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*"Regional Centre in Western NSW"*

GJR:RJ

14 December 2020

Energy, Industry and Compliance Division  
Planning & Assessment  
Department of Planning, Industry & Environment  
4 Parramatta Square  
12 Darcy St  
Locked Bag 5022  
**PARRAMATTA NSW 2124**

Dear Sir/Madam

**RE: HERA GOLD MINE (MP10 0191 – MOD – 6)**

I refer to an email from Brittany Golding received on 1 December 2020 inviting comments on the proposed modification.

The key issue affecting Cobar Shire Council relative to the proposed modification is the impact of the new activities associated with the Hera Mines, the Peak Gold Mine and Federation exploration project on local and regional roads being Burthong Road and Priory Tank Road.

Prior to confirming support (no objection) to the subject application it is requested that the following matters be raised for discussion with the proponent and a response provided to Cobar Shire Council.

1. Merely leaving consideration of the impacts of the transport of the bulk ore sample and waste rock from the Federation project to the Hera Mine to be made as part of a separate application under the *Mining Act* is not acceptable to Council unless the Resources Regulator gives an undertaking to Council that all off-site impacts (including any required upgrading work and ongoing maintenance of Burthong Road) will be properly considered to the fullest extent possible as required, Part 5 of the *Environmental Planning and Assessment Act 1979*. Such consideration will include both the proponent and the Resources Regulator consulting with Council and taking into account its comments prior to determining any application. Alternatively, the impacts of the proposed transport of waste rock and bulk sample from the Federation site to the Hera Mine may be assessed as part of the subject application.
2. The position stated in the Modification Report at p24 that "*Receipt of ore and export of waste rock from the Peak Mine is an approved activity under the approvals held for that operation*". This statement should not be accepted without validation or alternatively all impacts of moving ore and waste rock between Peak Mine and Hera Mine should be properly assessed as part of the subject application. At this stage council's initial position (without researching the approval

history of Peak) is that it is not aware of any nexus or links between approvals at the Peak Mine and the Hera Mine.

3. Council supports the position of the proponent in offering to contribute to the upgrading and ongoing maintenance of both Burthong Road and the Priory Tank Road. However, while it is accepted that the proponent and Council should be able to negotiate “in good faith” an agreement as to the requested upgrading works and ongoing maintenance conditions, it is important to clearly articulate an agreed methodology in respect of determining the extent and cost of work as a pre-condition to granting consent. This needs to be discussed between the proponent and Council.

If you have any questions concerning this advice or require further information please contact me via email at [mail@cobar.nsw.gov.au](mailto:mail@cobar.nsw.gov.au).

Yours faithfully



 Garry Ryman

**DIRECTOR OF PLANNING AND ENVIRONMENTAL SERVICES**