



Thomas Watt
Planning Officer
Mining Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Watt

**Northern Coal Logistics Project (SSD 5145)
Review of Environmental Impact Statement**

I refer to your email of 14 October 2014 regarding the Centennial Northern Coal Services Pty Ltd development application for the Northern Coal Logistics Project at surface facilities located at Miller Road, Fassifern; Cooranbong Entry Site, Dora Creek and Hawkmount Quarry, Awaba in the Lake Macquarie City local government area.

NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has reviewed the *Northern Coal Logistics Project Environmental Impact Statement* (EIS) dated September 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. DRE understands the Northern Coal Logistics Project activities are within Consolidated Coal Lease 727, 746, 762, 763 and 773; Mining Lease 1480 and 1587; and Mining Purpose Lease 191, 304, 305, 327 and 329 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) prior to the commencement of operations, and subsequent Annual Environmental Management Reports (AEMR). DRE requires that 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>.

The *Coal Mine Health and Safety Act 2002* Section 100-101 requires secondary approval from the Minister of Resources & Energy for any tailing and emplacement facility proposed.

REHABILITATION

DRE notes the EIS has identified general rehabilitation strategies and objectives. The EIS adequately describes the functional domains of this project. Specific performance objectives and standards of each domain have been satisfactorily described.

The EIS states that the Northern Reject Emplacement Area will be capped with at least 0.5m of inert material and the Southern Reject Emplacement Area will be capped with approximately 1.5m of coarse reject and then further covered with 0.5m of inert material and topsoil prior to being revegetated. DRE advises that under the *Coal Mine Health and Safety Act 2002* Section 100 and 101 the proposed capping strategy will need approval of the Minister of Resources and Energy.

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 EIS, the Statement of Commitments and the following objectives in Table 1.

Table 1

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).
Rehabilitation materials	Materials (including topsoils, substrates and seeds of the disturbed areas) are recovered, appropriately managed and used effectively as resources in the rehabilitation.
Capping of Reject Emplacements Areas	Capping materials and depths to be approved by the Minister for Resources & Energy prior to construction.
Landforms	<p>Final landforms sustain the intended land use for the post-mining domain(s).</p> <p>Final landforms are consistent with and complement the topography of the surrounding region to minimise the visual prominence of the final landforms in the post mining landscape.</p> <p>Final landforms incorporate design relief patterns and principles for consistent with natural drainage.</p>
Water Quality	<p>Water retained on site is fit for the intended land use(s) for the post-mining domain(s).</p> <p>Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance.</p> <p>Water management is consistent with the regional catchment management strategy.</p>

Native flora and fauna habitat	<p>The rehabilitated areas are to contribute to achieving self-sustaining biodiversity habitats.</p> <p>Species are selected that re-establishes and complements regional and local biodiversity.</p>
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Progressive Rehabilitation

The proponent shall carry out all surface disturbing activities (eg pre-stripping in advance of mining operations including for example monitoring lines and access for rehabilitation purposes) 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:
 - a. 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 (including surface expression of subsidence related impacts), unless otherwise agreed by the Secretary;
 - b. 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;;
 - c. incorporate and not be inconsistent with the rehabilitation objectives in the EIS and Table 1;
 - d. integrate and build on, to the maximum extent practicable, the other management plans required under this approval and,
 - e. 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 Rehabilitation Management Plan 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 Management Plan.

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

Yours sincerely


Adrian Delany
A/Director Industry Coordination

13.11.14