

Gunnedah Open Cuts Coal Haulage Increase Modifications

Modification Report



Executive Summary

ES.1 Introduction

Whitehaven Coal Limited (Whitehaven) owns the following open cut coal mining operations located in the Gunnedah Coalfield, in New South Wales (NSW):

- Tarrawonga Coal Project (Tarrawonga Coal Mine) (Project Approval [MP11_0047])
– approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 22 January 2013;
- Vickery Extension Project (Vickery Coal Mine) (Development Consent [SSD 7480]) – approved under Part 4 of the EP&A Act on 12 August 2020; and
- Rocglen Extension Project (Rocglen Coal Mine) (Project Approval [MP10_0015])
– approved under Part 3A of the NSW EP&A Act on 27 September 2011.

These open cut coal mining operations are referred to as the Gunnedah Open Cuts (GOCs).

This Modification Report has been prepared to support applications to Modify all three GOCs approvals under 4.55(1A) of the EP&A Act.

ES.2 Overview of the Modification

The Modifications seek to increase the cumulative run-of-mine (ROM) coal haulage limit from 3.5 million tonnes per annum (Mtpa) to 3.8 Mtpa (i.e. a 0.3 Mtpa increase of ROM coal transported) for the Tarrawonga Coal Mine (TCM), Vickery Coal Mine (VCM), and Rocglen Coal Mine (RCM) in calendar year 2025 (Figure ES-1).

ES.3 Stakeholder Engagement Overview

Whitehaven has consulted with a number of stakeholders during the development of the Modifications, including:

- NSW Department of Planning, Housing and Infrastructure;
- NSW Environment Protection Authority;
- Transport for NSW;
- Gunnedah Shire Council; and
- TCM, VCM and RCM Community Consultative Committees.

Whitehaven will continue consultation with stakeholders during the assessment of the Modifications.

ES.4 Assessment of Impacts

Whitehaven would operate the GOCs incorporating the Modifications in accordance with the current environmental management plans and environmental monitoring programs, incorporating any necessary revisions.

Whitehaven has undertaken a review of the potential environmental impacts of the Modifications to identify key potential environmental issues requiring assessment.

The key environmental considerations requiring assessment (road transport and road noise) have concluded:

- There would be no changes to the Levels of Service of the Kamilaroi Highway, Blue Vale Road and relevant intersections under the Modifications (i.e. the roads and intersections continue to operate with spare capacity).

- The Modifications would result in minimal impact with respect to road safety and road network performance.
- The Modifications would result in negligible impact on the acoustic amenity of the surrounding community.

Based on the outcomes of the environmental assessments, the Modifications would result in no or negligible change to previously assessed and approved impacts and, therefore, would involve minimal environmental impact.

ES.5 Evaluation

Approval of the Modifications is considered to be justified given the Modifications would:

- Utilise the increased ROM coal haulage capacity following the adoption of higher payload trucks (while maintaining daily and hourly trips below those previously assessed).
- Maximise processing at the Whitehaven CHPP within its approved capacity without requiring any changes to current processing infrastructure or additional land disturbance.
- Facilitate ecologically sustainable development, as economic efficiencies can be achieved with use of existing infrastructure and minimal environmental impact.
- Be conducted in a manner that incorporates community engagement, with stakeholders consulted through the preparation of this Modification Report.
- Require no changes to the operations conducted at the TCM, VCM and RCM.
- Result in no changes to the Levels of Service of the Kamilaroi Highway, Blue Vale Road and relevant intersections (i.e. the roads and intersections continue to operate with spare capacity).
- Result in minimal impact with respect to road safety and road network performance.
- Result in negligible impact on the acoustic amenity of the surrounding community.

In weighing up the main environmental impacts (costs and benefits) assessed and described in this Modification Report, the Modifications are, on balance, considered to be in the public interest of the State of NSW.

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1 Introduction

Whitehaven Coal Limited (Whitehaven) owns the following open cut coal mining operations located in the Gunnedah Coalfield, in New South Wales (NSW) (Figure 1):

- Tarrawonga Coal Project (Tarrawonga Coal Mine) (Project Approval [MP11_0047]) – approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 22 January 2013;
- Vickery Extension Project (Vickery Coal Mine) (Development Consent [SSD 7480]) – approved under Part 4 of the EP&A Act on 12 August 2020; and
- Rocglen Extension Project (Rocglen Coal Mine) (Project Approval [MP10_0015]) – approved under Part 3A of the NSW EP&A Act on 27 September 2011.

These open cut coal mining operations are referred to as the Gunnedah Open Cuts (GOCs).

This Modification Report has been prepared to support applications to modify all three of the GOC approvals (the Modifications). The Modifications seek to increase the cumulative run-of-mine (ROM) coal haulage limit from 3.5 million tonnes per annum (Mtpa) to 3.8 Mtpa (i.e. a 0.3 Mtpa increase of ROM coal transported) for the Tarrawonga Coal Mine (TCM), Vickery Coal Mine (VCM), and Rocglen Coal Mine (RCM) in calendar year 2025 (Figure 2).

This Modification Report has been prepared in consideration of the *State Significant Development Guidelines* (NSW Department of Planning, Housing and Infrastructure [DPHI], 2024a), in particular *Appendix E – preparing a modification report* (NSW Department of Planning and Environment [DPE], 2022c).

1.1 Overview of the Approved Gunnedah Open Cut Operations

1.1.1 VICKERY EXTENSION PROJECT

The Vickery Extension Project (VEP) is an approved, open cut coal mine located in the Gunnedah Coalfield, approximately 25 km north of Gunnedah in NSW (Figure 1).

The VEP involves extraction of up to 10 Mtpa of ROM coal by open cut mining methods over a mine life of 25 years. The VEP includes the open cut pit, waste rock emplacements, mine infrastructure area (MIA) (including a CHPP), water supply and water management infrastructure, and other infrastructure.

