

Mangoola Coal Modification 7

Environmental Assessment

Administrative Modification - Removal of Condition 3, Schedule 3

Prepared for Glencore Coal Assets Australia | May 2016



GLENCORE



Environmental Assessment

Mangoola Coal Mine

Modification 7

Administrative Modification - Removal of Condition 3, Schedule 3

Prepared for Glencore Coal Assets Australia | 26 May 2016

Ground Floor, Suite 01, 20 Chandos Street
St Leonards, NSW, 2065

T +61 2 9493 9500

F +61 2 9493 9599

E info@emmconsulting.com.au

www.emmconsulting.com.au

Environmental Assessment

Final

Report J16019RP1 | Prepared for Glencore Coal Assets Australia | 26 May 2016

Prepared by **Rachael Thelwell**

Approved by **Duncan Peake**

Position Senior Environmental Planner

Position Associate Director

Signature



Signature



Date 26 May 2016

Date 26 May 2016

This report has been prepared in accordance with the brief provided by the client and has relied upon the information collected at the time and under the conditions specified in the report. All findings, conclusions or recommendations contained in the report are based on the aforementioned circumstances. The report is for the use of the client and no responsibility will be taken for its use by other parties. The client may, at its discretion, use the report to inform regulators and the public.

© Reproduction of this report for educational or other non-commercial purposes is authorised without prior written permission from EMM provided the source is fully acknowledged. Reproduction of this report for resale or other commercial purposes is prohibited without EMM's prior written permission.

Document Control

Version	Date	Prepared by	Reviewed by
1	31 March 2016	R Thelwell	D Peake
2	11 April 2016	R Thelwell	D Peake
3	29 April 2016	R Thelwell	D Peake
4	26 May 2016	R Thelwell	D Peake



T +61 (0)2 9493 9500 | F +61 (0)2 9493 9599

Ground Floor | Suite 01 | 20 Chandos Street | St Leonards | New South Wales | 2065 | Australia

www.emmconsulting.com.au

Executive Summary

Glencore Coal Assets Australia (GCAA), Mangoola Coal Operations Pty Limited (Mangoola) operates the Mangoola Coal open cut coal mine (Mangoola Coal), approximately 20 kilometres (km) west of Muswellbrook and 10 km north of Denman. Project approval (PA) 06_0014 for Mangoola Coal was originally granted in June 2007 under Part 3A of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

Condition 3, Schedule 3 of PA 06_0014 provides criteria for the road traffic noise on sub-arterial and local roads for peak traffic periods. These criteria are consistent with the *NSW Road Noise Policy* (RNP) (DECCW 2011).

The most recent modification (Modification 6) gave approval mainly to increase mining output to 13.5 million tonnes per annum, which also required an increase in Mangoola Coal's workforce. Road traffic noise impacts were assessed with three residences on Wybong Road predicted to exceed relevant RNP criteria (ie 246, 249 and 251 as shown on Figure E.1). Two of these residences (246 and 249) were also predicted to exceed RNP criteria for previous approvals and were listed in Condition 4, Schedule 3 of PA 06_0014 as being afforded mitigation rights. Residence 251 was afforded mitigation rights as a result of the Modification 6 approval. It should be noted that residences previously afforded mitigation rights for predicted exceedances of RNP criteria (ie 96B, 168, 203F, 203G), had been subsequently purchased by other mines prior to determination of Modification 6.

As stipulated in Mangoola Coal's Noise Management Plan (NMP), required under Condition 3 Schedule 9 of PA 06_0014, attended monitoring of road traffic noise is undertaken quarterly during either the AM or PM peak period at one of the two closest residences to Wybong Road (246 or 249). Road traffic noise levels measured during recent monitoring (Q4 2015) exceeded the RNP criteria as predicted under previous road traffic noise assessments. A measured exceedance of criteria in Condition 3, Schedule 3, despite its accepted predicted impact and afforded mitigation rights, triggers a series of actions (Condition 4, Schedule 5) in response to an 'Incident' which is defined within the Definitions of PA 06_0014.

Therefore, Condition 3 Schedule 3 as currently presented creates an unnecessary non-compliance reporting loop as the corrective action (mitigation rights) has already been implemented, which is presented graphically in Figure E.2. This can be remedied through minor amendments to PA 06_0014, including the removal of Condition 3, Schedule 3. These amendments are administrative and will have no resultant changes to Mangoola Coal's approved operations or its interactions with the environment.

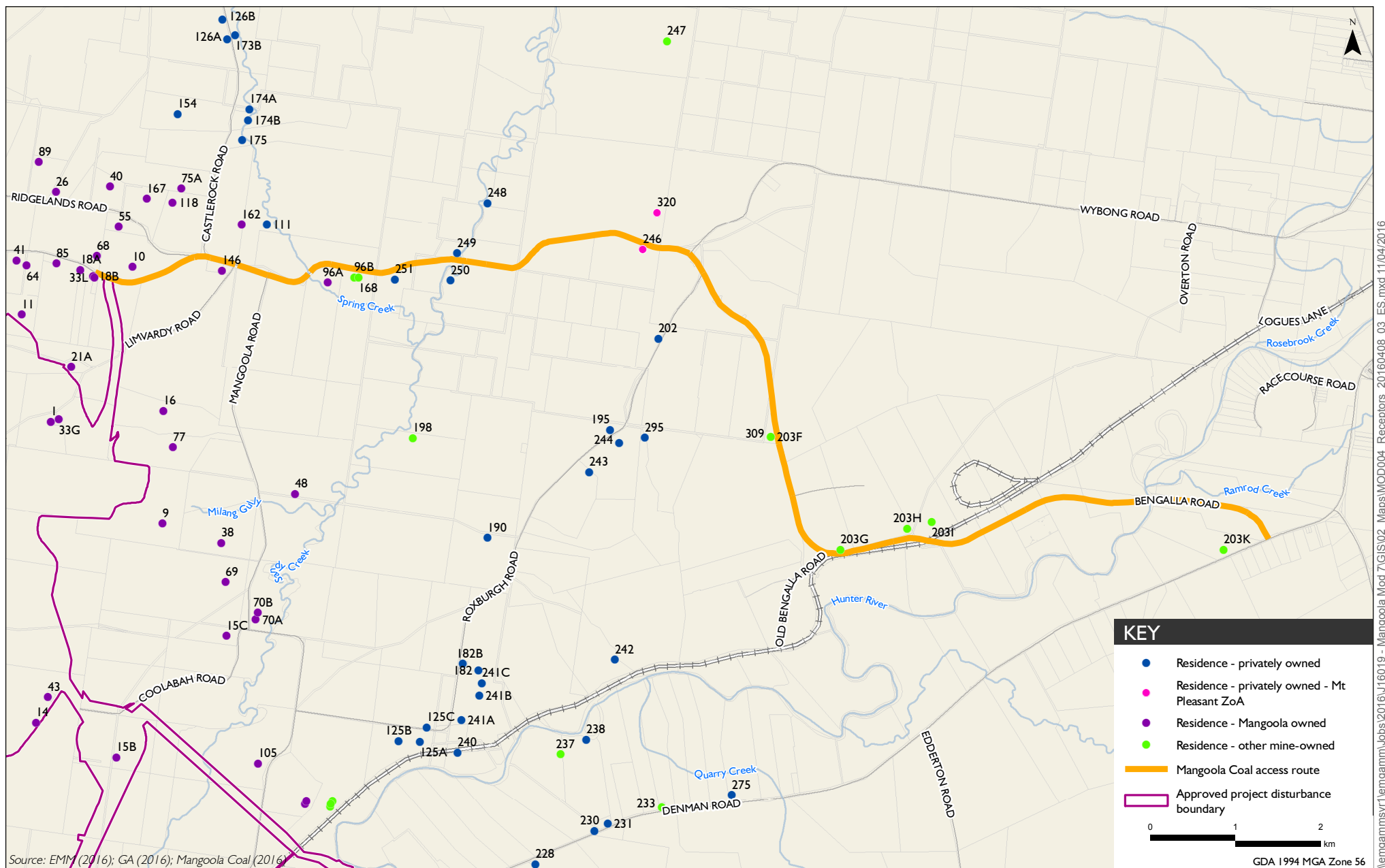
Since commencement of its operations in 2010, Mangoola has not received any complaints regarding road traffic noise. Extensive consultation with the local community was carried out by Mangoola during the preparation of the Modification 6 application. Concerns about existing road and rail traffic noise were raised in some submissions received from community/special interest groups and individuals. These concerns were addressed in the response to submissions report provided to the NSW Department of Planning and Environment (DP&E).

Further consultation has been carried out by Mangoola in relation to the proposed minor amendments to PA 06_0014. These activities included a presentation to the Community Consultative Committee, and letter to residents identified in PA 06_0014 as potentially affected by traffic noise on Wybong Road (identified in Schedule 3, Condition 4) which presented a summary of the proposed changes. Consultation with the DP&E in relation to the proposed modification has been ongoing to confirm the process for modifying PA 06_0014.

The proposed administrative modification is strongly justified as the removal of Condition 3, Schedule 3 does not adversely affect the current protections afforded to surrounding residences through the RNP, Mangoola Coal's management practices, and remaining mechanisms within PA 06_0014, including:

- application of the relevant RNP criteria;
- implementation of the NMP;
- mitigation rights afforded to assessment locations previously predicted to exceed relevant road traffic noise criteria;
- management measures presented in Mangoola Coal's Local Roads Noise Policy; and
- financial contributions to local road maintenance through Mangoola's Voluntary Planning Agreement with Muswellbrook Shire Council.

Therefore, the proposed modification is considered to be in the public interest and should be positively determined.

