RDOC22/45271
MAAG0013533

Mandana Mazaheri
mandana.mazaheri@planning.nsw.gov.au

Via: Major Projects Portal / Email

Dear Mandana,

Re. Tomingley Gold Extension Project

I refer to your request of 25 February 2022 for advice regarding the Tomingley Gold Extension Project. The Resources Regulator has reviewed the request.

Environment and Rehabilitation
The Mining Act Inspectorate within the Resources Regulator has responsibility for providing strategic advice for environmental issues pertaining to the proposed project in so far as they relate to or affect rehabilitation. Based on the review of the EIS and supporting documentation, the Resources Regulator requires further information on the following items to confirm the rehabilitation strategy:

Rehabilitation Objectives
Clarification of rehabilitation objectives is required to address the following:

- Tailings/rejects storage facility long term stability (hydrology/surface drainage) performance - including a commitment to meeting requirements for closure specified in industry-accepted guidelines such as ANCOLD and the Global Industry Standard on Tailings Management.
- Clarification on the objectives for the capping to be placed over the tailings storage facilities - specifically the type of agricultural activities that the final land use will support in this area, including vegetation types and inevitable tree growth.
- Clarification of the land capability objective for all domains that have an agricultural land use specified
- Clarification of the stability that will be achieved in the void final profile - refer to comments below regarding final void slope stability.

Progressive Rehabilitation
The information provided does not address the SEARs requirement of expected timeframes for rehabilitation to demonstrate that opportunities for progressive rehabilitation are maximised.

Information on progressive rehabilitation is required to show a schedule of rehabilitation activities/areas mapped against key production milestones (i.e. ROM tonnes) of the mine layout sequence before being translated to indicative timeframes for each stage of rehabilitation throughout the mine life.

Conceptual Final Landform Design
Further information is required to show significant water management features on these plans, such as the proposed engineered drop structure (or spillway) for the tailings storage facility. Sectional views through key remnant features, such as final voids are also required.

Final landform design of rehabilitation
Its the Regulator's expectation that geomorphic design principles and use of Landform Evolution Modelling will be revisited throughout the mine life to address long-term erosion and stability risks.

Tailings management
Information is required on a constraints and opportunities analysis of different tailings management techniques (e.g. co-disposal, dewatering tailings, integrated landforms, etc.) and of alternative techniques to reduce the amount of tailings and reliance on conventional tailing storage facilities. This analysis should re-assess options for in-pit emplacement.

Information is required on the capping design and if an adequate volume of suitable material will be available to construct the cap. This includes information on the capping performance requirements to support the final landuse of agriculture, including an assessment of likely vegetation type to be installed and inevitable tree growth.

Information is required on the design of the surface water management on the tailings for closure and design of drop-structure/spillway and if this will meet requirements of industry-accepted guidelines ANCOLD and Global Tailings Standard.

Final Void
Information is required on a constraints and opportunities analysis of final void options, including backfilling, to justify that the proposed design is the most feasible and environmentally sustainable option to minimise the sterilisation of land post-mining. This analysis needs to take into account the identified instability issues associated with the Wyoming One pit.

Further information is required to address inconsistencies between the geotechnical (open pit stability) assessment reports prepared by AMC and risk control proposed in the EIS. In particular, AMC has recommended Factor of Safety (FoS) of 1.5 is appropriate for long term stability of final void slopes which is inconsistent with the FoS of 1.3 adopted in the risk assessment provided in the EIS (Section 3.14.5).

Information is also required on the adoption of the recommended FoS of 1.5 into the final void pit profile design and the corresponding resulting setback and larger footprint required at closure. This is required for both Wyoming One and SARs pit at closure. Consideration is also required for how a revised final landform profile will result in revised erosion parameters and a different result for the predicted erosion provided by the Landform Evolution Modelling undertaken.

Based on the outcome of variations to the final void pit design, an assessment of options to address erosion and improve stability for the final voids requires consideration. This may require an assessment of suitable materials available to improve the stability of the upper benches of final voids i.e. growth medium for vegetation growth or other material that may armour and reduce erosion to acceptable levels in the long-term for the exposed alluvium and saprolite material.

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 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,

Peter Day
Executive Director
Resources Regulator

6 April 2022