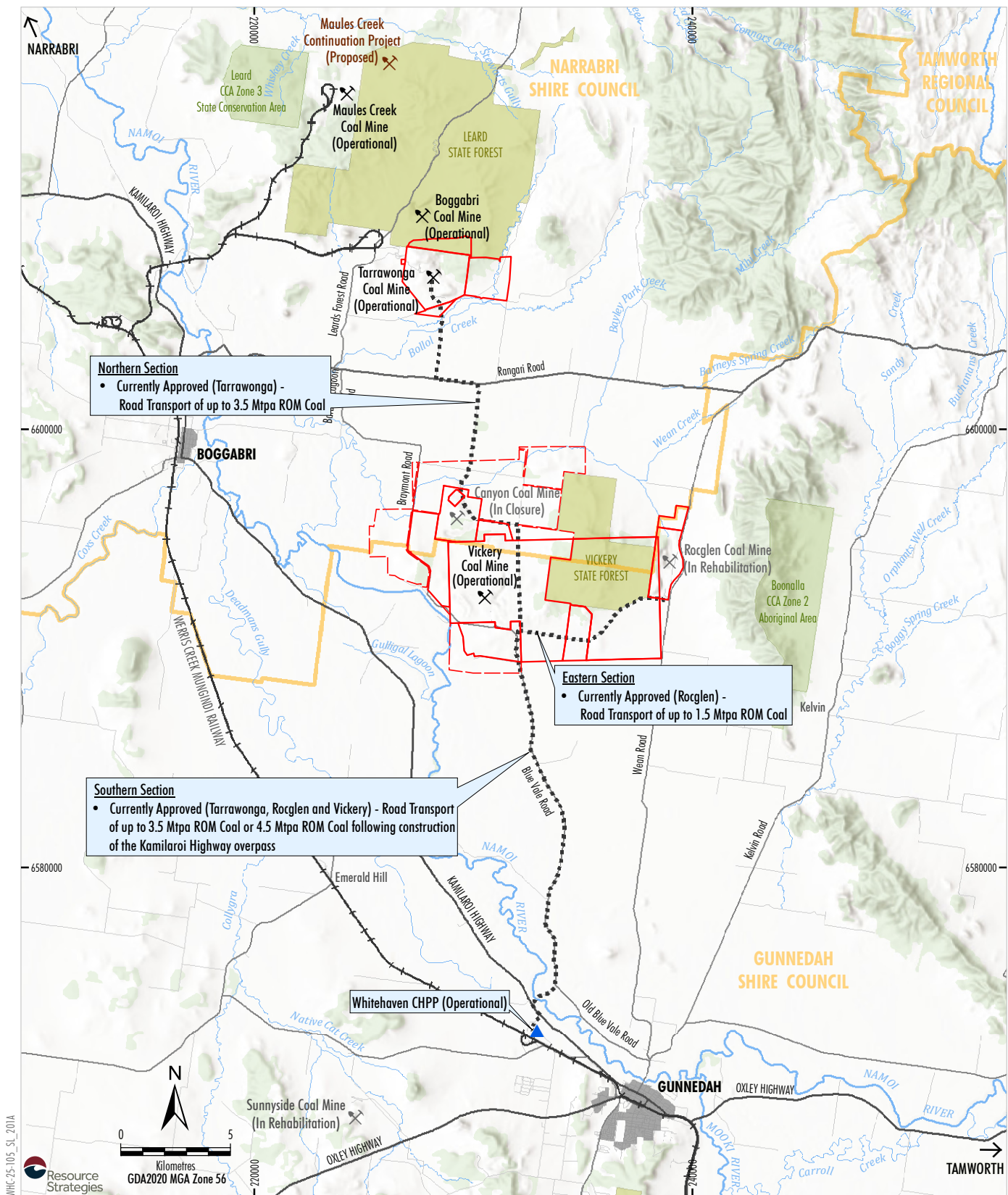
Initial development activities for the VEP commenced in 2023. The initial development included the construction of a temporary infrastructure area, including administration and office facilities, workshops, water management infrastructure, laydown areas and other initial mining works.

The VEP includes an initial mining phase prior to the commissioning of the rail spur, CHPP and MIA. In accordance with Conditions A12-A14 of Development Consent (SSD 7480), this phase will continue until the VEP rail spur, CHPP and MIA are commissioned, at which time mining intensity would increase with the commencement of off-site transport of product coal via the rail spur.

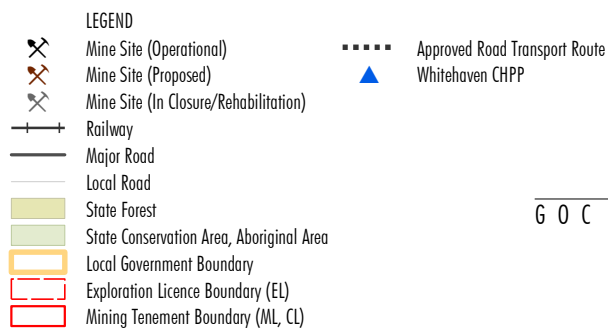
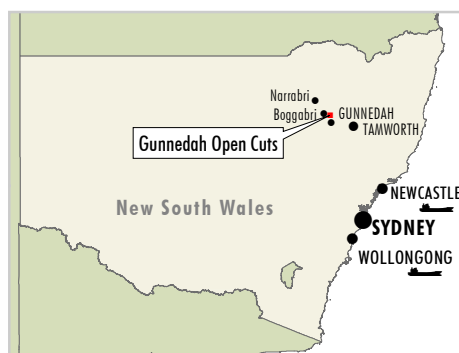
Whitehaven is anticipating commencing relevant pre-construction activities for these major components (i.e. rail spur, CHPP and MIA) once the VEP has been approved through Whitehaven's capital allocation framework assessment process.

Until the VEP rail spur, CHPP and MIA are commissioned, ROM coal from initial mining would continue to be transported to and processed at the Whitehaven CHPP in accordance with Development Consent (SSD 7480).

Reference to the VCM throughout the remainder of this Modification Report incorporates the VEP (SSD7480).



Source: NSW Spatial Services (2024)



Whitehaven
GOC MODIFICATIONS
Regional Location

Figure 1

1.1.2 TARRAWONGA COAL PROJECT

The TCM is located approximately 42 kilometres (km) north-northwest of Gunnedah in NSW (Figure 1).

In accordance with Project Approval (MP11_0047) the TCM is approved to extract up to 3.5 Mtpa of ROM coal until the end of December 2030.

ROM coal from the TCM is transported to the Whitehaven Coal Handling and Preparation Plant (CHPP) via the Approved ROM Coal Transport Route for processing.

1.1.3 ROCGLLEN EXTENSION PROJECT

The RCM is located approximately 25 km north of Gunnedah (Figure 1) and is owned and operated by Whitehaven.

RCM was in operation for over a decade producing a range of high-quality thermal coals. ROM coal from the RCM was transported to the Whitehaven CHPP for processing via the Approved ROM Coal Transport Route for processing. Coal production ended in June 2019 and final rehabilitation works were undertaken between 2019 and 2023. RCM is currently under monitoring and maintenance with no further mining currently proposed.

1.1.4 WHITEHAVEN COAL HANDLING AND PREPARATION PLANT

The Whitehaven CHPP is owned by Whitehaven and operates in accordance with Development Consent (DA 0079.2002).

The Whitehaven CHPP is approved to process up to 4.1 Mtpa of ROM and to dispatch up to 4.1 Mtpa of product coal (including bypass coal) until 31 December 2030.

All sized ROM coal received is stockpiled in either ROM coal stockpiles for processing at the Whitehaven CHPP, or in product stockpiles for bypass loading at the rail loadout facility.

Transport of ROM coal from TCM and VCM to the Whitehaven CHPP, and return transport of coal rejects, occurs via the transport routes that are approved in the consents for each mine operation. From the Whitehaven CHPP, product coal is approved to be transported by rail to market.

1.1.5 APPROVED ROM COAL TRANSPORT

The Approved ROM Coal Transport Route runs between the TCM and Whitehaven CHPP (Figure 1). Whitehaven currently manages the use of the Approved ROM Coal Transport Route in accordance with the conditions of each mine's development consent. The volume of ROM coal that is permitted to be transported from the TCM, RCM, and VCM to the Whitehaven CHPP under each mine's approval is summarised in Table 1.

ROM coal is currently approved to be transported from TCM and VCM along the Approved Road Transport Route, in accordance with the haulage hours outlined in the Project Approvals (MP11_0047) and (SSD 7480), respectively (Table 1).

The RCM ceased operations in 2019 and no further coal or rejects transportation is currently proposed.

