2.0 CONSULTATION AND ISSUE IDENTIFICATION

2.1 Identification of Issues

The key project-related issues warranting detailed investigation and discussion were identified through:

- The environmental context of the Project Site and surrounding locality (see Sections 3.0 and 7.0);
- The legislative framework applicable to the Project (see Section 6.0);
- A pre-project risk assessment (see Section 2.2);
- Outcomes of consultation undertaken with government agencies, including the DGRs issued by the DoP, and other relevant stakeholders (see Section 2.3); and
- Specialist studies completed as part of the preparation of the EA (see Section 7.0).

Please note that pre-project risk assessment and consultation with government agencies were undertaken on the basis of a project scope that included the transportation of a portion of the coal mined at Rocglen to Whitehaven’s Canyon site. This has subsequently been removed from the scope of the Rocglen Extension Project, with all coal mined at Rocglen to continue to be transported to the Whitehaven CHPP as currently under PA 06_0198.

2.2 Pre-Project Risk Assessment

A pre-project risk assessment (broad brush) was conducted by GSSE and Whitehaven personnel in order to:

- Identify those issues relating to the Rocglen Extension Project that represent the greatest risk to the local environment and surrounding populace; and
- Assist in setting (and justifying) priorities for the level of assessment required to address each identified risk in the EA.

A qualitative risk assessment methodology, which was developed in accordance with the requirements of the Australian Standard AS/NZS 4360:2004 – Risk Management, was utilised to provide a consistent and reliable approach.

The various identified project-related issues were assessed in light of the mitigation measures and management strategies already in place at Rocglen. Where the individual risks were considered unacceptable, or where a knowledge gap was identified, specialist studies were commissioned and additional mitigation measures and/or management responses were nominated.

The risk register developed as part of this process to document the findings and outcomes is contained within Appendix D. This register was also appended to the PEA issued to the DoP and other consulted government agencies. The key environmental issues identified include, but are not limited to, the following:

- Groundwater;
- Flora and Fauna;
- Cultural Heritage;
- Noise and Vibration;
- Surface Water;
- Traffic and Transport;
- Visual Amenity;
- Soils and Land Capability;
- Air Quality (including greenhouse gas); and
- Rehabilitation and Mine Closure.
While the risk assessment did not identify any high risk issues (Level V), a number of issues ranked as medium risks (Level III and IV). Section 7.0 contains a comprehensive assessment of these and other issues, as investigated and reported on by GSSE and various specialist consultants.

### 2.3 Consultation

#### 2.3.1 Overview

Whitehaven has undertaken consultation with local and state government agencies, local Aboriginal groups, the Rocglen Community Consultative Committee (CCC), surrounding residents and Country Energy in the preparation of this EA. A stakeholder consultation log was maintained as a record of the consultation activities undertaken. Table 1 provides a summary of the consultation.

<table>
<thead>
<tr>
<th>Date</th>
<th>Stakeholder</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 November 2009</td>
<td>Rocglen CCC</td>
<td>Preliminary outline of the proposed extension to Rocglen operations</td>
</tr>
<tr>
<td>18 November 2009</td>
<td>Country Energy</td>
<td>Seek advice with regards to the proposed realignment of an overhead powerline</td>
</tr>
<tr>
<td>10 December 2009</td>
<td>DoP</td>
<td>Presentation of the PEA and discussion regarding project and approval pathway</td>
</tr>
<tr>
<td>22 January 2010</td>
<td>DoP</td>
<td>Provision of electronic copy of the PEA</td>
</tr>
<tr>
<td>22 January 2010</td>
<td>DECCW, NOW, I&amp;I NSW, Namoi CMA and Council</td>
<td>Provision of PEA, with cover letter</td>
</tr>
<tr>
<td>27 January 2010</td>
<td>RTA</td>
<td>Provision of PEA, with cover letter</td>
</tr>
<tr>
<td>3 February 2010</td>
<td>DoP</td>
<td>Querying timing for issue of DGRs and any issues</td>
</tr>
<tr>
<td>10 February 2010</td>
<td>Rocglen CCC</td>
<td>Provision of updated detail regarding the Project and EA preparation</td>
</tr>
<tr>
<td>15 February 2010</td>
<td>I&amp;I NSW</td>
<td>Discussion regarding configuration options for final landform, including final void</td>
</tr>
<tr>
<td>23 February 2010</td>
<td>DoP</td>
<td>Presentation of Whitehaven’s projects requiring planning approval, which included reference to the Rocglen Project</td>
</tr>
<tr>
<td>18 March 2010</td>
<td>DoP</td>
<td>Advise approval under the EPBC Act may be necessary and that a referral to the DEWHA was intended to be made</td>
</tr>
<tr>
<td>26 March 2010</td>
<td>Surrounding residents</td>
<td>Issue of Community Newsletter outlining the Project and approval procedure</td>
</tr>
<tr>
<td>29 March 2010</td>
<td>I&amp;I NSW</td>
<td>Presentation of Whitehaven’s projects requiring planning approval and subsequent I&amp;I NSW engagement, which included reference to the Rocglen Project</td>
</tr>
<tr>
<td>12 May 2010</td>
<td>Rocglen CCC</td>
<td>Provision of updated detail regarding the Project and EA preparation</td>
</tr>
<tr>
<td>18 May 2010</td>
<td>DEWHA</td>
<td>Referral lodged under the provisions of the EPBC Act</td>
</tr>
<tr>
<td>14 July 2010</td>
<td>DoP, DECCW, NOW, I&amp;I NSW, RTA, Namoi CMA and Council</td>
<td>Submission of the EA for Adequacy Review</td>
</tr>
<tr>
<td>16 July 2010</td>
<td>Surrounding residents</td>
<td>Community newsletter</td>
</tr>
<tr>
<td>10 November 2010</td>
<td>Rocglen CCC</td>
<td>Provision of updated detail regarding the Project and EA preparation</td>
</tr>
</tbody>
</table>

