



**Mining and Energy** Division

# Review of Environmental Assessment

West Wallsend Colliery

Mod 1 Proposed Longwalls 51 & 52

## Submission

Construction Forestry Mining and Energy

Union (Mining and Energy Division)

Northern Mining & NSW Energy District

April 2014

On 23 December 2013 Oceanic Coal Australia Pty Limited applied to the Minister, Department of Planning seeking approval to include two additional longwall panels known as Longwall 51 and Longwall 52 at the West Wallsend Colliery (WWC) facility. This Project is sought under Section 75W of the EP&A Act, 1979.

The Director General made the Environmental Assessment publicly available on the 4 April 2014 at the DP & I Information Centre Sydney, Lake Macquarie City Council, Cessnock City Council, and Nature Conservation Council.

The Union is pleased to take the opportunity to comment on the West Wallsend Colliery Modification Project and related activities Environmental Assessment.

The Mining and Energy Division is a Division of the CFMEU under the Federal Workplace Relations Act 1996, with over 120,000 members, one of the largest in Australia. The Division covers several industries including the coal industry, coal ports, metalliferous mining industries, electrical power generation, oil and gas and the Nation's small coking industry.

The Northern Mining & NSW Energy District Branch of the CFMEU Mining and Energy Division, being the branch that on behalf of the organisation which is making the submission is the principal Union representing coal miners in the Northern District coalfields of New South Wales. The West Wallsend facility is located approximately 1 kilometre east of Killingworth and approximately 1.25 kilometres south-west of Barnsley and is wholly within the State's Northern District coalfields.

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

After reviewing all the material and taking advice, the Union supports this application, which includes two additional longwall panels and the West Wallsend Colliery facility, as proposed.

## **Project Overview**

Mining at WWC is currently being undertaken within two main areas, being the Western and Southern Domains. Part of the Southern Domain was previously subleased to another mining company; however this sub-lease has recently been terminated. With the availability of this area, WWC has identified the opportunity to mine two additional long wall panels within the Southern Domain, being the proposed LW51 and LW52 which are located adjacent to the approved LW44. The mine workings within the Southern Domain are undertaken within Consolidated Coal Lease 718. As with much of the existing and approved future longwall mining at WWC, all of LW52 and the majority of LW51 will be located beneath the Sugarloaf State Conservation Area (SSCA).

The conceptual mining layout for LW51 and LW52 has been developed following consideration of a range of features and findings of environmental studies. Key constraints that were considered in determining the extent of proposed mining extraction resulting in the conceptual layout for LW51 and LW52 include:

- Avoiding impacts to significant Aboriginal cultural heritage and archaeological sites located to the east of the proposed mining area;
- Minimisation of potential impacts to identified areas of alluvium to the south of the Project area along Palmers Creek;
- Reducing impacts on Wakefield Road and the M1 Motorway to the north of the proposed mining area;
- Avoiding an area of low depth of cover to the west of the proposed mining area;
- Providing sufficient barriers to any existing and approved underground mining both at the WWC and surrounding mining operations; and
- Operating within the extent of WWC's mining titles, including the former sub lease area.

## **Stakeholder Consultation**

WWC has been operating at the site since 1969 and over this time has established a sound relationship with key stakeholders including with the local community including the local Aboriginal community, LMCC, the SSCA and relevant government agencies.

WWC distributes a Community Newsletter on a periodic basis that provides information on the mines operational, safety, environmental and community performance to the local community.

This newsletter is distributed to the community surrounding WWC including West Wallsend, Barnsley, Ryhope and Wakefield. The most recent newsletter was distributed in November 2013 and included details of the Project and contact details for any interested community members that wanted to further discuss the Project.

This Project has been discussed with the West Wallsend Colliery Community Consultative Committee during May and November 2013 meetings.

## **Subsidence**

A detailed Subsidence Assessment was completed for the Project by Ditton Geotechnical Services Pty Ltd.

