

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate for the Minister for Planning and Infrastructure, I approve the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance

Sydney

2012

SCHEDULE 1

Application Number:	09_0155
Proponent:	Alkane Resources Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	See Appendix 1
Project:	Tomingley Gold Project

Red type represents November 2013 modification
Blue type represents April 2015 modification
Green type represents July 2016 modification

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DEFINITIONS

Annual Review	The review required by condition 4 of Schedule 5
Approval	This project approval
BCA	Building Code of Australia
CCC	Community Consultative Committee
Conditions of this approval	Conditions contained in Schedules 2 to 5 inclusive
Construction	Includes all on site activities associated with the project prior to commencing mining operations other than survey, acquisitions, fencing, establishment of construction site offices and associated infrastructure, exploration and any other activity covered by an existing approval, or any other activity which has a negligible impact
Council	Narromine Shire Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
DPI Water	The Water Division within the NSW Department of Primary Industries
DRE	Division of Resources and Energy within the NSW Department of Industry
EA	The environmental assessment titled ' <i>Tomingley Gold Project: Environmental Assessment</i> ' dated November 2011 and associated response to submissions titled ' <i>Tomingley Gold Project: Response to Submissions</i> ', dated March 2012, as modified by the: <ul style="list-style-type: none"> • letter from Alkane Resources to the Department dated 11 May 2012; • modification application dated 14 September 2013 and the associated correspondence from Tomingley Gold Operations Pty Ltd to the Department dated 21 October 2013; • Tomingley Gold Project: Environmental Assessment - Modification 2, dated December 2014; • Tomingley Gold Project: Environmental Assessment - Modification 3, dated November 2015 and associated response to submissions, dated February 2016.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence issued under the POEO Act
Evening	The period from 6pm to 10pm
Executive Director Mineral Resources	Executive Director, Mineral Resources within DRE, or equivalent position
Feasible	Feasible relates to engineering considerations and what is practical to build or to implement
Incident	A set of circumstances that: <ul style="list-style-type: none"> • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this approval
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in Schedule 3 and throughout Schedule 4 of this approval where it is defined to mean the whole of a lot, or contiguous lots, owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Mining operations	Includes the removal of waste rock and extracting, transporting, processing, handling and storing ore material on site
Minister	Minister for Planning, or delegate
Minor	Not very large, important or serious
Mitigation	Activities associated with reducing the impacts of the project prior to or during those impacts occurring
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of Environment and Heritage, within the Department of Premier and Cabinet
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Project	The project described in the EA
Proponent	Alkane Resources Ltd, or any other person or persons who rely on this approval to carry out the development that is subject to this approval

Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment.
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
Site	The land listed in Appendix 1
Statement of Commitments	The Proponent's commitments in Appendix 7

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific performance criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.

TERMS OF APPROVAL

2. The Proponent shall carry out the project generally in accordance with the:

- (a) EA;
- (b) Statement of Commitments; and
- (c) conditions of this approval.

Notes:

- The general layout of the project is shown in Appendix 2; and
- The Statement of Commitments is reproduced in Appendix 7.

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the [Secretary](#) arising from the Department's assessment of:
 - (a) any strategies, plans, programs, reviews, audit correspondence that are submitted in accordance with this approval;
 - (b) any report, reviews or audits commissioned by the Department regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in these documents.

LIMITS ON APPROVAL

5. The Proponent may carry out mining operations on the site until 31 December 2022.

Note: Under this approval, the Proponent is required to rehabilitate the site and perform additional undertakings to the satisfaction of both the [Secretary](#) and the Executive Director Mineral Resources. Consequently, this approval will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.

6. The Proponent shall not:
 - (a) process more than 1.5 million tonnes of ore at the site in a calendar year;
 - (b) transport unprocessed ore from the site; or
 - (c) process any ore other than that extracted from the site.

7. **DELETED**

STRUCTURAL ADEQUACY

8. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; and
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.

DEMOLITION

9. The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

10. Unless the Proponent and the applicable authority agree otherwise, the Proponent shall:
 - (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

11. Unless otherwise agreed by RMS, all works associated with the underpass of the Newell Highway, all pipeline and transmission line crossings of classified roads, and all works connecting to classified roads shall be undertaken in accordance with the Works Authorisation Deed agreed between the Proponent and RMS and effective from 12 May 2011.

OPERATION OF PLANT AND EQUIPMENT

12. The Proponent shall ensure that all the plant and equipment used at the site, or to transport materials from the site, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM

13. With the approval of the [Secretary](#), the Proponent may:
- (a) submit any strategy, plan or program required by this approval on a progressive basis; and
 - (b) combine any strategy, plan or program required by this approval with any similar strategy, plan or program required for the project.

Notes:

- *While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the activities on site are covered by suitable strategies, plans or programs at all times; and*
- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.*

PLANNING AGREEMENT

14. [By 30 November 2016, unless otherwise agreed by the Secretary, the Proponent shall amend the current planning agreement with Council under Division 6 of Part 4 of the EP&A Act to reflect the terms outlined in Appendix 3.](#)
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SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

NOISE

Acquisition Upon Request

1. Upon receiving a written request for acquisition from an owner of the land in Table 1, the Proponent shall acquire the land in accordance with the procedures in conditions 6-7 of schedule 4.

Table 1: Land subject to acquisition upon request

Lot	DP
156	755093
157	755093
1622	1178801

Additional Noise Mitigation Measures

2. Upon receiving a written request from the owner of the properties identified as **R3, R23, R27, R28, R29, R32, R33 or R41**, the Proponent shall implement additional noise mitigation measures (such as double-glazing, insulation and/or air conditioning) at the residence in consultation with the landowner. These measures must be reasonable and feasible, and directed towards reducing the noise impacts of the project on the residence.

If the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the [Secretary](#) for resolution.

Note: to interpret the locations referred to in condition 2 of schedule 3, see the figure in Appendix 4.

Noise Criteria

3. Until 30 June 2019, unless agreed otherwise by the Secretary, the Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 2 at any residence on privately-owned land (except for residences on the land identified in Table 1).

Table 2: Noise Criteria dB(A)

Noise Assessment Group	Receivers	Day	Evening	Night	
		(<i>L_{Aeq}</i> (15-minute))	(<i>L_{Aeq}</i> (15-minute))	(<i>L_{Aeq}</i> (15-minute))	(<i>L_{A1}</i> (1-minute))
NAG A	R1, R4, R6	36	36	36	45
	R5	37	37	37	45
	All other receivers	35	35	35	45
NAG B	All receivers	36	36	36	45
NAG C	R3	49	40	40	45
	R27	46	38	38	45
	R28	46	39	39	45
	R29	48	40	40	45
	R33	46	39	39	45
	R41	46	38	38	45
	All other receivers	46	37	37	45
	R23, R32	43	39	39	46
	All receivers	43	38	38	46
All other residential receivers		35	35	35	45

- 3A. From 30 June 2019, unless agreed otherwise by the Secretary, the Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 2A at any residence on privately-owned land (except for the land identified in Table 1).

Table 2A: Noise Criteria dB(A)

Noise Assessment Group	Receivers	Day	Evening	Night	
		(<i>L_{Aeq}</i> (15-minute))	(<i>L_{Aeq}</i> (15-minute))	(<i>L_{Aeq}</i> (15-minute))	(<i>L_{A1}</i> (1-minute))
NAG A	All receivers	35	35	35	45
NAG B	All receivers	36	35	35	45
NAG C	All receivers	45	35	35	45
NAG D	All receivers	43	38	36	45

All other residential receivers	35	35	35	45
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Noise generated by the development is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (as may be updated from time-to-time) or an equivalent NSW Government noise policy, as amended by Appendix 7 which sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.

However, these criteria do not apply if the Proponent has an agreement with the relevant owner(s) of these residences/ land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

Notes

- To interpret the locations referred to in Tables 2 and 2A, see the figure in Appendix 4;
- Noise generated by the project is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the *NSW Industrial Noise Policy*.

Operating Hours

- The Proponent shall comply with the operating hours in Table 3.

Table 3: Operating hours

Activity	Operating Hours
Vegetation clearing and topsoil stripping	6am-6pm, 7 days per week
Construction	24 hours, 7 days per week
Mining, maintenance and processing operations	
Rehabilitation	7am-10pm, 7 days per week

Note: Condition 8 includes restrictions on blasting times.

- The Proponent shall only undertake construction works on the modified amenity bund between 7am and 6pm Monday to Friday and 8am and 1pm Saturday.

Notes:

- For the location of the modified amenity bund, see the figure in Appendix 2.
- The maximum height of the modified amenity bund must not exceed 8 m, unless otherwise agreed by the Secretary.

Operating Conditions

- The Proponent shall:
 - implement best management practice, including all reasonable and feasible noise mitigation measures, to minimise the construction, operational and traffic noise of the project; including measures to:
 - minimise maximum noise levels from the tipping of waste rock; and
 - relocate mobile plant from elevated and exposed sections of the site under adverse meteorological conditions at night;
 - operate a noise management system on site that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this approval;
 - investigate ways to minimise the noise generated by the project;
 - maintain the effectiveness of noise suppression equipment on plant at all times and ensure that defective plant is not used operationally until fully repaired;
 - minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply; and
 - report on these investigations and the implementation and effectiveness of these measures in the Annual Review,
 to the satisfaction of the Secretary.

Noise Management Plan

- The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. The plan must:
 - be prepared in consultation with the EPA and Council, and submitted to the Secretary for approval by the end of January 2013, unless the Secretary agrees otherwise;

- (b) describe the measures that would be implemented to ensure compliance with conditions 3-5 of this schedule, including a trigger action response plan based on noise complaints, real time and attended noise monitoring;
- (c) include a monitoring program that:
 - (i) uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project;
 - (ii) adequately supports the proactive and reactive noise management system on site;
 - (iii) defines what constitutes a noise incident, and includes a protocol for identifying noise incidents and notifying the Department and relevant stakeholders of any such incident;
 - (iv) evaluates and reports on the effectiveness of the noise management system on site;
 - (v) includes a program to calibrate and validate the real time noise monitoring results with the attended monitoring results over time (so the real time monitoring program can be used as a better indicator of compliance with the noise criteria in this approval and a trigger for further attended monitoring); and
- (d) include a noise reduction strategy for progressively reducing mine noise during open cut mining operations, consistent with the noise scenarios described in the document 'Tomingley Gold Mine Environmental Assessment – Project Approval No. 09_0155 Modification 3' dated November 2015.

