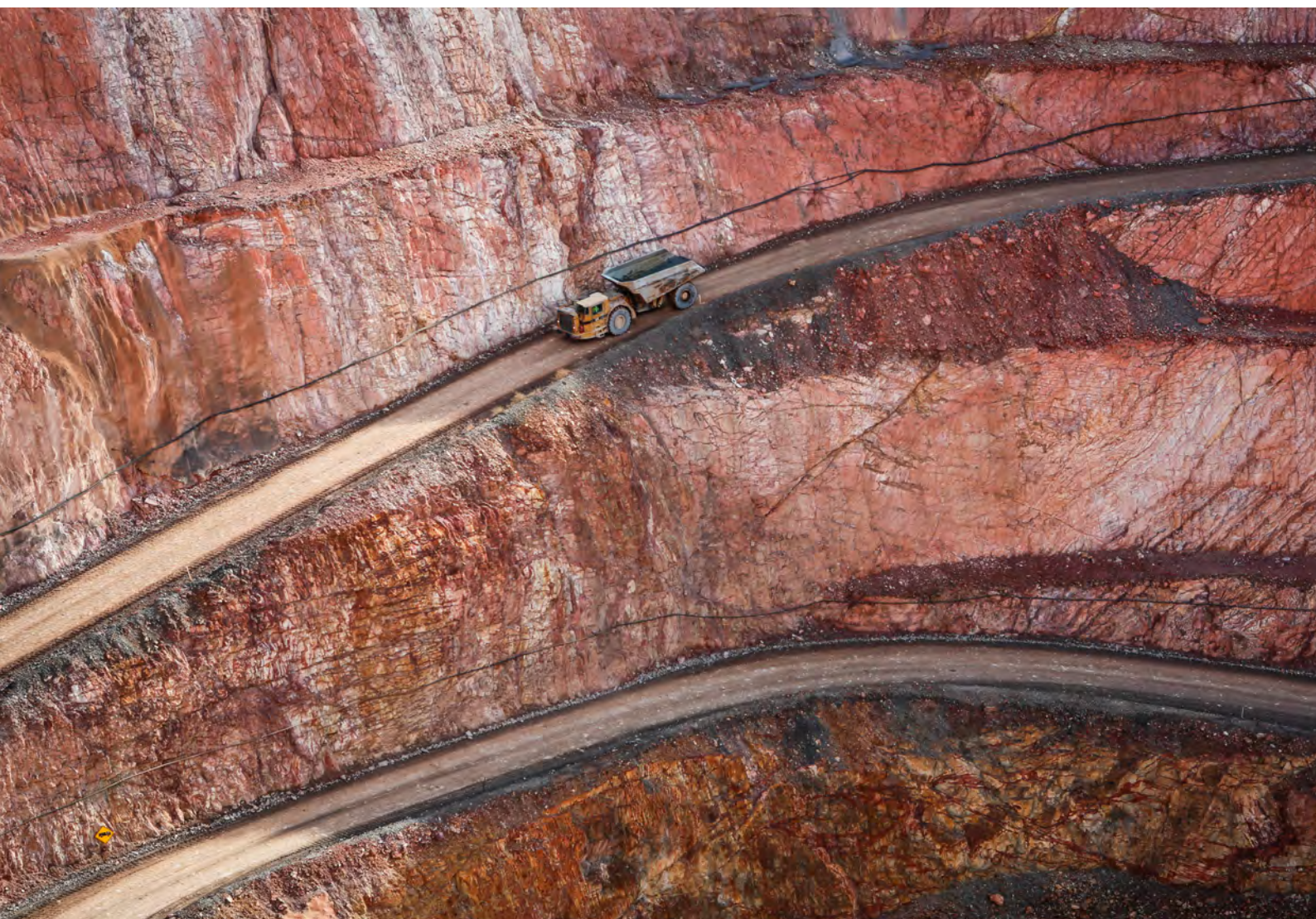




# New Cobar Complex Project, State Significant Development (SSD10419) Environmental Impact Assessment

Prepared for Peak Gold Mines  
February 2021







## Part B Statutory context and engagement

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## 4 Statutory context

### 4.1 Introduction

As noted in Section 3.10.3, the Peak Complex has been operational since 1991 and the New Cobar Complex has been operational since 2000 under development approvals issued by CSC. To allow the New Cobar Complex Project to be developed, PGM must obtain a development consent under section 4.2(1) of the EP&A Act. This involves PGM seeking approval to consolidate all existing CSC issued development approvals applicable to the New Cobar Complex into a single modern SSD consent issued by DPIE.

This chapter describes the relevant NSW and Commonwealth regulatory and policy framework under which the project will be assessed and determined.

### 4.2 NSW Environmental Planning and Assessment Act 1979

#### 4.2.1 Overview

The EP&A Act and the NSW EP&A Regulation form the statutory framework for land-use planning decisions in NSW. Implementation of the EP&A Act is the responsibility of the Minister for Planning and Public Spaces, State government authorities and local government authorities. The requirement for development consent is set out in environmental planning instruments (EPIs), including State Environmental Planning Policies (SEPPs) and local environmental plans (LEPs).

#### 4.2.2 State significant development

##### i SSD provisions

Part 4, Division 4.7 of the EP&A Act specifically relates to the assessment of SSD. Under Section 4.36 of the EP&A Act, a development is SSD if it is declared to be as such by any SEPP.

The relevant SEPP for the declaration of the project is the SRD SEPP. In particular, clause 8(1) of the SRD SEPP states the following:

#### **8 Declaration of State significant development: Section 4.36 EP&A Act**

(1) Development is declared to be State significant development for the purposes of the Act if:

- a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and
- b) the development is specified in Schedule 1 or 2.

Clause 5(1) of the SRD SEPP states:

#### **5 Mining**

(1) Development for the purpose of mining that:

- a) is coal or mineral sands mining, or
- b) is in an environmentally sensitive area of State significance, or

- c) has a capital investment value of more than \$30 million.

...

(3) Development for the purpose of mining related works (including primary processing plants or facilities for storage, loading or transporting any mineral, ore or waste material) that:

- a) is ancillary to or an extension of another State significant development project, or
- b) has a capital investment value of more than \$30 million.

The project is development for the purpose of mining with estimated capital investment value of \$66 M.

As the capital investment value of the proposed project is greater than \$30 M, the project is considered a SSD with respect to the EP&A Act and SRD SEPP and is subject to the provisions of Division 4.7 of Part 4 of the EP&A Act and requires approval from the State.

## ii Consent authority

Under Section 4.5(a) of the EP&A Act, the Independent Planning Commission (IPC) is the consent authority for SSD if the development is a type for which the IPC is declared the consent authority by an environmental planning instrument. The Minister for Planning and Public Spaces is the consent authority if the development is not of that type.

Pursuant to Clause 8A(1) of the SRD SEPP, the IPC is the consent authority for the following types of SSD (unless the application to carry out the development is made by or on behalf of a public authority or the development is declared to be State significant infrastructure; neither of which is the case for the project):

- a) development in respect of which the council of the area in which the development is to be carried out has duly made a submission by way of objection under the mandatory requirements for community participation in Schedule 1 to the Act,
- b) development in respect of which at least 50 persons (other than a council) have duly made submissions by way of objection under the mandatory requirements for community participation in Schedule 1 to the Act,
- c) development the subject of a development application made by a person who has disclosed a reportable political donation under section 10.4 to the Act in connection with the development application.

Accordingly, if any of the above clauses are met, the project will be determined by the IPC; otherwise, the Minister for Planning and Public Spaces will be the consent authority.

## iii Development application

A development application (DA) for SSD must be accompanied by an EIS in accordance with Section 4.12 of the EP&A Act. The EIS must be prepared in accordance with Schedule 2 of the EP&A Regulation. Before preparing an EIS, an applicant must request Secretary's Environmental Assessment Requirements (SEARs) from the Secretary of DPIE, which specify the issues that must be addressed in the EIS.

The SEARs for the project were initially issued by DPIE in February 2020. The SEARs were re-issued in October 2020 following the receipt of a Biodiversity Development Assessment Report (BDAR) waiver (Appendix B).

The SEARs and where they have been addressed in this EIS are provided in Section 1.3.2 and Appendix A, which also includes a compliance table with the SEARs.

The relevant factors to be considered in the assessment and determination of the project are addressed in the sub-sections below.

#### 4.2.3 Permissibility

##### i Mine development

Pursuant to the Cobar LEP the project area is on land zoned RU1 Primary Production, as shown in Figure 3.3. Development for the purpose of mining is permissible with development consent in the RU1 Primary Production zoning; with one of the objectives of the zone being:

(3) To permit the development of mines, extractive, offensive and hazardous industries, but only in an environmentally sustainable manner.

The project falls within the definition of a mine under the Cobar LEP, which means:

“...any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.”

Furthermore, permissibility of mining development is also governed by the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP), which prevails to the extent of any inconsistency with a LEP. Clause 7 of the Mining SEPP provides for development that is permissible with consent. Clause 7(1) of the Mining SEPP states the following:

Mining

Development for any of the following purposes may be carried out only with development consent:

- a) underground mining carried out on any land,
- b) mining carried out:
  - i) on land where development for the purposes of agriculture or industry may be carried out (with or without development consent), or
  - ii) on land that is, immediately before the commencement of this clause, the subject of a mining lease under the *Mining Act 1992* or a mining licence under the *Offshore Minerals Act 1999*,

...

(d) facilities for the processing or transportation of minerals or mineral bearing ores on land on which mining may be carried out (with or without development consent), but only if they were mined from that land or adjoining land...

