



Evolution
MINING

Cowal

ABN 74 084 669 036

Cowal Operations

P +61 2 6975 4700

F +61 2 6975 4740

PO Box 210

West Wyalong NSW 2671

Registered Office

P +61 2 9696 2900

F +61 2 9696 2901

Level 30

175 Liverpool Street

Sydney NSW 2022

www.evolutionmining.com.au

COW.400.05.3605JG

24 March 2016

Minister for Planning
c/- Executive Director, Mining Projects
Department of Planning and Environment
23-33 Bridge Street
SYDNEY NSW 2000

Attention: David Kitto

Dear David,

Cowal Gold Operations Development Consent Modification Application

Evolution Mining (Cowal) Pty Limited (Evolution) is the owner and operator of the Cowal Gold Operations (CGO).

Mining operations at the CGO are approved to 31 December 2024 and are carried out in accordance with Development Consent DA 14/98 (as modified on 22 July 2014).

Evolution requests the Minister for Planning (or delegate) to modify Development Consent DA 14/98 to reflect contemporary reporting requirements, to change the method of reporting cyanide monitoring results (in response to consultation with relevant regulatory authorities) and to facilitate some other minor editorial changes (herein referred to as "the Modification").

Specifically the Modification relates to:

1. Amending various Conditions throughout the Development Consent where the Office of Environment and Heritage (OEH) has been included as a relevant consultee instead of the Environment Protection Authority (EPA), or where the OEH should be removed as a relevant consultee.
2. Removing a duplicated paragraph from Condition 4.5(c) which already appears in Condition 4.5(b) (and is not relevant to Condition 4.5(c)).
3. Amending the Biodiversity Offset Strategy outlined in Table 2 of Development Consent Condition 3.4(a) to reflect the Biodiversity Offset Strategy described in the *Cowal Gold Mine Extension Modification Environmental Assessment* (Barrick [Cowal] Limited [Barrick], 2013).
4. Updating the Definitions of the Development Consent to reflect Evolution Mining (Cowal) Pty Limited as the Applicant and replace Barrick (for completeness).
5. Revising Development Consent Condition 5.3 to:
 - a) change the method for reporting cyanide monitoring results in accordance with the outcome of consultation with the relevant regulatory authorities (i.e. EPA and Division of Resources and Energy [DRE] [within the Department of Industry]) which receive the results; and
 - b) reflect that monitoring of cyanide levels of the aqueous component of the tailings slurry stream is approved to be undertaken at the process plant (not the discharge point to the tailings storage facilities) (in accordance with correspondence from the former Director-General of the Department of Planning dated 28 July 2010 which approved relocation of the automated sampler).

Details regarding the proposed amendments to the conditions of the Development Consent are outlined within.

The Modification is administrative in nature only and would not change the approved components of the CGO (e.g. mine life, general arrangement, mining operations) or alter the approved impacts of the CGO on the following aspects:

- ecology;
- heritage (Aboriginal and non-Aboriginal);
- surface water and groundwater resources;
- land resources;
- blasting and vibration;
- noise;
- air quality;
- visual amenity;
- road transport network;
- population and community infrastructure demand; and
- consequences or likelihood of a hazardous event.

The CGO would continue to be operated in accordance with the approved management plans required under Development Consent DA 14/98.

Evolution requests the Minister for Planning assess the proposed Modification under section 75W of the New South Wales (NSW) *Environmental Planning and Assessment Act, 1979* (EP&A Act).

Requested Modification to Development Consent DA 14/98 Conditions

1. Changing OEH to EPA and/or Removing OEH

Table 1 lists the Development Consent Conditions where the OEH has been identified as a relevant consultee instead of the EPA, or where the OEH should be removed as a relevant consultee, and provides the proposed revised Condition. The underlined text indicates the proposed new/revised text.

Table 1
Conditions which Require Replacement of OEH with EPA or Removal of OEH

Current Development Consent Condition	Proposed Revised Development Consent Condition
Condition 4.4(a)(i) The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must: (i) be prepared in consultation with NOW and OEH; ...	Proposed Revision to Condition 4.4(a)(i) The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must: (i) be prepared in consultation with NOW and <u>EPA</u> ; ...

