



Shire of  
**Gunnedah**  
Land of Opportunity

Mr D Kitto  
Director, Mining & Industry  
NSW Department of Planning and Infrastructure  
PO Box 39  
SYDNEY NSW 2000

11 December 2012

Dear Sir

**Narrabri Coal Mine Project Approval (08\_0144)  
Section 75W Modification Application  
Emergency Trucking**

I refer to the above modification application relative to a proposal by the proponent, Whitehaven to insert an additional condition in the Project Approval that will permit the transport of coal by road from the Narrabri Mine to the Whitehaven Coal Handling Preparation Plant during emergency situations such as the disruption of rail services.

The documentation in support of the modification proposal has been examined and having regard to consultations with the proponent, Council offers no objection to the modification subject to the undertakings within the modification proposal being enacted and satisfied.

It is noted that Boggabri Coal Ltd has also lodged a similar modification application to the Project Approval for its Boggabri Coal Mine (09\_0182). The Department's consideration of, and if deemed necessary, conditioning in relation to cumulative impacts of the two modifications, particularly in respect of vehicle management in the vicinity of the Bluevale Road and Kamilaroi Highway intersection and the Whitehaven Coal Handling Preparation Plant entry off the Kamilaroi Highway is requested.

Thank you for the opportunity to comment on this modification.

Yours faithfully

Michael J Silver  
DIRECTOR PLANNING & ENVIRONMENTAL SERVICES

Contact: 67402120  
Reference: msj:vg

*Our Reference:* PW:MR:  
*Your Reference:*  
*Contact Name:* Mr Warwick Stimson  
*Telephone:* (02) 67996855

10 December 2012

NSW Department of Planning and Infrastructure  
GPO Box 39  
**SYDNEY NSW 2001**

**Attention: Mr David Kitto – Director, Mining and Industry**

Dear David

RE: NARRABRI COAL MINE (08\_0144) – SECTION 75w MODIFICATION APPLICATION  
FOR EMERGENCY TRUCKING

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Reference is made to the submission by Whitehaven Coal to the Department regarding the above matter.

As you are aware Whitehaven Coal is a major employer within the Narrabri Shire and it is important that its operations are maintained. Whilst generally there is no objection raised over the proposed emergency trucking arrangements, the Council expresses concern, particularly given the greatest impact is expected on the village of Boggabri. This concern will be amplified when other coal and agricultural companies seek to utilise the road network as an alternative to rail. It is therefore important to establish appropriate controls as part of this initial request.

As part of the Department's consideration of this matter, Council asks that the following conditions be placed on any approval:-

- All loads shall be appropriately covered to ensure that no spillage occurs while in transport.
- All vehicles shall be hosed down prior to leaving the site so as to minimise any tracking of sediment on the road system. An alternate method of sediment control could be considered by the Department.
- Truck speeds shall be limited to 40km/h through Boggabri and for an appropriate distance either side of the intersection of the Kamilaroi Highway and the mine access road.
- At least three mobile speed boards shall be placed in each direction through the village of Boggabri – one on entering the village and two travelling through it – with locations to be determined in conjunction with the Roads and Maritime Services and Council.
- A temporary truck parking and storage area shall be identified and utilised to ensure trucks are not parking within the local road network in Boggabri – location to be determined in conjunction with the Roads and Maritime Services however, it should be located outside of the Boggabri village limits.

We trust this will assist the Department deal with this application expeditiously. Please do not hesitate to contact Mr Warwick Stimson on (02) 67996 855 if you require any further information.

Yours faithfully

**Mr Pat White**  
**GENERAL MANAGER**

**Stephen O'Donoghue - FW: Narrabri Coal Mine Modification - Emergency Trucking**

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**From:** Kharl Turnbull <Kharl.Turnbull@epa.nsw.gov.au>  
**To:** "Stephen O'Donoghue (Stephen.O'Donoghue@planning.nsw.gov.au)"  
<Stephen.O'Donoghue@planning.nsw.gov.au>  
**Date:** Friday, 7 December 2012 10:41 AM  
**Subject:** FW: Narrabri Coal Mine Modification - Emergency Trucking  
**CC:** Simon Smith <Simon.Smith@epa.nsw.gov.au>

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Hi Steve

The modification as proposed will not require any change to the current environment protection licences for either the Narrabri Coal Mine or Whitehaven CHPP.

However, as discussed, the EPA considers that further information is required as outlined below:

**Narrabri Coal Mine**

The current licence has noise limits of 35dBA for Day, Evening and Night time operations. Associated noise impacts on surrounding neighbours from haul road activities from the coal stockpile to the Newell Hwy should be considered.

