

7 November 2012

Phil Jones
Environmental Planning Officer
Department of Planning and Infrastructure
23-33 Bridge Street
Sydney NSW 2000

Re: Integra Mine Complex Modification 2 – Response to Submissions

Dear Phil,

A detailed environmental assessment (EA) in support of a request 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 (Integra) with the Department of Planning and Infrastructure (DP&I) on 21 September 2012. The proposed modification (referred to as Modification 2) entails the following:

- removal of Schedule 3 Condition 48, which requires the installation and operation of an overland conveyor from the Underground surface facilities to the Coal Handling and Preparation Plant (CHPP);
- amendment to the definitions of “Day” and “Night” in Schedule 1 to enable the operations within the North Open Cut (NOC) to be carried out for the period from 7 am to 10 pm Monday to Sunday, and public holidays in place of the currently approved 7 am to 10 pm Monday to Saturday, and 8 am to 10 pm Sunday and public holidays under Schedule 2 Condition 11(a);
- amendment to Table 6 in Schedule 3 Condition 6 “Land where additional noise mitigation measures are available on request” to include “363 – D & L Bynon”;
- amendment to the night time rating background level (RBL) for receptor ID 112; and
- amendment of Schedule 3 Condition 43, to extend the timeframe for the long term security of all areas in the revised offset strategy from September 2012 to September 2014.

The EA was placed on public exhibition from 3 October to 22 October 2012 and eight submissions were received, three from government agencies, four from community members and one from a special interest group. Three submissions, received from the Construction, Forestry, Mining and Energy Union (CFMEU), the Department of Primary Industries (DPI) and the Environment Protection Authority (EPA), were in support of, or had no objection to, Modification 2. Four submissions received from community members opposed the application. One submission, received from the Office of Environment and Heritage (OEH), was opposed to the extension to the timeframe for long term security of biodiversity offset areas. In accordance with DP&I’s requirements, a response to the matters raised in each of the submissions is provided in Table 1.

Table 1 Response to submissions on Integra Mine Complex Modification 2

Submission reference	Matters raised in submission	Response
Government agencies		
G1	OEH	
G1.1	OEH understands that the proposed modifications include the proposed extension of the timeframe to establish the long-term security of the biodiversity offset strategy for both projects, and the likely replacement of at least some of the currently agreed offset land onsite, with an offset package generated as part of OEH's Upper Hunter Strategic Assessment (UHSA). The EA does not specify what form or where any offset prepared under the UHSA would take, or when it would be provided, and these are for offsets for projects that have already been approved and are currently underway.	Modification 2 does not seek approval to impact or alter the approved biodiversity offset strategy. The modification to Schedule 3 Condition 43 of the Project Approvals relates to the extension to the timeframe for long term security of offsets. This extension will allow Integra, in consultation with OEH and other relevant stakeholders, to investigate the feasibility of an alternative offset strategy. As noted in Section 3.5.1 of the EA, it is intended that the provision of alternative offset areas would be undertaken in accordance with OEH's Upper Hunter Strategic Assessment (UHSA) as it is considered that this may provide the most beneficial biodiversity outcome due to its potential to deliver regional conservation gains. Integra's participation in the UHSA was encouraged by the DP&I in its letter dated 4 July 2012. However, as noted by OEH, the UHSA is currently in draft form and it is not possible to determine whether this process will be suitable. Ultimately, if alternative offsets are sought, they would be fully assessed and approval sought in consultation with the relevant stakeholders, including OEH, at the appropriate time.
G1.2	OEH acknowledges that the proponent has recently identified a significant coal resource under parts of the Northern, Western and Supplementary Offsets which they are interested in mining. It is not clear why the proponent was not aware of this resource when discussions began with OEH in 2008 in regard to biodiversity offsets required for the expansions to operations that have happened since at the Integra Mine Complex.	Detailed investigations of the coal resource under the Northern, Western and Supplementary Offset Areas were undertaken in 2011. At the time, market conditions indicated favourable results which warranted further investigation of this resource. Investigations indicate that this resource contains approximately 35 million tonnes (Mt) of semi-soft coking coal and 8 Mt of thermal coal which has an estimated revenue of \$6.2 Billion. Long term security of the offset areas, as required under Schedule 3 Condition 43 of the Project Approvals, would result in the sterilisation of this resource meaning that the future mining of this resource would be prevented. Given the significant economic impacts of resource sterilisation, such as investment, revenue, export earnings, jobs and substantial regional economic flow-on benefits, Integra considers that investigation of potential alternatives to the offset areas within the current strategy is warranted. Prior to 2011, only minor drilling activities were undertaken in the area which provided no information on the presence of a significant coal resource.
G1.3	OEH does not support the extension of time to secure biodiversity offsets, nor does OEH support the mining of biodiversity offsets.	OEH's comments are noted; however, it should be clarified that the application does not propose to mine the biodiversity offsets. Integra will continue to manage its offset areas for conservation outcomes in accordance with its: • biodiversity offset strategy prepared in accordance with Schedule 3 Conditions 41 and 42 of the Project Approvals; and • Biodiversity Management Plan prepared in accordance with Schedule 3 Condition 44 of the Project Approvals.

