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Department of Planning and Environment
GPO Box 39
SUBURB NSW 2001

Attention: Mr Rob Beckett

Email to: Rob.Beckett@planning.nsw.gov.au

25 July 2018

Dear Mr Beckett

**Proposed Modification to Dartbrook Coal Mine, Modification 7 (DA 231-07-2000)
Bord and Pillar Extraction and Extension Modification
Recommended Conditions**

I refer to your email to the Environment Protection Authority (EPA) received 28 June 2018, seeking recommended conditions in relation to the application from Australian Pacific Coal Ltd to modify its development consent for the Dartbrook Coal Mine, located in Kayuga NSW, 4km southwest of Aberdeen, in the Upper Hunter Shire and Muswellbrook local government areas.

The EPA understands that the modification is seeking to extend the project duration by five years to 2027; extract 1.5 million tonnes per annum run-of-mine coal using bord and pillar methods; and haul extracted coal on the surface by private road from the west to the east site.

The EPA has reviewed the modification application, and supporting documentation titled "*Dartbrook Mine- Modification 7- Environmental Assessment for Australian Pacific Coal Limited. June 2018.*"

Air Quality

The Air Quality Impact Assessment (AQIA) for the proposal estimates that above ground coal handling and haulage accounts for approximately 92% of the total estimated PM_{2.5} emissions. This takes into account the reductions from 75% control for watering the above ground haulage road as a control measure. The AQIA predicts exceedances of annual average PM_{2.5} impact assessment criteria at twelve sensitive receptors.

A guiding principle for particulate matter management is to adopt all feasible and reasonable best practice mitigation measures. Given that the proposed above ground coal handling and haulage practices account for most of the emissions from the project, the predicted exceedances could be mitigated through the reinstatement of underground coal handling and transport and/or further sealing of roads where it is feasible and practicable to do so.

The proponent needs to provide justification that the reinstatement of underground coal handling and transport, sealing of roads, or alternative overland coal transport methods are not feasible as methods of mitigating noise and dust. This information is required before the EPA can recommend conditions.

Noise

The EPA has reviewed the Acoustic Impact Assessment (AIA) and has identified the following information that is required before the EPA can recommend conditions:

- 1) The EPA notes that receiver locations are taken from Schedules A and B of the Dartbrook consolidated project consent (N99/00230 dated 28 August 2001). The Lot and DP numbers for the receiver identifications need to be provided.
- 2) The AIA should justify the selection of weather data set used for prevailing wind analysis, and weather scenarios used as input to the noise modelling. Section 3.2 of the AIA used weather data from 2014 for the wind analysis. The AIA should justify the selection of 2014 data for this purpose, rather than a more recent year (e.g. 2017).
- 3) Table 1 of the AIA shows the percentage occurrence of noise enhancing winds by time of day and season. Table 2 presents a number of weather scenarios used in the noise modelling that were derived from this data. The AIA should include further discussion as to how the weather scenarios are considered sufficient to represent all the significant prevailing winds. For example, for the evening/night period, westerly winds (and adjoining WSW and WNW winds) are shown to be prevailing, however no corresponding westerly prevailing wind scenario is included in the modelling.

Note: The AIA should have assessed noise impacts from the construction phase of the project in accordance with the Noise Policy for Industry (NPfI). Section 2.3 of the AIA adopts criteria from the Interim Construction Noise Guideline (ICNG) for the construction phase of the project. The EPA considers that the ICNG does not apply to construction activities associated with mining projects, and therefore recommends that the construction phase activities for this project be assessed in accordance with the NPfI. The EPA notes however that the predicted noise impacts from construction activities, presented in Section 4.2 for this project, would comply with the nominated project noise trigger levels for operational noise.

If you have any questions about this matter, please contact Genevieve Lorang on (02) 4908 6869 or by email to hunter.region@epa.nsw.gov.au

Yours sincerely



MITCHELL BENNETT
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Environment Protection Authority