



Ginkgo Mineral Sands Mine Modification 14

Extension of Mine Path
State Significant Development Modification Assessment
(251-09-01 MOD 14)

March 2021



Published by the NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Ginkgo Mineral Sands Mine Modification 14

Subtitle: State Significant Development Modification Assessment

Cover image: *Ginkgo Mineral Sands Mine*

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1 Introduction

1.1 Background

Tronox Mining Australia Ltd (Tronox) owns and operates the Ginkgo Mineral Sands Mine (Ginkgo Mine), located approximately 85 kilometres (km) north-east of Wentworth in the Wentworth Shire local government area (see **Figure 1**).

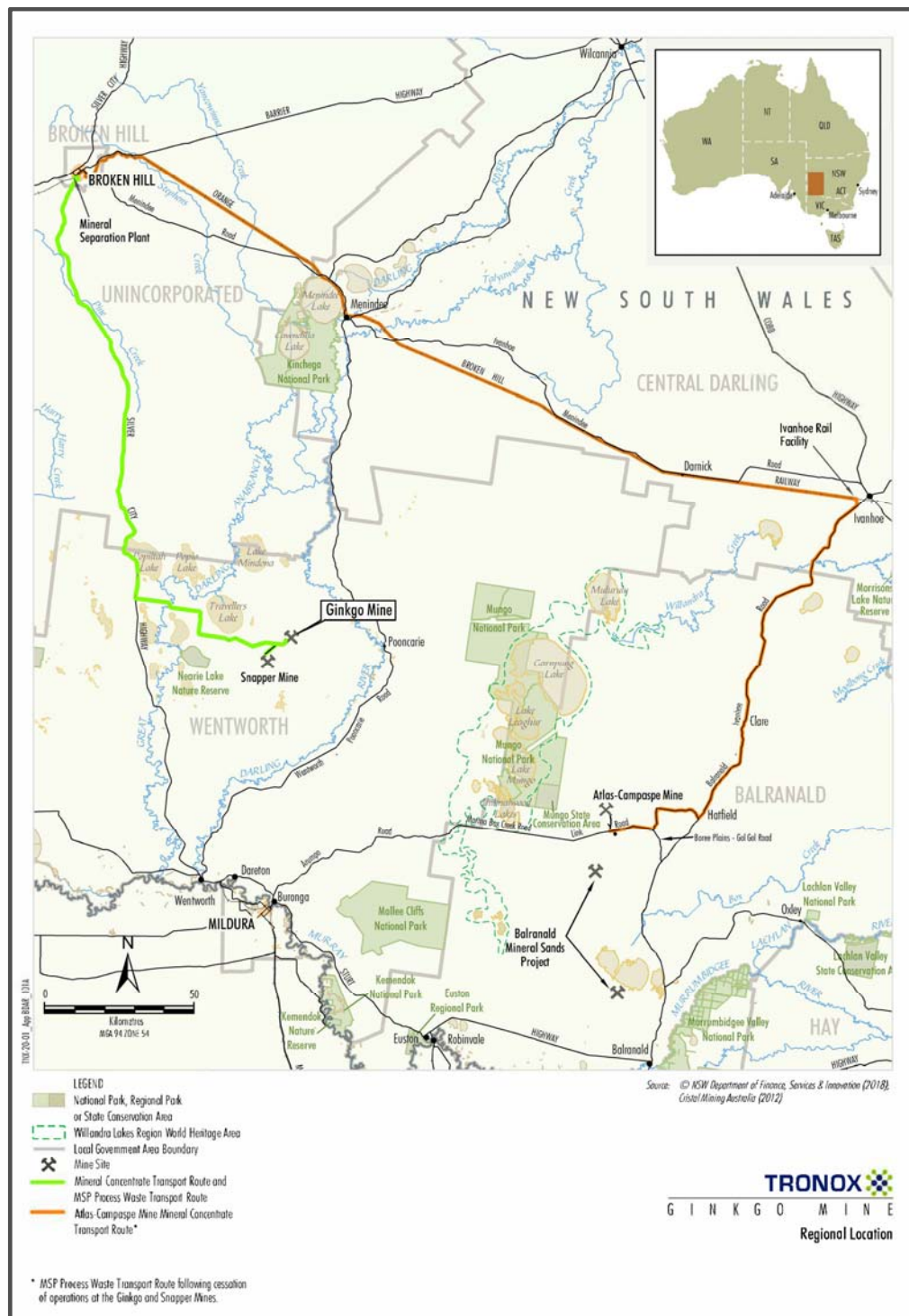


Figure 1 | Ginkgo Mine Regional Context

The Ginkgo Mine forms part of Tronox's mineral sands operations that includes the nearby Snapper Mineral Sands Mine (Snapper Mine), Broken Hill Mineral Separation Plant (MSP) and Atlas-Campaspe Mine (approved but not yet constructed).

