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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27 July 2012

Mr David Mooney - Planner
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Email: plan_comment@planning.nsw.gov.au

Dear David

RE: 305-7-2003 MOD11 WAMBO MINING COMPLEX- MODIFICATION 11 – MONTROSE WATER STORAGE DAM

Please find attached the CFMEU Northern District Branch's Submission in relation to the abovementioned matter.

The Union welcomes the opportunity to comment on the Wambo Mining Complex – Modification 11 – Montrose Water Storage Dam.

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

Yours sincerely

KEENON ENDACOTT
INDUSTRIAL RESEARCH OFFICER

Mining and Energy Division

Review of Environmental Assessment

Wambo Mine

305-7-2003 MOD 11 Wambo Mining Complex

Modification 11

Montrose Water Storage Dam

Submission

Construction Forestry Mining and Energy

Union (Mining and Energy Division)

Northern District Branch

July 2012

On 2 July 2012 Wambo Coal Pty Ltd (WCPL) applied to the Minister, Department of Planning seeking approval to modify the Montrose Water Storage Dam at Wambo Mine. This Project is sought under Section 75W of the EP&A Act, 1979.

The Director General made the Environmental Assessment publicly available on the 11 July 2012 at the DoP Information Centre Sydney, Singleton Shire Council, Wambo and Warkworth Coal Mines.

The Union is pleased to take the opportunity to comment on the Wambo Modification Project 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 facility is located approximately 15 kilometres west of Singleton near the village of Warkworth is wholly within the State's Northern District coalfields.

The Union is familiar with the Wambo facility site and has engaged the services of an Environmental Consultant with extensive experience in local government and environmental assessments on coal mining related projects.

After reviewing all the material and taking advice, the Union supports the Modification of the Montrose Water Storage Dam as proposed.

Project Overview

The Modification would comprise the construction and operation of the Montrose Water Storage and associated supporting infrastructure.

The Montrose Water Storage would be a 'turkey's nest' style dam located to the south-west of the approved open cut limit and would have a nominal capacity of approximately 1 500 ML.

The Modification is required to ensure adequate water storage is available at Wambo while the existing South Wambo Dam (approximately 840 ML capacity) is subsided by the approved North Wambo Underground Mine (Longwall 8). Water stored in the South Wambo Dam will be transferred to other water storages at Wambo prior to the South Wambo Dam being subsided.

Potential environmental impacts of the Modification are largely restricted to the following key potential impacts on:

- Aboriginal cultural heritage;
- Native flora;
- Native fauna; and
- Agricultural resources.

In order to assess the potential environmental impacts of the Modification, environmental reviews were completed for the above key issues. For Wambo incorporating the Modification, the environmental reviews have concluded that:

- There is no identified risk of harm to known Aboriginal cultural heritage sites.
- There would be no significant impact on threatened flora or fauna species as a result of the Modification.
- There would be no significant reduction in the quality of threatened ecological communities.
- The Montrose Water Storage area would not include highly productive soils, nor would it include areas of strategic agricultural lands.

WCPL would continue to implement existing environmental management and monitoring measures to minimise the potential impacts of Wambo incorporating the Modification on existing environmental values and the nearest private dwellings.

The Modification would not require any significant alteration to the approved Wambo operations and would not result in an alteration to the Wambo mining sequence.

Consultation

Consultation has been conducted with the local community, United Collieries, Singleton Shire Council, DP& I and the Dam Safety Committee during the preparation of the EA.

It is anticipated consultation between the local community, United Collieries and regulatory agencies will continue during the public exhibition of the EA and the assessment of the proposal by the NSW Government.

Montrose Water Storage Sitting and Design

The Montrose Water Storage site was selected after a review of available water storage locations at Wambo taking into consideration physical constraints, ease of integration with the existing site water management system, cost of construction and future underground mine workings.

As detailed the Montrose Water Storage would be a 'turkey's nest' style dam located to the south-west of the approved open cut limit and would have a capacity of approximately 1 500 ML. The footprint of the Montrose Water Storage would be approximately 24ha.

The design of the Montrose Water Storage would include aspects to minimise seepage, including constructing the embankments with a low permeability core and cut-off key that would be extended into competent basement material.

The Montrose Water Storage embankments would be constructed from material excavated from the Montrose Water Storage footprint.

Up-catchment diversions would be constructed on the southern side of the Montrose Water Storage to divert runoff around the Montrose Water Storage. The up-catchment would divert runoff into existing drainage lines which report to the North Wambo Creek Diversion.

The Montrose Water Storage would be operated to maintain freeboard to store a 1 in 100 year 72 hour rainfall event. In the event that the Montrose Water Storage was nearing capacity, measures would be implemented to minimise the potential for release.

WCPL would obtain approval for the Montrose Water Storage from the Dam Safety Committee and would construct and operate it in accordance with the requirements of the approval.

The Mining Operations Plan would be revised to include details of the operation of the Montrose Water Storage.