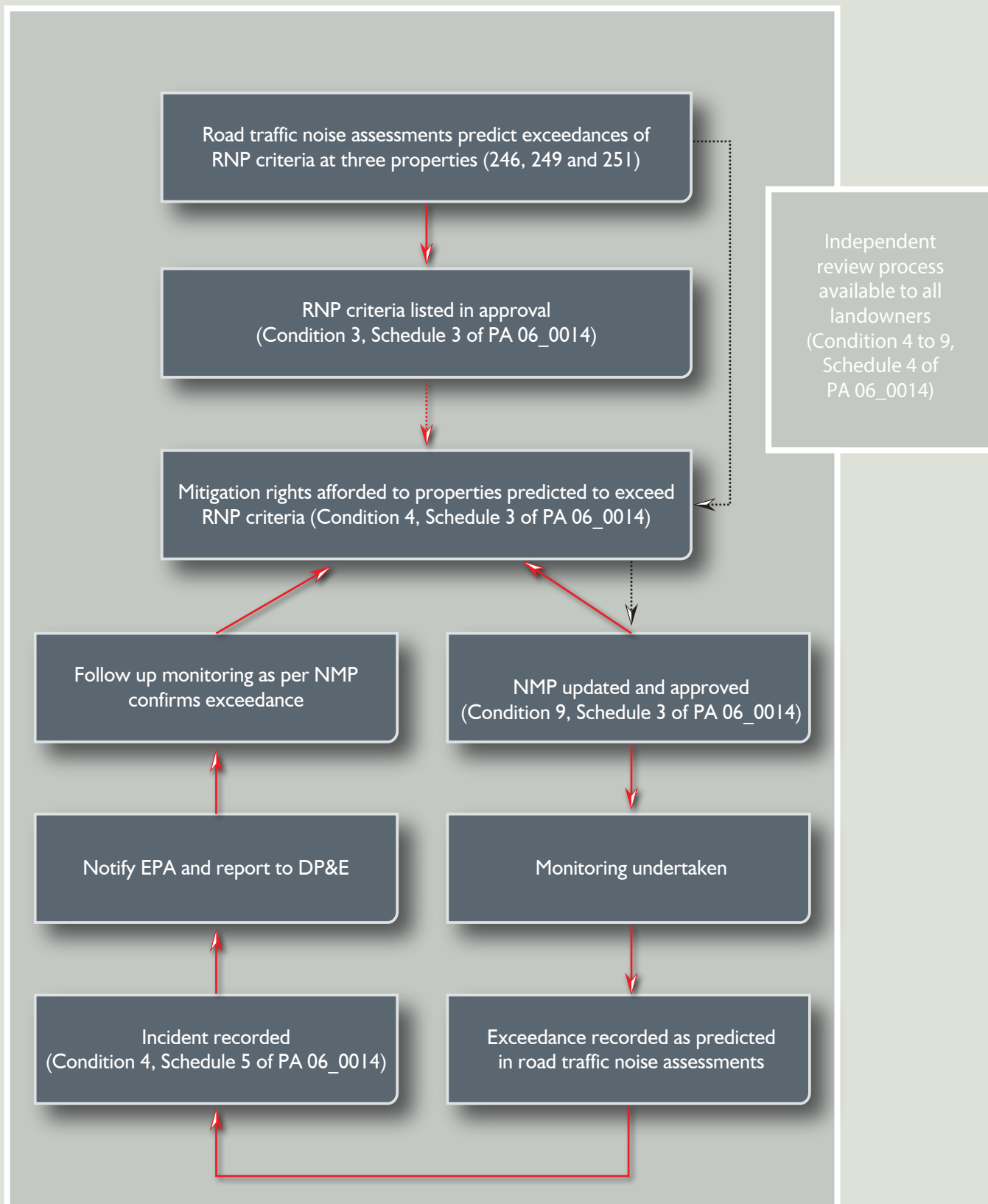


Residences on Wybong Road and Bengalla Link Road

Mangoola Coal Operations Pty Ltd

Modification 7

Figure E.1



KEY



current process within PA 06_0014



proposed process within PA 06_0014

Table of contents

Executive Summary	E.1
Chapter 1 Introduction	1
1.1 Overview	1
1.2 Overview of proposed modification	4
1.3 Background	6
1.3.1 Land use	6
1.3.2 Landownership	8
Chapter 2 Current operations	9
2.1 Planning approval history	9
2.2 Overview of current operations	9
2.3 Road traffic noise criteria	10
2.4 Noise management and monitoring	12
Chapter 3 Planning framework	13
3.1 Environmental Planning and Assessment Act 1979	13
3.2 Road Noise Policy	13
Chapter 4 Consultation and stakeholder engagement	15
4.1 Overview	15
4.2 Previous consultation undertaken	15
4.3 Consultation activities related to proposed modification	16
Chapter 5 Proposed modification and assessment	17
5.1 Introduction	17
5.2 Road traffic noise monitoring compliance	17
5.3 Previous assessments of Mangoola Coal road traffic noise	17
5.4 Removal of Condition 3, Schedule 3	19
5.5 Management and monitoring	19
5.5.1 Retention of currently afforded rights of surrounding residences	19
5.5.2 Road traffic noise management	20
5.6 Consideration of alternatives	20
5.6.1 Noise barrier	20
5.6.2 Location specific criteria in Table 3 of Condition 3, Schedule 3	20
5.6.3 Do nothing	21
Chapter 6 Justification and conclusion	23
References	25

Tables

2.1	Current approved operations	9
3.1	Road traffic noise assessment criteria for residential land uses	13
5.1	Summary of AM peak period road traffic noise level predictions	18

Figures

E.1	Residences on Wybong Road and Bengalla Link Road	E.3
E.2	Road traffic noise non-compliance monitoring loop	E.4
1.1	Regional context	2
1.2	Road traffic noise non-compliance monitoring loop	3
1.3	Residences on Wybong Road and Bengalla Link Road	5
1.4	Land uses surrounding Mangoola Coal	7
2.1	Current operations	11

Appendices

A	Correspondence offering mitigation rights
B	Consultation materials related to the proposed modification

1 Introduction

1.1 Overview

Glencore Coal Assets Australia (GCAA), Mangoola Coal Operations Pty Limited (Mangoola) operates the Mangoola Coal open cut coal mine (Mangoola Coal), approximately 20 kilometres (km) west of Muswellbrook and 10 km north of Denman as shown in Figure 1.1. Project approval (PA) 06_0014 for Mangoola Coal was originally granted in June 2007 under Part 3A of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

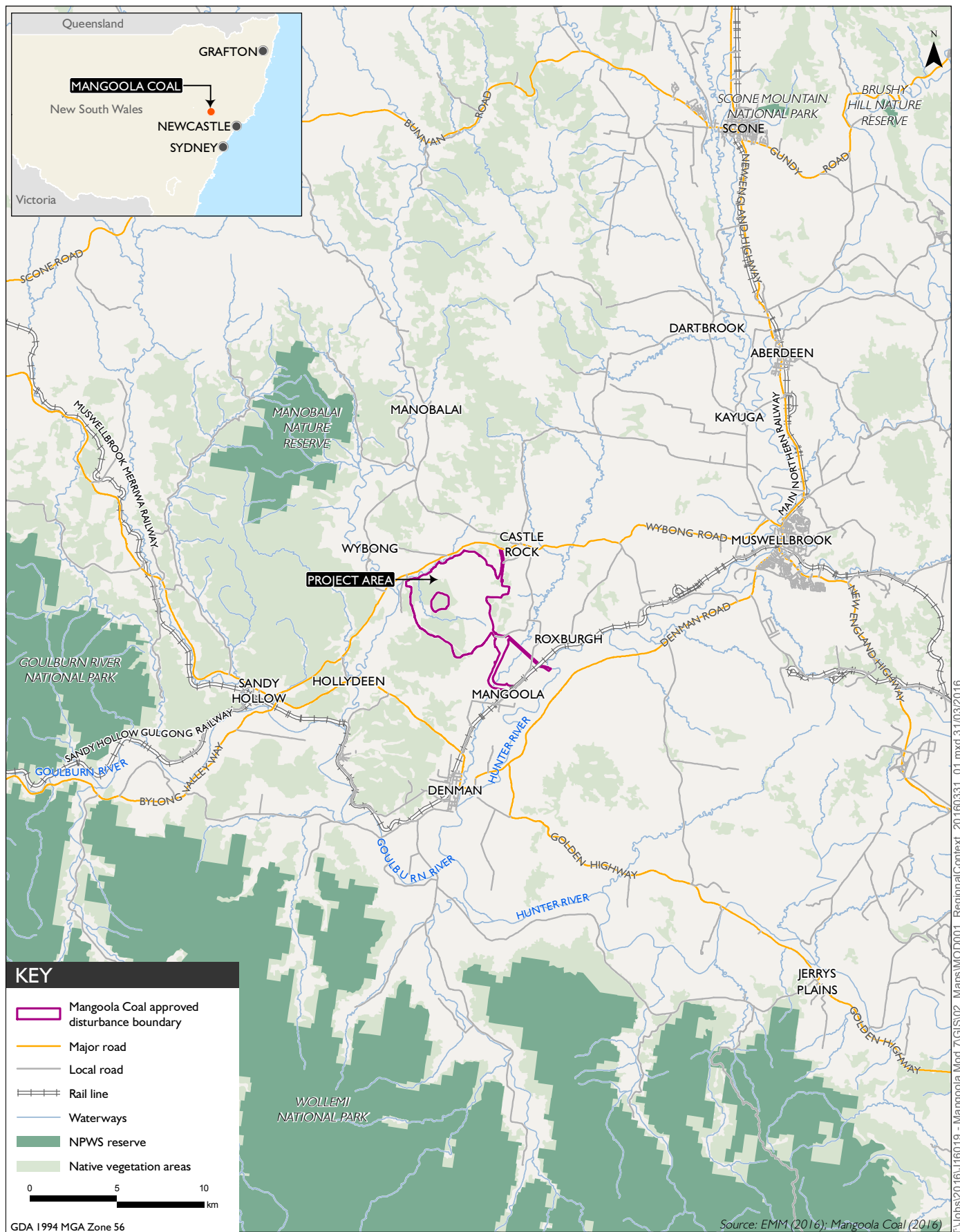
Mangoola regularly reviews its mining operations to assess current performance and identify improvement opportunities. Since its acquisition of the project in 2007, this has resulted in a number of modifications which improved overall efficiencies and operation of the mine. The most recent modification (Modification 6) gave approval to increase mining output to 13.5 million tonnes per annum (Mtpa). Operations at Mangoola Coal approved under PA 06_0014, as modified, are referred to herein as the 'current operations'.

An administrative modification of PA 06_0014 is required for the following reasons:

- the road traffic noise assessment criteria presented in Condition 3, Schedule 3 were predicted under Modification 6 to be exceeded at three residences on Wybong Road (ie 246, 249 and 251) and these residences were afforded mitigation rights as a result;
- consistent with the predictions made in Modification 6, compliance monitoring has measured an exceedance of the road traffic noise criteria which has triggered an 'incident' under PA 06_0014 requiring additional monitoring and reporting; and
- residences where exceedances of the road traffic noise criteria were not predicted under Modification 6 continue to be afforded protection under the *NSW Road Noise Policy* (RNP) (DECCW 2011) as well as the existing management measures employed by Mangoola.

Therefore, Condition 3 Schedule 3 as currently presented creates an unnecessary non-compliance reporting loop where the corrective action (mitigation rights) has already been implemented, which is presented graphically in Figure 1.2. This can be remedied through minor amendments to PA 06_0014. These amendments are administrative and will have no resultant changes to Mangoola Coal's approved operations or its interactions with the environment.

This Environmental Assessment (EA) was prepared to accompany an application by Mangoola for the proposed modification to PA 06_0014, in accordance with section 75W of the EP&A Act. The EA provides information regarding the administrative nature of the proposed modification. The EA provides information to allow NSW government authorities to assess the merits of the proposed modification and make a determination as to whether or not to grant approval.

