

WILPINJONG COAL PROJECT



Operational Phase
Mine Access Route
and
Blasting Frequency
Modification

RESPONSES TO
SUBMISSIONS

Table 1
Wilpinjong Coal Project Operational Phase Mine Access Route and Blasting Frequency Modification
Responses to Community, Local Development and Non-Government Organisation Submissions

Item	Summary of issue	Response
1	Concerns were raised with respect to traffic, including issues in relation to: - the current condition of Ulan Road and subsequent safety implications of the interaction between mine related traffic (including cumulative traffic from approved, proposed and potential developments) and other users on Ulan Road and Ulan-Wollar Road; - the data used and outcomes of the Traffic Impact Assessment (Appendix B of the modification Environmental Assessment [EA]); - vehicles delivering concrete to site rather than producing it on-site as per the Wilpinjong Coal Project (the Project) Environmental Impact Statement (EIS); - the need (prior to the approval of the modification) for a designed and costed safety upgrade of Ulan Road to accommodate existing, approved, proposed and potential future increases to traffic flows on Ulan Road; and - developing an agreed road improvement strategy to maintain safety levels on Ulan Road.	The Traffic Impact Assessment (Appendix B of the modification EA) included an assessment of the potential cumulative traffic impacts on the local road network. This assessment included consideration of existing traffic flows, approved additional traffic flows associated with Ulan Coal Mines, potential additional traffic flows from the proposed Moolarben Coal Project (if approved) and the modification to the Wilpinjong Coal Project operational access route (up to approximately 192 vehicle movements per day moving from Wollar Road to Ulan Road and Ulan-Wollar Road). The cumulative assessment did not consider potential traffic flows generated by the possible future development of a powerstation on the Moolarben exploration licence area as no EA or project description has been prepared. If an EA is prepared for this Project in the future, it will be required to consider potential cumulative traffic impacts at that time. As outlined in Section 3.1.5 of the Traffic Impact Assessment (Appendix B of the modification EA): <i>"...the RAS [Route Assessment Study] (J. Wyndham Prince Pty Ltd, 2006) identified a number of areas of improvement to intersection performance, road safety, lighting, signage and pavement conditions that could be undertaken to raise the standard of the local road network."</i> Section 3.1.5 of the Traffic Impact Assessment (Appendix B of the modification EA) also provided: <i>"The majority of these works are recommended on the basis of the existing baseline traffic flows and the limited operational traffic Project traffic flows would not significantly effect the requirement for these works."</i> Based on the existing condition of Ulan Road and Ulan-Wollar Road, Wilpinjong Coal Pty Limited (WCPL) considers the existing annual financial contributions committed to the Mid-Western Regional Council (MWRC) sufficient to cover general safety upgrades and road maintenance that may be required as a result of the modest Project operational phase traffic. The modification EA is not proposing additional Project traffic. It is simply changing the proposed route that Project traffic travels on the outcomes of the Route Assessment Study. Therefore the financial contributions towards road works and maintenance that were approved at the time of granting Project Approval 05-0021 (February 2006) remain adequate for the potential impacts of the Project traffic flows, but they should be spent on Ulan Road and Ulan-Wollar Road rather than Wollar Road. Notwithstanding this position, as explained below, WCPL has committed to some additional financial contributions and works as part of this modification. As outlined in Section 4.2.4 of the modification EA, as part of the Road Safety and Road Surface Performance Strategy, "WCPL would consult with the MWRC and other local mining operators to encourage the focussing of annual financial contributions from mining operations on road safety, road pavement improvements and general maintenance on Ulan Road and Ulan-Wollar Road". WCPL acknowledges that the development of school bus lay-by areas along Ulan Road would be a significant improvement for the safety of school children travelling to and from school via bus and also for passing vehicles (with or without Project operational phase traffic). <u>To assist in the development of school bus lay-by areas along Ulan Road, WCPL will contribute an additional \$20,000 per annum to the MWRC over the next three years.</u> WCPL expect that the MWRC would use this money to develop these school bus lay-by areas over the three year timeframe.