**Whitehaven CHPP**Current activities:

1. One adjacent neighbour is currently experiencing verified noise impacts associated with current levels of coal throughput from washery and coal stockpiling activities.
2. A second adjacent neighbour is currently experiencing verified noise impacts associated with current levels of coal rail load out activities.
3. A third adjacent neighbour has made previous unverified complaints relating the coal dust fall out.

Proposed modification:

1. The proposal should demonstrate that liaison has occurred with all adjacent neighbours and where current non compliances have been identified, that a clear strategy/ commitment and/ or resolution into these matters (through on ground works or private agreement) should be provided. Hence, the current proposal does not provide:
  - Information on potential impacts/ mitigation controls of dust generation from coal stockpiles,
  - Information on potential impacts/ mitigation controls of noise generation from truck movements and stockpiling coal onsite,
  - Information on potential impacts/ mitigation controls of noise generation from coal rail load out activities,

It is noted that Whitehaven have committed to provide DoPI with fortnightly updates regarding the trucking campaign. The EPA also requests to be provided with the same regular updates.

Regards

**Kharl Turnbull**



WST07/00087

The Manager  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Mr Stephen O'Donoghue**

Dear Sir

**08\_144 MOD 3: Narrabri Coal Mine Modification – Emergency Trucking**

Thank you for your email dated 6 December 2012 referring 08\_144 MOD 3 to Roads and Maritime Services (RMS).

RMS notes the extenuating circumstances which exist as a result of a derailment on the northern rail line south of Boggabri. RMS also notes that under current approvals all transport of coal is to be by rail and not road.

After consideration of the documentation and the current circumstances, RMS will not object to the proposed development, subject to the following:

- A Vehicle Management Plan (VMP) shall be developed for the emergency trucking operation. The VMP shall address, but not be limited to:
  - The length of stored vehicles waiting to turn right into Gunnedah Coal Handling and Preparation Plant. The length of stored vehicles shall not exceed the length of the dedicated right turn lane facility in Kamilaroi Highway;
  - The safe and legal operation of vehicles. Haul vehicles shall not overtake any other heavy vehicle or bus along the route;
  - Regulated minimum distance between haul trucks and other vehicles.
  - For safety reasons, a flashing amber light shall be mounted on each haulage truck cab. The flashing light shall operate on approach to the mine site access to the Kamilaroi Highway and within the reduced speed restriction areas that will apply at highway accesses to Narrabri and Boggabri Coal Mine and the Gunnedah CHPP;
  - Combined protocols addressing the interaction between Whitehaven and Idemitsu haul vehicles;
  - Details of how truck load weights are to be regulated.
- Trailer mounted Variable Message Signs (VMS) shall be placed in the following locations:
  - South of the entry to the Gunnedah Coal Handling and Preparation Plant (northbound);
  - In Boggabri town (both directions);
  - To the north of the proposed Kamilaroi Highway access for southbound vehicles warning other road users that coal haulage vehicles are on the road.

Roads and Maritime Services


The wording and location of VMS shall be determined in consultation with RMS. VMS shall be in place prior to the commencement of haulage operations.

- Hours of operation at Narrabri Coal Mine site and Gunnedah Coal Handling and Preparation Plant shall remain in accordance with current conditions of consent;
- The proponent shall arrange with RMS Western Region's Traffic Operations Manager for a Temporary Speed Zone Authorisation. Temporary speed limits of 80kmph shall be implemented on the Kamilaroi Highway at Narrabri Coal Mine site and Gunnedah Coal Handling and Preparation Plant access/egress points to the highway. Temporary speed limit signs shall be erected by RMS in consultation with the relevant local council and shall be operational prior to the commencement of road haulage operations. Reduced speed zones shall be signposted 80km/h for a distance of 500metres to the north of the access and 300m to the south;
- Temporary speed limits shall be implemented on the Kamilaroi Highway between the north and south approaches to Boggabri town. The temporary speed limit signs shall be 40kmph and shall be erected by RMS in consultation with Narrabri Shire Council prior to the commencement of road haulage operations;
- Any damage to intersections and immediately adjacent to Kamilaroi Highway shall be repaired and the highway restored (as a minimum) to the condition prior to the emergency trucking operations. In this regard, an audit of the highway between the access to Narrabri Coal Project and the Gunnedah Coal Handling and Preparation Plant shall be carried out prior to the commencement of haul operations.
- The proponent shall consult with Narrabri and Gunnedah Councils, the community (particularly Boggabri town), Police, Schools, school bus operators, Ambulance and Boggabri Hospital prior to the commencement of road haulage operations. The purpose of the consultation is to understand the impacts of the transportation of coal by road on affected stakeholders and put in place measures to address identified impacts;
- The proponent shall notify road-users of the commencement and operation of the transportation of coal on road through outlets including local press, radio and/or internet;
- Conditions relating to and the actual haulage of coal by road shall only operate during the current closure of the northern rail line. Upon the rail line being repaired and opened for the haulage of coal, all road transport of coal shall cease immediately and the original conditions of consent prohibiting the haulage of coal shall apply.

