

Planning Secretary's Environmental Assessment Requirements

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

Application Number	SSD-10419
Project	<p>New Cobar Complex Underground Project, which involves:</p> <ul style="list-style-type: none"> · expanding underground mining at the New Cobar Complex; · increasing ore truck movements to the Peak Complex from an average of 25 movements to 50 movements per day; · extending the life of the mine by 12 years, until 2035; · utilising the existing mining fleet and surface facilities; · constructing new power supply infrastructure; · rehabilitating the site; and · consolidating all development consents applicable to the New Cobar Complex into one single consent.
Location	Kidman Way, Cobar, within the Cobar Shire local government area
Applicant	Aurelia Metals Limited
Date of Issue	13/02/2020
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> · a stand-alone executive summary; · a full description of the development, including: <ul style="list-style-type: none"> - clear delineation of approved development and proposed additional infrastructure, activities and operational changes; - historical mining operations on and nearby the site; - the geological setting and resource to be extracted (size and quality), demonstrating efficient resource recovery within environmental constraints; - the mine layout and scheduling; - minerals processing and transport arrangements; - infrastructure and facilities (including any existing infrastructure or infrastructure that would be required for the development, but the subject of a separate approval process); - workforce requirements during all phases of the development (on a full-time equivalent basis); - surface disturbance footprint; - a waste (overburden, tailings, etc) management strategy; - a water management strategy; - a rehabilitation strategy; - the likely interactions between the development and any other existing, approved or proposed mining developments, in the vicinity of the site; including the Peak Complex and any upgrades and approvals required to continue to process ore, manage tailings and waste rock from the New Cobar Complex; · a strategic justification of the development focussing on site selection and the suitability of the proposed site; · a list of any approvals that must be obtained before the development may commence;

	<ul style="list-style-type: none"> · details on the existing development consents proposed to be surrendered; · an environmental risk assessment to identify the potential environmental impacts associated with the development, including: <ul style="list-style-type: none"> - a description of the existing environment likely to be affected by the development, using adequate baseline data; - an assessment of the potential impacts for all stages of the development, including any cumulative impacts, taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice; - a description of the measures that would be implemented to avoid, minimise, mitigate and/or offset the likely impacts of the development, and an assessment of: <ul style="list-style-type: none"> o whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented; o the likely effectiveness of these measures; and o whether contingency measures would be necessary to manage any residual risks; and - a description of the measures that would be implemented to monitor and report on the environmental performance of the development; · a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; · consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>); · a conclusion evaluating the merits of the project as a whole, having regard to the requirements in Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>; and · a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading. <p>In addition to the matters set out in Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>, the development application must be accompanied by a signed report from a suitably qualified and experienced person that includes an accurate estimate of the capital investment value (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>), including details of all the assumptions and components from which the capital investment value calculation is derived.</p>
<p>Key issues</p>	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> · Land Resources – including an assessment of: <ul style="list-style-type: none"> - the likely impacts of the development on the soils and land capability of the site and surrounds; - the likely agricultural impacts of the development, including biosecurity risks; - the likely impact of the development on landforms (topography), including the long-term geotechnical stability of any new landforms on site; and - an assessment of the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements of Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, paying particular attention to the agricultural land use in the region; · Subsidence – including an assessment of the likely conventional and non-conventional subsidence effects, and the potential consequences of these effects and impacts on the natural and built environment, paying particular

attention to features that are considered to have significant economic, social cultural or environmental value;

• **Air Quality** – including and assessment of:

- the likely air quality impacts of the development in accordance with the *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW*, having regard to the NSW Government's *Voluntary Land Acquisition and Mitigation Policy*; and
- the likely greenhouse gas impacts of the development;

• **Human Health** – including:

- a Human Health Risk Assessment addressing how the development's environmental impacts in relation to air quality (including heavy metals) and noise may impact on the health of the local community; and
- monitoring and management measures to reduce risk to human health;

• **Water** – including:

- an assessment of the likely impacts of the development on the quantity and quality of surface and groundwater resources having regard to the *NSW Aquifer Interference Policy*;
- an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users;
- a detailed site water balance, including a description of site water demands, water disposal methods (including the location, volume and frequency of any water discharges and management of discharge water quality), water supply arrangements, water supply and transfer infrastructure and water storage structures, including:
 - o an assessment of the reliability of water supply, including consideration of climate change; and
 - o demonstration that water can be obtained from an appropriately authorised supply in accordance with the operating rules of any relevant Water Sharing Plans (WSP);
- identification of any licensing requirements or other approvals under the *Water Act 1912* and/or *Water Management Act 2000*, including a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP or water source embargo;
- a detailed description of the proposed water management system (including sewerage), water monitoring program and other measures to mitigate surface water and groundwater impacts;
- a description of construction erosion and sediment controls, how the impacts of the development on areas of erosion, salinity or acid-sulphate risk, steep gradient land or erodible soils types would be managed and any contingency requirements to address residual impacts; and
- an assessment of the potential flooding impacts of the project

• **Noise, Vibration and Blasting** – including an assessment of:

- the likely construction, operational and off-site noise impacts of the development, in accordance with the under the *Interim Construction Noise Guideline*, *NSW Noise Policy for Industry* (EPA) and *NSW Road Noise Policy*, and having regard to the *Voluntary Land Acquisition and Mitigation Policy*;
- the likely blasting impacts of the development on people, animals, buildings and infrastructure, and significant natural features, having regard to the relevant ANZECC guidelines;

