

ENVIRONMENTAL ASSESSMENT

Duralie Extension Project

SECTION 3 CONSULTATION AND COMMUNITY INITIATIVES



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3 CONSULTATION AND COMMUNITY INITIATIVES

This section describes the consultation undertaken prior to and during the preparation of this EA and the ongoing community initiatives and involvement that DCPL has established for the DCM. A synopsis of the relevant issues raised by stakeholders during the preparation of this EA is provided below, along with relevant EA section and Appendix references.

3.1 ENVIRONMENTAL ASSESSMENT CONSULTATION

3.1.1 Objectives

The level of consultation undertaken during the preparation of this EA is considered to be in accordance with the EARs (Attachment 1) and is adequate and appropriate for a Major Project under Part 3A of the EP&A Act. Consultation conducted during the preparation of this EA has provided the opportunity to identify issues of concern or interest to stakeholders and to consider these issues in this EA.

3.1.2 Planning Focus Meeting

A Project Application along with an accompanying Preliminary Environmental Assessment was lodged with the DoP in October 2008. This triggered a Planning Focus Meeting (PFM) for the Project which was subsequently held on 20 November 2008. The objective of the PFM was to familiarise government stakeholders with the Project and to identify key issues that should be considered in the preparation of this EA. The meeting included a site inspection and presentation on the Project and the proposed environmental assessment studies.

The meeting was convened by the DoP and attended by representatives from each of the following government agencies:

- DECCW and NSW Office of Water within DECCW (NOW) (formerly the DECC and NSW Department of Water and Energy [DWE]);
- DII-Minerals & Energy (formerly the NSW Department of Primary Industries – Mineral Resources [DPI-MR]);
- GLC; and
- Gloucester Shire Council (GSC).

The NSW Roads and Traffic Authority (RTA) was also invited to the PFM, but was unable to attend.

The PFM covered a broad range of relevant issues, including but not limited to the following:

- water management, including proposed water storages (Sections 2.8.2 and 4.4 and Appendix A);
- waste rock geochemistry (including PAF waste rock) investigations and potential impacts (Section 4.4 and Appendix I);
- potential socio-economic impacts (Sections 4.14 and 4.15 and Appendix G);
- coal mining logistics, including ROM coal rail transport (Section 2.6);
- potential surface water impacts (Section 4.4 and Appendix A);
- potential groundwater impacts (Section 4.3 and Appendix B);
- potential noise and blasting impacts (Section 4.5 and Appendix C);
- potential air quality impacts (Sections 4.6 and Appendix D);
- potential terrestrial flora and fauna impacts (Sections 4.8 and 4.9 and Appendix E);
- potential aquatic ecology impacts (Section 4.10 and Appendix F);
- existing rehabilitation at the DCM and proposed rehabilitation (Section 5 and Appendix N);
- potential heritage impacts (Sections 4.11 and 4.12 and Appendices J and K);
- potential visual impacts (Section 4.16 and Appendix O);
- potential road transport impacts (Section 4.13 and Appendix H);
- hazard and risk (Sections 4.1 and 4.17 and Appendices L and M); and
- potential soil and land use impacts (Section 4.2).

In addition to the PFM, a range of State, Local and Federal Government agencies were consulted during the development of this EA as described in Sections 3.1.3 to 3.1.5. In accordance with the outcomes of the PFM, the Director-General of the DoP issued EARs for the Project in December 2008.

3.1.3 State Government Agencies

Consultation with key NSW State Government agencies in relation to the Project commenced in 2007. DCPL continues to consult with relevant State Government agencies on a regular basis in relation to its current mining operations at the DCM and the Project.

