



Mining and Energy Division

Review of Environmental Assessment

Austar Underground Mine

Modification 3 Longwalls A7-A10

08_0111 Mod 3

Submission

Construction Forestry Mining and Energy

Union (Mining and Energy Division)

NSW Mining & NSW Energy District

October 2013

On 17 October 2013, Austar Coal Mine Pty Ltd applied to the Minister, Department of Planning seeking approval to extend longwalls A7 to A10 in the Austar Coal Mine Stage 3 mining area. This Project is sought under Section 75W of the EP&A Act, 1979.

The Director General made the Environmental Assessment publicly available on the 18 October 2013 at the DP & I Information Centre Sydney, Cessnock City Council and Nature Conservation Council.

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

The Mining and Energy Division is a Division of the CFMEU under the Fair Work (Registered Organisation) Act 2009, 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 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 Austar facility is located approximately 10 kilometres south of Cessnock and is wholly within the State's Northern District coalfields.

The Union is familiar with the Austar 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 to extend Longwalls A7 to A10 at the Austar Mine as proposed.

Project Overview

Austar propose to modify the currently approved Stage 3 mine plan by extending longwalls A7 to A10 between approximately 100 and 300 metres to the west.

The proposed westerly extension to these four longwalls provides access to an additional 1.05 Mtpa of ROM coal.

Approval is also sought to amend the starting position of longwall A8 in accordance with Condition 3 Schedule 3 of Project Approval 08_0111.

No other changes to the approved Stage 3 mining operations are proposed as a part of the modification, including no change to the approved rate of extraction, life of the operation or no change to any interactions of the Stage 3 Project with the operations of the Austar Mining Complex.

The environmental impacts of the Proposed LWA7-A10 Modification have been assessed within the 20 millimetre incremental subsidence contour for the proposed longwalls A7 to A10.

While some far field horizontal movements may occur beyond the limit of the 20 millimetre subsidence contour, any natural or built surface features that could be sensitive to such movements have also been considered in the assessment.

Stakeholder Consultation

A community consultation program has been implemented for the Proposed LWA7-A10 Modification and has involved correspondence to, and follows up offers for meetings with individual private landholders within the LWA7-A10 Modification Area. In addition, Austar has consulted with the Chair of the Austar Community Consultative Committee to discuss the modification and provide specific briefing materials for the CCC. Ongoing consultation with affected landholders will be linked to the existing Built Features Management Plan process.

Consultation is also be undertaken with the Registered Aboriginal Parties for Stage 3 in relation to the Preliminary Aboriginal Cultural Heritage and Archaeological Assessment for the Proposed LWA7-A10 Modification and associated amendment to the Austar Aboriginal Cultural Heritage Management Plan.

Subsidence

Minor changes to the previously assessed subsidence impacts will occur as a result of the Proposed LWA7-A10 Modification. A detailed subsidence impact assessment has been undertaken for the Proposed LWA7-A10 Modification. Generally, the nature of predicted subsidence levels remains consistent with current approved mining, with an increase in the extent of the area affected by subsidence impacts. This is due to the following key aspects:

- Due to the depth of mining (455 to 575 metres), surface cracking resulting from the extraction of the proposed longwalls is expected to be of a minor nature, which can be easily remedied; and
- The height of the fractured zone above longwall panels is predicted to be approximately 245 to 285 metres. With a minimum depth of cover of 455 metres, it is unlikely that the fractured zone would extend up to the surface.

An assessment of the maximum predicted subsidence parameters for the Proposed LWA7-A10 Modification indicates that predictions are similar to or slightly greater than those based on the approved mine plan. In all cases the differences are considered to be within the limits of accuracy of the method of prediction. Maximum predicted subsidence parameters for the natural and built features within the Proposed Modification Area are similar to those of the approved mine plan, with impacts slightly less for features near the commencing end of LWA8, and slightly greater for features near the finishing ends of LWA7-A10.

With the continued implementation of existing approved management strategies, it is unlikely that there would be any adverse impacts as a result of the Proposed LWA7-A10 Modification.

Water Resources

The Proposed LWA7-A10 Modification is unlikely to cause significant changes to flow regimes or flooding from that approved under Project Approval 08_0111 due to the minor

nature of the change in subsidence impact and location of the Proposed LWA7-A10 Modification in the upslope areas of the catchment, away from the floodplain. A review of the potential impacts of the Proposed LWA7-A10 Modification on the flooding and drainage regime was undertaken and the existing Austar flood model amended to incorporate the cumulative effects of the modification.

A comprehensive groundwater assessment for the Austar Mining Complex was prepared by Ian Forster and Connell Wagner in October 2007. No material changes are expected in relation to groundwater impacts as a result of the Proposed LWA7-A10 Modification. Further detailed assessment of potential groundwater impacts is therefore not considered warranted.

Ecology

The proposed modification does not involve any vegetation clearing. The principal potential surface impact resulting from the Proposed LWA7-A10 Modification is subsidence, the extent of which is dependent on a number of factors including depth of the coal seam worked, the design and location of the mine the topography of the landscape, the nature of the overlying rock stratum the width of the chain pillars and the ratio of depth of overburden to longwall panel width.

Due to the geology of the area, the mine layout and the depth of cover to the coal seam within the LWA7-A10 Modification Area, the subsidence predicted to occur as a result of the proposed longwall mining is not expected to significantly impact on runoff regimes, bank stability, channel alignment, or groundwater availability. There are no cliff lines located within the Proposed Modification area, subsidence predictions indicate that as for the approved Stage 3 Mining Area, subsidence will occur reasonably consistently. Consequently subsidence impacts are not expected to have a significant impact on the ecology of the area.

