

5 September 2016

NSW DEPARTMENT OF PLANNING & ENVIRONMENT
GPO Box 39
SYDNEY NSW 2001

Attention: Director – Resource Assessments

Dear Sir/Madam

Subject: Wallarah 2 Coal Project – Amended Development Application (SSD-4979)

Council has reviewed the document '*Walarah 2 Coal Project Amendment to Development Application SSD-4979*'. The following advice is provided for consideration.

Additional Information Required

Council is not satisfied that the following issues have been adequately addressed. It is recommended that further investigation be undertaken prior to determination of the development application.

Rail Network

The movement of coal from the development to the Newcastle Port may impact sensitive receptors in the City of Lake Macquarie.

The LGA's rail network comprises the Main Northern Railway line and several unloading/loading loops. The amended Rail Study accompanying the amended development application models additional train cycles for delivery of coal to port terminals at Kooragang at 3-4 cycles per day, or on demand for ship loading (6 cycles per day for 6 days), with projections of coal production up to 2026. The report states that rail modelling allows for capacity of six available train cycles per day, achieving sufficient network capacity without the need for additional rail infrastructure.

However, the modelling assumes no increase in existing passenger and non-coal freight train frequency south of Newcastle. This is in direct conflict with the stated objectives of Lake Macquarie City Council Lifestyle 2030 Strategy below:

Other than bulk movement of coal, in 2010 the rail network is generally not used for freight transport by businesses located within the LGA. LS2030 encourages the consideration of rail freight as a transport alternative that should be considered in the design of industrial areas near the rail system. The potential Killingworth employment land provides an opportunity to incorporate rail access if the foreshadowed Newcastle rail freight bypass route is built nearby.

The nine railway stations in the LGA provide access to the passenger rail service to the Central Coast, Sydney, and Newcastle. The public transport interchanges at Morisset, Fassifern, and Glendale will become increasingly used as the urban intensification, mixed use and sustainability policies of LS2030 are implemented.

Three major priorities exist for the rail system, implementation of which will require the coordinated activities of Council, City Rail, Transport NSW, Hunter Buses and the Roads and Maritime Services. Delivery of an improved rail system is on-going, with improvements anticipated in the next 10-15 years.:

- Ensuring local and commuter needs of the community are met by providing frequent, reliable, convenient, and safe services, together with supportive interchange and cycling infrastructure.
- Minimising environmental impacts, such as noise and vibration, on surrounding land uses should be incorporated where necessary.
- Encouraging freight with an origin or destination in the LGA to use rail as a mode of transport.

Council is concerned that in the event that the rail network fails or is not functional, road transport is not a viable alternative given the significant social, environmental and economic impacts of road haulage.

The amended development application does not take into account future variations in commuter and non-coal freight use. Capacity projections made within the amended Rail Study are based on current commuter and non-coal freight services, with future capacity estimations only recording coal freight use. Therefore, the capacity projections conflict with the aims of Council's Lifestyle 2030 Strategy. These aims include encouraging non-coal freight use within industrial areas south of Newcastle and increasing passenger rail services situated around transport interchanges as urban intensification and mixed use policies are implemented.

Awaba Rail Loop

The amended Rail Study states a third transport option of a 30TAL wagon train with 54 wagons is likely to require the use of a proposed Awaba Rail Loop.

The proposed infrastructure improvement in Lake Macquarie is one additional freight-passing loop and signals at North Awaba. This is not considered adequate to address all the potential pressures on the existing rail services south of Newcastle.

In addition, there is no consideration given to the environmental impacts of the new Awaba Loop, particularly if it was necessary to build on land zoned E2 Environmental Conservation. Further, there is no clear indication of who will design, fund or construct the new infrastructure.

Air Quality

Emissions that may impact sensitive receptors in the City of Lake Macquarie, are largely related to rail freight. The proposed amendment to the development will see an increase in coal rail movements through the City of Lake Macquarie, from 38 rail movements (120 tonne wagons, previous applications), to 44 rail movements (100 tonne wagons for the first three years of operations) and 60 rail movements (100 tonne wagons) for the remaining 21 years of operation.

The increase in coal transport through the City is of interest to Council, as is the period of the rail movements. In order to allow for a comprehensive understanding of the proposal as amended, Council requests that the units for rail movements be clarified (e.g. movements per month/year, etc.). Council notes that rail movements will increase by ~15% and 60% for the two stages of operation and the impact on sensitive receptors around the rail corridor has not been thoroughly investigated.

As such, Council requests that the proponent comment on the impact of dust and particulate matter from the current scenario and the two stages of development, due to increased rail movements and stirring of dust in the rail corridor. The investigation should relate to cumulative impact and should be undertaken with reference to the findings of the following reports which concluded that, among other things, the vast majority of particulate matter from the rail corridor is due to stirring from passing trains (coal and otherwise):

- 1) *Re-analysis of ARTC Data on Particulate Emissions from Coal Trains* (Ryan L., 2014 – on behalf of the NSW EPA);
- 2) *Additional Analysis of ARTC Data on Particulate Emissions in the Rail Corridor* (Ryan L., 2015 – on behalf of the NSW EPA); and
- 3) Other relevant studies undertaken by the NSW EPA.

