



Our ref: J212

15 August 2011

Director, Mining and Industry Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Naomi Nelson

Dear Naomi

Re: DA 177-8-2004 MOD 2 - Locomotive Refuelling Facility for QR National - Response to Late Submissions.

I advise that Wells Environmental Services act on behalf of the proponent Wambo Coal Pty Limited for MOD 2 of DA 177-8-2004 (as amended). MOD 2 facilitates the construction and operation of a locomotive refuelling station on the Wambo Coal rail loop, to be operated by QR National Pty Limited.

I refer to the letter dated 28 July 2011 from Ms Margaret McDonald-Hill on behalf of the members of the Wambo Coal Community Consultative Committee. Wambo Coal Pty Ltd, QR National and Wells Environmental Services have considered the issues raised in the submission and provide the following response.

Visibility and Lighting

"Highly visible from the road based on Bush Fire Threat assessment due to recommendations Re canopy height, tree spacing etc would not provide suitable screening from the Highway due to being located only 50 metres inside the mine boundary."

The proposed refuelling station has been designed to maintain a low profile against the railway embankment. Whilst filtered glimpses to the facility from the highway may be possible, the *Rivergum* green coloured fuel tanks will not be obtrusive within the context of the immediate area (i.e. the train loading bin and regular trains on the loop some 3m higher than the facility).

"Lighting of the area for operational and security would impact on highway users."

As stated in *Section 2.10 and Section 4.11* of the Statement of Environmental Effects (SEE), low power non-intrusive lighting will be installed to comply with the relevant Australian Standard and will be configured to be activated on arrival of the train and turn off after a set period. With these controls there will be little or no lighting impacts to the passing motorists on the Golden Highway.

Increase in Usage

"With other mines seeking access to the Rail Loop this would increase the amount of trains and possibly due to refuelling encourage other rail works to be done at the site which is outside the original intent of a transport corridor not a rail yard for refuelling and repairs etc."

This application seeks to only provide provisioning to trains that are entering the rail loop to haul coal from the Wambo Coal rail loading facilities. The increase in the use of the rail loop for other mines above the limits of the conditions of the Development Consent would be subject to future applications (if that need

arose). The efficient use of a transport corridor is improved through the ability to replenish consumables near coal loading terminals, the fundamental use and intent of the rail loop remains the same, that is to transport coal.

Security

"Vandalism and threat of terrorism / protesters, pose high threat due to close proximity to public roads and residents of Warkworth."

Risks to the facility from vandalism, terrorism or protesters were considerations in the design of the facility. The following measures are proposed to minimise potential security risks:

- Night lighting.
- Security fencing around the perimeter.
- Video surveillance cameras.
- Visibility from the Wambo Mine access road ensures higher scrutiny of facility by passing mine employees and contractors.
- Double bunded fuel storage tanks.
- Fuel access cards restrict unauthorised fuel use.
- Banlaw nozzles on fuel hoses limit ability to access diesel.
- Emergency shut off valves limit extent of spills if piping is severed.

The facility has also had regard to AS 1940-2004 *The storage and handling of flammable and combustible liquids*, and will be registered on the Wambo Coal Mine dangerous goods manifest list, with copies provided to the relevant authorities including the rural fire brigade.

Considering the above controls risks posed by vandalism, terrorism or protesters are considered acceptable.

Safety

"Road closures associated with safety incidents would severely disrupt local residents from Denman, Jerrys Plains, Warkworth, Singleton that work in and around the area possibly adding in excess of 100km trip to avoid the area and attend work etc."

In the event of a safety incident at the site, resulting impacts are highly unlikely to result in any significant impacts to users of the Golden Highway.

"Access of fuel trucks at Peabody Wambo entrance and mention of unsuitable use of Wallaby Scrub Road (consent condition not addressed by Peabody) in other options is an unacceptable reason for their non consideration".

The selection of the proposed location adjacent to the Wambo Mine Access was not the only deciding factor in the selection of the preferred site. Other factors such as the remoteness with respect to maintaining security, higher costs associated with required site access road construction (between the site and Wallaby Scrub Road), intersection costs associated with Wallaby Scrub Road and the site access road, general access for maintenance and deliveries would be longer and the site had minimal room available for trucks to turn near the site.

"The Peabody Wambo Intersection(Mine Entrance) location on the bend in an 80 km zone along with the close proximity of the unsatisfactory Wallaby Scrub Road intersection creates problems with merging trucks with existing traffic and traffic turning into Wallaby Scrub Road etc due to poor condition of verge and etc (Peabody Consent condition to upgrade not completed)."

