



## Statement of Environmental Effects

for a subdivision of RU1 land south of Tomingley to  
facilitate realignment of

Newell Highway and ancillary roads for development of  
the Tomingley Gold Extension Project  
and

retention of the Kenilworth house

(to Accompany an s100B Authority pursuant to the Rural Fires Act)

November 2023

**Lots subject to proposed subdivision and boundary adjustment:**

3,4/1213503, 2 3/1281392, 101/1271511, 1/1273565, 1621, 1622/1178801, 105/755110, 169 and  
175/755093/

# Contents

1. Background Information .....	1
2. Application for a Subdivision Certificate.....	4
3. Consequences of obtaining a Subdivision Certificate.....	4
4. Narromine LEP 2011.....	4
5. “Kenilworth” homestead to be retained.....	5
6. Environmental Impact of the Proposed Subdivision.....	7
7. Physical Access to new Lots .....	7
8. Bushfire Hazard Assessment.....	9



*Plate 1: View southeast over Wyoming One open cut. The Newell highway runs from left centre to top centre of image.*

## **1. Background Information**

Tomingley Gold Extension Project (TGEP) (SSD-9176045) was approved in February 2023.

The TGEP will extend mining operations from the current mine site immediately south of Tomingley village for several kilometres towards Peak Hill.

The gold resource (1.6 million ounces) happens to be located below the current alignment of the Newell Highway and will be extracted under the approval until December 2032

Consolidated Approval can be found at. <https://wp-alkane-2023.s3.ap-southeast-2.amazonaws.com/media/2023/09/Consolidated-Consent-MOD1.pdf>

Tomingley Gold Operations has acquired several rural properties in the past few years to facilitate the development of the San Antonio and Roswell ore bodies.

The rural land outside of the mining footprint is being managed under agreement with Toongi Pastoral Company (a wholly owned subsidiary of Australian Strategic Materials Ltd).