Accordingly, as the project involves underground mining and is located on land where development for the purposes of agriculture may be carried out, the project is permissible with consent.

#### 4.2.4 Objectives of the Act

The objects of the EP&A Act are specified in section 1.3 of the Act and seek to promote the management and conservation of natural and artificial resources, while also permitting appropriate development to occur. The objects of the EP&A Act are reproduced below, followed by consideration of the consistency of the project with these objectives.



- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources

The project will facilitate the production of approximately 6 M t of lead, zinc, gold, silver and copper ore. PGM will develop valuable resources by providing the necessary capital and skills, without which the resource would remain in situ and the economic benefits (see Chapter 21: Economics) and social benefits (see Chapter 20: Social) would not be realised.

The natural resources in the project area include land suitable for agricultural production. There is land within the project area which has been and is currently the subject to mining activity and past disturbance for agriculture and historical non-indigenous (informal) settlement. The land north of the current mine is utilised for urban purposes being occupied by residential, commercial, and industrial precincts of Cobar. The project will be an underground mine with a small footprint, designed to efficiently recover gold and other mineral resources without resulting in unacceptable environmental impacts and with minimal impact to existing land uses.

PGM is committed to continuing to employ local residents where possible. An average of around 10 new personnel (above the existing workforce numbers at peak production 2026/27), will be employed when the underground mine is fully operational, bringing associated flow-on benefits to surrounding local communities where these employees will reside. PGM will continue to use local goods and services wherever possible in the project's construction and operation, therefore, maximising opportunities for local businesses.

- b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment

The concept of ecologically sustainable development (ESD) when used in the EP&A Act has the same meaning it has in section 6(2) of the NSW *Protection of the Environment Administration Act 1991* (POE Act).

The Commonwealth Government's 1992 National Strategy for Ecologically Sustainable Development defines ESD as "using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life now, and in the future, can be increased".

A comprehensive stakeholder engagement, planning and environmental assessment process has ensured that the principles of ESD are addressed by the project. Notably, an extensive baseline monitoring program and previous assessments at the New Cobar Complex have ensured that impacts can be confidently predicted as outlined in this EIS. A range of mitigation and management measures have been identified to minimise the impacts of the project, which addresses the 'precautionary principle'.

The project will enhance community resources by generating employment and public revenues through royalties and taxes, contributing to improvements to local, State and National economies. The project will also conserve community resources directly by establishing offset areas and indirectly through effective impact mitigation.

- c) to promote the orderly and economic use and development of land

The orderly and economic use of land is best served by development, which is permissible under the relevant planning regime, is in accordance with the prevailing planning controls and which, does not unduly restrict other beneficial uses around the project area.

The project is a permissible development which is consistent with the relevant planning controls, as documented in this chapter. The project will recover valuable mineral resources without significant residual impacts and will bring significant social and economic benefits to the region.

With a net benefit to NSW of between \$214.9 M and \$317.3 M, the project therefore represents the highest value land use. Wages for labour will contribute to the regional economy, as well as regional spending for production related inputs.

The project is also responsive to its surroundings. The project design has evolved throughout the environmental assessment process in response to findings of technical studies so as to minimise impacts on surrounding land uses.

Where residual impacts are still predicted to occur, mitigation measures have been proposed to address these impacts, so that the project will not displace other beneficial uses in the locality.

- d) to promote the delivery and maintenance of affordable housing

Skilled employees will be preferentially sourced from local areas. The outcomes of the social impact assessment show that some workers will be sourced from an existing labour pool within the region and therefore the project will not result in a significant population increase or pressure on housing availability at any specific location. Further detail on local housing supply impacts is provided in the social impact assessment summarised in Chapter 20: Social.

- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,

All proposed surface works associated with the project will be located underground or in an existing, operational mining complex (the New Cobar Complex) except for one power line. The proposed power line will be no more than 400 m long, running from an existing 22 kV line servicing PGM to a compact substation within the fresh air intake footprint. The area for the proposed power line is significantly disturbed land due to historical vegetation clearance and residential development (dwellings were removed in the late 1960s).

PGM proposes to use the decline, infrastructure and intake and exhaust ventilation elements developed for the Great Cobar exploration drive (approved, but not yet constructed) to facilitate project development. Surface ventilation fans are not required during the development of exploration activities, however, as they will be necessary during operation of mining, construction of a new power line and compact substation, to be located adjacent to the fresh air intake is required. An emergency egress winder at the fresh air rise will also be required. No additional new surface infrastructure is proposed.

The existing surface infrastructure and facilities at the New Cobar Complex will continue to be used for this project. Therefore, all proposed activities will either occur underground or will be limited to areas of existing disturbance, either as part of the approved mine disturbance area under existing consents approved by CSC, or in areas which have been disturbed due to historical clearance, grazing or cultivation.

The project has been designed to not require any vegetation clearing or affect groundwater-dependent ecosystems. A BDAR waiver was granted by the Secretary on 23 October 2020.

- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)

The Aboriginal cultural heritage assessment (ACHA) for the project concluded that two Aboriginal objects and/or sites are in close proximity to the proposed surface impacts of the project, with both of these likely to be subject to direct impacts.

The ACHA has a number of recommendations, which were proposed for inclusion in the project approval to guide post-approval requirements for Aboriginal heritage. These include the development of an Aboriginal

heritage management plan to provide a framework for such activities, as well as direction on its content, including post-approval cultural monitoring and oral histories of Cornish Town.

Further details are provided in Chapter 13: Aboriginal heritage.

- g) to promote good design and amenity of the built environment

Overall, visual impacts associated with the mine are not significant and new surface elements will be removed from the landscape by 2035 at the cessation of mining.

The existing lighting arrangement at the surface infrastructure area of the New Cobar Complex will not change. Lighting cannot be directly seen from sensitive receivers in town on account of intervening landform and vegetation which screen direct lighting. Light glow is minimal and virtually indistinguishable from Cobar, against existing light glow from the town and lights within the surface infrastructure area are effectively focussed so as to avoid unnecessary light throw.

It is therefore considered that the project will not affect the current amenity afforded to the built environment or users of areas surrounding the mine.

- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants

All structures required to be included in the project will be constructed in accordance with applicable construction standards.

- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State

As outlined in Chapter 5: Engagement, all Commonwealth, State, and local government agencies that have an interest in the project have been consulted prior to preparing this EIS and while this EIS was being prepared. This consultation will continue as the Response to Submissions (RTS) report is prepared following public exhibition. All levels of government have been involved to date and this will continue as the project is assessed and determined.

- j) to provide increased opportunity for community participation in environmental planning and assessment.

As detailed in Chapter 5: Engagement, PGM has consulted extensively with the community about the project over a number of years. This process included numerous one on one meetings with landholders, a number of public information sessions, distribution of newsletters, interviews with local businesses and regular meetings with PGMs Community Consultation Committee (CCC) established in 2019 (see Chapter 5: Engagement).

Community feedback has helped shape the project and given local input to the EIS, as discussed in Chapter 5: Engagement. The public will also be involved through the exhibition of the EIS. Any relevant public representations will be responded to by PGM and considered by DPIE during the assessment of the SSD development application (DA).

### 4.2.5 Section 4.15 Matters for consideration

When assessing a DA for SSD the consent authority is required to take into consideration the matters outlined in Section 4.15 of the EP&A Act. These matters are addressed in Table 4.1.



**Table 4.1 Matters for consideration – Section 4.15 of the EP&A Act**

Provision	Consideration
Any environmental planning instrument	All relevant environmental planning instruments are addressed in Section 4.4.
Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority	There are no proposed instruments relevant to the project.
Any development control plan	<p>Clause 11 of the SRD SEPP states that development control plans do not apply to SSD. Clause 11 is given effect by the combined operation of Sections 4.40 and 4.43 of the EP&amp;A Act which state:</p> <ul style="list-style-type: none"> <li>• 4.40 - Section 4.15 applies, subject to this Division, to the determination of the application.</li> <li>• 4.43 - The provisions of this Division, the regulations of this Division and any other provisions of or made under this Act with respect to SSD prevail to the extent of any inconsistency with any other provisions of or made under this Act relating to development to which this Part applies.</li> </ul>
Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4	<p>Section 7.4 of the EP&amp;A Act relates to planning agreements, which are defined as:</p> <p>... a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the <b>developer</b>):</p> <p>(a) who has sought a change to an environmental planning instrument, or</p> <p>(b) who has made, or proposes to make, a development application or application for a complying development certificate, or</p> <p>(c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,</p> <p>under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.</p> <p>Section 7.4 enables the proponent of a development to enter into a VPA or other arrangement with planning authorities in lieu of Section 7.11 contributions.</p> <p>PGM has committed to continuing engagement with CSC to determine the most appropriate and favoured approach to satisfy Section 7.4 or Section 7.11 of the EP&amp;A Act.</p>
The regulations (to the extent that they prescribe matters for the purposes of this paragraph)	The requirements of the EP&A regulation are addressed in Section 4.2.

