Rio Tinto Coal Australia Pty Limited
GPO Box 391
Brisbane Queensland 4001
Australia
T +61 (0) 7 3361 4200
F +61 (0) 7 3361 4370

1 February 2011

Mr David Kitto
Director – Mining and Industry Projects
Department of Planning
23-33 Bridge Street
SYDNEY, NSW 2000

**Re: Mount Pleasant Project Modification (DA 92/97 MOD 1) – Response to additional information request**

Dear David,

We refer to Coal & Allied's application for modification to development consent DA 92/97 for the proposed Mount Pleasant Project Modification (DA 450-10-2003 MOD 3) and the Department of Planning's request for additional information dated 20 January 2011.

More specifically, the Department requested a response from Coal & Allied with respect to the following matters:

1. Indicative final landform when the current development consent is due to expire;

2. Withdrawal of the proposed two year extension of development consent from the proposed modification; and

3. Provision of biodiversity survey results to the Department of Environment, Climate Change and Water for surveys completed in October 2010.

In response to item 1, rehabilitation and development of the final landform will be undertaken progressively across the mined area, generally in accordance with the approved approach and methodologies described in Section 6.5 of the Mount Pleasant Mine Environmental Impact Statement, ERM Mitchell McCotter 1997.

The existing development consent is due to expire on 22 December 2020. Allowing approximately three years for construction and development, the footprint of disturbance and rehabilitation at the end of year 2020 would reflect approximately year six of mining operations. This may vary depending on the rate of construction/development and it is expected that mining will continue beyond year six as contemplated in the EIS. Development beyond the current expiry date of the development consent would be the subject of future development applications. Should circumstances prevent future mine development then a final void would remain and rehabilitation would occur as described below and conceptually illustrated in Figure 1 (enclosed).

Development Consent DA 92/97 requires the preparation of three environmental management plans related to rehabilitation and final landform prior to the commencement of construction works.

The three environmental management plans comprise:

- Flora and Fauna Management Plan, required by Condition 3.4;

- Landscaping and Revegetation Management Plan, required by Condition 3.7; and

- Land Management Plan, required by Condition 3.10.

The plans, which are required to be developed in consultation with relevant government agencies, will provide a greater level detail to that contained within the EIS, including rehabilitation objectives. Broad rehabilitation objectives will include the following:

- successful design and rehabilitation of landforms to ensure structural stability, revegetation success and containment of wastes;

- development of a final landform with recognition of the pre-mining landform features and surrounding landscape features; and

- post-mining land use compatible with surrounding land uses, capable of supporting viable grazing and ecological values and providing environmental and community benefits.

An indicative final landform for the year six closure scenario (Figure 1) has been developed generally consistent with the above and would include the following outcomes.

- The eastern section of the project area will consist of a long undulating ridgeline with a north-south orientation, emulating the surrounding topography.

- The highwall of the pit voids will be blasted down, regraded and landscaped to reduce the visual impact. The slopes will vary according to the erosion hazard, stability and drainage requirements. Disturbed areas will be vegetated with woodland and grassland species, which will provide a habitat resource for native species.

- Surface drainage will be restored to be compatible with the surrounding drainage patterns. This will be achieved using a combination of controls such as graded banks, designed channels and, where necessary, water course reinforcement.

Under this scenario, it is assumed that mining would cease on the current expiry of the development consent with the final landform completed thereafter.

Conceptually, the rehabilitation process is likely to comprise the following five phases.

- Decommissioning; including removal of infrastructure and removal and/or containment of any hazardous or contaminated material.

- Landform establishment; including design and installation of structural soil conservation and drainage works, eg contour furrows, contour banks, sedimentation dams and/ or diversion drains, to ensure the long term stability and productivity of the rehabilitated land. Slope gradients will vary according to erosion hazard, stability and drainage requirements, though will generally be less than 10 degrees. Visual amenity and public, stock and fauna safety will also be addressed during this phase of rehabilitation.

- Growing media development; ensuring physical, chemical and biological characteristics of the growing media to optimise its potential in terms of the preferred vegetative cover.

- Ecosystem establishment; including species selection, revegetation and habitat augmentation, and weed and pest management.

- Ecosystem sustainability; incorporating assessment against performance indicators for components including floristic structure, nutrient cycling, recruitment and recovery, and community structure and function.

