



Your Ref: 2010/LD-74
CA: KAB
Our Ref: OUT11/5950

Mr Garry Ryman
Director Planning & Environmental Services
Cobar Shire Council
PO Box 223
COBAR NSW 2835

Dear Mr Ryman

**Proposed Wonawinta Silver Mine – “Manuka” Station
Cobar Consolidated Resources Limited**

I refer to your letter dated 10 March 2011 seeking General Terms of Approval from Industry and Investment NSW (I&I NSW) on the development application lodged by Cobar Consolidated Resources Limited for its proposed Wonawinta Silver mine.

As advised in the Department's response on the Wonawinta Environmental Impact Statement (EIS), I&I NSW supports the approval of the *Wonawinta Silver Project*.

The grant of development consent does not provide Cobar Consolidated Resources with the right to mine. Mining activities can only be conducted after development consent has been obtained and a mining lease granted by the Minister for Resources and Energy, under the provisions of the *Mining Act 1992*.

Should the proponent lodge an application for a mining lease, the proponent may expect that any mining lease granted – provided all legislative requirements have been met – may be similar to conditions as outlined in the attached document titled “**Standard Mining Lease Conditions 2010**”. The conditions include the requirement for the preparation of a mining operations plan and the lodgement of an appropriate mining lease security.

Mining Operations Plan

The standard mining lease conditions will require the proponent to conduct operations in accordance with an accepted Mining Operations Plan (MOP). Accordingly, the proponent is required to seek the approval of I&I NSW for a MOP for this mine development. The proponent must not commence mining or mining related activities prior to receiving approval of the MOP from I&I NSW. It is expected that further identification of rehabilitation objectives and completion criteria will need to be included in the Mining Operations Plan/Rehabilitation Plan.

Mining Lease Security

The security required to be lodged for the mining lease, to fulfil the proponent's obligation to rehabilitate areas disturbed by mining, will be subject to a self assessment process by the proponent. This will be certified by I&I NSW to ensure that the security amount is sufficient to rehabilitate areas to be disturbed by associated mining activities.

Conditions of Consent

I&I NSW recommend that the following conditions be incorporated into the planning approval, if granted:

Rehabilitation Plan

1. The Proponent must prepare and implement a Rehabilitation Plan to the satisfaction of the Director General (DG) of I&I NSW. The Rehabilitation Plan must:
 - a. be prepared in accordance with any relevant I&I NSW guidelines and in consultation with relevant agencies and stakeholders;
 - b. be submitted and approved by the DG of I&I NSW prior to the commencement of mining or mining related activities;
 - c. address all aspects of rehabilitation and mine closure, including final land use assessment, rehabilitation objectives, domain objectives, completion criteria and rehabilitation monitoring, in particular;
 - i. include an evaluation of end land use options for final void/s;
 - ii. include life of mine tailings management strategy, including an environmental risk assessment in order to demonstrate that the emplacements can be designed, managed and rehabilitated appropriately; and
 - iii. describe how rehabilitation will be carried out progressively to the extent that it is practicable

Tenure of the Water Pipeline

Although not specified in the EIS, I&I NSW understands that the proponent has various options regarding the tenure over the water pipeline. One option is for the proponent to apply for a mining lease for mining purposes for the pipeline route.

Other options available to the proponent maybe by way of;

- a) approval from the Land and Property Authority for the route traversing Western Lands Leases, with agreement from the various lease holders;
- b) dual agreement with Council where the easement may traverse roads under Council's control, and
- c) from the Office of Environment and Heritage for areas traversing State Conservation Areas, or
- d) the proponent may wish to utilise the provisions of the *NSW Pipelines Act 1967*.

