



## **TRANSCRIPT OF MEETING**

RE: NORTHERN COAL LOGISTICS MODIFICATION 5 (SSD-5145-Mod-5)

### **DEPARTMENT MEETING**

PANEL: MICHAEL CHILCOTT (CHAIR)  
SIMON SMITH

OFFICE OF THE IPC: BRAD JAMES  
TAHLIA HUTCHINSON

DEPARTMENT OF  
PLANNING, HOUSING  
AND INFRASTRUCTURE: STEVE O'DONOGHUE  
JESSIE EVANS  
MELISSA DUNLOP  
SARA WILSON (Absent)

LOCATION: ZOOM VIDEOCONFERENCE

DATE: 9:30AM – 10:30AM  
THURSDAY, 5<sup>th</sup> JUNE 2025

## <THE MEETING COMMENCED

**MR MICHAEL CHILCOTT:** Well, morning everybody. Welcome to this meeting, which is to discuss the Northern Coal Logistics Mod 5, the reference is SSD-5145-Mod-5, which is with the Commission for determination.

My name is Michael Chilcott for those who haven't met me before. And I'm the Chair of this Commission Panel. I'm joined today by my fellow Commissioner, Simon Smith, and we're also joined by Brad James and Tahlia Hutchinson from the Office of the Independent Planning Commission.

As we commence, I'd like to acknowledge the traditional owners of the various lands on which we meet today, I'm on Gadigal country in the city of Sydney. And I pay my respects to Elders past and present.

In relation to this project, Centennial Northern Coal Services Pty Ltd, the Applicant – I'll refer them to as Centennial from this point on – owns and operates the Northern Coal Services Project. The project is approved, and it comprises the surface coal handling and preparation facilities at the Newstan Colliery Surface Site and the Cooranbong Entry Site as well as the private haul roads connecting the Newstan Colliery, Awaba Colliery, Cooranbong Entry Site and Eraring Power Station.

Centennial's application in this matter is to modify its existing Development Consent to enable a series of things, including: transport and beneficial use of coal washery rejects from Newstan Colliery Surface Site; flexibility in the transportation of coal products between its operations on the existing private haul road, the use of a mobile crushing and screening plant at the Newstan Colliery Surface Site on a campaign basis (so-called); and the timing of the Conservation Bond to align with the vegetation clearing.

In the interests of openness and transparency and to ensure full capture of information, this meeting today is being recorded and there will be a complete transcript of it that will be in time made available on the Commission's website.

The meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination. It's important during this process that when Simon and I have questions to ask, that we do so. If we do ask questions today and you're not in a position to answer them, feel free please to take them on notice and come back to us with a response within a timeframe that we'll agree.

As we move through and for the benefit of the tape, as you commence to talk in the first instance, if you would introduce yourselves onto the tape, that'll be appreciated. Thank you.

So, that's by way of opening statement. We have circulated an agenda for today's discussion. Can I just the Department, are there any changes to that you want to

propose, or are you content that we move through on that basis?

**MR STEVE O'DONOGHUE:** No, we don't, Chair. Look, we're happy with the agenda as stated, so we'll sort of step through that.

**MR CHILCOTT:** All right, thanks. In normal processes of this sort, we would invite the Department to make some opening comments. So, by way of introduction, Simon and I and Brad and Tahlia read the Assessment Report materially provided through, so you can take that as read.

But if there are particular comments you want to make that supplement or go beyond that, both those sort of things would be of particular interest to us. But you can take it we're broadly familiar with the matter as it comes before us from the Department.

Steve, I'll tell you first, but invite you to sort of coordinate whether you want – you and your colleagues want to make any initial comments in relation to the ...

**MR O'DONOGUE:** [Audio glitch 00:05:15] ... of Energy and Resource Industry Infrastructure. I'll start by thanking the Commission for giving us the opportunity to brief you today on this modification. I am here today with my colleagues, Jessie Evans who's the Director of Resource and Energy Assessments, Melissa Dunlop, she's the Principal Planner from the Energy and Resource Assessments Team, and Sara Wilson will be joining us, an environmental consultant with GWP.

I'll just provide, I'll begin by providing some context to the application, noting as you've stated, Chair, the modification, the bulk of it aims to facilitate the beneficial reuse of coal washery reject from the Northern Coal Services Site, along with some other amendments to enhance the overall efficiency of coal and reject handling.

If you could just put up slide 1. I think we sent the PowerPoint presentations there, Brad, if you're there.

**MR BRAD JAMES:** Yes, Steve, I'll share that now.

**MR CHILCOTT:** And Steve, just to reiterate that you –

**MR O'DONOGHUE:** I know you've read the –

**MR CHILCOTT:** Yes, thanks.

**MR O'DONOGHUE:** There should be a – oh yes – should be figure up there, I think, Brad, if you just step up ... Yes. Up one more. There's that figure. Yes.

