



Office of  
Environment  
& Heritage

Contact: Katrina Stankowski  
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Email: [Katrina.Stankowski@heritage.nsw.gov.au](mailto:Katrina.Stankowski@heritage.nsw.gov.au)  
Job ID No.: B568857 & 5570036  
File number: 11/21921  
Your ref: 08\_0256 Mod 2

Howard Reed  
Manager- Mining Projects  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Naomi Monalto**

Dear Mr Reed

**Subject: Heritage Branch comments on Public Exhibition of Environmental Assessment for the Appin Drainage Project Modification (08\_0255 Mod 2).**

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The Heritage Branch received your letter dated 23 November requesting comments on the Environmental Assessment currently on public exhibition for the above project. It is noted that a copy of the Environmental Assessment by Cardno (dated 16 November 2011) was sent to the Heritage Branch by BHP Billiton under separate cover.

Accordingly, the Heritage Branch has considered the report and it's associated Attachments and has the following comments:

1. It is noted that the heritage Assessment by Niche Heritage for the proposed Modification (Appendix B) says that the existing environment has been highly disturbed due to vegetation clearance and agricultural land use practices and as a result, no archaeological and non-aboriginal heritage constraints were identified as being present.
2. It is subsequently noted that in accordance with best management practice, Niche Heritage recommended that provision be made in the Cultural Heritage Management Plan to plan for the requirements and management of unexpected discoveries of 'relics' under s146 of the Heritage Act.
3. The Heritage Branch concurs with this above recommendation and considers that it must be included in the Applicants Draft Statement of Commitments under the Objective 'Heritage', which currently only deals with Aboriginal Heritage.

If you have any questions regarding the above correspondence, please feel free to contact Katrina Stankowski on 98738569 or via email at [Katrina.Stankowski@heritage.nsw.gov.au](mailto:Katrina.Stankowski@heritage.nsw.gov.au).

Yours sincerely

12/12/2011

**Vincent Sicari**

Manager  
Conservation Team  
Heritage Branch, Environment and Heritage, Policy and Programs Group  
Office of Environment & Heritage



**Resources  
& Energy**

Your Reference: 09/3502-2

Our Reference: V11/108

OUT11/23663

Howard Reed  
Manager Mining Projects  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Attention: Naomi Montalto

Dear Mr Reed

**Exhibition of Environmental Assessment  
Appin Goaf Drainage Project 75W Modification (08\_0256 Mod 2)**

I refer to your letter dated 23 November 2011 regarding the BHP Billiton– Illawarra Coal Holdings proposal to modify its approval for the Appin Goaf Drainage Project. NSW Trade & Investment, Regional Infrastructure & Services (DTIRIS), Division of Resources & Energy (DRE) has reviewed the *Appin Surface Gas Management Project* dated 16 November 2011 (EA) and provides the following comments which are directed at specific areas of DRE responsibility for this proposal:

**MINE SAFETY ISSUES**

The well design must include the use of casing of appropriate weight and grade, centralisers on the casing, appropriate casing running procedures, engineered cement slurry and effective cement placement techniques.

Pressure testing of the cased build section and the vertical well cased section should be undertaken to demonstrate that produced gas will be maintained within the well and casing system and that leaks will not occur into aquifers.

**REHABILITATION ISSUES**

1. The modification does not provide enough detail regarding final rehabilitation outcomes for the surface gas drainage infrastructure. It is recommended that the modification include a Rehabilitation section to address:
  - Rehabilitation of surface infrastructure during the operational phase;
  - Final decommissioning and rehabilitation of surface infrastructure; and
  - A conceptual final landform plan showing remaining infrastructure, the expected final landform topography and vegetation types.

2. An Amendment to the Mining Operations Plan for Appin Colliery must be approved by the DRE prior to commencement of construction including a rehabilitation cost estimate to cover the associated liability.