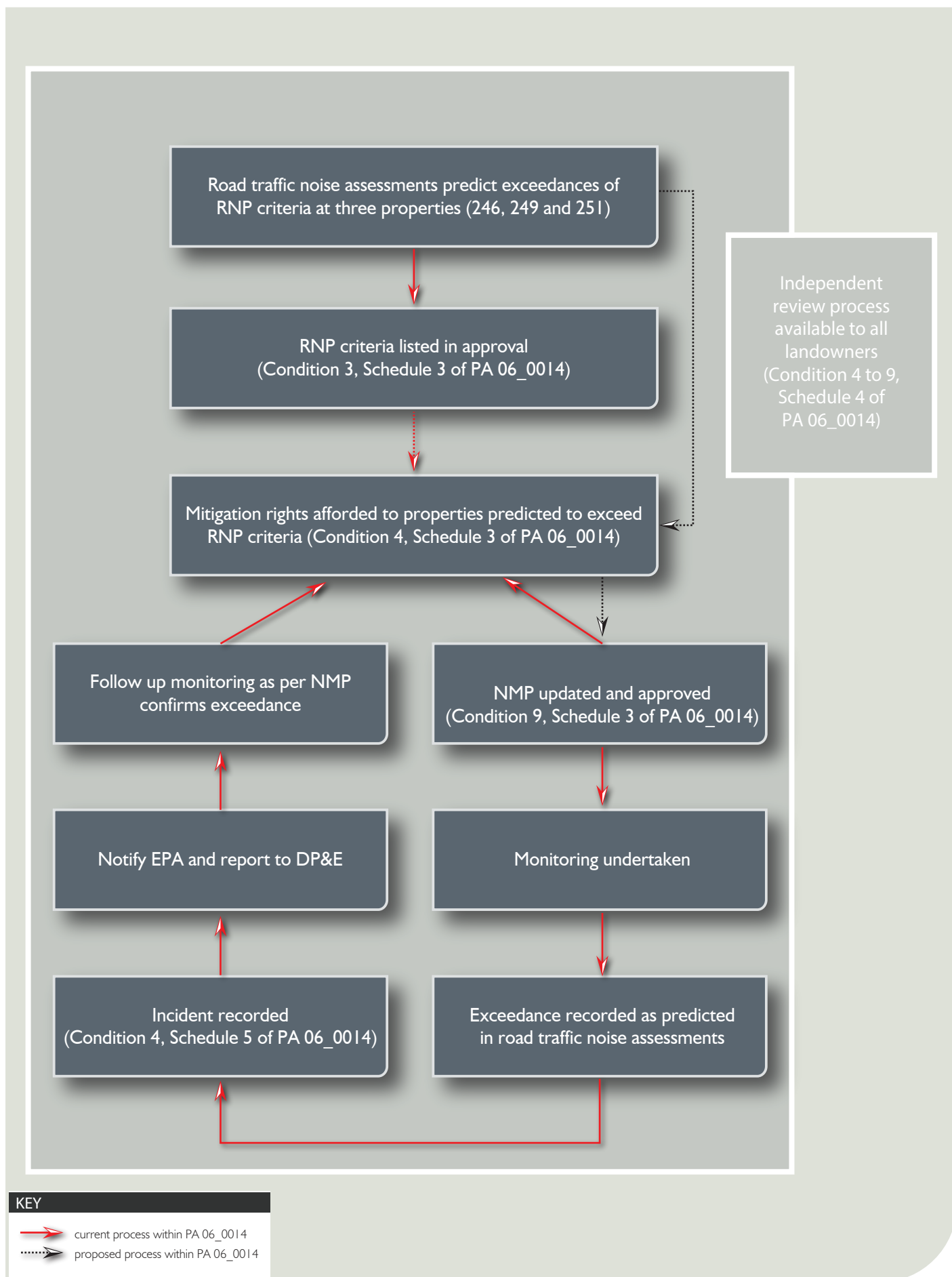


Regional context

Mangoola Coal Operations Pty Ltd

Modification 7

Figure I.1



1.2 Overview of proposed modification

Approval is sought from the Minister for Planning to modify PA 06_0014 under section 75W of the EP&A Act. The proposed modification seeks a minor administrative amendment of project approval conditions relating to road traffic noise (ie Conditions 3 and 4 within Schedule 3 of PA 06_0014) to better reflect current land ownership and mine operations and remove an unnecessary non-compliance reporting loop (shown in Figure 1.2) confirming previously assessed and accepted exceedances of road traffic noise criteria where the corrective action (mitigation rights) has already been implemented.

Condition 3, Schedule 3 of PA 06_0014 provides criteria for the road traffic noise on sub-arterial and local roads for both AM and PM peak traffic periods. These criteria are consistent with the relevant RNP criteria.

Condition 4, Schedule 3 of PA 06_0014 specifically lists residences predicted to exceed noise criteria as being afforded rights for additional mitigation to the premises, such as double glazing, insulation and/or air conditioning in consultation with the landowner. These predicted exceedances were documented in Modification 6 (EMM 2013).

Residences potentially affected by road traffic noise from Mangoola Coal are shown on Figure 1.3. In accordance with its approved Noise Management Plan (NMP), Mangoola monitors at one of the two closest residences to Wybong Road (either 246 or 249) during the AM or PM peak traffic period each quarter. The majority of residences along Wybong Road (east of the Mangoola Coal access road) are mine owned. Of the privately owned residences along Wybong Road, the majority are afforded mitigation rights by PA 06_0014 (ie 246, 249 and 251) or are afforded acquisition rights by the approvals for nearby mining operations (ie 246 and 320 are within the Mount Pleasant Project acquisition zone).

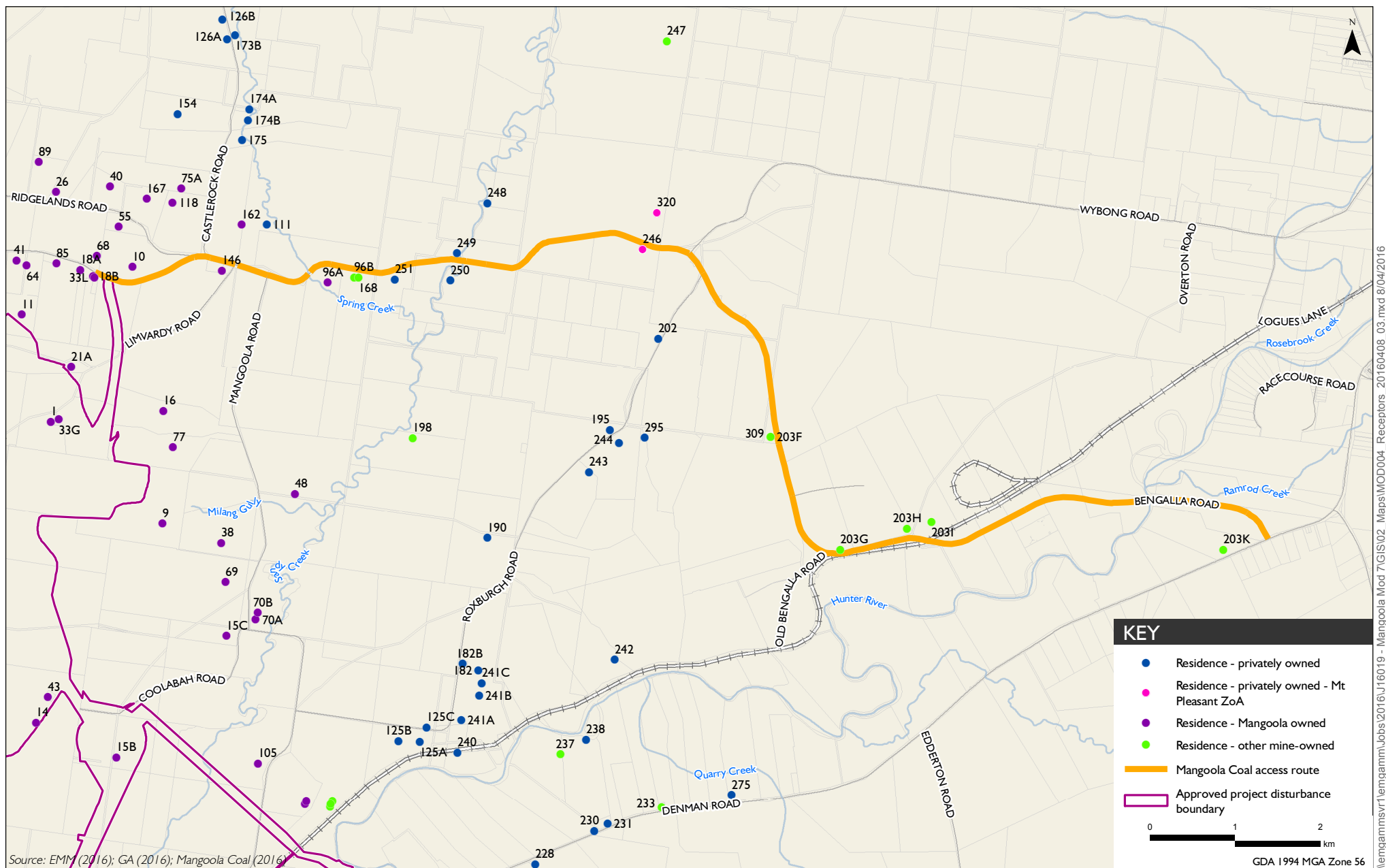
An unnecessary non-compliance reporting loop (shown in Figure 1.2) exists within PA 06_0014 when monitoring undertaken in accordance with the NMP confirms the predicted exceedance at one of these residences on Wybong Road (east). A measured exceedance of criteria in Condition 3, Schedule 3 (consistent with criteria stipulated within the RNP), despite its accepted predicted impact and afforded mitigation rights, triggers a series of actions (Condition 4, Schedule 5) in response to an 'Incident' which is defined within the Definitions of PA 06_0014 as:

Incident

A set of circumstances that:

- causes or threatens to cause material harm to the environment; and/or
- breaches or exceeds the limits or performance measures/criteria in this approval

The proposed modification seeks removal of Condition 3, Schedule 3 due to the duplication of criteria contained within applicable policy; the RNP. The removal of this condition does not adversely affect the community as all currently afforded rights will be retained. It is important to note that the current mechanisms enabling the community to request mitigation and/or independent review of exceedances will also be retained. This is further described in Chapter 5.



Residences on Wybong Road and Bengalla Link Road

Mangoola Coal Operations Pty Ltd

Modification 7

Figure I.3

1.3 Background

1.3.1 Land use

i Regional setting

Mangoola Coal is in the Hunter Coalfield in the upper Hunter Valley. The Hunter Coalfield is the largest coal producing area in NSW, containing 60 coal seams across three coal measures, the Greta, Wittingham and Newcastle Coal Measures. The majority of the coal seams are shallow, making them easily accessible to multi-seam open cut mining operations. The *Upper Hunter Strategic Regional Land Use Plan* (DP&I 2012) identifies that further development of the coal industry in the Hunter Valley is likely to be focussed on existing mining operations to maximise utilisation of existing infrastructure used for the extraction, processing and transportation of coal for energy and industrial purposes.

The upper Hunter Valley also has a strong association with the rural sector and has traditionally been dominated by a mix of grazing and cropping land uses. The region is a well established grape growing area. The thoroughbred industry is established to the south-east and north-east of the site, near Jerrys Plains and Scone, respectively. Another dominant land use within the upper Hunter Valley is timbered land contained within national parks, state forests, reserves and on private land.

Wollemi National Park is further south of Mangoola Coal, Goulburn River National Park to the west, Manobolai Reserve to the north-west.

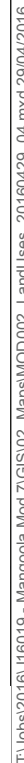
ii Local setting

Mangoola Coal is on land zoned primarily for environmental management and partially zoned primary production under the Muswellbrook Local Environmental Plan 2009. Broadly, surrounding land uses include grazing, vineyards, intensive cultivation, rural residential, mining, quarrying and industrial.

Land uses surrounding the site are identified in Figure 1.4. This includes land owned by Mangoola which is reserved for biodiversity and sustainable agriculture offsets, required under Condition 42, Schedule 3 of PA 06_0014. These areas include sustainable agriculture, habitat enhancement and conservation offset areas (refer to Figure 1.4) which reflect the key land use priorities and objectives for these areas as identified in Mangoola Coal's Biodiversity and Offset Management Plan.

The distribution of agricultural uses surrounding Mangoola Coal is mainly determined by the local landscape character and soil type. More intensive agriculture and vineyards are primarily on alluvial soils in corridors along the floodplain of the Hunter River, to the south and east of Mangoola Coal. The undulating hill slopes immediately surrounding the site area generally used for grazing on unimproved pastures.

Nearby mining and industrial operations include Mt Arthur Coal Mine, Bengalla Coal Mine and Drayton Coal to the east and south-east. Another coal mine to the north-east, the Mount Pleasant Project, has been approved but not yet constructed. Spur Hill Underground Project, east of Denman and abutting Drayton Coal's mining lease boundary, has received Secretary's environmental assessment requirements for the preparation of an environmental impact statement for an underground coal mine. An application for the development of the Dolwendee Quarry project, south-west of Mangoola Coal, was placed on public exhibition at the end of 2015. Other adjacent mining exploration leases include Castlerock and Ridgeland to the north. Thomas Mitchell Drive Industrial Estate is approximately 15 km south-east of Mangoola Coal (refer to Figure 1.4).



