and to meet the expected outcomes for the project's final landform. The proposed RSF lifts would require buttressing of the existing outer dam embankment for stability. This buttressing leads to the additional 5 ha increase in the RTS footprint; however, it would remain within the approved disturbance footprint. Excess water would be pumped to the Wyoming Central Dam (WCD).

The approved and proposed RSF layouts and concept design cross-sections are shown in **Figures 4 to 7**. Full details about the design of the RSF lifts are available in **Appendix E**.



**Figure 4 | Proposed RSF Modifications (Source: Modification Report (MOD 4) - Tomingley Gold Project)**

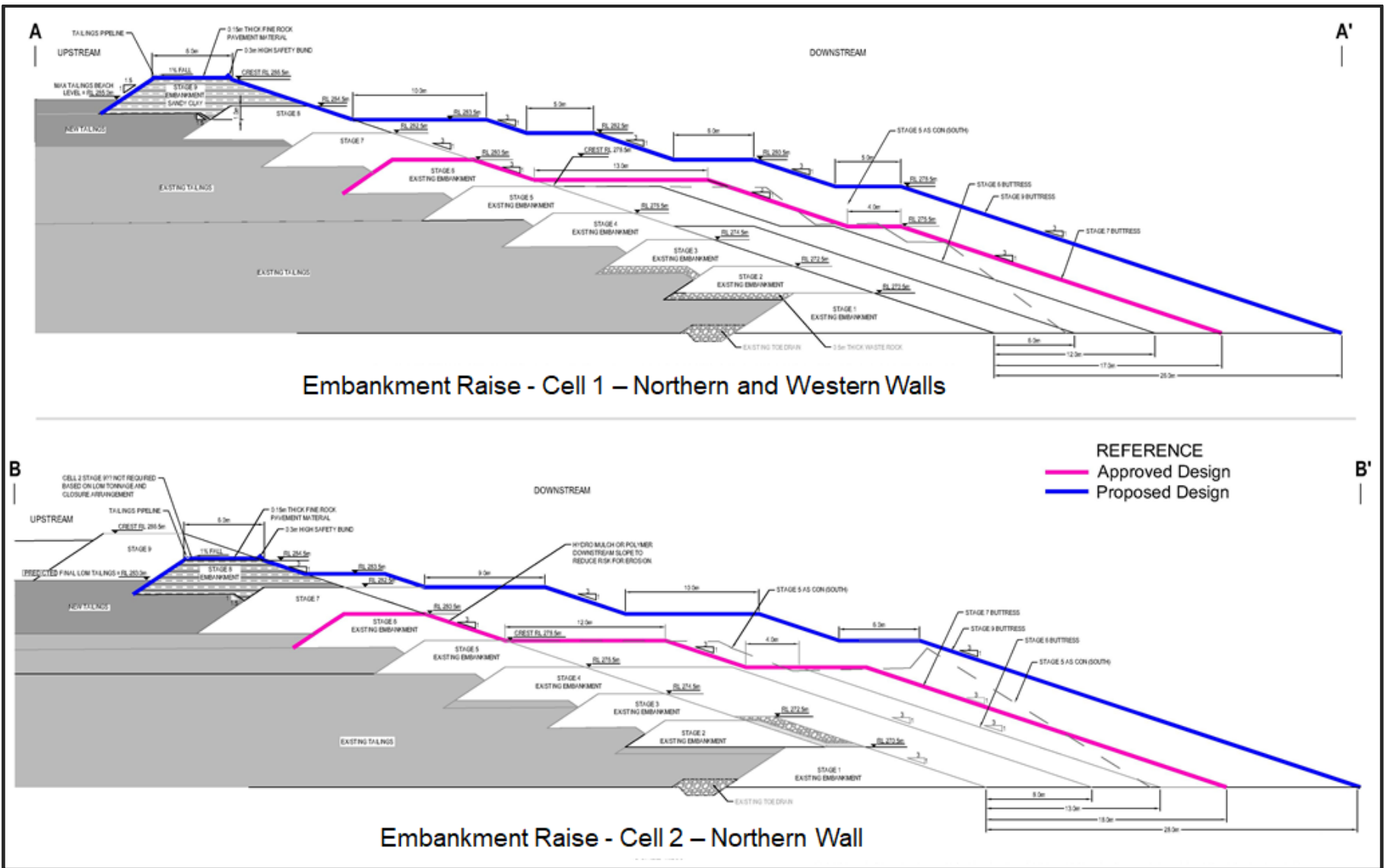


Figure 5 | Proposed RSF Embankment Raise, Northern and Western Cross-Sections – Concept Design (Source: Tomingley Gold Operations Pty Ltd)

