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COMPLETION OF MINING ACTIVITIES

DEVELOPMENT CONSENT 26.3.1975

- C1. On completion of mining activities the site shall be left safe, clean and tidy to the satisfaction of Council and including the following requirements:
- C2. (i) Where required by Council all buildings shall be either removed or satisfactorily covered;
- C3. (ii) The site shall be so treated that all batters are at a safe angle of repose;
- C4. (iii) Exclusive only of sealed access roads, the surface area shall be satisfactorily graded, top-dressed to a depth of not less than 6" (152mm) and established with approved trees and grasses;
- C5. (iv) The mine shaft shall be sealed in a substantial manner with adequate provision for drainage of the mine.

C6. LEASE

Upon abandonment of operations on the subject area or upon the expiry or sooner determination of this concession or authorisation as the case may be or any renewal thereof the holder shall cause the top of every shaft to be sealed to the satisfaction of the Minister for Mines. Provided however that the Minister may, in circumstances he considers appropriate, require any shaft to be fenced in lieu of being sealed.

18 (xi) Upon abandonment of operations on any site, the holder shall batter the sides of each excavation opened up or used by the holder to a safe low angle and all such excavations shall be effectively drained to the satisfaction of the Minister for Mines.

(xii) The holder shall ensure that run off from any disturbed area including the overflow from any depression or ponded area is discharged in such a manner that it will not cause erosion.

(xiii) If so directed by the Minister for Mines the holder shall plant or sow such grasses, shrubs or trees in the replaced surface material as may be considered necessary by the Minister to control erosion.

(xiv) Work executed under the above conditions 18 (xi) (xii) and (xiii) to be completed before termination of the concession or authorisation as the case may be to the satisfaction of the Metropolitan Water, Sewerage and Drainage Board.

DESIGN/PLANNING

DP1 DEVELOPMENT CONSENT 26.3.1975

- 1 (c) The Company shall strictly comply with all plans presented to Council unless an amendment to those plans has been specifically approved in writing by Council.

DP2 1 (d) The Company shall submit further building applications in respect of buildings and structures, giving detailed information concerning dimensions, architectural treatment and building materials when such information becomes available.

DP3 J.C.B. APPROVAL 8.5.1975

- 1 The proposal is to be carried out generally in accordance with the particulars furnished with and forming part of the application.

DP4 J.C.B. letter (with approval) 8.5.1975

"The Board has considered the information supplied concerning this application and has approved the Complex in principle. At this stage it has formally consented to the commencement of the Tahmoor East Colliery, now presumably to be known as Bargo River East Colliery. When your group is ready to commence driving the entries to the second colliery a further application should be made. Provided the plans for the second colliery are then not different from the particulars already furnished a formal application should suffice".

DP5 Bargo Bridge Road Site

- 3 (c) No building or structure being located within 75 metres of the property boundary;

Clutha's letter 16.4.75

The Company is now purchasing the property adjoining Lot 1, Nattai Street, namely Lot 2, and wishes to site its works centrally within Lots 1 and 2, but close to the southern boundary of these lots, so as to take full advantage of the tree cover which already exists in these parts of the blocks. A preliminary plan is enclosed and since this sites our works at the greatest distance from all nearby houses, I would ask for your approval in principle.

Council's letter dated 19th May, 1975

That the preliminary plan be approved in principle, subject to submission of further details at the appropriate time.

Rockford Road Site

DP6 4 (a) No building or structure being located within 75m of the property boundary.

DP6

Rockford Road Site

Clutha's letter 16.4.75

- 4 (a) Compliance with condition (c) of Report 75/43 fits the initial plans provided by the Company for its work upon this site. However, in the subsequent discussion and inspections the Company suggested that it should locate its winder tower in a direct line with some trees on Mrs. Lees property which shield her house, thus making the Company installation a little less obvious from her dwelling. The Company would therefore, like to discuss this particular condition so that the best overall arrangement can be agreed upon.

Council's letter dated 19th May, 1975.

That the matter be further discussed upon request.

DP7

Bargo Bridge Road Site

- 3 (e) The Company discussing with Council the possible use of surplus lands fronting Nattai Street as a recreation reserve.

DP8

- 3 (j) It being understood by the Company that Council will not approve any additional facilities on the site over and above those already proposed.

DP9

Rockford Road Site

- 3 (j) It being understood by the Company that Council will not approve any additional facilities on the site over and above those already proposed.

DP10

- 4 (d) The Company ensuring that no damage whatsoever is inflicted upon Warrabunda Reserve and the "Mermaid's Pool" as a result of the operations of itself or its contractors.

DP11

Central Services Site

- 2 (g) Submission and approval by Council of detailed plans for the emergency coal stockpile.

DUST CONTROL

DU.1 DEVELOPMENT CONSENT

Condition as outlined in Wollondilly Shire Council's letter of the 26th March, 1975.

5. Downcast Shaft - Stratford Road, Tahmoor

(d) Regular watering during the shaft sinking and equipment operation, of any shale road.

S.P.C.C. - CLEAN AIR ACT APPROVAL - C.S.S.

Conditions as outlined in the S.P.C.C. letter of the 18th June, 1975.

DU.2 The external drift conveyor and transfer building, the inclined external coal transfer conveyor, the 3 x 2000 tonne coal storage bins and the cross coal conveyor at the top of these bins shall be totally enclosed with sheeting as shown on detail on drawing No. A2/1665.

DU.3 A bund shall be constructed beneath the 3 x 2,000 tonne coal storage bins to contain any coal spillage during the rail truck loading operation. Within the bund area, a cellar or sump under a false steel mesh or girder floor shall be constructed so as to allow any coal spillage from rail trucks during the filling operation to fall through the mesh into the sump.

The sump mentioned in condition 2 above shall be provided with an inclined ramp and shall be of such dimensions as to allow a front end loader to run down the ramp when required to clean up the accumulated spillage and to load this into rail trucks for despatch.

DU.4 A fully automatic and effective waterspray system shall be installed in the 20,000 tonne emergency stockpile area to maintain an effective dampening of the entire coal surface to a minimum depth of 10 cms. Details of the system are to be submitted to the Commission before any installation is commenced.

A reliable warning system shall be installed to operate on a 24 hour per day, 7 day per week basis to ensure that watersprays on the stockpile are operated as early as possible before weather changes likely to be accompanied by strong winds, and in any case, whenever the wind velocity rises above 10 metres per second in dry weather.

DU.5 Effective waterspray systems shall be installed at each conveyor transfer point external to the drift portal and around the bottom discharge gate of each 2,000 tonne coal storage bin. The operation of all watersprays shall be automatically controlled.

DU.6 The main internal access roadway from the property entrance on the Hume Highway to the rail truck loading area beneath the 3 x 2,000 tonne coal storage bins, the car parking area, and all internal access roadways connecting to other facilities at the central services site shall be permanently sealed with bitumen or its equivalent and kept clean and free from dust at all times.

LANDSCAPING

L1 INTERIM DEVELOPMENT ORDER NO. 7

Conditions as outlined in the New South Wales Planning and Environment Commission's letter dated 19th August, 1975 and 7th October, 1975.