1.3.2 Landownership

Mangoola Coal is within the Muswellbrook local government area (LGA). All land within Mangoola Coal's approved project disturbance boundary is owned by Mangoola. Mangoola also owns a substantial area of land surrounding the site. A number of the properties owned by Mangoola are tenanted with the occupiers of these properties having entered into a rental tenancy agreement. Other mine-owned agricultural land is farmed and managed by Colinta Holdings Pty Limited, a subsidiary of Glencore.

As previously stated, the majority of residences along Wybong Road (east of the Mangoola Coal access road) are mine owned with some privately owned. Residences on Wybong Road and Bengalla Link Road are shown in Figure 1.3.

2 Current operations

2.1 Planning approval history

PA 06_0014 was originally granted under Part 3A of the EP&A Act in 2007 and included approval to extract up to 10.5 Mtpa ROM coal for up to 21 years. Mining commenced at Mangoola Coal in September 2010.

Six modifications to PA 06_0014 have been approved to date, namely;

- Modification 1 – early works modification;
- Modification 2 – Hunter River pipeline modification;
- Modification 3 – relocation of mining infrastructure area;
- Modification 4 – relocation of 500 kilovolt (kV) electricity transmission line (ETL) and mine modifications;
- Modification 5 – night-time rail works; and
- Modification 6 – increase in mining intensity to 13.5 Mtpa and inclusion of the ability to discharge to the Hunter River under the Hunter River Salinity Trading Scheme.

2.2 Overview of current operations

Open cut mining commenced at Mangoola Coal in September 2010. Truck and shovel mining methods are used to handle overburden and coal, with the operation currently approved to extract and process up to 13.5 Mtpa of ROM coal over the approved project life of 21 years. The operation includes a rail loop and train loading infrastructure, coal stockpiling and reclaim area, Coal Handling and Preparation Plant (CHPP), and mine facilities and offices. Product coal is loaded and transported to market via the rail loop connected to the Muswellbrook – Ulan railway.

The location of the approved project disturbance boundary and mine infrastructure is shown in Figure 2.1 with key features of Mangoola Coal's current operations summarised in Table 2.1.

Table 2.1 Current approved operations

Aspect	Current approved operations (as modified most recently under Modification 6)
Extraction limit	Maximum extraction of 13.5 Mtpa of ROM coal
Project approval term	21 years to November 2029
Operating hours	Operation of the mine 24 hours per day, seven days per week. Gravel screening and crushing operations between 7 am and 6 pm Monday to Friday, and between 8 am and 1 pm on Saturdays. No gravel screening and crushing operations on Sundays, public holidays
Number of employees	Operational workforce of up to 450 full time equivalent employees, plus up to 90 contractors
Mining methods	Open-cut truck and shovel operations to handle overburden and remove coal
Mining areas	Within approved project disturbance boundary as determined under Modification 4

Table 2.1 **Current approved operations**

Aspect	Current approved operations (as modified most recently under Modification 6)
Coal processing	Operation of the CHPP which includes a Coal Preparation Plant (CPP). A bypass system has been implemented which allows crushed coal to bypass the CPP and be transported directly by enclosed conveyor from the surge bin straight to the product coal stockpile area for transportation off-site by the existing rail load-out facilities. Placement of coarse rejects predominantly within mined areas. Tailings are managed through a series of in-pit tailings dams, with ongoing management of overburden emplacement within mined areas. On-site gravel production including crushing of up to 50,000 tonnes per annum for use on site.
Infrastructure	Infrastructure comprises: • CHPP and associated infrastructure; • Northern Access Road and Wybong Road intersection; • rail infrastructure; • administration and employee facilities; • electrical power reticulation; • telecommunication cables; • water supply and sewage systems; • tailings and water management infrastructure including the Hunter River Pump Station and Hunter River Pipeline for water supply and discharge; • workshop and refuelling facilities; • lighting; and • explosives storage
External coal transport	Loading of product coal onto trains and transport to market via the Mangoola Coal rail loop and spur connected to the Muswellbrook-Ulan railway. Up to 10 trains per day

Since the approval of Modification 6 in April 2014, Mangoola Coal has been steadily increasing its rate of ROM coal extraction. In 2015, approximately 11.5 Mt of ROM coal was extracted with the operation continuing its ramp up to the approved maximum extraction rate of 13.5 Mt of ROM coal.

2.3 Road traffic noise criteria

Road traffic noise levels generated by Mangoola Coal are subject to Condition 3, Schedule 3 of PA 06_0014 which states:

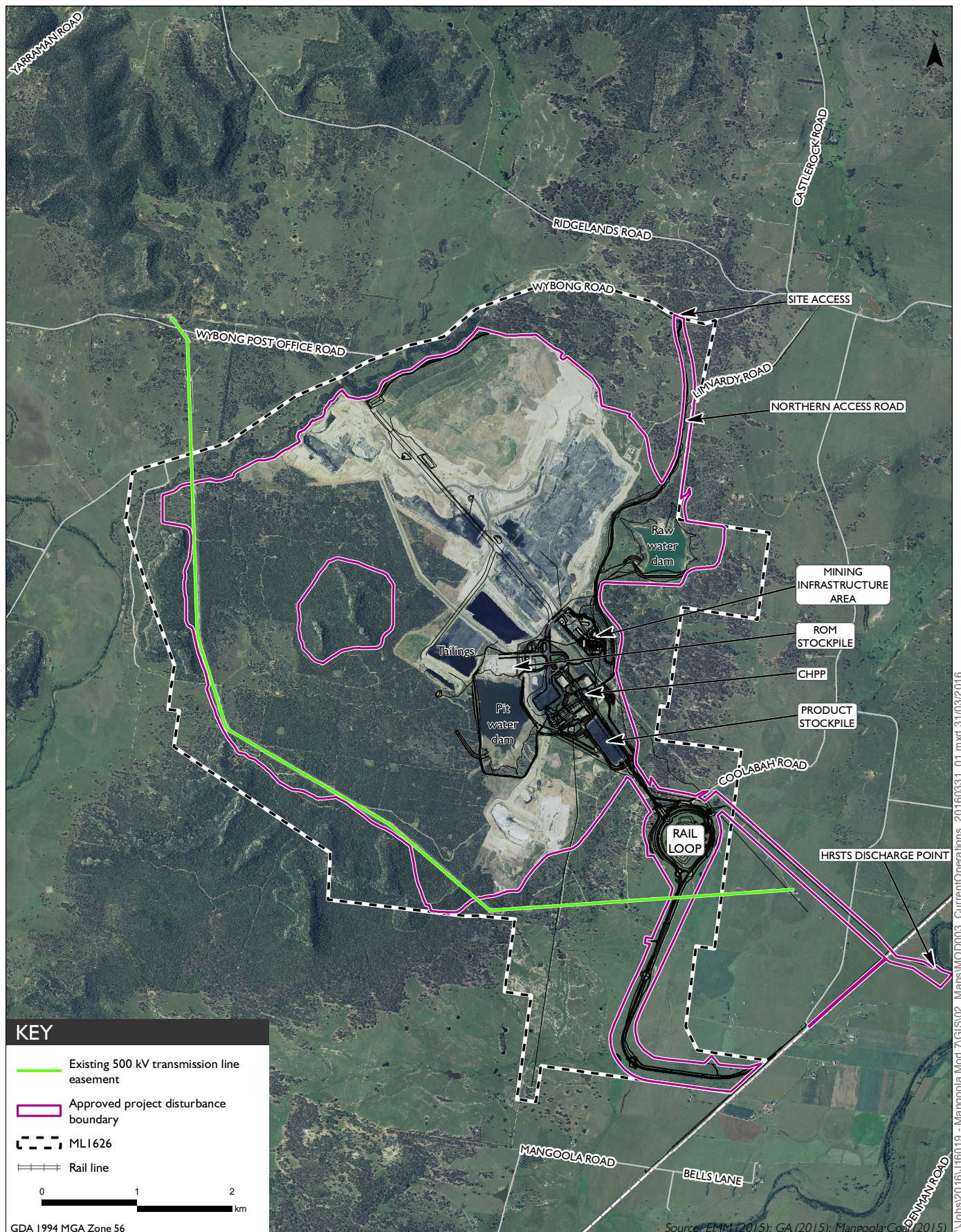
3. The Proponent shall take all reasonable and feasible measures to ensure that the traffic noise generated by the project combined with the traffic noise generated by other mines does not exceed the traffic noise impact assessment criteria in Table 3:

Table 3: Traffic noise criteria dB(A)

Road	Day/Evening LAeq(1 hour)	Night LAeq(1 hour)
Denman Road	60	55
Wybong Road, Bengalla Link Road	55	50

Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the [NSW Road Noise Policy](#).

It is important to note that, whilst it is considered that the majority of traffic volumes along these roads during peak traffic periods are likely to be attributable to mining operations in the vicinity, it is difficult to distinguish between mine-related traffic and other private vehicles during compliance monitoring activities.



Current operations

Mangoola Coal Operations Pty Ltd
Modification 7

Figure 2.1

Condition 4, Schedule 3 of PA 06_0014 provides mitigation rights to certain residences where traffic noise levels in Table 3 are exceeded. It states:

Additional Noise Mitigation Measures

4. Upon receiving a written request from:
 - the owner of a residence on the land listed in Table 1 (unless the landowner has requested acquisition); or
 - the owner of any residence identified with a specific land number listed in Table 2 (except where a negotiated noise agreement is in place); or
 - an owner of any of the 3 residences on Wybong Road or Bengalla Link Road where traffic noise levels are predicted to exceed the traffic noise criteria in Table 4 (i.e. Residence numbers 246, 249 and 251),the Proponent shall implement additional noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on the land in consultation with the landowner.

These additional mitigation measures must be reasonable and feasible.

If within 3 months of receiving this request from the landowner, the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.

Within 3 months of this approval (or within 3 months of any subsequent modification to the approval which results in additional properties being affected), the Proponent shall notify all applicable landowners that they are entitled to receive additional noise mitigation measures.

2.4 Noise management and monitoring

Mangoola Coal's NMP was prepared in accordance with Condition 9, Schedule 3 of PA 06_0014. The NMP forms part of Mangoola's Environmental Management System. Following the approval of Modification 6 a number of management plans including the NMP were updated, submitted to the NSW Department of Planning and Environment (DP&E) and approved.

Mangoola implements a comprehensive monitoring program for the current operations. Attended monitoring of road traffic noise levels is undertaken quarterly during either the AM or PM peak traffic period at one of the two closest residences to Wybong Road (either 246 or 249). Where an exceedance of the criteria presented in Table 3 of PA 06_0014 is measured, further attended monitoring is then also undertaken as per the protocol outlined in Section 4.7.3 of the NMP.

3 Planning framework

3.1 Environmental Planning and Assessment Act 1979

Mangoola is seeking approval for the proposed modification to PA 06_0014, granted under the provisions of Part 3A of the EP&A Act.

Part 3A was repealed by the *Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011* (Part 3A Repeal Act). However, transitional provisions were introduced (Schedule 6A of the EP&A Act) enabling 'transitional Part 3A projects' to continue to be subject to Part 3A of the EP&A Act (as in force immediately before the repeal and as modified by the Part 3A Repeal Act). Transitional Part 3A projects include certain projects that were the subject of an existing approval under Part 3A.

Therefore, Mangoola Coal is a transitional Part 3A project and the proposed modification may be made under the now repealed section 75W of the EP&A Act. Section 75W enables a proponent to request the Minister (or PAC under delegation from the Minister) to modify a project approval granted under Part 3A.

3.2 Road Noise Policy

The criteria in Table 3 of PA 06_0014 (see Table 3.1) are derived from the road traffic assessment criteria presented in Table 3 of the RNP. The Denman Road criteria correspond to the RNP criteria for sub-arterial roads and the Wybong Road/Bengalla Link Road criteria correspond to the RNP criteria for local roads.