Table 1
Approved Road Haulage Hours and ROM Coal Transport Limits for GOC Operations

TCM ¹	VCM ²	RCM ¹	Cumulative
ROM Coal Transport – prior to Kamilaroi Highway overpass			
3.5 Mt	3.5 Mt	1.5 Mt	3.5 Mt
ROM Coal Transport – with Kamilaroi Highway overpass			
3.5 Mt	3.5 Mt	1.5 Mt	4.5 Mt
Coal Transport Hours – Monday to Friday			
4:00 am to 11:15 pm	6:00 am to 9:15 pm ³	7:00 am to 9:15 pm	N/A
Coal Transport Hours – Saturday			
5:00 am to 7:15 pm	7:00 am to 5:15 pm ³	7:00 am to 5:15 pm	N/A

¹ TCM and RCM ROM coal transport limit is per calendar year.

² VCM ROM coal transport limit is per financial year.

³ Vickery Extension Project MOD 1 (under assessment) seeks to change to haulage hours to align with the TCM.

Management of ROM Coal Road Haulage

ROM coal haulage is managed in accordance with the TCM, VCM and RCM Traffic Management Plan (Whitehaven, 2024b), TCM Noise Management Plan (Whitehaven, 2024a) and VCM Noise Management Plan (Whitehaven, 2025). Road noise monitoring and management is also conducted in accordance with these plans.

Dust associated with ROM coal haulage is managed by covering the haul trucks as soon as practicable after loading in accordance with the relevant Environmental Protection Licences (EPL 21283, EPL 12365 and EPL 12870) at the VCM, TCM, and RCM.

Complaints

Complaints are managed in accordance with the protocol described in the TCM, VCM and RCM Traffic Management Plan.

In order to receive, record and respond to complaints, Whitehaven maintains a publicly advertised telephone complaint lines for the purpose of receiving complaints from any member of the public in relation to their activities.

1.2 Overview of the Modifications

The Modifications would include (Figure 2):

- an increase in ROM coal haulage of 0.3 Mtpa of ROM coal along the southern section of the Approved ROM Coal Transport Route (cumulatively a total of 3.8 Mtpa ROM coal) to the Whitehaven CHPP for calendar year 2025 (modification to Condition 7 of MP11_0047 and modification to Condition A12 of Development Consent SSD 7480); and
- removal of Conditions 6A and 6B, Schedule 2 of RCM Project Approval (MP10_0015) as no further coal mining is proposed at RCM.

1.3 Applicant Details

The applicant for the Modifications is as follows:

Whitehaven Coal Limited
10409 Kamilaroi Highway
GUNNEDAH NSW 2380
Telephone: 1800 942 836
Website: <https://whitehavencoal.com.au/>

1.4 Structure of the Document

This Modification Report has been prepared in consideration of the *State Significant Development Guidelines* (DPHI, 2024a), in particular *Appendix E – preparing a modification report* (DPE, 2022c), and is structured as follows:

Section 1	Provides an overview of the existing/approved GOC operations and an overview of the Modifications.
Section 2	Provides an overview of the strategic context for the Modifications.
Section 3	Provides a description of the Modifications.
Section 4	Describes the statutory context of the Modifications.
Section 5	Provides a summary of the engagement undertaken for the Modifications and the key issues raised.
Section 6	Provides an assessment of the potential environmental impacts of the Modifications.
Section 7	Evaluates the merits of the Modifications, and provides justification for approval of the Modifications.
Section 8	Lists the references cited in Sections 1 to 7.
Attachment 1	Detailed Statutory Compliance Reconciliation Tables.
Appendix A	Road Transport Assessment.
Appendix B	Road Noise Assessment.

2 Strategic Context

This section outlines the strategic context for the Modifications and summarises the strategic need and potential benefits of the Modifications.

2.1 Regional Context

The GOC operations are located within the Gunnedah Shire Council and the Narrabri Shire Council Local Government Areas (LGAs), in NSW (Figure 1).

The Gunnedah Shire and Narrabri Shire LGAs have a long history of rural land use for a variety of agricultural activities, predominantly grazing. The Gunnedah Shire and Narrabri shire LGAs also have a strong history of coal mining. Both agriculture and coal mining have played an important role in the region from a social and economic perspective.

The Narrabri Shire and Gunnedah Shire LGAs are well located to use existing road and rail transport networks to access domestic and export markets. The key road transport routes servicing the area are the Kamilaroi and Newell Highways. The Werris Creek Mungindi Railway provides access from the Gunnedah Basin to the Port of Newcastle.

2.2 Project Context

ROM coal production is progressively shifting from a roughly equal split between the TCM and VCM over the past year, to a greater proportion being sourced from the VCM. As the VCM is located closer to the Whitehaven CHPP (Figures 2), the shorter haul distance results in improved efficiency and allows for more ROM coal to be transported along the southern section of the Approved ROM Coal Transport Route.

The Whitehaven CHPP is approved to operate until 31 December 2030 and process up to 4.1 Mtpa of ROM coal from the GOC operations. The Modifications would enable the opportunity to maximise processing within the approved capacity of the Whitehaven CHPP without any changes to current processing infrastructure.

The RCM ceased coal production in June 2019 and has since been undergoing final rehabilitation, completed between 2019 and 2023. The RCM is now in a monitoring and maintenance phase and is no longer contributing to ROM coal haulage from the GOC operations. The Modifications do not affect the closure status or activities at RCM, however are required to reflect the cumulative ROM coal haulage increase for the TCM and VCM in 2025.

Whitehaven has engaged with Idemitsu Boggabri Coal under Condition 10, Schedule 2 of MP11_0047 and is unable to reach agreement to use the Boggabri Coal Mine CHPP and rail infrastructure to enable transportation of TCM product coal by rail from the Boggabri Coal Mine.

Environmental assessments have been previously prepared to assess the impacts of ROM coal haulage along the southern section of the Approved ROM Coal Transport Route. It is noted that road transport assessments completed for the Vickery Coal Project (GTA Consultants, 2012) and TCM and RCM Temporary Road Haulage Increase Modification (GTA Consultants, 2016) assessed coal haulage trips that are substantially higher than proposed under the Modifications.

Since these earlier assessments, Whitehaven has improved the efficiency of its ROM coal haulage through the adoption of larger haulage trucks with higher payloads, reducing the required truck trips (Appendix A).

2.3 Key Strategic Planning Documents

2.3.1 NEW ENGLAND NORTH WEST REGIONAL PLAN 2041

The *New England North West Regional Plan 2041* (DPE, 2022b) outlines strategies to address sustainable management of agricultural land and natural resources and acknowledges the ongoing contribution of mining to the region. The Plan places emphasis on the need to support operations that make efficient use of existing infrastructure while delivering economic returns and employment opportunities:

Strategy 1.2

Maximise the cost-effective and efficient use of infrastructure by focusing development around existing infrastructure and promote co-location of new infrastructure.

The Modifications align with the strategic context of the *New England North West Regional Plan 2041* by delivering increased productivity through logistical efficiency on the Approved ROM Coal Transport Route and without requiring additional infrastructure or land disturbance.

2.4 Gunnedah Shire Local Strategic Planning Statement Future 2040

The *Gunnedah Shire Local Strategic Planning Statement Future 2040* (Gunnedah Shire Council [GSC], 2020) sets planning priorities including: Strengthening Gunnedah Shire's productivity and expanding Gunnedah's economic base:

Strengthen regional and cross border relationships by:

b) investigating and planning for future economic relationships with Tamworth and Narrabri LGAs including investment opportunities to maximise productivity

The Modifications would be aligned with the plan as it would deliver economic benefit by maximising the output of the approved resource.