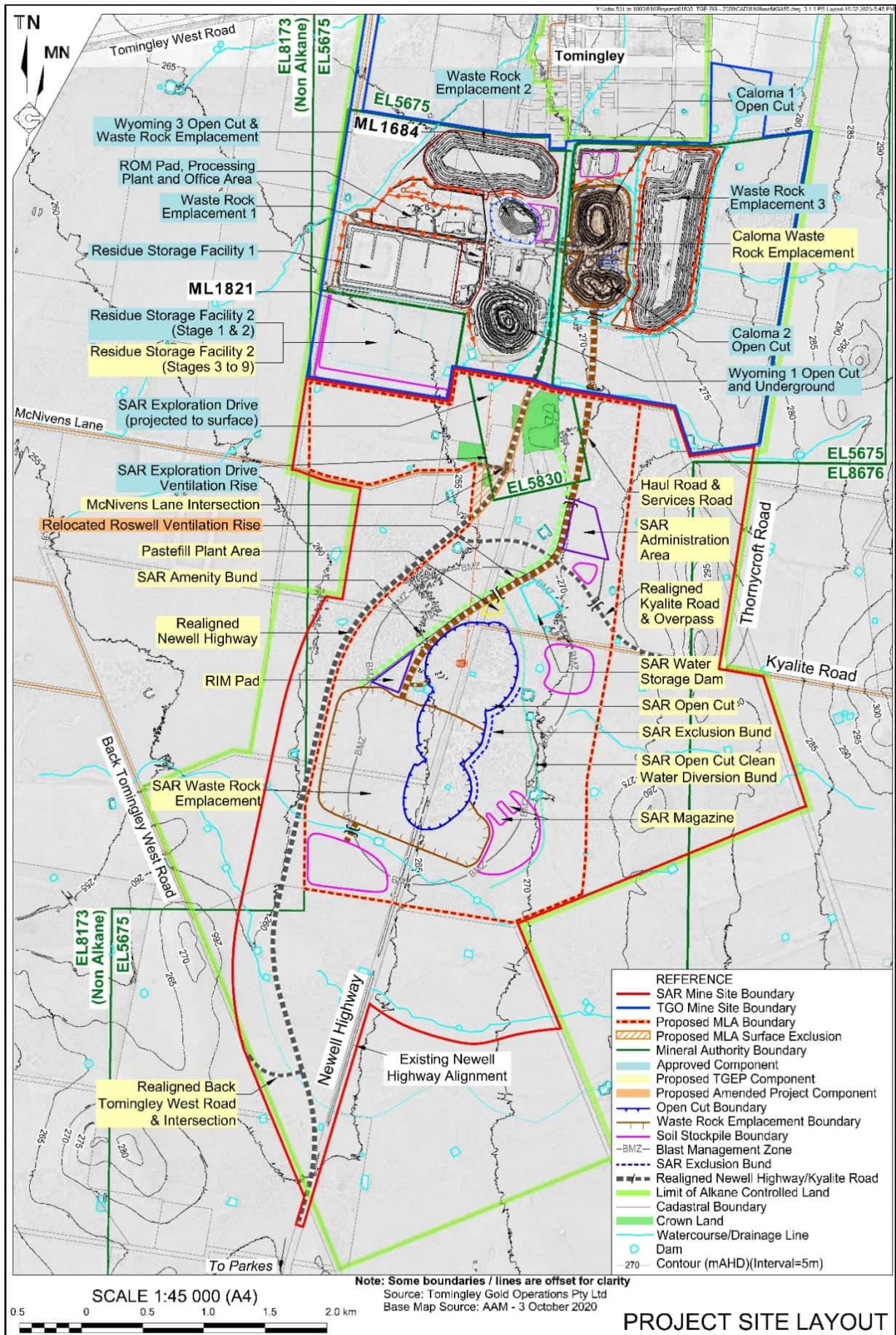
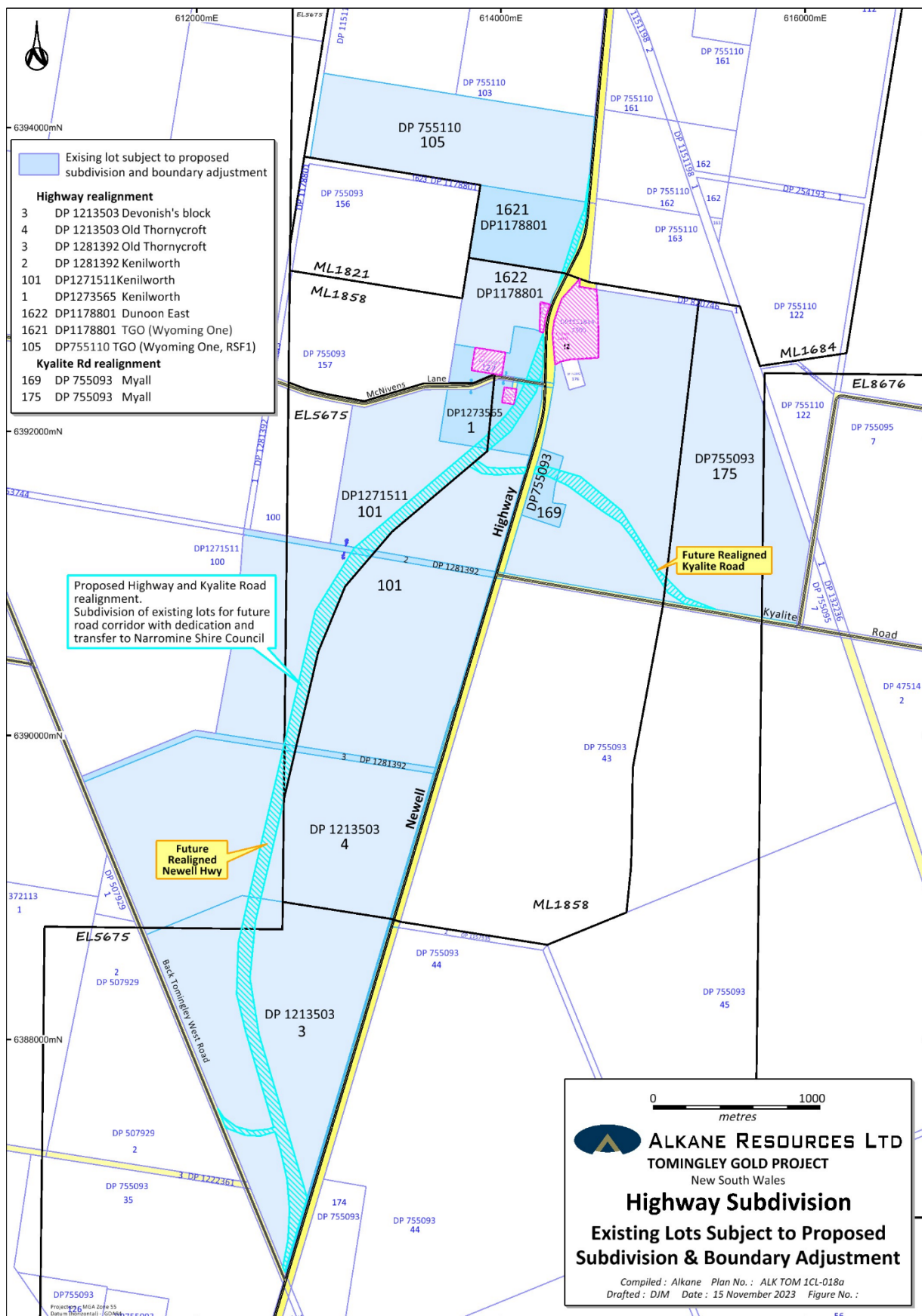