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G1.4	The UHSA is being designed to provide biodiversity offsets required by future mining projects. As specified in the 'Upper Hunter Strategic Assessment Interim Policy: Projects requiring approval prior to completion of the strategic assessment' by DP&I (October 2012). In this instance both the Integra Underground and Integra Open Cut Projects have already been assessed, granted consent and commenced, and thus do not appear to be eligible to be considered under this interim policy or the UHSA. At this stage it appears that the offset fund for the UHSA is unlikely to commence until late in 2014, or even sometime in early 2015. This is another reason to avoid linking the provision of offsets for an already commenced project with the UHSA.	Integra wishes to investigate the potential to replace its existing offset areas due to the identification of a significant coal resource under several of these areas. It is considered that the application of UHSA to replace Integra's offset areas would provide the most beneficial biodiversity outcome due to its potential to deliver regional conservation gains. However, if the UHSA process is not considered suitable for the Integra offset areas, then alternative options for replacement would be investigated. Integra notes that the Upper Hunter Strategic Assessment Interim Policy is currently in draft form and wasn't publically available at the time the EA was prepared. The draft Interim Policy details the process for future projects that are to be assessed under UHSA that are lodged before UHSA commences which would be dealt with on a case-by-case basis. Integra would consult with OEH in regard to UHSA and the potential development of an alternative biodiversity offset strategy prior to any application being lodged for replacement of the existing offsets.
G1.5	OEH suggests that any modification to the biodiversity offsets for this proposal are done within the context of existing OEH offsetting policy; that is OEH's '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 and State significant infrastructure projects (OEH, 2011)'.	As noted above, Modification 2 does not seek approval to impact or alter the current offset strategy. However, Integra will continue to investigate the potential options for an alternative biodiversity offset strategy and, in doing so, will consider whether the application of the existing OEH offsetting policy is suitable. Development of an alternative biodiversity offset strategy would be undertaken in consultation with OEH and other relevant stakeholders.
G1.6	OEH therefore recommends that the proponent provides DP&I with an updated map showing all of the currently agreed offset areas (such as Figure 2.1 in the EA for this proposed modification). OEH also recommends that any new consent issued for this project correctly links the maps in the consent to the consent related consent condition to remove ambiguity. This would allow the wording of the consent to better match the intent of the consent, and thus enable the consent to be enforceable.	Integra has no objections to these recommendations.
G2	EPA	
G2.1	Given the minor air quality impacts of the proposed modification and the existing Dust Stop Pollution Reduction Program to manage air quality impacts, the EPA believes there is neither the scope, or need for, any new conditions relating	The comment is noted and no further response is required.