Yours sincerely


William Hughes
Director Industry Coordination

Encl

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Yours sincerely

William Hughes
Director Industry Coordination

Encl

STANDARD MINING LEASE CONDITIONS 2010

Content

Definition

1. Notice to Landholders
2. Environmental Harm
3. Mining Operations Plan
4. Environment Management Report
5. Environmental Incident Report
6. Additional Environmental Reports
7. Rehabilitation
8. Subsidence Management ((Not applicable)
9. Working Requirement
10. Blasting
11. Safety
12. Prevention of Soil Erosion and Pollution
13. Transmission lines, Communication lines and Pipelines
14. Roads and Tracks
15. Trees and Vegetation
16. Use of Mercury or Cyanide
17. Resource Recovery
18. Indemnity
19. Security
20. Single Security (Not applicable)
21. Single Security (extended) (Not applicable)
22. Prescribed Dam (Not applicable)
23. Suspension of Mining Operations
24. Cooperation Agreement

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Note: Exploration Reports (Geological and Geophysical)

Definition:

"Director-General" means the Director-General of the Department of Industry and Investment

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MINING LEASE CONDITIONS 2010

1. Notice to Landholders

- (a) Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.
- (b) If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.

2. Environmental Harm

- (a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.
- (b) For the purposes of this condition:
 - (i) environment means components of the earth, including:
 - (A) land, air and water, and
 - (B) any layer of the atmosphere, and
 - (C) any organic or inorganic matter and any living organism, and
 - (D) human-made or modified structures and areas,and includes interacting natural ecosystems that include components referred to in paragraphs (A)–(C).
 - (ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.

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3. Mining Operations Plan

- (a) Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General.
- (b) The MOP must:
- (i) identify areas that will be disturbed by mining operations;
 - (ii) detail the staging of specific mining operations;
 - (iii) identify how the mine will be managed to allow mine closure;
 - (iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;
 - (v) reflect the conditions of approval under:
 - the *Environmental Planning and Assessment Act 1979*
 - the *Protection of the Environment Operations Act 1997*
 - and any other approvals relevant to the development including the conditions of this lease; and
 - have regard to any relevant guidelines adopted by the Director-General.
- (c) The leaseholder may apply to the Director-General to amend an approved MOP at any time.
- (d) It is not a breach of this condition if:
- (i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the *Mining Act 1992*, the *Environmental Planning and Assessment Act 1979*, *Protection of the Environment Operations Act 1997*, *Mine Health and Safety Act 2004 / Coal Mine Health and Safety Act 2002* and *Mine Health and Safety Regulation 2007 / Coal Mine Health and Safety Regulation 2006* or the *Occupational Health and Safety Act 2000*; and
 - (ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.
- (e) A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General.

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4. Environment Management Report

- (a) The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.
- (b) The EMR must:
 - (i) report against compliance with the MOP;
 - (ii) report on progress in respect of rehabilitation completion criteria;
 - (iii) report on the extent of compliance with regulatory requirements; and
 - (iv) have regard to any relevant guidelines adopted by the Director-General;

5. Environmental Incident Report

- (a) The lease holder must report any environmental incidents. The report must:
 - (i) be prepared according to any relevant Departmental guidelines;
 - (ii) be submitted within 24 hours of the environmental incident occurring;
- (b) For the purposes of this condition, environmental incident includes:
 - (i) any incident causing or threatening material harm to the environment
 - (ii) any breach of Conditions 1 to 9 and 11 to 24;
 - (iii) any breach of environment protection legislation; or,
 - (iv) a serious complaint from landholders or the public.
- (c) For the purposes of this condition, harm to the environment is material if:
 - (i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or
 - (ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, where loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.

6. Additional Environmental Reports

Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.

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7. Rehabilitation

Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.

9. Working Requirement

The lease holder must:

- (a) ensure that at least **(number to be calculated *based on the rate of 1 worker per 25 ha of mining lease application area)** competent people are efficiently employed in relation to the mining process or mining operations on the lease area
- OR
- (b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$ **(amount *based on the (a) calculated at \$17,500 per worker)** per annum whilst the lease is in force.

The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.

10. Blasting

(a) Ground Vibration

The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.

(b) Blast Overpressure

The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.

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11. Safety

Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.

12. Prevention of soil erosion and pollution

Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.

13. Transmission lines, Communication lines and Pipelines

Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions stipulated.

14. Roads and Tracks

- (a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the roads authority in making good any damage to roads or tracks caused by operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund.
- (b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.
- (c) Existing access tracks should be used for all operations where reasonably practicable. New access tracks must be kept to a minimum and be positioned in order to minimise damage to the land, watercourses or vegetation.
- (d) Temporary access tracks must be rehabilitated and revegetated to the satisfaction of the Director-General as soon as reasonably practicable after they are no longer required under this lease.

