

Emily Murray  
Environmental Assessment Officer  
Resources Assessments

Via: Major Projects Portal

Dear Ms Murray

**Re. Tomingley Gold Mine MOD 5 report**

I refer to your request of 10 December 2020 for advice regarding Tomingley Gold Mine MOD5. The Resources Regulator has reviewed the request.

**Assessment**

Based on the review of the Modification Report MOD 5, it appears that the advice provided in our letter dated 4 November 2020 (LETT0005199) to the proponent providing Mining Development Rehabilitation Standard SEARs have not been adequately addressed. The Regulator has identified issues of concern regarding the Modification Report MOD 5 as follows:

1. On a number of occasions within the Modification Report MOD 5 the proponent has referred to having addressed the SEARs in the 'Approved MOP'. However, the proposed RSF2 facility is not detailed in the approved MOP. There are also deficiencies in the current approved MOP that will require amendment should the proposed modification be approved (which will be addressed separately with the proponent at the relevant time).
2. Further detail regarding the assessment of alternatives to carrying out the construction of the RSF2 is required. This assessment must include alternate tailings treatment options such as dewatered tailings and/or use of integrated waste landforms, as well as alternate tailings placement areas, such as existing pits/voids. This assessment must also provide a clear consideration of the lifting/augmenting of the existing RSF and or a reduction to the size of the proposed RSF2 to accommodate the anticipated volume of residue through to 2025.
3. The RSF2 has been designed for the proposed Tomingley Gold Extension Project (SSD-9176045) which, if approved, will extend the mine life from seven to ten years. The proposed RSF2 is a significantly larger disturbance footprint than what is required under the approved mining operations. In a scenario where the Tomingley Gold Extension Project does not progress, the proponent should provide a rehabilitation strategy which addresses the rehabilitation of RSF2 within the currently approved timeframes.

In addition to the above, the Regulator provides the following comments for consideration of the consent authority which directly relate to the SEARs:

### **1. Post-mining land use:**

There is uncertainty regarding the final land use which is stated as "to be determined, sustainable agriculture or other commercial use". A specific final land use is required.

### **2. Rehabilitation objectives:**

Rehabilitation objectives specific to the final land use are required. Rehabilitation objectives should include a component that makes reference to the need to achieve long-term stability of the final landform of the residue facility in accordance with ANCOLD guidelines design criteria for closure (Note: There is no reference to long term stability or ANCOLD guidelines in the currently approved MOP. MOD 5 if approved, would trigger the requirement for a new MOP). Further detail is also required regarding consideration of integrating the final landform into the surrounding landform.

### **3. Rehabilitation methodology:**

It is unclear whether the RSF2 will be integrated with the existing facility, either during stage 1 and 2 and/or during future stages. Additional information should be provided regarding opportunities to undertake progressive rehabilitation of RSF1 once RSF2 is commissioned including what techniques will be employed to maximise progressive rehabilitation (e.g. to reduce the desiccation period). Additional information is also required regarding the availability and suitability of cover material for RSF2.

### **4. Monitoring and Research:**

Information is required regarding rehabilitation monitoring, trials and research previously undertaken and how this may be applied to the proposed landforms. This should include what modelling will be undertaken to ensure long-term stability of this final landform.

### **5. Post closure maintenance:**

Information is required on post closure maintenance for the final land use.

**The Regulator recommends that the above issues are addressed by the proponent prior to any approval being granted for the project.**

## **Limitations**

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the SoEE. Under the conditions of a mining authorisation granted under the *Mining Act 1992*, the Resources Regulator requires the holder to achieve 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 submit a revised Mining Operations Plan for approval by the Resources Regulator 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 obligations.

## **Background**

The Mining Act Inspectorate within the Resources Regulator has responsibility for providing strategic advice on environmental issues as they relate to or affect mine rehabilitation.

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](mailto:ED.ResourcesRegulator@planning.nsw.gov.au))

Yours sincerely,



**Anthony Keon  
Executive Director  
Resources Regulator**

27 January 2021