Given the predicted subsidence impacts on the landform surface are expected to be minimal, as are secondary impacts on flooding and drainage, the potential impacts on the overlying natural eco systems are expected to be very minor.

Aboriginal Cultural Heritage

The potential changes to the land surface from subsidence associated with the Proposed Modification were assessed by MSEC. The assessment indicates that five of the 11 known Aboriginal archaeological sites within the LWA&-A10 Modification Area are located within the zone expected to experience changes to the previously predicted subsidence parameters. There is no change to the predicted subsidence impact at the remaining six known Aboriginal archaeological sites within the LWA7-A10 Modification Area, including changing to approved impacts on the grinding groove site, ACM6.

As the level of subsidence impact to known Aboriginal archaeological sites within the LWA7-A10 Modification Area is predicted to be similar to that of the approved mine plan and unlikely to result in any adverse impact, no change to the existing management strategies outlined in the proponents Austar ACHMP is proposed as a result of this Modification.

Historic Heritage

Subsidence impacts predicted as part of the Proposed LWA7-A10 Modification are similar with those previously assessed. The items located within the LWA7-A10 Modification have previously been assessed as having no heritage significance or research potential. Accordingly, the proposed modification will not have a significant impact on historic heritage items.

Vibration

Underground mining has the potential to create vibration events as the land subsides. The potential impacts of vibration from mining in the LWA7-A10 Modification Area are considered to be consistent with those previously assessed and approved under project approval 08-0111.

Vibration from underground mining in longwalls A7 to A10 is currently monitored using two continuous vibration monitors located at 345 Quorrobolong Road, Quorrobolong and 159 Coney Creek Lane Quorrobolong. Monitoring results from mining within longwall A7 to date indicate ready compliance with both human response and structure damage ground

vibration criteria. The existing vibration monitoring network is considered sufficient to monitor the potential vibration impacts of the Proposed LWA7-A10 Modification.

Noise

The Proposed LWA7-A10 Modification is limited to changes in the layout of underground workings and will not result in any changes to the existing approved Austar surface facilities or operations. Subsidence impacts on the land surface from underground mining are not predicted to require significant remediation. The Proposed LWA7-A10 Modification is therefore not predicted to result in any noise impacts.

Noise management measures to be implemented for the Proposed Modification will be consistent with those outlined in the Austar Noise and Vibration Management Plan.

Based on the preliminary assessment, no further assessment of noise impacts has been undertaken.

Air Quality

The Proposed LWA7-A10 Modification is limited to changes in the layout of underground workings and does not involve any changes to Austar surface facilities, operations or production rates. Therefore the proposed Modification will not change air quality impacts associated with these facilities.

Again based on the preliminary assessment, no further assessment of air quality impacts has been undertaken.

Traffic

Traffic volumes, coal transport and access arrangements are consistent with the approved operations. The Proposed LWA7-A10 Modification will not result in any changes to the production levels, employee numbers, transport arrangements or volumes of the approved operations, and as such no further assessment of traffic impacts has been undertaken.

Greenhouse Gas

Greenhouse gas emissions and energy use will be consistent with the approved Austar operations as the overall life of the Project will not change and the seam to be mined is the same seam as mined by the current operations. The additional 1.05 Mt to be mined as a result of the Proposed Modification will make a negligible contribution to national greenhouse gas contributions. Based on this assessment, no further assessment of greenhouse gas and energy has been undertaken.

Visual Amenity

The nature of the modification and the nature of the existing undulating landform means there is very limited potential for visual impacts to occur. Potential visual impacts are limited to views of subsidence within the additional area of subsidence impact associated with the Proposed LWA7-A10 Modification and are consistent with the impacts previously assessed and approved under 08-0111. No further assessment of potential visual impacts was undertaken.

Socio Economic

Due to the nature of the Proposed LWA7-A10 Modification, there will be no changes to employment and no changes to Austar's existing surface facilities; this modification is unlikely to result in significant socio-economic impacts. By providing for business continuity, the extraction of an additional 1.05 Mt of ROM coal, the Proposed LWA7-A10 Modification will have a positive economic benefit.

Project Justification

Geological information obtained during the development of longwalls A7 and A8 has identified structural constraints at the eastern end of longwalls A7 and A8. In order to avoid this structural constraint, Austar retracted the starting position of longwall A7 in accordance with Schedule 3 Condition 3 of Project Approval 08-111. The same structural constraint has been identified at the commencing end of longwall A8 and retraction of the starting position for this longwall is also required. The retraction of longwalls A7 and A8 has flow on implications in the short term for the continuity of mining in subsequent longwalls, and would result in significant business interruption while development works within longwall

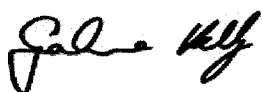
A8 are progressed sufficiently to recommence longwall mining. The extension of longwall finishing positions for longwalls A7 and A8 would allow sufficient lead time to maintain longwall mining continuity.

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 Austar Coal Mine Modification is anticipated to pose negligible additional environmental impacts beyond those already approved under 08-0111.

The Proposed LWA7-A10 Modification provides an opportunity to avoid business interruption associated with structural constraints within the approved mine plan.

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 consent to be granted in the form sought.

A handwritten signature in black ink, appearing to read 'Grahame Kelly'.

Grahame Kelly

DISTRICT SECRETARY