Central Services Site

The land surrounding the buildings and any parking areas established on the site shall be landscaped and that landscaping shall be maintained, to the satisfaction of the Council.

L2 Interim development shall only be carried out on any land which is within 30 metres of the western boundary of the main southern railway or the proposed new alignment of the Hume Highway for the purposes of landscaping, railway lines and vehicular access.

L3 DEVELOPMENT CONSENT 26.3.1975

2 (b) Central Services Site

Submission and approval by Council of a detailed landscaping plan.

L4 3 (a) Bargo Bridge Road Site

Submission and approval by Council of a detailed landscaping plan.

L5 4 (f) Rockford Road Site

Submission and approval by Council of a detailed landscaping plan.

L6 Bargo Bridge Road Site

3 (e) The Company discussing with Council the possible use of surplus lands fronting Nattai Street as a recreation reserve.

LIGHTING

DEVELOPMENT CONSENT 26.3.75

Li1 1 (h) During construction operations at night, blasting shall be prohibited and flood-lighting restricted to an absolute minimum. The Company or its Contractors shall comply immediately with any stop-work notices issued by Council.

Bargo Bridge Road Site

Li2 3 (d) Outdoor lighting being restricted to 4.5 metre street standards.

Rockford Road Site

Li3 3 (d) Outdoor lighting being restricted to 4.5 metre street standards.

Stratford Road Site

Li4 5 (f) Floodlighting of the site being kept to an absolute minimum.

MINE WORKINGLEASE

Coal Lease Application No. 354 Picton dated 8th September, 1975 for 21 years.

Methods of Working

M.W.1. The holder shall extract as large a percentage of the coal in the subject area as is possible consistent with safety. Provided that if any question shall arise as to whether a greater amount of the coal has been left unworked than is necessary the matter shall be decided by the Minister for Mines whose decision shall be final.

The holder shall not carry out mining operations on the subject area by means of the longwall system unless with the approval of the Minister for Mines first had and obtained and subject to such conditions as he may impose.

Where the bord-and-pillar system of working is used the following provisions shall have effect:

- (a) The percentage of coal to be left in the pillars during construction of the bords, cut-throughs, headings or other workings shall be -
 - (iv) not less than seventy per centum nor more than eighty-five per centum where the depth of the seam from the surface exceeds three hundred metres but does not exceed six hundred metres.
- (b) The width of the pillars shall be -
 - (iv) not less than twenty-four metres where the depth from the surface exceeds three hundred metres.
- (c) The bords, headings and cut-throughs shall not exceed five and one-half (5.5) metres in width.
- (d) Where the seam being worked exceeds five metres in thickness, the coal shall not be extracted to a height greater than four metres except with the consent of the Minister.
- (e) The Minister may approve or order a variation in the size of bords, cut-throughs, headings and pillars. Any such approval or order may be subject to such conditions as the Minister may impose.
- (f) Pillars shall not be removed except with the approval in writing of the Minister and subject to such conditions as he may impose.

M.W.2 4. The Minister may by notice in writing served on the holder revoke such consent or may, in the same manner, vary it as he may think fit.

M.W.3 (i) Before commencing to win or work the coal under the ocean or under any river, lake, estuary, or tidal-waters, the holder shall notify the

- M.W.3 (cont.) Chief Inspector of Coal Mines of his intention so to do and shall submit a plan of the system whereby such coal is proposed to be won or worked and shall obtain the written approval of the said Chief Inspector of such system. No such coal shall be won or worked except in accordance with the system approved in writing by the said Chief Inspector as altered added to omitted from as hereinafter provided. In connection with every such submission the holder shall do such acts and furnish such information as the Chief Inspector may require. The Chief Inspector may at any time cancel any approval to a system and may from time to time alter omit from or add to any system approved by him.
- (ii) All headings and bords shall be driven by plumb lines.
 - (iii) All coal workings shall be accurately surveyed every three calendar months. The plan thereof shall be available for the inspection of any officer of the Department of Mines, Sydney and shall show the area worked out during the previous three calendar months and shall have indicated thereon by some distinctive colour every year's workings. The dates of every such survey shall be noted on the plan.
 - (iv) The colliery plans shall contain a faithful and accurate record of all fissures, washouts, open joints, faults, dykes and occurrences that are met with in the mine and the workings shall be delineated thereon as they are and not as they are intended to be.
 - (v) A system of horizontal advance boreholes shall be maintained ahead of any development workings to the satisfaction of the Chief Inspector of Coal Mines and subject to such conditions as may be required by the said Chief Inspector.
 - (vi) The holder shall on discovering a fissure, washout, open joint, fault, or dyke in a bore or otherwise at the face or side of the leading headings or levels take all necessary precautions against possible danger before opening up such heading or level by the drive. The Chief Inspector of Coal Mines may require the holder to leave coal unworked next to fissures, washouts, open joints, faults or dykes wherever he may consider it necessary.
 - (vii) In addition to the facilities provided for the escape of the employees by the shafts or tunnels the said Chief Inspector may require the holder to provide additional facilities from time to time as an additional precaution for the safety of the employees. In no case shall the coal under the ocean or under any river, lake, estuary or tidal-waters be won or worked until after a large goaf has if possible been made by extensive workings under the land.

M.W.3 (cont.)

(viii) The most complete accurate and trustworthy information shall be obtained at all times by the holder and made available on request to any officer of the Department of Mines aforesaid of the depth of water of the ocean, river, lake, estuary or tidal-waters and of the depth and character of the bed of the same and the deposit thereon (if any) and of the strata lying between the coal seam and the bed of the ocean, river, lake, estuary or tidal-waters. When working under the ocean or under any river, lake, estuary, or tidal-waters the strata shall be bored through and proved a minimum thickness of ten (10) metres at the face of the leading headings or levels immediately such headings or levels are under the ocean or under any river, lake, estuary or tidal-waters and after the first borehole has been completed other boreholes shall be so put up on advance of it at the face of the headings or levels at distances not exceeding twenty (20) metres unless the thickness of the strata between the seam being worked and the bed of the ocean river lake estuary or tidal-waters has previously been determined by methods approved in writing by the Chief Inspector.

(ix) In all workings under the ocean or under any river lake estuary or tidal-waters no coal shall be won or worked with less than forty (40) metres of good sound strata between the bed of the ocean river lake estuary or tidal-waters and the coal seam and it shall be the duty of the holder to ensure that the said thickness of cover is at no time diminished and it shall lie on the holder to prove that the said thickness of cover has at all times been maintained.

M.W.4 7 The holder shall not mine for work win or remove any coal from that part of the subject area shown as a barrier 20.12 metres wide on the said plan. Provided however that the Minister for Mines may grant permission, subject to such conditions as the Minister considers necessary, to work such barrier.

M.W.5 9 The holder shall not mine for work win or remove any coal within a distance of forty metres of any underground workings underlying or adjoining the subject area. Provided however that the Minister for Mines may grant permission, subject to such conditions as the Minister considers necessary, to work within such distance.

