

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

The Land and Environment Court of New South Wales approves the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Sydney

February 2012

Blue type represents July 2012 modification

Red type represents October 2013 modification

Green type represents May 2016 modification

Purple type represents May 2019 modification

Orange type represents Dec 2022 modification

SCHEDULE 1

Application Number:

10_0054

Applicant:

Big Island Mining Pty Limited

Land:

See Appendix 1

Project:

Dargues Gold

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

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DEFINITIONS

Annual review	The review required by Condition 3 of Schedule 5
Applicant	Big Island Mining Pty Limited, or any person who seeks to carry out the development approved under this approval
BCA	Building Code of Australia
BCS	Biodiversity Conservation and Science Directorate within the Department
CCC	Community Consultative Committee
CEEC	Critically Endangered Ecological Community are defined under the <i>Environment Protection and Biodiversity Conservation Act, 1999</i>
Clean water	Water that accumulates from areas of the site that have not been disturbed under this project approval.
Conditions of this approval	Conditions contained in Schedules 2 to 5 inclusive
Council	Queanbeyan-Palerang Regional Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
DPE Water	Water Group within the Department
EA	Environmental assessment titled <i>Environmental Assessment for the Dargues Reef Gold Project</i> , and <i>Specialist Consultant Studies Compendium Volume 1 and 2</i> , dated September 2010, prepared by R. W. Corkery and Co Pty Limited, including the Response to Submissions, and additional information from Gaia Research Pty Ltd dated 5 May 2011; <i>Environmental Assessment titled Environmental Assessment for the Dargues Reef Gold Project, Modification 1</i> , dated April 2012, prepared by R. W. Corkery and Co Pty Limited, including the Response to Submissions; <i>Environmental Assessment titled Environmental Assessment for the Dargues Gold Mine, Modification 2</i> , dated July 2013, prepared by R.W. Corkery and Co Pty Limited, including the Response to Submissions; <i>Environmental Assessment titled Environmental Assessment for the Dargues Gold Mine, Modification 3</i> , dated July 2015, prepared by R.W. Corkery and Co Pty Limited, including the Response to Submissions; and Statement of Environmental Effects titled " <i>Statement of Environmental Effects for the Dargues Gold Mine, Modification 4</i> ", dated November 2018, prepared by R.W. Corkery and Co Pty Limited, including the Response to Submissions, Modification Report titled <i>Modification Report for the Dargues Gold Mine Modification 5</i> , dated August 2022, including the Response to Submissions and additional information provided by the Applicant.
EEC	Endangered Ecological Community as defined by the <i>Threatened Species Conservation Act, 1995</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence issued under <i>POEO Act</i>
ESC	Eurobodalla Shire Council
Evening	The period between 6pm to 10pm on any day
Feasible	Feasible relates to engineering considerations and what is practical to build or carry out
Fisheries NSW	Fisheries NSW, within Department of Primary Industries
Heritage NSW - ACH	Heritage NSW – Aboriginal Cultural Heritage
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Land	In general, the definition of land is consistent with the definition in the EP&A Act. However, in relation to the noise and air quality conditions in Schedules 3 and 4 it means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Life of the project	The period from the grant of project approval until completion of rehabilitation and any ongoing monitoring to the required standard, as appropriate
Material harm	Is harm that: <ul style="list-style-type: none"> • involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in

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	taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment
Mine-related infrastructure	Comprises the processing plant and permanent built infrastructure, not including site earthworks or installation of temporary offices or structures ancillary to those earthworks.
Mining operations	Includes the removal of waste rock and the extraction, processing, handling, storage and transportation of ore material
Minister	Minister for Planning, or delegate
Minor	Small in quantity, size and degree
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the project
Mitigation	Activities associated with reducing the impacts of the project
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval but is not an incident
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Project	The development described in the EA
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment, and includes remediation
Response to Submissions	The Applicant's responses to issues raised in submissions, including those titled <i>Response to Government Agency and Public Submissions for the Dargues Reef Gold Project</i> , dated December 2010, <i>Response to NSW Office of Water Submission Dated 16 December 2010 for the Dargues Reef Gold Project</i> , dated December 2010, <i>Response to DECCW Issues</i> , dated 2 March 2011, and <i>Response to Submission Received 15 April 2011</i> , dated 20 April 2011, and letter from Cortona Resources Limited, dated 15 December 2010, <i>Response to Submissions</i> , dated November 2015, <i>Response to Submissions</i> , dated January 2019, and <i>Response to OEH issues</i> , dated March 2019, <i>Response to Submissions</i> dated November 2022.
ROM	Run-of-mine
Secretary	The Planning Secretary under the EP&A Act, or nominee
Site	The land to which the project application applies, as listed in Appendix 1
Statement of commitments	The Applicant's commitments in Appendix 5

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SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. The **Applicant must** implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.

TERMS OF APPROVAL

2. The **Applicant must** carry out the project:
 - (a) generally in accordance with the EA and statement of commitments; and
 - (b) in accordance with the conditions of this approval.

Notes:

 - The general layout of the project is shown in Appendix 2; and
 - The statement of commitments is reproduced in Appendix 5.
3. If there is any inconsistency between the above documents, the most recent document **must** prevail to the extent of the inconsistency. However, the conditions of this approval **must** prevail to the extent of any inconsistency.
4. The **Applicant must** comply with any reasonable requirement/s of the **Secretary** arising from the Department's assessment of:
 - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in these documents.

LIMITS ON APPROVAL

5. The **Applicant** may carry out mining operations on the site until **30 June 2025**.

Notes:

 - Under this approval, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this approval will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard.
 - Mining operations and rehabilitation are also regulated under the Mining Act 1992.
6. The **Applicant must not**:
 - (a) process more than **415 000** tonnes of ore at the site in a calendar year;
 - (b) process more than **1.6** million tonnes of ore at the site over the life of the project;
 - (c) use any cyanide or mercury on site to process or extract gold from the project; or
 - (d) process or smelt any ore other than that extracted from the site.
- 6A. The **Applicant must** only store ore concentrate on the site within a covered, concreted-sealed and bunded area within the processing plant.

STRUCTURAL ADEQUACY

7. The **Applicant must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

 - Under **Part 6** of the EP&A Act, the **Applicant** is required to obtain construction and occupation certificates for the proposed building works;
 - **Part 8** of the **Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021** sets out the requirements for the certification of the project; and
 - Under the **Dams Safety Act 2015**, the **Applicant** will require a further approval for the project's tailings dam.

DEMOLITION

8. The **Applicant must** ensure that demolition of all built structures is carried out in accordance with **Australian Standard AS 2601-2001: The Demolition of Structures**, or its latest version.

OPERATION OF PLANT AND EQUIPMENT

9. The **Applicant must** ensure that all the plant and equipment used on site, or to transport concentrate from the site, is:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

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UPDATING & STAGING OF STRATEGIES, PLANS OR PROGRAMS

10. With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this approval on a progressive basis.

To ensure these strategies, plans or programs are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this approval.

Notes:

- *While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.*
- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.*

PLANNING AGREEMENT

11. Within 12 months of the date of this approval, unless otherwise agreed by the Secretary, the Applicant must enter into a planning agreement with Council in accordance with Division 6 of Part 4 of the EP&A Act, that provide for contributions to Council for:

- upgrades of Council's road infrastructure affected by the project; and
- general community enhancement to address social amenity and community infrastructure requirements arising from the project.

The contributions must be consistent with the terms of the offer made in the Applicant's letter dated 24 September 2010, and summarised in Appendix 6.

**SCHEDULE 3
ENVIRONMENTAL PERFORMANCE CONDITIONS**

NOISE

Noise Criteria

- The **Applicant must** ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 1: Noise Criteria dB(A) L_{Aeq} (15min)

Location	Day L_{Aeq} (15min)	Evening L_{Aeq} (15min)	Night	
			L_{Aeq} (15min)	L_{A1} (1 min)
All privately owned land	35	35	35	45

Note: Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the **NSW Noise Policy for Industry (EPA, 2017)**.

However, these criteria do not apply if the **Applicant** has a written agreement with the relevant landowner to exceed the criteria, and the **Applicant** has advised the Department in writing of the terms of this agreement.

Traffic Noise Impact Assessment Criteria

- The **Applicant must** take all reasonable and feasible measures to ensure that the traffic noise generated by the project does not exceed the traffic noise impact assessment criteria in Table 2.

Table 2: Traffic noise impact assessment criteria dB(A)

Road	Day L_{Aeq1} hour)	Evening L_{Aeq1} hour)
Majors Creek Road, Araluen Road, Captains Flat Road, Coghill Street and Wallace Street	55	50

Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the **NSW Road Noise Policy**.

Operating Hours

- The **Applicant must** comply with the operating hours in Table 3.

Table 3: Operating hours

Activity	Operating Hours
Vegetation clearing, topsoil stripping, construction of the box cut and rehabilitation	Day
Remainder of construction operations	Day / evening / night
Mining, paste filling, maintenance and processing operations	Day / evening / night
Crushing operations (including operation of front-end-loader)	7am-7pm, 7 days per week
Transportation	Day / evening

Note:

- Crushing operations may be undertaken outside of these hours on a maximum of 20 days per year.
- Condition 41 includes additional restrictions on transportation times.
- Conditions 6 and 7 include restrictions on blasting times.

Operating Conditions

- The **Applicant must**:
 - implement best practice noise management, including all reasonable and feasible noise mitigation measures to minimise the operational and road traffic noise generated by the project;
 - investigate ways to minimise the noise generated by the project, including any reversing alarms on machinery or vehicles;
 - minimise noise impacts during temperature inversions; and
 - report on these investigations and the implementation and effectiveness of these measures in the Annual Review,
 to the satisfaction of the **Secretary**.

Noise Management Plan

5. The **Applicant must prepare** a Noise Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- be prepared in consultation with **EPA** and Council, and submitted to the **Secretary** for approval prior to the commencement of construction;
 - describe the noise mitigation measures that would be implemented to ensure compliance with conditions 1-4 of this schedule; and
 - include a noise monitoring program that:
 - uses a combination of unattended and attended monitoring to evaluate the performance of the project; and
 - includes a protocol for determining exceedances of the relevant conditions of this approval.

5A. The **Applicant must implement the approved Noise Management Plan**.

BLASTING

Blasting Criteria

6. The **Applicant must** ensure that the blasting on site does not cause exceedances of the criteria in Table 4.

Table 4: Blast impact criteria

Location	Time of Blasting	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately-owned land	Any time	120	10	0%
	Day	115	5	5% of the total number of blasts over a period of 12 months
	Evening	-	2	
	Night, and all day on Sundays and public holidays	-	1	0%

Note: All blasts are to be designed by a suitably qualified and experienced blasting engineer.

Blasting Hours

7. The **Applicant must** comply with the blasting hours in Table 5.

Table 5: Blasting hours

Activity	Blasting Hours
Surface blasting	9am – 5pm Monday – Friday, excluding public holidays
Underground blasting	Anytime

Property Inspections

8. If the **Applicant** receives a written request from the owner of any privately-owned land within 2 kilometres of blasting operations for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the **Applicant must**:
- commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary** to:
 - establish the baseline condition of the buildings and/or structures on the land or update the previous property inspection report; and
 - identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and
 - give the landowner a copy of the new or updated property inspection report.

Property Investigations

9. If any landowner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the **Secretary**, claims that buildings and/or structures on his/her land have been damaged as a result of blasting at the project, the **Applicant must** within 3 months of receiving this request:
- commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary**, to investigate the claim; and
 - give the landowner a copy of the property investigation report.

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If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the **Applicant must** repair the damages to the satisfaction of the **Secretary**.

If the **Applicant** or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the **Secretary** for resolution.

Operating Conditions

10. During mining operations on site, the **Applicant must** implement best blasting practice to:
- protect the safety of people, property, public infrastructure, and livestock;
 - protect items of Aboriginal and non-indigenous cultural heritage significance;
 - minimise the dust and fume emissions from blasting at the project; and
 - operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site,
- to the satisfaction of the **Secretary**.

