



PLANNING AND ACCESS COMMITTEE

MEETING: Monday 31st August 2020

SUBMITTED BY:	Director of Rural Development & Planning
APPLICATION NUMBER:	2017/0254/MIN
APPLICANT:	SGZ Cononish Limited
LOCATION:	Cononish Gold Mine, Tyndrum

NATIONAL PARK WARD:	Ward 2 (northern (central) area)
COMMUNITY COUNCIL AREA:	Strathfillan Community Council

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1 SUMMARY AND REASON FOR PRESENTATION

1.1 This is an annual report to provide an update to members on the development of the Cononish Gold and Silver Mine near Tyndrum.

2 RECOMMENDATION

2.1
That Members NOTE:
 1. the updates on the development

3 BACKGROUND

3.1 A planning application for the development of an underground mine to extract gold and silver with associated service and production building, plant, storage areas, Tailings Storage Facility (TSF), settlement pond and gauging station, bridge and car parking (Further revision of permission 2014/0285/DET) was received in August 2017. On 27 February 2018 the National Park Authority Board was minded to approve the application subject to conditions and a section 75 legal agreement. Following the conclusion of the section 75 legal

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agreement, planning permission was granted - with the issuing of the decision notice on 19 October 2018. All suspensive conditions were discharged between March and December 2018 and works started on site on 3 January 2019.

4 REPORTING TO PLANNING AND ACCESS COMMITTEE

- 4.1 Verbal updates were provided to Members at Board meetings in June and September 2018, with an update paper presented to the December 2018 Board meeting. Given the significance of the development within the National Park, annual progress update reports will be presented to Planning and Access Committee. The first introductory report was presented to committee in June 2019. This report updates Members on progress on site between June 2019 and August 2020.
- 4.2 Members were invited to attend a site visit to Cononish on 6 November 2019. Those that attended were given a tour of the site by representatives of Scotgold and the Planning Authority and viewed progress on site.

5 UPDATE ON PROGRESS

Construction Works

- 5.1 Planning permission was granted for a 17 year period, which includes, construction, mining operations, restoration, decommissioning and all ancillary development. The 17 years does not include aftercare of the mine site. The 17 years was based on the operators anticipated production rate and it was explained that depending on funding a greater production rate may be possible, reducing the operational period to 10 years. The operator has confirmed that they are working to the 10 year scenario. The development can be divided into three phases: construction, operation and restoration. Since the last update to committee in June 2019, the construction phase of the development has continued. Outwith the mine site the extension to car parking at Dalrigh and a new bridge over the Crom Allt river have been completed. Improvements to the Oak Path at Dalrigh and tree planting at both Dalrigh car park and the Crom Allt bridge has been undertaken. Improvements have also been made to the access track to the mine from Dalrigh with stand- off areas for pedestrians being established.
- 5.2 Within the mine site, works have progressed on the plant platform and bund construction for the processing building which is now complete apart from some final landscaping. Work continues on the establishment of the site drainage system including a new settlement pond. The preparation of the footprint of the first stack (TMF) will commence with stripping of vegetation to allow the completion of the landscaping of the screening bund. This follows approval of the Stack Specific Restoration Plan for Stack 1 under condition 29 of the planning consent. The concrete and structural works to construct the processing plant building commenced in June 2020 and the processing plant building is expected to be complete by November 2020. The development will then move into the operational phase and gold will be produced.

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- 5.3 There have been some delays to the construction phase of the development due to unexpected volumes of peat within the plant platform and bund area of the site and very poor weather in the later part of last year and early part of the year. The peat required to be removed to allow for earthworks and this meant that temporary storage areas for peat had to be found on site. Two temporary 'peat cells' for the storage of peat were formed on site. However, due to the volumes of peat and site constraints in terms of potential storage areas, it was also necessary for peat to be stored temporarily outwith the mine site (see below).

Planning Application 2019/0362/DET

- 5.4 An area of land was identified to the east of the mine site, within Cononish Farm, where peat could be stored for a temporary period. A planning application for the formation of access track and containment cells for the temporary storage of peat (partially retrospective) was submitted in December 2019 (reference 2019/0262/DET). This planning application remains in the assessment phase, pending the conclusion of the final restoration proposals for this area and the agreement from SEPA on the proposed use of the peat.

