



Environment, Climate Change & Water

Your reference : 10/0642-2

Our reference : DOC10/36799 LIC07/2409-03 Part 3 A

Contact : Mark Hartwell, 49086816

Agency ③

NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention Howard Reed

Dear Mr Reed

RE: STRATFORD COAL MINE s.75W MODIFICATION 4 (DA23-98/99)

The Department of Environment, Climate Change and Water (DECCW) has reviewed the Stratford Coal Pty Ltd (SCPL) "*Stratford Coal Mine July 2010 Modification Environmental Assessment*" (EA). DECCW offers the following comment on the proposal.

Surface Water Quality

DECCW acknowledges that discharge from Stratford East Dam ceased some time ago and the modification seeks to formalise this. DECCW advises that it can amend the Environment Protection Licence to reflect this proposal.

Irrigation Runoff waters

DECCW understands that the applicant is not seeking licensing for any discharge from the wastewater irrigation system and accordingly must comply with section 120 of the *Protection of the Environment Operations Act 1997* (POEO) in relation to surface and groundwater.

DECCW recommends the consent, and accordingly the EPL, contain conditions to ensure proper management of the proposed irrigation system as proposed in the EA as listed below.

- O7.1 The irrigation system must be installed maintained and operated to ensure that any runoff as a result of rainfall reports to the mine-water dam known as Stratford East Dam.
- O7.2 Application of mine wastewaters must only be applied at a rate that can be assimilated by the irrigation area and its evapotranspiration capacity.
- O7.3 There must be no ponding or runoff from the irrigation area as a result of the application of mine wastewaters.

- O7.4 Each irrigation pump must be fitted with a flow meter capable of indicating both total and event effluent volumes applied to the irrigation area.
- O7.5 The Licensee must record the amount of wastewater applied by each irrigation event. The application rate, the start and stop dates and times, and weather conditions including rainfall, temperature and humidity must be recorded.

Air Quality

DECCW is seeking to rationalise air quality monitoring for particles at coal mines in the Gloucester/ Great Lakes areas. This will, once completed, move from event (six day cycle) monitoring to current best practice continuous monitoring and involve rationalisation of existing monitoring. DECCW request any consent provide sufficient flexibility to allow this modernisation of air particulate monitoring to occur over the next 12 to 24 months. DECCW has conducted preliminary discussions regarding this with Stratford Coal Pty Ltd.

Noise

To address noise amenity in the areas surrounding the proposal DECCW recommends the conditions shown below be included in any approval. Department of Planning will note that we have not recommended limits for premises where the predicted noise levels exceed those to which DECCW would normally licence to (that is, Bagnall, Battaglini, McIntosh, Wallace, Thompson, Stackman & Partridge, Hall and Yates). Should the project be deemed acceptable for approval by Department of Planning, DECCW requests that these premises be dealt with in any approval via the process developed by Department of Planning that assigns the right of acquisition upon request.

L6 Noise Limits for Stratford Coal Mine Modification.

- L6.1 Noise generated at the premises must not exceed the noise limits presented in Table 6.1 below. The location(s) referred to in the table below are indicated in the relevant Land Ownership List Figures 4a and 4b, in the Report "Stratford Coal Mine; July 2010 Modification Environmental Assessment prepared by "Stratford Coal Pty Ltd" (Report No. 00352044.doc /Project No. GCL – 09 – 11) dated July 2010.