Table 1 (Continued)
Conditions which Require Replacement of OEH with EPA or Removal of OEH

Current Development Consent Condition	Proposed Revised Development Consent Condition
<p>Condition 4.4(b)</p> <p>The Applicant shall develop a strategy for the decommissioning of water management structures, including water storages both in and around the mine site, the water pipeline and borefield infrastructure associated with the development, and long term management of final void and Lake protection bund. The strategy shall include, but not be limited to, long term monitoring of the water quality in the final void and stability of Lake protection bund and void walls, and options for alternate uses of the water pipeline. The strategy for the final void shall be submitted by Year 7 of mining operations or five years before mine closure, whichever is the sooner, in consultation with NOW, OEH, DRE, and CEMCC, and to the satisfaction of the Secretary.</p>	<p>Proposed Revision to Condition 4.4(b)</p> <p>The Applicant shall develop a strategy for the decommissioning of water management structures, including water storages both in and around the mine site, the water pipeline and borefield infrastructure associated with the development, and long term management of final void and Lake protection bund. The strategy shall include, but not be limited to, long term monitoring of the water quality in the final void and stability of Lake protection bund and void walls, and options for alternate uses of the water pipeline. The strategy for the final void shall be submitted by Year 7 of mining operations or five years before mine closure, whichever is the sooner, in consultation with NOW, <u>EPA</u>, DRE, and CEMCC, and to the satisfaction of the Secretary.</p>
<p>Condition 4.4(c)</p> <p>The Applicant shall construct the Lake protection bund and site water and tailings storages to the requirements of NOW, OEH and DSC.</p>	<p>Proposed Revision to Condition 4.4(c)</p> <p>The Applicant shall construct the Lake protection bund and site water and tailings storages to the requirements of NOW, <u>EPA</u> and DSC.</p>
<p>Condition 4.5(a)</p> <p>The Applicant shall construct and locate:</p> <ul style="list-style-type: none"> (i) surface water monitoring positions in consultation with NOW and OEH, and to the satisfaction of the Secretary, at least three months prior to the commencement of construction works unless otherwise directed by the Secretary; and (ii) groundwater monitoring positions in consultation with NOW and OEH, and to the satisfaction of the Secretary at least six months prior to the commencement of construction works unless otherwise directed by the Secretary. 	<p>Proposed Revision to Condition 4.5(a)</p> <p>The Applicant shall construct and locate:</p> <ul style="list-style-type: none"> (i) surface water monitoring positions in consultation with NOW and <u>EPA</u>, and to the satisfaction of the Secretary, at least three months prior to the commencement of construction works unless otherwise directed by the Secretary; and (ii) groundwater monitoring positions in consultation with NOW and <u>EPA</u>, and to the satisfaction of the Secretary at least six months prior to the commencement of construction works unless otherwise directed by the Secretary.
<p>Condition 4.5(b)</p> <p>The Applicant shall prepare and implement a detailed monitoring program for the development to the satisfaction of the Secretary. This plan must be prepared in consultation with NOW, OEH, DPI (Fisheries), and be directed towards monitoring the potential water impacts of the mine, including water in the up catchment diversion system, internal catchment drainage system, dewatering bores, all borefields associated with the development and water supply pipeline, pit/void, Lake Cowal, and any other waters in and around the mine site for all stages of the development.</p> <p>The monitoring program will include the development of adequate chemical and biological monitoring in the waters of Lake Cowal, when water is present, by suitably qualified and experienced staff or consultants to the satisfaction of the NOW and OEH, and in the case of biological monitoring DPI (Fisheries). NOW and OEH must be satisfied as to sampling design, including sample locations, sample frequency, sample handling, transport and analysis, sampling parameters and reporting of analysis results.</p> <p>The results and interpretation of the ground water monitoring (including biological monitoring) are to be published on the Applicant's website for the development on a regular basis, or as directed by the Secretary.</p>	<p>Proposed Revision to Condition 4.5(b)</p> <p>The Applicant shall prepare and implement a detailed monitoring program for the development to the satisfaction of the Secretary. This plan must be prepared in consultation with NOW, <u>EPA</u>, DPI (Fisheries), and be directed towards monitoring the potential water impacts of the mine, including water in the up catchment diversion system, internal catchment drainage system, dewatering bores, all borefields associated with the development and water supply pipeline, pit/void, Lake Cowal, and any other waters in and around the mine site for all stages of the development.</p> <p>The monitoring program will include the development of adequate chemical and biological monitoring in the waters of Lake Cowal, when water is present, by suitably qualified and experienced staff or consultants to the satisfaction of the NOW and <u>EPA</u>, and in the case of biological monitoring DPI (Fisheries). NOW and <u>EPA</u> must be satisfied as to sampling design, including sample locations, sample frequency, sample handling, transport and analysis, sampling parameters and reporting of analysis results.</p> <p>The results and interpretation of the ground water monitoring (including biological monitoring) are to be published on the Applicant's website for the development on a regular basis, or as directed by the Secretary.</p>

