NSW GOVERNMENT

Mount Piper Rail Unloader Project

Modification Assessment (06_0271 MOD 1)

January 2019

Cover photo: Main Rail Crossing at Pipers Flat

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Executive Summary

EnergyAustralia NSW Pty Ltd (EnergyAustralia) owns and operates the Mount Piper Power Station which is located near Portland, in the Lithgow local government area (see **Figure 1**). Mount Piper Power Station supplies approximately 15% of NSW energy demands. The power station currently only receives coal from the Springvale Coal Mine.

The Mount Piper Rail Coal Unloader Project (06_0271) was approved by the then Minister for Planning in 2009. The project involves the construction and operation of a rail loop, coal unloading and coal conveyor to allow Mount Piper Power Station to receive coal by rail from sources other than Springvale.

EnergyAustralia is yet to construct the project. Since it was approved, EnergyAustralia has undertaken engineering studies on the approved project, which has led to changes to the design of the rail loop. EnergyAustralia now proposes to modify the approved project to allow two connections to the main rail line which would enable the power station to receive coal from both directions. The proposed modification would also involve the creation of a direct connection between the overland conveyor and coal unloader, and the removal of a number of ancillary infrastructure items.

The Department exhibited the modification application and received one submission from a local community member and advice from nine Government agencies. None of the agencies objected to the proposed modification. The community member objected on grounds relating to potential amenity and socio-economic impacts of the approved project. The Department acknowledges these concerns and notes that these issues were considered during the assessment of the original project and are not directly relevant to the assessment of the current modification.

The Department has undertaken a comprehensive assessment of the potential impacts of the proposed modification, in close consultation with the Environment Protection Authority, WaterNSW, the Office of Environment and Heritage and Transport for NSW.

The Department's assessment has found that overall the proposed modification would reduce the environmental impacts of the approved project. This is because the redesigned rail loop would require significantly less material to construct, which would result in reduced noise, air quality and traffic impacts during both construction and operation. The proposed modification would also reduce visual and Aboriginal heritage impacts.

The Department notes that there would be an increase of 1.6 hectares of remnant vegetation clearing for construction of the northern section of the redesigned rail loop. However, the Department has included a condition requiring EnergyAustralia to undertake targeted flora surveys and to quantify the area of each vegetation community proposed to be cleared prior to the commencement of construction, which would form part of the compensatory habitat package required under the existing conditions of approval. The Department and OEH consider that the biodiversity impacts of the proposed modification would be appropriately managed through the recommended conditions and updated compensatory habitat package.

Importantly, the proposed modification would ensure the Mount Piper Power Station has a reliable source of coal to enable its continuous operation, particularly during periods of increased demand as it would give the power station flexibility to receive coal from sources other than the Springvale Coal Mine.

Given the benefits of this modification can be achieved with minimal environmental impacts, the Department considers that the proposed modification is in the public interest, and should be approved, subject to conditions.

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1. Introduction

EnergyAustralia owns and operates the Mount Piper Power Station located near Portland, approximately 25 kilometres (km) north-west of Lithgow in the Lithgow local government area (see **Figure 1**). The coal-fired power station generates up to 1,400 megawatts of electricity, which is enough to power up to 1.2 million average Australian homes. The power station supplies approximately 15% of NSW energy demands.

The Mount Piper Power Station is located near the NSW Western Coalfield, which includes the Springvale Coal Mine and the Angus Place Coal Mine.