Table 6.1 Noise Limits – All noise limits are in dB(A)

Location	LA _{eq,15 minute} Daytime	LA _{eq,15 minute} Evening	LA _{eq,15 minute} Night	LA _{Max}
Devereaux	41	41	41	45
Atkins	38	35	35	45
Tiedman	38	35	35	45
Williams	35	35	35	45
Bowen	35	35	35	45
Clarke	35	35	35	45

Location	LA _{eq,15 minute} Daytime	LA _{eq,15 minute} Evening	LA _{eq,15 minute} Night	LA _{Max}
Bignall	35	35	35	45
Morgan	35	35	35	45
Isaac (South)	42	42	42	45
Isaac (North)	42	42	42	45
Craven Village	40	40	40	45
Grono/D Blanch	40	40	40	45
L Blanch	42	42	42	45
Standen/Milliett	40	40	40	45
Stratford Village	35	35	35	45
Lowrey	35	35	35	45
All other Craven Residential Properties	40	40	40	45
All other Stratford Residential Properties	38	36	36	45
All other Stratford/Craven rural properties	35	35	35	45

Note: Predicted noise levels exceed those to which the EPA would normally Licence at Bagnall, Battaglini, McIntosh, Wallace, Thompson, Stackman & Partridge, Hall and Yates, and EPA are unable to recommend licence noise limits for these receivers. We assume that noise levels predicted at these receiver locations will be dealt with in any Planning Approval, if issued, by the process developed by Planning which assigns the right to acquisition on request. EPA note that Bagnall and Battaglini have existing rights to acquisition upon request.

L6.2 For the purpose of condition L6.1;

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holiday's.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holiday's.

L6.3 The noise limits set out in condition L6.1 apply under all meteorological conditions except for any one of the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) 3 degrees C/100m temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Greater than 3 degrees C/100m temperature inversion conditions .

L6.4 For the purposes of condition L6.3:

- a) The meteorological data to be used for determining meteorological conditions is the data recorded by the meteorological weather station established at this site for the purposes of this Environment Protection Licence.
- b) Degrees C/100m temperature inversion conditions are to be determined by direct measurement of temperature lapse rate as referred to in Part E2 of Appendix E to the NSW Industrial Noise Policy.
- c) Temperature lapse rate shall be measured over a minimum of 50 metre interval.

L6.5 For the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used.

L6.6 To determine compliance:

- a) with the $L_{eq(15 \text{ minute})}$ noise limits in condition L6.1, the noise monitoring equipment must be located:
 - within 30 metres of a dwelling façade where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises;
 - approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises;
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the $L_{A_{max}}$ noise limits in condition L6.1, the noise monitoring equipment must be located within 1 metre of a dwelling façade. .
- c) the noise monitoring equipment must be located in a position that is:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by conditions L6.6(a) or L6.6(b).

L6.7 An exceedance of this Environment Protection Licence will still occur where noise generated from the premises in excess of the appropriate limit specified in the condition L6.1 is detected:

- in an area at a location other than an area prescribed by condition L6.6; and/or
- at a point other than the most affected point at a location.

Note: For the purposes of this Environment Protection Licence (EPL) the rail loop is considered part of the premises

L6.8 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

M7 Requirement to Monitor Noise

M7.1 To determine compliance with Condition L6.1, attended noise monitoring must be undertaken in accordance with Conditions L6.5 and L6.6:

- a) at the locations listed in Condition L6.1; and
- b) occur Quarterly beginning 1 January each year.

M8 Requirement to monitor weather

M8.1 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in condition M8.2.

M8.2 For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Point 21

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4
Temperature lapse rate	°C per 100m	Continuous	15 minute	Part E2 Appendix E of the NSW Industrial Noise Policy
Rainfall	Mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

R4 Noise Monitoring Report

A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the quarterly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant which:

- a) assesses compliance with noise limits presented in Condition L6.1; and
- b) outlines any management actions taken within the monitoring period to address any exceedences of the limits contained in Condition L6.1.

Recommended inclusions in the Planning Approval

DECCW recommend to Department of Planning include a condition in any project approval, if issued, for the proponent to only use a rail service provider who will contract to use best practice rolling stock including only locomotives that have received an approval to operate on the NSW rail network in accordance with the noise limits L6.1 to L6.4 in RailCorp and ARTC's Environment

Protection Licences or a Pollution Control Approval issued pursuant to the former Pollution Control Act 1970.

