

The Wallerawang Collieries Limited

**Response to Submissions
Environmental Assessment –
Ventilation Shaft and Powerline
Corridor for South Eastern Mining
Area, Baal Bone Colliery**

September 2007

Response to Submissions Environmental Assessment – Ventilation Shaft and Powerline Corridor for South Eastern Mining Area, Baal Bone Colliery

Prepared by

Umwelt (Australia) Pty Limited

on behalf of

The Wallerawang Collieries Limited

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APPENDICES

1	Revised Statement of Commitments
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1.0 Introduction

This document has been prepared in accordance with section 75H(6) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in response to issues raised during the public exhibition period for the Environmental Assessment - Ventilation Shaft and Powerline Corridor for South Eastern Mining Area, Baal Bone Colliery (Umwelt 2007a) (the EA).

This report encompasses a response to submissions made by the Department of Primary Industries (DPI), Sydney Catchment Authority (SCA), Department of Water and Energy (DWE), Department of Environment and Conservation (DEC), Forests NSW, NSW Roads and Traffic Authority (RTA) and a community member. The report addresses the following issues raised by these respondents:

- Ecology;
- Project details;
- Water management;
- Noise;
- Heritage;
- Traffic; and
- Greenhouse Gases.

1.1 Report Structure

A range of issues were raised in the submission received for the project. These issues are addressed in the following section of this response. Issues raised are noted in bold followed by a response in normal type.

2.0 Response to Submissions

2.1 Ecology

2.1.1 Forests NSW

The EA does not consider the requirements for clearing to provide access to the powerlines. No provisions are outlined for the management of access tracks. The EA should be updated to include this information.

It is envisaged that minimal clearing of native vegetation will be required to provide access to the powerline easement. Access will generally be from existing tracks/roads. Section 3.3 of the EA stated that 'no new access road will be required'. Access to sections of the proposed powerline will be required from existing tracks/roads on a temporary basis for the transportation of poles, cables and equipment'. This access will be minimal and will involve four-wheel drive vehicles passing through limited sections of vegetation, avoiding trees and any clearing of ground vegetation. Any disturbance associated with such work will be minor and not involve clearing to create an access track.

There will not be any ongoing management of constructed tracks as no additional permanent access tracks will be required.

Forests NSW supports the inclusion of bushfire prevention and management information in the EA.

Noted

The Department of Environment and Climate Change has proposed to transfer Ben Bullen and Wolgan State Forests to State Conservation Area. Under Section 47J of the National Parks and Wildlife Act 1974, mining operations can continue within a State Conservation Area under the requirements of the Mining Act 1992.

The Wallerawang Collieries Limited's understanding of the possible transfer of Ben Bullen and Wolgan State Forests to State Conservation Areas is that this will not occur in the immediate future but most likely after the completion of this project and after consultation with all interested parties, including relevant lease holders. Nevertheless, as noted by Forests NSW, any such transfer does not preclude the continuation of this project.

2.1.2 Department of Environment and Conservation

The potential for threatened species to be affected by the proposal remains unclear. The identification and avoidance of hollow bearing trees during construction of the powerline is crucial given the potential for threatened species to occur on the site. It is recommended that an expert in plant identification and habitat tree identification undertakes an inspection of the route prior to construction. It is also recommended that this person is present during clearing activities. This person should search for threatened plants that may occur along the chosen route with particular attention being given to species that may be similar to non- threatened species, especially *Eucalyptus cannonii*.

The Wallerawang Collieries Limited agrees that these recommendations be adopted. The Statement of Commitments has been revised (see **Appendix 1**) to include the following condition:

A suitably qualified and experienced ecologist will survey the route of the powerline and site of the vent shaft prior to work commencing to identify hollow bearing habitat trees and threatened flora species. This person will also be in attendance during any clearing activities. Clearing activities and the location of pole supports will be modified to avoid any impacts to threatened species and to minimise impacts on hollow bearing habitat trees.

2.1.3 Department of Water and Energy

DWE supports the recommendation in Appendix 4 to not disturb the ground or vegetation within 20 metres of drainage lines.

Noted.

The EA identified the potential for aquifer interference during construction of the ventilation shaft however, Groundwater Dependent Ecosystems (GDEs) were not discussed. DWE requests confirmation that there is no potential for impact on GDEs as part of this development.

