



Mr Stephen Barry
Director
Independent Planning Commission
GPO Box 3415
Sydney NSW 2001

Dear Mr Barry

Glendell Coal Mine – Modification 4 (DA 80/952)

I refer to your letter dated 18 February 2020, seeking comment from the Department on the workability and appropriateness of potential conditions of consent for Glendell Coal Mine Modification 4, currently before the Independent Planning Commission (Commission) for determination.

1. Air Quality Criteria – Proposed Condition 20A of Schedule 3

The Commission has requested comment from the Department on the addition of proposed condition 20A, lowering the existing annual average PM₁₀ criterion for Modification 4 downwards from 30 µg/m³ to 25 µg/m³ in accordance with the Approved Methods 2016.

Glencore's revised Air Quality Assessment predicted that the cumulative annual average PM₁₀ concentration would exceed both the existing ambient criterion of 30 µg/m³ as well as the new 25 µg/m³ assessment criterion at all Camberwell receivers and to the south-east of Glendell Mine.

Existing condition 20 requires that Glencore comply with the air quality criteria at any residence on privately-owned land, except for those residences listed in Table 1, who are eligible to request mitigation and/or acquisition. If the annual PM₁₀ air quality criterion was revised to 25 µg/m³, Glencore would be unable to comply with this limit and would automatically be in non-compliance at four receiver's located in middle Falbrook area (ie these receivers are located between the predicted 25 µg/m³ and 30 µg/m³ PM₁₀ contour, see **Attachment A**) because they have acquisition rights for air quality from other nearby mining operations but not under the Glendell Mine consent.

As the proposed modification does not increase dust emissions the *Voluntary Land Acquisition and Mitigation Policy* does not apply and there is no policy basis to include those receiver's in Table 1 of the development consent. As a result, the Department considers that proposed condition 20A is not appropriate.

2. Mine Closure Planning

Singleton Shire Council (Council) has recommended that the Commission consider a new condition of consent requiring the development of a Final Land Use Strategy as Glendell Mine is within five years of mine closure.

The Department notes that Glendell Mine is operated as part of the Mount Owen Complex (Complex), which includes the Mount Owen Mine, Glendell Mine and Ravensworth Mine. Managing these three mines as a Complex provides operational efficiencies and improved environmental outcomes including more refined and integrated rehabilitation and final landform design.

As a requirement of holding a mining lease, Applicants must prepare a Mine Operations Plan (MOP) which must be approved by the Resources Regulator and is then used to monitor the progress of mining and rehabilitation activities across the life of a mine. The Department understands that on 20 December 2019, the Resources Regulator approved the Complex MOP for 1 January 2020 to 30 June 2024 (ie up until closure of Glendell Mine). A copy of the MOP is available on the Complex website using the following link: <https://www.mtowencomplex.com.au/en/environment/PlansPrograms/Mt%20Owen%20MOP%202020.pdf>.

The Department is aware that Glencore intends to start detailed mine closure planning within two years of Glendell Mine's closure (this is detailed in the MOP), however Glencore notes that this date is currently uncertain due to the State significant development application for the Glendell Continued Operations Project, which the Department is separately assessing.

Under existing conditions of consent for Glendell Mine (DA 80/952), Glencore is required to prepare and implement a Landscape Management Plan that includes a Rehabilitation and Offset Management Plan, Final Void Management Plan and Mine Closure Plan. Existing conditions of consent allow Glencore to combine management plans and strategies, which includes management plans relating to Complex rehabilitation and mine closure, and the Landscape Management Plan is now addressed through two Complex management plans, the MOP and the Biodiversity and Offset Management Plan.

A standalone Landscape Management Plan (including a Mine Closure Plan and Final Void Plan) was last approved for Glendell Mine by the Department in 2014, prior to being combined with other Complex wide management plans.

Existing conditions of consent for Glendell Mine require management plans to be reviewed and updated within three months of a modification. Therefore, Glencore would be required to review and update the MOP (and other relevant management plans) should the modification be approved.

The Department notes that it is generally accepted that detailed mine closure planning would occur within five years of scheduled closure and agrees with Council's comments that should this modification be approved Glencore must provide a more detailed mine closure plan for Glendell Mine, regardless of the proposed Glendell Continued Operations Project.

Furthermore, the Mount Owen development consent was recently modified and now includes updated conditions that relate to Complex rehabilitation and mine closure planning, which includes a Rehabilitation Strategy (condition 43, Schedule 3 of SSD 5850) which must:

- describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure;
- investigate opportunities to refine and improve the final landform and final void outcomes over time;
- include a risks and opportunities assessment and risk register; and
- include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes.

