



Mining and Energy Division

Review of Environmental Assessment

Bloomfield Coal Project – Modification 1

Reference No: 07-0087 Mod 1

Submission

Construction Forestry Mining and Energy

Union (Mining and Energy Division)

Northern District Branch

October, 2010

In December 2009, Bloomfield Collieries Pty Ltd applied to the Minister for the Department of Planning seeking approval to facilitate extending the approved Project Area to allow for some minor physical alterations and rehabilitation works to the mine. The modification of the Bloomfield Project Area is sought under section 75W of Part 3A of the EP&A Act.

The Director General made the Environmental Assessment publicly available on the 5 October 2010, at the DoP Information Centre Sydney, Cessnock City Council Offices, and Nature Conservation Council Newtown.

The Union is pleased to take the opportunity to comment on the Bloomfield proposal 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 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 Bloomfield Colliery complex with its site located 20 kilometres North-West of Newcastle is wholly within the State's Northern District coalfields.

The Union is familiar with the Bloomfield Colliery site and 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 on balance the Bloomfield Colliery Project Mod 1 – Out-of-Pit overburden emplacement and

rehabilitation, alternative haul road and power line relocation Application Reference No. 07-0087.

Project Overview

It is proposed to extend the approved Project Area by 259 hectares in addition to the approved 317 hectare Project Area. The additional area is predominantly land that has been mined and heavily disturbed by historic mining activities. No additional mining of coal is proposed in this extension area.

Other Modification Activities include:

- Upgrade and use of Wattle Tree Drive as an alternative haul route;
- Additional overburden emplacement and rehabilitation – east of Save a-Mile Haul Road;
- Additional out-of-pit landform reshaping and rehabilitation – northern and south eastern areas; and
- Construction of a corridor and overhead powerline from an existing powerline onto the open cut mine site, together with some clearing for an associated infrastructure area.

The Modification Activities will not result in any change to the approved volumes of coal or overburden removed, the equipment used, hours of operation, employment numbers or approved life of the mine.

Development of Wattle Tree Drive as an Alternative Haul Route

A minor road between the northern open cut pit (Creek Cut) and the north-eastern end of the haul road leading to the washery stockpiles have been in existence for some years. Bloomfield proposed to upgrade this road (called “Wattle Tree Drive”) so that it can be utilised as an alternative haul road and provide a safe access between the northern pit and the washery stock piles. The suggested location of this alternative route is approximately 750m in length.

The proponent indicates this alternative route will greatly reduce haulage distances during times when coal is being extracted from the northern areas of S Cut and Creek Cut.

It is proposed Wattle Tree Drive will be constructed to meet current standards and design requirements for haul roads. Some cut and fill in addition to slope stabilisation work will be required for this upgrade. Construction is expected to take approximately six to twelve weeks.

Additional Overburden Emplacement and Rehabilitation –East of Save-a-Mile Highway

An out-of-pit area to the east of the approved haul road (called “Save-a-Mile Highway”) has been identified by the proponent as an area that is capable of receiving an amount of overburden to assist with out-of-pit overburden management, as well as improving the overall site final landform shaping and revegetation. Whilst this area has been rehabilitated in the past it is considered not to be to current rehabilitation standards.

The area is approximately 14.2 hectares in size. To maximise operational efficiencies and improve final land shaping and vegetation cover in this area, Bloomfield proposes to place approximately 1.2 million bank cubic metres of overburden on this area prior to reshaping and revegetation. Works will occur over approximately twelve months during the early stages of the approved “Stage 2” of mining.

The proponent details this out-of-pit emplacement and rehabilitation would not alter the approved mine plan or tonnages as this site would replace the previous emplacement location approximately 850 metres south-west.

Equipment proposed for these works would be that used for the currently approved operation, with no additional equipment required. Rear dump haul trucks would transport overburden material to the area with dozers pushing and shaping material prior to topsoil application and seeding. No preliminary construction works would be

required, however it is noted that erosion and sediment controls will be installed as work progresses to protect water quality in this area.

Out-of-Pit Landform Reshaping and Rehabilitation – Northern and South-Eastern Areas

Two out-of-pit areas approximately 10 and 7 hectares respectively are located to the north and south-east of the current mine pits.

These locations are former mining areas consisting of overburden material with some minor shaping and grass seeding. There is minimal native vegetation and the native vegetation that does exist has grown from adjacent tree seeding. To improve the landform shape, drainage and rehabilitation of these areas and revegetate to current standards, minor import of overburden and subsequent revegetation is proposed. The amount of overburden material that would be transported to these areas would be approximately 50 000 and 100 000 bcm's respectively. Works would be undertaken over a period of approximately 6 months.