Section 6.2.5.3 of the EA notes that there may be some inflow of groundwater into the shaft and that any substantial water bearing strata intersected by the shaft will be sealed. This will

ensure that any groundwater impacts will be minor and localised. The only groundwater dependent ecosystem (GDE) identified in the area surrounding the shaft site is a Coxs River Swamp community approximately 1.8 kilometres to the south-west of the shaft site. It is considered that due to the distance of the GDE from the shaft site and the immediate sealing of any substantial water bearing strata encountered in the shaft there is no potential for impact on GDEs as a result of this development.

2.1.4 Community Submission

The flora and fauna assessment appears flawed, as no current (i.e. 2007) field observations have been undertaken. The assessment appears to be based on past field studies that are out of date.

Field investigations were conducted in the project area in September 2006. This survey was conducted in the optimal period for such investigations (that is spring), and in that context are as current as achievable for this EA. DECC has reviewed the EA and has raised no issues regarding the timing of the field survey.

As noted above, the recommendations of DECC regarding inspection of the powerline route prior to and during construction have been adopted in the revised statement of commitments.

Significant impact will occur on the Eastern Bentwing Bat, Eastern False Pipistrelle, Brown Treecreeper, Gang-gang Cockatoo, Squirrel Glider and Eastern Long-eared Bat from land clearing as indicated in the flora and fauna assessment. Species Impact Statements should therefore be prepared for each species.

Section 6.2.1.2 of the EA outlines the results of seven-part tests undertaken for each of these species. It was determined that none of the local populations were likely to be significantly impacted by the proposal. Species Impact Statements are not required under the Part 3A approval process, but irrespective the EA has included sufficient assessment to conclude there is no significant impact on any threatened species as a result of the project.

2.1.5 Lithgow City Council

The area is bound by substantial endangered, threatened and [vulnerable] species within the Capertree and Wolgan Valleys. It is paramount that no endangered, threatened and [vulnerable] species are compromised by this proposal.

Section 6.2.1 and Appendix 4 of the EA outlines the results of a detailed assessment of ecological issues associated with the proposal. The assessment involved field surveys, reviews of relevant flora and fauna databases and assessment of potential impacts in accordance with the *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*.

The assessment determined that no local populations of threatened, endangered or vulnerable species were likely to be significantly impacted by the proposal.

DECC reviewed the EA and stated that 'it is able to support the proposal in its current form'. DECC did recommend an additional condition in relation to further inspection of the powerline route by a suitably qualified and experienced ecologist, both prior to and during construction. The statement of commitments in **Appendix 1** has been revised to incorporate this recommendation.

Council ... recommend the limiting of any clearing proposed for this proposal as it could have the potential to adversely affect native fauna and flora across Baal Bone Gap.

As outlined in Commitment No. 6 of the Draft Statement of Commitments (included in the EA and updated in **Appendix 1**), vegetation clearance and lopping will be limited to that required for the construction footprint and bushfire risk management. Commitment No. 7 outlines measures to ensure any clearing does not adversely affect native flora and fauna.

2.2 Project Details

2.2.1 Forests NSW

An occupation permit is not required for a State Forest over an area incorporated within a surface mining lease.

An application to extend Baal Bone's existing occupation permit to cover the proposed vent shaft and powerline has already been lodged with Forests NSW. The majority of the powerline route will still require an Occupation Permit.

The use of an aerial bundled cable is of benefit due to reduced requirements for clearing and reduced risk of bushfires through contact with live wires.

Noted.

During decommissioning of the powerline, removal of the cable without removing the support poles will reduce the amount of disturbance. The removal of poles may result in a large impact if not managed effectively.

While it is considered that removal of poles on completion of the project will not cause a large impact, other options will be considered in consultation with Forests NSW as part of the overall decommissioning and rehabilitation program. Other options may include removal of the poles by cutting into sections on site to a level of at, or just below ground level.

2.2.2 NSW Department of Primary Industries

No comment has been made as to where material to fill the shaft, once it has been decommissioned, will be sourced from and what material is planned to be used as fill.

Approximately 1600 cubic metres of material will be required to fill the shaft in accordance with the DPI's Draft Guideline. The majority of this material will be sourced from the Baal Bone lease area and will consist of earth/rock fill. Further detail will be provided as part of Baal Bone Colliery's Mine Closure Plan.

The EA states that the ventilation shaft will be required for 3 years. This is if mining is continuous for 3 years. The shaft and infrastructure is likely to be in place for a lot longer.

The ventilation shaft is required for the mining of Longwalls 29-31 inclusive. The anticipated timing for completion of mining in this area is July 2010, a period of less than three years. On completion of mining of this area, the shaft will be surplus to requirements and will be sealed and rehabilitated within 12 months of completion of Longwalls 29-31, as outlined in Commitment 20 included in **Appendix 1**.

DPI will require a Rehabilitation Plan, Closure Plan, Water and Sediment Management Plan as part of the Baal Bone Mine Mining Operations Plan.

The Wallerawang Collieries Limited notes that the Mining Operations Plan will require modification to include these plans, subsequent to Project Approval.

2.2.3 Sydney Catchment Authority

The SCA would appreciate being involved in further environmental assessment and ongoing consultation processes and have the ability to undertake site inspections as necessary.

The Wallerawang Collieries Limited has no objection to the SCA being involved in any further consultation regarding project status, environmental management and ongoing consultation process associated with this project.

2.2.4 Department of Environment and Climate Change

The transportation of poles, cables and equipment along the powerline route is not described. As no mention is made of the requirement for vehicle access, it is assumed that all equipment necessary for the powerline construction can be carried on foot.

Section 3.5 of the EA summarises transportation requirements for the project and does mention that no new access roads will be required. However access to sections of the proposed powerline will be required from existing tracks/roads on a temporary basis for the transportation of poles, cable and equipment. This access will be minimal and will consist of four-wheel drive vehicles passing through limited sections of vegetation, avoiding trees and any clearing of ground vegetation. Any disturbance will be minor and immediately rehabilitated.

2.2.5 The Colong Foundation for Wilderness Ltd

The plan of the corridor, supplied by Umwelt on 15/3/07, shows it to cross the highest point of the Dividing Range so that it would be visible on the skyline for about 750 metres. This exposure could be reduced by slightly relocating the power line as suggested in our letter of 20/3/07, and putting it underground along the existing road.

As discussed in Section 6.2.6 of the EA, a number of visual transects were developed between representative locations on the Wolgan Plateau to sites of the proposed ventilation shaft and powerline (refer to Figures 6.2 to 6.4 of the EA). The transect analysis demonstrates that there will be limited visibility by bushwalkers and people using forestry tracks but, in general, both structures will be screened by dense intervening vegetation and natural topography. Existing vegetation provides substantial screening even for that section of the powerline corridor that is located on the ridgeline, such that it will not be 'visible on the skyline for about 750 metres.'

Concern was raised in the Colong Foundation for Wilderness Ltd correspondence of the 20/3/07 regarding potential impacts on sandstone outcrops. This has been considered in the project design in the EA with the powerline route specifically avoiding sandstone pagodas (refer to Section 6.2.6 of the EA). In addition, the power pole locations will be chosen to avoid elevated sandstone outcrops and to minimise spanning across rock outcrops, as outlined in Section 6.2.6 of the EA.

The alternative route proposed in correspondence of the 20/3/07 involved taking a powerline from the existing powerline along the Long Swamp fire road. The Colong Foundation for Wilderness Ltd stated that an extension of the powerline from Long Swamp would require a

longer easement and more clearing, but may have less impact than constructing a road through an escarpment.

In response we note that Section 3.5.1 of the EA states that no new access tracks will be required. Access to the powerline will occur from existing track/roads and will not require any clearing. Therefore the alternative Long Swamp fire road route would not reduce any impacts associated with the proposal and would result in an increased cost due to its longer length. In addition the existing power line along the Long Swamp Road is not suitable for power supply to the fan site.

Section 1.3 of the EA provides further discussion on the consideration of alternative power line routes.

It is important that the process of constructing the power line should not leave a track that would encourage trail bike riders to penetrate further into this beautiful area.

The proposal will not result in the creation of any additional access tracks and will utilise existing fire trails/roads. The proposal will not increase the accessibility of the area to trail bike riders or any other forms of transport.

2.2.6 Lithgow City Council

The National Bicentennial Trail runs directly past the proposed site. It is considered that this trail is of national significance and information pertaining to how this trail will not be compromised will be required to be further addressed.

