

Mandana Mazaheri
Department of Planning, Industry and Environment

Via: Major Projects Portal / Email

Dear Mr Mazaheri,

Re. a Modification Application and Report for the Rasp Lead/Zinc/Silver Project MOD 6 – New Tailing Storage Facility (MP07_0018-Mod-6).

I refer to your request of 3 September 2021 for advice regarding the Rasp Project Mod 6. The Resources Regulator has reviewed the request.

Assessment

Based on the review of the modification report, the report has **not** adequately addressed the Resources Regulator's environmental assessment requirements as set out in our correspondence dated 29 March 2019 (Department Reference: DOC19/276560).

In addition, the Resources Regulator requests that the proponent address the additional matters outlined below:

Issue: Post Mining Land Use

Comment: The EA should include an identification and assessment of post-mining land use options in consideration of constraints and opportunities associated with the site, regardless of pending guidance on closure objectives from the Inter-agency Panel on the Line of Lode. This should incorporate the outcomes of the Rasp Mine Dust Management Options Assessment that was undertaken in accordance under the Mining Operations Plan.

Issue: Rehabilitation Objectives and Domains

Comment: Rehabilitation objectives and completion criteria are not provided for significant features of the project (e.g. Kintour Pit TSF3 and Blackwood Pit TSF2) and should be considered upfront. It is understood that these details will be provided with submission of the Rehabilitation Management Plan in accordance with the implementation of the Operational Rehabilitation Reform, however this information has been requested as part of the project SEARs. Taking into consideration the conceptual final forms provided in the Modification Report, a clear statement is required that surface water management, including spillways in the final landform will be designed to meet hydrological projections associated with industry accepted guidelines for tailings storage facility closure – specifically ANCOLD Guidelines on Tailings Dams (2019) and the ICMM Global Tailings Standard.

The Resources Regulator requests an opportunity to review any amended or additional documentation lodged by the proponent that affects rehabilitation outcomes. The Resources Regulator also requests the opportunity to review any draft conditions of development consent prior to them being finalised.

Limitations

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the plans 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 comply with rehabilitation requirements under the mining authorisations 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,



Steve Orr
A/Executive Director
Resources Regulator

6 October 2021