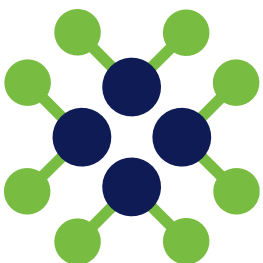




ATLAS-CAMPASPE MINERAL SANDS PROJECT
MODIFICATION 6
ATTACHMENT 1
STATUTORY COMPLIANCE RECONCILIATION TABLES



**Table A1-1
Summary Statutory Compliance for State Legislation**

Relevant Legislation or Instrument	Mandatory Consideration	Relevant Section in Modification Report	Modified Project Compliance Status
<i>Environmental Planning and Assessment Act 1979</i>			
section 1.3	<p>Relevant objects of the <i>Environmental Planning and Assessment Act 1979</i>:</p> <ul style="list-style-type: none"> • Promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources. • Facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment. • Promote the orderly and economic use and development of land. • Protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats. • Promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage). • Promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State. • Provide increased opportunity for community participation in environmental planning and assessment. 	Section 4.1.2	✓
section 4.15	<p>Relevant environmental planning instruments:</p> <ul style="list-style-type: none"> • <i>State Environmental Planning Policy (Planning Systems) 2021.</i> • <i>State Environmental Planning Policy (Resources and Energy) 2021.</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021.</i> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021.</i> • <i>Balranald Local Environmental Plan 2010.</i> • <i>Central Darling Local Environmental Plan 2012.</i> • Any planning agreement or draft planning agreement that a developer has entered into under section 7.4 of the EP&A Act. • The <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation). <p>The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality; the suitability of the site for the development; any submissions made in accordance with the EP&A Act or the EP&A Regulation; the public interest.</p>	Section 4.3 and Table A1-1	✓

Table A1-1 (Continued)
Summary Statutory Compliance for State Legislation

Relevant Legislation or Instrument	Mandatory Consideration	Relevant Section in Modification Report	Modified Project Compliance Status
<i>Environmental Planning & Assessment Regulation 2021</i>			
clause 99	1) A modification application must— <ol style="list-style-type: none"> a) be in the approved form, and b) contain all the information and documents required by— <ol style="list-style-type: none"> i) the approved form, and ii) the Act or this Regulation, and c) be submitted on the NSW planning portal. 2) If the modification application is for State significant development— <ol style="list-style-type: none"> a) the application must also include particulars of the nature of the modification, and b) the applicant must consider the State Significant Development Guidelines in preparing the application. 	Sections 1 to 7	✓
<i>Biodiversity Conservation Act 2016</i>			
section 7.14(2)	The consent authority is to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report.	Sections 4.2 and 6.2 Appendix A	✓
section 7.16(3)	If the consent authority is of the opinion that the Modification is likely to have serious and irreversible impacts on biodiversity values, the consent authority is required to: <ul style="list-style-type: none"> • take those impacts into consideration; and • determine whether there are any additional and appropriate measures that will minimise those impacts if consent or approval is to be granted. 		✓
<i>Protection of the Environment Operations Act 1997</i>			
section 43	Operations at the Project are currently undertaken in accordance with existing Environment Protection Licence (EPL) 21007 issued under the PoEO Act. It is not anticipated that any changes to EPL 21007 would be required as a result of the Modification.	Section 4.2	✓
<i>Water Management Act 2000</i>			
sections 89, 90 and 91	The Modification would not change peak water licensing, supply sources and storage requirements for the Project. Tronox would continue to obtain and hold licences required under the <i>Water Management Act 2000</i> for licensable take.	Sections 4.2, 6.5	✓

Table A1-2
Summary Statutory Compliance for Environmental Planning Instruments

Relevant Legislation or Instrument	Mandatory Consideration	Relevant Section in Modification Report	Modified Project Compliance Status
<i>State Environmental Planning Policy (Resources and Energy) 2021</i>			
clause 2.17	Before determining an application for consent for the purposes of mining the consent authority must: <ul style="list-style-type: none"> (a) consider – <ul style="list-style-type: none"> (i) the existing uses and approved uses of land in the vicinity of the development, and (ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land use trends, are likely to be the preferred uses of land in the vicinity of the development, and (iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and (b) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a)(i) and (ii), and (c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii). 	Section 6.9	✓
clause 2.18	Before determining an application for consent for the purposes of mining the consent authority must consider relevant provisions of the Voluntary Land Acquisition and Mitigation Policy (New South Wales [NSW] Government, 2018).	No change	✓
clause 2.19	Before determining an application for development in the vicinity of mining, petroleum or extractive industry, the consent authority must (among other things) consider whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery.	No change	✓
clause 2.20	Before determining an application for consent for the purposes of mining the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner (including conditions to ensure that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable, that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable, and that greenhouse gas emissions are minimised to the greatest extent practicable). This includes considering an assessment of greenhouse gas emissions (including downstream emissions) having regard to any applicable State or National policies, programs of guidelines concerning greenhouse gas emissions.	Section 4.4.2	✓
clause 2.21	Before determining an application for consent for the purposes of mining the consent authority must consider the efficiency of the development in terms of resource recovery and whether or not the consent should be issued subject to conditions aimed at optimising the efficiency of resources recovery and the reuse or recycling of material.	Section 1.2.3	✓

Table A1-2 (Continued)
Summary Statutory Compliance for Environmental Planning Instruments

Relevant Legislation or Instrument	Mandatory Consideration	Relevant Section in Modification Report	Modified Project Compliance Status
<i>State Environmental Planning Policy (Resources and Energy) 2021 (continued)</i>			
clause 2.22	Before determining an application for consent for the purposes of mining the consent authority must consider whether or not the consent should be issued subject to conditions regarding transport of materials.	No change	✓
clause 23	Before determining an application for consent for the purposes of mining the consent authority must consider whether or not the consent should be issued subject to conditions regarding rehabilitation, including the particular considerations set out in clause 17(2).	No change	✓
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>			
clause 3.12	A consent authority must consider current circulars or guidelines published by the NSW Department of Planning, Housing and Infrastructure relating to hazardous or offensive development, whether to consult with relevant public authorities regarding any environmental or land use safety requirements, a preliminary hazard analysis prepared by the applicant, feasible alternatives to the development and likely future use of surrounding land.	Section 6.11.3	✓
clause 4.6	A consent authority must consider whether the land is contaminated and be satisfied that, if the land is contaminated, the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose of the Project.	No change	✓
<i>Balranald Local Environmental Plan 2010</i>			
clause 2.3	A consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within that zone.	No change	✓
<i>Central Darling Local Environmental Plan 2012</i>			
clause 2.3	A consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within that zone.	No change	✓