2.5 Potential Cumulative Interactions

In accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects* (NSW Department of Planning, Industry and Environment, 2022a) relevant cumulative impacts of the proposed Modifications and other developments/projects have been considered in this Modification Report (where relevant).

Key approved mining and other projects considered when assessing potential cumulative road transport related impacts with the Modification include (Figure 1):

- Maules Creek Coal Mine (Project Approval 10_0138) (operational); and
- Boggabri Coal Mine (Project Approval MP09_0182) (including proposed modification application [MOD10]).

Proposed future projects would be unlikely to result in cumulative impacts with the Modifications given the Modifications seek to increase haulage until the end of 2025.

3 Description of the Modifications

3.1 Overview

The Modifications would not require a significant alteration to the existing/approved GOCs (Table 2). A description of the Modifications is provided below.

The Modifications would include:

- an increase in ROM coal haulage of 0.3 Mtpa along the southern section of the Approved ROM Coal Transport Route (cumulatively a total of 3.8 Mtpa ROM coal) to the Whitehaven CHPP for calendar year 2025; and
- removal of Conditions 6A and 6B, Schedule 2 of RCM Project Approval (MP10_0015) as no further coal mining is proposed at RCM.

The Modifications would not involve any change to the following components of the GOCs:

- No change to the maximum ROM coal haulage along the northern section of the Approved ROM Coal Transport Route (Figure 2).
- Mining operations at the approved GOCs.
- Surface disturbance at the approved GOCs or Whitehaven CHPP (e.g. to facilitate transport or stockpiling of ROM coal, product coal or coal rejects).
- Mine life, employment numbers, mining activities or other surface activities associated with the approved GOCs or Whitehaven CHPP.
- ROM coal transport routes from the GOCs to the Whitehaven CHPP or existing domestic customers.
- Coal reject transport routes from the Whitehaven CHPP to VCM or TCM for incorporation into the final landform.

A comparative summary of the existing/approved GOCs and proposed Modifications for the GOCs is provided in Table 2.

Based on a review of the proposed changes, Whitehaven considers that the GOC incorporating the Modifications would be substantially the same (Section 4.1.1).

3.2 Management of Cumulative ROM Coal Haulage

The Modifications would not change the currently approved rate of ROM coal transported from the TCM along the northern section of the Approved ROM Coal Transport Route or RCM (in closure) along the eastern section of the Approved Road Transport Route.

Whitehaven would manage the use of the Approved ROM Coal Transport Route such that the ROM coal transported from the Whitehaven coal mines (i.e. the TCM and VCM) to the Whitehaven CHPP would not exceed 3.8 Mtpa along the southern section of the Approved ROM Coal Transport Route in 2025.

3.3 Project Approval Conditions to be Modified

The conditions of MP11_0047, SSD-7480 and MP10_0015 listed in Table 3 would require amendment to incorporate the Modifications. As described in Section 2.2, the RCM is in closure and no further coal production or coal transportation by road is currently proposed.

Table 2
Comparison of the Existing/Approved and Modified GOC Operations

Project Component	Approved Gunnedah Open Cut Operations	Modified Gunnedah Open Cut Operations
TCM (Project Approval [MP11_0047])		
Coal Handling, Processing and Transport Infrastructure	– Use of the Approved Road Transport Route to haul ROM coal from the TCM to the Whitehaven CHPP until the VCM CHPP, train load-out facility and rail spur infrastructure reach full operational capacity. – ROM coal processing would then transition to the VCM CHPP, prior to being loaded onto trains for transport to market. – Together with the owners of the RCM and VCM cumulative haulage of coal along the Approved Haulage Route does not exceed 3.5 Mt each calendar year prior to commissioning of the Kamilaroi Highway Overpass. – For the period following the commissioning of the Kamilaroi Highway overpass, shall, together with the owners of the VCM and RCM, ensure that the cumulative haulage of coal along the Approved Haulage Route does not exceed 4.5 Mt.	– Increase in cumulative haulage of ROM coal along the southern section of the Approved Haulage Route up to 3.8 Mt in calendar year 2025, prior to commissioning of the Kamilaroi Highway overpass.
Other Project Components	– As described in documents listed in the Definitions section of Project Approval (MP11_0047).	– No change.
VCM (Development Consent [SSD 7480])		
Coal Handling, Processing and Transport Infrastructure	– Use of the Approved Road Transport Route to haul ROM coal from the Project to the Whitehaven CHPP until the Project CHPP, train load-out facility and rail spur infrastructure reach full operational capacity. – Ability to receive ROM coal via road from other Whitehaven mining operations for stockpiling and/or processing at the Project CHPP. – Together with the owners of the TCM and RCM cumulative haulage of coal along the Approved Haulage Route does not exceed 3.5 Mt in any financial year prior to commissioning of the Kamilaroi Highway Overpass. – For the period following the commissioning of the Kamilaroi Highway overpass and until commissioning of the Project Rail Spur, shall, together with the owners of the TCM and RCM, ensure that the cumulative haulage of coal along the Approved Haulage Route does not exceed 4.5 Mt in any financial year.	– Increase in cumulative haulage of ROM coal along the southern section of the Approved Haulage Route up to 3.8 Mt in calendar year 2025, prior to commissioning of the Kamilaroi Highway overpass.
Other Project Components	– As described in documents listed in the Definitions section of Development Consent (SSD 7480).	– No change.
RCM (Project Approval [MP10_0015])		
Coal Handling, Processing and Transport Infrastructure	– All crushed and screened coal is transported approximately 30 km to the Whitehaven CHPP, via an established coal haulage route, for selective washing, stockpiling and dispatch by rail and road. – Together with the owners of the TCM and VCM cumulative haulage of coal along the Approved Haulage Route does not exceed 3.5 Mt each calendar year. – For the period following the commissioning of the Kamilaroi Highway overpass, shall, together with the owners of the TCM and VCM, ensure that the cumulative haulage of coal along the Approved Haulage Route does not exceed 4.5 Mt each calendar year.	– Removal of coal transport limits as no further mining or coal transportation is planned at RCM.
Other Project Components	– As described in documents listed in the Definitions section of Project Approval (MP10_0015)	– No change.

Table 3
Conditions to be Amended under the Modifications

Condition Reference	Current Condition	Proposed Amendment
TCM (Project Approval [MP11_0047])		
Condition 7, Schedule 2	For the period up until the commissioning of the Kamilaroi Highway overpass, the Proponent: ... (e) shall, together with the owners of the Rocglen and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 3.5 million tonnes each year during all other calendar years.	Amend condition as follows: For the period up until the commissioning of the Kamilaroi Highway overpass, the Proponent: ... (f) <u>shall, together with the owner of the Vickery coal mine, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 3.8 million tonnes during calendar year 2025.</u>
VCM (Development Consent [SSD 7480])		
Condition A12, Part A, Schedule 2	For the period up until the commissioning of Kamilaroi Highway overpass, the Applicant: ... (d) shall, together with the proponent of the Tarrawonga Coal Project, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 3.5 million tonnes in any financial year.	Amend condition as follows: For the period up until the commissioning of Kamilaroi Highway overpass, the Applicant: ... (e) <u>shall, together with the proponent of the Tarrawonga Coal Project, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 3.8 million tonnes during financial year 2025-2026.</u>
RCM (Project Approval [MP10_0015])		
Condition 6A, Schedule 3	For the period up until the commissioning of the Kamilaroi Highway overpass, the Proponent: ...	Condition proposed to be deleted on the basis that no further mining or coal transportation is planned at RCM.
Condition 6B, Schedule 3	For the period following the commissioning of the Kamilaroi Highway overpass, the Proponent: ...	Condition proposed to be deleted on the basis that no further mining or coal transportation is planned at RCM.