**Table 4.1 Matters for consideration – Section 4.15 of the EP&A Act**

Provision	Consideration
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	This EIS comprehensively describes the likely impacts of the project based on the SEARs, including environmental impacts on both the natural and built environments, and social and economic impacts in the local area, region and State. It also describes commitments proposed by PGM to mitigate and manage these impacts. These descriptions are based on technical studies prepared by specialists, which are appended to this EIS. The technical studies were prepared using the most recent and accurate scientific data relevant to the project in consideration of current policies and legislation. In addition, the technical studies adopted conservative assumptions to enable the upper limit of likely impacts to be assessed.
The suitability of the site for the development	<p>Part of the project area is an existing operational mine and is suitable for further mine development as it will efficiently recover an economic resource (gold, copper, silver, lead and zinc) from privately owned land where mining is permissible and using low intensity underground stope mining methods.</p> <p>Further, a range of commitments have been made by PGM to mitigate potential impacts on surrounding land uses to ensure the project can co-exist with surrounding uses. In application of the mitigation measures, the project is unlikely to have significant land use impacts.</p> <p>A detailed justification for the project, including consideration of the suitability of the site, is provided in Chapter 24 (Justification).</p>
Any submissions made in accordance with this Act or the regulations	<p>This EIS will be placed on public exhibition for a minimum of 28 days by DPIE and submissions will be sought from local and State government authorities and the community. Any submissions received by DPIE will be reviewed and forwarded to PGM to consider and respond to (via a RTS).</p> <p>The consent authority will consider the submissions received during the public exhibition period on the project, as well as the EIS and Submissions Report and the outcomes of any public hearing/meeting (if held), in assessing the project.</p>
The public interest	To assist the consent authority in confirming that the project is in the public interest, this EIS provides a justification for the project (Chapter 24) taking into consideration its potential environmental, social and economic impacts and the suitability of the site. It also considers the project against the principles of ESD. The consent authority will also be required to consider all submissions received during the public exhibition of the EIS.

## 4.3 Requirements of other NSW legislation

### 4.3.1 Overview

In addition to obtaining development consent, the project will require several other authorisations under NSW legislation before it can be fully developed. Under Section 4.42 of the EP&A Act. The following authorisations cannot be refused and are to be substantially consistent with an SSD development consent:

- a) an aquaculture permit under section 144 of the *Fisheries Management Act 1994*;
- b) an approval under section 15 of the *Mine Subsidence Compensation Act 1961*;
- c) a mining lease under the *Mining Act 1992*;

**Note.** Under section 380A of the *Mining Act 1992*, a mining lease can be refused on grounds that the applicant is not a fit and proper person, despite this section.

- d) a production lease under the *Petroleum (Onshore) Act 1991*;

**Note.** Under section 24A of the *Petroleum (Onshore) Act 1991*, a production lease can be refused on the ground that the applicant is not a fit and proper person, despite this section.

- e) an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act);
- f) a consent under section 138 of the *Roads Act 1993*; and
- g) a licence under the *Pipelines Act 1967*.

Of the above authorisations, only mining leases and EPLs are relevant to the project. In addition, the project is not expected to require an extension of the existing water use permit under the *NSW Water Management Act 2000* (WM Act). The approvals that are relevant to the project are discussed below.

#### 4.3.2 Mining Act 1992

The *NSW Mining Act 1992* (Mining Act) regulates mining in NSW and provides for the granting of mining authorities. It also places controls on methods of exploration and mining, disposal of mining waste, land rehabilitation and environmental management activities. It is an offence under Section 5 of the Mining Act to mine for minerals except in accordance with a valid authorisation. Section 6 of the Mining Act provides that an authorisation is also required to carry out designated ancillary mining activities.

The project will be operated within the mining leases held and applied for by PGM, which are outlined in Section 2.2 and shown in Figure 1.2. The project will require the preparation of an updated MoP.

#### 4.3.3 Protection of the Environment Operations Act 1997

The *NSW Protection of the Environment Operations Act 1997* (POEO Act) is the principal NSW environmental protection legislation. Schedule 1 of the POEO Act lists the ‘scheduled activities’ which are to be regulated by an EPL. Schedule 1 includes the following activities that are relevant to the project:

- mineral processing and mineral waste generation; and
- mining for minerals.

Each of these activities are described below.

##### i Mineral processing

Mineral processing does not form part of the project. However, for completeness this section has considered project activities in light of Clause 27 of Schedule 1 of the POEO Act which relates to ‘mineral processing’. It provides that an activity which processes more than 150 tonnes per day (tpd) of ore (using methods including chemical, electrical, magnetic, gravity or physical-chemical) is a scheduled activity.

The project will contribute to the processing of more than 2,191 tpd of ore. Therefore, the project is a scheduled activity under the POEO Act for the purposes of mineral processing and requires an EPL. PGM already has an EPL (EPL 3596) that would be updated if required, although no change is anticipated as it already applies to the New Cobar Complex.



## ii Mining for minerals

Clause 29 of Schedule 1 of the POEO Act relates to ‘mining for minerals’, meaning the mining, processing or handling of minerals, other than coal, at mines that are to disturb a total surface area of more than 4 ha of land; or in the case of a gold mine, more than 1 ha of land. The project is an extension of an existing mine which will involve the mining, processing and handling of minerals and will disturb a total surface area of less than 1 ha. However existing total surface operations are greater than 1 ha. The project is, therefore, a scheduled activity for the purposes of mining for minerals.

Section 4.42 of the EP&A Act mandates that an application for an EPL for an approved SSD project cannot be refused and is to be substantially consistent with the terms of the development consent for the SSD.

### 4.3.4 Biodiversity Conservation Act 2016

The purpose of the NSW *Biodiversity Conservation Act 2016* (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ESD. It establishes regulatory framework for assessing and offsetting biodiversity impacts for proposed development.

A BDAR is required under section 7.9 of the BC Act to be prepared for all SSD applications. Section 7.9 states:

Biodiversity assessment for State significant development or infrastructure

- (1) This section applies to—
  - (a) an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and
  - (b) an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure.
- (2) Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.
- (3) The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the *Environmental Planning and Assessment Act 1979*.

A BDAR waiver can be submitted to the Secretary of DPIE under section 7.9(2) of the BC Act if an SSD development is not likely to have any significant impact on biodiversity values.

A BDAR waiver was submitted for the underground development, as there will be no significant impact to biodiversity values as a result of the project. The waiver was approved 29 October 2020 (Appendix B).

### 4.3.5 Exemptions from other NSW approval requirements

Pursuant to Section 4.41 of the EP&A Act, the following authorisations under other NSW legislation are not required for an approved SSD project:

- a permit under section 201, 205 or 219 of the NSW *Fisheries Management Act 1994* (FM Act);
- an approval under Part 4, or an excavation permit under section 139, of the NSW *Heritage Act 1977* (Heritage Act);

- an Aboriginal heritage impact permit under section 90 of the NSW *National Parks and Wildlife Act 1974* (NPW Act);
- a bushfire safety authority under section 100B of the NSW *Rural Fires Act 1997* (RF Act); and
- a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the WM Act.

While the above approvals are not required, this EIS describes how they relate to the project. Other approvals relevant to the project are discussed below.

### 4.3.6 Fisheries Management Act 1994

The FM Act aims to conserve, develop and share the fishery resources of NSW for the benefit of present and future generations. It lists threatened aquatic species and ecological communities and contains measures to conserve these.

There would be no impact as a result of the mine to threatened species, populations or ecological communities listed under the FM Act, therefore no permit is likely to be required under the FM Act.

### 4.3.7 Heritage Act 1977

The Heritage Act aims to protect and conserve the natural and cultural history of NSW, including scheduled heritage items, sites and relics. Two items listed on the Cobar LEP are within the project area, and one item on the State Heritage Register is located within 1km.

Division 8 of Part 6 of the Heritage Act does not apply to prevent the carrying out of SSD authorised by a development consent by virtue of section 4.41 of the EP&A Act. Notwithstanding, potential heritage impacts of the project are assessed in detail in Chapter 13: Aboriginal heritage and Chapter 14: Historical heritage.

### 4.3.8 National Parks and Wildlife Act 1974

The NPW Act provides for nature conservation in NSW, including the conservation of places, objects and features of significance to Aboriginal people and protection of native flora and fauna. A person must not harm or desecrate an Aboriginal object or place without an Aboriginal heritage impact assessment under section 90 of the NPW Act. However, a section 90 permit is not required for SSD authorised by a development consent by virtue of section 4.41 of the EP&A Act.

The ACHA for the project concluded that two Aboriginal objects and/or sites are in close proximity to the proposed surface impacts of the project (400 m powerline), with both of these likely to be subject to direct impacts.

The ACHA has a number of recommendations, which were proposed for inclusion in the project approval to guide post-approval requirements for Aboriginal heritage. Potential Aboriginal heritage impacts of the project are assessed in detail in Chapter 13: Aboriginal heritage.

### 4.3.9 Rural Fires Act 1997

The RF Act aims to prevent, mitigate, and suppress bush and other fires in local government areas of the State. Section 63(2) of the RF Act requires the owners of land to prevent the ignition and spread of bushfires on their land. Under Section 4.41 of the EP&A Act, a bushfire safety authority under section 100B of the RF

Act is not required for SSD that is authorised by a development consent. Notwithstanding, a bushfire management plan is already in place, as part of PGM's Principal Hazard Management Plan – Fire and Explosion.

Further discussion on hazard and risk, including bushfire, is provided in Chapter 18: Hazards and public safety.

## 4.4 Environmental Planning Instrument

### 4.4.1 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

The Mining SEPP provides for the proper management and development of mineral, petroleum and extractive resources for the social and economic welfare of NSW. It also establishes planning controls to encourage ecologically sustainable development within the mining, petroleum and extractive sectors. The Mining SEPP defines the permissibility of mining projects, and the additional matters that must be considered by a consent authority when evaluating development applications for mining.

