

Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, as delegate for the Minister for Planning, approve the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Sam Haddad
Director-General

Sydney

SCHEDULE 1

Application Numbers:	07_0018
Proponent:	Broken Hill Operations Pty Ltd
Approval Authority:	Minister for Planning
Land:	See Appendix 1
Project:	Rasp Project

The Department has prepared a consolidated version of the approval which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Approval	5
Limits on Approval	5
Structural Adequacy	6
Demolition	6
Operation of Plant & Equipment	6
Staged Submission of Any Strategy, Plan and Program	6
Surrender of Development Consents	6
Notifications	6
ENVIRONMENTAL PERFORMANCE CONDITIONS	7
Air Quality and Greenhouse Gas	7
Lead Awareness and Public Health	10
Noise and Vibration	10
Underground Mining	14
Soil and Water	14
Transport	15
Heritage	16
Visual Amenity	16
Waste	16
Rehabilitation	16
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	18
Environmental Management	18
Compliance	19
Independent Environmental Audit	19
Monitoring and Environmental Audits	20
Access to Information	20
Independent Review	20
Updating and Staging of Studies, Strategies and Plans	20
APPENDIX 1: SCHEDULE OF LAND	22
APPENDIX 2: PROJECT AREA	23
APPENDIX 3: PROJECT LAYOUT PLANS	25
APPENDIX 4: PLAN OF FREE AREAS	29
APPENDIX 5: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	30

Red type represents the March 2012 Modification (Mod 1 - Ventilation Shaft)
 Blue type represents the August 2014 Modification (Mod 2 – 24 Hour Primary Crusher)
 Green type represents the March 2015 Modification (Mod 3 – Block 7 Extension)
 Purple type represents the September 2017 Modification (Mod 4 – Tailings Storage Facility)
 Dark blue type represents the October 2018 Modification (Mod 5 – Cement Silo and Warehouse Extension)
 Orange type represents the July 2019 Modification (Mod 7 – Additional Crushing and Screening)
 Brown type represents the April 2021 Modification (Mod 8 – Underground Mining Extension)
 Pink type represents the December 2021 Modification (Mod 9 – Extension of Underground Exploration)
 Mustard type represents the March 2022 Modification (Mod 6 – Tailings Management and Underground Access)
 Lime Green type represents the December 2022 Modification (Mod 10 – Temporary Tailings Stockpile)
 Peach type represents the November 2023 Modification (Mod 11 - Ventilation Intake and Underground Exploration)
 Lilac type represents the November 2025 Modification (Mod 12 – Underground Mining Extension)
 Dark red type represents the September 2026 Modification (Mod 13 - Various, including approval extension)

DEFINITIONS

Annual review	The review required by Condition 3 of Schedule 4
BCA	Building Code of Australia
Boxcut	The boxcut identified in the Figure in Appendix 2
Conditions of this approval	Conditions contained in Schedules 2 to 4 inclusive
Council	Broken Hill City Council
Department	Department of Planning, Housing and Infrastructure (DPHI)
EA	<i>Rasp Mine Zinc-Lead-Silver Project: Environmental Assessment Report</i>, prepared by Broken Hill Operations Pty Ltd and dated July 2010, as amended by: • <i>Rasp Mine Zinc-Lead-Silver Project: Response to Submissions Report</i>, prepared by Broken Hill Operations Pty Ltd and dated July 2010; • <i>Rasp Mine Zinc-Lead-Silver Project: Preferred Project Report (PPR)</i>, prepared by Broken Hill Operations Pty Ltd and dated September 2010; • Modification application 07_0018 Mod 1 and accompanying Environmental Assessment titled: <i>Rasp Mine, Zinc-Lead-Silver Project, Variation to Project, Relocation of Ventilation Shaft</i>, dated November 2011; • Modification application 07_0018 Mod 2 and accompanying Environmental Assessment titled: <i>Rasp Mine Zinc-Lead-Silver Project Modification 2</i> and Response to Submissions letter from the Proponent dated May 2014; • Modification application 07_0018 Mod 3 and accompanying Environmental Assessment titled: <i>Rasp Mine Zinc-Lead-Silver Project Environmental Assessment Modification 3 Mining Extension</i> and Response to Submissions dated January 2015; • Modification application 07_0018 Mod 4 and accompanying Environmental Assessment titled: <i>Rasp Mine Environmental Assessment Modification 4, Concrete Batching Plant Blackwood Pit TSF2 Extension</i> dated April 2017 and Response to Submissions dated June 2017; • Modification application 07_0018 Mod 5 and accompanying Statement of Environmental Effects titled: <i>Rasp Mine Statement of Environmental Effects Modification 4, Warehouse Extension, Cement Silo & Adjustment of Air Quality Monitoring</i> dated August 2018; • Modification application 07_0018 Mod 7 and accompanying Statement of Environmental Effects titled: <i>Rasp Mine Statement of Environmental Effects Modification 7, Utilising Rock Fill Material in BHP Pit for TSF2 Embankment Construction</i> dated June 2019; • Modification application 07_0018 Mod 8 and accompanying Modification Report titled: <i>Rasp Mine PA07_008 Modification Report (MOD8) – Mining Under a Perilya Sublease</i> dated March 2021; • Modification application 07_0018 Mod 9 and accompanying Modification Report titled: <i>Rasp Mine Modification 9 Modification Report</i> dated 4 August 2021, and additional information provided by the Proponent to support the modification application; • Modification application 07_0018 Mod 6 and accompanying Modification Report titled: <i>Rasp Mine Modification Report (MOD6) Kintore Pit TSF3</i> dated August 2021, associated Submissions Report titled: <i>Rasp Mine Submissions Report (MOD6) Kintore Pit TSF3</i> dated December 2021 and additional information provided by the Proponent to support the modification application and included in Appendix A of the Department's assessment report on Modification 6. • Modification application 07_0018 Mod 10 and accompanying Modification Report titled: <i>Rasp Mine Modification 10 Modification Report</i>, dated November 2022, and additional information provided by the Proponent to support the modification application. • Modification application 07_0018 Mod 11 and accompanying Modification Report titled: <i>Rasp Mine Modification 11</i>, dated 27 July 2023, Submissions Report dated 26 October 2023, and additional information provided by the Proponent to support the modification application. • Modification application 07_0018 Mod 12 and accompanying Modification Report titled: <i>Rasp Mine Modification 12</i>, dated 29 August 2025, Submissions Report dated October 2025, and additional information provided by the Proponent to support the modification application. • Modification application 07_0018 Mod 13 and accompanying Modification Report titled: <i>Rasp Mine Modification 13</i>, dated 10 March 2026, Submissions Report dated July 2026, and additional information provided by the Proponent to support the modification application.

CONSOLIDATED APPROVAL

EEL	Emergency Egress Ladder
EP&A Act	Environmental Planning and Assessment Act 1979
EPA	Environment Protection Authority
EPL	Environment Protection Licence issued under the POEO Act
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Free Areas	Non-active mining areas within CML7 that are not disturbed by the project but contribute to the wind-blown dust from the project site, as identified in Appendix 4
Heritage NSW	Heritage NSW, as delegate of the NSW Heritage Council
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Material harm	Is harm that: - involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or - results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the project
Minister	Minister for Planning and Public Spaces, or delegate
Mitigation	Activities associated with reducing the impacts of the project, prior to or during those impacts occurring
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval but is not an incident
NSW Resources	NSW Resources within the Department of Primary Industries and Regional Development
Pinnacles mine	A lead, zinc, and silver mine, located approximately 15 km southwest of City of Broken Hill within the Unincorporated Far West Area of New South Wales
POEO Act	Protection of the Environment Operations Act 1997
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Project	The development to which this approval applies
Proponent	Broken Hill Operations Pty Ltd, or any person who carries out the project under this approval
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment, and includes remediation
RR	Resources Regulator at NSW Resources within the Department of Primary Industries and Regional Development
Secretary	Planning Secretary under the EP&A Act, or nominee
Site	The land listed in Appendix 1
Tailings dewatering system	Including a filtration plant and above ground tailings and water pipelines approved under Modification 13
Temporary Tailings Stockpile	The temporary tailings stockpile as approved under Modification 10 and conceptually depicted in Figure 4 of Appendix 3
TfNSW	Transport for NSW
TSF2	Tailings storage facility 2, identified as Blackwood Pit in the Figure in Appendix 2
TSF3	Tailings storage facility 3, identified as Kintore Pit in the Figure in Appendix 2
Water Group	NSW Department of Climate Change, Energy, the Environment and Water – Water Group

CONSOLIDATED APPROVAL

SCHEDULE 2

ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. The Proponent **must** implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.

TERMS OF APPROVAL

2. The Proponent must carry out the project:
 - (a) generally in accordance with the EA;
 - (b) in accordance with the conditions of this approval; and
 - (c) in accordance with any written directions of the Secretary.

Note: The general layout of the project is shown in Appendix 2.

3. The conditions of this approval and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s listed in condition 2(a). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 2(a), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.
4. Consistent with the requirements of this approval, the Secretary may make written directions to the Proponent in relation to:
 - (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this approval, including those that are required to be, and have been, approved by the Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition 4(a).

LIMITS ON APPROVAL

Mining Operations

5. The Proponent may carry out mining operations on site until 31 December 2031.

Note to Condition 5: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Secretary. Consequently, this approval will continue to apply in all respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.

Production

6. The Proponent **must** not extract more than 500,000 tonnes of ore per annum on-site, or more than 12.2 million tonnes of ore over the life of the project.
- 6A. The annual extraction limit set in Schedule 2 condition 6 can be increased up to no more than 750,000 tonnes of ore per annum subject to further air quality impact assessment undertaken to the satisfaction of the EPA and a revised limit approved in writing by the Secretary.
- 6B. Following the construction and commissioning of the tailings dewatering system approved under Modification 13, the Proponent must only transfer and deposit dewatered tailings from TSF2 into TSF3 using the tailings dewatering system, unless otherwise agreed by the Secretary.