Table 1 Response to submissions on Integra Mine Complex Modification 2

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	to air quality.	
G2.2	The EA includes in Appendix C the modelling results which compare the noise levels of the conveyor option against the haul truck option. There is little detail in the EA on the modelling methodology and it appears that the 'criteria' listed in the Tables in Appendix C are not the same as the noise limits in the Project Approval. This makes it difficult to assess compliance or otherwise with the noise limits if haulage by trucks was maintained over constructing the conveyor.	The noise impact assessment in Appendix C of the EA was completed prior to the Project Approvals being released. Therefore, the assessment adopted the original project specific noise levels, identified in Heggies 2009, which formed the basis of the Project Approval limits. For the majority of receivers, the criteria adopted for the comparison assessment were lower than the Project Approval criteria, resulting in a more conservative assessment. A primary objective of the noise impact assessment was to assess the change in noise levels from the continued truck haulage compared to the operation of the overland conveyor. The noise impact assessment showed that there would be no increase in noise levels as a result of continued truck haulage with the construction of a 3 m bund along the haul road. Therefore, compliance with noise levels is consistent with the approved operations.
G2.3	It appears from the noise levels in Appendix C that some properties will be worse off by continued haulage by trucks compared with the conveyor, however the discussion in Appendix C indicates that modelling did not include the 3 m bund which the EA states has now been constructed. As predicted noise levels are not provided for operations with and without the bund, it is not clear what benefit the 3 m bund will have for those receivers who may have benefited from the conveyor. EPA considers that the onus is on the proponent to achieve the noise limits in the existing Project Approval (and Environment Protection Licence (EPL)).	Unmitigated truck haulage was expected to result in noise levels 1 to 2 dB(A) higher than the conveyor scenario. Consequently, a 3 m bund wall was constructed to mitigate noise levels from the truck haulage. The bund wall was predicted to decrease noise levels of between on the RL100 haul road used for truck haulage by approximately 5 dB(A). The continuation of road haulage with construction of the bund will, therefore, not result in an increase in noise levels and will have decreases in noise levels for receptors situated in Noise Assessment Group (NAG) 10 and potentially at NAG 9 compared to the conveyor scenario. Compliance with the noise limits in the Project Approvals and EPL will be monitored through implementation of Integra's Noise Management Plan (NMP) which includes a comprehensive noise monitoring network. The NMP includes attended and unattended monitoring, both of which can quantify cumulative mining noise. Continuous unattended monitoring will be undertaken at four real time noise monitors which are alarmed to notify relevant Integra personnel of unfavourable noise conditions or levels. The NMP includes preventative measures which aim to minimise the likelihood of a noise exceedence occurring and corrective measures which aim to minimise the environmental impact in the event of a noise exceedence occurring. The NMP will be implemented at Integra once approved by DP&I.
G2.4	With regard to the proposed 7 am start on Sundays (rather than 8am), the EPA considers that community consultation is an important aspect to this proposed change, and any complaints or concerns from the community will need to be addressed. In accordance with the guidance contained within the NSW Industrial Noise Policy (INP), temperature inversions will need to be considered for a 7 am start on a Sunday as 7 am – 8 am is contained within the 'night' period. The EA does not include predicted noise levels for the proposed change in hours for the open cut, however the EPA notes from the modelling results contained in Appendix C (for the haul truck vs conveyor scenarios) that the predicted levels for the open cut operations during the day, evening and night time under	It is agreed that community consultation is an important aspect of Modification 2. Feedback received during stakeholder engagement was considered in the options analysis and within the EA. Chapter 5 of the EA lists stakeholders consulted during the preparation of the EA and the outcomes of this consultation. Integra will continue to promptly and effectively respond to any complaints or concerns raised by the community. Temperature inversions may occur during winter months between 7 am and 8 am. However, the prevalence is likely to be less than 30% occurrence and therefore not applicable under the INP. Accordingly, temperature inversions during the 7 am – 8 am period were not considered in the EA. It is considered that EPA's suggested condition for direct measure of temperature inversions of up to 3°C/100 m, see submission G2.7, would provide Integra access to meteorological data which would assist in demonstrating compliance with the Project Approvals.

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	adverse met conditions (at the four nearest receivers: 20, 31, 47 and 48) do not exceed the noise limits in the Project Approval (and EPL). Again, the EPA considers that the onus is on the proponent to achieve the noise limits in the Project Approval (and EPL).	
G2.5	The EPA does not have any concerns or additional comments with regard to the changes to receptor details in Section 3.4 of the EA.	The comment is noted and no further response is required.
G2.6	The EPA can support the proposal provided that there are no changes to the noise limits in the EPL and current Project Approval.	Modification 2 does not propose to change the noise limits in the EPL or Project Approvals. EPA's support of Modification 2 is noted.
G2.7	Given that the current EPL includes a condition stating that the noise limits apply under temperature inversions up to 3°C/100 m, EPA intends to also include conditions to allow for direct measurement of temperature inversions and a requirement for a noise assessment compliance report.	Integra has no objections to this condition.
G2.8	The EPA would appreciate receiving a copy of the submissions received by DP&I (or a report summarising these submissions) in response to the exhibition of the EA. This will enable the EPA to review the appropriateness of, and determine the need for any amendments to, recommended conditions of approval.	The comment is noted and no further response is required.
G3	DPI	
G3.1	Generally the assessment issues for the proposed amendments fall outside the responsibility of the Office of Water. In this case however, the proposed amendment to the biodiversity conservation agreement area is considered significant due to the potential for additional mining in these areas. Given these areas contain frontage to Glennies Creek, which is Zone 3 of the regulated Hunter River, the Office of Water recommends any revision of the three agreed areas for conservation in this location include rehabilitation of vegetation loss along Glennies Creek. This would improve riverine integrity and water quality in that portion of the regulated river and provide further opportunities for	As noted in DPI's comments are noted, Modification 2 does not propose to impact the current biodiversity offset areas through mining or any other activities and, therefore, no further response is required.