I won't go too much into the modification components because, as you've said, Commissioners, you've read the document. But just a brief overview to provide context. The Northern Coal Services is located on the western side of Lake

Macquarie about 25 kilometres southwest of Newcastle. It comprises service, coal handling and prep plant, the Newstan Colliery, which is to the north on the figure there, and the Cooranbong Entry Site which is to the south, and there's private haul roads connecting the Newstan Colliery and Awaba Colliery, Cooranbong site and the Eraring Power Station to get coal to the power station.

The Northern Coal Services facility is integral to the handling, processing and transport of coal from Newstan, and Mandalong Mine as well, which comes through an underground conveyor at the Cooranbong Entry Site. The coal handling and prep plants at Newstan and Cooranbong produce a waste produce known as coal washery reject (or CWR), and the reject is approved under current Development Consent to be disposed of it in three different areas within the Northern Coal Services Site.

I'll just provide an overview of the modification, with a summary of the key assessment issues to talk through today. If you to slide 2 there, Brad. So, there's four key aspects. It's about the beneficial use of coal, as we talked about, for engineering applications. Primarily through two means, the transport of 500,000 tonnes per annum of the reject to the Eraring Power Station, predominantly via back haulage, which is an important point in terms of minimising impacts. And also through the transport of 250,000 tonnes per year of reject from the Newstan site to external users to promote beneficial reuse off site for engineering purposes.

As noted previously, the reject material is approved to be in place within the reject emplacement areas, with the end landform rehabilitated as part of progressive mining operations. But I guess a key is with ongoing research and development, coal washery reject is being increasingly seen as an important economic by-product of coal mining for beneficial use in civil engineering applications.

So, the modification is really seeking to allow Centennial to provide the reject material to Eraring and other off-site users. This is part of the waste hierarchy and will reduce the amount of coal reject material disposed of in the Northern Coal Services operations, which is a good outcome.

Also important, I guess, to highlight that largely the modification seeks to utilise the existing approved truck movements on the haul road to Eraring, where possible.

The second modification component is mobile crushing and screening, which is just to improve the efficiency on site to process oversize reject materials across the site. The coal handling plant at Newstan processes coal to produce product coal and rejects, but due to the plant configuration, oversize material is produced and stored on site that requires that further handling.

The modification is only seeking to amend the way in which the oversize reject material is processed, that is by mobile crushing rather than stockpiling and processing later in the coal handling plant. So, there is an increased efficiency of that process.

5 The third modification component is to allow for additional coal and reject transport to Eraring Power Station, which is undertaken on existing private haul roads. And seeks to increase to 500,000 tonnes per annum of transport of middling product of coal product to the Eraring Power Station. The key point here is that the existing approved production limit and the existing approved truck movements won't change as part of what's proposed.

10 And the final modification component is really an amendment to the existing consent condition wording to link the timing of the Conservation Bond prior to the clearing of native vegetation rather than of a point in time.

15 If you just put up – Brad, if you could go to the next slide. Oh, just the one up there, yes, the figure above that. This figure's just showing the existing private haul road in yellow which trucks will be operating on, and the proposed public road route to connect into the Pacific Motorway to take reject to external customers.

20 Overall, the Department considers the impacts associated with the modification elements are largely consistent with the approved impacts. However, the key assessment issues considered by the Department were in relation to off-site traffic related to the movement of the 250,000 tonnes of reject, and amenity issues, noise and air quality associated with the additional mobile crushing operations.

25 I'll just hand over to Jessie now, who's been heavily involved in the assessment of this modification, to go through further aspects of the Department's assessment and to cover off the key agenda items that the Commission has tabled.

30 **MS JESSIE EVANS:** Thank you, Steve. Good morning, Commissioners and Chair. So, I am Jessie Evans, I'm the Director of Energy and Resource Assessments, and I'll take you through the next few slides.

35 Brad, could we please just move to the next one. So, touching on the agenda item of "Substantially the same development." I understand that this is of interest. So, I would like the suitability of the modification to be assessed under Section 4.55(2) of the Act, and to do this, it is important to understand the activities that were permitted in the original Development Consent.

40 I'm going to go through this quickly because it has been touched on already. But the approved consent for Northern Coal Services allows the Applicant to carry out coal transport and processing operations on the site, and that's defined in the consent as "processing, handling and storage of coal; the transport of coal by private haul road or conveyor; and transportation and emplacement of rejects and tailings."

45 So, a bit more specifically, that includes the surface coal handling and preparation facilities at Newstan and the Cooranbong site. It includes the private haul roads connecting Newstan, Awaba, Cooranbong and the power station. And it also

includes the receipt handling, processing and transport of ROM coal from Centennial's underground coal mining operations at Newstan, Awaba and Mandalong, which are subject to separate consents.