Transport

7. Until ore processing facilities have been constructed and commissioned on the site, the Proponent is permitted to transport crushed ore by road to the Endeavour Mine, or such other location approved by the Secretary, for processing. Following commissioning of the ore processing facilities, the Proponent **must** only transport zinc and lead concentrates from the site by rail, except in an emergency situation and with the prior written approval of the Secretary.
- 7A. The Proponent must not receive more than 100,000 tonnes per annum of crushed ore from Pinnacles Mine.

STRUCTURAL ADEQUACY

8. The Proponent **must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes to Condition 8:

- Under Part 6 of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; and
- Parts 1-9 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the project.

DEMOLITION

9. The Proponent **must** ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.

OPERATION OF PLANT AND EQUIPMENT

10. The Proponent **must** ensure that all the plant and equipment used on site, or to transport materials to and from the site, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

STAGED SUBMISSION OF ANY STRATEGY, PLAN AND PROGRAM

11. With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

SURRENDER OF DEVELOPMENT CONSENTS

12. Within six months of the commencement of works the subject of this approval, the Proponent **must** surrender all existing development consents applying to the site in accordance with section 4.63 of the EP&A Act.

NOTIFICATIONS

- 12A. The date of commencement of each of the following phases of the project must be notified to the Secretary in writing via the Major Project Portal and to the EPA in writing at least two weeks prior to:
- (a) construction of the tailings dewatering system approved under Modification 13;
 - (b) commissioning and operation of the tailings dewatering system approved under Modification 13; and
 - (c) receipt of Pinnacles Mine crushed ore via trucks at the site.
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SCHEDULE 3

ENVIRONMENTAL PERFORMANCE CONDITIONS

AIR QUALITY AND GREENHOUSE GAS

Odour

1. The Proponent **must** ensure that no offensive odours are emitted from the site, as defined under the POEO Act.

Greenhouse Gas Emissions

2. The Proponent **must** implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the [Secretary](#).

Air Quality Criteria

3. The Proponent **must** ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not cause an exceedance of the criteria listed in Tables 1, 2 or 3 at any residence on privately-owned land.

Table 1: Long Term Criteria for Particulate Matter

Pollutant	Averaging Period	^d Criterion
Total solid particles (TSP)	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 25 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^a 8 µg/m ³

Table 2: Short Term Criterion for Particulate Matter

Pollutant	Averaging Period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^a 25 µg/m ³

Table 3: Long Term Criteria for Deposited Dust

Pollutant	Averaging Period	Maximum Project Contribution	Maximum Total Deposited Dust Level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 1–3:

- ^a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources);
- ^b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method;
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents, illegal activities or any other activity agreed by the [Secretary](#) in consultation with [EPA](#).

4. The Proponent **must** ensure that the project is operated in a manner that does not exceed the criteria listed in Tables 4 and 5.

Table 4: Discharge Criteria for Point 1 – Ventilation Shaft

Pollutant	Units of Measure	Concentration Limit
Oxides of nitrogen (as NO ₂)	Milligrams per cubic metre	350

CONSOLIDATED APPROVAL

Pollutant	Units of Measure	Concentration Limit
Total solid particles (TSP)	Milligrams per cubic metre	20
^a Type 1 and Type 2 substances	Milligrams per cubic metre	1
Volatile organic compounds (as n-propane)	Milligrams per cubic metre	40

Table 5: Discharge Criteria for Point 2 – Process Enclosure/ Baghouse Stack

Pollutant	Units of Measure	Concentration Limit
Total solid particles (TSP)	Milligrams per cubic metre	20
^a Type 1 and Type 2 substances	Milligrams per cubic metre	1

Notes to Tables 4–5:

- ^a Total of Sb, As, Cd, Pb, Hg, Be, Cr, Co, Mn, Ni, Se, Sn and V; and
- reference conditions for the limits in Tables 4 and 5 are: dry, 273K and 101.3 kPa.

Operating Conditions

- The Proponent **must**:
 - implement best practice dust management, including all reasonable and feasible measures to minimise dust emissions, including point source and fugitive emissions;
 - minimise any visible off-site dust generated by the project or the site; and
 - regularly assess real-time air quality monitoring and meteorological forecasting data and relocate, modify and/ or suspend operations to ensure compliance with the relevant conditions of this approval, to the satisfaction of the [Secretary](#).
- The Proponent **must** seal and maintain the roads listed in Table 6 to the satisfaction of the [Secretary](#). The roads **must** be sealed prior to the commencement of ore extraction **or their use**, unless otherwise agreed by the [Secretary](#).

Table 6: Roads to be Sealed and Maintained

Road Status	Road	Approximate Length (m)
Existing	Front gate at Eyre Street to truck wash	292
	'Diamond' intersection to core shed	360
	Front gate road at Eyre Street to car park	132
New	Truck wash to haul road connection from Kintore Pit	690
	Kintore Pit intersection (truck wash and haul roads) to ROM pad (haul road for ore mine trucks)	1,186
	Altered ROM pad to and through mill	384
	Mill to rail load out (concentrate trucks)	910
	Truck wash road to workshop	190
	Haul road to backfill plant	400
Modification 6	Haul road for transportation of harvested tailings from TSF2 to TSF3	2,283
	Ore haul road from the new portal (Modification 6) to the Run of Mine Pad	325

- Ore crushing **must** only be undertaken in a fully-enclosed structure that is designed, operated and maintained to ensure internal negative internal air pressure relative to ambient (external) conditions. The enclosure and associated emissions controls must be designed, constructed, operated and maintained to ensure that visible fugitive emissions from the enclosure are minimised.

CONSOLIDATED APPROVAL

8. A chemical dust suppressant shall be applied as per the manufacturer's specification, or more often as required, to all 'free areas' identified in the figure in Appendix 4.
9. All aboveground conveyors and transfer points prior to the grinding circuit (SAG and ball mills) **must** be enclosed.
10. Video recording equipment shall be installed to assist in the active management of emissions from the tailings storage facility.

Air Quality Management Plan

11. **Prior to commencing construction of the Modification 13, the Proponent must prepare** an Air Quality Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
 - (a) be prepared **by a suitably qualified and experienced person/s**, in consultation with **EPA** and submitted to the **Secretary** for approval;
 - (b) identify all major sources of particulates and other air pollutants that may be emitted from the project, being both point source and diffuse emissions, including identification of the potential for lead contamination to be carried by these particulates;
 - (c) include an air quality monitoring program that:
 - **provides a real-time monitoring system of dust emissions around the perimeter of TSF2 and around the perimeter of the Run of Mine Pad (ROM pad) that triggers an automated water spray system prior to adverse meteorological conditions occurring;**
 - **is capable of measuring lead concentrations located in the prevailing down wind direction near the perimeter of TSF2;**
 - provides for periodic point source monitoring at Point 1 (Ventilation Shaft) and Point 2 (Process Enclosure/ Baghouse Stack);
 - provides for continuous ambient monitoring across an ambient air quality and dust monitoring network comprising no fewer than ten monitoring locations (Points 3 to 12) for total suspended particulates, PM₁₀, lead and dust deposition. Monitoring locations **must** be informed by the outcomes of the air quality assessments presented in the EA and PPR and identified in consultation with **EPA**;
 - provides for continuous meteorological monitoring using a meteorological monitoring station located on the site;
 - is consistent with the requirements of *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (NSW EPA, 2022)*, or the latest version, the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment (Clean Air) Regulation 2010*; and
 - **details trigger response management protocols in combination with continuous particulate matter monitors and a meteorological monitoring station on-site, with clear and specific reactive mitigation measures to be implemented in accordance with the trigger response management protocol; and;**
 - (d) pro-active and reactive management and response mechanisms for particulates with specific reference to measures to be implemented and actions to be taken to minimise and prevent potential elevated air quality impacts (including ambient air and deposited dust impacts) on surrounding land uses as a consequence of meteorological conditions, upsets within the project, or the mode of operation of the project at any time;
 - (e) **procedures to review and refine the reactive management triggers for wind speed and dust concentrations;**
 - (f) procedures and processes for monitoring ambient dust and deposited dust impacts;
 - (g) provision for regular review of dust monitoring data, with comparison of monitoring data with that assumed and predicted in the documents referred to under Condition 2 of Schedule 2;
 - (h) details of measures to be implemented to address any situation in which monitored dust impacts exceed those assumed and predicted in the documents referred to under Condition 2 of Schedule 2;
 - (i) specific complaints management procedures in the event that dust monitoring indicates elevated off-site impacts;
 - (j) procedures for the minimisation of dust generation on the site **and measures to be implemented to ensure compliance with the air quality criteria and operating conditions in this approval;**
 - (k) protocols for regular maintenance of plant and equipment to minimise the potential for elevated dust generation, leaks and fugitive emissions; and
 - (l) a contingency plan should an incident, upset or other initiating factor lead to elevated dust impacts, whether above normal operating conditions or above environmental performance goals/ limits.

11A. **The Proponent must implement the Air Quality Management Plan as approved by the Secretary.**

CONSOLIDATED APPROVAL

LEAD AWARENESS AND PUBLIC HEALTH

Contribution to Public Blood lead Monitoring & Public Education

12. During the implementation of the project, the Proponent **must** make a reasonable contribution towards the cost of:
- (a) public health monitoring, particularly in relation to child blood lead levels; and
 - (b) public education campaigns about the health risks associated with lead,
- to the satisfaction of the **Secretary**.