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Item	Summary of issue	Response
1 (Cont.)		In addition, to improve the safety conditions and to reduce impacts from dust, WCPL will: • <u>seal the un-sealed section of Ulan-Wollar Road between Ulan Road and the internal mine access road (at a cost to WCPL in the order of \$1 - 1.5 Million);</u> • <u>Install appropriate line-marking and signage along the section of Ulan-Wollar Road between Ulan Road and the internal mine access road: and</u> • <u>contribute (in consultation with the MWRC and Moolarben Coal Mines Pty Limited [MCMPL]) to the upgrading of the Ulan Road/Ulan-Wollar Road intersection and the Ulan-Wollar Road/internal mine access road intersection.</u> As outlined in the modification EA, the design (including linemarking, geometry, lighting and specific turning lanes) of the abovementioned intersections would be developed in accordance with Roads and Traffic Authority (RTA) guidelines and in consultation with the RTA, MWRC, Country Energy and MCMPL (in consideration of potential future road re-alignments). In regard to the traffic flow data utilised in the Traffic Impact Assessment (Appendix B of the modification EA), WCPL notes that 2005 data was used for baseline traffic flows as it did not include the current traffic generated by the Project. The 2005 data therefore provided baseline (pre-construction) data against which the potential impact of long-term operational phase traffic (on Ulan Road and Ulan-Wollar Road) could be assessed. As outlined in the modification EA, the traffic generated during the operational phase is expected to be less than traffic generated during the construction phase (which has been using the Ulan Road and Ulan-Wollar Road as the main access to site since Project Approval 05-0021 was granted in February 2006). The construction phase of the Project is approaching completion. Measures implemented to minimise vehicle movements on the local road network during the construction phase have included promoting car pooling, utilising employee bus services and mixing construction materials such as cement at an on-site batch plant. Due to the current stage of construction, the on-site batch plant is no longer required and has been decommissioned and small quantities of cement are being transported to site as required. <u>WCPL will continue to minimise the number of light and heavy vehicles using the local road network by promoting car pooling and/or utilising employee bus services and by limiting the number of heavy vehicle deliveries to site, where practicable.</u>
2	Recommendations were made by some community submissions that the Ulan Road and Wollar Road access route should be used for operational phase traffic rather than the Ulan Road and Ulan-Wollar Road access route. In addition, concerns were raised regarding the reasons why WCPL applied to modify the operational phase access route from Ulan Road and Wollar Road to Ulan Road and Ulan-Wollar Road.	In accordance with Condition 4, Appendix 2 of Project Approval 05-0021, a RAS (incorporating a Road Safety Audit and a Road Conditions Audit) was undertaken in 2006 (J. Wyndham Prince Pty Ltd, 2006). Roads assessed as part of the RAS included: • Ulan Road between Mudgee and the intersection with Ulan-Wollar Road; • Ulan-Wollar Road between the Project and the intersection with Ulan Road; and • Wollar Road between the Project and the intersection with Ulan Road.

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2 (Cont.)		The objective of the RAS was (J. Wyndham Prince Pty Ltd, 2006): <i>"... to identify the most appropriate traffic route for both construction traffic (including oversize-overmass vehicles) and operational traffic to and from the Wilpinjong Coal Project."</i> As provided in Section 1.1 of the Traffic Impact Assessment (Appendix B of the modification EA), the RAS concluded: <i>"The Wollar Road pavement is generally in poor condition and would require massive remediation and reconstruction to cope with the Project related traffic."</i> <i>Wollar Road should not be utilised as the main access road to the Project during the construction period."</i> <i>The Ulan Road and the Ulan-Wollar Road is the preferred access route for both the construction and operational phases of the Project."</i> In addition to the above, the RAS recommended that if the Wollar Road was to be used as the main access to site, that vegetation should be cleared through the Munghorn Gap Nature Reserve (approximately 10.2 km long) at a minimum of 6.5 m either side of the road. The RAS also recommended that sections of Wollar Road through the Munghorn Gap Nature Reserve be re-aligned which would require further vegetation clearing and disturbance of the Nature Reserve. An additional concern with utilising Wollar Road as the main operational phase access to site is the interaction between vehicles and native fauna through the Munghorn Gap Nature Reserve. WCPL considers that there is a higher risk of fauna vehicle strike in the Nature Reserve compared to along Ulan Road.
3	Concerns were raised regarding the construction and use of an internal access road off Ulan-Wollar Road.	The Ulan Road and Ulan-Wollar Road route is currently being utilised for the movement of Project construction phase traffic. Following the granting of Project Approval 05-0021 in February 2006, an existing driveway and property access track was upgraded and utilised as the initial site access off Ulan-Wollar Road. Following the commencement of Pit 1, an internal haul road was constructed across the initial site access track. Subsequently, WCPL constructed an alternate internal access road off Ulan-Wollar Road to avoid the site light vehicle and delivery traffic having to cross a haul road in order to access the site administration area.
4	Concerns were raised regarding the financial impacts on the village of Wollar associated with the use of the proposed access route via Ulan Road and Ulan-Wollar Road rather than Ulan Road and Wollar Road.	The access route described in the EIS for the majority of Project road traffic was along Ulan Road and Wollar Road with the location of the proposed intersection of the internal access road with Wollar Road being approximately 5 km west of the township of Wollar. As described in the modification EA, the proposed modification to the access route would also avoid the township of Wollar with the internal access road intersecting with Ulan-Wollar Road approximately 10 km west of the township of Wollar. None of the routes were proposed to pass through the township of Wollar.