5 So, as Steve mentioned, the coal washery reject is a by-product of coal mining and that can be used in various civil engineering applications, including earthworks and engineering works, but also construction and maintenance of road infrastructure.

10 We'll pull up a table, and if we got to the next slide please, Brad. So, there are the four key aspects of the modification which have been outlined, and each aspect has been summarised in this table in relation to land use, and I would like to just touch on that a bit further now.

15 I acknowledge that it's probably a little bit of repetition, but it's important that we take the time to cover the view of land use and the modification to the approved activities. So, element one, we've labelled that as the "Beneficial reuse of the coal washery reject". So, I would like to note here that the existing approval currently provides for the management of reject at the three disposal areas at the Northern Coal Services Site.

20 And if we go to part 1a of that table, this is the part talking to the transport of up to 500,000 tonnes of the reject to the power station. And I would like to note that the production of the reject is already an approved activity, that element utilises an existing private haul road and the truck movements for this element would remain within the existing approved limits, and the activities would remain within the existing approved boundary. And it's also noted that the beneficial reuse of coal washery reject is consistent with the EPA's waste management hierarchy and ecological sustainable development principles, and it also reduces landfill disposal requirements.

25 So, the only change proposed for this element is the transportation of the reject to the power station for beneficial reuse. Northern Coal Services has the approval for the process and handling of the reject material. Part 1b of the table is speaking to the transport of up to 250,000 tonnes of the reject to off-site users. So, for this element, I note the following: that the production of the reject is already an approved activity at the site; and again that the beneficial reuse of the reject is consistent with the waste management hierarchy and ESD principles, and reduces the landfill requirements needed on site.

30 The change proposed for this element is the transportation to off-site users for beneficial reuse. The site already holds approval for the process and handling of the coal reject material.

35 And then just to the next slide.

**MR CHILCOTT:** And Jessie, it's probably useful as you go through this.

**MS EVANS:** Mm-hm.

**MR CHILCOTT:** For those who deal with particular things, we ask questions along the way.

**MS EVANS:** Of course.

**MR CHILCOTT:** I'll allow you to continue but I do have a question in relation to that previous slide. So, complete this, but we may come back. Thanks.

**MS EVANS:** I'm happy to flip back to the previous slide, if you want, and we can speak to that component of the modification before I move on, if that would be easier?

**MR CHILCOTT:** That's useful, thank you.

**MS EVANS:** Okay.

**MR CHILCOTT:** Just in relation to the transport to off-site users. One of the changes that appears to be proposed is that it's a commercial sale of material rather than simply a transport material. Have you considered that in terms of the "substantially the same" test? And that's part one.

And number two is, I understand this is a planning assessment, have you engaged with the legal department of the Department of Planning in relation to the legal application of the "substantially the same" test in law, and formed a view or has a view been formed by the Department with its legal services as to whether the matter, from a legal point of view, fits the "substantially the same" test? So, two parts to the question.

**MS EVANS:** Yes, two parts. Steve, jump in whenever you want to, but I will just start with, I understand some advice has been provided separate to this as well. But the "substantially the same" test, while the Department does consider it while we're doing our merit assessment, and we obviously form a view as to whether the modification pathway is appropriate, based on that test. Ultimately, it is a matter for the consent authority to form its view in the determination. That being said, we provide our consideration and our view of it prior to that.

Is there anything you wanted to add to that, Steve?

**MR O'DONOGHUE:** Not much, but look, we have – there's been discussions with our legal and we are comfortable with the position that it is substantially the same as the original development, based on the information we have to date and looking at the information in the modification application, and that's supported our view.

**MR CHILCOTT:** All right. Thanks for that. Just in relation to the "substantially the same" considerations, and while I appreciate you're going to take a merits

assessment, the nature of the “substantially the same” test is a legal one.

And whilst I appreciate the Department’s undertaken a merits assessment and you, if I understand it, you’re saying you’re leaving it to the Commission to determine whether from a legal standpoint it meets that test. It would be – you have given consideration within the assessment to a range of statutory considerations. You have an appendix at the back of the Assessment Report which details those. The thing that is absent from the statutory considerations in that appendix is the Section 4.55(2) requirements in relation to “substantially the same.”

So, I note your comment, I’ll just leave it open to the Department to consider and whether it wishes to augment its advice to the Commission in relation to that. And we can have, as well, discussions between legal representation.

**MR O’DONOGHUE:** Chair, we’d be happy – look, we’d be happy to provide more information and context in relation to that.