#### i Aims

Clause 2 of the Mining SEPP sets out its aims of the policy as follows:

The aims of this Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries:

- (a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and
- (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and
  - (b1) to promote the development of significant mineral resources, and
- (c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and
- (d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development:
  - (i) to recognise the importance of agricultural resources, and
  - (ii) to ensure protection of strategic agricultural land and water resources, and
  - (iii) to ensure a balanced use of land by potentially competing industries, and
  - (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries.

This EIS and in particular Chapter 24: Justification provides a justification of the project's accordance with these aims.

#### ii Permissibility

The project is permissible with development consent as discussed in Section 4.2.3 of this EIS.



### iii Matters for consideration

#### a Non-discretionary development standards

Clause 12AB of the Mining SEPP sets out a number of non-discretionary development standards that are to be considered in accordance with sections 4.15 (2) and (3) of the EP&A Act for mining developments. These standards relate to cumulative air quality levels and noise levels, airblast overpressure, ground vibration and aquifer interference. These standards are addressed in Chapter 6: Air quality and greenhouse gas, Chapter 8: Noise, vibration and blasting and Chapter 10: Groundwater, respectively.

#### b Compatibility of the mine with other uses

Clause 12 of the Mining SEPP requires a consent authority to consider the compatibility of the development with other land uses. It states:

Before determining an application for consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must:

- a) consider:
  - (i) the existing uses and approved uses of land in the vicinity of the development, and
  - (ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land use trends, are likely to be the preferred uses of land in the vicinity of the development, and
  - (iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and
- b) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and
- c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

Land uses near the project are described in Chapter 3: Site and surrounding areas and Chapter 20: Social, as infrastructure, agricultural, residential, and commercial land uses. Potential impacts on these land uses have been assessed in this EIS, demonstrating that the project will not have a significant impact on existing and approved land uses around the project or, having regard to land use trends, the likely preferred uses of land in the vicinity of the Project.

#### c Consideration of voluntary land acquisition and mitigation policy

Clause 12A of the Mining SEPP requires the consent authority to consider any applicable provisions of the voluntary acquisition and mitigation policy before determining SSD mining, petroleum production or extractive industry applications. The policy referred to in Clause 12A is the Voluntary Acquisition and Mitigation Policy (VLAMP), which was published by the Minister for Planning in the Government Gazette on 19 December 2014 and revised in September 2018. The VLAMP describes how the consent authority is to deal with predicted noise and dust impacts from State significant mining proposals when determining DAs.

The VLAMP establishes a framework for ensuring that if noise and dust impacts from a proposal exceed the relevant assessment criteria, landowners are provided with:

- a negotiated agreement between the landowner and the proponent; or

- obligations on the proponent to offer mitigation measures or acquisition of the land, in accordance with conditions of a project approval.

The impact assessments completed for the project demonstrate that there will be no significant noise or air quality impacts from the project, therefore not triggering the VLAMP framework.

### d Compatibility of the proposal with mining

Clause 13 of the Mining SEPP relates to matters a consent authority must take into consideration when determining applications for development that is:

- in the vicinity of an existing mine, petroleum production facility or extractive industry;
- identified on a map as being the location of State or regionally significant resources of minerals, petroleum or extractive materials; or
- identified by an environmental planning instrument as being the location of significant resources of minerals, petroleum or extractive materials.

Clause 13(2) states:

Before determining an application to which this clause applies, the consent authority must:

a) consider:

(i) the existing uses and approved uses of land in the vicinity of the development, and

(ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and

(iii) any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and

b) evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a)(i) and (ii), and

c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii).

Therefore, this clause, insofar as it is relevant, requires the consent authority to consider the project's potential impact on other mining, petroleum production and extractive industries in the local area.

There are no petroleum production industries in the area. Other mining activities in close proximity to the project are related to the New Cobar Complex, or the Peak Complex. PGM holds all of the MLs and CMLs within the project area and the Peak Complex as shown in Figure 2.1.

The project will not impact any other mining, petroleum production and extractive industries in the local area.

### e Natural resource and environmental management

Clause 14 of the Mining SEPP requires the consent authority to consider natural resource management, and states:

(1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following:

- a) that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable,
- b) that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable,
- c) that greenhouse gas emissions are minimised to the greatest extent practicable.

(2) Without limiting subclause (1), in determining a development application for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider an assessment of the greenhouse gas emissions (including downstream emissions) of the development and must do so having regard to any applicable State or national policies, programs or guidelines concerning greenhouse gas emissions.

(3) Without limiting subclause (1), in determining a development application for development for the purposes of mining, the consent authority must consider any certification by the Chief Executive of the Office of Environment and Heritage or the Director-General of the Department of Primary Industries that measures to mitigate or offset the biodiversity impact of the proposed development will be adequate.

The proposal is an extension of an existing underground mining project and is predicted to result in less than 15 mm of vertical subsidence. The project therefore is not predicted to result in any impacts to surface water resources. Maximum drawdown of around 12.5 m is predicted to occur around 2050 at the worst affected groundwater bore, GW803422. As this drawdown may reduce the pumping capacity and extractable yield from the water supply bore, PGM has committed to make good arrangements to supply supplementary water to replace any reduction in pumping capacity that may occur. Assessments of groundwater resources and surface water resources and are addressed in Chapter 10: Groundwater and Chapter 11: Surface water.

An assessment of greenhouse gas emissions is addressed in Chapter 6: Air quality and greenhouse gas, which shows the changes to emissions associated with the project do not significantly alter annual greenhouse gas (GHG) emissions from existing operations.

#### **f**      Resource recovery

Clause 15 of the Mining SEPP requires the consent authority to consider the efficiency of the development in terms of resource recovery.

The project has adopted a mine plan and mining method that optimises resource recovery without causing unacceptable environmental impacts. The project has been developed after several years of detailed geological, metallurgical, engineering, environmental, financial and other technical investigations; a process which included the investigation of several alternatives which are discussed in detail in Chapter 24: Justification. The project presented in this EIS is the most practical and appropriate method for recovering the resource.

#### **g**      Transport

Clause 16 of the Mining SEPP requires the consent authority to consider the implications of transport of materials on public roads.



As discussed in Chapter 15: Traffic and transport, the proposed mining activities at the New Cobar Complex will see an increase in the maximum Road Train truck trips from 25 trucks per day to 50 trucks per day, averaged over a calendar year, for ore transportation to and from the processing facility at the Peak Complex. The likely additional peak hour truck traffic is estimated as 3 additional truck movements per hour on a typical weekday.

Light vehicle movements for the transport of operations employees will vary as workforce numbers ramp up and ramp down. However, these will not be new employees, and as such overall light vehicle movements are not anticipated to increase during this time. The majority of employees will travel to the Peak Complex and then car-pool to the New Cobar Complex using company LVs.

#### h Rehabilitation

Clause 17 of the Mining SEPP requires the consent authority to consider rehabilitation of land that will be affected by the development.

The project will rehabilitate all land that is disturbed by mining operations, which includes the underground portals within the New Cobar Complex open cut and the approved box cut and exhaust air rise, as described in Chapter 16: Rehabilitation and closure.

#### i Mining on strategic agricultural land and site verification certificates

Part 4AA of the Mining SEPP concerns ‘mining or petroleum development’ on strategic agricultural land.

Clause 17A provides a definition of mining and petroleum development for the purposes of Part 4AA. It states:

- (1) In this Part, **mining or petroleum development** means:
  - (a) development specified in clause 5 (Mining) of Schedule 1 to State Environmental Planning Policy (State and Regional Development) 2011, but only if:
    - (i) a mining lease under the *Mining Act 1992* is required to be issued to enable the development to be carried out because:
      - (A) the development is proposed to be carried out outside the mining area of an existing mining lease, or
      - (B) there is no current mining lease in relation to the proposed development, or
      - ...

The project is development specified in Clause 5 (mining) of the SRD SEPP and a mining lease is required. However, all activities would be carried out within existing mining leases (refer Chapter 2: The project) and therefore Part 4AA of the Mining SEPP does not apply to the project.

#### 4.4.2 State Environmental Planning Policy (State and Regional Development) 2011

Under State Environmental Planning Policy (State and Regional Development) 2011 (SEPP State and Regional Development) various activities are set out in Schedule 1 as being SSD. The applicability of the SEPP is discussed in Section 18.4.

#### 4.4.3 State Environmental Planning Policy No.33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) may require the consent authority to consider a project's potential to cause hazards or be offensive, including consideration of the location of the development and the way in which it is to be carried out. Clause 13 states:

In determining an application to carry out development to which this Part applies, the consent authority must consider (in addition to any other matters specified in the Act or in an environmental planning instrument applying to the development):

- a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and
- b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and
- c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and
- d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and
- e) any likely future use of the land surrounding the development.

In accordance with the guideline Applying SEPP 33 (DoP 2011) the mine development is deemed a "potentially hazardous industry" due to the storage and use of reagents on site.

As discussed in Chapter 18: Hazard, risk and public safety, a preliminary hazard analysis concluded that noted that the development does not constitute a hazardous or offensive development in accordance with SEPP 33 as:

- the New Cobar Complex is an existing mining precinct and hazardous materials are already stored on-site in compliance with requirements from WorkCover NSW and SafeWork NSW; and
- the quantity of hazardous materials required on-site is not planned to increase as a result of the project.

#### 4.4.4 State Environmental Planning Policy Infrastructure 2007

Clause 101 of the Infrastructure SEPP identifies that where a development has a frontage to a classified road, development consent must not be granted unless the consent authority is satisfied that:

- a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
- b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
  - i) the design of the vehicular access to the land, or
  - ii) the emission of smoke or dust from the development, or

- iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

As discussed in Chapter 15: Traffic and transport, the project will generate 3 additional heavy vehicle (HV) movements in the peak hours travelling either to or from the New Cobar Complex access intersection.