Figure 1: Tomingley Gold Extension Project showing the approved site layout.



**Figure 2: Plan showing the existing lots south of Tomingley that are proposed to be subdivided and boundary adjusted.**

## **2. Application for a Subdivision Certificate**

The realignment and design of 8.3km of the Newell Highway has been negotiated with Transport for NSW (TfNSW) and resulted in a Works Agreement Deed (WAD) being signed by both parties.

The Newell Highway, Kyalite Road, Back Tomingley West Road and McNivens Lane are all impacted by the TGEP and the realignments have been discussed with Narromine Shire Council and will require subdivision and boundary adjustments to create the new road corridors and ensure that useable parcels of land are available at the end of the life of the development. Narromine Shire Council owns the road corridors but the Newell Highway is a National Highway connecting Melbourne to Brisbane.

A Mining Lease 1858 (Act 1992) was granted on 19 July 2023 and applies to some of the land subject to this application.

## **3. Consequences of obtaining a Subdivision Certificate**

TGO requires Narromine Shire Council to issue a Subdivision Certificate in order to be able to register the survey plans drawn by Langford & Rowe Surveyors of the new Lots with Land Registry Services. (See Sheets 1-5)

Four temporary Lots (8, 9, 10 & 11) will be created to capture the cadastral boundaries of the new road corridors but those lots will disappear with the road openings.

The RU1 land between the existing corridor and the new alignment will amount to 404.58 hectares and so a single lot would be permissible for a dwelling (Kenilworth house). The property Kenilworth was previously subject to DA2021/01 (subdivision) and DA2021/07 relocation of the Kenilworth house. DA2021/07 has not been acted upon. The dwelling remains habitable and condition 7 was not complied with.

The restriction (no dwelling can be erected on the burdened lots pursuant to the provisions of clause 4.2(5) Rural Subdivision of the Narromine Local Environmental Plan 2011) created with DP1271511 (attached) should be removed when lots are amalgamated in the process of subdivision.

The site falls within a bushfire prone mapped area and to re-instate a dwelling entitlement through a subdivision will likely trigger integrated development. A Section 100B Authority pursuant to the Rural Fires Act is sought with this DA.

A Bushfire Assessment Report has been prepared and will be lodged with this DA.

## **4. Narromine LEP 2011**

Narromine Local Environment Plan clause 4.2E “facilitates boundary adjustments between lots where one or more resultant lots do not meet the minimum lot size but the objectives of the zone can be achieved”.

The clause applies to “Kenilworth”, “Old Thornycroft”, “Devonish’s” and Myall which are all Zoned RU1 Primary Production. Mining is permissible with consent on RU1 land.