Please forward a copy of Council's determination of the development application to RMS at the same time it is sent to the applicant.

Should you require further information please contact me on (02) 68611687.

Yours faithfully

  
Tony Hendry  
Road Safety & Traffic Manager  
Western

12/12/12



Leard Forest Road  
Boggabri NSW 2382

<http://frontlineaction.wordpress.com/>

For questions about this submission,  
please contact the author,  
Jonathan Moylan 0431 289 766

### **SUBMISSION ON EMERGENCY TRUCKING (08\_0144 MOD3 AND 09\_0182 MOD1)**

For the attention of the Director-General  
NSW Department of Planning and Industry

We write in relation to Whitehaven Coal and Idemitsu's applications to amend their development consents for the Narrabri Coal mine and the Boggabri Coal Mine, respectively, under section 75W of the Environmental Planning and Assessment Act 1979 to allow haulage of coal by truck following the derailment of a coal train on Cox's Creek Bridge coming from the Narrabri Coal Mine on November 28, which prevents coal, grain, cotton, pulses, freight and other goods from going to port.

We note that the applications are made under legacy part 3A legislation, which allows the Director-General to notify the proponent of environmental assessment requirements, and that to date no requirements have been issued. However, the public interest must still be considered in determining this application.

Although we acknowledge that Whitehaven Coal and Idemitsu would like to maximise their outputs despite the derailments, we submit that this desire should be balanced against the public interest, and that the companies have failed to make a case that their applications are in the public interest, and have also failed to appropriately report the expected impacts of such a modification to their development consent.

Other goods such as wheat, cotton, pulses and freight have also been diverted onto the road network following the Cox's Creek derailment, and as such we submit that the expected traffic and noise impacts if this modification is granted are far greater than those reported in the companies' environmental assessments.

We urge the Director-General to reject these applications, and in any case to apply the measures outlined in the recommendations below.

## **TRAFFIC**

Whitehaven seeks to put an additional 826 trucking movements on the road and Idemitsu seeks to put another 312 trucking movements on the road, giving a combined impact of 1138 trucking movements, mostly on the Kamilaroi Highway between the Narrabri Coal mine and the CHPP near Gunnedah, passing through the township of Gunnedah on the way. This route is also used by three school buses, and the trucking itinerary would pass the Boggabri Public School on the way.

The increased trucking movements equate to:

- A 35.7% increase in vehicle movements north of the Whitehaven CHPP;
- A 45.7% increase on the highway north of Blue Vale Road;
- A 56.1% increase on the highway south of Rangari Road, and;
- A 260% increase on the CHPP access road

As already noted, this increase in vehicle traffic does not take into account the impacts of other trucking pressures, i.e. other goods that have been diverted onto the road following the derailment.

Whitehaven claims in its environmental assessment that since its trucking campaign would raise peak hour traffic in the afternoon north of the CHPP to only 296 vehicle movements per hour, this falls short of the Austroads threshold of 550 vehicle movements per hour which would decrease the Level of Service (LoS) of the road. However, once the Boggabri coal and trucks carrying other goods are factored in, the congestion of the road becomes much higher.

Factoring in the cumulative impacts of the Boggabri trucking campaign, the traffic would increase to 426 vehicle movements per hour. Additional trucking from other goods diverted from the rail line would put the congestion at a level that would degrade the Level of Service of the road. This impact has not been assessed by either Whitehaven or Idemitsu.

The Austroads classification does not factor in a situation where a great number, and in some places a majority, of the vehicles on the road are 30-40 tonne trucks, with slower acceleration and deceleration times and greater difficulty merging.

Such a significant trucking campaign by two large coal mines dramatically increases both the risk and the likely severity of a collision. The consequences of a collision between a 40 tonne coal truck and another vehicle, or even a school bus, would be horrific. A 40 tonne truck colliding at 100km/h would produce over 1100kN of force. We submit that the consequences of a collision are so great that it is not in the public interest to allow the modification.