M.W.6 11 The holder shall not work or caused to be worked any seam of coal within the subject area without leaving, if the Minister for Mines, by order, given in writing to the holder, so directs, a protective pillar of such size as is specified in the order, against surface improvements and any feature whether natural or artificial.

MISCELLANEOUS

Conditions as outlined in Council's letter dated 26th March, 1975.

MISC 1 FIRE BREAKSGeneral

The Company shall consult with Council's Bush Fire Committee concerning the appropriate fire control measures, and shall take whatever steps the Committee may require to implement such measures.

MISC 2 FIRE BREAKSCentral Service Site

- 2 (k) Construction and maintenance of a standard firebreak around the whole boundary of the property.

MISC 3 Rockford Road

- 4 (g) Construction and maintenance of a standard firebreak around the whole boundary of the property.

MISC 4 SANDSTONE

Excess standstone from the shaft excavation to be stockpiled at the sites to be determined for Council use.

MISC 5 POWER TRANSMISSION LINENo. 2 Shaft Site

Clearing of power transmission line from Central Service Site. This includes the complete removal of stumps and timber to the satisfaction of the Council. Inspection by Council required.

NOISE

DEVELOPMENT CONSENT 26.3.75

Conditions as outlined in Wollondilly Shire Council's letter of the 26th March, 1977.

- N1. 1 (b) The Company shall ensure that background noise levels in the vicinity of its operational sites, attributable either wholly or in part to its operations, shall not exceed 20dBA at the nearest existing dwelling. This requirement shall not apply to noise caused by construction work or road transport operations, if levels in excess of the 20dBA are considered by Council to be unavoidable.

Clutha's letter to Council 16.4.75

- 1 (b) The working of this condition could possibly be subject to different interpretations. On the one hand, it could be read as requiring that the increase in noise due to this Company's operations will not exceed 20 dBA at the nearest existing dwellings, this we could readily comply with.

Alternatively, it could be read to mean that the total noise caused by the Company's operations measured at the nearest existing dwellings will not exceed 20 dBA. We consider this to be unrealistic because this level of noise could never be measured within the greater background of noise already existing.

Reference to the Australian Standard No. 1055-1973 "Noise Assessment in Residential Areas" suggests that the calculated acceptable noise levels for the sites involved would lie in the ranges:-

Rockford Road site, Nattai Street site,		
Stratford Road site	-	30-45 dBA
Central Services site	-	45-60 dBA

These ranges are most probably the level of background noise now existing at these sites.

The recent Noise Control Act of 1975 will give the Council wide powers, with respect to any noise which this Company might create, and will thus allow adequate protection to local residents.

The Company therefore, believes that the basis for present conditions on noise should be the use of the Australian Standard No. 1055-1973 quoted above, and considers that it could comply with the standards established by that document at the nearest existing dwelling to its permanent operations, although some excess might occur at times during the construction phase.

The Company would also like to measure the existing noise levels at the appropriate dwellings and, in due course, would request the assistance of a Council Officer to allow this to be done.

Verbal communication thereafter - "To be left to the determination of the S.P.C.C. and the Noise Control Act".

- N2. 1 (h) During construction operations at night, blasting shall be prohibited.

Clutha's reply 16.4.1975

It is understood, that during construction operations at the surface, blasting should be prohibited at night and flood lighting restricted to an absolute minimum. I should point out however, that it will be necessary for underground excavations of the shafts and drift to take place over a 24 hour period to avoid severe extension of the construction period with its attendant disadvantages to all concerned.

During the operation of sinking a shaft approximately 4 to 5 rounds of shots are fired each week. During each round a series of shot holes are fired using detonators with millisecond delays between, so that the total round is detonated over 1 to 1½ seconds. No air blast occurs in these circumstances and little noise at the surface. The overall effect at the surface is thus a dull rumble lasting 1 - 1½ seconds, which is less noticeable than the passing of a truck along a nearby road.

In the case of the drift some 10 to 12 rounds of shot holes are fired each week with a similar but reduced effect at the surface. It is impossible for us to avoid the occasional rounds of shots during the night, but the effects are very slight.

Council's reply dated 19th May, 1975.

That occasional underground blasting at night be permitted.

- N3. 5 (a) Noise levels from the temporary fan not exceeding 20dBA at the nearest existing house. (See reply to N1).
- N4. 5 (e) Blasting being prohibited during shaft-sinking operations at night, unless specifically approved in writing by Council or the responsible Senior Officer.

Refer Council's letter dated 19th May, 1975 - "occasional underground blasting at night be permitted".

ROADSLEASE

Restrictions listed in Coal Lease No. 354 Picton dated 8th September, 1975.

- R.1 15 (A) The holder shall pay to Wollondilly Shire Council, Department of Lands or the Commissioner for Main Roads, the cost incurred by such Council or Department or Commissioner of making good any damage caused by operations carried on by or under the authority of the holder or any person claiming through or under the holder to any road -
- (i) shown on the said plan as;
 - (ii) adjoining the surface or the excepted surface as the case may be of the subject area;
 - (iii) traversing the surface or the excepted surface as the case may be of the subject area;
- (C) AND THE HOLDER HEREBY COVENANTS with the said Council that the holder will pay to the said Council the cost incurred by the said Council of making good any such damage caused as aforesaid and the holder hereby covenants with the Commissioner that the holder will pay to the said Commissioner the cost incurred by the said Commissioner of making good any such damage caused as aforesaid.
- (D) AND IT IS HEREBY AGREED AND DECLARED that the amount to be paid by the holder under the provisions of this condition shall include in addition to the cost of all necessary labour and materials all costs and expenses reasonably incurred in and about the making of surveys the preparation of plans and specifications and estimates the supervision and inspection of the works and all administrative and overhead costs and expenses of the Council or the Department of Lands or the Commissioner for Main Roads as the case may be related or attributable to the works undertaken to make good any damage caused to any road. A certificate under the hand of the Town or Shire Clerk of the said Council or the Under Secretary for Lands or the Commissioner for Main Roads or the person for the time being acting as such Clerk, Under Secretary or Commissioner as to the amount of the cost of making good any damage to any road shall in all respects and for all purposes be conclusive evidence of the amount of such cost and of the due determination thereof PROVIDED HOWEVER, that the amount to be paid by the holder as aforesaid shall be reduced by such sum of money if any as may be paid to the said Council the Department of Lands or the Commissioner for Main Roads as the case may be from the Mine Subsidence Compensation Fund constituted under the Mine Subsidence Compensation Act, 1961, in settlement of a claim for compensation for the same damage.
- R.2 16 In the event of operations being conducted on the surface of any road traversing the subject area or in the event of surface operations causing damage to or interference with such road the holder, at his own expense, shall provide to the satisfaction of the Minister for Mines an alternate road in a position as required by the Chief Inspector of Coal Mines and shall allow free and uninterrupted access along such alternate road and, if required so to do by the Minister, the holder shall upon completion of operations rehabilitate the surface of the original road to a condition

R.2 16 (cont.)

satisfactory to the Minister.