BLASTING

Blasting Criteria

7. The Proponent shall ensure that blasting on the site does not cause exceedances of the criteria in Table 4.

Table 4: Blasting Criteria

Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (mm/s)	Allowable Exceedance
Residence on privately-owned land	120	10	0%
	115	5	5% of total blasts over any 12 month period
All public infrastructure	-	50, or alternatively, a specific limit determined to the satisfaction of the Secretary by the structural design methodology in AS 2187.2-2006, or its latest version	0%

However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner, and has advised the Department in writing of the terms of this agreement.

Blasting Hours

8. The Proponent shall only carry out blasting on site between 9:00am and 5:00pm Monday to Saturday, inclusive. No blasting is allowed on Sundays, public holidays or at any other time without the written approval of the Secretary.

Blasting Frequency

9. The Proponent may carry out a maximum of three blasts per day for mining operations on the site, unless an additional blast is required following a blast misfire.

This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or blasts required to ensure the safety of the site or its workers.

Note: for the purpose of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the site.

Property Inspections

10. The Proponent shall advise the owners of privately-owned land within 2 kilometres of blasting operations at least 2 months prior to blasting that they are entitled to a structural property inspection to establish the baseline condition of buildings and other structures on the property.
11. If the Proponent receives a written request from any such landowner, then within one month of receiving the request, and where possible prior to blasting, the Proponent shall:
 - (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to:

- (i) establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and
- (ii) identify measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/ or structures; and
- (b) give the landowner a copy of the new or updated property inspection report.

If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the [Secretary](#) for resolution.

Property Investigations

12. If the owner of any privately-owned land claims that buildings and/ or structures on his/ her land have been damaged as a result of blasting on the site, then within one month of receiving this claim the Proponent shall:
- (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and
 - (b) give the landowner a copy of the property investigation report.

If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damage to the satisfaction of the [Secretary](#).

If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or the landowner disagrees with the findings of the independent property investigation, either party may refer the matter to the [Secretary](#) for resolution.

Operating Conditions

13. During operation of the project, the Proponent shall:
- (a) implement best management practice to:
 - (i) protect the safety of people and livestock in the surrounding area;
 - (ii) protect public or private infrastructure/ property in the surrounding area from any damage, including the Newell Highway; and
 - (iii) minimise the dust and fume emissions from any blasting;
 - (b) minimise the frequency and duration of any road closures, and avoid road closures during peak traffic periods; and
 - (c) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site,
- to the satisfaction of the [Secretary](#).

Blast Management Plan

14. The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- (a) be prepared in consultation with OEH, RMS and Council, and submitted to the [Secretary](#) for approval prior to undertaking any blasting in conjunction with mining operations on-site;
 - (b) describe the blast mitigation measures that would be implemented to ensure compliance with conditions 7-13 of this schedule; and
 - (c) include a blast monitoring program to evaluate the performance of the project.

AIR QUALITY AND GREENHOUSE GAS

Odour

15. The Proponent shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.

Greenhouse Gas Emissions

16. The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the [Secretary](#).

Air Quality Criteria

17. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not exceed the criteria listed in Tables 5, 6 or 7 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 5: Long term impact assessment criteria for particulate matter

Pollutant	Averaging Period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³

Table 6: Short term impact assessment criterion for particulate matter

Pollutant	Averaging Period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³

Table 7: Long term impact assessment criteria for deposited dust

Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^{a, d} 4 g/m ² /month

Notes to Tables 5-7:

- ^a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);
- ^b Incremental impact (ie incremental increase in concentrations due to the project on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the [Secretary](#).

Operating Conditions

18. The Proponent shall:
- implement best management practice, including all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions from the project;
 - regularly assess the predictive meteorological forecasting data and real-time air quality monitoring data to guide the day-to-day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this approval;
 - minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see Note d to Tables 5-7);
 - monitor and report on compliance with the relevant air quality conditions in this approval; and
 - take all practical measures to minimise dust emissions from the residue storage facility, to the satisfaction of the Secretary.

Air Quality and Greenhouse Gas Management Plan

19. The Proponent shall prepare and implement an Air Quality and Greenhouse Gas Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- be prepared in consultation with the EPA and Council, and be submitted to the [Secretary](#) for approval by the end of January 2013, unless the [Secretary](#) agrees otherwise;
 - describe the measures that would be implemented to ensure compliance with conditions 15-18 of this schedule, **including a trigger action response plan based on air complaints, air quality and visual monitoring and meteorological forecasting and monitoring**;
 - include a program for the implementation of the measures referred to in (b) above;
 - include an air quality monitoring program that
 - uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project;
 - adequately supports the proactive and reactive air quality management system on site; and
 - includes a protocol for determining exceedances of the relevant conditions of this approval; and
 - describe the measures that would be implemented to minimise the release of greenhouse gas emissions from the site.

METEOROLOGICAL MONITORING

20. For the life of the project, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the site that:

- (a) complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline; and
- (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the *NSW Industrial Noise Policy*, unless a suitable alternative is approved by the [Secretary](#) following consultation with the EPA.

SOIL AND WATER

Note: Under the Water Act 1912 and/ or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the project.

Water Supply

- 21. The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match its available water supply, to the satisfaction of the [Secretary](#).
- 22. With the exception of potable water sourced to supply domestic consumption needs on the site, the Proponent shall preferentially employ water harvested from the site or generated through mine dewatering in place of potable water sourced from off-site.

Water Discharges

- 23. The Proponent shall ensure that all surface water discharges from the site comply with:
 - (a) section 120 of the POEO Act; or
 - (b) the discharge limits (both volume and quality) set for the project in any applicable EPL.
- 24. The concentration of Weak Acid Dissociable (WAD) cyanide in tailings discharged from the discharge point to the residue storage facility shall not exceed 20 mg/L (90th percentile) or 30 mg/ L (maximum).

Drainage and Flooding

- 25. The Proponent shall ensure that surface water diversion structures constructed as part of the project do not increase the frequency of flooding on the Newell Highway.

Compensatory Water Supply

- 26. The Proponent shall provide a compensatory water supply to any owner on privately-owned land whose water entitlements are adversely impacted (other than an impact that is negligible) as a result of the project, in consultation with [DPI Water](#), and to the satisfaction of the [Secretary](#).

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributable to the project. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified, unless otherwise agreed with the landowner.

If the Proponent and the affected landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the [Secretary](#) for resolution.

If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the [Secretary](#).

Note: the Water Management Plan prepared in accordance with condition 32 shall describe the procedures for:

- assessing the impacts of the project on water entitlements on privately-owned land; and
- the provision of compensatory water supply.

Water Performance Measures

- 27. The Proponent shall comply with the performance measures in Table 8 to the satisfaction of the [Secretary](#).

Table 8: Water management performance measures

<i>Feature</i>	<i>Performance Measure</i>
Water management – General	Minimise the use of clean water on site Minimise the need for make-up water from external potable water supplies
Construction and operation of infrastructure	Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i> , <i>Volume 2A – Installation of Services</i> and <i>Volume 2C – Unsealed Roads</i>

<i>Feature</i>	<i>Performance Measure</i>
	Design, install and maintain the infrastructure within 40 m of watercourses generally in accordance with the: <ul style="list-style-type: none"> <i>Guidelines for Controlled Activities on Waterfront Land (DPI 2007)</i>, or its latest version <i>Guidelines for fish habitat conservation and management – Chapter 4 (DPI 2013)</i>, or its latest version.
Clean water diversion & storage infrastructure	Design, install and maintain the clean water system to capture and convey the 100 year ARI flood Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site
Sediment dams	Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries</i> Ensure the capacity of all sediment dams is sufficient to contain rainfall up to a 10 day 90 percentile rain event
Mine water management system, including residue storage facility and associated collection pond	<ul style="list-style-type: none"> No unlicensed or uncontrolled discharge of mine water off-site (except in accordance with condition 23) Ensure that the capacity of the residue storage facility and associated collection pond is designed to meet the requirements of the <i>Environmental Guidelines – Management of Tailing Storage Facilities</i> (Vic DPI, 2004), or its latest version, and that the floor and walls are lined to achieve a permeability standard of at least 1 x 10⁻⁹ m/s, unless otherwise agreed by the EPA and the Secretary Maintain adequate freeboard (i.e. minimum 500 mm) in the residue storage facility at all times All water storages on site that receive chemical or salt laden water, including the dewatering ponds, raw water dams and process water dams are lined to achieve a permeability standard of at least 1 x 10⁻⁹ m/s, unless otherwise agreed by the EPA and the Secretary Maintain adequate freeboard (i.e. minimum 200 mm) in the process water and raw water dams at all times
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards
Gundong Creek	Maintain or improve baseline channel stability Develop site-specific water quality trigger levels in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> procedures (DECC 2006), or its latest version

28. deleted
29. deleted
30. deleted

Baseline Groundwater Monitoring

31. The Proponent shall obtain at least 6 months of additional baseline groundwater monitoring within 12 months of the project approval. This monitoring shall:
- be sourced from bores WYMB02, WYMB03, WYMB04, WYMB06 (as shown in Figure 4.19 of the EA), and a new bore in the Gundong Creek alluvium to be established in consultation with [DPI Water](#); and
 - include a minimum of monthly measurements of standing water level and water quality parameters consistent with those monitored in the EA.

Water Management Plan

32. The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the [Secretary](#). This plan must be prepared in consultation with the EPA and [DPI Water](#), by a suitably qualified and experienced person(s) whose appointment has been approved by the [Secretary](#), and submitted to the [Secretary](#) for approval by the end of January 2013, unless the [Secretary](#) agrees otherwise.