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5	Recommendations were made by community members that prior to approval of the modification: - a regional plan be prepared which considers all current and proposed coal related projects in the region, the exploration programme currently being undertaken by the Department of Primary Industries – Mineral Resources, the construction of the Wollar-Wellington Transmission Line, the potential coal-fired power station in the Moolarben exploration area and all related road and rail infrastructure upgrade requirements; and - an independent cumulative impact study of the current and proposed coal mining operations in the Ulan-Wollar area be undertaken.	Potential cumulative impacts were assessed as part of the environmental assessment reported in the EIS for the Project. Further to this, the modification EA (in accordance with the Environmental Assessment Requirements [EARs], Attachment 2 of the modification EA) assessed the potential cumulative impacts of the proposed modification with the existing and approved components of the Ulan Coal Mines and the proposed Moolarben Coal Project. It is anticipated that any future project applications for new developments in the region will also be required to assess potential cumulative environmental impacts as part of the assessment of these projects.
6	Concerns were raised with respect to blasting, including issues in relation to: - the requirement for increased blasting frequency; - compliance with the guideline <i>Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration</i> (ANZECC, 1990) in respect to blasting frequency; - potential impacts (and associated mitigation measures) from blast emissions due to an increase in blasting frequency (and cumulative impacts from other local approved and proposed operations); - the development and implementation of a co-ordinated Blast Management Plan between the Wilpinjong Coal Project and the proposed Moolarben Coal Project; and - consultation regarding the potential impacts of increased blasting frequency.	As stated in Section 2 of the modification EA: <i>"Mining to date has indicated that some of the coal seams and interburden (rock between coal seams) are significantly harder than initially predicted and cannot be efficiently ripped via dozer as described in the Project EIS. Ripping trials have been undertaken with different size plant and have shown that ripping of the coal seams and interburden is impracticable.</i> <i>Due to the harder than predicted nature of the coal seams and interburden, an increased frequency of blasting is required to enable the feasible continuation of mining at the Project."</i> Initial mine planning and geological mapping/modelling predicted that the overburden material would require blasting and that interburden and coal seams would be ripped using dozers. However, some of the coal seams and interburden material have proved to be significantly harder than originally predicted. In regard to blasting frequency, the <i>Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration</i> (ANZECC, 1990) states that <i>"Blasting should generally take place no more than once per day"</i>. As stated in the modification EA, WCPL propose increasing the frequency of blasting to a maximum of two blasts per day (for operational flexibility) and five blasts per week on average over any 12 month period <u>which equates to less than one blast per day over any 12 month period.</u> As provided in the Blast Emission Impact Assessment (Appendix A of the modification EA), compliance with blast emissions (i.e. ground vibration and airblast) impact assessment criteria is not related to the frequency of blasting and as such, the proposed increase in the frequency of blasting would not affect compliance with these criteria.