Also DECCW recommends that Department of Planning include a condition that A Rail Traffic Noise Management Strategy (RTNMS) be developed by the proponent and their rail service provider, for the purposes of construction and operational noise impacts associated with the rail siding prior to commencement of construction (and operation) of the rail siding. The RTNMS must ensure that feasible and reasonable noise management strategies for construction and operation noise impacts associated with the facility are identified and applied, that include but are not necessarily limited to the following:

- driver training to minimise noise from locomotives, bunching and stretching;
- best noise practice in the selection and maintenance of locomotives and rolling stock;
- best practice rail maintenance to retain track and rolling stock in good condition, address issues such as wheel flats as soon as practicable and implement all feasible and reasonable mitigation measures to address flanging, wheel squeal and brake squeal;
- movement scheduling where practicable to reduce impacts during sensitive times of the night;
- a system of audited management practices that identifies non conformances, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimization procedures); and
- specific procedures to minimize impacts at identified sensitive areas.

If you have any questions concerning this matter please contact Mark Hartwell in our Newcastle Office on 48086816.

Yours sincerely

 17-9-10

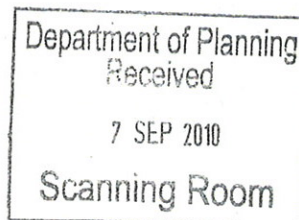
PETER JAMIESON
Head Regional Operations Unit
North East Branch
Environment Protection Regulation



Contact: Anna Ferguson
Phone: 4337 1213
Fax: 4323 3960
Email: anna.ferguson@cma.nsw.gov.au

File: Letter to DoP Stratford Coal EA.doc

Howard Reed
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001



Your Ref: DA 23-98/99
Our Ref: A429563

Dear Mr Reed

Subject: DA 23-98/99 – Stratford Coal Mine s.75W Modification 4

Thank you for the opportunity to comment on the above proposal. The Hunter-Central Rivers Catchment Management Authority (CMA) has reviewed the information provided and offers the following comments for your consideration.

Hunter-Central Rivers Catchment Action Plan (CAP)

The Hunter-Central Rivers CAP is a whole-of government approach to natural resource management which has been endorsed by the NSW Government. The comments below are provided in the context of the impact of the project on the CAP, which is available on the CMA's website
<http://www.hcr.cma.nsw.gov.au>

CAP Guiding Principles

The guiding principles are statements that outline the CMA position on how natural resources should be managed in the Hunter-Central Rivers region. They provide direction for all natural resource managers to achieve ecologically sustainable development and allow organisations to align their activities so that they are compatible with the CAP. This will ensure that the whole community (including government) can work towards a common goal.

The CAP contains specific guiding principles for mining and extractive operations which seeks to *'Minimise the impacts of mining and extractive operations on natural resources and ensure appropriate rehabilitation of affected land'*. The CMA has high expectations of mining and extractive operators and seeks to work with them and regulators to achieve world best practice in natural resource management.

Rehabilitation

CAP guiding principle; *"Current best practice of mine rehabilitation should ensure that land affected by mining is progressively returned to at least its former productive condition so that it can support appropriate vegetation cover"*.

The CMA acknowledges the rehabilitation plan aims to achieve a mix of pasture, woodland and wildlife corridors. It is important that appropriate species local to the area be used for rehabilitation. In particular, the CMA recommends native pastures be used for open woodlands. Deep rooted native pasture can also assist with any potential dryland salinity issues.

It is noted that the Waste Emplacement area has effectively been completed and that the aim included 20% native vegetation cover. The CMA recommends that conditions for approval include a significantly higher proportion of native vegetation cover, at least 50%, for other rehabilitation areas, which would provide a more sustained rehabilitation outcome consistent with land capability.