4 Statutory Context

This section outlines the statutory requirements relevant to the assessment of the Modifications.

In accordance with the State Significant Development Guidelines (DPHI, 2024a), in particular *State significant development guidelines - preparing a modification report* (DPE, 2022c), Attachment 1 provides a detailed statutory compliance table for the GOCs incorporating the Modifications that identifies all the relevant statutory requirements and the relevant sections in this Modification Report that address these requirements.

4.1 Environmental Planning and Assessment Act 1979

The EP&A Act and *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) set the framework for planning and environmental assessment in NSW.

4.1.1 APPLICABILITY OF SECTION 4.55(1A) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Whitehaven holds the following EP&A Act approvals relevant to the Modifications:

- Tarrawonga Coal Project (Tarrawonga Coal Mine) (Project Approval [MP11_0047]) – approved under Part 3A of the EP&A Act on 22 January 2013;
- Vickery Extension Project (Vickery Coal Mine) (Development Consent [SSD 7480]) – approved under Part 4 of the EP&A Act on 12 August 2020; and
- Rocglen Extension Project (Rocglen Coal Mine) (Project Approval [MP10_0015]) – approved under Part 3A of the EP&A Act on 27 September 2011.

Section 4.55(1A) of the EP&A Act relevantly states:

4.55 Modification of consents—generally

...

- (1A) **Modifications involving no or minimal environmental impact** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

- (a) it is satisfied that the proposed modification is of no or minimal environmental impact, and
- (b) it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
- (c) it has notified the application in accordance with—
 - (i) the regulations, if the regulations so require, or
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1) and (2) do not apply to such a modification.

Same or Substantially the Same Development

Clause 3BA(6) of Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* relevantly provides:

3BA Winding-up of transitional Part 3A modification provisions on cut-off date of 1 March 2018 and other provisions relating to modifications

...

- (6) In the application of section 4.55 (1A) or (2) or 4.56 (1) of the Act to the following development, the consent authority need only be satisfied that the development to which the consent as modified relates is substantially the same development as the development authorised by the consent (as last modified under section 75W):
- (a) development that was previously a transitional Part 3A project and whose approval was modified under section 75W,
- ...

In accordance with clause 3BA(6) of Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, the consent authority is required to satisfy itself that any consent as modified would remain substantially the same development as was last modified under section 75W of the EP&A Act. This consideration is inclusive of the changes arising from previously approved modifications, rather than the originally approved project.

The most recent GOC modifications approved under section 75W of the EP&A Act are as follows:

- Tarrawonga Coal Project Modification 5 (MP11_0047-Mod-5), determined August 2017.
- Rocglen Extension Project Modification 3 (MP10_0015-Mod-3), determined February 2017.

As the VCM (Development Consent [SSD 7480]) was never modified under section 75W of the EP&A Act, the relevant basis of comparison is the originally approved VCM (SSD-7480).

The GOC operations incorporating the Modifications would demonstrably remain large coal mining projects that incorporate the key elements approved under Tarrawonga Coal Project Modification 5 (MP11_0047-Mod-5), Rocglen Extension Project - (MP10_0015-Mod-3) and VCM (Development Consent [SSD 7480]).

The consent authority can be satisfied that the Modifications would remain “substantially the same” as the approved developments.

Minimal Environmental Impact

A review of the potential environmental impacts associated with the Modifications has been undertaken and is outlined in Section 6.

Based on the outcomes of the environmental review, the Modifications would result in no or negligible change to previously assessed and approved impacts and, therefore, would involve minimal environmental impact.

4.2 Environmental Planning and Assessment Act 1979 Objects

Section 1.3 of the EP&A Act describes the objects of the EP&A Act. The Modifications are considered to be generally consistent with the objects of the EP&A Act, because they are Modifications that:

- incorporates operation of the GOCs in a manner that minimises environmental impacts through the continued implementation of environmental management measures (Section 6);
- incorporates benefits to the local and NSW economies in the form of employment opportunities (Section 6);
- involves the orderly and economic use of land as the Modifications would not require additional surface development areas; and
- is an application under section 4.55(1A) of the EP&A Act that would be determined by the NSW Government.

4.3 Evaluation under section 4.15(1) of the Environmental Planning and Assessment Act 1979

In evaluating the Modifications under section 4.15(1) of the EP&A Act, the consent authority is required to take into consideration a range of matters as they are of relevance to the subject of the application.

While this is a requirement of the consent authority, this Modification Report has been prepared to generally address the requirements of section 4.15(1) of the EP&A Act to assist the consent authority, as follows:

- Consideration of the requirements of relevant environmental planning instruments is provided in Attachment 1.
- Clause 2.10 of the *State Environmental Planning Policy (Planning Systems) 2021* states that development control plans do not apply to State Significant Developments.
- This Modification Report has been prepared in consideration of the prescribed matters in the EP&A Regulation.

- The predicted impacts of the Modifications, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality are provided in Section 6.
- The suitability of the proposed site has been considered in Section 7.
- Consideration of whether, on evaluation, the Modifications is considered to be in the public interest is provided in Section 7.

- (b) *to establish guiding principles for action to address climate change,*
- (c) *to set targets for the reduction in net greenhouse gas emissions in New South Wales until 2050,*
- (d) *to set an objective for New South Wales to be more resilient to a changing climate,*
- (e) *to establish the Net Zero Commission to independently monitor, review and report on progress in New South Wales towards the targets, the adaptation objective and other matters.*

4.4 Other NSW Legislation

Other NSW legislation that may be applicable to the GOC operations were described in the relevant GOC operations environmental approval documentation (i.e. relevant EIS and subsequent modifications).

Whitehaven would continue to obtain relevant licences or approvals required under this NSW legislation for the GOC operations incorporating the Modifications.

4.4.1 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* (the BC Act) provides the legislative framework for biodiversity conservation in NSW.

With reference to clause 30A, section 1(a) and 2(c) of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, the Modifications do not propose any new surface development, and would not increase impacts on biodiversity values and therefore, it is considered that a Biodiversity Development Assessment Report is not required.

4.4.2 CLIMATE CHANGE (NET ZERO FUTURE) ACT 2023

The *Climate Change (Net Zero Future) Act 2023* (the Net Zero Act) sets out NSW's approach to climate change and legislates whole-of-government climate action.

The objects of the Net Zero Act are identified in section 4 of the Act as follows:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*

Part 2 of the Net Zero Act sets out guiding principles (section 8), targets for reducing net greenhouse gas emissions in NSW (section 9), an adaptation objective (section 10) and a provision relating to achieving the 2050 net zero target (section 11).

The Net Zero Act sets progressive reduction targets for NSW's net greenhouse gas emissions as follows:

- 50% reduction on 2005 levels by 30 June 2030;
- 70% reduction on 2005 levels by 30 June 2035; and
- 'net zero' by 30 June 2050.

Section 6.4.2 considers the potential change to the greenhouse gas emission as a result of the Modifications.

4.5 Environmental Planning Instruments

Environmental planning instruments of relevance to the Modifications were described in relevant GOC operations environmental approval documentation (i.e. relevant EIS and subsequent modification documents).

