



In reply please send to: Singleton District Office  
Our reference: FN81-00689S0  
Your reference: DA 177-8-2004 MOD 2  
Contact: Richard Pickles (02) 65724344

DEPARTMENT OF PLANNING & INFRASTRUCTURE  
ATT – NAOMI NELSON  
GPO BOX 39  
SYDNEY NSW 2001

27 May 2011

Dear Naomi

ENQUIRY NO. TENQ11-07014S1  
LOCOMOTIVE REFUELLING FACILITY WARKWORTH

Thank you for your invitation to comment on the above proposal.

The site is located within the Patrick Plains Mine Subsidence District. It is therefore a requirement of Section 15 of the Mine Subsidence Compensation Act that any surface improvement is approved by the Mine Subsidence Board.

The Wambo Rail Spur in its entirety was approved by the Board on the 25<sup>th</sup> of November 2004 with a number of conditions. The conditions that will apply to this proposal will be as follows;

1. Wambo Coal agreeing to undertake mitigatory work and monitoring to minimise damage caused by any potential future mining. This is to include jacking of structures, releveling and ballasting of rail track during the mining process.
2. Structures are to be designed to enable mitigatory work to be undertaken.
3. Wambo will be responsible for monitoring of structural performance and control of access during the mining process and any required repairs.
4. Final plans are to be submitted for approval prior to the commencement of construction.

**NEWCASTLE**

Ground Floor  
NSW Government Offices  
117 Bull Street  
Newcastle West 2302  
PO Box 488G Newcastle 2300  
**Telephone: (02) 4908 4300**  
Facsimile: (02) 4929 1032  
DX 4322 Newcastle West

**PICTON**

100 Argyle Street  
Picton 2571  
PO Box 40 Picton 2571  
**Telephone: (02) 4677 1967**  
Facsimile: (02) 4677 2040  
DX 26053 Picton

**SINGLETON**

The Central Business Centre  
Unit 6, 1 Pitt Street  
Singleton 2330  
PO Box 524 Singleton 2330  
**Telephone: (02) 6572 4344**  
Facsimile: (02) 6572 4504

**WYONG**

Suite 3 Feldwin Court  
30 Hely Street  
Wyong 2259  
PO Box 157 Wyong 2259  
**Telephone: (02) 4352 1646**  
Facsimile: (02) 4352 1757  
DX 7317 Wyong

**HEAD OFFICE**

PO Box 488G  
Newcastle 2300  
**Telephone: (02) 4908 4395**  
Facsimile: (02) 4929 1032



**Email**  
mail@minesub.nsw.gov.au

**Web**  
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Standard (Auto) Enquiries

Please do not hesitate to contact me if you require any further information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Pickles', with a stylized, cursive script.

Richard Pickles  
Acting District Manager





Office of  
Environment  
& Heritage



Our reference: DOC11/22823; LIC08/239-02  
Contact: Kim Jefferson, 49086827

31 MAY 2011

NSW Department of Planning and Infrastructure  
Major Projects Assessment Mining and Industry Projects  
GPO Box 39  
SYDNEY NSW 2001  
Attention: Ms Naomi Nelson

2 June 2011

Dear Ms Nelson

**Environmental Assessment Wambo Coal Locomotive Refuelling Station  
Modification Application No. DA 177-8-2004**

I refer to your letter dated 9 May 2011 seeking comments and recommend conditions of approval from the Office of Environment and Heritage (OEH) regarding the above proposed development. OEH has reviewed the document "*Modification of DA177-8-2004 Environment Assessment Locomotive Refuelling Station Wambo Coal Rail Loop*" prepared by Wells Environmental Services dated May 2011 ("the EA").

OEH understands that proposed modification to the existing approval includes:

- Installation of a 100,000L self bunded, double skinned diesel storage tank with refuelling hose.
- 2,000L lubricating oil tank with retractable hose.
- Two pneumatic eight tonne capacity sand tanks.
- 10,000L polyethylene tank with water pump and retractable hose.
- Piping and electrical cabling.
- Electricity sourced from nearby coal loading point.
- Task lighting and level walkways both sides of the track
- Stairs from the diesel tank to the level northern level walkway
- Spill control matting
- Spill and oily water management system
- A lockable weather proof storage container
- A two metre chain wire perimeter fence will be installed to minimise vandalism and theft.

OEH has no objection to the proposed development and provides the following comments. OEH's Recommended Conditions of Approval for this project are provided at **Attachment A**.