A section of the National Bicentennial Trail follows the north–south oriented forestry track which runs adjacent to the proposed powerline route for approximately 600 metres (refer to Figure 5.1 of the EA). The track is administered by the Department of Lands.

As discussed in Section 2.2.2 of the EA, the Department of Lands considers the proposal to be of a minor and short term nature and therefore not likely to have a significant impact on the National Bicentennial Trail.

2.3 Water Management

2.3.1 Sydney Catchment Authority

It is important that the proposed facility is constructed and operated in a manner that does not adversely impact the quality of surface and groundwaters beyond the boundaries of the site.

A water and groundwater quality impact assessment was prepared for the Cocks River Catchment in accordance with *Neutral or Beneficial Effect on Water Quality Assessment Guidelines* and is included in Appendix 3 of the EA. Section 6.2.5.4 of the EA discusses the results of this assessment and concludes that the proposal will have a neutral effect on the catchments water quality.

The SCA requests the following information to be provided for comments and review: Soil and Water Management Plans including detailed design drawings; Construction and Operational Environmental Management Plans, when available; and copies of submissions received from other agencies and organisations.

All relevant management plans prepared for the project will be forwarded to SCA, when available. Some of this information will not be available until after determination of the application, including the associated conditions and when contracts are awarded.

The Wallerawang Collieries Limited has no objection to the supply to the SCA of copies of submissions received from other agencies and organisations.

2.3.2 Department of Water and Energy

Section 6.2.5.2 of the Environmental Assessment indicates that there is to be no direct impact on creek lines and that although the power poles are to be placed close the creek lines, they are not to be placed within the creek banks. As detailed in the EA any potential impacts on the creek lines will need to be mitigated by comprehensive sediment and erosion control measures and these will need to be maintained until the site is stabilised.

Noted.

DWE is satisfied that the Subsidence Management Plan (SMP) being developed for the mining of longwalls 29-31 can incorporate any potential for additional groundwater volume to be managed due to the construction of the ventilation shaft and the dewatering volumes will be considered within the existing dewatering licence volume for the site.

Noted.

2.4 Noise

2.4.1 Department of Environment and Climate Change

The DECC concurs with the predicted noise impacts of the proposal and has prepared recommended conditions of approval which are detailed in an attachment. The recommended conditions include noise limits that apply at all times at the identified noise sensitive receivers. The proponent will need to make a separate application to the DECC to vary their environment protection licence 765 to incorporate the recommended noise limits.

Wallerawang Collieries Limited has agreed with the recommended conditions of approval and has revised the draft Statement of Commitments (see Commitment No. 18) to include the following conditions:

Noise generated at the premises will not exceed the noise limits presented in the following table:

Noise Limits (dB(A))				
	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _A (max)
Noise limit at nearest affected receiver	35	35	35	45

Note: Day is 7 am to 6 pm Monday to Saturday and 8 am to 6 pm Sundays and Public Holidays
Evening is 6 pm to 10 pm
Night is 10 pm to 7 am Monday to Saturday and 10 pm to 8 am Sundays and Public Holidays
The emission limits identified in this table apply under the following meteorological conditions:

- Wind speeds up to 30 m/s at 10 metres above ground level;
- Temperature inversion conditions of up to 3 °C/100m and wind speeds up to 2 m/s at 10 metres above ground level

Noise generated from the premises is to be measured at the nearest affected point on or within the residential boundary of at the most affected point within 30 metres of the dwelling (rural situations) where the dwelling is more than 30 metres from boundary to determine compliance with the $L_{Aeq (15 \text{ minute})}$ noise limits in commitment 18. Noise from the premises is to be measured at 1 metre from the dwelling façade to determine compliance with the $L_{A(max)}$ noise limit outlined in commitment 18. Where it can be demonstrated that direct measurement of noise from the premises is impractical, alternative means of compliance would be sought from the EPA. The modification factors presented in Section 4 of the NSW EPA's (2000) Industrial Noise Policy will also apply to measured noise levels where applicable.

2.5 Heritage

2.5.1 Department of Environment and Climate Change

The DECC supports the recommendations summarised in Section 7.3 of the Statement of Environmental Commitments with respect to the protection of Aboriginal and cultural heritage.

Noted.