*Note: The **Secretary** will consult with **NSW Health (Western NSW Local Health District)** on the reasonableness of the proposed contribution prior to making any decisions under this condition, and determine the date upon which the contributions shall commence.*

Lead Management Plan

13. The Proponent **must** prepare a Lead Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared in consultation with the **EPA, NSW Health (Western NSW Local Health District), RR** and Council;
 - (b) be submitted to the **Secretary** for approval by 30 June 2011;
 - (c) outline the proposed commitment towards the cost of:
 - public health monitoring, particularly in relation to child blood lead levels, and tracking of this data over time; and
 - public education campaigns about the health risks associated with lead, including lead hygiene, lead and children, tank water lead risks and soil lead contamination risks.
 - (d) identify additional reasonable and feasible measures that could be implemented either on site or in the areas adjoining the site to minimise the potential lead impacts of the project and “free areas”;
 - (e) include a program for the staged implementation of the measures identified in (d) above in the event that dust emissions are higher than predicted or the public health monitoring suggests further action is required to reduce blood lead levels in the environment surrounding the site; and
 - (f) include a detailed communication strategy, that outlines how the relevant dust and blood level monitoring data would be reported on the Proponent’s website along with any relevant public education material.

13A. The Proponent **must** implement the Lead Management Plan as approved by the **Secretary**.

Updated Human Health Risk Assessment

14. Within three months from the commencement of the receipt of Pinnacles Mine crushed ore under **Modification 13**, and every five years thereafter, unless otherwise agreed by the **Secretary**, the Proponent **must** update the human health risk assessment prepared for the project and presented in the EA to the satisfaction of the **Secretary**. The updated risk assessment **must**:
- (a) be prepared by a suitably-qualified expert whose appointment has been endorsed by the **Secretary**;
 - (b) take into account monitoring data collected under this approval, and such other information as may be relevant to the assessment, **including the current soil lead bio-accessibility and the previous five years of the relevant air quality data**;
 - (c) **be prepared in consultation with the EPA and the NSW Health (Western NSW Local Health District); and**
 - (d) **be prepared in accordance with the *Environmental Health Risk Assessment - Guidelines for assessing human health risks from environmental hazards* (enHealth).**

14A. The updated Human Health Risk Assessment **must** inform the revision of the Air Quality Management Plan and the Lead Management Plan required under this approval, if monitoring data shows that the project is contributing to increased blood lead levels.

14B. The Proponent **must** implement the updated Human Health Risk Assessment as approved by the **Secretary**.

Temporary Tailings Stockpile

14B. Following completion of construction of TSF3, the Proponent **must** prioritise the re-emplacment of tailings from the Temporary Tailings Stockpile to TSF3.

NOISE AND VIBRATION

Hours of Operation

15. Unless the **Secretary** agrees otherwise, the Proponent **must** comply with the operating hours in Table 6.1.

CONSOLIDATED APPROVAL

Table 6.1: Operating Hours

Activity	Hours
Mod 6 construction activities excluding new decline underground activities and TSF3 tailings preparation works, Mod 13 egress ladderway area establishment, Mod 13 Tailings dewatering system (filter plant area establishment, filter plant footings and foundations works and filter plant structural erection)	7 am to 6 pm, Monday to Saturday No activities on Sundays or public holidays
Construction, excluding construction of the EEL, Mod 11 air ventilation intake via raise boring, Mod 6 construction activities, Mod 13 Tailings dewatering system – Tailings pipeline	7 am to 6 pm, Monday to Friday 8 am to 1 pm, Saturday No activities on Sundays or public holidays
Capping and rehabilitation of TSF2	
Shunting of concentrate wagons	7 am and 6 pm on any day
Production rock blasting	6:45 am and 7:15 pm on any day
Transporting cement to the cement silo	7 am to 7 pm on any day
Loading the cement silo	
Tailings harvesting in TSF2, including emplacement in the Temporary Tailings Stockpile	7am to 7 pm on any day
All other activities, including construction of the EEL, Mod 11 air ventilation intake via raise boring, construction of the new decline (underground activities) and TSF3 tailings preparation works, Mod 13 egress ladderway via raise boring	24 hours a day, 7 days a week
Mod 13 heavy vehicle movements associated with Pinnacles mine's crushed ore deliveries	8 am to 5:30 pm, Monday to Friday

16. Deleted.

Noise Limits

17. The Proponent **must** ensure that the noise generated by the project does not exceed the criteria in Table 7 except as otherwise permitted under conditions 17B and 17D below.

Table 7: Operational Noise Criteria

Location	^a Day (dB(A))	^b Evening (dB(A))	^c Night (dB(A))
A1 – Piper Street North	40	37	35
A2 – Piper Street Central	40	37	35
A3 – Eyre Street North	44	41	39
A4 – Eyre Street Central	44	41	39
A5 – Eyre Street South	44	41	39
A6 – Bonanza and Gypsum Streets	48	41	39
A7 – Carbon Street	45	42	36
A8 – South Road	48	39	39
A9 – Crystal Street	46	39	39
A10 – Barnet and Blende Streets	42	41	35
A11 – Crystal Street	46	39	39
A12 – Crystal Street	46	39	39
A13 – Eyre Street North 2	40	35	35
A14 – Piper Street North	40	35	35

Notes to Condition 17:

- Receiver locations are as identified in the noise assessments presented in the EA and PPR;
- Noise limits are to be measured in accordance with the *Noise Policy for Industry (NSW EPA, 2017)*, or its latest version, including the application of modifying factor corrections to measured compliance noise levels where triggered by the requirements of Fact Sheet C of the *Noise Policy for Industry (NSW EPA, 2017)*;

CONSOLIDATED APPROVAL

- ^a Day is defined as 7 am to 6 pm Mondays to Saturdays and 8 am to 6 pm on Sundays and public holidays;
- ^b Evening is defined as 6 pm to 10 pm on any day; and
- ^c Night is defined as 10 pm to 7 am Mondays to Saturdays and 10 pm to 8 am on Sundays and public holidays.
- Daytime limits for receivers A2 and A3 are increased by 1 dB during Pinnacles Ore deliveries at the site.

17A. The daytime criteria in Table 7 of this approval do not apply when the following activities are being carried out:

- (a) construction of the concrete batching plant and associated noise bund;
- (b) construction of TSF2, including:
 - embankment 2;
 - the spillway;
 - embankment 3;
 - embankment 1;
- (c) capping and rehabilitation of TSF2;
- (d) construction of the cement silo and warehouse extension; and
- (e) crushing and screening activities associated with construction of TSF2 embankments.

17B. With regard to the activities specified in condition 17A(a)-(e) of this approval, the Proponent must:

- (a) notify the Department prior to commencement and upon completion of each activity;
- (b) minimise the noise generated by these activities in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version; and
- (c) ensure that the noise generated by the project does not cause exceedances of the amenity criteria of 65 dB $L_{Aeq, (day)}$ specified for an urban/industrial interface area under the *NSW Industrial Noise Policy*.

17C. The Proponent must not carry out any of the activities specified in condition 17A(a)-(c) concurrently.

17D. The noise criteria in Table 7 of this approval apply for construction of Stages 1 and 2 of the boxcut, excluding daytime criteria for receivers described in Table 7a. The proponent must ensure that the noise generated by the project does not exceed the criteria in Table 7a during standard construction hours – defined as Monday to Friday 7 am to 6 pm and Saturday 8 am to 1 pm and no time on Sundays and public holidays.

Table 7a: Additional Construction Noise Criteria for the Boxcut Construction

Location	Day (dB(A))
A1 – Piper Street North	43
A2 – Piper Street Central	45
A3 – Eyre Street North	47
A13 – Eyre Street North 2	48
A14 – Piper Street North	47

Notes to Condition 17D:

- Receiver locations are as identified in the noise assessments presented in the Appendix 3; and
- Noise limits are to be measured in accordance with the Noise Policy for Industry (NSW EPA, 2017), or its latest version.

17E. The noise criteria in Table 7 of this approval apply for construction of the Tailings dewatering system – Tailings pipeline approved under Modification 13, excluding daytime criteria for receivers described in Table 7b. The proponent must ensure that the noise generated by the project does not exceed the criteria in Table 7b during daytime out of hours – defined as Saturday 1:00 pm to 6:00 pm and Sundays or public holidays 7:00 am to 6:00 pm.

Table 7b: Additional Construction Noise Criteria for the Tailings dewatering system – Tailings pipeline Construction

Location	Day (dB(A))
A1 – Piper Street North	42
A2 – Piper Street Central	42
A3 – Eyre Street North	45
A10 – Barnet and Blende Streets	43
A13 – Eyre Street North 2	43
A14 – Piper Street North	44

Notes to Condition 17E:

- Receiver locations are as identified in the noise assessments presented in the Appendix 3; and
- Noise limits are to be measured in accordance with the Noise Policy for Industry (NSW EPA, 2017), or its latest version.

Blasting Limits

18. The Proponent must ensure that blasting on the site does not cause exceedances of the criteria in Tables 8 and 9.

CONSOLIDATED APPROVAL

Table 8: Blasting Criteria (excluding Block 7)

Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (mm/s)	^a Allowable Exceedance
Residence on privately owned land	115	5	^b 5% of the total number of blasts over a 12-month period
	120	10	0%
Public Infrastructure	-	100	0%

Table 9: Blasting Criteria (Block 7)

Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (mm/s)	^a Allowable Exceedance
Residence on privately owned land	115	^c 3 (interim)	5% of the total number of blasts over a 12-month period
	120	10	0%
Broken Hill Bowling Club, Italo (Bocce) Club, Heritage Items within CML7	-	50	0%
Perilya Southern Operations	-	100	0%
^d Public Infrastructure	-	100	0%

These criteria do not apply if the Proponent has a written agreement with the relevant owner to exceed these criteria, and has advised the Department in writing of the terms of this agreement.