Table 3 of the RNP is reproduced in Table 3.1 below.

Table 3.1 Road traffic noise assessment criteria for residential land uses

Road category	Type of project/land use	Assessment criteria - dB(A)	
		Day (7am to 10pm)	Night (10pm to 7am)
Freeway/arterial/ sub-arterial roads	1. Existing residences affected by noise from new freeway/arterial/sub-arterial road corridors	LAeq, (9 hour) 55 (external)	LAeq, (9 hour) 50 (external)
	2. Existing residences affected by noise from redevelopment of existing freeway/arterial/ sub-arterial roads	LAeq, (9 hour) 60 (external)	LAeq, (9 hour) 55 (external)
	3. Existing residences affected by additional traffic on existing freeways/arterial/sub-arterial roads generated by land use developments		
	4. Existing residences affected by noise from new local road corridors	LAeq, (9 hour) 55 (external)	LAeq, (9 hour) 50 (external)
	5. Existing residences affected by noise from redevelopment of existing local roads		
	6. Existing residences affected by additional traffic on existing local roads generated by land use developments		

Notes: 1. Land use developers must meet internal noise goals in the Infrastructure SEPP (Department of Planning NSW 2007) for sensitive developments near busy roads (see Appendix C10).

The RNP also provides guidance to 'shoulder periods' where the standard time periods applicable to day and night (as per Table 3.1 above) may vary due to peak traffic periods. This is relevant to the locality of Mangoola Coal, given the shift times of mining operations occur either side of the day and night time periods for mine-related vehicles travelling along Wybong Road and Bengalla Link Road. The RNP states:

At times, it may be reasonable to vary the standard time periods applied to the day and night. For example, the noise levels in an area may begin to rise sharply earlier than 7 a.m. (the standard time day begins) due to normal early morning activity from the community. In these situations, it is reasonable to consider varying the standard day-time and night-time periods.

Appropriate noise level targets where night-time noise levels rise quickly to day-time noise levels (often termed 'shoulder periods') may be negotiated with the determining or regulatory authority on a case-by-case basis.

In assessing feasible and reasonable mitigation measures, the RNP defines an increase of up to 2 dB as representing a minor impact that is considered barely perceptible to the average person.

4 Consultation and stakeholder engagement

4.1 Overview

Stakeholder engagement activities currently employed by Mangoola include, but are not limited to:

- Community Consultative Committee (CCC) meetings;
- face to face meetings;
- Mangoola Coal's complaints and enquiries line and email;
- community information sheets;
- internal and external newsletters; and
- Mangoola Coal's website.

Mangoola also provides community support through local programs, corporate social involvement, and community contributions.

It is important to note that Mangoola has not received any complaints from the community regarding road traffic noise generation since commencement of its operations in 2010.

4.2 Previous consultation undertaken

Extensive consultation with stakeholders was undertaken for Modification 6. As previously stated, the primary aspect of Modification 6 was the increase in mining output to 13.5 Mtpa which also required an increase to the existing workforce at Mangoola Coal. The Social Impact and Opportunities Assessment for Modification 6 (Sheridan Coakes Consulting 2013) included a stakeholder engagement program to identify potential social impacts of the proposed modification on neighbouring and local communities, and develop strategies to address these matters. Consultation methods undertaken include:

- information on the proposed modification was provided to the CCC by Mangoola during meetings held on 21 November 2012 and 20 February 2013;
- an information fact sheet which summarised the key elements of the proposed modification was distributed to nearby landholders, at meetings, to relevant government agencies, and published on Mangoola's website;
- face-to-face meetings with near neighbours were undertaken during November and December 2012;
- community information session was held on 12 December 2012 at Wybong Community Hall;
- face-to-face and phone interviews with key service providers and regional stakeholders;
- Mangoola Coal employees and contractors were invited to participate in a survey distributed by email and in person during July 2012. Employees were notified of the proposed modification on 8 October 2012 and provided regular updates as the environmental assessment process progressed. Mangoola also held contractor communication sessions on 22 February 2013;

- meetings were held with the Department of Planning and Environment (DP&E) on 11 September 2012, Environment Protection Authority and the Office of Environment and Heritage on 13 February 2013, and NSW Office of Water on 13 February 2013; and
- briefing presentation on the modification was given at the Muswellbrook Chamber of Commerce meeting on 6 November 2012.

The EA and supporting technical studies for Modification 6 were publically exhibited between 29 May and 28 June 2013. Concerns about existing road and rail traffic noise were raised in seven of the 67 submissions received from community/special interest groups and individuals. A response to the submissions received during public exhibition was submitted to DP&E on 29 August 2013. The response to submissions report reaffirmed the outcomes of the noise study within the EA that proposed increases in road traffic volumes under Modification 6 would result in noise levels generally below the RNP allowable increase threshold of 2 dB, and mitigation rights would be afforded to residences where noise levels were predicted to exceed the relevant criterion. Supplementary information on road traffic noise impacts was also provided to DP&E on 29 November 2013.

In its assessment report and recommendations to the NSW Planning Assessment Commission (PAC), DP&E (February 2014) stated the following with regard to road and rail noise from Modification 6:

Overall, the scale of the impact would be similar to the approved project, and while three privately-owned residences would experience greater road noise impacts, these residences were already expected to experience significant noise impacts from the mine, and hence were already entitled to additional mitigation. Under the modified approval, these entitlements would remain, and [DP&E] considers this a reasonable outcome for these properties. It should also be noted that these impacts would be based around the morning and afternoon peak periods, with the traffic noise for the remainder of the day/night period unlikely to exceed the criteria.

During the public meeting convened by the PAC for Modification 6 in March 2014, the proposed increase in road traffic was raised by some members of the community; however, these concerns were largely related to traffic congestion and road safety rather than resultant road traffic noise. In its determination report (April 2014), the PAC did not specifically reference road traffic noise nor modify any recommendations made by DP&E regarding road traffic noise.

4.3 Consultation activities related to proposed modification

Consultation activities related to the proposed modification have included:

- presentation to the CCC – the details of the proposed modification were presented at the CCC meeting on 18 May 2016. No queries related to the proposed modification were asked by attendees at the meeting. The minutes from the CCC meeting and a copy of the presentation related to the proposed modification are included in Appendix B;
- letter to residents identified in PA 06_0014 (Schedule 3, Condition 4) as potentially be affected by traffic noise on Wybong Road – the letter included a summary of the administrative changes under the proposed modification, and provided the contact details of Mangoola Coal's Environment and Community Manager; no correspondence had been received from the recipients at the time of lodgement of this EA. Copies of the letters are provided in Appendix B; and
- consultation with the DP&E in relation to the proposed modification has been ongoing to confirm the process for modifying PA 06_0014.

5 Proposed modification and assessment

5.1 Introduction

The proposed modification is administrative in nature and seeks to remove an unnecessary non-compliance reporting loop (shown in Figure 1.2) for measured exceedances of road traffic noise confirming previously assessed and approved impacts where the corrective action (mitigation rights) has already been implemented.

5.2 Road traffic noise monitoring compliance

The NMP requires Mangoola to undertake quarterly monitoring for road traffic noise for at least one hour (four consecutive 15-minute measurements) at one of two residential assessment locations (ie 246 or 249) on Wybong Road. In accordance with the approved NMP, monitoring is undertaken during either the day-time or the night-time peak traffic period which are representative of the periods with the highest hourly vehicle movements as presented in the traffic technical study completed as part of the Mangoola Coal Modification 6 EA (Hyder 2013).

Since approval of Modification 6 in April 2014, Mangoola Coal has been steadily increasing its ROM coal extraction and its requisite workforce. During monthly attended road traffic noise monitoring on 15 December 2015, it was observed that road traffic noise, mostly resulting from traffic servicing Mangoola Coal, exceeded criteria in Condition 3, Schedule 3 at assessment location 249 on Wybong Road. As previously stated, all privately owned residences along Wybong Road have been afforded mitigation rights by Mangoola Coal or are afforded acquisition rights for nearby mining operations (ie 246 and 320 are within the Mount Pleasant Project acquisition zone).

It should be noted that traffic volumes and road traffic noise levels remained within the predicted limits within the Modification 6 EA and noise technical study and no community complaints were received during the period of the measured exceedance of road traffic noise.

Due to the measured exceedance, an incident (as defined by PA 06_0014 – see Section 1.2 and Figure 1.2) was reported to the DP&E despite the measurement being consistent with predictions documented within the Modification 6 EA and the noise technical study.

Follow-up road traffic noise monitoring was completed in January 2016 in accordance with the requirements of the NMP. The follow-up monitoring recorded road traffic noise levels with the noise levels allowed within the RNP.

5.3 Previous assessments of Mangoola Coal road traffic noise

Road traffic noise levels on Wybong Road and Bengalla Link Road have been assessed for Mangoola Coal on a number of occasions as part of the following approvals:

- *Anvill Hill Project – Noise & Vibration Assessment*, prepared by Wilkinson Murray (2006);
- *Mangoola Mine Modification 4 – Noise & Vibration Assessment*, prepared by Wilkinson Murray (2010); and
- *Mangoola Coal Project Modification 6 – Updated Road Traffic Assessment*, prepared by EMGA Mitchell McLennan (20 November 2013).

Noise assessments prepared by Wilkinson Murray for other Mangoola Coal approvals (Modification 1 (2008a), Modification 3 (2009a), and Modification 5 (2009b)) related only to operational noise or construction noise. The noise assessment for Modification 2 (Wilkinson Murray 2008b) assessed construction road traffic noise on Mangoola Road and Golden Highway only.

Table 5.1 below demonstrates that previous assessment documentation have predicted exceedances of RNP criteria (shown in bold) at residences on Wybong Road and Bengalla Link Road since the original application in 2006. The Anvill Hill and Modification 4 assessments assumed an AM peak period between 7 am and 8 am and, therefore, assessed against the day time criterion of 55 dB. The Modification 6 assessment was updated to reflect the results of 2013 traffic surveys and changes to operations and assumed an AM peak period between 6 am and 7 am to which night time criterion of 50 dB applies.

Table 5.1 Summary of AM peak period road traffic noise level predictions

Assessment location	Nearest road	Distance from road (m)	L _{Aeq} (1-hour) Noise levels (dB)		
			Anvill Hill Project	Modification 4	Modification 6
10#	Wybong	175	52	-	-
146#	Wybong	100	55	-	-
168#	Wybong	80	57	57	55.7
246^	Wybong	75	56	58	57.6
249	Wybong	80	56	58	55.7
250	Wybong	250	51	51	48.8
251	Wybong	120	53	54	53.3
320^	Wybong	350	-	-	46.8
96A#	Wybong	200	53	53	-
96B#	Wybong	90	56	56	56.1
203F#	Bengalla Link	65	55	55	-
203G#	Bengalla Link	50	57	57	-
203H#	Bengalla Link	120	5	51	-
203I#	Bengalla Link	220	49	49	-
203K#	Bengalla Link	210	49	49	-

Notes: = not assessed; # - mine owned; ^ - afforded acquisition rights by the Mount Pleasant Project, **bold** = exceeds relevant criterion

Accordingly, privately owned residences predicted to experience mine-related road traffic noise levels above RNP criteria were afforded mitigation rights. These mitigation rights are shown in the notes to Condition 4, Schedule 3, as described previously in Section 2.3. It should be noted that the three privately-owned residences on Wybong Road (east of the Mangoola Coal access road) that were predicted to exceed relevant RNP criterion due to Modification 6 (ie 246, 249, and 251) have been offered mitigation by Mangoola (see Appendix A). None of these properties are yet to take up these rights (as of April 2016). It should be noted that privately owned assessment locations 246 and 320 are afforded acquisitions rights by the nearby Mount Pleasant Project.

5.4 Removal of Condition 3, Schedule 3

As stated in Section 2.3, Condition 3, Schedule 3 prescribes road traffic noise criteria for Mangoola Coal. These criteria are consistent with those within the RNP. The RNP applies to all developments within NSW inclusive of Mangoola Coal, irrespective of project approval criteria. Condition 3, Schedule 3, of PA 06_0014 effectively duplicates these criteria for the purposes of compliance monitoring and reporting.

As detailed in Section 5.3, previous assessments have predicted exceedances of the RNP criteria with application of appropriate mitigation (ie mitigation rights) which has been approved by the Minister for Planning (or delegate). Condition 3, Schedule 3 of PA 06_0014 does not allow for these predicted exceedances. All criteria contained within PA 06_0014 are subject to compliance by Mangoola Coal which is verified through regular monitoring activities documented in approved management plans; in this case, the NMP.

Measured exceedances of criteria trigger an 'incident' as is defined within PA 06_0014 (refer to Section 1.2). Condition 4, Schedule 5 then requires Mangoola to notify the Secretary and any other relevant agencies of any incident with a detailed report to be provided to the Secretary and agencies within seven days of the incident. In the event of an exceedance of the road traffic noise criteria, the required response (ie corrective action) to an incident would be to afford the subject residence mitigation rights. However, this has already been undertaken for residences on Wybong Road predicted to exceed the relevant criteria.

Therefore, Condition 3, Schedule 3 creates an unnecessary non-compliance reporting loop (shown in Figure 1.2), where measured exceedances of road traffic noise confirm previously predicted exceedances of relevant criteria within previous planning applications approved by the NSW Minister for Planning (or delegate), for which appropriate mitigation rights have already been afforded.

It is proposed to remove Condition 3, Schedule 3 and remove any associated references within PA 06_0014.

5.5 Management and monitoring

5.5.1 Retention of currently afforded rights of surrounding residences

The proposed removal of Condition 3, Schedule 3 of PA 06_0014 does not adversely affect the protections currently afforded to the community including surrounding residences to Mangoola Coal. The proposed modification retains the following:

- Condition 4, Schedule 3 which allows the owner of a residence listed in Table 1 or 2 of PA 06_0014 or three residences along Wybong Road (ie residences 246, 249 or 251) to request the implementation of additional noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on the land in consultation with the landowner.
- Condition 4, Schedule 4 which allows the a landowner who considers the project to be exceeding the impact assessment criteria in Schedule 3, except where this is predicted in the EA, then he/she may ask the Secretary in writing for an independent review of the impacts of the project on his/her land.
- Conditions 6 and 7, Schedule 4 which states that should the independent review determine non-compliance, then Mangoola Coal (and other relevant mines, if appropriate) shall take all reasonable and feasible measures to ensure compliance, further monitoring, and obtaining written agreement from the landowner.

- Conditions 10 and 11, Schedule 4 which provides the mechanism for the landowner to request acquisition of their property by Mangoola. These conditions require Mangoola to pay current market value of the property as if the property was unaffected by the project and paying reasonable costs associated with compensation and any relevant relocation costs.

5.5.2 Road traffic noise management

As required by Condition 2 Schedule 2 of PA 06_0014, Mangoola will operate generally in accordance with the EA and the conditions of PA 06_0014. Further, the requirements of Condition 48, Schedule 3 stipulate that no Mangoola Coal related traffic shall use Reedy Creek Road, Mangoola Road, Roxburgh Road or Castlerock Road to get to or from the site, except in an emergency to avoid the loss of life, property and/or to prevent environmental harm will continue to apply, thereby retaining road traffic volumes predominantly to the existing nominated collector roads of Wybong Road and Bengalla Link Road. The primary access route is shown on Figure 1.2. Mangoola Coal currently implements a Local Roads Policy which is provided to all employees and contractors to inform them of the approved access routes. The policy addresses mine related traffic inclusive of light vehicles including employee vehicles travelling to and from work and medium or heavy vehicles travelling to and from the mine for any mine related purpose. Mangoola communicates this policy through another of different media and forums, such as employee and contractor inductions, annual refreshers for all employees, contractors and suppliers as well as displaying prominent signage on the prohibited road.

Mangoola Coal also contributes financially to the management of local roads through its Voluntary Planning Agreement (VPA) with Muswellbrook Shire Council. Mangoola has invested approximately \$21 million to local road upgrades and continues to contribute \$275,000 annually (+CPI) for the following:

- \$220,000 per annum (plus CPI adjustment) for contributing to the general mine affected road maintenance costs for the maintenance of Council roads, including Thomas Mitchell Drive; and
- \$55,000 per annum (plus CPI adjustment) for road maintenance costs for the maintenance of the section of Wybong Road from the Mangoola Coal access road to the intersection with Bengalla Link Road (commences following practical completion of Wybong Road upgrade).

5.6 Consideration of alternatives

Alternatives to amending the conditions of PA 06_0014 were considered and these are described below.

5.6.1 Noise barrier

Mangoola considered the installation of a noise barrier beside Wybong Road to provide noise mitigation to residences along this road. However, due to the rural nature of these residential locations, such barrier installations are not considered reasonable or feasible.

5.6.2 Location specific criteria in Table 3 of Condition 3, Schedule 3

Mangoola considered the application of location specific assessment criteria for each privately-owned residence on Wybong Road and Bengalla Link Road instead of the prescribed RNP criteria. Location specific assessment criteria would reflect the predictions approved for Modification 6 (refer to Table 5.1).

Whilst inclusion of these criteria would reflect the assessment outcomes, there are no additional privately owned residences on Wybong Road or Bengalla Link Road that require mitigation rights (as assessment locations 246, 249 and 251 already have mitigation rights), effectively making this condition redundant for compliance monitoring and reporting purposes.

Further, it should be noted that the RNP does not provide a mechanism for acquisition should road traffic noise levels be measured exceeding RNP criteria at properties already afforded mitigation. This is consistent with the *Voluntary Land Acquisition and Mitigation Policy* (VLAMP) which states the following regarding mitigation and acquisition criteria:

A consent authority can apply voluntary mitigation and voluntary acquisition rights to reduce:

- operational noise impacts of a development on privately owned land; and
- rail noise impacts of a development on privately owned land near non-network rail lines (private rail lines), on or exclusively servicing industrial sites (see Appendix 3 of the RING);

But not:

- construction noise impacts, as these impacts are shorter term and can be controlled;
- noise impacts on the public road or rail network; or
- modifications of existing developments with legacy noise issues, where the modification would have beneficial or negligible noise impacts. In such cases, these legacy noise issues should be addressed through site-specific pollution reduction programs under the *Protection of the Environment Operations Act 1997*.

It is on this basis that the option of providing location specific criteria to privately owned residences on Wybong Road and Bengalla Link Road was not pursued as the preferred option.

5.6.3 Do nothing

Mangoola considered that the 'do nothing' option would continue the inefficiencies of implementing the protocols of reporting an approved non-compliance. Continuation of this unnecessary reporting loop (shown in Figure 1.2) is neither efficient nor cost effective for Mangoola, the community or the regulatory authorities.

6 Justification and conclusion

This EA has described the proposed minor administrative modification and examined the associated potential effects as well as the need for the modification, and the alternatives considered.

It is considered that the proposed minor administrative modification is consistent with the objects of the EP&A Act, including the principles of ESD. The information provided in this EA conclude that, with the removal of Condition 3, Schedule 3 and its unnecessary non-compliance reporting loop (shown in Figure 1.2) combined with continued protections and mechanisms available within remaining conditions of PA 06_0014 to the surrounding residences and wider community, there will be no threat of serious or irreversible damage to the environment as a result of the proposed modification and Mangoola Coal will continue to contribute to inter-generational equity.

The proposed modification is strongly justified as the removal of Condition 3, Schedule 3 does not adversely affect the current protections afforded to surrounding residences through the RNP, Mangoola Coal's management practices, and remaining mechanisms within PA 06_0014, including:

- application of the relevant RNP criteria;
- implementation of the NMP;
- mitigation rights afforded to assessment locations previously predicted to exceed relevant road traffic noise criteria;
- management measures presented in Mangoola Coal's Local Roads Noise Policy; and
- financial contributions to local road maintenance through the VPA.

Therefore, the proposed administrative modification is considered to be in the public interest and should be positively determined.

References

EMGA Mitchell McLennan Pty Limited (EMM) (2013), *Mangoola Coal Modification 6 - Updated road traffic noise assessment*. Prepared for Xstrata Mangoola Pty Limited, 20 November 2013.

NSW Department of Environment, Climate Change and Water (DECCW) (2011), *NSW Roads Noise Policy*.

NSW Department of Planning and Infrastructure (DP&I) (2012), *Upper Hunter Strategic Regional Land Use Plan*. Prepared for the NSW Government.

Sheridan Coakes Consulting Pty Limited (2013), *Social Impact & Opportunities Assessment (SIOA), Proposed Modification 6*. Prepared for Xstrata Mangoola Pty Limited, March 2013.

Wilkinson Murray Pty Limited (2006), *Anvill Hill Project – Noise & Vibration Assessment*. Prepared for Umwelt (Australia) Pty Limited.

Wilkinson Murray Pty Limited (2008a), *Mangoola Coal Modification 1, Noise Assessment*. Prepared for Umwelt (Australia) Pty Limited.

Wilkinson Murray Pty Limited (2008b), *Mangoola Coal – Modification to Environmental Assessment, Hunter River Pipeline Relocation Noise Assessment*. Prepared for Umwelt (Australia) Pty Limited.

Wilkinson Murray Pty Limited (2009a), *Mangoola Coal Modification 3, Noise Assessment*. Prepared for Umwelt (Australia) Pty Limited.

Wilkinson Murray Pty Limited (2010), *Mangoola Mine Modifications, Noise & Vibration Assessment*. Prepared for Umwelt (Australia) Pty Limited.

Wilkinson Murray Pty Limited (2009b), *Mangoola Coal Modification 5, Noise Assessment*. Prepared for Umwelt (Australia) Pty Limited.

Appendix A

Correspondence offering mitigation rights



Tel +61 2 6549 5500
Fax +61 2 6549 5655
Email mangoolaenquiries@xstratacoal.com.au
Web www.xstrata.com

Address Xstrata Mangoola Pty Ltd
Wybong Road
PO Box 495
MUSWELLBROOK NSW 2333

30 August 2012

Mr & Mrs Strachan
1319 Wybong Road
WYBONG NSW 2333

Dear Mr & Mrs Strachan

RE: NOSIE MITIGATION MEASURES

On the 22 June 2012 Mangoola Coal was given approval for Modification 4 to our Project Approval 06_0014. In accordance with Schedule 3, Condition 8 of this project approval you are hereby notified that you have the right to additional noise mitigation measures which are reasonable and feasible at your residence at any stage during the project.

If you wish to discuss noise mitigation please call Evelina Hendry, Community Relations Coordinator on 6549 5512.

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Clibborn'.

Ben Clibborn
Environment & Community Manager



Tel +61 2 6549 5500
Fax +61 2 6549 5655
Email mangoolaenquiries@xstratacoal.com.au
Web www.xstrata.com

Address Xstrata Mangoola Pty Ltd
Wybong Road
PO Box 495
MUSWELLBROOK NSW 2333

30 August 2012

Mr & Mrs Smith
1550 Wybong Road
WYBONG NSW 2333

Dear Mr & Mrs Smith

RE: NOSIE MITIGATION MEASURES

On the 22 June 2012 Mangoola Coal was given approval for Modification 4 to our Project Approval 06_0014. In accordance with Schedule 3, Condition 8 of the project approval you are hereby notified that you have the right to additional noise mitigation measures which are reasonable and feasible at your residence at any stage during the project.