Table 1 (Continued)
Conditions which Require Replacement of OEH with EPA or Removal of OEH

Current Development Consent Condition	Proposed Revised Development Consent Condition
Condition 5.2 The Applicant shall: <ul style="list-style-type: none"> (a) construct the tailings dams to the requirements of the DRE, OEH, EPA and DSC and in consultation with NOW; and (b) construct and compact the floor of the tailings storages as required to a permeability acceptable to the DRE, OEH, and EPA in consultation with NOW. 	Proposed Revision to Condition 5.2 The Applicant shall: <ul style="list-style-type: none"> (a) construct the tailings dams to the requirements of the DRE, EPA and DSC and in consultation with NOW; and (b) construct and compact the floor of the tailings storages as required to a permeability acceptable to the DRE and EPA in consultation with NOW.
Condition 5.3(c) <u>Wildlife Deaths</u> In the event of wildlife deaths occurring due to cyanide, review of cyanide levels shall occur by the OEH and EPA in consultation with the Applicant and DRE.	Proposed Revision to Condition 5.3(c) <u>Wildlife Deaths</u> In the event of wildlife deaths occurring due to cyanide, review of cyanide levels shall occur by the EPA in consultation with the Applicant and DRE.
Condition 5.6 The Applicant shall install the site sewage treatment facility, and dispose of treated sewage and sillage to the satisfaction of BSC and OEH, and in accordance with the requirements of the Department of Health.	Proposed Revision to Condition 5.6 The Applicant shall install the site sewage treatment facility, and dispose of treated sewage and sillage to the satisfaction of BSC and <u>EPA</u> , and in accordance with the requirements of the <u>Ministry of Health</u> .
Condition 5.7 The Applicant shall prior to commencement of construction works prepare a Hazardous Waste and Chemical Management Plan as set out in section 6.4.1 of the EIS in consultation with OEH and BSC, and to the satisfaction of the Secretary.	Proposed Revision to Condition 5.7 The Applicant shall prior to commencement of construction works prepare a Hazardous Waste and Chemical Management Plan as set out in section 6.4.1 of the EIS in consultation with <u>EPA</u> and BSC, and to the satisfaction of the Secretary.

Please note that Development Consent Conditions 5.3(b) and 5.3(d)(i) also require the replacement of OEH with the EPA as the relevant consultation agency, however additional amendments are proposed to these Conditions and these are proposed in Section 5 of this letter.

2. Removing Duplicated Paragraph from Condition 4.5(c)

Table 2 outlines the proposed revision to Condition 4.5(c) to delete a repeated paragraph which already appears in Condition 4.5(b) and is not relevant to Condition 4.5(c).

