



25 January 2022

Mr Steve O'Donoghue  
Team Leader  
Resource Assessments  
NSW Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

**Sent by email to:**

Stephen.ODonoghue@planning.nsw.gov.au  
Mandana.Mazaheri@planning.nsw.gov.au

Dear Steve

**Re: Tomingley Gold Mine - Proposed Modification 6 to MP 09\_0155**

Tomingley Gold Operations Pty Ltd (the Applicant) is proposing a sixth modification (MOD6) to MP09\_0155 for the Tomingley Gold Mine (TGO). The proposed modification would seek approval for construction and use of Stages 9, Cell 2 of Residue Storage Facility 1.

The modification application would be made under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The development, as modified, would remain substantially the same development as the approved development on 31 August 2018, the date on which the consent was declared to be a State Significant Development.

The purpose of this letter is to provide the Department with a range of background information on:

- why the Proposed Modification is required;
- a brief overview of the proposed activities;
- the statutory and approvals context;
- the matters requiring assessment in the *Modification Report*;
- the Applicant's proposed agency and community engagement;
- the interaction of the proposed MOD6 and Tomingley Gold Extension Project (TGEP) applications; and
- the next steps.

The letter concludes with a request for the Department's requirements for the *Modification Report*.

**Brooklyn Office:**

Level 1, 12 Dangar Road, PO Box 239, BROOKLYN NSW 2083  
Telephone: (02) 9985 8511 Email: brooklyn@rwcorkery.com

**Orange Office:**

62 Hill Street, ORANGE NSW 2800  
Telephone: (02) 6362 5411 Email: orange@rwcorkery.com

**Brisbane Office:**

Level 54, 111 Eagle Street, BRISBANE QLD 4000  
Telephone: (07) 3205 5400 Email: brisbane@rwcorkery.com

## Need for MOD6

MP09\_0155 has been modified five times, most recently as follows.

- MOD4 - Approved on 25 May 2020 to permit construction and use of Stages 7 to Stage 9 Cell 1 of Residue Storage Facility 1.
- MOD5 – Approved on 5 May 2021 to permit the following.
  - Construction and use of Stages 1 and 2 of Residue Storage Facility 2.
  - An extension of Mine Life from 31 December 2022 to 31 December 2025.
  - Extension of the TGO Mine Site boundary to incorporate Residue Storage Facility 2.
  - Use of Caloma 2 for backfilling operations.

Following receipt of the MOD4 approval, the Applicant has constructed Stage 7 of Residue Storage Facility 1 and is currently constructing Stage 8. Stage 8 of Residue Storage Facility 1 is expected to reach capacity by September 2022 and Stage 9, Cell 1 by December 2022.

MOD5 added an additional condition to MP09\_0155 requiring that Residue Storage Facility 2 be constructed “using the centreline lift construction methodology, unless otherwise agreed by the Secretary.” This, together with a range of other matters, has resulted in the delays to the completion of the final detailed design for Residue Storage Facility 2 Stage 1, with that report now expected to be received by the end of January 2022.

Steps to be completed prior to commissioning of Residue Storage Facility 2 include the following.

- Issuing of tender documents for construction of the Facility, preparation and review of Proposals and awarding of the contract. The tender document was issued Thursday 13 January 2022, with the contractor to be appointed by the end of March 2022.
- Construction of Stage 1 of the Facility, including excavation of the basin and establishment of all required infrastructure, including engineered clay liners and embankments. Construction is expected to commence in April 2022 and require 9 months, assuming no significant weather or COVID 19-related delays.

**Table A** presents the residue deposition schedule for Residue Storage Facility 1. In summary, the current Facility will reach capacity by December 2022.

**Table A**  
**RSF1 Deposition Schedule**

RSF1 Stage		Residue Deposition	
		Commences	Complete
Stage 7	Cell 1	November 2020	July 2021
	Cell 2	January 2021	December 2021
Stage 8	Cell 1	January 2022	May 2022
	Cell 2	April 2022	September 2022
Stage 9	Cell 1	August 2022	December 2022

In light of the above, there is a material risk that Residue Storage Facility 2 will not be available when Residue Storage Facility 1 Stage 9 Cell 1 is at full capacity. As a result, the Applicant proposes to seek development consent for Residue Storage Facility 1 Stage 9 Cell 2.

## Overview of the Proposed Activities

**Figures A and B** present the proposed layout of Residue Storage Facility 1 Stage 9 Cell 2. In summary, the proposed cell would be constructed to the east of Residue Storage Facility 1 Cell 1. The Proposed Modification would result in the final elevation of residue within both Cells 1 and 2 being approximately 286m AHD.

Construction of Residue Storage Facility 1 Stage 9 Cell 2 would provide an additional approximately 400 000t of residue storage. Construction and operation of the Cell would be as described in the MOD4 *Modification Report* for the approved cells, namely utilising an upstream lift methodology, with no additional land disturbance required. The Design Report for Residue Storage Facility 1 prepared by GHD in December 2019 to support the application for MOD4 contemplated construction of Residue Storage Facility 2 Stage 9 Cell 2. In particular, that report included an assessment of stability of Residue Storage Facility 1, including Stage 9 Cell 2. For the purpose of the Proposed Modification, reliance will be placed on the 2019 GHD report, with further detailed design for Stage 9 to be completed prior to construction.