Supporting Infrastructure

Supporting infrastructure (i.e. pumps, pipelines and powerline) would be installed to transfer water between the Montrose Water Storage and other components of the site water management system.

Two service corridors would be required as part of the Modification. The pipeline corridor (approximately 6m wide) would consist of a pipeline that would link the Montrose Water Storage to the open cut to the north.

The power and pipeline corridor (approximately 20m wide) would consist of a pipeline and powerline that would link the Montrose Water Storage to existing infrastructure areas at Wambo to the north-east.

The service corridors traverse grazing land and their locations have been selected to avoid known Aboriginal cultural heritage sites and remnant native woodlands.

The pipelines would be poly pipe laid on the ground surface and would be located so that no material land disturbance works would be required.

Leak detection and shutdown systems would be installed in the pipelines to identify and respond to variations in flow rates.

Crossing structures would be constructed to allow the pipelines to cross the North Wambo Creek Diversion without interrupting flow. At these crossings, the pipelines would be encased to contain leakage if the pipeline was to fracture before automatic cut-off values were activated.

Where the pipelines cross the existing track they would be buried to allow vehicles to continue to utilise the track. Disturbance would be restricted to the existing track disturbance areas.

The powerline would be located so that no material land disturbance works would be required. No material land disturbance works or disturbance of known Aboriginal cultural heritage sites would be required for installation of the power poles.

Vehicular access to the Montrose Water Storage would be via existing tracks.

Site Water Management

The site water management system would remain unchanged except for the addition of the Montrose Water Storage and the temporary loss of the South Wambo Dam while this dam is subsided by the North Wambo Underground Mine.

The South Wambo Dam will be re-established once mining in the North Wambo Underground Mine is complete so that it can continue to be used as water storage.

The Modification would initially result in a net increase in site storage capacity of approximately 660 ML. Once mining at the North Wambo Underground Mine is complete and the South Wambo Dam is re-established the site storage capacity would increase by approximately 1 500 ML as a result of the Modification.

Construction

Vegetation clearance required for the construction of the Montrose Water Storage would be conducted in accordance with the Vegetation Clearance Protocol included in the Flora and Fauna Management Plan.

Construction of the Montrose Water Storage and associated supporting infrastructure would take approximately 6 months and require approximately 12 additional employees/contractors. Construction works would generally be undertaken during daytime hours &am-6pm Monday to Friday and 7am to 4pm Saturday.

Landforms, Topography and Soils

The Modification would alter the landforms and topography within the Montrose Water Storage footprint.

Potential impacts of the Modification on soils would relate primarily to:

- Disturbance of in-situ soil resources within Montrose Water Storage area;
- Increased erosion and sediment movement due to exposure of soils during construction; and
- Alteration of physical and chemical soil properties due to stripping and stockpiling operations.

To minimise potential impacts on soil viability a range of management practices and procedures would be implemented.

The Modification would result in the disturbance or alteration of approximately 21 ha of existing agricultural lands.

These potentially sterilised agricultural lands are not considered to be highly productive. It is therefore considered that the Modification has very little potential to materially affect regional agricultural production or demand for agricultural infrastructure, supplies and services at a local or regional level.

The Modification is not expected to materially alter erosion and sediment control requirements.

Potential erosion and sedimentation impacts could potentially occur during construction of the Montrose Water Storage.

Construction activities associated with the Modification will be undertaken in accordance with the Erosion and Sediment Control Plan.

Ground Water

The construction and operation of the Montrose Water Storage is not expected to have any significant impact on alluvial aquifer systems.

The Montrose Water Storage would not be located in the North Wambo Creek alluvium. No alluvial soils were observed in the Montrose Water Storage area during the soil survey.

Notwithstanding, the design of the Montrose Water Storage would include aspects to minimise seepage, including constructing the embankments and with a low permeability core and cut-off key that would be extended into competent basement material. The potential for interaction between the Montrose Water Storage and alluvial aquifer system is therefore considered to be minimal.

Aboriginal Heritage

A number of Aboriginal cultural heritage surveys and assessments have previously been undertaken across Wambo and surrounding areas.

A search of the Aboriginal Heritage Information Management System database and the Wambo Aboriginal heritage site register indicated that there were no recorded sites in the Montrose Water Storage area.

Two Aboriginal heritage sites and three potential archaeological deposits are located in the vicinity of the Montrose Water Storage area. On the basis of these findings, the Montrose Water Storage and associated infrastructure were redesigned to avoid impact on these known sites.

Flora

A flora survey and assessment was conducted by consultants Orchid Research (2003) for Wambo in 2003.

Remnant vegetation was dominated by eucalypt forests and woodland, however then strips of River She-oak were reported to occur along North Wambo Creek, Wambo Creek, Stony Creek and Wollombi Brook and sand dune heath woodland were also reported to be present.

No threatened flora species or populations listed under the TSC Act or EPBC Act were recorded by the consultants.