**MR CHILCOTT:** Thank you. Can I say, I think we’d find it helpful just to have that addressed within the assessment documentation, perhaps as a supplementary piece of advice.

**MS EVANS:** Okay.

**MR CHILCOTT:** Thank you.

**MS EVANS:** And I’ll just go back to your first part of the question in regards to the commercial sale of the material. The way we’ve approached the assessment is to do the merits of the potential impacts of the modification, and to make sure that they’re in line with policies and standard best practice.

This is my view, and people can jump in otherwise, but in my view, the commercial sale of that reject material is a commercial agreement between Centennial and whoever the off-site user may be, and doesn’t form a key consideration under the Act.

**MR CHILCOTT:** Would it be correct to say that the current consent does not include the commercial sale of material?

**MS EVANS:** It would include the sale of coal to the power station.

**MR CHILCOTT:** I understand the coal, but in terms of the ...

**MS EVANS:** The rejects?

**MR CHILCOTT:** The reject.

**MS EVANS:** I believe that is true, yes, but I would want to double-check, yes.



**MR CHILCOTT:** Thank you. Thanks Jessie, please ...

**MS EVANS:** Are you happy to move on, yes?

5 **MR CHILCOTT:** Yes, thank you.

**MS EVANS:** All right. So, I'll just quickly run through the rest of the components of the modification and how they relate to land use. So, the mobile crushing and screening plant that's proposed to be used for this element of the modification, the  
10 Northern Coal Services Site is already approved to process ROM coal material and produce the product coal and also the rejects.

The element of using this mobile crushing and screening plant remains within the existing approved production limits and it remains within the approved project  
15 boundary. So, the key change for this element of the mod is to process an existing approved product but in a mobile plant. And that just allows for flexibility in operations and also efficiency in coal handling.

So, part 3 in the table there is to allow for additional coal and reject transport to the power station. So, for this element, it remains within the existing approved  
20 production limit, it utilises the existing approved private haul roads, truck movements would remain within the existing approved limits, and it is an existing approved activity to transport middlings to the power station. So, the key change here is an increase in the amount of middlings by 500,000 tonnes.

25 And then part 4 is the amendment to the consent condition wording, linking the timing of the lodgement of the Conservation Bond to vegetation clearing, rather than being a time-based element. So, the approved condition would continue to remain, and the Conservation Bond would still be required. And the only change  
30 really is the timing and being linked to an actual impact rather than an arbitrary time-based condition.

So, based on the above and all the information in the table, the Department is confident that the modification does not introduce any new land uses. And we  
35 have carefully considered the modification against the original approval and are satisfied that it is considered substantially the same, noting that we will provide some further information on that after this meeting.

40 So, just to the next slide please, Brad. I know you've read the report, and we'll take it as read, so I can go through this pretty quickly. But we're just following the agenda items, so I might go through the slide and then pause and see if there's any questions on the specific item.

**MR CHILCOTT:** Thank you.

45 **MS EVANS:** So, in relation to traffic and transport impacts, the traffic assessment found that the relatively minor increase in heavy vehicle movements associated with the reject to external customers was considered unlikely to have an impact on

the capacity, efficiency or safety of the surrounding road network. As noted previously, all the other proposed transportation activities would be undertaken on the existing private haul road within the existing limits using that back haulage method.

The Department did initially raise some concerns in relation to the level of service of the key intersections proposed to be used. And as a result, Centennial committed to ensuring that the transportation of the reject on the public road network was restricted during peak periods at key intersections.

So, based on the information we were provided, we have recommended conditions stipulating that haulage limits and requiring Centennial to prepare and implement a Traffic Management Plan which includes a Driver's Code of Conduct. And subject to those conditions, we do consider that the traffic and transport impacts of the modification are acceptable.

**MR CHILCOTT:** Thank you.

**MS EVANS:** Any questions on that?

**MR CHILCOTT:** Yes, I'll invite my colleague, Simon, to see if he has any questions.

**MR SIMON SMITH:** Yes, thanks very much, Chair and Jessie. A couple of ones. I notice in your earlier slide, you made reference to the fact the existing approval for the project lists the form of transport that are permissible, which was on-site road, underground conveyor, or rail.

**MS EVANS:** Rail.

**MR SMITH:** So, I'm just wondering, was it an important part of the granting of the original consent that there would be no off-site haulage as part of what was approved before? And because this is kind of a significant change, to start using off-site public roads.

**MS EVANS:** Look, that's a great question. From my understanding of the original approval and it was before I was there, but from what we've read, it wasn't a component that what's proposed as it wasn't considered needed, because the rejects were going to be disposed of on site.

And it is with that new implementation of how we are able to use rejects in engineering and people's actual demand for, like, the market's demand for it as well now, is that there's a few companies now looking at how you can – how they can make use of the rejects that they've got on site. And it is a beneficial reuse, I guess, is what rather than just disposing on site. So, it probably wasn't envisaged at the time of the original approval.

