



# Noise Management Plan

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# 1. Purpose

This Noise Management Plan (NMP) provides a structured process for assessing, managing and monitoring potential noise impacts from the Bulga Coal Complex (BCC) on the local community. The plan is intended to meet statutory and internal requirements, particularly the Glencore Coal Assets Australia (GCAA) Standards and development consents, as documented in **Appendix A**.

The BCC comprises an open cut coal mine, Bulga Open Cut (BOC), an underground coal mine, Bulga Underground Operations (BUO), and a Coal Handling and Preparation Plant (CHPP).

BCC currently operates under development consent **SSD-4960** for Bulga Open Cut, and development consent **DA 376-8-2003**, for Bulga Underground Operations. Bulga Underground Operations ceased underground mining in May 2018. However, gas drainage infrastructure, the gas fired power station and goaf flares are still currently being operated by Bulga Coal.

The NMP aims to achieve these objectives:

- outline the noise management system and noise monitoring program in place at BCC;
- facilitate compliance with regulatory standards, conditions and commitments; and
- mitigate noise related risks and complaints from regulators, community and other stakeholders.

# 2. Scope

The NMP applies to mining operations, construction and associated activities managed by the Bulga Coal Complex. This applies to employees and contractors working for or on behalf of Bulga Coal both within the DA boundary and offsite. The plan forms part of BCCs Environmental Management System (EMS).

# 3. Planning

## 3.1 Operations

Open cut operations at BCC utilise a conventional multi-seam dragline operation with pre-stripping undertaken by truck and shovel. A fleet of rear dump trucks are utilised to transport overburden to emplacement areas and Run of Mine (ROM) coal to the CHPP for processing. Open cut mining generally involves the clearing of vegetation, stripping of topsoil, overburden removal, extraction of the exposed coal resource, overburden emplacement and progressive rehabilitation activities. All coal handling and processing is undertaken at the CHPP which is located in the north-east of the site adjacent to the rail loop and loading facilities. Mining activities at BCC are approved to occur 24 hours per day, 7 days per week.

## 3.2 Potential Noise Sources

Potential noise sources at BCC include, but are not limited to, the sources listed in **Table 3-1**.

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BOC	Underground Infrastructure	CHPP	Tailings Storage Facility Relocation Infrastructure	Water Management Infrastructure
Dozers	Goaf extraction unit/pump	Washery	Dredge pump	Water transfer pumps
Graders	Power generators	Stockpile dozers	Tailings pumps	Dam pumps
Excavators	Gas flares	Locomotives on rail loop	Water return pumps	
Front-end loaders	Gas compressor	Reject bin		
Shovels		Rail load out bin		
Dragline		ROM conveyors		
Drills		Reject conveyors		
Rear dump trucks		Clean coal conveyor		
Water carts		Skyline conveyors		
Crushers		Rail load out conveyors		
		Transfer stations		

Table 3-1 –Potential Noise Sources

### 3.3 Legislative Requirements

#### 3.3.1 Noise Management Plan

The BOC and BUO development consents include noise conditions that apply to the respective operations. **Appendix A.1** and **A.2** of this document contain the noise conditions from **SSD-4960** and **DA 376-8-2003**, respectively.

The BOC Noise Management Procedure, included in **Appendix B**, outlines the operational noise management system implemented at Bulga Open Cut.

#### 3.3.2 Noise Criteria

The BCC noise criteria are outlined in **Table 3-2**.

Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)
95, 142A, 143B, 164, 165, 195, 217s	36	36	36	45
All other privately-owned residences	35	35	35	45

Table 3-2 –BCC Noise Criteria

The criteria in **Table 3-2** criteria do not apply if Bulga Coal has a written agreement with the relevant landowner to exceed the criteria and the Department of Planning, Industry and the Environment (DPIE), have been notified in writing of the terms of the agreement. Privately owned residences in the vicinity of BCC are shown in **Figure 1**.

The night time noise criteria at the monitoring locations representative of these residences are provided in **Table 3-3**. Monitoring locations are shown on **Figure 1**.

Monitor	Night Impact Criteria LAeq (15 min) dB	Night Impact Criteria LA1 (1 min) dB
BCC 1	35	45
BCC 2	35	45
BCC 3	35	45
BCC 4	35	45
BCC 5	35	45
BCC 7	36	45
BCC 8	36	45
BCC 9	35	45
BCC10	35	45

Table 3-3 –BCC Noise Assessment Criteria

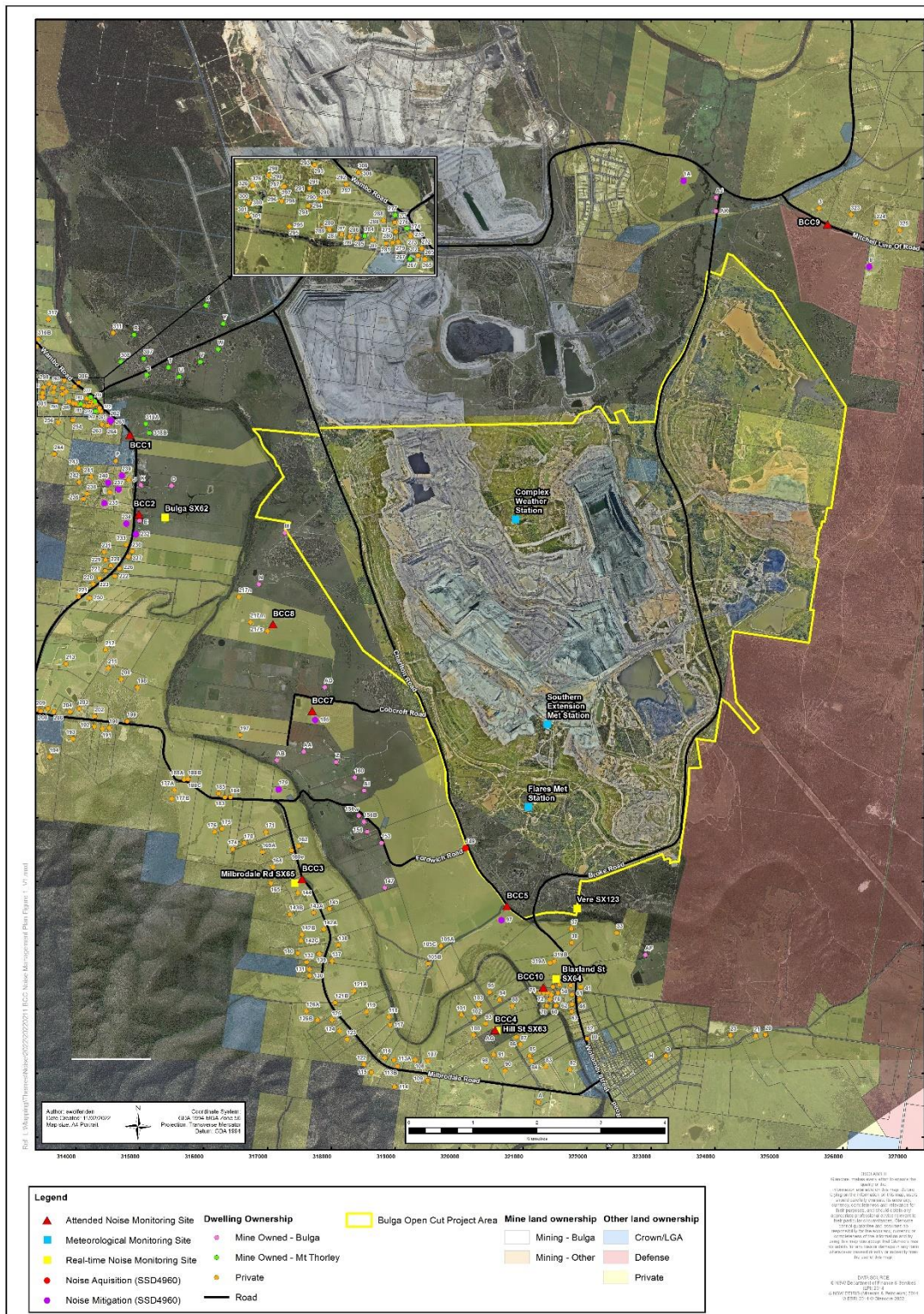


Figure 1 – Noise Monitoring Network and Sensitive Receptors

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### 3.3.3 Baseline Data

BCC is primarily surrounded by rural land containing scattered farm residences and relatively small villages. Background noise levels, in the absence of mining, are generally low in all areas, which is typical of a rural environment.

An assessment of the existing noise environment was undertaken as part of the Bulga Optimisation Project Noise Assessment (Global Acoustics, 2013). A background noise level of  $L_{A90}$  30dB was adopted for the project for the purpose of deriving noise criteria.

The existing criteria set out in **SSD-4960** were adopted in the Bulga Extension Project Modification 3 in lieu of establishing new noise criteria.

### 3.3.4 Predicted Noise Impacts

#### 3.3.4.1 Bulga Optimisation Project

Properties likely to experience noise impacts from BOC and BUO were identified in the Bulga Optimisation Project Noise Assessment (Global Acoustics, 2013). The results found that 46 receptors were predicted to experience an exceedance of the project-specific noise criteria (PSNC) at some stage during the life of the project, and as such were categorised into the noise management zone. Of these:

- 42 receptors have minor exceedances of 1-2dB above PSNC;
- 3 receptors (1A, 8, 97) have moderate exceedances of 3-5dB above PSNC;
- 1 receptor (149) has a significant exceedance of more than 5 dB above PSNC.

The noise assessment (Global Acoustics, 2013) identified that the number of receptors predicted to experience an exceedance of the project-specific noise criteria (PSNC) reduced to 7 (95, 142A, 143B, 164, 165, 195, 217s) by the start of year 7 of the development under development consent SSD-4960.

