

Date

24 May 2024

To

Dan Lawlor
Senior Planner
Development Approvals & Design

Address

Statutory Planning Services
Department of Transport and Planning
8 Nicholson Street
East Melbourne
VIC 3002

Sent

Via Email dan.lawlor@delwp.vic.gov.au

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Dear Dan

Planning Permit Application No. PA2402799**200 Bradleys Lane & 62 Phillips Lane, Costerfield****Response to further information & S.50 amendment application**

We continue to act on the behalf of Mandalay Resources Costerfield Operations Pty. Ltd. and enclose an application to amend the above planning permit application pursuant to Section 50 of the *Planning and Environment Act 1987*. We also enclose a package of updated material in response to the request for further information contained in the Department of Transport and Planning's (DTP) letter dated 9 May, 2024.

In support of the application please find enclosed the following documents:

- Letter from the Chief Executive Officer, Invest Victoria, dated 3 May 2024; and
- An updated Town Planning and Urban Context Report prepared by our office which reflects discussions held since the initial lodgement of the proposal with the DFP with respect to land use.

S.50 amendment

We refer to the Department of Transport and Planning letter dated 9 May, 2024, which provides confirmation that the submission to the DFP on 27 March, 2024, for the construction of buildings and works for a tailings storage facility, satisfies the requirements of Clause 53.22 of the Greater Bendigo Planning Scheme and may be lodged with the Minister for Planning.

A planning permit application was lodged via permits online on 13 March, 2024. Given the draft application is eligible to apply for a planning permit, a Section 50 amendment application is enclosed to update the application material that was lodged through permits online.

More specifically, the following amendments are made to the planning permit application:

- In accordance with the requirements set out at Clause 53.22-3 please find enclosed written advice from the Chief Executive Officer, Invest Victoria, dated 3 May 2024; and



- An updated Town Planning and Urban Context Report with references to the proposed use of the land for mining deleted.

Response to preliminary comments and further information

Having regard to the request for further information, we note the following:

Information requested	Response
Preliminary comments	
<p><i>The Environment Protection Authority letter dated 1 February 2023 requested that an Air Quality Impact Assessment (AQIA), including a Construction Environmental Management Plan (CEMP) be prepared that captures the high-risk activities during both the construction and operation of the facility.</i></p> <p><i>A copy of any AQIA or CEMP prepared to address potential air amenity risks should be provided with the application.</i></p>	<p>The Air Quality Impact assessment is addressed in the Work Plan Variation material. Please refer to Section 5.9 Air Quality, which includes an assessment in accordance with <i>EPA publication 1961 – Guidelines for assessing and minimising air pollution.</i></p> <p>A CEMP will be prepared once the contractor for the Tailings Dam has been appointed. This can be addressed by way of permit condition, and if possible, we will provide this to DTP in advance of any decision being made.</p>
Further information	
<p><i>A copy of the Environment Management Plan referenced at Section 4.1.7 of the Work Plan Variation Report Brunswick West TSF prepared by Accent Environmental, dated 3 July 2023.</i></p>	<p>Section 4.1.7 of the Work Plan Variation Report should reference an <i>Environmental Management System Manual</i> rather than the <i>Environment Management Plan</i>.</p> <p>The Environmental Management Systems Manual is an overarching document that contains various management plans, including noise, water and air quality.</p> <p>Please refer to the enclosed <i>Environmental Management System (EMS) Manual & Environment Monitoring Plan</i>.</p>

We trust that the information provided is to your satisfaction. If you have any questions, please do not hesitate to contact the undersigned, Felicity Karakiklas, of this office.

Yours sincerely,

Lisa Stubbs
Director

Encl.

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