The Ginkgo Mine was approved on 30 January 2002 by the then Minister for Planning under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and was commissioned in 2005.

The development consent has previously been modified on 13 occasions. Under the Ginkgo Mine consent (DA 251-09-01), Tronox is permitted to:

- extract approximately 19.9 million tonnes per annum (Mtpa) of mineral sands ore;
- produce a maximum of 576,000 tonnes per annum (tpa) of mineral sands concentrate;
- transport mineral concentrates from the site (up to 975,000 tpa from the Ginkgo Mine and Snapper Mine combined);
- receive processed waste material from the Broken Hill MSP (up to 300,000 tpa to the Ginkgo Mine and Snapper Mine); and
- construct and operate an on-site putrescible and non-putrescible waste landfill (up to 350 tpa).

2 Proposed modification

2.1 Scope of modification

On 23 November 2020, Tronox lodged a modification application and Modification Report (see **Appendix A**) under section 4.55(2) of the EP&A Act. The modification involves:

- an extension of the existing/approved Ginkgo deposit mine path and associated supporting infrastructure within Mining Lease (ML) 1504;
- development of temporary overburden emplacements and soil stockpile areas adjacent to the Ginkgo deposit mine path;
- extension of the existing/approved site water management system to incorporate the Ginkgo deposit mine path extension;
- a change to the location of the approved Ginkgo deposit final depressions to reflect the mine path extension;
- extension of the approved Ginkgo Mine life from March 2023 to December 2025; and
- relinquishment of an undisturbed portion of the approved surface development area that could be avoided.

The proposal would include a 244 hectare (ha) increase in the extent of the existing/approved surface development area at the southern end of the Ginkgo deposit. Tronox also proposes to relinquish approximately 38 ha of the approved surface development area that is currently undisturbed, at the northern end of the Ginkgo deposit (the relinquishment area). Overall, the modification would result in an approximate 206 ha net increase in the surface development area at the Ginkgo Mine.

A summary of the proposed modification compared to the approved project is provided in **Table 1** and depicted in **Figures 2** and **3**. The proposal is described in detail in the Modification Report (see **Appendix A**).

Table 1 | Comparison of Proposed Modification and Approved Project

Component	Approved Project	Proposed Modification
Project life	<ul style="list-style-type: none"> Mining operations approved until March 2023 	<ul style="list-style-type: none"> Extension to December 2025
Tenement	<ul style="list-style-type: none"> Mining operations conducted within ML 1504 and the Crayfish deposit Mining Lease Application area 	<ul style="list-style-type: none"> No change
Surface Infrastructure	<ul style="list-style-type: none"> Approximately 1,570 ha (Processing Option 1) or 1,543 ha (Processing Option 2) 	<ul style="list-style-type: none"> Approximate 206 ha net increase to the existing/approved surface infrastructure area
Mining	<ul style="list-style-type: none"> Ginkgo deposit – double-pass dredge mining operation producing approximately 13 Mtpa of ore and moving up to approximately 24 Mtpa of overburden Crayfish deposit – dry mining (i.e. dozers and/or loaders and excavators) operation producing approximately 6.9 Mtpa of ore and moving approximately 7.4 Mtpa of overburden 	<ul style="list-style-type: none"> Approximate 90 ha extension to the Ginkgo deposit mine path No change to other mining components
Overburden Management	<ul style="list-style-type: none"> Replacement of overburden is undertaken by an overland conveyor system or dry mine fleet. Overburden will be progressively backfilled in mine voids behind the advancing ore extraction area or in overburden emplacements 	<ul style="list-style-type: none"> Development of temporary overburden emplacements and soil stockpile areas adjacent to the extended Ginkgo deposit mine path
Water Supply and Management	<ul style="list-style-type: none"> Onsite water management system consists of water management storages, runoff diversions, sediment control and open cut dewatering 	<ul style="list-style-type: none"> Minor changes to water management system infrastructure
Rehabilitation	<ul style="list-style-type: none"> Progressive rehabilitation undertaken as mining advances 	<ul style="list-style-type: none"> No change
Final Landform	<ul style="list-style-type: none"> Four final depressions, comprising three final depressions at the south-east end of the Ginkgo deposit and one final depression at the south-eastern extent of the Crayfish deposit Final depressions partially backfilled with overburden material pushed down from the depression batters and adjacent temporary overburden emplacement areas Post mining landform to be a combination of native woodland/forest and agricultural uses 	<ul style="list-style-type: none"> Minor changes to the location and size of the three final Ginkgo deposit depressions; namely: <ul style="list-style-type: none"> a reduction in the approved area from 110 ha to 109 ha a change in the floor elevation from 38 m AHD to 40 m AHD Depth of final depressions would remain at least 5 m above the natural groundwater table level No change to the approved final land use
Biodiversity Offsets	<ul style="list-style-type: none"> Existing Ginkgo Mine biodiversity offset areas totalling approximately 5,033 ha, located in the area surrounding the Ginkgo Mine 	<ul style="list-style-type: none"> No change
Employment	<ul style="list-style-type: none"> Approximately 260 employees and contractors 	<ul style="list-style-type: none"> No change