In addition to the standard requirements for management plans (see Condition 3 of Schedule 5), this plan must include:

- a Site Water Balance that:

- (i) includes details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site;
 - off-site water discharges, including volume, timing and release point infrastructure requirements;
 - reporting procedures, including comparisons of the site water balance for each calendar year; and
- (ii) describe what measures would be implemented to minimise potable water use on site;
- (b) a Surface Water Management Plan that includes:
 - (i) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the project (including Gundong Creek);
 - (ii) a detailed description of the water management system on site, including:
 - clean water diversion systems, including the clean water and dirty water separation levee;
 - erosion and sediment controls, including sediment dam capacity; and
 - water storages;
 - (iii) detailed plans, including design objectives and performance criteria, for:
 - design and management of the final voids;
 - design and management of water storages including the residue storage facility and process water dams; and
 - control of any potential water pollution from the rehabilitated areas of the site;
 - (iv) a program to monitor:
 - the effectiveness of the water management system;
 - potential leakage or spillage from on-site pipelines
 - surface water flows and quality, stream health and channel stability in Gundong Creek (in so far as it could potentially be affected by the project);
 - (v) a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project; and
 - (vi) reporting procedures for the results of the monitoring program; and
- (c) a Groundwater Management Plan, that includes:
 - (i) detailed baseline data on groundwater levels, yield and quality in the region, and privately-owned groundwater bores, that could be affected by the project;
 - (ii) groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
 - (iii) a program to monitor:
 - groundwater inflows to the open cut and underground mining operations;
 - the impacts of the project on:
 - alluvial aquifers; and
 - any groundwater bores on privately-owned land that could be affected by the project;
 - the seepage/leachate from the residue storage facility, water storages, backfilled voids and the final void; and
 - the quality of groundwater to be re-used on the site;
 - (iv) a program for the on-going verification and refinement of the groundwater model, including the review and incorporation of additional baseline data obtained in accordance with condition 31, within 12 months of the project approval; and
 - (v) a plan to respond to any exceedances of the groundwater assessment criteria; and
 - (vi) should geochemical testing reveal a higher risk of acid rock or saline drainage, the Proponent shall prepare an acid mine drainage strategy in consultation with DPI Water and to the satisfaction of the Secretary.

BIODIVERSITY

Biodiversity Offset

33. The Proponent shall implement the offset strategy outlined in [Table 9](#), and shown in Appendix 5, to the satisfaction of the [Secretary](#).

Table 9: Biodiversity Offset

Community Type	Offset Area to be Conserved (ha)	Remnant Extension (Protection and Ameliorative Planting) (ha)
Inland Grey Box – Poplar Box – White Cypress Pine tall woodland on red loams (Benson 76)	21.1	21.5

River Red Gum riverine woodland forest (Benson 78)	13.1	13.5
Fuzzy Box – Inland Grey Box on alluvial brown loam soils (Benson 201)	5.0	26.0
Poplar Box – Belah woodland on clay alluvial plains (Benson 56)	1.9	0
Belah/ Black Oak Western Rosewood, Wilga Community (Benson 57)	25.5	0
TOTAL	66.6	61.0

34. By 31 January 2015, the Proponent shall make suitable arrangements to provide appropriate long-term security for the Offset Area in the strategy to the satisfaction of the [Secretary](#).

Pre-Clearing Surveys

35. Prior to and during vegetation clearing, the Proponent shall engage a suitably qualified and/or experienced ecologist to confirm the presence of nesting/roosting species in areas to be affected by clearing activities.
36. Should any Grey-crowned Babblers be identified on the site, the Proponent shall develop measures to either relocate the birds or protect them and their roosting habitat from disturbance during vegetation clearing and construction works.

Biodiversity Management Plan

37. The Proponent shall prepare a Biodiversity Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- be prepared in consultation with OEH, and submitted to the [Secretary](#) for approval by the end of January 2013, unless the [Secretary](#) agrees otherwise;
 - describe how the implementation of the biodiversity offset strategy would be integrated with the overall rehabilitation of the site;
 - describe the short, medium, and long term measures that would be implemented to:
 - manage the remnant vegetation and habitat on the site and in the offset area/s (if and when applicable); and
 - implement the biodiversity offset strategy (if and when applicable), including detailed performance and completion criteria;
 - include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy, and triggering remedial action (if necessary);
 - include a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for:
 - enhancing the quality of existing vegetation and fauna habitat;
 - restoring native vegetation and fauna habitat on the biodiversity areas and rehabilitation area through focusing on assisted natural regeneration, targeted vegetation establishment and the introduction of naturally scarce fauna habitat features (where necessary);
 - maximising the salvage of resources within the approved disturbance area - including vegetative, soil and cultural heritage resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area;
 - collecting and propagating seed;
 - minimising the impacts on fauna on site, including pre-clearance surveys and minimising the potential exposure to tailings;
 - controlling weeds and feral pests;
 - controlling erosion;
 - managing grazing and agriculture on site;
 - controlling access; and
 - bushfire management;
 - include a seasonally-based program to monitor and report on the effectiveness of these measures, and progress against the detailed performance and completion criteria;
 - identify the potential risks to the successful implementation of the biodiversity offset strategy, and include a description of the contingency measures that would be implemented to mitigate against these risks; and
 - include details of who would be responsible for monitoring, reviewing, and implementing the plan.

Conservation Bond

38. Within three months of the approval of the Biodiversity Management Plan, the Proponent shall lodge a conservation bond with the Department to ensure that the biodiversity offset is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan.

The sum of the bond shall cover the full cost of implementing the Biodiversity Offset Strategy and be verified by a suitably qualified rehabilitation specialist or quantity surveyor.

If the biodiversity offset is implemented to the satisfaction of the **Secretary**, the **Secretary** will release the conservation bond. If the offset strategy is not implemented to the satisfaction of the **Secretary**, the **Secretary** will call in all or part of the conservation bond, and arrange for the satisfactory implementation of the biodiversity offset.

If the offset strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the **Secretary** will call in all or part of the conservation bond, and arrange for the satisfactory completion of the relevant works.

With the agreement of the **Secretary**, this bond may be combined with the rehabilitation security deposit administered by DRE.

HERITAGE

Heritage Management Plan

39. The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the **Secretary**;
 - (b) be prepared in consultation with OEH and the Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);
 - (c) be submitted to the **Secretary** for approval by the end of January 2013, unless the **Secretary** agrees otherwise;
 - (d) include the following for the management of Aboriginal heritage:
 - (i) a description of the measures that would be implemented for:
 - protecting, monitoring and/ or managing heritage items on site;
 - implementing proposed archaeological investigations and/ or salvage measures for heritage items on site;
 - managing the discovery of any human remains or previously unidentified Aboriginal objects on site;
 - maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site;
 - on-going consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; and
 - ensuring workers on-site receive suitable heritage inductions prior to carrying out works on the site, and that suitable records are kept of these inductions;
 - (ii) a strategy for the storage of any heritage items salvaged on site, both during the project and in the long term;
 - (e) include the following for the management of non-Aboriginal heritage:
 - (i) a description of the measures that would be implemented for:
 - protecting, monitoring and/ or managing heritage items on site;
 - managing the discovery of any previously unidentified non-Aboriginal objects on site; and
 - ensuring workers on-site receive suitable heritage inductions prior to carrying out works on the site, and that suitable records are kept of these inductions; and
 - (ii) a strategy for the storage of any heritage items salvaged on site, both during the project and in the long term.

TRANSPORT

Dangerous Goods

40. Transportation of all dangerous goods to or from the site shall be undertaken in strict accordance with *Australian Code for the Transport of Dangerous Goods by Road and Rail*.

Road Upgrades

41. **By 31 March 2014**, the Proponent shall upgrade Tomingley West Road between the intersection with Narromine-Tomingley Road and the intersection with the mine access road, to the satisfaction of Council.

Access Road Construction

42. **By 31 March 2014**, the Proponent shall construct the site access road intersection with Tomingley West Road in accordance with the requirements of Council.

Operating Conditions

43. The Proponent shall ensure that heavy vehicle movements associated with mining operations do not exceed 8 per day (4 in and 4 out), when measured as a daily average over any calendar month.

Traffic Management Plan

44. The Proponent shall prepare and implement a Traffic Management Plan to the satisfaction of the [Secretary](#). The plan shall:
- (a) focus on traffic management along Tomingley West Road and through the village of Tomingley to minimise the potential for conflicts between project-related traffic and other road users;
 - (b) describe the measures to be implemented to ensure the effective operation of the intersections between the project site and the Newell Highway, including the site access road and Tomingley West Road intersection and the Tomingley-Narromine Road and Newell Highway intersection; and
 - (c) be developed in consultation with Council and RMS, and must be submitted for the approval of the [Secretary](#) prior to the commencement of construction.

VISUAL

Operating Conditions

45. The Proponent shall:
- (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project;
 - (b) establish and maintain an effective vegetation screen and vegetated amenity bund consistent with the documents in condition 2 of schedule 2;
 - (c) ensure no outdoor lights shine above the horizontal; and
 - (d) ensure that all external lighting associated with project complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*, to the satisfaction of the [Secretary](#).

Additional Visual Mitigation Measures

46. Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the project operations, the Proponent shall implement visual mitigation measures (such as landscaping treatments or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed toward minimising the visibility of the project operations from the affected residence.

If within three months of receiving this request from the landowner, the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the [Secretary](#) for resolution.

HAZARDOUS MATERIALS

Final Hazard Analysis

47. The Proponent shall prepare a Final Hazards Analysis (FHA) for the project to the satisfaction of the [Secretary](#), in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis*.

Note: if the project design is no different from that assessed in the Preliminary Hazard Analysis (PHA), then the [Secretary](#) will accept the PHA as the FHA.

Hazardous Materials Management Plan

48. The Proponent shall prepare and implement a Hazardous Materials Management Plan for the project to the satisfaction of the [Secretary](#). The plan must:
- (a) be prepared in consultation with relevant government agencies including Council, RMS, EPA, [DPI Water](#), WorkCover NSW and DRE;
 - (b) be consistent with the *International Cyanide Management Code for the Manufacture, Transport and Use of Cyanide in the Production of Gold*;
 - (c) be submitted to the [Secretary](#) for approval prior to commencing mining operations;
 - (d) describe the measures that would be implemented to:
 - (i) ensure sodium cyanide and other toxic chemicals are stored and handled on the site in accordance with *AS/NZ 4452 – The Storage and Handling of Toxic Substances*; and
 - (ii) ensure the transportation of hazardous materials to or from the site is undertaken in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 11 – Route Selection* and the *Australian Code for the Transport of Dangerous Goods by Road and Rail – current version*; and
 - (e) detail the emergency procedures for the Project consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1 – Emergency Planning*.

