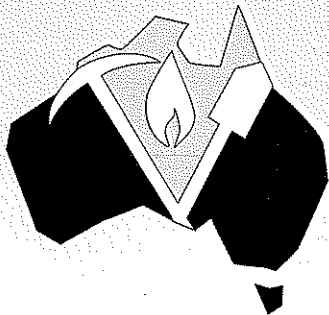




THE UNITED MINEWORKERS' FEDERATION OF AUSTRALIA

(Division of the Construction, Forestry, Mining and Energy Union)
(Incorporating the Federal & State Registered Unions)

Northern District Branch

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Secretary: Grahame Kelly

27 May 2011

Department of Planning
Ms Naomi Nelson
Planner
GPO Box 36
SYDNEY NSW 2001

Email: plan_comment@planning.nsw.gov.au

Dear Naomi

RE: WAMBO COAL LOCOMOTIVE REFUELLING STATION MODIFICATION, DA – 177-8-2004

Please find attached the CFMEU Northern District Branch's submission in relation to the above-mentioned modification.

The Union welcomes the opportunity to comment on the Wambo Coal Locomotive Refuelling Station Modification.

Should you have any questions concerning the same, please do not hesitate to contact our Union Office.

Yours sincerely

**KEENON ENDACOTT
INDUSTRIAL RESEARCH OFFICER**



Mining and Energy Division

Review of Environmental Assessment

Modification of DA 177-8-2004

Locomotive Refuelling Station

Wambo Coal Rail Loop

Submission

Construction Forestry Mining and Energy Union

(Mining and Energy Division)

Northern District Branch

May 2011

Wambo Coal Pty Ltd (WCPL) applied to the Minister, Department of Planning seeking approval for a minor modification of WCPL rail and coal loading development consent (DA 177-8-2004) for the establishment of the station. This modification is sought under Section 75W of the EP&A Act, 1979.

The Director General made the Environmental Assessment publicly available on the 13 May 2011 at the DoP Information Centre Sydney, Singleton Council, and Nature Conservation Council Newtown.

The Union is pleased to take the opportunity to comment on the Locomotive Refuelling Station Modification proposal and related activities Environmental Assessment.

The Mining and Energy Division is a Division of the CFMEU under the Federal Workplace Relations Act 1996, with over 120,000 members, one of the largest in Australia. The Division covers several industries including the coal industry, coal ports, metalliferous mining industries, electrical power generation, oil and gas and the Nation's small coking industry.

The Northern District Branch of the CFMEU Mining and Energy Division, being the branch that on behalf of the organisation which is making the submission is the principal Union representing coal miners in the Northern District coalfields of New South Wales. The Wambo Coal Mine site is located approximately 15 km west of Singleton and is wholly within the State's Northern District coalfields.

The Union is familiar with the Wambo site and engaged the services of an Environmental Consultant with extensive experience in local government and environmental assessments on coal mining related projects. Further, the CFMEU Mining & Energy Division, Northern District Branch ("the Union") is an occupant that would be directly affected by the Project.

After reviewing all the material and taking advice, the Union supports the Wambo Locomotive Refuelling Station as proposed.

Project Overview

QR National and WCPL propose the establishment of a small locomotive refuelling station adjacent to the Wambo Coal Rail Loop. QR National operates on the Hunter Valley rail network transporting coal from producers through to the port at Newcastle.

Locomotive provisioning for QR National trains on the network is currently undertaken at facilities located at Kooragang Island and the rail siding at Ashton Coal Mine near Camberwell. QR National has identified locomotive provisioning as a constraint on meeting targeted network haulage rates.

The proposed modification includes the installation and operation of a small provisioning facility with a total footprint of less than 650 m² consisting of:

- One 100 000L self bunded, double skinned diesel storage (Combustible Class 1) with refuelling hose.
- One 2 000L lubricating oil tank (Combustible Class 2) with retractable hose.
- Two pneumatic eight tonne capacity sand tanks.
- One 10 000L polyethylene water tank with pump and retractable hose for potable water and fire fighting supplies.
- 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 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 installed to minimise vandalism and theft.

Construction is expected to take approximately eight weeks to construct onsite, with many elements prefabricated off site. Construction will occur in accordance with DA 177-8-2004 with construction activities unlikely to occur on Saturday or Sunday.