#### 3.3.4.2 Bulga Optimisation Project Modification 3 and Bulga Underground Modification 7

Bulga Optimisation Project Modification 3 and Bulga Underground Modification 7 was approved by the Department of Planning, Industry and the Environment in July 2020. The modification generally comprises:

- extension of mining areas to the south and west to access an approximately 63 Mt of additional ROM coal by accessing deeper resources within the approved open cut pit and in the proposed extension area
- realignment of the western highwall to improve long term stability and allow access to additional coal resources
- an additional disturbance of 20.2 hectares (ha) to accommodate the proposed extension of mining areas to the south and west
- re-disturbance and rehabilitation of approximately 200ha of existing immature mine rehabilitation
- removal and relocation of the tailings material currently stored in the existing Tailings Storage Facility (TSF) to the Main Pit TSF. The capacity of the currently approved Main Pit TSF will be expanded to receive the relocated tailings.



- construction of infrastructure associated with the relocation of tailings from the existing Deep Pit and Bayswater Pit tailings facilities and reprocessing infrastructure
- relocation and removal of infrastructure servicing the open cut and Bulga Underground Operations including workshops, gas infrastructure and power generator, electrical sub-station, fuel and oil storage
- continued use of temporary mine infrastructure area (MIA) known as East Pit Muster Area
- construction of new water management structures to manage changes to the site surface water catchments
- the use of all existing or approved infrastructure and mobile equipment with some additions to the existing mobile equipment fleet over the life of the Project
- reprocessing of tailings where practicable. Any reprocessed coal from tailings would form part of the 20Mt of product coal approved from the BCC, and not included in the BOC annual limit of ROM coal mined.

The Bulga Extension Project Noise Impact Assessment for SSD-4960 Modification 3 (Global Acoustics, 2019) identified that BCC would be able to comply with the approved noise criteria at all receptor locations throughout the mining progression with an appropriate level of noise mitigation applied during periods of adverse meteorological conditions.

#### 3.3.4.3 Noise Mitigation and Acquisition

A commitment was made in the Bulga Extension Project Noise Impact Assessment for **SSD-4960** Modification 3 (Global Acoustics, 2019) to continue to afford acquisition and voluntary mitigation rights to receptors currently afforded these rights in accordance with **SSD-4960**. These residences are listed in **Table 3-5** and **Table 3-6**, respectively.

Noise mitigation has been installed on properties 235, 237, 240, 239, 232, 97, 149 (inclusive of 150) listed in SSD-4960.

The location of sensitive receptors that are eligible for voluntary land acquisition are shown on **Figure 1**. Only property 149 (inclusive of 150) has acquisition rights as a consequence of noise levels.

Acquisition Basis	Land
Noise	149,150

*Note: To interpret the land referred to in Table 1. see the applicable figure in Appendix 5.*

*Table 3-5 – Land subject to acquisition upon request*

Mitigation Basis	Residence
Noise & Air Quality	8, 1A
Noise	1A, 97, 179, 195, 232, 234, 235, 237, 239, 240, 261, 262.

*Note: To interpret the land referred to in Table 2. see the applicable figure in Appendix 5.*

*Table 3-6 – Land subject to additional noise and/or air quality mitigation upon request*

Prior to entering into any tenancy agreement for any land owned by Bulga Coal that is predicted to experience exceedances of the noise criteria, Bulga Coal will advise the prospective tenants of the potential amenity impacts associated with living on the land, and the rights they would have under **SSD-4960**.

## 4. Implementation

### 4.1 Noise Management

Bulga Coal operates a comprehensive noise management system on site. It uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day-to-day planning of mining operations. It also guides the implementation of both proactive and reactive mitigation measures.

Noise management strategies implemented at BOC are detailed in the Noise Management Procedure provided in **Appendix B**. A summary of noise management measures that will be implemented at BOC is provided in **Table 4-1**.

Operational Aspect	Noise Management Controls	Source
General	A noise and visual bund on the western extent of the site will be constructed to provide shielding to receptors west and south west of the site.	EIS (Umwelt, 2013)
	Noise attenuation packages will be regularly inspected and maintained.	SEE (Umwelt, 2019)
Dozer Operations	Ancillary equipment such as rehabilitation dozers, drill preparation dozers and road/pit maintenance equipment operating in exposed areas will be relocated or shutdown.	SEE (Umwelt, 2019)
	Exposed waste emplacement area dozers will either be replaced with rubber tyred dozers, restricted to first gear operation, relocated or shutdown	SEE (Umwelt, 2019)
	Any other dozers operating in exposed areas will either be replaced with rubber tyred dozers, restricted to first gear operation, relocated or shutdown.	SEE (Umwelt, 2019)
Hauling Operations	Haulage to exposed waste emplacement areas will be relocated to use more shielded haul roads and emplacement areas deeper in the pit.	SEE (Umwelt, 2019)
	Haul roads will be maintained to avoid the effects of haul trucks travelling on rough roads.	NMP

Operational Aspect	Noise Management Controls	Source
	Haul road bunds will be constructed to a height of 3m above road level, where safe and practicable, in strategic locations on the exposed side of long-term haul roads.	SEE (Umwelt, 2019)
	Works on the outer face of the noise and visual bund along Charlton Road will only be undertaken between 7am and 7pm.	EIS (Umwelt, 2013)
Material Extraction /Dumping/General Truck and Shovel/Loaders	Overburden emplacement strategies will be implemented to meet noise criteria such as different day time and night time dumping scenarios.	NMP
	The hydraulic snubber on the face shovel will be maintained.	SEE (Umwelt, 2019)
	Excavators and associated equipment, including haul trucks, will be progressively shut down or relocated to more shielded pit areas.	SEE (Umwelt, 2019)
Coal handling Infrastructure	A partly enclosed ROM coal hopper will be maintained.	NMP
Material Crushing and Screening	Engineered controls will be implemented to reduce noise from crushing and screening infrastructure as necessary	NMP
Drilling Operations (blast and Exploration Rigs)	Drill rigs will be mechanically inspected and assessed prior to use onsite. The inspection will include the condition of noise attenuation present (such as mufflers).	NMP
	Noise attenuation systems will be maintained as necessary.	NMP
	Noise mitigation barriers will be used for exploration sites where deemed appropriate.	NMP
	Exploration drilling will operate under restricted operating hours	NMP

Table 4-1 – Bulga Noise Management Controls

## 4.2 Construction Noise Management

### 4.2.1 4.2.1 Bulga Open Cut

Noise from construction works under development consent **SSD-4960** will be managed in accordance with the noise criteria listed in **Table 3-2**. If an alternative temporary construction noise limit is required, a Construction Noise Work Protocol will be prepared and submitted to DPIE for approval. The protocol will be prepared in consultation with the EPA and any landowners affected by the proposed variation and address the relevant requirements of the Interim Noise Construction Guideline.

### 4.2.2 4.2.2 Bulga Underground Operations

Noise from construction works, including gas drainage well construction done under development consent DA376-8-2003 will be managed in accordance with the noise criteria listed in **Table 3-2**. If alternative construction noise limits are required, a Construction Noise Work Protocol will be prepared. This will include:

- BCC's commitments to reasonable and feasible noise mitigation;
- a work schedule that clearly identifies work that would lead to an exceedance of the Noise Assessment Impact Criteria in **Table 3-2**;
- a protocol for notifying affected receivers of the expected severity and duration of such exceedance(s) well in advance of work commencing;
- a protocol for monitoring and evaluating noise emissions during work; and
- a response protocol that will be immediately followed to reduce noise emissions if the work leads to noise impacts from the Bulga Mining Complex that exceed:
  - LAeq 15 min 50 dB during the day at any privately-owned receiver;
  - LAeq 15 min 39 dB during the evening or night at any receiver; and
  - LA1 1 min 51 dB during the evening or night at any receiver.

## 4.3 Acquisition/Additional Mitigation Upon Request

On receiving written request from the owner of the land listed in **Table 3-5 or Table 3-6**, Bulga Coal will acquire, or implement additional noise mitigation measures (such as double-glazing, insulation and/or air conditioning) at the residence in consultation with the landowner. Bulga Coal has notified the owners of the land of their right to ask for acquisition and/or request additional noise mitigation measures.

If within 3 months of receiving a request from the owner, Bulga Coal and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then Bulga Coal will refer the matter to the DPIE for resolution.

## 4.4 Consultation

Bulga Coal provides information to external stakeholders on noise management and the results of noise monitoring.

Communication includes:

- written correspondence (e.g. newsletters, fact sheets);
- electronic correspondence (e.g. website); and
- verbal correspondence (e.g. CCC meetings and community BBQs).

Bulga Coal also undertakes consultation with neighbouring Mt Thorley-Warkworth (MTW) mine regarding cumulative noise management. Bulga Coal and MTW have an informal agreement to share real time noise data. As required, Bulga Coal provides MTW with real time noise data from the Bulga monitor (SX62) in return for data from the MTW directional monitor from a BCC owned property in Bulga.

A protocol exists for Bulga Coal and MTW to notify each other when one site becomes aware of a potential noise exceedance or a community complaint caused by the other so that the cause of the exceedance can be investigated and changes made to reduce noise levels.

## 4.5 Training and Awareness

Noise training is identified and implemented as per the BOC training needs analysis. The training needs analysis is described in the Environmental Management System. Training will include:

- general environmental awareness for Bulga Coal employees and full-time equivalent contractors; and
- targeted training for Dispatchers and Open Cut Examiners in noise management and monitoring in accordance with the NMP and Noise Management Procedure.

