

OUT12/11707

Mr David Mooney
Senior Planner
Major Project Assessments
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Mooney

**Drayton Coal Mine
Section 75W Modification
MP 06_0202 Mod 3**

I refer to your email of 3 May 2012 regarding Anglo Coal (Drayton Management) Pty Limited modification application for the Drayton Coal Mine to extend the Approved Mining Disturbance Footprint to recover an additional 1.4 million tonnes of remnant coal resource.

NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has reviewed the *Drayton Mine Project Approval Modification 3 Environmental Assessment* (EA) dated April 2012. DRE provides the following comments:

The proponent Anglo Coal (Drayton Management) Pty Limited has initiated no prior consultation with DRE concerning the proposed modified mine plan and consequently proposed changes to mine closure rehabilitation. DRE consider such consultation is critical given that mine closure is imminent in 2017 and rehabilitation requirements for mine closure are a condition of the *Mining Act 1992*.

DRE consider that the EA does not adequately address:

- The barrier requirement to the adjoining Mt Arthur Coal mining lease in the proposed northern modification area.
- The extension of mining into the east modification area impacting Drayton's mine-water Industrial Dam and previously mined rehabilitation which has a history of spontaneous combustion. This should include:
 - The assessment of water management, water balance and containment.
 - The assessment of spontaneous combustion risk and control.

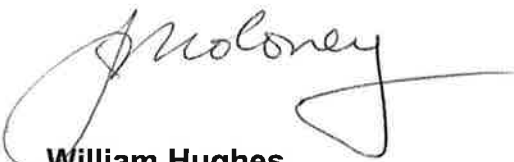
Department of Trade & Investment, Regional Infrastructure & Services
Division of Resources and Energy
PO Box 344 Hunter Region Mail Centre NSW 2310
516 High St Maitland NSW 2323
Tel: 02 4931 6666 Fax: 02 4931 6776
ABN 72 189 919 072
www.industry.nsw.gov.au

- The Mining Act requirements for rehabilitation, residual risk, security bond arrangements implicit in the proposed void configuration and final landuse "agreement" with Macquarie Generation for use of Drayton mine voids for power station flyash.

DRE cannot support the proposed modification until the above issues have been addressed. It is recommended that the proponent contact DRE to arrange a meeting to discuss.

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

Yours sincerely



William Hughes
Acting Director
Minerals Operations



Office of
Environment
& Heritage



PCU034028

Your reference: 06_0202 Mod 3
Our reference: DOC12/18247; FIL12/4609
Contact: Robert Gibson, 4908 6851

Mr David Mooney
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001



Dear Mr Mooney

**RE: REVIEW OF THE EA FOR THE PROPOSED MODIFICATION TO THE DRAYTON COAL MINE AND
RECOMMENDED CONDITIONS FOR APPROVAL**

I refer to your letter of email of 3 May 2012 to the Office of Environment and Heritage (OEH) with a copy of 'Drayton Mine Project Approval Modification 3: Environmental Assessment for Anglo Coal (Drayton Management) Pty Ltd' ('the EA') of April 2012 prepared by Hansen Bailey. OEH understands the modification application is pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* and seeks approval for:

- Extending the approved mining footprint by 36.5 ha in order to access an additional 1.4 million tonnes of coal
- To change the existing mining fleet.

OEH has reviewed the EA and provides comments on Aboriginal cultural heritage and threatened biodiversity issues in **Attachment A**.

If you have any questions concerning this advice the please contact Robert Gibson, Regional Biodiversity Conservation Officer, in this office on 4908 6851.

Yours sincerely

21 MAY 2012

RICHARD BATH
Head – Hunter Planning Unit
Conservation and Regulation, North East

Enclosure: Attachment A. Review of 'Drayton Mine Project Approval Modification 3: Environmental Assessment for Anglo Coal (Drayton Management) Pty Ltd' for Threatened Species, Aboriginal Cultural Heritage Issues and Recommended Conditions of Approval

ATTACHMENT A

Review of 'Drayton Mine Project Approval Modification 3: Environmental Assessment for Anglo Coal (Drayton Management) Pty Ltd' for Threatened Species, Aboriginal Cultural Heritage Issues and Recommended Conditions of Approval

Aboriginal Cultural Heritage

The Office of Environment and Heritage (OEH) has reviewed the proposed changes to the existing Drayton approval and notes that no change in impact to known Aboriginal objects or sites will occur as a result of the proposal. OEH has therefore identified no constraints to the proposed modification based on Aboriginal cultural heritage issues.