There are no cliffs, cliff terraces, minor cliffs or rock features above Longwall 51 and Longwall 52.

The Project has been designed to avoid adverse subsidence impacts on key features such as Ryhope Creek ground water resource, Aboriginal grinding grooves and infrastructure such as the M1 Motorway.

Longwall mining has been limited to a minimum of 80 metre depth of cover and mining height will be reduced in some areas to limit the potential for connective cracking.

A range of subsidence impacts have been predicted as a result of the Project and the proposed subsidence monitoring and management measures to identify and address these impacts have been identified.

Following greater than predicted subsidence events which occurred during mining of LW 41 at WWC Coal, OCAL has undertaken detailed investigations and the geological conditions and surface topography that contributed to these events have not been identified within the Project Area for this Project. Therefore similar subsidence events are not predicted.

## **Ecology**

A comprehensive ecological survey and assessment was undertaken for the Project by Umwelt.

Two threatened flora species were recorded in the Project area, being black-eyed Susan and small flour grevillea. Both of these species are listed as vulnerable under both State and Commonwealth legislation.

No threatened ecological communities were recorded in the Project Area.

A total of seven State listed threatened fauna species were recorded in the Project Area during the surveys conducted for the Project; six species of mammal (including five species of micro-bat and one species of mega-bat) and one bird species. Two of these species are also Commonwealth listed threatened species.

No vegetation community in the Project Area is considered likely to be dependent on groundwater resources.

The ecological assessment found that although the Project will impact on ecological values, the majority of vegetation and fauna habitat in the Project Area will remain largely undisturbed.

The assessment also found that the predicted impacts are not expected to result in a significant loss of floristic diversity or community composition, or fauna habitat within the Project Area, the SSCA or the region.

The Project is not predicated to result in a significant impact on threatened species, populations or communities known or with potential to occur in or around the Project Area.

OCCAL has committed to a range of measures to minimise the ecological impacts of the Project.

### **Aboriginal Cultural Heritage**

An Aboriginal Cultural Heritage and Archaeological Assessment were undertaken for the Project by Umwelt in consultation with registered Aboriginal parties.

Two Aboriginal sites (a scarred tree and an isolated find) were identified above the proposed mining area, with two grinding groove sites located to the east of the mining area.

The mine plan has been designed to avoid impact on the two grinding groove sites.

The subsidence assessment identified a very low risk of impact to the scarred tree, however, monitoring and management measures have been identified to manage the residual risk.

The isolated find is located on an access track that may require subsidence remediation works and is proposed to be temporarily collected to avoid damage during these works, then returned to as close as practical to the original location.

The existing WWC Aboriginal Cultural Heritage Management Plan will be updated for the Project in consultation with the registered Aboriginal parties to include the management and monitoring measures proposed as part of the Project.

## **Water Resources**

A groundwater impact assessment was completed for the Project by Aurecon Australia.

The Project has been designed to minimise the potential for impact on alluvial aquifers and surface water systems.

The upper reaches of two first order tributaries will be undermined by the Project; however, the impact of subsidence of these tributaries is not predicted to be significant. Impacts to water quality are expected to be negligible.

The risk to alluvial groundwater and coal seam aquifers is assessed as low. The Project is predicted to impact significantly on any groundwater bores.

## **Noise**

The Project will not result in any changes to the WWC surface facilities and therefore it will not result in any changes to noise impacts from these facilities.

Subsidence remediation works will be undertaken within the Project Area. The subsidence remediation works will require the completion of grouting of selected subsidence cracks and may involve the utilisation of small tracked earthmoving equipment during daylight hours to remediate selected subsidence cracks. The nearest privately owned residence is approximately 400 metres from the longwall extraction area. Due to the limited scale of minor surface works

associated with the Project, it is considered the potential for noise emissions from the Project will not result in any impacts to residential receivers. Noise management controls to be implemented for the Project will be consistent with those utilised for existing remediation activities at WWC which include the completion of a risk assessment prior to remediation works, as well as the completion of remediation works in accordance with SSC's existing subsidence remediation processes which are outlined in the Extraction Plan/Subsidence Management Plan.