The subdivision will not create additional lots or the opportunity for additional dwellings.

The potential for land use conflict will not be increased as a result of the subdivision. The realignment of the highway corridor is to remove traffic from the blast impact zone of future open cut mining.

The Tomingley Gold extension Project attracted a single objection when placed on Public Exhibition by the Department of Planning & Environment. That level of concern is a reflection of TGO's social licence to operate in the district.

The proposed subdivision will not have a significant adverse effect on the agricultural viability of the land. In fact, the proposed subdivision should make the lots more attractive to neighbours at the end of mine life should TGO choose to dispose of its landholdings.

TGO has made a commitment in the EIS to improve the carrying capacity of the land outside the mine footprint to an extent that there will be no net loss of agricultural productivity across the whole group of properties by 2032. Subdivision of paddocks and supply of clean water will be key to achieving that commitment.

The existing use of the land in the vicinity of permitted mining activity will not change as a result of the subdivision and boundary adjustment.

The EIS for the Tomingley Gold Extension Project considered the social, economic, environmental and agricultural impacts of the development on neighbours and the local and regional economy.

<https://www.planningportal.nsw.gov.au/major-projects/projects/tomingley-gold-extension-project>

## **5. “Kenilworth” homestead to be retained**

Murry and Ruth Bouchier, who sold “Kenilworth” to TGO, negotiated a deal which saw them relocate their farming business to the northern side of Tomingley on an increased land area. The Bouchier's new farm (“Greendale”), was settled upon in 2021, and is contiguous with their son's landholding.

Tomingley Gold Operations purchased Kenilworth in 2021 from Murry and Ruth Bouchier with an understanding that they would remove the house to another property that they owned off the Tomingley West Road – “Bellah”.

However, Bouchier's relocated themselves to “Greendale” and were unable to find someone to move the house on their terms. Bouchier's then asked TGO if they could buy the transportable house which we agreed to do.

However, the subdivision required to complete the Bouchier and McNiven land transactions (DA2021/01) meant that the Kenilworth house would no longer be compliant with the LEP as it would be on a lot of less than 400 hectares.

Clause 5.25A was introduced in early 2023 in the Narromine LEP 2011 to allow for temporary worker's accommodation in Zone RU1.

However, with the new lot proposed in this subdivision application, which contains the Kenilworth house, the lot area will be in excess of 400 Ha and the building entitlement should be conditionally valid.

At the end of the mine life it is expected that the Kenilworth house will once again be available for habitation. The 404.58 hectare lot with the Kenilworth house will sit between the current Newell Highway and the realigned highway albeit with parts of the farm containing rehabilitated final landforms. It would be a viable small farm or else likely run with the rest of the agricultural land east of the realigned Newell Highway.

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6 | Page

## **6. Environmental Impact of the Proposed Subdivision**

Alkane firmly believe that the environmental impacts of this subdivision and boundary adjustment are negligible.

The far more significant impact on “Kenilworth” will be the development of the Tomingley Gold Extension Project. Those impacts were assessed in the EIS and will be mitigated through mine design and Environmental Management Plans. The TGO Environmental Management Plans are currently being updated to include the TGEP.

Management plans can be found at:

<https://alkane.com.au/projects/tomingley-gold-project/tomingley-document-hub/>

Extensive consultation with government agencies, TfNSW, Narromine Shire Council, community and stakeholders was undertaken in 2021 and 2022 for the TGEP.

Historic Heritage Assessment Report

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-9176045%2120220125T213602.898%20GMT>

Aboriginal Cultural Heritage Assessment Report

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-9176045%2120220125T213601.409%20GMT>

Addendum Aboriginal Cultural Heritage Assessment Report;

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-9176045%2120220125T213602.492%20GMT>

A Heritage Impact Statement is being lodged with this DA.

## **7. Physical Access to new Lots**

Physical access to the new lots west of the Newell Highway realignment will be via existing driveways/tracks off McNiven’s Lane and Back Tomingley West Road.

A new access track from Kyalite Road to the lots on “Myall” and “Kenilworth” will be designed in consultation with NSC.