OEH takes this opportunity to remind Anglo American of their obligations under the existing Aboriginal Cultural Heritage Management Plan for the Drayton Mine. In particular I would like to draw your attention to Conditions 4.2, 4.3, 4.7.10 and 4.8 of the Cultural Heritage Management Plan.

Threatened Species

OEH notes that the 36.5 ha footprint of the proposed additional mining areas includes about 0.44 ha of 'degraded Hunter Lowland Redgum Forest regeneration'. Despite the degraded nature of this vegetation it still meets the definition as an endangered ecological community (EEC) under Schedule 1 of the *Threatened Species Conservation Act 1995*. OEH acknowledges that this vegetation community also occurs in the nearby Drayton's Wildlife Refuge and also the proponent's to rehabilitate at least 1.3 ha of the area covered by this modification area with a mix of species found in this EEC (i.e. at least three times the area to be cleared). However, in line with OEH policy, revegetation is not considered to be an appropriate offset for the clearing of EEC vegetation, this is due in large part to the uncertainty of being able to fully recreate the structure, composition and ecosystem function of an intact EEC, even one that is degraded. There is also the issue of the time lag in replacing food and shelter resources with any new plantings. OEH therefore recommends that the proponent provides a biodiversity offset for the clearing of this EEC in line with OEH offsetting policy.

The Painted Donkey Orchid (*Diuris tricolor*) is present on the Drayton Mine lease, and adjacent areas, and is listed as Vulnerable in Schedule 2 of the *Threatened Species Conservation Act 1995*. In the local area it is known to grow and persist in derived grasslands that can contain a large percentage of exotic species (Umwelt 2000). Plants around Muswellbrook generally flower between about 15 September and 15 October; that is within the period that the flora and fauna surveys were done for this proposed Modification. The EA states that the biodiversity surveys by Cumberland Ecology for this EA, which were conducted on 30 September 2011, were not comprehensive, but that they also relied on other surveys conducted on the Drayton Mine Lease to deduce that this threatened orchid was not present in the Modification area footprint. It is known that some of these surveys were conducted outside of the flowering period for the Painted Donkey Orchid. It is also known that flowering plants of Painted Donkey Orchid can be difficult to detect when growing in dense grassland amongst established tussocks (such as occurs in sections of road verge along Thomas Mitchell Drive adjacent to the Drayton Mine Lease. Therefore, the total exclusion of this threatened orchid from the footprint of the proposed modification area appears premature, particularly from those areas devoid of fill.

The EA does not specify if targeted surveys have been conducted on the Drayton Mine site for the Tiger orchid (*Cymbidium canaliculatum*). This epiphytic orchid is known from several records in the local area (within 10 km of the Drayton Mine site) and is known to occur on live and dead trees and also fence posts; thus it appears likely that suitable habitat exists for this species on the Mine site, including within the Modification area. This species has a distinctive appearance and habitat and can be readily identified at any time of the year.

Recommended Conditions of Approval

1. That any endangered ecological community (EEC) vegetation cleared for the proposed Modification will be offset in accordance with OEH offsetting policy; either the 'Principles for the use of biodiversity offsets in NSW' or the 'NSW OEH interim policy on assessing and offsetting biodiversity impacts of part 3A, State significant development (SSD) and State significant infrastructure (SSI) projects;
2. That targeted survey for the Painted Donkey Orchid (*Diuris tricolor*) is conducted in parts of the Modification area with an undisturbed soil profile during the flowering season before any earthworks can be undertaken. If any Painted Donkey Orchids are found in the Modification 3 area then they must be offset in accordance with OEH policy.
3. That targeted surveys are conducted on the Modification 3 area for plants of Tiger Orchid (*Cymbidium canaliculatum*) prior to any vegetation clearing. If any plants are found then they must be relocated to a suitable nearby tree or post within an area of remnant woody vegetation (such as in the Drayton Wildlife Refuge) in accordance with Vallee *et al.* (2004).

References:

Umwelt (Australia) Pty Limited (2000) *Drayton Coal Pty Ltd & Coal Operations Australia Limited. Flora and Fauna Assessment; Proposed Antiene Joint User Rail facility. March 2000.* Umwelt (Australia) Pty Limited, Toronto.

