
PROPOSED MODIFICATION OF DEVELOPMENT CONSENT FOR GLENNIES CREEK COAL MINE, SINGLETON LOCAL GOVERNMENT AREA, BY MAITLAND MAIN COLLIERIES PTY LTD.

REPORT ON THE ASSESSMENT OF THE PROPOSED MODIFICATION UNDER SECTION 96(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED).

1. INTRODUCTION

An application has been received under Section 96(2) of the Environmental Planning and Assessment Act 1979 (as amended) ('the Act') from Maitland Main Collieries Pty Ltd (MMC) for a modification to the consent granted by the then Minister for Planning on 1 November 1991 relating to construction and operation of an underground coal mine known as Glennies Creek Coal Mine. The application was received on 17 August 1998 and was accompanied by a Statement of Environmental Effects (R.W Corkery and Co Pty Ltd, 1998). Development consent for this project was granted under Section 101 of the (unamended) EP&A Act and as such, the Minister for Urban Affairs and Planning (the Minister) is the consent authority for the proposed modification.

2. BACKGROUND

Glennies Creek coal mine is located in the Singleton local government area (LGA) approximately 12km north of Singleton (refer Figure 1). The original Development Application for the Glennies Creek Coal Mine was lodged with Singleton Shire Council in August 1990. A Commission of Inquiry into the proposal was held in June/July and November 1991. Development consent was granted for the proposal, by the then Minister for Planning, under Section 101 of the unamended Act on 1 November 1991.

No mining or coal processing infrastructure development has been undertaken to date at the site. However, substantial commencement of the works has been undertaken with the realignment of Stony Creek Road in October 1996 and the implementation of a number of other non-operational related conditions.

3. PROPOSED MODIFICATIONS

MMC is requesting approval from the Minister for Urban Affairs and Planning for the following modifications to the original consent:

- development of three highwall entries to Coal Lease (CL) 382 via the north pit of Camberwell coal mine within CL357;
- processing of 200,000 tonnes of coal removed via the highwall entry through Camberwell's coal preparation plant for a maximum period of three years;
- dispatch of coal processed through Camberwell's coal preparation plant via Camberwell's train loading facility for a maximum period of three years;
- development of temporary site facilities on the site of the former Oak Park School grounds; and
- minor amendments to the sequencing of activities identified within the original development consent as Stage 1 and 2 and exclusion of some elements of the originally approved activity from the proposed works. A summary of the relevant components of the works is provided in Table 3.1.

Table 3.1 Summary of originally approved works to be deferred/excluded from development of Glennies Creek Mine.

APPROVED ACTIVITY	APPROVED DEVELOPMENT STAGE	MODIFIED DEVELOPMENT STAGE (YEAR)	COMMENT
Barrett Box Cut and Seam Entry	1	-	No longer required. Replaced by highwall entry.
Development headings in Barrett and Hebden seams	1	2 (5+)	This work was to be undertaken from Barrett Box Cut (ie. in a westerly direction). Future development work would now be undertaken off highwall entry development (ie. in an easterly direction).
Temporary pit head facilities and Barrett Seam Entry and truck haulage of raw coal to Hebden Seam Entry rail loop.	1	-	No longer required.
Inclined drift to Hebden Seam.	1	-	No longer required.
Direct conveying from pit to preparation plant via Hebden Seam Drift	1	2(1)	During Stage 1, coal discharged to highwall entry area and processed through Camberwell's coal preparation plant.
Construction of rail loading facility and coal preparation plant.	1	1(3)	Not required during initial works as Camberwell coal preparation plant will be used. 1990 EIS identified the possibility of washery being installed in modules.
Interseam entry to Middle Liddell Seam	2	1(1)	Direct seam entry vis highwall in Year 1 of Stage 1. Interseam access from Middle Liddell to Hebden Barrett Seam – Stage 2(Year 5+).
Install additional coal handling capacity and washing module.	2	2(?)	May or may not be required during Stage 2.
Second entry (drift) adjacent to Hebden Seam Entry	2	2(?)	May to provide alternate access point. May or may not be required.
Closure and decommissioning of Barrett Seam Entry.	2	-	No longer required.

