

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*  
 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

<b>Application Number</b>	SSD-10367
<b>Development</b>	<p>The Cowal Gold Operations Underground Development, which includes:</p> <ul style="list-style-type: none"> <li>· developing an underground gold mining operation beneath and adjacent to existing open cut operations at the Cowal Gold Mine;</li> <li>· extracting and processing up to 27 million tonnes of ore over the life of the underground mine, up to 2039; and</li> <li>· developing ancillary surface infrastructure including modifications to existing processing plant and a paste fill plant for stope void backfill; and</li> <li>· developing a box-cut entry from the ancillary surface infrastructure to the underground mine.</li> </ul>
<b>Project Name</b>	Cowal Gold Operations Underground Development
<b>Location</b>	Lake Cowal Road, Lake Cowal (within Bland Shire)
<b>Applicant</b>	Evolution Mining (Cowal) Pty Limited
<b>Date of Issue</b>	26/08/2020
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in Clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> <li>· a stand-alone executive summary;</li> <li>· a full description of the development, including:             <ul style="list-style-type: none"> <li>- the resource to be extracted, demonstrating efficient resource recovery within environmental constraints;</li> <li>- the mine layout and scheduling;</li> <li>- minerals processing;</li> <li>- surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process);</li> <li>- a waste (overburden, tailings, etc.) management strategy;</li> <li>- a water management strategy;</li> <li>- a mine closure and rehabilitation strategy; and</li> <li>- the likely interactions between the development and any other existing, approved or proposed mining related development in the vicinity of the site;</li> </ul> </li> <li>· details of the approvals that must be obtained before the development may commence;</li> <li>· the terms of any proposed voluntary planning agreement with the relevant local council;</li> <li>· an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including:             <ul style="list-style-type: none"> <li>- a description of the existing environment likely to be affected by the development, using sufficient baseline data;</li> <li>- an assessment of the likely impacts of all stages of the development, including any cumulative impacts, taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice;</li> <li>- a description of the measures that would be implemented to avoid, mitigate and/or offset the likely impacts of the development, and an assessment of:</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>o whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented;</li> <li>o the likely effectiveness of these measures, including performance measures where relevant; and</li> <li>o whether contingency plans would be necessary to manage any residual risks;</li> </ul> <ul style="list-style-type: none"> <li>- a description of the measures that would be implemented to monitor and report on the environmental performance of the development if it is approved;</li> </ul> <ul style="list-style-type: none"> <li>· a consolidated summary of all the proposed environmental management and monitoring measures, identifying all commitments made in the EIS;</li> <li>· consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>);</li> <li>· a conclusion evaluating the merits of the development as a whole, having regard to the requirements in Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>; and</li> <li>· a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading.</li> </ul> <p>The EIS must consider all environmental planning instruments, guidelines, policies, and plans which may be relevant to the environmental assessment of this development. Attachment 1 lists some of the relevant resources.</p> <p>In addition to the matters set out in Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>, the development application must be accompanied by a signed report from a suitably qualified and experienced person that includes an accurate estimate of the capital investment value (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all the assumptions and components from which the capital investment value calculation is derived.</p>
<p><b>Key issues</b></p>	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> <li>· <b>Subsidence</b> – including an assessment of the likely conventional and non-conventional subsidence effects, and the potential consequences of these effects and impacts on the natural and built environment, paying particular attention to features that are considered to have significant economic, social, cultural or environmental value, and taking into consideration: <ul style="list-style-type: none"> <li>- recorded regional and historic subsidence levels, impacts and environmental consequences;</li> <li>- the potential extent of fracturing of the strata above the underground mine; and</li> <li>- the implementation of a comprehensive subsidence monitoring program which is capable of detecting vertical, horizontal and far-field subsidence movements;</li> </ul> </li> <li>· <b>Land</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the likely impact of the development on landforms (topography), including the long-term geotechnical stability of any new landforms on site; and</li> <li>- an assessment of the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements of Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, paying particular attention to the agricultural land use in the region;</li> </ul> </li> <li>· <b>Air Quality</b>– including: <ul style="list-style-type: none"> <li>- an assessment of the likely air quality impacts of the development in accordance with the Approved Methods and Guidance for the Modelling and</li> </ul> </li> </ul>

