



Ms Paul Freeman  
Senior Planner  
Mining Projects  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Freeman

**Austar Coal Project (08\_0111 MOD 3)  
Environmental Assessment Report**

I refer to your email of 22 October 2013 regarding the Austar Coal Mine Pty Limited application to modify the consent for the Austar Coal Mine to extend the positions of longwall panels A7, A8, A9 and A10.

NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has reviewed the *Austar Coal Mine LWA7 – A10 Modification Stage 3 Area* (EA) dated October 2013 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 in order to mine this mineral. DRE understands the proposed mining activities are within Consolidated Coal Lease 2 and Mining Lease 1666 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) and a Subsidence Management Plan (SMP) prior to the commencement of operations, and subsequent Annual Environmental Management Reports (AEMR). DRE notes Table 4.3 in the EA states that "Austar will be required to revise the existing MOP and SMP".

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>

## **REHABILITATION AND MINE CLOSURE**

DRE notes that the EA has identified general rehabilitation strategies and objectives, referencing approved monitoring and biodiversity management plans. However DRE considers that the EA does not adequately describe the functional domains of this proposed modification. The Proponent should be aware that the MOP and SMP will need updating to adequately describe the functional domains for this modification.

## **SUBSIDENCE**

The modification proposes to change the Austar Mine layout:

- Increasing the length of Longwalls A7 to A10 by 100m to 300m at the outbye ends of the panels to increase resource recovery in light of mine infrastructure changes;
- Relocation of the installation roadway of Longwall A8 approximately 185m inbye due to an adverse geological structure.

The longwall panels A7 to A10 are subject to a current SMP approval. The mine is currently extracting Longwall A7.

DRE considers that the overall subsidence footprint if this modification is approved will increase marginally, in particular leading to increased subsidence impacts to Quorrobolong Road. Notwithstanding this, subsidence impacts to the road are expected to be manageable. DRE understands that the Proponent is currently developing a built features management plan for the road in consultation with Cessnock City Council.

Based on the information provided in the EA DRE considers that the proposed modification does not substantially change the overall subsidence risks at the site and can be dealt with via a variation to the approved SMP.

## **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 Director General of Department of Trade & Investment, Regional Infrastructure & Services.

Rehabilitation must be substantially consistent with the Rehabilitation Objectives described in the EA, the Revised Statement of Commitments in Section 7 and the following objectives in Table 1.

Table 1: Objectives for rehabilitation features for mine area.

| 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.  |
| 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 and corridors           | <p>Size, locations and species of native tree lots and corridors are established to sustain biodiversity habitats.</p> <p>Species are selected that re-establishes and complements regional and local biodiversity.</p>  |
| Post-mining agricultural pursuits                      | The land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting of vegetation.)   |

### Progressive Rehabilitation

The proponent shall minimise potential for dust emissions and shall carry out rehabilitation of disturbed areas progressively, as soon as reasonably practicable, to the satisfaction of the Director General 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 Director General of Department of Trade & Investment, Regional Infrastructure & Services.

2. Rehabilitation Plan must:

- a. be submitted and approved by the Director General of Department of Trade & Investment, Regional Infrastructure & Services prior to carrying out any surface disturbing activities of the development, unless otherwise agreed by the Director General;
- 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 be consistent with the rehabilitation objectives in the EA, the statement of commitments 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 REMP 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 Plan.*

DRE does not object to the approval of the proposed modification provided the above recommendations are taken into account and implemented.

DRE is available to meet with the Proponent to assist in developing the above documents for their proposed operation.

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

Yours sincerely



**ADRIAN DELANY  
ACTING DIRECTOR  
INDUSTRY COORDINATION**

4.11.13