DEVELOPMENT CONSENT

Restrictions and Conditions as stated in Council's letter dated 26th March, 1975.

2. Coal Mine Central Service Site

R.3 (c) Construction of the proposed parking area and access road to Council's normal sealed standard, to the satisfaction of the Shire Engineer.

R.4 (d) Approval of the proposed access to the Hume Highway by the Department of Main Roads and Police Traffic Branch.

3. Man Access Shaft; Upcast Ventilation Shaft, etc., Bargo Bridge Road, Couridjah

R.5 3 (a) Construction of the proposed parking area and access road to Council's normal sealed standard, to the satisfaction of the Shire Engineer.

R.6 3 (f) Access to the colliery facilities being limited to Bargo River Road at all times.

R.7 3 (g) The strengthening, at the Company's expense, of bridges and other structures along Bargo River Road prior to the road's use by heavy construction equipment, to the satisfaction of the Shire Engineer.

R.8 3 (h) Prior to the commencement of normal mining operations, and at the Company's expense, the repair, widening and where necessary realignment of Bargo River Road to a 6 metre/80 kmh standard, to the satisfaction of the Shire Engineer, and the resurfacing of the road with bitumenous plant-mix.

Clutha's letter dated 16.4.1975

The Company is in general agreement with these conditions, but would like confirmation that the part of Bargo River Road referred to, is that stretch from the Hume Highway to the entrance to the Company's property. The Company accepts that the road should be widened and raised to a higher standard. It believes that it might well be desirable to replace the initial section from the highway by a more direct route, thus removing present severe bends, but considers that in view of the fact that this is a benefit to many other road users, the Council should make some contribution to the cost - possibly 20%. The Company also believes that the requirement to resurface the road with bituminous plan/mix is not warranted by either the traffic density or axle loadings of the Company's traffic. It believes that any heavy traffic using the road during the construction phase will do little damage and that any noise differential caused by the different surface is negligible. It therefore, proposes that a two coat hot seal be used and believes that this will provide an excellent life in the circumstances.

4. Man-access Shaft; Upcast Ventilation Shaft etc. Rockford Road, Tahmoor

R.9 Construction of the proposed parking area and access

- R.9 (cont.) road to Council's normal sealed standard, to the satisfaction of the Shire Engineer.
- R.10 4 (b) The strengthening, at the Company's expense, of bridges and other structures along Rockford Road, prior to the use of the road by heavy construction equipment.
- R.11 4 (c) Prior to the commencement of normal mining operations and at the Company's expense, the repair, widening and where necessary realignment of Rockford Road to a 6 metre 80 kmh standard, to the satisfaction of the Shire Engineer, and the resurfacing of the road with bitumenous plant-mix.

R.12 Downcast Shaft - Stratford Road, Tahmoor

Extension of Stratford Road to the full frontage of the shaft site, and the road's construction throughout to Council's normal shale standards, to the satisfaction of the Shire Engineer, prior to the commencement of construction work at the shaft.

Central Services Site

R.13 Interim Development Order No. 7

3. (b) One access point designed and constructed generally in accordance with the plan marked "Department of Main Roads, New South Wales, State Highway No. 2, Hume Highway, Shire of Wollondilly, proposed junction north of Bargo for the Bargo River Colliery Complex" and bearing a reference to File No. 496,5351, prepared by the Department of Main Roads and submitted to the Council and to the Commission, shall be provided by the applicant and no other access to or from the Hume Highway shall be permitted.

- R.14 3 (d) There shall be provided at least two car parking spaces for each three employees proposed to be employed, on the site.
- R.15 3 (e) Not less than 30 metres of the entrance driveway shall be dedicated as a public road.

R.16 S.P.C.C. 8.6.75 - Clean Air Approval.

9. The main internal access roadway from the property entrance on the Hume Highway to the rail truck loading area beneath the 3 x 2,000 tonne coal storage bins, the car parking area, and all internal access roadways connecting to other facilities at the central services site shall be permanently sealed with bitumen or its equivalent and kept clean and free from dust at all times.

TRAFFIC

T1 S.P.C.C. - CLEAN AIR ACT APPROVAL - C.S.S. Letter of 18th June, 1975.

8. All run-of-mine coal shall be transported from the site by rail immediately on commissioning the mine or aboveground plant.

T2 INTERIM DEVELOPMENT ORDER NO. 7 - SHIRE OF WOLLONDILLY - CONSENT.

Planning & Environment Commission's letters 19th August, 1975, 7th October, 1975.

- 3 (a) Raw coal won from the site shall be removed from the site by rail only.

T3 DEVELOPMENT CONSENT - 26.3.1975

- 1 (a) The Company confirming the verbal advice of their Chief General Manager that all coal from the outset will be taken from the Central Site by rail transport.

CLUTHA DEVELOPMENT REPLY - 16.4.1975

- 1 (a) "I am pleased to confirm on behalf of the Company the advice previously given by our Chief General Manager, that all coal from the outset will be taken from the central site by rail transport. During the construction phase, it is necessary for us to drive a very limited roadway in coal from the bottom of the shaft on the Stratford Road site to the bottom of the drift from the central services site. This connects our ventilation circuit and by the completion of this work some 6,000/8,000 tonnes of coal will have been wound up the shaft and must be disposed of from the Stratford Road site. Clearly this can only be done by road truck. This situation is not expected to re-occur at any other time during the construction phase, and we would ask your agreement to this very limited haulage of coal by road."

WATER CONTROLLEASE

Restrictions listed in Coal Lease No. 354 Picton dated 8th September, 1975.

- W.1 (i) The holder shall carry out operations in such a way as to conform strictly to all provisions of the Metropolitan Water, Sewerage and Drainage Act, 1924, as amended, and the by-laws thereunder applying to the prevention of pollution of the (a) Devines Weir Catchment Area or the preservation of the purity of the water supply provided thereby or derived therefrom or for the protection of the property of the Board on the Catchment Area and also to all requirements of the said Board from time to time under the said Act or any of the by-laws for the time being in force.
- (ii) If the holder shall at any time be using or about to use any process which in the opinion of the Metropolitan Water, Sewerage and Drainage Board is likely to pollute the Catchment Area or the water supply or to endanger any property of the said Board on the Catchment Area the holder upon service of a notice in writing under the hand of the Minister for Mines or the Under Secretary for Mines so to do shall (i) discontinue the use of such process within twenty-four (24) hours of (ii) thereafter refrain from adopting such process at any time as the case may require.
- (iv) The holder shall provide and maintain to the satisfaction of the Minister for Mines efficient means to prevent the contamination pollution or siltation of any stream or watercourse or catchment area and shall observe any instruction given or which may be given by the Minister for Mines or the Under Secretary for Mines with a view to preventing or minimising the contamination pollution or siltation of any stream watercourse or catchment area.
- (vi) The holder hereby covenants with Us Our Heirs and Successors and as a separate covenant the holder hereby covenants with the Metropolitan Water, Sewerage and Drainage Board and its Successors that the holder shall at all times hereafter save harmless and keep Us and the said Board and Our Heirs and Successors and the Successors of the said Board indemnified from payment of compensation and from and against all actions proceedings claims and demands in respect of any injury loss or damage arising out of or in any way connected with any interference with or deprivation or loss of access to the land and premises of this concession or authorisation as the case may be which may occur by reason of any works or operations undertaken or carried out by the said Board or arising out of or in any way connected with any discontinuance or alteration of any process consequent upon the service of a notice in pursuance of the provisions of condition (18) (ii) or arising out of or in any way connected with the operation of any by-laws relating to a Catchment Area in force at the date hereof or made by the said Board at any time hereafter and the holder hereby agrees that for the purpose of this condition the said Board shall be deemed to be a party to this concession or authorisation as the case may be.

