

**DURALIE COAL PTY LTD**

ABN 81 070 318 259

NEWSLETTER

FOR DURALIE COAL MINE COMMUNITY CONSULTATIVE COMMITTEE

Background

Duralie Coal Pty Ltd (DCPL) is seeking approval from the NSW Minister for Planning to modify the existing Duralie Coal Mine (DCM) Development Consent in order to extend the open cut northwards to achieve the total coal recovery allowable under the current consent.

It was advised at the previous Community Consultative Committee in May that this application was to be made under Section 96(2) of the *Environmental Planning & Assessment Act, 1979 - EP&A Act*. However DCPL now advises that this same modification has been submitted under Section 75W of the EP&A Act. This change addresses the approval process requirements recently clarified by DCPL. Despite this change, the opportunity for public participation in the process will remain, with a public exhibition period retained as a component of the Section 75W process.

Key components of the modified DCM remain unchanged from those advised previously. These include:

- No change to the currently approved rate of ROM coal production;
- No change to the currently approved total ROM coal to be mined over the life-of-mine;
- No change to the currently approved nine year life of the mine;
- Extension of the open pit to the north;
- An increase in the annual rate of overburden production and, consequently, the total overburden to be mined over the life of mine;
- Continuation of employment for the current 90 employees;
- No change to the current rail loading, number of train movements per day and the hours of train movements; and
- A change to the area of irrigation on DCPL owned land within the Mining Lease.

The proposed modified open pit is within the original Development Application area and Mining Lease ML1427 and is wholly located on land owned by DCPL.

DURALIE COAL MINE

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Enquiries

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Status of Approval Process

DCPL has applied to modify the Development Consent with the DoP under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The application is accompanied by an Environmental Assessment (EA). The purpose of the (EA) is to assess the proposed modification of the existing DCM.

As for the previous process under Section 96(2), it is anticipated that the DoP will place the EA on public exhibition. DCPL will also provide a copy of the EA to Community Consultative Committee members. Local residents and other interested members of the public will be invited to review the EA during the public exhibition period. If members of the public would like to make a submission for consideration during the DoP assessment of the proposal, they will have the opportunity to do so.

Following the public exhibition period, the DoP will consider submissions from the public and regulatory authorities before making their decision as to whether the modification will be approved. The DoP may also apply specific conditions that they consider are required to regulate or monitor the modification.

Integration with Other Development Planning

The proposed modification will enable maintenance of ROM coal production rates at the DCM. In addition to this modification application, an application under Part 3A of the EP&A Act for a 12 year extension of the DCM mine life and mining of areas to the north and west of the currently approved DCM has been made. The Director-General's Requirements for this application were issued to DCPL on the 28 December 2008 and will be subject to a separate public exhibition and approval process under Part 3A of the EP&A Act. The Environmental Assessment to accompany this application is expected to be exhibited in the first quarter of 2010.

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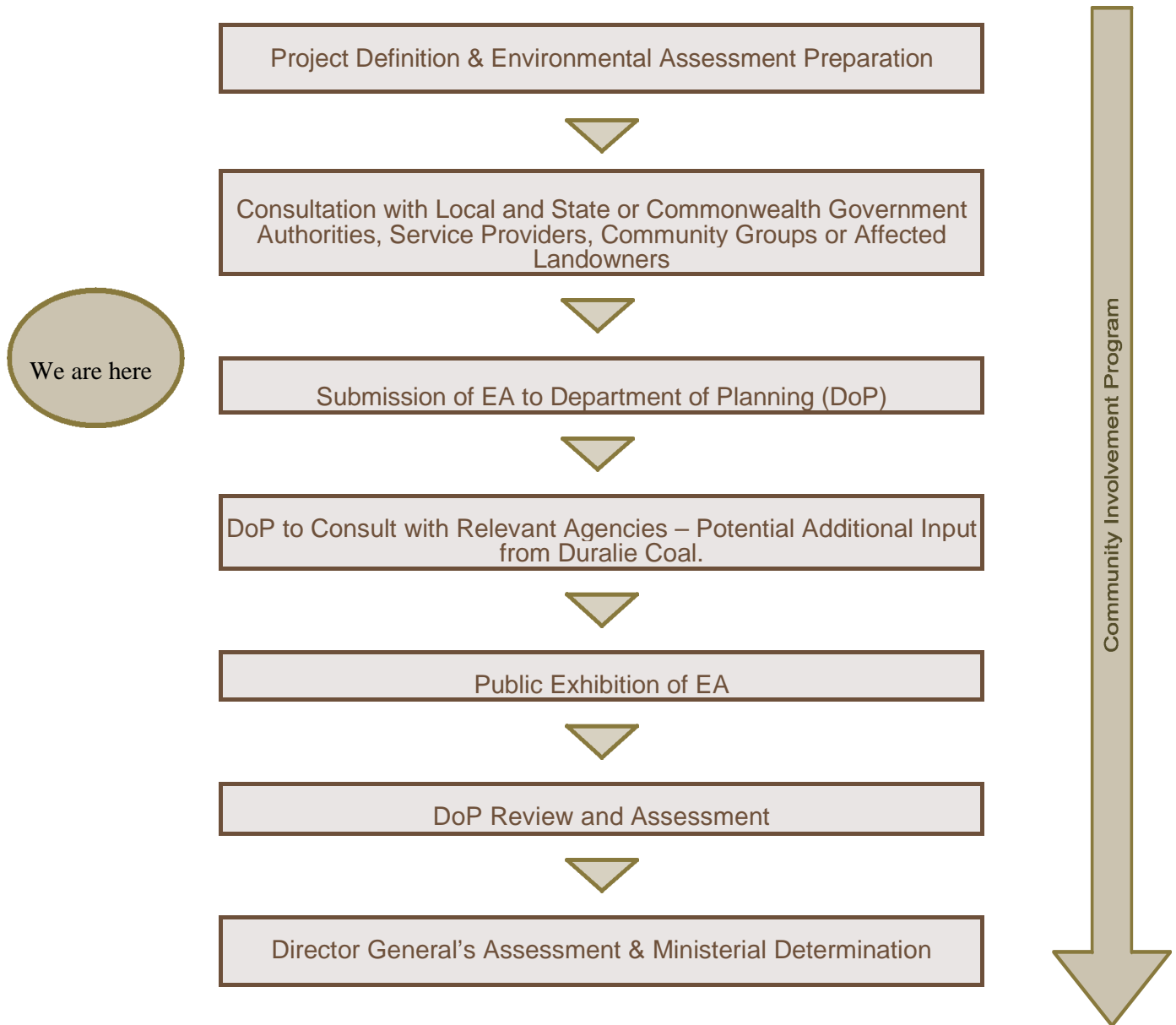
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Proposed Section 75W (EP&A Act) Development Consent Modification

Consultation and Approval Process



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