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Submission reference	Matters raised in submission	Response
	improved management on the riparian corridor. The Environmental Impact Statement provides no detail as to the future potential for open cut and/or underground mining extraction within the currently agreed conservation areas or the surface water or groundwater availability within those areas. As such, the Office of Water provides no comment on any future potential for mining operations.	
G3.2	The proposed modifications do not involve any changes in the footprint or scale of mining operations and hence would not directly affect agricultural resources or existing enterprises. However, indirect impacts to agricultural production can result from adverse noise or air quality emissions affecting residual farm residences, with consequent potential for further loss of local resident farm managers. This can then affect the capacity to ensure professional, efficient management of agricultural enterprises and should form part of the Department's assessment of this application.	Only two private residences are predicted to experience exceedences of any of the air quality criteria as a result of the continuation of road haulage. Both these residences are currently entitled to acquisition upon request and additional air quality mitigation measures. Therefore, Modification 2 will not directly, or indirectly, impact agricultural enterprise potential.
G3.3	The current request for an extension of the timeframe for finalisation of the areas in the biodiversity offset strategy does of itself impact on matters in which the Department of Primary Industries has responsibilities and interests. However, any future proposed change to those areas will be of critical interest to DPI in respect to those responsibilities.	DPI's comments are noted and no further response is required.
Community		
C1	Cherry, BW & RA	
C1.1	Our main concern to Modification 2 is the biodiversity offset areas. The existing areas are to remain in place. If these areas are moved it will allow the mine to move closer to our property, it will destroy our life.	As noted above, Modification 2 does not seek approval to impact or alter the current offset strategy. Ultimately, if alternative offsets are sought, they would be fully assessed and approval sought in consultation with the relevant stakeholders, including OEH, at the appropriate time. Similarly, if disturbance to these areas through mining or other activities was proposed, potential environmental, social and economic impacts, including those on local residents, would be fully assessed and approval sought in consultation with the relevant stakeholders, at the appropriate time.
C1.2	When these areas are mapped out they should remain not be changed when the mine wants to. They should be set in stone.	As noted in the response to submission reference G1.2, prior to 2011, only minor drilling activities were undertaken in the Northern, Western and Supplementary Offset Areas which provided no information on the presence of a significant coal resource. Long term security of the offset areas, as required under Schedule 3 Condition 43 of the Project Approvals, would result in the sterilisation of this resource meaning that the future mining of this resource

