

Notice of decision

Cowal Gold Operations - Modification 16

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

Application type	Part 4 modification application
Application number and project name	DA14-98 – Modification 16 Cowal Gold Operations
Applicant	Evolution Mining (Cowal) Pty Limited
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director – Resource Assessments, under delegation from the Minister for Planning and Public Spaces, has, under section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

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

Date of decision

30 September 2021

Reasons for decision

The Department's assessment report considered the modification application for DA14/98 (Mod 16) concurrently with the State Significant Development application for the Cowal Gold Operations Underground Mine as the modification to the existing operations was required to support the underground operation.

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 modification application and during the assessment;
- the findings and recommendations in the Department's assessment report; and
- the views of the community about the modification application and the underground mine application (see **Attachment 1**).

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

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

- the modification application in supporting the underground mine would provide a range of benefits for the region and the State as a whole, including:
 - economic viability for the mine and continued employment for the mine's existing workforce of around 500 people;
 - a capital investment value of approximately \$276 million;
 - up to 160 construction jobs and up to an additional 230 operational jobs employed directly at the mine;
 - a net present value of around \$314.4 million;
 - a net economic benefit of \$175 million worth of revenue for the State over its lifetime, mainly from royalties; and
 - additional estimated taxation revenue of around \$557 million, some of which will be returned to NSW.
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, subject to the recommended conditions of consent and 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; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department's assessment report considered the project concurrently with the modification application for DA14/98 (Mod 16). As such, submissions and community views for the project and Mod 16 were considered together.

The Department exhibited the Environmental Impact Statement (EIS) for the project and Modification Report for Mod 16 from 26 October 2020 until 22 November 2020. A combined total of 17 submissions were received from community members. Except for one objection to Mod 16, all submissions from community members were in support of the project and Mod 16 proposal.

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

<i>Issue</i>	<i>Consideration</i>
<p><i>Water resources</i></p> <ul style="list-style-type: none"> the volumes of water taken from ground water bores and other water users in the region; the Lachlan Valley water allocations, particularly during drought periods and reduced inflows; the accuracy of predicted future meteorological conditions; and post mining conditions, and rehabilitation and remediation outcomes with particular concerns about the water table. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Evolution holds sufficient water licences to account for all water take associated with the project. Extraction from the borefields would be limited by Evolution in accordance with a contingency strategy to ensure the sustainable and equitable use of these resources for all groundwater users. Dry climate sequence modelling and proposed water management measures indicates water supply would be adequate. Predicted impacts confirm that maximum cumulative drawdown would be confined within the existing mining lease, apart from small areas to the north and south where the 1 m drawdown contour extends just outside the lease area. No privately-owned groundwater bores, which are all located well beyond the mining lease boundary, are predicted to be affected and no exceedances of the minimal impact considerations in the <i>NSW Aquifer Interference Policy</i> are predicted. The predicted groundwater impacts from the project were verified by the Departments independent groundwater expert Mr Hugh Middlemis. <p><i>Conditions</i></p> <ul style="list-style-type: none"> To ensure the effective and sustainable management of water resources, the Department has recommended conditions requiring Evolution to: <ul style="list-style-type: none"> ensure it has sufficient water for all stages of the project and if necessary, adjust the scale of mining operations on site to match its available water supply; preferentially use available water supplies, with priority given to reclaimed water and saline water supplies; ensure it has adequate water access licences to account for all water used by the project; not discharge any mine water from the site under any circumstances; provide compensatory water supplies to any private landowner whose supply is found to be adversely impacted by the project (including from the borefields); comply with a range of water management performance measures and rehabilitation objectives; prepare and implement a comprehensive Water Management Plan for the project, including a: <ul style="list-style-type: none"> water balance; surface water management plan and monitoring program; groundwater management plan and monitoring program, including a contingency strategy for the integrated waste landform and tailings storage facility; and program to regularly validate the water balance, salt balance and groundwater model.