

Elle Clementine
Planning Officer
Assessment Practice

Via: Major Projects Portal

Dear Ms Clementine

Re. Cadia East – MOD 14 report for comment (MP06_0295-Mod-14)

I refer to your request of 14 January 2021 for advice regarding the Cadia East Project's Modification 14 application and report. The Resources Regulator has reviewed the request.

Assessment

Based on the review of the modification report, the Resources Regulator advises that it has no specific comments regarding mine safety matters in relation to the proposal.

In regards to mine rehabilitation, the Resources Regulator requests additional information to adequately address the following issues:

Nomination of rehabilitation objectives specific to the final land use(s)	The rehabilitation objectives are to include a reference to the need to achieve long-term stability of the tailings facility in accordance with requirement specified by ANCOLD. Note: ANCOLD Guidelines on Tailings Dams (July 2019) provides design criteria for closure.
Inclusion of a Conceptual Final Landform Design for the TSF	The design plan should include information on all final landform surface water management structures (including drainages and spillways) and location of final land uses. Clarification is required in this plan for how the final landform will accommodate surface water management in the proposed embankment extension adjacent to the title boundary in the south.
Post-mining landuse	Further information is required to clarify how the final landform will be capable of sustaining the final land use of occasional/opportunistic and controlled grazing. Issues to consider include long term stability, exposure of tailings material and ability to sustain plant growth.
Rehabilitation methodology	Information on the rehabilitation methodology of the Tailings Storage Facility is required. This information is to include information on the final capping design. The source of the material for the cap is also required to

	be nominated, to ensure the development consent covers the sourcing, transport and use of this material.
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Limitations

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the documents 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 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 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.

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,



Alex Tutt-Branco
Executive Officer
Office of the Executive Director, Resources Regulator

8 February 2021