



DOC18/714323-14, EF15/11088

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Megan Dawson

By email: [REDACTED]

24 October 2018

Dear Ms Dawson

**United Wambo Open Cut Coal Mine Project
(SSD 7142, DA 305-7-2003 MOD 17 and DA 177-8-2004 MOD 3)
Draft Conditions – Response on noise compliance issues**

I refer to your email to the Environment Protection Authority (EPA) dated 17 October 2018 inviting the final comment on the recommended draft conditions and the report provided by Umwelt on behalf of the proponent titled "*United Wambo Open Cut Coal Mine Project – Request for additional information – Noise Compliance Protocol*". I also refer to our previous letter dated 28 September 2018 (DOC18/714232-04) recommending conditions in the draft modification and emphasising the limitations of the proposed approach to noise limit compliance assessment.

The EPA has reviewed the proposed Noise Compliance Protocol. Its reliance on "*professional judgement*" to "*determine the level of noise from the source under investigation*" is not appropriate for determining compliance with the noise limits.

The EPA supports the noise limits included in the draft approval shown in condition B1 and recommends that the following conditions also be included with this section of the consent.

Recommended conditions

- B2. Prior to commencing activities authorised under this modification, the proponent must develop a noise compliance assessment methodology to assess compliance with the noise limit conditions specified in Condition B1. The methodology must incorporate:
- attended monitoring at locations representing noise sensitive receivers;
 - an array of real-time directional noise monitors designed to differentiate between noise generated on premises that hold separate Environment Protection Licences; and
 - a noise model to assist in differentiating between noise generated on premises that hold separate Environment Protection Licences.



- B3. The proponent must assess compliance with the noise limits specified in condition B1 using the methodology specified in Condition B2.
- B4. If the noise compliance assessment methodology developed in condition B2 is unable to effectively differentiate between noise generated on premises that hold separate Environment Protection Licences, the proponent must annually measure the sound power levels of all plant used on the premises and produce a report comparing the measured levels to those used in the noise modelling for the Environmental Assessment. This report must be submitted to the Environment Protection Authority with its Annual Return.
- B5. The proponent must provide a report on the noise compliance assessment to the Environment Protection Authority with its Annual Return.

If you require any further information regarding this matter, please contact Bill George on [REDACTED] or by email to [REDACTED]

Yours sincerely



MITCHELL BENNETT
Head Strategic Programs Unit – Hunter
Environment Protection Authority