Table 2
Proposed Revision to Condition 4.5(c)

Current Development Consent Condition	Proposed Revised Development Consent Condition
Condition 4.5(c) The Applicant shall prepare and implement a monitoring program for the detection of any movement of the Lake protection bund, water storage and tailings structures and pit/void walls during the life of the mine, with particular emphasis on monitoring after any seismic events prior to commencement of construction works, in consultation with NOW and DRE and to the satisfaction of the Secretary. The results and interpretation of the ground water monitoring (including biological monitoring) are to be published on the Applicant's website for the development on a regular basis, or as directed by the Secretary.	Proposed Revision to Condition 4.5(c) The Applicant shall prepare and implement a monitoring program for the detection of any movement of the Lake protection bund, water storage and tailings structures and pit/void walls during the life of the mine, with particular emphasis on monitoring after any seismic events prior to commencement of construction works, in consultation with NOW and DRE and to the satisfaction of the Secretary.

3. Amending the Biodiversity Offset Strategy

Development Consent Condition 3.4(a) currently provides:

The Applicant shall implement the biodiversity offset strategy summarised in Table 2, shown conceptually in Appendix 4, and described in detail in the EIS to the satisfaction of the Secretary.

Table 2: Summary of Biodiversity Offset Strategy

Area	Minimum Size
Northern Offset Area	110 ha
Southern Offset Area	100 ha
Southern Offset Area Extension (Mod 11)	230 ha
Total	440 ha

The minimum size areas (or hectare sizes) of the Northern Offset Area (110 ha) and Southern Offset Area (100 ha) identified in Table 2 of Development Consent Condition 3.4(a) are not consistent with the Biodiversity Offset Strategy described in the approved *Cowal Gold Mine Extension Modification Environmental Assessment* (Barrick, 2013).

Evolution understands that a transposition error may have occurred during the consolidation of Development Consent DA 14/98 associated with Modification 11 (granted on 22 July 2014).

Under the former version of Development Consent DA 14/98 (relevant to Modification 10), Condition 3.6(a)(iii) provided:

(a) *The Applicant shall:*

...

(iii) *Implement the biodiversity offset strategy as described in the EA, and summarised in Table 1 (and shown conceptually in Appendix 2), to the satisfaction of the Director-General and DII (Minerals).*

Table 1: Offset Strategy

Area	Minimum Size
Offset - Enhancement Area	110 ha
Offset - Revegetation Area	100 ha
Total	210 ha

During consolidation of Development Consent DA 14/98 Modification 10 to Modification 11, the 'Offset-Enhancement Area' has been transposed as the 'Northern Offset Area' and the 'Offset-Revegetation Area' has been transposed as the 'Southern Offset Area' within Table 2 of Development Consent Condition 3.4(a) (Modification 11).

The CGO's original 'Offset-Enhancement Area' was made up of an approximate 80 ha Enhancement Area within the Northern Offset Area and an approximate 30 ha Enhancement Area within the Southern Offset Area (i.e. an Enhancement Area totaling 110 ha). The Southern Offset Area also included an approximate 100 ha Revegetation Area.

Evolution proposes revision of Table 2 of Development Consent Condition 3.4(a) as follows to reflect the CGO's Biodiversity Offset Strategy:

Table 2: Summary of Biodiversity Offset Strategy

Area	Minimum Size
Northern Offset Area (Enhancement Area)	80 ha
Southern Offset Area (Enhancement Area) (including 230 ha Mod 11 Extension)	260 ha
Southern Offset Area (Revegetation Area)	100 ha
Total	440 ha

The proposed change reflects the total areas of the Northern and Southern Offset Areas and clearly identifies the size of the 'Enhancement Area' and 'Revegetation Area' components of the Northern and Southern Offset Areas.

The proposed amendments to Condition 3.4(a) are administrative in nature only and:

- **would not** change the total area of the Northern and Southern Offset Areas; and
- **would not** require a change to Appendix 4 of the Development Consent.

4. Updating the Definitions of the Development Consent

For completeness, it is proposed to update the Definitions section of the Development Consent to reflect Evolution Mining (Cowal) Pty Limited as the relevant Applicant, therefore replacing Barrick. The proposed revision is outlined below.

Applicant *Evolution Mining (Cowal) Pty Limited, or any other person or persons who rely on this consent to carry out the development that is subject to this consent.*

Evolution acquired the CGO in July 2015, subsequent to the most recent Modification 11 of Development Consent DA 14/98 granted on 22 July 2014.