- Assessment of Air Pollutants in NSW; and
- an assessment of the likely greenhouse gas impacts of the development;
- **Water** – including:
  - an assessment of the likely impacts of the development on the quantity and quality of regional surface water and groundwater resources;
  - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users;
  - identification of the proposed water supply for the development;
  - a detailed site water balance, including a description of site water demands, water disposal methods (including the location, volume, and frequency of any water discharges and management of discharge water quality), water supply arrangements, water supply and transfer infrastructure and water storage structures; and
  - a detailed description of the proposed water management system (including sewerage), beneficial water re-use and proposed measures to monitor and mitigate surface water and groundwater impacts;
- **Noise and Blasting / Vibration** – including:
  - an assessment of the likely operational noise impacts of the development (including construction noise) under the Noise Policy for Industry (EPA), and the Voluntary Land Acquisition and Mitigation Policy;
  - if a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities under the Interim Construction Noise Guideline;
  - an assessment of the likely road noise impacts of the development under the NSW Road Noise Policy; and
  - an assessment of the likely blasting impacts of the development on people, animals, buildings and infrastructure, and significant natural features, having regard to the relevant ANZECC guidelines;
- **Biodiversity** – including:
  - an assessment of the biodiversity values and the likely biodiversity impacts of the development in accordance with Section 7.9 of the Biodiversity Conservation Act 2016 (NSW), the *Biodiversity Assessment Method* (BAM) and documented in a Biodiversity Development Assessment Report (BDAR), unless the Planning Secretary determines that the proposed development is not likely to have any significant impacts on biodiversity values; and
  - the BDAR must document the application of the ‘avoid, minimise, offset’ framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM;
- **Heritage** – including an assessment of the likely Aboriginal cultural heritage and historic heritage (cultural and archaeological) impacts of the development;
- **Transport** – including an assessment of the likely transport impacts of the development on the capacity, condition, safety and efficiency of the local and State road network;
- **Hazards** - including an assessment of the likely risks to public safety, bushfire risks, and the handling and use of any dangerous goods;
- **Waste** – including identification, quantification and classification of the likely waste streams likely to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste;
- **Rehabilitation and Final Landform** – including:
  - a conceptual final landform design, including justification of the final landform design, long-term geotechnical stability, and nominated final land uses, having regard to relevant strategic land use planning, resource management plans or policies;
  - progressive rehabilitation measures that would be implemented for the

	<ul style="list-style-type: none"> <li>development;</li> <li>- rehabilitation objectives, performance standards and completion criteria; and</li> <li>- decommissioning of surface infrastructure;</li> <li>• <b>Social &amp; Economic</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the likely social impacts of the development on the local and regional community in accordance with the <i>Social Impact Assessment Guidelines for State Significant Mining, Petroleum Production and Extractive Industry Development (2017)</i>, including the likely impacts of the development on the local community, cumulative impacts (considering other mining developments in the locality), and consideration of workforce accommodation; and</li> <li>- an assessment of the likely economic impacts of the development, paying particular attention to the: <ul style="list-style-type: none"> <li>o significance of the resource;</li> <li>o economic benefits of the development for the State and region; and</li> <li>o demand for the provision of local infrastructure and services.</li> </ul> </li> </ul> </li> </ul>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State and Commonwealth Government authorities, infrastructure and service providers, community groups and affected landowners.</p> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.</p> <p>During the preparation of the EIS and subsequent assessment process, you must operate a Community Consultative Committee for the development generally in accordance with the <i>Community Consultative Committee Guideline: State Significant Projects</i> (DPE November 2016).</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.</p>

## ATTACHMENT 1

**Environmental Planning Instruments, Policies, Guidelines & Plans**

<b>Land</b>	
	Agfact AC25: Agricultural Land Classification (NSW Agriculture)
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
<b>Air Quality</b>	
	Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
	Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	Voluntary Land Acquisition and Mitigation Policy (DP&E)
	National Greenhouse Accounts Factors (Commonwealth)
<b>Water</b>	
Water Sharing Plans	Relevant water sharing plans
Groundwater	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	NSW Aquifer Interference Policy 2012 (NOW)
	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	NSW State Rivers and Estuary Policy (NOW)
	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	ANZECC Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volumes 2A to 2E (DECC)
	Managing Urban Stormwater: Treatment Techniques (EPA)
Managing Urban Stormwater: Source Control (EPA)	

	Technical Guidelines: Bunding & Spill Management (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities (NOW)
Flooding	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
<b>Noise &amp; Blasting</b>	
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
	Assessing Vibration: a Technical Guideline (EPA)
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC)
	Voluntary Land Acquisition and Mitigation Policy (DP&E)
<b>Biodiversity</b>	
	Biodiversity Assessment Method (OEH)
	NSW Biodiversity Offsets Policy for Major Projects (OEH)
	Threatened Species Assessment Guidelines (OEH)
	Policy and Guidelines for Aquatic Habitat Management and Fish Conservation (Fisheries NSW)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
	Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (DPI)
<b>Heritage</b>	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (OEH)
	Code of Practice for Archaeological Investigations of Objects in NSW (OEH)
	Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
	Assessing Significance for Historical Archaeological Sites and 'Relics' (OEH)
	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH)
<b>Transport</b>	
	Guide to Traffic Generating Developments 2002 (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
	Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development
<b>Hazards</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
<b>Resource</b>	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)

<b>Waste</b>
Waste Classification Guidelines (EPA)
<b>Rehabilitation</b>
Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
Strategic Framework for Mine Closure (ANZMEC-MCA)
<b>Environmental Planning Instruments - General</b>
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (State and Regional Development) 2011
State Environmental Planning Policy (Infrastructure) 2007
State Environmental Planning Policy No. 55 – Remediation of Land
State Environmental Planning Policy No. 44 – Koala Habitat Protection
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
Bland Local Environmental Plan 2011