WASTE

49. The Proponent shall:
- minimise the waste generated by the project;
 - ensure that the waste generated by the project is appropriately stored, handled and disposed of; and
 - manage on-site sewage treatment disposal in accordance with the requirements of Council, to the satisfaction of the [Secretary](#)

REHABILITATION

50. Within three years of the date of this approval, the Proponent shall investigate the feasibility of filling the Wyoming Three open cut pit void as part of the rehabilitation of the site, in consultation with DRE.

Rehabilitation Objectives

51. The Proponent shall rehabilitate the site to the satisfaction of the [DRE](#). This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (as reproduced in Appendix 6), and comply with the objectives in [Table 10](#).

Table 10: Rehabilitation Objectives

Feature	Objective
Mine site (as a whole) including final voids	<ul style="list-style-type: none">Safe, stable and non-pollutingFinal land use compatible with surrounding land uses.Final landforms designed to consider micro-relief, natural drainage lines and minimize visual prominence by integration with the surrounding landscape.Restore self-sustaining ecosystems, including establishing local native plant species.Minimise visual impact of final landforms as far as is reasonable and feasible.
Final voids	<ul style="list-style-type: none">Negligible instability risk
Surface infrastructure	To be decommissioned and removed, unless the Secretary, DRE agrees otherwise
Other land	Establish at least 61 ha of open woodland as part of the Remnant Extension described in Table 9 .
Community	Minimise the adverse socio-economic effects associated with mine closure

Progressive Rehabilitation

52. The Proponent shall carry out rehabilitation of the site progressively, that is, as soon as reasonably practicable after disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim rehabilitation strategies shall be employed when areas prone to dust generation cannot yet be permanently rehabilitated.

Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the project.

Rehabilitation Management Plan

53. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the [Secretary, DRE](#). This plan must:
- be prepared in consultation with the Department, OEH, EPA, [DPI Water](#) and Council;
 - be submitted to the [Secretary, DRE](#) for approval by the end of March 2013, unless the [Secretary](#) agrees otherwise;
 - be prepared in accordance with any relevant DRE guideline;
 - outline the procedures to be implemented to achieve the rehabilitation objectives in condition 51;
 - describe how the rehabilitation of the site would be integrated with the implementation of the biodiversity offset strategy;
 - include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);
 - describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, and address all aspects of rehabilitation including mine closure, final landform, and final land use;
 - include interim rehabilitation where necessary to minimise the area exposed for dust generation;

- (i) include a program to monitor, independently audit and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; and
- (j) build, to the maximum extent practicable, on the other management plans required under this approval;
- (k) include a risk assessment of any potential threats to rehabilitation of disturbed areas to a condition that can support the intended final land use, including a strategy to address risks identified; and
- (l) include consideration of options for backfilling the Caloma Two void.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. Within 1 month of the date of approval, the Proponent shall notify in writing
 - (a) the owner of land listed in Table 1 of schedule 3 that they have the right to require the Proponent to acquire their land at any stage during the project; and
 - (b) the owners of receivers R3 and R29 that they have the right to request the Proponent to ask for additional noise mitigation measures to be installed at their residence at any stage during the project.
2. Within two weeks of obtaining monitoring results showing:
 - (c) an exceedance of any relevant noise criteria in Schedule 3, the Proponent shall notify affected landowners and/ or tenants in writing of the exceedance, and provide regular monitoring results to each of these affected parties until the project is again complying with the relevant criteria; and
 - (d) an exceedance of any relevant air quality criteria in Schedule 3, the Proponent shall send the affected landowners and/or tenants a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time).

INDEPENDENT REVIEW

3. If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then he/she may ask the [Secretary](#) in writing for an independent review of the impacts of the project on his/her land.

If the [Secretary](#) is satisfied that an independent review is warranted, then within two months of the [Secretary's](#) decision the Proponent shall:

- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the [Secretary](#), to:
 - (i) consult with the landowner to determine his/ her concerns;
 - (ii) conduct monitoring to determine whether the project is complying with the relevant criteria in Schedule 3; and
 - (iii) if the project is not complying with these criteria then identify measures that could be implemented to ensure compliance with the relevant criteria.
 - (b) give the [Secretary](#) and landowner a copy of the independent review.
4. If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the [Secretary](#).
 5. If the independent review determines that the project is not complying with the relevant criteria in Schedule 3, then the Proponent shall:
 - (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; or
 - (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the [Secretary](#).

LAND ACQUISITION

6. Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:
 - (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date;
 - (b) the reasonable costs associated with:
 - relocating within the Narromine local government area, or to any other local government area determined by the [Secretary](#); and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
 - (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the [Secretary](#) for resolution.

Upon receiving such a request, the [Secretary](#) will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the [Secretary](#) for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the [Secretary](#) will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.

Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the [Secretary's](#) determination.

If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land shall cease, unless the [Secretary](#) determines otherwise.

7. The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 6 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the [Secretary](#). This strategy must:
 - (a) be submitted for approval to the [Secretary](#) prior to construction;
 - (b) provide the strategic framework for the environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise during the course of the project;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (f) include:
 - (i) copies of any strategies, plans and programs approved under the conditions of this approval; and
 - (ii) a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

Adaptive Management

2. The Proponent shall assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria and/or performance measures has occurred, the Proponent shall, at the earliest opportunity:

- (a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- (c) implement remediation measures as directed by the [Secretary](#), to the satisfaction of the [Secretary](#).

Management Plan Requirements

3. The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures/criteria;
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the project;
 - (ii) effectiveness of any management measures (see c above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a protocol for managing and reporting any:
 - (i) incidents;
 - (ii) complaints;
 - (iii) non-compliances with statutory requirements; and
 - (iv) exceedances of the impact assessment criteria and/or performance criteria; and
 - (g) a protocol for periodic review of the plan.

Note: The [Secretary](#) may waive some of these requirements if they are unnecessary for particular management plans.

Annual Review

4. By the end of March each year following the commencement of construction, the Proponent shall review the environmental performance of the project to the satisfaction of the [Secretary](#). This review must:
 - (a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past calendar year, which includes a comparison of these results against the:
 - (i) the relevant statutory requirements, limits or performance measures/criteria;
 - (ii) requirements of any plan or program required under this approval;
 - (iii) the monitoring results of previous years; and
 - (iv) the relevant predictions in the EA;
 - (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the project;
 - (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
 - (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans and Programs

5. Within three months of:
 - (a) the submission of an annual review under condition 4 above;
 - (b) the submission of an incident report under condition 7 below;
 - (c) the submission of an audit under condition 8 below; or
 - (d) any modification to the conditions of this approval (unless the conditions require otherwise),the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the [Secretary](#).

With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable conditions of this consent.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

Community Consultative Committee

6. The Proponent shall establish and operate a Community Consultative Committee (CCC) for the project in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version), and to the satisfaction of the [Secretary](#). This CCC must be operating within three months of the commencement of construction.

Notes:

- The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval; and
- In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.

REPORTING

Incident Reporting

7. The Proponent shall notify the [Secretary](#) and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within seven days of the date of the incident, the Proponent shall provide the [Secretary](#) and any relevant agencies with a detailed report on the incident.

INDEPENDENT ENVIRONMENTAL AUDIT

8. One year after mining operations commence, and every three years thereafter, unless the [Secretary](#) directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. The audit must:
 - (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the [Secretary](#);
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);

- (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
- (e) recommend appropriate measures or actions to improve the environmental performance of the project, and/ or any assessment, plan or program required under the abovementioned approvals.

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the [Secretary](#).

- 9. Within six weeks of the completion of this audit, or as otherwise agreed by the [Secretary](#), the Proponent shall submit a copy of the audit report to the [Secretary](#), together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

- 10. Prior to the commencement of construction on the site, or within 1 month of the submission of the relevant documents, the Proponent shall:
 - (a) make copies of the following publicly available on its website:
 - (i) the documents referred to in condition 2 of Schedule 2;
 - (ii) all relevant statutory approvals for the project;
 - (iii) all approved strategies, plans and programs required under the conditions of this approval;
 - (iv) a comprehensive summary of the monitoring results of the project, reported in accordance with the specifications in any approved plans or programs required under the conditions of this or any other approval;
 - (v) a complaints register, which is to be updated on a monthly basis;
 - (vi) minutes of CCC meetings;
 - (vii) the annual reviews required under this approval;
 - (viii) any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit;
 - (ix) any other matter required by the [Secretary](#); and
 - (b) keep this information up-to-date, to the satisfaction of the [Secretary](#).
-

**APPENDIX 1
SCHEDULE OF LAND**

Mine Site	
Lot	DP
1 (Part)	254193
94	755110
95	
103	
104	
105	
111 (Part)	
112	
122 (Part)	
160	
161	
162	
163	
1621	1178801
1	1151198
2 (Part)	
3 (Part)	
Road reserve associated with the Newell Highway	
Water Pipeline Route	
185	43458
A	380855
70	755110
73	
74	
81	
104	
111	
18	755119
Road reserves associated with the Mitchell Highway, Webb's Siding Road, Dappo Road, Bootles Road, Pinedene Road, Narromine-Tomingley Road and Tomingley West Road	
Easement for the Main Western Railway	
Crown roads (unnamed)	

