

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, the Independent Planning Commission approves the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Sydney

2025

SCHEDULE 1

The development consent (SSD-5145) for the Northern Coal Services Project, granted by a delegate of the Minister for Planning, on 29 September 2015.

SCHEDULE 2

1. In the list of definitions delete the terms “CPHR”, “DPE Water”, “Heritage NSW”, “Material harm to the environment”, “Minister”, “Secretary”, “Water Group” and their associated definitions, and insert the following in alphabetical order:

BC Act	<i>Biodiversity Conservation Act 2016</i>
CPHR	Conservation Programs, Heritage and Regulation Group of NSW Department of Climate Change, Energy, the Environment and Water
EIS	Project application SSD-5145 and supporting documentation, including Environmental Impact Statement titled Northern Coal Logistics Project Environmental Impact Statement, dated September 2014; associated response to issues raised in submissions, titled Northern Coal Logistics Project Response to Submissions, dated February 2015; and additional information regarding residual concerns, titled Mandalong Southern Extension Project Response to RTS Report, dated April 2015, as amended by: • Modification application SSD-5145 MOD 1 and supporting documentation, including Statement of Environmental Effects titled ‘Northern Coal Logistics Project Development Consent SSD-5145 Section 96(1A) Modification Statement of Environmental Effects’ dated October 2017, and the Response to Submissions titled RE: SSD-5145 MOD 1 Response to Submissions Letter Report dated 15 December 2017, all prepared by Centennial Coal Company Ltd. • Modification application SSD-5145 MOD 3 and supporting documentation, including Modification Report titled “Centennial Administrative Modification to Align Development Consent Conditions with Contemporary Requirements under the Mining Act 1992” (dated 22 August 2022). • Modification application SSD-5145 MOD 5 and supporting documentation, including Modification Report titled “<i>Modification Report for Modification 5 to SSD-5145 (MOD5)</i>” dated September 2024; the Response to Submissions titled “<i>SSD-5145 Modification 5 Response to Submissions Report</i>” dated December 2024; and additional information dated 17 April 2025.

- Modification application SSD-5145 MOD 4 and supporting documentation, including Modification Report titled “*Modification Report for Cooranbong Entry Site Stockpile Extension*” dated 5 February 2025; the Response to Submissions titled “*SSD-5145 Modification 4 Submissions Report*” dated August 2025; the Amendment Report titled “*SSD-5145 Modification 4 Amendment Report*” dated August 2025; and additional information dated 4 May 2026; 26 June 2026; 30 June 2026; and 13 August 2026.

EPBC Act Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

Material harm to the environment Is harm that:

- involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or
- results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

This definition excludes “harm” that is authorised under either this consent or any other statutory approval.

Minister Minister for Planning and Public Spaces, or delegate

Planning Secretary Planning Secretary under the EP&A Act, or nominee

2. Before each instance of the word “Secretary” insert “Planning”.
3. Delete condition 2 of Schedule 3, and replace with:

Operational Noise Criteria

2. The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.

Table 2: Operational Noise Criteria

Location	Day	Evening	Night	
	LAeq(15 min)	LAeq(15 min)	LAeq(15 min)	LAFmax
All privately-owned residences	40	40	40	52

Note: The noise assessment areas are shown in Appendix 4.

- 2A. Noise generated by the development must be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the *NSW Noise Policy for Industry* (EPA, 2017). Appendix 3 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.
- 2B. The noise criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.
4. Delete condition 3 of Schedule 3 and replace with “deleted”.
5. In condition 10(a) of Schedule 3, after “EPA”, insert “and Transgrid”.
6. Delete condition 19 of Schedule 3, and replace with:

Biodiversity Management Plan

19. The Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- be prepared by suitably qualified and experienced person/s;
 - be prepared in consultation with HLLS, and submitted to the Planning Secretary for approval prior to clearing any native vegetation under Modification 4;
 - be consistent with the Biodiversity Development Assessment Report for Modification 4 and the commitments included in the documents listed in condition 2 of Schedule 2;
 - describe the short-term, medium-term, and long-term measures that would be implemented to:
 - manage remnant vegetation and habitat at the site;
 - avoid or minimise direct and indirect impacts to threatened species outside of proposed areas of ground disturbance; and
 - implement the Biodiversity Offset Strategy;
 - include detailed performance and completion criteria for the Biodiversity Offset Strategy;
 - include a detailed description of the measures that would be implemented over the next 3 years (to be updated for each 3-year period following initial preparation of the plan) to:
 - maximise the salvage of resources within the approved disturbance area, including tree hollows, vegetative and soil resources, for beneficial reuse on site, including fauna habitat enhancement;
 - manage potential indirect impacts on threatened plant and animal species;
 - enhance the quality of existing vegetation and fauna habitat;
 - minimise the impacts to fauna, including undertaking pre-clearance surveys and implementing fauna recovery and management protocols;
 - replace cleared hollow-bearing trees with appropriate nest boxes at a ratio of 2:1;
 - provide for the translocation of *Tetratheca juncea* clumps affected by the development;
 - manage salinity;
 - control weeds and feral pests, with consideration of actions identified in relevant threat abatement plans;
 - control erosion and unauthorised access; and
 - manage bushfire risk; and
 - include a program to monitor and report on these measures, and progress against the performance and completion criteria.

The Applicant must implement the plan as approved by the Planning Secretary.

7. After condition 20 of Schedule 3, insert:

Modification 4 Biodiversity Offsetting Requirements

- 20A. The Applicant must retire biodiversity credits for Modification 4 as specified in Table 5 below, prior to commencing native vegetation clearing for Modification 4. The retirement of credits must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act*. Written evidence of the retirement of these credits must be provided to the Planning Secretary prior to commencing native vegetation clearing associated with Modification 4.

Table 5: Biodiversity Offset Liabilities

Ecological feature	Impact area (ha)	Total credits required
Ecosystem credits		
PCT 3583 - Hunter Coast Lowland Scribbly Gum Forest	2.93	83
Species credits		
Black-eyed Susan (<i>Tetratheca juncea</i>)	2.93	95
Masked Owl (<i>Tyto novaehollandiae</i>)	2.93	95
Small-flower Grevillea (<i>Grevillea parviflora</i> subsp. <i>Parviflora</i>)	2.93	95
Squirrel glider (<i>Petaurus norfolcensis</i>)	2.93	95
Dual credit species		

Ecological feature	Impact area (ha)	Total credits required
South-eastern Glossy Black Cockatoo (<i>Calyptorhynchus lathami lathami</i>)	2.93	95
Swift Parrot (<i>Lathamus discolor</i>)	1.14	55

* Credits retired for impacts on EPBC Act listed species and associated habitat must be like-for-like.

8. Delete conditions 1 and 2 of Schedule 4 and replace with:

NOTIFICATION OF LANDOWNERS

1. If the results of the monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Applicant must, as soon as practicable and no longer than 7 days of obtaining the monitoring results, notify the Planning Secretary, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 3 and publish the results on its website.
2. If the results of monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant air quality impact assessment criteria in schedule 3, then the Applicant must send the relevant landowners and tenants (including tenants of mine owned properties) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (and associated updates) in conjunction with the notification required in condition 1.

INDEPENDENT REVIEW

3. If a landowner considers the project to be exceeding the impact assessment criteria in schedule 3, then he/she may ask the Planning Secretary in writing for an independent review of the impacts of the project on his/her land.

If the Planning Secretary is satisfied that an independent review is warranted, the Applicant must within 2 months of the Planning Secretary's decision:

- (a) consult with the landowner to determine his/her concerns;
- (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to conduct monitoring on the land, to:
 - determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and
 - identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and
- (c) give the Planning Secretary and landowner a copy of the independent review.

If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.

4. If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Planning Secretary.

If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 3, and that the project is primarily responsible for this non-compliance, then the Applicant must:

- (a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria and conduct further monitoring to determine whether these measures ensure compliance; or
 - (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria,
- to the satisfaction of the Planning Secretary.

If further monitoring under paragraph (a) determines that the project is complying with the relevant criteria, then the Applicant may discontinue the independent review with the approval of the Planning Secretary.

9. Delete condition 9 of Schedule 5 and replace with:

Incident Notification

9. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.

The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 7.

10. After condition 9 of Schedule 5, insert:

Non-Compliance Notification

- 9A. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

11. After condition 13 of Schedule 5, insert:

MONITORING AND ENVIRONMENTAL AUDITS

- 13A. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the project to provide data on compliance with the consent or on the environmental impact of the project, and an "environmental audit" is a periodic or particular documented evaluation of the project to provide information on compliance with the consent or the environmental management or impact of the project.