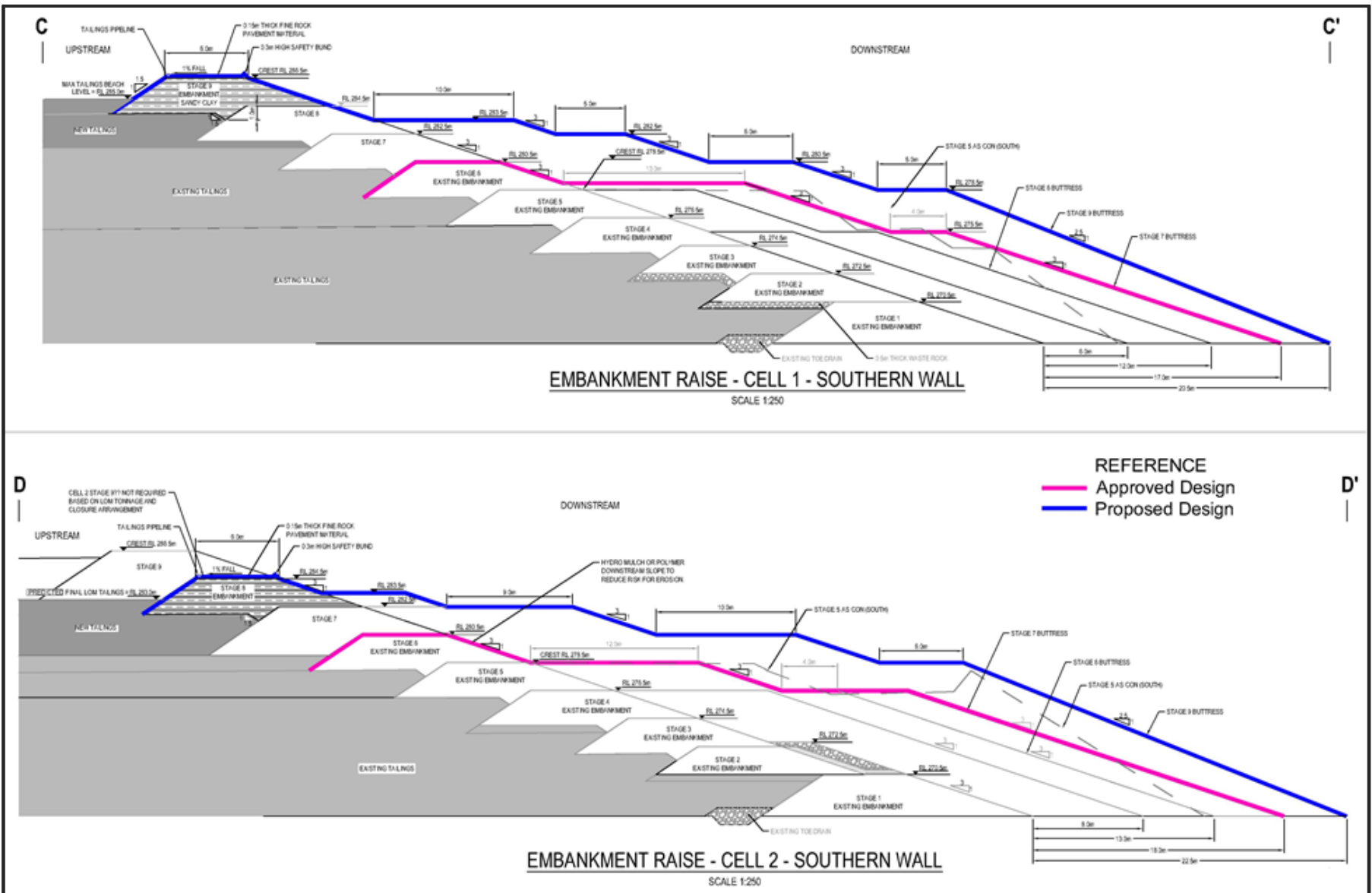


Figure 6 | Proposed RSF Embankment Raise, Southern Cross-Sections – Concept Design (Source: Tomingley Gold Operations Pty Ltd)