Vallee, L.; Hogbin, T.; Monks, L.; Makinson, B.; Matthews, M. and Rossetto, M. (2004) *Guidelines for the Translocation of Threatened Plants in Australia: Second Edition.* Australian Network for Plant Conservation, Canberra.



Your reference:
Our reference: PART 3A DOC12/18095:
LIC08/570-04
Contact: Ross Brylinsky (02) 4908 6809

Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

21 MAY 2012

Attention: David Mooney

Dear Mr Mooney

DRAYTON MINE - PROPOSAL TO EXTEND MINE FOOTPRINT (DA 06-0202 MOD 3)

I refer to your emailed letter of 3 May 2012 and the attached document titled: "*Drayton Mine Project Approval Modification 3 – Environmental Assessment, April 2012*" (the EA) and requesting comments from the Environment Protection Authority (EPA) regarding the proposed development.

The EPA has reviewed the EA, and has no objection to the project proceeding as described in the EA. The following comments and recommendations are provided in relation to the Surface Water Impact Assessment contained at Appendix D of the EA.

The mine site water management schematic diagram shown in Figure 4.3 of Appendix D indicates that the Access Road Dam and the Rail Loop Dam have the potential to over flow to Ramrod Creek. Both these dams are used to store saline mine water. The Drayton Coal mine operates within the area of the Hunter River Salinity Trading Scheme, which operates to manage the discharge of saline water from industry.

While Section 2.5 of the Surface Water Impact Statement states that the Drayton Mine operates as a closed system to ensure that all mine water stored on site is utilised on site, it appears that the current mine water management system does allow for the offsite discharge of saline mine water.

Section 120 of the *Protection of the Environment Operations Act 1997* prohibits water pollution. Condition L1.1 of the Drayton Mine Environment Protection Licence (EPL 1323) reinforces the need to comply with this requirement. The effect of this condition is that saline mine water cannot be discharged from the site. It is recommended that Anglo Coal (Drayton Management) Pty Ltd ensure that the water management plan is designed to comply with these requirements.

The EPA notes that the proponent intends to increase the size of the Rail Loop Dam by 50ML from 18ML to 68ML in order to prevent uncontrolled spills. The EPA recommends that if consent is granted, that the conditions of consent include a requirement for works to increase the capacity of the Rail Loop Dam are completed within 3 months of modified consent being granted.

Please contact Ross Brylynsky on (02) 4908 6809 if you require any further information regarding this matter.

Yours sincerely



KAREN MARLER
Head Regional Operations Unit – Hunter
Environment Protection Authority



**Department of
Primary Industries**
Office of Water

Mining and Industry Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Contact Fergus Hancock
Phone 02 4904 2632
Fax 02 4904 2503
Email Fergus.Hancock@water.nsw.gov.au

Our ref ER20705
Your ref MP 06_0202 MOD 3

Attention: David Mooney

Dear David

Anglo Drayton open cut pit extension
Your ref. MP 06_0202

I refer to your email of 3 May 2012 requesting comments related to the proposed modification to the Anglo Drayton mine extension. The following comments are submitted for your consideration.

The Anglo Drayton open cut pit extension involves minor additional excavation to the north east (industrial dam) and southern highwall, extracting coal from an additional 35 ha area. The mine pit is located at considerable distance to the Hunter Regulated Alluvial water source, and maintains a setback of over 1 kilometre to Ramrod Creek to the north east and Saddlers Creek to the south of the proposal.

The additional, cumulative impact to drawdown in the porous rock groundwater system is expected to be minimal. This is particularly the case considering the extended, cumulative drawdown envelope from the Drayton, Mt Arthur South and Mt Arthur North mine complexes. The Office of Water does not anticipate additional drawdown-induced flow impacts to either of these tributaries to the Hunter River to occur as a result of the mining extension.

The Office of Water requests Anglo Drayton provide further details as to the actual volumes of groundwater ingress to the three mine pits. This should be referred to under the existing condition 29 of project approval MP 06_0202. The Office of Water recommends a review of the reporting arrangements to inform the final water management plan prior to finalisation of mining.

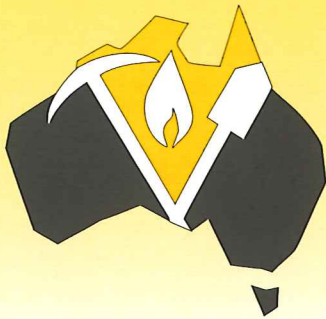
The final five year period of approved mining operations should be subject to a review of effectiveness of water management strategies, and finalisation and rehabilitation of water management structures as part of the final landform plan.

The Office of Water does not object to approval to the modification of project approval.

If you wish to clarify anything in this correspondence, please contact Fergus Hancock on (02) 4904 2532.

Yours sincerely

Mark Mignanelli
Manager, Major Projects and Mines Assessments
24 May 2012



THE UNITED MINEWORKERS' FEDERATION OF AUSTRALIA

(Division of the Construction, Forestry, Mining and Energy Union)
(Incorporating the Federal & State Registered Unions)

Northern District Branch

67A Aberdare Road, Cessnock 2325
P.O. Box 364, Cessnock 2325
ABN 80 814 987 748

President: **Peter Jordan**

Phone: (02) 4990 7600

Fax: (02) 4991 1595

Email: umw@unitedmineworkers.org.au

Secretary: **Grahame Kelly**

22 May 2012

Department of Planning

GPO Box 39

SYDNEY NSW 2001

Email: plan_comment@planning.nsw.gov.au

To Whom It May Concern

**RE: REVIEW OF ENVIRONMENT ASSESSMENT – DRAYTON MINE – FOOTPRINT EXTENSTIONS
(06_0202 MOD 3)**

Please find attached the CFMEU Northern District Branch's Submission in relation to the abovementioned matter.

The Union welcomes the opportunity to comment on the Drayton Mine – Footprint Extensions.

Should you have any questions concerning the same, please do not hesitate to contact the Union Office.

Yours sincerely

**KEENON ENDACOTT
INDUSTRIAL RESEARCH OFFICER**



Review of Environmental Assessment

Drayton Mine

Footprint Extensions

Ref No: 06-0202

Submission

Construction Forestry Mining and Energy

Union (Mining and Energy Division)

Northern District Branch

May 2012

On 10 February 2012, Anglo Coal (Drayton Management) Pty Ltd applied to the Minister, Department of Planning seeking approval to authorise a 36.5 hectare extension of the Approved Mining Disturbance Footprint to recover an additional 1.4 Mt remnant coal resource. Modification 3 also seeks approval to change the approved equipment fleet due to both supplier availability and operational constraints. This Project is sought under Section 75W of the EP&A Act 1979.

The Director General made the Environmental Assessment publicly available on the 16 May 2012, at the DPI Information Centre Sydney, Muswellbrook Shire Council and Nature Conservation Council, Newtown.

The Union is pleased to take the opportunity to comment on the Drayton extension project and related activities Environmental Assessment.

The Mining and Energy Division is a Division of the CFMEU under the Federal Workplace Relations Act 1996, with over 120,000 members, one of the largest in Australia. The Division covers several industries including the coal industry, coal ports, metalliferous mining industries, electrical power generation, oil and gas and the Nation's small coking industry.

The Northern District Branch of the CFMEU Mining and Energy Division, being the branch that on behalf of the organisation which is making the submission is the principal Union representing coal miners in the Northern District coalfields of New South Wales. The Drayton facility is located approximately 13 kilometres south of Muswellbrook and is wholly within the State's Northern District coalfields.

The Union is familiar with the Drayton Coal Mine facility site and has engaged the services of an Environmental Consultant with extensive experience in local government and environmental assessments on coal mining related projects.

After reviewing all the material and taking advice, the Union supports the extension of the mining footprint Project as proposed.

Project Overview

Drayton proposed to extend its operations into three areas collectively known as the Modification Area.

One of these areas is to the east of the Approved Mining Disturbance Footprint within the EA Boundary presented in the Drayton EA and approved by PA 06-0202.

Minor extensions to the Approved Mining Disturbance Footprint are also proposed in the North and South pits to facilitate the development of a more environmental sustainable and safer final highwall.

A minor variation to the equipment fleet is also proposed due to operational constraints.

Eastern Modification Area

The proposed Eastern Modification Area includes an extension of the Approved Mining Disturbance Footprint by approximately 20.3ha adjacent to existing infrastructure.