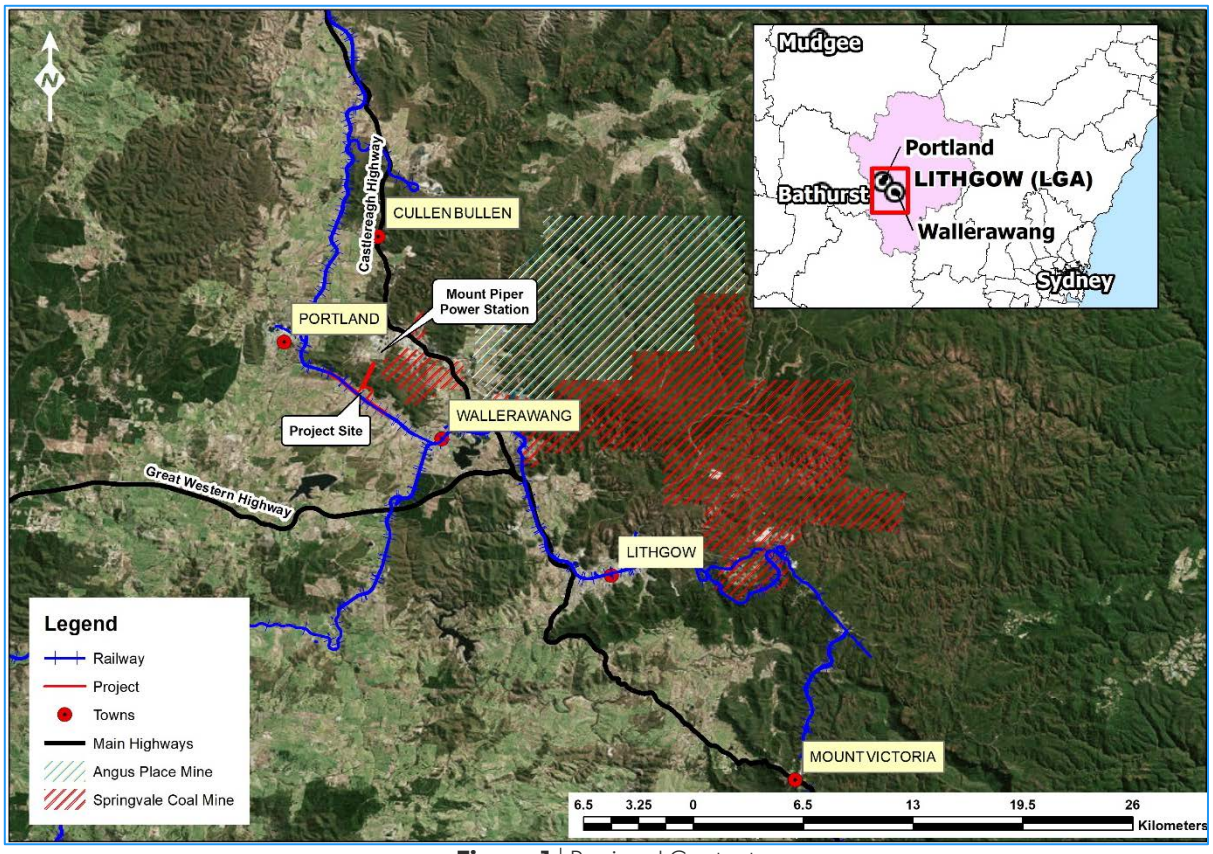

Figure 1 | Regional Context

On 27 June 2009, the then Minister for Planning approved the construction and operation of the Mount Piper Rail Coal Unloader Project. The approved project included a rail loop, coal unloader and coal conveyor system to allow coal trains to deliver coal to the power station. EnergyAustralia has not yet constructed the project and the power station currently receives all its coal via a conveyor from the Springvale Coal Mine.

The project approval allows the construction and operation of:

- a rail loop and a branch line connection to the Wallerawang - Mudgee main line;
- coal unloading infrastructure;
- a coal conveyor system to deliver coal to an existing coal handling facility;
- a locomotive provisioning area;
- a rail wagon maintenance area comprising rail sidings, hard stand areas and a shed;
- an office and amenity area; and
- a diesel fuel storage area.

2. Proposed Modification

Since receiving approval, EnergyAustralia has undertaken additional engineering studies, which have identified that the project could be constructed without needing to include a number of the ancillary infrastructure items. It has also decided to change the design of the rail loop so that it can accept trains from either direction on the main rail line.

In order to implement the proposed changes, EnergyAustralia is seeking to modify the project approval. The key changes to the approved project include:

- redesigning the rail loop to reduce the maximum height of the rail embankment by 4 m and to allow two connections to the main rail line which would enable the power station to receive coal from both directions;
- repositioning the coal unloader facility to line up with the overland conveyor;
- reducing coal throughput from 8 to 5million tonnes per annum (Mtpa);
- reducing the number of trains from 6 to 3 trains a day; and
- extending the approval lapse date by 3 years (i.e. from June 2019 to June 2022).

The proposed modification also includes removing some of the approved ancillary infrastructure from the project which would not be required to be constructed, including the transfer conveyor and transfer station, wagon maintenance facility, locomotive provisioning area and diesel fuel storage area.

The key features of the proposed modification are shown in **Figure 2** and **Figure 3** and are described in detail in the Environmental Assessment (EA - see **Appendix B**). The black and pink contours in **Figure 2** show the approved and modified rail loop designs, respectively. The red contour shows an optional rail spur connection to the main rail line. An overland coal conveyor belt would remain within the approved 50 m wide corridor.