Department of Planning

As discussed in Section 3.1.2, the DoP convened a PFM in November 2008 in response to the Project Application and Preliminary Assessment. Subsequently, GCL informed the DoP that the Project would no longer include any proposal for the controlled release of mine water off-site into Mammy Johnsons River or the irrigation of land located outside of ML 1427 to the east of Mammy Johnsons River. A revised Project Application with accompanying Preliminary Environmental Assessment was submitted accordingly in October 2009. In response, the Director-General of the DoP issued revised EARs for the Project in November 2009. In addition, meetings were held with the DoP in October and November 2009 to discuss key issues, including but not limited to:

- potential surface water impacts (Section 4.4 and Appendix A);
- potential noise impacts and noise assessment modelling (Section 4.5 and Appendix C);
- biodiversity offset measures (Sections 4.8 and 4.9 and Appendix E);
- revegetation of the Project and integration with future grazing (Section 5 and Appendix N); and
- socio-economic assessment findings (Sections 4.14 and 4.15 and Appendix G).

Department of Environment, Climate Change and Water

As discussed in Section 3.1.2, the DECCW participated in the PFM.

Meetings were held with the DECCW in October and November 2009. Key issues raised by the DECCW included, but were not limited to the following:

- flora and fauna assessment methodology and biodiversity offset measures (Sections 4.8 and 4.9 and Appendix E);
- potential noise impacts and noise assessment modelling (Section 4.5 and Appendix C);

- revegetation and potential irrigation impacts (i.e. soil salinity) (Section 4.4, Section 5 and Appendices A and N); and
- property acquisition process for affected landholders (Section 4.5 and Appendix C).

Consultation undertaken with the DECCW during the preparation of the Aboriginal Cultural Heritage Assessment (ACHA) is summarised in Appendix J.

NSW Office of Water within the Department of Environment, Climate Change and Water

The NOW has been consulted regularly throughout the life of the DCM, particularly in regard to mine water management. As discussed in Section 3.1.2, the NOW participated in the PFM.

A meeting was held with the NOW in November 2009. Key issues discussed with the NOW included, but were not limited to the following:

- timing of the Part 3A approval process;
- surface water management (including stages of surface water management over the life of the mine) and potential surface water impacts (Section 4.4 and Appendix A);
- existing and additional irrigation areas and management (Section 4.4 and Appendix A);
- water licensing for groundwater extraction and Coal Shaft Creek Diversion (Section 6);
- potential groundwater impacts, including potential impacts to Mammy Johnsons River (Section 4.3 and Appendix B);
- proposed final Coal Shaft Creek alignment (Section 2.8.2, Section 4.4 and Appendix A);
- final land use with respect to water storages (Section 5 and Appendix N);
- the Project offset strategy (Sections 4.8 and 4.9, Section 5 and Appendix E); and
- final rehabilitation concepts, including management of the final void (Section 4.4, Section 5 and Appendix N).

Department of Industry and Investment – Minerals & Energy

DCPL first presented the Conceptual Project Development Plan (CPDP) to the DII-Minerals & Energy on 13 November 2008. Key issues covered in the CPDP included:

- coal resource and geological features (Section 2.3);
- resource optimisation and recovery (Section 6);
- mine production rates (Section 2.5.3);
- socio-economic costs and benefits (Sections 4.14 and 4.15 and Appendix G);
- land ownership (Section 1);
- coal mining logistics, including ROM coal rail transport (Section 2.6);
- water management, including the Coal Shaft Creek Diversion (Section 2.8.2, Section 4.4 and Appendix A);
- waste rock geochemistry (Section 4.4 and Appendix I);
- potential noise and blasting impacts (Section 4.5 and Appendix C); and
- final landforms (including final voids) and rehabilitation (Section 4.4, Section 5 and Appendix N).

As discussed in Section 3.1.2, the DII- Minerals & Energy participated in the PFM.

The Project was discussed with the DII- Minerals & Energy in November 2009. Key issues discussed with the DII- Minerals & Energy included, but were not limited to the following:

- timing of the Part 3A approval process;
- potential surface water impacts (Section 4.4 and Appendix A);
- socio-economic assessment findings (Sections 4.14 and 4.15 and Appendix G); and
- rehabilitation (Section 5 and Appendix N).

