

9 June 2015

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Mr Mike Young

Dear Mike

RE: NARRABRI MINE STOCKPILE EXTENSION MODIFICATION (MOD 4)

The Narrabri Mine is an underground coal mining operation located approximately 28 kilometres (km) south-east of Narrabri and approximately 65 km north-west of Gunnedah in the Gunnedah Basin, New South Wales (NSW).

The Narrabri Mine is operated by Narrabri Coal Operations Pty Ltd (NCOPL) on behalf of the Narrabri Joint Venture, which consists of Whitehaven Coal Limited (70%), Upper Horn Investments (Australia) Pty Ltd (7.5%), J-Power Australia Pty Ltd (7.5%), EDF Trading (7.5%), and Daewoo International Corporation and Korea Resources Corporation (7.5%).

NCOPL prepared the *Narrabri Mine Stockpile Extension Modification Environmental Assessment* (the EA) to support a modification application under Section 75W of the NSW *Environmental Planning and Assessment Act 1979* for the proposed increase in the capacity of the run-of-mine (ROM) and product coal stockpiles to allow production to reach the approved maximum rate (i.e. 8 million tonnes per annum of ROM coal) (the Stockpile Extension Modification [the Modification]).

Responses to Submissions

The EA was placed on public exhibition by the NSW Department of Planning and Environment (DP&E) from 28 April 2015 to 13 May 2015. During this period, government agencies, members of the public and other relevant stakeholders were invited to provide submissions on the EA to the DP&E.

A total of five submissions were received for the Modification, including:

- NSW Environment Protection Authority;
- NSW Division of Resources and Energy within the NSW Department of Trade and Investment, Regional Infrastructure and Services;
- Narrabri Shire Council; and
- two members of the public.

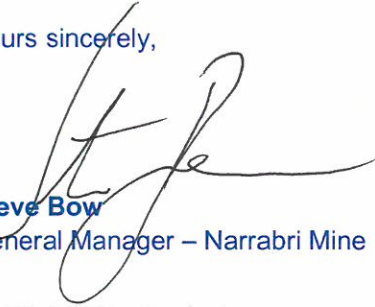
The Narrabri Shire Council did not object to the Modification.

The two submissions received from members of the public objected to the Modification.

NCOPL's responses to the submissions received to date are presented in Attachment 1.

Please do not hesitate to contact Steve Farrar on (02) 6794 4167 if you have any queries.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Steve Bow', with a stylized, flowing script.

Steve Bow
General Manager – Narrabri Mine

ATTACHMENT 1

RESPONSES TO SUBMISSIONS

**Table A1-1
Responses to Submissions**

Number	Individual/ Organisation	Submission	NCOPL Response
EPA-1	Environment Protection Authority (EPA)	Construction Hours <i>The EPA's Interim Construction Noise Guideline (ICNG) defines the standard construction hours that apply throughout NSW. The construction hours proposed in the EA extend well outside the standard construction hours.</i> <i>In these circumstances the ICNG states that the proponent needs to justify the need for longer construction hours and indicates that this can't just be for the sake of convenience. The proponent has not provided any such justification within the EA.</i> <i>However, in the context of ongoing coal mining operations at the site (24hrs a day, 7 days a week), the noise limits applying to the site and the relatively minor nature of the construction works associated with this modification proposal, this is not considered to be a significant issue. The EPA therefore accepts that no restriction of construction hours relative to the other operations at the site is likely to be necessary.</i>	As described in Section 2.4 of the Environmental Assessment (EA), construction activities for the Modification would generally be restricted to the 7.00 am to 10.00 pm up to seven days per week for approximately six months. The proposed surface infrastructure construction hours are consistent with the approved Narrabri Mine (NM) construction hours described in the <i>Environmental Assessment for the Narrabri Coal Mine Stage 2 Longwall Project</i> (Narrabri Coal Operations Pty Ltd [NCOPL], 2009). Spectrum Acoustics (2015) assessed the potential Modification construction noise impacts and made similar conclusions to the EPA (Section 6.1 of Appendix A of the EA): <i>It is expected that potential short-term construction noise impacts during the day and evening periods would be negligible in comparison with the potential noise levels under the relevant 'worst case' meteorological conditions during the night period. Consequently, a full quantitative assessment of these short-term construction activities is not considered necessary.</i>
EPA-2	EPA	Noise <i>The EPA notes that a minor exceedance (1dBA) is predicted at one private residence ('Belah Park') as a result of the proposed modification.</i> <i>The EPA understands that the proponent has initiated negotiations with this landholder and that it is working towards developing a private agreement with this receptor.</i> <i>The EPA recommends that this agreement defines a mutually acceptable level of impact at or above the predicted level of impact, and that this accepted level is adopted as a licence limit at the property in question.</i>	As described in Section 3.2.2 of the EA, 'Belah Park' is predicted to negligibly exceed (1 dB[A]) the NM noise limit outlined in Project Approval (08_0144) and Environment Protection Licence 12789. NCOPL is currently negotiating the <u>acquisition</u> of 'Belah Park'. As "Belah Park" has not been acquired by NCOPL at this stage, in accordance with the <i>Voluntary Land Acquisition and Mitigation Policy</i> (NSW Government, 2014), it is anticipated that the modified Project Approval (08_0144) would include noise limits equal to the predicted noise levels for the receiver (i.e. 36 dB(A),_{Leq[15 mins]}).