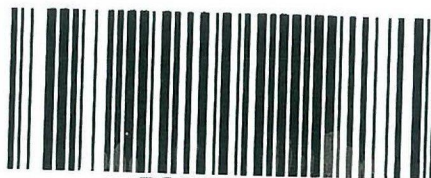
Should you have any enquires regarding this matter please contact Steve Cozens, Senior Project Officer, Industry Coordination on (02) 8289 3932.

Yours sincerely



**William Hughes**  
**A/Director**  
**Minerals Operations**

20/12/11



PCU029778

Howard Reed  
Manager, Mining Projects  
Department of Planning and Infrastructure  
GPO Box 39  
Sydney NSW 2001

Contact Mark Simons  
Phone 02 4904 2572  
Mobile 0447 429 336  
Fax 02 4904 2503  
Email mark.simons@water.nsw.gov.au

Our ref ER20630

Your ref 10/21326

Attention: Naomi Montalto

**Re: Exhibition of Environmental Assessment – Appin Goaf Drainage Project 75W  
Modification (08\_0256 Mod 2)**

I refer to your letter of the 23 November, 2011, inviting comment on the Review of Environmental Factors (REF) for the above project. The NSW Office of Water has reviewed the REF and provides detailed comments in Attachment A, with recommended conditions of approval in Attachment B.

The EA suggests that an access licence will not be required for this project, as the “proposed extraction volumes will be less than 3ML/year per bore” (Appendix E – Geoterra Groundwater Impact Assessment). The Office of Water advises that the interim Aquifer Interference Regulation referred to allows for an exemption for mining activities provided the total take of water within the mining lease is less than 3ML/year. It is unclear from the EA whether the total take from all mining activities within the mining lease (including incidental water make / dewatering) is greater than 3ML/year, and whether this take is already accounted for through existing licensing arrangements. The Office of Water recommends that the licensing situation should be clarified prior to approval of the project.

Should you require further information or clarification, please contact Mark Simons on (02) 4904 2572 at the Newcastle office.

Yours sincerely

**Mark Mignanelli**  
Manager, Major Projects, Mines and Assessment  
11 January 2012





**NSW OFFICE OF WATER COMMENTS ON ENVIRONMENTAL ASSESSMENT  
APPIN GOAF DRAINAGE PROJECT (08\_0256 – MOD 2)**

**Water Licences under the Water Management Act and Water Act.**

The *Water Management Act 2000* (WMA) governs sustainable and integrated management of water sources across the State. The *Water Sharing Plan for the Greater Metropolitan Region Surface Water Sources*, and the *Water Sharing Plan for the Greater Metropolitan Region Ground Water Sources* apply to the area covered by the proposal.

Under the Water Management Act (Aquifer Interference) regulation, an exemption applies for mining activities provided the total take of water within the mining lease is less than 3ML/year. It is unclear from the EA whether the total take from all mining activities within the mining lease (including incidental water make / dewatering) is greater than 3ML/year, and whether this take is already accounted for through existing licensing arrangements. The Office of Water requires that the licensing situation should be clarified prior to approval of the project.

**Bore Construction**

Construction of all wells must be undertaken by a driller holding a water driller's licence, valid in New South Wales. It is recommended that a condition requiring this, and stating the requirements for construction and reporting requirements be included in the consent conditions.

The Section 2.5 of the EA provides a number of schematic representations of the proposed borehole designs. These boreholes should be constructed to a standard consistent with the *Minimum Construction Requirements for Water Bores (2<sup>nd</sup> Edition)*, including requirements for casing, cementing and preventing cross aquifer contamination. The statement of commitments suggests that the directional drilling (MRD and MSGD) wells will be constructed with casing extending to the top of the radial section (approx 450 - 500 metres depth), which is "considerably below any regionally significant aquifers", however the Bulgo sandstone appears to extend to this depth, and this unit is described on page 5 of Appendix E (Geoterra Groundwater Impact Assessment), as one of the most significant aquifers within the overburden. Casing should extend through the radial section if there is any likelihood of encountering groundwater in this zone. The EA suggests that vertical bores will only be cased to the top of the Bulgo Sandstone Unit. No reason is given why the Bulgo unit should not be cased. The appropriate drilling design should be determined in consultation with NOW hydrogeologists.

