

# Notice of Decision

## Clarence Coal Modification 4

### Coal Supply to Mount Piper Power Station

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

|                                            |                                                                                  |
|--------------------------------------------|----------------------------------------------------------------------------------|
| <b>Application type</b>                    | State Significant Development modification                                       |
| <b>Application number and project name</b> | DA504-00 Mod 4<br>Clarence Coal MOD 4 – Coal Supply to Mount Piper Power Station |
| <b>Applicant</b>                           | Centennial Coal Company Limited                                                  |
| <b>Consent Authority</b>                   | Minister for Planning and Public Spaces                                          |

#### Decision

The A/Executive Director – Energy and Resources, as delegate of the Minister for Planning and Public Spaces, has modified the consent subject to recommended conditions under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (the Act).

A copy of the instrument of modification and conditions is available at:

<https://www.planningportal.nsw.gov.au/major-projects/project/12341>

A copy of the Department of Planning, Industry & Environment's assessment report is available at:

<https://www.planningportal.nsw.gov.au/major-projects/project/12341>

#### Date of decision

16 August 2019

#### 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 2000*;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; 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 decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted

The key reasons for granting the modification are as follows:

- it would supplement coal supply to the Mount Piper Power Station, which provides 15% of NSW energy demands;
- it is consistent with NSW Government policy and the modification is permissible with development consent;
- any residual impacts can be appropriately minimised and managed under the conditions of consent;
- issues raised by the community during consultation and in submissions have been considered and appropriately addressed where relevant through recommended conditions of consent; and
- weighing all relevant considerations, the modification is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 22 May 2019 until 20 June 2019 (30 days) and received 12 submissions.

On 17 July 2019 the Department toured the haulage route, visiting each of the intersections that were assessed as part of the proposed modification.

The key issues for the assessment of the proposed modification are the potential traffic and transport impacts including road safety and intersection performance, air quality impacts, and the impact of the proposal on the strategic direction for Lithgow.

| <i><b>Issue</b></i>                                                                                                                                                                                              | <i><b>Consideration</b></i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p><i><b>Traffic and transport impacts</b></i></p> <ul style="list-style-type: none"> <li>Additional truck movements would impact intersection performance and present an increased road safety risk.</li> </ul> | <p><i><b>Assessment</b></i></p> <ul style="list-style-type: none"> <li>The proposed modification would result in a less than 10% increase in heavy vehicle traffic movements on the haulage routes, which would be unlikely to materially affect traffic conditions.</li> <li>The proposal would be undertaken on established State transport routes, and would not affect the overall level of service for the intersections on the assessed route.</li> <li>Centennial Coal would develop and implement a driver code of conduct to address driver behaviour and promote safe driving practices.</li> </ul> <p><i><b>Conditions</b></i></p> <ul style="list-style-type: none"> <li>Conditions include restricting coal transport by road to Mount Piper Power Station and to locations north of Sydney and Eastern NSW to 200,000 tonnes of coal a year until 31 December 2020, and to 300,000 tonnes of coal a year in total.</li> </ul> |
| <p><i><b>Air quality</b></i></p> <ul style="list-style-type: none"> <li>Diesel emissions from additional truck movements would affect regional air quality.</li> </ul>                                           | <p><i><b>Assessment</b></i></p> <ul style="list-style-type: none"> <li>The proposal represents a relatively small increase in heavy vehicle movements and would be temporary.</li> <li>All trucks are covered prior to leaving the mine to prevent coal dust emissions and spillage and trucks go through a wheel wash to remove excess material.</li> <li>The proposal would be undertaken on State transportation routes which do not restrict vehicle numbers or emissions</li> </ul> <p><i><b>Conditions</b></i></p> <ul style="list-style-type: none"> <li>No changes to existing conditions of consent required.</li> </ul>                                                                                                                                                                                                                                                                                                           |
| <p><i><b>Impact on the strategic direction for Lithgow</b></i></p> <ul style="list-style-type: none"> <li>The proposal would impact Lithgow as a tourism destination.</li> </ul>                                 | <p><i><b>Assessment</b></i></p> <ul style="list-style-type: none"> <li>The proposed increase in coal trucking is temporary and is unlikely to impact Lithgow tourism as coal trucks would not directly pass through Lithgow City residential areas.</li> </ul> <p><i><b>Conditions</b></i></p> <ul style="list-style-type: none"> <li>No changes to existing conditions of consent required.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |