



Our reference: EF13/3625: DOC13/63654
Contact: Andrew Helms (02) 6332 7604

Director, Mining Projects
Development Assessment Systems & Approvals
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Sophie Butcher

24 September 2013

Dear Mr Kitto

SPRINGVALE COLLIERY – DA11/92 MOD 4

I refer to an email from the Department of Planning and Infrastructure (DPI) dated 16 September 2013 seeking comments on Springvale Colliery's proposed modification to its consent to increase run-of-mine coal production from 3.4 to 4.5 million tonnes per annum.

The Environment Protection Authority (EPA) has reviewed the Environmental Assessment (EA) associated with this project and is satisfied that the proposed modification will have negligible impacts on the environment with respect to air, noise and surface water quality. The EPA supports the commitments summarised in Table 20 in Section 9.0 of the EA with respect to noise mitigation measures. The EPA also recommends that the project specific noise levels identified in the EA be adopted as noise limits as per the attached recommended conditions. The EPA notes that there is the potential for the project specific noise levels to be exceeded at two locations (S1 and S2) under both calm and adverse meteorological conditions at night time. As a consequence, the EPA is not prepared to recommend noise limits at these two residences and considers that DPI is best positioned to weigh the social and economic benefits of the proposal against potential adverse noise impacts and to determine if a higher noise limit is justified. If a higher noise limit is accepted by DPI following this assessment, and consent is granted which includes higher noise limits, the EPA will include these limits in the environment protection licence.

The EPA recommends that DPI condition any project approval to incorporate the noise mitigation measures described in the Statement of Commitments in Section 9.0 of the EA. In the event that this project is approved by DPI, Springvale Colliery will need to make an application to the EPA to vary environment protection licence 3607, to increase the fee based activity scale from >2,000,000 - 3,500,000 tonnes of coal produced to >3,500,000 - 5,000,000 tonnes of coal produced.

Should you have any enquiries regarding this matter please contact Andrew Helms at the Central West (Bathurst) Office of the EPA by telephoning (02) 6332 7604.

Yours sincerely,


DARRYL CLIFT
Head Central West Unit
Environment Protection Authority

ATTACHMENT A

RECOMMENDED CONDITIONS OF APPROVAL – NOISE SPRINGVALE DA11/92 MOD 4

1. Limit Conditions

- 1.1 Noise generated at the premises must not exceed the noise limits in Table 1.1 below. The locations referred to in the table are described in the document *Environmental Assessment - Springvale Mine - Section 75W Modification to Development Consent DA 11/92, September 2013*.

Receptor ID	NOISE LIMITS dB(A)			
	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)
S3	50	41	41	60
S4-S5	35	35	35	45
All other residences	35	35	35	45

Note: These locations indicate sensitive receivers that are predicted to receive noise levels at or below the project specific noise levels.

1.2 For the purposes of condition 1.1:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

1.3 The noise limits set out in condition 1.1 apply under all meteorological conditions except for the following:

- (a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- (b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- (c) Stability category G temperature inversion conditions.

1.4 For the purposes of condition 1.3:

- (a) Data recorded by the proponents meteorological station must be used to determine meteorological conditions; and
- (b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

1.5 To determine compliance:

- (a) with the L_{Aeq}(15 minute) noise limits in condition 1.1, the noise measurement equipment must be located at the most affected point:
 - i. approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises;
 - ii. or within 30 metres of a dwelling façade, but not closer than 3 m, where any dwelling on the property is situated is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - iii. where there is no dwelling, within approximately 50 metres of the property boundary of a National Park or a Nature Reserve.

(b) with the $L_{A1(1 \text{ minute})}$ noise limits in condition 1.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

- 1.6 A non-compliance of condition 1.1 will still occur where noise generated from the premises in excess of the specified noise limit is measured:
- at a location other than an area prescribed by conditions 1.5(a) and 1.5(b); and/or
 - at a point other than the most affected point at a location.
- 1.7 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

2 Monitoring Conditions:

Requirement to monitor noise:

- 2.1 To assess compliance with Condition 1.1, attended noise monitoring must be undertaken in accordance with Condition 1.5 and;
- at each one of the locations or at a location representative of the most noise-affected locations listed in Condition 1.1; and
 - occur at least quarterly in a year.