**Aboriginal Cultural Heritage Assessment**

OEH notes that the proponent has provided limited details of an assessment of the likely impacts of the proposal of Aboriginal cultural heritage values. However, OEH acknowledges that the proposal is located within an area that was disturbed during the construction of the Wambo Coal Rail Loop and no new ground disturbance is required as part of this proposal. If Aboriginal objects are identified

during any subsequent development processes, it is recommended that the Conditions of Approval for Aboriginal cultural heritage provided below are included in the amended Development Consent.

It is important that the applicant is familiar with the new requirements of the NPW Act, particularly as they relate to the development and any subsequent assessment processes. Further advice regarding Aboriginal cultural heritage can be found on OEH's web-site at: [www.environment.nsw.gov.au/cultureandheritage.htm](http://www.environment.nsw.gov.au/cultureandheritage.htm).

OEH has no additional concerns with the Aboriginal cultural heritage assessment for the project application and recommends that the recommended conditions of approval at Attachment A are reflected in any approval conditions for the project modification.

If you require any further information on this matter please contact Kim Jefferson on (02)49086827

Yours sincerely



**KAREN MARLER**  
**Head Regional Operations Unit - Hunter**  
**Environment Protection and Regulation**  
**Office of Environment and Heritage**  
**Department of Premier and Cabinet**

Enclosure: Attachment A OEH Recommended conditions of approval – Wambo Coal Locomotive Refuelling Station



## **ATTACHMENT A - RECOMMENDED CONDITIONS OF APPROVAL FOR PROPOSED MODIFICATION OF DA 177-8-2004 WOMBO COAL RAIL LOOP LOCOMOTIVE REFUELLING STATION**

**Note:** Although the Environment Protection Authority is now a part of OEH, certain statutory functions and powers continue to be exercised in the name of the EPA. This includes licensing functions under the *Protection of the Environment Operations Act 1997*. In these instances, reference is made to the EPA instead OEH.

### **ADMINISTRATIVE CONDITIONS**

#### **Works to be undertaken in accordance with information supplied**

1. Except as provided by these recommended conditions of approval, the works and activities shall be undertaken in accordance with the proposal contained in:
  - (a) The s75W modification application DA 177-8-2004 submitted to the NSW Department of Planning;
  - (b) The document "Locomotive Refuelling Station Wambo Coal Rail Loop *Environmental Assessment Modification under s75W of the EP&A Act 1979*" prepared by Wells environmental Services dated May 2011 .

unless otherwise specified in these conditions of approval.

### **OPERATIONAL CONDITIONS**

#### **Chemical Storage**

1. All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.
2. All bunds must be impervious and sized to contain at all times 110% of the largest container stored within the bund.
3. All above ground tanks must be designed and constructed in a manner which prevents the ingress of rain or water into the tanks.
4. All tanks must be clearly labelled to identify their contents.

#### **Erosion and Sediment Control**

1. Stormwater at all areas of the premises which has the potential to mobilise sediment and other material must be controlled and diverted through appropriate sediment and erosion control and/or pollution control measures/structures to prevent the pollution of waters
2. Sediment and erosion control and/or pollution control measures/structures must be maintained at all times to prevent the pollution of waters.

### **ABORIGINAL CULTURAL HERITAGE**

1. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the object(s). The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) (managed by OEH) and the management outcome for the site included in the information provided to the AHIMS. The proponent will consult with the Aboriginal community representatives the archaeologist and OEH to develop and implement management strategies for all objects/sites.
2. If human remains are located in the event that surface disturbance occurs, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are contacted

immediately. No action is to be undertaken until police provide written notification to the proponent. If the skeletal remains are identified as Aboriginal, the proponent must contact OEH's Environment Line on 131 555 and representatives of the local Aboriginal community. No works are to continue until OEH provide written notification to the proponent.

**OEH May 2011.**

27 May, 2011

Wells Environmental Services  
P O Box 205  
East Maitland NSW 2323

Our ref: WamboTail

Your ref:

**Att: Alan Wells**

Dear Mr. Wells,

**Re: Modification to DA 177-8-2004, by inclusion of Locomotive Refuelling Facility  
for QR National**

Reference is made to your correspondence of 11<sup>th</sup> May 2011, including an Environmental Assessment for the proposed locomotive refuelling facility adjacent to the Wambo Coal Rail Loop at Warkworth.

Please note that the DSC has no objections to this proposal and has no further requirements.

Your continuing cooperation is appreciated. If there are any queries in regard to the above please do not hesitate to contact the undersigned.

Yours faithfully,

*for*   
Paul W. Heinrichs  
Executive Engineer

