

Notice of Decision

Clarence Coal Modification 5

Workforce increase

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State Significant Development modification
Application number and project name	DA504-00 Mod 5 Clarence Colliery Modification 5 - Workforce Increase
Applicant	Centennial Coal Company Limited
Consent Authority	Minister for Planning and Public Spaces

The A/Executive Director – Energy and Resources, as delegate of the Minister for Planning and Public Spaces, has modified the consent subject to recommended conditions under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (the Act).

The instrument of modification and conditions and the Department of Planning, Industry & Environment's (Department's) Assessment Report are available at <https://www.planningportal.nsw.gov.au/major-projects/project/14671>

Date of decision

2 October 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted

The key reasons for granting the modification are as follows:

- the additional workers would enable additional underground safety works to be undertaken, whilst maintaining production levels at approved levels;
- it is consistent with NSW Government policy and the modification is permissible with development consent;
- any residual impacts can be appropriately minimised and managed under the conditions of consent;
- issues raised by the community during consultation and in submissions have been considered and appropriately addressed where relevant through recommended conditions of consent; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 6 July 2019 to 24 July 2019 (19 days) and received one submission from the community.

The key issues raised in this submission are summarised as follows:

<i>Issue</i>	<i>Consideration</i>
<i>Traffic and road safety</i> <ul style="list-style-type: none"> Chifley Road is in need of major upgrades Potential increase in collisions with wildlife from increased traffic Police patrols are inadequate. 	<i>Assessment</i> <ul style="list-style-type: none"> Chifley Road is currently being upgraded by the Roads and Maritime Services as part of the Bells Line of Road – Chifley Road Upgrade Project. The road network around the mine is considered suitably safe. There are regular police patrols in the area, and all road users are responsible for complying with road rules. <i>Conditions</i> <ul style="list-style-type: none"> No changes to existing conditions of consent required.
<i>Coal mining</i> <ul style="list-style-type: none"> Increased coal extraction and environmental damage to the surrounding areas. 	<i>Assessment</i> <ul style="list-style-type: none"> The project is not proposing to increase the maximum approved extraction rate, and there would be no increase to mining-related impacts to surrounding areas. <i>Conditions</i> <ul style="list-style-type: none"> No changes to existing conditions of consent required.
<i>Amenity impacts to local residents</i> <ul style="list-style-type: none"> Increased activities at the mine may impact the value and appeal of the Clarence area. 	<i>Assessment</i> <ul style="list-style-type: none"> Increased employment in the area would generate positive social and economic benefits for the Lithgow local government area, including for the Clarence Area. <i>Conditions</i> <ul style="list-style-type: none"> No changes to existing conditions of consent required.