The existing mine, and in particular the New Cobar Complex access intersection, has been designed in consultation with Transport for NSW (TfNSW) so as to not adversely affect the safety, efficiency and ongoing operation of Kidman Way.

#### 4.4.5 State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No. 55- Remediation of Land (SEPP 55) provides a state-wide approach to the remediation of contaminated land for the purpose of minimising the risk to human health and the environment. Clause 7 of SEPP 55 states:

- 1) A consent authority must not consent to the carrying out of any development on land unless:
  - (a) it has considered whether the land is contaminated, and
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
- (3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.
- (4) The land concerned is:
  - (a) land that is within an investigation area,
  - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
  - (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
    - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and



- (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

No material evidence of widespread or significant contamination activities and/or contamination sources in the project area is known or implied. PGM has not encountered evidence of land contamination during any of its extensive exploration and environmental studies, which supports the conclusion that contamination is unlikely to be present on the site. Accordingly, it is considered that the site is likely to be uncontaminated and is suitable for the uses proposed.

#### 4.4.6 State Environmental Planning Policy (Koala Habitat Protection) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019 (Koala Habitat SEPP) encourages the conservation and management of Koala (*Phascolarctos cinereus*) habitat, to ensure permanent free-living Koala populations are maintained over their present range.

Part 2 of SEPP 44 applies to any development application of at least 1 ha within any of the LGAs listed under Schedule 1 of the Koala Habitat SEPP. Cobar Shire is not listed under Schedule 1 and as such this SEPP does not apply to the project.

#### 4.4.7 Local environmental plans

The mine development is within the Cobar LGA. Consideration of the relevant land use zones and permissibility for the development in the Cobar LEP is discussed in Section 4.4.1ii.

### 4.5 Strategic policies

#### 4.5.1 Strategic Regional Land Use Policy

The NSW Government released the Strategic Regional Land Use Policy (SRLUP) in 2012 to “provide greater protection for vulnerable agricultural land and better balance competing land uses”. This was by “identifying any protecting strategic agricultural land, protecting valuable water resources and providing greater certainty for companies wanting to invest in mining and coal seam gas projects in regional NSW”. The SRLUP provides a strategic framework and a range of initiatives to balance agriculture and resolve development.

The SRLUP applies to mining proposals that are SSD under the Mining SEPP and require a new or extended mining lease under the Mining Act. In such cases, applicants are required to obtain a gateway certificate or a soil verification certificate before lodging a development application. As the project sits within an existing ML, the SRLUP does not apply to the project.

#### 4.5.2 NSW Aquifer Interference Policy

The Aquifer Interference Policy (AIP) was released by the NSW government in September 2012 to address water licensing and the potential impacts of the aquifer interference activities within NSW. The AIP defines the regime for protecting and managing the impacts of aquifer interference activities on NSW’s water resources and assist proponents to prepare necessary information for activities that may affect aquifers.

The AIP aims to:

- clarify water licence and impact assessment requirements for aquifer interference activities;
- ensure equitable water sharing among different types of water users;

- ensure that water taken by aquifer interference activities is properly licenced and accounted for in the water budget and water sharing arrangements; and
- enhance existing regulation, resulting in a comprehensive framework to protect the rights of all water users and the environment.

The AIP states that the activity must address minimal impact consideration for impacts on water table, water pressure and water quality. It requires that planning for measures if the actual impacts are greater than predicted, including making sure there is sufficient monitoring in place.

The AIP focuses on high-risk activities such as mining, coal seam gas, sand and gravel extraction, construction dewatering, aquifer injection activities, and other activities that have the potential to contaminate groundwater or decrease aquifer storage and yields. Impacts on connected alluvial aquifers and surface water systems, as well as impacts to other water dependent assets, such as water supply bores and groundwater dependent ecosystems are also considered.

All water taken from a water source by an aquifer interference activity, regardless of its quality, is required to be accounted for within the long-term average extraction limit specified for that water source. The AIP states that separate approval is required (under section 91(3) of the WM Act) for aquifer interference activities to ensure that the amount of water taken from each water source does not exceed the extraction limit set in the relevant water sharing plan (WSP). The requirement to obtain an aquifer interference approval under Section 91(3) is triggered only when a proclamation has been made under Section 88A of the WM Act that the particular type of approval is required.

To date, no proclamation has been made specifying that an aquifer interference approval is required in any part of NSW. In the meantime, the AIP sets the policy with respect to aquifer interference. DPIE Water's assessment framework for aquifer interference is included (and completed) in the Groundwater Impact Assessment undertaken for this EIS.

Where an aquifer interference activity results in the movement of adjacent, overlying or underlying water into the groundwater source separate aquifer licences are required for each of these sources for the predicted volume of impact. In this regard, predicted inflows do not exceed PGM's current water access license limit of 880 unit shares (880 ML/yr or 2,410 kL/d).

The AIP also requires that two years of baseline groundwater data be collected and incorporated into the impact assessment prior to lodging a DA. The groundwater monitoring network currently includes 23 monitoring locations across the New Cobar and Peak complexes and one existing, third-party bore. Baseline data was collected for the project with groundwater levels monitored via a dedicated project groundwater monitoring (levels and quality) network since 1990 at the Peak Complex and 2020 at the New Cobar Complex.

#### 4.5.3 Far West Regional Plan 2036

The Far West Regional Plan 2036 (the FWR Plan) was released by DPIE in 2017 to guide the land use planning priorities and decision making in the Far West for the next 20 years. It covers the LGAs of Walgett, Brewarrina, Bourke and Cobar.

The FWR Plan provides a strategic framework to grow the region's cities and local centres, supports the protection of high-value environmental assets and makes developing a strong, diverse and competitive economy central to build prosperity and resilience in the region. The goals of the FWR Plan are:

- a diverse economy with efficient transport and infrastructure networks;

- exceptional semi-arid rangelands traversed by the Barwon-Darling River; and
- strong and connected communities.

The FWR Plan identifies the LGA economic opportunities for CSC be agribusiness, value-added manufacturing, mining, renewable energy and tourism. The FWR Plan acknowledges that distance is a constant challenge in the Far West, requiring investment in infrastructure and telecommunications to boost opportunities for the local business sectors including mining.

The region has a historic connection with mining, which continues to play a defining role for the Far West. In particular, CSC is recognised as being an important copper, gold, lead, zinc and silver mining district for nearly 140 years, with the FWR plan noting that “there is potential for further development in the area”.

A sustainable mining sector in the region continues to generate direct employment and provides flow-on benefits to communities. Mining is noted as one of the LGA’s biggest economic opportunities, which, together with agriculture, contributes to almost 40% of the Far West’s gross regional product (GRP).

Direction 3 ‘Sustainably manage mineral resources’ of the FWR Plan notes that areas of mineral and energy resource potential should be protected through local land use strategies and LEPS.

In addition, Direction 3 of the FWR Plan acknowledges that mining operations require water and energy infrastructure to support them, and that it will be important to protect and strategically plan for water and energy infrastructure to support new and emerging mining opportunities. In particular, in established mining areas such as Cobar, there is potential for water supply deficiencies which could impact the operations as well as the community. However, predicted inflows do not exceed the PGM’s current water access license limit of 880 unit shares (880 ML/yr or 2,410 kL/d).

The project will have limited environmental impacts, relating to air quality, noise, biodiversity, ground water and surface water. It will also not impact the local or regional road network (including freight corridors), tourism or community services (including health, business, manufacturing or industrial services). It will not impact local or regional Aboriginal and historical heritage values or amplify housing demand.

The project can therefore be considered consistent with the abovementioned directions and goals of the FWR Plan.

## 4.6 Commonwealth legislation

### 4.6.1 Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides the legal basis to protect and manage internationally and nationally important flora, fauna, ecological communities, heritage places and water resources which are deemed to be matters of national environmental significance (MNES). MNES, as defined under the EPBC Act are:

- World Heritage properties;
- places listed on the National Heritage Register;
- wetlands of international significance listed under the Ramsar Convention;

- threatened flora and fauna species and ecological communities;
- migratory species;
- Commonwealth marine areas;
- Great Barrier Reef Marine Park;
- nuclear actions (including uranium mining); and
- water resources, in relation to coal seam gas or large coal mining development.

Under the EPBC Act, actions that will, or are likely to, have a significant impact on a MNES are deemed to be controlled actions and can only proceed with the approval of the Commonwealth Minister for the Environment. An action that may potentially affect a MNES has to be referred to the Commonwealth Minister for determination as to whether it is a controlled action.

The project will use existing surface infrastructure, which is suitable and adequate to facilitate mining the New Cobar Complex deposits. Impacts to surface water and groundwater resources have also been assessed as minimal, with all potential impacts to surface water users and stream environments assessed as insignificant in accordance with the Significant impact guidelines (DoE 2013).

The proposed action was referred to the Commonwealth Minister and subsequently determined not to be a controlled action on 20 August 2020 (Appendix C).

#### 4.6.2 Native Title Act 1993

The Commonwealth *Native Title Act 1993* recognises and protects native title rights in Australia. It allows a native title determination application (native title claim) to be made for land or waters where native title has not been validly extinguished, for example, extinguished by the grant of freehold title to land.

Applications for compensation for extinguishment or impairment of native title rights can also be made. All native title claims are subjected to a registration test and will only be registered if claimants satisfy several conditions. A register of native title claims is maintained by the National Native Title Tribunal.

