

8 February 2012

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Howard Reed
Manager Mining Projects
Major Project Assessments
Department of Planning and Infrastructure
23-33 Bridge Street
Sydney NSW 2000

Re: Response to Submissions - Integra Mine Complex Modification 1 Environmental Assessment

Dear Howard,

An application to modify the Integra Mine Complex project approvals (PA 08_0101 and PA 08_0102) under Section 75W of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) was lodged by Integra Coal Operations Pty Limited with the Department of Planning and Infrastructure (DP&I) on 2 December 2011. An Environmental Assessment (EA) report accompanied the application which described the proposed modification and the likely environmental impacts. The proposed modification (referred to as Modification 1) entails the following:

- extension of the North Open Cut (NOC) out-of-pit dump to the east and south;
- increasing the maximum height of the NOC emplacements from 135m AHD to 141m AHD;
- relocation of the existing NOC crib hut site;
- extension of the timeframe stipulated in Condition 48, which requires the installation and operation of an overland conveyor from the Underground surface facilities to the Camberwell Coal Handling and Preparation Plan (CHPP); and
- extension of the timeframes stipulated in Conditions 42 and 43 which relate to the revision of Integra's biodiversity offset strategy and to the provision of long term security for the biodiversity offset areas identified in the strategy.

The EA was placed on public exhibition from 7 December to 23 December 2011 and seven submissions were received. Three of these submissions, received from the Construction, Forestry, Mining and Energy Union (CFMEU), NSW Trade & Investment Division of Resources and Energy (DRE) and one community member, were in support of Modification 1. One submission, received from the NSW Office of Water (NOW) was in support of Modification 1, subject to the inclusion of mine spoil encroachment on the channel of Station Creek within the Site Water Management Plan (SWMP) if required. Three submissions, two received from community members, and one received from the EPA, opposed Modification 1. In accordance with DP&I's requirements, a response to the matters raised in each of the submissions received on proposed Modification 1 is provided in Table 1.

Table 1 Response to submissions on Integra Mine Complex Modification 1 EA

Matter raised in submission	Response
Community	
Smith, C.	
Supports the application as there are no material impacts and it will improve the ongoing viability of a long term employer meaning that existing direct and indirect local jobs and economic benefits will continue in Singleton LGA.	Noted.
Cheetham, G.	
Believes that they will experience extra noise and dust which are currently at unacceptable levels.	Noise and air quality impacts as a result of the modification were assessed in the EA as being acceptable with only a minor increase in noise and dust emissions at some residences.
Opposes any change to the present biodiversity areas.	The Cheetham receptors (44, 48 and 49) are located to the north of the NOC dump. The extension to the NOC dump will be towards the south and east, and therefore, there is not predicted to be an increase in dust levels at receptors to the north.
Disappointed with 14 day exhibition period prior to Christmas and only 1 advertisement.	The noise levels at receptor 48 are expected to increase by up to 1.5 dB from present levels. However, this increase would not result in a change from present noise impacts at this location and would not exceed the mitigation or acquisition criteria (see Table 6.3 of the EA). The operational criterion at receptor 48 is currently exceeded under the approved operations and additional noise mitigation measures are being investigated as part of the Noise Management Plan. Similar results are expected at receptors 44 and 49, as receptor 48 is representative of these locations.
The modification proposes to extend the deadlines in relation to Conditions 42 and 43 of the project approvals which require the revision of the biodiversity strategy and the long term security of the biodiversity offset areas.	The exhibition period and level of advertisement are consistent with statutory requirements.
Cherry, B.W. and R.A.	
Extended area and height of overburden dump will cause more dust and increase noise to an unacceptable level.	The Cherry receptor (47) is located next to the Cheetham receptors, north of the NOC dump. As discussed above, the noise levels at receptor 48 are expected to increase by up to 1.5 dB from present levels and a similar maximum increase can also be expected for receptor 47. An increase of 1.5 dB would not be discernible above present noise levels and would not exceed the criteria for acquisition or additional mitigation (see Table 6.3 of the EA).
Relocation of the crib huts and infrastructure is not acceptable as this will increase noise and traffic.	The extension to the NOC dump will be towards the south and east, and therefore, there is not predicted to be an increase in dust levels at receptors to the north. As shown in Table 6.1 of the EA, air quality impact assessment criteria are predicted to be met under the modification at all receptors.
Use of the crib huts and infrastructure will not change as a result of Modification 1. Relocation of the crib hut and associated infrastructure will not increase traffic levels as there will not be an increase in employee or contractor numbers during or after relocation and there would be no change to access arrangements with access via internal haul roads. Any noise emissions during relocation of the crib hut and associated infrastructure will not be noticeable above the mining operations. Any noise emissions emitted from the crib hut and associated infrastructure will be consistent with existing noise emissions and similarly not noticeable above the mining operations.	Use of the crib huts and infrastructure will not change as a result of Modification 1. Relocation of the crib hut and associated infrastructure will not increase traffic levels as there will not be an increase in employee or contractor numbers during or after relocation and there would be no change to access arrangements with access via internal haul roads. Any noise emissions during relocation of the crib hut and associated infrastructure will not be noticeable above the mining operations. Any noise emissions emitted from the crib hut and associated infrastructure will be consistent with existing noise emissions and similarly not noticeable above the mining operations.
Extending the time frame of biodiversity offset is a joke. They will change the areas when it suits them, when they want to	An extension of the time frame to the biodiversity offset areas is necessary to allow Integra sufficient time to complete investigations into the feasibility of mechanisms to provide long term security for the biodiversity offset areas. It is also considered