1 – see below sections for abbreviations
2.3.2 Agency Consultation

During a meeting held in December 2009, Whitehaven’s Brian Cullen (General Manager – Technical Services) presented the DoP’s David Kitto (Director, Major Development Assessment) with the PEA for the Rocglen Coal Mine Extension Project and discussed matters surrounding the Project. It was agreed that a new Project Application under Part 3A of the EP&A Act was the most appropriate approval pathway, with the DoP indicating that the DGRs would likely be issued without the need to undertake a Planning Focus Meeting (PFM).

In January 2010, the DoP requested that the PEA be provided to the following agencies:

- NSW Department of Environment, Climate Change and Water (DECCW);
- NSW Office of Water (NOW);
- NSW Department of Industry and Investment (I&I NSW);
- NSW Roads and Traffic Authority (RTA);
- Gunnedah Shire Council (Council); and
- Namoi Catchment Management Authority (CMA).

Following consultation with these agencies, the DoP issued the DGRs in March 2010 outlining the general requirements and key issues to be addressed within the EA. The DGRs and formal correspondences received from the other consulted agencies are contained within Appendix E.

As noted in Table 1, additional government agency consultation has been undertaken. Particular reference is made to the following:

- Verbal consultation with the I&I NSW’s Julie Moloney (Senior Project Officer, Development Coordination) in February 2010 regarding configuration options for the final landform and final void; and
- Verbal consultation with the DoP’s Carl Dumpleton and John Ross in March 2010 to advise that an approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) may be necessary and that a referral to the Commonwealth Department of Environment, Water, Heritage and the Arts (DEWHA), which is now known as the Commonwealth Department of Sustainability, Environment, Water, Population and Community (SEWPaC), was intended to be made (see Section 6.1.1).

In relation to the last dot-point, and following submission of this EA to the DoP for Adequacy Review in July 2010, the then DEWHA (now SEWPaC) issued correspondence on the 10 August 2010 confirming that the Project is a controlled action under Section 75 of the EPBC Act and that the accredited process for this action is the Part 3A assessment process. As a result, supplementary requirements were issued by the DoP to ensure that the Commonwealth’s requirements for environmental assessment were addressed. A copy of the correspondence issued by the then DEWHA and the DoP is contained within Appendix E.