The processing of coal at Camberwell's processing plant and dispatch via Camberwell's train loader would be undertaken in accordance with the Conditions of Consent that apply to Camberwell's operations. The SEE indicates that there is existing surplus capacity within Camberwell's operations to process and despatch the nominated volumes of coal. It should be noted that the current request for a modification applies only to operations at Glennies Creek. Any modification to operations at Camberwell would require a separate approval under the EP&A Act.

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If approval for the above modification is granted, the Department of Mineral Resources would excise the relevant area from CL 357 and a new lease covering the excised area would be issued to MMC.

4. PROJECT SITE

The highwall entry facilities is located within the north pit of Camberwell Coal Mine and the surface facilities are located within on the site of the former Oak Park School. The project site comprises the following:

LOT IDENTIFICATION	LAND OWNERSHIP
Lot 710, DP 624852, Parish of Auckland	Maitland Main Collieries Pty Ltd ⁽¹⁾
Lot 1, DP 772332, Parish of Auckland	Maitland Main Collieries Pty Ltd ⁽²⁾
Lot 1, DP 794590, Parish of Auckland	RHA Pastoral Company Pty Ltd

Note: 1. DP number has been corrected following exhibition of SEE.
2. Land proposed to be used for surface facilities.

5. STATUTORY PLANNING FRAMEWORK

5.1 Singleton Local Environmental Plan 1996

The project site is zoned Rural 1(a) under Singleton Local Environmental Plan (LEP) 1996. The proposed modification is permissible within this zone with development consent.

Hunter Regional Environmental Plan 1989

The Hunter Regional Environmental Plan (REP) 1989 provides a statutory framework to guide and control development in the Hunter region which includes the Singleton LGA.

Clause 39 of the REP lists a series of objectives relating to the mining and extractive industry as follows:

- (i) to manage the coal and other mineral resources and extractive material of the region in a coordinated manner so as to ensure that adverse impacts on the environment and the population likely to be affected are minimised;
- (ii) ensure that development proposals for land containing coal and other mineral resources and extractive materials are assessed in relation to the potential problems of rendering those resources unavailable; and
- (iii) ensure that the transportation of coal and other mineral resources and extractive resources and extractive materials has minimal adverse impact on the community.

The Department considers that the proposal is consistent with the above objectives of the REP. A detailed assessment of the environmental impacts of the proposal is provided in Section 6 of this report.

6. PUBLIC CONSULTATION AND CONSIDERATION OF ISSUES RAISED

In accordance with the Environmental Planning and Assessment Act and Regulation, the application for the modification was publicly exhibited between 31 August and 14

September 1998. Consultation was also undertaken with Singleton Shire Council (Council), Environment Protection Authority (EPA), Department of Land and Water Conservation (DLWC) and Department of Mineral Resources (DMR).

Ten submissions were received regarding the proposed modification. Submissions were received from the EPA, Department of Mineral Resources (DMR) and Singleton Shire Council (SSC). In addition, seven submissions were received from individuals objecting to the proposal.

Table 6.1 provides a summary of the issues raised in submissions received from government agencies and Council.

Table 6.1 Summary of issues raised in submissions from State and local government.

