

Our ref: SSD-11826681 and SSD-11826621

Mr Jason Martin
Approvals Manager
HV OPERATIONS PTY LTD
30/01/2026

Subject: Request for Additional Information - Air Quality Impact Assessment

I refer to the HVO North and HVO South Open Cut Coal Continuation Projects (SSD-11826681 and SSD-11826621) and the Air Quality Impact Assessment, dated 29 July 2025. The assessment results indicate predicted exceedances of the Department's *Voluntary Land Acquisition and Mitigation Policy (2018)* (VLAMP) annual cumulative PM₁₀ and PM_{2.5} and deposited dust criteria.

Under the VLAMP, the consent authority is required to determine whether voluntary mitigation and/or acquisition rights apply to receptors where a development contributes to an exceedance of the relevant criteria, including properties already subject to acquisition under existing consents. Additional information is required to assist the Department in its assessment of the exceedances to determine whether mitigation and/or acquisition rights apply to impacted receptors under the VLAMP.

The Air Quality Impact Assessment results also indicate predicted exceedances of the EPA's modelled maximum 24-hour average cumulative impact criteria for PM₁₀ (50 µg/m³) and PM_{2.5} (25 µg/m³) at a number of private receptors. Additional information is required to assist the Department in determining whether the project contributes to the magnitude or frequency of these exceedances and whether the project results in additional exceedance days under the modelled scenarios.

To assist the Department in its assessment of potential air quality impacts, you are requested to provide the following additional information:

1. Annexure C of the Air Quality Impact Assessment (dated 29 July 2025) shows predicted exceedances of the VLAMP annual cumulative PM₁₀ and PM_{2.5} criteria at private receptors (621, 624, 626, 627, 628, 860, 861, 862, 863, 102 and 596), private commercial receptors (830 and 833) and community infrastructure (264). Further information is required to demonstrate how the VLAMP has been considered for the exceedances shown in Annexure C and how the predicted exceedances are influenced by project contributions and average background concentrations. You are requested to:

- a. Demonstrate how the provisions of the VLAMP have been considered for the predicted exceedances of the VLAMP criteria; and
 - b. Provide a table listing receptors (ranked by the highest predicted cumulative impacts) that exceed the VLAMP annual cumulative PM_{10} and $PM_{2.5}$ criteria ($25 \mu\text{g}/\text{m}^3$ and $8 \mu\text{g}/\text{m}^3$). List the average background concentrations for each and HVO's contribution to these exceedances.
2. Annexure C of the Air Quality Impact Assessment (dated 29 July 2025) shows predicted exceedances of the EPA's modelled maximum 24-hour average cumulative impact assessment criterion for PM_{10} ($50 \mu\text{g}/\text{m}^3$) and $PM_{2.5}$ ($25 \mu\text{g}/\text{m}^3$) at private receptors (102,308,471,497,498, 499, 592, 596, 598, 599, 613, 619, 621, 624, 626, 627, 628, 629, 856, 860, 861, 862, 863, 869, 870, 947, 122, 124, 126, 127, 128, 130, 134, 141, 162, 163, 167, 169, 170, 173, 174, 175, 244, 245, 246, 247, 256, 258, 260, 261, 262, 311, 317, 434, 436, 440, 614, 846, 847, 852), community infrastructure (264, 507, 511, 623, 797, 799) and private commercial receptors (735, 800, 829, 830, 833). Further information is required to demonstrate whether the project contributes to the magnitude and frequency of these exceedances and confirm whether the project results in additional exceedance days. You are requested to:
- a. Provide a table listing receptors (ranked by the highest number of exceedances and highest number of days) that exceed the EPA's modelled maximum 24-hour average PM_{10} criterion ($50 \mu\text{g}/\text{m}^3$) and $PM_{2.5}$ criterion ($25 \mu\text{g}/\text{m}^3$) for more than 5 days for each modelled year (2029, 2034 and 2041) and include:
 - i. the maximum cumulative concentration;
 - ii. the total number of days the cumulative concentration exceeds the PM_{10} criterion of $50 \mu\text{g}/\text{m}^3$ and $PM_{2.5}$ criterion of $25 \mu\text{g}/\text{m}^3$ with and without the project;
 - iii. the project's incremental contribution to these exceedances (HVO North, HVO South and HVO North and South combined); and
 - iv. the average background concentrations.
3. Annexure C of the Air Quality Impact Assessment (dated 29 July 2025) shows exceedances of the VLAMP's annual cumulative deposited dust criteria at private receptors (102, 592, 596, 619, 621, 624, 626, 627, 628, 629, 860, 861, 862, 863) and community infrastructure (264,507, and 511). You are requested to demonstrate how the provisions of the VLAMP have been considered for the predicted exceedances shown in Annexure C.

Department of Planning, Housing and Infrastructure



If you have any questions, or require further information, please contact Tegan Cole on 02 9895 6457 or via email at tegan.cole@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be "S O'Donoghue".

Stephen O'Donoghue

Director Resource Assessments

As nominee of the Planning Secretary