WATER CONTROLDEVELOPMENT APPROVAL

Conditions as outlined in Wollondilly Shire Council's letter of the 26th March, 1975.

2. Coal Mine Central Services Site

- W.2 Treatment and disposal of stormwater to the satisfaction of the Shire Engineer.
- W.3 The waste water control dam having a designed overflow frequency of no more than once in 10 months.
- W.4 Consultation with Council and if deemed necessary by Council, the Metropolitan Water Sewerage & Drainage Board concerning the supply of drinking water to the site.
- W.5 Treatment and disposal of all effluent from the temporary bathhouse and toilet facilities by means of a "package" sewerage works, to standards set by the State Pollution Control Commission and Health Commission.
- W.6 Treatment and disposal of all effluent and sullage from the permanent toilet and washing facilities by means of a site-disposal septic unit, to the satisfaction of the Shire Health Surveyor.

3. Man-access Shaft; Upcast Ventilation Shaft, etc., Bargo Bridge Road, Couridjah

- W.7 Treatment and disposal of stormwater to the satisfaction of the Shire Engineer.
- W.8 Consultation with Council and if deemed necessary by Council, the Metropolitan Water Sewerage & Drainage Board concerning the supply of drinking water to the site.
- W.9 Treatment and disposal of all effluent and sullage by means of "package" sewerage works, to standards set by State Pollution Control Commission and Health Commission.

4. Rockford Road Site

- W.10 Treatment and disposal of stormwater to the satisfaction of the Shire Engineer.
- W.11 Consultation with Council and if deemed necessary by Council, the Metropolitan Water Sewerage & Drainage Board concerning the supply of drinking water to the site.
- W.12 Treatment and disposal of all effluent and sullage by means of "package" sewerage works, to standards set by State Pollution Control Commission and Health Commission.
- W.13 The discharge of all waste water, stormwater and treated effluent into the Bargo River at a point downstream of "Mermaid's Pool".

DEVELOPMENT APPROVAL (cont.)

W.13 (cont.)

fact that all the Company's effluent will have been treated by a package treatment plant to the requirements of the Clean Water Act, it may be that the Council would prefer to avoid routing a pipe through the reserve and the Company would be pleased to discuss this matter.

W.14

The Company ensuring that no damage whatsoever is inflicted upon Warrabunda Reserve and the 'Mermaid's Pool' as a result of the operations of itself or its contractors.

The Company accepts that no damage whatsoever be inflicted upon Warrabunda Reserve and the Mermaids Pool as a result of the operations of itself or of its contractors. The Company has however, been unable to establish the exact boundaries of this reserve and would be pleased if the Council could provide a plan.

OTHERS

ADVANCE ALL COMMUNICATIONS
TO SHIRE CLERK
BOX 71 PO
PICTON 2571

IN REPLY PLEASE QUOTE
7108/47

REL:EMM

TELEPHONE PICTON 2571



Wollondilly Shire Council

COUNCIL CHAMBERS, PICTON 2571

SEPARATE COMMUNICATIONS
SHOULD BE FORWARDED
RELATIVE TO EACH SUBJECT

26th March, 1975.

D.H. Fawcett, Esq.,
Manager, Engineering & Planning,
Clutha Development Pty. Ltd.,
P.O. Box 12,
NARELLAN, 2567.

Dear Sir,

Proposed Coal Mine and Associated
Facilities

Portions 16, Hume Highway, Bargo, Portion 23
Charlies Point Road, Bargo, Lot 1, D.P.208269
Nattai Street, Tahmoor, Lot 11 D.P. 11928 Bargo
River Road, Couridjah, Portion 441 Rockford Road
Tahmoor, and Lot 13 D.P. 3306, Stratford Road
Tahmoor

I refer again to your application for
the abovementioned development dated 29/1/75.

At its recent meeting, Council resolved
that the application be approved, subject to a number of
conditions. Please find enclosed a certified copy of
pages 18 - 22 of the Minutes of the Ordinary Meeting of
Council held on 20/3/75, in which these conditions are
itemised in full.

Your attention is particularly drawn to
the fact that establishment of the Central Services site
at Portion 16, Hume Highway, Bargo, will require
amendment of Interim Development Order No.7 - Wollondilly
by the Minister for Planning and Environment. Further,
that Council's conditional approval in respect of the
other development sites will not take effect until 20/4/75,
pending examination of your Company's proposal by the
State Pollution Control Commission.

In accordance with Council's usual
policy, you are requested to agree in writing to the
conditions of approval within thirty (30) days of
receiving this letter.

Council looks forward to continuing
close co-operation with your Company in the establishment
of the Bargo River Colliery.

Yours faithfully,

R.I. LOVE
SHIRE CLERK

Enc.

SHIRE OF WOLLONDILLY

Town Planning Committee Report

This Committee wishes to report having met on Thursday, 13th March 1975, for the purpose of giving further consideration to the various Development Applications submitted by Clutha Development Pty. Ltd. and covering their proposed Tahmoor Colliery Complex.

The morning session of the meeting was taken-up by inspections at Appin and Darkes Forest of installations operated by A.I.S. Pty. Ltd. and Coal Cliff Collieries Pty. Ltd. which were the same or similar to that proposed by Clutha Development for their complex.

In the afternoon an inspection was made of the sites in Rockford Road, Stratford Road, Hume Highway and Bargo Bridge-Couridjah Road on which the various installations associated with the complex were to be constructed and operated.

Following the inspections the meeting assembled in the Council Chambers and proceeded to give consideration to the Development Applications lodged by the firm; the Town Planner's Reports thereon; the objections (including a petition) received against the proposals - copies of each objection having been circulated to each member of the Committee - and correspondence received from the State Pollution Control Commission.

As a result of the considerations given the Committee desires to make the following recommendations in respect of each section of the proposed development.

1. General - Report 75/41

That Development Consent be granted to Clutha Development Pty. Ltd. for the construction of a Coal Mine and associated facilities on lands within the Parishes of Couridjah and Bargo subject to the following general conditions in addition to any conditions attached to the development of specified sites:

- a) The Company confirming the verbal advices of their Chief General Manager that all coal from the outset will be taken from the Central site by Rail Transport.
- b) The Company shall ensure that background noise levels in the vicinity of its operational sites, attributable either wholly or in part to its operations, shall not exceed 20dBA at the nearest existing dwelling. This requirement shall not apply to noise caused by construction work or road transport operations, if levels in excess of the 20dBA are considered by Council to be unavoidable.
- c) The Company shall strictly comply with all plans presented to Council unless an amendment to those plans has been specifically approved in writing by Council.
- d) The Company shall submit further Building applications in respect of buildings and structures, giving detailed information concerning dimensions, architectural treatment and building materials, when such information becomes available.