Discharge of Conditions and Updates to Documentation

- 5.5 Conditions of the planning permission continue to be discharged in consultation with internal and external consultees as work progresses on site. Some of the planning conditions relate to different phases and elements of the development meaning that the discharge of conditions is a continual process. In addition, as works evolve on site, changes to approved documentation has been required to reflect any agreed adjustments.

Amendments to approved plans

- 5.6 As with many large and complex developments, a number of changes have been proposed to the detailed plans. This is standard practice expected for such developments as proposals are refined in the final design stages. The process for these minor changes is to apply to the Planning Authority for a 'Non Material Variation' (NMV). Seven of these have been approved at the time of preparing this report, including changes to the plant platform and bund, alterations to the settlement pond size, shape and location and an extension to the contractor's compound area. It is anticipated that further non-material variations will be requested by the applicant as more detailed designs are prepared for different aspects of the development.

Restoration

- 5.7 Some aspects of the restoration works will be ongoing throughout development. To date, tree planting and landscaping has been completed at Dalrigh car park and the new Crom Allt bridge and over 2,000 trees have been planted within the mine site. The plant platform and bund has been progressively restored as it has been formed and the Stack 1 Restoration Plan has been approved. Progressive restoration at the site has on the whole been successful so far with vegetation establishment. Works identified in the Greater Cononish Glen Management Plan (GCGMP) have progressed, and water quality monitoring is ongoing to comply with SEPA and SNH's requirements.

Monitoring of Development

- 5.8 Since the commencement of development, site visits have been undertaken monthly by the Planning Monitoring officer (PMO), usually accompanied by a representative of the National

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Park Authority including the Development Management Planning Manager, Development Monitoring Officer, Planning Case Officer, Ecologist or Landscape Adviser. Monthly PMO site visits will continue throughout the construction phase of the development.

- 5.9 Following each site visit the PMO produces a "Planning Audit Report" for the Planning Authority which includes a summary of site visit, a clear audit trail of any issues arising (and what the operator proposes to do to remedy them) and a classification of these issues based on traffic-light reporting. The PMO Planning Audit Reports are published online on the public access website 6 months after the site visit, to allow the operator a reasonable timeline to address any arising issues, and to not prejudice any formal enforcement action should that be required.

Review Meeting with Developer and Stakeholders

- 5.10 Review meetings with the developer and other stakeholders have been held in July 2019 and January 2020. This included representatives from The National Park Authority (Planning and Ecology), SEPA (Scottish Environment Protection Agency), Scotgold, Dalgleish Associates (Planning Agent) and Ironside Farrar as PMO. The purpose of these meetings was to review progress on site, ways of working and provide an open forum for feedback between all parties. Monitoring the development to date has required significant staff resource, there have been challenges to the progress of the development, with delays resulting from changes on site necessitating updates to documentation, ongoing review and required consultation with other statutory bodies. A good working relationship has been developed between all parties and the National Park Authority continues to facilitate a collaborative approach.

Monitoring reports from the operator (including LCoW and ECoW)

- 5.11 The operator (SGZ Cononish Limited) is required to submit (as a minimum) quarterly construction and operation monitoring reports to the Planning Authority setting out how the requirements of the Construction Environment Management Plan (CEMP) and all other conditions of the permission are being adhered to on site. Each report is specified to contain an update on construction or restoration progress, up-to-date photographs and an update from the ECoW and LCoW including evidence of, and from, their site visits and including their photographic record. The report is also required to contain a list of issues identified and the subsequent report should explain how the issue has been addressed and evidence the remedial works undertaken. The sixth of these reports from the operator was submitted to the planning case officer on 31 July 2020. In addition, more frequent updates have been provided by the operator including direct site reports from the ECoW and LCoW.