Blast Management Plan

11. The **Applicant must prepare** a Blast Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- be prepared in consultation with **EPA** and Council, and submitted to the **Secretary** for approval prior to undertaking any blasting on-site;
 - describe the blast mitigation measures that would be implemented to ensure compliance conditions 6-10 of this schedule;
 - describe the measures that would be implemented to ensure the public can get up-to-date information on the proposed blasting schedule on site; and
 - include a blast monitoring program to evaluate the performance of the project.

11A. The **Applicant must implement the approved Blast Management Plan**.

AIR QUALITY & GREENHOUSE GAS

Odour

12. The **Applicant must** ensure that no offensive odours are emitted from the site, as defined under the POEO Act.

Greenhouse Gas Emissions

13. The **Applicant must** implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the **Secretary**.

Air Quality Criteria

14. The **Applicant must** ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the particulate emissions generated by the project do not exceed the criteria listed in Tables 6, 7 and 8 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 6: Long term criteria for particulate matter

Pollutant	Averaging period	^a Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 25 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^a 8 µg/m ³

Table 7: Short term criterion for particulate matter

Pollutant	Averaging period	^a Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^b 25 µg/m ³

Table 8: Long term criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total ¹ deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

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Notes for Tables 6-8:

- ^aTotal impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to other sources);
- ^b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: *Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method*; and
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents, illegal activities or any other activity agree to by the **Secretary** in consultation with **EPA**.

15. The **Applicant must** ensure compliance with any pollutant limits in the EPL set after further assessment of the potential air quality impacts associated with the gold smelting process (refer to Condition 17 below).

Operating Conditions

16. The **Applicant must**:
- (a) implement best practice air quality management on site, including all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions generated by the project;
 - (b) minimise any visible air pollution generated by the project;
 - (c) regularly assess the air quality monitoring and meteorological forecasting data, and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval; and
 - (d) take all practical measures to minimise dust emissions from the tailings dam, to the satisfaction of the **Secretary**.

Air Quality & Greenhouse Gas Management Plan

17. The **Applicant must prepare** a detailed Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared in consultation with **EPA** and Council, and submitted to the **Secretary** for approval prior to construction;
 - (b) include an assessment of the potential air quality impacts of the project associated with the gold smelting process;
 - (c) describe the measures that would need to be implemented to ensure compliance with conditions 12-16 of this schedule;
 - (d) include a program for the implementation of the measures referred to in (c) above; and
 - (e) include an air quality monitoring program, that uses a combination of **suitable set of monitoring equipment** to evaluate the performance of the project, and includes a protocol for determining exceedances with the relevant conditions of this approval.

17A. The **Applicant must implement the approved Air Quality & Greenhouse Gas Management Plan**.

METEOROLOGICAL MONITORING

18. During the life of the project, the **Applicant must** ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

SOIL & WATER

Water Licences

19. The **Applicant must** obtain all necessary water licences for the project under the *Water Act 1912* or the *Water Management Act 2000*.

Water Supply

20. The **Applicant must** ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match supply of water, to the satisfaction of the **Secretary**.

Water Discharges

21. The **Applicant must** ensure that all surface water discharges from the site comply with **section 120 of the POEO Act, unless an EPL authorises otherwise**.

Baseflow Offsets

22. The **Applicant must** offset the combined loss of any baseflow to Majors and Spring Creeks caused by the project to the satisfaction of the **Secretary**. This condition does not apply if the **Secretary** subsequently determines that the loss of baseflow is negligible.

Note: The proposed discharge point for the baseflow offset **must** be as identified in the Water Management Plan.

Compensatory Water Supply

23. The **Applicant must** provide a compensatory water supply to any owner of privately-owned land whose water entitlements are adversely impacted (other than an impact that is negligible) as a result of the project, in consultation with **DPE Water**, and to the satisfaction of the **Secretary**.

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must be provided (at least on an interim basis) within 24 hours of the loss being identified.

If the **Applicant** and the landowner cannot agree on **whether the loss of water is attributed to the project** or the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the **Secretary** for resolution.

If the **Applicant** is unable to provide an alternative long-term supply of water, then the **Applicant must** provide alternative compensation to the satisfaction of the **Secretary**.

Notes:

- The **Water Management Plan** (see condition 26) is required to include trigger levels for investigating potentially adverse impacts on water supplies.
- The burden of proof that any loss of surface water or groundwater access is not due to mining impacts rests with the **Applicant**.

Tailings Storage Facility

24. The **Applicant must** ensure that:
- (a) the permeability of the tailings storage facility is designed to meet the requirements of the *Environmental Guidelines – Management of Tailings Storage Facilities* (VIC DPI, 2004) and that the permeability of the walls, floor and final capping of the tailings storage facility is designed to be equivalent to 600mm clay of permeability 1×10^{-8} m/s;
 - (b) the design of the tailings storage facility conforms to:
 - DSC3A – Consequence Categories for Dams (Dams Safety Committee of New South Wales); and
 - DSC3F – Tailings Dams (Dams Safety Committee of New South Wales); and
 - (c) the latest meteorological data from both the Majors Creek and Braidwood weather stations is used during the design of the tailings storage facility and that the design is adjusted, as required to meet the requirements of the Dams Safety Committee of New South Wales, based on whichever dataset provides the worst case scenario.

Note: An alternative permeability standard may be acceptable following completion of an appropriate risk assessment undertaken in accordance with the Environmental Guidelines – Management of Tailings Storage Facilities (VIC DPI, 2004) to the satisfaction of EPA and the Secretary.

25. The **Applicant must** ensure that the **Mine Water Settlement Dam and Tailings Storage Facility Seepage Collection Pond** are suitably lined to be equivalent to 1000mm clay of permeability 1×10^{-9} m/s.
- 25A. The clean water diversion around the northern side of the tailings storage facility **must** be designed, constructed and maintained to prevent the probable maximum flood from the catchment upstream of the facility from entering the facility.

Note: The general layout of the project is shown in Appendix 2.

Water Management Plan

26. The **Applicant must prepare** a Water Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared in consultation with ESC, Council, **EPA**, **DPE Water**, **WaterNSW** and **DPI Fisheries** by suitably qualified and experienced persons whose appointment has been approved by the **Secretary**;
 - (b) be submitted to the **Secretary** for approval prior to the commencement of construction; and
 - (c) include:
 - a Site Water Balance;
 - an Erosion and Sediment Control Plan;
 - a Surface Water Monitoring Program;
 - a Groundwater Monitoring Program; and
 - a Surface and Ground Water Response Plan;
 - (d) include detailed design of the Spring Creek heavy vehicle crossing;
 - (e) be targeted to deal with the particular stages of the project that are being implemented; and
 - (f) remain in place for the life of the project, from the commencement of construction until the rehabilitation of the site is complete.

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Note: the effectiveness of the Water Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit, the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).

- 26A. The Applicant must revise and submit to the Secretary for approval the Water Management Plan, prior to constructing any of the following project components: eastern waste rock emplacement, tailings dam, waste rock haulage roads or the Spring Creek heavy vehicle crossing.
- 26B. The Applicant must implement the approved Water Management Plan.
27. The Site Water Balance must:
- (a) include details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site, including transfers between all water storage infrastructure (including clean water dams, sediment dams, mine process water storages, underground workings and the tailings storage facility) and relevant design criteria;
 - off-site water discharges (including uncontrolled discharges from sediment dams), including volume, timing and release point infrastructure requirements;
 - reporting procedures;
 - (b) use the latest meteorological data from both the Majors Creek and Braidwood weather stations; and
 - (c) describe what measures would be implemented to minimise potable water use on site.
28. The Erosion and Sediment Control Plan must:
- (a) be consistent with the requirements of the *Managing Urban Stormwater: Soils and Construction Manual* (Landcom 2004, or its latest version);
 - (b) identify the size and management of sediment dams for construction and operational stages to satisfy the requirements of Condition 21 of Schedule 3, including an assessment of discharges against NSW water quality objectives for the receiving waters;
 - (c) include a program for undertaking regular auditing of the performance of the erosion and sediment control measures on the site (including audits following major construction milestones and/or rainfall events);
 - (d) identify activities that could cause soil erosion and generate sediment;
 - (e) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - (f) describe the location, function, and capacity of erosion and sediment control structures; and
 - (g) describe what measures would be implemented to maintain the structures over time.
- 28A. The auditing program referred to in 28(c) above must:
- (a) be prepared and undertaken by a suitably qualified and experienced independent expert in surface water management approved by the Secretary;
 - (b) assess the performance of the erosion and sediment control system, including whether it is complying with the Water Management Plan, the EPL or Mining Lease; and
 - (c) include provisions for reporting the outcomes of the audit findings to the Department, EPA and DPI and implementing any recommendations made by the independent expert.

The auditing program must be undertaken during the construction of the eastern waste rock emplacement, tailings dam, waste rock haulage roads and the Spring Creek heavy vehicle crossing and until such time as the expert is satisfied that the erosion and sediment control system is performing effectively and can be maintained during operations, or as otherwise agreed by the Secretary.

29. The Surface Water Monitoring Program must include:
- (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the project (including Majors and Spring Creeks);
 - (b) stream health assessment criteria that includes representative baseline survey of aquatic life in Majors Creek, upstream and downstream (to the confluence with Araluen Creek) of the mine site prior to commencement of construction and annually thereafter until all mining and rehabilitation activities are completed (Note: The design of the survey must be in consultation with Fisheries NSW and the results must be included in the Annual Review. The frequency of future annual surveys may be amended by the Secretary);
 - (c) surface water quality criteria for a range of parameters, including salinity, heavy metals, suspended sediment, pH, hardness and biological oxygen demand;
 - (d) a program to undertake monthly monitoring of:
 - surface water flows, quality, and impacts on water users;
 - potential acid rock drainage, including suitable monitoring both within and downstream of the tailings storage facility;
 - potential leakage or spillage from tailings, mineral concentrate, or effluent pipelines;
 - potential seepage / leachate from waste rock material on the surface, including the monitoring of pH levels;
 - (e) a program to undertake bi-annual monitoring of stream health and channel stability in Spring and Majors Creeks using replicated AUSRIVAS or equivalent methodology;
 - (f) a program for the ongoing verification and refinement of the surface water model; and

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- (g) reporting procedures for the results of the monitoring program and model verification.
30. The Groundwater Monitoring Program must include:
- detailed baseline data of groundwater levels, yield and quality in the region, and particularly any groundwater bores, springs and seeps that may be affected by the project;
 - test bores downstream of the site, **including test bores located down-gradient of the tailings storage facility to monitor seepage;**
 - groundwater assessment criteria for both groundwater levels and quality including privately-owned bores;
 - a program to monitor:
 - impacts on the groundwater supply of potentially affected landowners;
 - impacts on springs or groundwater dependent ecosystems (including stygofauna);
 - the volume of groundwater inflow into the underground mine workings;
 - regional groundwater levels and quality in all potentially affected aquifers;
 - potential groundwater quality impacts from paste fill operations;**
 - potential acid rock drainage;
 - the seepage/leachate from tailings dams;
 - a program for the ongoing verification and refinement of the groundwater model; and
 - reporting procedures for the results of the monitoring program and model verification.
31. The Surface and Ground Water Response Plan must include:
- trigger levels for investigating any potential adverse surface water, stream health and groundwater impacts of the project, and taking action to avoid exceedances of the relevant criteria in the surface water and groundwater monitoring program;
 - a protocol for the investigation, notification and mitigation of any exceedances of the surface water, stream health, and groundwater assessment criteria;
 - a protocol for investigating, evaluating and providing the baseflow offsets required under condition 22 above;
 - measures to mitigate and/or compensate potentially affected landowners in accordance with the compensatory water supply requirements in condition 23 above;
 - a protocol for providing advance warning and water supply measures for landowners of privately-owned land that are predicted to exceed the surface and groundwater impact assessment criteria at some stage during the project life; and
 - the procedures that would be followed to determine any appropriate action to be taken to mitigate or offset any surface or groundwater impacts caused by the project that constitute material harm to the environment.

BIODIVERSITY

Biodiversity Offset

32. The **Applicant must** implement the offset strategy outlined in Table 9, described in the EA, and shown in Appendix 4 to the satisfaction of the **Secretary**.

