

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 1 – Stakeholder Consultation

Date	Stakeholder ¹	Purpose ¹
11 November 2009	Rocglen CCC	Preliminary outline of the proposed extension to Rocglen operations
18 November 2009	Country Energy	Seek advice with regards to the proposed realignment of an overhead powerline
10 December 2009	DoP	Presentation of the PEA and discussion regarding project and approval pathway
22 January 2010	DoP	Provision of electronic copy of the PEA
22 January 2010	DECCW, NOW, I&I NSW, Namoi CMA and Council	Provision of PEA, with cover letter
27 January 2010	RTA	Provision of PEA, with cover letter
3 February 2010	DoP	Querying timing for issue of DGRs and any issues
10 February 2010	Rocglen CCC	Provision of updated detail regarding the Project and EA preparation
15 February 2010	I&I NSW	Discussion regarding configuration options for final landform, including final void
23 February 2010	DoP	Presentation of Whitehaven's projects requiring planning approval, which included reference to the Rocglen Project
18 March 2010	DoP	Advise approval under the EPBC Act may be necessary and that a referral to the DEWHA was intended to be made
26 March 2010	Surrounding residents	Issue of Community Newsletter outlining the Project and approval procedure
29 March 2010	I&I NSW	Presentation of Whitehaven's projects requiring planning approval and subsequent I&I NSW engagement, which included reference to the Rocglen Project
12 May 2010	Rocglen CCC	Provision of updated detail regarding the Project and EA preparation
18 May 2010	DEWHA	Referral lodged under the provisions of the EPBC Act
14 July 2010	DoP, DECCW, NOW, I&I NSW, RTA, Namoi CMA and Council	Submission of the EA for Adequacy Review
16 July 2010	Surrounding residents	Community newsletter
10 November 2010	Rocglen CCC	Provision of updated detail regarding the Project and EA preparation

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

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

Environmental record of the proponent proposing to take the action	See Section 6 of EPBC Referral previously lodged with the then DEWHA
Information sources	Section 10 (reference list)
Consultation	Section 2.3
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 7.6, and Appendices M and R
Impacts on biodiversity and specifically threatened species and their habitat	Sections 5.8 and 7.7, and Appendices K and L
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

NSW Roads and Traffic Authority	
<p>The RTA states:</p> <ul style="list-style-type: none"> 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: 	Section 7.12
If considered necessary, as revised traffic study	Not considered necessary. See Section 7.12
Gunnedah Shire Council	
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
Namoi Catchment Management Authority	
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”, “Yarrowonga”, “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);
- Ellilewis Cultural Heritage Consultations (EHC);

- Giwiirr Consultants (GC);
- Hunter Valley Consultants (HVC);
- Mingga Consultants (MC);
- Upper Hunter Heritage Consultants (UHHC); and
- Bullem Bullem Consultants (BBC).

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.