

Notice of decision

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

Application type	State significant development
Application number and project name	SSD-41294067 Copi Mineral Sands Project
Applicant	RZ Resources Limited
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director, Energy, Resources and Industry Assessments, under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

Date of decision

20/05/2026

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 2021*;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the *Biodiversity Conservation Act 2016* (NSW);
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's assessment report;
- the findings and recommendations in the Department's assessment report; and
- the views of the community about the project (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 key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including generating approximately 480 jobs during construction and 200 jobs during operations, the provision of approximately \$183 million in royalties to NSW, contribute to an economic output of approximately \$1.7 billion within the Wentworth local government area and \$911 million in flow on benefits and provide contributions to the local community through planning agreements with Wentworth Shire and Broken Hill City councils;
- the project is permissible with development consent, and is consistent with NSW Government policies, including the NSW Government's *Critical Minerals and High-Tech Metals Strategy 2024-2035*, *Far West Regional Economic Development Strategy 2023*, *Far West Regional Plan 2036*, *Wentworth Shire Council Local Strategic Planning Statement 2020* and *Broken Hill City Council Local Strategic Planning Statement 2020*;
- 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, including offsetting of biodiversity impacts through mechanisms allowed under the *NSW Biodiversity Offsets Scheme*;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent;
- engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary's environmental assessment requirements as well as the amendment report. The EIS and amendment report detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was submitted to the Department it was placed on exhibition from 22 May 2024 until 18 June 2024. During the exhibition period, 53 submissions were received, including 37 objections, 10 in support and 6 comments on the project.

The Department engaged independent experts in groundwater and radiation, visited the project site and surrounds and met face-to-face with key stakeholders in July 2023, August and November 2024 and November 2025 and held virtual regular meetings with landholders adjoining the proposed mine site from September 2024. The Department also received and considered community representations on the project outside the exhibition period and throughout the assessment process.

The key issues raised by the community (including in submissions) and considered in the Department's assessment report and by the decision maker relate to biodiversity, radiation exposure, amenity (noise, air and visual) and Aboriginal cultural heritage. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Impacts on biodiversity values</i>	<i>Assessment</i> - The project has been designed to avoid, minimise and mitigate impacts to biodiversity values. - The project would clear about 3,881 hectares (ha) of native vegetation and 13 hollow-bearing trees, including vegetation reliant on hydrogeological processes associated with salt pans that may be impacted by altered drainage. Mitigation measures include pre-clearing surveys and protocols, biosecurity measures, monitoring of retained vegetation, and flow bunds and other water management measures. - Two threatened species were identified (Pink Cockatoo and Club Spear grass), with about 60 ha of Club Spear grass habitat potentially at risk of serious and irreversible impacts (SAIL). With mitigation measures proposed and in consultation with NSW Department of Climate Change, Energy, the Environment and Water - Conservation Programs, Heritage and Regulation Division (DCCEEW CPHR), the Department considers SAIL on biodiversity values unlikely. <i>Key Conditions</i> - Retire biodiversity credits prior to any disturbance impacting biodiversity values in accordance with the <i>Biodiversity Conservation Act 2016</i> and the <i>Biodiversity Conservation Regulation 2017</i>. - Performance measures for vegetation communities that rely on salt pans. - Prepare and implement a biodiversity management plan (including an adaptive management plan for the Club Spear – grass and a salt pan monitoring program). - Prepare and implement a rehabilitation strategy demonstrating compliance with rehabilitation objectives. - Prepare and implement a water management plan.
<i>Radiation exposure General hazards and risks</i>	<i>Assessment</i> - Impacts to the public and the environment would be low and well within regulatory limits, with exposure to monazite during production, handling, on-site storage and off-site transport predicted to be less than 1% of the public dose criterion. - Monazite product would be stored in sealed drums or bulka-bags and transported in suitably labelled shipping containers. - A screening assessment found hazardous material storage (e.g. diesel and LNG) would remain below the Department's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> thresholds, with mitigation including staff training and regulated waste oil disposal. <i>Key Conditions</i> - Storage of dangerous goods in accordance with all relevant Australian standards and guidelines.

Issue	Consideration
	• Appoint an EPA-accredited consulting radiation expert to be retained for the duration of operations and site rehabilitation. Air quality limits, water management performance measures and rehabilitation objectives. • Prepare and implement a radiation management plan (including a radioactive waste and a radioactive material transport management plans, and a radiation monitoring program). • Prepare and implement air quality and water management plans, and a rehabilitation strategy for site management of the radiation risks. • Prepare and implement a traffic management plan, including details of off-site transportation of radioactive substances.
Water resources	<i>Assessment</i> • Water resources - including potential risks of contamination, which would be managed through water management performance measures and management plan, water licencing, and monitoring. No material long-term impacts to the beneficial use potential of the highly saline local/regional Loxton-Parilla Sands aquifer, nor the regional flow systems or Lake Victoria. <i>Key Conditions</i> • Water management performance measures. • Prepare and implement a water management plan, including a program to periodically validate the groundwater model for the development.
Amenity (noise, air quality, visual and light pollution)	<i>Assessment</i> • Noise modelling predicts there would be no exceedances of road and operational noise; however, intersection upgrade works at Comstock and Eyre streets in Broken Hill would result in short term exceedances of relevant construction noise criteria. • Air quality modelling found no exceedances of the incremental annual average or 24-hour particulate matter, toxic metals, respirable crystalline silica or radiation criteria from construction or operation, with operations predicted to make only a minor contribution to elevated existing/background conditions at sensitive receivers surrounding the project. • Changes to the visual and lighting environment, including dust lift-off from vehicle movements, sky glow from lighting and views of temporary overburden emplacement and mobile plant movement would only be experienced by commuters and can be mitigated through recommended conditions. <i>Key Conditions</i> • Limits on development hours, including construction, to minimise impacts. • Air quality assessment criteria and operating conditions to minimise odour, fume and particulate matter emissions. • Operating noise limits. • Prepare and implement management plans for air quality and greenhouse gas and noise. • Prepare and implement a rehabilitation strategy demonstrating compliance with rehabilitation objectives.
Traffic and transport	<i>Assessment</i> • Traffic volume increases predicted to be within capacity of the road network and remain below the relevant operating design standard for the identified roads. • RZ Resources would upgrade a range of intersections along the northern transportation route and agreed to the terms of a draft Planning Agreement with Wentworth Shire Council relating to the management of other unsealed local roads, including Anabranck Mail Road south of the Site Access Road, Nulla Road, Renmark Road and Pine Camp Road. • The closure/realignment of Nulla Road is no longer proposed. As such there will be no access-related impacts on the users of the road. <i>Key Conditions</i>