SUBMISSION	KEY ISSUES
Environment Protection Authority	- proposed changes are relatively minor - impacts arising from the changes are unlikely to be significant in comparison to the approved operation - highwall entry area, highway entry access ramp and coal handling access road to be included as part of site rehabilitation works - erosion and sedimentation controls should be implemented on disturbed areas during the construction phase - monitoring of blasts should be undertaken to ensure current annoyance criteria for ground vibration are not exceeded - construction and operation works will require licence from the EPA under the Protection of the Environment Operations Act - approval for the requested modification should not be withheld on the grounds of noise, air and water pollution, disposal of wastes or general contamination of the environment
Department of Mineral Resources	- strongly supports proposal as most effective way of accessing Glennies Creek coal reserves - proposed rehabilitation satisfactory - proposal will result in minimal environmental impact
Singleton Shire Council	- has no objection to the proposed modification as outlined in the SEE - Conditions of Consent granted in 1991 are still relevant and should be retained except for 'housekeeping' changes and Condition 18.1(c) which is no longer relevant and should be deleted

The key issues raised in submissions from individuals objecting to the proposal were as follows:

- cumulative impacts with Camberwell mining operations in terms of dust and noise generation
- rehabilitation works should be undertaken
- impacts of undermining Glennies Creek
- soil impacts and post mining land use
- flora and fauna impacts
- visual impacts from development of works and operational lighting
- issues associated with acquisition of properties by Glendell mine

7. ASSESSMENT OF KEY ISSUES

7.1 Noise Impacts

Existing noise levels in the vicinity of the project site are dominated by large scale open cut mining operations at Camberwell.

The SEE did not contain a quantitative assessment of the noise impacts of the proposal but indicated that the proposed works would comply with the noise criteria contained in the original consent.

This conclusion was based on a number of assumptions which are discussed below. The proposed modification would preclude development of the Barrett Seam Entry and result in development of a highwall entry point at an alternative location within the Camberwell mine north pit. Preclusion of the development of the Barrett Seam Entry and the associated 1.5km of haul road would result in a reduction of noise levels to the north east of the mine.

The proposed alternative entry point would be located within the Camberwell north pit and the SEE concludes that noise from the development activities would be masked by noise from activities at Camberwell mine. Major operational noise sources from equipment (eg. fans, motors) would be located 40m below natural surface level and noise emissions would therefore be shielded.

Noise emissions from coal transportation from the proposed highwall entry to Camberwell's processing plant would not be cumulative as existing equipment from Camberwell would be utilised to undertake this activity. No additional equipment would be used other than that which is currently in operation.

The proposed modification also involves the use of existing facilities at Camberwell for coal processing and dispatch. The modification would therefore defer development of the Glennies Creek rail loop, train loader and surface facilities for a period of up to 3 years thereby deferring noise generation from these activities. The processing and dispatch of coal using Camberwell's facilities would be required to be undertaken in accordance with the consent relating to Camberwell's operations including those conditions relating to noise generation.

The SEE contains a number of mitigation measures which the applicant proposes to implement as follows:

- site establishment and construction equipment would be fitted with residential grade mufflers;

- site establishment and construction activities would be restricted to 6.00am to 6.00pm Monday to Friday and 6.00am to 2.00pm Saturday; and
- monitoring of noise levels would be undertaken in accordance with the requirements of the original consent.

Based on the above, the SEE concludes that noise levels resulting from the proposed modification would be within levels contained in the original consent.

The Department concurs that the conclusions contained in the SEE in relation to noise generation appear reasonable provided the mitigation measures outlined are implemented. The EPA also indicated in its submission that the noise impacts of the proposal should not result in the requested modification being withheld.

The original consent (refer Conditions 6(i) and (ii)) requires that the proponent undertake noise monitoring at a number of dwellings and implement mitigation measures to the satisfaction of the EPA if criteria are exceeded.

In addition, the Department considers that the consent should be modified to include additional conditions to provide for further monitoring and management measures to be implemented, it is recommended that the following additional conditions be included in the consent for the works:

- Preparation of a Noise Management Plan to identify potential noise sources from the works, describe the processes to be used to determine the noise levels from the development, describe measures to be used to reduce the impact of intermittent, low frequency and tonal noise and outline measures to document any high level of impacts or temperature inversions and detail actions to quantify and ameliorate impacts if they occur. The Plan will be required to be prepared in consultation with the EPA and to the satisfaction of the Director-General prior to the commencement of construction.
- Provision for landowners to request independent monitoring of noise.
- Provision for independent environmental audits to be undertaken.
- Community notification, involvement and complaints handling procedures to be implemented.