Salinity

It is noted that the proposal intends to irrigate the waste emplacement rehabilitation area with mine water from the Stratford East Dam. It is important that the level of salinity within the soils and groundwater of the irrigation area does not increase due to this irrigation. The CMA recommends soil and groundwater monitoring of salinity be included in the mine monitoring plan, if not already.

In summary, the CMA recommends the above issues be addressed prior to any approval being granted or included in conditions for approval.

If you require any further information please do not hesitate to contact Anna Ferguson, the CMA's Regional Catchment Coordinator on 4337 1213.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glenn Lyons', with a stylized flourish at the end.

Glenn Lyons
Program Manager for
Fiona Marshall
General Manager

2 September 2010



Agency ①

Reference: LW

Contact: Glenn Wilcox

17 September, 2010

Department of Planning
Mining and Extractive Industries Team
GPO Box 39
SYDNEY, NSW, 2001

Attention: Kate McDonald

Dear Ms McDonald

Stratford Coal Mine s75W Modification 4 (DA 23-98/99)

Reference is made to the abovementioned subject and to the Environmental Assessment placed on public display. Council advises that it has reviewed this document and discussed this modification with Gloucester Coal. Council considered this EA along with advice submitted for the associated Duralie Coal Extension Project (08 0203).

Council notes that the proposed development shall increase the total CHPP ROM coal processing rate by 1.2 Mtpa. The production shall require an increase in train frequency, train lengths and times of operation. Also the output of coal from the Stratford mine site shall increase by 1Mtpa. Council has identified that noise, dust and times of operation shall be the largest areas of public concern. Council further notes that an increase in road transport shall be required for deliveries although the staff levels proposed will remain constant.

Council requests that the Department considers the following items:

Train Movements

Council notes that train movements shall increase in frequency and times of operation. The increase from 3 to 4 movements per day and the increase train lengths shall generate a moderate impact on residents living along the rail corridor. The train movements may generate an increase in noise related disturbance to resident living close to the rail loop due to the increased train lengths and loading / unloading time required.

The resident (Bagnall) living at the intersection of the rail loop and the North Coast Rail line appears to be impacted to the greatest degree and an increase in train length shall increased train idling and truck noise due to movement. Council notes that the EA indicates that this residence is in an agreed acquisition zone. Residents living along the rail corridor in the Craven locality may be impacted by rail noise due to increased rail movements and holding periods at the rail siding.

Other residents especially during inversion periods may become aware of this increase in rail traffic and rail noise generated during the unloading / loading phase. This has been evident from noise complaints reported to the Community Consultative Committee for the Stratford mine site.

cont...2/-

Council acknowledges that rail traffic on the North Coast line is not subject to public review and changes in train times are part of living near such a rail transport corridor. However, as the rail noise generated is site specific and will remain at a fixed locality rather than transit through an area the impacts locally may increase significantly based on train operational times. The company has indicated that new locomotives and rolling stock shall be sourced to reduce noise effects and to comply with the predicted noise assumptions by Heggies Pty Ltd.

Council would like to request that the following conditions be applied:

- That no change occurs to rail transport times (7am to 10pm) until new locomotives are operational and a period of three months has elapsed to permit operational rail noise testing (onsite). Reason: to ensure that the rail noise predictions contained in the EA are tested in an operational environment at the most affected properties.
- That new rail rolling stock is provided in association with the new locomotives. Reason: The existing rail rolling stock has not been assessed in the EA as to rail noise emissions and new rail rolling stock could reduce overall rail noise levels.
- If extended train times are implemented (7am to 12am (midnight)) trains are scheduled as evenly as possible during the time frame and not all late night / early morning. Reason: To ensure that train scheduling is occurring over the spread of hours nominated in the EA and that noise impacts to residents are minimised during normal sleep periods.