Once the realignment of Kyalite Road is completed “Rosewood” (Lot 43/755093) will be accessed from Kyalite Road. Future access (post TGEP development) to Kenilworth (Lot 101) will be via McNiven’s Road from an existing gateway.



*Plate 3: Eastern access to “Kenilworth” from McNivens Road. Photo taken 14 December 2020.*

TGO has been consulting with Transport for New South Wales about removing five existing driveways that enter the Newell Highway. TfNSW see this as a safety improvement in the 110km/hr speed limit zone.

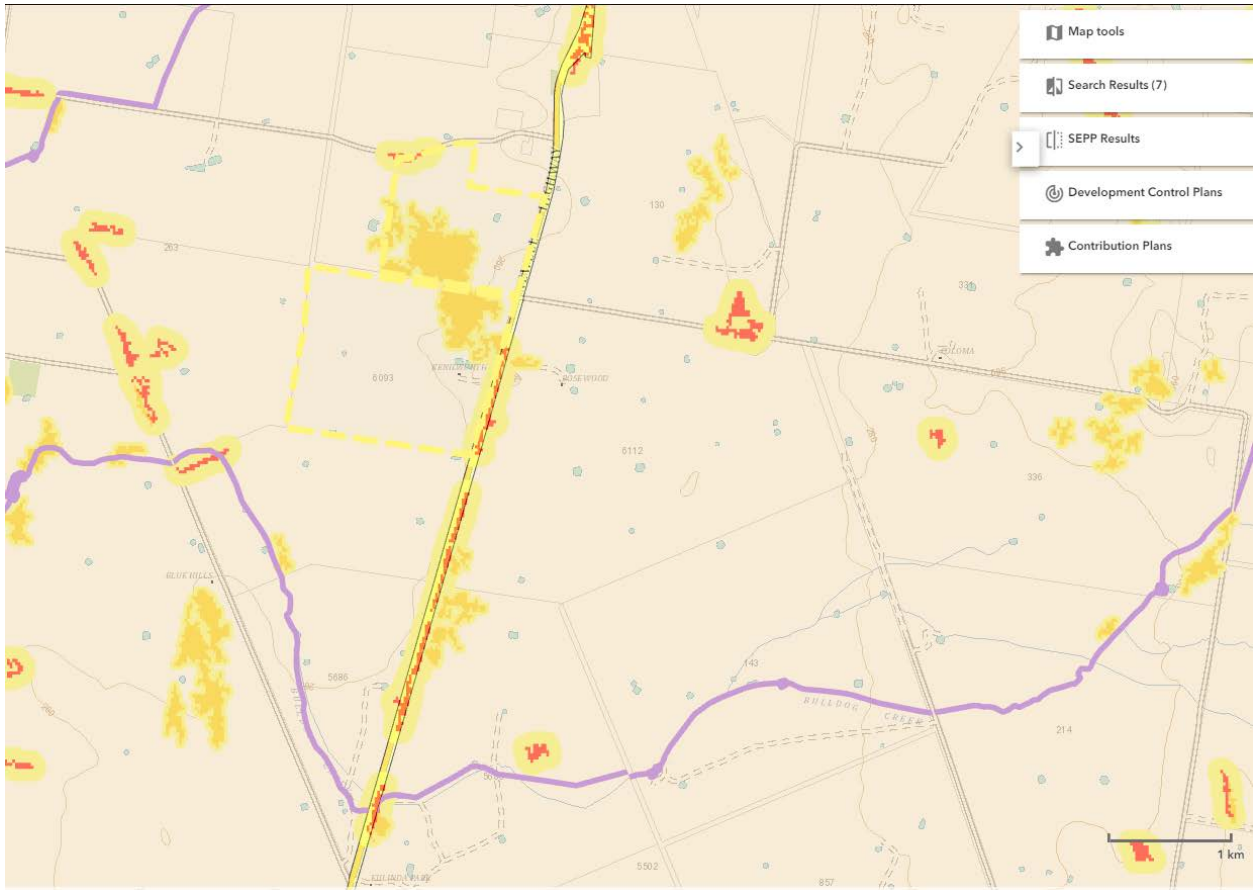
A Works Agreement Deed (WAD) covering the Newel Highway realignment has been negotiated and executed between TGO and TfNSW.



