

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.



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Executive Director
Resource Assessments and Business Systems

Sydney 6 SEPTEMBER 2017

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. In the list of definitions, delete the definitions for 'Modification 1', 'Modification 2', 'Modification 3', 'NSW Trade & Investment', 'NOW', 'PPR', 'Response to Submissions' and 'Statement of Commitments' and insert the following in alphabetical order:

DPI – Water	Division of Water within the Department of Primary Industries
DRG	Division of Resources and Geoscience within the Department
Heritage Council	Heritage Council of New South Wales
TSF2	Tailings storage facility 2, identified as Blackwood Pit in the Figure in Appendix 2

2. In the definition for 'EA' in the list of definitions, delete all words after 'July 2010' and insert the following:

as amended by:

- *Rasp Mine Zinc-Lead-Silver Project: Response to Submissions Report*, prepared by Broken Hill Operations Pty Ltd and dated July 2010;
- *Rasp Mine Zinc-Lead-Silver Project: Preferred Project Report*, prepared by Broken Hill Operations Pty Ltd and dated September 2010;
- Modification application 07_0018 Mod 1 and accompanying Environmental Assessment titled: *Rasp Mine, Zinc-Lead-Silver Project, Variation to Project, Relocation of Ventilation Shaft*, dated November 2011;
- Modification application 07_0018 Mod 2 and accompanying Environmental Assessment titled: *Rasp Mine Zinc-Lead-Silver Project Modification 2* and Response to Submissions letter from the Proponent dated May 2014;
- Modification application 07_0018 Mod 3 and accompanying Environmental Assessment titled: *Rasp Mine Zinc-Lead-Silver Project Environmental Assessment Modification 3 Mining Extension* and Response to Submissions dated January 2015; and
- Modification application 07_0018 Mod 4 and accompanying Environmental Assessment titled: *Rasp Mine Environmental Assessment Modification 4, Concrete Batching Plant Blackwood Pit TSF2 Extension* dated April 2017 and Response to Submissions dated June 2017.

3. Delete condition 2 of Schedule 2 and replace with the following:

2. The Proponent must carry out the project:
 - (a) generally in accordance with the EA; and

(b) in accordance with the conditions of this approval.

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

2. Delete all references to 'NOW' and replace with 'DPI – Water'.
3. In the note to condition 5 of Schedule 2, delete the words 'both the Secretary and NSW Trade & Investment' and replace with 'the Secretary'.
4. In Table 1 of Schedule 3, delete the number '30' and replace with '25'.
5. In condition 11(c) of Schedule 3, insert the following points after the words 'program that':
 - provides a real-time monitoring system of dust emissions around the perimeter of TSF2 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;
6. After condition 11(d) of Schedule 3, insert the following condition and revise the order of subsequent lettering:
 - (e) procedures to review and refine the reactive management triggers for wind speed and dust concentrations;
7. In conditions 13(a) and 14(c) of Schedule 3, delete the words 'Western Area Health Service' and replace with 'Western NSW Local Health District'.
8. Delete conditions 15 and 16 of Schedule 3, and insert the following:

Hours of Operation

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

Table 6.1: Operating Hours

Activity	Hours
Construction	7 am to 6 pm, Monday to Friday 8 am to 1 pm, Saturday
Capping and rehabilitation of TSF2	No activities on Sundays or public holidays
Shunting of concentrate wagons	7 am and 6 pm on any day
Production rock blasting	6:45am and 7:15pm on any day
All other activities	24 hours a day, 7 days a week

16. Deleted.
9. After condition 17 of Schedule 3, insert the following conditions:
 - 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; and
 - (c) capping and rehabilitation of TSF2.
 - 17B. With regard to the activities specified in condition 17A of this approval, the Proponent must:
 - (a) notify the Department prior to commencement and upon completion of each activity;
 - (b) not carry out any of these activities concurrently;

- (c) 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
- (d) ensure that the noise generated by the development 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*.

10. In condition 20 (c) of Schedule 3, delete all words after 'implemented to' and insert the following:
 - ensure compliance with the relevant conditions of this approval, including a real-time noise management system that employs both reactive and proactive mitigation measures; and
 - address activities associated with the construction of the concrete batching plant and TSF2, and the capping and rehabilitation of TSF2;
11. In conditions 23 and 33(a) of Schedule 3, delete the words 'NSW Trade & Investment' and replace with 'DRG'.
12. In condition 30 of Schedule 3, the word 'OEH' and replace with 'Heritage Council'.
13. After condition 30 of Schedule 3, insert the following condition:
 - 30A. If any unexpected heritage items are identified over the life of the project, the Proponent must cease works and contact the Heritage Council in writing prior to works continuing in the affected areas.
14. After condition 33 of Schedule 3, insert the following condition:
 - 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.

15. Delete condition 34 of Schedule 3, and insert the following conditions:

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. The Proponent must prepare a Rehabilitation Strategy for the site to the satisfaction of the Secretary. This strategy must:
 - (a) be prepared in consultation with DRG, EPA, DPI, the Heritage Council and Council;
 - (b) define the rehabilitation objectives for the mine site, with consideration of heritage values, dust management, water and leachate management, subsidence, visual impacts and public safety;
 - (c) include a final landform plan which builds on the rehabilitation objectives and reflects the aims of rehabilitation and closure required by condition 35(d) of this approval; and
 - (d) be submitted to the Secretary for approval by the end of June 2018, unless the Secretary agrees otherwise.