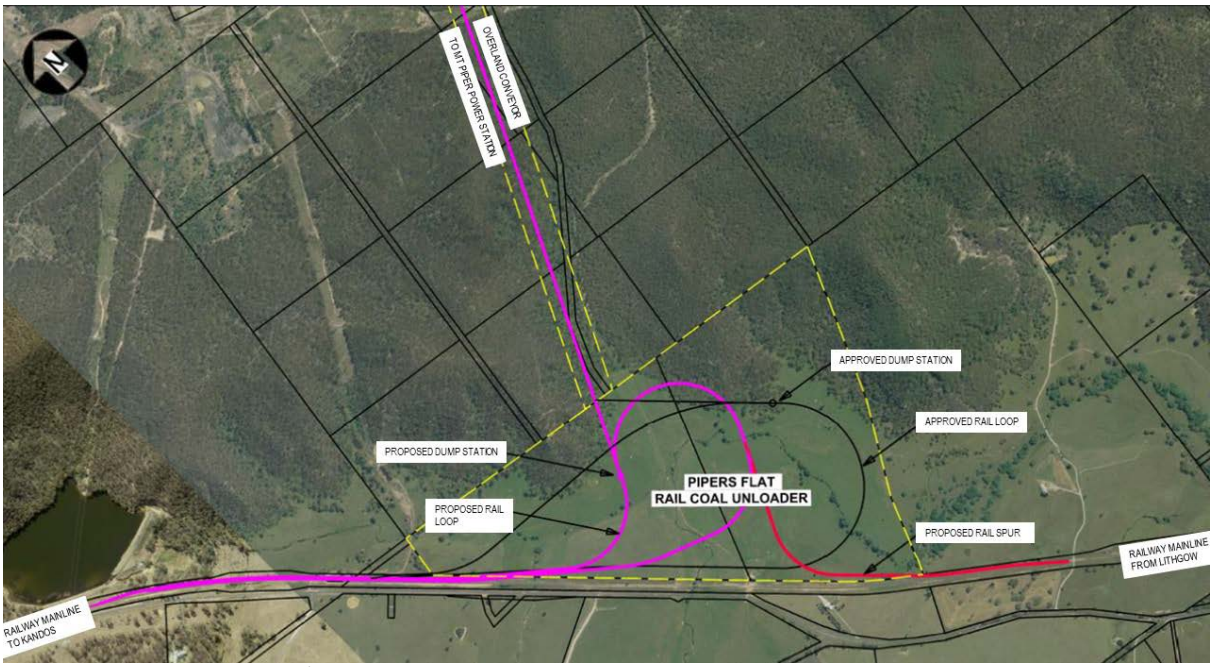

Figure 2 | Approved (black) and Proposed (pink and red) Rail Loop and Conveyor

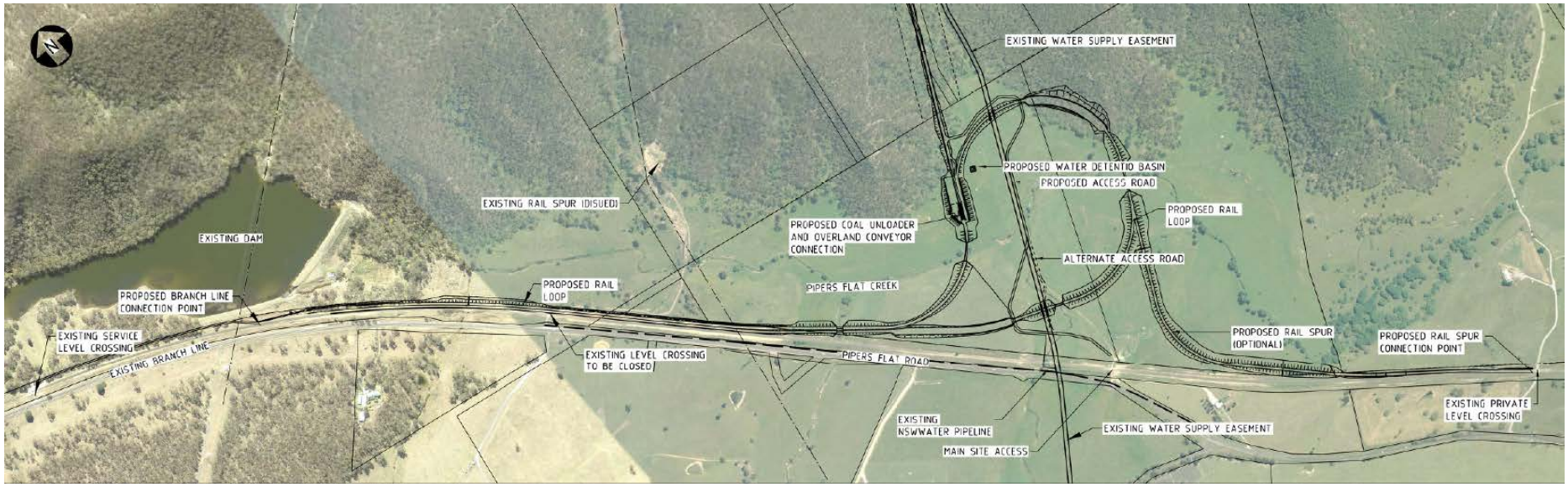

Figure 3 | Key Features of the Proposed Rail Loop Design

The major components of the project and the proposed modification are summarised in **Table 1.**

Table 1 | Summary of the proposed modification

Aspect	Approved Project	Proposed Modification
Rail loop	• The length of the loop is approximately 3.5 km • Maximum rail embankment height up to 16 m • Bulk earthworks and fill - approximately 600,000 m3 • 250 m curve radius • Able to accommodate trains to a maximum length of 1,400 m • 2 bridges over Pipers Flat Creek, 1 bridge over Thompsons Creek, crossing structures and culverts	• Increased to 4.8 km • Reduced to 12 m • Reduced to 100,000 m^3 • Decreased to 200 m • Would accommodate longer trains up to 1,543 m • Same number but realigned • Rail loop realigned to the west of the approved location
Coal unloader	• 17 m below the rail line • Protective building above the rail line approximately 40 m long and up to 7 m high • 2,000 tonne capacity coal unloader hopper with coal storage capacity within the hopper	• Changed to 11 m below the rail line • Increased building length to 45 m • Reduced capacity to 600 tonnes Removed storage capacity • Coal from the hopper would be funneled to the overland conveyor • Relocated about 250 m west from the approved location
Coal conveyor	• Conveyor located within a tunnel from the bottom of the dump hopper • Approximately 3.44 km long • Intermediate coal transfer conveyor and facility	• Direct connection between the coal unloader and the overland conveyor to the power station • Increased to 3.67 km long • No longer required
Diesel storage area	• Storage for up to 106,000 litres of diesel	• No longer required
Wagon maintenance area	• A rail siding which would have 2 hardstand areas of 5 m x 50 m and a small shed about 6 m x 4 m x 3 m high for storage of equipment	• No longer required
Locomotive provisioning area	• A building structure about 50 m long • Allows for locomotive refueling and sanding	• No longer required
Optional rail spur	• Not included in original project	• Eastern rail spur connection to the main rail line
Coal throughput	• Up to 8 Mtpa (i.e. to 6 trains a day)	• Reduced to 5 Mtpa (i.e. to 3 trains a day)

3. Strategic Context

3.1 Site and Surrounds

The site is predominantly cleared land which has been used for grazing. There are 13 private landholdings and residences located within 2 km of the site. A commercial poultry farm is located approximately 400 m south of the proposed rail loop.

Pipers Flat Road runs parallel to the site's southern border. The southern boundary of the project is delineated by the Wallerawang – Mudgee Rail Line that runs parallel to the road.

The project site is traversed by Pipers Flat Creek, Thompons Creek, Irondale Creek and Winters Creek. The Mount Piper Power Station is located north of the site behind a ridgeline.

The rail line is owned by Transport for NSW (TfNSW) and operated by John Holland Rail. The area of the project for the rail loop is owned by EnergyAustralia. The overland coal conveyor would be constructed on land owned by Centennial Coal (see **Figure 4**).