Table 9: Biodiversity Offset

Community Type	Area (ha)
Ribbon Gum Forest*	8.7
Fragmented Ribbon Gum Forest*	7.1
Regenerating wattles	7.6
Exotic vegetation	5.1
Natural Temperate Grassland**	0.2
Native – dominated pasture	265.7
Exotic pasture	2.5
Largely disturbed land	3.9
River Peppermint Open Forest	1.3
TOTAL	302.1
* Listed as an EEC under the <i>Biodiversity Conservation Act 2016</i>	
** Listed as a CEEC under the <i>Environment Protection and Biodiversity Conservation Act, 1999</i>	

33. The **Applicant must** ensure that the offset area is managed in a manner that would ensure the regeneration of native grassland, which is consistent with the Natural Temperate Grassland EEC.
34. The **Applicant must** make suitable arrangements to provide appropriate long-term security for the offset area in the strategy to the satisfaction of the **Secretary**.

Biodiversity Management Plan

35. The **Applicant must prepare** a Biodiversity Management Plan for the project to the satisfaction of the **Secretary**. This plan must:

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- (a) be prepared in consultation with BCS, and submitted to the Secretary for approval prior to construction;
- (b) include:
 - an assessment of the potential impacts of groundwater drawdown on groundwater dependent (phreatophytic) vegetation, including the Tableland Basalt Forest EEC and Araluen Scarp Grassy Forest EEC in the Majors Creek State Conservation Area using suitable methodology;
 - detailed baseline data on the health status of the Tableland Basalt Forest EEC within the project site;
 - mitigation and/or offsetting measures if adverse impacts on phreatophytic vegetation are predicted;
 - timing for the implementation of mitigation and/or offsetting measures;
 - scheduling for the implementation of the biodiversity offset;
 - detailed performance and completion criteria for the implementation of the biodiversity offset;
 - a detailed description of the measures that would be implemented to manage the remnant vegetation and habitat within the offset area, and ensure the biodiversity offset is suitably implemented, including the procedures for:
 - revegetating or regenerating parts of the offset area, if required;
 - managing or improving the quality of existing vegetation in the offset area;
 - controlling weeds, feral pests and access;
 - managing bushfires;
 - fencing around the water storage dam approved under Modification 5 to restrict native animals from accessing the proposed water storage dam; and
 - details of who would be responsible for monitoring, reviewing and implementing the plan.

Conservation Bond

36. Within 3 months of the approval of the Biodiversity Management Plan, the Applicant must lodge a conservation bond with the Department to ensure that the biodiversity offset is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan. The sum of the bond must cover the full cost of implementing the Biodiversity Offset Strategy and be verified by a suitably qualified rehabilitation expert or quantity surveyor.

If the biodiversity offset is implemented to the satisfaction of the Secretary, the Secretary will release the conservation bond.

If the offset strategy is not implemented to the satisfaction of the Secretary, the Secretary will call in all or part of the conservation bond, and arrange for the satisfactory implementation of the biodiversity offset.

HERITAGE

Aboriginal Heritage Management Plan

37. The Applicant must prepare an Aboriginal Heritage Management Plan for the project to the satisfaction of the Secretary. The Plan must:
- (a) be prepared in consultation with Heritage NSW - ACH and the Aboriginal community;
 - (b) be submitted to the Secretary for approval prior to construction; and
 - (c) include a:
 - program for fencing identified Aboriginal sites;
 - program for the recording, salvage and surface collection of any Aboriginal objects/sites that may be encountered within the project area, (including sites GT OS1 and GT OS2) and undertaking test excavations for any archaeological deposits located within the water storage dam approved under Modification 5, prior to disturbance;
 - description of the measures that would be implemented if any Aboriginal skeletal remains are discovered during the project; and
 - protocol for the ongoing consultation and involvement of the Aboriginal community in the conservation and management of the Aboriginal heritage of the objects/sites.

37A. The Applicant must implement the approved Aboriginal Heritage Management Plan.

TRANSPORT

Access Road Construction

38. The Applicant must construct the site access road and the intersection of the access road and Majors Creek Road prior to the commencement of construction of the mine-related infrastructure.
39. The intersection of the site access road and Majors Creek Road must be constructed to a BAR/BAL treatment for rural turn lanes in accordance with the RTA Road Design Guide and to the satisfaction of Council.

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- 39A Prior to the commencement of transportation of ore from the site, the left hand road shoulder on Majors Creek Road between the entrance of the mine site and the top of the hill **must** be strengthened to the satisfaction of Council.

Monitoring of Concentrate Transport

40. The **Applicant must**:
- (a) keep accurate records of the:
 - amount of concentrate transported from the site (on a monthly basis); and
 - the date and time of loaded truck movements from the site; and
 - (b) provide the **Secretary** with a summary of these truck movements on a quarterly basis.

Operating Conditions

41. The **Applicant must** ensure that:
- (a) a maximum of 4 concentrate **or water** trucks exit the site per hour;
 - (b) the dispatch of concentrate from the site is limited to between the hours of 7am to 10pm Monday to Saturday and 8am-10pm Sundays and Public Holidays;
 - (c) all heavy vehicle movements to or from the site are prohibited between the hours of 7am - 8.30am and 3pm-5pm on school days;
 - (d) a bus is operated from Braidwood to offer mine workers transport to and from the site each day; and
 - (e) all reasonable and feasible measures are implemented to minimise the project's contribution to the traffic on Majors Creek Road, Araluen Flat Road, Captains Flat Road, Coghill Street and Wallace Street.

Transport Route

42. Once the site access road and its intersection with Majors Creek Road are complete, the **Applicant must** ensure that, except in emergency situations, no project-related heavy vehicles access the site from the south or via Monga Lane.

Traffic Management Plan

43. The **Applicant must prepare** a Traffic Management Plan to the satisfaction of the **Secretary**. The plan **must** focus on traffic management along Majors Creek Road to minimise potential conflicts between road users and to ensure that the intersection of the site access road and Majors Creek Road is operating effectively. The plan must be developed in consultation with the Council and the CCC, and must be submitted for the approval of the **Secretary** prior to the commencement of construction of any mine-related infrastructure.

43A. The **Applicant must implement the approved Traffic Management Plan**.

VISUAL

Visual Amenity and Lighting

44. The **Applicant must**:
- (a) minimise the visual impacts, and particularly the off-site lighting impacts, of the project;
 - (b) take all practicable measures to further mitigate off-site lighting impacts from the project; and
 - (c) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting*, to the satisfaction of the **Secretary**.

Additional Visual Mitigation Measures

45. The **Applicant must** construct an amenity bund on the southern and western crest of the ROM pad as described in the EA and rehabilitate the bund in accordance with Condition 51 below.
46. Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the mining operations on site, the **Applicant must** implement visual mitigation measures (such as landscaping treatments or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed toward minimising the visibility of the mining operations from the residence.

If within 3 months of receiving this request from the owner, the **Applicant** and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the **Secretary** for resolution.

WASTE

Performance Measures – Paste Fill

- 47A. The **Applicant must ensure that any paste fill used to fill mine voids on site**:

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- (a) complies with the leachable concentration (TCLP) criteria and specific contaminant concentration (SCC) criteria for general solid waste (non-putrescible); and
- (b) is not classified as a liquid waste, under the *Waste Classification Guidelines* (EPA, 2009), or its latest version.

Paste Fill Trials and Testing

- 47B. Prior to the commencement of paste fill operations on site, the Applicant must commission a suitably qualified expert, whose appointment has been endorsed by the Secretary, to:
- (a) carry out further trials and testing to clarify the physical characteristics of the paste fill;
 - (b) undertake further bench tests of the paste fill to determine the leaching characteristics;
 - (c) prepare a program for the ongoing testing of the paste fill to ensure it meets the performance measures in condition 47B; and
 - (d) compare the results of the additional trials and testing against the results presented in *Dargues Reef Paste Fill Test Work and Design* (Revell, 2010), to the satisfaction of the Secretary.

Operating Conditions

47. The Applicant must:
- (a) minimise the waste generated by the project;
 - (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; and
 - (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council, to the satisfaction of the Secretary.
48. The Applicant must prepare a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must be submitted to the Secretary prior to construction.
- 48A. The Applicant must implement the approved Waste Management Plan.

BUSHFIRE MANAGEMENT

49. The Applicant must:
- (a) ensure that the project is suitably equipped to respond to any fires on-site; and
 - (b) assist the emergency services as much as possible if there is a fire on-site during the project.
50. Prior to construction, the Applicant must prepare a Bushfire Management Plan for the site to the satisfaction of the Secretary. The plan must be prepared in consultation with the local Rural Fire Service.
- 50A. The Applicant must implement the approved Bushfire Management Plan.

REHABILITATION

Rehabilitation Objectives

51. The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the project under the *Mining Act 1992*. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA, however the:
- (a) area to be returned to native woodland vegetation must be increased further to the west of the existing Spring Creek vegetation corridor as shown in Appendix 4;
 - (b) box cut must be rehabilitated to result in an outcome that is consistent with the final landform (Appendix 3); and
 - (c) upper surface of the tailings storage facility must be capped with a suitable material to prevent surface water infiltration into the post-mining landform.

Progressive Rehabilitation

52. The Applicant must carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.

Rehabilitation Management Plan

53. Deleted.

Note: The Applicant must prepare and implement a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. At least 2 months prior to carrying out any blasting on site, the **Applicant must** notify in writing the owners of any privately-owned land within 2 kilometres of the approved blasting on site that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated.
2. As soon as practicable after obtaining monitoring results showing:
 - (a) exceedances of the relevant criteria in Schedule 3, the **Applicant must** notify the affected landowners and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is complying with the relevant criteria again; and
 - (b) exceedances of the relevant air quality criteria in Schedule 3, the **Applicant must** send the affected landowners and tenants (including the tenants of any mine-owned land) a copy of the NSW Health fact sheet entitled *"Mine Dust and You"* (as may be updated from time to time).

INDEPENDENT REVIEW

3. If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then he/she may ask the **Secretary** in writing for an independent review of the impacts of the project on his/her land.

If the **Secretary** is satisfied that an independent review is warranted, then within 2 months of the **Secretary's** decision the **Applicant must**:

- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary**, to:
 - consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the project is complying with the relevant criteria in Schedule 3; and
 - if the project is not complying with these criteria then:
 - determine if more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land; and
 - identify the measures that could be implemented to ensure compliance with the relevant criteria; and
 - (b) give the **Secretary** and landowner a copy of the independent review.
4. If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the **Applicant** may discontinue the independent review with the approval of the **Secretary**.

If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 3, then the **Applicant must**:

- (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; or
- (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the **Secretary**.

**SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING****ENVIRONMENTAL MANAGEMENT****Environmental Management Strategy**

1. The **Applicant must prepare** an Environmental Management Strategy for the project to the satisfaction of the **Secretary**. This strategy must:
 - (a) be submitted to the **Secretary** for approval prior to construction;
 - (b) provide the strategic framework for environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance;
 - respond to emergencies; and
 - (f) include:
 - copies of any strategies, plans and programs approved under the conditions of this approval; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

1A. The Applicant must implement the approved Environmental Management Strategy.

Management Plan Requirements

2. The **Applicant must** ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria;
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the project;
 - effectiveness of any management measures (see c above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to improve the environmental performance of the project over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

*Note: The **Secretary** may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

Annual Review

3. By the end of each year following the commencement of construction, the **Applicant must** review the environmental performance of the project to the satisfaction of the **Secretary**. This review must:
 - (a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EA;
 - (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;

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- (d) identify any trends in the monitoring data over the life of the project;
- (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans and Programs

4. Within 3 months of:
- (a) the submission of an annual review under Condition 3 above;
 - (b) the submission of an incident report under Condition 6 below;
 - (c) the submission of an audit report under Condition 8 below; and
 - (d) any modification to the conditions of this approval, (unless the conditions require otherwise), the **Applicant must** review, and if necessary revise, the strategies, plans, and programs required under this approval 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 condition ensures that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

Community Consultative Committee

5. The **Applicant must** establish and operate a Community Consultative Committee (CCC) for the project to the satisfaction of the **Secretary** and in accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version). This CCC must be operating at least 3 months prior to the commencement of construction on site.

