



Our Ref: SC34996/KC
(in reply please quote)

Ms Catherine Sullivan

Dear Ms Sullivan *Catherine,*

I refer to earlier correspondence regarding Broula King Gold Mine.

You may recall I wrote informing you I had made representations on your behalf to the Deputy Premier and Minister for Regional NSW, Industry and Trade, The Hon John Barilaro MP. A response from the Deputy Premier has been received, a copy of which is attached for your information.

I appreciate you taking the time to bring your concerns to my attention. Please do not hesitate to stay in touch should you require any further assistance.

Yours sincerely

Steph Cooke MP
Member for Cootamundra

6-11-20



Steph Cooke MP, Member for Cootamundra

Young Office: 140 Boorowa Street (PO Box 350) Young NSW 2594 Phone: 6382 2399 Fax: 6382 3144

Junee Office: 25 Seignior Street (PO Box 338) Junee NSW 2663 Phone: 6924 2533 Fax: 6924 1537

 /StephCookeMP  @StephCookeMP

 www.stephcooke.com.au

Ms Catherine Sullivan

Dear Ms Sullivan

Re: Broula King Gold Mine

I refer to your correspondence of 14 August 2020 to the Hon John Barilaro, MP, Deputy Premier and Minister for Regional NSW, Industry and Trade. The Deputy Premier has asked me to respond to you directly on his behalf.

The rehabilitation of mines is a key priority for the NSW government. The NSW Resources Regulator is responsible for regulating mine rehabilitation under the *Mining Act 1992* and the conditions of the relevant mining lease. This includes ensuring that mining-affected land is rehabilitated appropriately.

I have reviewed your letter to the Deputy Premier and I can confirm that the Broula King Gold Mine is the subject of escalated regulatory engagement by the Resources Regulator and we are taking active enforcement action to ensure compliance with the mining laws.

In this regard, the Regulator has taken recent enforcement action against the titleholder for alleged breaches of the Act related to failures to comply with two statutory notices. This action includes issuing fines totalling \$10,000 in July this year.

These notices, which the titleholder is still required to complete, required amongst other things, the engagement of a suitably qualified independent expert to complete a site-based risk assessment of the tailings dam and submit a report to the Regulator detailing:

- a. A geotechnical assessment of the tailings dam wall;
- b. The geochemical characterisation of the tailings dam wall;
- c. The source of leachate emanating from the tailings dam;
- d. Strategies that minimise the oxidation rate and isolate higher risk materials from exposure;
- e. Strategies that minimise the potential for transport of oxidation products from source to receiving environment;
- f. Strategies that contain and treat acid and metals drainage to minimise the risk of significant off-site impacts; and
- g. Closure and capping strategy options.

Whilst some information was provided by the titleholder, the Regulator was not satisfied that the above assessment works were fully completed to the Regulator's

satisfaction. The failure to comply with the notices constitutes an offence under s.240C of the Act and carries ongoing offence and executive liability offence provisions.

In this regard, the Regulator has written to the titleholder requiring the full suite of assessment works to be carried out by **9 October 2020**, or escalated enforcement action may be taken. In the case of any further non-compliance, the Regulator also has powers to commission the assessment works itself and recover its costs from the titleholder.

The completion of the above assessment works will result in the identification of remediation strategies in relation to the tailings dam. These remediation strategies will be enforced through the issue of further notices requiring the titleholder to complete the remediation works within specified timeframes.

Our Director Compliance, Mr Steve Orr would be happy to meet with you to discuss these issues and the Regulator's actions so far. If you wish to arrange a meeting please call Mr Orr on

Yours sincerely

Anthony Keon
Executive Director
Resources Regulator

09/09/2020