APPENDIX 2 PROJECT LAYOUT PLANS

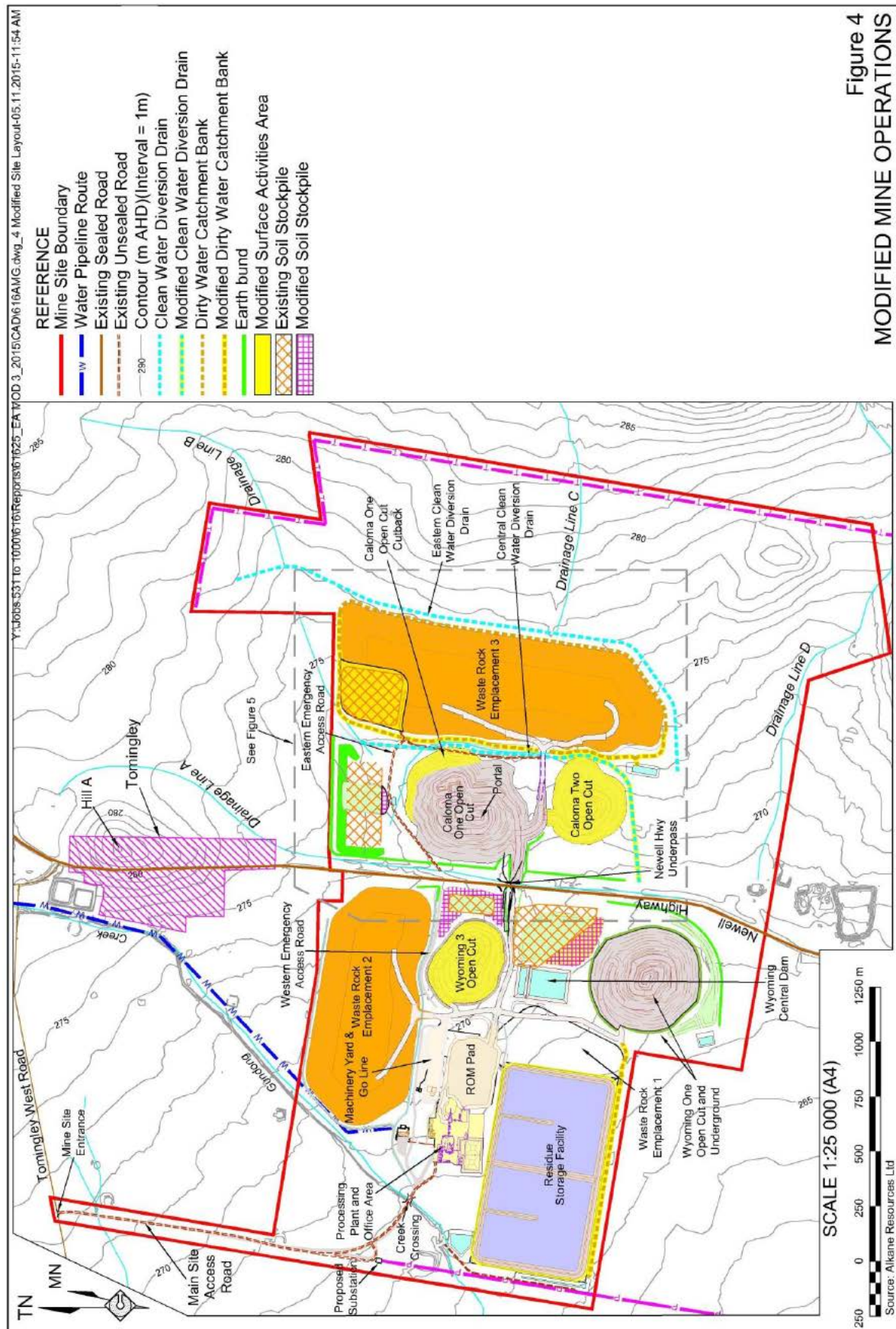
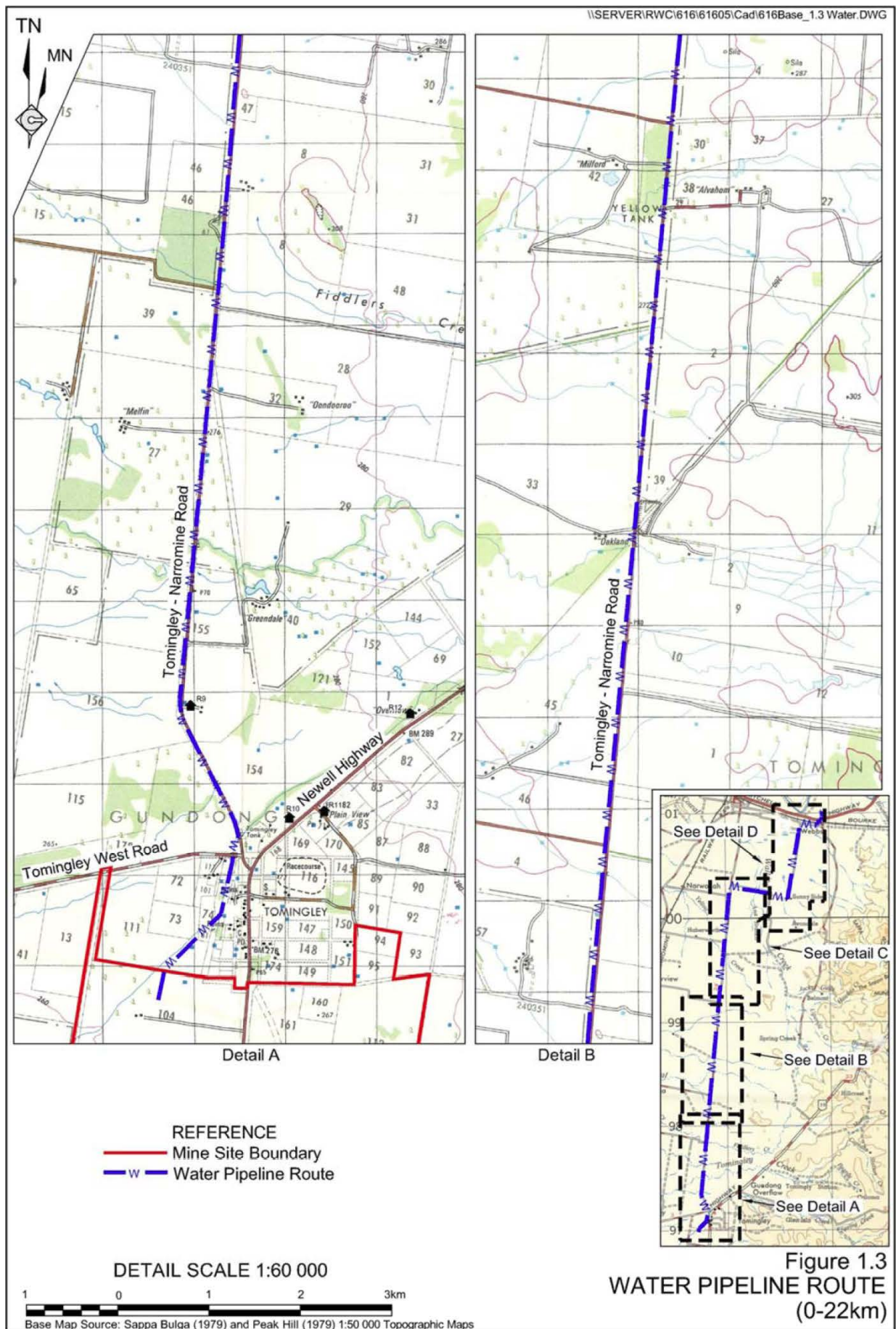
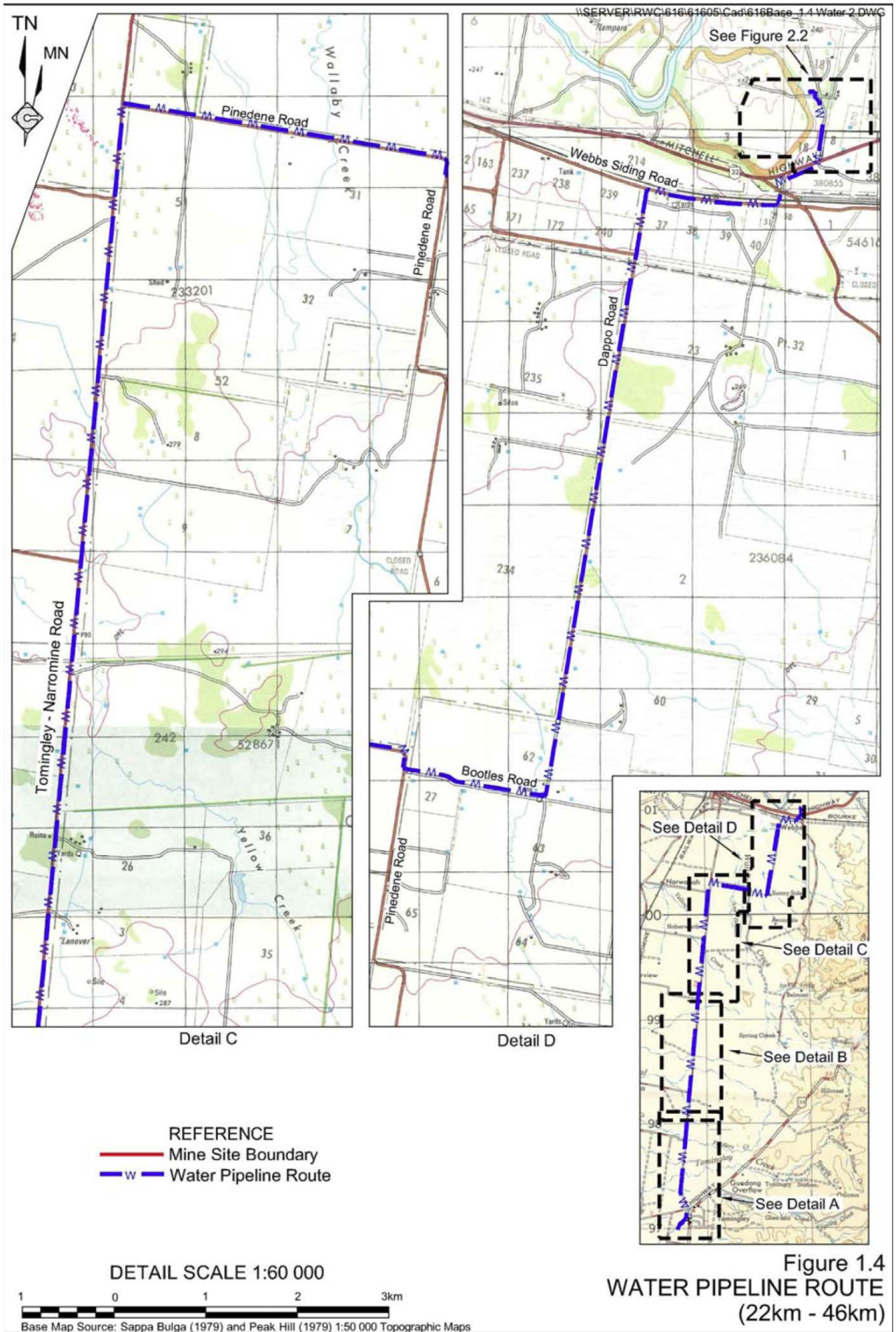