Vibration Impacts

Blasting would be required as part of the construction works for the development of the highwall entry area and access road. This blasting would only be undertaken between 7.00am and 5.00pm Monday to Friday. Blasting would also be required during operation of the works as outlined in the original proposal. In its submission to the SEE, the EPA recommended that monitoring of blasts for both the construction and operation stages of the works be undertaken to ensure current annoyance criteria for ground vibration are not exceeded. The Department agrees that this should be undertaken and recommends that an additional condition be included in the consent to this effect.

7.2 Air Quality

Dust generation would represent the most significant effect on air quality during construction and operation of the works. The SEE states that existing air quality is

dominated by large scale open cut mining at Camberwell and to a lesser extent agricultural activities and traffic movements.

The SEE does not contain a quantitative assessment of the likely impacts of dust generation but concludes that the adverse impacts on air quality resulting from the proposed modifications would be negligible as the depth of the highwall entry would act as an obstacle to any dispersion of dust from the highwall entry area. The SEE also states that the proposed development of the highwall entry within an existing disturbed area instead of developing the Barrett Seam Entry and disturbing an undisturbed area would result in a benefit to the overall dust impacts from the proposal. The SEE concludes that the zone of affectation from the existing Camberwell mine would not increase as a result of the activities of Glennies Creek highwall entry area within the north pit.

The SEE proposes a number of air quality management measures as follows:

- minimisation of area of disturbance;
- progressive rehabilitation of disturbed areas;
- dust suppression measures to be implemented including watering of disturbed areas; and
- monitoring of dust levels in conjunction with Camberwell.

Given the scale and location of the proposed works, the Department concurs with the conclusions of the assessment undertaken in the SEE regarding dust impacts. The original consent includes Condition 6(iii) which requires the proponent to undertake ongoing dust monitoring at one residence. Condition 6(iv) requires that where monitored dust deposition rates exceed the EPA's health and amenity criteria, the proponent shall, upon request of the owner, meet the cost of management measures required by the EPA to maintain dust deposition rates within the EPA's criteria at that residence. Conditions 6 (iii) and (iv) will not be modified.

However, the Department considers that additional conditions in relation to air quality management should be included in the consent. The additional conditions will require the development of an air quality management plan which will detail all dust suppression measures to be implemented, monitoring measures for dust and gas emissions and actions to be implemented to ameliorate impacts if criteria are exceeded. The modified consent will also provide for independent monitoring to be undertaken at any residence where the landowner or occupier considers that dust levels are in excess of the criteria.

7.3 Visual Impacts

The existing visual landscape at the project site is dominated by the overburden/reject emplacement of Camberwell Coal. The proposed development of the highwall entries will represent a negligible effect on the existing visual environment as it is located within the Camberwell pit and would be screened from view. The SEE contains details of the rehabilitation measures that would be implemented at the project site following completion of the works. Rehabilitation would be required to be undertaken in a manner consistent with rehabilitation works undertaken on the adjoining CL357. In its submission to the SEE, DMR indicated that the proposed rehabilitation works were satisfactory. The EPA requested in its submission that an additional condition be included in the consent that specifically requires the applicant to rehabilitate the highwall entry area, coal handling access road and

highwall entry access ramps associated with the proposed works. In the SEE, MMC indicates that with the excision of a part of CL 357 and the granting of a lease over that area to MMC, it would assume responsibility for the development of an acceptable final landform and the appropriate rehabilitation of that landform.

The SEE indicates that lighting used at the project site would be directed away from residences and that appropriate treatments would be implemented along the entry area access road to ensure headlights do not shine into residences.

