



DOC20/585385-4

Department of Planning, Industry and Environment
Returned via the Major Projects Portal

Attention: Joe Fittell

13 August 2020

Dear Mr Fittell,

**Planning Referral – Advice on Modification Application
Modification 2 Myuna MOD 2 (MP10_0080-Mod-2)**

I refer to your email to the Environment Protection Authority (EPA) on 20 July 2020 seeking advice in relation to the modification application for Myuna Colliery (MP10_0080-Mod-2) located in the Lake Macquarie local government area.

The proposed modification seeks to:

- Transport up to 1.0 Mtpa of ROM coal by road from Myuna Colliery to Cooranbong Entry Site (CES);
- Receipt of up to 0.2 Mtpa of Mandalong ROM coal by road from the CES; and
- Construction and use of a weighbridge.

The EPA has reviewed the *Myuna Colliery Modification Report for Modification to Project Approval MP10_0080 (Report No: J200309 RP#1)* prepared by EMM Consulting and dated 3 July 2020 and has determined that sufficient information has been provided to adequately assess the environmental impacts of the proposal. The EPA's recommended Conditions of Approval are provided at **Attachment A** to this letter for consideration by the Department of Planning, Industry & Environment.

Should the modification be approved, the proponent will need to apply to the EPA for a variation to the environment protection licence.

If you have any questions about this matter, please contact Jenny Rushton on 02 6883 5301 or by email to hunter.region@epa.nsw.gov.au

Yours sincerely

JENNY LANGE
A/Unit Head – Regional Operations

Attachment A: Recommended Conditions

General administrative overview condition of documentation:

1. Except as expressly provided in the conditions below, works and activities at the premises, being Myuna Colliery, located in the Lake Macquarie local government area must be carried out in accordance with the information contained in:
 - a) the Modification Application MP10_0080-Mod-2 submitted to Department of Planning Industry & Environment on 31 July 2020;
 - b) the Environmental Assessment titled "*Myuna Colliery Modification Report for Modification to Project Approval MP10_0080 (Report No: J200309 RP#1)*" prepared by EMM Consulting and dated 3 July 2020 relating to MP10_0080-Mod-2; and
 - c) all additional documents supplied in relation to modification MP10_0080-Mod-2.
2. Up to 1 MT per year of ROM Coal can be transported from the premises to Corranbong Entry Site via road, all other coal must be transported via the enclosed overland coal conveyor to Eraring Power Station.

Pollution of waters:

3. The Proponent must comply with section 120 of the *Protection of the Environment Operations Act 1997*, except as expressly permitted by any in-force environment protection licence.

Effluent:

4. Irrigation of treated effluent and wastewater must not be carried out if soil moisture conditions are such that surface runoff or ponding is likely to occur.
5. The utilisation areas must be maintained in a proper and efficient condition to provide adequate percolation, evaporation and transpiration of the treated effluent and wastewater

Waste management:

6. The Proponent must, as far as possible, follow the waste hierarchy principles contained within the *Waste Avoidance and Resource Recovery Act 2001* when dealing with any waste generated at the premises.
7. The Proponent must assess and classify any waste generated at the premises in accordance with the "Waste Classification Guidelines – Part 1: Classifying waste", as in force from time to time, and manage this waste in a lawful manner.
8. The Proponent must maintain a waste register that tracks any waste received at or transported from the premises that clearly identifies each entity and vehicle involved in the waste transaction and the premises from which or to which the waste originated or was transported to.
9. The Proponent must retain all waste related records in a legible form, or in a form that can readily be reduced to a legible form, for at least 4 years after the record was made.