Proposed activities or development that may affect native title are called 'future acts'. Claimants whose native title claims have been registered have the right to negotiate about some future acts, including mining and granting of a mining lease over the land covered by their native title claim. Where a native title claim is not registered, a development can proceed through mediation and determination processes, though claimants will not be able to participate in future act negotiations.

There is one active (ie non finalised) claim encompassing the project area – Ngemba, Ngiyampaa, Wangaaypuwan and Wayilwan (NC2012/001). Representatives of this organisation were consulted as part of the ACHA as detailed in Chapter 13: Aboriginal heritage.

### 4.7 Summary of approval requirements

Table 4.2 provides a summary of the licences, approvals and permits that are likely to be required for the New Cobar Complex Project.



**Table 4.2**      **Summary of licences, approvals and permits required / to be updated**

<b>Legislation</b>	<b>Authorisation</b>	<b>Consent or approval authority</b>
EP&A Act	Development consent	Minister for Planning and Public Spaces or IPC
POEO Act	EPL for mining and mineral processing	EPA
WM Act	Water access licences	DPIE Water
Water Act	Licensing of monitoring bores	DPIE Water
Work Health and Safety Act	Licensing of dangerous goods (eg diesel and explosives magazine storage)	NSW WorkCover Authority

# 5 Engagement

## 5.1 Introduction

Community and stakeholder engagement for the project was undertaken over the course of the project by EMM on behalf of PGM. Feedback from community and stakeholder engagement was used to determine community concerns relating to the project, encourage transparency of the operations, provide adequate and ongoing information to key stakeholders and collect feedback for this EIS.

Project engagement was informed by the Community and Stakeholder Engagement Strategy (CSES) included as Appendix D which outlined the activities and outcome objectives regarding the engagement process for the EIS. The objectives of the CSES were to encourage meaningful participation from key stakeholders in relation to the project and strengthen the relationship between local stakeholders and PGM.

## 5.2 Consultation requirements

DPIE (2019) requires consultation processes to be effective and genuine, ensuring the community is provided with sufficient information to understand the project and the details of what is being proposed. Consultation also provides opportunities for stakeholders to express any concerns they may have relating to the project.

Under the provisions of Part 4, Division 4.1 of the EP&A Act consultation must:

- (j) [to] provide increased opportunity for public involvement and participation in environmental planning and assessment.

Accordingly, consultation has been an important part of the preparation of this EIS.

The consultation requirements of the SEARs are provided in Table 13.1.

**Table 5.1 Consultation requirements**

Relevant authority and assessment requirement	Relevant section of this report
<b>DPIE</b>	
During the preparation of the EIS and subsequent assessment process, you must establish and operate a Community Consultative Committee (CCC) for the development in accordance with the Community Consultative Committee Guidelines: State Significant Projects dated November 2016 [updated January 2019].	Section 5.4
You should also consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups and affected landowners.	Sections 5.4 and 5.5
The EIS must describe the consultation that was carried out, identify the issues raised during this consultation (including by the CCC), and explain how these issues have been addressed in the EIS.	Section 5.4

### 5.2.1 Methodology

A detailed description of the methodology utilised for the community and stakeholder engagement can be found in the corresponding technical report (Appendix D).

The community and stakeholder engagement strategy was developed and delivered with consideration of the following guidelines:

- Community and stakeholder engagement: Draft Environmental Impact Assessment Guidance Series June 2017 (DPE 2017);
- Social impact assessment guideline: For State significant mining, petroleum production and extractive industry development (DPIE 2017);
- Community Consultative Committee Guideline for State Significant Projects January 2019 (DPIE 2019).

The method and a detailed summary of assessment for the projects against key policy requirements, is contained in the community and stakeholder engagement technical report (Appendix I).

### 5.2.2 Stakeholder engagement tools

Community and stakeholder engagement for the project used several different communications methods to consult, record and respond to stakeholders. Engagement activities and a summary of what was completed is detailed in Table 5.2. Consultation methods were adapted in response to COVID-19 restrictions and were collectively used to ensure stakeholders were fully informed of the project and had several options to provide feedback on the project during the preparation of the EIS.

**Table 5.2 Summary of engagement**

Engagement activity	Description
Phone calls	Phone calls were used to contact local residents, community groups and service providers. A total of 23 stakeholders were contacted by phone over two rounds of calls (scoping and EIS phases) to arrange meetings to discuss the project. An additional 16 stakeholders were contacted to arrange monitoring and sampling visits for technical assessments between 31 March 2020 and 3 April 2020.
Emails	<p>Emails were used to contact key stakeholders, including community groups, local Councillors, neighbouring landholders and service providers to arrange meetings, share invitations to community information sessions, project updates and newsletters.</p> <p>Nine emails were sent to local service providers and community groups during the scoping phase, containing information regarding the project. Email exchanges were also undertaken during the EIS phase, including 14 emails for the purpose of arranging meetings for EIS and SIA engagement, where preliminary information and a newsletter for the project was provided.</p>
Information sheets	<p>Two rounds of information sheets were distributed to the local community.</p> <p>The initial information sheet was distributed during the scoping phase of the project (September 2019) and included preliminary information regarding the project to inform the local community of the project, approvals process and technical studies that will be undertaken.</p> <p>The second information sheet provided a project update and was distributed as a local newspaper insert in April 2020.</p>
Community newsletters	500 newsletters were printed and distributed during community information sessions in September 2019 and December 2020 at the local library, local cafes, and restaurants.

**Table 5.2 Summary of engagement**

Engagement activity	Description
Key stakeholder meetings	<p>Online and in-person meetings were carried out throughout the scoping and EIS phases of the project.</p> <p>During the scoping phase, six meetings were conducted with statutory regulators, the CCC, CSC, the Great Cobar Heritage Centre, the Memorial Services Club, Cobar District Rugby Club, and community members.</p> <p>During the EIS phase, meetings were held with 18 key stakeholders including the Mayor, Councillors and representatives from CSC, the CCC, neighbouring landholders, service providers and community groups.</p>
Website	<p>A Social Pinpoint website (a specialist stakeholder engagement web tool) was developed for the project (<a href="https://emm.mysocialpinpoint.com/new-cobar-complex">https://emm.mysocialpinpoint.com/new-cobar-complex</a>) to showcase information regarding the project, approvals process, stakeholder consultation, and engagement. It was also used to communicate activities and updates.</p>
Survey	<p>Two community surveys were developed and administered as part of the SIA (see Appendix Q).</p> <p>Community surveys were made available to local residents, both online and in-person. Physical paper copies of the survey were distributed at the Cobar TAFE, Library and CSC Offices. Options to complete a survey were also made available at the community information sessions.</p> <p>The link to the survey was shared on the local community Facebook page and Aurelia Metals' Facebook page, inviting community members to provide their feedback on the project.</p> <p>The purpose of the surveys was to identify key issues and impacts for the community regarding the project.</p>
Community information sessions	<p>Four community information sessions (CIS) were held throughout the approvals process to provide project information including an outline of the project, findings of technical studies completed as part of the EIS, and mitigation measures proposed to reduce potential environmental and social impacts.</p> <p>A CIS on 11 September 2019 was held with 12 community members in attendance to update the community members on the project and to inform the scoping report.</p> <p>Two CISs were held on 4 and 5 December 2020 to inform the SIA for the project. There were eight community members in attendance across the two sessions.</p>
Newspaper advertisement	<p>Information sheets were published in the Cobar Weekly local newspaper as advertisement on 15 April 2020 and 17 November 2020. The second newspaper advertisement was used to inform the community of the community information sessions held in December 2020. Advertisements were also posted on the local Cobar Facebook group and Aurelia Metals Facebook page.</p>
Social media	<p>Information was shared through social media platforms such as the local Facebook community group "Cobar Notice Board" and the Aurelia Metals Facebook page. Posts were made regarding engagement opportunities, particularly demonstrating where interested members could engage through surveys, community information sessions and by directly contacting the project team.</p>
Project email and contact number	<p>A dedicated project email was developed to allow local residents and stakeholders to enquire about information regarding the project. The email and contact number were made available on event posters displayed at community information sessions, on newsletters distributed to local residents, local newspaper advertisements, and on the project website.</p>

### 5.3 Stakeholder engagement findings

Stakeholder engagement was carried out with various key groups identified within the local area as detailed in Table 5.2 in compliance with the SEARs and relevant guidelines. Findings from the engagement are



summarised below. The results should be considered along with the results of the SIA included as Appendix Q and summarised in Chapter 20.

### 5.3.1 Key stakeholder meetings

#### i Cobar Shire Council meetings

Four meetings were arranged with representatives of CSC between September 2019 and December 2020.

The initial meeting with CSC was conducted during the scoping phase of the project to introduce the project, present the approvals approach and to identify potential impacts and mitigation strategies. A second meeting was held shortly after the first at request of CSC to discuss aspects of the project in more detail.

Two meetings were held during the EIS phase. Due to COVID-19 restrictions, the first meeting was conducted online via Microsoft Teams to update CSC representatives on the project and determine any additional concerns to inform the SIA. A follow up meeting to present the technical findings of the EIS was held in person at the CSC offices with the CSC General Manager, Director of Finance and Community Services, the Director of Planning and Environmental Services and several other Councillors. A summary of Council meetings and issues raised are presented in Table 5.3.