GCGMP (Greater Cononish Glen Management Plan)

- 5.12 The section 75 legal agreement requires the operators to establish a GCGMP Glen Advisory Group to provide recommendations to the operators and the National Park Authority on all aspects of the Greater Cononish Glen Management Plan, and on the implementation thereof. It is required to meet at least once a year in the first 10 years from the date of commencement of development, and more frequently during intensive operations.
- 5.13 The GCGMP Advisory Group held its third meeting on 29 January 2020. As per the requirements of the section 75 legal agreement, a report was submitted to the National Park

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Authority prior to the meeting. This detailed the works that have been undertaken in compliance with the Greater Cononish Glen Management Plan since the last meeting; and the works, which are proposed to be undertaken in compliance with the Greater Cononish Glen Management Plan in the following 12 months. GCGMP works which have been completed include interpretative signage erected at Dalrigh car park, vegetation surveys and SSSI consent granted for fencing and planting, tree planting at Dalrigh car park and tree planting and landscaping at the new Crom Allt bridge.

- 5.14 The final GCGMP was approved by the Park Authority on 21 February 2020.

Habitat and Land Management Advisory Group

- 5.15 The section 75 legal agreement also requires the operators to establish a Habitat and Land Management Advisory Group to provide recommendations to the Operators and the Park Authority on all aspects of the Decommissioning and Restoration Plan, and on the implementation thereof. The first meeting of the Habitat and Land Management Advisory Group was held on 24 July 2019 and the second meeting planned shortly after the time of writing. As per the terms of the section 75, a report was circulated to members of the group prior to the meeting noting progress on restoration works to date.

Financial Contributions

- 5.16 In order to mitigate any adverse environmental impacts, and to ensure the wider social and economic impacts of the development are met the section 75 legal agreement requires the operators to make payments to Loch Lomond and the Trossachs Countryside Trust. The initial payment has been made by Scotgold to the countryside trust.

5.17 Coronavirus

Due to the coronavirus pandemic and the lockdown restrictions imposed by the Scottish and UK Governments, Cononish mine ceased all underground mining operations and construction activity on 27 March 2020 with the site entering a care and maintenance programme. Due to the lockdown restrictions, no PMO site visits were undertaken in March, April or May 2020. The operator has nevertheless been proactive in keeping both the National Park Authority and the PMO updated on works being undertaken on site and monitoring of the site has continued through the exchange of photographs, videos and the use of teleconferencing. The construction works and underground mining have now resumed and a PMO site visit was undertaken in June 2020.

6 LOOKING FORWARD

- 6.1 The next 6 months are a critical stage in the development. The construction period is expected to be complete in November 2020 and the development will move into the operational phase. Within the next 6 months stack 1 footprint will be stripped of vegetation and prepared for tailings placement with a series of layers including a basal drainage layer and shear key formed from mine rock where required. Stack footprints will be incrementally prepared for deposition of the tailings and once the tailings are deposited and compacted sufficiently then soils will be added, followed by turves, mulch and divots taken from the footprint of the next stack in the sequence. The formation of the first stack is expected to take

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around 17 months, relative to the production of tailings from the processing of ore and the size of the stack. The stack restoration phase will continue on a phased basis throughout the life of the mine in tandem with mine operation.

- 6.2 The move from construction to operation and the placement of tailings in the first stack will be a significant focus for the Planning Authority. The primary objective of the tailing stacks is to create a naturalistic landform characteristic of 'moraines' similar to hummocky features naturally occurring elsewhere in the glen. In creating these, it is essential that they do not appear as man-made engineered earthworks and are integrated into the existing topography. The satisfactory restoration of the tailing stacks also relies on the majority of vegetation being successfully transferred from one area and established in another, maintaining a mosaic of habitats.
- 6.3 Close monitoring of the development will continue with PMO site visits, ECoW and LCoW site visits and reporting. The Planning Authority will continue to dedicate staff resource to this significant development and work with other statutory bodies such as SEPA and SNH.

7 CONCLUSION

- 7.1 It is recommended that Members NOTE the contents of this report and the update that has been provided on the development.

8 BACKGROUND DOCUMENTS

- 8.1 For background information, Members should go to the website – <https://eplanning.lochlomond-trossachs.org/OnlinePlanning/?agree=0> then enter the search criteria as 2017/0254/MIN.