## **FATIGUE MANAGEMENT**

Neither Whitehaven Coal nor Idemitsu have outlined in their submissions any additional measures to manage driver fatigue. It is our understanding that coal truck drivers routinely work shifts of up to 14 hours, with only short breaks in between. Given the trucking hours proposed by Whitehaven, which span sixteen hours from 6am to 10pm, it would be tempting for the company to stretch driver hours out. We find it unlikely that the companies would not have mentioned their fatigue management systems in their submissions if such a system had been developed, and as such we can only infer that no such plans have been developed.

Allowing truck haulage without identifying a fatigue management plan puts both drivers and

the general public at risk.

## **TONNAGE**

Idemitsu is seeking consent to use 42t B-Double trucks, and Whitehaven is seeking consent to use 40t B-Double trucks, 34t truck-and-dog combinations, and 30t single trailer truck. It is our understanding that these tonnages may be greater than the legal limit for such truck models.

## **NOISE POLLUTION**

Idemitsu acknowledges that the cumulative impacts of both trucking operations would increase noise levels by 3.8dBA in the daytime, and by 2.2dBA in the night time. Once again, this excludes the impact of other goods diverted onto the road during the period of the derailment.

Section 3.4.1, Step 4 of the Environmental Protection Authority's *Road Noise Policy* states that "For existing residences affected by additional traffic on existing roads generated by land use developments, any increase in the total traffic noise should be limited to 2 dB above that of the corresponding 'no build' option."

The applications breach this requirement. Idemitsu argues that the temporary nature of the operation should be considered as an exceptional circumstance, but seeks consent that is relatively open-ended. Short-term exposure to higher noise levels can cause permanent damage, and as such the application should be denied.

## **COAL DUST AND AIR QUALITY**

The companies seek consent to transport 117,500 tonnes of coal by truck per week, and do not propose to cover their loads during the trucking campaign. This will inevitably decrease air quality along the haulage route.

Coal dust has been linked in both Australian and international studies to higher rates of respiratory illnesses, certain types of cancer, birth defects and an increase in mortality. Young people and children are particularly at risk from exposure to coal dust, which risk increases in inverse proportion to the size of the particles. Both companies have failed to assess the impact on air quality from transporting 117,500 tonnes of coal in uncovered loads over 65km.

As previously noted, the proposed trucking route passes by a school and a great number of residential dwellings. It is difficult to weigh the applications on their merits against the public interest without the impacts being known, and as such we believe that the assessment by the companies are inadequate.

## **WATER QUALITY**

Most of the proposed trucking route follows the Namoi River, which is the core riparian system for the entire region. The companies have failed to assess the impacts on water quality of trucking uncovered loads along the Namoi River. These impacts would increase should a collision or spill occur. As noted previously, a significant surge in coal truck movements along the Kamilaroi highway dramatically increases the risk of an incident.

The November 28 derailment spilt large quantities of coal into Cox's Creek, which feeds into the Namoi River. There is no public information about the impacts of the derailment on water quality.

## **WHITEHAVEN AND IDEMITSU CAN CLAIM FORCE MAJEURE**

Should the applicants exhaust their stockpiles, they would not as a matter of course be in breach of contract, as they can claim force majeure from the interruption of their supply chain due to the derailment. There is no public benefit to approving this application.

## **CONSENT SHOULD NOT BE OPEN-ENDED**

While Whitehaven seeks consent to truck coal until the Cox's Creek bridge is fixed, Idemitsu seeks an open-ended modification to allow trucking of coal in any situation deemed to be an emergency. Contrary to its claim that it has approval to expand to over 6mtpa, an EPBCA decision on Idemitsu's expansion still has to be made, and the impacts of any future trucking campaign would be different and should be assessed separately.

Idemitsu could have a broad-ranging definition of emergency, and allowing such an open-ended consent could lead to coal trucks being on the road at any time in the future. Idemitsu should not be granted a modification that is more generous than that sought by Whitehaven, as such a modification could be seen as anti-competitive.

## **WHITEHAVEN HAS NOT WAITED FOR APPROVAL**

As widely reported in the media (cf. Namoi Valley Independent, 11/12/2012), Whitehaven has already put a third of its trucks on the road prior to obtaining consent for its trucking operation. This is in breach of Condition 7, Section 2 of its development consent (08\_0144), which states:

*7. The Proponent shall transport all coal from the site by rail*

Whitehaven Coal has demonstrated contempt for NSW's planning processes, and this should be borne in mind when assessing their application.

## **RECOMMENDATIONS**

We recommend that the modification applications be denied.