If you wish to discuss noise mitigation please call Evelina Hendry, Community Relations Coordinator on 6549 5512.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Clibborn'.

Ben Clibborn
Environment & Community Manager

Xstrata Mangoola Pty Limited ABN 54 127 535 755
PO Box 495, Muswellbrook NSW 2333
Wybong Road Muswellbrook NSW 2333 Australia
Tel +61 2 6549 5500 Fax +61 2 6549 5655 www.xstrata.com



Tel +61 2 6549 5500
Fax +61 2 6549 5655
Email mangoolaenquiries@xstratacoal.com.au
Web www.xstrata.com

Address Xstrata Mangoola Pty Ltd
Wybong Road
PO Box 495
MUSWELLBROOK NSW 2333

11 July 2013

Mr & Mrs Googe
"Sandy Springs" Wybong Road
Wybong NSW 2333

Dear Mr & Mrs Googe

RE: NOISE MITIGATION MEASURES

Mangoola Coal Operations has previously advised you of your rights to noise mitigation measures under our Project Approval 06_0014, Schedule 3 Condition 8 (a copy of which is attached for your information).

If you wish to discuss the noise mitigation measures please contact Evelina Hendry, Community Relations Coordinator, Mangoola Coal Operations on (02) 6547 5512.

Yours

A handwritten signature in cursive script, appearing to read 'Evelina Hendry', followed by a large, stylized circular flourish.

Evelina Hendry
Community Relations Coordinator

Att: Schedule 3, Condition 8

Xstrata Mangoola Pty Limited ABN 54 127 535 755
PO Box 495, Muswellbrook NSW 2333
Wybong Road Muswellbrook NSW 2333 Australia
Tel +61 2 6549 5500 Fax +61 2 6549 5655 www.xstrata.com

Appendix B

Consultation materials related to the proposed modification

**MINUTES OF THE MANGOOLA OPEN CUT
COMMUNITY CONSULTATIVE COMMITTEE MEETING**
Mangoola Open Cut
Tuesday 17th May 2016

PRESENT:

Mr Nathan Lane (Mangoola Open Cut) (NL)
Ms Chloe Piggford (Mangoola Open Cut) (CP)
Cr Ray Butchard (Chair) (RB)
Mr Stephen Ward (Muswellbrook Shire Council) (SW)
Mr Keith Campbell (Community Representative) (KC)
Ms Fiona Hordern (Community Representative) (FH)
Mr Robert Weir (Community Representative) (RW)
Mr Pat Keegan (Community Representative) (PK)
Ms Charmaine Bloomfield (Harvey Recruitment / Minute-Taker) (CB)
Mr Damien Ryba (Mangoola Open Cut) (DR) – Site tour only

1. INTRODUCTION

- The meeting commenced at 10am in the Mangoola Open Cut Conference Room starting with a site tour of the Biodiversity Offset areas. Lunch was provided at 12pm with the presentation following at 12:20pm on Tuesday the 17th May 2016.

2. APOLOGIES

- Mr Tony Israel (Mangoola Open Cut), Mr Johnathon Moore (Community Representative) and Mr Tony McManus (Community Representative).

3. DECLARATION OF INTEREST

- Nil

4. ADOPTION OF PREVIOUS MINUTES

- The committee took a few minutes to review previous meeting minutes.
- Moved: KC
- Seconded: FH
- Carried: All in favour

5. ACTIONS FROM PREVIOUS MINUTES

- Discussion about Mangoola Open Cut continuing to clean up fencing piles on Mangoola Open Cut-owned land. NL explained the broader program to remove rubbish and redundant fence lines. NL stated works have been undertaken this year and these works will continue into the future.
- RB spoke about the Wybong Road and Ridgeland Road intersection stating that Muswellbrook Shire Council has installed barricades to prevent vehicles using the intersection inappropriately and that no complaints had been received by Muswellbrook Shire Council. RB asked the committee for feedback on the intersection. RW responded informing RB that people are still taking short cuts and not utilising the intersection properly or safely.
- RB informed committee about the works on Wybong Road to address the sink holes. Muswellbrook Shire Council were quick to fix the problem and feedback has been positive. RB mentioned that the Muswellbrook Shire Council was unaware of the issue prior to the previous Mangoola Open Cut CCC meeting and a lodged service request was unable to be located. RB stated the importance of obtaining a reference number for any service requests lodged.

- NL provided update on the management of the “white house”. NL explained that whilst houses owned by Mangoola Open Cut are rented where practical, the “white house” is not suitable to rent and Mangoola Open Cut will therefore seek approval from Muswellbrook Shire Council to demolish this house. PK asked why sheds were left standing after a house is demolished. NL explained some sheds are used for storage but will eventually be demolished also.

6. CORRESPONDENCE

- Nil

7. COMPANY REPORTS

Mine Update

- NL presented the mine update, explaining current works at the Mangoola Open Cut and areas of rehabilitation that have been undertaken so far in 2016.

Approvals Update

- NL presented the proposed modification of Project Approval 06_0014 (Modification 7) related to traffic noise and provided handouts explaining the proposed modification. This proposed modification is to remove Schedule 3 Condition 3 as part of an administrative modification and does not change the mitigation rights of properties which may be impacted by traffic noise. KC questioned if the mitigation rights changed when the owner of the private property changes. NL explained that mitigation is linked to the property and not the owner.
- NL acknowledged that there will be an Environment Protection Licence (EPL) variation and management plan revisions in 2016 due to recent property acquisition by Mangoola Open Cut and other mining companies. This will result in changes to environmental monitoring programs should this be approved.
- NL acknowledged a revision of the Mine Operations Plan will be undertaken in 2016.

Environmental Monitoring

- NL provided information on rainfall from February 2016 to April 2016.
- NL provided information on wind rose from February 2016 to April 2016.
- NL provided information on depositional dust from January 2016 to April 2016 and provided information on monitor locations and results.
- NL provided blasting information from February 2016 to April 2016.
- NL provided attended noise monitoring information for Quarter 1, 2016.
- NL provided targeted noise monitoring at 599 Roxburgh Road Quarter 1, 2016.
- NL provided the traffic monitoring information for Quarter 1, 2016.
- NL provided groundwater monitoring information for Quarter 1, 2016.

Mine Rehabilitation and Offset Management

- NL presented a summary of rehabilitation so far in 2016.
- NL outlined the topsoiling progress with 35ha completed to date in South Pit, Main Pit West and Main Pit Central areas.
- NL provided information on weed and pest control activities.

- NL provided information on ecological activities explaining the 2016 campaign for offset area revegetation to commence in late May 2016. In total, 55,000 trees will be planted over 55 hectares and 7,000 additional trees will be planted as infill plantings in the North Pit rehabilitation area.

Land Acquisitions

- NL presented information on property acquisition status and land ownership. KC asked how many properties have acquisition rights since the beginning of the mine. NL will confirm a number at the next meeting.

Complaint Analysis

- NL presented information on community complaints received during Quarter 1, 2016.

Community Involvement

- NL provided information about the community involvement so far in 2016. Positive feedback was received after discussion about the Upper Hunter Education Fund. KC asked if there is a clause for dollar for dollar for Mangoola Open Cut community involvement. NL explained the process that is involved, and how there are guidelines to follow. NL explained the Smarty Grants application process, which is available to community members via the Mangoola Open Cut website.

Community Tours

- NL provided information on community tours. RB asked if tours needed to be organised prior. NL stated that this is a preference as Mangoola Open Cut can determine what type of tour is suitable and to arrange vehicles. Mangoola Coal are hoping to have set tour settings in the future. PK asked if Mangoola Open Cut advertises their tours to the public. NL explained that the tours are mentioned in the Mangoola Open Cut Newsletter and also via word of mouth.

Voluntary Planning Agreement Community Funding Deed

- NL presented Mangoola Open Cut's contribution to the Stage 1 Denman Village Concept Master Plan and the Denman Aged Care Communication System. Positive feedback was received. Contributions were also made to the construction of the Denman Recreational Area Amenity Building.

8. GENERAL BUSINESS

Public Website

- NL stated that Mangoola Open Cut has updated the structure of the public website in attempt make it more user-friendly. Feedback is welcome.

Surrounding Development

- NL stated that proposed abattoir and feedlot in the Wybong area was identified by Mangoola Open Cut in the media and Mangoola Open Cut will consider the proposed development when further details are known. Committee discussed concerns about traffic management in the local area.

Community Newsletter

- NL stated that Mangoola Open Cut will be distributing a community newsletter during May.

Annual Review

- NL stated that Mangoola Open Cut submitted an Annual Review to government authorities on 31st March 2016 and this report is available via the Mangoola Open Cut website.

Community Interactions

- NL stated that there was a bushfire near Wybong Creek, which was responded to by the Rural Fire Service.

- NL stated that a hazard had been reported to Mangoola Open Cut by a community member about water pooling on Wybong Road and that the community member also notified Muswellbrook Shire Council. NL stated that Mangoola Open Cut has completed works on Mangoola Open Cut-owned land to divert the water. RB asked to follow up the service request/ community member enquiry with Muswellbrook Shire Council.

Wybong Post Office Road

- KC mentioned that the Wybong Post Office Road sign needs to be updated as the date is still reading 2015. NL stated that Mangoola Open Cut would be applying to change blast sign locations in 2016 as the mine is progressing west and road closure signs would need to move to reflect this.

Wybong Church

- KC requested an update on the old church. NL mentioned he will have more information by the next CCC meeting.

Pest Control

- KC raised his concern about invasive pests, including kangaroos and rabbits, and how this problem needs to be looked into. FH agreed. NL to look into further.

Weed Management

- PK raised concerns about tiger pear on Mangoola Open Cut-owned land (Pickering) and its dispersal downstream onto private land. NL to discuss with DR and action weed control when appropriate.

Colinta

- FH raised issue with Colinta and their timing of cattle movements. FH stated that Colinta is moving cattle in school bus times, which is inconvenient, and signs are still being left out.

Muswellbrook Shire Council

- RB presented the draft Community Consultative Committee Guidelines booklet to the committee. CP mentioned she provided a copy with the February CCC meeting minutes and can provide further copies on request.

9. ACTIONS AND/OR BUSINESS FOR NEXT CCC MEETING

- NL to follow up on how many properties have acquisition rights since the beginning of the mine.
- NL to provide an update on the old church.
- NL to provide update on control of invasive pests, such as kangaroos and rabbits.
- RB to follow up the service request/ community member enquiry about the water pooling hazard on Wybong Road with Muswellbrook Shire Council.
- NL to confirm EPA presentation will be part of next CCC meeting.