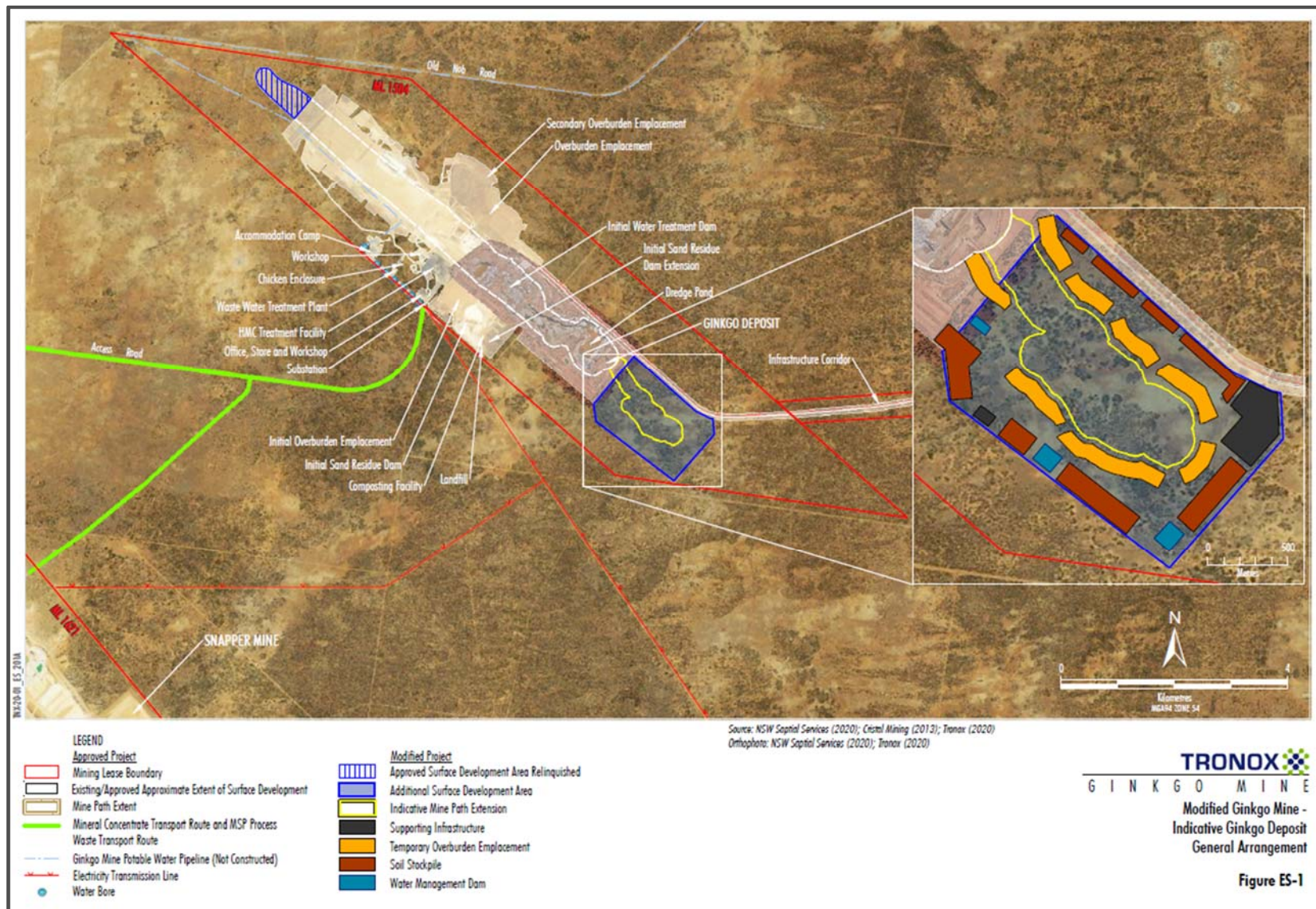


Figure 2 | Proposed Mine Layout

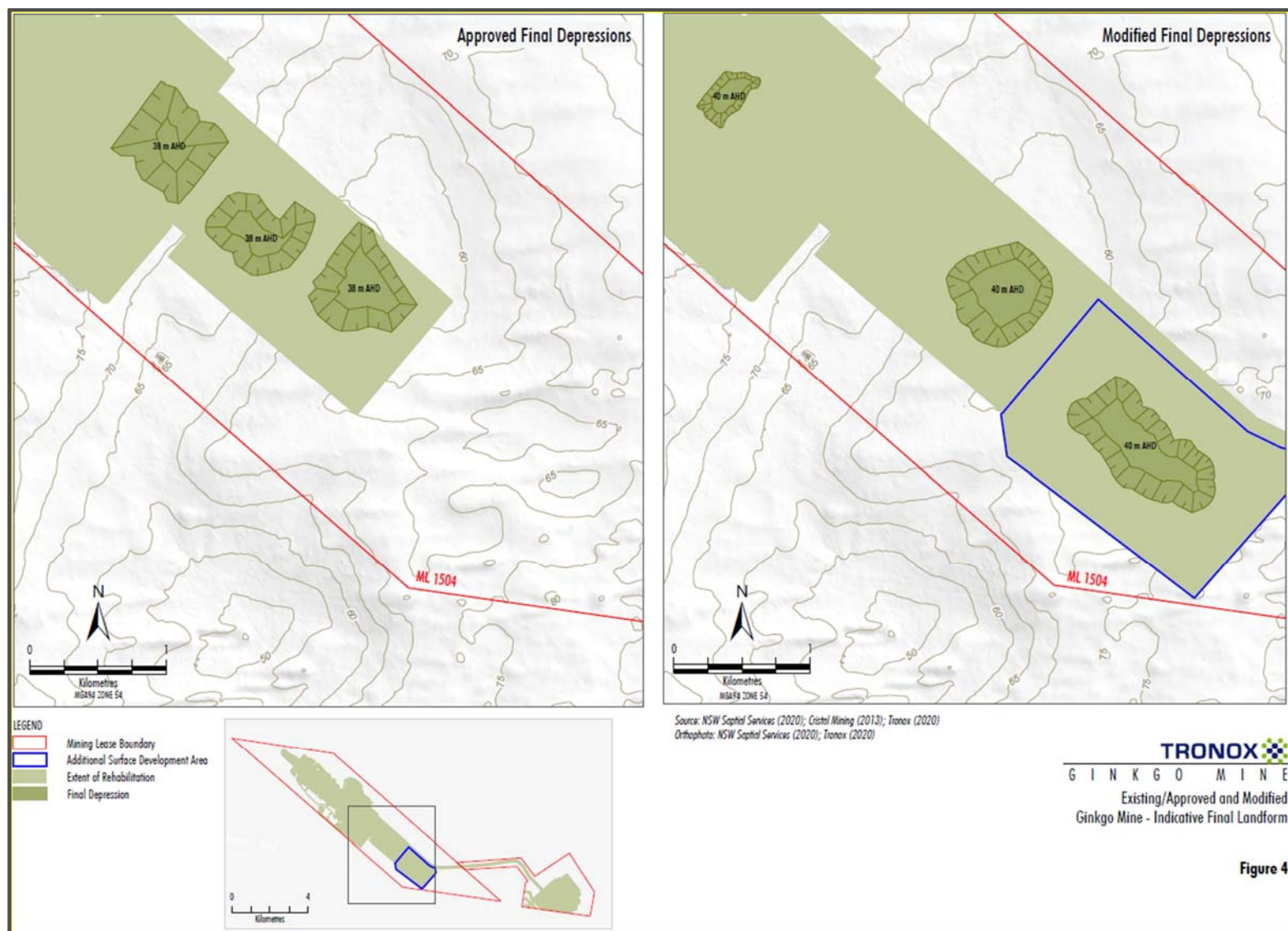


Figure 4

Figure 3 | Approved and Proposed Final Landform

2.2 Justification for the Modification

Due to delays in the commencement of production from the Atlas-Campaspe Mine associated with the coronavirus disease (COVID-19) pandemic, Tronox identified that there was a risk of production and employment discontinuity between the cessation of the approved Ginkgo deposit operations (with mining scheduled to be completed by mid 2021) and commencement of operations at the Atlas-Campaspe Mine (construction delayed to 2022).

Tronox subsequently identified an additional economic resource to the south of the approved Ginkgo deposit mine path, which if mined, would allow Tronox to avoid disruption to existing supply chains, until the commencement of production from the Atlas-Campaspe Mine.

Tronox advises that the proposed mine life extension to December 2025 would facilitate the continued employment of approximately 260 employees and contractors at the Ginkgo Mine, until the commencement of operations at the Atlas-Campaspe Mine. The proposed modification would also allow for the complete extraction of the approved Crayfish deposit resource, whilst maximising the use of the existing surface facilities at the Ginkgo Mine.