**Table 5.3 Summary of council meetings**

Event	Date of meeting	Issues discussed
Stakeholder consultation, Cobar Shire Council Offices	10 September 2019	<ul style="list-style-type: none"> <li>• Introduction of EMM representative to the CSC.</li> <li>• An explanation of the consultation process for the scoping phase and EIS was provided.</li> <li>• Concerns regarding use of non-resident workforce and mining camps by PGM.</li> <li>• Improvements to communication strategies.</li> <li>• Air quality and heavy metals.</li> <li>• The capacity of the TSF and future approvals for TSF raises.</li> </ul>
Project briefing, Cobar Shire Council Offices	12 September 2019	<ul style="list-style-type: none"> <li>• PGM and EMM provided further details on design aspects of the project in response to issues raised in the first meeting.</li> <li>• General support was provided to the project.</li> </ul>
Briefing meeting, online via Zoom	22 October 2020	<ul style="list-style-type: none"> <li>• Potential impact on Cobar's declining population.</li> <li>• Local support and procurement from mining operations.</li> <li>• Vibration and blasting, impacts to residential homes.</li> <li>• Water and drawdown impacts for the Cobar District Rugby Club.</li> <li>• Air quality and dust.</li> <li>• Subsidence risks within the town.</li> </ul>
Technical findings presentation, Cobar Shire Council Offices	3 December 2020	<ul style="list-style-type: none"> <li>• Briefings on technical findings of the EIS and next steps to be taken.</li> </ul>

#### ii NSW and Commonwealth government departments

The following NSW and Commonwealth government departments were consulted with during the scoping and EIS phases of the project to outline assessment requirements and to identify areas for detailed assessment:

- NSW:
  - DPIE;
  - Biodiversity and Conservation Science Directorate (BCSD);
  - Environmental Protection Authority (EPA);
  - Natural Resources Access Regulator (NRAR);
  - Resources Regulator; and
  - Mining, exploration and geoscience (MEG), Department of Regional NSW.
- Commonwealth:
  - Department of Agriculture, Water and the Environment (DAWE).

A summary of regulatory meetings and discussion points is presented in Table 5.4

**Table 5.4 Summary of regulatory meetings**

Event	Date and location of meeting	Attendees	Issues discussed
DPIE briefing and pre-scoping meeting	15 August 2019, DPIE offices Sydney	EMM, PGM, Aurelia, DPIE	<ul style="list-style-type: none"> <li>• Briefed about the project by EMM, Aurelia and PGM.</li> <li>• Approvals approach.</li> <li>• Requirement for further consultation with EPA, BCD, NRAR and DPIE Water.</li> </ul>
NRAR briefing and pre-scoping meeting	14 November 2019, Teams telecon	EMM, Aurelia, NRAR	<ul style="list-style-type: none"> <li>• Briefed about project by EMM and Aurelia.</li> <li>• Relevant water approvals, including monitoring approvals.</li> <li>• Need for water balance assessment.</li> <li>• NRAR to discuss details with DPI Water and provide further advice if required.</li> </ul>
BCSD and EPA briefing and pre-scoping meeting	4 December 2019, Teams telecon	EMM, Aurelia, BCDS, EPA	<ul style="list-style-type: none"> <li>• Briefed about project by EMM and Aurelia.</li> <li>• BDAR waiver to be submitted prior to lodgement of the scoping report.</li> </ul>
Resources Regulator briefing and pre scoping meeting	6 December 2019, Teams telecon	EMM, Aurelia, Resources Regulator	<ul style="list-style-type: none"> <li>• Briefed about project by EMM and Aurelia.</li> </ul>
DAWE pre-referral meeting	19 May 2020, Teams telecon	EMM, Aurelia, DAWE	<ul style="list-style-type: none"> <li>• Briefed about project by EMM and Aurelia.</li> <li>• Likelihood that project would be classed as “not a controlled action” and that a BDAR waiver would be sought.</li> </ul>
BDAR waiver pre-submission meeting	1 October 2020, Teams telecon	EMM, Aurelia, DPIE, BCDS	<ul style="list-style-type: none"> <li>• EMM and Aurelia presented additional information to support the application for the BDAR waiver prior to submission.</li> <li>• Discussed limited surface disturbance and low likelihood of potential impacts to groundwater dependent ecosystems.</li> </ul>

**Table 5.4 Summary of regulatory meetings**

Event	Date and location of meeting	Attendees	Issues discussed
Resource and economic assessment meeting	8 December 2020, site and telecon	Aurelia, MEG, DPIE	<ul style="list-style-type: none"> <li>• Site inspection.</li> <li>• Site orientation and inspection of PGM operations.</li> <li>• Presentation of project details and mine plan</li> </ul>

### iii Community consultative committee

A CCC for the project was established in May 2019 in accordance with the Community Consultative Committee Guidelines: State Significant Projects by the NSW Government (DPIE 2019).

The CCC functions as an advisory and consultative role between PGM and the community to ensure the community is informed of PGM's activities and to develop an understanding of the community's views on issues on PGM's activities, including the project. The CCC consists of nine members including representatives from the local community, PGM, Aurelia Metals and CSC. The CCC is independently chaired by Garry West who acts as a convenor, facilitator, mediator and advisor for the CCC.

Regular quarterly meetings have taken place since the initial stages of the project with the first meeting held in May 2019. Meetings have involved site inspections, presentations, and general discussions of the project. Meetings have and will continue through the life of the project. A summary of CCC meetings and issues raised is provided in Table 5.5.

**Table 5.5 Summary of CCC meetings**

Date of meeting	Issues raised
2 May 2019	<ul style="list-style-type: none"> <li>• CCC establishment.</li> <li>• Introductions were made and a background and purpose of the CCC was provided.</li> <li>• Site inspection including surface operations, ventilation towers and the tailing dam.</li> <li>• Ventilation fans, noise, air quality emissions and employment.</li> </ul>
1 August 2019	<ul style="list-style-type: none"> <li>• CCC were informed that EMM will be undertaking the project EIS.</li> <li>• Need for improved communication and to adopt various platforms such as news releases, adverts, Facebook, and newsletters.</li> <li>• Upgrades to local infrastructure.</li> <li>• Local procurement.</li> </ul>
10 September 2019	<ul style="list-style-type: none"> <li>• Introduction of EMM to the CCC</li> <li>• Update and further briefing provided regarding the project.</li> <li>• Waste rock management onsite.</li> <li>• Proposed water pipeline and dewatering.</li> <li>• Water usage onsite.</li> <li>• Traffic movements.</li> <li>• Subsidence and sinkholes.</li> <li>• Blasting concerns and vibrations.</li> </ul>

**Table 5.5 Summary of CCC meetings**

Date of meeting	Issues raised
7 November 2019	<ul style="list-style-type: none"> <li>• CCC were informed of the EIS engagement and consultation process for the project.</li> <li>• Blasting vibrations.</li> <li>• De-silting of water management structures.</li> <li>• Potential impacts on the Great Cobar Heritage Centre.</li> <li>• Water harvesting opportunities.</li> </ul>
3 March 2020	<ul style="list-style-type: none"> <li>• Details and requirements of the SEARs presented to the CCC.</li> <li>• Informed the CCC of when the EIS is planned to be lodged.</li> </ul>
4 June 2020	<ul style="list-style-type: none"> <li>• PGM provided a company presentation regarding workforce, environmental monitoring, and an update of the project.</li> <li>• Update regarding project technical assessments including traffic, surface water, groundwater, HHRA and air quality.</li> <li>• Accommodation facilities, use of mining camps.</li> </ul>
3 September 2020	<ul style="list-style-type: none"> <li>• PGM provided a company presentation regarding the environmental performance of PGM operations.</li> <li>• Informed the CCC of the progression of technical assessments, rehabilitation, visual amenity, hazards, and risk assessments.</li> <li>• Concerns were raised regarding sink holes and the project operations.</li> <li>• Requests made for the local school to be consulted regarding the project.</li> </ul>
26 October 2020	<ul style="list-style-type: none"> <li>• Project overview and SIA.</li> <li>• Employment opportunities as a result of mine life extension and some opportunity through the construction phase.</li> <li>• Opportunities to improve traineeship availability.</li> <li>• Post mining considerations of Fort Bourke Hill Lookout requires further consideration. Need to consider and negotiate with the Cobar Shire Council as the likely custodian.</li> <li>• Public access to Towser's Hut.</li> <li>• Water loss in the Great Cobar Historic open cut.</li> <li>• Impacts on Newey Reservoir, monitoring requirements.</li> </ul>
3 December 2020	<ul style="list-style-type: none"> <li>• PGM provided a company presentation regarding the environmental performance of PGM operations.</li> <li>• Findings of EIS including technical studies.</li> </ul>

#### iv Key stakeholders

In-depth interviews were held with key local stakeholders, such as service providers, neighbouring landholders and local residents during the scoping and EIS phases. A total of 18 interviews were conducted between September 2019 and December 2020 using face-to-face, online and phone methods. Invitations were extended to 25 key stakeholders with three stakeholders indicating they were not interested and no response from the remaining nine stakeholders. A breakdown of the key stakeholder interviews is provided in Table 5.6.