Mining in the Eastern Modification Area will result in the extraction of approximately 1.4Mt of remnant coal beneath the mine water Industrial Dam and previous mine rehabilitation. The water from this dam will be stored within the southern portion of the East Pit void and any potential contaminated materials will be appropriately removed and treated. This area will be sealed from the active mining area in the East South Pit by a hard rock barrier pillar up to 50m high and up to 50m wide.

The proposed Eastern Modification Area represents an additional 4.2% disturbance to the Approved Mining Disturbance Footprint at Drayton.

Northern and Southern Modification Areas

The proposed Northern and Southern Modification Areas are an extension of the Approved Mining Disturbance Footprint of approximately 8.8ha and 7.4ha respectively. The minor extensions of the North Pit and South Pit are both sought to allow a more sustainable closure plan for the cessation of mining at Drayton and a safer highwall to be developed for the end of approved mining at Drayton in 2017.

The South Pit highwall has been redesigned to develop a straight highwall so as to improve geotechnical stability and reduce highwall failure. The North Pit highwall has been extended by

approximately 30m to the west so as to increase working room in the North Pit and to reduce the load on the highwall, thereby reducing highwall failure.

The proposed Northern Modification Area represents an additional 1.8% disturbance of the Approved Mining Disturbance Footprint at Drayton. The proposed Southern Modification Area represents an additional 1.5% disturbance to the Approved Mining Disturbance Footprint at Drayton. The proposed mining method used in these areas will be the same as that described in the Drayton Extension EA and Modification EA.

Equipment Fleet Modification

The Drayton EA describes an equipment fleet of 25 haul trucks (consisting of 14 x 280 tonne trucks and 11 x 180 tonne trucks). Due to both equipment availability in the market place and operational constraints, in particular restricted working room, the proponent is seeking approval to modify the equipment fleet to accommodate 30 x 180 tonne trucks and to retire the few larger less flexible trucks on the mine site.

Revised Final Landform

Mod 3 will not extend the life of the approved mining at Drayton, which PA 06-0202 requires to cease on 31 December, 2017.

Over the past five years, Drayton has been designing their final landform to ensure a successful and safe mine closure, in the absence of any additionally approved mining proposals.

Mod 3 is integral to achieving this final landform plan, as the Northern and Southern Modification Areas will ensure sufficient room is available to backfill and develop safer and more sustainable final voids. The backfilling of the voids will ensure that all overburden or coal seams which are prone to spontaneous combustion are covered with an inert material and adequately capped to prevent future heating.

Stakeholder Engagement

Notification of MOD 3 was provided to Drayton's near neighbours via the distribution of a brief letter outlining the proposal and providing relevant contact details to discuss the proposal further. Notification was also provided to Drayton's CCC. MOD 3 was discussed with the Mayor and General Manager of Muswellbrook Shire Council at a meeting on 14 November 2011 and 17 April 2012.

Drayton also maintains a number of formal and informal methods of community consultation to provide ongoing updates on environmental and operational performance.

Air Quality

An air quality impact assessment was undertaken by consultants PAE Holmes for MOD 3.

The assessment of air quality impacts of Drayton Mine operation as proposed by MOD 3 was undertaken assuming that mining methods, mining equipment and rate of coal and overburden production in the Modification area will be similar to the levels assumed for Year 10 in the Drayton EA (apart from the proposed variation in the configuration of the overburden truck fleet).

A review of modelling results concluded that there would be no predicted exceedances of the Office of Environment & Heritage (OEH) assessment air quality criteria in Year 10 at the nearby privately owned receivers as a result of extending mining areas proposed by MOD 3 and that the operation of Drayton Mine as proposed by MOD 3 would be within the air quality goals in PA 06-0202.

An assessment of the change in overburden truck size to 180 tonne was also undertaken. Whilst the change in truck size will have some additional air quality impacts, the assessment confirmed that this would not result in any exceedance of the OEH assessment air quality criteria.

As the proposal does not involve any increase in the approved maximum ROM coal production at Drayton Mine from 8 Mtpa, there will be no additional greenhouse gases liberated in any one year beyond those approved under PA 06-0202.

The proponent will continue to manage air quality and greenhouse gas emissions in accordance with the SHECMS, approved Air Quality Monitoring and Management Program and Greenhouse and Energy Efficiency Plan. Details of MOD 3 and relevant management measures will be included in this revision.

Noise and Blasting

A noise and blasting impact review was undertaken for the Modification by consultants Bridges Acoustics.