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15. Trees and Vegetation

- (a) The lease holder must not fell trees, strip bark or cut timber on any land subject of this lease without the consent of the landholder who is entitled to the use of the timber.
- (b) The lease holder must contact Forests NSW and obtain any required permit, licence or approval before taking timber from any Crown land within the lease area.

Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking of timber on Crown land is subject to the requirements of the Forestry Act 1916.

16. Use of Mercury or Cyanide

The lease holder must not use mercury or cyanide or any solution containing cyanide for the recovery of minerals on the lease area without the prior written approval of the Minister and subject to any conditions stipulated.

17. Resource Recovery

- (a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, notice in writing to the lease holder may be given requiring the holder to recover such minerals.
- (b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.
- (c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.

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18. Indemnity

The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.

19. Security

A security in the sum of \$ (Based on self assessment and Departmental review -Refer to www.dpi.nsw.gov.au/__data/assets/pdf_file/0006/363516/ESG1-Rehabilitation-Cost-Estimate-Guidelines.PDF) must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under this lease.

23. Suspension of Mining Operations

The holder of a mining lease may not suspend mining operations in the mining area other than in accordance with the consent of the Minister.

24. Cooperation Agreement

The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:

- access arrangements
- operational interaction procedures
- dispute resolution
- information exchange
- well location
- timing of drilling
- potential resource extraction conflicts and
- rehabilitation issues.

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Note: Exploration Reports (Geological and Geophysical)

The lease holder must lodge reports to the satisfaction of the Director-General in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.

Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales (Department of Industry and Investment, 2010).

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New South Wales Office of Water

7 April 2011

General Manager
Cobar Shire Council
PO Box 223
COBAR NSW 2835

c: Tim Baker
t: 02 6841 7403
f: 02 6884 0096
e: Tim.Baker@water.nsw.gov.au

Our ref : ER20927

Your ref:

Attention: Heather Holder

Dear Ms Holder

WONAWINTA SILVER PROJECT – DESIGNATED AND INTEGRATED DEVELOPMENT

The NSW Office of Water has reviewed the additional information submitted by R.W Corkery & Co dated 4 March 2011. This information was prepared in response to a letter from the NSW Office of Water (the Office) dated 8 February 2011. Based on this review, the Office is able to issue General Terms of Approval (GTAs) requested under the *Water Management Act 2000* and *Water Act 1912*. Key comments related to the review are provided in Attachment 1, recommended consent conditions are provided in Attachment 2 and GTAs in Attachment 3 and 4.

Council are advised that critical water licensing issues related to the proposed use of the McKinnons borefield have been identified and are detailed in Attachment 1. This relates to the licenses not being renewed hence raising concern over a secure water source for the project.

Please note Council's statutory obligations under section 91A(3) of the *Environmental Planning and Assessment Act, 1979* (EPAA) which requires a consent granted by a consent authority, to be consistent with the GTAs proposed to be granted by the approval body.

If the proposed development is approved by Council, the NSW Office of Water requests that these GTAs be included (in their entirety) in Council's development consent. Please also note the following:

- The NSW Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional 'works' on waterfront land (i.e. in or within 40 metres from top of highest bank of a watercourse, foreshore, or lake). Once notified, the NSW Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed 'works' are part of Council's proposed consent conditions and the 'works' do not appear in the original documentation.
- The NSW Office of Water should be notified if Council receives an application to modify the consent conditions. **Failure to notify may render the consent invalid.**

www.water.nsw.gov.au | NSW Office of Water is a separate office within the Department of Environment, Climate Change and Water
209 Cobra St, Dubbo | PO Box 717 Dubbo NSW 2830 | t 02 6841 7403 | f 02 6884 0096

- The NSW Office of Water requests notification of any legal challenge to the consent.

Under Section 91A(6) of the EPAA, Council must provide the NSW Office of Water with a copy of any determination/s including refusals.

The attached GTAs do not represent the Controlled Activity Approval or the licences for Monitoring Bores. The applicant must apply (to the NSW Office of Water) **after consent** has been issued by Council **and before** the commencement of any 'works' on waterfront land or relating to monitoring bore construction.