Continued....

This is Page No. 18 of the Minutes of the Ordinary Meeting of Wollondilly Shire Council held on 20th March 1975.

Shire Clerk

President

Alanna Jo

Quinn

SHIRE OF WOLLONDILLY

- 2 -

Town Planning Committee Report - Continued:

1. General - Report 75/41 Continued

- e) The Company shall produce further evidence, supported by the N.S.W. Department of Mines, to satisfy Council that mines subsidence will not be a significant problem, and that the Mines Subsidence Compensation Act provides sufficient security for landowners.
- f) The Company shall consult with Council's Bush Fire Committee concerning the appropriate fire control measures, and shall take whatever steps the Committee may require to implement such measures.
- g) No construction operations shall commence until Council has indicated in writing to the company that it is satisfied in relation to the above matters.
- h) During construction operations at night, blasting shall be prohibited and floodlighting restricted to an absolute minimum. The Company or its Contractors shall comply immediately with any stop-work notices issued by Council.
- i) The Company shall itself obtain all necessary approvals from the other relevant statutory authorities, with the exception of the N.S.W. Planning & Environment Commission and the Minister for Planning and Environment.
- j) The Company shall indemnify the Council from any action, suit, claim or demand arising from any action or thing which it may be permitted or required to do under the terms of this approval.
- k) On completion of mining activities the site shall be left safe, clean and tidy to the satisfaction of Council and including the following requirements:
 - (i) Where required by Council all buildings shall be either removed or satisfactorily covered;
 - (ii) The site shall be so treated that all batters are at a safe angle of repose;
 - (iii) exclusive only of sealed access roads, the surface area shall be satisfactorily graded, top-dressed to a depth of not less than 6" (152mm) and established with approved trees and grasses;
 - (iv) the mine shaft shall be sealed in a substantial manner with adequate provision for drainage of the mine.

2. Coal Mine Central Service Site - Report 75/42

That Development consent for this site be granted subject to the following conditions:

- a) compliance with the conditions adopted following consideration of Town Planner's Report No. 75/41;
- b) submission and approval by Council of a detailed landscaping plan;
- c) construction of the proposed parking area and access road to Council's normal sealed standard, to the satisfaction of the Shire Engineer;
- d) approval of the proposed access to the Hume Highway by the Department of Main Roads and Police Traffic Branch;

Continued....

This is Page No. 19 of the Minutes of the Ordinary Meeting of Wollondilly Shire Council held on 20th March 1975.

Shire Clerk

President

SHIRE OF WOLLONDILLY

- 3 -

Town Planning Committee Report - Continued

2. Coal Mine Central Service Site - Report 75/42 Continued

- e) treatment and disposal of stormwater to the satisfaction of the Shire Engineer;
- f) the wastewater control dam having a designed overflow frequency of no more than once in 10 months;
- g) submission and approval by Council of detailed plans for the emergency coal stockpile;
- h) consultation with Council and if deemed necessary by Council, the Metropolitan Water Sewerage & Drainage Board concerning the supply of drinking water to the site;
- i) treatment and disposal of all effluent from the temporary bath-house and toilet facilities by means of a 'package' sewerage works, to standards set by the State Pollution Control Commission and Health Commission;
- j) treatment and disposal of all effluent and sullage from the permanent toilet and washing facilities by means of a site-disposal septic unit, to the satisfaction of the Shire Health Surveyor;
- k) construction and maintenance of a standard firebreak around the whole boundary of the property;
- l) the name of the project being changed to that of "Bargo River Mine".

3. Man-access Shaft; Upcast Ventilation Shaft, etc., Bargo Bridge Road, Couridjah - Report 75/43

That Development consent for this application be granted subject to the following conditions;

- a) compliance with conditions (a), (b), (c), (e) and (h) recommended in Report 75/42;
- b) submission of additional evidence to satisfy Council that no alternative site could be obtained in a less populous area;
- c) no building or structure being located within 75 metres of the property boundary;
- d) outdoor lighting being restricted to 4.5 metre street standards;
- e) the Company, discussing with Council the possible use of surplus lands fronting Nattai Street as a recreation reserve;
- f) access to the colliery facilities being limited to Bargo River Road at all times;
- g) the strengthening, at the Company's expense, of bridges and other structures along Bargo River Road prior to the road's use by heavy construction equipment, to the satisfaction of the Shire Engineer;
- h) prior to the commencement of normal mining operations, and at the Company's expense, the repair, widening and where necessary realignment of Bargo River Road to a 6 metre/80 kmh standard, to the satisfaction of the Shire Engineer, and the resurfacing of the road with bituminous plant-mix;

Continued....

This is Page No. 20 of the Minutes of the Ordinary Meeting of Wollondilly Shire Council held on 20th March 1975.

Shire Clerk

President

Thomas P.

J. J. J.

Town Planning Committee Report - Continued:

3. Man-access Shaft; Upcast Ventilation Shaft, etc., Bargo Bridge Road, Curdigh - Report 75/43 Continued

- i) treatment and disposal of all effluent and sullage by means of 'package' sewerage works, to standards set by State Pollution Control Commission and Health Commission;
- j) it being understood by the Company that Council will not approve any additional facilities on the site over and above those already proposed.

4. Man-access Shaft; Upcast Ventilation Shaft, etc., - Rockford Road, Tahmoor - Report 75/44

That Development consent for this application be granted subject to the following conditions:

- a) compliance with conditions (a), (c), (d), (i) and (j) recommended in Report 75/43;
- b) the strengthening, at the Company's expense, of bridges and other structures along Rockford Road, prior to the use of the road by heavy construction equipment;
- c) prior to the commencement of normal mining operations and at the Company's expense, the repair, widening and where necessary realignment of Rockford Road to a 6 metre 80 kmh standard, to the satisfaction of the Shire Engineer, and the resurfacing of the road with bituminous plant-mix;
- d) the Company ensuring that no damage whatsoever is inflicted upon Warrabunda Reserve and the "Mermaid's Pool" as a result of the operations of itself or its contractors;
- e) the discharge of all wastewater, stormwater and treated effluent into the Bargo River at a point downstream of "Mermaid's Pool";
- f) submission and approval of a detailed landscaping plan for the area;
- g) construction and maintenance of a standard firebreak around the whole boundary of the property.