The development of the surface facilities at the Oaks Park School Site would also be minor as facilities would be of a small scale and would be located amongst existing vegetation and buildings and painted appropriate colours. Preclusion of the development of the Barrett Seam entry and private haulroad would result in a minor visual improvement in that area.

7.4 Water Impacts

The proposed works lie within the catchment of Station Creek which is a tributary of Glennies Creek which itself is a tributary of the Hunter River.

The proposed modifications would not alter the status of Glennies Creek as a 'zero discharge' mine as was approved in the original consent and therefore significant impacts on water quality would be unlikely to occur.

The highwall entry works and associated facilities would be located within the existing Camberwell void and a number of water management measures are proposed including the following:

- isolation of clean and dirty water streams;
- sedimentation dam to be located downslope of the surface facilities access road;
- silt trap to be located downslope of the surface facilities area;
- sedimentation dam to collect water from highwall entry access road and to act as an interim storage for water pumped from the highwall entry prior to being pumped to three 100kL tanks above the highwall for reuse; and
- biocycle sewage treatment system installation at the surface facilities area.

In its submission the EPA recommended that erosion and sedimentation controls be implemented during construction. The Department considers that the SEE contains satisfactory conceptual details of the erosion and sedimentation controls that will be implemented during the works.

The proposed modification would not have a significant impact on groundwater as the works would be located within an existing void.

The processing of coal at Camberwell's operations would not result in any significant cumulative effects on water quality as all work would be required to be undertaken in accordance with the conditions of consent relating to Camberwell's operations. Camberwell is a nett water user with dirty water from the coal processing plant being retained for reuse.

The proposed modifications would also have a potential benefit to water quality in the vicinity of the mine as the modification would preclude development of the Barrett Seam

Entry and Box Cut resulting in a reduction in the area of surface disturbance and the potential for erosion and sedimentation.

The Department considers that providing the abovementioned mitigation measures are implemented, the existing conditions of consent relating to water quality are adequate. No modifications to the conditions of consent are recommended in relation to this issue.

The issue of the impact of undermining Glennies Creek was raised in submissions to the EIS. This issue was addressed in the original EIS and development consent for the mine. The proposed modification does not result in any further impacts in relation to this issue and therefore does not warrant any modification to the development consent.

7.5 Traffic and Access

Access to the project site would be undertaken in accordance with the Conditions of Consent granted in 1991. Access to the surface facilities would be by way of New England Highway, Bridgman Road, Stony Creek Road (newly constructed) and Middle Falbrook Road which would be upgraded in accordance with the Condition 18.1(b) of the original consent prior to commencement of the works.

Condition 18.1(c) of the original consent required the upgrading of Middle Falbrook Road from its intersection with the New England Highway to the proposed mine to allow it to be utilised as a secondary access to the mine. However, since 1991 Middle Falbrook Road has been closed near its intersection with the New England Highway and thus Condition 18.1(c) is redundant. Condition 18.1(c) should therefore be deleted from the modified consent.

The remaining sub-clauses of Condition 18.1 in the original consent should be retained as they are relevant to the proposal in its modified configuration.

7.6 Other Issues

Flora and Fauna

Three threatened flora species have been previously recorded in the area of the proposed works, however, a flora survey of the project site concluded that none of these species were present on the site due to the highly disturbed nature of the site and the absence of suitable habitat. No assessment under Section 5A of the EP&A Act (the eight part test) was therefore required. The SEE concluded that there would be a negligible impact on vegetation communities due to the highly altered nature of vegetation to be affected and the high incidence of exotic species. The Department agrees with this conclusion.

No fauna survey was undertaken for the SEE given the highly altered nature of the existing habitat at the site which was considered to be of minimal conservation significance. A negligible impact on fauna would be expected to occur. Avoidance of isolated remaining trees and rehabilitation of the project site with open woodland community would enhance the long term habitat values of the site.

Indigenous and Non-Indigenous Heritage

All areas to be disturbed by the proposed works have been substantially disturbed by past mining or agricultural activities. In addition, previous surveys have not located any items of indigenous or non-indigenous heritage within the areas to be disturbed. No impact on any aspect of indigenous or non-indigenous heritage is therefore expected.

