

NSW Planning Assessment Commission Determination Hunter Valley Operations South Modification 5 (MP 06_0261 MOD 5)

28 February 2018

The Planning Assessment Commission has granted consent to Hunter Valley Operations South Modification 5 near Singleton, subject to conditions.

The Commission notes that the modification will provide environmental, social and economic benefits to the local and wider region through utilisation of the approved surface disturbance footprint, the provision of ongoing direct and indirect employment, continued community engagement and investment, and additional royalties for the State.

The mining of the deeper coal seams provides an additional resource, which may have otherwise been sterilised, without the need for any additional surface disturbance or major capital investment. It will also provide an improvement to the final usable landform and a more natural landform from the original project approval.

The Commission heard and acknowledged concerns by the community regarding the impact of the project on groundwater and the final void's use as a groundwater sink. The Commission considers the impact of the project on groundwater drawdown to be compliant with relevant non-discretionary standards, with no additional impact on riparian ecosystems.

The Commission considers the project would be generally compliant with relevant criteria for noise and air quality. Where exceedances of these criteria are predicted to occur, any impacts and potential risks can be appropriately managed through the framework of rigorous controls and requirements in place to manage, mitigate, minimise, compensate and offset those impacts. The Commission notes that in addition to these controls and requirements the proponent has voluntarily established a Near Neighbour Amenity Resource Fund to fund discretionary mitigation works and services to improve amenity for nearby residences.

The Commission concluded that the final landform represents a natural landform that complements the pre-mining environment. The proponent's proposed overburden emplacement strategy and progressive rehabilitation should minimise the impact on visual amenity for nearby receivers over the long term and in particular maintain the view line from Maison Dieu to the Wollemi National Park.

In reaching this decision, the Commission considered carefully the application under section 75W of the *Environmental Planning and Assessment Act 1979*, the concerns raised by the community in written comments and at the public meeting conducted at the Singleton Civic Centre on 6 February 2018, advice from relevant government agencies, and the Department of Planning and Environment's assessment report.