2.6 Traffic

2.6.1 Forests NSW

Forests NSW requests to be involved in the preparation of the traffic management plan as it incorporates the use of tracks within Ben Bullen State Forest.

The draft statement of commitments has been revised to include Forests NSW in the commitment relating to the construction management plan, as outlined below:

A construction traffic management plan will be prepared and implemented in consultation with Lithgow City Council and Forests NSW for the construction phase of the ventilation shaft and powerline.

2.6.2 NSW Roads and Traffic Authority

The RTA raises no issues with the proposal and states that:

- **It is noted that the expected traffic generation by the proposed development will have minimal effect on the level of service in the vicinity of the development and Wolgan Road (which is under Council control).**
- **The RTA has nothing further to add to its letter dated 7 May 2007 regarding the above application.**

Noted.

2.7 Greenhouse Gases

2.7.1 Community

The major expansion of a coal mine means greater greenhouse gas emissions and therefore a significant unacceptable contribution to global warming. The principles of 'Ecologically Sustainable Development' (ESD) should not be ignored.

Although the proposal would facilitate continued mining within an existing coal mine, it would only create additional greenhouse gas emissions through its construction and maintenance and consumption of electricity to drive the fan for the vent shaft which are addressed in the EA. This project does not involve a major expansion of a coal mine, with the construction of the ventilation shaft simply facilitating continued production from the underground mine at existing approved production levels, and does not involve any proposed increase in annual coal production levels. Section 6.2.4 of the EA provides a detailed assessment of the potential greenhouse impacts from the project.

The proposal is considered to be consistent with the four principles of ESD as outlined in **Table 2.1**.

Table 2.1 - Consideration of the Principles of Ecologically Sustainable Development

Principle	Relationship to the Proposal
i. the precautionary principle	- the proposal is not expected to have a substantial impact on biophysical or social features in the area and would employ all available measures to prevent environmental degradation; and - there is no uncertainty of the risk of any of the actions proposed for the proposal.
ii. social equity, including intergenerational equity	- the proposal would allow for approved operations at Baal Bone Colliery to continue, thereby ensuring continued employment for the mines staff and support for the local economy; and - the proposal is not expected to create any social impacts; and - the proposed infrastructure will be completely dismantled and the site rehabilitated to its former condition or better, allowing for future development or conservation to occur for future generations.
iii. conservation of biological diversity and ecological integrity	the proposal will have no impacts on biological diversity or ecological integrity.
iv. improved valuation and pricing of environmental resources	the processes undertaken in the EA to identify the impacts of the proposal and formulate mitigative actions recognises the value of environmental resources.

3.0 References

Umwelt (Australia) Pty Limited (2007a) *Environmental Assessment - Ventilation Shaft and Powerline Corridor for South Eastern Mining Area, Baal Bone Colliery*. Report prepared for The Wallerawang Collieries.

APPENDIX 1

Revised Statement of Commitments

1.0 Revised Statement of Commitments

If project approval is granted for the proposed ventilation shaft and powerline corridor, Wallerawang Collieries Limited will commit to the following controls:

1.1 Life of Facility and Hours of Operation

1. The life of the ventilation shaft and powerline will correlate with the estimated time it will take to extract Longwalls 29-31.
2. The ventilation fan will be in operation 24 hours per day, seven days per week.
3. Preliminary site works and presinking works associated with the construction of the ventilation shaft will be undertaken between 7.00 am and 6.00 pm Monday to Friday and 8.00 pm to 1.00 pm Saturdays. At all other times construction noise will not exceed the noise limits outlined in commitment 18.
4. The construction of the powerline will be undertaken between 7.00 am and 6.00 pm Monday to Friday and 8.00 pm to 1.00 pm Saturdays. At all other times construction noise will not exceed the noise limits outlined in commitment 18.
5. Raise boring will be undertaken 24 hours per day, seven days per week.

1.2 Ecology

6. Vegetation clearance and lopping will be limited to that required for the construction footprint and bushfire risk management.
7. Vegetation clearance will be undertaken in accordance with the procedure outlined in **Section 6.2.1** of the EA.
8. Upon site decommissioning, disturbed areas will be rehabilitated with local native species.
9. A suitably qualified and experienced ecologist will survey the route of the powerline and site of the vent shaft prior to work commencing to identify hollow bearing habitat trees and threatened flora species. This person will also be in attendance during any clearing activities. Clearing activities and the location of pole supports will be modified to avoid any impacts to threatened species or hollow bearing habitat trees.