Notes:

- The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the **Applicant** complies with this approval; and
- The Committee should be comprised of an independent chair and appropriate representation from the **Applicant**, Council, one representative from ESC, recognised environmental groups and the local community.

REPORTING

Incident Notification

6. The **Secretary must** be notified in writing via the Major Projects website immediately after the **Applicant** becomes aware of an incident. The notification must identify the project (including the application number and the name of the project if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 8.

Non-Compliance Notification

- 6A. The **Secretary must** be notified in writing via the Department's Major Projects Website within 7 days after the **Applicant** becomes aware of any non-compliance with the conditions of this approval. The notification must identify the project and the application number for it, set out the condition of approval that the project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.

Regular Reporting

7. The **Applicant must** provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.

INDEPENDENT ENVIRONMENTAL AUDIT

8. Within 3 months of re-commencing construction on the site, and every 2 years thereafter, unless the **Secretary** directs otherwise, the **Applicant must** commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- (a) be prepared in accordance with the *Independent Audit Post Approval Requirements* (NSW Government 2020); and
 - (b) be submitted, to the satisfaction of the **Secretary**, within two months of undertaking the independent audit site inspection, unless otherwise agreed by the **Secretary**.

*Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the **Secretary**, including (at least) an independent expert in surface water management.*

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9. In accordance with the specific requirements of the *Independent Audit Post Approval Requirements* (NSW Government 2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under Condition 8 of Schedule 5 of this approval;
 - (b) submit a response to the Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations of the Independent Audit Report;
 - (c) implement the recommendations to the satisfaction of the Secretary; and
 - (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Secretary.

ACCESS TO INFORMATION

10. Prior to the commencement of construction on site, the Applicant must:
- (a) make copies of the following publicly available on its website:
 - the documents referred to in Condition 2 of Schedule 2;
 - all current statutory approvals for the project;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - the monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;
 - a complaints register, updated on a monthly basis;
 - minutes of CCC meetings;
 - the annual reviews of the project;
 - any independent environmental audit of the project, and the Applicant's response to the recommendations in any audit;
 - any other matter required by the Secretary;
 - any incident report referred to in Condition 6 of Schedule 5;
 - a certificate of currency of public liability insurance held by the Applicant as in force from time to time; and
 - (b) keep this information up-to-date, within a reasonable period, and in any event no later than 28 days after the above information becomes available, to the satisfaction of the Secretary.
-

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APPENDIX 1 SCHEDULE OF LAND

RWC (2010a) Folio Number		Revised/Additional Folio Number		Ownership
Lot	DP	Lot	DP	
102	755934	102	1170553	Dargues Gold Mine Limited
1021	1127185	103	1170553	
2	986483	105	1170553	
3	986483	106	1170553	
104	1100849	104	1180508	
1	986483	1	986483	
4	986483	4	986483	
5	986483	5	986483	
Part 210	755934	Part 210	755934	
		104	1100849	
		1	136801	
		2	136801	
		3	755934	
		82	755934	
		83	755934	
		113	755934	
		114	755934	
		143	755934	
		193	755934	Crown Land
Source: Big Island Mining Pty Ltd (2018)				

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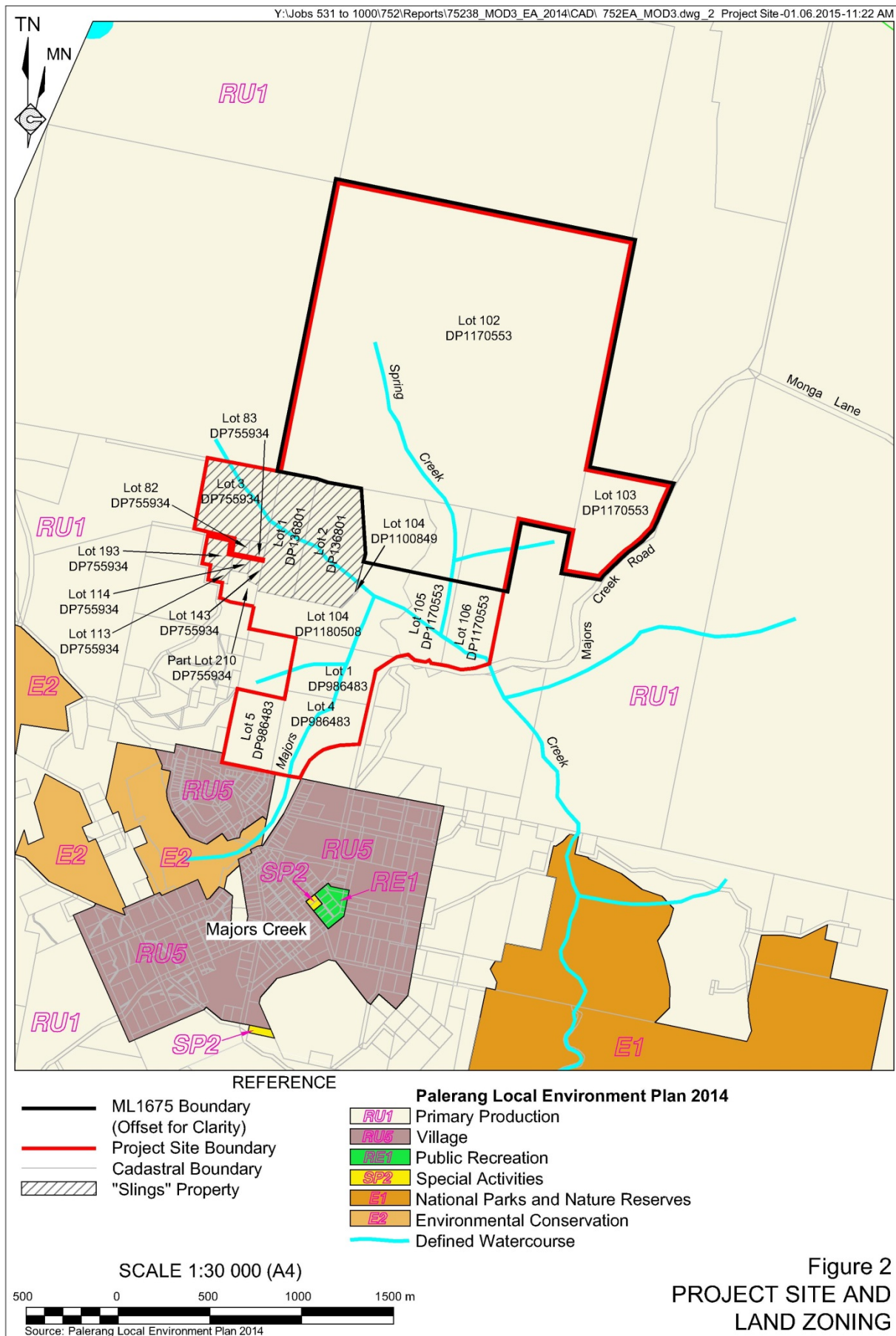
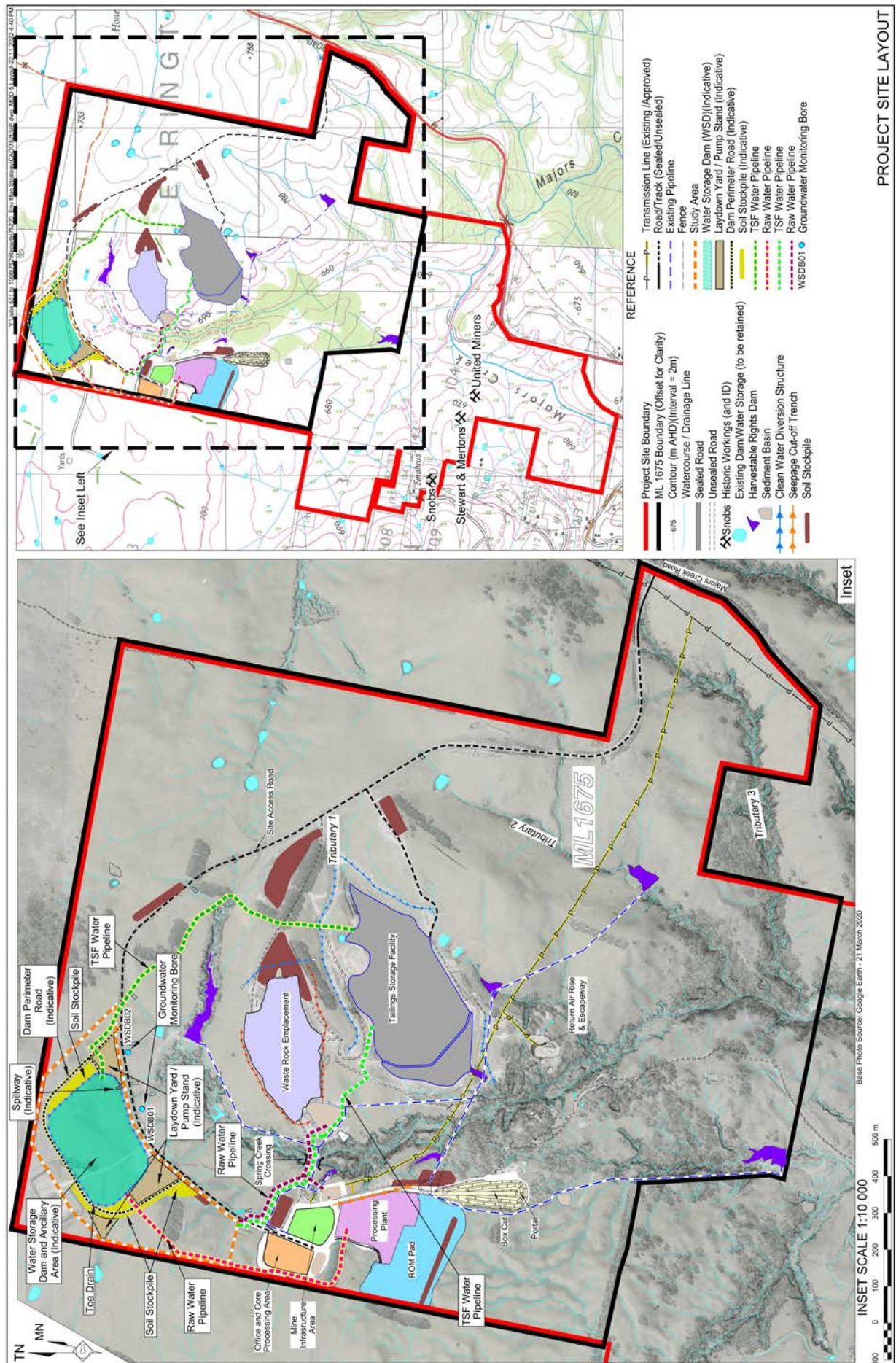
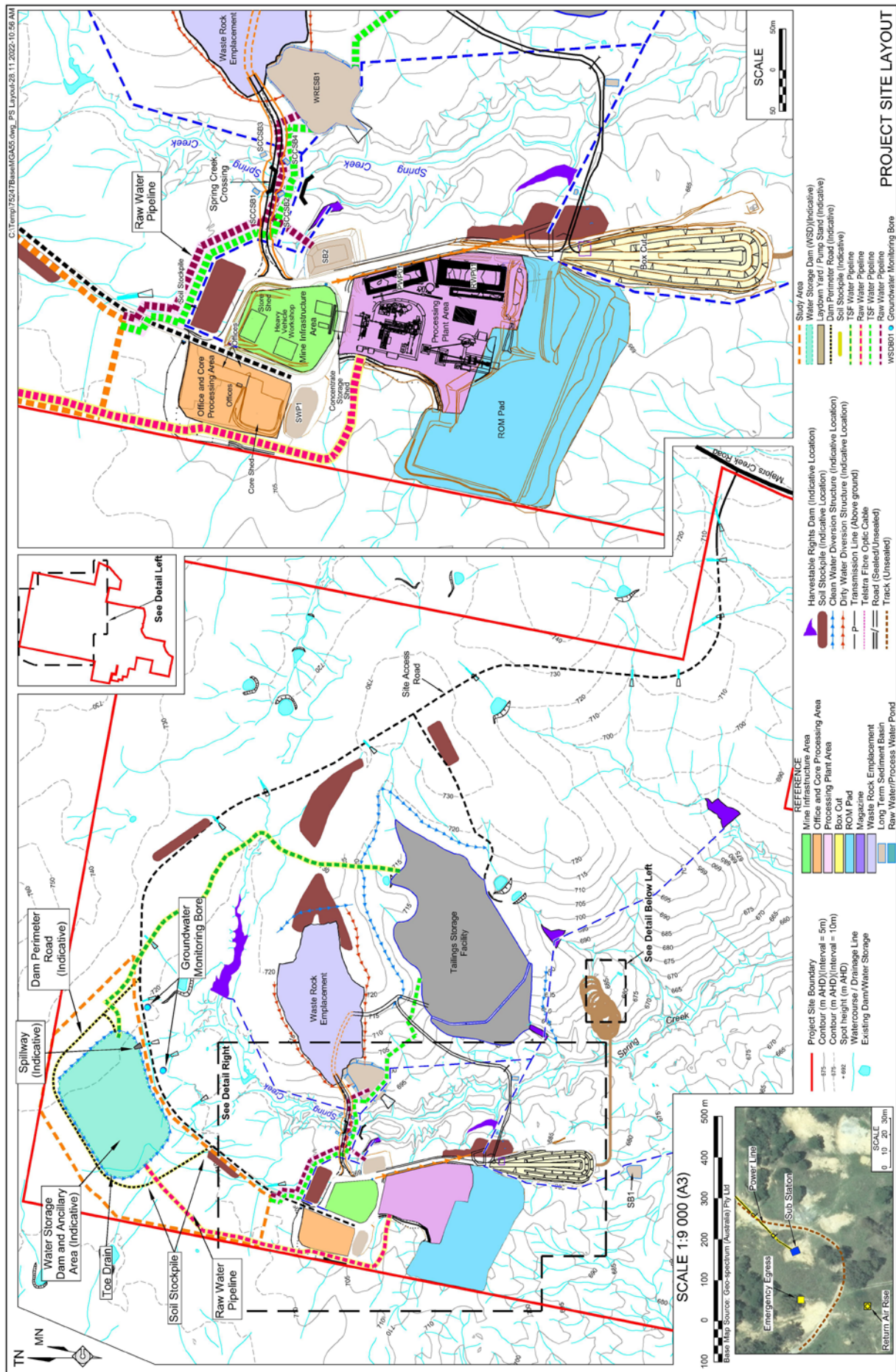