**Table 5.6 Key stakeholder interviews summary**

Stakeholder	Stakeholder Group	Date	Method
<b>Scoping phase</b>			
Cobar Memorial Services Club	Neighbouring landholder	10 September 2019	Face to face
Cobar Rugby Club	Neighbouring landholder	10 September 2019	Face to face
Neighbouring landholder	Neighbouring landholder	10 September 2019	Face to face
Great Cobar Heritage Centre	Neighbouring landholder	11 September 2019	Face to face
<b>EIS phase</b>			
Neighbouring landholder	Neighbouring landholder	3 April 2020	Face to face
Neighbouring landholder	Neighbouring landholder	5 May 2020	Email update
Neighbouring landholder	Neighbouring landholder	7 July 2020	Email update
Neighbouring landholder	Neighbouring landholder	11 August 2020	Email update
Cobar Public School	Neighbouring landholder	27 October 2020	Telephone
Cobar Memorial Services Club	Neighbouring landholder	27 October 2020	Telephone
Cobar State High School	Neighbouring landholder	27 October 2020	Telephone
Cobar Rugby Club	Neighbouring landholder	27 October 2020	Telephone
Great Cobar Heritage Centre	Neighbouring landholder	28 October 2020	Telephone
State Emergency Services	Service Provider	28 October 2020	Telephone
Cobar Health Service	Service Provider	29 October 2020	Telephone
Neighbouring landholder	Neighbouring landholder	29 October 2020	Telephone
Cobar Rugby Club	Neighbouring landholder	4 December 2020	Face to face
Neighbouring landholder	Neighbouring landholder	4 December 2020	Face to face
Great Cobar Heritage Centre	Neighbouring landholder	5 December 2020	Face to face
Cobar Public School	Neighbouring landholder	7 December 2020	Online
Cobar State High School	Neighbouring landholder	7 December 2020	Online

Project support amongst interview participants varied, with most in general support of the project due to the economic, employment and potential traineeship opportunities associated with the project. However, concerns were raised over negative impacts as a result of the continued operations including impacts to amenity, health, and the local community. Common themes were identified throughout consultations regarding project concerns. A summary of the themes identified from the stakeholder meetings are outlined in Table 5.7.

**Table 5.7 Themes identified in stakeholder meetings**

Themes	Items discussed
Air quality	Frequent concerns were raised regarding dust and impacts to air quality arising from the proposed exhaust rise for the exploration drive. Specifically fears over lead dust contamination, and how it may impact local water sources (namely water tanks), health and livelihood were raised.

**Table 5.7 Themes identified in stakeholder meetings**

Themes	Items discussed
Noise	Stakeholders expressed concern over noisy project activities causing annoyance. Stakeholders expressed the belief that this also potentially deterred tourists and visitors.
Vibrations and blasting	<p>Various stakeholders had the perception ground vibrations resulting from blasting, impacted upon their daily life, and this can lead to negative outcomes such as annoyance and discomfort.</p> <p>Concerns were also raised about ‘perceptions of blasting’; how it can deter potential businesses and discourage tourists from choosing to visit Cobar.</p> <p>Neighbouring landholders also felt that blasting significantly impacts the structural integrity of their homes and buildings, with fears over how continued blasting may exacerbate the damage.</p>
Water drawdown	Fears were expressed by participants over impacts to local groundwater drawdown. Key stakeholders questioned how this may impact local facilities, specifically the Cobar District Rugby Club and their use of the club’s bore water for irrigation during water restriction as a consequence of drought.
Community engagement and transparency	Stakeholders raised concerns about the disconnect between PGM and the community due to a perceived lack of transparency and poor communication. This was found to greatly influence the community’s perception of PGM. Most stakeholders felt that communication needs to be improved and consultation processes need to take into consideration community needs. It was acknowledged that communication and transparency had improved since Aurelia acquired Peak Gold Mines.
Community cohesion	Declining population and the lack of community infrastructure and services as a result of the mining industry was raised by participants. This raised concerns over how continued operations may further exacerbate such concerns and impact community cohesion.

### 5.3.2 Community information sessions

A total of four CIS events were held which provided the opportunity for local community members to drop-in and learn about the project and the planning approvals process, as well as to register interest to receive project updates. One CIS was held during the scoping phase to brief the community on the project and identify areas for scoping. The following CIS was facilitated by PGM representatives to present the SEARs issued by DPIE and inform the local community of what is required for the EIS and community and stakeholder consultations. The two CISs held during the EIS phase provided an opportunity to present findings from the technical studies. Technical experts were also in attendance, allowing community members to discuss technical details about the project with the relevant technical specialist(s).

Information sheets and newsletters were distributed to community members during the EIS phase CIS. A total of six community members who did not attend a CIS engaged with project team members and technical specialists regarding the project.

A breakdown of the CIS attendance is provided in Table 5.8.

**Table 5.8 CIS attendance summary**

Event	Date	Location	Attendees
CIS scoping phase	11 September 2019	Cobar Bowling and Golf Club	<ul style="list-style-type: none"> <li>• Representative from the Cobar Weekly</li> <li>• Local residents (11)</li> </ul>
Community information night	27 February 2020		<ul style="list-style-type: none"> <li>• Local residents (13)</li> </ul>

**Table 5.8 CIS attendance summary**

Event	Date	Location	Attendees
CIS EIS phase	4 December 2020	Cobar Shire and TAFE Library	<ul style="list-style-type: none"> <li>• CSC representative</li> <li>• Local residents (3)</li> </ul>
CIS EIS phase	5 December 2020	Cobar Shire and TAFE Library	<ul style="list-style-type: none"> <li>• Representative from Cobar Weekly</li> <li>• Local business owner</li> <li>• Local residents (2)</li> </ul>

### 5.3.3 Survey

Two community surveys were made available to the public during August 2019 and October 2020. Both surveys included questions regarding:

- project awareness;
- project support;
- interactions with PGM and Aurelia Metals;
- issues and concerns relating to the project; and
- general demographics.

Respondents were also provided with a list of potential impacts associated with the project and were asked to rate each impact. An online community survey was made available via Survey Monkey and promoted on the project Social Pinpoint website.

The initial survey during the scoping phase was available for completion between 3 September and 4 November 2019 and accrued a total of 50 responses from residents (70%), business owners (14%) and/or landholders (22%). The survey results demonstrated:

- Project awareness varied with most (42%) indicating 'good' awareness of the project, one-third (33%), indicated fair awareness of the project and the remainder (25%) reported poor awareness.
- The project was generally supported by 54% indicated they were supportive or strongly supportive, 15% indicated they were neutral, and 31% were opposed or strongly opposed.
- Issues of most significance to the respondents included:
  - Ongoing employment; and
  - Negative impacts associated with noise, vibration and air quality and groundwater.

The second survey during the EIS phase was available for completion between 24 September 2020 and 26 October 2020 and received 24 responses. As the data set for this survey was smaller compared to the initial survey, responses from residents (63%), business owners (21%), and landowners (38%) varied. The survey results found:

- Project awareness remained stable with 42% reporting having good or very good awareness, 25% reporting a fair awareness and 33% of respondents reporting very poor or poor awareness.
- Support for the project differed in comparison to the previous survey, where 38% were supportive or strongly supportive, 33% were neutral, and 25% were opposed or strongly opposed.
- Issues of most significance aligned with the previous survey, where respondents indicated that a continuation of employment and benefits for the local economy were a positive impact. The most negatively rated impacts identified related to health, vibration, noise, air quality and ground water.

Overall, results from the two surveys demonstrate that most respondents have 'good' awareness and understanding of the project. Results from both surveys demonstrate how ongoing employment is valued within the community and is seen to benefit the local community. The most common concerns and perceived negative impacts related to health, noise, dust, and air quality, which aligned with the key themes found throughout stakeholder engagement. Additionally, decreased participation in the second survey could reflect reduced levels of concern from the local community in relation to the project as potential impacts were addressed.

#### 5.3.4 Project website

A Social Pinpoint website (<https://emm.mysocialpinpoint.com/new-cobar-complex>) was developed in March 2020 for the purpose of presenting:

- information regarding the project and approvals process;
- project updates;
- community and stakeholder engagement opportunities; and
- activities related to technical studies.

Between 21 March and 7 December 2020, the project website accumulated visits from 649 unique users who browsed for an average of 40 minutes.

A project map with details of technical assessment activities and updates was provided. Technical study updates are presented in Table 5.9.

**Table 5.9 Website project updates**

Technical study	Date
<ul style="list-style-type: none"> <li>• Traffic</li> <li>• Groundwater</li> <li>• Surface water</li> </ul>	April 2020
<ul style="list-style-type: none"> <li>• Historical heritage</li> <li>• Aboriginal heritage</li> </ul>	June 2020

**Table 5.9 Website project updates**

Technical study	Date
<ul style="list-style-type: none"><li>• Aboriginal heritage</li><li>• Geochemistry</li><li>• Geotechnics and subsidence</li><li>• Historical heritage</li><li>• Human health</li><li>• Noise and vibration</li><li>• Traffic</li></ul>	August 2020

## 5.4 Ongoing stakeholder engagement

The CCC will continue regular quarterly meetings to ensure PGM is kept informed of community concerns and for PGM to provide project updates to the community. PGM also intends to undertake additional CISs to encourage further community engagement. The CSES will be maintained and updated to identify additional engagement opportunities in relation to the project's future management strategies.

## 5.5 Conclusion

Community and stakeholder engagement for the project was undertaken throughout the scoping and EIS phases in accordance with the SEARs and regulatory guidelines. Key stakeholders included CSC, the CCC, neighbouring landholders, service providers and local residents.

Consultation findings showed that support for the project varied across the community. Key stakeholders acknowledged the benefits of mining for the local community, through the provision of employment opportunities and support for local businesses. However, concerns were also expressed that the project may also have negative impacts, particularly relating to air quality, noise and vibration, groundwater and community cohesion.

Community and stakeholder engagement findings demonstrated that interest in the project has declined over time as demonstrated by attendance rates and participation with CIS and online surveys. This could reflect a reduction in engagement as potential impacts and community concerns were addressed.

Community and stakeholder engagement, including regular meetings of the CCC, will continue through the approval process, and through the life of the project if approved. This will allow PGM to provide project updates to the community, and for PGM to be informed of relevant community concerns.