## 2.2 Importation and Processing of Underground Explorations Waste Rock

Additionally, TGO is seeking approval to use the project's infrastructure to support the SAR underground exploration operations by:

- importing up to 335,000 t (161, 250 m<sup>3</sup>) of waste rock from the underground exploration decline to be placed within the Wyoming 1 Underground, or transported to surface and stored within the Wyoming 1 Open Cut (pending transportation back underground for backfilling completed stopes), or placed permanently into WRE1 or the Wyoming 3 Open Cut;
- receiving and batch processing of up to 20,000 t of ore from the underground exploration works, with the resulting residue to be placed within the project's RSF; and
- using the project's other infrastructure and equipment to support the exploration operations, including ventilation, power, water and other services, mobile plant, other equipment, offices, workshops, storerooms and amenities.

It is noted that the proposed modification would be within the approved project's disturbance footprint and it would not change other aspects of the approved project, including the final landform and the total life of mine ore processing rate.

# 3 Statutory context

## 3.1 Scope of Modifications

The project was originally approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Under clause 6 of Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, the project was transitioned to State Significant Development (SSD) by order, which took effect by publication in the NSW Government Gazette on 31 August 2018.

A modification application under Section 4.55(2) of the EP&A Act was submitted to the Department on 13 February 2020. The application does not seek to significantly alter the approved project, as there would be no change to the approved project boundary, the approved mining, processing and transport methods, or the approved extraction and processing rates.

Consequently, the Department is satisfied that the application can be characterised as a modification to the existing approval under Section 4.55(2) of the EP&A Act, as it would result in substantially the same development as originally approved.

## 3.2 Consent authority

The Minister for Planning and Public Spaces (the Minister) is the consent authority for the modification application. However, under the Minister's delegation of 9 March 2020, the Director, Resource Assessments, may determine the application. This is because no public objections were made, Narromine Shire Council did not object to the proposal and TGO has not made any reportable political donations.

## 3.3 Mandatory matters for consideration

In accordance with Section 4.15(1) and Section 4.55(3) of the EP&A Act, the following must be considered in granting the modification application as relevant to the application:

- environmental planning instruments or proposed instruments;
- any planning agreement;

- EP&A regulation;
- likely impacts of the modification application, including environmental impacts on both the natural and built environments, and social and economic impacts;
- suitability of the site;
- any submissions;
- the public interest; and
- the reasons for granting approval for the original application.

The Department has considered the relevance of these considerations for the modification application below.

### ***Environmental planning instruments or proposed instruments***

A number of environmental planning instruments apply to the modification, including:

- *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (the Mining SEPP);
- *State Environmental Planning Policy No 55 - Remediation of Land* (SEPP No 55 – Remediation of Land); and
- *Narromine Local Environment Plan 2011*.

The Department has considered the proposed modification against the relevant provisions of these instruments. The Department has also considered TGO's consideration of the relevant instruments in its Modification Report. The Department considers that the proposed modification can be carried out in a manner that is generally consistent with the aims, objectives and provisions of these instruments.

### ***Any planning agreement***

The Department notes that following a planning agreement between TGO and Narromine Shire Council, TGO's contributions to Narromine Shire Council include over \$50,000 a year to the community fund, \$45,000 a year to road maintenance (except for Tomingley West Road), and \$20,000 a year to support the Council Environmental Management Expertise.

### ***EP&A Regulation***

There are no additional considerations relevant to the modification application in the EP&A Regulation.

### ***Likely impacts of the modification application***

The likely impacts of modification are considered in **section 5** of this report.