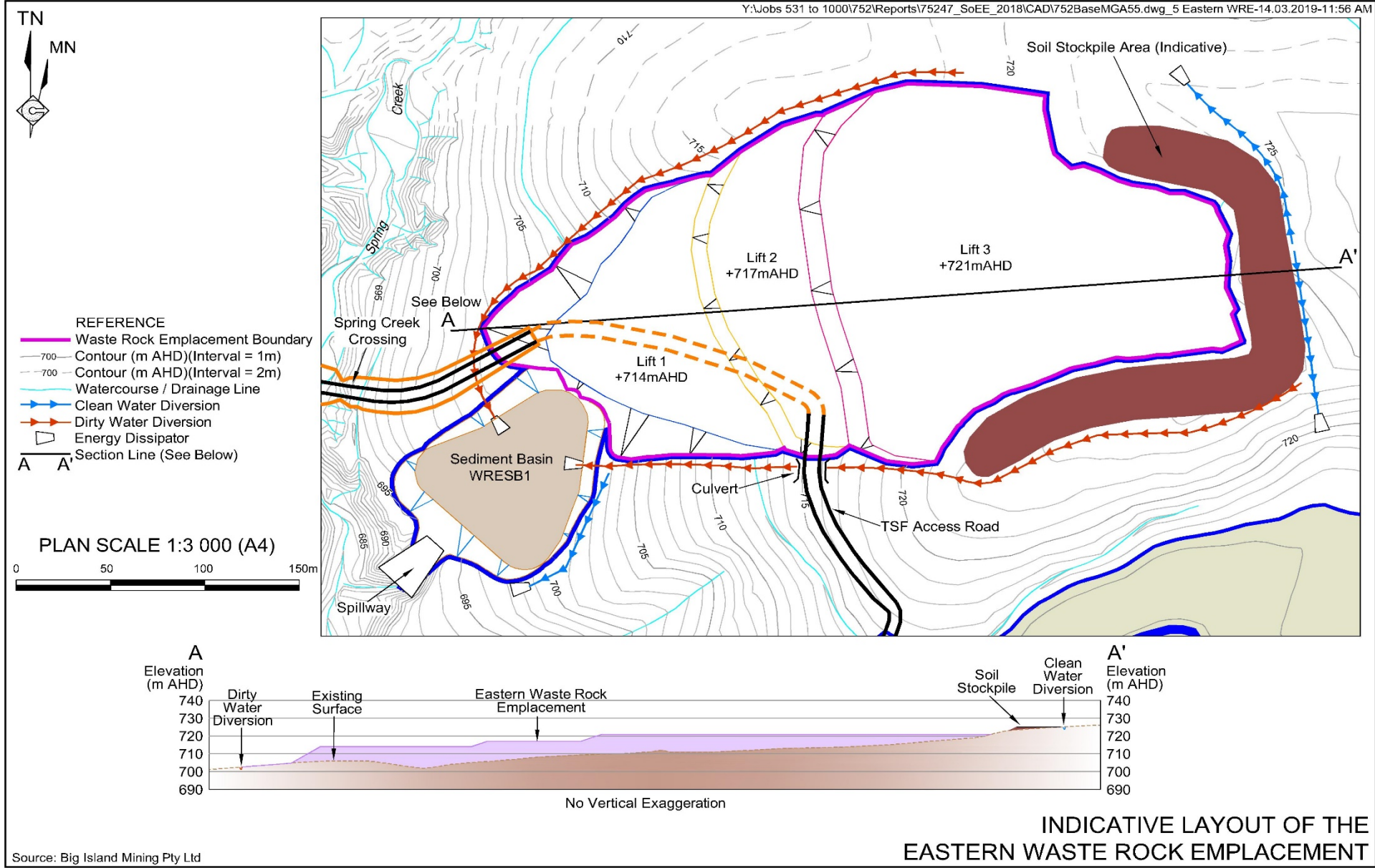
Figure 2
PROJECT SITE AND
LAND ZONING

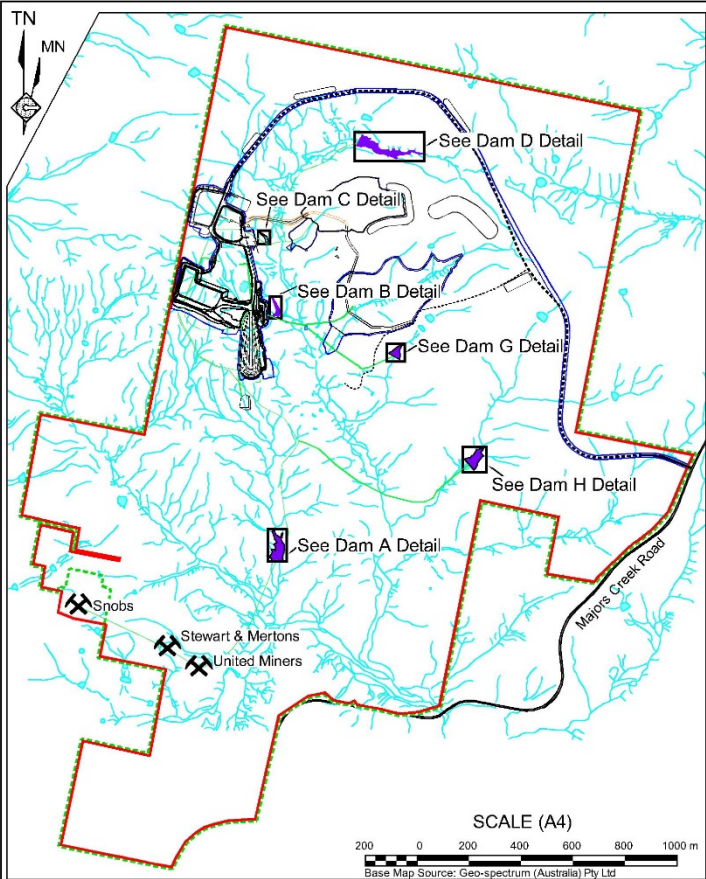
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APPENDIX 2 PROJECT LAYOUT PLANS

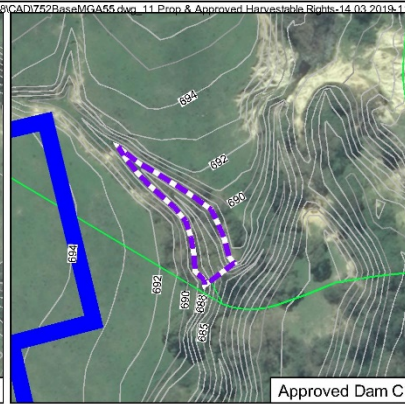
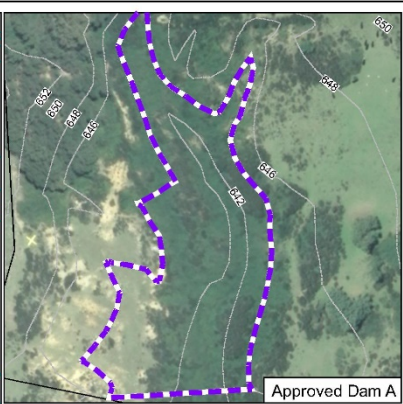
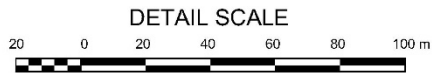








- REFERENCE
- Project Site Boundary
 - Land Owned/Leased by Unity (Offset for Clarity)
 - Contour (mAHD)(Interval =1m)
 - Contour (mAHD)(Interval =2m)
 - Watercourse / Drainage Line
 - Sealed Road
 - Existing Dam/Water Storage
 - Approved Harvestable Rights Dam (Indicative Location)
 - Approved Pipeline
 - Approved Road/Track (Sealed/Unsealed)
 - Mine Workings