The nearest privately owned receivers to the Modification Areas were assessed to determine the level of noise impacts likely to be experienced by the operation of Drayton Mine as proposed by MOD 3 at surrounding locations, as compared to those affected by noise when the Drayton Mine operates as currently approved under PA 06-0202.

An assessment of the change in noise affects from the operation of Drayton Mine due to changes in the truck fleet at Drayton was also undertaken to understand any changes to noise impacts. Drayton's existing 180 tonne trucks are fitted with upgraded exhaust silencers following a commitment in the Drayton EA.

Calculations in the noise assessment indicate the approved truck fleet is actually 0.4dBA quieter than assumed in the Drayton EA while the MOD 3 proposed truck fleet (with more trucks) would be 0.1 dBA louder cumulatively than assessed in the Drayton EA. An increase of 0.1dBA in truck noise would apply with the fleet working in the operation of Drayton Mine as proposed by MOD 3 which is considered too small for residents or noise survey equipment to detect.

No significant additional noise impacts are predicted to result from the operation of Drayton Mine as proposed by MOD 3, as compared to the operation of Drayton Mine presently approved under PA 06-0202.

The proponent will continue to manage its operations to ensure that the operation of Drayton Mine as proposed by MOP 3 will comply with the noise criteria listed in PA 06-0202.

In relation to blasting as the Modification Area is at a similar distance from the closest receivers, vibration and overpressure levels from blasting would be similar to those from adjacent mining areas approved in PA 06-0202.

The blasting of overburden material and coal required for the Modification extension area will continue to be conducted as approved under the Drayton EA.

The existing monitoring network will continue to be utilised for the operation of Drayton Mine as proposed by MOD 3 in accordance with the approved Blast Management Plan to ensure the implementation of appropriate blast designs that will minimise the potential for any exceedances of noise and vibration criteria.

The proponent will be required to notify residents of pending blast events as requested. The proponent will also continue to plan blasting activities in liaison with the Mt Arthur Coal Complex to minimise cumulative impacts on their neighbours.

Groundwater

The proposed extension of the Approved Mining Disturbance Footprint and the revision of the conceptual final landform proposed by MOD 3 will not result in any significant additional impacts to the groundwater systems surrounding Drayton in addition to those resulting from the operation of Drayton Mine as currently approved under PA 06-0202 and considered in the Drayton EA.

As required by PA 06-0202 and as committed to in the Drayton EA, Drayton holds all necessary licences, authorities and approvals under the Water Act and the WM Act for the operation of the Drayton mine as authorised by PA 06-0202. As it has been determined that the modified operation of the Drayton Mine will not have any different effect on the groundwater regime when compared to the effects of the Drayton mine as presently approved and operating, no additional licences, authorities' or permits will be required under those Acts.

Surface Water

A surface water study has been carried out by consultants WRM Water & Environment to determine the impacts of the proposed modified operation of the Drayton Mine on surface water environment and surrounds.

A computer-based simulation model (OPSIM) was used to assess the dynamics of the site water balance under conditions of varying rainfall and catchment conditions. It should be noted the OPSIM model has considerable conservatism built into it as the model assumed full production (8Mtpa) until the end of mine life and conservative industrial usage and haul road suppression requirements at this production rate. However, it is likely that Drayton will curtail operations towards the end of the mine life and reduce usage demands accordingly.

In the unlikely event that sufficient water is not available, coal beneficiation will be modified or curtailed. Further, Drayton may utilise dust suppressants to reduce the industrial usage and haul road suppression requirements and further investigate the use of flocculants to increase tailings water recovery.

The OPSIM model also assessed the possibility of controlled and uncontrolled discharges. The model found that Drayton should investigate options to ensure no uncontrolled discharged from the Rail Loop Dam.

Surface water monitoring and management will continue to be undertaken at Drayton consistent with the management commitments required by the Drayton Water Management Plan under PA 06-0202.

Spontaneous Combustion

The operation of Drayton Mine as proposed by MOD will be carried out in a manner consistent with current approvals and methods, targeting five seams within the Greta coal measures, which are known to be susceptible to spontaneous combustion.

The revised final landform and mine closure plan ensures that all overburden or coal seams which are prone to spontaneous combustion are covered with an inert material and adequately capped to prevent future heating after mine closure.

