



PCU019090

In Reply Please

Quote Reference: E10.4422



EUROBODALLA SHIRE COUNCIL

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1 February 2011

Major Development Assessment
Department of Planning
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Department of Planning
Received
3 FEB 2011
Scanning Room

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Dear Sir

Dargues Reef Gold Project (10_0054)
Submission to the Exhibition of Environmental Assessment

Attention: Mr George Mobayed

I refer to the Department of Planning email of 13 January 2011 seeking Eurobodalla Shire Council's comments in relation to the proponent's response to issues raised by Council in its submission to the exhibition of the Environmental Assessment (EA) for the Dargues Reef Gold Project.

Issue: Failure of the EA to identify potential impacts on the Eurobodalla water supply.
Comment in relation to the proponent's response: The response fails to address the fact that the EA did not adequately consider Eurobodalla Shire's water supply.

Issue: Tailings dam risks.
Comment in relation to proponents response: Noted

Issue 1: Eurobodalla Shire Council (ESC) is to be provided with an opportunity to review and comment on plans and revisions of management plans to manage risks.
Comment in relation to the proponent's response: Noted, the proponent has undertaken to consult with ESC during preparation of management plans. ESC seeks NSW Planning impose a condition of development consent to ensure ESC is consulted and given the opportunity to actively participate in the review of environmental management plans.

Issue 2: On-site Environmental Management position.
Comment in relation to the proponent's response: Noted, the proponent undertakes to appoint an Environmental Manager for the life of the project.

Issue 3: ESC shall be provided with the opportunity to participate in the Annual Management Environmental Review.

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Comment in relation to the proponent's response: Noted, ESC seeks NSW Planning impose a condition of development consent to ensure ESC is given the opportunity to actively participate in the Annual Environmental Management Review.

Issue 4: ESC water supply contacts shall be included as primary contacts in any pollution incident and emergency response plan.

Comment in relation to the proponent's response: Noted, proponent agrees. ESC seeks NSW Planning impose a condition of development consent to ensure ESC is given prompt notification of pollution incidents.

Issue 5: ESC shall be provided with prompt notification of and access to

- any discharge or overflow from the tailings dam
- results of chemical analysis of seepage water (groundwater and surface water) from the tailings dam.

Comment in relation to the proponent's response: Noted, proponent agrees.

Issue 6: Surface water monitoring.

Comment in relation to the proponent's response: Noted, consultation shall assist to develop a suitable surface water monitoring regime.

Issue 7: Groundwater monitoring in tailings dam monitoring bores shall include real time monitoring of pH and EC.

Comment in relation to the proponent's response: Real time monitoring of two specific parameters (pH and EC) is warranted to ensure any change in the characteristic of the groundwater is identified and remediated at the earliest opportunity. Consultation shall assist to develop a suitable groundwater monitoring regime.

Issue 8: ESC shall be provided with all water quality monitoring information collected on a quarterly basis within 60days of the end of each quarter.

Comment in relation to the proponent's response: ESC seeks NSW Planning impose a condition of development consent to give effect to this request. ESC seeks actual monitoring data in a timely manner in addition to statistical summaries of monitoring based in annual reports.

Issue 9: The rehabilitation securities required by NSW Department of Industry and Investment associated with the project take into account the ongoing use of the Moruya (Deua) River as a major source of drinking water for the Eurobodalla Regional Water Supply Scheme.

Comment in relation to the proponent's response: Noted, ESC request that NSW Planning bring this issue to the attention of NSW Department of Industry and Investment.

Issue 10: The proponent shall meet reasonable costs associated with ESC review of environmental management plans, water quality data and involvement in the annual environmental performance review of the mining activity.

Comment in relation to the proponent's response: Noted. ESC considers that it is appropriate for the proponent to meet reasonable costs to ESC in relation to the proposed development and therefore ESC requests NSW Planning impose a condition of development consent to give effect to this request.

Response from proponent indicates that it is Council's role as regulator. ESC is not the regulator of this development and potentially bears the cost of any failing of the proposed activities via drinking water supplies for the Eurobodalla. There is a vested interest for Council to ensure that the water quality upstream of the Eurobodalla is not contaminated. Council should not bear the cost or burden of a state planning decision in regards to monitoring, review and development of mgt plans etc associated with the proposal.

Summary issue: The achievement of the EA claim that the water quality of water discharged from the site will be improved shall be dependent on the competent preparation, implementation, maintenance and review of numerous plans, strategies and programs that the EA undertakes to prepare. It is considered that it is important that the Department of planning acknowledge and ensure that ESC shall be involved in consultation and review of management plans as system failures has the potential to impact Council's water supply source.

Comment in relation to the proponent's response: Noted, the proponent agrees.

In conclusion, Eurobodalla Shire Council request that the abovementioned issues are confirmed in conditions of development consent and not left to form part of the supporting information. Council recommends that this is particularly important to give effect to meaningful consultation with ESC, notification of events to ESC and the provision of data to ESC.

If you require further information please contact Greg Cooney on (02) 4474-7431.

Yours faithfully



AMANDA JONES
DIRECTOR – WATER & WASTE
WATER AND WASTE DIVISION