Table 1 (Continued)
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6 (Cont.)		Subsequent to the above and in relation to potential cumulative blasting impacts, Section 4.1.3 of the modification EA states: <i>"In regard to the other two mines in the local area (i.e. Ulan Coal Mines and the proposed Moolarben Coal Project), the potential cumulative impacts resulting from the increase in the frequency of Project blasting would be primarily related to public amenity (Appendix A). Potential amenity impacts may include increased or prolonged road closures due to multiple blasts in any one day resulting from the combined blasting requirements of the three separate mining operations."</i> To mitigate potential cumulative blasting amenity impacts, WCPL would continue to implement measures described in the Blast Management Plan and Monitoring Programme including: • limiting blasting times between 9.00 am and 5.00 pm Monday to Saturday; • notifying landowners within 2 km of the blasting schedule; • operating a blasting hotline; • operation of blasting notification signs on relevant roads; and • limiting road closure periods as much as possible (in consideration of public safety) to generally less than 15 minutes. In addition to the above, should the Moolarben Coal Project be approved, WCPL would consult with MCMPL regarding management of potential cumulative blasting amenity impacts associated with road closures. In addition to MCMPL, WCPL would continue to consult with the MWRC and the Australian Rail Track Corporation (ARTC) (in accordance with the current legal agreement between WCPL and the ARTC) in regard to managing blasting amenity impacts. As outlined in Section 1.4 of the modification EA, the modification was discussed with the local community including at a community meeting held at the Wollar town hall on 5 March 2007. The modification EA was also discussed with the Wilpinjong Community Consultative Committee (CCC) with a Fact Sheet on the proposed modification provided to members of the CCC. The modification EA was placed on public exhibition with an advertisement published in the Mudgee Guardian and copies on display at the MWRC office in Mudgee, the Wollar Service Centre, the Department of Planning (DoP) office in Sydney, on-site at the mine and on the company website with links from the DoP website.
7	Concerns were raised that current operations are exceeding the air quality, noise and blasting (including frequency) criteria imposed by Project Approval 05-0021 (concerns were also raised that WCPL is understating monitoring results).	Air quality, noise and blasting emissions monitoring at the Project is undertaken in accordance with the Air Quality Monitoring Programme, the Noise Monitoring Programme and the Blast Management Plan and Monitoring Programme. No exceedances of the air quality, noise or blasting emissions Project Approval 05-0021 or Environment Protection License 12425 (EPL 12425) criteria were recorded for the previous Annual Environmental Management Report (AEMR) reporting period. In response to recent consultation with landowners, WCPL is currently working with members of the local community in regard to their concerns regarding Project air quality and noise emissions.

Table 1 (Continued)
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7 (Cont.)		As outlined in the Air Quality Monitoring Programme, WCPL has implemented a number of on-site mitigation and management measure to minimise air quality impacts, including the following main controls (Section 8 of the Air Quality Monitoring Programme): • <i>“areas disturbed by active mining will be minimised as far as practicable;</i> • <i>topsoiling and rehabilitation of mine waste rock emplacements progressively and as soon as</i> • <i>practicable;</i> • <i>maintaining coal-handling areas in a moist condition using water carts to minimise wind blown and</i> • <i>traffic generated dust; and</i> • <i>maintaining water sprays on product coal stockpiles.”</i> In addition to the above, WCPL utilise water carts on-site to water all active roads and traffic areas. In regard to dust generated off-site, the main potential source of wind-blown dust is along the un-sealed section of Ulan-Wollar Road between Ulan Road and the mine access road. To reduce air quality impacts along this section of Ulan-Wollar Road, <u>WCPL has been using a local company to water the road twice a day at peak mine traffic periods. WCPL also financed the sealing of a 1 km section along Ulan-Wollar Road in front of privately owned dwellings to mitigate potential wind blown dust impacts of construction traffic.</u> As outlined above, <u>WCPL will seal the un-sealed section of Ulan-Wollar Road between Ulan Road and the internal mine access road to minimise wind blown dust and to improve the condition of Ulan-Wollar Road for all road users.</u> <u>In addition, WCPL will continue to water the unsealed section of Ulan-Wollar Road until the section of Ulan-Wollar Road between Ulan Road and the internal mine access road is sealed.</u> Blast emissions (i.e. airblast overpressure and ground vibration) are monitored in accordance with the Blast Management Plan and Monitoring Programme. No exceedances of the blasting emissions Project Approval 05-0021 or EPL 12425 criteria were recorded for the previous AEMR reporting period. As outlined in Section 4.1.4 of the modification EA, WCPL would continue to blast emissions and report the results in the AEMR and on the company website. In regard to blasting frequency, Project Approval 05-0021 and EPL 12425 stipulate the following: Condition 12, Schedule 3 of Project Approval 05-0021. <i>“Blasting Frequency</i> <i>The Proponent shall not carry out blasting associated with open cut mining more than:</i> • <i>1 blast per day; and</i> • <i>1 blast per week on average over any 12 month period,</i> • <i>at the site without the written approval of the Director-General.”</i>