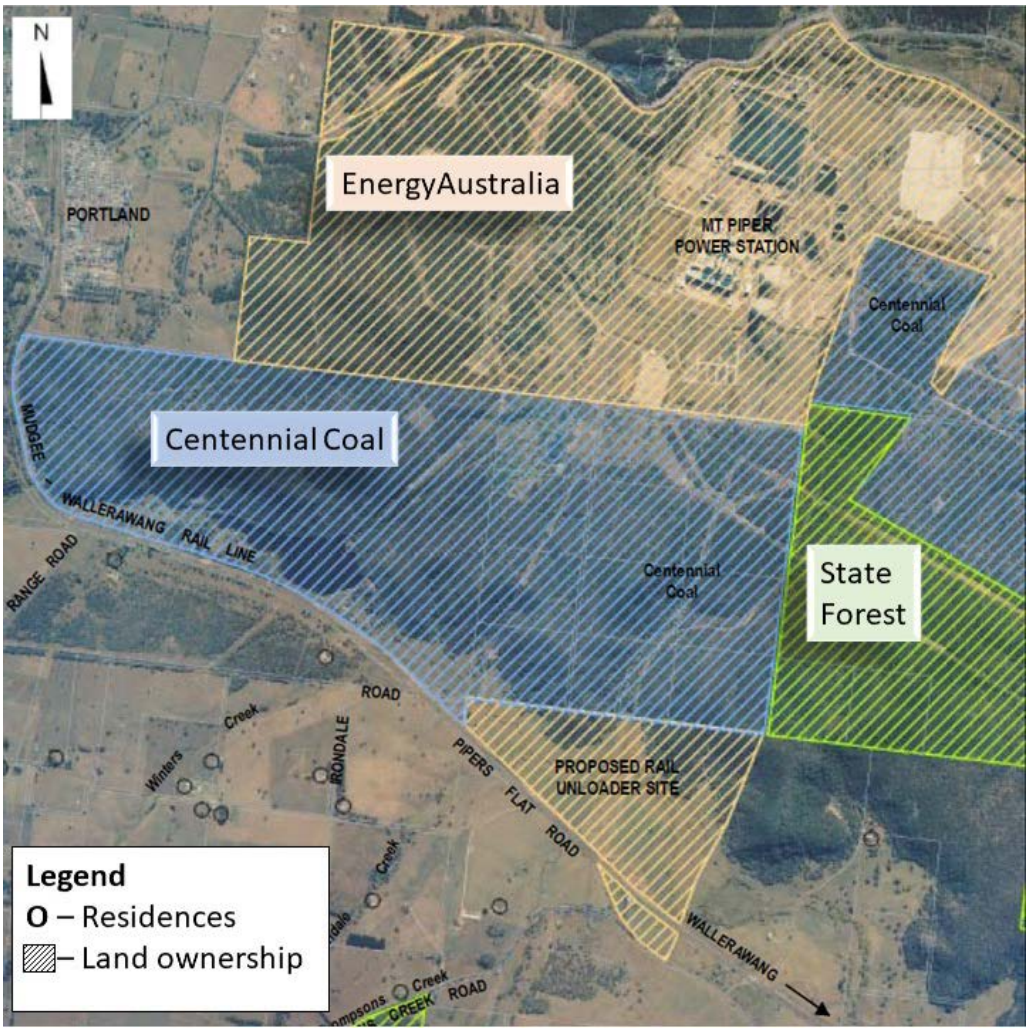

Figure 4 | Site Location and Land Ownership

3.2 Energy Context

In 2017, NSW derived approximately 75.8% of its energy from coal. There are currently no plans for the development of new coal-fired power stations in the broader National Electricity Market (NEM) and in recent times, there has been an increase in the development of renewable energy sources. However, renewable energy sources do not have the capacity to meet the State's current energy demand. This means that coal remains an important energy source to ensure energy security and reliability in the NEM, particularly during this transition period.

The Australian Energy Market Operator (AEMO) stated in its *Integrated System Plan* 2018 "*it is important to retain existing coal-fired generators until the end of their technical life to maintain reliability of the NEM*'". To reach this objective, it is important that the Mount Piper Power Station has a reliable source of coal to enable its continuous operation, particularly during periods of increased demand.

Historically, the Mount Piper Power Station has received its coal from the Springvale Coal Mine and the neighbouring Angus Place Colliery. However, the Angus Place mine has been in care-and-maintenance since 2015. The power station currently receives all its coal from the Springvale mine, which under its current approval would be able to supply coal until the end of 2024.

While EnergyAustralia has indicated that it prefers to continue to receive coal from local mines, it considers it is necessary to have the rail infrastructure in place to enable alternative coal supply options.

4. Statutory Context

4.1 Section 75W

The project was originally approved under the former Part 3A of the *Planning & Assessment Act* 1979 (EP&A Act). Part 3A of the EP&A Act was repealed on 11 October 2011. However, the project remains a "transitional Part 3A project" under Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation* 2017.

As the modification request was lodged prior to 1 March 2018 (i.e. the cut-off date to lodge Part 3A modification requests), it can be considered under the former section 75W of the EP&A Act.

The Department has reviewed the scope of the proposed changes and considers that the application can be characterised as a modification, as it:

- is substantially the same development as originally approved;
- would only involve minor disturbance outside the already approved disturbance areas for the project; and
- would not significantly increase the environmental impacts of the project as approved.

Therefore, the Department is satisfied the proposed modification is within the scope of section 75W of the EP&A Act, and may be determined accordingly.

4.2 Approval Authority

Under section 75W of the EP&A Act, the Minister for Planning is the approval authority for the modification application. However, under the Minister's delegation dated 11 October 2017, the Executive Director, Resource Assessments and Business Systems may determine the application, as less than 25 objections were received, Lithgow City Council did not object, and no reportable political donations have been made by EnergyAustralia.