**MR SMITH:** No, I appreciate ...

**MS EVANS:** It's a good question. Yes.

5 **MR SMITH:** I appreciate the arguments about the beneficial reuse. I'm  
challenging, well, what I'm trying to get to, is just that I wonder what the  
expectations are in terms of, oh, this is an on-site project, you know, this project  
does not make significant use of public roads for material transport, but now it is  
going to be one. And I'm just interested to hear if there was any information that  
10 you had about whether that was a view that prevailed when the project was first  
approved.

**MS EVANS:** I don't believe it was at the time the project was first approved,  
simply because it wasn't an envisaged use. Yes. But I'm happy to confirm that,  
15 and I think Steve's trying to talk too, sorry. Yes.

**MR O'DONOGHUE:** Yes, look, I was just going to say, probably because of the  
location of the mines compared relative to the power station, that there was always  
that ability to have a private road network rather than transportation on the public  
road network. So, it was probably never really contemplated that the, I guess, the  
20 beneficial reuse – the tonnages we're talking about for beneficial reuse are a lot  
lower than the tonnages of coal transported through the private networks. It is a lot  
lower production and vehicles than it would be if you were hauling coal on a  
public road network, which still does happen.

25 And certainly, when we're talking about large volumes, we encourage the use of  
rail or private haul – an example is that in Gunnedah where it's railed out, where  
there is limited road haulage from some of the mines. But part of that is on private  
road networks, then onto the public road. So, it still does happen, but again, we're  
talking about large tonnages of coal being transported.

30 **MR SMITH:** Thank you for that. I'd like to just now move onto those  
intersections that you described. So, we note that the modelling showed this  
reduced functioning of those intersections during peak hour and you've  
recommended and the proponent has agreed to reducing the number of movements  
35 during those peak times.

Does that mean that those roads, like, presumably they've been getting gradually  
busier and busier over the years, do those assessments make – like, what  
40 assumptions are built into that about ... Like, if you're going to add this little bit  
extra in peak hour there, when does that still, with future traffic growth, still then  
take it to the point of dysfunction, compared to avoiding bringing it immediately  
to the point of dysfunction by if the traffic movements were unconstrained?

45 **MS EVANS:** Yes, there is assumptions built into the model for traffic, and they  
often do include future projections as well, and they also often take into account  
cumulative impacts from other nearby developments. For the specifics of this  
project, I would have to go back and dig into the traffic impact assessment and  
pull them out for you. But we can certainly take that question on notice and do

that.

**MR SMITH:** Yes, if you wouldn't mind, yes. And do you – is there significant heavy vehicle movement on this road already?

**MS EVANS:** There is, but the exact numbers I wouldn't be able to tell you off the top of my head. But they are fairly main thoroughfares, yes.

**MR SMITH:** Right, okay. And the noise impact on the residents, I think there were a number of residents who made submissions when the proposal was exhibited. Could you just comment on the significance of those noise impacts on those affected residents?

**MS EVANS:** Yes. I do have a slide on noise in a minute which looks at the road noise as well. But it was found that the impact would not be significant from the proposed modification.

**MR SMITH:** I'll leave it till you get to that slide. That's all I had on traffic and transport, thank you.

**MR CHILCOTT:** And I had one question, just in relation to the fourth point where you're proposing that the Applicant prepare a Transport Management Plan including a Driver's Code of Conduct. Often in the way consents or approvals are given for particular things, a Traffic Management Plan with a Driver's Code of Conduct might be prepared and then its implementation subject to a condition. You're proposing in this instance to require the plan to be prepared following a potential approval.

Can you just take me through what is your proposed method of sign off of that plan, to ensure that it's going to do the job, so to speak, rather than ... I think you said, I read it was to be prepared in consultation with Council and the Department. But where's the sign off on it so that it is actually deemed to be adequate, rather than simply requiring the plan to be prepared in consultation?

**MS EVANS:** Yes. So, the sign off sits at Director level, so at my level within the Department. And I actually have the post-approval team sit within my Assessments and Post-Approval Team and they are the ones that do the assessment of management plans. It is a very robust process as to how management plans are assessed, and there is often quite a bit of back and forth with different companies until we get to the point where we are satisfied.

**MR CHILCOTT:** Thanks. So, you'll be acting under the delegation of the Secretary to sign off?

**MS EVANS:** Yes.

**MR CHILCOTT:** Thank you. Thanks, Jessie, please proceed.

**MS EVANS:** All right. Next question. Next slide, sorry. Development contributions. So, as we've been discussing, the transport of the reject to external users will be on the public road network and those roads are managed by Lake Macquarie City Council.