1.3 Aboriginal Heritage

10. In the event that a 'relic' or other Aboriginal site is found during the course of construction or maintenance work, work will cease and the DECC and the relevant Aboriginal community organisations or LALC will be contacted to discuss an appropriate way to proceed.

1.4 Traffic

11. A construction traffic management plan will be prepared and implemented in consultation with Lithgow City Council and Forests NSW for the construction phase of the ventilation shaft and powerline.
12. Wallerawang Collieries Limited will use and maintain the forestry access track in conjunction with Forests NSW and in accordance with DPI (Forests NSW) Forest Practices Code (Part 4 – Forest Roads and Fire Trails and the RTA's Traffic Control at Worksites).

1.5 Soil and Water

13. Drainage and sediment controls will be implemented during both the construction and operational phases of the ventilation shaft. The controls will be designed and constructed in accordance with Landcom's (2004) Managing Urban Stormwater: Soils and Construction.

1.6 Bushfire Risk Management

14. The powerline will consist of an insulated bundled cable which will minimise bushfire risk. Asset protection zones as outlined in **Section 6.2.8** of the EA will be maintained around the ventilation shaft and powerline.

1.7 Visual

15. Vegetation clearance and lopping will be minimised within the ventilation shaft site and along the powerline corridor to ensure minimal visual impact.
16. All structures will be of a suitable colour that blends with the surrounding landscape where possible.
17. No new access roads will be constructed.

1.8 Noise

18. Noise generated at the premises will not exceed the noise limits presented in the following table:

Noise Limits (dB(A))				
Noise limit at nearest affected receiver	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _A (max)
	35	35	35	45

- Note:
- Day is 7 am to 6 pm Monday to Saturday and 8 am to 6 pm Sundays and Public Holidays
 - Evening is 6 pm to 10 pm
 - Night is 10 pm to 7 am Monday to Saturday and 10 pm to 8 am Sundays and Public Holidays
 - The emission limits identified in this table apply under the following meteorological conditions:
 - Wind speeds up to 30m/s at 10 metres above ground level;
 - Temperature inversion conditions of up to 3^o C/100m and wind speeds up to 2m/s at 10 metres above ground level

-
19. Noise generated from the premises is to be measured at the nearest affected point on or within the residential boundary of at the most affected point within 30 metres of the dwelling (rural situations) where the dwelling is more than 30 metres from boundary to determine compliance with the $L_{Aeq (15 \text{ minute})}$ noise limits in commitment 18. Noise from the premises is to be measured at 1 metre from the dwelling façade to determine compliance with the $L_{A(max)}$ noise limit outlined in commitment 18. Where it can be demonstrated that direct measurement of noise from the premises is impractical, alternative means of compliance would be sought from the EPA. The modification factors presented in Section 4 of the NSW EPA's (2000) *Industrial Noise Policy* will also apply to measured noise levels where applicable.

1.9 Rehabilitation and Site Decommissioning

20. The ventilation fan and powerline will be dismantled, the shaft filled and sealed and site rehabilitation works will commence within 12 months of completion of mining of Longwalls 29-31.
21. Wallerawang Collieries Limited will undertake ongoing monitoring and maintenance of the site until it achieves an acceptable level of rehabilitation, as determined in consultation with DPI (Forests NSW) and DPI (Mineral Resources).

1.10 Waste Management

22. No waste will be disposed of on-site (excluding cleared vegetation and collar spoil).
23. All fuels and chemicals will be stored and transported in a manner that does not pose a risk to waterways or contaminating land.

1.11 Reporting

24. Details of the operation of the ventilation shaft, including compliance with this Statement of Commitments and any Conditions of Approval, will be reported annually in the Wallerawang Collieries Limited Annual Environmental Management Report (AEMR).

Baal Bone Colliery operates in accordance with an approved Mining Operations Plan (MOP), the DPI (Mineral Resources) Subsidence Management Plan process, and in accordance with the Colliery's Environmental Management System (EMS). A review of the EMS is currently being undertaken and any additional management requirements arising from this Statement of Commitments will be incorporated into the updated system.

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