Table 2 provides a summary of the issues raised by each of the government agencies consulted and a reference to which section in this EA that each issue has been addressed.
### Table 2 – Issues Raised by Government Agencies

<table>
<thead>
<tr>
<th>Development Issue / Assessment Requirement</th>
<th>EA Section</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NSW Department of Planning (Director-General's Requirements)</strong></td>
<td></td>
</tr>
<tr>
<td>General Requirements:</td>
<td></td>
</tr>
<tr>
<td>Executive Summary</td>
<td>Executive Summary</td>
</tr>
<tr>
<td>Existing and approved development</td>
<td>Section 4.0</td>
</tr>
<tr>
<td>Existing environmental management and monitoring regime</td>
<td>Section 4.18 and Appendix H</td>
</tr>
<tr>
<td>Detailed description of all aspects of project</td>
<td>Section 5.0</td>
</tr>
<tr>
<td>Need for the project</td>
<td>Section 5.1</td>
</tr>
<tr>
<td>Alternatives considered</td>
<td>Section 9.3.4 (no economically feasible alternatives available)</td>
</tr>
<tr>
<td>Likely interactions with existing and proposed operations</td>
<td>Sections 5.0 and 7.0</td>
</tr>
<tr>
<td>Plans of any proposed building works</td>
<td>Figure 6 (plus additional figures throughout EA) (no additional building improvements)</td>
</tr>
<tr>
<td>Risk assessment</td>
<td>Section 2.2 and Appendix D</td>
</tr>
<tr>
<td>A statement of commitments</td>
<td>Section 8.0</td>
</tr>
<tr>
<td>A conclusion justifying the project on economic, social and environmental grounds</td>
<td>Section 9.0</td>
</tr>
<tr>
<td>A signed statement from author of the EA</td>
<td>Cover pages</td>
</tr>
<tr>
<td><strong>Detailed Assessment of Key Issues:</strong></td>
<td></td>
</tr>
<tr>
<td>Biodiversity</td>
<td>Sections 5.8 and 7.7, and Appendices K and L</td>
</tr>
<tr>
<td>Surface water</td>
<td>Section 7.5 and Appendix M</td>
</tr>
<tr>
<td>Groundwater</td>
<td>Section 7.6 and Appendix R</td>
</tr>
<tr>
<td>Soil</td>
<td>Sections 3.12 and 7.1, and Appendix G</td>
</tr>
<tr>
<td>Noise and blasting</td>
<td>Sections 7.3 and 7.4, and Appendix Q</td>
</tr>
<tr>
<td>Rehabilitation, final landform and final void management</td>
<td>Section 5.7 and Appendix J</td>
</tr>
<tr>
<td>Air quality</td>
<td>Section 7.2 and Appendix P</td>
</tr>
<tr>
<td>Visual</td>
<td>Section 7.10</td>
</tr>
<tr>
<td>Traffic and transport</td>
<td>Section 7.12</td>
</tr>
<tr>
<td>Heritage</td>
<td>Sections 7.8 and 7.9, and Appendix O</td>
</tr>
<tr>
<td>Greenhouse gases</td>
<td>Section 7.11 and Appendix P</td>
</tr>
<tr>
<td>Social and Economic</td>
<td>Section 7.15</td>
</tr>
<tr>
<td>Consultation activities</td>
<td>Section 2.3</td>
</tr>
<tr>
<td>Approval under the Commonwealth EPBC Act</td>
<td>Section 6.1.1, and Appendices K and N</td>
</tr>
<tr>
<td><strong>NSW Department of Planning (supplementary requirements to cover the requirements of the then Commonwealth Department of Environment, Water, Heritage and the Arts)</strong></td>
<td></td>
</tr>
<tr>
<td>General Information on the background of the controlled action</td>
<td>Entire EA, particularly Sections 4.0, 5.0 and 6.1.1</td>
</tr>
<tr>
<td>A description of the controlled action</td>
<td>Section 5.0</td>
</tr>
<tr>
<td>An assessment of all relevant impacts of the controlled action with reference to the EPBC Act Policy Statement 1.1 Significant Impact Guidelines Matters of National Environmental Significance (2009)</td>
<td>Entire EA, particularly Sections 5.0 and 6.1.1, and Appendix K</td>
</tr>
<tr>
<td>Proposed safeguards and mitigation measures</td>
<td>Sections 5.0, 7.0 and 8.0</td>
</tr>
<tr>
<td>Offsets</td>
<td>Sections 5.8 and 7.7.8, and Appendix L</td>
</tr>
<tr>
<td>Other approvals and conditions</td>
<td>Sections 4.0 and 6.0, and Appendices B and C</td>
</tr>
<tr>
<td>Economic and social matters</td>
<td>Sections 7.15 and 9.3</td>
</tr>
<tr>
<td>Environmental record of the proponent proposing to take the action</td>
<td>See Section 6 of EPBC Referral previously lodged with the then DEWHA</td>
</tr>
<tr>
<td>Information sources</td>
<td>Section 10 (reference list)</td>
</tr>
<tr>
<td>Consultation</td>
<td>Section 2.3</td>
</tr>
</tbody>
</table>

