

25 July 2016

Ground Floor, Suite 01, 20 Chandos Street
St Leonards, NSW, 2065
PO Box 21
St Leonards, NSW, 1590

Howard Reed
Director - Resource Assessments
Department of Planning & Environment
23-33 Bridge Street
Sydney NSW 2001

T +61 2 9493 9500
F +61 2 9493 9599
E info@emmconsulting.com.au
www.emmconsulting.com.au

Re: Administrative modification to MP06_0311 – Environmental Assessment

Dear Howard,

EMM Consulting Pty Limited (EMM) acts on behalf of LakeCoal Pty Ltd (Lake Coal) in submitting this Environmental Assessment (EA) and application for an administrative modification to major project approval MP06_0311. This letter provides details of and a justification for the administrative modification.

The most recently approved modification (Modification 3) to MP 06_0311 allows for, amongst other things, continued use of the sites infrastructure and an increase in the maximum rate of run of mine coal handing and dispatch at Mannering Colliery (MC) from 1.1 million tonnes per annum (Mtpa) to a maximum of 1.3 Mtpa.

As part of the EA for Modification 3, EMM prepared a noise impact assessment (refer *Mannering Colliery – Modification 3 Noise Impact Assessment* (NIA) dated 7 May 2015). Section 5.2 of the NIA stated that:

the rock breaker...will not be in use at MC once operations recommence. Notwithstanding this, the sound power level of the transfer house has been conservatively assumed to be equal to that of the rock breaker.

It is now LakeCoal's intention to use the rotary breaker at MC (previously referred to as a rock breaker) as part of its ongoing operations at the site.

Notwithstanding that the NIA stated that the rotary breaker will not be used, the noise modelling and subsequent noise assessment conservatively assumed that all existing infrastructure (including the rotary breaker) would be in operation. Therefore, the noise level predictions provided in the NIA, which ultimately formed the basis for the new noise criteria that was included within MP06_0311, were based on the use of the rotary breaker.

The NIA not only assumed that all plant and equipment would be operating simultaneously but also adopted a worst-case wind scenario which considered the highest potential noise levels at each assessment location, not just noise emission levels which result from meteorological conditions which are a feature of the area, ie in accordance with the Industrial Noise Policy (INP). Hence, based on the conservatively estimated noise emission levels from the operation of MC, including the use of the rotary breaker, operation of MC is expected to comply with the noise criteria presented in Appendix 4B of MP06_0311.

It is noted that the only comment regarding the use of the rotary breaker is in the NIA specialist report and there is no reference in any of the other Modification 3 approval documentation (ie EA, response to submissions, planning assessment report and project approval).

LakeCoal has confirmed that the rotary breaker is considered critical to ongoing operations at the site and LakeCoal would like to request that MP06_0311 be modified to permit the use of the rotary breaker as soon as possible.

Should you require any further information or clarification please do not hesitate to contact the undersigned on 9493 9500 or via the email below.

Yours sincerely

A handwritten signature in black ink, appearing to be 'John Arnold', with a stylized, cursive-like script.

John Arnold
Associate | Manager of Planner, Sydney
jarnold@emmconsulting.com.au