Applicants must complete and submit an application form together with any required plans, documents, the appropriate fee and security (i.e. bond, if applicable) and proof of Council's development consent.

Application forms for the Controlled Activity Approval are available from the undersigned or from the NSW Office of Water's website

<http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>.

Application forms for Groundwater Licenses under Part V of the *Water Act 1912* can also be found on the website:

<http://www.water.nsw.gov.au/Water-licensing/Applications/default.aspx>

The NSW Office of Water requests that Council provide a copy of this letter to the applicant.

For general enquires in relation to this submission please do not hesitate to contact Tim Baker on (02) 6841 7403. For specific licensing enquires and for submitting the necessary licence applications please contact Alison Collaros on (02) 6841 7416.

Yours sincerely



Mark Mignanelli
Manager Major Projects and Assessment



ATTACHMENT 1

RECOMMENDED CONDITIONS OF CONSENT

The NSW Office of Water requests the following conditions be included in any consent issued for the Wonanwinta Silver Project:

1. The proponent shall prepare a Water Management Plan in consultation with and to the satisfaction of the NSW Office of Water. This plan must include the following:
 - a. An Erosion and Sediment Control Plan
 - b. A Surface Water Management Plan
 - c. A Groundwater Management Plan
2. The proponent must obtain relevant licensing under Part 5 of the *Water Act 1912* from the NSW Office of Water before commencing any works which intercept or extract groundwater.



New South Wales Office of Water

ATTACHMENT 2

ASSESSMENT COMMENTS

Licensed Water Supply

NOW acknowledges that a 750ML licensed entitlement is held in the name of Cobar Consolidated Resources (CCR), however please be advised that the subject licenses associated with this entitlement have not been renewed at this point.

NOW is currently waiting on outstanding proof of occupation over the McKinnon bore field site Lot 863 DP761939. Lot 863 DP761939 is the subject of a Perpetual Lease which is currently in the name of the Trewindt family and R Leusink and therefore CCR would require proof of legal occupation over the land. This can be provided in the form of a Permissive Occupancy or sublease and should be in accordance with Western Lands Act 1901, administered by Land and Property Management Authority – Crown Lands, Western Lands Commission - Dubbo.

CCR has been instructed to provide proof of occupation over the bore field site before the subject licenses can be renewed. Failure to provide this information prior to the conversion of *Water Act 1912* licences to the *Water Management Act 2000*, may result in the licenses being cancelled.

McKinnon's Water Supply Pipeline

Crossings A and B

NOW acknowledges that the proposed water supply pipeline from McKinnon's Borefield will cross a number of watercourses as per information provided by RW Corkery & Co. Pty Ltd, Report reference 802/02e. NOW notes that the pipeline will be suspended above-ground at crossings A and B. The pipe should be suspended above the 1 in 100 year ARI to prevent damage to the pipe caused by high flows. It is also noted that structures used to suspend the pipe, such as frames, poles, footings etc, that are installed within 40m of the high bank of the creeks, will require a Controlled Activity Approval.

Crossing C – Sandy Creek, and Crossing D

Proposed pipeline is to be buried within a trench 1.2m deep and 0.6m wide. Please refer to the guidelines for *Laying Pipes and Cables in Watercourses* at the link: <http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>. A Controlled Activity Approval will be required for this crossing and the attached GTAs will apply.

Mirraboooka Water Supply Pipeline

Crossings D, F, G, H, I and J

NOW acknowledges that the proponent has requested GTAs for the water supply pipeline for the proposed Mirraboooka borefield, which may be developed in future pending hydrogeological investigation and impact assessment. If the Mirraboooka borefield is developed, the proposed water supply pipeline will cross six watercourses (crossings D, F, G, H, I and J as depicted on Figure A prepared by RW Corkery & Co. Pty Ltd, Report reference 802/02e.

The proposed pipeline would be buried within a trench 1.2m deep and 0.6m wide at each of these crossings. Please refer to attached guidelines for *Laying Pipes and Cables in Watercourses*. A controlled Activity approval will be required for these crossings and the attached GTAs will apply.

