



Ms Alice Smith
Environmental Planning Officer
Mining Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Smith

**Liddell Coal Operations Project (305-11-01 MOD 5)
Environmental Assessment Report**

I refer to your email of 24 September 2013 regarding Liddell Coal Operations Pty Ltd's application to modify the consent for the Liddell Mine to extend the mine life by 5 years, construct a tailings emplacement area and a transfer point and conveyor connected to the existing Mt Owen/Glendell/Macquarie Generation overland conveyor.

NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has reviewed the *Liddell Coal Operations Proposed Modification to DA 305-11-01 Environmental Assessment* (EA) dated September 2013 and provides the following comments which are directed at specific areas of DRE responsibility for this proposal.

MINING TITLE

As coal is a prescribed mineral under the *Mining Act 1992*, the proponent is required to hold appropriate mining titles from DRE in order to mine this mineral. DRE understands the proposed mining activities are within Mining Lease 1597 held by the Proponent.

Under the *Mining Act 1992*, mining and rehabilitation are regulated by conditions included in the mining lease, including requirements for the submission of a Mining Operations Plan (MOP) prior to the commencement of operations, and subsequent Annual Environmental Management Reports (AEMR).

REHABILITATION AND MINE CLOSURE

The EA identifies general rehabilitation strategies and objectives and describes the functional domains of this project. Specific performance objectives and standards of each domain have been described.

RECOMMENDED CONDITIONS OF APPROVAL

DRE recommends that the following conditions be incorporated into the Development Consent, if granted:

Rehabilitation Objectives and Commitments

The Proponent must rehabilitate the site to the satisfaction of the Director General of Department of Trade & Investment, Regional Infrastructure & Services.

Rehabilitation must be substantially consistent with the Rehabilitation Objectives described in the EA, the Statement of Commitments in Section 8 and the following objectives in Table 1.

Rehabilitation Feature	Objective
Mine site (as a whole of the disturbed land and water)	Safe, stable and non-polluting, fit for the purpose of the intended post-mining land use(s).
Rehabilitation materials	Materials (including topsoils, substrates and seeds of the disturbed areas) are recovered, appropriately managed and used effectively as resources in the rehabilitation.
Landforms	Final landforms sustain the intended land use for the post-mining domain(s). Final landforms are consistent with and complement the topography of the surrounding region to minimise the visual prominence of the final landforms in the post mining landscape. Final landforms incorporate design relief patterns and principles for consistent with natural drainage.
Water Quality	Water retained on site is fit for the intended land use(s) for the post-mining domain(s). Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance. Water management is consistent with the regional catchment management strategy.
Native flora and fauna habitat and corridors	Size, locations and species of native tree lots and corridors are established to sustain biodiversity habitats. Species are selected that re-establishes and complements regional and local biodiversity. Habitat enhancement works are carried out for the spotted-tailed quoll along Bowmans Creek riparian corridor. Location of native woodland areas are designed to link with adjacent woodland areas, such as the Ravensworth State Forest.
Post-mining agricultural pursuits	The land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting of vegetation.)

Progressive Rehabilitation

The proponent shall carry out all surface disturbing activities (eg pre-stripping in advance of mining operations) in a manner that, as far is reasonably practicable, minimises potential for dust emissions and shall carry out rehabilitation of disturbed areas progressively, as soon as reasonably practicable, to the satisfaction of the Director General of Department of Trade & Investment, Regional Infrastructure & Services.

Rehabilitation Plan

1. The Proponent must prepare and implement a Rehabilitation Plan to the satisfaction of the Director General of Department of Trade & Investment, Regional Infrastructure & Services.
2. Rehabilitation Plan must:
 - a. be submitted and approved by the Director General of Department of Trade & Investment, Regional Infrastructure & Services prior to carrying out any surface disturbing activities of the development, unless otherwise agreed by the Director General;
 - b. be prepared in accordance with DRE guidelines and in consultation with the Department, Office of Environment and Heritage, Environmental Protection Authority, Office of Water, Council and the mine Community Consultative Committee;
 - c. incorporate and be consistent with the rehabilitation objectives in the EA, the statement of commitments and Table 1;
 - d. integrate and build on, to the maximum extent practicable, the other management plans required under this approval; and,
 - e. address all aspects of mine closure and rehabilitation, including post mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management.

Note: The approved Mining Operation Plan (which will become the REMP once the Mining Act Amendments have commenced), required as a condition of the Mining Lease(s) issued in relation to this project, will satisfy the requirements of this condition for a Rehabilitation Plan.

It is the intention of DRE that the Rehabilitation Plan fulfil the requirements of the Mining Operation Plan (which will become the Rehabilitation and Environmental Management Plan (REMP) once the Mining Act Amendments have commenced).

DRE does not object to the approval of the proposed modification provided the above recommendations are taken into account and implemented.

DRE is available to meet with the Proponent to assist in developing the above documents for their proposed operation.

Should you have any enquires regarding this matter please contact Julie Moloney,
Principal Adviser, Industry Coordination on (02) 4931 6549.

Yours sincerely

A handwritten signature in black ink, appearing to be 'ADRIAN DELANY', written over a faint, illegible stamp or background.

**ADRIAN DELANY
ACTING DIRECTOR
INDUSTRY COORDINATION**

25.10.13