The proponent indicates no particular construction works are proposed prior to the shaping of these areas, and the interaction of works within these areas would be minimal and short term. Overburden material will be trucked to the northern location from the pits using existing trucks and existing tracks accessed off Sale-A-Mile Haul Road.

Construction of an Overhead Powerline and Corridor

An existing overhead powerline and associated corridor is located to the north-west of the Bloomfield Project Area. The powerline currently provides power for the water cart filling station, water pumps and shovel.

To enable the approved expansion of Creek Cut and S Cut to proceed, the southern section of this powerline, within the current Project Area need to be relocated. It is also proposed by the proponent to remove some vegetation within the existing Project Area to enable the infrastructure required to connect the power supply to site equipment, namely transformers, earth leakage grids and cabling.

The proposal indicated will result in relocating a 330 metre section of the powerline and clear an area inside the existing Project Area. This would require the construction of a 40 metre wide corridor, removing approximately one hectare of native vegetation outside the existing Project Area as well as approximately 10 hectares of native vegetation clearing within the existing approved Project Area. The 10 hectares inside the existing Project Area includes approximately 7 hectares of Lower Hunter Spotted-Gum-Ironbark Forest Endangered Ecological Community.

Construction would consist of marking of the corridor and area to be cleared, vegetation clearing, installation of posts and lines, connection to the existing line and relocation of transformers, earth grids and other associated infrastructure. The existing line would then be removed.

The works would be undertaken within six months of the modification being approved and construction works would be less than 6 weeks in duration.

Consultation

Bloomfield has developed and implemented a consultation programme for the Modification Project. Consultation with State and local government agencies about this Modification is ongoing.

SCPL provided an overview of the modification to the CCC on 3 May 2010. Items discussed included rehabilitation standards.

Rehabilitation and Final Landform

Extension of the approved project area for the purpose of the Modification Activities according to the proponent will have no impact on rehabilitation and final landform. The purpose of the extension is to ensure active mine areas are included within the Project area. The development of Wattle Tree Drive is an existing access track, and that the upslope and downslope batters will be reshaped to widen Wattle Tree Road, enabling its use as a haul road. The road is at a higher elevation in the northern

section of the mine site and these batters will be revegetated to reduce any visual impact and stabilise the slopes.

Procedures for water management, erosion control, topsoil management, weed control, fertilising etc will also be in accordance with the proponent's current procedures, as detailed in their current draft Rehabilitation Management Plan.

The final landform contours for the area of additional overburden emplacement to the south-east of the Save-A-Mile haul road shows that the elevated area of the road will be extended to the south-east with the slope tapering towards the lower elevated forest area to the north-east. After completion of overburden emplacement, the area will be revegetated to extend into the forested area to the north-east. Water diversion banks and sediment control measures will be established prior to dumping of overburden in the area to manage potentially sediment laden water from the area prior to its movement into the lower elevated forested area to the north east.

The final landform contours for the additional overburden emplacement and rehabilitation areas to the north and south-east of the existing mine pits show that for the northern site, the area is already disturbed and supports only poor quality pasture. This will be shaped to fill in a slightly lower elevated area, with the area remaining generally flat. After overburden emplacement of approximately 50 000 bcm's rehabilitation and revegetation will be undertaken in accordance with the proponents Rehabilitation Management Strategy.

The south-eastern site where approximately 100 000 bcm's of overburden will be dumped for shaping and rehabilitation will be shaped to form a slightly elevated mound in keeping with the surrounding elevations.

Construction of the new powerline corridor onto the open cut mine site will not interfere with any existing or planned rehabilitation areas. As the corridor is currently within a forested area, on completion and removal of infrastructure the corridor will be revegetated with similar species to those in the surrounding area, pending the final land use requirements of the landowner.

Biodiversity

Wattle Tree Drive is an existing access track and therefore un-vegetated, with some Rhodes Grass on the fringes.

The tow out-of-pit emplacement areas are located on either cleared ground or in areas with only spontaneous regrowth of exotic grasses and wattles. The previously rehabilitated area adjacent to Save-A-Mile Highway also contains a mix of planted Spotted Gum and Wattles.