The specific requirements for rehabilitation will be determined in consultation with relevant government agencies and stakeholders and will be documented in the Rehabilitation and Environmental Management Plan (REMP)/ Mining Operations Plan (MOP), as required by the *Mining Act 1992*. The REMP/ MOP will be consistent with the aforementioned management plans and will address the landscape and rehabilitation domains, objectives, methodology, criteria, performance measures and indicators, as well as the monitoring, review and reporting processes and requirements, and contingency measures. The monitoring of rehabilitation performance will be reported in an annual report.

In response to item 2, Coal & Allied formally requests the withdrawal of the proposed extension of development consent from 22 December 2020 to 31 December 2022 from the proposed modification, as referenced in Section 3.2.2 of the Mount Pleasant Project Modification Environmental Assessment (EMGA Mitchell McLennan 2010).

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In response to item 3, as referenced in the Mount Pleasant Project Modification Response to Submissions Report (EMGA Mitchell McLennan 2010), additional flora surveys were undertaken within the conveyor/service corridor envelope from 11 - 13 October 2010 as part of broader works commissioned by Bengalla Mining Company. These surveys are not reported formally in a report other than that provided in the Response to Submissions Report.

We trust that the above and enclosed addresses the information requested.

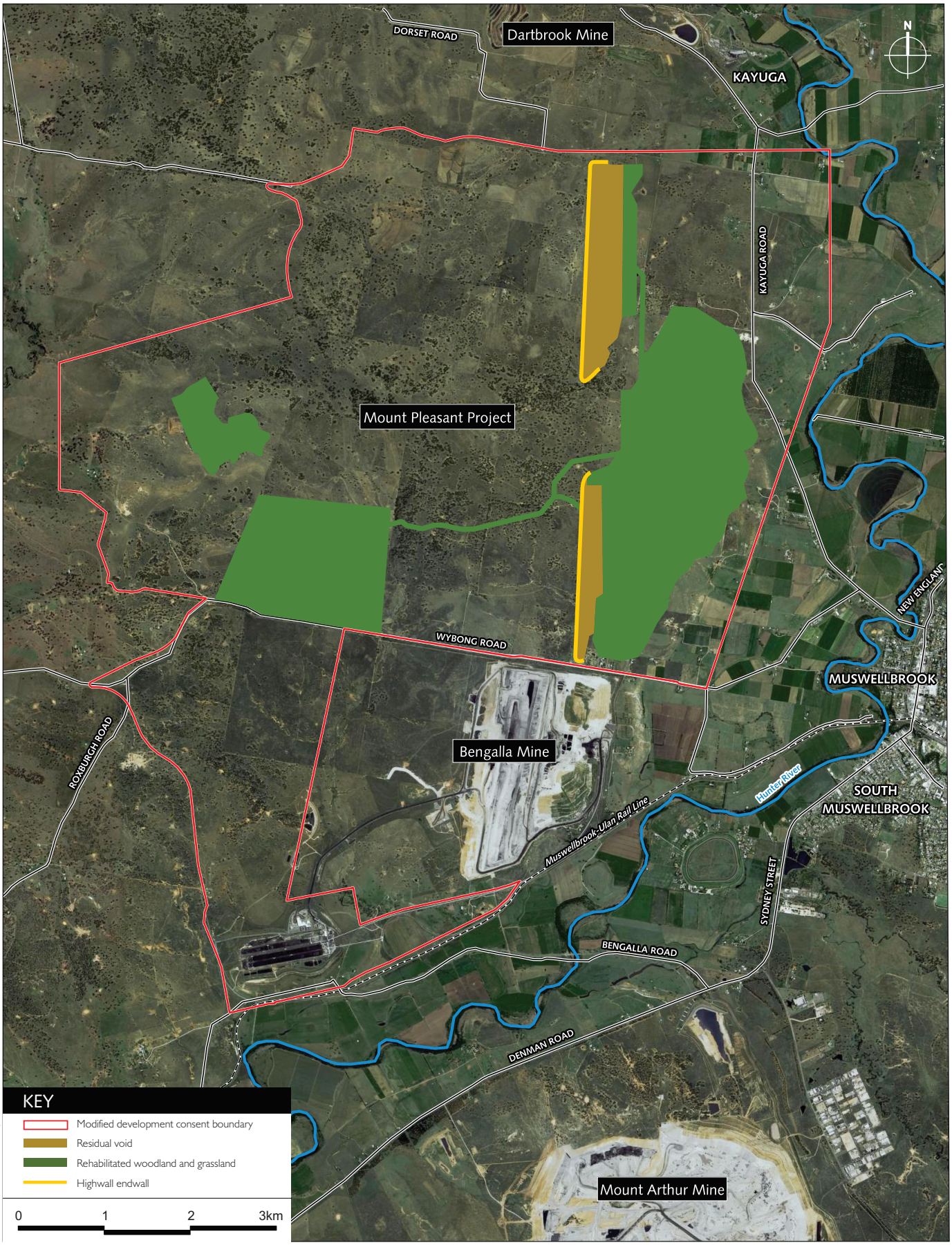
Should you have any queries or require any additional information, please do not hesitate to contact Mark Nolan on (02) 6570 0301 or myself on the details below.

