



23 April 2019

Mr Howard Reed  
Director, Resource Assessments  
Department of Planning and Environment

By email: [REDACTED]

Dear Mr Reed

### **United Wambo – Open Cut Coal Mine (SSD 7142)**

I refer to the United Wambo Open Cut Coal Mine Project (SSD 7142) (the **Project**) referred to the Independent Planning Commission (the **Commission**) on 12 November 2018 by the Department of Planning and Environment (the **Department**).

The Commission has received additional information from the United Wambo Joint Venture (the **Applicant**), including:

- *Response to Independent Planning Commission February 2019 Public Meeting*, dated April 2019 (**Response 1**); and
- *Response to the Findings in the Rocky Hill and Wallarah 2 Cases on Climate Change and Greenhouse Gas Emissions*, dated 14 April 2019 (**Response 2**).

The Commission requests that the Department provide additional information and advice in relation to the below.

#### **Noise**

The Commission requested that the Applicant provide the Project Specific Noise Limits (**PSNLs**) to the nearest tenth of a decimal for properties within the Redmanvale Road acoustic zone. The Applicant's response at Section 3.1.1, Table 3.1 of Response 1 sets out the target PSNLs and Table 3.2 of Response 1 provides the operational noise levels to the nearest tenth of a decimal.

The Commission notes that Table 1 in draft Condition B1 of Schedule 2 sets out operational noise criteria for the Project in each noise assessment location that differs from the information provided by the Applicant in Table 3.1.

The Commission requests that the Department undertake the noise assessment analysis to the first decimal place, for all noise assessment locations across the Project and using this information, advise whether any changes to draft Conditions D1 and D2 would be necessary.

#### **Final Landform**

The Commission requested that the Applicant provide additional information in relation to the most desirable, evidence based, environmental outcome in relation to the Wambo void, setting aside economic (and other) considerations.

Sections 2.7 and 3.1.2 of Response 1 outline the Applicant's additional assessment of potential environmental benefits and adverse environmental consequences of filling the proposed voids. The Applicant also provided additional groundwater modelling undertaken by Australasian Groundwater and Environmental Consultants Pty Ltd (AGE), dated April 2019, to assess the groundwater impacts associated with backfilling the Wambo void.

The Commission requests that the Department undertake an assessment of the Applicant's response referred to above, including, but not limited to the:

- additional groundwater modelling;
- Applicant's analysis of the groundwater modelling;
- Applicant's assertion that: *'the costs and impacts associated with backfilling the voids outweigh the benefits of filling the voids'*, as set out in Sections 2.7 and 3.1.1 of Response 1; and
- most desirable environmental outcome in relation to the Wambo void, setting aside economic (and other) considerations.

The Commission requests that the Department seek advice from Department of Industry - Water in undertaking its assessment.

### **Notification of Exceedances**

The Commission requests clarification from the Department in relation to draft Condition D6 and whether information regarding exceedances is currently made publicly available on the Applicant's website? If not, the Commission requests the Department's views on making this information publicly available.

### **Climate Change**

The Commission requested that the Applicant provide additional information in relation to the Project Greenhouse Gas Assessment. Response 2 addresses Climate Change and greenhouse gas emissions considering recent court cases, Rocky Hill and Wallarah 2.

The Commission requests that the Department consider Response 2 and provide clarification as to whether any changes to its assessment of the project's scope 3 emissions are necessary, having regard to the relevant legislative and policy frameworks, including but not limited to the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

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If you have any questions in relation to this request, please contact Alana Jelfs on [REDACTED] or email [ipcn@ipcn.nsw.gov.au](mailto:ipcn@ipcn.nsw.gov.au)

Yours sincerely



**David Koppers**  
Team Leader