The Proposed Modification would require a modification of the proposed final landform to account for the fact that Residue Storage Facility 1 Cells 1 and 2 would be filled to the same elevation. The revised final landform would result in drainage on the rehabilitate upper surface from north to south, with water discharged to Residue Storage Facility 2 from where it would be discharged to the natural surface.

## Statutory and Approvals Context

The Applicant anticipates that the following approvals or agreements would be required to facilitate the proposed activities.

- Modification of M09\_0155 under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

The following approvals or licences will not be required to be modified for the following reasons:

- Additional Mining Lease – all activities would be undertaken within the existing Mining Lease.
- A modified EPL – there would be no changes to the activities undertaken on site nor the area of the premises.
- Additional biodiversity offsets – There would not be additional disturbance of vegetation.
- Water Licences – the proposed activities would not impact upon the volume of water that would be used by the Mine, nor would additional groundwater or surface water be captured.

## Matters Requiring Assessment

**Table B** presents a very brief overview of the anticipated environmental risks associated with the proposed activities, as well as a brief overview of the proposed approach to assessing those impacts.

## Proposed Engagement

The following presents the proposed government agencies, in addition to the Department of Planning and Environment, to be consulted during preparation of the *Modification Report*.

- Environment Protection Authority.
- Resources Regulator.

- Mining, Exploration and Geoscience.
- Dams Safety NSW.
- Narromine Shire Council.

### Proposed Interaction of MOD6 and TGEP Applications

The Applicant anticipates that the applications for MOD6 and TGEP would proceed in parallel, with the MOD6 application to be determined before the TGEP application. The Applicant would amend the TGEP EIS to identify the proposed MOD6 application. The MOD6 Modification Report would also include an overview of the TGEP application.

**Table B**  
**Potential Environmental Risks**

Environmental Aspect	Potential Environmental Risks	Anticipated Assessment Approach
Biodiversity	<ul style="list-style-type: none"> <li>• No additional disturbance of native vegetation – negligible additional environmental risk.</li> </ul>	<ul style="list-style-type: none"> <li>• The <i>Modification Report</i> will demonstrate that the Proposed Modification would not result in disturbance of additional land.</li> </ul>
Heritage		
Soils and Land Capability		
Noise	<ul style="list-style-type: none"> <li>• No additional noise or equipment – negligible additional environmental risk.</li> </ul>	<ul style="list-style-type: none"> <li>• A qualitative noise and air quality assessment will be prepared based on recent monitoring.</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>• No additional dust or other emissions – negligible additional environmental risk.</li> </ul>	
Surface Water	<ul style="list-style-type: none"> <li>• Residue Storage Facility 1 has been designed to contain a 1:10,000 ARI rainfall event – negligible additional environmental risk.</li> </ul>	<ul style="list-style-type: none"> <li>• The <i>Modification Report</i> will demonstrate that there would be negligible additional surface water or groundwater-related impacts.</li> </ul>
Groundwater	<ul style="list-style-type: none"> <li>• There would be no change to the existing liner or leak protection – negligible additional environmental risk.</li> </ul>	
Traffic and Transportation	<ul style="list-style-type: none"> <li>• The Proposed Modification would not change off-site transportation – negligible additional environmental risk.</li> </ul>	<ul style="list-style-type: none"> <li>• The <i>Modification Report</i> will demonstrate that there would be negligible additional traffic-related impacts.</li> </ul>
Visual amenity	<ul style="list-style-type: none"> <li>• The Proposed Modification would result in the eastern section of Residue Storage Facility 1 being 2m higher than the approved final landform – negligible additional environmental risk</li> </ul>	<ul style="list-style-type: none"> <li>• The <i>Modification Report</i> will demonstrate that there would be negligible additional visual amenity-related impacts.</li> </ul>
Social and Economic	<ul style="list-style-type: none"> <li>• The Proposed Modification would reduce the risk of an unplanned interruption of processing operations.</li> </ul>	<ul style="list-style-type: none"> <li>• The <i>Modification Report</i> will demonstrate that the additional social and economic impacts are likely to be positive.</li> </ul>

**Next Steps**

Based on the above, the proposed next steps and anticipated timing are as follows:

- RWC request agency requirements .....by 25 January 2022
- RWC submit *Modification Report* for high level review .....by 18 February 2022
- RWC submit *Modification Report* for exhibition .....by 4 March 2022
- DPIE determine application.....by 30 June 2022
- Commencement of construction of Stage 9 Cell 2 ..... by 31 July 2022

Finally, I would be grateful if the Department could please provide your requirements for the *Modification Report* which will be prepared in accordance with the *State significant development guidelines – preparing a modification report* dated July 2021.

I trust that this provides you with the information that you require at this stage. Please do not hesitate to contact me should you require additional information.

Yours sincerely



Mitchell Bland  
Managing Director/Principal