5. Development Consent Condition 5.3

Location of Cyanide Monitoring Sampler

On 16 June 2010, the former owner and operator of the CGO (Barrick), sought a change to the location at which monitoring of cyanide (weak acid dissociable) (CN_{WAD}) levels of the aqueous component of the tailings slurry stream is undertaken. Barrick proposed to relocate the automated sampler for monitoring CN_{WAD} levels to within the process plant (from the discharge point to the tailings storages) to improve accessibility to the sampler for maintenance and sample collection.

Barrick's correspondence to the then DoP provided a comparison of the levels of CN_{WAD} at the process plant and at the discharge point to the tailings storages and confirmed that CN_{WAD} levels would always be higher at the process plant. Evidence of consultation with the then Department of Environment and Climate Change (DECC) regarding relocation of the automated sampler was also provided to the DoP which advised that the DECC had no objection to the monitoring point change.

On 28 July 2010, the Director-General of the DoP approved the relocation of the automated sampler for monitoring CN_{WAD} levels of the aqueous component of the tailings slurry stream to the process plant. The CGO's Environment Protection Licence (EPL) 11912 was also varied on 3 December 2010 to reflect the relocation of the automated sampler to the process plant.

Notwithstanding the Director-General's approval (on 28 July 2010) and the variation to the CGO's EPL, a modification to the Development Consent was not sought by Barrick at the time to amend the relevant Conditions of the Development Consent.

Accordingly, Evolution proposes to amend Development Consent Conditions 5.3(a), 5.3(b)(ii), 5.3(d)(i) and (iii) to reflect the approved location for monitoring CN_{WAD} levels of the aqueous component of the tailings slurry stream. The proposed revisions to Conditions 5.3(a), 5.3(b)(ii), 5.3(d)(i) and (iii) are outlined in Table 3 below.

Reporting Cyanide Monitoring Results

Condition 5.3(d)(i) currently requires Evolution to report cyanide monitoring results monthly to the DRE and the EPA. Consultation with the DRE and EPA at the 2013 CGO Annual Environmental Management Report (AEMR) meeting (held on 10 September 2014), revealed these agencies would prefer to receive these results less frequently. Evolution recently contacted the DRE (Michael Young) and EPA (Jason Price) in relation to their comments at the 2013 AEMR meeting. Both agencies have confirmed their preference for the cessation of direct reporting of cyanide monitoring results given cyanide monitoring results are presented in the CGO's Annual Review, and given Evolution also publishes cyanide monitoring results on its website in accordance with the requirements of Development Consent Condition 5.3(d) and section 66(6) of the *NSW Protection of the Environment Operations Act, 1997*. Correspondence from Mike Young and Jason Price regarding this matter is provided in Enclosure 1 of this letter.

Evolution therefore proposes to revise Condition 5.3(d)(i) to reflect the outcome of this consultation. The proposed revision to Condition 5.3(d)(i) would replace the requirement for reporting cyanide monitoring results directly to the DRE and the EPA monthly, with a requirement to report the results in the CGO's Annual Review. The proposed amendment **would not** change the frequency of cyanide monitoring, only the method of reporting the cyanide monitoring results.

As required by Development Consent Condition 5.3(d), Evolution would continue to regularly provide a summary of the CGO's cyanide monitoring results on Evolution's website.

Based on the above, Table 3 outlines the current wording of Conditions 5.3(a), 5.3(b)(ii) and 5.3(d)(i) and (iii), and the proposed revisions to these Conditions. The revised Conditions also replace OEH with EPA where relevant. The underlined text indicates the proposed new/revised text.