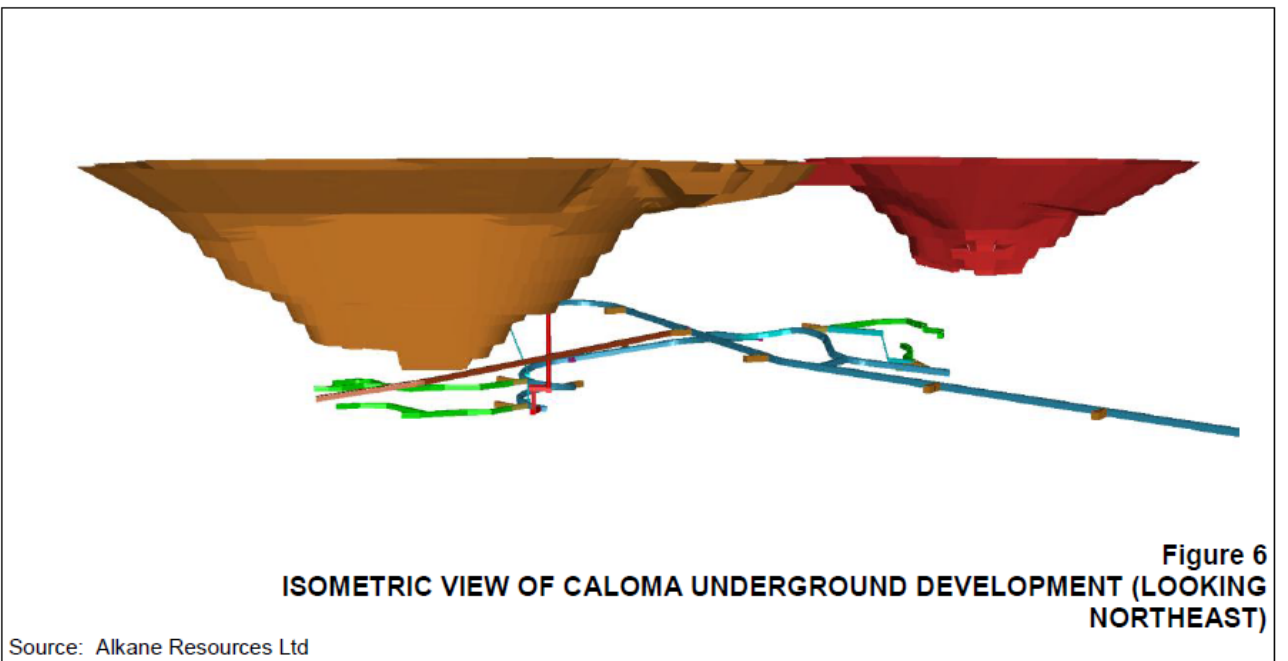
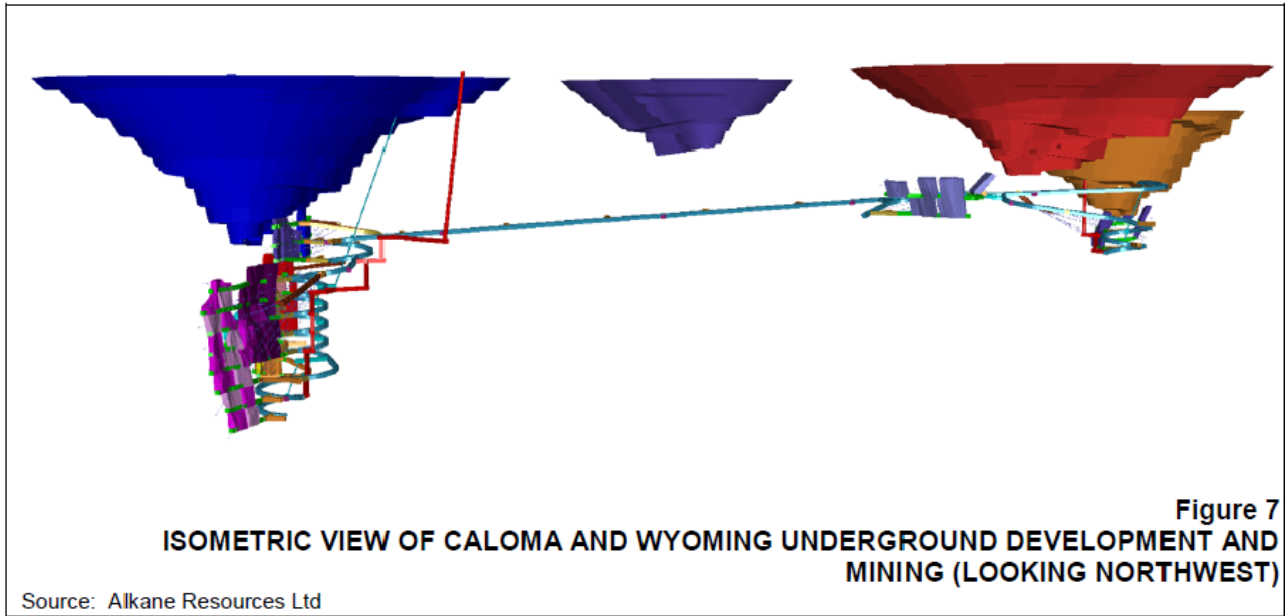
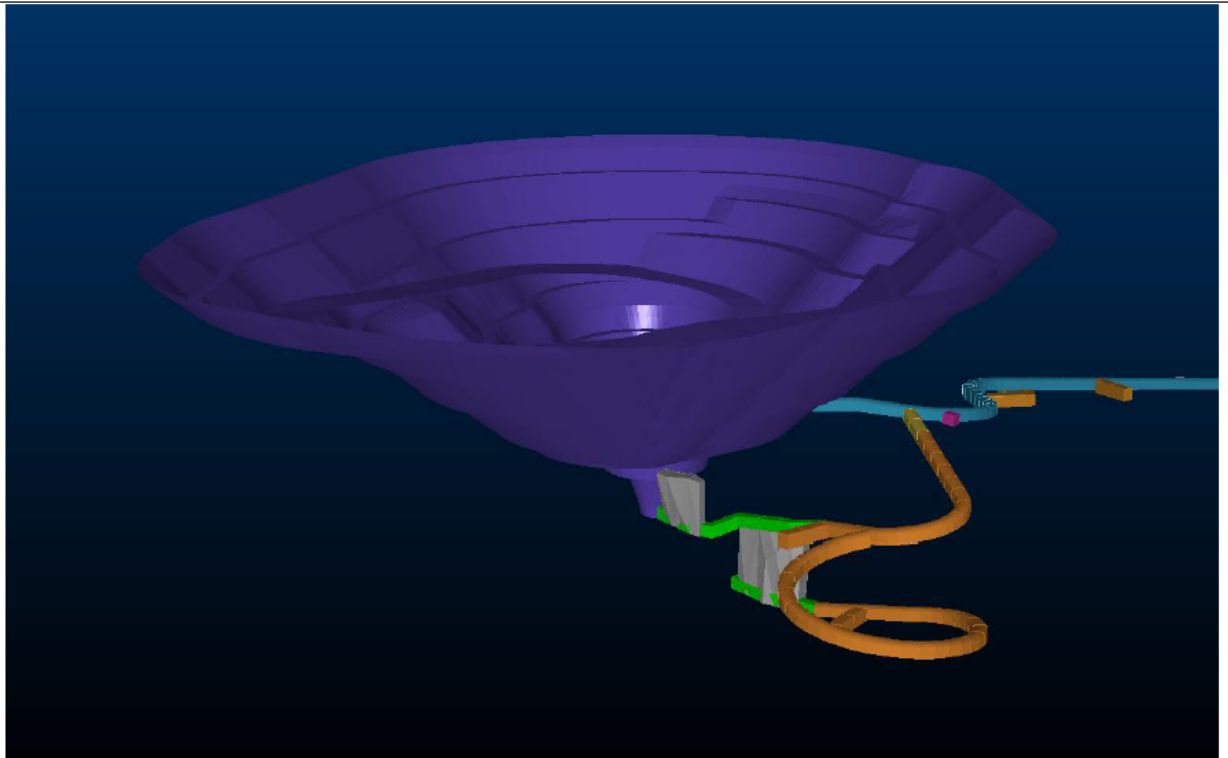