3 Statutory context

3.1 Scope of Modification

The modification application and Modification Report was lodged under Section 4.55(2) of the EP&A Act. The Department has reviewed the scope of the modification and considers that:

- there would be no change to the approved mining methods, transport and processing limits, production rates or hours of operation;
- the impacts of the project as modified would be similar to those of the approved project (see Section 5); and
- the development would remain substantially the same development as originally approved.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(2) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(2) of the Act.

3.2 Consent authority

The Minister for Planning and Public Spaces (Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2020, the Director Resource Assessments may determine the application as there were no submissions by way of objection, Council did not object to the proposal and Tronox did not report any political donations.

3.3 Mandatory matters for consideration

In accordance with Section 4.15(1) and Section 4.55(3) of the EP&A Act, a consent authority must consider the following matters, to the extent they are relevant, when considering the merits of the application:

- environmental planning instruments or proposed instruments;
- any planning agreements;
- the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation);
- likely impacts of the modification application, including environmental impacts on both the natural and built environments, and social and economic impacts;
- suitability of the site;
- any submissions;
- the public interest; and
- the reasons for granting approval for the original application.

The Department has considered these matters carefully and has summarised the findings of this below and in the following sections.

Environmental planning instruments

A number of environmental planning instruments apply to the modification, including:

- *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (the Mining SEPP);
- *State Environmental Planning Policy No. 33* (Hazardous and Offensive Development);
- *State Environmental Planning Policy (Infrastructure) 2007*;
- *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP);
- *State Environmental Planning Policy 44 (SEPP No. 44) – Koala Habitat Protection* (now State Environmental Planning Policy (Koala Habitat Protection) 2020);
- *State Environmental Planning Policy No. 55 (Remediation of Land)*; and
- Wentworth Local Environment Plan 2011.

The Department has considered the proposed modification against the relevant provisions of these instruments. The Department has concluded that the proposed modification can be carried out in a manner that is generally consistent with the aims, objectives and provisions of these instruments.

Reasons for Original Approval

In determining the original Ginkgo Mine application, the Minister concluded that the project was consistent with State and regional planning objectives relating to resource development and employment generation and that there were no environmental impacts that could not be effectively mitigated and managed by way of conditions of consent.

The Department has considered the proposed modification against the reasons the Minister gave for determining the project and is satisfied that the proposed modification does not affect the decision that was previously made. The proposed modification would allow the benefits of the project to continue to be realised at local, regional and State levels.

3.4 Objects of the EP&A Act

The Department has assessed the proposed modification against the objects of the EP&A Act. The objects of most relevance to the proposed modification are found in section 1.3 of the EP&A Act, and are:

- Object 1.3(a): to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- Object 1.3(b): to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;
- Object 1.3(c): to promote the orderly and economic use and development of land;
- Object 1.3(e): to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats;
- Object 1.3(f): to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);
- Object 1.3(i): to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State; and
- Object 1.3(j): to provide increased opportunity for community participation in environmental planning and assessment.

The Department considers that the proposed modification encourages the proper management and development of resources (Object 1.3(a)) and the promotion of the orderly and economic use of land (Object 1.3(c)) as it would allow for optimised resource recovery, utilising the mine's existing infrastructure and workforce, with minimal environmental impacts.

The Department has considered the principles of ecologically sustainable development (ESD, Object 1.3(b)) in its assessment of the proposed modification. The Department considers that the proposed modification may be carried out in a manner that is consistent with the principles of ESD. The Department's assessment has sought to integrate all significant environmental, social and economic considerations.

The Department has carefully considered the environmental impacts of the proposed modification, including potential impacts on the natural, cultural and built environments (Object 1.3(e) and (f)). The Department's consideration of these matters is provided in section 5.

Lastly, the Department publicly exhibited the modification application and sought advice from key stakeholders, including Wentworth Shire Council (Objects 1.3(i) and (j)).

4 Engagement

4.1 Public Engagement and Consultation

The Department publicly exhibited the modification application and Modification Report from 2 December 2020 until 15 December 2020 on its website. A copy of the application was also provided for exhibition at the Wentworth Shire Council's office.

The exhibition of the modification application was advertised in the *Broken Hill Barrier Daily Truth* and the *Mildura Sunraysia Daily*. Previous submitters were notified of the modification application and invited to make a submission. The modification application was also referred to Wentworth Shire Council and relevant State government agencies for advice.

4.2 Summary of Advice – Government Agencies

The advice received from government agencies is provided in **Appendix B** and summarised below. No submissions were received from members of the public or special interest groups.