Table 3
Proposed Revision to Conditions 5.3(a), 5.3(b)(ii) and 5.3(d)(i) and (iii)

Current Development Consent Condition	Proposed Revised Development Consent Condition
<p>Condition 5.3(a) <u>Cyanide Levels</u></p> <p>The Applicant shall ensure that cyanide levels of the aqueous component of the tailings slurry stream do not exceed: 20 mg CN_{WAD} /L (90 percentile over six months), and 30 mg CN_{WAD}/L (maximum permissible limit at any time), at the discharge point to the tailings storages.</p>	<p>Proposed Revision to Condition 5.3(a) <u>Cyanide Levels</u></p> <p>The Applicant shall ensure that cyanide levels of the aqueous component of the tailings slurry stream do not exceed: 20 mg CN_{WAD} /L (90 percentile over six months), and 30 mg CN_{WAD}/L (maximum permissible limit at any time), at the <u>process plant</u>.</p>
<p>Condition 5.3(b) <u>Cyanide Management</u></p> <p>The Applicant shall prepare and implement a cyanide management plan for the development to the satisfaction of the Secretary. The plan is to be prepared in consultation with DRE, OEH, EPA and NOW, and include monitoring and reporting on cyanide use on the site. The plan shall make provision for, but is not limited to:</p> <p>...</p> <p>(ii) maintaining weak acid dissociable (WAD) cyanide levels at the discharge point to the tailings dams to the levels stated in condition 5.3(a);</p>	<p>Proposed Revision to Condition 5.3(b) <u>Cyanide Management</u></p> <p>The Applicant shall prepare and implement a cyanide management plan for the development to the satisfaction of the Secretary. The plan is to be prepared in consultation with DRE, EPA and NOW, and include monitoring and reporting on cyanide use on the site. The plan shall make provision for, but is not limited to:</p> <p>...</p> <p>(ii) maintaining weak acid dissociable (WAD) cyanide levels at the <u>process plant</u> to the levels stated in condition 5.3(a);</p>

Table 3 (Continued)
Proposed Revision to Conditions 5.3(a), 5.3(b)(ii) and 5.3(d)(i) and (iii)

Current Development Consent Condition	Proposed Revised Development Consent Condition
<p>Conditions 5.3(d)(i) and (iii)</p> <p><u>Cyanide Monitoring</u></p> <p>The Applicant shall prepare and implement a cyanide monitoring program for the development to the satisfaction of the Secretary. The plan must be prepared in consultation with the OEH and DRE, and shall include, but not be limited to, provision for:</p> <p>(i) monitoring of CN_{WAD} levels of the aqueous component of the tailings slurry stream at the discharge point to the tailings dams twice daily or as otherwise directed by the Secretary, with any increases above 20mg CN_{WAD}/L to be assessed daily to ensure compliance and reported monthly to the DRE and OEH, unless otherwise agreed by the Secretary. If the CN_{WAD} levels of 30mg/L are exceeded in the liquid at any time, discharge to the tailings dams shall cease until CN_{WAD} levels can be achieved below the levels stated in condition 5.3(a) and such exceedance shall be reported to the OEH within 24 hours;</p> <p>....</p> <p>(iii) an on site laboratory for quickly establishing CN_{WAD} levels in the liquid at the discharge point to the tailings dams and in the decant ponds for monitoring purposes;</p>	<p>Proposed Revision to Condition 5.3(d)(i) and (iii)</p> <p><u>Cyanide Monitoring</u></p> <p>The Applicant shall prepare and implement a cyanide monitoring program for the development to the satisfaction of the Secretary. The plan must be prepared in consultation with the <u>EPA</u> and DRE, and shall include, but not be limited to, provision for:</p> <p>(i) monitoring of CN_{WAD} levels of the aqueous component of the tailings slurry stream at the <u>process plant</u> twice daily or as otherwise directed by the Secretary, with any increases above 20mg CN_{WAD}/L to be assessed daily to ensure compliance and reported <u>in the Annual Review</u>, unless otherwise agreed by the Secretary. If the CN_{WAD} levels of 30mg/L are exceeded in the liquid at any time, discharge to the tailings dams shall cease until CN_{WAD} levels can be achieved below the levels stated in condition 5.3(a) and such exceedance shall be reported to the <u>EPA</u> within 24 hours;</p> <p>....</p> <p>(iii) an on site laboratory for quickly establishing CN_{WAD} levels in the liquid at the <u>process plant</u> and in the decant ponds for monitoring purposes;</p>

Justification of the Modification

The Modification is justified on the basis that the proposed Modification is administrative in nature only and would not change any approved components of the CGO or any approved environmental impacts or performance limits specified in Development Consent DA 14/98 and the CGO's EPL.

