

# Project Refusal

## Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission of New South Wales (the Commission) refuses to approve the project application referred to in schedule 1, pursuant to Section 75J(1) of the *Environmental Planning and Assessment Act 1979*, for the reasons outlined in schedules 2.



Garry Payne AM  
**Chair of the Commission**



Gordon Kirkby  
**Member of the Commission**



David Johnson  
**Member of the Commission**

Sydney

17 October 2014

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### SCHEDULE 1

|                            |   |
|----------------------------|---|
| <b>Application Number:</b> | 11_0062                                   |
| <b>Proponent:</b>          | Anglo American Metallurgical Coal Pty Ltd |
| <b>Approval Authority:</b> | Minister for Planning                     |
| <b>Land:</b>               | See Appendix 1                            |
| <b>Project:</b>            | Drayton South Coal Project                |

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## **SCHEDULE 2**

The Commission's reasons for refusing the project application are outlined below:

1. The project does not provide sufficient buffer to protect Coolmore and Darley from the impacts of mining as recommended in the PAC Review Report and the Gateway Panel Report.
2. The project has not demonstrated that it will not adversely impact on equine health and the operations of the Coolmore and Darley horse studs.
3. The approach of monitoring the response of thoroughbred horses to the mine's operation to address uncertainty is not acceptable because once the damage to the operations of the studs occurs, it is irreversible.
4. The economic benefits of the project do not outweigh the risk of losing Coolmore and Darley and the potential demise of the equine industry in the area with flow-on impacts on the viticultural tourism industries.
5. The project is not in the public interest.