Watercourse Crossings

Watercourse crossings proposed for Crossings D and E will require Controlled Activity Approval and the attached GTAs will apply. It is noted that NOW does not support the use of pipe culverts. Box culverts are preferred. Please see the Guidelines for *Watercourse Crossings* at the following link: <http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

Dewatering

A license will be required under Part 5 of the Water Act 1912 for dewatering activities in South Pit. An embargo dated 22/12/2008 prevents further applications under Part 5, however an exemption listed in Clause 12 of Schedule 2 of the embargo may allow the granting of a license for dewatering up to 10ML, subject to assessment by Hydrogeologist and licensing officers. The proponent will be required to apply for a dewatering license under the exemption.

Monitoring Bores

Licenses will be required under Part 5 of the Water Act 1912 for monitoring bores. An embargo dated 22/12/2008 prevents further applications under Part 5, however an exemption listed in Clause 4 of Schedule 2 of the embargo allows the granting of licenses for monitoring and test bores for groundwater investigation and/or environmental management purposes. Please refer to the attached GTAs for monitoring bores. NOW expects the proposed monitoring bore network will be finalised within a Groundwater Management Plan which is recommended as a condition of consent.



New South Wales Office of Water

ATTACHMENT 3

General Terms of Approval – for works requiring a Controlled Activity Approval under the Water Management Act 2000

Our Reference		85 ERM2011/0091	File No:	
Site Address		Cobar		
DA Number				
LGA		Cobar Shire		
Number	Condition			
Plans, standards and guidelines				
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to and provided by Council:</p> <ul style="list-style-type: none">(i) Site plan, map and/or surveys(ii) Works Schedule(iii) Environmental Impact Statement(iv) Additional Information Report No. 802/02e <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>			
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>			
3	<p>The consent holder must prepare or commission the preparation of:</p> <ul style="list-style-type: none">(i) Vegetation Management Plan(ii) Works Schedule(iii) Erosion and Sediment Control Plan(iv) Soil and Water Management Plan			
4	<p>All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-</p>			

www.water.nsw.gov.au | NSW Office of Water is a separate office within the Department of Environment, Climate Change and Water
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Our Reference	85 ERM2011/0091	File No:	
Site Address	Cobar		
DA Number			
LGA	Cobar Shire		
Number	Condition		
	Licensing/Approvals/default.aspx (i) Vegetation Management Plans (ii) Laying pipes and cables in watercourses (iii) In-stream works (iv) Watercourse crossings		
5	The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.		
Rehabilitation and maintenance			
6	The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.		
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.		
Reporting requirements			
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.		
Security deposits			
9	N/A		
Access-ways			
10	N/A		
11	N/A		
Bridge, causeway, culverts, and crossing			
12	The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.		
13	The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by the NSW Office of Water.		
Disposal			
14	The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in		

Our Reference	85 ERM2011/0091	File No:	
Site Address	Cobar		
DA Number			
LGA	Cobar Shire		
Number	Condition		
	accordance with a plan approved by the NSW Office of Water.		
Drainage and Stormwater			
15	N/A		
16	N/A		
Erosion control			
17	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.		
Excavation			
18	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.		
19	The consent holder must ensure that any excavation does not result in (i) diversion of any river (ii) bed or bank instability or (iii) damage to native vegetation within the area where a controlled activity has been authorised, other than in accordance with a plan approved by the NSW Office of Water.		
Maintaining river			
20	N/A		
21	N/A		
River bed and bank protection			
22	N/A		
23	N/A		
Plans, standards and guidelines			
24	N/A		
25	N/A		
26	N/A		
27	N/A		
END OF CONDITIONS			



ATTACHMENT 4

GENERAL TERMS OF APPROVAL FOR AN APPROVAL UNDER THE WATER ACT 1912 FOR GROUNDWATER BORES FOR THE WONAWINTA SILVER PROJECT

General conditions

The purposes of these conditions are to:

- define certain terms used in the other conditions
- specify the need to obtain an approval before commencing any works
- specify that, in most cases, an approval will only be issued to the occupier of the lands where the works are to be located (as required by the Water Act)
- require existing approvals to be cancelled or let lapse when a licence is issued (if applicable)
- require the safe construction and operation of all works
- require the use of appropriate soil conservation measures
- limit vegetation destruction or removal to the minimum necessary
- require the separate authorisation for clearing under the Native Vegetation Conservation Act
- allow conditions to be imposed for the management of fuel (petroleum products)
- require the payment of fees on the issuing of an approval