- 13B. Noise and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Part B, providing that these representative monitoring locations are set out in the respective management plan/s.

12. Delete condition 14 of Schedule 5 and replace with:

ACCESS TO INFORMATION

14. Within 3 months of the date of this consent until the completion of all rehabilitation required under this consent, the Applicant must:

- (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website:
 - (i) the documents referred to in condition 2 of Schedule 2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) minutes of CCC meetings;
 - (vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (viii) a summary of the current phase and progress of the development;
 - (ix) contact details to enquire about the development or to make a complaint;
 - (x) a complaints register, updated monthly;
 - (xi) incidents and non-compliances;
 - (xii) the Annual Reviews of the development;
 - (xiii) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xiv) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

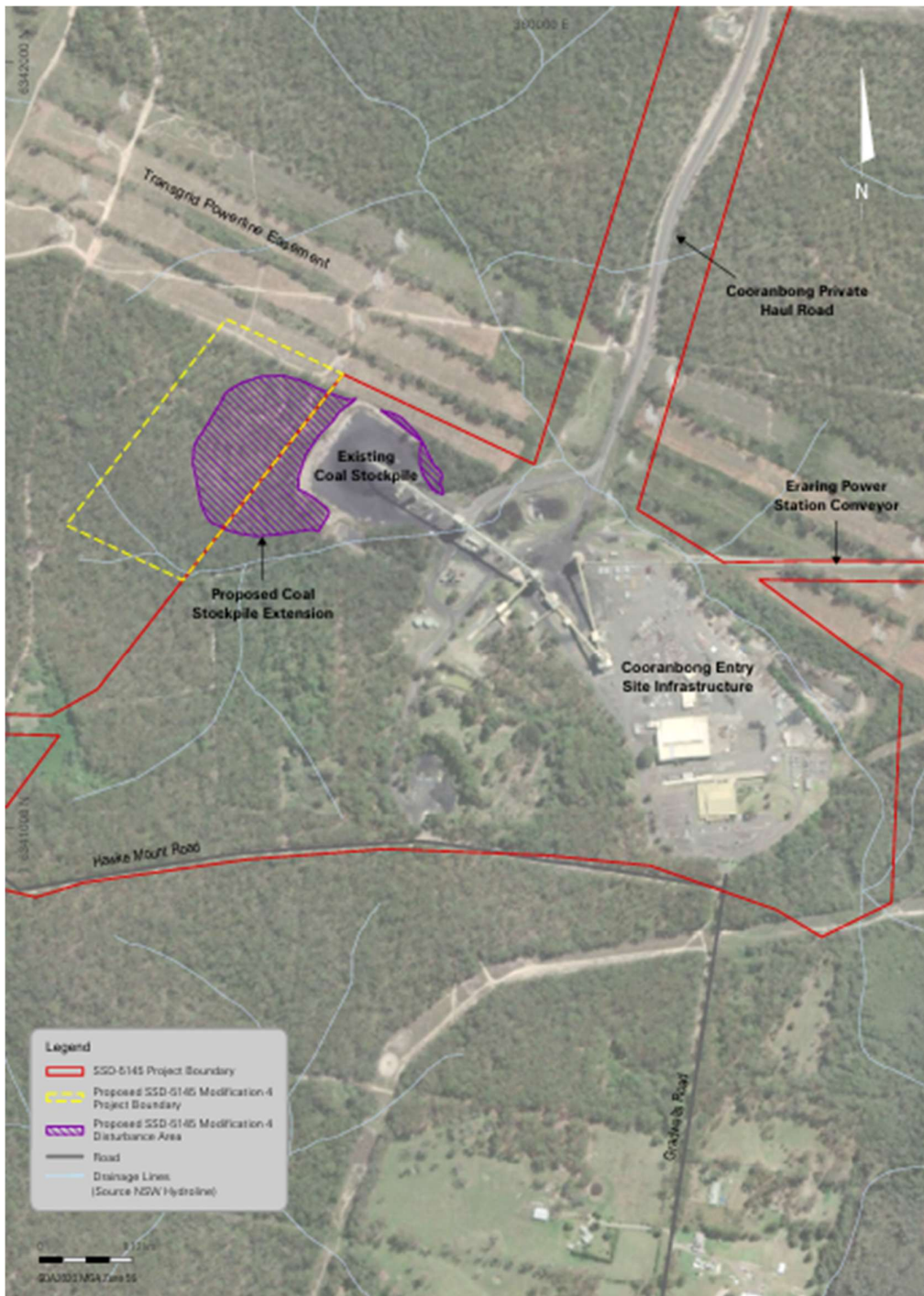
13. In Appendix 1, delete the table and replace with the following:

Table 7: Schedule of Land

Lot	Section	Deposited Plan	Lot	Section	Deposited Plan	Lot	Section	Deposited Plan
1	A	6747	214		755207	11		1031859
2	A	6747	215		755207	12		1031859
318		39722	216		755207	10		1050120
4		46737	223		755207	11		1050120
5		46737	225		755207	447		1064562
6		46737	230		755207	1		1108065
1		121470	234		755207	435		1111527
2		233639	97		755218	65		1126625
5		239629	101		755218	100		1127677
6		239629	102		755218	101		1127677
8		239629	169		755218	259		1139078
9		239629	170		755218	7304		1149082
23		264502	171		755218	7305		1149082
24		264502	173		755218	100		1149240
C		381399	179		755218	102		1149241
1		582126	184		755218	103		1149241
441		583057	186		755218	104		1149241
442		583057	187		755218	63		1159769
443		583057	210		755218	1		1160264
591		607932	616		817275	7306		1164232
1		659579	1		817425	7309		1164559
211		702166	8		821188	7322		1166295
221		702167	100		828283	7341		1169843
148		728974	101		828283	7335		1170004
149		728974	20		840668	7337		1170022
20		734860	211		840670	7336		1170023
21		734860	1		960790	7338		1170024
27		755207	11		1031778	7343		1186699
64		755207	12		1031778	1		1191308
66		755207	13		1031778	1		1191489
78		755207	15		1031778	473		1207251
153		755207	16		1031778	474		1207251
206		755207	17		1031778	475		1207251
207		755207	18		1031778	476		1207251
208		755207	19		1031778	477		1207251
210		755207	20		1031778	478		1207251
211		755207	1		1031859	1001		1265875
212		755207	4		1031859	1		1297104
213		755207	8		1031859			

14. Insert the following after Appendix 2B:

APPENDIX 2C: CES STOCKPILE EXTENSION



15. Delete Appendix 3 and replace with:

APPENDIX 3: NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Schedule 3, Table 2 of the conditions are to apply under all meteorological conditions except the following:
 - (a) where 3°C/100 metres (m) lapse rates have been assessed, then:
 - (i) wind speeds greater than 3 metres/second (m/s) measured at 10m above ground level;
 - (ii) temperature inversion conditions between 1.5°C and 3°C/100m and wind speeds greater than 2m/s measured at 10m above ground level; or
 - (iii) temperature inversion conditions greater than 3°C/100m.
 - (b) where Pasquill Stability Classes have been assessed, then:
 - (iv) wind speeds greater than 3m/s at 10m above ground level;
 - (v) stability category F temperature inversion conditions and wind speeds greater than 2m/s at 10m above ground level; or
 - (vi) stability category G temperature inversion conditions.

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station required under condition 10 of Schedule 3.

Compliance Monitoring

3. Unless otherwise agreed by the Planning Secretary, attended compliance monitoring must be carried out in accordance with the relevant requirements for reviewing performance set out in the NSW Noise Policy for Industry (EPA, 2017), in particular the requirements relating to:
 - (a) monitoring locations for the collection of representative noise data;
 - (b) meteorological conditions during which collection of noise data is not appropriate;
 - (c) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and
 - (d) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration,
 - (e) modifying factors apart from adjustments for duration,

with the exception of applying appropriate modifying factors for low frequency noise during compliance testing. This should be undertaken in accordance with Fact Sheet C of the NSW Noise Policy for Industry (EPA, 2017).