The Modification would allow the Development Consent to reflect consultation requirements with the relevant regulatory agencies and would reduce unnecessary administrative burden on the relevant regulatory agencies which currently receive the CGO's monthly cyanide monitoring results.

Approvals Pathway

The CGO is a 'transitional Part 3A project' under clause 2 of Schedule 6A of the EP&A Act and therefore section 75W of the EP&A Act continues to apply to modifications to Development Consent DA 14/98, despite its repeal¹.

Section 75W of the EP&A Act relevantly states:

75W Modification of Minister's approval

(1) *In this section:*

Minister's approval means an approval to carry out a project under this Part, and includes an approval of a concept plan.

Modification of approval means changing the terms of a Minister's approval, including:

- (a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*
- (b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*

(2) *The proponent may request the Minister to modify the Minister's approval for a project. The Minister's*

¹ Part 3A of the EP&A Act (as in force immediately before its repeal) continues to apply for the CGO. The description and quotations of relevant references to clauses of Part 3A in this document are as if Part 3A of the EP&A Act is still in force.

approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.

- (3) The request for the Minister's approval is to be lodged with the Director-General. The Director-General may notify the proponent of environmental assessment requirements with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.*
- (4) The Minister may modify the approval (with or without conditions) or disapprove of the modification.*

...

Evolution requests the Minister for Planning assess the proposed Modification under section 75W of the EP&A Act.

Modification Application

A completed application to modify a development consent (including a political donations disclosure statement) is provided in Enclosure 2.

Please do not hesitate to contact me on (02) 6975 4707 if you should have any queries.

Yours faithfully,
Evolution Mining (Cowal) Pty Limited



JASON GREIVE

Cowal Gold Operations General Manager

cc. Mike Young and Phillipa Duncan

ENCLOSURE 1

COPIES OF DRE AND EPA CORRESPONDENCE

Cow.400.04.01.795

 26449

23 MAR 2016

COPY

Garry Pearson

From: Jason Price <Jason.Price@epa.nsw.gov.au>
Sent: Wednesday, 23 March 2016 4:05 PM
To: Garry Pearson
Cc: Margot Robinson (mrobinson@ResourceStrategies.com.au)
Subject: RE: Cowal Gold Operations - Reporting of Cyanide Monitoring Results

G'day Garry – the EPA does not have any objections to the proposal to cease reporting the monthly cyanide results to the EPA, and that the cyanide monitoring requirements are continued to be reported to the EPA through the Annual Return.

We expect that where any cyanide limits are breached or EPL monitoring requirements are compromised that the EPA will be notified by Cowal gold mine staff as soon as they become aware of the breach/issue.

Regards

Jason Price

Regional Operations Officer – Griffith Unit

South Branch, NSW Environment Protection Authority

☎ (02) 6969 0700 Mobile ☎ 0428 460 247

jason.price@epa.nsw.gov.au www.epa.nsw.gov.au [@EPA_NSW](https://twitter.com/EPA_NSW)

Report pollution and environmental incidents 131 555 (NSW only) or 02 9995 5555



From: Garry Pearson [<mailto:Garry.Pearson@evolutionmining.com.au>]
Sent: Monday, 21 March 2016 5:06 PM
To: Jason Price
Cc: Margot Robinson (mrobinson@ResourceStrategies.com.au)
Subject: Cowal Gold Operations - Reporting of Cyanide Monitoring Results

COW.400.04.3602GP e-mail

Dear Jason,

As you would be aware, Condition 5.3(d)(i) of the Cowal Gold Operations (CGO) Development Consent requires Evolution to report cyanide monitoring results to the EPA monthly. A full transcript of Development Consent Condition 5.3(d)(i) is attached.

Evolution soon proposes to lodge a Development Consent modification application to facilitate some minor administrative changes throughout the Consent. As a part of the modification application Evolution also proposes to amend Condition 5.3(d)(i) to require reporting of cyanide monitoring results within the CGO Annual Review, therefore removing the requirement to report cyanide monitoring results monthly to the EPA and DRE.