Notes to Tables 8 and 9:

- ^a The allowable exceedance must be calculated separately for development blasts and production blasts;
- ^b The 5% allowable exceedance does not apply to production blasts until the Proponent has successfully completed a Pollution Reduction Program aimed at achieving this goal, as required by the EPA under the Proponent's EPL (No. 12559), or as otherwise agreed with the EPA;
- ^c The interim criteria applies unless and until such time that the Proponent has written consent from the Secretary to apply site specific criteria in accordance with condition 19 of this approval; and
- ^d The Proponent must close South Road to pedestrians if blasts are expected to exceed a peak particle velocity ground vibration of 65 mm/s at the road reserve surface, while the blast firing occurs.

19. The Proponent may establish site specific ground vibration criteria for residential receivers that may be affected by blasting operations in Block 7, to the satisfaction of the Secretary. These criteria must:
- (a) be prepared by a suitably qualified mining engineer;
 - (b) be prepared in consultation with the EPA;
 - (c) protect the amenity of all residences on privately owned land; and
 - (d) be based on blast monitoring data for the Block 7 mining area.

Blast Frequency

- 19A. The Proponent may carry out a maximum of:
- (a) 1 production blast a day and 6 production blasts a week, averaged over a calendar year; and
 - (b) 6 development blasts a day and 42 development blasts a week, averaged over a calendar year.

Operating Conditions

- 19B. The Proponent **must**:
- (a) implement best management practice to:
 - protect the safety of people in the surrounding area; and
 - protect public or private infrastructure/property in the surrounding area from any damage;
 - (b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site;
 - (c) use reasonable endeavours to co-ordinate blasting at the site:
 - to minimise cumulative blasting impacts associated with the operation of nearby mines; and

CONSOLIDATED APPROVAL

- to avoid disturbing users of nearby recreational facilities, including the Broken Hill Bowling Club and the Italio (Bocce) Club;
 - (d) minimise the noise impacts of the project during adverse meteorological conditions (stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level);
 - (e) carry out regular monitoring to determine whether the project is complying with the relevant conditions of this approval; and
 - (f) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval;
- to the satisfaction of the Secretary.

Noise and Blast Management Plan

20. Prior to commencing activities associated with Modification 13, the Proponent must prepare an updated Noise and Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with EPA by the end of June 2011;
 - (b) describe the noise mitigation measures that would be implemented to:
 - ensure compliance with the relevant conditions of this approval, including a real-time noise management system that employs both reactive and proactive mitigation measures;
 - address activities associated with the construction of the concrete batching plant and TSF2, and the capping and rehabilitation of TSF2;
 - address activities associated with the construction of the boxcut, TSF3 and tailings harvesting routes as described in Modification 6;
 - address activities associated with the construction of the ventilation intake as described in Modification 11; and
 - address activities associated with Modification 13, including a temporary noise barrier or enclosure around the raise boring generator and operational controls on the number of ore haulage vehicle movements entering the site from Pinnacles Mine;
 - (c) include a noise monitoring program that:
 - uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the project; and
 - includes a protocol for determining exceedances of the relevant conditions of this approval;
 - (d) describe the blast management measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this approval;
 - (e) include a blast monitoring program that:
 - evaluates the performance of the project, including compliance with the applicable criteria;
 - uses a combination of roving blast monitors (at least 1) and fixed blast monitors (at least 6); and
 - includes a protocol for determining and responding to exceedances of the relevant conditions of this approval; and
 - (f) detail notification requirements to relevant government agencies.

20A. The Proponent must implement the Noise and Blast Management Plan as approved by the Secretary.

UNDERGROUND MINING

Performance Measures

20A. The Proponent must ensure that there are no measurable subsidence impacts caused by underground mining beneath South Road and other public infrastructure.

SOIL AND WATER

21. Except as may be expressly provided by an Environment Protection Licence issued under the *Protection of the Environment Operations Act 1997*, the Proponent must comply with section 120 of that Act, which prohibits the pollution of waters.

Water Supply

22. The Proponent must ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match its water supply.

Note: The Proponent is required to obtain the necessary water licences for the project under the Water Act 1912 and/or Water Management Act 2000.

Water Management Plan

23. The Proponent must prepare a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be consistent with the Stormwater Management Plan presented as Annexure K to the EA, incorporate any changes to reflect the final detailed design of the project, and be prepared in consultation

CONSOLIDATED APPROVAL

with EPA, Water Group and RR. The plan must: be submitted to the Secretary for approval by the end of June 2011, and must include:

- (a) a Site Water Balance, which must:
 - include details of:
 - sources and security of water supply;
 - methods to monitor, measure and manage reporting on water take (exempt and licensable);
 - water use on site;
 - water management on site;
 - any off-site water transfers; and
 - investigate and implement all reasonable and feasible measures to minimise water use by the project;
- (b) an Erosion and Sediment Control Plan, which must:
 - identify activities that could cause soil erosion, generate sediment or affect flooding;
 - describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters, and manage flood risk;
 - describe the location, function and capacity of erosion and sediment control structures and flood management structures; and
 - describe what measures would be implemented to maintain the structures over time;
- (c) a Surface Water Management Plan, which must include:
 - detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project;
 - surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts;
 - a program to monitor and assess:
 - surface water flows and quality;
 - impacts on water users;
 - stream health;
 - channel stability;
 - detail relocated and additional water management infrastructure required by Modification 6 including the boxcut, water storage S37, the TSF3 and "free areas"; and
 - a program for the ongoing verification and refinement of the operational site water balance model;
- (d) a Groundwater Monitoring Program, which must:
 - provide a program to monitor seepage movement within and adjacent to all tailings storage facilities (the TSF1, TSF2 and TSF3);
 - include details of parameters and pollutants to be monitored for:
 - water from mine dewatering;
 - groundwater locations to the east of TSF1;
 - surface water represented by Horwood Dam;
 - water captured by the toe drains of the tailings storage facility;
 - water seepage from the tailings storage facility; and
 - the background local groundwater system.
 - outline performance parameters against monitoring data will be compared to determine whether seepage is occurring, and whether an unacceptable impact on local groundwater may be occurring, including groundwater quality performance criteria for shallow perched groundwater (including lead) and a defined Trigger Action Response Plan based on monitoring triggers; and
 - include details of contingency measures to be implemented in the event that an unacceptable impact is identified.

23A. The Proponent must implement the Water Management Plan as approved by the Secretary.

TRANSPORT

24. The Proponent shall maintain the existing 66 carparking spaces, or an equivalent number elsewhere on the site, for the duration of the project.
25. The Proponent shall consult with the TfNSW and Council in relation to the footpath modifications required at the Eyre Street site access and shall address the design requirements of those agencies in relation to those works. All footpath works shall be completed prior to the commencement of operation of the project, and shall be undertaken at no cost to the TfNSW or Council.
26. A truck waiting area with capacity to accommodate at least two B-Double vehicles at any time must be provided inside the Eyre Street site access to avoid trucks queuing into Eyre Street.
27. If the Holten Road site access is required during construction of the project, the Proponent must, prior to using this access, consult with and address the requirements of the TfNSW and Council with respect to traffic access at this location.

CONSOLIDATED APPROVAL

28. The Proponent shall commission dilapidation reports for roads likely to be affected by the construction of the project, prior to the commencement of construction and immediately prior to completion of construction. The Proponent shall fund rectification of any deterioration of road pavement quality as a result of construction-related traffic.
- 28A. The Proponent must enter into a Deed of Agreement with the TfNSW for the protection and management of South Road, to the satisfaction of the TfNSW, prior to the commencement of production blasting in Block 7.

Traffic Management Plan

29. The Proponent must prepare and implement a traffic management plan to the satisfaction of the Secretary. The plan must focus on traffic management during construction of the project, and must be developed in consultation with the TfNSW and Council. The plan must be submitted for the approval of the Secretary prior to the commencement of construction.

HERITAGE

30. The Proponent must prepare and implement a Conservation Management Plan for the site to the satisfaction of the Secretary. This plan must provide a strategic framework for all heritage items located on the Lease, based on the principles of the Burra Charter, and developed in consultation with the Heritage NSW and Council. The plan must be submitted for the approval of the Secretary by December 2011.
- 30A. If any unexpected heritage items are identified over the life of the project, the Proponent must cease works and contact the Heritage NSW in writing prior to works continuing in the affected areas.

VISUAL AMENITY

31. The Proponent must:
- (a) minimise the visual impacts, and particularly the off-site lighting impacts, of the project;
 - (b) take all practicable measures to further mitigate off-site lighting impacts from the project; and
 - (c) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting*, or its latest version, to the satisfaction of the Secretary.

WASTE

32. The Proponent must:
- (a) minimise the waste generated by the project; and
 - (b) ensure that the waste generated by the project is appropriately stored, handled, and disposed of, to the satisfaction of the Secretary.
33. The Proponent must prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with RR, and submitted the Secretary for approval by the end of March 2011;
 - (b) identify the various waste streams of the project;
 - (c) estimate the volumes of tailings and other waste material that would be generated by the project;
 - (d) describe and justify the proposed strategy for disposing of this waste material;
 - (e) describe what measures would be implemented to meet the requirements set out above in condition 32; and
 - (f) include a program to monitor the effectiveness of these measures.
- 33A. The Proponent must update the Waste Management Plan required by condition 33 of this approval by December 2017, unless the Secretary agrees otherwise. The updated plan must include:
- (a) a long-term waste management strategy; and
 - (b) an action plan for the implementation of the key measures proposed to achieve the strategy.
- Following approval, the Proponent must implement the plan.

REHABILITATION

Progressive Rehabilitation

34. The Proponent must rehabilitate the site progressively, that is, as soon as is practicable following disturbance, to the satisfaction of the Secretary.