Table A1-1 (Continued)
Responses to Submissions

Number	Individual/ Organisation	Submission	NCOPL Response
EPA-3	EPA	<i>The EPA accepts the other recommendations made within the Noise Assessment.</i>	Acknowledged.
EPA-4	EPA	<i>The EPA understands that the proponent has successfully negotiated a private agreement with the owner of 'Bow Hills'. Again the EPA recommends that any agreed level of mutually acceptable noise impact is applied as a noise limit at this location</i>	As described in Section 3.2.1 of the EA, NCOPL has entered into a private agreement with the landholder of 'Bow Hills'. The private agreement includes a mutually acceptable noise level for the 'Bow Hills' residence. Condition 1, Schedule 4 of Project Approval (08_0144) however states that the NM noise limits outlined in the Project Approval (08_0144): <i>... do not apply if the Proponent has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</i> In addition, the <i>Voluntary Land Acquisition and Mitigation Policy</i> (NSW Government, 2014) requires the proponent (e.g. NCOPL) to "comply with negotiated agreement" and does not require the mutually acceptable noise level to be included in approval conditions.
EPA-5	EPA	<i>The proponent will need to submit an application to vary its environment protection licence if the proposed modification is approved by DoP&E, to reflect the necessary adjustments to the noise limits applying to the site. ...</i>	NCOPL would seek to vary Environment Protection Licence 12789 to incorporate the modified noise limits in consultation with the EPA.
EPA-6	EPA	Air <i>The EPA accepts that any additional air quality impacts associated with the modification are negligible and therefore the existing monitoring and air quality mitigation measures are considered adequate.</i>	Acknowledged.
EPA-7	EPA	Water <i>The EPA has no objection to the proposed modifications to the water management systems at the site. Appropriate design criteria appear to have been adopted for the proposed structures.</i>	As described in Section 2.3 of the EA, the proposed sediment basin (SB4) would be designed and constructed to capture runoff from a 1 in 100 year, 72 hour rainfall event consistent with existing NM sediment basins.
EPA-8	EPA	<i>The proponent will also need to vary its EPA licence to reflect the proposed changes to the water management systems and discharge points at the site.</i>	NCOPL would seek to vary Environment Protection Licence 12789 to reflect the modified site water management system in consultation with the EPA.

Table A1-1 (Continued)
Responses to Submissions

Number	Individual/ Organisation	Submission	NCOPL Response
DRE-1	NSW Trade & Investment	... DRE requires that proponent submit a revised MOP to include this modification if approved. ... DRE notes that the EA has identified general rehabilitation strategies and objectives. DRE considers that the proposed modification has limited potential to impact upon rehabilitation and mine closure outcomes for the mine site. DRE requires that: - The applicant should, if the application is successful, provide DRE with a Mining Operations Plan (MOP) amendment which addresses the stockpile and related surface water changes; and - A Rehabilitation Cost Estimate (RCE) should accompany the MOP modification application. ...	Acknowledged. As described in Section 4.2.3 of the EA, the current NM Mining Operations Plan would be revised to incorporate the Modification. The revised NM Mining Operations Plan would incorporate a revised Rehabilitation Cost Estimate.
NSC-1	Narrabri Shire Council	Although the Council has no objection to this proposed modification as an individual development, the application and expansion of the coal stockpile sought will contribute to cumulative air quality and dust pollution issues in the Narrabri LGA. In relation to these air quality issues it is Council's position that a regional monitoring system should be established to measure air quality in the Gunnedah Basin. ...	Environ (2015) prepared an Air Quality Assessment in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales</i> (EPA, 2005) for the Modification (Appendix B of the EA). Environ (2015) predicted that there would be no project-only exceedances of relevant air quality criteria or guidelines at any privately-owned residence as a result of the Modification. The Modification was also predicted to result in no cumulative exceedances of annual average particulate matter with diameter less than 10 microns (PM₁₀), total suspended particulate (TSP) or dust deposition criteria at any privately-owned residence. The risk of an additional exceedance of the 24-hour average PM₁₀ criterion at privately owned residences due to the Modification was minimal (less than 0.2%). NCOPL conducts air quality monitoring in accordance with the approved <i>Air Quality Monitoring Program</i> (Whitehaven, 2012) (Section 3.3.1 of the EA). As described in Section 3.3.2 of the EA, NCOPL would continue to implement the existing monitoring outlined in the <i>Air Quality Monitoring Program</i> (Whitehaven, 2012) for the Modification.
PUB-1	Clive Kirkby (Pineview)	Steve farrar concerning the poposed increase of the coalstack at white haven mine. I whish to lodge my formal objection to the proposal on the grounds of coal dust polution on our property	Refer to Response NSC-1.

