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Cobar Shire Council Offices:  
36 Linsley Street  
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ABN 71 579 717 155

*"Regional Centre in Western NSW"*

Reference: 2010/LD-00074 (REV01)  
GJR:KAB

6 March 2012

Ian Lawrence  
Managing Director  
Cobar Consolidated Resources Limited  
PO Box 7693  
St Kilda Road  
**MELBOURNE VIC 2004**

Dear Sir

**Re: NOTICE TO APPLICANT OF DETERMINATION OF MODIFICATION TO  
DEVELOPMENT CONSENT 2010/LD-00074 – WONAWINTA SILVER MINE**

Your request for modification of the subject development consent has been approved. This notice now amends the original development consent being 2010/LD-00074.

**Date of Determination:** 29 February 2012 – Western Joint Regional Planning Panel

The Notice of Determination dated 1 June 2011 has been modified in the manner as specified below:

**1. Alter the land to be developed to read:**

Lot 1 DP1164142; WLL 6238, "Manuka"  
Lot 863 DP761939; WLL 2810, "The Bluff"  
Lot 864 DP 761940; WLL 2811, "Buckambool"  
Lot 5074 DP 45018; WLL 12903, "Belford"  
Lot 4225 DP766852; WLL 9260, "Lachlan Downs"  
Lot 3633 DP766015; WLL 6239, "Wirlong"  
Part of Bedooba Road (SR13B) – Road Reserve  
Part of Lerida Road (SR 13A) – Road Reserve

**2. Alter condition 1 to also reference the following supplementary documents.**

- Statement prepared by Cobar Consolidated Resources Limited being an application for modification of development consent under s96(2) of the *Environmental Planning and Assessment Act 1979* including Appendices A to F.
- Cobar Consolidated Resources Limited letter dated 1 December 2011 in response to additional information request letter dated 28 November 2011.

3. Alter condition 13 to correct a misdescription in road naming from MR461 to MR228.
4. Alter condition 27 to read:

The Bedooba (SR13B) and Manuka (SR14) Roads which form the route from the project site to the Kidman Way (MR410) must be upgraded to achieve a suitable standard to service the proposed development. As a minimum the required upgrading must include:

- a) a heavy formation grade to 8 metres wide,
- b) new and/or restored table and mitre drains as needed,
- c) elimination or replacement of existing stock grids to suit the 8 metre wide formation,
- d) spreading and compacting 8metres by 150mm thick suitable gravel to construct a good trafficable surface,
- e) installation of guide posts and
- f) construction of four concrete causeways located at 8.0km, 9.8km, 10.9km and 27.7km along the route measured from the Kidman Way.

The required upgrading works must be financed by the developer at no cost to Cobar Shire Council.

Road Occupancy Licences as relevant must be obtained in respect of the required upgrading works. The required upgrading works shall be carried out in stages as follows:

- a) areas requiring priority works within 3 months of this modification; and
- b) the balance of the works within 18 months of this modification.

The “priority works” shall be agreed between Cobar Consolidated Resources Limited and Council’s Director of Engineering Services.

Specifications for the work must meet the minimum requirements of AUS-SPEC. The roads must be maintained in a safe and trafficable condition for the duration of the upgrading works project.

5. Include the following additional conditions in the Notice of Determination.

**Additional Conditions**

37. Prior to upgrading work on road being commenced, maintenance grading to be undertaken on the road monthly or as required, by a Council authorised contractor during the construction stage of the mine.
38. A bank guarantee with no lapsing date in favour of Cobar Shire Council, subject to CPI indexing 6 monthly to cover value of restoring the road to it’s existing condition pre mining, to the value of \$200,000 which is to be provided to Cobar Shire Council within 3 months of this determination being made.
39. Cobar Consolidated Resources Limited (CCR) will provide Council with appropriate test results for material to be used ex-site for road construction work to determine its suitability consistent with AUS-SPEC standards.

40. The applicant must apply for and obtain a Licence from the NSW Department of Primary Industries Crown Lands Division in respect of the borefield on the "Wirlong" property and the water pipeline between the mine site and the "Wirlong" property.
41. Conformably with AUS-SPEC Cobar Consolidated Resources Limited will, at its own cost, apply gravel sheeting or lower the entranceway to "Manuka" within 3 months of the date of this modification. Any gate, grid or similar structure constructed on the access must be positioned to provide suitable storage capacity for the largest class of vehicle requiring access to the property off the carriageway of the Bedooba Road.
42. The mine access road will within 3 months of the date of this modification, be inspected by Cobar Consolidated Resources Limited and Council's Director of Engineering Services to ensure that road side drainage is constructed to and if not shall be so constructed to generally comply with *Managing Urban Stormwater - Soils and Construction - Volume 2C Unsealed Roads*.
43. The modified mine access road and water pipeline must be included in the Water Management Plan required by condition 15 of this consent.
6. Include the following items of advice in the Notice of Determination:

**Advice to Applicant**

- a) The GTAs provided by the NSW Office of Water and attached to this Consent Notice do not represent the Controlled Activity Approval or the licences for Groundwater Bores. The applicant must apply (to 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.
  - b) Conditions 15 and 16 of Development Consent 2010/LD-00074 as recommended by the NSW Office of Water remain applicable to the development proposal and must be satisfied.
  - c) Condition 5 of Development Consent 2010/LD-00074 regarding the need for approval under s138 of the Roads Act 1993 remains applicable and must be satisfied. In this regard an application lodged with Council for approval for work on Shire Roads 13B and 14 must be accompanied by appropriate engineering details and plans including:
    - i. Project Management Plan
    - ii. Quality Management Plan
    - iii. Safety Management Plan
  - d) Compliance with condition 12 of Development Consent 2010/LD-00074 will be applied as a pre-condition to Council providing concurrence to the Pre-Mining Operations Compliance report required by condition 31 of the same consent.
7. Alter the Notice of General Terms of Approvals to also reference letter dated 21 November 2011 from the NSW Office of Water including Attachments 1, 2 and 4.

8. Alter the Notice of General Terms of Approvals to also reference letter dated 23 December 2011 from NSW Government Environment, Climate Change and Water including Attachments A and B.

Section 97AA of the *Environmental Planning and Assessment Act 1979* provides a right of appeal to an applicant who is dissatisfied with the determination of a consent authority. The right of appeal is to the Land and Environment Court and must be exercised within the prescribed time period detailed in s97AA.

The reasons for the imposition of conditions are as stated in the altered Notice of Determination.

If you require further information please contact Council's Planning and Environmental Services Department on 02 6836 5888.

Yours faithfully



Garry Ryman

**DIRECTOR OF PLANNING & ENVIRONMENTAL SERVICES**