

Our Ref: DOC18/377816

Ms Melanie Hollis  
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By email: [melanie.hollis@planning.nsw.gov.au](mailto:melanie.hollis@planning.nsw.gov.au)

**Bengalla Coal Mine – Modification 4 (SSD – 5170)**

Dear Melanie

I refer to the Department's email dated 28 May 2018 inviting the Resources Regulator to provide a response to the Bengalla Coal Mine – Modification 4(SSD 5170 MOD4).

The project will involve the:

- Enlarge the approved Staged Discharge Dam (**ED1**) and construct a new Dry Creek East Dam;
- Store approximately 2,500 m<sup>3</sup> of excess materials from the construction of ED1;
- Increase the capacity and locations of ROM coal stockpiles;
- Add storage locations for temporary emplacement of coal processing reject material, prior to permanent emplacement; and
- Add a temporary clay emplacement within the Main Overburden Emplacement Area or to the west of this for later use in the reinstatement of Dry Creek.

A submission from Division of Resources and Geoscience (now Resources Regulator) requiring additional information was provided 30/01/2018 (**OUT18/1443/DOI**). Clarification was sought to the mine closure state of Dry Creek East Dam, its purpose if retained upon closure and assurance that the location of the dam was suitable for permanent retention. Assurance was also sought for enlargement of the Staged Discharge Dam to remain successfully removed and rehabilitated. Comment was requested on impacts (if any) of the current rehabilitation schedule with considering the addition of MOD4.

The proponent provided a response on 28 May 2018 through their Response to Submissions (**DOC18/342650**).

The response provided, adequately addresses the submission. The proponent proposes the Dry Creek East Dam be retained until Year 24 with detailed final function to be determined with consultation of relevant government agencies in the final Mine Closure Plan (to be developed within 7 years of mine closure).

The proponent has also stated the enlargement of the Staged Discharge Dam will not impact on its successful rehabilitation (methodology to be included in Mine Closure Plan) and that none of the proposed changes will impact on the current rehabilitation schedule.

The Resources Regulator advises the Department of Planning, Assessment Unit that the information provided in the Response to Submissions document dated 28 May 2018

adequately addresses the issues raised in the submission from the Resources Regulator dated 30 January 2018.

The Resources Regulator has determined that sustainable rehabilitation outcomes can be achieved as a result of the project and that any identified risks or opportunities can be effectively regulated through the conditions of mining authorities issued under the *Mining Act 1992*.

Should you have any questions of the Resources Regulator over this matter, please don't hesitate to contact me on 4063 6444.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Matthew Newton', with a stylized, sweeping flourish extending to the right.

Matthew Newton  
Director Compliance Operations  
NSW Resources Regulator

14 June 2018