Furthermore, we recommend:

- That no application be approved before a full cumulative impact of both applications, including an assessment of air quality, water quality and fatigue management systems, are carried out.
- That no trucking be allowed before the end of the school term, after the beginning of the new school term, or within three days of any public holiday, when families travel to and from the coast
- That the applicant(s) be required to cover their coal trucks
- That both trucking campaigns not exceed 10% of the existing traffic
- That loads be minimised to thirty tonnes to minimise the severity of any accidents
- That the applicant(s) be required to monitor and report air quality along the trucking route
- That any modification be limited to the period during which the Cox's Creek bridge is out of order.

## Matthew Riley - Re: Response to Submissions for Trucking Modification

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**From:** Stephen O'Donoghue  
**To:** Danny Young; Joe Rennick; tmackillop@resourcestrategies.com.au  
**Date:** 12/13/2012 11:01 AM  
**Subject:** Re: Response to Submissions for Trucking Modification  
**CC:** David Kitto; Matthew Riley

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Danny, Tom, Joe

Please see below email from a concerned resident in Boggabri regarding truck movements. The issues and recommendations have largely been considered, however would appreciate any comments regarding use of temporary traffic lights to allow safe crossing of elderly/ children at suggested locations.

Regards

Submission:

Thursday 13<sup>th</sup> December 2012

Dear Stephen,

Thank you for discussing with me this morning the current situation with road usage in Boggabri and along the Kamilaroi Highway and subsequent applications lodged due to the derailment.

I would like to voice my concerns in relation to the proposal for trucks to be diverted through Boggabri to transport goods as a result of the train derailment at Cox's Creek Bridge.

My concerns are related to the safety of the Boggabri community as well as other roads users of the Kamilaroi Highway.

The Kamilaroi Highway usually does not have a large volume of traffic flow. However, under proposals to divert freight that would otherwise be carted by rail this would see a dramatic change in the levels and numbers of traffic using the road. My concern is that whilst individual applications looked at in isolation to truck freight may be viable the cumulative effect of various businesses together with the agricultural commodities to be freighted on the roads would be considerable.

Proposing to allow trucks to transport goods through Boggabri will mean that they pass an Old Aged Home, a Primary School, an eating establishment and numerous residential dwellings. This poses a greater safety risk to residents in town with the increased traffic flow and the fact that these are larger heavier vehicles.

In addition it will be school holidays during the time in which the proposed diversion would take place resulting in many more children being out and about at all times of the day and crossing the road to travel about town. These larger vehicles are not designed to operate in a residential

environment and do not have the capacity to decelerate quickly causing concern for both the safety of pedestrians as well as other road users.

The Kamilaroi Highway (at the intersection of Wee Waa St and Grantham St) has previously been raised as a safety concern with Narrabri Shire Council and also Federal MP Mark Coulton and Kevin Anderson MP in mid 2012. This problem has to date not been rectified and the diversion of large numbers of heavy vehicles through this intersection may further exacerbate safety concerns.

Increased traffic also results in greater wear and tear of our roads which is exacerbated by the heat of summer.

The large number of trucks carting goods through town also raises a potential health issue from coal dust and other dusts being expelled from vehicles.

Both noise pollution and disturbance by lights at night will be an issue for residents directly on the highway or in close proximity to the highway. Residents with young children, the elderly and people on shift work will be particularly affected by the increased noise pollution and/or disturbance by lights.

In assessment of the proposals I would ask that the following safety measures be considered for the Boggabri Community's safety and to minimise impacts to the township:

- a strict 40km/hr limit being placed on all trucks driving through town
- a strict curfew on times of operating trucks through town be in place and enforced
- that a set of lights be erected on the Kamilaroi Highway at the intersection of Wee Waa St and Grantham St
- that all loads be covered/tarped to ensure goods being carted are contained and to minimise potential dust problems.

I also believe that the provision of a set of lights located near the Boggabri Public School has been suggested to various parties which I believe is a good measure to enable people and school children to safely cross the road as pedestrians and also as vehicle users.

I understand and empathise with the frustration and inconvenience the train derailment has caused to various industries and businesses both logistically and economically. I also understand that avenues have to be explored to minimise the impacts of the train derailment on these industries and businesses.

However it is paramount that through any contingency plans put in place and trucking of freight along the Kamilaroi Highway, through Boggabri and other residential areas the community and other road users are not put in a position where their safety and well being is adversely compromised.

I hope that you give due consideration to the concerns raised above and the impact that they would have in assessing any applications lodged.

*Stephen O'Donoghue*

*Senior Planner*

*Mining and Industry Projects*

*NSW Department of Planning & Infrastructure*

*Phone 0477 345 626*

*[stephen.o'donoghue@planning.nsw.gov.au](mailto:stephen.o'donoghue@planning.nsw.gov.au)*



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