16. Delete condition 35 of Schedule 3, and insert the following condition:

35. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Secretary. This plan must:
 - (a) be prepared in consultation with the Department, DRG, EPA, DPI, the Heritage Council and Council;
 - (b) be prepared in accordance with relevant DRG guidelines;
 - (c) be consistent with the rehabilitation objectives defined under the Rehabilitation Strategy required by condition 34A of this approval;
 - (d) reflect the aims of rehabilitation and closure to:
 - retain and/or manage heritage items, as agreed by relevant regulatory authorities;
 - manage stormwater to minimise erosion and restrict the potential for off-site pollution;

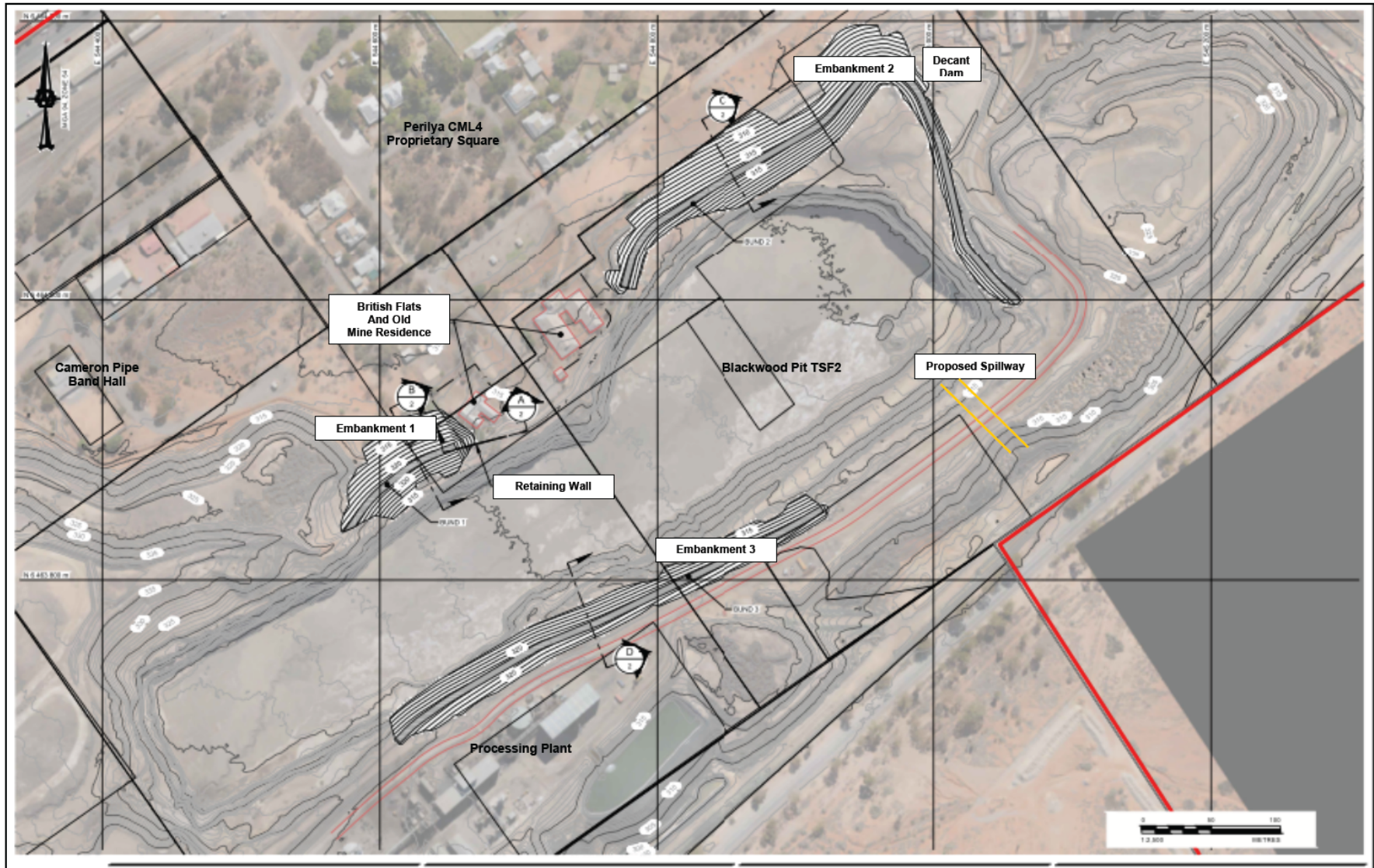
- provide final landforms that are safe, stable and sympathetic to the mining heritage of Broken Hill;
 - minimise the generation of dust and adequately contain potentially hazardous materials within the landform; and
 - install barriers to restrict access to potentially hazardous locations (eg decline, shafts or open cut pits);
- (e) build, to the maximum extent practicable, on the other management plans required under this approval; and
- (f) be submitted to the Secretary for approval within 6 months of approval of the Rehabilitation Strategy required by condition 35 of this approval.

Note: The Mine Operations Plan (MOP) may be used to address the requirements of the Rehabilitation Management Plan required under this condition. However, the MOP must clearly document how the requirements of this condition have been met.

17. Delete the first figure in Appendix 2 and replace with the following figure:



18. Insert the following figure after the existing figure in Appendix 3:



19. Delete Appendix 5.