Roads and Traffic Authority

As described in Section 3.1.2, the RTA was invited to participate in the PFM, but was unable to attend. A meeting was held with the RTA in November 2009. Key issues discussed with the RTA included, but were not limited to the following:

- timing of the Part 3A approval process; and
- road transport assessment (including traffic study) and potential impacts (Section 4.13 and Appendix H).

Dams Safety Committee

The DSC has been involved at the DCM since its inception in relation to the MWD and other aspects of site water management.

DCPL has lodged the initial 'D1' form to the DSC in relation to the proposed raise of the Auxiliary Dam No. 2 embankment. It is anticipated that the raise of the Auxiliary Dam No. 2 embankment would be declared a 'prescribed dam' by the DSC. Designs for the augmented Auxiliary Dam No. 2 would be presented to the DSC for review.

DCPL would continue to consult with the DSC about dam design and construction as required.

3.1.4 Local Government Agencies

As described in Section 3.1.2, the GLC and GSC participated in the PFM. Members of the two councils also attend the Duralie Community Consultative Committee (CCC) meetings which are held quarterly (Section 3.1.7).

Great Lakes Council

As described in Section 3.1.2, the GLC participated in the PFM.

A meeting was held with the GLC in November 2009 to discuss the Project. The meeting involved a presentation by DCPL to the Mayor, a councillor and a key staff member at the GLC on 5 November 2009. Key issues that were discussed with the GLC included, but were not limited to the following:

- road transport assessment, traffic investigations and potential impacts, including the proposed closure of Cheerup Road as well as a portion of Durallie Road and the temporary closure of the remaining portion of Durallie Road during blasting (Section 4.13 and Appendix H);

- potential visual impacts and measures to minimise the visual impacts of the Project on users of The Bucketts Way (Section 4.16 and Appendix O);
- property access requirements triggered by proposed road closures and requirements for the road closure process (Section 4.13, Section 6.4.1 and Appendix H);
- anticipated demand on community infrastructure resulting from the Project and local infrastructure contributions (Section 6);
- potential socio-economic impacts and preliminary assessment findings (Sections 4.14 and 4.15 and Appendix G); and
- biodiversity offset measures (Sections 4.8 and 4.9 and Appendix E).

Gloucester Shire Council

As discussed in Section 3.1.2, the GSC participated in the PFM.

Consultation with the GSC also involved a presentation by DCPL to the General Manager and the Director of Planning and Environment at the GSC in November 2009.

Key issues that were discussed with the GSC included, but were not limited to the following:

- anticipated demand on community infrastructure resulting from the Project and community development contributions (Section 6);
- additional rail movements and rail operating times (Section 2.6);
- potential socio-economic impacts and preliminary assessment findings (Sections 4.14 and 4.15 and Appendix G);
- biodiversity offset measures (Sections 4.8 and 4.9 and Appendix E);
- waste management at the DCM (Section 2.11); and
- emplacement of DCM coal rejects at the SCM (Section 6.2).

3.1.5 Federal Government Agencies

Department of the Environment, Water, Heritage and the Arts

DCPL will make a referral to the Commonwealth Department of the Environment, Water, Heritage and the Arts (DEWHA) under the Commonwealth *Environment Protection and Biodiversity Conservation Act, 1999* (EPBC Act) separately to this EA.

3.1.6 Service Providers

Public Roads

As discussed in Section 3.1.4, DCPL has consulted with the GLC regarding the proposed road closures and measures to minimise the potential visual impacts of the Project on users of The Bucketts Way.

Australian Rail Track Corporation

The ARTC manages the North Coast Railway located between the SCM and DCM. The ARTC was contacted, via DCPL rail provider Queensland Rail (QR), in November 2009 to discuss the potential Project demands on the existing North Coast Railway. The ARTC, via QR, has advised that with the Project, the existing rail network would remain suitable for the proposed increase in train capacity and movements required for the Project without alteration (Section 2.6).

TransGrid

TransGrid owns and operates the 132 kV ETL that traverses ML 1427. In November 2009, TransGrid was briefed on the Project and the potential for impacts on the existing ETL was discussed. TransGrid advised that the Project does not require modifications to existing TransGrid infrastructure (Section 2.10.3).

