

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 10419 New Cobar Complex Project
Applicant	Peak Gold Mines Pty Ltd
Consent Authority	Minister for Planning

Decision

The Director – Resource Assessments, under delegation from the Minister for Planning, has granted consent to the development application under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) subject to conditions.

A copy of the Department of Planning and Environment's assessment report and development consent is available [here](#).

Date of decision

22 April 2022

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*
- the objects of the Act;
- the considerations under s 7.14(2) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted with the development application and during the assessment;
- the findings and recommendations in the Department's assessment report; and
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision. The Department's assessment report also identifies additional reasons for making the decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including:
 - economic viability for the mine with continued employment for around 404 full time equivalent (FTE) employees across both New Cobar and Peak complexes and an additional 10 FTE operational jobs;
 - up to 272 FTE operational jobs at the New Cobar Complex during peak production;
 - 141 FTE construction jobs;
 - a capital investment value of approximately \$66 million;
 - a net present value of around \$281.4 million;
 - approximately \$145 M of direct and flow on expenditure across NSW, including approximately 75% in regional areas surrounding the project; and
 - approximately \$59.7 M in royalties and payroll tax to NSW.
- the project is permissible with development consent under the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*;
- the project is consistent with NSW Government policies;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed in the Department's assessment report and the recommended conditions of consent.
- engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The applicant engaged with the community during the preparation of the Environmental Impact Statement (EIS) as a requirement of the Secretary's Environmental Assessment Requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

The Department exhibited the EIS for the project from 25 February 2021 until 24 March 2021 (28 days). 12 submissions were received, including 1 comment, 4 objections and 7 in support of the project.

The table below includes a summary of how key issues raised by the community (including in submissions) were taken into consideration. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Blasting Potential blast impacts on residences in the vicinity of the mine and damage to property	Assessment - The project would continue to use blasting to develop underground workings, ranging from 150 to 800 metres below ground level. - The ground vibration criteria for residences of 5mm/s peak particle velocity for 95% of blasts undertaken in a 12-month period would not change. - The Department notes that no exceedance of blast criteria has occurred to date. Conditions The Department has recommended comprehensive blast conditions including: - ground vibration criteria; - a suitable system to notify the public of the blasting schedule; - monitoring of all blasts; and - requirement for a Blast Management Plan, including a protocol for investigating and responding to blast-related complaints
Air quality impacts and human health Increase in air quality impacts including dust, ventilation outlet emissions and associated health impacts	Assessment - The project would result in marginal increases in air emissions although no exceedances of air quality criteria is predicted at any receivers. - Surrounding community exposure to metals in dust generated by the project was assessed as presenting a very low risk of harm to human health, with exposure levels predicted to be well below health guidelines. Conditions The Department has recommended comprehensive air quality conditions including: - contemporary air quality criteria; - requiring implementation of all reasonable and feasible measures to minimise dust emissions from the site and continue to implement a real-time dust monitoring program and an active air quality management system to identify and manage potential exceedances; - requiring an Air Quality and Greenhouse Gas Management Plan to be prepared in consultation with the EPA, NSW Health and the Community Consultative Committee.
Traffic Impact of increased heavy vehicles on road safety and traffic noise	Assessment - The project would result in an increase in truck movements between New Cobar and Peak complexes and additional heavy and light vehicle movements during the six-month construction period for the proposed powerline corridor. - The Department considers that the New Cobar and Peak complex access intersections and the proposed construction access intersection should be upgraded to the satisfaction of the relevant roads authority. - Additional light and heavy vehicle movements associated with the project would result in minor increases in road traffic noise at the nearest receiver on Kidman Way. However, the minor increase would generally not be perceptible to the human ear and is considered acceptable under the <i>NSW Road Noise Policy</i> (RNP). Conditions The Department has recommended comprehensive traffic/ transport conditions including: - upgrading the three affected intersections to the satisfaction of the relevant roads authority; - minimising disruption and safety risks to other road users; - requiring a Traffic Management Plan, including a Driver's Code of Conduct; and

Issue	Consideration
	keeping accurate records of heavy vehicle movements entering and exiting the site.
<i>Water resources</i> - Potential impacts on water resources, including reduced water table and long-term impacts on groundwater resources and impacts to groundwater users particularly during times of drought - Concerns about potential impacts to surface water quality	<i>Assessment</i> - The project would be unlikely to adversely impact the regional groundwater table or groundwater quality in the vicinity of the site and impacts on water resources would be relatively localised. - The project would result in groundwater drawdown in the vicinity of the site, including at one registered bore at the Cobar District Rugby Club. PGM has committed to providing compensatory water supply to offset water losses attributed to the project. - Risks to surface water quality associated with the project are considered minimal. Any potential risk associated with potential acid-forming material would continue to be managed under strict conditions of consent. <i>Conditions</i> The Department has recommended comprehensive water resource conditions including: - water quality and waste rock emplacement performance measures, detailed plans for the design and management of waste rock material and emplacement; - requiring a comprehensive Water Management Plan prepared in consultation with DPE Water that includes a groundwater monitoring program; - ensuring there is a sufficient water allocation for all stages of the project; and - complying with specific water performance measures.
<i>Noise</i> Concerns about potential increased noise impacts	<i>Assessment</i> - The project would result in the continuation of noise emissions generated at the New Cobar complex for an additional 12 years. - Noise modelling predicted that there would be no exceedances of project noise trigger levels at all privately-owned receivers. - All receivers were predicted to experience noise levels below the minimum day, evening and night limits prescribed by the <i>Noise Policy for Industry 2017</i> (NPfI). <i>Conditions</i> The Department has recommended comprehensive noise conditions including: - noise limits for residential receivers set as the minimum limits prescribed by the NPfI; - requiring a Noise Management Plan, including a noise monitoring program; and - an out-of-hours works protocol for any construction works proposed to be undertake outside of the day period (i.e. 6am to 7am).
<i>Economic impacts and benefit to Cobar</i> Concerns the project would not provide economic benefit to Cobar	<i>Assessment</i> - The project would allow the continued employment of 404 FTE operational jobs and up to 272 FTE construction jobs at the New Cobar Complex during peak production. - The project would provide continuity of a significant number of direct and indirect jobs, and that a significant percentage of the workers would reside in the local area. The Department expects that a large proportion of workers' salaries would be reinvested and circulated within the region, including the Cobar township. <i>Conditions</i> - No conditions necessary