



MOC14/13504

Ms Carolyn McNally
A/Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally

**Drayton South Retracted Mine Plan
Addendum to NSW Trade & Investment submission**

I refer to NSW Trade and Investment letter dated 5 May 2014 which provided assessment of the proposed Anglo American Metallurgical Coal Pty Ltd (Anglo) Drayton South Retracted Mine Plan. The proponent has recently provided the Division of Resources & Energy (DRE) with additional information relating to the Drayton South Retracted Mine Plan including conceptual staged mine plans for years 3, 5, 10, 15, 20, final landform and a revised Biodiversity Offset Package, which has enabled DRE to complete its assessment of the retracted mine plan. DRE has reviewed the additional information specifically with regard to rehabilitation and mine closure and provides the following comments.

Integration of Revegetation Works

The rehabilitation and revegetation locations have not been integrated with the surrounding vegetation and other conservation areas / offsets within the region. However this information may be provided as part of the Mining Operation Plan (MOP) should the project be approved.

Conceptual Final Landform

DRE understands that the final landform is to be constructed as per the following figures as provided by the proponent:

- Conceptual Drayton South Revised Mine Plan Final Landform
- Conceptual Drayton South Cross-Section

DRE's future regulation of the Drayton South Project and the proponents reporting requirements will be based on these figures. To avoid possible confusion with earlier version of these figures copies are attached.

Rehabilitation Commitments

Following discussion with the proponent DRE understands that the rehabilitation and revegetation works for the project includes:

- Rehabilitation of the mined area with the Central Hunter Box-Ironbark Woodland and Narrabeen Foothills Slaty Box Woodland communities;
- Restoration works associated with Saddlers Creek;
- Tree screening generally located along the southern boundary of the mined area, and
- Conservation of existing vegetation along the Primary Ridgeline.

Rehabilitation Phases – Objectives and Completion Criteria

While DRE accepts the overarching rehabilitation commitment outlined in the Environmental Assessment for the project, the proponent should be aware that as part of the MOP, DRE will require further detail regarding the objective(s) and completion criteria (e.g. leading and lagging indicators, short, medium and long term criterion) for each phase of rehabilitation associated with the post mining land use (i.e. secondary domain).

RECOMMENDED CONDITIONS OF APPROVAL

DRE recommends that the following conditions be incorporated into the Development Consent, if granted:

Rehabilitation Objectives and Commitments

The Proponent shall 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 Commitments described in the Environmental Assessment for the Drayton South Project (EA), the Response to Submissions, the Preferred Project Report, Consequential EA, the Statement of Commitments and the following objectives in Table 1.

Table 1 Rehabilitation Objectives

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 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> <p>The native rehabilitation works are to increase the linkage with both on site and off site conservation areas / offsets within the region.</p> <p>Rehabilitation of the mined area with Central Hunter Box-ironbark Woodland and Narrabeen Footslopes Slaty Box Woodland.</p> <p>Retention and improvement of 20 ha of Hunter Floodplain Red Gum Woodland along Sadders Creek.</p>

Progressive Rehabilitation

The proponent shall carry out all surface disturbing activities (e.g. pre-stripping in advance of mining operations) in a manner that, as far is reasonably practicable, minimises potential rehabilitation liability 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 Director Environmental Sustainability of the DRE.
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, 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 be consistent with the rehabilitation commitments 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.

Provided that the above recommendations are taken into account and implemented DRE supports the Drayton South Project as a responsible use of the State's valuable coal resources.

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

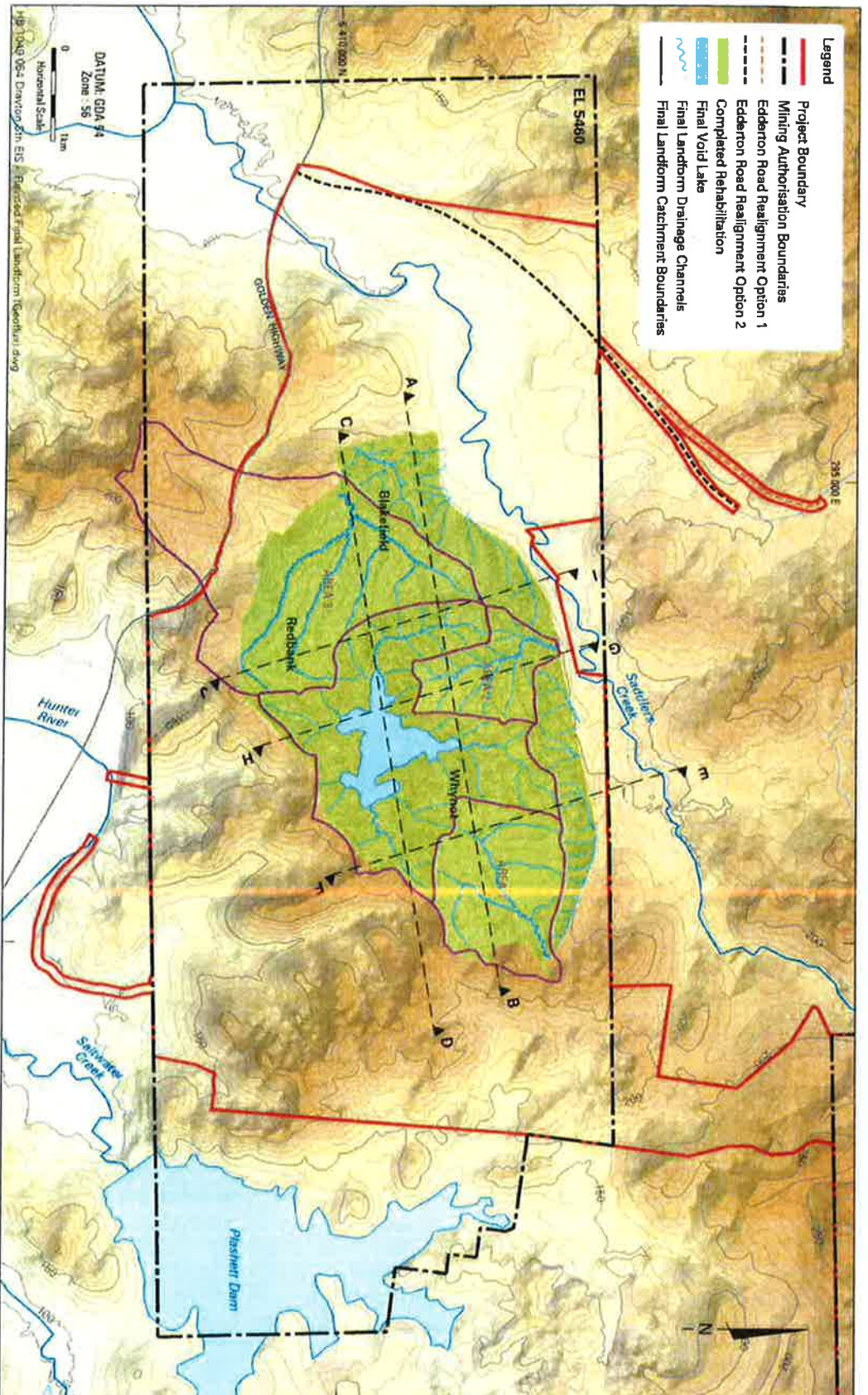
A handwritten signature in black ink, appearing to read 'B. W. Mullard', written in a cursive style.

