

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.


Mike Young
A/Director
Resource Assessments

Sydney 17 MARCH

2015

SCHEDULE 1

The project approval for the Rasp Project granted by the delegate of the Minister for Planning on 31 January 2011 (07_0018).

SCHEDULE 2

1. Insert the following definitions, in alphabetical order, in the list of definitions in schedule 2:

Modification 1	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 2	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 3	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 letter from the Proponent dated January 2015
Statement of Commitments	The Statement of Commitments reproduced in Appendix 5, and updated by Modification 3

2. Delete all words after "Statement of Commitments;" in condition 2 of schedule 2, and insert:
 - (d) Modification 1;
 - (e) Modification 2;
 - (f) Modification 3; and
 - (g) conditions of this approval.

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

3. Delete the heading for Table 4 in condition 4 of schedule 3, and replace with:

Table 4: Discharge Criteria for Point 1 and Point 6 – Ventilation Shafts

4. Delete conditions 18 and 19 of schedule 3, and insert the following:

Blasting Limits

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

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, Italio (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:
- be prepared by a suitably qualified mining engineer;
 - be prepared in consultation with the EPA;
 - protect the amenity of all residences on privately owned land; and
 - be based on blast monitoring data for the Block 7 mining area.

Blast Frequency

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

Operating Conditions

19B. The Proponent shall:

- (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
 - to avoid disturbing users of nearby recreational facilities, including the Broken Hill Bowling Club and the Italo (Bocce) Club;
- to the satisfaction of the Secretary.

5. Delete condition 20 (d) (e) (f) of schedule 3 and insert the following:

- (d) describe the blast management measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this approval; and
- (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.

6. Insert the following condition after condition 20 of schedule 3:

UNDERGROUND MINING

Performance Measures

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

7. Insert the following condition after condition 28 of schedule 3:

28A. The Proponent must enter into a Deed of Agreement with the RMS for the protection and management of South Road, to the satisfaction of the RMS, prior to the commencement of production blasting in Block 7.

8. Insert the following dot point before the first dot point in condition 34(b) of schedule 3:

- no measurable subsidence impacts from mining within Block 7;

9. Insert the following condition after condition 9 of schedule 4:

INDEPENDENT REVIEW

10. If an owner of privately-owned land considers the development 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 development on his/her land.

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

- (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 development is complying with the relevant impact assessment criteria in schedule 3; and
 - if the development 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.

10. Insert the following figure after the first figure in Appendix 2:

