

17 February 2012

Department of Planning and Infrastructure
Major Projects Assessment Mining
23-33 Bridge Street
SYDNEY NSW 2001

Attention: Mr Howard Reed, Manager Mining, Major Development Assessment

Dear Howard,

RE: DURALIE EXTENSION PROJECT (08_0203) – INDEPENDENT ENVIRONMENTAL AUDIT 2011

On **10 November 2011**, the New South Wales (NSW) Project Approval (08_0203) was amended by Order of The Land and Environment Court of NSW. In accordance with Condition 8, Schedule 5 of the NSW Project Approval (08_0203) an independent environmental audit was completed by Trevor Brown & Associates in **November 2011**. This independent environmental audit was conducted by a suitably qualified, experienced and independent team of experts as endorsed by the Director-General in the DP&I correspondence dated **14 October 2011**.

In accordance with Condition 9, Schedule 5 of the NSW Project Approval (08_0203), please find enclosed a copy of the Independent Environmental Audit Report November 2011. In addition, please find in *Attachment 1* below DCPL's response to the recommendations contained in the audit report.

Please do not hesitate to contact me on (02) 4994 0122 should the DP&I wish to discuss any on the content held in the audit report or response to the recommendations.

Yours sincerely
DURALIE COAL PTY LTD

MICHAEL PLAIN
ENVIRONMENTAL OFFICER – DURALIE

Attachment 1: Duralie Coal Mine – Independent Environmental Audit November 2011
Response to Recommendations:

Management Area	IEA Recommendation	DCPL Response & Action
Environmental Management Strategy	No recommendations made.	
Environmental Monitoring Programs	No recommendations made	
Air Quality	No recommendations made.	
Biodiversity	No recommendations made	
Blasting	V1 – No vibration monitoring of Mammy Johnson’s Grave located south of the current mining operational area has yet occurred. Monitoring of this site should be undertaken to satisfy MCoA.	In accordance with the revised DCPL Blast Management Plan (yet to be approved), a series of ten consecutive blasts will be monitored at Mammy Johnson’s Grave and a report evaluating the results will be produced and provided to DP&I. DCPL, in consultation with DP&I, will then evaluate the requirement for ongoing monitoring at the grave site. As of 17-Feb-12 nine (9) blasts have been monitored at the grave site.
Noise	N1 – Procedures be implemented and refined to establish the cause of noise complaints and review the mitigation measures taken to limit complaint re-occurrence where cause and effect relationships can be reliably demonstrated, and develop actions to reduce noise impact where practicable.	Complaints received at the Duralie Coal Mine are managed in accordance with the DCPL Complaints Handling Policy, Dec 2011 and the DCPL Environmental Management Strategy, Jun 2011. In addition, in accordance with Condition 7, Schedule 3 and Condition 4, Schedule 5 of the NSW Project Approval (08_0203) DCPL submitted a revised Noise Management Plan on 2-Feb-12 for approval by the Director-General. Recommendation N1 has been addressed in these plans.
Surface Water	No recommendations made	
Groundwater	No recommendations made	
Erosion and Sediment Control	ESC1 – “Managing urban storm water – Soils and Construction Volume 1” Landcom, 2004 and “Managing urban storm water – Soils and Construction Volume 2e” (DECC 2008) be adopted as the relevant design guidelines for any revision of the Erosion and Sediment Control Plan.	DCPL accept recommendation. In accordance with Condition 29, Schedule 3 and Condition 4, Schedule 5 of the NSW Project Approval (08_0203) DCPL submitted a revised Water Management Plan (WAMP) to be approved by the Director-General. Recommendation ESC1 has been addressed in Table 2 of the WAMP.
	ESC2 – Markers be installed in each sediment basin to show the sediment-	DCPL accept recommendation. In accordance with Condition 29, Schedule 3

	laden water storage depth, to provide an indication when the retention volume maximum is exceeded.	and Condition 4, Schedule 5 of the NSW Project Approval (08_0203) DCPL submitted a revised Water Management Plan (WAMP) to be approved by the Director-General. Recommendation ESC2 has been addressed in Table 2 of the WAMP.
	ESC3 – Check the design of all drainage lines for adequacy against “Managing urban storm water – Soils and Construction Volume 2e” (DECC 2008).	DCPL accept recommendation. In accordance with Condition 29, Schedule 3 and Condition 4, Schedule 5 of the NSW Project Approval (08_0203) DCPL submitted a revised Water Management Plan (WAMP) to be approved by the Director-General. Recommendation ESC3 has been addressed in Table 2 of the WAMP.
Rehabilitation	R1 – Slope length of rehabilitated waste rock be confined to those recommended in “Managing urban storm water – Soils and Construction Volume 1” Landcom, 2004. This will require an understanding of the erodibility of the Duralie soils (K-factor).	DCPL accept recommendation. In accordance with Condition 57, Schedule 3 and Condition 4, Schedule 5 of the NSW Project Approval (08_0203) DCPL submitted a revised Rehabilitation Management Plan on 09 th February 2012 to be approved by the Director-General. The recommendation has been adopted as part of the revised plan.
	R2 – Groundcover requirements of “Managing urban storm water – Soils and Construction Volume 1” Landcom, 2004 be adopted in any revised Rehabilitation Plan. Groundcover could be achieved in the required timeframes by the use of hydro-mulching and/or applying bonded fibre matrix. Consider also the use of a sterile crop to provide groundcover while natives germinate and grow. In general, the ESCP and SWMP concentrate mainly on sediment control, when, in fact, more emphasis should be placed on erosion control.	As above.
	R3 – Consider revising rehabilitation planning to adopt a concave profile for rehabilitated slopes where practicable.	As above.