

# Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Mike Young  
Director Resource Assessments

Sydney 25 FEBRUARY 2016

---

### SCHEDULE 1

The Project Approval 10\_0191 for the Hera Gold Project, granted by the Deputy Director-General, Development Assessment and Systems Performance, under delegation from the Minister for Planning and Infrastructure on 31 July 2012.

---

### SCHEDULE 2

1. Delete the definitions for "NOW", "DRE", "EA", Modification 1 and Modification 2 and insert the following in alphabetical order:
  - DPI Water The Water Division within the NSW Department of Primary Industries
  - DRE Division of Resources and Energy within the NSW Department of Industry
  - EA The Environmental Assessment titled '*Hera Project, via Nymagee: Environmental Assessment*' dated November 2011 and associated response to submissions titled '*Hera Project via Nymagee: Response to Submissions*', dated February 2012, as modified by:
    - (a) Modification Application 10\_0191 MOD 1 and supporting document titled – '*Hera Mine Section 75W Modification: Power lines from ventilation rise to site camp*', prepared by YTC Resources, and dated May 2013;
    - (b) Modification Application 10\_0191 MOD 2 and supporting document titled '*Hera Mine Section 75W Modification, Concentrate Haulage Route to Hermidale Siding*', prepared by YTC Resources, and dated 23 May 2014, and letter from Aurelia Metals dated 28 August 2014; and
    - (c) Modification Application 10\_0191 MOD 3 and supporting documents titled '*Environmental Assessment for the Hera Mine Modification 3 PA 10\_0191*', prepared by R.W. Corkery & Co. Pty. Limited, and dated August 2015, and '*Response to Submissions for the Hera Mine Modification 3 - PA 10\_0191*' dated September 2015
2. Delete all references to 'NOW' and replace with 'DPI Water'.
3. Delete condition 2 of Schedule 2, except for the Notes, and replace with:

The Proponent shall carry out the project:

  - (a) in general accordance with the EA; and
  - (b) in accordance with the conditions of this approval.
4. In condition 5 of Schedule 2, replace "2020" with "2022".
5. In condition 6 (a) of Schedule 2, replace "355,000" with "505,000".
6. Delete condition 6 (b) of Schedule 2.

7. Delete condition 14 of Schedule 2 and replace with the following:

By 31 July 2016, unless otherwise agreed by the Secretary, the Proponent shall amend the planning agreement with CSC:

- (a) in accordance with Division 6 of Part 4 of the EP&A Act; and
- (b) in accordance with the terms of the Proponent's offer in Appendix 2.

If there is any dispute in regard to this condition, either party may refer the matter to the Secretary for resolution.

8. In condition 26 of Schedule 3, replace the text "Within 6 months of this approval" with, "By 31 July 2016".

9. In Table 7, condition 44 of Schedule 3, replace "safe, stable and non-polluting" with the following:

- Safe, stable and non-polluting
- Final land use compatible with surrounding land uses
- Final landforms designed to incorporate micro-relief, natural drainage lines and minimize visual prominence by integration with the surrounding landscape
- Restore self-sustaining ecosystems, including establishing local native plant species
- Minimise visual impact of final landforms as far as is reasonable and feasible

10. Delete Appendix 1 and replace with the following:



11. Delete Appendix 2 and replace with the following

APPENDIX 2  
PLANNING AGREEMENT TERMS

<b>Funding Area</b>	<b>Annual Proponent Contribution</b>
Road repair and maintenance contribution	\$60,000
Community Fund Contribution	\$32,000

*Note: Payments are subject to CPI adjustments.*

12. Delete Appendix 4 and replace with the following:

APPENDIX 4  
REHABILITATION PLAN

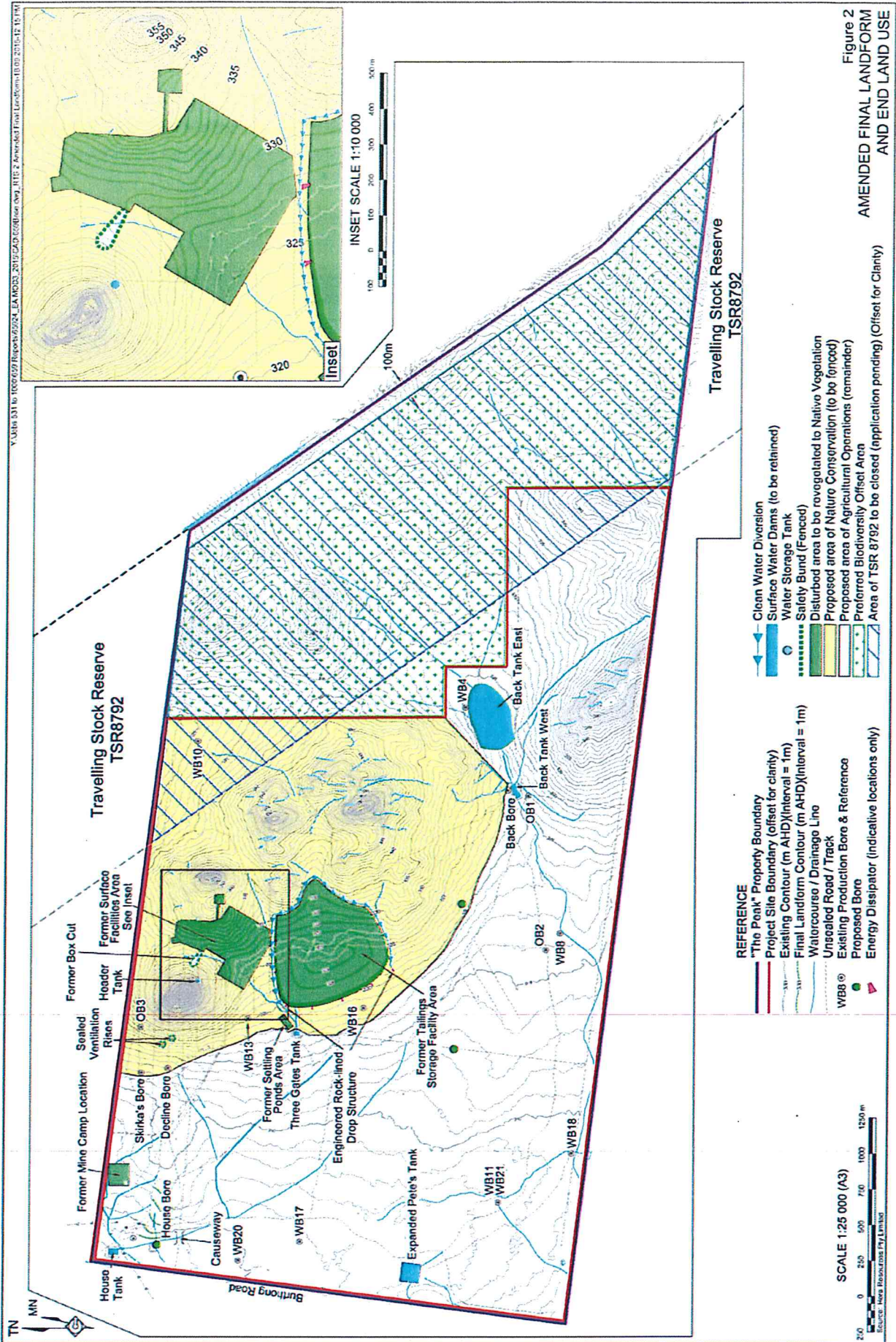


Figure 3: Final Landform and End Land Use

Figure 2  
AMENDED FINAL LANDFORM  
AND END LAND USE