Should the revised investigation conclude that cumulative emissions will not impact sensitive receptors above relevant impact assessment criteria, then Council recommends that a suitable condition be imposed on any consent granted to ensure that dust from coal wagons is controlled and managed appropriately. Refer below for detail.

Proposed Conditions of Approval

Should the Department countenance approval of the application, Council recommends the following conditions be imposed.

Air Quality

Prior to the transport of any coal along the rail network to the port of Newcastle, the proponent shall prepare a comprehensive Air Quality Management Plan that includes the assessment and management of rail freight emissions (fugitive and otherwise). At a minimum, the proponent shall commit to the number of maximum rail movements as prescribed in the approved project documentation and to Level 1 watering of coal wagons prior to haulage.

Complaints concerning particulate matter and other pollutants from rail movements shall be thoroughly investigated and revisions to operations to address complaints shall be formalised in a revised Air Quality Management Plan. Complaints regarding air pollution emanating from the rail corridor (and other emissions as relevant to the project), shall be discussed with the appropriate regulatory authority and managed accordingly.

Noise

In the interest of protecting the public health of residents within the City of Lake Macquarie, Council recommends the imposition of a condition of consent which requires the development to comply at all times with applicable NSW acceptable criteria levels and guidelines for environmental health (including noise).

Flora and Fauna

Council recommends that a condition be imposed on any consent granted to ensure that the Biodiversity Offset Package includes a legally binding mechanism and funding provision that ensures offset areas are conserved in perpetuity.

Energy

Should the proposed conveyor infrastructure require power (either full or partial power); Council recommends the use of renewable energy.

Comments from Council's Mayor

Council's Mayor received the following comments and concerns raised by local residents. These are conveyed to the Department for consideration:

- 1) "Bushells Ridge Road and Hue Hue Road was not mentioned in the Environmental Impact Study.
- 2) Dust to our home and drinking water – tank water is the main supply of water for domestic use eg: Drinking, bathing and washing. The water is collected from the roof of our dwellings and this will be affected by the dust from this mine in Tooheys Road Road, which runs off Bushells Ridge Road
- 3) Noise associated with the construction and then the operation of the mine 24 hours every day (24/7). The stockpile is in the same place as before so we will still get the same amount of dust. We are approx. 200 metres from this stockpile of coal.
- 4) Glare of lights all night from this mine which will affect our sleep and this in turn will affect our health.
- 5) Traffic to and from the mine along Bushells Ridge Road will affect the residents and the normal traffic flow now. Bushells Ridge Road is a rural road and even two school bus have difficulties passing each other on Bushells Ridge Road.
- 6) Trains the impact on commuters travelling on the train to Newcastle or Sydney with additional eight coals trains will impact to the time and length of train journey for commuters and not to mention the breakdowns that occur with this additional trains on the railway line.
- 7) The impact on Wyong Hospital and we were not included in the Health Report (Bushells Ridge Road & Hue Hue Road Residents) that was written by Dr Peter Lewis Area Director of Public Health for North Sydney and the Central Coast.
- 8) Animals there has been no study into the fauna and flora species in this area and the impact that will take place to these species.
- 9) I wonder if the new development in Bushells Ridge Road have any knowledge of this development?
- 10) On the first EIS for Wallarah 2 project Wyee did not exist in the first EIS and was bought to the attention of MP Greg Piper, now the amendment only mentions the change to rail loop.

- 11) As per article on NEWS ABC on the 4th August 2016 on the clean-up bill to Queenslanders will this occur at the Coal mine – Wallarah 2 in 28 years time after the closure of the mine?
- 12) On Professor Pell information the coal mine will frack the aquifers which supply Wyong and Gosford council for their town water.
- 13) The KORES EIS mentions that 100,000 people will die from health related illness cause by the mine and this has by admitted by the KORES (the public health report did not mention the residents of WYEE).

Please find attached the link to look as this development (amendment) of the coal mine

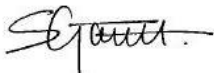
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4974

The amended Development application is Wallarah 2 Coal Project SSD 4974

Our property is 224 Bushells Ridge Road, Tooheys Road runs off Bushells Ridge Road at the end of our house paddock therefore we will be affected by the dust from the coal stock pile which is only 200 metres from our front door. Therefore this will impact on all resident in Bushells Ridge and Hue Hue Road residents and Wyee which is only 0.5km from my front gate to Wyee Railway Station which will be included in the High Dust Area.”

Should you require further information, please contact the undersigned on 4921 0175 or by e-mail on sgault@lakemac.nsw.gov.au.

Yours faithfully



Sara Gault
Development Planner
Development Assessment and Compliance