Tronox provided a Submissions Report (see **Appendix C**) responding to the issues raised in the advice, which was made available on the Department's website.

The **Department's Crown Lands Group** (DPIE – Crown Lands) identified that the proposed extended mining area is subject to a number of Western Lands Leases and that any necessary approvals must be obtained prior to disturbing this land. The Department notes that Tronox has commenced consultation with DPIE – Crown Lands and is required to obtain any relevant approvals under the *Crown Lands Management Act*.

DPIE Crown Lands noted that consideration should be taken by Tronox in regard to dust, air quality, overburden stockpiles and topsoil stockpiles to ensure appropriate measures are taken.

The Department's **Biodiversity and Conservation Division (now Biodiversity, Conservation and Science Directorate within the Department [BCS])** advised that the Biodiversity Development Assessment Report (BDAR) adequately documented the vegetation assessments in the proposed extension development and relinquishment areas. The BCS requested some minor amendments to the BDAR, including revision of the credit obligation calculations to reflect the offset trading group requirements for Plant Community Type (PCT) 221. However, following further consultation, BCS advised that the proposed offset calculations were acceptable subject to conditions as discussed further in section 5.

Heritage NSW noted that the operation is covered by the existing Aboriginal Heritage Impact Permit (AHIP) and the proposed modification activity is not inconsistent with the AHIP.

Heritage NSW further recommended that any Aboriginal objects managed under the AHIP have the relevant documents and site records updated to reflect any varied conditions. Heritage NSW also recommended the Cultural Heritage Management Plan be updated to reflect the changes associated with the proposed modification and that consultation with the Registered Aboriginal Parties be maintained regarding any Aboriginal cultural heritage management involved in the expansion.

The **Department's Water Group** (DPIE Water) requested additional clarification regarding the site water balance and proposed water take from the modified pit. DPIE Water also provided general post-

approval recommendations such as updating the Water Management Plan to reflect the proposed modification.

The **Department of Regional NSW – Resources Regulator** (Resources Regulator) advised it had no specific concerns regarding mine safety or mine rehabilitation matters in relation to the proposed modification.

The **Department of Regional NSW – Mining, Exploration and Geoscience** (MEG) requested clarification of the lease holder of ML 1504 in relation to Tronox. A Resource and Economic Assessment was also undertaken by MEG who advised that efficient and optimised resource outcomes can be achieved including providing \$2.9 million in additional royalties and \$120 million in revenue, as well as supporting continuation of around 260 operational jobs until such time as the approved Atlas-Campaspe Mine becomes operational.

Responses were also received from the Environment Protection Authority, Transport for NSW and Wentworth Shire Council, which did not raise any issues requiring further assessment or a response from Tronox.

5 Assessment

The Department has undertaken a comprehensive assessment of the merits of the proposed modification and has considered the following:

- Modification Report and Submissions Report;
- government agency submissions;
- previous environmental assessments for the project;
- previous modification applications and existing conditions of consent; and
- requirements of the EP&A Act, including the objects of the Act.

5.1 Biodiversity

A biodiversity assessment (including calculation of offset liabilities) was undertaken for the proposed modification in accordance with applicable guidelines, including the Biodiversity Offsets Scheme.

The proposed modification would involve clearance of approximately 244 ha of native vegetation comprising native woodland/forest vegetation and some 37% derived native grassland. None of the vegetation communities identified within the development footprint are listed as threatened ecological communities under the *Biodiversity Conservation Act 2016* or the *Environment Protection and Biodiversity Conservation Act 1999*.

A summary of the ecosystem credits required for the proposed disturbance footprint is provided in Table 2. These credits were calculated using the *Biodiversity Assessment Method (BAM) 2017*.

Two threatened fauna species were identified in the development footprint area, namely the White-fronted Chat and Bolam's Mouse.

Measures proposed by Tronox to mitigate impacts on biodiversity include implementing existing vegetation clearance protocols as already required for current mining operations. By foregoing development of the relinquishment area, the residual biodiversity impacts from the modification would also be reduced.

Table 2 | Credit Liabilities for the Development Footprint

PCT Name	PCT Number	Clearance within Development Footprint (ha)	Credit Requirement
Black Box Woodland	16	1.0	12
Black Oak – Western Rosewood Woodlawn	58	118.0	3,019
Black Oak – Western Rosewood Woodlawn Derived Native Grassland	58	89.6	1,090
Turpentine Shrubland	143	8.0	250
Chenopod Sandplain Mallee Woodland	170	27.5	510
Total		244.1	4,881

In completing the biodiversity assessment and calculating the net credit liabilities for the proposed modification, Tronox has also taken into consideration the ecosystem credits that would otherwise need to be offset for the proposed relinquishment area (see **Table 3**). The Department and BCS accept that these relinquished credits can be used to reduce the credit liability for the extension area.