In the following conditions relating to an approval under the *Water Act 1912*:

- "**approval**" means a licence, permit, authority or approval under that Act;
 - "**river**" has the same meaning as in section 5 of the *Water Act 1912*;
 - "**work**" means any structure, earthwork, plant or equipment authorised under the approval to be granted, as defined in section 5 and 105 of the *Water Act 1912*;
 - "**controlled work**" means an earthwork, embankment or levee as defined section 165 of the *Water Act 1912*.
-
- Before commencing any works or using any existing works for the purpose of an approval under Part 5 of the *Water Act 1912* must be obtained from the NSW Office of Water. The application for the approval must contain sufficient information to show the development is capable of meeting the objectives and outcomes specified in these conditions.
 - An approval will only be granted to the occupier of the lands where the works are located, unless otherwise allowed under the *Water Act 1912*.
 - When the NSW Office of Water grants an approval, it may require any existing approvals held by the applicant relating to the land subject to this consent to be surrendered or let lapse.

- All works subject to an approval shall be constructed, maintained and operated so as to ensure public safety and prevent possible damage to any public or private property.
- All works involving soil or vegetation disturbance shall be undertaken with adequate measures to prevent soil erosion and the entry of sediments into any river, lake, waterbody, wetland or groundwater system.
- The destruction of trees or native vegetation shall be restricted to the minimum necessary to complete the works.
- All vegetation clearing must be authorised under the *Native Vegetation Act 2003*, if applicable.
- The approval to be granted may specify any precautions considered necessary to prevent the pollution of surface water or groundwater by petroleum products or other hazardous materials used in the construction or operation of the works.
- A licence fee calculated in accordance with the Water Act 1912 must be paid before a licence can be granted.

Conditions for bores and wells.

The purpose of these conditions are to:

- set a limited period for bore construction
 - require the bore to be properly completed and sealed
 - require certain information to be provided on completion of the work, including a location plan
 - allow NSW Office of Water access for inspection and testing
 - restrict the bore diameter
 - specify procedures if saline or polluted water is found
 - specify procedures if the bore is abandoned
 - require advice if water is found
 - define domestic use (if applicable)
 - specify a volumetric allocation for each purpose of the entitlement (if applicable)
 - specify distances works to be sited from boundaries, streams other bores etc
 - identify lands that may be irrigated (if applicable)
 - specify a volumetric allocation for the works purpose (if applicable)
 - allow NSW Office of Water to alter the allocation at any time
 - provide for a review of allocation if any subdivision occurs (if applicable)
 - require regular measuring of water levels to provide information needed to manage aquifers
- Works for construction of bores must be completed within such period as specified by the NSW Office of Water
 - The NSW Office of Water must be notified if a supply of useable water is obtain and the bores shall then be suitably lined and capped to the standard required by the NSW Office of Water
 - Within 2 months after the works are completed the NSW Office of Water must be provided with an accurate plan of the location of the works and notified of the results of any pumping tests, water analysis and other details as are specified in the approval
 - Officers of the NSW Office of Water or other authorised persons must be allowed full and free access to the works for the purpose of inspection and testing

- All works must be constructed and maintained to properly control the water extracted to prevent wastage or any reduction in quality of the sub-surface water. The NSW Office of Water may direct that any necessary repairs or alterations be undertaken to maintain the works in good working order.
- The inside diameter of any casing used to line the bore must not exceed 220 mm.
- Any saline or polluted water located above a producing aquifer must be sealed by the use of cemented casing as specified by the NSW Office of Water
- If the bore ceases to be productively used the NSW Office of Water must be notified and the aquifer must be sealed by a method acceptable to the NSW Office of Water
- Any water extracted by the works must not be discharged into any watercourse or groundwater if it would pollute that water
- Any water extracted by the works for domestic purposes may be used to irrigate gardens for private use and for use in the domestic household
- Both the pumping and non pumping levels must be recorded at least twice each year and reported with the annual groundwater return.