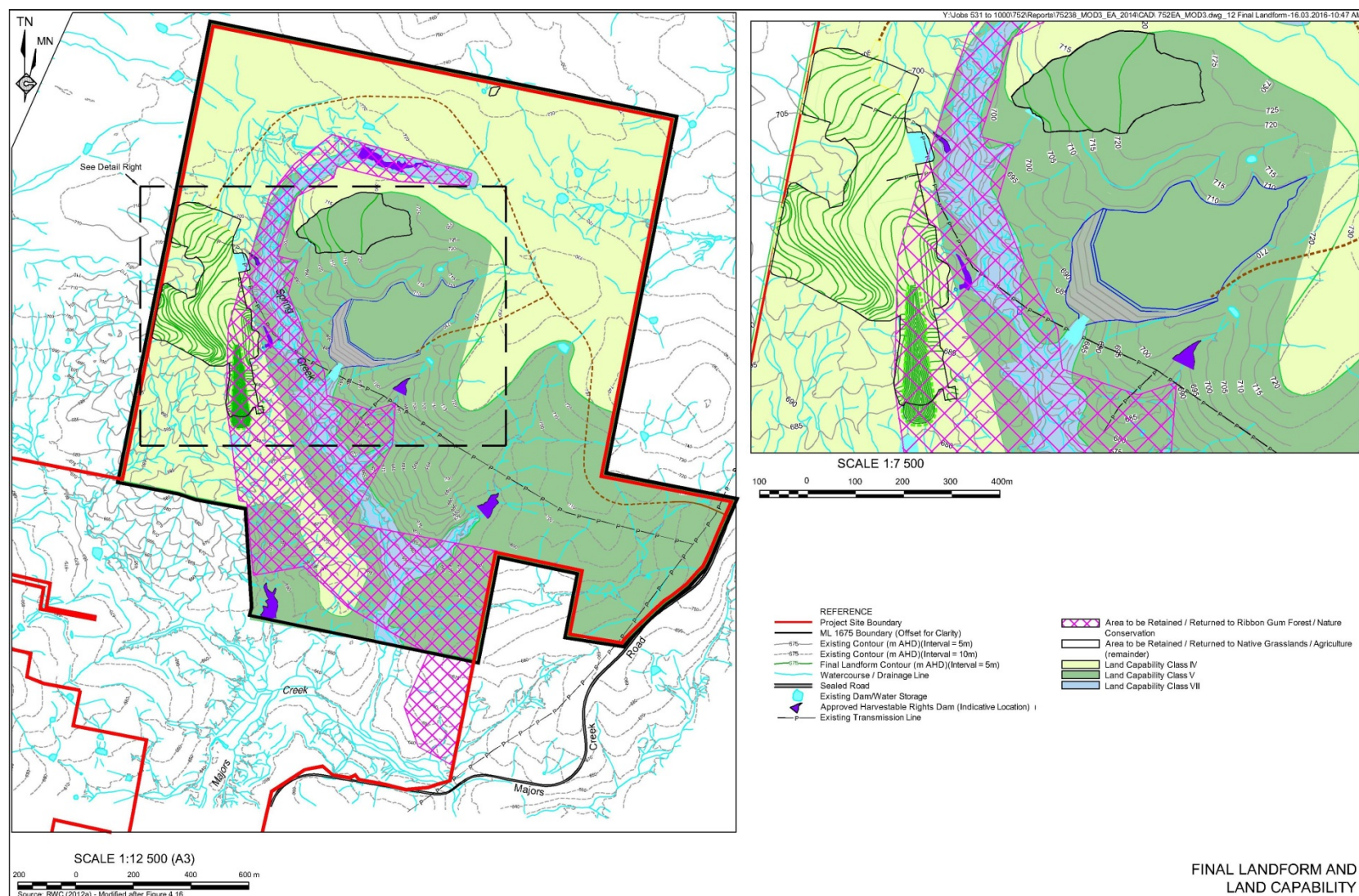


Note: Dams E & F are no longer proposed

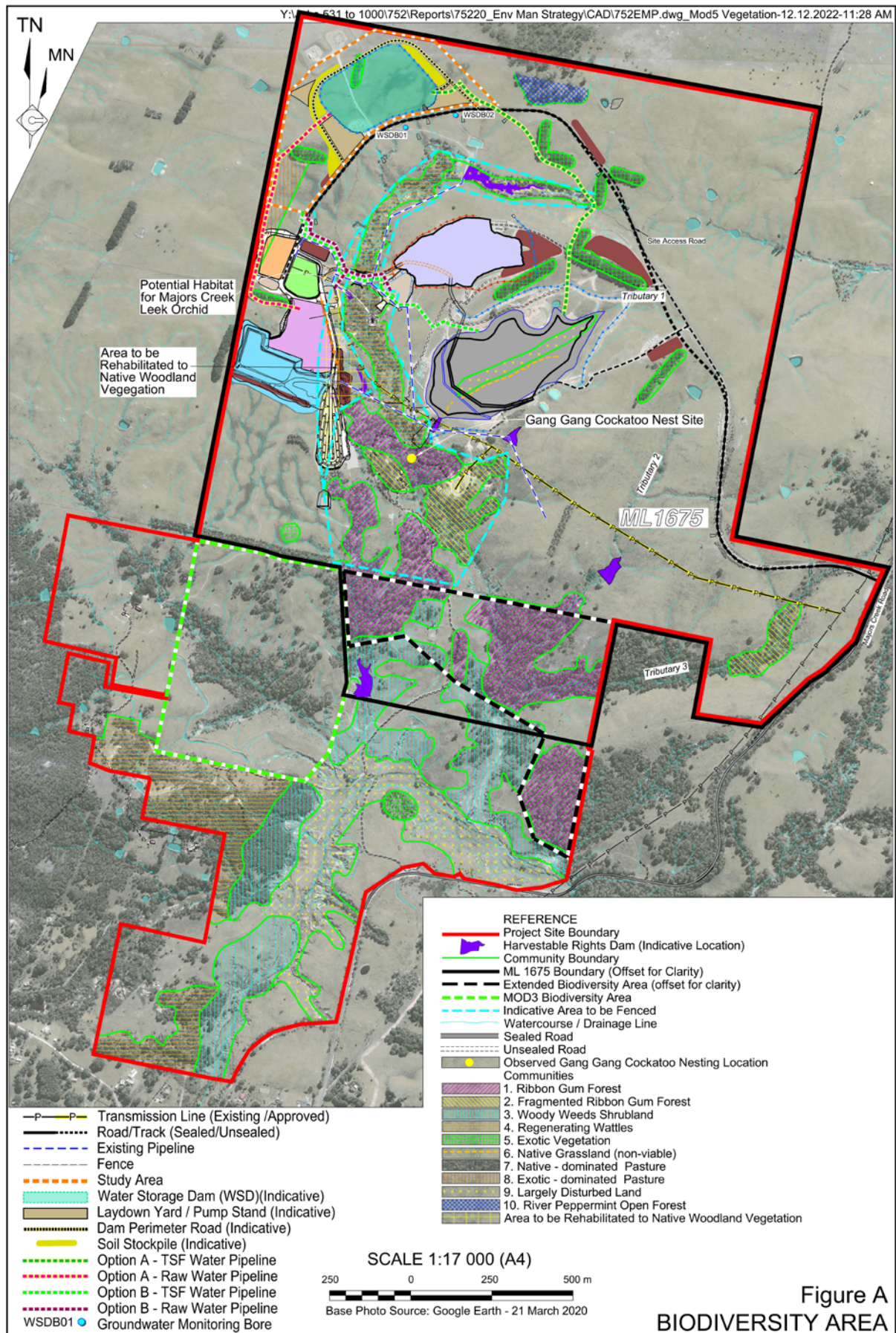
INDICATIVE LAYOUT OF THE APPROVED
HARVESTABLE RIGHTS DAMS

APPENDIX 3

INDICATIVE FINAL LANDFORM



APPENDIX 4
BIODIVERSITY OFFSET STRATEGY



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APPENDIX 5 STATEMENT OF COMMITMENTS

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Desired Outcome	Commitment	Timing
2 AREA OF ACTIVITIES		
All approved activities are undertaken generally in the location(s) nominated on the figures shown in Sections 2 and 4.	2.1 Mark, and where appropriate, survey the boundaries of the areas of proposed disturbance.	Prior to the commencement of the relevant activity.
4 NOISE AND BLASTING		
Noise generated by operational activities does not exceed EPA nominated criteria nor significantly impacts on neighbouring landowners and/or residents.	Site Establishment Noise Controls	Continuous during site establishment operations.
	4.2 Maintain the on-site road network to limit body noise from empty trucks travelling on internal roads.	
	4.3 Maintain an open dialogue with the surrounding community and neighbours to ensure any concerns over noise or vibration are addressed.	Prior to and continuous during mining operations.
	Operational Noise Controls	
	4.4 Place and operate the crusher within an enclosure engineered to achieve a noise reduction of at least 12dB.	
	4.5 Ensure that the grinding circuit is rubber lined.	
All activities are undertaken in such a manner as to reduce the noise level generated and minimise impacts on surrounding landholders and/or residents.	4.6 Place and operate the ventilation fan at least 10m below ground level rather than at the surface. The interim ventilation fan would be placed within the deepest section of the box cut until the final fan is commissioned. The interim fan may be retained as a backup ventilation system in the event of failure of the final fan.	Continuous during the life of the Project
	4.9a Ensure that Frequency Modulated Reversing Alarms are fitted to all mobile equipment that require such alarms.	
	4.11 Ensure, where practicable, that all Project employees and contractors enter and exit the Project Site in a courteous manner and without causing undue traffic noise.	Continuous during transportation operations.

Desired Outcome	Commitment	Timing								
4 NOISE AND BLASTING (Cont'd)										
All activities are undertaken in such a manner as to reduce the noise level generated and minimise impacts on surrounding landholders and/or residents.	Other Noise and Vibration Controls	Continuous during mining operations.								
	4.14 Ensure that equipment with lower sound power levels is used in preference to more noisy equipment.									
	4.15 Maintain an open dialogue with the surrounding community and neighbours to ensure any concerns over noise or vibration are addressed.									
	4.16 Ensure that the noise generated by the project does not exceed the criteria below on more than 25% of land within the Majors Creek State Conservation Area. <table><tr><th>Day LAeq (15min)</th><th>Evening LAeq (15min)</th><th>Night LAeq (15min)</th><th>LA1 (1 min)</th></tr><tr><td>35</td><td>35</td><td>35</td><td>45</td></tr></table> <p>Note: Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy</p>		Day LAeq (15min)	Evening LAeq (15min)	Night LAeq (15min)	LA1 (1 min)	35	35	35	45
	Day LAeq (15min)		Evening LAeq (15min)	Night LAeq (15min)	LA1 (1 min)					
35	35	35	45							
4.17 Ensure that the blasting on site does not cause exceedances of the criteria in the table below. <table><tr><th>Airblast overpressure (dB(Lin Peak))</th><th>Ground vibration (mm/s)</th><th>Allowable exceedance</th></tr><tr><td>120</td><td>10</td><td>0%</td></tr></table> <p>Note: All blasts are to be designed by a suitably qualified and experienced blasting engineer.</p>	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	120	10	0%				
Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance								
120	10	0%								
5 ECOLOGY										
Management of disturbance within the Project Site to minimise impact on fauna of conservation value.	5.1 Ensure that, with the exception of the Return Air Rise, Fresh Air Rise and associated infrastructure, no ground disturbing activities are undertaken within areas of identified Ribbon Gum Forest and Fragmented Ribbon Gum Forest.	Continuous during the life of the project.								
	5.1a Implement reasonable and feasible measures to ensure that fauna, including birds, do not enter the Tailings Storage Facility and monitor the facility for such use.									
	5.1b Conduct annual late winter surveys for the presence of active Little Eagle nests within the project site for the life of the Project. In the event that one or more nests are identified, prepare and implement an appropriate management plan in consultation with OEH.									

Desired Outcome	Commitment	Timing
5 ECOLOGY (Cont'd)		
Maintenance and improvement of the biodiversity value of the Project Site and surrounding areas.	5.2 Avoid the use of phosphate-based fertiliser in pasture areas to encourage the regeneration of native grasses.	Continuous during the life of the Biodiversity Strategy.
	5.3 Manage grazing operations, including stocking rates and fencing, in a manner to sustain and facilitate the spread of native grass species.	
	5.4 Fence all areas of Ribbon Gum Forest and Fragmented Ribbon Gum Forest to exclude stock.	
	5.4a Manage all areas of Ribbon Gum Forest and Fragmented Ribbon Gum Forest to maintain to improve biodiversity values.	
	5.5 Ensure that areas of habitat suitable for the Majors Creek Leek Orchid are appropriately identified and fenced with a 20m buffer and access restricted. Ensure no disturbance occurs within the fenced areas.	
	5.6 Prepare a management plan to ensure that Common Wombat are not harmed during establishment of the tailings storage facility. This plan may include the following. <ul style="list-style-type: none"> – Mark all wombat burrows prior to the commencement of ground disturbing activities. – Commence ground disturbing activities on the upper slopes of creek banks a few days before disturbing the identified hollows to allow individual wombats time to vacate their burrows at night when equipment is not operating. – Inspect all burrows to ensure that common wombats have vacated the proposed area of disturbance. – Any remaining wombats would be relocated in consultation with a suitably qualified and experienced wildlife carer, fauna ecologist and/or local wombat expert. 	
	5.8 Ensure that dead fallen and standing timber are not removed or disturbed to preserve fauna habitat.	