Noise Impacts

Council's assessment of the EA indicates that the company is proposing to reduce noise emissions from the rail loop by the installation of earth mounds and by changes to the coal handling and loading procedures. Council notes that complaints in the operational noise range are becoming more prevalent and that this in the past has been attributed to the stock pile dozer and loading of train wagons. The company has advised in the EA that changes will be made to reduce noise levels at these stages of production.

Council believes that due to the changes in noise levels and impacts especially at night time and during temperature inversions that a greater number of residents may be affected due to the increase in loading and unloading of trains and from the general production. The changes in noise nuisance may trigger a greater community response and need to undertake noise control works in excess of that proposed in the EA.

Council would like to request that the following conditions be applied:

- That the stock pile dozer is replaced with a machine running on rubber tracks. (Reason: To reduce the detectable noise and resulting nuisance created by track slap to residents in the locality and due to the increased height of coal stock piles).

cont...3/-

Acquisition of Land

Councils assessment of the extension to Roseville pit and the additional train times and potential noise disturbance may require agreed acquisition of land by the company should land owners be impacted. Council has previously submitted to the Department a document (Consideration of Exploration and Mining Applications – A new Approach) that establishes impact consideration and acquisition triggers. A copy of this document is attached. Council would like the Department to take this document into consideration where residents raise issues as to noise, dust, vibration or perceived impacts on their enjoyment of the land due to this modification.

Council would like to request that the following conditions be applied:

- That compulsory acquisition, building noise attenuation or an agreed monetary compensation including disturbance and relocation adjustments be available to land owners within the rail noise exceedance limits on the Craven / Stratford rail loop. Reason: To ensure existing residents that will be affected by times of operation and rail noise can elect to relocate with sufficient compensation to do so, can request noise attenuation measures be installed in their dwellings or elect to receive a monetary compensation during the life of mine and rail line use.
- That landowners within the mine noise (operational, blasting and rail), dust and visual impact zones can request compulsory acquisition, building noise attenuation, dust suppression or an agreed monetary compensation for the life of mine. Reason: the EA indicates that cumulative impacts shall occur due to the mine extension and landowners should be able to elect to relocate or have suitable controls installed within dwellings to reduce environmental impacts.

Road Transportation

Council's assessment of the EA has identified that a general increase in road transport for materials and deliveries will occur due to this modification.

Transportation of lime material to Stratford by truck is of concern to Council as it is the control authority for a section of The Bucketts Way and the road structure cannot support large increases in heavy vehicle movements. Detailed discussion needs to be held with Council and The Bucketts Way Group of Councils to ensure that costs of road damage are adequately addressed and compensation made.

Council would like to request that the following conditions be applied:

- The applicant consults with Gloucester Shire Council and the Bucketts Way Group of Councils for the proposed transportation of lime material to the Stratford Coal processing facility. A copy of the agreement made with Council and the group shall be submitted to the Department. Reason: The transportation of lime material to the Stratford plant shall generate heavy vehicle movements that will propagate road damage and additional costs to the community.

cont...4/-

Air Quality Monitoring

Dust monitoring – the EA indicates that the pollutants will be monitored in the PM10 size (industry standard). The local community has raised the issue of PM1 and PM2.5 particle sizes being a health hazard and that these are generally generated from the combustion of fuel products rather than dust generation. Council's present policy is to request that air quality is monitored in the PM1.0 and PM2.5 range and that a PM1.0 monitor be installed between the mine extension and residences. The air quality monitoring should be installed well in advance of the project commencement to gain an existing background recording of PM1.0 dust or particulate fall out. This background information will then allow the company and the community to determine not only the project impact at this particle size but also other sources in this locality (agricultural, road use and mining). The air quality monitor should be of a continuous monitor recording 24 hours 7 days per week for community recording and health related purposes only.