## 4.6 Predictive Forecasting

Daily meteorological forecasts will be provided to Open Cut Examiners (mining supervisors) and Dispatchers to assist in managing noise. An example of the forecast is included in the BOC Noise Management Procedure in **Appendix B**. The forecasts include potential noise risk at sensitive receivers. Open Cut Examiners and Dispatchers review the forecasts to consider the most appropriate operational response/s to reduce noise should levels from the operation approach or exceed relevant criteria. The aim of this forecast is to generate awareness of noise enhancing conditions and consider options to reduce noise if conditions eventuate. This assists in reducing noise impacts in a timely manner.

# 5. Measurement and Evaluation

## 5.1 Attended Monitoring

### 5.1.1 Monitoring

Attended monitoring will be conducted at locations listed in **Table 3-3**, which are representative of the nearest non-mine owned properties in Fordwich, Bulga, Broke, Milbrodale and Mitchell Line of Rd localities, as shown in **Figure 1**. At each of these sites one monitoring event will be undertaken per calendar month during the night time period but not at intervals of less than two weeks (from one

month to the next). The monitoring program will be reviewed as required so that noise impacts from Bulga Coal on the nearest non-mine owned properties are assessed.

Monitoring will only be conducted during the night as this is representative of the worst-case noise scenario. Measuring mine noise during the daytime is difficult due to the presence of other non-mine noise sources. Measurement equipment must be capable of providing 1/3 octave band statistical data. Data gathered must include LAeq (15 mins), LA1(1min), and LCEq (15 mins).

Attended monitoring will be undertaken in accordance with the relevant requirements for reviewing performance set out in relevant regulatory documents such as the NSW Noise Policy for Industry, in particular the requirements relating to:

- monitoring locations for the collection of representative noise data;
- meteorological conditions during which collection of noise data is not appropriate;
- equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and
- modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration.

The method used to assess low-frequency noise is also carried out in accordance with the Noise Policy for industry.

During attended monitoring other mines may also contribute to the noise levels.

Methods used to differentiate BCC noise from other mines include:

- opportunistic quantification of individual sites (whenever one or the other is momentarily quiet);
- spectral analysis (if noise from the mines are in separate parts of the spectrum from each other); and/or
- Proportionally attributing noise to the direction of the contributing mines. Summing the various contributions (logarithmic calculation) to equal the total noise level measured.
- calculated contribution based on these methods and/or event durations.

The noise criteria in **Section 3.3.2** of this management plan will apply under all meteorological conditions except:

- during periods of rain or hail;
- when average wind speed at microphone height exceeds 5 m/s;
- when wind speeds are greater than 3 m/s measured at 10m above ground level; or
- during temperature inversion conditions greater than 3°C/100m.

Bulga Coal will monitor wind speed, wind direction and temperature at 2 metres and 10 metres, sigma-theta, humidity and rainfall at the Bulga Complex Weather Station. Except for windspeed at microphone height, the data from the Bulga Complex Weather Station will be used for determining compliance during monthly attended compliance monitoring. Data from Southern Extension or Flares Weather Stations will be used as a back-up for this purpose if the Bulga Complex Weather Station data is not available.

### 5.1.2 Result Acceptance

Following the completion of attended monitoring at each site, the noise consultant shall make an assessment of the LAeq (15min) result against the relevant noise criteria for the site. Where the result is assessed as being below the criteria, the noise consultant shall move on to the next monitoring site. If the noise consultant notes there is a potential for the result to exceed the criteria (note that this can only be determined fully once data has been analysed against meteorological data), then this procedure will be implemented:

- a) The noise consultant will contact Bulga Open Cut dispatch and advise that there has been a potential exceedance of the noise criterion at a nominated location.
- b) Bulga Open Cut will implement noise mitigation strategies to reduce noise.
- c) Within 75 minutes after the first reading, the noise consultant will take another 15 minute reading at the same monitoring location.
  - i If the reading is below criteria, the noise consultant will notify the Bulga Open Cut dispatch that the site has passed; or
  - ii If this reading is also a potential exceedance, the noise consultant will notify Bulga Open Cut dispatch that the noise levels at that location are still above the criterion, and will deem a 'noise affected night' at that monitoring location..
- d) If the first or second 15-minute measurement reading contains a confirmed exceedance of site noise limits once measured data has been evaluated against meteorological data, additional monitoring shall be undertaken at that location within one week.

Reporting of potential exceedances and 'noise affected nights' is detailed in **Section 5.6.4**.

### 5.1.3 Data Analysis and Reporting

A summary report of attended monitoring will be prepared monthly and sent to the Environment and Community Manager and Environment and Community Coordinator with a statement of compliance. A summary of noise monitoring results will be included in the Annual Review and uploaded monthly to the Bulga Coal website. The Annual Review will assess compliance of the noise monitoring data with the DA and compare monitoring results with noise predictions from the current approved EIS. In addition, noise monitoring results and trends towards non-compliance will be assessed through the environment and community broad brush risk assessment.

## 5.2 Real-Time Monitoring

The real-time noise monitoring network is operated at the five locations shown on **Figure 1**. These sites were selected to be representative of Fordwich, Bulga, Broke and Milbrodale. Data is recorded continuously and reported real-time via an internal website. The monitoring results from the real-time noise monitoring network will be used to pro-actively manage noise (in accordance with the BOC Noise Management Procedure).

### 5.2.1 Monitoring and Calibration of Real Time Monitoring Results

The real-time noise monitoring units measure total noise, low pass noise and meteorological data, which includes wind speed, wind direction and rainfall. The units separately quantify noise between 20 and 630 hertz, which is the frequency range typical of mining noise. The monitoring unit located at



Bulga includes directional monitoring capability to determine the primary direction of the noise sources (i.e. Bulga or MTW).

The monitoring network is calibrated and maintained by noise consultants. Real time noise monitoring results have been compared to attended monitoring results over the period 2016 to 2018 inclusive. The process involved comparing night time 15-minute operator attended noise results to results from the nearest real time monitoring locations for the same time periods. Real-time noise data was generally higher than attended monitoring data at all locations. As such, using real-time noise monitoring is adequate for maintaining compliance with Development Consent criteria. Real-time noise alarms will continue to be validated through attended monitoring.

## 5.2.2 Data Analysis and Reporting

Alarms have been established to provide a trigger to alert personnel when noise levels from BCC are approaching or exceeding relevant development consent criteria. Alarms are defined as:

- Level 1 Alarm—six consecutive 5 minute Low Pass LAeq measurements above 34dB at a real-time noise monitor (SX62, SX63, SX64, SX65). This is 1 dB below the nearest night time Development Consent criterion at each location.
- Level 2 Alarm – six consecutive 5 minute Low Pass LAeq measurements above 35dB at (SX62, SX63, SX64, SX65). This is the nearest night time Development Consent criterion at each monitoring location.

Level 1 and Level 2 alarms operate from 7pm to 9am and are not triggered when wind speeds are measured above 3m/s or rain is recorded at the monitor. Noise alarms do not operate between 9am and 7pm. This is because it is difficult to quantify the mine only contribution over this period due to the frequent occurrence of extraneous noise sources (traffic, wildlife, farm machinery, wind etc). The night period is also typically worst case for noise impacts.

The alarms trigger a review of the data to assess whether the noise is related to BCC mining operations. If the alarm is determined to be related to Bulga Coal mining operations, the OCE will be contacted to implement noise management measures, such as shutting down equipment, relocating equipment to less noise exposed areas, and other such activities as detailed in the BOC Noise Management Procedure (*Appendix B*).

Daily summaries from the real time noise monitoring network will be sent to the Environment and Community Manager, and Environment and Community Coordinator via email. The data from the real-time monitoring units will be analysed quarterly to evaluate noise management performance.

## 5.3 Sound Power Testing

Sound Power Testing (SPT) of the open cut fleet will be conducted by a suitably qualified noise consultant. A representative sample of the different types of equipment in the fleet will be tested each year so that all permanent equipment in the fleet is tested over a three-year period. The sound power levels of any new permanent equipment operated at night purchased for the site will be managed to be within the noise commitments made in the EA current at the time.

### 5.3.1 Analysis

The BOC Maintenance Superintendent or delegate and Environment and Community Coordinator are responsible for reviewing the results of the SPT program and taking corrective actions in the event

that equipment does not conform to BOC standards. SPT results are compared to Bulga Coal's mobile plant sound power specification. Any exceedances will be responded to as follows:

Individual items that exceed specified levels by 3dB or more will be investigated to assess the cause of the exceedance. Defects will be rectified as soon as practicable;

Fleet-wide (logarithmic) averages for each make/model of mobile plant will be calculated on a rolling basis at the end of each annual testing campaign using the most recent SPT result available for each item. Fleet averages should remain within 2dB of the most recent specification for each type of mobile plant;

At the end of each 3-yearly testing cycle, or if the fleet average of one or more types of mobile plant are observed to exceed the specification by more than 2dB the total sound power for all mobile plant on site will be calculated and compared to the total mobile plant sound power level used in the most recently approved noise model. If the total measured sound power for mobile plant on site remains the same as, or less than, the specification, no further action is required; and:

If the measured total sound power fleet average for mobile plant differs from the modelled total sound power fleet average for mobile plant, additional noise control measures will be considered including, but not limited to:

- a) strategic deployment of mobile plant items with higher than modelled sound power levels in working areas that are shielded or away from sensitive noise receptors as a temporary measure;
- b) attenuation of mobile plant items with higher than modelled sound power levels and/or with greater contributions to the total mobile plant site sound power; and/or
- c) update the noise model to reflect measured total sound power for mobile plant on site and compare predicted noise levels to relevant criteria. If predicted noise levels exceed the relevant noise limits, the BCC Change Management Procedure would be enacted.