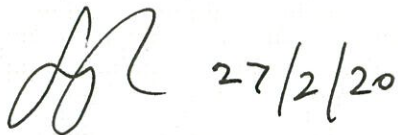
The Rehabilitation Strategy is also available on the Complex website using the following link: <https://www.mtowancomplex.com.au/en/environment/PlansPrograms/MGO%20Rehabilitation%20Strategy.pdf>

Given the above, it is the Department's view that the existing conditions of consent for rehabilitation and mine closure planning for the Complex are comprehensive and any additional conditions, such as the one proposed by Council, would duplicate existing requirements.

Council is required to be consulted on any revisions to the relevant management plans. The Department considers that Council's advice would be considered in subsequent revisions of the relevant plans should the proposed modification be approved.

If you have any further questions, please contact me, at the Department of Planning, Industry and Environment on [REDACTED] or at stephen.donoghue@planning.nsw.gov.au.

Yours sincerely

Handwritten signature of Stephen O'Donoghue and the date 27/2/20.

Stephen O'Donoghue
Director
Resource Assessments

Attachment A

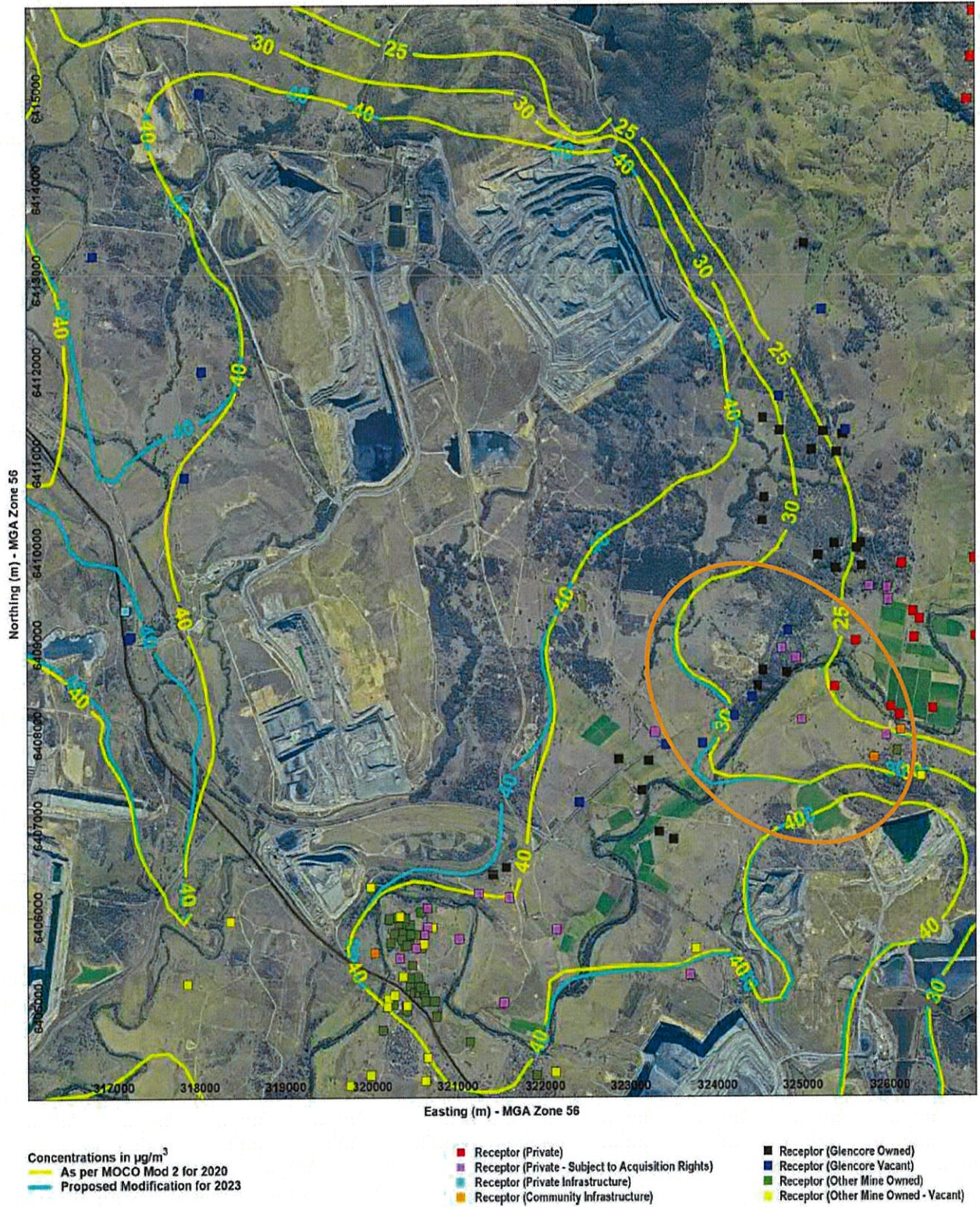


Figure 1: Predicted cumulative annual average PM_{10} concentrations for Year 2023. Orange ellipse shows receivers located between the $25 \mu\text{g}/\text{m}^3$ and $30 \mu\text{g}/\text{m}^3$ PM_{10} contour.