So, during both the review of the modification report and the draft conditions, the Council did expressly request a condition of consent requiring that heavy vehicle haulage on local roads be subject to a haulage levy in accordance with their Development Contributions Plan.

In the response to submissions, Centennial agreed to pay this fee in consultation with Council, and as such, the Department did recommend a condition requiring that the contributions and timing of payment be determined in consultation with Council. However, it is noted that since referring this modification to the Commission, it's become apparent that the condition wording and the formal mechanism will require a review and amendment, and we're very happy to support any such approach in this regard to ensure that the contributions are still payable and done so under an appropriate method.

Any questions on that one?

**MR CHILCOTT:** Not from me. Simon?

**MR SMITH:** No.

**MR CHILCOTT:** Thank you.

**MS EVANS:** Next slide, please. So, this is just briefly discussing the noise impacts of the modification, which are predominantly associated with the mobile crushing unit but also the transportation of the rejects to external customers.

So, the noise assessment found that under noise enhancing weather conditions, there were three private receivers predicted to have experiences of 1 to 3 decibels. The noise assessment found that the traffic noise levels at the surrounding residences would remain below the relevant noise criteria.

Nevertheless, in order to further mitigate any noise impact, Centennial did commit to installing an acoustic barrier around the three sides of the mobile crushing plant. And further to this, the Department recommended that the following conditions mitigate any further noise impacts.

So, first off, restricting the operating hours of the mobile crushing plant. And secondly, restricting the operating times that they could do to 20 weeks per year. And thirdly, requiring an update to the existing Noise Management Plan to include specific noise monitoring, mitigation and management measures to be implemented for the crushing and screening plant, that includes operating the real-time noise management system on a continual basis.

And subject to those conditions, we think that the noise impacts of the modification are acceptable.

5 So, I'll just go back to your question about traffic noise. Traffic noise for this modification was found to be below the relevant noise criteria.

**MR CHILCOTT:** Simon did you have any?

10 **MR SMITH:** Yes, I did. I'm happy with that on the traffic response. I would like to talk about the crushing plant. A couple of questions. So, I found the Sunday operation a bit curious, that's it just one hour later. Is the case being made as to why work needs to be done on Sunday at all?

15 **MS EVANS:** Works are currently done on those days, so I guess it just gives them the flexibility to also use the plant on those days.

**MR SMITH:** Will the mobile crushing plant be located exactly next to the existing ...?

20 **MS EVANS:** No. The advantage of the mobile crushing plant is they can move it around to where they need to.

**MR SMITH:** Right. So, it might be generating different noise exposures to those residents than the existing plant?

25 **MS EVANS:** Yes.

30 **MR SMITH:** So, it just seemed – I just wondered what the argument is as to why it's necessary to have it on the Sunday, why there's no respite in the case that, you know, it was located close to those affected homes or receptors, why it would be necessary to do it on Sunday as well when the plant is only intending to operate part of the year in any case. So, it's not like a 24-by-7 operation.

35 **MS EVANS:** No. It would be just to provide that flexible operational powers and also to continue – like, if they were at a particular spot on site, to allow them to continue to operate at that particular point on the site without trucking all the way back to the existing processing plant.

40 I don't want to speak too much for Centennial as to justification for why they would need it on a Sunday, and I think it would be a question that could definitely be put to them.

45 **MR SMITH:** Yes, because, I mean, I get it, if there's a significant cost to ramp up and ramp down, but they're going to be ceasing operations every day at 5 p.m. and there doesn't seem to be a technical reason why it would be necessary to operate every day.

**MS EVANS:** No, and as I said, I don't want to speak for Centennial, but it would

also, on the opposite side to that, is – yes, actually, I think it’s probably better to ask Centennial.

5 **MR SMITH:** Yes. And we had another question related to the acoustic barriers. So, we know that the company’s committed to installing them, which is good.

**MS EVANS:** Mm-hm.

10 **MR SMITH:** Is there any reason there’s not a condition that requires that? Are you satisfied that there’s an enforceable obligation created by the recommendation that they would always be there?

15 **MS EVANS:** Yes, it comes – so, in my view, it comes under that they are required to operate in accordance, like, generally in accordance with the EIS and modification reports which is where the commitment is made. But also we would be expecting to see it in the updates to the Noise Management Plan, which is another plan that I would have sign off on.

20 **MR SMITH:** Mm. And do those commitments, are they sufficient? I mean, like, does it fully describe the extent to which the thing, you know, how big it has to be and how effective it has to be etc.?

**MS EVANS:** The Noise Management Plan will have all those details, yes.

25 **MR SMITH:** And that’s a plan that you have – they have to modify it and then you review it and sign off on it?