The existing Spontaneous Combustion Management Plans required under PA 06-0202 will continue to apply to the modified operation of the mine and is considered to be appropriate for the proper and effective management of spontaneous combustion.

Visual

The Drayton EA assessed the visual impacts associated with the mine plans approved under PA 06-0202. This assessment was reviewed for the proposed modification of Drayton Mine to determine the potential for any changes to the visual impacts at surrounding visual receivers in addition to those currently experienced as a result of the approved mining operations at Drayton.

The Eastern Modification Area will not be visible to private receivers due to the existing topography, tree screening and existing infrastructure. The Southern Modification Area will not be visible to any private receivers.

The Northern Modification Area will be visible along Thomas Mitchell Drive, consistent with the North Pit visual impacts as approved in the Drayton EA. The Thomas Mitchell Drive viewing location from the Drayton EA was re-assessed to quantify if any additional visual impacts would result from the proposed modification of Drayton Mine. The assessment demonstrates a minimal visual impact from the proposed modification.

The existing management plans under PA 06-0202 will continue to apply to the modified operation of the mine and are considered to be appropriate for the proper and effective management of visual issues related to the proposal.

Ecology

An ecological assessment of areas proposed for vegetation clearing as a result of MOD 3 was undertaken by consultants Cumberland Ecology.

No threatened flora species have been recorded in the areas proposed for clearing as a result of MOD 3 and none are considered likely to occur within the vicinity. Habitat within the areas proposed for clearing as a result of MOD 3 are considered unsuitable for the target threatened species due to the degraded nature of the grassland, a high level of disturbance caused by past clearing and surrounding mining activities, the impacts of grazing by native and exotic herbivores and significant weed infestation.

No species listed by the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 were assessed as being likely to make significant use of the areas proposed for disturbance by MOD 3 and the vegetation of this area does not conform to any threatened listing under the EPBC Act.

The area proposed for disturbance by MOD 3 contains 0.44 ha of degraded Hunter Lowland Redgum Forest (HLRH) regrowth adjacent to the Industrial Dam in the Eastern Modification Area, which is listed as an Endangered Ecological Community under the NSW Threatened Species Conservation Act 1995. The removal of such a small patch of modified regrowth is not considered likely to result in a significant impact to the local occurrence of the EEC. Further, an area of 88ha to the south-west of the Drayton Wildlife Refuge that is being protected for conservation as a consequence of a commitment in the Drayton EA also contains areas of high quality HLRF and other related forest and woodland types.

The ecological assessment determined that the proposed Modification areas consisted of the following:

- 0.44ha of HLRG regrowth;
- 1.24ha of low quality Acacia vegetation;
- 17.5ha of various low quality and highly modified open grassland communities; and
- 17ha of disturbed areas (including the Industrial Dam).

To address the impacts upon HLRF, future rehabilitation of the Modification areas will include woodland species rather than Rhodes Grass and other exotic herbaceous plants. In particular the rehabilitation will include at least 1.3ha of HLRH trees, shrubs, herbs and grasses.

The Industrial Dam is considered unlikely to support any aquatic fauna such as fish or amphibians due to the poor quality of the water. As it is a mine water dam, the chemical composition, acidity, turbidity and oxygen levels of water in the dam are likely to be unsuitable for aquatic fauna. Also the dam lacks fringing vegetation that could provide suitable shelter.

No significant impacts are predicted to occur to threatened amphibians or aquatic environments as a result of the Modification, however, a drainage protocol for aquatic fauna will be prepared and implemented to protect aquatic fauna and water fowl that might be impacted by the drainage of the dam and to relocate them safely offsite where necessary.

The existing management plans under PA 06-0202 will continue to apply to the modified operation of the mine and are considered to be appropriate for the proper and effective management of ecological issues related to the proposal.

Aboriginal Archaeology and Cultural Heritage

The Aboriginal archaeological impact assessment for the Drayton EA identified a number of sites within and surrounding the EA Boundary.

The Drayton EA identified Aboriginal heritage sites within the proposed North Pit (called the Ramrod area) and the South Pit extension areas (called the Delpah area). Archaeological Risk Assessment Services completed a salvage of all Aboriginal sites identified within and adjacent to the Approved Mining Disturbance Footprint in July 2010.

As the areas for disturbance due to MOD 3 have been previously cleared for Aboriginal archaeology, no impacts or management processes due to the proposed modification of Drayton Mine are required.