Table A1-1 (Continued)
Responses to Submissions

Number	Individual/ Organisation	Submission	NCOPL Response
PUB-2	Craig Towns (‘Oakleigh’)	<i>We are extremely adversely affected already by the constant night noises of the conveyor belt and the beeping and driving noises associated with heavy machinery being used. These noises constantly interrupt our sleep and make sleeping with a window open impossible. Camping around our property, (an activity previously enjoyed by our family and friends), is also no longer possible due to the unpleasant noise.</i>	As described in Section 3.2.2 of the EA, the maximum predicted operational noise level at ‘Oakleigh’ was 31 dB(A)_{L_{eq}(15 mins)} which is below the NM noise limits outlined in Project Approval (08_0144) and Environment Protection Licence 12789. In regard to camping, Condition 2, Schedule 4 of Project Approval (08_0144) states: <i>If the noise generated by the project exceeds the criteria in Table 2 ... on more than 25% of any privately-owned land, then the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5-7 of schedule 7.</i> The criteria in Table 2 of Schedule 4 of Project Approval (08_0144) is 40 dB(A)_{L_{eq}(15 mins)}. A review of the noise contours (Figure 3 of the EA) and the ‘Oakleigh’ property boundaries showed that noise levels on the ‘Oakleigh’ property are not predicted to exceed 40dB(A)_{L_{eq}(15 mins)}.
PUB-3	Craig Towns (‘Oakleigh’)	<i>We are extremely vulnerable to excessive amounts of dust, depending which way the wind blows. This dust contaminates the air we breathe and also our water, because, as we are not connected to town water, we drink rain water collected from our roof.</i>	Refer to Response NSC-1. In relation to dust impacts on drinking water quality, NCOPL engaged a consultant to conduct sampling and analysis of deposited dust on the roof and rainwater tank sediment at ‘Pineview’ in consultation with the landholder in February 2014. The ‘Pineview’ residence is located approximately 600 metres south-west of ‘Oakleigh’. The analysis showed that the majority of the material was mould, vegetation and insects and that less than 1% of the material was coal dust.
PUB-4	Craig Towns (‘Oakleigh’)	<i>We also suffer from long, loud and clattering coal trains that are noisy and inconvenient. These trains sound their horns at our crossing, before increasing their speed on the incline into Baan Baa. The resulting rumbling noise and vibrations echo up at our house early in the morning causing windows to rattle and floors to shake. Any increase in capacity of the stockpiles will only increase this sleep depriving problem.</i>	As described in Section 2.6 of the EA, the Modification would not change the existing/approved product coal transport operations at the NM.

Table A1-1 (Continued)
Responses to Submissions

Number	Individual/ Organisation	Submission	NCOPL Response
PUB-5	Craig Towns (‘Oakleigh’)	<i>We feel current monitoring practices for dust ... are a pathetic joke.</i> ... <i>We do have a low tech dust monitoring device, that is checked irregularly, but as yet, no offer has been made to test the safety of our drinking water or the other water we have stored on our placed under the coal stockpile.</i>	Air quality monitoring at the NM is conducted in accordance with the approved <i>Air Quality Monitoring Program</i> (Whitehaven, 2012). Although not required, monitoring at ‘Oakleigh’, NCOPL conducts dust deposition monitoring at the ‘Oakleigh’ residence in consultation with the landholder. This dust deposition monitoring is conducted in accordance the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> (DEC, 2007) and the applicable Australian Standards. In relation to drinking water quality monitoring, NCOPL notes that it has not received a request to conduct water quality monitoring nor is it required to do so by Project Approval (08_0144) or Environment Protection Licence 12789. Further, based on the results of the Air Quality Assessment (Appendix B of the EA) and the analysis conducted at the nearby ‘Pineview’ property (refer to Response PUB-3), NCOPL considers that there is no justification for drinking water quality monitoring at ‘Oakleigh’.
PUB-6	Craig Towns (‘Oakleigh’)	<i>We feel current monitoring practices for ... noise are a pathetic joke.</i> ... <i>The operators of the noise monitoring systems “measure” the amount of noise in the shade of our machinery shed, often placing not only the shed but also their vehicles in front of the microphone, showing complete disregard for the legal requirements regarding trees and buildings and the placement of microphones to give an accurate and true reading.</i>	Noise monitoring at the NM is conducted in accordance with the approved <i>Noise Management Plan</i> (Spectrum Acoustics, 2011). NCOPL engages a noise specialist to conduct operated-attended noise monitoring at ‘Oakleigh’ in accordance with the <i>Noise Management Plan</i>. The operated-attended noise monitoring is conducted in accordance with the requirements of the <i>NSW Industrial Noise Policy</i> (EPA, 2000) and applicable Australian Standards.