The overhead powerline and corridor & infrastructure area is forested with Spotted Gum and Red Ironbark being the main canopy species. Lower Hunter Spotted Gum – Ironbark Forest (LHSGIF) consistent with that of the listed Endangered Ecological Community (EEC) in the Threatened Species Conservation Act 1995 (TSC Act) Lower Hunter Spotted Gum – Ironbark Forest is present, together with Coastal Plains Smooth-barked Apple Woodland. No threatened flora species were noted as present.

The proponent indicates of the proposed modification areas, only the relocated powerline corridor and infrastructure would necessitate the removal of remnant vegetation. The other areas are located on either open ground or rehabilitated open cut areas. Habitat in these areas was found to be in poor condition and unsuitable for any of the recorded threatened species in the area.

An assessment of the possible impact of the proposed powerline corridor construction and associated land clearing on threatened species and endangered communities was undertaken.

The proposed clearing will result in the loss of approximately 7 hectares of LHSGIF EEC. However the proponent indicates that there is approximately 145 hectares of this community in the immediate vicinity of the proposed areas and the loss of 7 hectares would not have a significant impact on the remaining community.

The recommendations of the ecology assessment have been adopted by the proponent as a control for the proposed clearing for the powerline corridor and infrastructure area.

Air Quality

An air quality assessment for the Modification Activities was undertaken by Holmes Air Sciences. The modelling results indicate that there are no predicted exceedances of the required criterion due to the modification of Bloomfield Colliery at any of the surrounding residences.

Greenhouse Gas Emissions

The proponent indicates the Modification Activities will improve mine efficiencies by reducing the distance and double handling of overburden spoil. Efficiencies, estimated at up to 5% of total on site diesel usage, will reduce the use of diesel over the life of the mine by 2.96 megalitres, reducing greenhouse gas emissions by approximately 8 860 tonnes.

Noise

A noise assessment of the proposed Modification Activities was undertaken by Heggies Pty Ltd.

Specific noise mitigation and management procedures have been developed for the various Modification Activities. These are detailed as:

- East of Save-a-Mile haul road (Area B)
 - The height of the overburden emplacement area will be limited to an RL of 100 metres.
 - Daytime operations (7.00am to 6.00pm Mondays to Saturdays, 8.00am to 6.00pm Sundays) will be in the southern part of the dump to raise the dump and provide screening for the evening (6.00pm-10.00pm) and morning shoulder (6.00am-7.00am) operations.
 - During evening and morning shoulder periods, the following controls will be in place:

- the drill and clearing dozer will be worked in a shielded location; dumping will only occur in the northern part of the dump;
 - the dozer will only operate in a shielded location in the northern part of the dump;
 - an earthen bund will be constructed in the approved dumping area to the south of the existing haul road to a minimum height of 80 metres RL;
 - There will be no coal haulage from S-Cut during the morning shoulder period.
- Northern area (Area C)
 - Dumping and rehabilitation during the daytime period only.
- South-eastern area (Area E)
 - Dumping and rehabilitation during the daytime period only (7.00am to 6.00pm Mondays to Saturdays, 8.00am to 6.00pm Sundays);
 - Dumping will be restricted to approximately 70 hours of work;
 - A front end loader will replace the dozer at the Area E dump once the emplacement reaches an RL of 52 metres.

The worst case noise conditions have been considered with operational noise levels for the Modification Activities.

The location of receptors is detailed below:

- E – Browns Road, Black Hill;
- F – Black Hill Road, Black Hill
- G – Buchanan Road, Buchanan;
- H – Mt Vincent Road, Louth Park;
- L – Kilshanny Avenue, Ashtonfield;
- M – John Renshaw Drive – Buttai; and
- N – Lings Road, Buttai.

Operational noise levels are predicted to meet the existing Approval criteria at locations G, H, L and N.

Operational noise levels from Area B operations are predicted to exceed the existing Approval criteria at location M during day-time operations and at Locations E and F when the height of the dump exceeds 81 metres. During the morning shoulder period under a prevailing NW wind, Approval criteria will be exceeded for Area B at locations E, F and M and at location L during evening and morning shoulder periods under a prevailing SE wind.

Operational noise levels for Area E are predicted to exceed Approval criteria at locations E, F and M during the day-time period. Works at Area E are minor in nature and will be limited to a total of 70 hours over a few months, during day-time periods only.

Noise levels at all of the above mentioned locations are predicted to meet the approved noise levels established with reference to the INP and reported in the EA for the approved development and are unlikely to cause disturbance at the surrounding residential receivers.

The Modification Activities in these areas are short-term and will take a maximum of six to twelve months to complete.