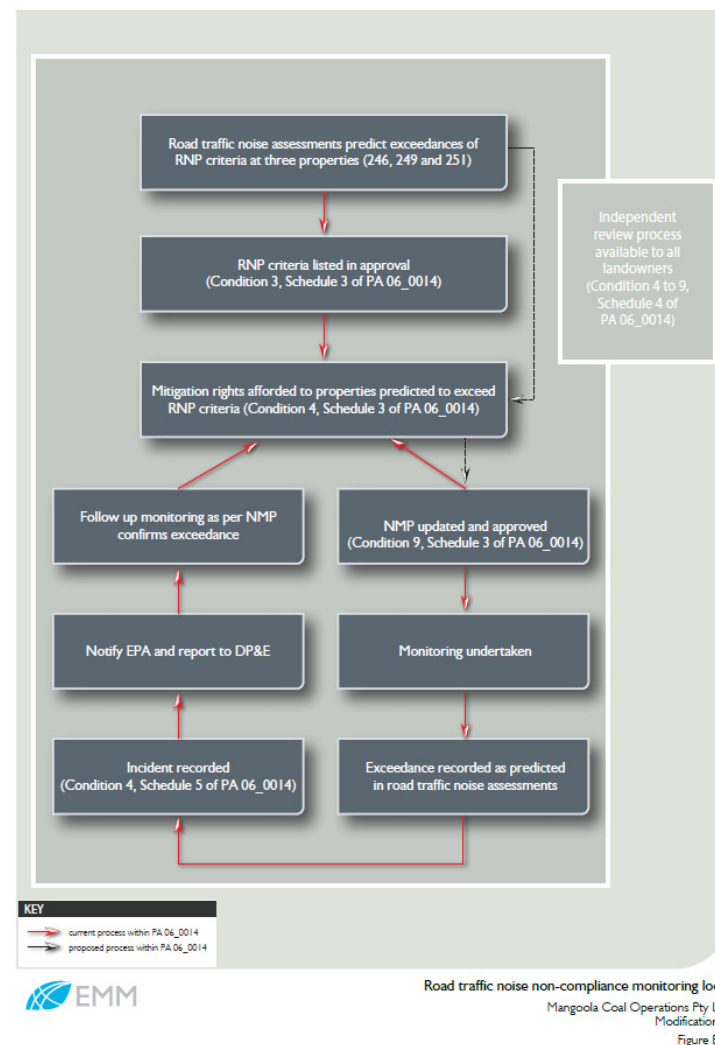
10. NEXT SCHEDULED MEETING

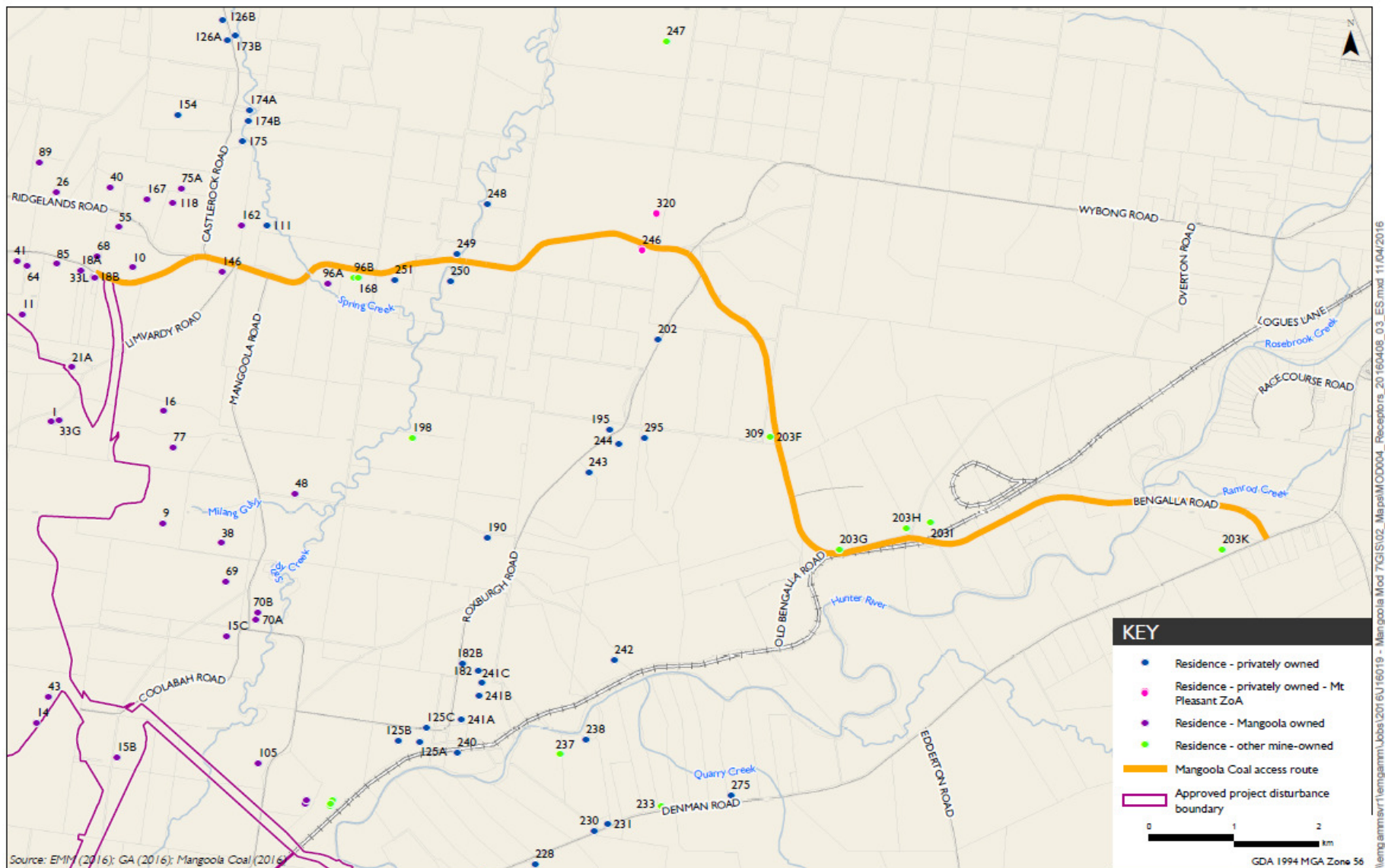
- The next meeting is scheduled for Wednesday 17th August 2016. Meeting will commence at 2pm in the Mangoola Open Cut Conference Room.

Meeting closed at 1:43pm.

MOD 7 – Removal of Condition 3, Schedule 3 – PA 06_0014

- Modification to remove unnecessary reporting loop.
- Minor administrative amendment.
- No changes to operations.
- Landholders predicted to be affected by Traffic Noise as per previous predictions will retain rights to reasonable and feasible mitigation.
- Landholder consulted and made aware of proposed changes.
- Unlikely to be publicly exhibited.





Residences on Wybong Road and Bengalla Link Road
Mangoola Coal Operations Pty Ltd
Modification 7
Figure E.1

MANGOOLA OPEN CUT

GLENCORE

12th May 2016

Frank and Wendy Googe
"Sandy Springs"
1629 Wybong Road
MUSWELLBROOK NSW 2333

Dear Frank and Wendy,

RE: Mangoola Coal Proposed Modification 7 - Planning Approval 06_0014

On the 7th June 2007, the Minister for Planning approved the Mangoola Coal Project under Section 75J of the Environmental Planning and Assessment Act 1979. Since this approval Mangoola has modified and had approved 6 modifications.

As discussed on the phone with Frank this week, Mangoola Coal is going to apply to modify this consent a 7th time to remove an unnecessary reporting of results related to traffic noise monitoring created by Schedule 3, Condition 3 of PA 06_0014. Attachment 1 of this letter is as the Executive Summary of the application which explains the proposed modification.

Please note, this modification does not propose to change the current approved operations or Schedule 3, Condition 4, of PA 06_0014 in which you are entitled to receive additional reasonable and feasible noise mitigation measures.

I have attached a copy of the current consolidated Mangoola Coal Planning Approval 06_0014 for your records to read in conjunction with the executive summary. This can also be viewed online by searching Mangoola Coal at <http://majorprojects.planning.nsw.gov.au/>.

If you wish to discuss the noise impact mitigation measures which you are entitled to under PA06_0014 or the proposed modification, please telephone contact me anytime on the below details. I would also be more than happy come and meet anytime to discuss the above or for a general Mangoola Coal update.

Regards



Nathan Lane
Environment and Community Manager
Mangoola Coal – A Glencore managed company
Tel: +61 2 6549 5503
Mob: +61 400 794 425
Fax: +61 2 6549 5655
E: nathan.lane@glencore.com.au
www.glencore.com

Attachment 1: Executive Summary- Administrative Modification-Removal of Condition 3, Schedule 3.
Attachment 2: Mangoola Coal Planning Approval 06_0014

MANGOOLA OPEN CUT

GLENCORE

12th May 2016

Barry Strachan
1319 Wybong Road
MUSWELLBROOK NSW 2333

Dear Barry,

RE: Mangoola Coal Proposed Modification 7 - Planning Approval 06_0014

On the 7th June 2007, the Minister for Planning approved the Mangoola Coal Project under Section 75J of the Environmental Planning and Assessment Act 1979. Since this approval Mangoola has modified and had approved 6 modifications.

Mangoola Coal is going to apply to modify this consent a 7th time to remove an unnecessary reporting of results related to traffic noise monitoring created by Schedule 3, Condition 3 of PA 06_0014. Attachment 1 of this letter is as the Executive Summary of the application which explains the proposed modification.

Please note, this modification does not propose to change the current approved operations or Schedule 3, Condition 4, of PA 06_0014 in which you are entitled to receive additional reasonable and feasible noise mitigation measures.

I have attached a copy of the current consolidated Mangoola Coal Planning Approval 06_0014 for your records to read in conjunction with the executive summary. This can also be viewed online by searching Mangoola Coal at <http://majorprojects.planning.nsw.gov.au/>.

If you wish to discuss the noise impact mitigation measures which you are entitled to under PA06_0014 or the proposed modification, please telephone contact me anytime on the below details. I would also be more than happy come and meet anytime to discuss the above or for a general Mangoola Coal update.

Regards



Nathan Lane
Environment and Community Manager
Mangoola Coal – A Glencore managed company
Tel: +61 2 6549 5503
Mob: +61 400 794 425
Fax: +61 2 6549 5655
E: nathan.lane@glencore.com.au
www.glencore.com

Attachment 1: Executive Summary- Administrative Modification-Removal of Condition 3, Schedule 3.
Attachment 2: Mangoola Coal Planning Approval 06_0014

MANGOOLA OPEN CUT

GLENCORE

12th May 2016

Mr Jason Smith
"Kevarty Oaks"
1550 Wybong Road
MUSWELLBROOK NSW 2333

Dear Jason,

RE: Mangoola Coal Proposed Modification 7 - Planning Approval 06_0014

On the 7th June 2007, the Minister for Planning approved the Mangoola Coal Project under Section 75J of the Environmental Planning and Assessment Act 1979. Since this approval Mangoola has modified and had approved 6 modifications.

Mangoola Coal is going to apply to modify this consent a 7th time to remove an unnecessary reporting of results related to traffic noise monitoring created by Schedule 3, Condition 3 of PA 06_0014. Attachment 1 of this letter is as the Executive Summary of the application which explains the proposed modification.

Please note, this modification does not propose to change the current approved operations or Schedule 3, Condition 4, of PA 06_0014 in which you are entitled to receive additional reasonable and feasible noise mitigation measures.

I have attached a copy of the current consolidated Mangoola Coal Planning Approval 06_0014 for your records to read in conjunction with the executive summary. This can also be viewed online by searching Mangoola Coal at <http://majorprojects.planning.nsw.gov.au/>.

If you wish to discuss the noise impact mitigation measures which you are entitled to under PA06_0014 or the proposed modification, please telephone contact me anytime on the below details. I would also be more than happy come and meet anytime to discuss the above or for a general Mangoola Coal update.

Regards



Nathan Lane
Environment and Community Manager
Mangoola Coal – A Glencore managed company
Tel: +61 2 6549 5503
Mob: +61 400 794 425
Fax: +61 2 6549 5655
E: nathan.lane@glencore.com.au
www.glencore.com

Attachment 1: Executive Summary- Administrative Modification-Removal of Condition 3, Schedule 3.
Attachment 2: Mangoola Coal Planning Approval 06_0014



www.emmconsulting.com.au

SYDNEY
Ground Floor, Suite 1, 20 Chandos Street
St Leonards NSW 2065
T 02 9493 9500 F 02 9493 9599

NEWCASTLE
Level 5, 21 Bolton Street
Newcastle NSW 2300
T 02 4927 0506 F 02 4926 1312

BRISBANE
Suite 1, Level 4, 87 Wickham Terrace
Spring Hill Queensland 4000
T 07 3839 1800 F 07 3839 1866