

Mandana Mazaheri
Principal Planning Officer
Energy Resource Industry Assessments
Department of Planning and Environment

Via: Major Projects Portal

Dear Mandana

Re. Tomingley Gold Extension Project

I refer to your request of 18 May 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 Submission Report dated May 2022, the Resources Regulator requires further information on the following items to confirm the rehabilitation strategy:

Progressive Rehabilitation

A schedule of rehabilitation activities (areas) mapped against key production milestones/mine layout sequence is required to demonstrate that opportunities for progressive rehabilitation are maximised. This could form part of a Rehabilitation Strategy requested as a condition of the Development Consent.

Conceptual Final Landform Design

The preliminary design of the drop structure/spillway in the Tailings Storage Facility (Residue Storage Facility) is required. This is reasonable and is consistent with the provision of design of emergency operational spillways in the EIS. The preliminary design of the drop structure/spillway will inform what considerations are required during the facility construction and material management associated with the mine. This will inform consideration of closure of the facility through the full mine life cycle, including appropriate management/quarantining of materials in appropriate quantities, which may be in short supply.

Tailings management

A constraints and opportunity analysis for tailings management specifically for in-pit disposal of tailings requires further consideration, rather than referring to a position provided by the EPA in 2016 for a separate project modification as the justification as to why this option is not assessed further.

Final Void

A constraints and opportunity analysis for the final voids options requires further consideration, including backfilling the Wyoming 1 pit to justify that the proposed design is the most feasible and environmentally sustainable option to minimise the sterilisation of land post-mining. The justification for not backfilling Wyoming 1 final void needs further assessment, including consideration of backfill with tailings (refer to separate point on tailing

management) and options to construct separate access to the mine workings (i.e. box-cut with drift or potentially shaft) and to verify why the access is required during the proposed life of the extension project.

Information provided to justify the adoption of various Factors of Safety (FoS) for the stability of final void slopes for different final voids is noted. The Regulator will seek further advice on the appropriateness of the FoS proposed, coupled with consideration of other landform stability risks controls in order to achieve a final void landform with negligible instability risk, which is a condition of the current development 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 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

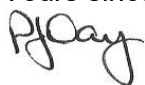
The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking assessment and compliance activities in relation to mine rehabilitation activities and determination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

10 June 2022