

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I approve the modification of the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.

Mike Young
A/ Executive Director
Resource Assessments & Business Systems

Sydney

2015

SCHEDULE 1

Project Approval 08_0144 for the Narrabri Coal Project – Stage 2 granted by the Deputy Director-General, Development Assessment & Systems Performance as delegate for the Minister for Planning on 26 July 2010.

SCHEDULE 2

1. Delete the following definitions: 'DECCW', 'Director-General', 'I&I NSW', 'NOW' and 'RTA'.
2. Insert the following definitions in alphabetical order:

DPI Water	Department of Primary Industries – Water
DRE	Division of Resources and Energy within the NSW Department of Industry, Skills & Regional Development
EPA	Environment Protection Authority
OEH	NSW Office of Environment and Heritage
RMS	NSW Roads and Maritime Services
Secretary	Secretary of the Department of Planning and Environment (or nominee)

3. At the end of the definition of 'Department' add the words 'and Environment'

4. At the end of the definition of 'EA' add the following:
, as modified by:
- the modification application 08_0144 MOD 1 and accompanying letter prepared by Narrabri Coal Operations Pty Limited;
 - the modification application 08_0144 MOD 2 and accompanying letter prepared by Narrabri Coal Operations Pty Limited; and
 - the modification application 08_0144 MOD 4 and accompanying report prepared for Whitehaven Coal Limited entitled *Narrabri Mine Stockpile Extension Modification Environmental Assessment* (April 2015)

5. Replace Schedule 2, condition 2, with:

2. The Proponent shall carry out the project generally in accordance with the:
- (a) EA; and
 - (b) conditions of this approval.

Note: The general layout of the project is shown in Figures 1 to 3 of Appendix 2.

6. Replace all references to 'Director-General' with 'Secretary'
7. Replace all references to 'RTA' with 'RMS'
8. Replace all references to 'NOW' with 'DPI Water'
9. Replace all references to 'I&I NSW' with 'DRE'
10. Replace all references to 'the Director-General of I&I NSW' with 'DRE'
11. In Schedule 3, condition 4(h), dot point 1 replace 'DECCW' with 'EPA'
12. In Schedule 3, condition 4(h), dot points 2 and 4 replace 'DECCW' with 'OEH'
13. In Schedule 4, Condition 1 delete 'at any privately owned residence'
14. In Schedule 4, Condition 1 replace:
- 'DECCW' with 'EPA' in the Notes; and
 - the second and third dot points in the Notes with:
 - These noise limits apply to applicable receivers under all meteorological conditions except for any one of the following:
 - wind speeds greater than 3m/s at 10 metres above ground level; or
 - stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - stability category G temperature inversion conditions.
 - Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station located in the vicinity of the site, or as otherwise agreed by the Secretary.
15. In Schedule 4 condition 2 delete ', or on more than 25% of any privately owned land,'
16. In Schedule 4, conditions 4 and 13 replace 'DECCW' with 'EPA'
17. In Schedule 4, condition 6 delete ', or on more than 25% of any privately owned land'
18. In Schedule 4, condition 6 replace Tables 4-6 and the Notes with the following:

Table 4: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³

Table 5: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³

Table 6: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 4-6

- ^a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources);
- ^b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.

19. In Schedule 4 delete condition 7 and replace with:

Operating Conditions

7. The Proponent shall:
- implement all reasonable and feasible measures to minimise the
 - odour, fume and dust emissions of the project; and
 - release of greenhouse gas emissions from the project;
 - operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting and real-time air quality monitoring data to guide the day to day planning of operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this approval;
 - minimise any visible air pollution; and
 - minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d to Tables 4-6 above).
- to the satisfaction of the Secretary.

20. In Schedule 4 immediately after condition 7 add the following, as condition 7A:

Air Quality Management Plan

- 7A. The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Secretary. This program must:
- be prepared in consultation with the EPA, and be submitted to the Secretary for approval prior to 30 December 2015, unless otherwise agreed with the Secretary;
 - describe the measures that would be implemented to ensure compliance with relevant air quality criteria and operating conditions of this approval;
 - describe the proposed air quality management system; and
 - include an air quality monitoring program that:
 - adequately supports the proactive and reactive air quality management system;
 - evaluates and reports on:
 - the effectiveness of the air quality management system; and
 - compliance with the air quality operating conditions; and

- defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents.

21. In Schedule 4 replace condition 8 with the following:

For the life of the project, the Proponent shall ensure that there is a meteorological station in the vicinity of the site that:

- a) complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* (DECC, 2007) or its latest version; and
- b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the *NSW Industrial Noise Policy*, unless a suitable alternative is approved by the Secretary following consultation with the EPA.

22. In Schedule 4, conditions 23, 24, 30 and 32 replace 'DECCW' with 'OEH'

23. In Schedule 5, conditions 3 and 6 replace 'DECCW' with 'OEH'

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24. In Appendix 2 – Project Maps, insert the following after Figure 1:



Figure 1A: Modification 4 Additional Pit Top Area Infrastructure

