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Emailed to Belinda.Parker@planning.nsw.gov.au

07 November 2008

Belinda Parker Department of Planning GPO Box 39 SYDNEY NSW 2001

Dear Belinda

## Re: Response to DPI Submission on Proposed Modifications to Forest Road Ventilation Shaft Area (MP 06-0057 Mod1)

Thank you for the opportunity to provide a response / comments on the DPI submission to your Department regarding the above Application to modify MP 06-0057.

As noted in our telephone conversation, I was somewhat surprised at the comments from DPI given:

- the application pertained to the installation of additional infrastructure in an area already approved for the same or similar mining-related purposes;
- the matters raised by DPI were not identified as key issues in the DGRs; and
- the issues raised had previously been addressed (to the extent feasible) in the documentation submitted and approved relating to the Ventilation Shaft Area. Given that the wording in both DA 105/90 and PA 06-0057 specifically refer to activities being undertaken generally in accordance with the documents submitted in support of those applications, and that the current application did not seek to amend those intentions, commitments or requirements, it was assumed that they would therefore continue to apply and did not require to be addressed in the most recent documentation.

Notwithstanding the above, I provide the following responses to the matters raised.

#### 1. Conceptual Final Landform

The current MOP for the Integra Underground (formerly known as the Glennies Creek Colliery), a copy of which is held by the Department of Primary Industries, notes that:

"the final landform in the area of the Forest Road ventilation shaft area will be determined primarily by shaft sealing requirements but, assuming the use of the excavated spoil with the peripheral bunding for shaft filling would, with the exception of the retention of the dirty water dam as a farm water storage, be expected to approximate that prior to the development of the site".

Drawing 02571 (attached) presents that final landform, assuming no requirement for the retention of any infrastructure by the landowner, and therefore remains relevant to the current modification application.

# 2. Final Land Use

The ventilation shaft area comprises land owned by Xstrata Mt Owen subsidiaries, Savage Minerals Ltd and Enex Foydell Ltd, represents a sublease of Mining Purposes Lease (MPL) 343 held by Glendell Tenements Pty Ltd and, prior to the granting of the sub-lease, was used for grazing purposes. MPL 343 was originally granted for the purposes of "the stockpiling or depositing of overburden, ore or tailings" from the Glendell Mine.

As noted in Section 2.12.1 of the original documentation pertaining to the development of the Ventilation Shaft Area (Statement of Environmental Effects dated December 2001) which was submitted and approved by your Department as a modification to DA 105/90:

"On closure of the mine and/or no further requirement for the ventilation shaft site, and subject to the landowner's plans for the area, all infrastructure, including concrete foundations, would be removed, the shafts permanently sealed in accordance with DMR requirements, hardstand materials would be excavated, previously stockpiled subsoil and topsoil replaced and the area seeded with pasture species as requested by the landowner. The bund, dirty water dam and sedimentation dam would be retained."

Given that neither Integra Coal Operations nor its subsidiaries are the landowner; the mining purposes which are permissible on the land and the extended period that the facilities will remain in operation, the ultimate decision as to the final land use for the area, eg grazing or overburden disposal, etc will lie with the landowner / primary leaseholder at the time.

Independent of the landholder's / leaseholder's ultimate decision regarding the future land use, Integra will, as a minimum, comply with the requirements of Clause 14 of the Sub-lease Agreement with Glendell Tenements; that is:

"Notwithstanding any other provisions of this Sub Lease, Maitland Main / Consol Energy [the then leaseholders for what is now known as the Glennies Creek Colliery] must:

- "(a) shape and revegetate to the satisfaction of the Department, any part of the Sub Lease Area that may, in the opinion of the Department, have been damaged or detrimentally affected by the use permitted under this Sub Lease and ensure the Sub Lease Area is permanently stabilised; and
- (b) reinstate and make safe, including sealing and/or fencing, any eroded area adjacent or within the Sub Lease Area."

## 3. Shaft and Borehole Sealing

As noted in Item 2 above, Integra has already committed to the permanent sealing of the shafts in accordance with DPI [DMR]requirements, a commitment which remains in force by virtue of the existing approvals. This commitment would extend to the sealing of the existing and proposed boreholes.

## 4. Topsoil Replacement and Vegetation Techniques

Given the extent of disturbance within the areas of planned activity and that soil stripping was undertaken as part of that disturbance, it is unlikely that further topsoil stripping will be required. However, if this were to occur, it would be undertaken in a manner consistent with that identified in the December 2001 SOEE, namely separate topsoil and subsoil stripping to nominal depths of 100mm and 200mm and stockpiling at maximum heights of 1.5m (topsoil) and 3.0m (subsoil) for use in future rehabilitation activities.

Drawing 02571 shows that there are currently three soil stockpile areas within the Ventilation Shaft area, with further soil for site rehabilitation purposes available to be reclaimed from the surface of the acoustic/visual bund prior to shaft/borehole sealing.

As noted in the December 2001 SOEE, following removal of infrastructure and hardstand areas (as required by the landowner) and reshaping as identified in Drawing 02571, rehabilitation of the areas of disturbance would involve:

- replacement of previously stockpiled subsoil and topsoil materials, and deep ripping at approximately 1 m centres parallel to the contour; and
- application of a pasture species mix. Suitable Autumn and Spring sowing species are as follows:

Autumn Sowing	Spring Sowing				
Rhodes Grass	Rhodes Grass				
Couch Wimmera Rye	Green Panic				
Lucerne	Couch				
Sephi Barrel Medic	Lucerne				
Sub-Clover	Coonba Oats				
Green Panic					
Pearl Millet					

- application of a fertiliser regime appropriate to the individual seed mix in consultation with relevant Government Authorities and the landowner / lessee; and
- planting of seedlings or seeding with locally occurring native shrub and tree species.

Integra remains committed to this approach.

#### 5. Water Management Infrastructure

Subject to landowner requirements at the time, Integra's long-term plans for the water management structure are as described in Item 2 above and shown on Drawing 02571, namely, to remove all water management structures other than the dirty water dam and associated drainage, with these structures being retained for farm water collection and storage.

I trust that the above satisfies your requirements.

Yours sincerely

Bob Corbett

Environment Manager - NSW



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				1	Integra Coal Underground						Drawing No.
				IN TECT A COAL	P.O. Box 3060 Singleton, NSW, 2330	Plan 1B2 - Forest Road Ventilation Shaft					
				INTEGRA COAL	Telephone: 02 65 773003	(MPL 343 Sub-Lease) Area Proposed Facilites					
Rev.	Drawn	Description	Approved	Prepared by Pegasus Technical	Fascimile: 02 65 774210 Ph: 02 65 718888 Fax: 02 65 718844	Date July 2007	Scale: 1:750	Drawn CS	Checked JF	Approved KB	Sheet Size A1