88.5395 10/I; C11/205

General Manager
Cobar Shire Council
PO Box 223
COBAR NSW 2835

22 MAR 2011

Dear Sir

Wonawinta Silver Mine; Exhibition of Environmental Impact Statement

The Roads and Traffic Authority of New South Wales (RTA) has received the *Response to a Request of NSW Roads and Traffic Authority for Additional Information Issued on 21 January 2011 for the Wonawinta Silver Project* dated March 2011 prepared by R.W. Corkery & Co. Pty. Limited.

Following review of the additional information the RTA makes no further submissions and will give concurrence pursuant to Section 138 of the *Roads Act 1993* provided that the terms as set out in the RTA's letter to Council dated 21 January 2011 are included as Conditions of Consent.

The RTA specifically notes that concurrence is pre-conditioned by the requirement that the intersection treatment at the Manuka-Yarranvale Road and the Kidman Way is to be completed prior to any other works being undertaken at the mine site. The improvements to the intersection treatment are necessary to safely and efficiently cater for both construction and operational traffic.

Please forward a copy of Council's determination of the development application to the RTA at the same time it is sent to the applicant.

If you require any further information please contact Susie Mackay (02) 6861 1688.

Yours faithfully


Tony Hendry
Road Safety and Traffic Manager
Western

18-03-2011

Cobar Shire Council			
FILE No.	Folio No.		
L0/2010-00074	63552		
Reference for		OPES	
Info	Action	Reply	Report

Roads and Traffic Authority

51-55 Currajong Street, PARKES NSW 2870
PO Box 334, PARKES NSW 2870 (DX 20256)
www.rta.nsw.gov.au | 13 17 82

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88.5395 10/1; C11/14

General Manager
Cobar Shire Council
PO Box 223
COBAR NSW 2835

Dear Sir

Wonawinta Silver Mine; Exhibition of Environmental Impact Statement

Thank you for your letter dated 4 January 2011 referring the Environmental Impact Statement for the Wonawinta Silver Mine to the Roads and Traffic Authority (RTA) for submissions.

The RTA notes that there is insufficient information in the Environmental Impact Statement regarding access to the Moomba-Sydney Natural Gas Pipeline. The RTA is unable to provide concurrence pursuant to Section 138 of the *Roads Act 1993* with respect to the proposed access to the Kidman Way (MR410) for the purpose of the supply and delivery of natural gas from the Moomba-Sydney pipeline at this time. So that the RTA may comprehensively assess this aspect of the proposed development, please provide the following additional information:

- The precise location at which vehicles will fill with compressed natural gas for supply and delivery to the mine site.
- The precise transportation route between the mine site and the filling site including public and private intersections with and accesses to the Kidman Way.
- The existing and/or proposed design of any intersection or access layout included in the transportation route.
- The layout of the filling site including details of the proximity to any public road and turning circles.

Excepting access to and transportation of compressed natural gas from the Moomba-Sydney Natural Gas Pipeline, the RTA does not object to the proposed project subject to the following recommended conditions of approval:

- The applicant is to comply with all the RTA's terms of concurrence pursuant to Section 138 of the *Roads Act 1993* before any transportation of plant, product or other goods or materials is commenced following approval of the development application.
- The applicant is to prepare and supply a Code of Conduct to all drivers of heavy vehicles (including contractors) transporting plant, product or other goods or materials to or from the project site.
- The Code of Conduct is to include:
 - o Details of the transportation hours pursuant to approval of the development application.
 - o That no transportation of plant, product or other goods or materials is to occur outside of the transportation hours.
 - o Procedure for the transport of hazardous materials.

Roads and Traffic Authority

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- Details of the transportation routes to be followed for the delivery of product including alternative transportation routes following road closures due to wet weather.
- Details of the local school bus route, operating hours and pick-up and drop-off points along the transportation routes.
- That drivers are to be conscious of the school bus and school children particularly during the operating hours of the local school bus.
- That drivers are to operate their vehicles in a safe, professional and courteous manner.
- The Code of Conduct is to be given RTA concurrence and distributed to drivers prior to commencement of any transportation, including transportation for the purposes of construction.
- Bus services are to be provided for the transport of all staff (employees and contractors) to the mine site from Cobar. Staff are to be educated about and pro-actively encouraged to use the service through such means as staff inductions and toolbox meetings.