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7 (Cont.)		Condition L7.4 of EPL 12425. <i>"L7.4 Blasting at the premises is limited to 1 blast per day and 1 blast per week on average over a 12 month period, or at such times as may be approved by the [Environment Protection Authority] EPA."</i> Following identification of the need to increase the currently approved blasting frequency (due to the harder than predicted nature of the coal seams and interburden), WCPL lodged the Project Application for the modification EA in January 2007 and the environmental assessment process commenced. In parallel to this process and to allow for the continuation of mining during the preparation and assessment of the modification EA, WCPL applied to the DoP and the Department of Environment and Climate Change (DECC) for a temporary increase in blasting frequency in accordance with Condition 12, Schedule 3 of Project Approval 05-0021. In accordance with the above Project Approval and EPL conditions, the DoP and DECC have granted temporary approval for an increased blasting frequency. As provided in Section 2.1 of the modification EA: <i>"The majority of additional blasts are expected to be significantly smaller than the Maximum Instantaneous Charge (MIC) of 885 kilograms (kg) assessed in the Project EIS."</i> <u>WCPL would limit the MIC of additional blasts for coal and interburden to a maximum of 400 kg (i.e. an MIC less than half of the currently approved 855 kg).</u>
8	Concerns were raised regarding current impacts to the community (including noise emissions, air quality, road traffic impacts and declining property values in Wollar), WCPL's ability to address community complaints (regarding current impacts) and the lack of benefits to local communities from major developments.	WCPL operates a dedicated telephone line for receiving complaints and implements a complaints management and dispute resolution procedure in accordance with Condition 1, Schedule 5 of Project Approval 05-0021. WCPL operates in accordance with various management plans, monitoring programmes and licence and approval conditions. Management and monitoring result (including complaints) are reported annually in the AEMR. As reported in the AEMR, applicable criteria have been met. WCPL is currently working with several members of the local community in response to their concerns regarding Project air quality, noise and blasting emissions.
9	Concerns were raised with respect to potential health and safety impacts of the Wilpinjong Coal Project on the local community including noise, blasting, dust and diesel emissions, mine generated airborne pollutants collecting in water tanks and road traffic impacts.	Project Approval 05-0021 and EPL 12425 set operating and emissions criteria to maintain amenity and public health in accordance with New South Wales (NSW) State Government regulatory requirements. WCPL operates in accordance with various management plans, monitoring programmes and licence and approval conditions. The criteria specified in Project Approval 05-0021 and EPL 12425 were met for the previous AEMR reporting period.
10	MCMPPL recommended that there be a cost sharing arrangement between the Moolarben Coal Project and the Wilpinjong Coal Project for roadworks commonly used by both mines.	WCPL has an existing Voluntary Planning Agreement with the MWRC specifying once-off and annual contributions to be made to the MWRC for road maintenance and upgrades. In addition to these contributions and as part of the proposed modification, WCPL will: • <u>seal the un-sealed section of Ulan-Wollar Road between Ulan Road and the internal mine access road to minimise wind-blown dust and to improve the condition of Ulan-Wollar Road;</u> • <u>continue to water the unsealed section of Ulan-Wollar Road until the section of Ulan-Wollar Road between Ulan Road and the internal mine access road is sealed;</u>