**NSW Department of Environment, Climate Change and Water**

- **Impacts on air quality**
  - Section 7.2 and Appendix P
- **Greenhouse gas emissions**
  - Section 7.11 and Appendix P
- **Impacts of noise and vibration**
  - Sections 7.3 and 7.4, and Appendix Q
- **Impacts on water quality and quantity**
  - Sections 7.5 and 7.4, and Appendix Q
- **Impacts on biodiversity and specifically threatened species and their habitat**
  - Sections 5.8 and 7.7, and Appendices M and R
- **Impacts on Aboriginal cultural heritage values**
  - Section 7.8 and Appendix O
- **Impacts of the project on Native Vegetation**
  - Sections 5.8 and 7.7, and Appendices K and L
- **Design and layout of facilities to minimise impact and achieve ambient goals**
  - Sections 5.0, 7.0 and 8.0
- **Actions that will be taken to avoid or mitigate environmental impacts, or compensatory measures to minimise unavoidable impacts**
  - Sections 5.0, 7.0 and 8.0
- **Potential requirement to vary the existing EPL**
  - Sections 6.2.2 and 7.5.7

**NSW Office of Water**

- **Adequate and secure water supply**
  - Section 7.5.5 and Appendix M
- **Site water demands, water sources, water disposal methods and water storage structures in the form of a water balance**
  - Section 7.5 and Appendix M
- **Methods to maximise water efficiency**
  - Section 7.5 and Appendix M
- **Proposed water management based on site water balance with reference to existing and proposed extraction and storage of groundwater**
  - Sections 7.5 and 7.6, and Appendices M and R
- **Existing and proposed water licensing requirements**
  - Sections 7.5.7 and 7.6.2, and Appendices M and R
- **Impact on adjacent licensed water users, basic landholder rights, or groundwater-dependent ecosystems**
  - Sections 7.5 and 7.6, and Appendices M and R
- **Requirements to intercept groundwater and predicted dewatering volumes, water quality and disposal/retention methods**
  - Section 7.6 and Appendix R
- **Zone of influence (cone of depression) and associated impacts on the local and regional groundwater systems**
  - Section 7.6 and Appendix R
- **Impact on groundwater and surface water due to construction of water storages**
  - Appendices M and R
- **Impact on groundwater or surface water due to the operation of infrastructure that stores or produces potential contaminants**
  - Sections 7.5 and 7.6, and Appendix M
- **Mitigating and monitoring requirements to address surface and groundwater impacts**
  - Sections 7.5 and 7.6, and Appendices M and R
- **Impact on watercourses and drainage lines**
  - Section 7.5 and Appendix M

**NSW Department of Industry and Investment**

- **Mining Titles**
  - Section 6.2.2
- **Brief summary of information contained within Resource/Reserve Statement**
  - Section 3.14
- **Environmental – detailed rehabilitation strategy**
  - Section 5.7 and Appendix J
- **Agriculture – approach to pasture and grazing management, including environmental and socio-economic impacts on agricultural activities**
  - Sections 5.7, 7.1 and 7.15, and Appendix J
- **Fisheries Conservation and Aquaculture – aquatic ecological assessment**
  - Section 7.7 and Appendix K (no areas of significant aquatic habitat identified)
- **Fisheries Conservation and Aquaculture – hydrological impacts**
  - Sections 7.5 and 7.6, and Appendices M and R
- **Fisheries Conservation and Aquaculture – riparian buffer zones**
  - Appendix M
The RTA states:
- As it appears that there will be no increase in traffic generation the previous conditions would be adequate.
- RTA does not envisage any road works will be required on the Kamilaroi Highway for the development.
- If a revised study is considered necessary than it should include a review of the transport route that assesses the impacts on road safety, traffic management, pavements, infrastructure and transport. The specific issues listed below should also be considered.

If considered necessary, as revised traffic study

Not considered necessary.
See Section 7.12

Council states that the requirements would be essentially the same as the original proposal - being, that the Wean Road deviation be sealed throughout and dedicated as the public Wean Road. The existing Wean Road for the deviation section would need to be closed.