<i>Issue</i>	<i>Consideration</i>
	- Construct road and intersection upgrade treatments in accordance with planning agreements with Wentworth Shire and Broken Hill City councils, relevant guidelines, Standards and specifications. - Traffic management requirements. - Prepare and implement a transport management plan, including a traffic management system for managing over-dimensional vehicles, and a monitoring and reporting program.
<i>Social and economic (cumulative impacts, inadequate consultation and impacts to surrounding landholders)</i>	<i>Assessment</i> - RZ Resources has proposed a range of measures to adequately manage long-term impacts on surrounding residents and ongoing monitoring of social risks. - The project would generate approximately 480 full time equivalent (FTE) jobs during construction and 200 FTE jobs during operations, with approximately 50% of the workforce filled by local residents. - The project includes the provision of on-site accommodation for workers, thereby reducing demand on local housing stock. - RZ Resources has committed to developing a local business strategy / formal procurement policy aimed at prioritising businesses within the Wentworth Shire and City of Broken Hill local government areas (LGAs). <i>Key Conditions</i> - Implement all reasonable and feasible measures to prevent and if prevention is not reasonable and feasible, minimise, any material harm to the environment from the development, including through performance measures, monitoring programs and management plans. - Prepare and implement a social impact management plan in consultation with affected landholders and Wentworth Shire Council, including a program to monitor, review and report on the effectiveness of measures to enhance positive social impacts, and to manage and mitigate negative (and cumulative) social impacts. - Enter into planning agreements with the Wentworth Shire and Broken Hill City councils.
<i>Agriculture, soil and rehabilitation</i>	<i>Assessment</i> - Agriculture (soil and land capability) – Potential impacts are considered low, as the mine site comprises low-fertility soils with limited agricultural capability and is prone to wind erosion. - Rehabilitation - the project is designed to achieve a safe, stable and non-polluting landform. <i>Key Conditions</i> - Control of weeds and feral pests, manage soil and establish final landform, documented and demonstrated in a biodiversity management plan, water management plan, and rehabilitation objectives and strategy.
<i>Climate change and greenhouse gas (GHG)</i>	<i>Assessment</i> - GHG scopes 1, 2 and 3 emissions at the mine site and transportation of the mine product to Broken Hill were assessed was undertaken in accordance with the EPA's <i>NSW Guide for Large Emitters</i> (2025). - RZ Resources committed to implementing a range of measures to avoid and reduce emissions, including preparing GHG and energy efficiency plan. <i>Key Conditions</i> - Air quality and greenhouse gas operating conditions. - Prepare and implement a greenhouse gas mitigation plan.
<i>Aboriginal cultural heritage</i>	<i>Assessment</i> - Impacts on Aboriginal cultural heritage were summarised in an Aboriginal Cultural Heritage Assessment Report prepared in consultation with Registered Aboriginal Parties. 55 Aboriginal cultural heritage sites would be impacted within the mine site.

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	- collected and preserved in consultation with RAPs, including the excavation of three Aboriginal hearths within the disturbance area for chronological potential investigation, with outcomes recorded in AHIMS. - RZ Resources has committed to the ongoing consultation and protection of the area known as “Water Jelly”, is located 2 km east of the infrastructure area, outside of the proposed disturbance area. <i>Key Conditions</i> - Prepare and implement an Aboriginal Cultural Heritage Management Plan, in consultation with the Registered Aboriginal Parties and Heritage NSW. - Pre-construction conditions for excavation and chronological potential investigation of the three identified Aboriginal hearths. - Protect Aboriginal objects outside the proposed disturbance area. - Measures for managing unexpected finds. - Ongoing consultation with the Registered Aboriginal Parties.
<i>Strategic context (decline in mineral sands value and limited benefit to Australia as products would be exported)</i>	<i>Assessment</i> - A number of key State and Commonwealth strategies recognise the significance of Australia and NSW's critical minerals sector in supporting the transition to clean energy. The project would contribute to the supply of titanium-bearing minerals and rare earth concentrates (monazite) relevant to clean-energy and low-emissions technologies supply chains. - The Department has consulted with NSW Resources and considers the project would provide an appropriate return to NSW. <i>Key Conditions</i> - No specific conditions.
<i>Applicant and application process (quality of the EIS document, RZ Resources social licence and status of mining leases)</i>	<i>Assessment</i> - RZ Resources' undertakings associated with processes under the <i>Mining Act 1992</i> are matters administered by NSW Resources and outside the scope of this assessment. - The Department requested further information and clarification from RZ Resources on numerous occasions to address matters raised by agencies, stakeholders and the community. The Department has verified the key matters for consideration throughout the assessment process and engaged independent experts for advice in relation to key areas of concern in community submissions - The Department considers that its engagement process met the requirements of the EP&A Act and the relevant environmental planning instruments. <i>Key Conditions</i> - No specific conditions.