Table 1 (Continued)
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10 (Cont.)		- contribute an additional \$20,000 per annum over the next three years to assist in the development of school bus lay-by areas along Ulan Road; and - contribute (in consultation with the MWRC and MCMPL) to the upgrading of the Ulan Road/Ulan-Wollar Road intersection and the Ulan-Wollar Road/internal mine access road intersection.
11	Community members recommended that a protocol be developed for the mining industry to develop co-ordinated traffic and blast management plans.	Potential cumulative impacts were assessed as part of the environmental assessment reported in the EIS. Further to this, the modification EA (in accordance with the EARs, Attachment 2 of the modification EA) assessed the potential cumulative impacts of the proposed modification with the existing and approved components of the Ulan Coal Mines and the proposed Moolarben Coal Project. Should the modification be approved, WCPL would continue to consult with Ulan Coal Mines, the MWRC and the Moolarben Coal Project (should it be approved) in regard to potential road traffic and blasting amenity impacts, and measures such as the Road Safety and Road Surface Performance Strategy that can be implemented to minimise impacts. Notwithstanding, WCPL will continue to operate in accordance with Project Approval 05-0021, EPL 12425 and the various management plans and monitoring programmes including the Blast Management Plan and Monitoring Programme.
12	Concerns were raised that WCPL have not adhered to Condition 3, Schedule 4 of Project Approval 05-0021. In particular, concerns were raised that the Dust Fact Sheet had not been developed or distributed to landowners as required by Project Approval 05-0021.	Condition 3, Schedule 4 of Project Approval 05-0021 states: <i>"3. Within 6 months of this approval, the Proponent shall develop a brochure to advise landowners and/or existing or future tenants (including tenants of mine owned properties) of the possible health and amenity impacts associated with exposure to particulate matter, in consultation with NSW Health, and to the satisfaction of the Director-General. The Proponent shall review relevant human health studies and update this brochure every 3 years, to the satisfaction of the Director-General.</i> <i>The Proponent shall provide this brochure (and associated updates) to:</i> <i>(a) all landowners and/or existing or future tenants (including tenants of mine owned properties) in areas where the air dispersion model predictions in the EIS identify that the dust emissions generated by the project are likely to be greater than the air quality land acquisition criteria in condition 22 of schedule 3; and</i> <i>(b) all landowners and/or existing or future tenants (including tenants of mine owned properties) of properties where the monitoring results identify that the mine is exceeding the air quality land acquisition criteria in condition 22 of schedule 3."</i> In accordance with the above condition, a Dust Fact Sheet (developed by NSW Health and the NSW Minerals Council to the satisfaction of the Director-General) was distributed to landowners/tenants in areas that the EIS modelling predicted dust emissions (generated by the Project) were likely to exceed the air quality land acquisition criteria in Project Approval 05-0021. In addition, in the event that the Project air quality monitoring programme identifies that Project air quality emissions are exceeding the air quality land acquisition criteria in Project Approval 05-0021 at any other private residence/private owned land, the Dust Fact Sheet will also be distributed to the landowner/tenant at that residence/private owned land.

Table 2
Wilpinjong Coal Project Operational Phase Mine Access Route and Blasting Frequency Modification
Responses to Regulatory Submissions

Item	Summary of issue	Response
1	The DECC recommends that the Blast Management Plan and Monitoring Programme be updated following approval of the modification to include a protocol for evaluating blasting impacts at Aboriginal Rock Art Sites 72, 152 and 153 and for demonstrating compliance with Project Approval 05-0021. The DECC recommends that current ground vibration monitoring of Aboriginal Rock Art Sites 72, 152 and 153 be continued following approval of the modification and that the DoP and DECC be notified within 24 hours of any identified Project Approval or EPL criteria exceedance at or damage to the above art sites.	WCPL currently monitor dust deposition (when mining within 1 km) and ground vibration (for all blasts within 1 km) at Aboriginal Rock Art Sites 72, 152 and 153 in accordance with the Blast Management Plan and Monitoring Programme and the Aboriginal Cultural Heritage Management Plan. Vibration criteria for these three Aboriginal sites (i.e. 80 mm/s) are based on the German Standard DIN 4150-3 <i>Structural Vibration Part 3: Effects of Vibration on Structures</i> (February 1999). Monitoring results are reported annually in the AEMR and no exceedances were recorded for the previous AEMR reporting period. The Aboriginal Cultural Heritage Management Plan includes a procedure that would be implemented should an exceedance be recorded, as follows: <i>"If dust deposition rates or ground vibration levels are found to be in exceedance of those set out in the Project Air Quality Monitoring Programme (AQMP) and the Project Blast Management Plan (BMP), the following procedure will be implemented:</i> • <i>the location and type of exceedance will be recorded;</i> • <i>the Environmental Manager, in consultation with an archaeologist and Aboriginal community representatives will determine if the exceedance has been caused by WCPL's operations;</i> • <i>the archaeologist in consultation with Aboriginal representatives will examine the rock shelter to determine if any damage has occurred;</i> • <i>the Environmental Manager, in consultation with an archaeologist and Aboriginal community representatives will determine if additional mitigation measures are required to minimise the risk of additional exceedances or damage (mitigation measures may include modification to operational activities such as blasting);</i> • <i>the relevant monitoring program (dust, ground vibration) will continue to identify whether any adopted mitigation measures have been successful; and</i> • <i>if required, regular inspection of the art site will be initiated in consultation with the Aboriginal community.</i> <i>In the event of a monitoring exceedance or actual damage to a rock art site, a summary of the issue, including any mitigation measures applied will be reported in the AEMR for distribution to government stakeholders, Aboriginal stakeholder groups and other interested persons (Section 5)."</i>