Yours sincerely

Anthony Russo
Manager project approvals – Health, Safety and Environment, Coal Australia

T: +61 (0) 7 3029 1448
M: +61 (0)429 480 163
E: anthony.russo@riotinto.com

Enclosures: Figure 1 - Indicative Final Landform Year 6 Closure Scenario

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Indicative Final Landform Year 6 Closure Scenario

Mount Pleasant Project Modification

FIGURE 1

EMGA | MitchellMcLennan

19 January 2011

Ground Floor, Suite 01, 20 Chandos St
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

T +61 2 9493 9500
F +61 2 9493 9599
E info@emgamm.com

www.emgamm.com

Anthony Russo
Manager-Project Approvals
Rio Tinto Coal Australia
Level 3, 410 Ann St
Brisbane, QLD, 4001

Re: Vacant properties - Noise Affected

Dear Anthony,

This letter is provided as requested to identify, as reasonably as possible, vacant land held in private ownership and potentially significantly impacted by noise from the Mount Pleasant Project.

# 1 Introduction

A review of the potential noise impacts of the Mount Pleasant Project with respect to privately owned vacant land was undertaken by EMGA Mitchell McLennan (EMM). The noise impact assessment submitted with the Environmental Assessment (EA) focussed on an assessment consistent with the Industrial Noise Policy (INP) (DECC, 2000) and therefore did not identify such vacant properties. We understand that the Department of Planning (DoP) has requested that vacant properties be identified where 25 per cent of their area is considered to be noise affected (ie above potential noise acquisition criteria). The following sections provide the assumptions and results of the assessment.

# 2 Methodology, assumptions and limitations

Recently updated cadastre maps were used along with mapping layers of mine owned land in the vicinity of the site. The mine owned land included that for Mount Pleasant Project, Bengalla, Dartbrook and Mount Arthur mines. The remaining land was assumed to be privately owned. Refer to Figure 1.3 of EA Volume 1 for property ownership and residence locations.

The following methodology and additional assumptions were adopted in our assessment:

- Interpolation of noise impact was used to determine the extent of affected vacant properties from the results of noise predictions at specific residential locations as presented in the EA.
- Lots within the mining lease area boundary were not included as they are to be purchased by Coal & Allied; and
- Lots owned by the same owner as an adjacent residence were considered as one holding

A search of potential vacant holdings was undertaken with DP and Lot numbers together with ownership details. It was then determined whether these holdings were associated, ie adjacent and the same property owner, with a receiver as presented in the EA. Holdings that weren't associated with a receiver were identified as privately owned vacant holdings.

# 3 Results

A summary of the total possible vacant holdings potentially affected by noise based on the above methodology and assumptions is presented in Table 1. The results are also shown graphically in Figures 1 to 3, which are provided in Appendix A. The results indicate that four privately owned vacant holdings are potentially noise affected. That is, four vacant privately owned holdings are predicted to potentially experience noise levels above acquisition criteria across 25% of their area. These are properties that are potentially significantly affected by noise (ie Mount Pleasant Mine noise that is predicted to be 10dB above background noise levels). It should be noted that vacant holdings (as defined above) that are potentially marginally or moderately affected could not be identified within reasonable accuracy.