5. Engagement

5.1 Department's Engagement

After receiving the modification application and accompanying Environmental Assessment, the Department:

- advertised the exhibition of the EA in the Lithgow Mercury on 7 September 2018;
- publicly exhibited the EA from Friday 7 September until Friday 21 September 2018 on:
  - the Department's website;
  - at Lithgow City Council; and
  - at the Nature Conservation Council; and
- notified relevant State government authorities in writing of the proposed modification.

The Department conducted a visit to the site with representatives from the relevant regulatory authorities including the EPA, OEH, WaterNSW and Lithgow City Council on 21 September 2018.

5.2 Submissions

The Department received one submission from the community member objecting to the modification and advice from nine Government agencies (see **Appendix C)**. A summary of the issues raised during the consultation is provided below.

EnergyAustralia has addressed the key issues raised by agencies in its Response to Submissions (RTS) provided to the Department on 29 October 2018 (see **Appendix D**). The Department forwarded it to Government agencies and made it publicly available on its website.

5.3 Key Issues - Government Agencies

WaterNSW did not object to the proposed modification. It asked to be consulted during the development and implementation of a program to reinstate riparian vegetation along Pipers Flat Creek and its tributaries. It also recommended a 100-metre buffer between the effluent disposal area and Pipers Flat Creek. The Department has included this recommendation in the updated conditions of approval. WaterNSW confirmed it had no residual issues following its review of the RTS.

The **Environment Protection Authority** (EPA) recommended the installation of barriers to avoid potential coal spillage entering the creek systems. It also recommended investigation of low-noise rollers for the coal conveyor. EPA also noted that the environment protection licence (EPL) would need to be revised to include the proposed activity and monitoring points. EnergyAustralia in its RTS agreed to comply with EPA's recommendations.

The **Roads and Maritime Services** (RMS) did not object to the proposed modification. It also confirmed that no additional traffic and transport analysis was required for the proposed modification, given the limited change to environmental impacts.

The **Department of Industry Lands and Water Division** (DoI L&W) did not object to the proposed modification and recommended that relevant water management plans are updated.

The **Division of Resources and Geoscience** (DRG) noted that proposed modification would not affect the activities associated with adjacent mining leases and would not sterilise potential coal resources.

Lithgow City Council (Council) recommended that any upgrades to local roads as approved in the current conditions of approval should happen prior to any oversized vehicles accessing the site. The Department supports

Council's recommendation and has updated the conditions accordingly. Council raised no residual concerns in response to the RTS.

The **Office of Environment and Heritage** (OEH) recommended that further details about clearing impacts are provided prior to the commencement of construction activities. OEH also recommended to undertake targeted surveys for threatened flora species during appropriate survey periods. These recommendations were addressed in the RTS and incorporated in the updated conditions of approval.

OEH also recommended to re-evaluate the potential archaeological deposits (PADs) within the proposed rail loop alignment and develop a salvage program. The Department has adopted the recommendations in the updated conditions of approval.

Transport for NSW (TfNSW) is the rail authority and the land owner of the Country Regional Network. It did not object to the proposal and specified that a contractual agreement would be needed before EnergyAustralia could install any rail infrastructure on TfNSW land.

The Department also received a submission from **John Holland Rail**, which is contracted to TfNSW to manage its railway infrastructure. It requested to be consulted during development and construction of the project components within the rail corridor. The Department notes the current project approval already requires EnergyAustralia to consult with TfNSW for works within the existing rail corridor.

5.4 Key Issues – Community

The Department received one objection from a community member living approximately 1 km from the site. The community member was concerned about noise impacts from the project and that railing coal to the site from outside the local area would affect the local mining industry. While the Department acknowledges these concerns, it notes that these issues were considered during the assessment of the original project and are not directly relevant to the assessment of the current modification. Notwithstanding, the Department has considered the potential amenity impacts of the proposed modification in **section 6** of this report.

6. Assessment

The Department's consideration of the issues related to the proposed modification are summarised in **Table 2**.

Table 2 | Summary of the issues considered

Issue	Consideration	Recommendations
Noise	*Construction* Construction noise levels at all private receivers would be within the standard construction hours limit of 45dB(A) with the exception of rail tamping activities which would lead to a 4 dB(A) exceedance at one private receiver. However, construction works would only be undertaken during standard daytime construction hours, and rail tamping noise would be managed by using best practice rail tamping equipment and installing mobile screens near the rail line. EnergyAustralia has also committed to inform the nearby residents of potentially noisy construction activities and managing any concerns raised. *Operation* Operational noise levels have been assessed in accordance with the *Noise Policy for Industry* (EPA 2016) and are modelled to comply with approved limits.	No additional conditions required.