**Produced Water**

Proposals for the storage and disposal of produced water and drilling fluids, as described in section 7 of the Environmental Management Plan for the project, are acceptable to the Office of Water. All sumps to manage drill cuttings and water from the MRD and MSGD wells should be constructed in a manner which prevents contamination of groundwater. Any produced groundwater should be managed in a way which prevents contamination of surface water and near surface groundwater.

**End Attachment A  
11 January 2012**

**NOW RECOMMENDED CONDITIONS OF APPROVAL  
APPIN GOAF DRAINAGE PROJECT (08\_0256 – MOD 2)**

**Water Licensing Requirements**

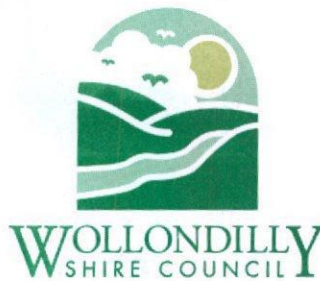
1. Requirements for an access licences under the *Water Management Act 2000* must be determined prior to commencement of the activity.

**Bore Construction**

2. Construction of all wells must be undertaken by a driller holding a water driller's licence, valid in New South Wales.
3. Bores should be designed consistent with the *Minimum Construction Requirements for Water Bores (2<sup>nd</sup> Edition)*.
4. Detailed bore design should be submitted to the Office of Water for approval prior to the commencement of drilling.
5. A NSW Office of Water hydrogeologist should be notified 28 days prior to the commencement of drilling.

**End Attachment B  
11 January 2012**





*Our Reference:* 1148.2 mr:mr

Mining and Industry Projects  
Department of Planning and Infrastructure  
G.P.O Box 39  
SYDNEY NSW 2001

22 December, 2011

Dear Sir/Madam,

**EXHIBITION OF ENVIRONMENTAL ASSESSMENT – APPIN GOAF DRAINAGE PROJECT  
75W MODIFICATION**

Reference is made to the proposed modification of an approval to the Appin Goaf Gas Drainage Project. Council's comments are as follows:

- The two (2) temporary infrastructure compounds proposed should not be seen from any public view or adjoining land.
- The two (2) proposed access ways shall be located to avoid the need for excessive cut and fill. It is considered that the recently constructed access road constructed in relation to the Appin Mine Gas Drainage Project caused an unreasonable impact on the surrounding rural landscape due to the high level of cut and fill involved.

This access road is located just north of the Douglas Park Township near Spaniards Hill. The works to construct this access road significantly altered the rural landscape and created an unreasonable visual impact when viewed from Douglas Park Drive and Menangle Road and more particularly those residents adjoining the development. Any future access roads shall be constructed so as to not alter the rural landscape.

- Consultation with the NSW Roads and Traffic Authority should be carried out regarding the construction of the two (2) temporary access tracks from Menangle Road to ensure that satisfactory sight distance is allowed for trucks and other vehicles turning onto Menangle Road.
- In reference to the proposal to extend construction hours from 8:00am to 1:00pm on Saturday to 8:00am to 6:00pm Saturday, the works carried out from 1:00pm to 6:00pm on Saturdays shall be inaudible at any property boundary so as to minimise impact on surrounding landowners.
- The Flora and Fauna surveys carried out with the Environmental Assessment identify that several Endangered Ecological Communities listed under Schedule 1 Part 3 of the Threatened Species Conservation Act, 1995. All threatened species on the site should be retained as part of the development as sufficient cleared area exists on the

site to construct access ways, infrastructure compounds and gas drainage wells without the need for additional clearing.