30 **MS EVANS:** They have an existing one and they’ll need to modify it to update it to be based on what they’ve – in the event of any approval for what they were approved for. And then that will come back to us for thorough review, and it needs another sign off. And that’s a public-facing document as well, it goes on their website.

35 **MR SMITH:** Right.

**MR CHILCOTT:** Jessie, can I just ask. So, as I understand it, from what you’re saying, there is no design apparently for that acoustic barrier?

40 **MS EVANS:** I don’t know off the top of my head, sorry. Sara or Mel, if they’re on the line, might know the design.

45 **MR CHILCOTT:** I’m just wondering if, again, in normal circumstances where one’s approving works on a site, you’d have a design that says this is what it looks like and this is where it will go, so you can assess not just noise but visual impact and so forth.

**MR O’DONOGHUE:** They would have made assumptions in the noise modelling about the size and effectiveness of any noise barrier, and the height. So, they’d be

guided by the modelling in terms of what attenuation that does.

I guess the other issue is if they didn't put it there, they're required to do monitoring, based on the monitoring, they wouldn't be able to comply with the noise limits, so they'd be compliance issue for them in not putting the barrier there. And we'll be requiring – you know, there's monitoring that occurs already, attended monitoring, and we'll be requiring them to do monitoring when these activities occur as well.

**MR SMITH:** So, the combination of the commitments and the updated plan will ensure that sufficiently effective acoustic control is put in place so that there are no exceedances at the neighbouring receptors?

**MR O'DONOGHUE:** If they didn't put it in, there'd be, based on their modelling, there'd be a non-compliance, right, so they're required to put in there, sets to meet the conditions of consent.

**MR SMITH:** Right, okay. Thank you. No other questions on noise, from me.

**MR CHILCOTT:** Jessie.

**MS EVANS:** I'm happy to move onto the next slide please, which just very quickly touches on air quality and greenhouse gas. So, in relation to the air quality impacts of the modification, all the relevant air quality criteria both incremental and cumulative are predicted to be met, with the exception of one sensitive receiver.

Neither Lake Macquarie City Council or the EPA raised any objections or concerns in relation to the air quality aspects of the modification. In fact the EPA expressly acknowledged that the proposed activities are not predicted to result in any significant increase to air quality impacts. Centennial currently operate a real-time air quality monitoring system which will continue for the modification and also guide the day-to-day operations of the site.

So, just quickly in terms of greenhouse gas emissions, the modification would marginally increase the annual Scope 1 and Scope 3 greenhouse gas emissions. Predominantly that's associated with the additional diesel for fuel usage, that's coming in about from the transportation. And this would represent an increase of approximately 1% of approved emissions. Scope 2 greenhouse gas emissions would remain unchanged.

So, based on the above and the advice that we've received, the Department considers that the potential air quality and greenhouse gas impacts are acceptable and could be appropriately managed.

**MR CHILCOTT:** Thank you. Again, I'll just check with Simon in relation to – do you have questions?



**MR SMITH:** I did. Can you just take us into the who the one sensitive receiver is?

**MS EVANS:** Mel, I might jump to you for that one. I don't know if we've got a figure on hand or anything.

**MS MELISSA DUNLOP:** Hello, sorry, Melissa Dunlop here. I will try and grab a figure up. It is, from memory, one receiver called R14, they're numbered in the modification report. But I will see if I can bring a figure up and show it at the end of the meeting. There's one more slide to go. If that's suitable?

**MR SMITH:** Yes, that's great, yes, thank you.

**MR CHILCOTT:** Thank you.

**MS EVANS:** And I'll just add to that. The advantage of the real-time air quality monitoring and potentially also having the mobile crushing plant, but regardless of whether they had that or not, is that they can move their operations around on site to avoid impacts.

Okay. I might just jump to the next slide. Thanks, Brad. So, just quick – the Conservation Bond. The modification is seeking to amend the condition in relation to the timing. It's currently expected to be lodged on the 31st of July this year to compensate for the clearing of native vegetation within specific areas at Newstan. It is understood that Centennial has advised that the clearing is yet to be undertaken, and will not be in the near future. So, therefore they're seeking to change that timing of the vegetation to when the vegetation is – or prior to clearing of the vegetation rather than just in July this year.

That is now standard practice, linking it to vegetation clearance, and it is considered appropriate. So, we've recommended a condition, which is Condition 20 of Schedule 3, which is the existing Conservation Bond condition, be amended accordingly to reflect that.

Any questions on the Conservation Bond, no?

**MR CHILCOTT:** Just one short one, which is, you're satisfied that prior to, which could be one hour before, for example, is sufficient to ensure that the bond is paid in advance? So, you don't see any benefit in putting in a period of time to ensure that it's there prior to the clearing?