Issue	Consideration	Recommendations
	A number of noise minimising design elements have been incorporated into the proposal, including: • enclosing the dump hopper and associated infrastructure in a building; • acoustic enclosures for conveyor drive motors; and • wooden sleepers, track ballast and trackside lubricators to minimise rail wheel noise. In addition, a noise validation study would be conducted to quantify the noise levels from the rail loop, in accordance with the current conditions of approval, before using the rail loop. Noise levels from coal trains on the main rail line are predicted to comply with the limits allowed under the *Rail Infrastructure Noise Guideline*, and the existing limits in the current Environmental Protection Licence for the rail line. The Department and the EPA consider that the Noise Management Plan in the current approval conditions would effectively manage noise impacts during construction and operation of the project as modified.	
Air Quality	*Construction* The proposed modification would significantly reduce the amount of fill material required to construct the rail embankment (i.e. from approved 600,000 m^3 to 100,000 m^3). Dust from construction of the proposed modification compared to dust levels from the approved project are predicted to reduce by 55 %. *Operation* Removing the transfer station and unloading coal straight to the conveyor would significantly reduce the level of dust emissions, as it would avoid double handling and transporting coal. The proposed coal unloader facility would be located further away from the nearest sensitive receiver by approximately 150 m. The reduction in the annual coal throughput would reduce the number of trains a day delivering coal from approved 6 to 3 trains a day. Accordingly, this would result in less diesel emissions from the project. Based on the air quality assessment for the proposed modification, the total reduction in dust emissions during operations is predicted to be around 38%. The existing project approval already requires EnergyAustralia to undertake a comprehensive dust monitoring program prior to construction. It also requires EnergyAustralia to undertake an air quality model validation study and, in case of significant deviance from the predicted levels, propose additional mitigation measures. The Department and the EPA considers that the Dust Management Plan in the current approval conditions would effectively manage air quality impacts during construction and operation of the project as modified.	No additional conditions required.
Soil and Water	The Department notes that the assessment for the approved project identified that the most significant changes in flooding levels would occur within the area of the proposed rail loop. The proposed modification changes the location of the approved creek crossings. The crossing structures would have sufficient capacity to prevent significant flooding impacts outside of the site boundary during a 100-year average recurring interval flood event. The proposed modification would not significantly increase the current flooding regime beyond the boundary of the proposal. EnergyAustralia also committed to refine the 2D flood model during detailed design, which would inform the design of infrastructure located near natural waterways to ensure any permanent and intermittent water flows are not impeded. DoI L&W did not object to the modification and asked that the water management plan reflects the proposed changes to the rail loop. EPA requested that protective barriers are installed at the site to prevent any coal spillage entering the creek systems. EnergyAustralia has committed to install the barriers in consultation with EPA. The Department considers the proposed mitigation measures would ensure that the modification would not change the impacts previously assessed and approved for the project.	Update conditions to require consultation with relevant government agencies (i.e. WaterNSW, EPA, DoI Lands and Water and Council) during the preparation of the Water Management Plan.

Issue	Consideration	Recommendations
Biodiversity	The majority of the site is cleared of vegetation. While the proposed total rail loop length would increase from 3.5 km to 4.8 km, the proposed modification would affect a similar footprint to the approved loop alignment. Construction of the northern part of the realigned rail loop would result in clearing of an additional 1.6 ha of native woodland. OEH advised that EnergyAustralia should undertake targeted threatened flora species surveys and quantify the area of each vegetation community proposed to be cleared for the entire project (i.e. including the modified rail loop, conveyor and associated infrastructure) prior to the commencement of construction. The Department has included this recommendation in the updated conditions of approval. Up to 15 hollow bearing trees would also need to be removed. EnergyAustralia has committed to install 15 nest boxes in remnant vegetation adjacent to the rail loop prior to any clearing of hollow-bearing trees The existing conditions of approval require EnergyAustralia to minimise the removal of any hollow-bearing trees and provide a compensatory habitat package to the satisfaction of OEH. OEH has requested that the timing for implementation of the package should be specified in the updated conditions. Accordingly, the Department has recommended that the compensatory habitat package be provided within 12 months of the commencement of construction of the project. With the implementation of the proposed mitigation measures and recommended conditions, the Department and OEH consider that the biodiversity impacts of the proposed modification can be appropriately managed.	Prior to any vegetation clearing in the rail loop alignment and coal conveyor corridor, undertake targeted threatened flora surveys and quantify the final vegetation clearing areas, in consultation with OEH. Finalise the habitat compensation package within 12 months of the commencement of construction of the project.
Visual	The project would be most visible from the commercial poultry farm and the users of the Pipers Flat Road. However, views of the site would be obscured for the residences located along Irondale Road. Residential properties south of the Pipers Flat Road would have limited views due to existing screening. The proposed modification would ameliorate the approved visual impacts in a number of ways including: • the maximum embankment height would reduce from 16 m to 12 m; • some ancillary structures such as the fuel storage area, provisioning building, and wagon maintenance building would not be constructed; • the coal unloader facility is proposed to be relocated 250 m west of the originally approved location; and • the rail loop is realigned further away from Pipers Flat Road. Consequently, the Department considers that the visual impacts at the most affected receivers (i.e. the 'Premier Farms' property and the Pipers Flat Road users) would be reduced. The Department also notes the existing project approval requires EnergyAustralia to develop a Landscaping and Ecology Management Plan (LEMP) that includes screening to private residences. The Department considers that any potential visual impacts caused by the proposed modification would be appropriately managed through the existing conditions of approval.	No additional conditions required.
Heritage	The study area for the original project identified a number of heritage items, including: • 2 Aboriginal sites; • 1 historic site complex; • 7 areas of potential archaeological deposit (PAD) The proposed amended rail loop design would avoid direct impacts to 1 Aboriginal site, 1 historic site complex and 2 PADs (1 and 2) that were previously approved to be affected. EnergyAustralia has committed to undertake additional consultation with the Aboriginal community and undertake subsurface testing of four PADs (i.e. 3, 4, 5 and 6) that would be directly affected by the proposed modification.	Undertake a program of archaeological subsurface testing of four PADs that may be directly affected by the project, in consultation with OEH and Aboriginal community.