Table 3 | Credit Liabilities for the Relinquishment Area

PCT Name	PCT Number	Area (ha)	Credits
Black Oak – Western Rosewood Woodlawn	58	7.5	279
Black Oak – Pearl Bluebush Woodland	221	18.9	433
Black Oak – Pearl Bluebush Derived Native Grassland	221	11.3	97
Total		37.7	809

As part of the previous modification application (Modification 13), it was calculated that the proposed biodiversity offset areas would generate 4,597 ecosystem credits and 4,462 species credits more than required to offset the impacts associated with that application. These surplus credits were calculated using the *Framework for Biodiversity Assessment* (FBA), the methodology that applied at that time, and are identified in Condition 18, Schedule 3 of the development consent.

The surplus FBA ecosystem credits were converted to equivalent ecosystem credits (using the BAM calculator methodology) to calculate Tronox's residual credit liability for the proposed modification, an approach accepted by BCS. After application of the existing surplus credits and the ecosystem credits in the proposed relinquishment area, Tronox has calculated that there would be a residual credit liability of 525 ecosystem credits for the proposed modification. This would comprise of 275 credits for PCT 58 and 250 credits for PCT 143 (see **Table 4**). No species credits would be required for the proposed modification.

Following further consultation, the BCS advised that it was satisfied with the calculated offset liability. In particular, for this modification only, the Department and BCS accept that surplus PCT 221 credits in the relinquishment and offset areas could be used to reduce the credit liability for PCT 58.

Tronox propose to offset the residual credit requirements for the modification by one or a combination of the following options allowed by the Biodiversity Offsets Scheme:

- the retirement of the required number and class of like-for-like biodiversity credits;
- the retirement of the required biodiversity credits in accordance with the variation rules; and/or
- the payment of an amount into the Biodiversity Conservation Fund.

The Department considers that the proposed modification has been designed to avoid, mitigate and manage biodiversity impacts where practicable, specifically via the proposed relinquishment area and implementation of the vegetation clearance protocol, Flora and Fauna Management Plan and Offset Management Plan. The Department is satisfied that the proposed modification is unlikely to result in any significant adverse impacts to the biodiversity values of the area.

The Department has recommended conditions requiring Tronox to retire the credit liability for the additional vegetation clearing by 31 March 2023 using mechanisms allowed under the BC Act and included a new condition to account for the remaining surplus credits calculated under the former *Threatened Species Conservation Act, 1995* that would be retained by Tronox from its offset areas.

Table 4 | Credit Liabilities for the Modification

PCT Name	PCT No.	Development Footprint Credit Requirement	Relinquishment Area Credit Reduction	Surplus Offset Area Credit Reduction	Net Credit Requirement After Offset Area
Black Box Woodland	16	12	0	-12 (PCT 16)	0
Black Oak - Western Rosewood Woodland	58	3,019	-279 (PCT 58) -433 (PCT 221)	-125 (PCT 58) -2,182 (PCT 221)	0
Black Oak - Western Rosewood Woodland Derived Native Grassland	58	1,090	-97 (PCT 221)	-718 (PCT 58)	275
Turpentine Shrubland	143	250	0	0	250
Chenopod Sandplain Mallee Woodland	170	510	0	-510 (PCT 170)	0
Total		4,881	-809	-3,547	525

5.2 Other issues

The Department has considered other potential impacts of the proposed modification, which are summarised in **Table 5**.

Table 5 | Summary of Other Issues Raised

Issue	Considerations	Recommendations
Water Resources	<ul style="list-style-type: none"> The proposed modification is expected to have a negligible impact on groundwater inflows, regional groundwater aquifers, privately-owned bores, groundwater quality or groundwater dependent ecosystems. The Department is satisfied that the proposed modification would comply with the minimal impact considerations of the <i>NSW Aquifer Interference Policy</i>. The proposed additional disturbance areas would increase the area of land subject to surface water management, however the Department is satisfied that this can be appropriately managed through the mine's existing water management plans. The Water Management Plan for the mine would be required to be updated in consultation with DPIE Water. 	<ul style="list-style-type: none"> Comply with existing conditions.
Noise and Air Quality	<ul style="list-style-type: none"> Tronox predicts that noise and dust emissions from the proposed operations are not expected to significantly change from the existing Ginkgo Mine. The Ginkgo deposit mine path proposed extension is located approximately 10 km from the closest sensitive receptor (Manilla homestead), and any minor changes in noise and dust sources are unlikely to cause significant changes to the levels experienced at sensitive receivers. The EPA did not raise any issues with the proposed modification and advised that no variations to the Environment Protection Licence would be required. 	<ul style="list-style-type: none"> Comply with existing conditions.
Greenhouse Gas Emissions	<ul style="list-style-type: none"> Greenhouse gas emissions on an annual basis would not change significantly as a result of the proposed modification. The proposed modification would increase the duration of greenhouse gas emissions production during the proposed mine life extension period from March 2023 to December 2025. Tronox intends to continue implementing the Energy Saving Environmental Management Plan (GHD, 2014). 	<ul style="list-style-type: none"> Comply with existing conditions.

