

21 November 2014

Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms McNally

**Wilpinjong Coal Mine – Product Optimisation  
MP05\_0021 - MOD 6**

I refer to your letter dated 7 October 2014 referring the above application to the Planning Assessment Commission for determination under Ministerial delegation.

Ms Lynelle Briggs AO and I constituted the Commission for the Project. I chaired the Commission.

I note that none of the public authorities consulted, including Mid-Western Regional Council, objected to the proposal. However due to the level of community concern, a public meeting was held in Mudgee on the 13 November 2014. A summary of matters presented during the public meeting is available in Attachment 1.

On the 12 November 2014, the Commission travelled to Wilpinjong to receive a briefing from the proponent on the project and to visit the Wilpinjong Coal Mine to inspect the site and surrounds of the project including the village of Wollar. The Commission's summary of matters discussed at the on-site briefing is available in Attachment 2.

The Commission has carefully considered the proposal, the Department's Assessment Report, issues raised by the public authorities including Mid-Western Regional Council and in presentations at the public meeting.

The Commission notes the matters raised by the public and public authorities, including Council, have been considered by the Department in their Assessment Report. The Assessment Report concluded that the environmental impacts of the proposal would generally be minor and could be suitably managed or mitigated by existing conditions, to maintain an acceptable level of environmental performance.

Further to this, on Tuesday 18 November 2014 the Department provided the Commission with a late submission received from the Environment Protection Authority (EPA). The EPA detailed recommended revised meteorological methodology for noise criteria to accommodate specific conditions.

The Commission carefully considered the potential impacts to the local community and the environment and it is satisfied that the existing mitigation and management measures along with the recommended spontaneous combustion condition and revised meteorological methodology detailed by the EPA will ensure the project will not result in any adverse impact.

The Commission also acknowledges the community's concern about the potential for health impacts, however noting the predicted odour, dust and noise levels generated as a result of the modification, it is satisfied air quality and noise generated by the mine will not adversely impact on the environment or amenity of sensitive receivers particularly noting the EPA's recommendation.

The Department supports the project modification and therefore recommends approval subject to conditions.

The Commission is satisfied that the assessment report has considered potential impacts including air quality, noise and spontaneous combustion and due to the minor nature of the proposal, it is satisfied that the Department's recommendation to grant conditional approval is reasonable.

The project modification is approved as recommended, subject to conditions.

The file and signed instrument of approval are returned.

Yours sincerely



Garry West

**MEMBER OF THE COMMISSION**

cc.                      Office of the Hon. Pru Goward MP  
Minister for Planning and Minister for Women  
GPO Box 5341  
SYDNEY NSW 2001