Noted

Soils and Land Capability
Sections 3.11, 3.12 and 7.1, and Appendix G

Surface water
Section 7.5 and Appendix M

Groundwater
Section 7.6 and Appendix R

Flora and Fauna
Section 7.7, and Appendices K and L

Cultural Heritage
Section 7.8 and Appendix O

Traffic and Transport
Section 7.12

Noise and Vibration
Sections 7.3 and 7.4, and Appendix Q

Air Quality
Section 7.2 and Appendix P

Visual Amenity
Section 7.10

Site Services
Section 4.11

Waste Management
Section 4.12

Rehabilitation
Section 5.7 and Appendix J

Social and Economic Considerations
Sections 7.15 and 9.3

Whitehaven will continue to consult with the relevant government agencies, as necessary, to discuss any issues through the Project assessment and commissioning phases, as well as during normal operation.

2.3.3 Community Consultation

The Project Site is located in an area that is removed from any urban areas and has a relatively low density of surrounding residences, with the nearest non-Project related dwelling located in excess of 2.8 km from the Project Site.

Whitehaven undertook community consultation with regards to the Rocglen Extension Project as outlined below.

Rocglen Community Consultative Committee

The Rocglen CCC, which comprises representatives from local government and the community, was established under the existing Project Approval (PA 06_0198) for the existing Rocglen mining operation. As listed in Table 1, the Rocglen CCC has been provided with briefings regarding the Project on the 11 November 2009, 10 February 2010, 12 May 2010 and 10 November 2010. No reportable outcomes or issues stemmed from the CCC briefings.
Community Newsletters
As listed in Table 1, community newsletters were distributed in March 2010 and July 2010 to the following surrounding privately-owned residences:

- “Roseglass”;
- “Penryn”;
- “Retreat”;
- “Roseberry” (project-related, see Section 3.6);
- “Surrey”;
- “Carlton”;
- “Brolga”;
- “Braemar”; and
- “Wundurra Stud”.

The newsletters were also distributed to the residences located within the surrounding properties owned by Whitehaven, being “Glenroc”, “Costa Vale”, “Yarrawonga”, “Yarrari”, “Belah” and “Stratford”, which are deemed project-related.

The community newsletters, copies of which are contained within Appendix F, provided an introduction to the Project, the key environmental assessment issues, the approval pathway, consultation activities, status of the Project, and contact details for further information. There were no reportable outcomes or issues stemming from the community newsletters, with Whitehaven not receiving any subsequent queries from these, or other, residents.

2.3.4 Aboriginal Community Consultation

Consultation with Aboriginal stakeholders was undertaken by RPS, who was engaged to undertake the Cultural Heritage Survey and Assessment for the Rocglen Extension Project, in accordance with the DECCW’s 2004 Interim Community Consultation Requirements (ICCRs). While the new consultation guidelines titled Aboriginal Cultural Heritage Consultation Requirements for Proponents were released in April 2010, the DECCW has advised the consultation commenced for projects prior to the 12 April 2010 can continue under the ICCR process. In these circumstances, the Proponent is not required to recommence consultation under the new 2010 guidelines.

There were 12 Aboriginal stakeholder groups that registered an interest in consultation for the Project following the advertisement and notification process commenced in January 2010 under Stage 1 of the ICCRs. These groups are:

- Red Chief Local Aboriginal Land Council (RCLALC);
- Bigundi Biame Gunnedarr Traditional People (BBGTP);
- Gunida Gunyah Aboriginal Corporation (GGAC);
- Min Min Aboriginal Corporation (MMAC);
- Aboriginal Native Title Consultants (ANTC);
- Cobronwonga Consultants (CC);
- Ellilewuis Cultural Heritage Consultations (ECHC);
Letters in accordance with Stage 2 of the ICCRs were sent to the registered stakeholders advising of the survey and detailing the proposed survey methodology. The RCLALC, BBGTP, GGAC and MMAC participated in the field survey that was undertaken on the 2 March 2010.

RPS provided a copy of the draft Cultural Heritage Survey and Assessment to the RCLALC, BBGTP, GGAC and MMAC for review and comment, in accordance with Stage 3 of the ICCRs, on the 6 May 2010. Three written responses were received by the 4 June 2010, with the fourth response received by the 10 June 2010. For further details refer to Section 7.8.

2.3.5 Other Stakeholder Consultation

Consultation was also undertaken with Country Energy in November 2009 seeking advice on the preferred route for the realignment of an existing overhead powerline to make way for the expanded Northern Emplacement Area. Country Energy confirmed, via email correspondence, that the preference for realignment is along the eastern edge of the (realigned) Wean Road reserve and advising of related easement requirements.