### 5.3.2 Reporting

The consultant completing the SPT provides a report to the Maintenance Superintendent and to the ECM and ECC. The report includes 1/3 octave data to assist in identifying noise sources. A summary of the SPT schedule undertaken throughout the reporting period will be reported in the Annual Review.

## 5.4 Evaluation of Impacts and Performance

Bulga Coal regularly evaluates the outcomes of the noise monitoring results to assess the effectiveness of noise management. The performance of the BCC in relation to noise management is evaluated through:

- undertaking comparisons of monitoring results against the Development Consent noise criteria and predictions made in the EIS/EA;
- independent environmental audits;
- monthly monitoring reports; and
- the Annual Review.

## 5.5 Change Management

Bulga Coal's Change Management Procedure (BULOC-1104430715-2361) and the GCAA Change Standard (GCAA-625378177-9979) will be used to identify any proposed changes to existing activities that have the potential to exceed noise criteria, including:

- significant changes to the number of equipment or type of equipment utilised on site;
- when the proposed mine plan configuration/orientation, total site sound power level, or hours of operation is substantially different to that which has been assessed in the relevant environmental assessment; or
- prior to purchase or rental of equipment which has the potential to result in exceedances of site noise criteria.

The change management process in the Bulga Coal's Change Management Procedure and the GCAA Change Standard involves the following steps:

- Identify the change;
- Assess the risk associated with the change and develop a risk treatment plan;
- Approve the change subject to risk treatment;
- Communicate and implement the change and the risk treatment actions;
- Monitor and evaluate the change and risk treatment plan;
- Document the change;
- Review the effectiveness of the implemented change.

Proposed change to activities will be included in the BCC noise model to evaluate the potential impact, where required. The noise model results will be used to determine what if any noise mitigation measures are required or if the proposed activity can be undertaken.

Bulga Coal will assess potential noise impacts due to mining by modelling the proposed budget mine plan and through the annual review of the environment and community broad brush risk assessment. The budget noise model and risk assessment will review whether the mine layout for the next budget period will result in any additional noise impacts which are required to be managed.

## 5.6 Complaint and Incident Management

### 5.6.1 Community Enquiries and Complaints

Bulga Coal operate a 24-hour complaints line. Environment and community personnel are responsible for acknowledging complaints and commencing a complaint investigation within 24 hours of receiving a complaint and identifying any necessary preventative or corrective actions. Complaints are recorded in the site's complaints database and forwarded to GCAA in accordance with the complaints procedure outlined in the Bulga Coal Environmental Management Strategy (EMS).

The complaints management process described in the Environmental Management System involves:

- Acknowledging all complaints, responding to the complainant within 24-hours, where practicable;

- Registering all complaints in the site database;
- Investigating complaints impartially giving proper consideration to the facts and circumstances prevailing at the time;
- Implementing corrective actions if required;
- Reporting outcomes and corrective actions to relevant stakeholders.

A summary of complaints received and actions taken is presented to the Bulga Complex Community Consultative Committee (CCC) as part of the operational performance review, and is made available on the BCC website and reported in the Annual Review.

### 5.6.2 Independent Review

Any landowner that considers BCC to be exceeding relevant impact assessment criteria in **Section 3.3.2** may ask the DPIE for an independent review of noise impacts of the development on their land.

Following approval of the independent noise review from the DPIE, Bulga Coal will commission it and undertake any necessary actions in accordance with consent requirements. The process for undertaking the independent review is outlined in **Appendix A**.

### 5.6.3 Incident and Non-compliance Notification and Reporting

For the purposes of this NMP, a noise non compliance is defined as a confirmed exceedance of a noise criterion in **SSD-4960** and **DA376-8-2003** obtained as part of the monthly attended noise monitoring, within the provisions of **Section 5.1**, **Section 5.2**, the Noise Policy for Industry and development consent.

The BCC EMS outlines the process for managing environmental incidents. The process involves recording, notifying and investigating incidents in accordance with statutory and internal requirements and implementing corrective/preventative actions, if required.

Within seven days of becoming aware of a non-compliance, Bulga Coal will notify DPIE of the non-compliance. The notification will be made in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) and identify the development (including the development application number and name), set out the conditions of the consent that the Development is non-compliant with, why does it not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. As soon as practicable after obtaining monitoring results showing a non-compliance of the consent criteria, Bulga Coal will notify any affected landowners in writing of the non-compliance, and provide regular monitoring results to these landowners until Bulga Coal is again complying with the relevant criteria.

### 5.6.4 Monthly Attended Monitoring Exceedances

As outlined in **Section 5.1**, if a potential exceedance is identified during monitoring, BOC Dispatch will be notified immediately so that mitigation measures can be implemented to reduce noise levels below the criteria. This will be confirmed via retesting within 75 minutes of the initial reading.

These potential noise exceedances ('noise affected nights') will be confirmed by the noise consultant the following day, and communicated to the BOC Environment and Community Manager. If an exceedance ('noise affected night') is confirmed, this will be reported to DPIE on the day following the monitoring, along with any actions taken to reduce noise levels to acceptable limits.

Reported exceedances (noise affected nights) will also be lodged as an environmental incident within the Bulga Coal incident management system and reported in the Annual Review. Additional monitoring will be considered in the event of a community complaint, anomalies in the data or as a follow up to a previous exceedance.

Bulga Coal will notify the Secretary of DPIE and any other relevant agencies immediately after obtaining monitoring results showing a non-compliance of the consent criteria. Within 7 days of the non-compliance, the Secretary of DPIE and any other relevant agencies will be provided with a detailed report on the non-compliance, and such further reports as may be requested.

As soon as practicable after obtaining monitoring results showing a non-compliance of the consent criteria, Bulga Coal will notify any affected landowners in writing of the non-compliance, and provide regular monitoring results to these landowners until Bulga Coal is again complying with the relevant criteria.

## 6. Review and Improvement

This plan was developed in consultation with the EPA and DPIE. The NMP will be reviewed periodically as required following changes to the sites internal or external context, and every 5 years as a minimum. Bulga Coal will review, and if necessary revise the NMP within 3 months of:

- the submission of an annual review;
- the submission of an incident report;
- the submission of an audit report; or
- any modification to the conditions of either consent

Where this review leads to revisions in the NMP, then within 4 weeks of the review the revised document will be submitted to the DPIE for approval.

A copy of the current approved version of this management plan will be made available on the Bulga Coal website. Bulga Coal will also undertake an annual review of the environment and community risk assessment and review noise management risks to ensure that any trends towards non-compliance are identified and that noise emissions from Bulga Coal are appropriately managed.

## 7. Accountabilities

Operational Aspect	Noise Management Controls
Operations Manager	Provide appropriate resources to meet the commitments made in the NMP.
Mine Manager	Responsible for the construction, maintenance and implementation of the noise mitigation measures included in the mine plan.
Technical Services Manager	Responsible for the design and incorporation of the noise mitigation commitment into the mine plan.

Operational Aspect	Noise Management Controls
Environment and Community Manager and Environment and Community Coordinator	<p>Provide appropriate resources to implement the requirements of this plan.</p> <p>Provide that this plan is current, accurate and approved by relevant government authorities.</p> <p>Provide that requirements of this plan and subsequent procedures are implemented across the Bulga Open Cut and Bulga Underground Operations.</p> <p>The Environment and Community Manager or Environment Community Coordinator is responsible for the recording and reporting complaints received from the community and for commencing complaint investigation within 24 hours of receiving a complaint.</p>
Production Supervisor (BOC)	Is responsible for assessing noise alarms and determining if the alarms are related to mining operations, making operational changes and recording changes in the noise alarms log.
Engineering and Maintenance Manager	Responsible for the allocation of sufficient resources to conduct the sound power testing program, review the sound power testing program and any corrective actions as required.
Maintenance Superintendent	Responsible for reviewing the results of the sound power testing program and taking corrective actions in the event of increasing levels.
All Personnel	Carry out activities at Bulga Coal in accordance with the requirements of this plan.

Table 7-1 - Accountabilities

## 8. Document Information

### 8.1 Related Documents

Number	Title
GCAA-625378177-10524	<b><i>HSEC Management System Framework</i></b>
GCAA-625378177-9992	<b><i>Regional Asset HSEC Standard 6.0 Incident</i></b>
GCAA-625378177-10296	<b><i>10.05 Community Complaint Management</i></b>
GCAA-625378177-9978	<b><i>11.0 Environment</i></b>
GCAA-625378177-10238	<b><i>11.11 Noise Management</i></b>
GCAA-625378177-10263	<b><i>11.01 Real Time Monitoring</i></b>
GCAA-625378177-9979	<b><i>12.0 Change</i></b>
BULCX-2103827161-1516	<b><i>Bulga Complex Environmental Management Strategy</i></b>
BULCX-2103827161-3523	<b><i>Bulga Open Cut Noise Management Procedure</i></b>

Table 8 -1 – Related Documents

### 8.2 Reference Information

Reference	Title
POEO Act 2007	Protection of the Environment Operations Act (2007)
EPA (2017)	NSW Noise Policy for Industry (EPA, 2017)
DECCW (2009)	NSW Interim Construction Noise Guidelines (DECCW, 2009)
DECCW (2011)	NSW Road Noise Policy (DECCW, 2011)
EPA (2013)	Rail Infrastructure Noise Guideline (EPA, 2013)

Table 8 2 – Reference Information



## 8.3 Change Information

Full details of the document history are recorded in the document control register, by version. A summary of the current change is provided in **Table 8-3** below.