Three vegetation communities have been mapped within the Montrose Water Storage area and surrounds being:

- Central Hunter Box – Ironbark Woodland
- Hunter Valley Foot slopes Slaty Box Woodland, and
- Secondary Native Grassland

The native vegetation within the Montrose Water Storage area is in relatively poor condition. The whole area has been highly disturbed by clearing, logging and grazing.

No flora species listed in the schedules of the TSC Act or EPBC Act was found during targeted searches or other sampling conducted within the Montrose Water Storage area and surrounds.

No threatened populations were found in the targeted searches or other sampling in the wider survey area.

No threatened ecological communities listed under the EPBC Act occur in the Montrose Water Storage area.

Flora management at Wambo would continue to be conducted in accordance with the Flora and Fauna Management Plan. This would include limiting clearing to the minimum extent practical and minimising and mitigating potential soil erosion. No specific additional flora mitigation or management measures are proposed for this Modification.

Fauna

Consultants Biosphere Environmental Consultants have prepared a Fauna Assessment for the Modification.

Baseline fauna surveys of a wider study area were conducted in spring 2010, including targeted surveys for threatened fauna species listed under the TSC Act and EPBC Act considered possible occurrences in the Montrose Water Storage area.

The Modification would not significantly affect threatened fauna species given:

- The area proposed to be cleared for the construction of the Montrose Water Storage is small. As such, the Modification would not result in the fragmentation or isolation of an area of habitat for a threatened fauna species;
- Large areas of high quality woodland habitat exists outside of the Montrose Water Storage area to the south and to the west of the storage area;
- Vegetation clearance for the Modification would be undertaken in accordance with the Vegetation Clearance Protocol.
- The existing Flora and Fauna Management Plan also include protocols to manage threats to fauna such as feral animals, noxious weeks and fires.

Noise and Blasting

Potential noise related impacts of the Modification would be associated with the construction of the Montrose Water Storage and associated supporting infrastructure.

The nearest private dwelling to the proposed location of the storage area is approximately 3 kilometres to the north-west. A significant ridge is located between the Montrose Water Storage and this dwelling.

In comparison to the scale of open cut mining operations at Wambo and given the location of the nearest private dwelling, the Modification has minimal potential to increase intrusive noise levels at the nearest private dwelling.

Air Quality

Potential air quality related impacts of the Modification would be associated with the construction of the Montrose Water Storage embankments and soil stripping.

The nearest private dwelling to the proposed location of the Modification is approximately 3 km north-west. Given the short-term nature of the construction required, the Modification is unlikely to result in adverse air quality impacts at the nearest private dwelling.

Notwithstanding, existing air quality management measures would continue to be implemented for the Modification.

Incremental greenhouse gas emissions associated with the Modification would be related to construction of the Montrose Water Storage and associated supporting infrastructure and the operation of pumps. It is not considered that this Modification would result in any recognisable increase in GHG emissions associated with the Wambo facility.

Road Transport

The Modification would result in a temporary demand for approximately 12 additional employees/contractors during construction.

There would be no material change in the vehicle movements associated with consumable deliveries to Wambo associated with the Modification.

Given the above, it is considered the Modification would not result in any significant changes to the approved road transport impacts of Wambo.

Visual

The visual prominence of the Montrose Water Storage would be relatively minor in comparison to the approved Wambo operations.

Other infrastructure is also minor in nature and would not be visually prominent.

Night-lighting required for the Montrose Water Storage would be associated with pumping infrastructure and would be minor. As this night-lighting would be adjacent to approved fixed

and mobile lighting associated with the Wambo open cut operations, there is expected to be no change in night-lighting impacts at any non-WCPL owned land.

Given the above, it is considered the Modification would not result in any significant changes to the approved visual impacts of Wambo.

Non Aboriginal Heritage

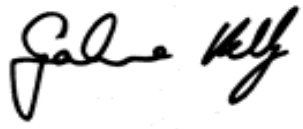
No items of heritage significance were identified in the Montrose Water Storage area. It is therefore considered the Modification would not result in any additional impacts to items of non-Aboriginal heritage.

In Summation

The Modification is required to ensure adequate water storage is available at Wambo while the existing South Wambo Dam is subsided by the approved North Wambo Underground Mine.

Based on the assessment of potential environmental impacts which has been multi-disciplinary and involved consultation with the DP&I and other relevant stakeholders, the Wambo Modification 11 Montrose Water Storage Dam Project is anticipated to pose negligible additional environmental impacts beyond those already approved under DA 305-7-2003 MOD 10.

The Union supports the Modification. The Montrose Water Storage Dam Project is consistent with currently approved Development Consent objectives of the EP&A Act. It is a common sense and appropriate mine infrastructure proposal. There is no doubt that it is environmentally sound and meets all the requirements that would be considered for the approval of such a project. There is no basis for the Modification not to be approved in the form sought.



Grahame Kelly
DISTRICT SECRETARY