- Council is concerned regarding the potential impact on Council's roads and infrastructure associated with the increase in heavy vehicle movements to and from the site. As such, Council would seek an arrangement for the payment of a suitable road damage deposit for repair to any damaged roads/infrastructure from the development.

Should you require clarification on any of the matters discussed please contact Mark Ruddiman on (02) 4677 1192 between the hours of 8:00am and 4:00pm Monday to Friday or alternatively via email at [council@wollondilly.nsw.gov.au](mailto:council@wollondilly.nsw.gov.au)

Yours faithfully,



David Smith

**MANAGER DEVELOPMENT SERVICES**

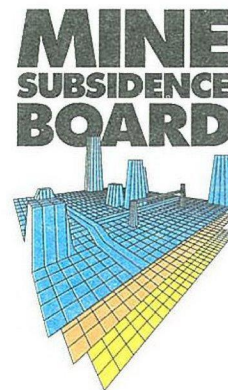
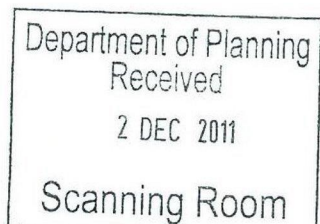




PCU028611

Contact:

Darren Bullock (02) 4677 1967



Mr Howard Reed  
Manager Mining Projects  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

1 December 2011

Dear Howard

Exhibition of Environmental Assessment  
Appin Goaf Drainage Project 75W Modification (08\_0256 Mod 2)

The Mine Subsidence Board has no objection to the proposed development as described in your letter of 23/11/11 and accompanying documentation.

The proposed Appin Goaf Drainage Project presents no risk to the Mine Subsidence Board's Compensation Fund.

Yours faithfully

Darren Bullock  
District Manager

**NEWCASTLE**

Ground Floor  
NSW Government Offices  
117 Bull Street  
Newcastle West 2302  
PO Box 488G Newcastle 2300  
**Telephone: (02) 4908 4300**  
Facsimile: (02) 4929 1032  
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**PICTON**

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**SINGLETON**

The Central Business Centre  
Unit 6, 1 Pitt Street  
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**WYONG**

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30 Hely Street  
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PO Box 157 Wyong 2259  
**Telephone: (02) 4352 1646**  
Facsimile: (02) 4352 1757  
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**HEAD OFFICE**

PO Box 488G  
Newcastle 2300  
**Telephone: (02) 4908 4395**  
Facsimile: (02) 4929 1032



**Email**

mail@minesub.nsw.gov.au

**Web**

www.minesub.nsw.gov.au

**24 Hour**

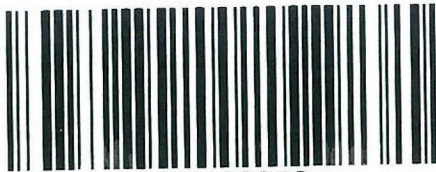
**Emergency Service**  
Free Call 1800 248 083

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Our Ref: STH09/002370/02  
Contact: Tim Webster 4221 2769  
Your Ref: 08\_0256 Mod 2



**Transport**  
Roads & Maritime  
Services



**PCU029278**

Manager, Mining Projects  
Department of Planning & Infrastructure  
GPO Box 39  
Sydney NSW 2001

Department of Planning  
Received

21 DEC 2011

Scanning Room

19 DEC 2011

Attention: Naomi Montalto

**WOLLONDILLY SHIRE COUNCIL – 08\_0256 MOD 2 – LOT 2 DP 747563 & LOT 3 DP 553170, MR179, MENANGLE ROAD, DOUGLAS PARK – APPIN GAS DRAINAGE PROJECT MODIFICATION**

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Dear Sir/Madam

Reference is made to your letter dated 16 December 2011 regarding the subject development application forwarded to Roads and Maritime Services (RMS) for comment.