Brad Mullard
Executive Director

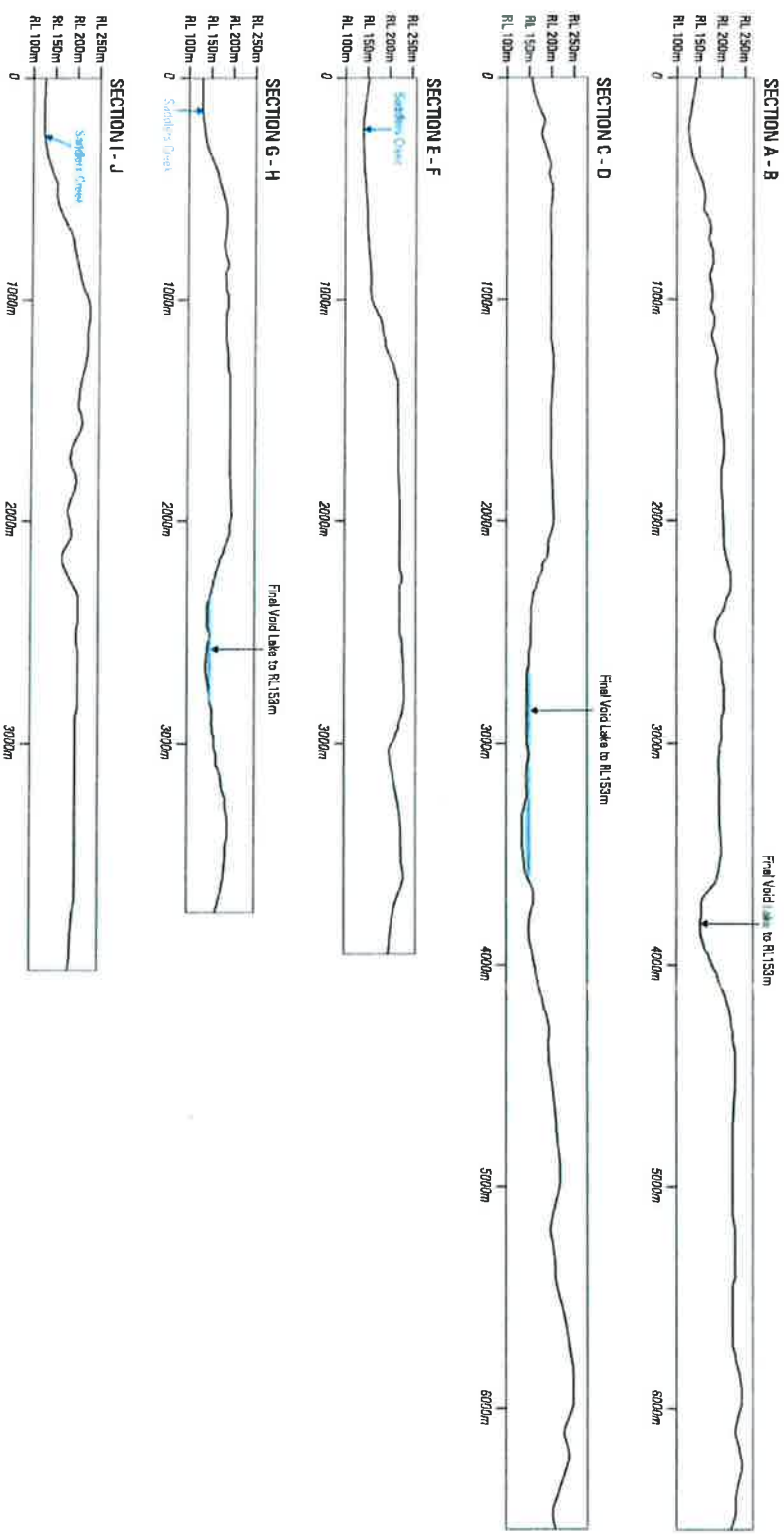
12/5/14

Cc Matthew Sprott

Encl.



DRAYTON SOUTH COAL PROJECT
Conceptual Drayton South Revised Mine Plan Final Landform
FIGURE A



Hansen Bailey
ENVIRONMENTAL CONSULTANTS

DRAYTON SOUTH COAL PROJECT
PREFERRED PROJECT REPORT
Conceptual Drayton South Final Landform Cross-Sections

FIGURE 6