Figure 1: Mine Site Layout









Source: Alkane Resources Ltd

Figure 8
ISOMETRIC VIEW OF THE WYOMING 3 UNDERGROUND
EXPLORATION AREA LOOKING SOUTHEAST

APPENDIX 3 PLANNING AGREEMENT GENERAL TERMS

1. Contributions to Council until December 2022 for:

Community Fund	\$53,750/annum
Road Maintenance (except for Tomingley West Road)	\$45,000/annum
Provision of Council Environmental Management Expertise	\$20,000/annum

2. Upgrade and maintenance of Tomingley West Road as per plans approved by Council
3. Transfer ownership of the water supply pipeline, 300 mm production bore, pumps, bore power supply and potentially a portion of the bore extraction licence to Council (subject to Council's concurrence) when no longer required by the project.
4. Contribute between \$30,000 and \$50,000 for a Water Supply Options Study.
5. Provide water to Tomingley village sufficient to meet its supply needs until the end of the mine's life.

NOISE RECEIVER LOCATIONS



APPENDIX 5 BIODIVERSITY OFFSETS

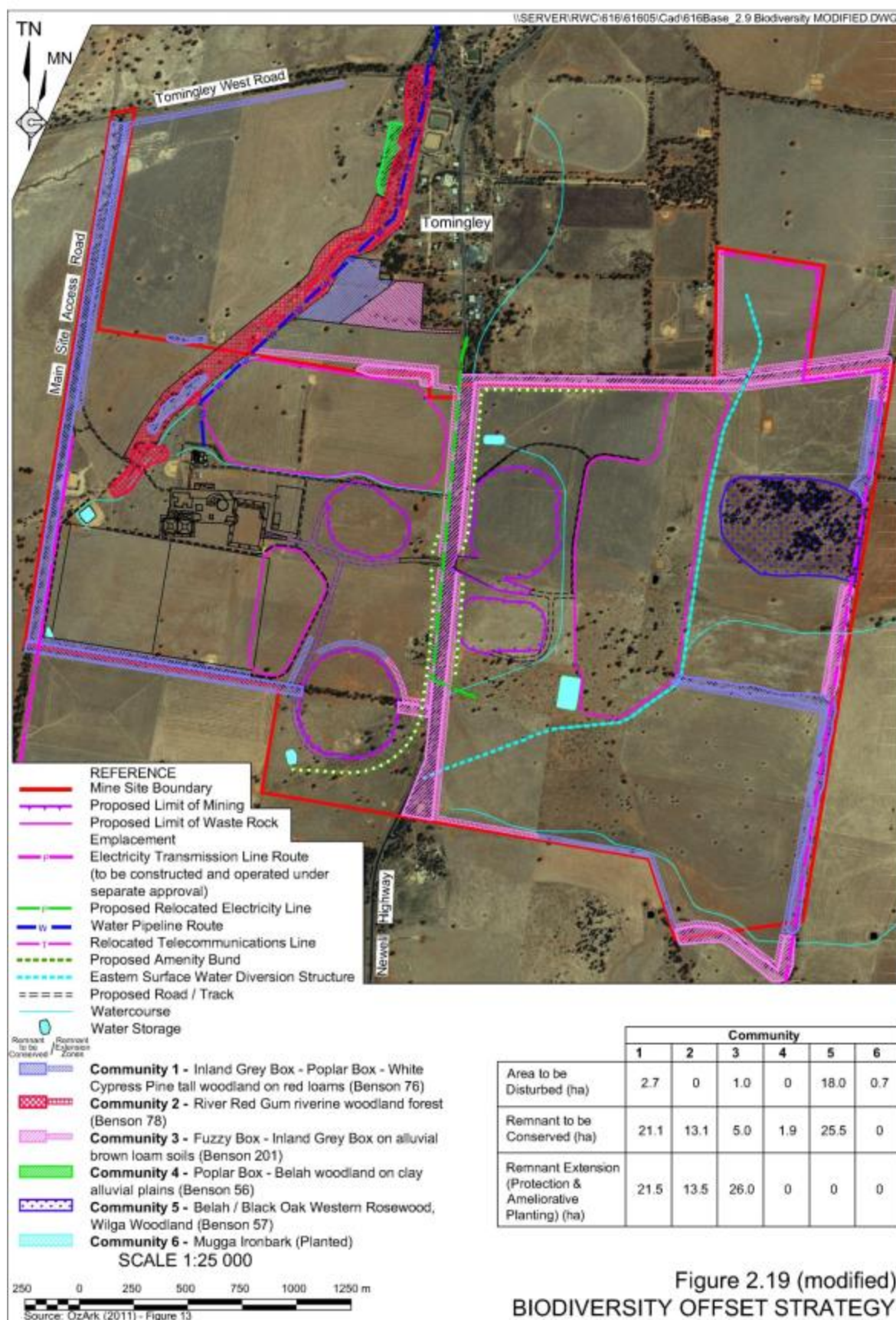
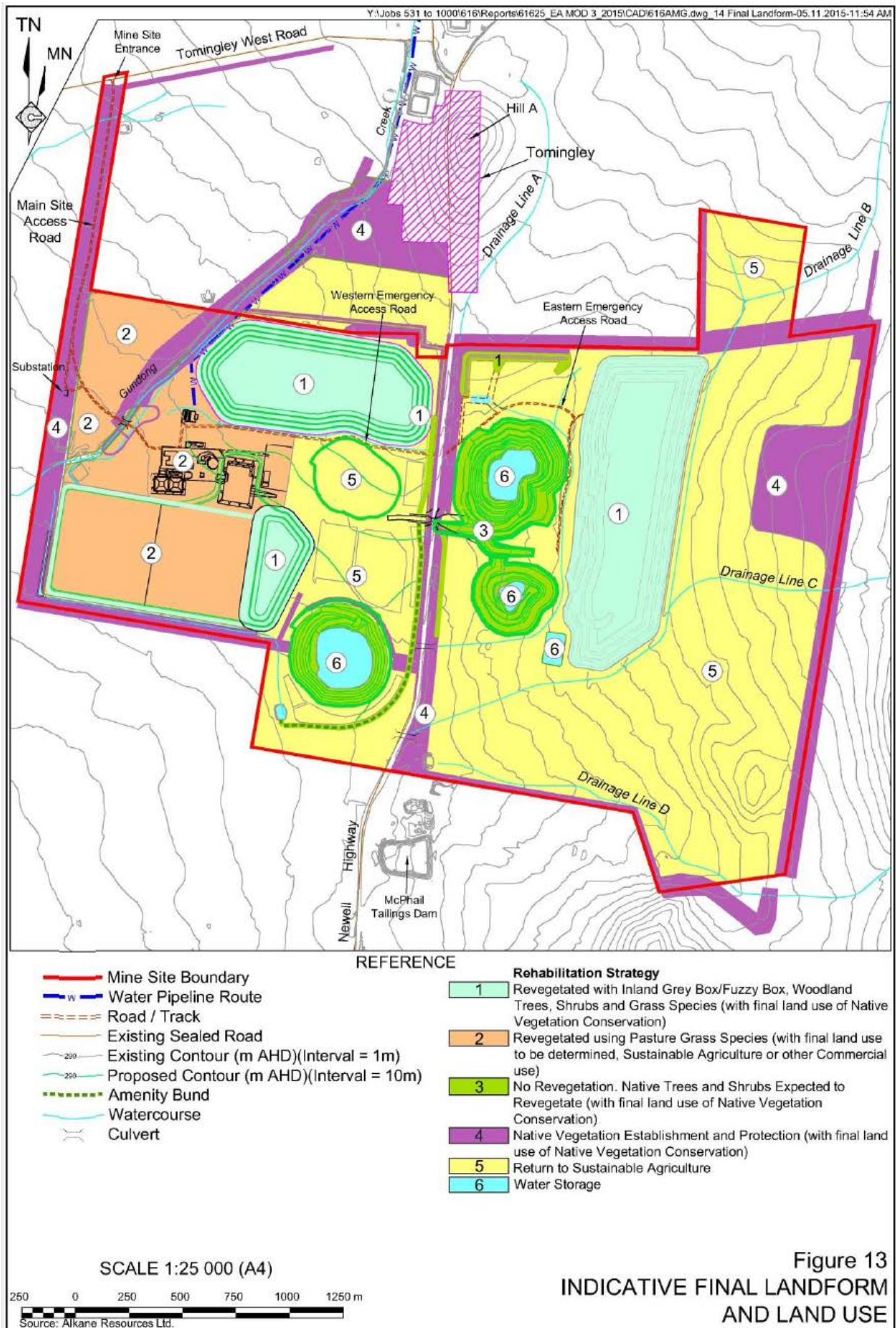


Figure 2.19 (modified)
BIODIVERSITY OFFSET STRATEGY

APPENDIX 6 REHABILITATION PLAN



APPENDIX 7

NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Table 2 of schedule 3 are to apply under all meteorological conditions except the following:
 - a) Wind speeds greater than 3 m/s at 10 m above ground level; or
 - b) Stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or
 - c) Stability category G temperature inversion conditions.

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station located on the site.

Compliance Monitoring

3. Attended monitoring is to be used to evaluate compliance with the relevant conditions of this consent.
4. This monitoring must be carried out at least 12 times a year, unless the Secretary agrees otherwise.
5. Unless otherwise agreed with the Secretary, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the *NSW Industrial Noise Policy* (as amended from time to time) or an equivalent NSW Government noise policy, in particular the requirements relating to:
 - a) Monitoring locations for the collections of representative noise data;
 - b) Meteorological conditions during which collections of noise data is not appropriate;
 - c) Equipment used to collect noise data, and conformance with Australian Standards relevant to such equipment; and
 - d) Modification to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors, apart from adjustments for:
 - duration; or
 - low frequency noise, where it is demonstrated that the dBC – dBA noise difference is caused by distance attenuation only.

**APPENDIX 8
STATEMENT OF COMMITMENTS**

Desired Outcome	Action	Timing
1. ENVIRONMENTAL MANAGEMENT		
Compliance with all conditional requirements in all approvals, licences and leases.	1.1 Comply with all commitments recorded in Table 5.1 (this table).	Continuous and as required
	1.2 Comply with all conditional requirements included in the: <ul style="list-style-type: none"> • PA 09_0155; • EPL 20169; • ML 1684; and • Groundwater licences. 	Ongoing
	1.3 Implement the following management plans; <ul style="list-style-type: none"> • Mining Operations Plan (Rehabilitation Management Plan) • Cultural Heritage Management Plan • Water Management Plan • Noise Management Plan • Blast Management Plan • Air Quality and Greenhouse Gas Management Plan • Biodiversity Management Plan • Traffic Management Plan • Hazardous Materials Management Plan • Pollution Incident Response Management Plan 	Ongoing
Compile relevant environmental data for publication	1.4 Prepare monthly environmental management reports and upload to the Mine website.	Monthly
	1.5 Incorporate relevant environmental data / information in Annual Environmental Management Reports	Annual
2. AREA OF ACTIVITIES		
All approved activities are undertaken generally in the location(s) nominated on the figures shown in Sections 2 and 4.	2.1 Mark, and where appropriate, survey the boundaries of the areas of proposed disturbance on the Mine Site.	Prior to the commencement of the relevant activity
	2.2 Mark, and where appropriate fence, boundaries relevant to the biodiversity offset strategy.	Within 6 months of approval of the biodiversity offset strategy
3. OPERATING HOURS		
All operations are undertaken within the approved operating hours.	3.1 Undertake all activities, where practicable, in accordance with the operating hours approved by PA 09_0155.	Continuous and as required
4. NOISE		
Noise generated by operational activities does not exceed intrusiveness criteria nor significantly impacts on neighbouring landowners and/or residents.	4.1 Construct and maintain an acoustic and amenity bund at the northern end of the Mine Site in accordance with PA 09_0155 MOD 2.	Complete
	4.2 Implement noise mitigation and management measures in accordance with an approved Noise Management Plan (NMP).	Ongoing

