

Notice of Modification

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

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



David Kitto
Director
Major Development Assessment

Sydney

3 JULY

2009

SCHEDULE 1

The development consent (DA 104/96) granted by the Minister for Planning for the Ravensworth Underground Mine (formerly known as the Nardell Colliery) on 20 November 1996.

SCHEDULE 2

1. Delete condition 1(i) of schedule 2, and replace with:
 - (i) modification application DA 104/96 MOD 7 and accompanying information prepared by Umwelt (Australia) Pty Ltd, dated April 2009, and the response to submissions dated June 2009; and
 - (j) conditions of this consent.
2. Delete condition 3 of schedule 2, and replace with:

MANAGEMENT PLANS / MONITORING PROGRAMS

- 3A. With the approval of the Director-General, the Applicant may submit any management plan or monitoring program required by this consent on a progressive basis.
 - 3B. With the approval of the Director-General, the Applicant may integrate any management plan or monitoring program required by this consent with any similar plan or program for the Mount Owen Complex, the Liddell Coal Mine, the Cumnock Coal Mine or the Ravensworth Operations.
 - 3C. By the end of December 2009, the Applicant shall revise the Environmental Monitoring Program for the development in consultation with DECC, and to the satisfaction of the Director-General.
3. Delete condition 5 of schedule 2, and replace with:

VISUAL AMENITY

The Applicant shall:

- (a) ensure no external fixed lights shine above the horizontal;
 - (b) ensure that all external lighting associated with the development complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version; and
 - (c) take all practicable measures to mitigate off-site lighting impacts from the development, to the satisfaction of the Director-General.
4. Delete the heading for condition 7 of schedule 2, and replace with:

LAND MANAGEMENT PLAN

5. Delete the words 'to the satisfaction of DWE' in condition 7(i) of schedule 2, and replace with 'in consultation with DWE and to the satisfaction of the Director-General'.
6. Delete the words 'to the satisfaction of the Director-General and DWE, and in consultation with Singleton Shire Council' in condition 7(i)(a) of schedule 2, and replace with 'to the satisfaction of the Director-General, and in consultation with DWE and Singleton Shire Council'.
7. Delete conditions 7(ii) to 11 of schedule 2 inclusive, and replace with:

SITE WATER MANAGEMENT PLAN

8. The Applicant shall prepare and implement a Site Water Management Plan for the development to the satisfaction of the Director-General. This plan must:
 - (a) be prepared in consultation with DWE, DECC and DPI;
 - (b) be submitted to the Director-General for approval by the end of December 2009; and
 - (c) include:
 - a Site Water Balance;
 - an Erosion and Sediment Control Plan;
 - a Surface Water Monitoring Plan;
 - a Groundwater Monitoring Program; and
 - a Surface and Groundwater Response Plan.

SITE WATER BALANCE

9. The Site Water Balance must:
 - (a) include details of:
 - sources and security of water supply;
 - water use and management on site;
 - any off-site water transfers or discharges; and
 - reporting procedures; and
 - (b) describe measures to minimise water use by the site.

EROSION AND SEDIMENT CONTROL

10. The Erosion and Sediment Control Plan must:
 - (a) be consistent with the requirements of Landcom's *Managing Urban Stormwater: Soils and Construction* manual;
 - (b) identify activities that could cause soil erosion and generate sediment;
 - (c) describe measures to minimise soil erosion and the potential for transport of sediment downstream;
 - (d) describe the location, function and capacity of erosion and sediment control structures; and
 - (e) describe what measures would be implemented to maintain the structures over time.

SURFACE WATER MONITORING

11. The Surface Water Monitoring Program must include:
 - (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the development;
 - (b) surface water and stream health impact assessment criteria;
 - (c) a program to monitor;
 - surface water flows and quality;
 - stream health; and
 - channel stability;
 - (d) a program to monitor any impacts on private water users and water levels in privately-owned farm dams; and
 - (e) reporting procedures for the results of the monitoring program.

GROUNDWATER MONITORING

- 11A. The Groundwater Monitoring Program must include:
 - (a) groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts of the development;

- (b) a program to monitor the volume and quality of groundwater seeping into the underground mine workings;
- (c) a program to monitor:
 - groundwater inflows to the underground mining operations;
 - impacts on regional aquifers and surrounding aquifers;
 - impacts on the groundwater supply of potentially affected private landowners; and
 - impacts on groundwater dependent ecosystems and riparian vegetation;
- (d) reporting procedures for the results of the monitoring program.

SURFACE AND GROUNDWATER RESPONSE PLAN

- 11B. The Surface and Groundwater Response Plan must describe the measures and/or procedures that would be implemented to:
- (a) respond to any exceedances of the surface water, stream health and groundwater impact assessment criteria;
 - (b) offset the loss of any baseflow to watercourses caused by the development where the impact assessment criteria are exceeded;
 - (c) compensate landowners of privately-owned land whose water supply is adversely affected by the development; and
 - (d) mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation.
8. Delete the words 'determined by DECC' in condition 14(i) of schedule 2, and replace with 'specified in the Environmental Monitoring Program'.
9. Delete the words 'by the DECC' in condition 16(iii) of schedule 2, and replace with 'in the Environmental Monitoring Program'.
10. Delete condition 26(i) of schedule 2, and replace with:
- 26(i) All washery waste rejects generated from Ravensworth Underground coal washery shall be disposed of in the Ravensworth No. 2, Ravensworth South or Cumnock Mine voids.
11. After condition 27 of schedule 2, insert:

ROAD HAULAGE OF COARSE REJECT

- 27A. The Applicant may haul coarse reject to the Cumnock Mine for emplacement using Liddell Station Road and private haul roads. Details of haulage volumes between the two operations shall be included in the Annual Environmental Management Plan Report.
- 27B. The Applicant shall ensure that:
- (a) all loaded vehicles entering or leaving the site are covered; and
 - (b) all loaded vehicles leaving the site are cleaned of materials that may fall on the road, before they leave the site.