Issue	Consideration	Recommendations
Traffic and Transport	Construction traffic would reduce as less fill material would be imported to the site. Access to the site would be from Pipers Flat Road or via the existing access road along the overland conveyor from the Mount Piper Power Station. EnergyAustralia would upgrade the intersection of the site access road and Pipers Flat Road before oversize vehicles can access the site. Council recommended that any upgrades to local roads as approved in the current conditions of approval should happen prior to any oversized vehicles accessing the site. The Department supports Council's recommendation and has updated the conditions accordingly.	Update the conditions to require intersection upgrades to be undertaken prior to oversize vehicles accessing the site.

7. Evaluation

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act, and in consultation with the relevant Government agencies.

The proposed modification involves a number of design changes to the approved project, including a realignment of the rail loop, direct delivery of coal to a conveyor and removal of some ancillary infrastructure items.

The Department considers that these changes would reduce the environmental impacts of the project during construction and operation.

In particular, the construction of the re-designed project would create less noise and air quality impacts, would reduce approved traffic movements, and would avoid impacts to an Aboriginal cultural heritage site and two PADs.

In regard to biodiversity, although some additional clearing would be required, further targeted species surveys would be undertaken before construction commences, and a suitable habitat offset package developed in consultation with OEH.

The Department considers that the proposed modification would provide EnergyAustralia greater flexibility in the way it receives coal while reducing the environmental impacts of the approved project and ensuring energy security and reliability in the NEM.

Consequently, the Department considers that the proposed modification is in the public interest and should be approved, subject to the recommended conditions.

8. Recommendation

It is recommended that the A/Executive Director, as delegate of the Minister for Planning:

- **consider** the findings and recommendations of this report;
- **determine** that the application 06_0271 MOD1 falls within the scope of section 75W of the EP&A Act;
- **accept and adopt** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application;
- **modify** the approval 06_0271; and
- **sign** the attached notice of the modification (**Appendix E**).

Recommended by:

18.01.2019

Tatsiana Bandaruk
Environmental Assessment Officer
Resource and Energy Assessments

Recommended by:

18.01.2019

Phillipa Duncan
A/Director
Resource and Energy Assessments

9. Determination

The recommendation is: **Adopted / Not adopted by:**

23/1/19

Clay Preshaw
A/Executive Director
Resource Assessments and Business Systems

as delegate of the Minister for Planning

Appendices

Appendix A – List of Documents

The Department in its assessment has considered:

- modification application and supporting Environmental Assessment;
- existing conditions of the project approval (06_0271);
- advice from the key Government agencies, including Environmental Protection Agency, WaterNSW, Office of Environment and Heritage and Department of Industry Crown Lands and Water Division;
- RTS and additional information provided by EnergyAustralia;
- relevant environmental planning instruments, policies and guidelines; and
- relevant requirements of the EP&A Act.

Appendix B – Environmental Assessment

See the Department's website at http://majorprojects.planning.nsw.gov.au/

Appendix C – Submissions

See the Department's website at http://majorprojects.planning.nsw.gov.au/

Appendix D – Submissions Report

See the Department's website at http://majorprojects.planning.nsw.gov.au/

Appendix E – Notice of Modification

Appendix F – Consolidated Approval