RMS have reviewed the submitted information and note that the modification proposes a new temporary access and an upgrade of an existing access to Menangle Road. It is further noted that there are two options provided for access to Site 1. RMS does not support the first option proposed for access to Site 1 due to sight distance limitations to the south west and require that the "contingency" access location be used.

Although Safe Intersection Sight Distance to Austroads Standards for a 100km/hr zone is not met for the access to Site 2, it is considered that the approximate 190m sight distance available to the south west is acceptable given that the access is existing, Stopping Sight Distance is achieved to Austroads Standards and the additional traffic associated with the project is of a temporary nature.

Accordingly RMS will not object to the proposed modification subject to the following comments being included in the conditions of consent:

*Prior to the commencement of works on Menangle Road*

- Prior to the commencement of works, the developer shall obtain Section 138 consent under the Roads Act, 1993 from Council for all works on Remembrance Driveway.

*Prior to the issuing of an occupation certificate*

- The proponent shall remove any vegetation adjacent to the access points which impede sight lines between the access and Menangle Road.
- The "contingency" access location shall be used to provide access to Site 1.

**Roads & Maritime Services**



- Prior to occupation, the developer shall upgrade the proposed access points to a Rural Property Access standard in accordance with Austroads Guide to Road Design Part 4.
- The access points shall cater for the turning paths of the largest vehicle anticipated to access the site.
- Upon completion of the project, any redundant access points shall be physically closed by fencing and revegetating the access.
- All roadworks, traffic control facilities and other works associated with this development, including any modifications required to meet RMS standards, will be at no cost to RMS. All works shall be completed prior to occupation.
- Prior to occupation, the developer shall provide written verification to RMS confirming that the works on Remembrance Driveway were designed and constructed to Council's satisfaction. This shall be accompanied by photographs of the completed works. This confirmation shall be sent via email to [landusesouthern@rta.nsw.gov.au](mailto:landusesouthern@rta.nsw.gov.au).
- Should the road works require a reduction of the speed limit on the regional classified road network, a Speed Zone Authorisation shall be obtained from RMS Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve. The requests shall be submitted to the RMS 10 business days prior to commencing work. It should be noted that receiving an authorisation within this 10 business day period is dependant upon the RMS receiving an accurate and compliant TMP. It should be noted that a Road Occupancy Licence from the RMS is not required for works on regional classified roads.

Conditions of development consent relating to road work, traffic control facilities and other structures on the classified road network contrary to those outlined above are unlikely to receive RTA consent under the Roads Act, 1993.

Provided the above works are completed RMS issues its concurrence under Section 138 of the Road Act, 1993. In this regard, Council as the roads authority will be responsible for issuing Section 138 consent for the works within the classified road reserve and ensuring that the works are designed and constructed in accordance with relevant standards.

In accordance with Section 79C(1)(b) of the EP&A Act, Council as the Consent Authority, is responsible to consider any likely impacts on the natural or built environment in the road reserve fronting this proposed development. For instance there could be traffic noise impacts on adjacent residences, impacts on indigenous or non-indigenous heritage items or threatened species. RMS will not be making a separate Part 5 environmental assessment of the environmental impacts in the road reserve for this proposal.

Upon Council's determination of this matter, it would be appreciated if Council could forward a copy of the Notice of Determination to RMS within the appellant period for advice and consideration.

Yours faithfully



Brian Lefoe  
Manager, Road Safety and Traffic Management  
Southern Operations and Engineering Services





ENVIRONMENT PROTECTION AUTHORITY

Your reference:

Our reference: FIL08/18664:DOC11/54298:GN

Our contact: Greg Newman (02) 4224 4100

Major Projects Assessment Mining and Industry Projects  
(Attention: Naomi Montalto)  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Madam

**APPIN GOAF DRAINAGE PROJECT MODIFICATION OF DEVELOPMENT CONSENT**  
**08 0256 – MOD 2**

I refer to the above exhibited Environmental Assessment (EA) which was received by the Environment Protection Authority (EPA) on 25 November 2011. The modified proposal is larger in scope and area than the original project application. It includes an additional three vertical drainage wells, seven additional vertical gas drainage wells with connecting trenched pipelines and access tracks. It also includes an extension of construction hours from 8 am to 6 pm on Saturday.

