

Notice of decision – Rasp Project (MP 07_0018 MOD6)

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	Rasp Project (MP 07_0018 MOD6)
Applicant	Broken Hill Operations Pty Limited
Consent Authority	Minister for Planning

Decision

The Director – Resource Assessments, under delegation from the Minister for Planning, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) approved the modification to the Rasp Project (the project) subject to the recommended conditions.

A copy of the Department of Planning and Environment (Department)'s Assessment Report, Instrument of Modification and conditions as modified is available at <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-6-new-tailing-storage-facility>.

Date of decision

16 March 2022

Reasons for decision

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

- the relevant matters listed in section 4.15(1) and section 4.55(2) 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*;
- all information submitted to the Department during the assessment of the modification application, including the submissions and agency advice received during public exhibition of the modification application;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the modification application (see **Attachment 1**).

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 project approval as modified relates is substantially the same development as the development authorised by the project approval.

The key reasons for approving the modification application are as follows:

- utilisation of the Kintore Pit as a third tailings storage facility will allow the project to continue operating for the remainder of the mine life (until 2026), allowing for effective resource utilisation, optimised use and filling of the existing mine void (Kintore Pit);
- the issues raised by the community and government agencies during consultation and in submissions have been considered and adequately addressed in the Department's Assessment Report;
- the environmental impacts can be effectively minimised and managed to an acceptable level subject to the implementation of strict revised conditions;
- continued operations of the project would benefit the Broken Hill community and the wider region in NSW, including on-going full-time employment for more than 200 people; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification application from 8 September 2021 until 21 September 2021 (a total of 14 days) and received advice from 11 government agencies, a submission from Broken Hill Council and one community submission.

The key issues raised in the community submission and considered in the Department’s Assessment Report and by the decision maker predominantly related to the project’s management of dust and airborne lead impacting human health, both from current and future operations.

<i>Issue</i>	<i>Consideration</i>
<i>Air quality and associated health impacts</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The modification would result in temporary increases in the project’s air quality impacts during construction with minor incremental increases in lead exposure occurring for up to 12 months. • There would be no exceedances in the Environment Protection Authority’s Approved Methods air quality monitoring criteria during construction and operation. • The predicted incremental increase in lead concentration in soil during the construction stage was in the range of 0.03 - 2 mg/kg, representing 0.005 - 0.43% of existing lead concentrations. • Predicted minor increases in blood lead levels for 1-2-year-old children were within the margin error of ± 2 $\mu\text{g/dL}$ (between 0.011 and 0.021 $\mu\text{g/dL}$), and therefore considered unchanged. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Revision of the project’s air quality criteria to include annual and 24-hour limits for particulate matter diameters less than 2.5 μm ($\text{PM}_{2.5}$). • Limiting extraction on-site to 500,000 tonnes of ore per annum in accordance with the air quality impact assessment provided with the modification application, which may be increased to the previously approved maximum of 750,000 tonnes of ore per annum, subject to a revised air quality impact assessment completed to the satisfaction of the Environment Protection Authority, and a revised limit approved in writing by the Planning Secretary. • Updates to the Air Quality Management Plan, Lead Management Plan and Human Health Risk Assessment conditions, including triggering revision of the Air Quality Management Plan or Lead Management Plan should monitoring data identify the project is contributing to increased blood levels. • Requiring sealing and maintenance of the new internal roads to reduce air quality impacts.