Version	Date	Change Summary
1.0	05/05/2015	Updated document in new GCAA template and updated with SSD-4960 Conditions. Review team: S Wolfenden, J Elmes (SLR)
2.0	24/10/2012	Formatting. Review team: S Wolfenden and Bulga Admin
3.0	07/02/2014	Formatting. Review team: S Wolfenden and Bulga Admin
4.0	20/07/2016	Formatting. Review team: S Wolfenden and Bulga Admin
5.0	28/02/2017	Formatting. Changed to new document template. Review team: S Wolfenden and Bulga Admin
6.0	10/04/2017	Updated with SSD-4960 MOD1 and DA 376-8-2003 MOD6 conditions. Inclusion of attended noise monitoring site at Mitchell Line Rd. Review team: S Wolfenden, N Archer (SLR), N Stephenson.
7.0	26/10/2017	Change to attended and real-time noise monitoring program. Review team: S. Wolfenden, R Northey, Tony Welbourne (Global Acoustics), Katie Weekes (Global Acoustics).
8.0	24/06/2019	Change to sound power testing program, change to real-time noise trigger action response procedure, description of low frequency noise assessment method. Plan approved by DPE on 24 of June 2019. Review team: S. Wolfenden, R Northey, J. Tribby (Global Acoustics), T. Welbourne (Global Acoustics).
9.0	21/02/2020	Added to Hauling Operations, Noise Management controls (Table 4-1) which reflects maintenance of haul roads. Review team: J Hawkins, S Wolfenden
10.0 Draft 1	22/07/2020	Revised for SSD-4960 Mod 3 and DA 376-8-2003 Mod 7. GCAA format update. Review team: J. Caldwell, S. Wolfenden, T Welbourne (Global Acoustics), J Welbourne (Global Acoustics)

Number: BULCX-1254107625-5

Status: [Document  
Status (Office)]

Effective: [Effective Date]

Owner [Owner (Office)]

Version: [Document  
Version (Office)]Review: [Planned  
Review Date]

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Version	Date	Change Summary
10.0 Draft 2	27/09/2021	<p>Section 5.1.1 updated to describe the methods used differentiate BCC mining noise from neighbouring mines.</p> <p>Table 4.1 updated in Section 4.1 to note the source of noise controls.</p> <p>Noise Management Procedure included in Appendix B.</p> <p>Appointment of experts letter from DPI&amp;E included in Appendix D.</p> <p>Section 3.3.4.2 updated to describe the latest modification and the predicted impacts.</p> <p>Replacing the noise criteria in Table 3-2 with the Table in Appendix 6 from SSD4960.</p> <p>Review team: S Wolfenden, R Northey</p>
10.0 Draft 3	10/02/2022	<p>SX64 real-time noise monitor moved from Fordwich to Blaxland St. SX123 real-time noise monitor removed.</p> <p>Change alarm period from two 15 minute periods to six 5 minute periods. The change to polling and displaying data at shorter intervals was to provide more immediate noise results to Dispatch.</p> <p>Review team: S Wolfenden, R Northey</p>

Table 8-3 – Change information

## Appendix A - Consent Conditions

### A.1 SSD-4960 Conditions

Condition No.	Condition	Section								
Schedule 3. Condition 1.	<p><b>Acquisition Upon Request</b></p> <p>Upon receiving a written request for acquisition from the owner of the land listed in Table 1, the Applicant must acquire the land in accordance with the procedures in conditions 5 and 6 of schedule 4.</p> <p><b>Table 1: Land subject to acquisition upon request.</b></p> <table><tr><th>Acquisition Basis</th><th>Land</th></tr><tr><td>Noise</td><td>149,150</td></tr></table> <p><i>Note: To interpret the land referred to in Table 1, see the applicable figure in Appendix 5.</i></p>	Acquisition Basis	Land	Noise	149,150	Section 4.3				
Acquisition Basis	Land									
Noise	149,150									
Schedule 3. Condition 2.	<p><b>Additional Mitigation Upon Request</b></p> <p>Upon receiving a written request from the owner of any residence on the land listed in Table 1 (unless the landowner of that land has requested acquisition) or Table 2, the Applicant must implement additional:</p> <p>a) noise mitigation measures (such as double-glazing, insulation and/or air conditioning); and/or</p> <p>b) air quality mitigation measures (such as air filters, a first flush roof water drainage system and/or air conditioning),</p> <p>at the residence in consultation with the landowner.</p> <p>These measures must be reasonable and feasible, and directed towards reducing the noise and/or air quality impacts of the development on the residence.</p> <p>If within 3 months of receiving this request from the owner, the Applicant and the owner 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 Planning Secretary for resolution.</p> <p><b>Table 2. Land subject to additional noise and/or air quality mitigation upon request.</b></p> <table><tr><th>Mitigation Basis</th><th>Residence</th></tr><tr><td>Noise &amp; Air Quality</td><td>8, 1A</td></tr><tr><td>Noise</td><td>1A, 97, 179, 195, 232, 234, 235, 237, 239, 240, 261, 262.</td></tr><tr><td>Air Quality</td><td>3,323, 324, 325</td></tr></table> <p><i>Note: To interpret the land referred to in Table 2, see the applicable figure in Appendix 5.</i></p>	Mitigation Basis	Residence	Noise & Air Quality	8, 1A	Noise	1A, 97, 179, 195, 232, 234, 235, 237, 239, 240, 261, 262.	Air Quality	3,323, 324, 325	Section 4.3
Mitigation Basis	Residence									
Noise & Air Quality	8, 1A									
Noise	1A, 97, 179, 195, 232, 234, 235, 237, 239, 240, 261, 262.									
Air Quality	3,323, 324, 325									

Condition No.	Condition	Section																														
Schedule 3. Condition 3.	<p><b>Noise Criteria</b></p> <p>Except for the noise affected land in Table 1, the Applicant must ensure that the noise generated by the Bulga mine complex does not exceed the criteria in Table 3 at any residence on privately-owned land.</p> <p><b>Table 3. Noise Criteria dB(A)</b></p> <table><tr><th>Location</th><th>Day LAeq (15 min)</th><th>Evening LAeq (15 min)</th><th>Night LAeq (15 min)</th><th>Night LA1 (1 min)</th></tr><tr><td>1A,8</td><td>38</td><td>38</td><td>38</td><td>45</td></tr><tr><td>97</td><td>38</td><td>38</td><td>36</td><td>45</td></tr><tr><td>217n, 230, 232, 234, 323, 324, 325</td><td>37</td><td>37</td><td>37</td><td>45</td></tr><tr><td>1B, 94, 95, 103, 105A, 105C, 142A, 143B, 145, 164, 165, 179, 195, 217s, 217m, 222, 226, 227, 228, 229, 231, 233, 235, 237, 239, 240, 241, 261, 262, 263, 264, 265, 266, 272</td><td>36</td><td>36</td><td>36</td><td>45</td></tr><tr><td>All other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr></table> <p><i>Note: To interpret the land referred to in Table 3, see the applicable figure in Appendix 5.</i></p> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p> <p>Noise generated by the Bulga mine complex is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i>. Appendix 7 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</p>	Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)	1A,8	38	38	38	45	97	38	38	36	45	217n, 230, 232, 234, 323, 324, 325	37	37	37	45	1B, 94, 95, 103, 105A, 105C, 142A, 143B, 145, 164, 165, 179, 195, 217s, 217m, 222, 226, 227, 228, 229, 231, 233, 235, 237, 239, 240, 241, 261, 262, 263, 264, 265, 266, 272	36	36	36	45	All other privately-owned residences	35	35	35	45	Section 3.3.2
Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)																												
1A,8	38	38	38	45																												
97	38	38	36	45																												
217n, 230, 232, 234, 323, 324, 325	37	37	37	45																												
1B, 94, 95, 103, 105A, 105C, 142A, 143B, 145, 164, 165, 179, 195, 217s, 217m, 222, 226, 227, 228, 229, 231, 233, 235, 237, 239, 240, 241, 261, 262, 263, 264, 265, 266, 272	36	36	36	45																												
All other privately-owned residences	35	35	35	45																												
Schedule 3. Condition 4.	<p>At the direction of the Planning Secretary, Table 3 above must be replaced with the Table in Appendix 6.</p> <p><i>Note: This direction will be given following the construction of the proposed noise and visual bund (see the figure in Appendix 2) to a height of 150 m AHD or the start of year 7 of the development under this consent, whichever occurs sooner.</i></p>	Section 3.3.2																														

Condition No.	Condition	Section
<b>Schedule 3. Condition 5.</b>	<p><b>Construction Noise</b></p> <p>Notwithstanding the requirements in condition 3 above, during the daytime construction of the Broke Road realignment, the Applicant must ensure that the noise generated by the Bulga mine complex and the construction of the realignment does not exceed 40dB <i>LAeq (15 min)</i> at any residence on privately-owned land in the vicinity of the road realignment works.</p> <p>Noise generated under this condition is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i>. Appendix 7 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria.</p>	<p><b>N/A</b></p> <p><b>Works complete</b></p>
<b>Schedule 3. Condition 5A.</b>	<p>Approved construction works must be undertaken during standard construction hours (7am to 6pm, Monday to Friday and 8am to 1pm on Saturdays, excluding Sundays and Public Holidays), unless otherwise agreed by the Planning Secretary.</p> <p>The Applicant may undertake construction works outside of these hours provided that:</p> <ol style="list-style-type: none"> <li>the combined operational and construction noise from the development does not exceed the noise criteria established under conditions 3, 4 and 5 of this Schedule;</li> <li>the Applicant has an agreement with the owner/s of the relevant residence/land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement; or</li> <li>an alternative temporary limit has been approved by the Secretary for specific works.</li> </ol>	<b>Section 4.2.1</b>
<b>Schedule 3. Condition 5B.</b>	<p>In order to seek an alternative temporary construction noise limit under Condition 5A that exceeds the levels identified in conditions 3, 4 and 5 of this Schedule, the Applicant must submit a Construction Noise Work Protocol to the Secretary for approval, prior to undertaking the nominated construction works. This protocol must:</p> <ol style="list-style-type: none"> <li>be prepared to the satisfaction of the Secretary;</li> <li>be prepared in consultation with the EPA and any landowners who may be affected by the proposed variation; and</li> <li>address the relevant requirements of the Interim Construction Noise Guideline.</li> </ol> <p>The Applicant may only undertake construction activities that require a Construction Work Noise Protocol, in accordance with an approved Construction Noise Work Protocol as approved by the Secretary.</p>	<b>Section 4.2.1</b>