This application is to modify the Development Consent to permit the construction and operation of a refuelling facility on the Wambo Rail Loop, the Wambo Mine access road has been designed to cater for light and heavy vehicles accessing the Wambo Coal Mine, the addition of vehicles associated with the refuelling facility will not result in any significant impacts to the existing traffic levels in the area.

Suggestions: Using point off Wallaby Scrub road as mentioned in other options in Modification of DA 177-8-2004 Environmental Assessment Locomotive Refuelling Station Wambo Coal Rail Loop rejected due to intersection of Wallaby Scrub Road not acceptable but if Peabody honoured their consent conditions this could be acceptable and would fix the above issues raised.

As stated above the selection of the preferred site had several other advantages as opposed to the alternate site accessed off Wallaby Scrub Road.

The members of the Wambo CCC are also concerned that Peabody had not raised this at the previous meeting, giving time for proper consultation and explained it away by saying it was published in the Singleton Argus Newspaper which is not the intent or spirit of proper Community Consultation and Relations, "

The oversight in raising the proposed refuelling station with the members of the Wambo CCC, was in part a result of key staff leaving Wambo or taking annual leave. Considering that the application was published in the Singleton Argus, and the Wambo CCC have been afforded the right to provide a submission on the proposed application, while not ideal, open consultation with the community has been upheld.

The proponents appreciate the contribution provided by the Wambo CCC, however as demonstrated above the proposed location and design of the refuelling facility has had adequate consideration of the issues raised within the submission.

Yours faithfully

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

Jonathan Berry
Wells Environmental Services



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Attention: Ms Naomi Nelson

Dear Naomi

Re: DA 177-8-2004 MOD 2 - Locomotive Refuelling Facility for QR National - Response to Late Submissions - Ron Fenwick.

I advise that Wells Environmental Services act on behalf of the proponent Wambo Coal Pty Limited for MOD 2 of DA 177-8-2004 (as amended). MOD 2 facilitates the construction and operation of a locomotive refuelling station on the Wambo Coal rail loop, to be operated by QR National Pty Limited.

I refer to the letter dated 30 July 2011 from Mr Ron Fenwick a Community Representative on the Wambo Coal Community Consultative Committee. Wambo Coal Pty Ltd, QR National and Wells Environmental Services have considered the issues raised in the submission and provide the following response.

Safety

The letter raises concerns about the safety of the community and travelling public, these issues are responded to below:

"The area intended is far too close to the Golden Highway, the almost extinct village of Warkworth, the Wallaby Scrub Road and the main entrance to the Wambo Coal Mine."

The facility has been designed to, and will be installed in accordance with AS 1940-2004 *The storage and handling of flammable and combustible liquids*. Amongst other aspects, this standard sets out the minimum safe distances required to public roads. The proposed facility has substantially greater buffers to public roads than required by the standard. The facility is not a safety risk to the Golden Highway or Warkworth

"Presently, there is concern for the general public regarding the current traffic to this point with the already dangerous amounts of fuel, both diesel and petroleum derived and the supply of ammonium nitrate. It is only a matter of time before a serious incident involving either of these singularly or a combination of both. It is important to note that these deliveries are irregular and unescorted or supervised and involve large volumes transported in B Double format."

"The increased volume of fuel trucks from depots to the indicated site will create a massive risk factor to our already congested highways. This imposes danger to a much larger proportion of the travelling public as well as to the townships through which these trucks will pass."

All haulage of diesel to site will be by road registered and licensed fuel suppliers. While on public roads the safety of these vehicles is the responsibility of the fuel suppliers and is regulated by the relevant roads authority. The Golden Highway is a major arterial road controlled by the Roads and Traffic Authority.

Wambo Coal and QR National have a high regard for safe driving. Reports or complaints relating to dangerous driving by heavy vehicles delivering goods to the proposed facility will be reported to the fuel supplier and/ or Police where appropriate. There is no requirement for the escorting of road registered heavy vehicles carrying standard loads.

"The burden on the local area is to be a trade off that is misrepresented as beneficial. It is far more sensible to have fuelling where the unloading process occurs for safety and convenience. The idea of fuelling outside the city by preference to the "isolation" of the country site is another misguided intent and a further recipe for disaster."

Analysis of the rail network has determined that refuelling of trains at loading nodes within the network is an appropriate method to improve the efficiency of the network. Refuelling near train unloading terminals is being progressively phased out in order to improve network capacity, continued refuelling in the area nominated by Mr Fenwick is likely to result in safety issues and failure to realise full network capacity.