Compensation Arrangements

The original consent (refer Condition 22) required the Applicant to provide appropriate compensatory arrangements for AJ & MA Andrews in respect of the acquisition of their property. The Applicant has advised that the residence which is the subject of Condition 22 has been purchased by the Camberwell mining operation. It is therefore recommended that Condition 22 be deleted.

8. SECTION 79C ASSESSMENT

The Department has undertaken an assessment of the proposed modification in accordance with the head of consideration contained in Section 79C of the EP&A Act. The assessment concluded that the impacts of the proposal can be managed to an acceptable level, provided the recommended modified Conditions of Consent contained in Section of this report are adopted. The Section 79C assessment is included in Appendix A.

9. RECOMMENDED MODIFICATION TO CONDITIONS OF CONSENT

Based on the outcomes of the assessment undertaken in Section 6 of this report, the following modifications to the Conditions of Consent are recommended:

Noise and Vibration

Preparation of a Noise Management Plan to identify potential noise sources from the works, describe the processes to be used to determine the noise levels from the development, detail noise monitoring procedures, describe measures to be used to reduce the impact of intermittent, low frequency and tonal noise and outline measures to document any high level of impacts or temperature inversions and detail actions to quantify and ameliorate impacts if they occur. The Plan will be required to be prepared in consultation with the EPA and to the satisfaction of the Director-General prior to the commencement of construction.	Refer new Recommended Condition 6(v)
Ensure all blasts are undertaken in accordance with EPA requirements and undertake monitoring of all blasts in terms of ground vibration and peak particle velocity to be included in the Annual	Refer new Recommended Condition 3(f)

Environmental Monitoring Report.	
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Air Quality

Preparation of an Air Quality Management Plan to detail dust suppression measures, monitoring measures and mitigation measures. The Plan will be required to be prepared in consultation with the EPA and to the satisfaction of the Director General prior to the commencement of construction.	Refer new Recommended Condition 6(vi)
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Independent Monitoring and Auditing

Provisions for landowners to request independent monitoring of dust and/or noise levels. Results of such monitoring will be provided to the Department and the EPA. If relevant criteria are exceeded the proponent will be required to implement reasonable mitigation measures as directed by the Director-General in consultation with the EPA.	Refer new Recommended Condition 28
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Traffic

Remove reference to requirement to upgrade Middle Falbrook Road.	Delete Condition 18.1(c)
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Compensation Arrangements

Remove reference to requirement to compensate AJ & MA Andrews.	Delete Condition 22.
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As discussed, the original consent was dated 1 November 1991. No mining activity has been undertaken to date, however, operation of the mine is expected to commence following approval of the current application under Section 96(2) of the EP&A Act. In order to reflect current best practice in underground mining operations and changing community expectations, a number of other modifications to the Conditions of Consent have been agreed to by the proponent as follows.

General

Update names of relevant government agencies to reflect current names.	Refer new note following Conditions of Consent
Notification of the Director-General and the	Refer new Recommended Condition 29

Council prior to the commencement of secondary workings and coal processing operations.	
Update condition relating to dispute resolution to reflect current procedures.	Modify Condition 21
Results of noise and dust monitoring to be provided to the Department as well as Council to reflect current practice.	Modify Conditions 6(ii) and (iii)
Preparation of a compliance report prior to the commencement of the secondary workings to the satisfaction of the Director-General and will be required to demonstrate compliance with all conditions of consent which relate to the pre-construction stage of the proposal.	Refer new Recommended Condition 30
Provision for independent environmental audits to be undertaken on a regular basis and as directed by the Director-General	Refer new Recommended Condition 31