### **Air Quality**

The Project does not involve any changes to WWC surface facilities and will therefore not change air quality impacts associated with these facilities.

As discussed previously there will be some small scale earthmoving equipment used for subsidence remediation works, however, minimal dust generation will be associated with these activities and standard construction dust controls will be applied where necessary.

### **Traffic**

Traffic volumes and access arrangements are consistent with the approved WWC. The Project does not result in any changes to the traffic arrangements or volumes of the approved WWC.

### **Greenhouse Gas**

Greenhouse gas emissions and energy use will be consistent with the approved WWC operations as the overall life of the Project would not change and the seam to be mined is the same seam as mined by current operations.

### **Visual Amenity**

The nature of the Project and the nature of the existing environment mean there is limited potential for visual impacts to occur, except for viewing locations in close proximity to the mining area.

The Project is predicted to result in minimal visual impacts. There will be very limited impacts associated with views from outside the Project Area whilst there will be a moderate and very local impact on visual amenity for views from within the area above the mining area. This impact will only occur during mining and will only impact on people within the SCCA when they are in proximity to the affected areas.

## **Public Amenity**

Management of subsidence will require access restrictions to some portions of the SSCA during mining activities. Therefore the Project has the potential to result in public amenity impacts.

The public safety measures implemented above longwall extraction areas such as safety fencing and signage, affect public amenity within the SSCA in the vicinity of the mining area. This impact is mitigated as it is not a permanent impact, only occurring for the time required for mining and subsequent remediation work; a timeframe of approximately 6 months for each of the proposed longwall panel. OCAL will undertake work within the SSCA in consultation with OEH and seeks to undertake this work in a timely manner that minimises impacts on the public use of the SSCA.

## **Historic Heritage**

No historic heritage sites have been identified in the Project Area and there will be no impact on historic heritage values.

## **Socio Economic**

The Project is not extending the approved life of WWWC as it is essentially replacing some of the approved coal that will not be mined. The Project will therefore not result in socio economic impacts any greater than those associated with the currently approved operations.

However, the Project will provide for continued operations at WWC which provides the following benefits:

- Ongoing employment of approximately 390 people during the mining of LW51 and LW52 with many more indirect jobs created through flow-on effects. The mining of LW51 and LW52 will take approximately 12 months;
- Recover of approximately 2.55 Mt of ROM coal;
- Payment of significant royalties to the State of NSW due to the extraction of this coal. The existing WWC operations paid approximately \$18 million in royalties in 2012 and 2013 financial reporting periods, with the estimated royalties for the predicted coal sales for LW51 and LW 52 being approximately \$6.6 million;
- Efficient and economic recovery of a valuable coal resource that is unlikely to be economically extracted by any other mining operation. The existing mine workings and



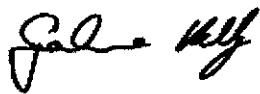
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mining infrastructure at WWC provide the opportunity to economically extract this resource;

- Continued export earning for Australia; and
- Significant economic benefits to the local community through ongoing local employment, purchase of good and services, and local expenditure both directly and through employee wages during the mining of LW51 and LW 52.

### **In Summation**

Based on the assessment of potential environmental impacts which has been multi-disciplinary and involved consultation with the DP&I and other relevant stakeholders, the West Wallsend Colliery Modification is anticipated to pose negligible additional environmental impacts beyond those already approved under DA 09-0203.

The Union considers this Project is consistent with currently approved Development Consent objectives of the EP&A Act, and therefore supports the proponent's application and asks for the application to be approved in the form sought.



**Grahame Kelly**

**DISTRICT SECRETARY**