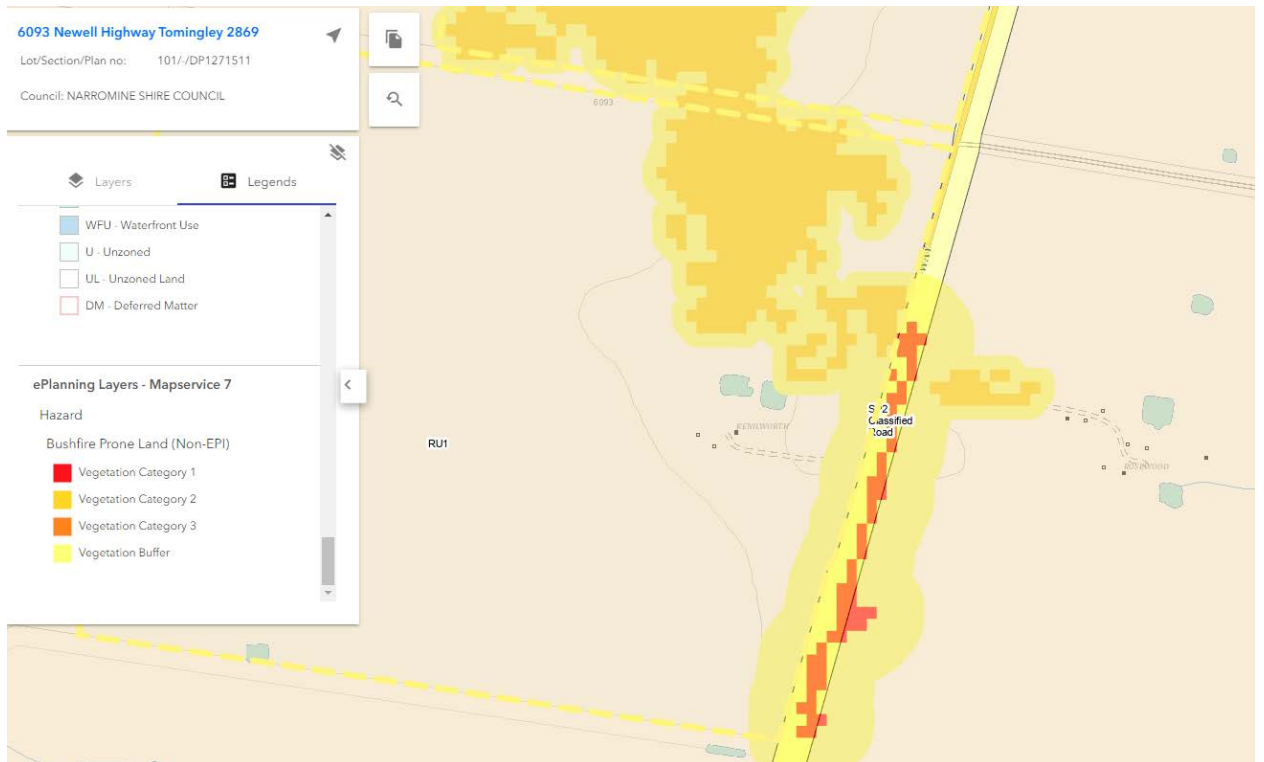
*Plate 4: Existing gateway access on western side of Newell Highway in 110km/hr speed zone will become redundant once the realigned highway is constructed.*