Community Involvement and Complaints Handling

Establishment of a Community Consultative Committee who may make comments and recommendations regarding the implementation of the proposal which the applicant will be required to consider.	Refer new Recommended Condition 32
Recording of all complaints received and provision of a response to complainants within a 24 hour period.	Refer new Recommended Condition 32
Establishment of a system of community notification to ensure the local community is kept informed of the progress of the works.	Refer new Recommended Condition 32

Annual Reporting

Preparation of an Annual Environmental Management Report (AEMR) for the duration of mining activities and for at least three years following completion of the works. The AEMR shall review the performance of the mine against the conditions of the consent and other licences and approvals.	Modify Condition 12(b)
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The Applicant has agreed to the Recommended Conditions of Consent. Singleton Council has also indicated its satisfaction with the Recommended Conditions of Consent.

10. CONCLUSION

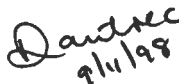
Subject to certain additional or modified conditions of consent, it is considered that the environmental impacts of the proposed works are either not significant or can be managed to acceptable levels. It is therefore concluded that the environmental aspects of the proposed works do not preclude approval of the proposed modification of the consent.

11. RECOMMENDATION

It is RECOMMENDED that the Minister:

- (i) note the contents of the planning report; and
- (ii) in considering the findings of the planning report, approve the subject application under Section 96(2) of the EP&A Act, to modify the development consent for the Glennies Creek Coal Mine of 1 November 1991.


Alison Clausen
Environmental Planning Officer
Development and Infrastructure Assessment


9/11/98

Endorsed


Sam Haddad
Executive Director

9. 11. 1998.

Department of Urban Affairs and Planning
Glennies Creek Coal Mine – Section 96(2) Modification Application

APPENDIX A – ASSESSMENT OF PROPOSAL UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.

The provisions of:

- (i) *any environmental planning instrument*
- (ii) *any draft planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority*
- (iii) *any development control plan*
- (iv) *the regulations*

that apply to the land to which the development relates.

The proposal is located within Singleton Local Government Area and as such is subject to the provisions of Singleton Local Environmental Plan (LEP) 1996. Under this LEP, the proposal is permissible with development consent.

Hunter Regional Environmental Plan (REP) 1989 also applies to the proposal. The proposal is in keeping with the objectives of the REP relating to mining and extractive industries.

There are no other environmental planning instruments which are relevant to the proposal.

The likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.

The key environmental issues associated with the proposal are noise generation, air quality, visual impacts and water quality. A detailed assessment of the potential impacts of the proposal in respect of each of these issues is provided in Section 7 of the planning report for this proposal. It is concluded that based on the requirements of the Conditions of Consent granted for the original development, together with the additional mitigation measures proposed in the Statement of Environmental Effects and the proposed modifications to the Conditions of Consent, the environmental impacts of the proposal can be managed to an acceptable level. It is concluded that the likely impacts of the development will not be significant.

The suitability of the site for the development.

The project site for the highwall entry area is located within the north pit of the Camberwell mine. The siting of the works in an existing mine pit will provide benefits in terms of noise, air quality and visual impacts. It is concluded that this site is appropriate for the proposed works.

The other component of the proposed works is the siting of the surface facilities at the former Oaks Park school site. This site is considered appropriate for use as surface facilities as it is located in close proximity to the mine site and will maximise use of

the existing structures at the site and will therefore require only minor further development.

Any submissions made in accordance with the Environmental Planning and Assessment Act or regulations.

Section 6 of the planning report contains a summary of all the submissions received in respect of the Section 96(2) application. The issues raised in the submissions have been addressed in the assessment undertaken in Section 7 of the planning report.

The public interest.

It is considered that the proposal is in the public interest. The proposal will facilitate development of the Glennies Creek coal mine thereby maximising use of natural resources within the region with associated local and regional social and economic benefits. The proposed modification will result in some minor benefits to the local community as it will maximise the use of an existing disturbed area (ie. the north pit of the existing Camberwell mine) in which to locate works, thereby minimising impacts in terms of noise, dust and visual impacts.