

Rose-Anne Hawkeswood
Team Leader
Energy Resource Assessment

Via: Major Projects Portal

Dear Ms Hawkeswood

Re. Bowdens Silver Project Amendment and RTS Reports

I refer to your request of 13 July 2021 for advice regarding the Bowdens Silver Project's amendment report to incorporate relocation of an electricity transmission line and RTS. The Resources Regulator has reviewed the request and provides further comments on the RTS report in addition to the comments provided in our letter of 26 July 2021 which dealt specifically with the amendment report detailing the proposed power line re-alignment.

Assessment

Based on the review of the amendment report, the Resources Regulator advises that it has no specific comments regarding mine safety or mine rehabilitation matters in relation to the proposal to realign the high-voltage electricity transmission line.

In relation to the RTS report the Resources Regulator has no comments on mine safety but provides the following comments on mine rehabilitation matters:

Post-mining Land Use	<p>The Resources Regulator requires further information to clarify the vegetation communities that will be reinstated on disturbed areas. As requested in the Regulator's original submission, information is required on the post-mining vegetation community type, the specific location across each mining domain (e.g. included on a plan) and clear commitments on the rehabilitation objectives for re-vegetation, including land and soil capability class.</p> <p>The Resources Regulator's original submission requested further information on the intended post mining land use of "grazing controlled" nominated for the Tailings Storage Facility (TSF) and Waste Rock Emplacement (WRE) areas. Further analysis of the post mining management and maintenance was requested for this land use to ensure the capping/covers in these areas will support the intended final landuse without unsustainable land management restrictions.</p> <p>Based on this analysis, further clarification was requested to determine whether "grazing controlled" or another land use is more appropriate given the post-mining constraints associated with these</p>
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	<p>features. The RTS acknowledges that controlled grazing on the TSF and WRE would require careful management but provides no comment as to whether the capping/covers in these areas will support the intended final land use.</p>
Post-mining landform	<p>The Resources Regulator's original submission requested an assessment of the application of a geomorphic landform design to the WRE coupled with an analysis of long-term stability, such as those provided by landform evolution models.</p> <p>The RTS does not include this information, but outlines that the outer slopes of the WRE have been designed to generally follow a similar profile to the underlying natural surface (i.e. to have convex upper slopes and concave lower slopes), thereby avoiding straight sides with drainage lines and depressions. In addition, the RTS outlines that the detailed design for the rehabilitated landforms would be confirmed in the post-approval phase and ultimately submitted to the Resources Regulator for approval.</p> <p>In light of the Proponent's response to this issue it should be noted that as part of the Resources Regulator's assessment process in determining whether to approve a final landform design, a detailed analysis of long-term stability will be required.</p> <p>A potential implication of deferring the long-term stability assessment to the post consent phase is that the modelling may identify the need for a modified design in order to achieve a long-term stable landform.</p> <p>Where this design is inconsistent with the approved project (e.g. extent of footprint and or height of the landform), a future modification to the development consent may be required to permit the construction of the modified final landform design.</p>

The Resources Regulator requests an opportunity to review any amended or additional documentation lodged by the proponent that affects rehabilitation outcomes. The Resources Regulator also requests the opportunity to review any draft conditions of development consent prior to them being finalised.

Limitations

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented. 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,



Garvin Burns
Executive Director
Resources Regulator

10 August 2021