Desired Outcome	Commitment	Timing
5 ECOLOGY (Cont'd)		
Maintenance and improvement of the biodiversity value of the Project Site and surrounding areas. (Cont'd)	<p>5.9a Identify and implement an offsite biodiversity strategy that would:</p> <ul style="list-style-type: none"> – ensure the protection and enhancement of a minimum of 35.5ha of Tableland Basalt Forest in similar condition to that community within the project site; – include a Biodiversity Offset Area within the vicinity of the project site but outside the area of predicted groundwater drawdown; – be implemented in perpetuity; and – be described in the Biodiversity Management Plan for the project, as amended. <p>Alternatively, ensure that funding to an equivalent amount that would have been required under the abovementioned offsite Biodiversity Offset Strategy is made available in perpetuity for the management of Tableland Basalt Forest matters in the vicinity of the project site.</p>	Within 12 months of the commencement of construction.
	<p>5.9b Extend the offset strategy to be implemented under conditions 32 and 33 in schedule 3 of the Project Approval as follows:</p> <ul style="list-style-type: none"> – the extended biodiversity offset area will be as described in the following table and as shown in Appendix 4; – those portions of the approved Biodiversity Areas identified in Appendix 4 (Combined Biodiversity Offset Area) as either Ribbon Gum Forest or Fragmented Ribbon Gum Forest, or any area within the Combined Biodiversity Offset Area where it is appropriate to re-establish the Endangered Ecological Community Tableland Basalt Forest, will be managed in a manner that would ensure the regeneration of that community; and – the remainder of the Combined Biodiversity Area, where appropriate, will be managed in a manner that would ensure the regeneration of native grassland which is consistent with the Natural Temperate Grassland EEC. 	Continuous during the life of the Project.

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Desired Outcome	Commitment	Timing												
5 ECOLOGY (Cont'd)														
Maintenance and improvement of the biodiversity value of the Project Site and surrounding areas. (Cont'd)	<p><i>Table: Extended Biodiversity Offset Area</i></p> <table><tr><th>Community Type</th><th>Area (ha)</th></tr><tr><td>Ribbon Gum Forest*</td><td>17.8 ha</td></tr><tr><td>Woody Weeds Shrubland</td><td>2.3 ha</td></tr><tr><td>Native – dominated pasture</td><td>8 ha</td></tr><tr><td>TOTAL</td><td>28.1</td></tr><tr><td colspan="2">* Listed as an EEC under the Threatened Species Conservation Act, 1995</td></tr></table>	Community Type	Area (ha)	Ribbon Gum Forest*	17.8 ha	Woody Weeds Shrubland	2.3 ha	Native – dominated pasture	8 ha	TOTAL	28.1	* Listed as an EEC under the Threatened Species Conservation Act, 1995		Continuous during the life of the Project.
	Community Type	Area (ha)												
Ribbon Gum Forest*	17.8 ha													
Woody Weeds Shrubland	2.3 ha													
Native – dominated pasture	8 ha													
TOTAL	28.1													
* Listed as an EEC under the Threatened Species Conservation Act, 1995														
	<p>5.10 Prepare a Biodiversity Management Plan in consultation with the relevant government agencies and the community consultative committee. That plan would:</p> <ul style="list-style-type: none">– specify biodiversity-related actions to be undertaken during the life of the Project and for several years after the site has been decommissioned;– incorporate the above commitments;– include a program to determine the condition of Araluen Scarp Grassy Forest EEC adjacent to Majors Creek within the Majors Creek State Conservation Area, including ongoing monitoring;– include a program to identify any groundwater dependent (phreatophytic) vegetation within and outside the zone of groundwater drawdown, including an assessment of soil moisture;– specify that the required monitoring of phreatophytic vegetation should include pre-dawn measurement of water potential and transpiration by means of porometry at a series of measurement sites across the drawdown cone (not limited to the project site, but at 2 metres at the outermost). Monitoring to include monitoring of bore depth and rainfall, at least 4 times a year in August, November, January and March;– include a program to identify and monitor stygofauna within and surrounding the project site, including a program to collate onsite baseline data utilising the existing groundwater monitoring network;	Within 12 months of the commencement of construction.												

Desired Outcome	Commitment	Timing
5 ECOLOGY (Cont'd)		
Maintenance and improvement of the biodiversity value of the Project Site and surrounding areas. (Cont'd)	<ul style="list-style-type: none"> – describe management of the proposed biodiversity area(s); – require the collection, appropriate storage and recording of native seed within the project site to supply amelioration and rehabilitation activities; – describe the proposed revegetation and amelioration program, including identification of areas to be revegetated/ameliorated and the species to be used; and – involve, where practicable, local community groups in management of biodiversity within the Project Site. 	Within 12 months of the commencement of construction.
	5.11 Construct the proposed water pipelines in a manner that would not disturb any Ribbon Gum Forest nor any vegetation over 3m height.	During pipeline construction.
	5.13 Ensure that all in-ground infrastructure in the vicinity of living native trees that comprise a component of the Ribbon Gum Forest or Fragmented Ribbon Gum Forest are installed in accordance with AS4970-2009 – Protection of Trees on Development Sites. In particular, ensure that such infrastructure is installed outside any Tree Protection Zone established by the standard.	During construction of in-ground infrastructure.
6 GROUNDWATER		
Compensate for anticipated reduced groundwater discharges to surface water.	6.3 Release water sourced primarily from the harvestable rights dams at the rates identified in Table 4.20 of the <i>Environmental Assessment</i> into Majors Creek at the confluence of Majors and Spring Creeks. These environmental discharges are to continue from the commencement of mining operations until the loss of baseflow is negligible, as determined under condition 22 in schedule 3 of the Project Approval.	From commencement of mining operations until the loss of baseflow is negligible, as determined under condition 22 in schedule 3 of the Project Approval.
	6.4a Ensure that water extracted from the historic workings is used for mining-related and compensatory release purposes only. Any release of water from the historic workings for the purpose of compensatory release will comply with the trigger levels identified in the protocol referred to in condition 31(a) in schedule 3 of the Project Approval that is required to be contained in the Surface and Ground Water Response Plan.	Continuous during the Life of the Project.

Desired Outcome	Commitment	Timing
6 GROUNDWATER (Cont'd)		
Confirm the accuracy of the groundwater model and anticipated impacts.	6.4d Undertake, in consultation with NOW, a pump test to confirm the assumed hydrological parameters used in the groundwater model. The pump test should be in the vicinity of the mine where the fracture density and hydraulic conductivity is likely to be high.	As soon as practicable and during the life of the Project.
	6.4e Undertake a review of the numerical groundwater model, including: <ul style="list-style-type: none"> – further detailed baseline data inputs, as required by the conditions of the approval; – a statistical comparison of the Braidwood and Majors Creek rainfall data to determine the significance of choice of input; – rain fall data from the weather station within the project site (if determined to be relevant); – pumping tests of relevant bores; – a comprehensive sensitivity and uncertainty analysis of groundwater model outputs; – measurement of baseflow in Majors and Spring Creeks; and – investigation of the water quality arising from the mine backfilling including modelling of dissolution associated with changes in hydrology, groundwater flow and the nature of the aquifer matrix. In the event that the actual impacts are significantly greater than those presented in AGE (2010), then the Applicant would consult with NOW in relation the revised modelling results and would develop appropriate management and mitigation measures to address those impacts	Prior to commencement of mining operations and every two years following commencement of those operations.
Minimisation of groundwater contamination.	6.5 Store all hydrocarbon and chemical products within a bunded area complying with the relevant Australian Standard.	Continuous during the life of the Project.
	6.6 Refuel all equipment within designated, sealed areas of the Project Site, where practicable.	

Desired Outcome	Commitment	Timing
6 GROUNDWATER (Cont'd)		
Minimisation of groundwater contamination. (Cont'd)	6.7 Undertake all maintenance works involving hydrocarbons, where practicable, within designated areas of the Project Site such as the maintenance workshop.	Continuous during the life of the Project.
	6.8 Direct all water from wash-down areas and workshops to oil/water separators and containment systems.	
	6.11 Ensure that the upper surface of the proposed Tailings Storage Facility is capped with a suitable clay or artificial liner in consultation with the relevant government agency.	During rehabilitation operations.
	6.12 Cap the tailings storage facility during final shaping and rehabilitation to minimise the potential for infiltration of surface water into the facility. The nature of the cap is to be determined in consultation with the relevant government agencies during preparation of the <i>Rehabilitation Management Plan</i> .	During final rehabilitation.
Ensure that the properties of the paste are appropriately understood and managed.	6.13 Undertake further testing of the tailings material to confirm the results of test work undertaken prior to the commencement of mining operations and the proposed paste fill operational, management and mitigation measures.	Following commencement of processing operations and prior to the commencement of paste fill operations.
7 SURFACE WATER		
Minimise the volume of water required to be used for mining-related purposes.	7.2 Ensure that the site access road is treated using chemical dust suppressants or similar to ensure that regular watering is not required.	Continuous during the life of the Project.
Prevention of contamination of surface waters.	Water Quality Measures	Continuous during the life of the Project.
	7.19 Ensure that no low grade ore material is used to construct the ROM Pad or is stored in areas where potentially low-pH leachate may flow to natural drainage.	
	7.20 Ensure waste rock material to be used during site establishment operations is tested for acid generation potential and any potentially acid generating material is appropriately managed.	

Desired Outcome	Commitment	Timing
7 SURFACE WATER (Cont'd)		
Prevention of contamination of surface waters.	7.21 Ensure that all water with the potential to contain processing reagents, hydrocarbons, other chemicals or lowered pH is contained within a bunded Contaminated Water Management Area and that all surface waters within the that area retained and pumped to the Process Water Tank for use within the processing plant.	Continuous during the life of the Project.
8 ABORIGINAL HERITAGE		
Site activities are undertaken without impacting upon any Aboriginal heritage items.	8.3 If items of suspected Aboriginal heritage significance are identified throughout the life of the Project, the following procedures would be implemented. <ul style="list-style-type: none"> – Step 1 – No further earth disturbing works would be undertaken in the vicinity of the suspected item of Aboriginal heritage significance. – Step 2 – A buffer of 20m x 20m would be established around the suspected item of Aboriginal heritage significance. No unauthorised entry or earth disturbance would be allowed with this buffer zone until the area has been assessed. – Step 3 – A qualified archaeologist or the OEH would be contacted to make an assessment of the discovery and prepare an assessment report, including recommended mitigation measures. The draft report would then be provided to representatives of the local Aboriginal community (including registered Aboriginal stakeholders identified during the preparation of the EA and subsequently) by way of consultation in accordance with the requirements of Stage 4 of <i>Aboriginal cultural heritage consultation requirements for applicants</i> – April 2010 (or subsequent versions). 	Continuous during the life of the Project.
	8.4a Consult with the local Aboriginal community representatives in relation to sites or items of actual or suspected Aboriginal heritage significance and ways in which the Applicant and community can work co-operatively for the benefit of both.	

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Desired Outcome	Commitment	Timing
10 TRAFFIC AND TRANSPORTATION		
Achieve safe and efficient transport operations.	10.6 Establish a speed limit of 40km/hr on the site access road for heavy vehicles, 60km/hr for light vehicles and 20km/hr for all vehicles in the operational sections of the Project Site.	During site establishment operations.
	10.8 Develop and enforce a Code of Conduct for all drivers for all heavy vehicles that travel to and from the Project Site regularly. The Code of Conduct would stipulate safe driving practices must be maintained at all times. The code would also include specific requirements for practices to be adopted during periods of fog, such use of headlights / fog lights and adopting vehicle speeds appropriate to the conditions as required, as well as limiting noisy driving practices in the vicinity of residences.	
12 VISUAL AMENITY		
Limit the visibility of operational areas from nearby residences and Majors Creek Road.	12.3 Continuation of the existing tree planting program to limit views of the Project Site from areas to the southwest, south and southeast of the Project Site.	During progressive rehabilitation operations.
	12.4 Construction of the processing plant and other infrastructure within the Project Site from non-reflective, neutral-coloured material.	During site establishment operations.
	12.6 Consider any reasonable request by a potentially affected resident for assistance to create a visual screen adjacent to their residence through planting of fast growing vegetation and/or landscaping where such a screen would effectively reduce the visual impact of the Applicant's activities during the life of the Project.	Continuous during the life of the Project.
13 SOILS AND LAND CAPABILITY		
Maintenance of soil value for rehabilitation and minimisation of soil loss through erosion.	13.1 Strip soil materials to the depths identified in Table 2.2 of the <i>Environmental Assessment</i> .	During site establishment operations.
	13.2 Strip soil materials only when they are moderately moist to preserve soil structure.	
	13.3 Stockpile topsoil and subsoil materials separately.	
	13.4 Construct soil stockpiles as low, flat, elongated mounds on slopes of less than 1:10 (V:H). Topsoil stockpiles would be less than 2m high and subsoil stockpiles would be less than 3m high.	