## 8. Bushfire Hazard Assessment

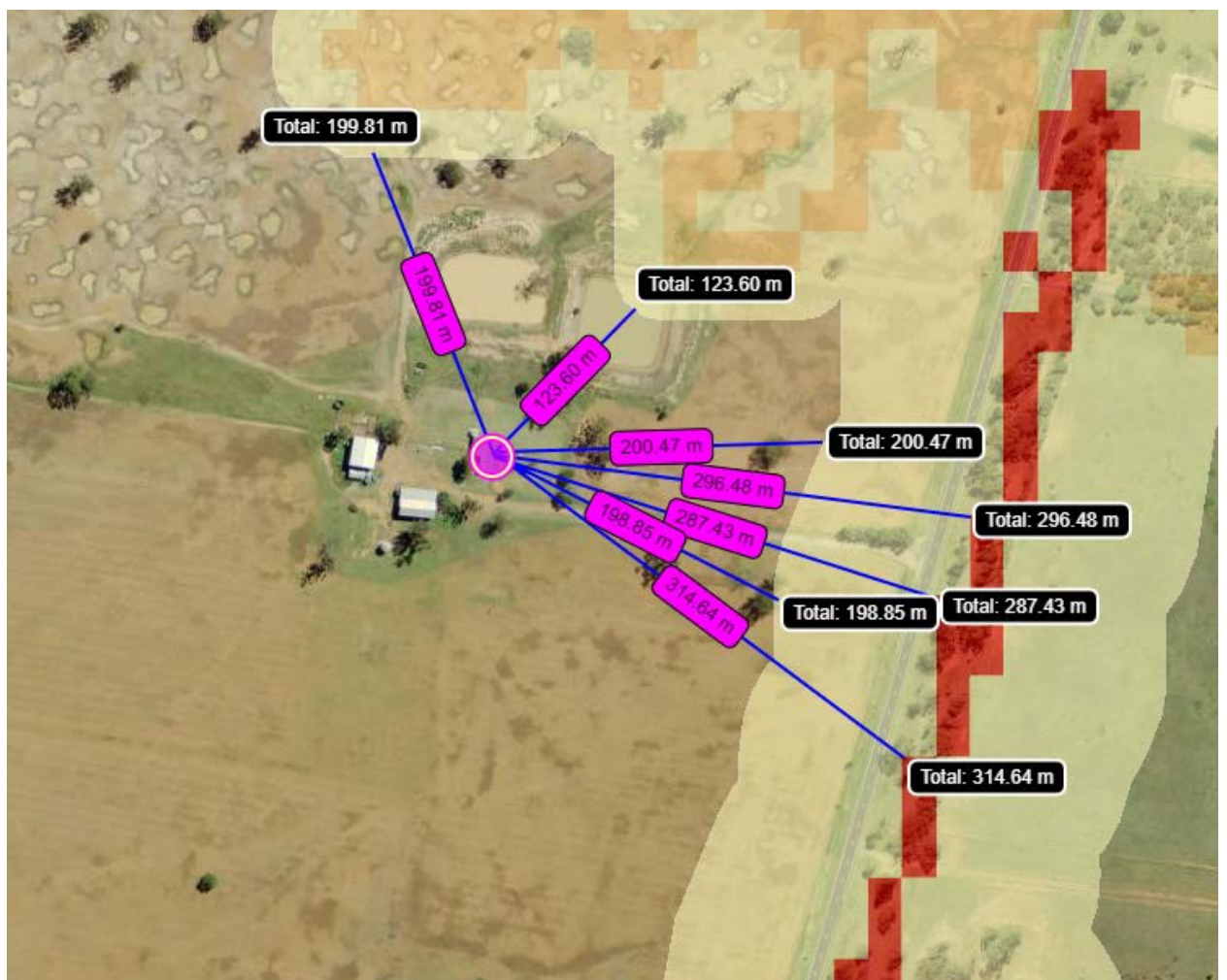
The house site on “Kenilworth” is in a Fire Prone area (see Figures 4, 5 & 6) which includes data from SEED portal generated 15 November 2023.) A Bushfire Assessment Report prepared in accordance with Planning for Bushfire Protection (RFS, 2019) has been provided to Dubbo Rural Fire Service for their comment/input. completed to accompany this DA.



*Figure 3: Plan showing the property boundary of Kenilworth (dashed yellow line)*



**Figure 4: Close up view of Kenilworth house with two farm dams between the asset and closest vegetation hazard**



**Figure 5: Distances from Kenilworth house to vegetation hazards.**