**Table 1 Possible vacant holdings affected by noise**

| Tag | Lot | DP | Property Owner | Holding reference (Refer Figures 1 to 3) |
|---|---|---|---|---|
| 11//253397 | 253397 | 11 | DOUGAL MACINTYRE | A |
| 12//253397 | 253397 | 12 | DOUGAL MACINTYRE | A |
| 277//750926 | 750926 | 277 | THE STATE OF NEW SOUTH WALES | B |
| 162//635272 | 635272 | 162 | PETER MICHAEL YORE | C |
| 163//635272 | 635272 | 163 | SUSAN YORE | D |

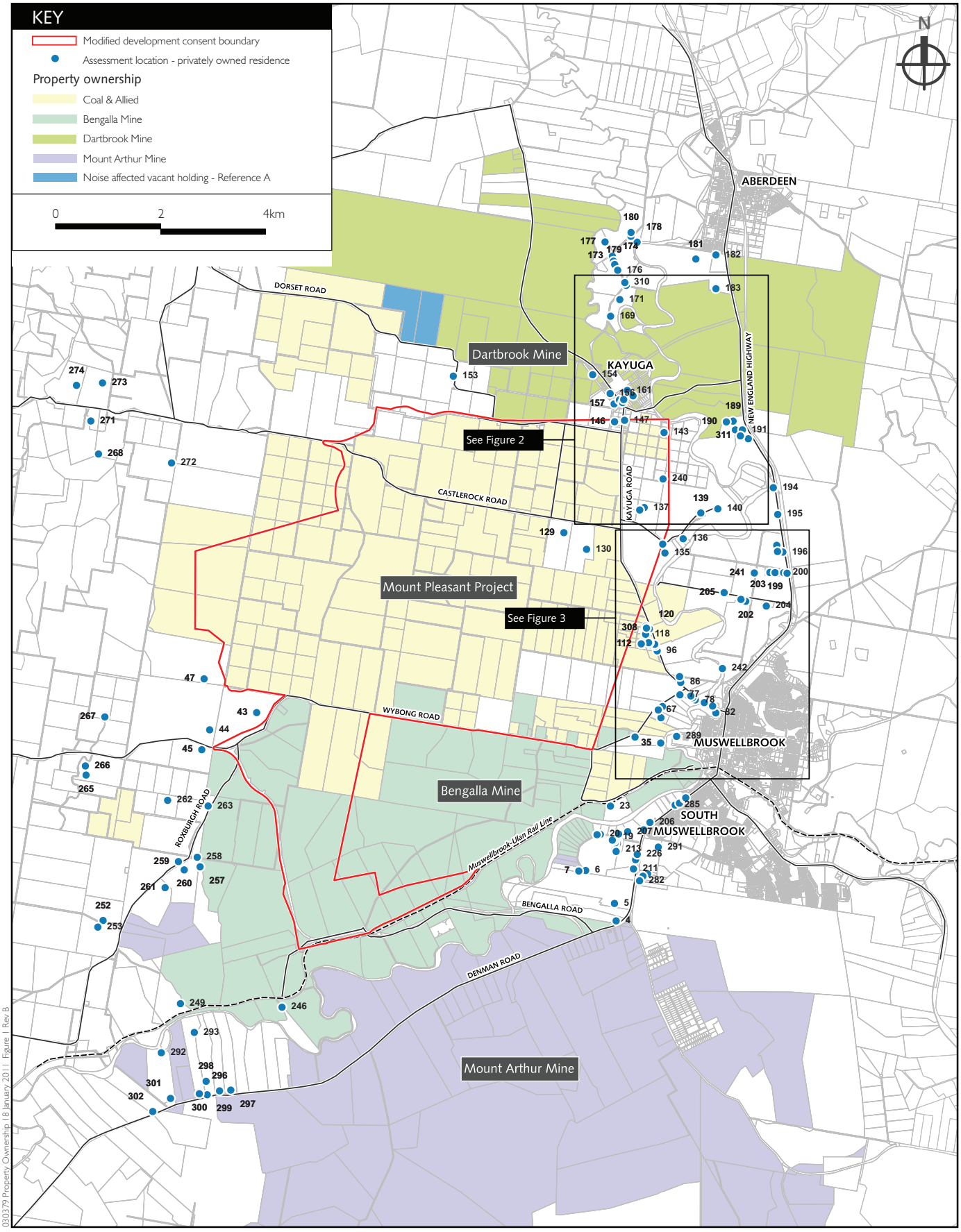
We trust the above information is satisfactory and if you have any further queries please contact the undersigned.

