



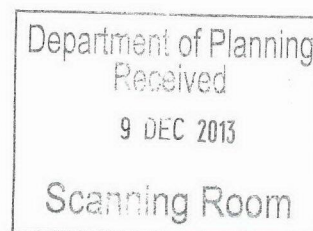
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09_0182 MOD 3
Mr Paul Bawden
(02) 6799 6855

5 December 2013

Mike Young
Manager Mining Projects
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001



Dear Mr Young

Re: Narrabri Shire Council Submission on Boggabri Coal Mine Project Approval Modification Environmental Assessment (09_0182 MOD 3)

1 Introduction

The Boggabri Coal Mine, 15km north-east of Boggabri in Narrabri Shire, is operated by Boggabri Coal Pty Limited (Boggabri Coal) a wholly owned subsidiary of Idemitsu Australia Resources Pty Limited. The mine started operations in 2006 and currently employs 400 full time equivalent employees. In 2012, it produced 3.7 Mt product coal. Project Approval (PA) 09_0182 was granted on 23 July 2012 by the Planning Assessment Commission (PAC) and has been subsequently modified.

An environmental assessment (EA) has been prepared to support an application to further modify the project approval (Modification 3) under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The following modifications are proposed by Boggabri Coal:

- construction of permanent mine access from the Kamilaroi Highway consisting of two intersections on the Kamilaroi Highway and associated roads linking the private haul road to the highway. The intersections will only allow left-turns from the highway to access the private haul road (and from private haul road to access the highway) while preventing right-turns across the highway through lanes;
- temporary storage of processed mine overburden material in the existing Rock Quarry and the reuse of this material during the construction of the rail spur embankments;
- reuse of the existing Daisymede laydown compound; and
- the use of temporary in-pit fuel storage facilities.

2 Mine access

It is proposed to use the private haul road as the primary access road to the mine to replace the use of Manilla Road and Leard Forest Road as currently approved. This will occur after the Boggabri Rail Spur is commissioned and the intersections and associated roads constructed. Initially, the use of private haul road will be restricted to Boggabri Coal approved vehicles. The use the private haul road as the primary access road will reduce the use of local roads by mine-related vehicles compared to the approved

project. The proposed change to the primary access to the mine is endorsed. However, it is not clear in the EA when the Boggabri Rail Spur is scheduled for completion or when the private haul road will become the access road. The Council would like the works required to allow all vehicles to use the new primary access road completed as soon as possible.

The construction of two intersections on the Kamilaroi Highway, with both allowing left-hand turns but no right-hand turns, will provide a higher level of safety compared to using a single intersection that allows left-hand and right-hand turns.

The clearing of 13.3 ha native vegetation (of which 2.6 ha is endangered ecological community) to construct the Kamilaroi Highway intersections and the roads joining the intersections to the private haul road appears to be justified given the benefits described above. This clearing will require additional unidentified offsets to be secured by Boggabri Coal. The Council requests that the selection of these offset areas considers the agricultural value of these areas and be confirmed as soon as practicable.

The Council looks forward to liaising with Boggabri Coal regarding the commitment to "install signage at appropriate locations to reinforce the appropriate access routes and discourage any use of restricted roads." The Council encourages Boggabri Coal to consider a range of mechanisms to ensure that use of local roads is minimised including contractual conditions with mine suppliers.

3 Impacts to private residences in Narrabri Shire

The closest nearest private landholders to the modification activities are about 1 km from the Daisymede laydown compound. The construction of the Kamilaroi Highway intersections, changed use of the private haul road to serve as the primary access to the mine for all vehicles, use of the existing Rock Quarry and reuse of the existing Daisymede laydown compound will generate or change air quality and noise impacts on private residences. These appear to be adequately considered in the EA with reference to previous assessments provided where appropriate.

4 Other potential impacts

The EA appears to appropriately consider other potential impacts of the proposed modification such as impacts to ecology; Aboriginal and historic heritage; groundwater and surface water.

5 Closing

The Council appreciates the opportunity to comment on the EA which describes modifications to the project that are generally endorsed by the Council.

We trust that the Department of Planning and Infrastructure (and the Planning and Assessment Commission if making a determination) will carefully review the Council's submission on the project in the assessment of the project and the appropriate conditions that should be attached to any Project Approval. The Council would welcome the opportunity to discuss the Council's submission with the Department and the Commission.

Yours sincerely



Mr Paul Bawden

DIRECTOR PLANNING AND DEVELOPMENT