Non-Aboriginal Heritage

An assessment was undertaken for the Drayton EA to identify any non-Aboriginal heritage items remaining within the EA Boundary to determine the potential for impacts to these sites due to that Project.

A review of this assessment found that none of the non-Aboriginal heritage sites previously identified at Drayton is located in the vicinity of the areas proposed for disturbance as the result of the modified operation of the Drayton mine. As such no additional management or mitigation measure would be required.

Traffic and Transport

The operation of Drayton Mine as proposed by MOD 3 will be undertaken generally in accordance with those described in the Drayton EA and approved under PA 06-0202, with no increase in road or rail traffic movements sought.

Therefore, no impacts to the transport networks surrounding the EA Boundary will result from this Modification.

Socio Economics

The Modification will not result in any increase to the maximum coal extraction rate, life of mine, or the level of employees in addition to those approved under PA 06-0202. Therefore, no negative socio-economic impacts will result from the Modification.

The operation of the Drayton Mine as proposed by MOD 3 will result in the increased recovery of the in situ coal resources at Drayton Mine, using the existing infrastructure and methods of operation without any significant change to social impacts and environmental effects.

In Summation

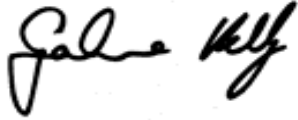
The modified operation of Drayton Mine involves the incorporation of an additional three small areas into the Drayton mine plan.

MOD 3 seeks approval to mine minor extension areas of the Approved Mining Disturbance Footprint which will be undertaken in accordance with the approved open cut mining activities at Drayton. The environmental assessment of the modified operation of Drayton Mine has confirmed that the impacts from the activities described in this EA are minor in nature and are consistent with those already approved by PA 06-0202.

Based on the assessment of environmental and socio-economic considerations which has been multi-disciplinary and involved consultation with the DP&I and other relevant stakeholders, the

Drayton Mine Footprint Extension is anticipated to pose negligible additional environmental impacts beyond those already approved under PA 06-0202.

The Union considers that on balance this Project is consistent with currently approved PA 06-0202 and objectives of the EP&A Act, and therefore supports the proponent's application.

A handwritten signature in black ink, appearing to read 'Grahame Kelly', with a stylized, cursive script.

Grahame Kelly

DISTRICT SECRETARY

P.O. Box 226
39 Pamger Drive,
Muswellbrook. 2333
31 May, 2012

Mining & Industry Projects,
Department of Planning and Infrastructure,
GPO Box 39,
SYDNEY. NSW 2001

Dear Sir,

Drayton Mine – Modification 3 to Project Approval (PA 06_0202)

I wish to lodge a Submission on the EA in respect of the abovementioned Project for Drayton Mine.

The environmental impact assessments for this Modification state the impacts from the proposed modification are minor in nature and are consistent with those already approved by the current Drayton Mine Project Approval.

We wish to submit our objections on the basis that the existing mine already creates unsatisfactory cumulative noise, blasting impacts and rail traffic impacts interfering with living standards to the Antiene landowners, particularly our residence in Pamger Drive, Muswellbrook. This is substantiated by the number of complaints reported at every Drayton Community Consultative Committee Meeting. This information can be obtained from Drayton Mine's records.

It is with this in mind we strongly object to any further extension of the Drayton Mine which will only further depreciate our property value, interfere with our living standards and continue to provide further increased unwarranted living standards.

Yours faithfully,


G.H. & P.H. de Boer

Kax 02 9228 6466

stephen page

From: stephen page [stephenpage@bluemaxx.com.au]
Sent: Wednesday, May 30, 2012 9:23 PM
To: 'comment@planning.nsw.gov.au'
Subject: FW: drayton mine project approval modification 3 Envir. Asses.

From: stephen page [mailto:stephenpage@bluemaxx.com.au]
Sent: Wednesday, May 30, 2012 9:20 PM
To: 'plan'
Subject: drayton mine project approval modification 3 Envir. Assessment.

Our concerns are,

The duration of operations in the north end of the pit will be longer than previously anticipated with the additional modification.

Continuing noise and dust with the modification.

Continuation of blast activity in the northern end resulting in ground and house vibrations.

* North end of pit is very much a Visual Negative on the landscape!

Stephen and Karen Page.

Lot 131 Balmoral road.

Muswellbrook 2333.

Phone 65434730.