**MS EVANS:** It means that they can't clear without it being in place. So, if they put it in one hour before and it wasn't appropriately in place, they still couldn't clear. So, there's a couple of steps with a Conservation Bond that need to be completed before it's fully in place. Yes.

**MR CHILCOTT:** I'm just wondering, you know, if they said, "Well, we think we've transferred it." And you say, "Well, we haven't seen it." How does that

work in practice?

**MS EVANS:** In practice, the bonds are handed over in person, generally speaking. Sometimes you can do it via the bank branch, but generally speaking, there's an in-person transaction.

**MR CHILCOTT:** Right. Thank you.

**MS EVANS:** The next slide is just a summary of the Department's assessment. So, as we've spoken about today, I just want to finish with a summary of our assessment and for the reasons outlined in this presentation, we do consider the proposed modification can be considered substantially the same. And we recognise the benefits of the proposed beneficial reuse of the coal washery reject by reducing the volumes of the waste materials requiring disposal. The amendment linking to the timing of the Conservation Bond is considered standard practice and appropriate.

And we have considered the impacts of the modification broadly and are satisfied that the modification is similar in nature and scale to those of the existing operations, any impacts can be managed through the existing and proposed conditions of consent.

So, in conclusion and as per the Assessment Report, we consider that the modification is in the public interest and is approvable, subject to the recommended conditions.

I would like to thank you for your time this afternoon and we're very happy to take any follow-up questions as well, and we might have the slide almost – figure almost ready.

**MR CHILCOTT:** Thanks, Jessie.

**MS DUNLOP:** Yes, we do. I've just sent it through to Brad. And my apologies, it was sensitive receiver 5.

**MR SMITH:** No worries.

**MR JAMES:** Mel, I've just used a separate map. I think this is from the consolidated consent, but I think it shows the same receivers. It's correct that this is the receiver in question?

**MS DUNLOP:** Yes, that's it. Thank you. And also, there was a question earlier just about how they've incorporated the crushing plant into the noise modelling. There were four different, I suppose, selected worst-case scenarios that they have modelled, and that's actually in their Noise Assessment Report as well.

**MR SMITH:** So, looking at NC5, that's the location that could be affected by dust. So, what would happen if there were a number of exceedances of dust

experienced at NC5?

5       **MS EVANS:** If there are exceedances, it's a compliance matter. But they have the ability to be somewhat flexible with their operations and by doing the real-time monitoring, they can either stop before they get to an exceedance or they can move to a different part of the site and commence work somewhere else. So, there's a couple of different operational options they have to avoid even getting to the point where they are at an exceedance.

10       **MR SMITH:** So, there's an operation of the approval in the plans etc.?

**MS EVANS:** Yes.

15       **MR SMITH:** Would leave to them to seeing, "Oh, okay, look, it looks like it's getting dusty in NC5, so for today we better do something different – wait for the wind changes or go and work somewhere else."

**MS EVANS:** That's correct, yes.

20       **MR SMITH:** Okay, thank you.

**MS DUNLOP:** And also, that impact is under worst-case scenario, with prevailing winds and everything blowing in that direction.

25       **MR SMITH:** Which does happen sometimes.

**MS DUNLOP:** Yes, definitely. But they've got that ability to amend as per the plan.

30       **MR SMITH:** Thank you.

**MS EVANS:** Steve, were you going to say something, sorry?

35       **MR O'DONOGHUE:** Just Simon, it's fairly standard practice for the coal mines in their Air Quality Management Plans to have tarps and trigger levels and procedures to manage high levels of dust in the atmosphere. And including looking at cumulative impacts with other mines and operations.

40       **MR SMITH:** Okay, yes, no, I'm satisfied on that one. Thank you.

**MR CHILCOTT:** Thank you. Well, thanks everybody for your time this morning, we've very much appreciated the insights you've been able to provide to us. I think there's at least one matter which you're going to come back us on, but I think the normal practice would be we'll communicate ...

45       **MS TAHLIA HUTCHINSON:** Yes, we will send a formal letter with any questions taken on notice.

**MR O'DONOGHUE:** Okay.

**MS EVANS:** Thank you.

5 **MR CHILCOTT:** Thank you.

**MR SMITH:** Sounds good.

10 **MR CHILCOTT:** Anything else from you, Steve and colleagues?

**MR O'DONOGHUE:** No, I'm fine. Thanks for the opportunity.

15 **MR CHILCOTT:** No, that's fine. I just note for the record Ms Wilson wasn't able to join us evidently for the presentation, so I'll just state that. All right, thank you everybody. I appreciate the time.

**MS EVANS:** Thank you.

20 **MR SMITH:** Thanks for your time.

**MS EVANS:** Thank you.

**>THE MEETING CONCLUDED**