

Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



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Director Resource Assessments

Sydney

1 September 2017

SCHEDULE 1

The project approval (08_0102) granted by the Minister for Planning on 26 November 2010 for the Integra Open Cut Project.

SCHEDULE 2

1. In the list of definitions, delete the term "DRE" and its definition and insert the following definitions in alphabetical order:

DRG	Division of Resources and Geoscience, within the Department
EA (Mod 7)	<i>Environmental Assessment for Proposed Modifications to Rix's Creek DA 49/94 N90/00356 (Mod 9) and Rix's Creek North Open Cut Project 08_0102 (Mod 7)</i> , and associated response to submissions titled <i>Rixs Creek – (DA 49/94 Mod 9) and Rixs Creek North (DA 08_0102 Mod 7) Response to Submissions</i>
Exploration drilling program	The exploration drilling activities as described in EA (Mod 7)

2. Delete all references to "DRE" and replace with "DRG".
3. In condition 2 of Schedule 2:
 - a) delete the word "and" at the end of sub-paragraph (g); and
 - b) delete sub-paragraph (h) and replace with:
 - (h) EA Mod 7; and
 - (i) project layout plan.

After condition 16 of Schedule 3, insert the following:

COMPLIANCE

17. The Proponent must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.
4. After condition 42 of Schedule 3, insert the following:

Targeted Survey

- 42A. Prior to the commencement of the exploration drilling program, the Proponent must:
 - a) conduct a targeted survey for *Diuris tricolor* during its known flowering time (mid-September to mid-October) within the area of disturbance of each proposed borehole, in consultation with OEH.
 - b) prepare a report, to the satisfaction of the Secretary, detailing:
 - the results of the survey;
 - whether the proposed exploration activities would harm *Diuris tricolor*;

- what measures would be implemented to avoid impacts on *Diuris tricolor* and other threatened species, populations or their habitats; and
- suitable offset arrangements in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*, if the survey concludes that *Diuris tricolor* would be harmed by the proposed boreholes.

The Proponent must implement the findings of the report, to the satisfaction of the Secretary.

5. After condition 52 of Schedule 2, insert the following:

53. Within 12 months of the completion of the exploration drilling program, the Proponent shall plant 2 trees for every established tree removed during the exploration drilling program. The replacement trees must be of like-for-like species, planted in the same area from which they were removed, and be maintained until established.

Note: An established tree is considered to be two metres or greater in height.

54. Rehabilitation of all areas disturbed by the exploration drilling program is to be undertaken in accordance with an approved Mining Operations Plan / Rehabilitation Management Plan, to the satisfaction of DRG.

6. After condition 1 of Schedule 5, insert the following:

Evidence of Consultation

- 1A. Where consultation with any public authority is required by the conditions of this approval, the Proponent must:
 - (a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;
 - (b) submit evidence of this consultation as part of the relevant document;
 - (c) describe how matters raised by the authority have been addressed and any matters not resolved; and
 - (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Proponent.
7. In condition 5 of Schedule 5, after the word "Secretary.", insert the words "The Proponent must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary."
8. In condition 6 of Schedule 5:
 - a) at the beginning of the second paragraph insert the words "The Secretary may approve a revised strategy, plan or program required under this approval, or the staged submission of any of these documents, at any time."; and
 - b) after the second paragraph insert the following:

While any strategy, plan or program may be submitted on a staged basis, the Proponent will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.

If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.
9. In condition 7 of Schedule 5, delete the words "*Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version)*" and replace with "Department's *Community Consultative Committee Guidelines, November 2016* (or later version)."
10. Delete condition 8 of Schedule 5 and replace with:
 8. The Proponent must immediately notify the Secretary (using the contact name, email address and phone number provided by the Department from time to time) and any other relevant agencies of any incident.
 - 8A. Within 7 days of the date of the incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested. This report must include the time and date of the incident, details of the incident, measures implemented to prevent re-occurrence and must identify and non-compliance with this approval.

11. At the end of condition 12 of Schedule 5, insert the words “The Proponent must implement these recommendations, to the satisfaction of the Secretary.”