

Jessie Giblett
Planning Officer
Mining Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Giblett

**West Wallsend Colliery Modification 1 (MP 09_203 Mod 1)
Review of Environmental Assessment**

I refer to your email of 17 February regarding the Oceanic Coal Australia Pty Limited application to modify the development consent for the West Wallsend Colliery to allow an extension of the Southern Domain underground coal mining area to permit mining of two additional Longwall panels known as Longwalls 51 and 52.

NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has reviewed the *Oceanic Coal Australia Pty Limited Environmental Assessment Proposed Longwall Panels 51 & 52 West Wallsend Colliery (EA)* dated January 2104 and provides the following comments which are directed at specific areas of DRE responsibility for this proposal.

MINING TITLE

As coal is a prescribed mineral under the *Mining Act 1992*, the proponent is required to hold appropriate mining titles from DRE in order to mine this mineral. DRE understands the proposed mining activities are within Consolidated Coal Lease 718 held by the Proponent.

Under the *Mining Act 1992*, mining and rehabilitation are regulated by conditions included in the mining lease, including requirements for the submission of a Mining Operations Plan (MOP) and a Subsidence Management Plan (SMP) (if required) prior to the commencement of operations, and subsequent Annual Environmental Management Reports (AEMR). As shown in Table 5 in the EA, DRE requires that the proponent submit a revised MOP to include this modification if approved.

The proponent should be aware that ESG3: Mining Operations Plan (MOP) Guidelines dated September 2013 are available on the DRE website at:
<http://www.resources.nsw.gov.au/environment/pgf>

SUBSIDENCE

DRE has reviewed the subsidence impact of the proposed extension of the Southern Domain longwall extraction area by an additional two panels (Longwalls 51 and 52), and particularly in relation to mine subsidence issues related to built features, public safety and potential instability of cliff formations or steep slopes.

Based on the information provided in the EA, DRE considers that the proposed modification does not substantially change the overall subsidence risks at the site and should be manageable through the Extraction Plan process/SMP process.

RECOMMENDED CONDITIONS OF APPROVAL

DRE recommends that the following conditions be incorporated into the Development Consent, if granted:

Rehabilitation Objectives and Commitments

The Proponent must rehabilitate the site to the satisfaction of the Secretary of Department of Trade & Investment, Regional Infrastructure & Services.

Rehabilitation must be substantially consistent with the Rehabilitation Objectives described in the West Wallsend Colliery EA Statement of Commitments and the following objectives in Table 1.

Table 1: Rehabilitation objectives

Rehabilitation Feature	Objective
Mine site (as a whole of the disturbed land and water)	Safe, stable and non-polluting, fit for the purpose of the intended post-mining land use(s).
Landforms	Final landforms sustain the intended land use for the post-mining domain(s) to the satisfaction of the land owner.
Subsidence Management	Strategies are to be developed for the range of subsidence features that may potentially occur given the landforms that are present within the application area.

Progressive Rehabilitation

The proponent shall carry out all surface disturbing activities (e.g. access creation, borehole development and subsidence management) in a manner that, as far is reasonably practicable, minimises potential for dust emissions and shall carry out rehabilitation of disturbed areas progressively, as soon as reasonably practicable, to the satisfaction of the Secretary of Department of Trade & Investment, Regional Infrastructure & Services.

Rehabilitation Plan

1. The Proponent must prepare and implement a Rehabilitation Plan to the satisfaction of the Secretary of Department of Trade & Investment, Regional Infrastructure & Services.
2. Rehabilitation Plan must:
 - be submitted and approved by the Secretary of Department of Trade & Investment, Regional Infrastructure & Services prior to carrying out any surface disturbing activities of the development, unless otherwise agreed by the Secretary;
 - be prepared in accordance with DRE guidelines and in consultation with the Department, Office of Environment and Heritage, Environmental Protection Authority, Office of Water, Council and the mine Community Consultative Committee;
 - incorporate and be consistent with the rehabilitation objectives in the EA, the statement of commitments and Table 1;
 - integrate and build on, to the maximum extent practicable, the other management plans required under this approval; and,
 - address all aspects of mine closure and rehabilitation, including post mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management.

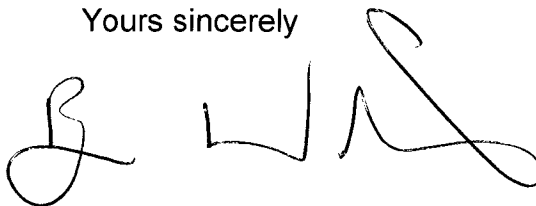
Note: The approved Mining Operation Plan (which will become the REMP once the Mining Act Amendments have commenced), required as a condition of the Mining Lease(s) issued in relation to this project, will satisfy the requirements of this condition for a Rehabilitation Plan.

DRE has no objection to this modification.

I would like to pass on the apologies of NSW Trade & Investment for its delay in reviewing this modification.

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

Yours sincerely

 23/5/14

**BRYAN WHITLOCK
ACTING DIRECTOR
INDUSTRY COORDINATION**