AGL Gloucester LE Pty Ltd

As described in Section 6.4.1, AGL Gloucester LE Pty Ltd (AGL) is the proponent of the proposed Gloucester Coal Seam Gas Project that would potentially include a range of proposed activities including gas field development, a central processing facility located at Stratford and a pipeline to Hexham. At the time of lodgement, this project was being assessed by regulators and had not been approved. GCL would continue to consult with AGL during the life of the Project to minimise potential cumulative environmental impacts and resolve operational issues that may arise due to the proximity of DCPL's mining operations and AGL's gas exploration and development activities.

MidCoast Water

A meeting was held with MidCoast Water in November 2009 to discuss the Project. The key issues discussed with MidCoast Water included, but were not limited to:

- potential surface water impacts, particularly surface water quality and flows in the Mammy Johnsons River (Section 4.4 and Appendix A);
- irrigation management and potential soil impacts, including salt accumulation and potential impacts on soil structure (Section 4.4 and Appendix A);
- irrigation area monitoring and potential soil amelioration measures (Section 4.4 and Appendix A);
- erosion and sediment control (Sections 4.2 and 4.4 and Appendix A); and
- contained water management (Sections 2.8.2, 4.2 and 4.4 and Appendix A).

3.1.7 Public Consultation

Local Community and Directly Affected Landholders

Duralie Community Consultative Committee

The Duralie Community Environmental Monitoring and Consultative Committee (CEMCC) was established in 1997. The committee title was altered to the CCC in 2006 in accordance with a Development Consent modification. Members of the CCC were selected based on nominations from community representatives and other stakeholders and includes local residents and community groups (i.e. Johnsons Creek Conservation Committee [JCCC], Wards River Progress Association and NSW Farmers Association), GLC, GSC and DCPL representatives.

The CCC meets quarterly and the minutes of the meetings and copies of the newsletters provided to the CCC are available publicly on the GCL website.

An initial briefing of the CCC (including provision of a newsletter) about the Project was undertaken in November 2007. Subsequent description of the environmental assessment process, Project updates (including the status of the approval process and baseline environmental assessments), and timing and key milestones were undertaken at subsequent CCC meetings in February 2008, May 2008, August 2008, February 2009 and August 2009.

In addition to the above, a number of Project newsletters were disseminated during the preparation of this EA to inform the CCC of the Project Application and status updates.

A Project update briefing and presentation on this EA was conducted with the CCC in November 2009.

Key issues discussed with the CCC in November 2009 relevant to the EA included, but were not limited to:

- Project details including changes to the Project such as removal of a proposed controlled release of mine-water off-site to Mammy Johnsons River (Section 2);
- surface water management (including proposed water storages) and potential surface water impacts (Section 4.4 and Appendix A);
- proposed final Coal Shaft Creek alignment (Section 2.8.2, Section 4.4 and Appendix A);
- proposed irrigation areas and management (Section 4.4 and Appendix A);
- potential noise and blasting impacts and proposed mitigation measures (Section 4.5 and Appendix C);
- potential air quality impacts, including rail transport emissions (Section 4.6 and Appendix D);
- potentially affected landholders (Section 1); and
- biodiversity offset measures (Sections 4.8 and 4.9 and Appendix E).

Key issues relevant to the EA raised during the CCC meetings included, but were not limited to:

- noise assessment methodology, including collection of background data (Section 4.5 and Appendix C);
- potential air and noise emissions associated with rail transport and management of impacts (Sections 4.5 and 4.6 and Appendices C and D);
- post-mining water management including final voids (Section 4.4, Section 5 and Appendix A);
- potential socio-economic impacts (Sections 4.14 and 4.15 and Appendix G);
- community engagement during the assessment/approval process (this section); and

- Aboriginal heritage assessment methodology and the type of Aboriginal community representation during the field survey (Section 4.11 and Appendix J).