Table 2 (Continued)
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1 (Cont.)		In accordance with the Aboriginal Cultural Heritage Management Plan, a baseline recording of these three Aboriginal rock art sites was undertaken in March and April 2006. Actual charge can be measured against the baseline record which included: <i>“systematic photographic coverage of all of the rock art, development of a floor plan of the rock shelter and completion of a condition report (e.g. the state of the rock surfaces, presence of existing damage, dust, graffiti, plant or animal damage).”</i> <u>In addition to the above, WCPL will update the Blast Management Plan and Monitoring Programme and the Aboriginal Cultural Heritage Management Plan to include the notification of DoP and DECC (within 24 hours) following the identification of an exceedance of ground vibration levels (specified in the Blast Management Plan and Monitoring Programme i.e. 80 mm/s) at Aboriginal Rock Art Sites 72, 152 or 153 or identification of actual damage.</u>
2	DECC recommends that dust mitigation measures be implemented along the unsealed section of Ulan-Wollar Road between Ulan Road and the Project access road until this section (of Ulan-Wollar Road) is sealed.	As outlined in the modification EA, WCPL has committed to <u>sealing the un-sealed section of Ulan-Wollar Road between Ulan Road and the internal mine access road to minimise wind-blown dust and to improve the condition of Ulan-Wollar Road.</u> <u>WCPL will continue to water the unsealed section of Ulan-Wollar Road until the section of Ulan-Wollar Road between Ulan Road and the internal mine access road is sealed.</u>
3	MWRC recommends that all roadworks described in the modification EA and the sealing of the entire un-sealed section of Ulan-Wollar Road be fully funded by WCPL. MWRC also recommends that WCPL provide the MWRC with an additional annual maintenance contribution.	The modification EA proposes modifying the existing Project Approval to allow for the majority of operational phase traffic to access site via Ulan Road and Ulan-Wollar Road rather than Ulan Road and Wollar Road (i.e. <u>moving the majority of operational phase traffic from one route to another</u>). Consequently, WCPL considers the existing once-off and annual contributions to be made to the MWRC for road maintenance and upgrades (committed to until the cessation of mining) to be sufficient. Notwithstanding, in addition to these contributions, WCPL will: • <u>seal the un-sealed section of Ulan-Wollar Road between Ulan Road and the internal mine access road (at a cost to WCPL in the order of \$1 - 1.5 Million);</u> • <u>Install appropriate line-marking and signage along the section of Ulan-Wollar Road between Ulan Road and the internal mine access road;</u> • <u>continue to water the unsealed section of Ulan-Wollar Road until the section of Ulan-Wollar Road between Ulan Road and the internal mine access road is sealed;</u> • <u>contribute an additional \$20,000 per annum over the next three years to assist in the development of school bus lay-by areas along Ulan Road; and</u> • <u>contribute (in consultation with the MWRC and MCMPL) to the upgrading of the Ulan Road/Ulan-Wollar Road intersection and the Ulan-Wollar Road/internal mine access road intersection.</u>

Table 2 (Continued)
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3 (Cont.)		WCPL considers the MWRC's recommendation to seal the entire length of Ulan-Wollar Road unreasonable due to the following: • sealing the entire length of Ulan-Wollar Road would significantly increase the cost (i.e. in the order of \$1 - 1.5 Million) of sealing the section of Ulan-Wollar Road between Ulan Road and the internal mine access road; • WCPL would continue to discourage all Project related traffic from travelling on Ulan-Wollar Road between the internal mine access road and the township of Wollar to minimise impacts on the township of Wollar; and • a section of Ulan-Wollar Road between the internal mine access road and the township of Wollar is required to be relocated to the north side of the Gulgong-Sandy Hollow railway prior to Year 8 of operations.
4	MWRC raised concerns that current operations are exceeding the noise criteria imposed by Project Approval 05-0021 and that an increased blasting frequency may exacerbate current noise emissions.	WCPL operates in accordance with various management plans, monitoring programmes and licence and approval conditions. Management and monitoring result (including complaints) are reported annually in the AEMR. As reported in the AEMR, applicable criteria have been met.