Rehabilitation Strategy

- 34A. Within 6 months from approval of Modification 6, the Proponent must prepare a Rehabilitation Strategy for the site to the satisfaction of the Secretary. This strategy must:
- (a) be prepared by a team of suitably qualified and experienced experts whose appointment has been endorsed by the Secretary;
 - (b) be prepared in consultation with relevant stakeholders including the RR, [NSW Resources](#), EPA, NSW Health (Western NSW Local Health District), [Water Group](#), Heritage NSW, Council and Perilya Broken Hill Limited;
 - (c) define the rehabilitation objectives for and schedule of the mine site and “free areas”, with consideration of heritage values, dust management, water and leachate management, subsidence, visual impacts and public safety;
 - (d) includes a conceptual final landform and rehabilitation plan;
 - (e) include a life of mine rehabilitation and mining schedule which outlines key progressive rehabilitation milestones from the commencement of operations through to decommissioning and mine closure; and
 - (f) managing and minimising any adverse socio-economic effects associated with mine closure.

The Proponent must implement the approved Rehabilitation Strategy for the project.

Note: The Proponent must also prepare and implement a Rehabilitation Management Plan in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992.

35. Deleted.

SCHEDULE 4

ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Proponent **must** prepare and implement an Environmental Management Strategy for the project to the satisfaction of the **Secretary**. This strategy must:
 - (a) be submitted to the **Secretary** for approval by the end of June 2011;
 - (b) provide the strategic framework for the environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance; and
 - respond to emergencies; and
 - (f) include:
 - copies of any strategies, plans and programs approved under the conditions of this approval; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

Management Plan Requirements

2. The Proponent **must** ensure that the management plans required under this approval are prepared in accordance with relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the project; and
 - effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to improve the environmental performance of the project over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with the conditions of this approval and statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

*Note: The **Secretary** may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

Annual Review

3. By the end of **31 March 2023**, and annually thereafter, the Proponent **must submit a report reviewing** the environmental performance of the project to the satisfaction of the **Secretary**. This review must:
 - (a) describe the **project** (including any rehabilitation) that was carried out in the past **calendar** year, and the **project** that is proposed to be carried out over the next year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the:
 - relevant statutory requirements, limits or performance measures/criteria;
 - monitoring results of previous years;
 - relevant predictions in the documents referred to in Conditions 2 of Schedule 2; **and**

CONSOLIDATED APPROVAL

- requirements of any plan or program required under this approval;
- (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;
- (d) identify any trends in the monitoring data over the life of the project;
- (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies;
- (f) describe what measure will be implemented over the next year to improve the environmental performance of the project; and
- (g) evaluate and report on compliance with the performance measures, criteria and operating conditions of this approval.

Revision of Strategies, Plans & Programs

4. Within three months of:
- (a) the submission of an annual review under Condition 3 above;
 - (b) the submission of an incident report under Condition 5 below;
 - (c) the submission of an audit report under Conditions 7 – 8A below;
 - (d) any modification of the conditions of this approval (unless the conditions require otherwise), or
 - (e) a direction of the Secretary under Condition 2 of Schedule 2.

the Proponent **must** review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

COMPLIANCE

5. The Proponent must notify the Department and any other relevant agencies within 24 hours of becoming aware of an incident. The notification must be made via the Department's Major Projects website and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- 5A. The Proponent must provide the Department with a subsequent incident report in accordance with Appendix 5.

Non-Compliance Notification

6. Within seven days of becoming aware of a non-compliance, the Proponent must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the Department's Major Projects Website. The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

7. Within one year of the date of physical commencement of development under Modification 6, and every three years after, unless the Secretary directs otherwise, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project. The audit must:
- (a) be prepared in accordance with the *Independent Audit Post Approval Requirements* (NSW Government 2020); and
 - (b) be submitted, to the satisfaction of the Secretary, within two months of undertaking the independent audit site inspection, unless otherwise agreed by the Secretary.
8. In accordance with the specific requirements of the *Independent Audit Post Approval Requirements* (NSW Government 2020), the Proponent must:
- (a) review and respond to each Independent Audit Report prepared under Condition 7 above;
 - (b) submit a response to the Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations of the Independent Audit Report;

CONSOLIDATED APPROVAL

- (c) implement the recommendations to the satisfaction of the Secretary;
- (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Secretary; and
- (e) be led by a suitably qualified, experienced, and independent auditor whose appointment has been endorsed by the Secretary.

MONITORING AND ENVIRONMENTAL AUDITS

- 8A. Any condition of this approval that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.

For the purposes of this condition, as set out in the EP&A Act, “monitoring” means monitoring of the project to provide data on compliance with the approval or on the environmental impact of the project, and an “environmental audit” means a periodic or particular documented evaluation of the project to provide information on compliance with the approval or the environmental management or impact of the project.

ACCESS TO INFORMATION

9. From the end of March 2011 until the completion of all rehabilitation required under this approval, the Proponent **must**:
- (a) make copies of the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this approval) publicly available on its website:
 - the documents referred to in Condition 2 of Schedule 2;
 - all current statutory approvals for the project;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - the proposed staging plans for the project if the construction, operation or decommissioning of the project is to be staged;
 - regular reporting on the environmental performance of the project in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval;
 - the monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans or programs;
 - a summary of the current phase and progress of the project;
 - contact details to enquire about the project or to make a complaint;
 - a complaints register, updated on a monthly basis;
 - the annual reviews of the project;
 - any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; and
 - any other matter required by the Secretary;
 - (b) keep this information up-to-date, to the satisfaction of the Secretary.

INDEPENDENT REVIEW

10. If an owner of privately-owned land considers the project to be exceeding the criteria in schedule 3 at his/her land, then he/she may ask the Secretary in writing for an independent review of the impacts of the project on his/her land.

If the Secretary is satisfied that an independent review is warranted, then the Proponent **must**:

- (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Secretary, to:
 - consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and
 - if the project is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) give the Secretary and landowner a copy of the independent review within 2 months of the Secretary's decision, unless the Secretary agrees otherwise.

UPDATING AND STAGING OF STUDIES, STRATEGIES AND PLANS

11. To ensure the studies, strategies and plans for the project are updated on a regular basis and incorporate any required measures to improve the environmental performance of the project, the Proponent may submit revised studies, strategies or plans required for the project under the conditions of approval at any time.

CONSOLIDATED APPROVAL

With the agreement of the Secretary, the Proponent may also submit any study, strategy or plan required under the conditions of this approval on a staged basis.

12. The Secretary may approve a revised strategy or plan required under the conditions of approval, or the stage submission of these documents, at any time. With the approval of the Secretary, the Proponent may prepare the revised or staged strategy or plan without undertaking consultation with all parties nominated under the applicable condition in this approval.

Notes:

- *While any study, strategy or plan may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable studies, strategies or plans at all times.*
 - *If the submission of any study, strategy or plan is to be staged, then the relevant study, strategy or plan must clearly describe the specific stage to which the study, strategy or plan applies, the relationship of this stage to any future stages, and the trigger for updating the study, strategy or plan.*
-

FOR INFORMATION

CONSOLIDATED APPROVAL

APPENDIX 1: SCHEDULE OF LAND

Mineral Authorities/ Lot Number	Deposited Plan Number
CML 7	-
MPL 183	-
MPL 184	-
MPL 185	-
MPL 186	-
EL 5818	-
1	26/ 758018
2	26/ 758018
3	26/ 758018
4	26/ 758018
5	26/ 758018
6	26/ 758018
7	26/ 758018
8	26/ 758018
9	26/ 758018
10	26/ 758018
17	26/ 758018
1	809279
2	809279
1	134676
2	134676
3	134676
11	725393
675	761716
1790	757298
Sublease area within ML1249 depicted in Figure 1 below	-