Public Consultation

DCPL regularly updates the community on the status and activities of its operations via the GCL website. Community Information Papers (Attachment 4) which included an overview of GCL operations, key Project components, irrigation, rehabilitation, offset strategies and the Part 3A approval process and timing were distributed to the community in the general Gloucester region in October, November and December 2009.

DCPL also consulted with landholders potentially directly affected by the Project (i.e. potential noise and blasting effects) via direct meetings to discuss the environmental assessment, property acquisition and consultation processes for the Project. Figures 1-3a and 1-3b and Attachment 2 provide landholder details for the Project area and surrounds.

Questions and issues raised during consultation with the local community were discussed in the context of the Project. Discussions included a broad range of issues, including but not limited to the following:

- potential blasting impacts (Section 4.5 and Appendix C);
- potential air quality impacts (i.e. dust), including those associated with rail transport (Section 4.6 and Appendix D);
- potential noise impacts, including those associated with rail transport (Section 4.5 and Appendix C); and
- property acquisition and affected landholders (Section 4.5 and Appendix C).

Other issues raised included:

- blast performance at the existing DCM, including reference to a blast event in October 2009¹;
- potential groundwater impacts and associated potential impacts to local surface water supply (Section 4.3); and
- community consultation (this section).

¹ DCPL has since undertaken investigations into the blast event and communicated the results to local landholders.

Aboriginal Community

Project consultation with Aboriginal stakeholders during the development of this EA has been undertaken in general accordance with the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (NSW Department of Environment and Conservation [DEC], 2005a) and *National Parks and Wildlife Act 1974: Part 6 Approvals Interim Community Consultation Requirements for Applicants* (herein referred to as the *Interim Requirements*) (DEC, 2004a).

In accordance with these guidelines and the *Interim Requirements*, DCPL notified the following bodies regarding the Project:

- NSW Native Title Tribunal;
- Hunter-Central Rivers Catchment Management Authority;
- DECCW;
- GLC;
- NTS Corp Limited;
- Office of the Registrar, *Aboriginal Land Rights Act, 1983*;
- Karuah Local Aboriginal Land Council; and
- Forster Local Aboriginal Land Council.

In accordance with the *Interim Requirements*, Public Notices were made on 6 May 2009, with advertisements in the following newspapers:

- *Dungog Chronicle* (6 May 2009);
- *Gloucester Advocate* (6 May 2009); and
- *Great Lakes Advocate* (6 May 2009).

The advertisements invited Aboriginal persons or groups who wished to be consulted in relation to the Project Aboriginal cultural heritage assessment process to contact DCPL.

Subsequent to the above, the following Aboriginal parties/groups registered their interest in being involved in the consultation process:

- Barkuma Neighbourhood Centre Inc. (now trading as Gidawaa Walang Cultural Heritage Consultancy);
- Barrington-Gloucester-Stroud Preservation Alliance Inc.;

- Maaiangal Group;
- EB Phillips;
- Forster Local Aboriginal Land Council;
- Garigal Aboriginal Community Inc.;
- Garry Smith;
- Gavin Callaghan;
- Gloucester Environment Group;
- Harry Callaghan;
- JCCC;
- Karuah Local Aboriginal Land Council;
- Minimbah and District Aboriginal Elders Group Inc.;
- Norma Fisher; and
- NTS Corp.

All those parties who registered were invited to participate.

In addition to the above, the DECCW identified the following parties as having a potential interest in the ACHA (Appendix J):

- Norma Fisher;
- Eva Leon;
- Garigal Aboriginal Community Inc.;
- Ghinni Ghinni Youth and Culture Aboriginal Corporation;
- Indigenous Cultural Resource Management;
- Jo-anne Kelly; and
- Saltwater Tribal Council.

The above Aboriginal stakeholders who had not previously registered an interest in relation to the Project (i.e. Ghinni Ghinni Youth and Culture Aboriginal Corporation, Indigenous Cultural Resource Management, Jo-anne Kelly and the Saltwater Tribal Council) were notified and invited to participate in the Aboriginal cultural heritage assessment.

Of these, no additional Aboriginal parties/groups registered their interest in being involved in the consultation process.