5. Downcast Shaft - Stratford (Lisson) Road, Tahmoor - Report 75/45

That Development consent for this application be granted subject to the following conditions;

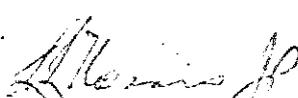
- a) noise levels from the temporary fan not exceeding 20dBA at the nearest existing house;
- b) construction of a man-proof cyclone fence around the shaft;
- c) extension of Stratford (Lisson) Road to the full frontage of the shaft site, and the road's construction throughout to Council's normal shale standards, to the satisfaction of the Shire Engineer, prior to the commencement of construction work at the shaft;
- d) regular watering during the shaft sinking and equipment operation, of any shale road constructed in accordance with condition (c) above, to the satisfaction of the Shire Engineer;

Continued....

This is Page No. 21 of the Minutes of the Ordinary Meeting of Wollondilly Shire Council held on 20th March 1975.

Shire Clerk

President



Town Planning Committee Report - Continued:

5. Downcast Shaft - Stratford (Lisson) Road, Tahmoor - Report
75/45 Continued

- e) blasting being prohibited during shaft-sinking operations at night, unless specifically approved in writing by Council or the responsible Senior Officer;
- f) floodlighting of the site being kept to an absolute minimum;
- g) the Company agreeing to comply with any stop-work notice issued by Council in the event that construction operations are considered by Council to be causing undue interference with the amenity of the neighbourhood;
- h) Excess sandstone from the shaft excavations to be stockpiled, at sites to be determined, for Council's use.

The Meeting also decided to recommend to Council that the State Pollution Control Commission be advised of the approvals and conditions and that such will be held for a period of one (1) month to enable them to complete their examinations of the proposals.

A further recommendation was that Council make application to the Minister for Planning and Environment for an amendment to the Interim Development Order No. 7 (Wollondilly) to enable the application for the "central site" to proceed.

In regards the letters of objections against the proposed mine development the Committee recommends to Council that the letters be received, the contents noted and the objectors advised accordingly.



R.I. LOVE,
Shire Clerk.

This is Page No. 22 of the Minutes of the Ordinary Meeting of Wollondilly Shire Council held on 20th March 1975.

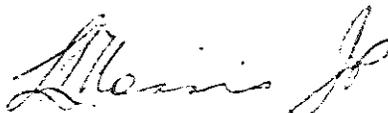
Shire Clerk

President

I HEREBY CERTIFY that these five (5) pages are a true copy of the report as adopted by Council on the 20th March, 1975 and as referred to in my letter reference 7105/47 dated 26th March, 1975.



R.I. LOVE
SHIRE CLERK



WITNESS.

19-29 Queen Street
P.O. Box 12
Narellan, N.S.W. 2567
Telephone: (046) 46 1404
Telex: AA25363
Cables: Clutha Sydney

CLUTHA DEVELOPMENT PTY. LIMITED

16th April, 1975

Mr. R.I. Love,
Shire Clerk,
Wollondilly Shire Council,
Post Office Box 21,
PICTON. N.S.W. 2571

Dear Sir,

Proposed Coal Mine and Associated
Facilities

Portions 16, Hume Highway, Bargo, Portion 23
Charlies Point Road, Bargo, Lot 1, D.P. 208269
Nattai Street, Tahmoor, Lot 11 D.P. 11928 Bargo
River Road, Couridjah, Portion 441 Rockford Road
Tahmoor, and Lot 13 D.P. 3306, Stratford Road
Tahmoor

In reply to your letter of the 26th March, 1975 reference 7105/47 RIL:EMM, I am pleased to note that the Council has resolved that this Company's Development Application be approved. I am aware that the establishment of the Central Services site on Portion 16, Hume Highway, Bargo will require amendment to Interim Development Order No. 7 - Wollondilly by the Minister for Planning and Environment. You will be aware that we would like to start work on this site during the next three months and I would be pleased if you could expedite this amendment in anyway possible. This Company will of course, be pleased to assist in whatever way you may wish.

I also note that the Council's conditional approval in respect of the other development sites will not come into effect until the 20th April, 1975 pending examination of our proposals by the State Pollution Control Commission.

The Company has examined the conditions proposed by Council and finds the majority acceptable, but considers that certain modifications are desirable, in all our best interests, to a number of the conditions. I can therefore, give you formal agreement to all conditions save those listed below and as numbered in the Shire of Wollondilly Town Planning Committee Report of the 13th March, 1975:-

1. (a) I am pleased to confirm on behalf of the Company the advice previously given by our Chief General Manager, that all coal from the outset will be taken from the central site by rail transport. During the construction phase, it is necessary for us to drive a very limited roadway in coal from the bottom of the shaft on the Stratford Road site to the bottom of the drift from the central services site. This connects our ventilation circuit and by the completion of this work some 6,000/8,000 tonnes of coal will have been wound up the shaft and must be disposed of from the Stratford Road site. Clearly this can only be done by road truck. This situation is not expected to re-occur at any other time during the construction phase, and we would ask your agreement to this very limited haulage of coal by road.

1. (b) The working of this condition could possibly be subject to different interpretations. On the one hand, it could be read as requiring that the increase in noise due to this Company's operations will not exceed 20 dBA at the nearest existing dwellings, this we could readily comply with.

Alternatively, it could be read to mean that the total noise caused by the Company's operations measured at the nearest existing dwellings will not exceed 20 dBA. We consider this to be unrealistic because this level of noise could never be measured within the greater background of noise already existing.

Reference to the Australian Standard No. 1055-1973 "Noise Assessment in Residential Areas" suggests that the calculated acceptable noise levels for the sites involved would lie in the ranges:-

Rockford Road site, Nattai Street site, Stratford Road site	-	30-45 dBA
Central Services site	-	45-60 dBA

These ranges are most probably the level of background noise now existing at these sites.

The recent Noise Control Act of 1975 will give the Council wide powers, with respect to any noise which this Company might create, and will thus allow adequate protection to local residents.

The Company therefore, believes that the basis for present conditions on noise should be the use of the Australian Standard No. 1055-1973 quoted above, and considers that it could comply with the standards established by that document at the nearest existing dwelling to its permanent operations, although some excess might occur at times during the construction phase.

1. (b) cont.

The Company would also like to measure the existing noise levels at the appropriate dwellings and, in due course, would request the assistance of a Council Officer to allow this to be done.

1. (c)

The Company has discussed the matter of mine subsidence with the Chief Inspector of Mines, who has agreed that mine subsidence will not be a significant problem and that the Mines Subsidence Compensation Act does in fact provide sufficient security for landowners. He feels, that reasonable evidence of this fact already exists from the operations at Appin, which will be familiar to the Shire Council. We have in addition written to the Mines Department and a copy of the letter is attached for your information.

1. (h)

It is understood, that during construction operations at the surface, blasting should be prohibited at night and flood lighting restricted to an absolute minimum. I should point out however, that it will be necessary for underground excavations of the shafts and drift to take place over a 24 hour period to avoid severe extension of the construction period with its attendant disadvantages to all concerned.

During the operation of sinking a shaft approximately 4 to 5 rounds of shots are fired each week. During each round a series of shot holes are fired using detonators with millisecond delays between, so that the total round is detonated over 1 to 1½ seconds. No air blast occurs in these circumstances and little noise at the surface. The overall effect at the surface is thus a dull rumble lasting 1 - 1½ seconds, which is less noticeable than the passing of a truck along a nearby road.

