

JKH
Environment and Development



31 October 2014

Att: Colin Phillips
Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir

(SSD 5581) SUBMISSION – AIRLY MINE EXTENSION PROJECT, CAPEERTEE

At its ordinary meeting of 28 July 2014, Council resolved not to object to the Airly Mine proposal to extend mining operations to the east on the basis that "appropriate controls need to be put in place and potential Council contribution for the proposed extension of mining to the east".

Council requests the opportunity to provide conditions following a Response to Submissions report being submitted by the Proponent, should an approval from the Department of Planning and Infrastructure become imminent. However, please find below comment on a number of issues pertaining to the project following assessment by Council staff:

Contributions: Council wishes to negotiate with Centennial Coal Pty Ltd on a Voluntary Planning Agreement (VPA) should the proposal gain approval. However, in the event that this does not occur, it requests that the Department impose a condition on the development requiring payment of contributions under Council's Section 94A Development Contributions Plan 2012.

Air Quality: During the creation of the Reject Emplacement Area and construction of infrastructure every caution be taken to suppress dust. Additionally, adequate erosion and sedimentation controls should be implemented until soils are suitably stabilised. Internal roadway use and stockpile work should be managed in a manner that will also reduce dust issues.

Visual: Landscaping to be undertaken to minimise visual impacts of the REA is to be completed when the REA has commenced. This landscaping is to be maintained/monitored for the duration of the mining operations and at a standard suitable to act as a visual screen.

Noise: The general operation of the mine is predicted to perform within the industrial noise guidelines, however there are concerns with the rail traffic noise. At times it is predicted that noise will exceed the limits at night, however these noise levels are exceeded regardless of Airly Mines operations. Nonetheless, an appropriate restriction should be imposed to minimise or prohibit train movements at certain times of night to reduce potential impacts on residents within 100m of the rail lines.

Heritage: Given the significance of the Airly Shale Oil Mining Complex and the inclusion in the Draft Lithgow Local Environmental Plan 2013 the development should have due regard to the Conservation Management Plan produced by the NSW National Parks and Wildlife Service.

Subsidence: Council would accept a maximum of 125mm for potential subsidence for the entire site to prevent surface damage and support the mining method of partial extraction. However in the area of New Hartley Shale Mine Potential Extraction Zone, Council considers that any further subsidence should be viewed with concern. It is a trending issue through the EIS document that New Hartley Shale Mine Potential Extraction Zone is problematic and may cause impacts in a range of areas if mined including (but not limited to); water quality, visual, surface structures, endangered and threatened species or communities, and water resources. Council considers that this area should not exceed the existing 500mm vertical subsidence, given existing cracking and potential for increased damage to surface features, water resources, flora and fauna. A detailed Mine Subsidence Plan should focus on no additional subsidence within this area to reduce impact to surface features and potential impact to water resources (i.e. village spring).

There may be a need for an exclusion zone and or restriction to first workings only in areas that do not meet the required subsidence criteria.

Ongoing Issues raised by Special Monitoring Committee (SMC) meetings: Ongoing issues that have been raised through meetings of the SMC, with Council making the following suggestions:

- That all lights be directed towards to facility and be situated to not produce light on adjoining properties or impact drivers along Glen Davis Road.
- That measures be taken to screen the run-of-mine stockpile from being visual prominent along the Castlereagh Highway or Glen Davis Road. This may include minimising the stockpile size and restricting its height.
- That where possible, train movements be organised to be undertaken during daylight hours to minimise noise issue, majority of train movements should be undertaken during daylight hours.

Special Monitoring Committee (SMC)/ Community Consultative Committee (CCC) : Council is supportive to the replacement of the SMC with a CCC as it should provide more focus on local concerns.

Conditions/Advisory Notes: As previously mentioned, should an approval be imminent, then Council would like the opportunity to provide conditions of consent. Many of the issues covered in this submission could potentially be addressed via conditions.

Please do not hesitate to contact Jessica Heath on (02) 6354 9989 in Council's Environment and Development Department should you have any queries in relation to this matter.

Yours sincerely



A C Muir
GROUP MANAGER ENVIRONMENT AND DEVELOPMENT