Desired Outcome	Commitment	Timing
13 SOILS AND LAND CAPABILITY (Cont'd)		
Maintenance of soil value for rehabilitation and minimisation of soil loss through erosion. (Cont'd)	13.5 Ensure that soil stockpiles and rehabilitated areas achieve a 70% vegetative cover within 10 days of formation. This may be achieved through use of recycled organic material.	During site establishment operations.
Maximising the potential for successful rehabilitation of disturbed sections of the Project Site.	13.6 Place soil material in areas to be rehabilitated in the same stratigraphic order in which they were removed. Topsoils of one soil landscape unit may be mixed with topsoils soils of the other landscape unit. Similarly, subsoils of one soil landscape unit may be mixed with subsoils soils of the other landscape unit.	During rehabilitation operations.
14 SOCIO-ECONOMIC		
Maximise the positive impacts and minimise any actual or perceived adverse impacts on the social fabric or facilities available to the community surrounding the Project Site.	14.1 Engage each of the communities surrounding the Project Site in regular dialogue in relation to the proposed and ongoing operation of the Project and maintain an "open door" policy for any member of those communities who wishes to discuss any aspect of the Project.	Prior to, during and following the life of the Project.
	14.2 Proactively and regularly consult with those residents most likely to be adversely impacted by the Project, particularly those within the Majors Creek and Araluen Communities.	
	14.3 Continue to support community organisations, groups and events, as appropriate, and review any request by a community organisation for support or assistance throughout the life of the Project. Particular emphasis would be placed on providing support to those organisations, groups or events that service the communities in Majors Creek, Araluen or Braidwood.	
	14.4 Form and maintain a Community Consultative Committee (CCC), including representative members of the community, Palerang Council and one representative from Eurobodalla Shire Council. It is noted that the Applicant has previously consulted with the Majors Creek Community Liaison Committee. The Applicant would continue to do so, either as part of the CCC or separately	

Desired Outcome	Commitment	Timing
14 SOCIO-ECONOMIC (Cont'd)		
Maximise the positive impacts and minimise any actual or perceived adverse impacts on the social fabric or facilities available to the community surrounding the Project Site. (Cont'd)	14.6 Advertise and maintain a community Information line 1800 732 002.	Prior to, during and following the life of the Project.
	14.7 Give preference when engaging new employees, where practicable, to candidates who are part of the Majors Creek, Araluen or Braidwood communities over candidates with equivalent experience and qualifications based elsewhere and ensure that the mining and other contractors do so as well.	
	14.8 Encourage the involvement of the local Aboriginal community in the workforce.	
	14.9 Encourage and support participation of locally based employees and contractors in appropriate training or education programs that would provide skills and qualifications that may be of use to encourage and further develop economic activity within the surrounding communities following completion of the Project.	
	14.10 Give preference, where practicable, to suppliers of equipment, services or consumables located within the Palerang LGA.	
	14.11 Assist community members and others, as appropriate, to establish complimentary businesses within the Palerang LGA where those businesses would provide a benefit to the community through increased economic activity or development.	
	14.12 Assist Palerang Council to promote and encourage economic development that would continue beyond the life of the Project.	
	14.13 Ensure that infrastructure and services installed for the Project, including the electricity transmission facilities, road improvements and water supply bores, remain available for alternative uses during and/or following completion of the Project.	
	14.14 Encourage and support, in consultation with the local community, the provision of services to the community. These may include health, education, transportation and other services.	
	14.16 Ensure that the land capability of those sections of the final landform to be used for agricultural purposes is similar to the current land capability.	

Desired Outcome	Commitment	Timing
15 ENVIRONMENTAL MONITORING		
Ongoing monitoring and reporting of Project-related environmental impacts.	<p>15.7 Monthly monitoring in the laboratory of groundwater in the bores, exploration holes and workings identified in Table 4.21 of the <i>Environmental Assessment</i> for the following parameters.</p> <ul style="list-style-type: none"> – Alkalinity. – Major cations and anions. – Nutrients – (ammonia, nitrate, nitrite). – Metals – (iron, lead, chromium, cadmium, zinc, arsenic, copper and nickel). <p>Collection of those samples for laboratory analysis will reasonably coincide with the surface monitoring as described in commitment 15.12.</p>	Prior to, during and following the life of the Project until relevant government agencies agree that further monitoring is not required.
	15.11A The monitoring program to be prepared as part of the Groundwater Monitoring Program pursuant to condition 30(d) in schedule 3 of the approval is to be a monitoring program during the life of the project and until the conclusion of rehabilitation, where appropriate.	During the life of the project and until the conclusion of rehabilitation, where appropriate.
	<p>Surface Water</p> <p>15.12 Undertake monthly surface water monitoring at the following locations (Figure 4.3 of the EA).</p> <ul style="list-style-type: none"> – Location 1 – Majors Creek upstream of the confluence of Spring & Major's Creek. – Location 2 – Majors Creek downstream of the confluence of Spring & Major's Creek. – Location 3 – downstream of the tailings storage facility. It is noted that this sampling location would be incorporated into the Tailings Management Plan. – Location 4 – Spring Creek downstream of main Project infrastructure and sediment basin outlets. – At a range of locations downstream of the Majors Creek State Conservation Area. – Discharge point for the compensatory flows (sampling to be undertaken initially daily for the first three months of the program, with the frequency to be increased in consultation with the relevant government agency after that period). 	Prior to, during and following the life of the Project.

Desired Outcome	Commitment	Timing
15 ENVIRONMENTAL MONITORING (Cont'd)		
Ongoing monitoring and reporting of Project-related environmental impacts. (Cont'd)	15.12A The monitoring program to be prepared as part of the Surface Water Monitoring Program pursuant to condition 29(d) in schedule 3 of the approval is to include a program to monitor pH and electrical conductivity, in real time, from at least three locations, including locations within and downstream of the tailings storage facility.	Prior to, during and following the life of the Project.
	15.12B Install two gauging stations on Majors Creek, one upstream and one downstream of the confluence with Spring Creek, capable of continuous measurement of stream flow.	
	<p>15.12C The Water Management Plan should include provision for:</p> <ul style="list-style-type: none"> – the installation of a V-notch weir on Spring Creek downstream of the mine and below the confluence with a major gully coming in from the east (approximate coordinates 749275E, 6064175N (MGA, Zone 56)); – the investigation of the hydrogeology of the tailings storage facility and the installation of monitoring bores around the tailings storage facility; – the installation of a monitoring bore to the south-east where the sensitivity analysis indicates a possible extension of the 1m drawdown contour (approximate coordinates: depending on landholder approval – 750900E, 6064100N (MGA, Zone 56), or alternative location within the project site – 750350E, 6064550N (MGA, Zone 56)); – the installation of monitoring bores DRWB 09 and DRWB 10; – the installation of a pair of bores adjacent to Spring Creek at the mapped intersection of the dominant lineament (fault) trending south east towards and along Majors Creek (approximate coordinates 749350E, 6064175N (MGA, Zone 56)). 	Within 12 months of the commencement of construction.

Desired Outcome	Commitment	Timing
15 ENVIRONMENTAL MONITORING (Cont'd)		
Ongoing monitoring and reporting of Project-related environmental impacts. (Cont'd)	15.13A The monitoring program to be prepared as part of the Surface Water Monitoring Program pursuant to condition 29(d) in schedule 3 of the approval is to be a monitoring program during the life of the project and until the conclusion of rehabilitation, where appropriate.	During the life of the project and until the conclusion of rehabilitation, where appropriate.
	Notification 15.13B The protocol for the investigation, notification and mitigation of any exceedances of the surface water, stream health and groundwater assessment criteria, which is to be included in the Surface and Ground Water Response Plan (condition 31(b) in schedule 3 of the approval), is to include provision for the notification of ESC of any such exceedances within 7 days of the exceedance being detected, and subsequently, once an appropriate response has been identified with the relevant government agencies, any other water user downstream of the Project Site who registers their interest to be notified. Water Management Plan (incorporating Surface Water Monitoring Program, Groundwater Monitoring Program and Surface and Ground Water Response Plan)	Prior to, during and following the life of the Project.
	15.13C The objectives of the abovementioned programs and plans which are required under the approval, are to generally include, but are not limited to: <ul style="list-style-type: none"> ensuring that the disposal of material in the tailings storage facility, and management of that facility, does not cause material harm to the environment; taking all necessary measures to protect the quality of the water, as drinking water, for existing downstream users, including the water supply for the Eurobodalla Shire; and implementing appropriate monitoring and response measures to ensure that action is taken to promptly mitigate any adverse impacts of the project on surface water and groundwater so that drinking water of acceptable quality continues to be available to downstream users, including Eurobodalla Shire. 	

Desired Outcome	Commitment	Timing
15 ENVIRONMENTAL MONITORING (Cont'd)		
Ongoing monitoring and reporting of Project-related environmental impacts. (Cont'd)	<p>Eurobodalla Shire Council</p> <p>15.14A The Applicant must pay Eurobodalla Shire Council the following contribution each calendar year:</p> <ul style="list-style-type: none">the reasonable costs, up to a maximum of \$10,000, of Eurobodalla Shire Council engaging its own expert to:<ul style="list-style-type: none">undertake a review of the Water Management Plan required under the approval; andundertake a peer review of the Annual Review carried out by the Applicant pursuant to condition 3 in Schedule 5 of the approval. <p>As part of these reviews undertaken by Eurobodalla Shire Council's expert, the Applicant will provide that expert with reasonable access to the tailings storage facility.</p> <p>A copy of the draft report produced by Eurobodalla Shire Council's expert pursuant to each of the abovementioned reviews must be made available to the Applicant for its review and comment prior to the report being finalised by Eurobodalla Shire Council's expert.</p> <p>This contribution must be indexed according to the CPI at the time of each payment.</p>	During active mining operations and until the completion of rehabilitation operations.
	<p>15.14B The surface water quality criteria to be included in the Surface Water Monitoring Program pursuant to condition 29(c) in schedule 3 of the approval is to take into account, among other things, that the surface water sources are located within the drinking water catchment for the Eurobodalla Shire.</p>	
17 OTHER		
Insurance.	<p>17.1 The Applicant must effect and maintain a public liability insurance policy to the amount of \$60,000,000.</p> <p>The policy maintained under this commitment must name Eurobodalla Shire Council as an interested party and a beneficiary to the policy to the extent of the acts or omissions of the Applicant, for the purposes of s48 of the Insurance Contracts Act 1984 (Cth).</p>	During active processing operations until the completion of rehabilitation operations.

CONSOLIDATED CONSENT

APPENDIX 6 GENERAL TERMS FOR THE PLANNING AGREEMENT

A. Payment towards roads at time of approval of Construction Certificate	Amount (as at March 2010)
1. For road upgrading works along the haulage route to/from the mine, including widening of seal over crests and around curves and line marking of Majors Creek Road.	\$559,000 Pavement widening \$15,000 Line marking
2. For pavement upkeep during mine construction	\$78,000
Subtotal	\$652,000
B. Annual payment towards ongoing pavement upkeep along haulage route and towards improvements to intersections if possible within the limit of funds.	\$78,000
C. Community benefit payment at time of approval of Construction Certificate towards upgrade of Braidwood Recreation Ground.	\$375,000
D. Payment for disposal of putrescibles waste at Braidwood landfill (strictly no waste to be taken to other Council landfills)	\$120 per tonne

Note: Rates are as per March 2010 and are to be CPI indexed each year.

**APPENDIX 7
RECEIVER LOCATION PLANS**

Deleted

APPENDIX 8 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition 6 of Schedule 5 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the project and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the Applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of approval;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Secretary, the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (a) outcomes of an incident investigation, including identification of the cause of the incident;
 - (b) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (c) details of any communication with other stakeholders regarding the incident.