### ***Suitability of the site***

The modification would not change the approved site boundaries. The Department considers that this modification application would not result in significant changes that would alter the conclusions made as part of the original assessment.

### ***Submissions***

The Department exhibited the application, and notified and sought comment from Narromine Shire Council, and relevant agencies, as discussed further in **section 4** of this report. No submissions on the modification were received from the general public or special interest groups.

### ***Public Interest***

The consideration of the public interest is provided in **section 6** of this report.

### ***The reasons for granting the consent for the original application***

In determining the original application, the Department concluded that the benefits of the project outweighed the impacts and imposed a range of strict conditions to appropriately manage the impacts. The Department has considered the proposed modification against the reasons the Department provided for determining the project and is satisfied that the proposed modification does not affect the decision that was previously made.

### **3.4 Objects of the EP&A Act**

The consent authority must also consider the objects of the EP&A Act when making decisions under the Act. The Department has assessed the proposed modification against the current objects of the EP&A Act. The objects of most relevance to the decision on whether or not to approve the proposed modification are found in Section 1.3 of the Act. They are:

- Object 1.3(a): *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;*
- Object 1.3(b): *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;*
- Object 1.3(c): *to promote the orderly and economic use and development of land;*
- Object 1.3(e): *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats;*
- Object 1.3(f): *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);*
- Object 1.3(i): *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State; and*
- Object 1.3(j): *to provide increased opportunity for community participation in environmental planning and assessment.*

The Department is satisfied that the proposed modification encourages the proper management and development of resources (Object 1.3(a)) and the promotion of the orderly and economic use of land (Object 1.3(c)). The proposal would optimise resource recovery under the project approval (MP 09\_0155), while utilising the mine's established infrastructure and workforce.

The Department has considered the principles of ecologically sustainable development (ESD, Object 1.3(b)) in its assessment of the proposed modification. The Department considers that the proposed modification may be carried out in a manner that is consistent with the principles of ESD. The Department's assessment has sought to integrate all significant environmental, social and economic considerations.

The Department has carefully considered the environmental impacts of the proposed modification, including potential impacts on the natural, cultural and built environments (Object 1.3(e) and (f)). The key findings of the Department's assessment are summarised in **section 5**.

The Department publicly exhibited the modification application and consulted with Council (Object 1.3(i) and (j)). The outcomes of the consultation process are outlined in **section 4**.

### 3.5 Impacts on Biodiversity Values

Under the relevant provisions of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, the Department and BCD are satisfied that a Biodiversity Development Assessment Report is not required to be submitted with the application, as the proposed modification would not increase impacts on biodiversity values. This is because the proposed changes to the approved footprint would occur on previously cleared and disturbed land.

## 4 Engagement

The Department publicly exhibited the modification application and accompanying documents from 26 February 2020 until 10 March 2020 and advertised the exhibition in the *Narromine News*, *Parkes Champion Post*, and *Dubbo Daily Liberal*.

The Department also consulted with Narromine Shire Council, and the relevant government agencies throughout the assessment process.

### 4.1 Submissions and Response to Submissions

During the exhibition, the Department received a total of 9 submissions on the application, all from government agencies, including Narromine Shire Council (local council). No submissions were received from the general public or special interest groups.

None of the public agencies raised any significant concerns or objected to the modification application.

Full copies of the submissions are attached in **Appendix C**. TGO provided a Submissions Report, responding to all matters raised in submissions, as well as additional information to address matters raised by the Department during the assessment process (see **Appendix D** and **Appendix E**). The Department referred the Submissions Report back to the key agencies and did not receive additional concerns or advice.

### 4.2 Key Issues – Government Agencies

The **Environment Protection Authority** (EPA) noted that underground exploration activities are outside the boundaries of the project's Environment Protection Licence (EPL 20169) and that TGO must request a variation to the EPL in relation to the waste rock from the underground exploration decline, should the application be approved.

The EPA also recommended conditions to manage erosion and sediment from increasing the RSF footprint and on-site management of the waste rock within the existing emplacement areas. The Department has modified the conditions of approval consistent with the EPA's advice. These matters are discussed further in **sections 5.2 and 6**.