Detail on potential Modifications requirements under the key environmental planning instruments is included in the statutory compliance table provided in Attachment 1.

4.6 Commonwealth Legislation

4.6.1 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The objective of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance (MNES).

Proposals that are likely to have a significant impact on a MNES are defined as a controlled action under the EPBC Act. A proposal that is, or may be, a controlled action is required to be referred to the Commonwealth Department of Climate Change, Energy, the Environment and Water to determine whether the action is a controlled action.

Based on the minor nature of the Modifications, it was concluded that the Modifications would not have a significant impact on MNES for the following reasons:

- The Modifications would not have a significant impact on listed threatened species and ecological communities and/or migratory species.
- The Modifications would not have a significant impact on wetlands of international importance.
- The Modifications would not have a significant impact on world heritage properties or national heritage places.
- The Modifications would not impact the Great Barrier Reef Marine Park and/or Commonwealth marine areas.
- The Modifications are not nuclear actions.
- The Modifications would not have an impact on a water resource.

4.7 National Greenhouse and Energy Reporting Act 2007

The Commonwealth *National Greenhouse and Energy Reporting Act 2007* introduced a single national reporting framework for the reporting and dissemination of corporations' greenhouse gas emissions and energy use.

The Modifications would not significantly change greenhouse gas emissions compared to the approved GOC operations.

Whitehaven would account for the greenhouse gas emissions associated with the Modifications in its annual Commonwealth *National Greenhouse and Energy Reporting Act 2007* report.

4.8 Environmental Planning Instruments

Relevant environmental Planning policies and local environmental plans are considered in Attachment 1.

5 Engagement

Whitehaven has consulted with relevant NSW Government agencies and the Gunnedah Shire Council during the preparation of this Modification Report in consideration of the *Undertaking Engagement Guidelines for State Significant Projects* (DPHI, 2024b). A summary of this consultation is provided below. Whitehaven will continue to engage with stakeholders during the assessment process of the Modifications.

5.1 NSW Government Agencies

Department of Planning, Housing and Infrastructure

Whitehaven consulted with DPHI on 9 July 2025 to provide an overview of the Modifications, proposed approval pathways and the proposed scope of the environmental assessments.

Following the meeting, Whitehaven submitted a Scoping Letter to DPHI providing an overview of the Modifications and the proposed assessments to be completed on 16 July 2025. Whitehaven also provided an update to DPHI on the Modifications on 25 July 2025.

Transport for NSW

A briefing letter was provided to Transport for New South Wales (TfNSW) on 28 July 2025 providing an overview of the Modifications.

No comments were received from TfNSW regarding the Modifications at the time of submission.

Environmental Protection Authority

A briefing letter was provided to the NSW Environmental Protection Authority (EPA) on 28 July 2025 providing an overview of the Modifications.

No comments were received from EPA regarding the Modifications at the time of submission.

5.2 Local Council

Gunnedah Shire Council

A briefing letter was provided to the Gunnedah Shire Council on 28 July 2025 providing an overview of the Modifications.

No comments were received from Gunnedah Shire Council regarding the Modifications at the time of submission.

5.3 Local Community

Community Consultative Committee

Briefing letters were provided to TCM, VCM and RCM Community Consultative Committees on 28 July 2025 providing an overview of the Modifications.

6 Assessment of Impacts

6.1 Identification of Key Issues

This section presents the assessment of the potential impacts associated with the modified GOCs.

The Modifications would not require a significant alteration to the approved GOCs (Section 3).

The following approved components of the TCM, VCM and RCM would not be changed as a result of the Modifications:

- Tenements;
- General arrangement and surface development;
- mining method and rate;
- mobile fleet;
- ROM coal processing and mining rate;
- overburden management;
- waste management;
- water supply and demand;
- electricity supply and demand;
- supporting infrastructure;
- site access;
- workforce; and
- environmental management and monitoring.

Whitehaven has undertaken a review of the potential environmental impacts of the Modifications to identify key potential environmental issues requiring assessment.

The key environmental considerations requiring assessment include the following:

- road transport; and
- road noise.

Sections 6.2 and 6.3 and Appendices A and B include a description of the methodology undertaken for each assessment, the existing environment, an assessment of the potential impacts of the Modifications, and, where relevant, a description of measures that would be implemented to avoid, minimise and/or mitigate the potential impacts.

Section 6.4 discusses the potential impacts of the Modifications for other environmental aspects.

6.2 Road Transport

The Transport Planning Partnership (TPPP, 2025) has undertaken an assessment of potential road transport impacts associated with the Modifications (Appendix A).

The Approved ROM Coal Transport Route includes a combination of public and private roads and provides the shortest and least trafficked route from the TCM to the Whitehaven CHPP (Figure 1). The Approved ROM Coal Transport Route does not traverse residential areas or permanent school zones, and consists of:

- Whitehaven Private Haul Road north-south between TCM and Rangari Road;
- Rangari Road (between the two sections of private haul road);
- Whitehaven Private Haul Road south of Rangari Road, which crosses Hoad Lane and passes through the former Canyon Coal Mine and east-west to Hoad Lane;
- Hoad Lane between the Whitehaven Private Haul Road and Blue Vale Road;
- Shannon Harbour Road between the RCM Access and Hoad Lane;
- Blue Vale Road between Hoad Lane and Kamilaroi Highway (noting that realignment of Blue Vale Road would occur with commencement of the Vickery Coal Project or VCM);
- Kamilaroi Highway between Blue Vale Road and Whitehaven CHPP access road; and
- the Whitehaven CHPP access road.

6.2.1 EXISTING TRAFFIC VOLUMES

TTPP has collated available traffic volume data on routes of relevance to the GOCs. Key results of those surveys for the average weekday and during the peak hours are summarised in Appendix A.

The existing traffic volumes are considered to capture the cumulative traffic volumes of surrounding developments including mining operations.

6.2.2 TRAFFIC MANAGEMENT AND MONITORING REGIME

Management of traffic for the ROM coal haulage along the Approved ROM Coal Transport Route is conducted in accordance with the Traffic Management Plan and includes the following (Whitehaven, 2024b):

- details of the measures to be implemented to minimise traffic safety issues and disruption to local users during construction or decommissioning works;
- arrangements to comply with cumulative coal haulage limits from the GOCs;
- a protocol to facilitate graziers access to the Travelling Stock Route from Blue Vale Road;
- monitoring program to audit vehicle movements; and
- Drivers' Code of Conduct.

6.2.3 POTENTIAL IMPACTS

The potential impacts of the haulage of additional ROM coal, during the approved haulage hours on weekdays and Saturdays was assessed by TTPP (2025) (Appendix A).

Potential impacts on traffic would be associated with the cumulative increase in trucks transporting coal along the southern extent of the Approved ROM Coal Transport Route and are summarised below.

Traffic Generation

The annual and daily ROM coal haulage trips have been estimated based on the proposed 3.8 Mtpa haulage rate. Consistent with the VCM Modification 1 and TCM Modification 7 Road Transport Assessments (TTPP, 2024 and 2019), trip generation has been calculated assuming that haulage movements are evenly spread over the weekday and Saturday haulage hours, with haulage occurring over 48 weeks per year.

A summary of the average weekday and hourly trip generation on the Approved ROM Coal Transport Route is provided in Table 4.

The Modifications would result in an average of an additional 32 vehicle trips per weekday, 24 vehicle trips per Saturday and two vehicle trips per hour over the haulage hours during peak ROM Coal production (Table 4).