Condition No.	Condition	Section
<b>Schedule 3. Condition 6.</b>	<b>Noise Operating Conditions</b> The Applicant must: a) implement all reasonable and feasible measures to minimise the construction, operational, road and rail noise of the development;	<b>Section 4.1</b>
	b) only undertake works on the outer face of the bund along Charlton Road between 7am and 7pm;	<b>Section 4.1</b>
	c) operate a comprehensive noise management system on site that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day-to-day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;	<b>Section 5.2</b>
	d) minimise the noise impacts of the development during meteorological conditions when the noise criteria in this consent do not apply (see Appendix 7); and	<b>Section 4.1</b>
	e) monitor and report on compliance with the relevant noise conditions of this consent, to the satisfaction of the Planning Secretary.	<b>Section 5.6.3</b>
<b>Schedule 3. Condition 7.</b>	<b>Noise Management Plan</b> The Applicant must prepare and implement a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: a) be prepared in consultation with the EPA, and submitted to the Planning Secretary for approval within 12 months of the date of this consent or prior to commencing vegetation clearing or topsoil stripping for the Eastern Overburden Emplacement, whichever occurs sooner;	<b>Appendix C</b>
	b) includes a noise monitoring compliance strategy that adequately differentiates noise from the premises to that of surrounding coal mines to determine the level of noise emitted from the premises;	<b>Section 5.1.1</b>
	c) describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent;	<b>Section 4.1</b>
	d) describe the proposed noise management system in detail; and	<b>Section 4.1</b>
	e) include a noise monitoring program that: • evaluates and reports on: - the effectiveness of the noise management system; - compliance against the noise criteria in this consent; and - compliance against the noise operating conditions;	<b>Section 5.1</b>

Condition No.	Condition	Section
	<ul style="list-style-type: none"> <li>includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time (so the real-time noise monitoring program can be used as a trigger for further attended monitoring where there is a risk of non-compliance with the noise criteria in this consent); and</li> </ul>	Section 5.2.2
	<ul style="list-style-type: none"> <li>defines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents.</li> </ul> <p>The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.</p>	Section 5.6.3
<b>Schedule 4. Condition 1.</b>	<p><b>Notification of Landowners/Tenants</b></p> <p>Within 1 month of the date of this consent, the Applicant must:</p> <ol style="list-style-type: none"> <li>notify in writing the owners of: <ol style="list-style-type: none"> <li>the land listed in Table 1 of schedule 3 that they have the right to require the Applicant to acquire their land at any stage during the development and/or request the Applicant to ask for additional noise and/or air quality mitigation measures (whichever is relevant) to be installed at their residence at any stage during the development (if they have not requested acquisition);</li> <li>any residence on the land listed in Table 2 of schedule 3 that they are entitled to ask the Applicant to ask for additional noise and/or air quality mitigation measures (whichever is relevant) to be installed at their residence at any stage during the development; and</li> <li>any privately-owned land within 2 kilometres of the approved open cut mining pit/s that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated;</li> </ol> </li> <li>notify the tenants of any mine-owned land of their rights under this consent (see condition 17 of schedule 3);</li> </ol>	Section 4.3
<b>Schedule 4. Condition 2.</b>	<p>Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, or for any of the land listed in condition 1 that is subsequently purchased by the Applicant, the Applicant must:</p> <ol style="list-style-type: none"> <li>advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and</li> <li>advise the prospective tenants of the rights they would have under this consent.</li> </ol>	Section 3.3.4



Condition No.	Condition	Section
<b>Schedule 4. Condition 3.</b>	As soon as practicable after obtaining monitoring results showing: a) an exceedance of any relevant criteria in schedule 3, the Applicant must notify the affected landowners in writing of the exceedance, and provide regular monitoring results to these landowners until the development is again complying with the relevant criteria.	<b>Section 5.6.3</b>
<b>Schedule 4. Condition 4.</b>	<p><b>Independent Review</b></p> <p>If an owner of privately-owned land, excluding the mushroom composting facility, considers the development to be exceeding the relevant criteria in schedule 3, then he/she may ask the Planning Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Planning Secretary is satisfied that an independent review is warranted, then within 2 months of the Planning Secretary's decision the Applicant must:</p> <p>a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:</p> <ul style="list-style-type: none"> <li>i consult with the landowner to determine his/her concerns;</li> <li>ii conduct monitoring to determine whether the development is complying with the relevant criteria in schedule 3;</li> <li>iii if the development is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and</li> <li>iv in cases where there is an exceedance of any air quality criteria, and more than one mine is responsible for the exceedance, determine the relative share of each mine regarding the impact of the development; and</li> </ul> <p>b) give the Planning Secretary and landowner a copy of the independent review.</p>	<b>Section 5.6.2</b>

<p><b>Schedule 4.</b> <b>Condition 5.</b></p>	<p><b>Land Acquisition</b></p> <p>Within 3 months of receiving a written request from a landowner with acquisition rights, excluding the mushroom composting facility, the Applicant must make a binding written offer to the landowner based on:</p> <ol style="list-style-type: none"> <li>a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the: <ol style="list-style-type: none"> <li>i existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and</li> <li>ii presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise and/or air quality mitigation measures in condition 2 of schedule 3;</li> </ol> </li> <li>b) the reasonable costs associated with: <ol style="list-style-type: none"> <li>i relocating within the Singleton, Cessnock or Muswellbrook local government area, or to any other local government area determined by the Planning Secretary; and</li> <li>ii obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and</li> </ol> </li> <li>c) reasonable compensation for any disturbance caused by the land acquisition process.</li> </ol> <p>However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Planning Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> <li>• consider submissions from both parties;</li> <li>• determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;</li> <li>• prepare a detailed report setting out the reasons for any determination; and</li> <li>• provide a copy of the report to both parties.</li> </ul> <p>Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent</p>	<p><b>Section 4.3</b></p>
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Condition No.	Condition	Section
	<p>valuer's report, they may refer the matter to the Planning Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Planning Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.</p> <p>Within 14 days of this determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the Planning Secretary's determination.</p> <p>If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Planning Secretary determines otherwise.</p>	
<b>Schedule 5, Condition 3</b>	<p><b>Management Plan Requirements</b></p> <p>The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>a) detailed baseline data;</p>	<b>Section 3.3.3</b>
	<p>b) a description of:</p> <ul style="list-style-type: none"> <li>i the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>ii any relevant limits or performance measures/criteria;</li> <li>iii the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</li> </ul>	<b>Section 3.3</b>
	<p>c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p>	<b>Section 4.1</b> <b>Section 5.2.1</b>
	<p>d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>i impacts and environmental performance of the development;</li> <li>ii effectiveness of any management measures (see c above);</li> </ul>	<b>Section 5.1.2</b> <b>Section 5.4</b>
	<p>e) a contingency plan to manage any unpredicted impacts and their consequences;</p>	<b>Appendix B</b>
	<p>f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p>	<b>Section 5.4</b>

Condition No.	Condition	Section
	g) a protocol for managing and reporting any: <ul style="list-style-type: none"> <li>i incidents;</li> <li>ii complaints;</li> <li>iii non-compliances with statutory requirements; and</li> <li>iv exceedances of the impact assessment criteria and/or performance criteria;</li> </ul>	<b>Section 5.6.3</b> <b>Section 5.6.1</b> <b>Section 5.6.3</b>
	h) a protocol for periodic review of the plan. <i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>	<b>Section 6</b>
<b>Schedule 5, Condition 4</b>	<b>Annual Review</b> By the end of March each year, unless the Planning Secretary agrees otherwise, the Applicant must submit a report to the Department, reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. This review must: <ul style="list-style-type: none"> <li>a) describe the development (including any rehabilitation) that was carried out in the past financial year, and the development that is proposed to be carried out over the next year;</li> <li>b) include a comprehensive review of the monitoring results and complaints records of the development over the past financial year, which includes a comparison of these results against the:               <ul style="list-style-type: none"> <li>i relevant statutory requirements, limits or performance measures/criteria;</li> <li>ii requirements of any plan or program required under this consent;</li> <li>iii monitoring results of previous years; and</li> <li>iv relevant predictions in the documents listed in condition 2 of schedule 2;</li> </ul> </li> <li>c) identify any non-compliance over the past financial year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>d) identify any trends in the monitoring data over the life of the development;</li> <li>e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</li> <li>f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.</li> </ul>	<b>Section 5.4</b>