The **Department's Water Group** (DPIE Water) and **Natural Resources Access Regulator** (NRAR) did not raise any concerns, subject to revision of the project's Water Management Plan and that potential impacts due to the proposed ground disturbance are managed in accordance with the requirements of the relevant guidelines, including *Managing Urban Stormwater: Soils and Construction (Landcom 2004)*. The Department's consideration of the water related impacts is provided in **sections 5 and 6**.

**Dams Safety NSW** noted the safety risks associated with the project's RSF due to toxicity of the impounded tailings containing cyanide and heavy metals, including arsenic. It made recommendations

about TGO's safety monitoring of the RSF and being notified of any changes to the RSF. The Department's consideration of these matters is described in **sections 5.2 and 6**.

The **Resources Regulator (RR)**, now within the Department of Regional NSW, advised that it had no specific comments regarding rehabilitation or mine safety associated with the proposal. It noted that TGO is required to submit a revised Mining Operations Plan, detailing the revised mine closure plan and rehabilitation outcomes, including adoption of a risk-based approach to achieving the required rehabilitation outcomes under the *Mining Act 1992*. The Department's consideration of matters related to rehabilitation and mine safety are discussed in **sections 5.2 and 6**.

The **Regional NSW – Mining, Exploration & Geoscience (MEG)**, formerly known as the Department's Division of Resources and Geoscience, supported the modification application and determined that it would result in an efficient and optimised resource recovery and that any identified risks or opportunities can be effectively regulated through the existing conditions of project approval and requirements under the *Mining Act 1992*.

**Narromine Shire Council**, the **Biodiversity and Conservation Division (BCD)**, **Department of Primary Industries – Agriculture (DPI - Agriculture)** and **Crown Lands** within the Department raised no concerns and made no recommendations to the proposal.

## 5 Assessment

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act, including the matters for consideration, as set out in section 4.15(1) of the EP&A Act. The key documents that informed the Department's assessment are provided in **Appendices A to E**.

The Department considers that importation, storage and processing of waste material from Alkane's underground exploration operations would have a negligible impact on the project's waste rock storage capacity and annual processing rate.

The key issue for the Department's assessment of the merits of the proposal relate to the potential impacts of increasing the RSF capacity on surface water and ensuring that the RSF and water storages have sufficient capacity to manage required freeboard for dam safety requirements and discharges to receiving waters.

The Department has also considered a range of other potential impacts associated with the proposed modification activities in **section 5.2**.

### 5.1 Surface Water Impacts

The RSF operates as a subaerial residue deposition facility, with residue deposited from spigots around the perimeter of the RSF. Residue is deposited onto a "beach", with supernatant water permitted to flow to one of two central decant towers from where it is pumped to either the Process Water Dam or Wyoming Central Dam (WCD) (see **Figure 2**).

The WCD was upgraded and commissioned in August 2018 to provide 110 ML of water storage for transfer of water from the RSF during wet periods when storage capacity within the Process Water Dam is exceeded. The aim of the additional water storage is to reduce water levels in the RSF to maintain required freeboard within the RSF.

Consequently, the proposed RSF modifications are considered to have a direct impact on surface water. The Department's assessment of these impacts is summarised below.

## Assessment

The modification report includes an updated site water balance for average 5<sup>th</sup> (drier year) and 95<sup>th</sup> (wetter year) percentile rainfall conditions which predicts potential exceedances of the 110 ML capacity of the recently commissioned WCD in above average rainfall conditions. The predictions indicate that the total process water inventory would not exceed the combined water storage capacity of the WCD and RSF.

However, the Department notes that the RSF design basis is to fully contain the Probable Maximum Flood (PMF) event without spill and that the decant pond would be maintained to contain a 1 in 10,000 year Annual Exceedance Probability (AEP) flood event without the pond reaching the embankment walls (see Table 2-2 of the concept design report in **Appendix E**). Therefore, storage of excess water within the RSF would be required to comply with the proposed design basis for maintaining an appropriate freeboard within the facility to contain and manage these design rainfall events. The Department has included a condition in the Water Management Plan to demonstrate how these design objectives would be met.