RTA concurrence is also required pursuant to Section 138 of the *Roads Act 1993*. The RTA's terms of concurrence are as follow:

- At the intersection of the Manuka-Yarranvale Road and the Kidman Way:
 - The left turn treatment on the Manuka-Yarranvale Road is to comply with the 'Type BAL' (Basic Left Turn) treatment as shown in Figure 4.8.35 of the RTA *Road Design Guide* (copy enclosed).
 - A right turn treatment of the 'Type BAR' (Basic Right Turn) is to be constructed adjacent to the southbound lane of the Kidman Way as shown in Figure 4.8.23 Rural Conditions of the RTA *Road Design Guide* (copy enclosed). **The widened shoulder is to be sealed.** (This is required to provide a reasonable level of safety for traffic turning right into the access and to allow following Kidman Way traffic an area to pass the right turning vehicle on the left hand side.)
- The Manuka-Yarranvale Road is to be sealed for a minimum of 30 metres from the edge of the northbound traffic lane of the Kidman Way. The levels of the Manuka-Yarranvale Road are to match the levels of the Kidman Way.
- A Road Occupancy Licence is required prior to any works commencing within three metres of the travel lanes of the Kidman Way. This can be obtained by contacting Mr Paul Maloney on (02) 6861 1686. Submission of a Traffic Control Plan is required as part of this licence.
- The developer will be required to undertake private financing and construction of works on the Kidman Way, a road in which the RTA has a statutory interest. A formal agreement in the form of a Works Authorisation Deed (WAD) is required between the developer and the RTA.
- The intersection treatment at the Manuka-Yarranvale Road and the Kidman Way is to be completed prior to any other works being undertaken at the mine site.
- All works associated with the development are to be at no cost to the RTA.

Please forward a copy of Council's determination of the development application to the RTA at the same time it is sent to the applicant.

If you require any further information please contact Susie Mackay (02) 6861 1688.

Yours faithfully



Susie Mackay
Development Assessment Officer
Western Region

21.01.2011

MEMORANDUM

TO: Garry Ryman – Director of Planning and Environmental Services

FROM: Stephen Taylor – Director of Engineering Services

RE: SR14/SR13 Wonawinta Silver Project

FILE: 2010/LD-0074

DATE: 9 May 2011

Road Condition

I have inspected SR14 (Manuka Road) - full length and SR13 (Bedooba Road) south of SR14 to proposed mine entrance to assess the suitability and/or improvements needed to the roads to bring them up to a standard suitable for the anticipated traffic for the proposed silver mine. My notes on the roads are;

SR 14 – Manuka Road

0.0 km	intersection with Kidman Way
0.05 km	single lane grid
0.0 km to 1.5 km	lightly graveled surface
1.1 km	single lane grid
2.1 km	single lane grid
5.1 km	single lane grid
8.0 km	Sandy Creek crossing
8.7 km	single lane grid
9.8 km	causeway
10.9 km	causeway
12.6 km	single lane grid
19.9 km	single lane grid
24.7 km	double lane grid
24.9 km	T intersection with SR 14

SR 13 – Bedooba Road

24.95 km	single lane grid
24.7 km	causeway
28.8 km	Manuka property entrance
30.6 km	single lane grid
30.65 km	Wirlong property entrance
1.5 km to 30.6 km	Natural surface road with small isolated patches of gravel. The natural surface is showing through the patches of gravel.

Overall the road is very lightly formed and is suitable only for very low traffic volumes, less than 10 vehicles per day. Therefore they will need significant upgrading to bring them to a standard suitable for the volumes of traffic proposed in the in the Environmental Impact Statement.

Upgrading/Maintenance Required

The roads needs approximately 150 mm depth by 8 metres wide of gravel over a 30 km length. One major (Sandy Creek) and three minor causeways need to be constructed in concrete to provide all weather access. Eight single lane grids need to be removed and/or replaced with double lane grids suitable for the larger traffic volumes proposed.

Current maintenance of these roads consists of one maintenance grade per year. The proposed development will increase traffic volumes such that 12 maintenance grades per year will be required as well as some gravel re-sheeting every 12 to 18 months. Sealing of the road would reduce this ongoing maintenance requirement.

To avoid damage to SR13 towards west of its junction with SR14 a prohibition on mine related traffic from using this road needs to be put in place.