Table 1 Response to submissions on Integra Mine Complex Modification 1 EA

Matter raised in submission	Response
mine these areas.	necessary to revise the biodiversity offset strategy in order to provide appropriate and potentially improved biodiversity conservation values.
The conveyor was to be completed by the end of 2011. Why do they need more time?	Investigations undertaken by Integra have identified that the construction of the conveyor would not result in a significant benefit in terms of reduced environmental impact and is also not economically viable. An extension to the time period for construction of the conveyor will allow a robust assessment of, and consultation on, the potential impacts associated with its removal from the project approvals.
Sick of objecting to mining proposals.	Noted.
Government and special interest groups	
NOW	
NOW considers the management of the diversion should not be impaired by the extension of mine spoil dumping between the North open cut pit and the tailings management facility. However, any such encroachment of mine spoil dumping on the channel of Station Creek may require revision of the SWMP. NOW requests that it is consulted in any revision of the SWMP.	The SWMP will be revised, and NOW consulted, if required.
Subject to the above, NOW does not oppose the modification.	Noted.
DRE	
DRE supports approval of the modifications sought by Integra.	Noted.
Section 3.1 of the EA incorrectly states that the currently approved Mine Operation Plan allows for out-of-pit emplacement to 145 m AHD.	Noted.
CFMEU	
Considers that on balance the overall potential impacts of the modification are consistent with the project approvals and objectives of the EP&A Act and therefore supports the application.	Noted.
EPA	
EPA does not support modification application or extension of time for biodiversity offset strategy.	Noted.
It appears that the northern section of ex-pit dump Area 9 overlaps the southern portion of the Southern Biodiversity Offset Area. If encroachment by ex-pit Area 9 is proposed Vale will need to identify measures to be employed to prevent impact on the Southern Biodiversity Offset Area.	Ex-pit dump Area 9 as indicated within Figure 3.1 from the Integra Mine Complex Modification 1 Environmental Assessment has been revised by reducing the extent of dumping and no longer proposes to overlap the southern limit of the Southern Biodiversity Offset area. The environmental impact of reducing the extent of Area 9 is considered to be negligible. Please see attached updated figure.

Table 1 **Response to submissions on Integra Mine Complex Modification 1 EA**

Matter raised in submission	Response
<p>The EPA reviewed information provided by the proponent and advised that the provision of the Martins Creek Offset Area met the requirements of Condition 42 of the Project Approval. It is not clear to the EPA as to why an extension is required for Condition 42 as it appears the requirements of this condition have been satisfied.</p>	<p>Integra has consulted with the EPA, as noted and submitted its revised strategy, included within the Biodiversity Management Plan, to DP&I on 23rd December 2011. It has had subsequent correspondence with DP&I. The modification has been sought to Condition 42 on the basis of this correspondence with DP&I to provide additional time to enable Integra to provide a revised offset strategy to the satisfaction of the Director-General.</p>
<p>From information provided in the 2010 AEMR it appears that mining has already commenced in the areas of impact and yet the offsets have not been secured or implemented. The EPA is concerned that vegetation communities and habitats have already been disturbed and/or destroyed yet an offset for the impact is yet to be established.</p>	<p>Integra is committed to the maintenance of its biodiversity offset areas and are currently investigating this concern.</p>
<p>EPA does not support extension of Condition 44 completion date.</p>	<p>The Biodiversity Management Plan was submitted in December 2011.</p>

The information provided in this letter responds to the matters raised in the submissions received on the Integra Mine Complex Modification 1 EA.

