

Notice of decision

Sunrise Mine – Modification 7

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	DA374-11-00 Mod-7 Sunrise Nickel/Cobalt Mine
Applicant	SRL Ops PTY LTD
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Resource Assessments under delegation from the Minister for Planning and Public Spaces has, under section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the Department of Planning, Industry and Environment's assessment report and development consent is available [here](#).

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Date of decision

18 January 2022

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- agency advice concerning the modification.

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development authorised by the consent (as last modified under section 75W).

The key reasons for approving the modification are as follows:

- the modification would improve the viability of the project and make it more likely that the significant socio-economic benefits of the project are realized. These benefits include:
 - injecting approximately \$1.77 billion in capital costs into the economy;
 - providing employment for up to 1900 personnel during construction and up to 340 personnel during operations;
 - contributing substantial taxes and royalties to the Commonwealth and State; and
 - providing ongoing flow on benefits to the local and regional communities;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards.
- Engagement on the proposed modification is considered to be in line with the *Undertaking Engagement Guidelines for State Significant Projects* (DPIE 2021), including the community participation objectives outlined in these guidelines.
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification application from 27 July 2021 until 9 August 2021 and previous submitters and neighbouring landowners were notified and invited to make a submission. The modification application was also referred to each of the local Council and relevant State government agencies for advice. The Department received submissions from Lachlan Shire Council and Parkes Shire Council. Forbes Shire did not comment and no submissions from the public were received during the exhibition period.

The table below summarises how the key issues raised by the Lachlan and Parkes Shire Councils were taken into consideration. Other issues are addressed in detail in the Department's assessment report.

Issue	Consideration
<p><i>Social Impacts</i></p> <ul style="list-style-type: none"> Housing affordability and availability Impacts on medical services Opportunities to upskill local workforce 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Summarise the assessment <p><i>Conditions</i></p> <ul style="list-style-type: none"> The modified consent includes a requirement for the proponent to prepare a Social Impact Management Plan that includes measures to: <ul style="list-style-type: none"> mitigate impacts on housing availability and affordability; mitigate impacts on community services, particularly health and medical services; promote housing availability and affordability; promote workforce opportunities for local residents, including training initiatives in the skilled roles needed for the modified Project
<p><i>Traffic and roads</i></p> <ul style="list-style-type: none"> Impacts roads (including the cost of upgrading and maintaining) 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The modified Project would reduce the approved number of vehicle movements during construction (due to the use of shuttle buses) and not significantly change the number of operational movements and therefore would not change the existing Level of Service on key roads and intersections. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The existing development consent and Voluntary Planning Agreement with the Councils require extensive road and intersection upgrade and maintenance obligations. The modified conditions require additional roadworks proposed as part of the modification to be undertaken in consultation with the relevant Councils and be fully funded by the proponent. The proponent has confirmed that it would direct the majority of construction phase traffic from Parkes along Henry Parkes Way and The Bogan Way. Existing requirements for pre-construction and pre-commissioning Hazard Studies be extended to include the ammonium sulphate storage and distribution at the new rail siding site.
<p><i>Waste</i></p> <ul style="list-style-type: none"> Impacts on waste facilities 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The modification would not result in a significant increase in the volume of waste generated from the approved Project, other than a minor increase in waste produced from the additional workers housed at the accommodation camp for a short period of time during construction. Onsite management of waste would be the same as it would have been for the approved Project. The proponent has committed to preparing a Waste Management Plan for the development in consultation with both councils. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The existing conditions require the Proponent to minimise waste generated, and to store and handle waste in accordance with the EPA's Waste Classification Guidelines 2014.
<p><i>Noise</i></p> <ul style="list-style-type: none"> Impacts on residences near the mine site and the application of acquisition rights under the <i>Voluntary Land</i> 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> After the implementation of all feasible and reasonable measures to reduce noise, operational noise from the modified project is predicted to result in moderate exceedances of the existing noise limits at two privately-owned residences. <p><i>Conditions</i></p>

Acquisition and Mitigation Policy (VLAMP)

- The conditions have been updated in accordance with the VLAMP to require the proponent to provide noise reduction treatments to those residences upon request;
- The existing conditions also requires the proponent to acquire any privately owned land in the vicinity of the mine site if there are sustained exceedances of 40 dB(A) $L_{Aeq}(15 \text{ mins})$. This condition has been retained.
- The noise operating conditions have been updated to require the proponent to:
 - take all reasonable steps to minimise noise from the project;
 - operate a comprehensive noise management system with real-time noise monitoring data to guide mining operations and ensure compliance with the relevant conditions of consent;
 - maintain the mobile equipment and plant, including making improvements to noise suppression equipment as improved technology becomes available, where reasonable and feasible; and
 - carry out regular attended noise monitoring and modify or stop operations on the site if necessary to ensure compliance with the relevant conditions of consent