It is noted that the forecasted ROM coal haulage trips under the Modifications is well below that previously assessed for the GOCs (GTA Consultants, 2012 and 2016), due to increases in the payload of the haulage fleet (Appendix A).

As previous assessments have found that there would be no capacity concerns with the operation of the roads and intersections during the peak hours, TTPP (2025) has concluded that there would also be no capacity concerns associated with the Modifications.

Table 4
Summary of the Previously Assessed Trips Relative to the Modifications

Cumulative on Southern section of ROM Coal Transport Route	Previously Assessed Trips ¹	Approved Trips ²	Modification Trips	Increase (relative to approved)
Trips per Hour	40	22	24	+2
Trips per Weekday	612	420	452	+32
Trips per Saturday	412	310	334	+24

¹ GTA Consultants (2012).

² TTPP (2024).

Impacts on Intersections

The operating characteristics of key intersections on Kamilaroi Highway have been assessed under the forecast demands with the Modifications using an analysis program which determines characteristics of intersection operating conditions including the degree of saturation, average delays, and levels of service (Appendix A).

The operation of the key intersections of Kamilaroi Highway with Rangari Road, Blue Vale Road, Braymont Road and Hoad Line have been assessed based on the surveyed volumes between 7:00 am and 8:00 am, and between 5:00 pm and 6:00 pm (Appendix A).

TTPP (2025) concluded the intersections of Kamilaroi Highway with the Whitehaven CHPP access, Kamilaroi Highway with Blue Vale Road, and Braymont Road, Blue Vale Road and Hoad Lane would operate satisfactorily with spare capacity and acceptable delays to vehicles (Appendix A).

Impact on Road Safety

A review of TfNSW road crash data and Whitehaven's incident records did not identify any safety issues relating to the haulage of ROM coal from the GOCs to the Whitehaven CHPP that may be exacerbated by the increase in its maximum annual haulage during the 2025 calendar year (Appendix A).

As the key intersections would continue to operate with only short delays and spare capacity, and haulage truck drivers are subject to the behavioural requirements set out in the TMP, no safety concerns are raised with respect to their continued use by traffic associated with the haulage of ROM coal from the GOCs to the Whitehaven CHPP, including specific requirements regarding interaction with other vehicles on Kamilaroi Highway (Appendix A).

6.2.4 MITIGATION MEASURES, MANAGEMENT AND MONITORING

Given the Modifications would not result in any material traffic impacts, no additional management measures are proposed as part of the Modifications.

ROM coal haulage traffic would continue to be managed in accordance with the TCM, VCM and RCM Traffic Management Plan (Whitehaven, 2024b). Notwithstanding, the Traffic Management Plan would be reviewed and, if necessary, revised by Whitehaven to include the Modifications (subject to any modified Development Consent conditions).

Whitehaven will continue to engage with GSC regarding the Modifications including the review of the existing road maintenance agreement in accordance with Condition B77, Part B of SSD 7480.

6.3 Road Noise

A Road Noise Assessment for the Modifications was undertaken by RWDI Australia Pty Ltd (RWDI) (2025) and is presented in Appendix B.

The assessment considers the overall road noise emissions from the approved GOCs incorporating the increased truck movements along the southern extent of the Approved ROM Coal Transport Route (Appendix B). A qualitative assessment was conducted to determine the potential road noise impacts associated with the Modifications (Appendix B).

The Road Noise Assessment was prepared with reference to the following guidelines:

- *Noise Policy for Industry* (NPfI) (EPA, 2017); and
- *NSW Road Noise Policy* (NSW Department of Environment, Climate Change & Water, 2011).

6.3.1 EXISTING ENVIRONMENT

The GOC Project Approvals (MP 11_0047, MP10_0015 and SSD 7480) condition road traffic noise criteria. The Project Approvals requires the GOCs to ensure that traffic noise on public roads generated by the TCM, VCM and RCM does not exceed road traffic noise criteria in Table 5 at any residence on privately-owned land.

Table 5
Gunnedah Open Cuts Road Traffic Noise
Criteria

Land	Day and Evening L _{Aeq} (15 hour)	Night L _{Aeq} (9 hour)
All privately-owned residences	60	55

Note: L_{Aeq} = The equivalent continuous sound level

6.3.2 POTENTIAL IMPACTS

Potential road noise impacts would be associated with the cumulative increase in trucks transporting coal along the southern extent of the Approved ROM Coal Transport Route.

The proposed 0.3 Mtpa increase of ROM coal transported in calendar year 2025 would result in the average number of cumulative haul trips increasing from approximately 22 to 24 trips per hour. An increase of two additional trips per hour would be equivalent to an increase in noise levels of approximately 0.4 decibels (dB) (Appendix B).

Such an increase in noise level is deemed negligible in accordance with the *Noise Policy for Industry* (EPA, 2017) and *NSW Road Noise Policy* (NSW Department of Environment, Climate Change & Water, 2011), and would not be discernible by the surrounding community (Appendix B).

RWDI (2025) has concluded that the increase in truck movements along the Approved ROM Coal Transport Route would be negligible and not impact on the acoustic amenity of the surrounding community.

6.3.3 MITIGATION MEASURES, MANAGEMENT AND MONITORING

Given the Modifications would have negligible impacts to acoustic amenity, no additional management measures are proposed as part of the Modifications.

Road noise would continue to be managed within the GOCs in accordance with the TCM and VCM Noise Management Plans for each of the mine sites. Notwithstanding, the Noise Management Plans would be reviewed and, if necessary, revised by Whitehaven to include the Modifications (subject to any modified Development Consent conditions).

Whitehaven has reached private agreements with all but one of the potentially affected private landholders along the Approved ROM Coal Transport Route. As the Modifications would result in negligible road noise impacts, these existing agreements would continue for the Modifications. Whitehaven will further attempt to engage with this private landholder with respect to an agreement.

6.4 Other Environmental Aspects

6.4.1 AIR QUALITY

To minimise dust, unsealed roads are not used for access to or from the TCM, RCM and VCM, except for the circumstances described in the TCM, VCM and RCM Traffic Management Plan (Whitehaven, 2024b). This would continue for the Modifications.

Under normal operations, coal haulage truck drivers would continue to travel along the Approved ROM Coal Transport Route, which does not result in dust generation as the route is sealed. Haul trucks transporting ROM coal to the Whitehaven CHPP would continue to be covered to minimise potential dust emissions under the Modifications.

Therefore, the Modifications would result in negligible dust emissions.

6.4.2 GREENHOUSE GAS

The Air Quality and Greenhouse Gas Assessment prepared for the VCM EIS (Ramboll, 2018) considered potential greenhouse gas emissions associated with ROM coal transport along the southern section of the Approved ROM Coal Transport Route.

The Modifications would result in approximately 20 additional truck haulage trips per day on average which would give rise to additional Scope 3 (indirect) greenhouse gas emissions (i.e. these emissions are considered to be Scope 3 as they are associated with a third-party haulage contractor). Product transportation represents a small portion of the total Scope 3 emissions previously assessed in the VCM Air Quality and Greenhouse Gas Assessment (Ramboll, 2018) (approximately 0.2% of Scope 3 emissions during peak year).

While the Modifications would increase the volume of ROM coal transported by road to the Whitehaven CHPP in 2025, the total ROM coal mined at the VCM and VCM and transported by road would remain unchanged as there is no proposed change to the resources mined under the Modifications. Therefore, it is considered that potential greenhouse gas emissions associated with the Modifications would be negligible.