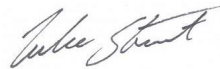
In summary, as a result of considering the matters raised in the submissions, Integra now amends the modification application originally submitted on 2 December 2011, as set out in this response to submissions.

Should you have any further questions related to the information provided in this letter please do not to hesitate to contact me on (02) 9493 9500.

Yours sincerely,



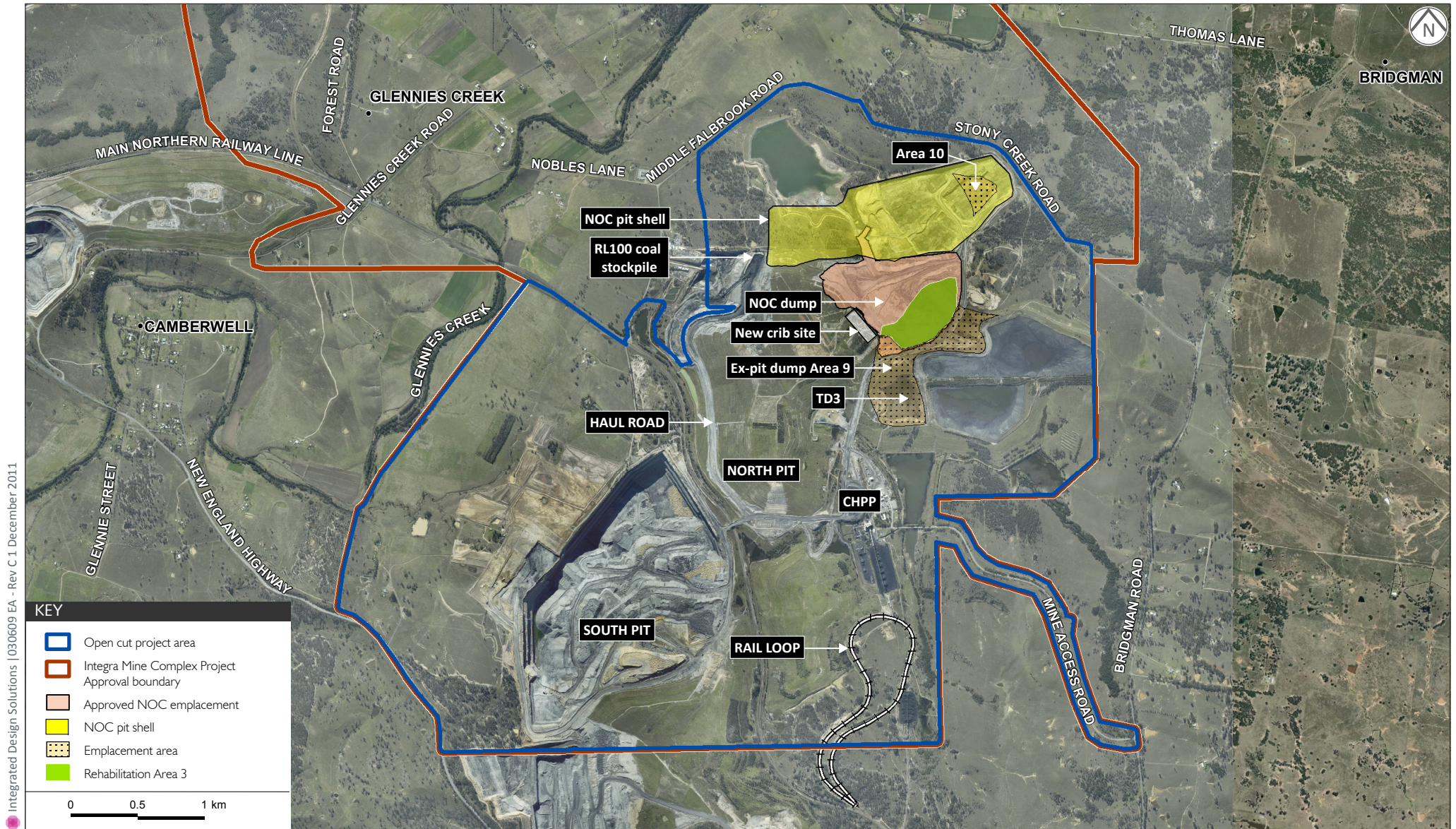
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Appendix A

Amended Figure 3.1 - Complex Overview



Complex overview