The water management system also includes contingency for emergency storage within Caloma 1 open-cut pit and the site when the capacity of the Process Water Dam, RSF and WCD are exceeded and the site would therefore remain a nil discharge site for mine water.

The updated water balance model indicated that mining water inventory would continue to increase until 2022, corresponding to the peak in the predicted groundwater inflows but would remain within the water storage capacity of the long-term mining water storage (Caloma 1 open-cut pit).

The Department notes that:

- under the existing approval, TGO must perform monitoring of its operational safety of the RSF and associated management systems;
- consistent with the current conditions of approval, TGO must comply with a detailed water management performance measures, as required in the existing project approval, including drainage and flooding, measures related to design and construction of water structures, erosion and sediment controls, clean water diversion and storage, process water and sediment dams, RSF and associated mine water collection ponds;
- consistent with the current conditions of approval, TGO must revise the project's Surface Water Management Plan, which must be consistent with findings of the RSF Stage 7-9 Concept Design Report (**Appendix E**), in accordance with the relevant guidelines and policies and in consultation with the relevant agencies, including EPA and DPIE Water;
- the project's EPL does not allow off-site mine water discharge and includes conditions for on-site discharges to the RSF, including monitoring and limits on cyanide, and sets limit conditions for a range of pollutants for discharges from sediment basins; and
- TGO's statement of commitments (attached to the project approval) includes measures to prevent discharge of contaminated water from the mine site and maintenance of soil for rehabilitation and minimising of soil loss through erosion.

## Summary

The proposal would not change the approved production and processing rates or the water storage capacity and catchment area, and project's water security would remain unchanged. Based on this assessment, the proposal would not increase the project's risk of off-site water discharges.

Although the existing project approval includes provisions related to erosion and sediment controls, the Department has recommended amendments to the conditions, specifically requiring TGO to include an erosion and sediment control plan in the project's Surface Water Management Plan, as requested by the EPA in its advice to the Department, and to demonstrate how the decant water pond within the RSF would be maintained to ensure adequate freeboard for containment of design rainfall events.

## 5.2 Other issues

**Table 1** summarises the Department’s consideration of other issues related to the proposed modification.

**Table 1** | Assessment of other issues

Issue	Considerations	Recommendations
<b>Waste</b>	<ul style="list-style-type: none"> <li>The proposed waste disposal within the project site would be associated with Alkane’s exploration decline and would not involve any other type of waste material.</li> <li>As required by the EPA, TGO has committed to request a variation to the EPL to allow receipt of waste rock from the underground exploration decline, should the application be approved.</li> <li>The project’s WRE has a capacity of 29.66 million m<sup>3</sup> (Mm<sup>3</sup>) comparing to the proposed additional 335,000 t (161,250 m<sup>3</sup>) waste rock material from the exploration decline, and volume of the resulting waste from receiving and processing of up to 20,000 t of ore from the underground decline would be negligible comparing to the RSF capacity.</li> <li>Therefore, the Department accepts there is sufficient capacity within the approved WRE and RSF to cater for the proposed additional waste material.</li> </ul>	<ul style="list-style-type: none"> <li>Comply with existing conditions.</li> </ul>
<b>Groundwater and Seepage</b>	<ul style="list-style-type: none"> <li>No seepage from the RSF has been detected in shallow monitoring bores located around the RSF from current operations.</li> <li>Private water supply bores are located more than 3 km to the north of the mining lease area within shallow alluvium. These active bores are registered for stock and domestic, irrigation and town water supply use.</li> <li>Comparative analysis of potential seepage rates between the current and proposed RSF conditions (i.e. Stages 6 and 9) concluded negligible risk of groundwater impact due to Stage 9 lift, as incremental change in seepage from Stage 6 was insignificant (see <b>Appendix E</b>).</li> <li>Under the existing approval and requirements of the Groundwater Management Plan, TGO continues to undertake monitoring of shallow bores in the RSF vicinity and RSF embankment toe, RSF seepage and ground movement of the RSF embankment.</li> <li>Consequently, it is considered that the proposal would not significantly increase the project’s groundwater and seepage impacts beyond those already assessed and approved.</li> </ul>	<ul style="list-style-type: none"> <li>Updated conditions requiring TGO to consult with Dams Safety NSW regarding the project’s Water Management Plan.</li> <li>Comply with existing conditions.</li> </ul>
<b>Rehabilitation and Final Landform</b>	<ul style="list-style-type: none"> <li>The RSF closure plan would remain as a dry cover with a central drain sloping from the west to east, diverting the runoff from the RSF to the natural ground into perimeter drain before release off-site.</li> <li>The proposed increase in the RSF footprint and height would result in minor adjustments to the project’s rehabilitation and final landform arrangements.</li> <li>Under the existing approval, TGO must revise the project’s Mining Operations Plan (MOP)/ Rehabilitation Management Plan following any modification to the project approval in consultation with the relevant agencies including RR, EPA, BCD, DPIE Water and Council.</li> </ul>	<ul style="list-style-type: none"> <li>Updated conditions making reference to the requirements under the <i>Mining Act 1992</i>.</li> <li>Comply with existing conditions.</li> </ul>