Based on a review of the information provided, the EPA provides the attached comments (**Attachment 1**). These relate to the noise impacts of the proposal and any potential cumulative impacts with the adjacent Appin Vent Shaft Project.

If you have any questions on this matter please contact Greg Newman on (02) 4224 4100.

Yours sincerely

*G Howard 11/1/12*

**GISELLE HOWARD**  
**Director Metropolitan Branch**  
**Environment Protection Authority**

Attachment 1

The Environment Protection Authority is part of the Department of Premier and Cabinet

PO Box 668 Parramatta NSW 2124  
Level 7, 79 George St Parramatta NSW 2150  
Tel: (02) 9995 5000 Fax: (02) 9995 6900  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## **ATTACHMENT 1: ENVIRONMENT PROTECTION AUTHORITY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT**

### **1. Noise Impacts**

The Environmental Assessment (EA) states that the exact siting of the proposed noise barriers will be determined at the time of the construction works. This is to allow for equipment dimensions, layout and operational requirements to be considered. Part of this determination will include developing the dimensions of the noise barriers to enable the barriers to achieve their required performance.

The Environment Protection Authority (EPA) suggests that this assessment and siting process as well as ongoing management of the barriers be incorporated as part of a Noise Management Plan. This Plan should also specifically consider containing flanking noise from around the barriers. The EPA suggests the proposed notification to potentially affected receivers that are likely to hear the proposed night-time works be included in the Plan.

### **2. Cumulative Noise Impacts**

The proposed development is located adjacent to the approved Appin Vent Shaft project (MP10\_0079). Noise impacts were raised by the EPA as a potential issue in our submission on this development (1 March 2011). The exhibited EA does not include an assessment on any potential cumulative impacts from the two developments. Clarification should be sought from the Proponent on any cumulative impacts from the proposed modification and the Appin Vent Shaft project on the residents in Douglas Park.



**Naomi Montalto - Environmental Assessment Appin Gas Drainage Project 2011 11 17 s75W Appin Gas Management Project Mod 2**

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**From:** <andrew.docking@dpi.nsw.gov.au>  
**To:** <Naomi.Montalto@planning.nsw.gov.au>  
**Date:** 11/01/2012 5:38 PM  
**Subject:** Environmental Assessment Appin Gas Drainage Project 2011 11 17 s75W Appin Gas Management Project Mod 2  
**CC:** <kirsten.felstead@dpi.nsw.gov.au>

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Naomi

Agriculture

Ensure that the paddock layout and pastures are restored to existing conditions through rehabilitation of the well infrastructure (well heads and access roads) at completion of the life of the wells.

Ensure that planned access for works / maintenance including works undertaken by sub-contractors are communicated to the relevant landholders.

There were no further comments from - DPI - Fisheries, Forests NSW and the Division of Resources and Energy.

Yours sincerely

Andrew Docking | Resource Management Officer

Department of Primary Industries | Locked Bag 4 | Bld M14 Castle Road | Richmond | NSW 2753

T: 02 4588 2128 | F: 02 4588 2159 | M: 0431 651 015

E: [Andrew.Docking@dpi.nsw.gov.au](mailto:Andrew.Docking@dpi.nsw.gov.au) | W: [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)

*Land use planning information and guidelines are available at:*

[www.dpi.nsw.gov.au/environment/landuse-planning](http://www.dpi.nsw.gov.au/environment/landuse-planning)

<http://www.dpi.nsw.gov.au/environment/landuse-planning/agriculture/analysis-census-data>

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