16. Insert the following after Figure 1 in Appendix 4:

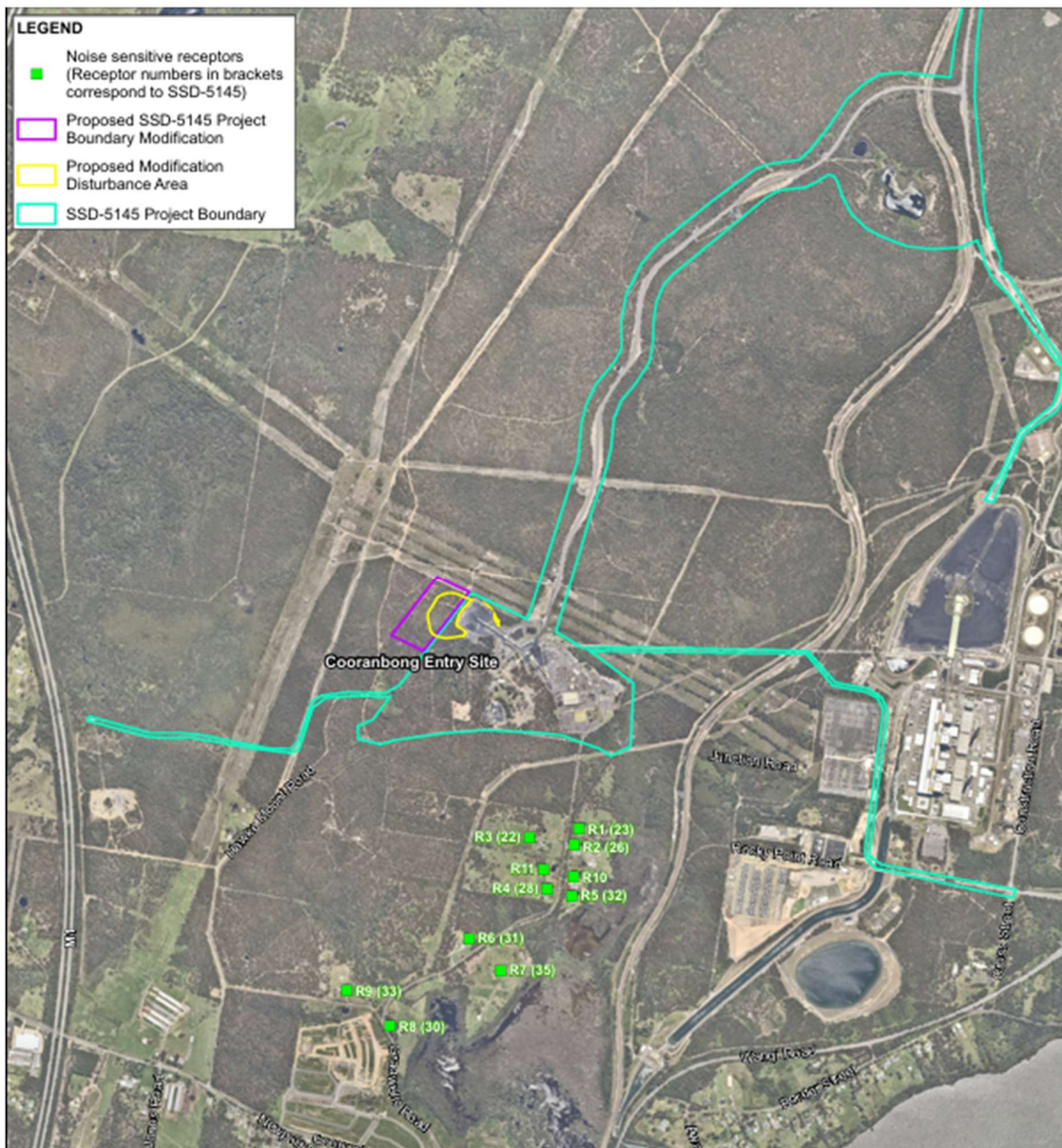


Figure 2: CES - Noise Receiver Locations

17. Insert the following after Appendix 6:

APPENDIX 7: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Incident Notification Requirements

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
 2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition D5 or, having given such notification, subsequently forms the view that an incident has not occurred.
 3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition D5), the Applicant is required to submit a subsequent incident report that:
 - a) identifies how the incident was detected;
 - b) identifies when the Applicant became aware of the incident;
 - c) identifies any actual or potential non-compliance with conditions of consent;
 - d) identifies further action(s) that will be taken in relation to the incident; and
 - e) a summary of the incident;
 - f) outcomes of an incident investigation, including identification of the cause of the incident;
 - g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - h) details of any communication with other stakeholders regarding the incident.
 4. The Applicant must submit any further reports as directed by the Planning Secretary.
18. Delete "Department of Planning and Environment" in the footer and replace with "Department of Planning, Housing and Infrastructure".

**End of modification
(SSD-5145 MOD 4)**