Desired Outcome	Action		Timing
Noise generated by the Project is monitored and procedures developed and implemented to respond to ensure compliance is maintained.	4.3	Undertake noise monitoring in accordance with an approved NMP.	As defined within the NMP
	4.4	Implement procedures for response to real-time monitoring results.	As required on receipt of notification
	4.5	Complete annual noise compliance monitoring.	Annual
Noise complaints are recorded and addressed in an appropriate manner	4.6	Ensure that a 24-hour complaints telephone line is maintained and that the surrounding community is made aware of the number. If noise-related complaints are received.	Prior to the commencement of activities on the Mine Site
	4.7	Ensure that prompt action is taken to identify the nature of any complaint received and verify the relevant noise levels using the real-time noise monitoring equipment.	Within 24 hours of receipt of complaint
5. SURFACE WATER			
Effective management of the potential contamination and/or reduction in availability of surface water resources.	5.1	Construct and maintain surface water management infrastructure of the Mine in accordance with an approved Water Management Plan (WMP).	Ongoing
	5.2	Implement impact mitigation measures in accordance with an approved WMP.	As defined by the WMP
	5.3	Undertake surface water monitoring in accordance an approved WMP	As defined by the WMP
Design and construct surface water management structures to prevent the discharge of contaminated (hydrocarbon, cyanide, trace metals etc.) water from the Mine Site	5.4	Ensure that all fuel and reagent storage, delivery and handling areas are appropriately sealed and bunded and that overflow pipes are installed in a manner that would minimise the potential for pollution in the event of overfilling.	Ongoing
	5.5	Securely store all hydrocarbon and chemical products.	Ongoing
	5.6	Ensure all hydrocarbon and chemical storage tanks are either self-bunded tanks or bunded with an impermeable surface and a capacity to contain a minimum 110% of the largest storage tank capacity.	Ongoing
	5.7	Refuel all equipment within designated areas of the Mine Site, where practicable.	Ongoing
	5.8	Undertake all maintenance works involving hydrocarbons, where practicable, within designated areas of the Mine Site such as the maintenance workshop.	Ongoing
	5.9	Direct all water from wash-down areas and workshops to oil/water separators and containment systems.	Ongoing
	5.10	Construct the RSF in accordance with design specifications and have QA/QC assessment completed.	During site establishment phase (prior to commencement of mining)
	5.11	Line the RSF and Raw Water Dam with compacted clay to achieve a permeability of 1 x 10 ⁻⁹ m/s or less.	
	5.12	Provide for design specific freeboard within the RSF and Raw Water Dam to prevent overtopping.	
6. GROUNDWATER			
Effective management of	6.1	Remove water accumulating in the open cuts, transfer to Dewatering Dams and use preferentially	Ongoing

Desired Outcome	Action	Timing
water dewatered from the open cuts	for dust suppression activities.	
Effective management of the potential contamination and/or reduction in availability of groundwater resources.	6.2 Implement impact mitigation measures in accordance with an approved Water Management Plan (WMP).	As defined by the Water Management Plan
	6.3 Undertake the groundwater monitoring in accordance an approved WMP.	
Ensure the availability of groundwater to surrounding users is maintained.	6.4 Implement additional assessment, land owner notification and contingency or compensatory measures in accordance with an approved Site Water Management Plan.	As defined by the Water Management Plan
7. BIODIVERSITY		
Avoid, minimise, mitigate or offset impacts (in that hierarchical order) on native vegetation (including the two identified EECs), native fauna (including threatened species) and their habitat.	7.1 Locate the Mine Site activities and infrastructure so as to avoid the majority of remnant native vegetation. Restrict disturbance of remnant native vegetation to (approximately): <ul style="list-style-type: none"> • 2.7ha (of 36.9ha) of Inland Grey Box – Poplar Box – White Cypress Pine tall woodland on red loams; • 0.9ha (of 30.9ha) of Fuzzy Box – inland Grey Box on alluvial brown loam soils; and • 18.8ha (of 70.3ha) of Belah / Black Oak Western Rosewood Wilga woodland. 	Ongoing
	7.2 Implement the impact avoidance, minimisation, mitigation and offset measures of an approved Biodiversity Offset Strategy and Biodiversity Management Plan (BMP) for the Mine in consultation with the OEH and DPE.	Ongoing
Offset residual impacts on native flora and fauna.	7.3 Implement the Conservation Property Vegetation Plan, as agreed and signed between TGO and Local Land Services – Central West.	In perpetuity
Rehabilitate disturbed areas to create a final landform that maintains or improves biodiversity values of the Project Site.	7.4 Complete rehabilitation in accordance with an approved Rehabilitation Management Plan (RMP) or Mining Operations Plan (MOP).	Ongoing
8. ABORIGINAL HERITAGE		
Maintain Aboriginal heritage values on site.	8.1 Implement the Cultural Heritage Management Plan for the Mine in consultation with OEH and DPE.	Ongoing
Maintain Aboriginal heritage values on site.	8.2 In the event the disturbance footprint changes, ensure that appropriate consultation and field survey is undertaken to confirm no sites or objects of Aboriginal heritage significance are impacted.	If the disturbance footprint changes
	8.3 Ensure work in an area is suspended should any Aboriginal sites be uncovered. The OEH Western Regional Archaeologist (Dubbo Office) and local Aboriginal community will be contacted to discuss how to proceed.	If a previously unidentified object or Aboriginal site is uncovered

Desired Outcome	Action	Timing	
9. NON ABORIGINAL HERITAGE			
Site activities are undertaken to minimise impacts on non-Aboriginal heritage items.	9.1 Implement the Cultural Heritage Management Plan for the Mine in consultation with OEH and DPE.	Ongoing	
10. VISUAL AMENITY			
Limit the visibility of operational areas from nearby residences and the Newell Highway.	10.1	Maintain vegetated amenity bunds in the following locations. <ul style="list-style-type: none">• Adjacent to the eastern and western boundary of the Newell Highway.• To the north of the Caloma Open Cut.• To the south of the Wyoming One Open Cut.• to the north of Waste Rock Emplacement 2,	Ongoing
	10.2	Construct and progressively rehabilitate the Waste Rock Emplacements in accordance with an approved MOP (or Rehabilitation Management Plan).	Continuous for the life of the Project
	10.3	Place and operate lighting on the Mine Site that: <ul style="list-style-type: none">• are not directed towards, and therefore do not impact on the vision of motorists using, the Newell Highway;• do not point towards surrounding residences; and• minimise the 'loom' created by the lights.	Continuous for the life of the Project
	10.4	Provide for additional visual screening in response to reasonable and feasible request from surrounding land holders.	As required
	10.5	Maintain the Mine Site in a clean and tidy condition at all times.	Continuous for the life of the Project
	10.6	Implement commitments related to air emissions management.	
11. AIR QUALITY			
Minimise impacts to air quality relating to the Project.	11.1 Undertake all surface disturbance, mining, processing, transportation and other air emissions activities in accordance with an approved Air Quality and Greenhouse Gas Management Plan (AQGHGMP) for the Mine.	Ongoing	
Monitor and manage dust emissions.	11.2 Undertake air quality monitoring in accordance with an approved AQGHGMP for the Mine.	As defined within the AQGHGMP	
12. BLASTING AND VIBRATION			
Minimise impacts from blasting on surrounding receptors and infrastructure.	12.1	Undertake blasting in accordance with an approved Blast Management Plan (BMP).	Ongoing
	12.2	Ensure that all blasts are designed by a suitably qualified and experienced blasting engineer or shot-firer.	Continuous for the life of the Project
13. TRAFFIC AND TRANSPORTATION			
Achieve safe and efficient transport operations.	13.1	Undertake all transport operations in accordance with an approved Traffic Management Plan (BMP).	Ongoing
	13.2	Enforce a Code of Conduct for all drivers for all heavy vehicles that travel to and from the Mine Site regularly. The Code of Conduct will stipulate safe	During site establishment operations

Desired Outcome	Action	Timing
	driving practices must be maintained at all times.	
	13.3 Investigate immediately any complaints received and substantiated incidents acted on decisively, which could include the banning the offending driver(s) from the Mine Site.	Continuous during the life of the Project
	13.4 Prepare an individual <i>Traffic Control Plan</i> for each over mass and over weight delivery.	As required
14. SOILS AND LAND CAPABILITY		
Maintenance of soil value for rehabilitation and minimisation of soil loss through erosion.	14.1 Strip soil material as nominated within an approved MOP.	Ongoing
Create a final landform that is safe, stable and is amenable to the nominated land use(s).	14.2 Undertake final landform construction and rehabilitation in accordance with an approved RMP or MOP.	Ongoing
15. WASTE		
Manage waste appropriately on the Mine Site.	15.1 Maintain a register of the types and quantities of wastes produced on the Mine Site.	Ongoing
	15.2 Design and maintain storage areas to contain spillages.	Ongoing
	15.3 Segregate and retain recyclable and non-recyclable waste in designated storage areas prior to removal from the Project Site.	Ongoing
	15.4 Keep the Project Site in a clean and tidy condition.	Ongoing
	15.5 Ensure waste is regularly removed from the Project Site by a licensed contractor.	Ongoing
16. SOCIO ECONOMIC SETTING		
Maximise the positive impacts and minimise any actual or perceived adverse impacts on the social fabric or facilities available to the community surrounding the Mine Site.	16.1 Engage the community surrounding the Project in regular dialogue in relation to the proposed and ongoing operation of the Project and maintain an "open door" policy for any member of the community who wishes to discuss any aspect of the Project.	Ongoing
	16.2 Proactively and regularly consult with those residents most likely to be adversely impacted by the Project.	Ongoing
	16.3 Continue to support community organisations, groups and events, as appropriate, and review any request by a community organisation for support or assistance throughout the life of the Project.	Ongoing
	16.4 Advertise and maintain a community complaints telephone line.	Continuous for the life of the Mine
	16.5 Make available excess water from the water supply bores and pipeline to Narromine Shire Council for supply to the residents of Tomingley.	As feasible
	16.6 Ensure that infrastructure and services installed for the Project, including the water supply bores and pipeline, electricity transmission line, appropriate buildings and hardstand areas, remain available for	Post-mining

Desired Outcome	Action	Timing
	alternative uses following completion of the Project, provided that such uses are consistent with the final land uses identified in this document or any subsequent approval.	
17. CONSULTATION		
Maintain ongoing consultation with the local community and Council.	17.1 Maintain a Community Consultative Committee (CCC), including representative members of the community and Narromine Shire Council.	Within 6 months of receipt of project approval
	17.2 Regularly brief the CCC on activities within the Mine Site and seek feedback in relation to Project-related impacts whether real or perceived.	Quarterly
Respond to environmental complaints.	17.3 Maintain an environmental complaints line and register of complaints in accordance with the requirements of the Environment Protection Licence, once issued.	Ongoing
	17.4 Respond promptly to any issue of concern or complaint raised by the community or a government agency.	Ongoing