

Emily Murray
Environmental Assessment Officer
Energy Resource Assessment

Via: Major Projects Portal

Dear Ms Murray

Re. Cadia Mine Modification 14 RTS report

I refer to your request of 30 April 2021 for advice regarding Cadia Mine's Modification 14 Response to Submissions report. The Resources Regulator has reviewed the request.

Assessment

Based on the review of the RTS report, the Resources Regulator advises that it has no specific comments regarding **mine safety** in relation to the proposal.

In relation to **mine rehabilitation**, the information provided in the Report does not adequately address the matters raised in the comments provided by the Resources Regulator on 8 February 2021 (Ref. no. DOC21/81831).

The Post Mining Landform map (Figure 11) does not provide necessary information on the proposed final landform, such as final landform contours and details of the surface water management to the south of the Tailings Storage Facilities (TSF).

Information on how the final landform will be capable of sustaining the final proposed land use (including occasional/opportunistic and controlled grazing) also requires clarification.

Section 4.3.7 of the Report indicates that this is addressed in the Cadia Valley Operations Rehabilitation Strategy. However our review of this strategy identified the final land use for the TSF as *"Woodland Conservation (subjected to occasional strategic grazing (short term periodic) for management purposes and biodiversity outcomes pending the outcomes of the land capability assessments."*

It is not clear whether the land capability assessments have been conducted and, if they have, whether they confirm the suitability of the stated final land use at the TSF.

The Regulator requests that the proponent provide the following to address the identified issues:

1	Provide a final landform plan that shows the final landform contours at an adequate scale and includes all surface water management works or systems at and around the TSF, including the buttresses and the disturbed area surrounding the facilities.
2	Provide information on how surface water management will link into existing drainage lines and creeks.

3	Clarify the post-mining land use at the TSF and outcomes of "land capability assessments" noted in the Rehabilitation Strategy.
4	Provide supporting information for the stated land capability and how the Rehabilitation Strategy will support this and the final land use

The Regulator requests the opportunity to review the draft development consent conditions prior to finalisation and any granting of consent.

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 authorisation(s) when undertaking 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.

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 2014*.

Contact

Should you require any further information or clarification, please contact the Office of the Executive Director (ED.ResourcesRegulator@planning.nsw.gov.au)

Yours sincerely,



Anthony Keon
Executive Director
Resources Regulator

14 May 2021