Issue	Considerations	Recommendations
	<ul style="list-style-type: none"> <li>RR did not have any specific concerns regarding the proposed modification and requires the MOP to be revised prior to constructing the additional lifts.</li> <li>RR recommended changes to the rehabilitation objectives to reflect contemporary requirements, including tailings containment, structural integrity and final landform stability.</li> <li>The increased footprint as a result of increasing RSF capacity would be minor and is considered to have no material impact on the project's rehabilitation and final landform outcomes.</li> </ul>	
<b>Safety and Hazards</b>	<ul style="list-style-type: none"> <li>The review of the consequence category analysis (based on ANCOLD and Dam Safety NSW guidelines<sup>1</sup>) for Sunny Day and Flood Failure and Environmental Spill assessed the modified RSF still as 'Significant', the same category as the approved RSF.</li> <li>TGO is required to formally notify Dams Safety NSW under the requirements of the <i>Dams Safety Act 2015</i> prior to commencing the proposed modifications to the RSF.</li> <li>Dams Safety NSW regulates the RSF safety within the project's mining lease, including monitoring of seepage, subsidence and movement of the embankment, blast vibrations at the embankments and inspections.</li> <li>RR did not identify any specific mine safety issues associated with the proposal. However, it requested TGO to submit hazards risk assessments for any further tailings amendments and new mine entries required under workplace safety legislation.</li> </ul>	<ul style="list-style-type: none"> <li>Comply with existing conditions.</li> </ul>
<b>Noise and Air Quality</b>	<ul style="list-style-type: none"> <li>The existing project approval impose strict conditions for noise, blasting, air quality and greenhouse gas emissions during construction and operations, including limits, management plans and monitoring requirements.</li> <li>TGO has undertaken monthly noise monitoring at the project site since 2016, when Modification 3 was approved.</li> <li>TGO does not expect significant changes to the project's noise impacts, as the monthly noise monitoring did not show noise exceedances at the surrounding residences.</li> <li>EPA did not raise specific comments relating to noise and air quality in its submission and continues its monitoring and evaluations in accordance with the EPL. EPA would take regulatory actions if required.</li> </ul>	<ul style="list-style-type: none"> <li>Comply with existing conditions.</li> </ul>
<b>Biodiversity and Heritage</b>	<ul style="list-style-type: none"> <li>BCD confirmed that the proposal would not change the project's impacts on matters related to the biodiversity and heritage, as the proposed increased footprint of the RSF would be within the approved project area and on previously disturbed land.</li> </ul>	<ul style="list-style-type: none"> <li>Comply with existing conditions.</li> </ul>
<b>Visual</b>	<ul style="list-style-type: none"> <li>The approved project and RSF are observed from surrounding areas, with the approved RSF being visible from the south to the north northwest, and the WRE 1 and 2 from the north to the southeast.</li> <li>The proposed increase to the RSF height by 6 m would make it visible from the north to the southeast and would not significantly increase the project's impact on visual amenity.</li> </ul>	<ul style="list-style-type: none"> <li>Comply with existing conditions.</li> </ul>