Condition No.	Condition	Section
<b>Schedule 5, Condition 5</b>	<p><b>Revision of Strategies, Plans and Programs</b> Within 3 months of:</p> <ul style="list-style-type: none"> <li>a) the submission of an annual review under Condition 4 above;</li> <li>b) the submission of an incident report under Condition 7 below;</li> <li>c) the submission of an audit report under Condition 9 below; or</li> <li>d) any modification to the conditions of this consent (unless the conditions require otherwise),</li> </ul> <p>The Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review, unless the Secretary agrees otherwise, the revised document must be submitted to the Secretary for approval.</p> <p>Within 4 weeks of conducting any such review, the Applicant must advise the Planning Secretary of the outcomes of the review, and provide any revised documents to the Planning Secretary for review and approval.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<b>Section 6</b>
<b>Schedule 5, Condition 11</b>	<p><b>ACCESS TO INFORMATION</b> Within 6 months of the date of this consent, the Applicant must:</p> <ul style="list-style-type: none"> <li>a) make copies of the following publicly available on its website: <ul style="list-style-type: none"> <li>i the documents listed in condition 2 of schedule 2;</li> <li>ii current statutory approvals for the development;</li> <li>iii approved strategies, plans and programs required under the conditions of this consent;</li> <li>iv a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>v a complaints register, which is to be updated monthly;</li> <li>vi any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit;</li> <li>vii any other matter required by the Secretary; and</li> </ul> </li> <li>b) keep this information up-to-date,</li> </ul> <p>to the satisfaction of the Secretary.</p>	<b>Section 5.4</b>

Condition No.	Condition	Section															
Appendix 6	<div>Alternate Noise Criteria</div> <table><tr><th>Location</th><th>Day LAeq (15 min)</th><th>Evening LAeq (15 min)</th><th>Night LAeq (15 min)</th><th>Night LA1 (1 min)</th></tr><tr><td>95,142A, 143B, 164, 165, 195, 217s</td><td>36</td><td>36</td><td>36</td><td>45</td></tr><tr><td>All other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr></table>	Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)	95,142A, 143B, 164, 165, 195, 217s	36	36	36	45	All other privately-owned residences	35	35	35	45	Not yet triggered
Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)													
95,142A, 143B, 164, 165, 195, 217s	36	36	36	45													
All other privately-owned residences	35	35	35	45													
Appendix 7 Condition 1	<div>NOISE COMPLIANCE ASSESSMENT</div> <div>Applicable Meteorological Conditions</div> <p>The noise criteria in Table 3 of schedule 3 are to apply under all meteorological conditions except the following:</p> <div><div>a)</div><div>wind speeds greater than 3 m/s at 10 m above ground level; or</div></div> <div><div>b)</div><div>temperature inversion conditions between 1.5 °C and 3°C/100m and wind speeds greater than 2 m/s at 10 m above ground level; or</div></div> <div><div>c)</div><div>temperature inversion conditions greater than 3°C/100m.</div></div>	Section 5.1.1															
Appendix 7 Condition 2	<div>Determination of Meteorological Conditions</div> <p>Except for wind speed at microphone height, the data to be used for determining meteorological conditions must be that recorded by the meteorological station located on the site.</p>	Section 5.1.1															
Appendix 7 Condition 3	<div>Compliance Monitoring</div> <p>Attended monitoring is to be used to evaluate compliance with the relevant conditions of this consent.</p>	Section 5.1															
Appendix 7 Condition 4	<p>This monitoring must be carried out at least once a month (but at least two weeks apart) unless the PlanningSecretarydirects otherwise.</p>	Section 5.1.1															
Appendix 7 Condition 5	<p>Unless otherwise agreed with the Planning Secretary, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the NSW Industrial Noise Policy (as amended from time to time), in particular the requirements relating to:</p> <div><div>a)</div><div>monitoring locations for the collection of representative noise data;</div></div> <div><div>b)</div><div>meteorological conditions during which collection of noise data is not appropriate;</div></div> <div><div>c)</div><div>equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and</div></div> <div><div>d)</div><div>modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration.</div></div>	Section 5.1.1															

## A.2 DA 376-8-2003 Conditions

Condition No.	Condition	Section
<b>Schedule 4, Condition 28B</b>	<p><b>Construction Noise</b></p> <p>Approved construction works (including gas drainage well construction) must be undertaken during standard construction hours (7am to 6pm, Monday to Friday and 8am to 1pm on Saturdays, excluding Sundays and Public Holidays), unless otherwise agreed by the Planning Secretary.</p> <p>The Applicant may undertake construction works outside of these hours provided that:</p> <ul style="list-style-type: none"> <li>a) the combined operational and construction noise from the development does not exceed the operational noise criteria under conditions 30 and 30A of this Schedule; or</li> <li>b) the Applicant has an agreement with the owner/s of the relevant residence/land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement; or</li> <li>c) an alternative temporary limit has been approved by the Planning Secretary for specific works.</li> </ul>	<b>Section 4.2.2</b>
<b>Schedule 4, Condition 28C</b>	<p>In order to seek an alternative temporary construction noise limit under Condition 28B that exceeds the levels identified in conditions 30 and 30A of this Schedule, the Applicant must submit a Construction Noise Work Protocol to the Planning Secretary for approval, prior to undertaking the nominated construction works. This protocol must:</p> <ul style="list-style-type: none"> <li>a) be prepared to the satisfaction of the Planning Secretary;</li> <li>b) be prepared in consultation with the EPA and any landowners who may be affected by the proposed variation; and</li> <li>c) address the relevant requirements of the Interim Construction Noise Guideline.</li> </ul> <p>The Applicant may only undertake construction activities that require a Construction Work Noise Protocol, in accordance with an approved Construction Noise Work Protocol as approved by the Planning Secretary.</p>	<b>Section 4.2.2</b>
<b>Schedule 4, Condition 30</b>	<p><b>Noise Impact Assessment Criteria</b></p> <p>Except for noise affected land listed in Table 1, the Applicant must ensure that the noise generated by the Bulga Mining Complex does not exceed the noise impact assessment criteria in Table 13 at any residence on privately-owned land.</p>	<b>Section 3.3.2</b>



Condition No.	Condition	Section																														
	<p><b>Table 13. Noise Impact Assessment Criteria dB(A)</b></p> <table><tr><th>Location</th><th>Day LAeq (15 min)</th><th>Evening LAeq (15 min)</th><th>Night LAeq (15 min)</th><th>Night LA1 (1 min)</th></tr><tr><td>1A,8</td><td>38</td><td>38</td><td>38</td><td>45</td></tr><tr><td>97</td><td>38</td><td>38</td><td>36</td><td>45</td></tr><tr><td>217n, 230, 232, 234, 323, 324, 325</td><td>37</td><td>37</td><td>37</td><td>45</td></tr><tr><td>1B, 94, 95, 103, 105A, 105C, 142A, 143B, 145, 164, 165, 179, 195, 217s, 217m, 222, 226, 227, 228, 229, 231, 233, 235, 237, 239, 240, 241, 261, 262, 263, 264, 265, 266, 272</td><td>36</td><td>36</td><td>36</td><td>45</td></tr><tr><td>All other privately- owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr></table> <p>However, the noise criteria in Table 13 do not apply if the Applicant has a written agreement with the relevant landowner to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"><li>• To interpret the numerical references in Table 13 see the applicable figures in Appendix 2.</li><li>• For the purposes of this condition an “exceedence” is considered to have occurred when valid attended noise data from compliance monitoring (collected in accordance with the requirements in Appendix 4) indicates the noise generated by the Bulga Mining Complex has exceeded the criteria set out in Table 13.</li><li>• Appendix 4 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria.</li></ul>	Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)	1A,8	38	38	38	45	97	38	38	36	45	217n, 230, 232, 234, 323, 324, 325	37	37	37	45	1B, 94, 95, 103, 105A, 105C, 142A, 143B, 145, 164, 165, 179, 195, 217s, 217m, 222, 226, 227, 228, 229, 231, 233, 235, 237, 239, 240, 241, 261, 262, 263, 264, 265, 266, 272	36	36	36	45	All other privately- owned residences	35	35	35	45	
Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)																												
1A,8	38	38	38	45																												
97	38	38	36	45																												
217n, 230, 232, 234, 323, 324, 325	37	37	37	45																												
1B, 94, 95, 103, 105A, 105C, 142A, 143B, 145, 164, 165, 179, 195, 217s, 217m, 222, 226, 227, 228, 229, 231, 233, 235, 237, 239, 240, 241, 261, 262, 263, 264, 265, 266, 272	36	36	36	45																												
All other privately- owned residences	35	35	35	45																												
Schedule 4, Condition 30A	<p>At the direction of the Planning Secretary, Table 13 above must be replaced with the Table in Appendix 5.</p> <p>Note: This direction will be given following the construction of the proposed noise and visual bund under SSD 4960 to a height of 150 m AHD or the start of year 7 of development under SSD 4960, whichever occurs sooner.</p>	Section 3.3.2																														

Condition No.	Condition	Section
<b>Schedule 4, Condition 31</b>	<p>Upon receiving a written request from the landowner of any residence on land listed in Table 1 (unless the landowner of that land has requested acquisition), the Applicant must 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.</p> <p>These additional mitigation measures must be reasonable and feasible and directed towards reducing the noise impacts of the development on the residence. The Applicant must notify all landowners that they are entitled to receive additional noise mitigation measures in accordance with this condition, to the satisfaction of the Planning Secretary.</p> <p>If within 3 months of receiving such a request from the landowner, the Applicant 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 Planning Secretary for resolution.</p>	<b>Section 4.3</b>
<b>Schedule 4, Condition 32B</b>	<b>Noise Operating Conditions</b> The Applicant must:	<b>Section 4.1</b>
	a) implement all reasonable and feasible best practice noise mitigation measures;	
	b) progressively upgrade and replace its mobile equipment fleet;	<b>N/A</b>
	c) operate a comprehensive noise management system on site that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day-to-day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent; and	<b>Section 5.2.1</b>
	d) monitor and report on compliance with the relevant noise conditions of this consent, to the satisfaction of the Planning Secretary.	<b>Section 5.2.1 Section 5.2.2</b>
<b>Schedule 4, Condition 32C</b>	<b>Noise Management Plan</b> The Applicant must prepare and implement a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:	<b>Appendix C</b>
	a) be prepared by a suitably qualified expert whose appointment has been approved by the Planning Secretary, and submitted to the Planning Secretary for approval by 31 March 2014; and	
	b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent;	<b>Section 4.1</b>
	c) describe the proposed noise management system in detail;	<b>Section 4.1 Section 5.2.1</b>