• **Biodiversity** – including:

- an assessment of the likely biodiversity impacts of the development, in accordance with the *Biodiversity Assessment Method* and documented in a Biodiversity Development Assessment Report, and a strategy to offset any

residual impacts of the development in accordance with the rules under the Biodiversity Offsets Scheme, unless the Planning Secretary and the Environment Agency Head determine that the proposed development is not likely to have any significant impacts on biodiversity values; and

- an assessment of the likely impacts of the development on aquatic ecology, including aquatic biodiversity and key fish habitats;
- **Heritage** – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development, including consultation with Aboriginal stakeholders in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (OEH, 2010);
- **Transport** – including:
 - details of traffic types and volumes likely to be generated by the project;
 - an assessment of the likely transport impacts of the development on the capacity, condition, safety and efficiency of the road network; and
 - a description of the measures that would be implemented to mitigate and/ or manage any impacts, including any proposed upgrades, road maintenance contributions, and any other traffic control measures developed in consultation with the relevant road authority;
- **Visual** – including an assessment of:
 - the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, paying particular attention to the creation of any temporary or permanent modification to the landscape;
 - the lighting impacts of the development;
- **Waste** – including estimates of the quantity and nature of the waste streams that would be generated by the development (including tailings and waste rock) and any measures that would be implemented to minimise, manage or dispose of the waste streams;
- **Rehabilitation and Final Landform** – including:
 - a detailed overview of the final land-use for the development, including the mine site and ancillary infrastructure;
 - a description of final landform design objectives, having regard to achieving a natural landform that is safe, stable, non-polluting, fit for the nominated post-mining lands use and sympathetic with surrounding landforms; and
 - the proposed rehabilitation and mine closure strategies for the site having regard to the key principles in the *Strategic Framework for Mine Closure*, including rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria;
- **Hazards** - including an assessment of the likely risks to public safety, paying particular attention to potential subsidence risks, geochemical risks, and the handling, transport and use of any dangerous goods, in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*; and
- **Social** – including an assessment of the likely social impacts of the development on the local and regional community generally in accordance with the *Social Impact Assessment Guidelines for State Significant Mining, Petroleum Production and Extractive Industry Development* (2017), including the likely impacts of the development on the local community, cumulative impacts (considering other mining developments in the locality), and consideration of workforce accommodation; and
- **Economic** – an assessment of the likely economic impacts of the development, paying particular attention to the:
 - costs and benefits of the development for the State; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates; and
 - demand for the provision of local infrastructure and services.

<p>Consultation</p>	<p>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 <i>Community Consultative Committee Guidelines: State Significant Projects</i> dated November 2016.</p> <p>You should also consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups and affected landowners.</p> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation (including by the CCC), and explain how these issues have been addressed in the EIS.</p>
<p>Further consultation after 2 years</p>	<p>If an EIS for the project is not lodged within 2 years of the issue date of these Environmental Assessment Requirements, the Applicant must consult further with the Secretary in relation to the preparation of the EIS.</p>
<p>References</p>	<p>The assessment of the key issues listed above must take into account relevant planning instruments, guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p>

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Land	
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Agfact AC.25: Agricultural Land Classification (NSW Agriculture)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Land Use Conflict Risk Assessment Guide (DPI)
Water	
Water Sharing Plans	Relevant water sharing plans
Groundwater	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	NSW Aquifer Interference Policy 2012 (NOW)
	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	NSW State Rivers and Estuary Policy (NOW)
	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	Environmental Guidelines: Use of Effluent by Irrigation (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
NSW Guidelines for Controlled Activities (NOW)	
Flooding	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
Biodiversity	
	Biodiversity Assessment Method (OEH)
	Fisheries NSW policies and guidelines
	Guidelines for developments adjoining Department of Environment, Climate Change

and Water (DECCW, 2010)

Guidelines for Threatened Species Assessment (DP&E)

Guidance to assist a decision-maker to determine a serious and irreversible impact (OEH)

NSW State Groundwater Dependent Ecosystem Policy (NOW)

Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

Heritage

The Burra Charter (The Australia ICOMOS charter for places of cultural significance)

Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)

Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)

Due Diligence Code of Practice for Archaeological Investigations of Objects in NSW (OEH)

Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH)

NSW Heritage Manual (OEH)

Statements of Heritage Impact (OEH)

Noise & Blasting

NSW Noise Policy for Industry (EPA)

Interim Construction Noise Guideline (DECC)

NSW Road Noise Policy (EPA)

Rail Infrastructure Noise Guideline (EPA)

Voluntary Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)

Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC)

Assessing Vibration: A Technical Guideline (DEC)

Air

Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (EPA)

Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)

Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)

National Greenhouse Accounts Factors (Commonwealth)

Voluntary Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)

Transport

Guide to Traffic Generating Development (RTA)

Road Design Guide (RMS) & relevant Austroads Standards

Hazards

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

Hazardous and Offensive Development Application Guidelines – Applying SEPP 33

Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis

Planning for Bush Fire Protection 2006 (RFS)

Resource

Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)

Waste

Waste Classification Guidelines (DECC)

Rehabilitation

Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)

Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)

Strategic Framework for Mine Closure (ANZMEC-MCA)

Environmental Planning Instruments

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

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019

State Environmental Planning Policy No. 55 – Remediation of Land

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

Cobar Local Environmental Plan 2012