Heritage

There are no recorded European heritage sites on or in close proximity to the Bloomfield mine. Therefore, no impact on items of European heritage would occur as a result of the Modification Activities.

No Aboriginal heritage evidence was identified within the powerline study area, and no Aboriginal heritage sites have previously been recorded in this location. The heritage potential of the landform units within the subject area is considered low, due to the moderate gradients and in the case of the ridge crest, the high level of existing impacts. It is therefore considered that the potential for significant impacts to occur to

the Aboriginal heritage resources from the powerline corridor construction are very low.

Notwithstanding site protocols are in place under the Bloomfield Aboriginal Heritage Management Plan and will remain relevant for the proposed Modification Activities.

Visual

Due to undulating topography of the Bloomfield site, the majority of the Modification Activities are screened from viewpoints external to the mine site.

The powerline corridor is within a forested area remote to any external viewpoint, such as a road or residence. Buchanan Road and Louth Park residences, the nearest to the corridor site, do not view the site due to intervening topography.

The overburden emplacement and landform shaping proposed for two areas of the south-east of the site cannot be viewed from John Renshaw Drive or residences to the south due to intervening topography and vegetation. In the visual assessment undertaken for the EA, the emplacement along the southern boundary was shown to be visible from some sections of John Renshaw Drive. This proposed emplacement will not be viewed from these locations due to its location to the east, where there is a screen of existing vegetation and elevated intervening topography not available in the approved emplacement area. Residents who raised previous concerns regarding night lighting will not be affected by the Modification Activities proposed for the more southern areas of the mine site as these areas are further to the east and therefore hidden by intervening topography and vegetation.

Wattle Tree Drive is located at a high elevation on the Bloomfield site and has the potential to be viewed from some residences and roads within Ashtonfield.

The slight disturbance that can be seen due to Wattle Tree Drive will be improved by the proposed modification as the works will include stabilisation of the batter and revegetation. The works will also include the construction of a bund to the north of the haul road to screen trucks from views to the north east. The disturbance that is

currently seen will blend with the surrounding view once trees grow on the batters, and trucks will be screened.

With haul trucks proposed to use Wattle Tree Drive, headlights of these trucks as they travel around the bend have the potential to be seen from the location at night. However, due to the bund and this viewpoint being approximately 2.5 km from the haul road bend, the impact of this disturbance is anticipated to be minimal. Other sections of Ashtonfield Estate generally have views towards the Bloomfield site screened by existing vegetation or are orientated away from the site.

Project Justification

The Project Area under the existing Approval only includes those parts of the site that directly related to the completion of mining, as well as rehabilitation associated with this mining. Two active pits (Creek Cut and S Cut) the current coal haul (Save-A-Mile) to the washery, the workshop used to maintain mining equipment and an internal access road providing access between the open cut pits, were the only works included in the Project Area. According to the proponent the main reason for this omission was to avoid confusion between the Approval and any planning approval for the adjacent Abel Underground Mine, which also included approval for the Bloomfield washery and tailings disposal areas and included the whole Bloomfield Lease area in its Project Area.

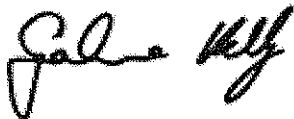
The soon to commence amendments to the Mining Act require that all mining related activities are subject to planning approval. Therefore the proponent must obtain planning approval for the expansion of the Project Area to include all future rehabilitation and associated works. The Modification Activities have been examined to ensure they fall within this extended area. Only the Modification Activities will be undertaken within this extended Project Area.

In Summation

As detailed the proponent must obtain planning approval for the expansion of the Project Area to include future rehabilitation and associated works. The modifications allow for minor out-of-pit emplacement and landform reshaping will enable previously disturbed areas to be rehabilitated to current industry standards.

Based on comparative analysis of the key elements detailed in Bloomfield Colliery Statement of Environmental Effects, it is considered the Modification Activities to build on the attributes of existing operations. An appropriate risk assessment has been undertaken to identify any potential environmental impacts associated with the proposed Modification Activities. This risk assessment identified that there will be minimal environmental impacts associated with the proposed activities and that these can be avoided, further mitigated or controlled through the implementation of existing environmental management procedures or additional procedures that have been identified for these particular activities.

The Union supports the Bloomfield Coal Project Modification 1, Reference No: 07-0087 Mod 1.

A handwritten signature in black ink, appearing to read 'Grahame Kelly', with a stylized, cursive script.

Grahame Kelly

DISTRICT SECRETARY