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Condition No.	Condition	Section
	<p>d) include a noise monitoring program that:</p> <ul style="list-style-type: none"> <li>i evaluates and reports on: <ul style="list-style-type: none"> <li>- the effectiveness of the noise management system;</li> <li>- compliance against the noise criteria in this consent; and</li> <li>- compliance against the noise operating conditions;</li> </ul> </li> <li>ii includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time (so the real-time noise monitoring program can be used as a trigger for further attended monitoring where there is a risk of non-compliance with the noise criteria in this consent); and</li> <li>iii defines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents; and</li> </ul>	<p><b>Section 5.1</b> <b>Section 5.2</b></p>
	<p>e) include a Construction Noise Work Protocol as required under Condition 28C of this Schedule (including for gas drainage well construction for the Blakefield North Mine) featuring:</p> <ul style="list-style-type: none"> <li>i the Applicant's commitments to reasonable and feasible noise mitigation;</li> <li>ii a work schedule that clearly identifies work that would lead to an exceedance of the Noise Assessment Impact Criteria in Table 13 of this Schedule;</li> <li>iii a protocol for notifying affected receivers of the expected severity and duration of such exceedance(s) well in advance of work commencing;</li> <li>iv a protocol for monitoring and evaluating noise emissions during work; and</li> <li>v a response protocol that will be immediately followed to reduce noise emissions if the work leads to noise impacts from the Bulga Mining Complex that exceed: <ul style="list-style-type: none"> <li>- LAeq 15 min 50 dB during the day at any privately-owned receiver;</li> <li>- LAeq 15 min 39 dB during the evening or night at any receiver; and</li> <li>- LAeq 1 min 51 dB during the evening or night at any receiver.</li> </ul> </li> </ul>	<p><b>Section 4.2.2</b></p>

Condition No.	Condition	Section
	<p>The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>The management responses to be followed in the event that noise emissions are nearing or exceeding the noise criteria in this consent should be staged in a manner that is commensurate with the level of noise emissions that may occur.</li> <li>Management responses should include relocating, modifying and/or ceasing operations until the exceedance is addressed and rectified. In the event of a breach of the noise criteria in this consent, noise traces for the offending period should be forwarded to the Department and EPA as soon as practicable following the event.</li> </ul>	

# Appendix B - Bulga Open Cut Noise Management Procedure

## Appendix C - Department of Planning & Environment – Approval of Management Plans and EPA Consultation



Planning &  
Environment

Planning Services  
Resource Assessments  
Contact: Jack Murphy  
Phone: 8217 2016  
Email: [jack.murphy@planning.nsw.gov.au](mailto:jack.murphy@planning.nsw.gov.au)

Ralph Northey  
Environment and Community Manager  
Bulga Coal Limited  
779 Broke Road  
Singleton NSW 2330

Email: [Ralph.Northey@glencore.com.au](mailto:Ralph.Northey@glencore.com.au)

  
Dear Mr Northey,

### Bulga Optimisation Project (SSD-4960) Post Approval

I refer to your email dated 24 June 2019 submitting the revised Noise Management Plan (including Noise Management Procedure) for the Bulga Optimisation Project, which has been prepared in accordance with condition 7 of Schedule 3 of SSD-4960.

The Department has reviewed this document and considers that it meets condition 7 of Schedule 3 of SSD-4960. Consequently, the Secretary has approved this document.

Please ensure a finalised copy of this document is made available on the company's website.

Should you have any enquiries in relation to this matter, please contact Jack Murphy at the details above.

Yours sincerely,



Howard Reed  
Director  
Resource Assessments  
As nominee of the Secretary

24.6.19

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DOC21/847638-3

Planning and Assessment Division  
Department of Planning, Industry and Environment  
Returned via Planning Portal

Attention: Scott Wolfenden

11 October 2021

Dear Mr Wolfenden,

**Bulga Coal Mine Optimisation - Noise Management Plan (SSD-4960-PA-59)**

Thank you for the request for advice from Post Approval Consultation (PAE-28870202), requesting input from the NSW Environment Protection Authority (EPA) on the post-approval Noise Management Plan for the Bulga Coal Mine Optimisation.

The EPA encourages the development of such plans to ensure that licensees have determined how they will meet their statutory obligations and best practice environmental objectives.

The EPA's role as a regulatory authority is to set environmental management objectives rather than be directly involved in the development of the strategies to achieve those objectives. Accordingly, the EPA has not reviewed this management plan.

Notwithstanding the above, the EPA expects the noise management plan be prepared in accordance with the relevant EPA noise policy approved under the consent and adhere to recommendations and commitments described in noise impact assessments and/or studies prepared in accordance with the project approval. The noise management plan should be reviewed and updated as required on a regular basis to ensure statutory environmental obligations are met.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Gallagher', with a stylized flourish at the end.

**KAREN GALLAGHER**  
Unit Head Regulatory Operations Metro North  
Environment Protection Authority

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(from outside NSW)

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## Appendix D - Department of Planning, Industry and Environment Appointment of Experts



Planning,  
Industry &  
Environment

Ralph Northey  
Environment and Community Manager  
Bulga Coal Management Pty Ltd  
Via email: [Ralph.Northey@glencore.com.au](mailto:Ralph.Northey@glencore.com.au)

16/09/2020

Dear Mr Northey

### **Bulga Optimisation Project (SSD 4960) & Bulga Underground Operations (DA 376-8-2003) Appointment of Experts & Mining in the Whybrow Wedge Section of SSD 4960**

I refer to your letter and supporting curriculum vitae's requesting the Planning Secretary's approval of suitably qualified and experienced persons to assist in revising the Rehabilitation Strategy and a number of management plans for the Bulga Optimisation Project (SSD 4960 – Modification 3) and the Bulga Underground Operations (DA 376-8-2003 – Modification 7), in accordance with Conditions 15(a), 22(a), 28(a), 34(a), 42(a) and 56(c) of Schedule 3 of SSD 4960 and Conditions 24A(a), 7G(a) and 32C(a) of Schedule 4 of DA 376-8-2003.

The Department has reviewed the nominations and information provided by Bulga Coal and is satisfied that the experts listed below are suitably qualified and experienced to assist in preparing the revised Rehabilitation Strategy and various management plans.

Accordingly, the Planning Secretary approves the appointment of the following persons to prepare the revised Rehabilitation Strategy and the following revised management plans in accordance with the relevant conditions of SSD 4960 and DA 376-8-2003.

Name	Company	Relevant Plan/ Strategy
Thomas Lewandowski	Enviro Strata Consulting Pty Ltd	Blast Management Plan
Shane Lakmaker	Jacobs	Air Quality and Greenhouse Gas Management Plan
Anthony Marszalek	Hydro Engineering & Consulting Pty Ltd	Water Management Plan
Rebecca Vere	Umwelt	Biodiversity Management Plan
Ben Churcher	Ozark	Heritage Management Plan
Adam Williams	SLR Consulting	Rehabilitation Strategy
Dorian Walsh	Hansen Bailey	Exploration Activities and Minor Surface Infrastructure Management Plan
Tony Welbourne	Global Acoustics	Noise Management Plan

I also refer to your letter and supporting figure requesting the written agreement of the Planning Secretary to commence mining within the Whybrow Wedge section of the recently approved SSD 4960 – Modification 3, prior to the revision and approval of the Noise, Blasting, Water, Air Quality and Greenhouse Gas Management Plans in accordance with Condition 5C of Schedule 5 of SSD 4960.

The Department has reviewed the existing approved Environmental Management Strategy (EMS) for the site and considers that the operational and environmental controls currently being implemented by Bulga Coal as part of the existing approved consent conditions, EMS and associated

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management plans would continue to be fit for purpose for undertaking activities within the Whybrow Wedge.

As such, in accordance with Condition 5C of Schedule 5 of SSD 4960, the Planning Secretary agrees that Bulga Coal may undertake approved mining activities within the Whybrow Wedge area prior to revision of the Noise, Blasting, Water, Air Quality and Greenhouse Gas Management Plans required following the approval of Modification 3 to SSD 4960.

For the sake of clarity, I wish to confirm that this approval is limited to the approved surface disturbance area known as the Whybrow Wedge and does not extend to other activities approved under Modification 3. I also note that Bulga Coal must continue to apply and complying with the approved consent conditions, the existing management plans and EMS for the site.

Finally, I would like to take this opportunity to remind you that Bulga Coal is required to submit any revisions of the strategies, plans, and programs required under SSD 4960 – Modification 3 and DA 376-8-2003 – Modification 7 to the Planning Secretary for approval by October 2020 in accordance with Conditions 15 (b) and 22 (b) of Schedule 3, 5 (d) of Schedule 5 of SSD 4960 and Condition 5 (d) of Schedule 6 of DA 376-8-2003.

If you have any questions, please contact Tegan Cole via email at [Tegan.Cole@planning.nsw.gov.au](mailto:Tegan.Cole@planning.nsw.gov.au).

Yours sincerely



Matthew Sprott  
Director  
Resource Assessments (Coal & Quarries)  
as nominee of the Planning Secretary