Yours sincerely

Najah Ishac (MEngSc, BE, MIEAust, MAAS)
Director
nishac@emgamm.com

# Appendix A

## Figures




030379 Property Ownership | 8 January 2011 | Figure 1 | Rev B

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# Property Ownership and Residence Locations

Mount Pleasant Project Modification - Vacant Land Noise Assessment

FIGURE 1


030379 Property Ownership_18 January 2011 F2 Rev B

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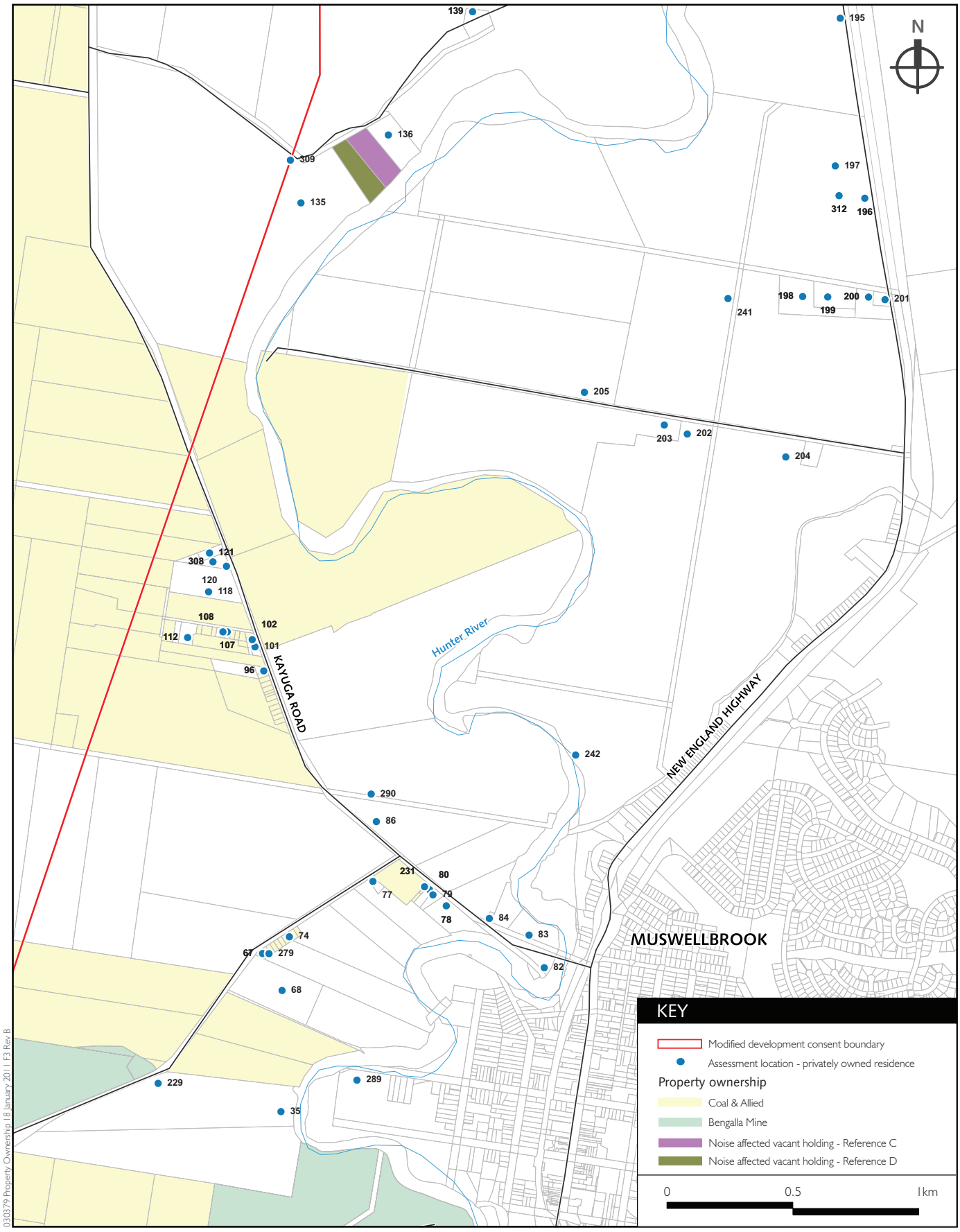
# Property Ownership and Residence Locations - Kayuga

Mount Pleasant Project Modification - Vacant Land Noise Assessment

FIGURE 2

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# Property Ownership and Residence Locations - Muswellbrook

Mount Pleasant Project Modification - Vacant Land Noise Assessment

FIGURE 3