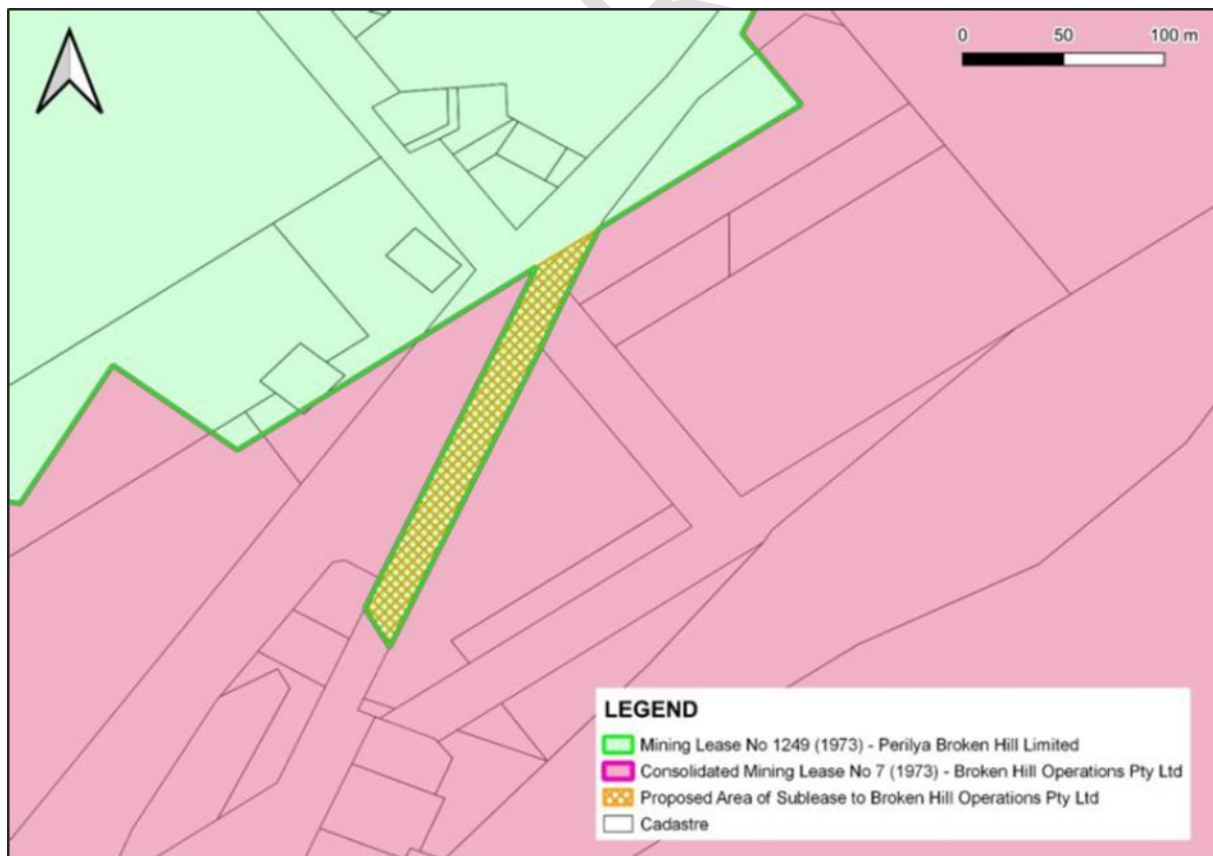
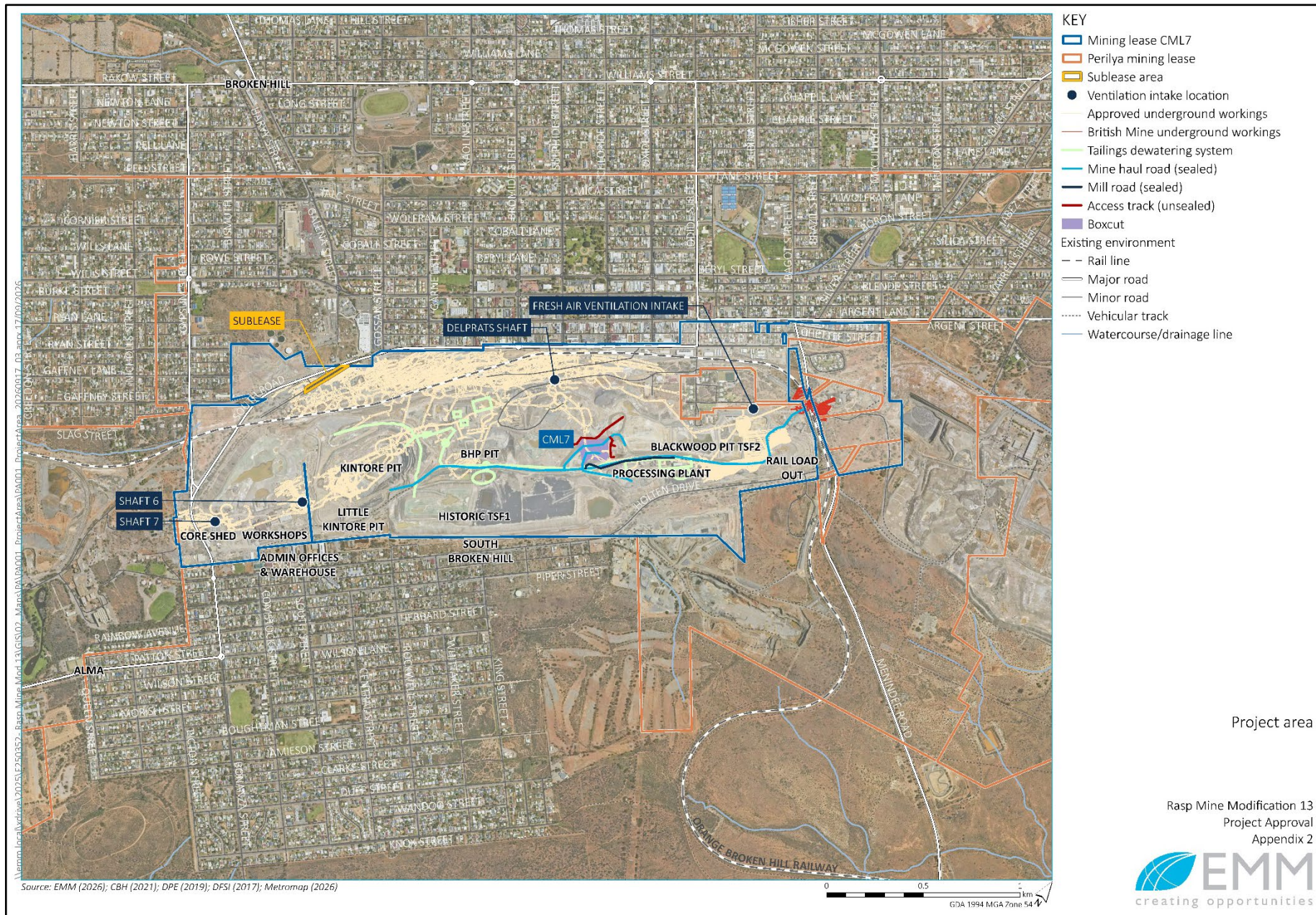
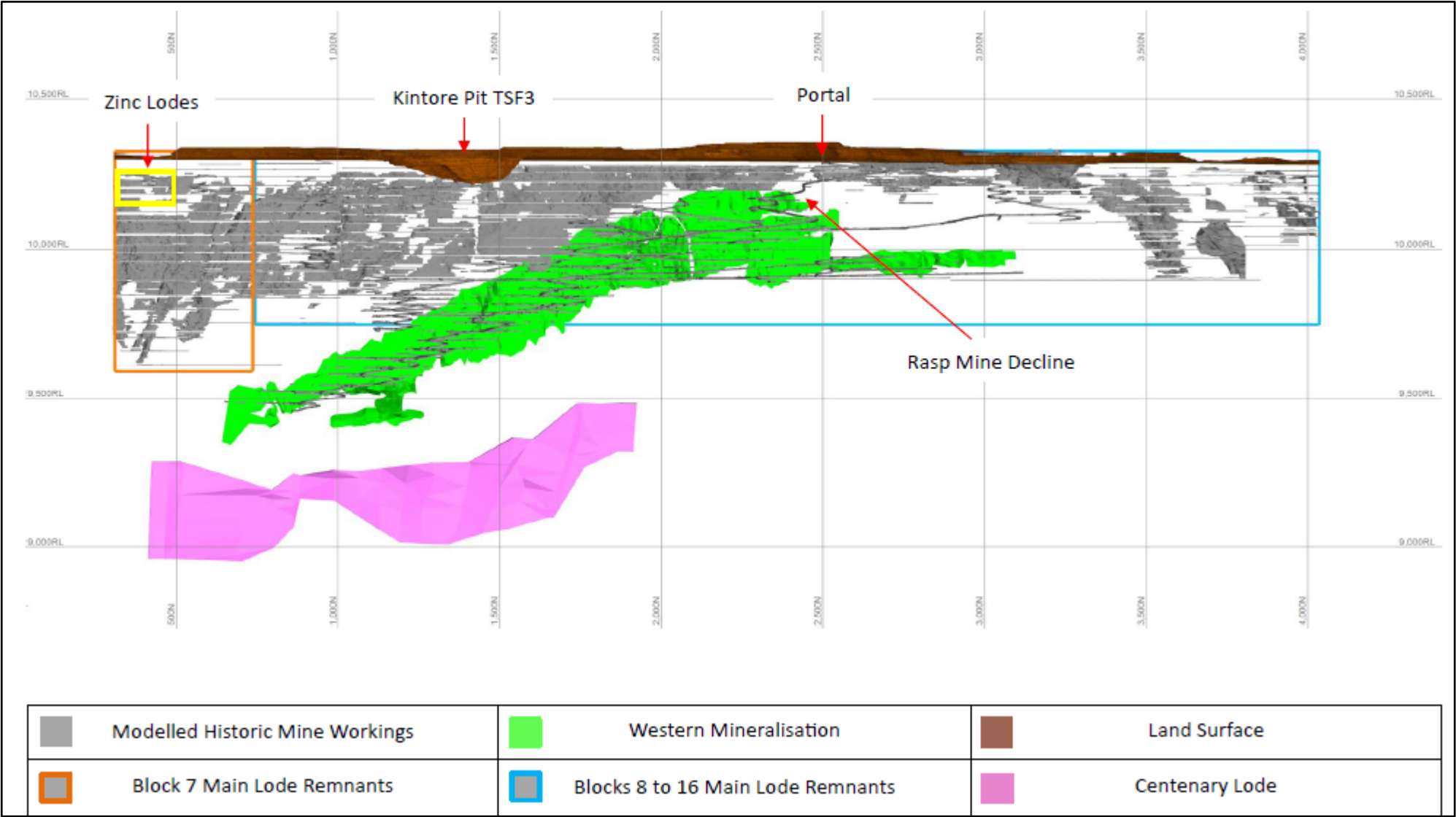