In the case of the drift some 10 to 12 rounds of shot holes are fired each week with a similar but reduced effect at the surface. It is impossible for us to avoid the occasional rounds of shots during the night, but the effects are very slight.

1. (j)

The Company's legal advisers have examined this clause and ask if the Council can specify what suits, claims etc., it has in contemplation, so that we can give this matter further consideration.

2 (k)

The Company expects that the type and location of the fire break which is obviously necessary will be blended with the proposed landscaping works to the greatest benefit.

2 (l)

The Under Secretary of the Department of Mines has written and expressed some concern about the proposed change of name, which he feels, will be too similar to that used for the mine proposed by the Consortium in Bargo. He feels, that confusion will arise over the years, and that it

2 (i) cont.

would be preferable that the two adjoining mines have distinctly different names. This Company sees some merit in this, as no doubt also will your Council Officers.

I would therefore, ask the Council to consider reversion to the original name chosen i.e. Tahmoor. If for political reasons, this is still considered inadvisable, the Company is open to suggestions, and possibly the Council may be able to suggest more appropriate names. One final alternative would be for the Council to require the Consortium to choose a name for their mine at Bargo which is distinctly different and does not include the word Bargo.

3 (c)

The Company is now purchasing the property adjoining Lot 1, Nattai Street, namely Lot 2, and wishes to site its works centrally within Lots 1 and 2, but close to the southern boundary of these lots, so as to take full advantage of the tree cover which already exists in these parts of the blocks. A preliminary plan is enclosed and since this sites our works at the greatest distance from all nearby houses, I would ask for your approval in principle.

3 (g)

& (h)

The Company is in general agreement with these conditions, but would like confirmation that the part of Bargo River Road referred to, is that stretch from the Hume Highway to the entrance to the Company's property. The Company accepts that the road should be widened and raised to a higher standard. It believes that it might well be desirable to replace the initial section from the highway by a more direct route, thus removing present severe bends, but considers that in view of the fact that this is a benefit to many other road users, the Council should make some contribution to the cost - possibly 20%. The Company also believes that the requirement to resurface the road with bituminous plan/mix is not warranted by either the traffic density or axle loadings of the Company's traffic. It believes that any heavy traffic using the road during the construction phase will do little damage and that any noise differential caused by the different surface is negligible. It therefore, proposes that a two coat hot seal be used and believes that this will provide an excellent life in the circumstances.

4 (a)

Compliance with condition (c) of Report 75/43 fits the initial plans provided by the Company for its work upon this site. However, in the subsequent discussion and inspections the Company suggested that it should locate its winder tower in a direct line with some trees on Mrs. Lees property which shield her house, thus making the Company installation a little less obvious from her dwelling. The Company would therefore, like to discuss this particular

- 4 (a) cont.
condition so that the best overall arrangement can be agreed upon.
- 4 (b) & (c) As with the comments relating to 3 (g) and (h) above the Company accepts that the road should be widened and increased in standard for the length between the Hume Highway and the entrance to the Company's site. For the reasons given above, it believes that a two coat hot seal would be a more than adequate road surface.
- 4 (d) The Company accepts that no damage whatsoever be inflicted upon Warrabinda Reserve and the Mermaids Pool as a result of the operations of itself or of its contractors. The Company has however, been unable to establish the exact boundaries of this reserve and would be pleased if the Council could provide a plan.
- 4 (e) The discharge of all waste water, storm water, and treated effluent from this site into the Bargo River down stream to Mermaids Pool is possible, but would require some 800m of pipe which would inevitably pass through the Warrabinda Reserve. In view of the fact that all the Company's effluent will have been treated by a package treatment plant to the requirements of the Clean Water Act, it may be that the Council would prefer to avoid routing a pipe through the reserve and the Company would be pleased to discuss this matter.
- 5 (a) The comments concerning noise levels are as previously covered under 1 (b).
- 5 (c) As already outlined under 1 (h) it is necessary for the Company to fire rounds of shots at night during its shaft sinking operation and it therefore requests this approval from the Council.
- 5 (h) The Company would be pleased to make excess sandstone available to the Council, but must give priority to its use in the works designed on the various sites. Any balance thereafter can be delivered to nearby sites as determined by the Council.

Yours faithfully,
CLUTHA DEVELOPMENT PTY. LIMITED

D. H. FAWCETT
MANAGER,
ENGINEERING & PLANNING

Encl.

DHF.SYI



Wollondilly Shire Council

TELEPHONE PICTON 71 325

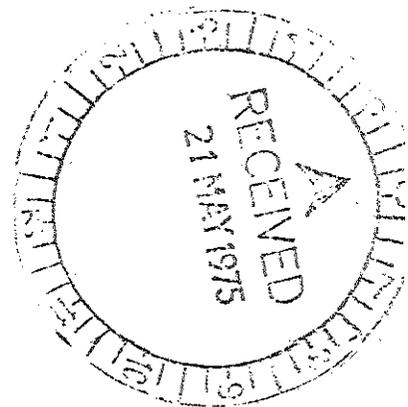
SEPARATE COMMUNICATIONS
SHOULD BE FORWARDED
RELATIVE TO EACH SUBJECT

COUNCIL CHAMBERS, PICTON 2571

19th May, 1975.

The Manager,
Engineering & Planning,
Clutha Development Pty. Ltd.,
P.O. Box 12,
NARELLAN. N.S.W. 2567

Subject: Proposed Tahmoor/Bargo River Colliery.



Dear Sir,

I refer to your letter of 16th April, 1975, and note your Company's formal agreement to the majority of Council's conditions of development consent for the abovementioned project.

In respect of the points raised in your letter regarding certain conditions, Council has reached the following decisions:-

- 1(c) that Council Officers consult with the Mines Subsidence Board;
- 1(h) that occasional underground blasting at night be permitted;
- 1(j) that this condition be withdrawn;
- 2(k) that the design of the firebreak be further discussed at the appropriate time;
- 2(l) that no objection be offered to the use of the name "Tahmoor", but that the matter be left in the hands of the Shire Clerk for final resolution;
- 3(c) that the preliminary plan be approved in principle, subject to submission of further details at the appropriate time;
- 3(g) and (h) that Council contribute 20% of the roadworks costs to a maximum of \$20,000, and that a two coat hot seal be accepted;
- 4(a) that the matter be further discussed upon request;
- 4(b) and (c) that the Company's suggestions be excepted;
- 4(e) that this matter be further discussed with Councillors and Officers;
- 5(h) that Council accept the Company's offer.

By way of comment only at this stage, Council's Town Planner, Mr. G. C. Sanson, suggests that the design of the car park for the Bargo River Road site could be improved by fairly extensive landscaping amongst the parking spaces. This could assist particularly in reducing noise levels.

Should you wish to submit any further comments on the above, would you kindly do so by 30th May, 1975, so that your submissions can be discussed at Council's next Town Planning meeting.

Yours faithfully,

R. I. Love,
Shire Clerk.