Issue	Considerations	Recommendations
Rehabilitation	<ul style="list-style-type: none"> The proposed modification would not significantly alter the established and approved rehabilitation strategies, although the Rehabilitation Management Plan would need to be revised to reflect the revised disturbance areas and final depressions. The Department notes the Resources Regulator raised no concerns regarding rehabilitation or the final landform. 	<ul style="list-style-type: none"> Comply with existing conditions.
Cultural Heritage	<ul style="list-style-type: none"> Archaeological assessments undertaken for the Ginkgo mine have identified some 36 Aboriginal sites within ML 1504. Tronox has obtained a Section 87 permit and a Section 90 consent under the <i>National Parks and Wildlife Act 1974</i> (NPW Act), which provide approval for the destruction of Aboriginal sites within ML 1504, subject to consultation, salvage and management of the sites in accordance with Tronox's Cultural Heritage Management Plan. To date, 25 Aboriginal sites have been salvaged from the areas subject to existing disturbance. The Modification Report includes an Aboriginal Cultural Heritage Assessment prepared in consultation with nine Registered Aboriginal Parties (RAPs) in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents</i> (2010). Two Aboriginal cultural heritage sites were identified in the modification area (Sites G13 and G16) and were considered to be of low scientific significance. Tronox would be required to update the Cultural Heritage Management Plan to reflect the proposed modification and adhere to the requirements of the existing permits/consents and requirements under the NPW Act, including pre-clearance surveys and stop work protocols in the event of unexpected finds. With the implementation of the above, the Department considers that there would be minimal impacts on Aboriginal cultural heritage as a result of the proposed modification. 	<ul style="list-style-type: none"> Comply with existing conditions.
Socio-economic	<ul style="list-style-type: none"> The proposed modification would provide continued employment of approximately 260 workers for an additional 2 years. The continued employment is also expected to enable an uninterrupted transition of the Ginkgo Mine workforce to Tronox's Atlas-Campaspe Mine, which is expected to commence operations in late 2021. Without the proposed modification, Tronox advises that production of mineral concentrate would reduce significantly, which would disrupt existing supply contracts. The extended mining area would provide royalties to NSW worth approximately \$2.9 million. The proposed modification would result in negligible changes to existing social impacts. 	<ul style="list-style-type: none"> Comply with existing conditions.

6 Evaluation

The Department has assessed the merits of the proposed modification and considered its potential environmental, social and economic impacts and the relevant requirements of the EP&A Act.

The Department recognises that the proposal would have a number of benefits, in particular it would allow for the continuation of operations at the Ginkgo Mine and its social and economic benefits to the State and community for a further 2 years, including ongoing employment of approximately 260 Tronox employees and contractors at the Ginkgo Mine until the commencement of operations at the Atlas-Campaspe Mine. The proposal would also result in the full extraction of the Crayfish deposit whilst utilising the existing surface facilities at the Ginkgo Mine.

Environmental assessment indicates that the modified mine would not significantly increase the environmental impacts compared to the approved mine, and that all environmental aspects can be adequately managed to an acceptable level of environmental performance.

Although the proposal would result in increased vegetation clearing, the Department considers that with the proposed biodiversity management and offsetting measures, the biodiversity values of the area can be maintained in the medium to long term.

On balance, the Department is satisfied that the proposed modification can be carried out in an environmentally sustainable manner, and that the proposal is in the public interest and should be approved.

The Department has drafted a recommended Notice of Modification (see **Appendix D**) and consolidated version of the development consent, as modified (see **Appendix E**). Tronox has reviewed the draft Notice of Modification and has accepted the conditions.

7 Recommendation

It is recommended that the Director Resource Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report;
- **determines** that the modification application 251-09-01 MOD 14 falls within the scope of section 4.55(2) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the modification application;
- **agrees to modify** the development consent for the Ginkgo Mine (251-09-01); and
- **signs** the attached Notice of Modification (**Appendix D**).

Recommended by:



5/3/2021

Phillipa Duncan

Team Leader

Resource Assessments

8 Determination

The recommendation is **Adopted** / ~~Not adopted~~ by:



8/3/2021

Stephen O'Donoghue

Director

Resource Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – Modification Report

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/40301>

Appendix B – Agency Advice

See the Department's website at:

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