Figure 1 - Sublease area within ML1249

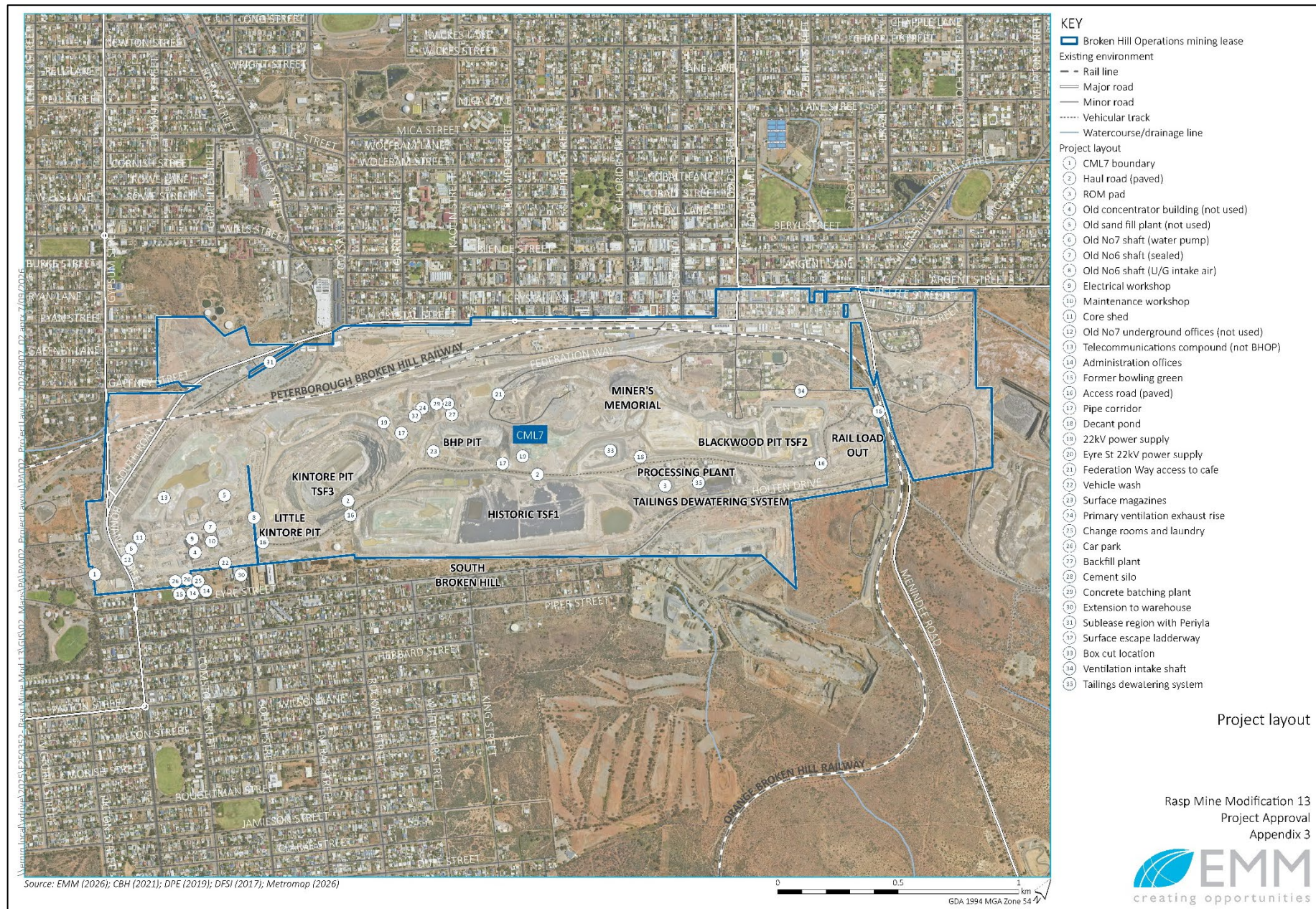
APPENDIX 2: PROJECT AREA



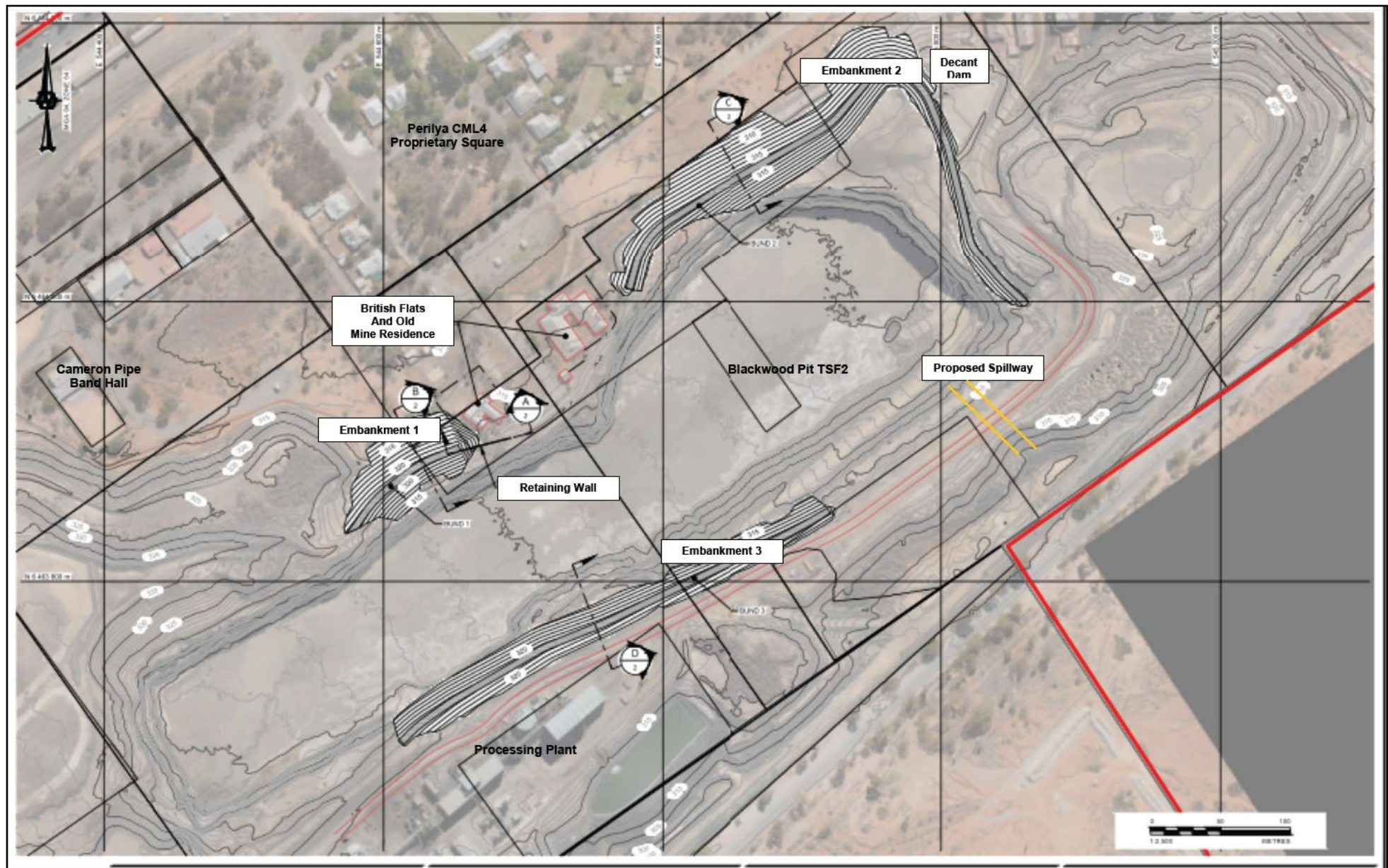
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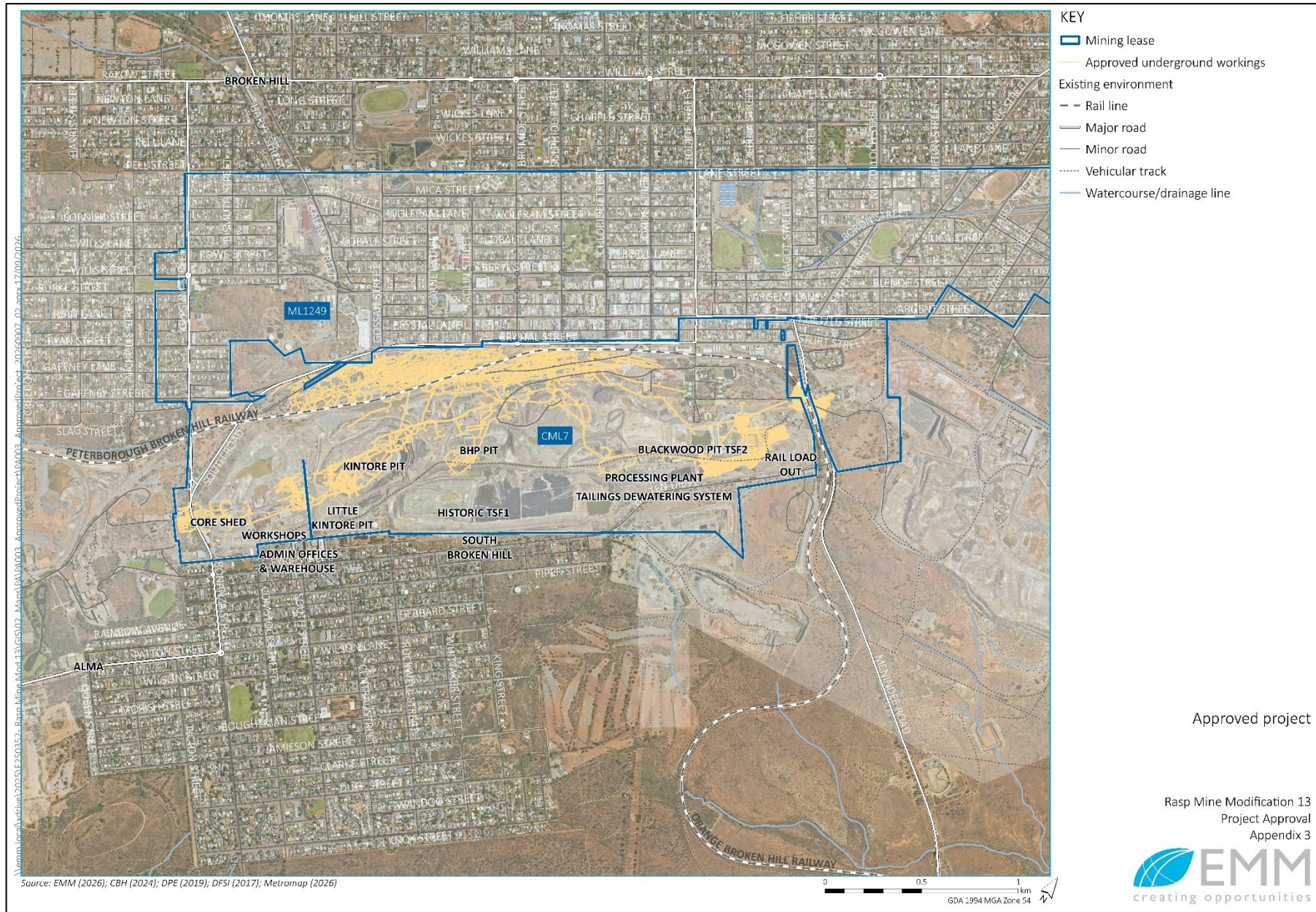
APPENDIX 3: PROJECT LAYOUT PLANS