Noise

Refuelling and provisioning of locomotives takes approximately one hour with engines typically turned off. Refuelling and provisioning occurs prior to the train being loaded at the rail loading facility that takes three to four hours.

Noise impacts associated with the construction and operation of the WCPL rail loop and loading facility were assessed within DA 177-8-2004. The operation of the facility will not introduce any significant new sources or duration of noise; trucks are not inconsistent with existing trucks accessing the Wambo Coal Mine.

Air Quality

No adverse impacts to the existing air quality regime are envisaged as a consequence of the construction and operations associated with the facility.

Construction of the facility has the potential to generate dust. Emissions during the construction phase will be minimal. Exposed areas will be kept to a minimum and where necessary any dust will be suppressed by the use of a water cart.

The proponent indicates no additional greenhouse gases will be generated by vehicles associated with the facility as these are already in operation within the Hunter Valley coal chain.

Flora, Fauna and Heritage

The area has been heavily disturbed and modified during the construction of the WCPL rail loop. The site of the fuelling facility on the rail embankment and on a gravelled track running parallel to the rail where there is little or no vegetation. The existing track will be realigned north of the facility impacting a small area of primarily Rhodes Grass (*Chloris gayana*), some small wattle sapling may also require removal.

The area within the rail loop and north of the site is the Warkworth Sands Woodland, an endangered ecological community protected under the Threatened Species Conservation Act 1995. These areas will not be impacted by the station and its construction.

The area is free of items of heritage significance (Aboriginal and European).

Bushfire

The area has been mapped by the Rural Fire Brigade as bushfire prone lands. Therefore the proponent commissioned EcoBiological to prepare a bushfire threat assessment for the refuelling station. The assessment determined that existing cleared areas around the facility, such as the rail loop and associated buffer to the south, and the Wambo Mine access and Golden Highway to the north are sufficient for the protection of the assets and provision of safe access to or from the station in the event of a fire.

An Emergency Management Plan will be prepared for the facility for approval by the Fire Brigade pursuant to the Occupational Health and Safety Regulation 2001.

Surface Water

The site naturally drains to the North West to a culvert and draining swale adjacent to the Wambo mine access road, this drains west to Hales Crossing Sediment Dam.

The refuelling station will be designed as such that runoff and treated water from the SPEL Puraceptor oily water management system drains to the west and reports to the Hales Crossing Sediment Dam.

Visual

The facility has been designed to be an innocuous development with a small footprint and minimal height. The facility has minimal exposure above the existing level of rail embankment. The fuel, oil tank and storage container will be coloured consistent with the rail loading bin.

From the Golden Highway the facility is located largely behind a vegetated visual bund adjacent to the highway at the corner of the mine access road. No significant impacts to the visual amenity of passing motorists are expected.

From the Wambo access road the facility is not readily visible entering the site, but is visible when leaving along the Wambo access road.

Night lighting of the facility will be shielded and activated only for arriving trains, and will turn off after a set period. Lighting of the facility will not impact the night time visual amenity of the area or motorists on the Golden Highway.

Spill and Hydrocarbon Management

All personnel involved in the use of hydrocarbons on the site will be trained in the appropriate use of the facility and emergence response management. The three main aspects with respect to onsite hydrocarbons that will require management are:

- Occasional drips/minor spillage from oil and diesel refilling at both the locomotives and refilling of the oil and diesel tanks.
- Spillage at the locomotive or at tank refilling location as a result of theft or vandalism.
- Spillage at the locomotive or at tank refilling location as a result of operator error.
- Spillage at the tanks, refilling of the tanks or locomotives due to equipment failure.

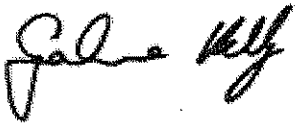
The SPEL Puraceptor oily water management system is a full retention separator that will treat flows from the three refill areas and is sized to contain more than the anticipated maximum oil and diesel spillage enabling it to be fully operational at all times.

In Summation

The proposed Modification meets environmental performance requirements. QR National has identified the WCPL rail loop as a strategic location for the provisioning and refuelling of locomotives on the network.

The Union concurs that this assessment has determined the proposed provisioning facility is appropriately located, makes efficient use of existing infrastructure and can be constructed and operated within the footprint of an existing disturbance footprint resulting in minimal environmental impacts.

The Union therefore supports the Modification No: DA 177-8-2004 and asks the consent be granted

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

Grahame Kelly

DISTRICT SECRETARY