<sup>1</sup> Australian National Committee on Large Dams, also as per consequence category as defined in Table 2 DSC3F Tailings Dams (Dams Safety Committee June 2012)

Issue	Considerations	Recommendations
	<ul style="list-style-type: none"> <li>The existing conditions include operating conditions to implement reasonable and feasible measures to minimise visual and off-site lighting impacts and provide additional visual mitigation measures on request for landowners with significant direct views. TGO has also committed to specific actions to manage visual impacts within its Statement of Commitments that form part of the approval.</li> </ul>	
<b>Socio-economic</b>	<ul style="list-style-type: none"> <li>The proposal would allow TGO to continue its full operation and its social and economic benefits to the State and community to the end of the project life, including direct full-time employment of up to 130 workers.</li> </ul>	

## 6 Evaluation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act, including the relevant ‘matters for consideration’.

The proposed modification would allow TGO to operate at full capacity and continue delivering its full social and economic benefits.

The modification activities would be contained within the approved project’s surface disturbance footprint. The Department considers the potential impacts of increasing the RSF capacity on surface water as the key assessment issue.

Under the existing approval, TGO is required to review and revise any relevant monitoring and management strategies, plans and programs following approval of any modification application, in consultation with the relevant government authorities.

In addition, the Department has recommended the following changes to the project approval:

- inclusion of the modification proposal in the project description;
- changes to government agency, legislative changes and standard definitions;
- administrative changes to reflect the Department’s standard approach for incident and non-compliance notification and reporting;
- inclusion of a requirement to develop an erosion and sediment control plan as part of the project’s Surface Water Management Plan and to demonstrate how the decant water pond within the RSF would be maintained to ensure adequate freeboard for containment of design rainfall events;
- a requirement to consult with Dams Safety NSW regarding the project’s Water Management Plan; and
- update to the project layout and rehabilitation plans to reflect the project as modified.

The Department considers that the proposed modification can be undertaken without any significant environmental impacts beyond those already assessed and approved and that any other residual impacts can be adequately managed and mitigated by the revised project approval and updated management plans and monitoring programs, in consultation with relevant agencies.

Further, if the increase in capacity of the RSF is not approved, mining and processing operations would not be able to continue and the benefits of the project, including ongoing employment for around 130 workers, local and regional economic benefits in the order of \$4 to \$5 million a year and continuing payment of royalties and taxes in the order of \$3.1 million a year, would not be realised.

Consequently, the Department considers that the proposal is in the public interest, and should be approved, subject to the revised conditions.


## 7 Recommendation

The Department has drafted an Instrument of Modification (see **Appendix F**) for the proposed modification, as well as a consolidated version of the project approval as modified (see **Appendix G**).

It is recommended that the Director, Resource Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report; and
- **determines** that the application (MP 09\_0155 MOD4) falls within the scope of section 4.55(2) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application;
- **modifies** the approval (MP 09\_0155); and
- **signs** the attached Instrument of Modification (**Appendix F**).

**Recommended by:**



22/05/2020

**Mandana Mazaheri**  
A/Team Leader  
Resource Assessments

## 8 Determination

The recommendation is **Adopted** / Not adopted by:



25/5/20

**Steve O'Donoghue**  
Director  
Resource Assessments  
as delegate of the Minister for Planning and Public Spaces

# Appendices

## **Appendix A – List of Referenced Documents**

Tomingley Gold Project: Environmental Assessment (dated November 2011), and associated documents.

Tomingley Gold Project: Environmental Assessment - Modification 3, dated November 2015 and associated response to submissions, dated February 2016

## **Appendix B – Modification Report**

## **Appendix C – Submissions**

## **Appendix D – Submissions Report**

## **Appendix E – Additional Information**

GHD Pty Ltd (GHD) Report on Tomingley Gold Project – Residue Storage Facility, Stage 7-9 Concept Design (dated December 2019).

## **Appendix F – Instrument of Modification**

## **Appendix G – Consolidated Project Approval**

Documents available at:

<https://www.planningportal.nsw.gov.au/major-projects/project/26921>