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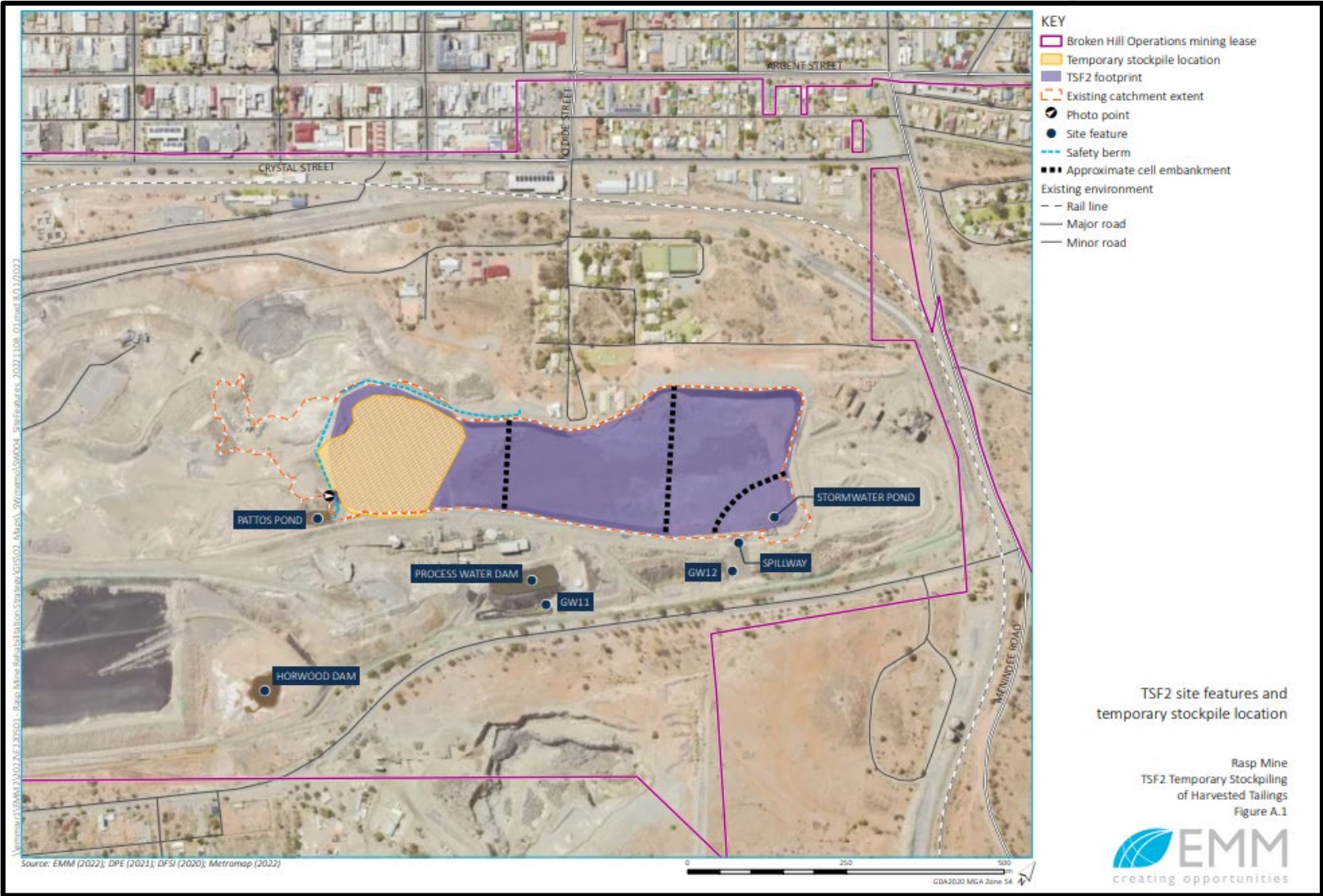
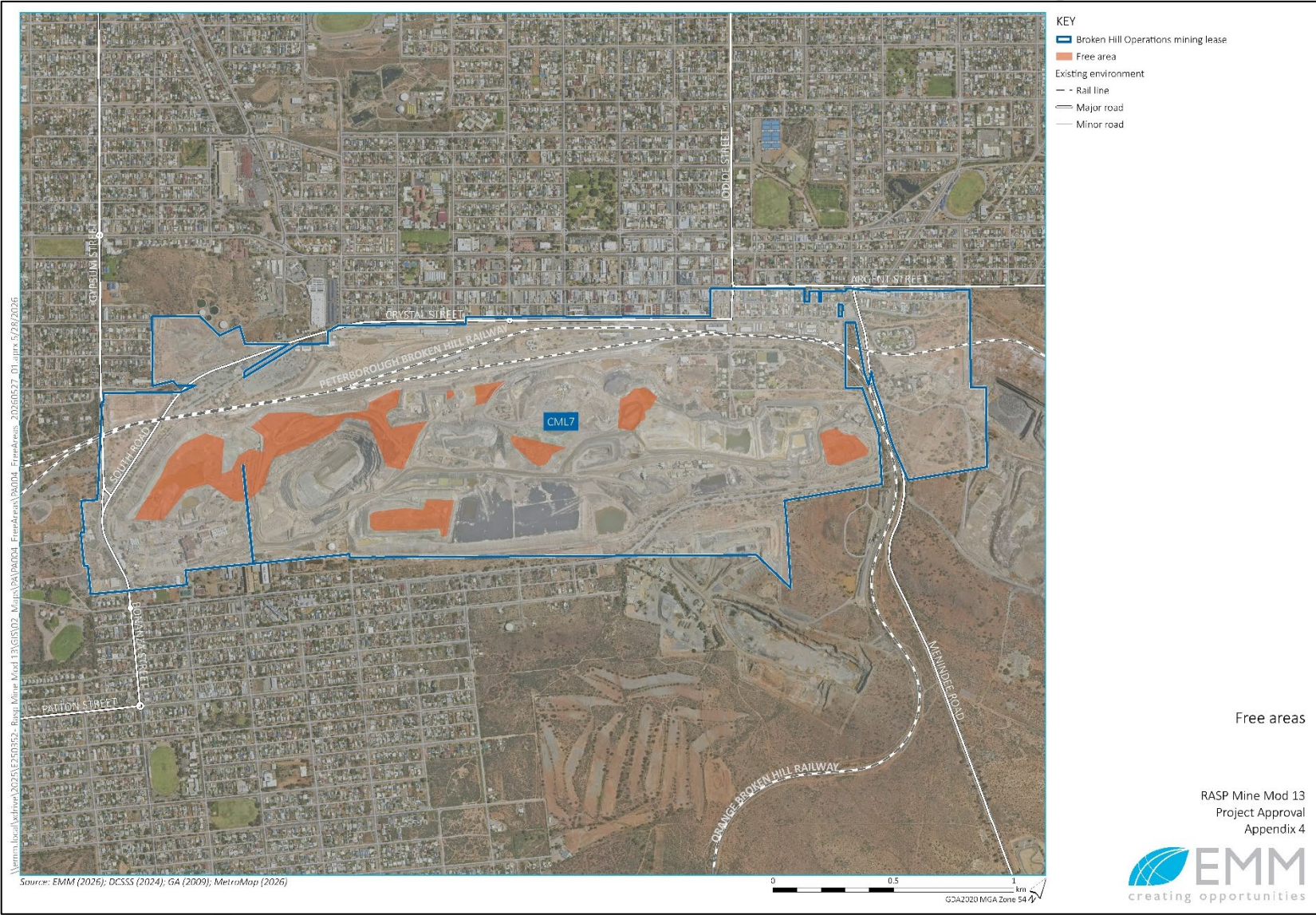


Figure 4 – Temporary tailings Stockpile

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APPENDIX 4: PLAN OF FREE AREAS



APPENDIX 5: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the Department's Major Projects website.
2. The Proponent must provide notification as required under these requirements, even if the Proponent fails to give the notification required under condition 5 of Schedule 4 of this approval or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Secretary) of the Proponent making the immediate incident notification (in accordance with condition 5 of Schedule 4 of this approval), the Proponent is required to submit a subsequent incident report that:
 - a) identifies how the incident was detected;
 - b) identifies when the Proponent became aware of the incident;
 - c) identifies any actual or potential non-compliance with conditions of consent;
 - d) identifies further action(s) that will be taken in relation to the incident; and
 - e) a summary of the incident;
 - f) outcomes of an incident investigation, including identification of the cause of the incident;
 - g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - h) details of any communication with other stakeholders regarding the incident.
4. The Proponent must submit any further reports as directed by the Secretary.