

Brittany Golding
Department of Planning, Housing and Infrastructure
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Via: Major Projects Portal

ADVICE RESPONSE: Woodlawn Mine Mod 3 - Infrastructure and Final Land Use Updates

Stage: Modification Report

Development Application: MP07_0143-Mod-3

Dear Brittany

I refer to your correspondence dated 14 April 2026 inviting the Department of Primary Industries and Regional Development - NSW Resources to review the Modification Report supplied and provide comments on Woodlawn Mine Mod 3 - Infrastructure and Final Land Use Updates (the Modification), submitted to the Department of Planning, Housing and Infrastructure by Develop Global Limited (the Proponent).

NSW Resources has reviewed the information supplied in relation to the Modification and based on the review has no specific comments in relation to *Mining Act 1992* considerations and raises no issues regarding the Modification at this stage.

Please refer to NSW Resources Regulator advice provided in Attachment A.

For further information contact Elisa Paull, Project Officer on 02 4063 6860 or mining.concierge@dpird.nsw.gov.au.

Sincerely

sjAnson

Scott Anson

Manager Industry Advisory and Concierge - Industry Development
Department of Primary Industries and Regional Development - NSW Resources

Friday, 1 May 2026

Brittany Golding
Department of Planning, Housing & Infrastructure
Brittany.Golding@planning.nsw.gov.au

Via: Major Projects Portal/NSW Planning Portal

Dear Ms Golding,

I refer to the Woodlawn Mod 3 – Infrastructure and Final Land Use Updates (MP07_0143-Mod-3) report (Mod 3 Report) submitted to the Resources Regulator on 16 April 2026. Based on the review of the Mod 3 Report, the Regulator has identified a number of matters as described below.

1. RWRD Schedule Condition Schedule 4 Condition 3

The MOD 3 application proposes the following change (tracked changes removed) to the existing condition:

Within 5 years prior to closure, the Proponent shall identify an appropriate system to manage seepage from the existing Waste Rock Dump in consultation with the NSW Resources Regulator, and implement the preferred system to the satisfaction of the Secretary.

Based on the proposed change to the existing condition, the Regulator has identified the following comments:

- “within 5 years prior to closure” is ambiguous and non-enforceable as there is no definitive date identified;
- similar to the existing condition, the proposed condition is not outcome-based;
- the existing development consent (07-0143) already contains relevant obligations for the long-term rehabilitation outcome of the waste rock dumps in Table 2 - Rehabilitation Objectives; and

- Schedule 8A of the Mining Regulation places the obligations on a lease holder to protect and minimise harm to the environment (clause 4) and rehabilitate as soon as reasonably practicable (clause 5).

Based on the comments raised, the Regulator is of the view that both the existing condition and proposed changes under MOD 3 Report are not required.

It should be noted however that the proponent will need to document the process within the Rehabilitation Management Plan required under Schedule 8A to develop a strategy to address the seepage issue, including an options analysis on methodologies to reduce the environmental risk to as low as reasonably practicable. This may include potential opportunities of using the material within the waste rock dump as part of future mining operations to eliminate the risk of long-term post mining seepage.

2. TDS Seepage Schedule 3 Condition 1(g) and 1(h)

The MOD3 application proposes the following change (tracked changes removed) to the existing condition:

The Proponent shall ensure that the:

(g) source of seepage from Tailings Dam South is identified and appropriate management measures identified and implemented within 5 years prior to closure; and

(h) existing seepage collection area is lined with a low permeability geotextile membrane.

Based on the proposed change to the existing condition, the Regulator has identified the following comments:

- “within 5 years prior to closure” is ambiguous and non-enforceable as there is no definitive date identified;
- similar to the existing condition, the proposed condition is not outcome-based and may limit other viable options to address the risk of seepage;
- the existing development consent (07-0143) already contains relevant obligations for the long-term rehabilitation outcome of the tailings dams in Table 2 - Rehabilitation Objectives;
- the mine has an existing Environment Protection Licence that addresses the risk of pollution to waters; and
- Schedule 8A of the Mining Regulation places the obligations on a lease holder to protect and minimise harm to the environment (clause 4) and rehabilitate as soon as reasonably practicable (clause 5).

Based on the comments raised, the Regulator is of the view that both the existing condition and proposed changes under MOD3 are not required.

3. Project rehabilitation objectives - Schedule 3, Condition 6

The proponent is seeking an amendment to the rehabilitation objectives for the "Mine site (as a whole)" in Schedule 3, Condition 6 of PA 07_0143 to remove reference to the vegetation community as outlined in Table 3.3 and replacing it with a reference that rehabilitation will be in accordance with the final land use domains in Appendix 4 of the development consent (Figure 3.3 of the MOD 3

Report). The proponent states that this will ensure that the land can be developed by heavy industry (with future relevant DA approval) without restrictive ecological requirements, which may result if the area was entirely rehabilitated as Western Tablelands Dry Forest vegetation community. Noting that the zoning of the land is listed as IN3 (Heavy Industrial).

The Resources Regulator has identified the following concerns with this approach:

- Figure 3.3 depicts the final land use as "Rehabilitated area" over the entire mine site, which is non-specific and doesn't reflect potential limitations with mining domains across the site (e.g. tailings dams, waste rock dump) to support the proponents intended heavy industrial land use; and
- Whilst the land is zoned Heavy Industrial, there has been no approved post-mining land use granted beyond cessation of mining to provide certainty in terms of the standard/type of rehabilitation to be achieved.

The Regulator supports alternative post mining land uses where they have been considered in terms of potential post mining constraints and where subsequent approval has been granted under the *Environmental Planning and Assessment Act 1979*. However, based on the above concerns, the proposed modification poses regulatory uncertainty in regards to the type of rehabilitation outcomes to be achieved for the mine.

Therefore, further information is required in regards to specific final land uses to be achieved across the mine site.

LIMITATIONS

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the plans provided. Under the conditions of a mining authorisation granted under the *Mining Act 1992*, the Resources Regulator requires the holder to adopt a risk-based approach to achieving the required rehabilitation outcomes.

The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on site-specific risk assessments conducted by the authorisation holder. An authorisation holder may also be directed by the Resources Regulator to implement further risk control measures required to achieve effective rehabilitation outcomes during the life of the mine.

REGULATORY REQUIREMENTS IF APPROVED

The proponent will be required to comply with rehabilitation requirements under the mining authorisations prior to the commencement of the works associated with the proposal.

The Resources Regulator may undertake assessments of the mine operators' proposed mining activities under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and Regulation as well as other WHS regulatory obligations.

BACKGROUND

The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking

assessment and compliance activities in relation to mine rehabilitation activities and determination of security deposits. To ensure consistency, the Regulator requests the opportunity to review a copy of the draft development consent prior to any approval of the project.

The Mine Safety Inspectorate within the Resources Regulator is responsible for ensuring the mine operators' compliance with the Work Health and Safety (WHS) legislation, in particular the effective management of risks associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022*.

CONTACT

Should you require any further information or clarification, please contact the Regulator on 1300 814 609 (Press Option 2 Press Option 5) or email nswresourcesregulator@service-now.com.

Yours sincerely,



Matthew Newton

Principal Inspector Environment & Rehabilitation Operations
Resources Regulator