Based on your recent discussions with Margot Robinson of Resource Strategies, Evolution understands the EPA would support the proposed change to the method of reporting the CGO's cyanide monitoring results.

Therefore, for the purposes of the proposed Development Consent modification application, Evolution kindly requests your confirmation that the EPA would be happy with the cessation of monthly reporting of cyanide monitoring results directly to the EPA and accepts reporting of cyanide monitoring results in the CGO's Annual Review.

Please note, the CGO's Environment Protection Licence (EPL) 11912 does not include a similar condition with regard to reporting cyanide monitoring results, therefore no change would be required to the EPL as a result of the modified Development Consent Condition.

Evolution will continue to regularly publish cyanide monitoring results on Evolution's website in accordance with the requirements of Development Consent Condition 5.3(d) and section 66(6) of the NSW *Protection of the Environment Operations Act, 1997*.

Please do not hesitate to call should you have any queries or if you would like to discuss.

Regards,
Garry

Garry Pearson
Environment and Social Responsibility Manager



Cowal Operations
Lake Cowal Road Lake Cowal NSW 2671

Tel: 0269754708
Mobile: 0400235735
Email: Garry.Pearson@evolutionmining.com.au
Web: www.evolutionmining.com.au

Safety - Excellence - Accountability - Respect

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Cow.400.02.01.794

 26449

22 MAR 2016

copy

Garry Pearson

From: Michael Young <michael.young@industry.nsw.gov.au>
Sent: Tuesday, 22 March 2016 4:34 PM
To: Garry Pearson
Cc: Margot Robinson (mrobinson@ResourceStrategies.com.au); Dan Adams
Subject: Re: Cowal Gold Operations - Reporting of Cyanide Monitoring Results

Hello Garry,

I can confirm that the DRE would accept annual reporting of cyanide monitoring results in the Annual Review instead of receiving monthly reporting directly via email or letter.

regards

Michael Young | Manager & Principal Inspector, Environment
Department of Industry | Division of Resources & Energy
Locked Bag 21, ORANGE NSW 2800
T: 02 6360 5346 | **F:** 02 6360 5363 | **M:** 0429 168 007
E: michael.young@trade.nsw.gov.au
W: www.resourcesandenergy.nsw.gov.au |

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of their organisation.



\$1.3b 
NSW mining royalties for 2013/14
helped fund infrastructure and services

Number of NSW households &
small businesses using solar

290k 

On Mon, Mar 21, 2016 at 5:09 PM, Garry Pearson <Garry.Pearson@evolutionmining.com.au> wrote:

COW.400.02.3603GP e-mail

Dear Mike,

As you would be aware, Condition 5.3(d)(i) of the Cowal Gold Operations (CGO) Development Consent requires Evolution to report cyanide monitoring results to the DRE monthly. A full transcript of Development Consent Condition 5.3(d)(i) is attached.

Evolution soon proposes to lodge a Development Consent modification application to facilitate some minor administrative changes throughout the Consent. As a part of the modification application Evolution also proposes to amend Condition 5.3(d)(i) to require reporting of cyanide monitoring results within the CGO Annual Review, therefore removing the requirement to report cyanide monitoring results monthly to the DRE and EPA.

Based on your recent discussions with Margot Robinson of Resource Strategies, Evolution understands the DRE would support the proposed change to the method of reporting the CGO's cyanide monitoring results.

Therefore, for the purposes of the proposed Development Consent modification application, Evolution kindly requests your confirmation that the DRE would be happy with the cessation of monthly reporting of cyanide monitoring results directly to the DRE and accepts reporting of cyanide monitoring results in the CGO's Annual Review.

Please also note that Evolution will continue to regularly publish cyanide monitoring results on Evolution's website in accordance with the requirements of Development Consent Condition 5.3(d) and section 66(6) of the *NSW Protection of the Environment Operations Act, 1997*.

Please do not hesitate to call should you have any queries or if you would like to discuss.

Regards,

Garry

Garry Pearson

Environment and Social Responsibility Manager