Council would like to request that the following conditions be applied:

- That a continuous recording PM2.5 air quality monitor is installed at in Stratford Village to allow assessment and data gathering of air and dust samples. Reason: To collect information at a local level to identify impacts on human and animal health due to airborne particulates.
- That a second continuous recording PM2.5 air quality monitor is installed to the north of the Roseville and Bowens Road North pits to allow assessment and data gathering of air and dust samples. The location of the monitor should be placed in a location identified by the Stratford Community Consultative Committee. Reason: To collect information at a local level to identify impacts on human and animal health due to airborne particulates.

Rail Truck Dust Dispersal – Council has been alerted to health issues related to dust deposition and airborne dust from train wagons carrying coal. The NSW Department of Health and the Queensland Government have undertaken testing of health related impacts due to coal dust. A study of the Duralie to Stratford rail corridor should be undertaken, to address coal dust from train movements by recognised health professionals, to determine localised impacts on the rail corridor. Duralie and Stratford Coal is the only coal hauled on this section of rail line and health impacts from coal could be directly attributed to the company's activities. The coal is both unprocessed (unwashed) and processed (washed). The study would also identify the need for wetting of coal, use of wettable suppressants or covering of wagons. Due to rising community concern across the Hunter region to coal dust issues, a localised study should be undertaken to address the issue and allow the public and the agencies to consider any long term health impacts.

Council would like to request that the following conditions be applied:

- That rail trucks (rolling stock) are covered to prevent dust dispersal. Reason: To reduce the amount of coal dust being made airborne and impacting on the health of residents along the rail corridor. (Reason: to prevent dust dispersal and deposition near residential premises along the rail corridor).

cont...5/-

- That a localised study by an independent organisation be undertaken to determine dust deposition from coal wagons and any associated health effects attributable to coal dust along this section of the rail corridor (Reason: to allow an assessment of public health impacts from coal dust within the rail corridor and for comparative assessment of impacts across coal rail lines in NSW).

PAF Material

The Stratford mine site contains the coal washer for Duralie coal and as such the conditions of consent for Stratford should ensure that waste produced from Duralie coal product does not impact on the long term land use and water quality at Stratford.

The Duralie waste is deposited in the Stratford main pit and concerns have been raised by the Stratford Community Consultative Committee as to the methods of disposal onto a beach in the pit. A review of the Mine Reject Disposal Plan (2009) for deposition of materials at the Stratford site was undertaken. Conditions requiring detailed monitoring of the beach area and water quality, along with the reporting of waste generation should be applied.

Council would like to request that the following condition be applied:

- That the Stratford Community Consultative Committee is provided with quarterly testing results for the beach material in the Stratford Main Pit and for the water quality to determine changes in pH. Results are to be reported in the annual report provided to State agencies. (Reason: to allow the observation of changes to the beach material due to PAF Material deposition).

Water Quality Testing

Council has received community concern due to the potential for contamination of tank water used by the Stratford and rural residents around the Stratford project. Council would like to assure the residents that their tank water is not being contaminated by harmful minerals for air borne dust contaminants.

Council would like to request that the following condition be applied:

- Independent water testing of water tanks is undertaken in the Stratford Village and on selected rural properties within the identified wind rose areas in consultation with the Stratford Community Consultative Committee. (Reason: to identify any potential tank water contamination attributable to the Stratford Coal Project and to form a basis for community health reviews).

Irrigation Eastern Emplacement Dam

Council has considered the irrigation of water from the eastern emplacement dam and raises no objection on the basis that the water quality is monitored to ensure that it remains within agricultural water guidelines for stock and crop use.

cont...6/-

Contributions to Community Infrastructure

Council has an existing agreement with Gloucester Coal for the Stratford site. Council would like to ensure that this agreement remains in place for the provision of community contributions and that Council and the company may discuss improvements to the provision of community benefits and changes over the life of mine.

Council would like to thank the Department for allowing it to comment on this development. If you require any further advice on the conditions requested or issues raised in this letter please contact Mr Glenn Wilcox on 65385250.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A Young', written in a cursive style.

Allan Young
GENERAL MANAGER

Encl