"With other mines seeking access to the Rail Loop this will increase the number of trains and inevitably with an established refuelling site, that would be upgraded to cover this increase, encourage other rail works to be done at the site which is outside the intent of the rail loop as a transport corridor. It was never promoted to be anything but this, with no hint of developing as a rail yard for refuelling and other purposes. "

This application seeks to only provide provisioning to trains that are entering the rail loop to haul coal from the Wambo Coal rail loading facilities. The increase in the use of the rail loop for other mines above the limits of the conditions of the Development Consent would be subject to future applications (if that need arose). The efficient use of a transport corridor is improved through the ability to replenish consumables near coal loading terminals, the fundamental use and intent of the rail loop remains the same, that is to transport coal.

Security

"Security for the area will be further threatened. Currently the security of the mine site is totally inadequate and the arrogance of the management is reliant on their belief that they are adequately protected by a few signs and the belief that they will prevent access because of the might of Peabody. Vandalism and the physical threat of terrorism and/or protesters, pose high threat due to close proximity to public roads and residents of Warkworth. "

Risks to the facility from vandalism, terrorism or protesters were considerations in the design of the facility. The following measures are proposed to minimise potential security risks:

- Night lighting.
- Security fencing around the perimeter.
- Video surveillance cameras.
- Visibility from the Wambo Mine access road ensures higher scrutiny of facility by passing mine employees and contractors.
- Double bunded fuel storage tanks.
- Fuel access cards restrict unauthorised fuel use.
- Banlaw nozzles on fuel hoses limit ability to access diesel.
- Emergency shut off valves limit extent of spills if piping is severed.

The facility has also had regard to AS 1940-2004 *The storage and handling of flammable and combustible liquids*, and will be registered on the Wambo Coal Mine dangerous goods manifest list, with copies provided to the relevant authorities including the rural fire brigade.

Considering the above controls risks posed by vandalism, terrorism or protesters are considered acceptable.

Visibility, Fire and Traffic

- *"Visibility from the road is debatable in respect to potentials. The claims presented as to the visibility from the road, based on Bush Fire Threat assessment are an each way bet. With*

recommendations regarding canopy height, tree spacing and the controversy as to whether or not this would not provide suitable screening from the Highway is only opinion."

The proposed refuelling station has been designed to maintain a low profile against the railway embankment. Whilst filtered glimpses to the facility from the highway may be possible, the Rivergum green coloured fuel tanks will not be obtrusive within the context of the immediate area (i.e. the train loading bin and regular trains on the loop some 3m higher than the facility).

- *"The fact that it is located only 50 metres inside the mine boundary is of major concern. There are dangers with the entrance to the mine already and the increased deliveries will only heighten the risks. Additional to have these vehicles leaving and returning to the access road leaves little to the imagination as to the escalation of an already dangerous scenario."*

An existing broad gravel shoulder on the Wambo Mine Entrance Road will allow tankers to safely enter the refuelling facility with minimal disruptions to the mine access road. When exiting the facility the road provides sufficient visibility to safely re-enter the access road.

- *The fire hazard and the control of any incident on the mine site is a recipe for disaster. Past experience has shown that previous control was outside the abilities of the mine and would most likely be a similar disaster to historic fires on and from the site."*

The refuelling facility has been assessed with regard to potential bushfire risks and has been found to be adequate subject to recommended control measures.

"If the depot must go ahead against all common sense then all issues will need to be addressed for the future of the area. As such there would have to be time to consider all options for location and rely on the inputs of the locals, not simply the input of consultants who will present the mine perspective, will be paid for their loyalties and will not have any responsibility once it is put into operation."

There will have to be serious upgrading to the entrance and departure to the site as well as the need to reduce potential for incidents ranging from road accidents, to the creation of explosive elements with the obvious consequences."

Dedication of security measures that will be effective as well as frequent audits of all these outside the control of the mine management will be necessary."

All elements would need to be fully in place prior to any fuel being delivered and approved for safety."

Lighting of the area for operational and security needs to be properly approached. It would need to adequately light the sight and needs to do so without impact on highway users."

The application was advertised within the Singleton Argus and members of the CCC were afforded the right to make submissions in relation to the proposal. These submissions have been considered.

Existing road conditions and intersection treatments are considered appropriate for the relatively small volume of vehicles entering the site. Deliveries to the site will need to ensure that gravel from the site access road are not tracked onto sealed pavement.

Security measures proposed for the site are detailed above. In addition to those measures the facility would be visually inspected each time a QR National train driver refuels.

As stated in Section 2.10 and Section 4.11 of the Statement of Environmental Effects (SEE), low power non-intrusive lighting will be installed to comply with the relevant Australian Standard and will be configured to be activated on arrival of the train and turn off after a set period. With these controls there will be little or no lighting impacts to the passing motorists on the Golden Highway.

"Road closures associated with safety incidents would severely disrupt local residents from Denman, Jerrys Plains, Warkworth, Singleton that work in and around the area possibly adding in excess of 100km trip to avoid the area and attend work etc."

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Wells Environmental Services