A detailed description of the consultation undertaken with the registered Aboriginal parties/groups during the preparation of this EA (i.e. review of the proposed assessment methodology, provision of Project and Aboriginal site information, fieldwork participation and review of the draft report) is provided in the ACHA (Appendix J) and Section 4.11.

Community Groups and Non-Government Organisations

The Community Information Papers (Attachment 4) with accompanying letters were provided to the following community groups:

- Barrington-Gloucester-Stroud Preservation Alliance Inc.; and
- JCCC.

The JCCC was involved in the consultation undertaken for the ACHA (Section 4.11 and Appendix J) and was also provided updates on the Project via its representation on the CCC (refer above).

Staff and Contractors

Approximately 120 people (including GCL staff and on-site contractor's personnel) are currently employed at the DCM. Copies of the Community Information Paper were distributed to all employees and contractors at both the SCM and DCM to disseminate Project information. A number of meetings and briefings for staff and employees have been conducted during the development of this EA.

3.2 COMMUNITY INITIATIVES AND INVOLVEMENT

3.2.1 Website and Community Call Line

DCPL information is made available on the GCL website for members of the public to keep up to date with:

- contact details, including community complaints line;
- environmental management, plans and strategy information;
- CCC meeting minutes and newsletters;
- audit reports;
- monitoring and reporting data; and
- Development Applications.

The DCPL web address is provided below:

<http://www.gloucestercoal.com.au/operations-duralie.php>

DCPL has also established a dedicated Complaints Line (1300 788 131) that is available 24 hours, 7 days a week for community members who have enquiries or who wish to lodge complaints in relation to DCPL's activities. The number is advertised within the Sensis *White Pages Directory*, a local telephone directory (*Pink Pages*) and in the local newspapers (*Gloucester Advocate* and *Dungog Chronicle*) on a six monthly basis.

3.2.2 Sponsorships and Community Funding

GCL continues to support the local community through sponsorships of community organisations and direct payments to local councils. Recent beneficiaries of funding contributions to community groups include:

- Avon Valley Field Archers.
- Barrington Public School P&C Association.
- Booral Public School.
- The Bucketts Way Neighbourhood Group Inc.
- Dungog National Servicemen's Association.
- Dungog A&H Association Inc.
- Gloucester Show Society.
- Gloucester Little Athletics.
- Gloucester Business Chamber.
- Gloucester Country Club Limited.
- Gloucester Chamber of Commerce.
- Gloucester District Junior Cricket Association.
- Gloucester District Tennis Association Inc.
- Gloucester High School.
- Gloucester Junior Rodeo.
- Gloucester Men's Bowling Club.
- Gloucester Medical Centre Associateship.
- Gloucester Magpies Junior Rugby League Inc.
- Gloucester Public School.
- Gloucester Tourist Office.
- Gloucester Mountain Man Tri Challenge (Major Sponsor).
- GSC Hillcrest Appeal.
- St Joseph's P&F Association.

- Stratford Public Hall.
- Stratford Public School.
- Stroud Public School P&C Association.
- Stroud Road Community Hall & Progress Association Inc.
- Stroud Rodeo.
- Stroud Rugby League Football Inc.
- Stroud Show Association Inc.

DCPL would continue to provide funding contributions to community groups as part of the Project.

3.2.3 Media

Media releases regarding GCL's "no water release policy" as well as advertisements for the Aboriginal heritage consultation for the Project appeared in the following local newspapers:

- *Gloucester Advocate*;
- *Great Lakes Advocate*; and
- *Dungog Chronicle*.

3.2.4 Local Contractors and Suppliers

Local contractors engaged at the existing DCM include:

- Leighton Mining Pty Ltd;
- QR National Coal;
- Ditchfield Contracting Pty Ltd;
- Trevor Harris Contracting Pty Ltd; and
- Trellis Contracting Pty Ltd.

Wherever possible and practicable, DCPL prefers to utilise the services of local providers. Approval of the Project would allow DCPL to continue to support local suppliers and contractors to the DCM, providing additional security and longevity of employment in the region.