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		would be prevented. Again, however, Modification 2 does not propose to replace or impact the offset areas. OEH is developing the UHSA to ensure that the biodiversity impacts of mining projects in the Upper Hunter are adequately offset. Participation in UHSA will mean that the mine's offsets are appropriately chosen and contain vegetation of high conservation value. The aim of UHSA is to identify offset areas that will be protected from future development and provide regional biodiversity outcomes. This may provide a better biodiversity outcome in comparison to mines allocating offset areas within their own exploration leases which can lead to future development of these areas or the sterilisation of valuable resources.
C2	Craven, C.	
C2.1	I am being directly affected by this mine by way of: Noise, dust, vibration blasting and visually.	The elements of Modification 2 will only result in minor air quality impacts at two privately-owned residences due to the continuation of road haulage. There will be no additional noise impacts as a result of the continued truck haulage due to the construction of a 3 m bund along the haul road. Modification 2 does not propose to alter the current approved practices for blasting and, therefore, will not result in additional blasting impacts. Visual impacts would be decreased by the continuation of road haulage since truck haulage of conveyor is intermittent rather than the conveyor construction which would be a permanent fixture. Further discussion on the impacts of continued truck haulage as compared to construction of an overland conveyor is given in the response to submission C2.2. Management of noise, dust, blast and visual impacts from the current operations are discussed below. <i>Noise</i> An Independent Review of noise emissions from the Complex was undertaken in 2011. The results of the review showed that noise levels were compliant with the applicable noise criteria specified in the Project Approvals for the Complex. The noise criteria were derived in accordance with the INP (EPA 2000). Integra has recently prepared a NMP in accordance with its Project Approvals which includes a comprehensive noise monitoring network. The NMP includes attended and unattended monitoring, both of which can quantify cumulative mining noise. Continuous unattended monitoring will be undertaken at four real time noise monitors which are alarmed to notify relevant Integra personnel of unfavourable noise conditions or levels. The NMP includes preventative measures which aim to minimise the likelihood of a noise exceedence occurring and corrective measures which aim to minimise the environmental impact in the event of a noise exceedence occurring. The NMP will be implemented at Integra once approved by DP&I. <i>Dust</i> Dust emissions from the Complex are assessed and monitored against the relevant OEH criteria which are benchmarks set to protect the general health and amenity of the community in relation to air quality. Regular air quality monitoring is undertaken by Integra at the locations shown in Figure 7.1 of the EA. Monitoring results have not shown exceedences above the OEH criteria except for dust deposition levels at DG06, within the Complex boundary, and one exceedence of 24-hour average maximum PM₁₀ at HV3. Integra has recently prepared an Air Quality and Greenhouse Gas Management Plan (AQMP) in accordance with its

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		Project Approvals. The AQMP includes, in addition to the existing monitoring network, installation of an additional TEOM monitor, video cameras, laser photometers, and an upgraded weather station. The AQMP includes preventative measures which aim to minimise the likelihood of an air quality exceedance occurring and corrective measures which aim to minimise the environmental impact in the event of an air quality exceedance occurring. The AQMP will be implemented at Integra once approved by DP&I. <i>Blasting</i> Integra has recently prepared a Blast Management Plan (BMP) in accordance with the Project Approvals which includes a blast monitoring program. Monitoring to determine compliance with the airblast overpressure and ground vibration criteria for blasting activities specified in the Project Approvals is undertaken at 12 locations in and around the Complex. The BMP includes procedures for notification of residents prior to blasting and liaising with adjacent mines to co-ordinate blasts. <i>Visual</i> Significant visual impacts of the existing operations are mitigated through the requirements of Schedule 3, Condition 52 of the Project Approvals which offers, at the request of a landowner, implementation of additional visual mitigation measures on privately-owned land which has significant direct views of the mining operations on site. In accordance with this condition, Integra is currently investigating tree screening options at the Craven property as well as the Dulwich property. In addition, Integra implements the following visual mitigation measures in accordance with Schedule3, Condition 51 of the Project Approvals: • progressive rehabilitation of the site is carried out as soon as reasonably practicable following disturbance. This involves reshaping and revegetating the landform in-keeping with surrounding areas and in accordance with the objectives of Integra's Rehabilitation Management Plan; • a non-persistent cover crop is sown on rehab areas and topsoil stockpiles prior to native vegetation becoming established on these areas; and • dump heights are in keeping with the limits specified in the Project Approvals. In addition, Integra has constructed visual amenity bunds along Stony Creek Road and south of the Dulwich Homestead and a modular wall beside the New England Highway to screen motorists from the operation.
C2.2	I am emailing you to protest and reject the thought of extending the hours of the open cut. I also approve of the conveyor, this conveyor will reduce the truck movement and dust I hope.	The extension to operating hours at the NOC comprises an additional hour on Sunday mornings and public holidays. The increase in hours allows a consistent approach to staffing at the Complex. The extension to operating hours will not result in a significant noise impact as there is no substantial difference between existing background noise levels during weekdays and Sundays. The overland conveyor was initially proposed by Integra and subsequently approved by DP&I in 2007 due to assumed environmental benefits. However, no detailed assessment was undertaken at the time to validate the

