

OUT12/29804

Mr Stephen O'Donoghue
Senior Planner
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr O'Donoghue

**Cobbora Coal Project (10_0001)
Environmental Assessment Review**

I refer to your email of 2 October 2012 regarding Cobbora Holding Company Pty Ltd proposal to develop the Cobbora Coal Project which involves the establishment of an open cut coal mine and associated facilities capable of producing up to 20 million tonnes of run-of-mine coal a year for a period of 21 years.

NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has reviewed the *Cobbora Coal Project Environmental Assessment* (EA) dated September 2012 and provides the following comments which are directed at specific areas of DRE responsibility for this proposal.

MINING TITLES

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 requires that all mining activities are contained within mining leases held by the Proponent for this project.

The proposed Cobbora mine footprint is within Exploration Licence 7394 (EL7394) held by the Proponent. DRE understands that as identified in figures ES.2 and 1.2 of the EA the Proponent will lodged a Mining Lease Application (MLA) which is wholly within EL 7394.

Under the *Mining Act 1992*, rehabilitation is regulated by conditions included in mining leases, including requirements for the submission of a Mining Operations Plan (MOP) prior to the commencement of operations, and subsequent Annual Environmental Management Reports (AEMR).

The Proponent should be aware that the mining lease cannot be granted until planning approval has been received for the project.

REHABILITATION

The Cobbora EA includes a rehabilitation strategy for the site that describes final landforms, nominates proposed final land uses, outlines domain specific rehabilitation objectives and nominates preliminary rehabilitation completion criteria for each.

However, should project approval be obtained; the successful implementation of the rehabilitation strategy will require the development of detailed operational plans, monitoring, reporting and effective regulation by relevant authorities.

DRE recommend that the following conditions be incorporated into the planning approval, if granted:

The Proponent must prepare and implement a Rehabilitation Plan to the satisfaction of the Director General NSW Trade & Investment. The Plan must:

- a. be prepared in accordance with NSW Trade & Investment guidelines and in consultation with relevant agencies and stakeholders;
- b. be submitted and approved by the Director General NSW Trade & Investment prior to the commencement of construction;
- c. address all aspects of rehabilitation and mine closure, including final landuse assessment, rehabilitation objectives, domain objectives, completion criteria and rehabilitation monitoring.

DRE would be pleased to meet with the Proponent to assist in developing the above documents for their operation.

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

Yours sincerely


William Hughes
Acting Director
Minerals Operations