7 Justification of the Modified Gunnedah Open Cut Operations

This section provides a justification of the Modifications and conclusion for the Modification Report.

As part of the justification of the Modifications, consideration has been given to:

- the engagement undertaken for the Modifications (Section 7.1);
- key environmental assessment outcomes including the potential impacts of the Modifications (Section 7.2);
- the relevant planning and policy objectives (Section 7.3); and
- the benefits of the Modifications and the GOC operations (Section 7.4).

7.1 Stakeholder Engagement Overview

Whitehaven has consulted with a number of stakeholders during the development of this Modification Report (Section 5), including:

- key NSW Government agencies;
- the local council; and
- Community Consultative Committees.

Key comments and issues raised during consultation have been considered and addressed in the preparation of this Modification Report. Whitehaven will continue consultation with stakeholders during the assessment of the Modifications.

7.2 Consolidated Summary of Impacts

Whitehaven has undertaken a review of the potential environmental impacts of the Modifications to identify key potential environmental issues requiring assessment. The key environmental issues identified are summarised in Section 6.

The Modifications would not significantly increase potential environmental impacts in comparison to the approved GOCs. It is considered that the consent authority can be satisfied that the environmental impacts of the GOCs as proposed to be modified are acceptable, subject to environmental performance conditions of their project approvals.

7.3 Compliance With Relevant Statutory and Policy Requirements

An outline of the statutory requirements relevant to the assessment of the Modification is provided in Section 4.

A detailed statutory compliance table for the GOCs incorporating the Modifications that identifies all the relevant statutory requirements and the relevant sections in this Modification Report that address these requirements is provided in Attachment 1.

7.3.1 EVALUATION UNDER SECTION 4.15(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Modifications are considered to be substantially the same as the approved GOCs and generally consistent with the objects of the EP&A Act. In evaluating the Modification, under section 4.15(1) of the EP&A Act, the consent authority is required to take into consideration a range of matters as they are of relevance to the subject of the application. Section 4 provides a summary of how these matters have been considered.

7.3.2 CONSIDERATION OF ECOLOGICALLY SUSTAINABLE DEVELOPMENT FOR THE MODIFICATIONS

The Modifications would be substantially the same as the existing GOCs, that would provide for maximising processing at the Whitehaven CHPP within its approved capacity for calendar year 2025.

The principles of ecologically sustainable development (ESD) have been considered through the design, planning and assessments conducted for the existing GOCs and are described in their respective environmental assessments.

The Modifications would include the use of the existing Approved ROM Coal Transport Route, which minimises potential new surface disturbance areas in comparison to a greenfield development.

As the Modifications would not result in any changes to the surface disturbance, or physical components of the existing GOC operations as outlined in Section 3.1, it is considered the Modifications would meet the principles of ESD.

7.4 Justification for the Modifications

The Modifications seeks to increase the cumulative ROM coal haulage limit from 3.5 million tonnes per annum (Mtpa) to 3.8 Mtpa (i.e. a 0.3 Mtpa increase of ROM coal transported) for the TCM, VCM, RCM in calendar year 2025.

Approval of the Modifications is considered to be justified given the Modifications would:

- Utilise the increased ROM coal haulage capacity following the adoption of higher payload trucks (while maintaining daily and hourly trips below those previously assessed).
- Maximise processing at the Whitehaven CHPP within its approved capacity without requiring any changes to current processing infrastructure or additional land disturbance.
- Facilitate ESD, as economic efficiencies can be achieved with use of existing infrastructure and minimal environmental impact.
- Be conducted in a manner that incorporates community engagement, with stakeholders consulted through the preparation of this Modification Report.
- Require no changes to the operations conducted at the TCM, VCM and RCM.
- Result in no changes to the Levels of Service of the Kamilaroi Highway, Blue Vale Road and relevant intersections (i.e. the roads and intersections continue to operate with spare capacity).
- Result in minimal impact with respect to road safety and road network performance.
- Result in negligible impact on the acoustic amenity of the surrounding community.

7.4.1 SUITABILITY OF THE SITE

Mining operations and nearby land uses, such as agriculture, have historically co-existed and this would continue for the Modifications. The Modification would also continue to be conducted in a manner that is responsible and considers the benefits and consequences of the development for other land uses, including coexistence with surrounding operations consistent with the existing GOC operations. The Modification does not propose any change in land use and will continue to utilise the Approved ROM Coal Transport Route.

The site is considered suitable for the Modifications, as the Modifications would not adversely impact on, or be inconsistent with adjoining existing or future land uses.

7.5 Conclusion

The modified GOCs would be substantially the same as the existing operations and would comply with applicable statutory requirements and relevant strategic planning policy objectives (Section 4 and Attachment 1).

The GOCs (as modified) would continue to comply with existing criteria, performance measures and limits described in the project approvals for the GOCs (i.e. Project Approval [MP11_0047] for the TCM, Development Consent [SSD 7480] for the VCM, and Project Approval [MP10_0015] for the RCM).

Whitehaven would continue to operate the GOCs (as modified) in accordance with the existing environmental management plans and environmental monitoring programs, which would be updated to incorporate the Modifications.

In weighing up the main environmental impacts (costs and benefits) assessed and described in this Modification Report, the Modifications are, on balance, considered to be in the public interest of the State of NSW.

8 References

- Environmental Protection Authority (2017). *Noise Policy for Industry*.
- GTA Consultants (2012). *Vickery Extension Project Gunnedah Basin, NSW Road Transport Assessment*.
- GTA Consultants (2016). *Tarrawonga and Rocglen Coal Mines Temporary Road Haulage Increase Modification Road Transport Assessment*.
- Gunnedah Shire Council (2020). *Future 2040 - Gunnedah Shire Local Strategic Planning Statement*.
- NSW Department of Environment, Climate Change and Water (2011). *NSW Road Noise Policy*.
- NSW Department of Planning and Environment (2022a). *Cumulative Impact Assessment Guidelines for State Significant Projects*.
- NSW Department of Planning and Environment (2022b). *New England North West Regional Plan 2041*.
- NSW Department of Planning and Environment (2022c). *State significant development guidelines – Appendix E - Preparing a Modification Report*.
- NSW Department of Planning, Housing and Infrastructure (2024a). *State Significant Development Guidelines*.
- NSW Department of Planning, Housing and Infrastructure (2024b). *Undertaking Engagement Guidelines for State Significant Projects*.
- Ramboll Australia Pty Ltd (2018). *Vickery Extension Project – Air Quality and Greenhouse Gas Assessment*.
- Ramboll Australia Pty Ltd (2018). *Vickery Coal Mine Environmental Impact Statement*.
- RWDI Australia Pty Ltd (2025). *Gunnedah Open Cuts Modifications – Road Noise Assessment*.
- The Transport Planning Partnership (2019). *Tarrawonga Coal Mine Modification 7 – Road Transport Assessments*.
- The Transport Planning Partnership (2024). *Vickery Extension Project Modification 1 – Road Transport Review*.
- The Transport Planning Partnership (2025). *Gunnedah Open Cuts Modifications – Road Transport Assessment*.
- Whitehaven (2024a). *Tarrawonga Noise Management Plan*.
- Whitehaven (2024b). *WHC_PLN_TAR ROC VCM_Traffic Management Plan*.
- Whitehaven (2025). *Vickery Noise Management Plan*.