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		assumption of environmental benefits. Construction of the overland conveyor would have significant economic impacts to the operations at Integra with feasibility assessments estimating a capital cost of \$90 million. Cost reduction options, which would still result in noise and air impacts, failed to reduce this capital cost to below \$40 million. The overland conveyor is not considered economically viable. Accordingly, detailed investigations were undertaken to quantify the potential environmental impacts from the continued truck haulage arrangements compared with the construction and operation of the overland conveyor. An overview of the outcomes of the assessments undertaken for Modification 2 is provided below. <i>Noise</i> The noise modelling for road haulage compared to the conveyor scenario incorporated all open cut noise emissions and the noise mitigation effects of a recently-constructed 3 m bund wall. The modelling results of the comparison indicated there will be a negligible noise increase in potentially affected receptors and that there will be no addition of privately owned receptors within the Complex's acquisition and management zones. In addition, the truck haulage option will have decreases in noise levels for receptors situated in NAG 10 and potentially at NAG 9 compared to the conveyor scenario. <i>Air Quality and greenhouse gases</i> A review of the dust emissions arising from the continuation of road haulage shows that the estimated dust emissions are negligible relative to the total emissions from the Complex. Only two private residences are predicted to experience an exceedence of any of the air quality criteria as a result of the continuation of road haulage. Both these residences are currently entitled to acquisition upon request and additional air quality mitigation measures. Cumulative impacts as a result of continued truck haulage are predicted to have negligible impacts in Camberwell Village and other receivers. The proposed modifications would result in a minor reduction in project related greenhouse gas emissions. It is concluded, therefore, that the continuation of hauling of ROM coal from the underground operations would not cause any discernable change to dust levels in the area, relative to the approved operations at the Complex as a whole. <i>Socio-economics</i> Construction of the conveyor is not economically viable. Further its construction would result in significant disruption to existing operations. Continuation of road haulage would improve the mine's economic position, providing benefits such as enhanced security of employment.

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		<i>Biodiversity</i> The proposed continuation of road haulage would represent a positive biodiversity outcome, as potential vegetation disturbance resulting from construction of the conveyor would not be required. <i>Aboriginal heritage</i> The proposed continuation of road haulage would represent a positive outcome, as potential disturbance to unidentified Aboriginal heritage items resulting from construction of the conveyor would not eventuate. <i>Soils and land capability</i> The proposed continuation of road haulage would represent a positive outcome, as potential disturbance to soils resulting from construction of the conveyor would not be required. <i>Visual amenity</i> The continuation of haulage via the haul road would have less visual impact than the conveyor as the conveyor is a permanent fixture whilst trucking only occurs intermittently.
C3	Ernst, SF & CD	
C3.1	We strongly believe that the termination of road haulage of coal will reduce the already intolerable levels of dust and noise that we currently experience from the existing open cut Western Extension of Integra of which, we have previously notified the Department of Planning and Infrastructure.	See response to submission reference C2.2.
C3.2	We are subject to high levels of noise emitted from this mine caused by dozer tracks, rocks hitting the sides of truck bodies whilst loading, drive train noise from haul trucks, reversing alarms and vehicle horns. We suffer constantly with extreme levels of dust from the mining operation, blasting and erosion from the huge amount of exposed ground present on the Integra Lease.	See response to submission reference C2.1 for a detailed discussion on noise, dust and blast monitoring and management at the Complex.
C3.3	Blasting impacts on property.	As detailed in the response to submission reference C2.1, Integra has recently prepared a BMP in accordance with the Project Approvals which includes a blast monitoring to determine compliance with the airblast overpressure and ground vibration criteria for blasting activities specified in the Project Approvals at 12 locations in and around the Complex.
C4	Olofsson, D.	
C4.1	To the modification proposal requested by Integra Coal, we	The comment is noted and no further response is required.

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	are placing an objection to the proposed modifications. As we have no confidence in the process related to planning and mining, this will be a deal already processed and planning is just following procedure.	
C4.2	The issue of the overland conveyors was agreed to by planning under the first application, this causes less dust and truck movements, decrease air pollution, so therefore must be used as stated in the original application.	See response to submission reference C2.2.
C4.3	The issue of mitigation measures at more residents proves that the planning department lack of ability to ensure the environmental assessment was correct, and therefore the approval should of not be granted in the first place. So who is the responsible person for signing off the application, and the cause of harm to others is ultimately liable for their actions.	It is agreed that land owners, government agencies and the community have an expectation and a right that landowner details are accurate in project approval documentation. Accordingly, Modification 2 seeks approval to correct a minor inaccuracy, being one residence identified as vacant land in the Project Approvals.
C4.4	The extension of time for operating hours should not be extended; the air quality is already above health standard, mitigation has not been done adequately to ensure protection. The mining monitoring is not used in the calculation as it is flawed, in the use of raw data. The UHAQN is the monitoring used as it looks at the cumulative, no manipulation of data to meet compliance.	The extension to operating hours in the NOC comprises an additional hour on Sunday mornings and public holidays. This will not result in an increase in dust emissions as there is no proposed increase in operational activities that generate dust. The increase in hours allows a consistent approach to staffing at the Complex. It is also important to note that air quality modelling undertaken for Complex does not distinguish between times of the day or days of the week. Therefore, the impacts of operations at the NOC have already been fully assessed and approved and are unaffected by the change to operating hours proposed. Dust emissions from the Complex are assessed and monitored against the relevant OEH criteria which are benchmarks set to protect the general health and amenity of the community in relation to air quality. Regular air quality monitoring is undertaken by Integra at the locations shown in Figure 7.1 of the EA. Monitoring results have not shown exceedences above the OEH criteria except for dust deposition levels at DG06, within the Complex boundary, and one exceedence of 24-hour average maximum PM₁₀ at HV3. Integra has recently prepared an AQMP in accordance with its Project Approvals. The AQMP includes, in addition to the existing monitoring network, installation of an additional TEOM monitor, video cameras, laser photometers, and an upgraded weather station. The AQMP includes preventative measures which aim to minimise the likelihood of an air quality exceedence occurring and corrective measures which aim to minimise the environmental impact in the event of an air quality exceedence occurring. The AQMP will be implemented at Integra once approved by DP&I. The OEH approved methodology for air quality modelling of mining activities, which was applied for Modification 2, is predictive in nature and does not factor in existing air quality conditions, only meteorological. The modelling estimates the likely dust emissions generated by various mining activities and predict their distribution through examination of typical wind patterns. Cumulative modelling was undertaken for Modification 2 and showed that the proposed modifications, in

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		combination with other dust generating sources in the area, would not result in exceedences of the air quality criteria at any privately owned receptors. A review of cumulative impacts from the Complex and other nearby operations was conducted by PAEHolmes in 2010 which compared predictive modelling with dust monitoring in Camberwell village (Appendix D of Appendix G of the EA). The review found that the predictive modelling generally over predicted the actual dust emissions that were measured.
C4.5	Noise monitoring has no substance to ensure that it is compliant, so therefore to produce a reporting system with no monitor for cumulative, one day every three months for compliance is poor written consent condition to protect the industry.	See response to submission references G2.3, C2.1 and C2.2.
C4.6	The extension of time for biodiversity and offsets, another area that has been manipulated by the system to ensure mining can destroy our country, don't worry our famous planning department will offset the area overseas or maybe another state. There is no more extension or destroy what is left, the approval granted before is an agreement to ensure protection and planning has proven to always ensure that the community and the area comes second to mining, i.e. the Warkworth sands and the ridge agreement, the removal of planning state level would be the only avenue to protect our country.	Comment noted. Modification 2 does not seek approval to impact or alter the current offset strategy. It is considered that an alternative offset may provide for improved biodiversity outcomes whilst preventing the sterilisation of a significant resource. Again, if ultimately alternative offsets are sought, they would be fully assessed and approval sought in consultation with the relevant stakeholders at the appropriate time.
<i>Special Interest Groups</i>		
S1	CFMEU	
S1.1	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.	CFMEU's comments are noted and no further response is required.

The information provided in this letter responds to the matters raised in the submissions received on the Integra Mine Complex Modification 2 EA.

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

Yours sincerely,



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Luke Stewart
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References

Environment Protection Authority (2000) *NSW Industrial Noise Policy*.

Heggies Pty Limited (2009) *Integra Open Cut Project – Operational Noise and Blasting Assessment Report 10-5202-R1 Revision 3* in URS Australia Pty Limited (2009) *Environmental Assessment Integra Open Cut Project*.

Noller, B. (2009) *Community Lead Issues at Camberwell NSW*, centre for Mined Land Rehabilitation, The University of Queensland, QLD 4072. Prepared on behalf of Ashton Coal Pty Ltd, Integra Coal Operations Pty Ltd and BHP Billiton Energy Coal Pty Ltd, June 2009.

NSW Health (2007) *Rainwater Tanks Brochure*

http://www0.health.nsw.gov.au/pubs/2007/rainwater_tanks.html

URS Australia Pty Limited (2009) *Environmental Assessment Integra Open Cut Project* prepared on behalf of Integra Coal Operations Pty Ltd.