

Application for a Purpose Permit (Geotechnical Investigations at Black Diamond Lake)

Background Information

A water-filled mine void, colloquially named the Black Diamond is located within the Allanson town site boundary, approximately 5 km west of Collie in Western Australia's South West region. The lake was one of the earliest open cut coal-mines in the Collie area, and was operated until mining ceased at the site in the early 1950s. The resultant pit was partially backfilled, creating two separate pits. One of the two pits is located entirely on private property (and is not subject to this application or any management project by DMP) and the other occurs on Crown Reserve and over a number of freehold lots. Since mining ceased, both pits gradually filled with water which has created mine lakes. The pit in question (Black Diamond) is approximately 750 m long (east/west orientation) by approximately 75 m at its widest point.

For many years, the area has also been subject to an unmanaged mining reserve R23032 ("the reserve") that protects the remaining coal resource from encroachment by the Allanson town site and other land uses. The reserve exists over the western half of the lake, but the easternmost end of the water body extends over a number of privately owned subdivided lots within the Allanson town site.

There are public safety hazards associated with the Black Diamond pit void. Ferguson Road (a public road vested with the Collie Shire) provides easy public access to the southern perimeter of the pit. DMP and other government agencies have responded to safety issues at Black Diamond using a variety of safety response measures. To date these measures have included installing a fence along the southern perimeter of the pit to restrict access, erecting warning signage to advise of risks and removing reported hot coal ash on an as needs basis.

DMP undertook a preliminary audit in May 2010 to identify the potential public safety hazards at the site, and to provide recommendations on long term management options. The audit was coordinated by the DMP with assistance from the Department of Environment and Conservation (DEC). As a management measure, DMP is now seeking to investigate whether some of the safety hazards of the pit void can be removed.

Following the audit a number of options were identified to manage the safety hazards and other issues at the site. Of these, the preferred option is a combination of engineering measures and shared management with the Shire. One of the recommended and high priority engineering solutions is to batter the pit's southern wall above the lake water level to a reduced slope and rehabilitate. These engineering works would remove the hazards associated with members of the public diving, jumping and falling into the lake from its elevated southern perimeter. This option would minimise the need for on-going maintenance, provide for safer recreational use of the area and would be more acceptable to the local community.

Why has DMP applied for a Clearing Permit?

The Department of Mines and Petroleum (DMP) has applied to DEC for a purpose permit in order to undertake rehabilitation works at Black Diamond Lake (an abandoned open cut coal mine).

The pit is used by Collie locals as a recreation area, and unfortunately there have been fatalities and serious injuries at the site over a number of years. This includes drowning's and spinal injuries. In consultation with various stakeholders, DMP's proposed rehabilitation aims to reduce safety risks at the site by battering the pit's southern wall which is used as a dangerous diving and jumping platform.

DMP is currently at the investigative stage of undertaking rehabilitation at the pit and may need to undertake geotechnical drilling and soil sampling at the site in the immediate future. This may involve mobilising a drill rig to the site and drilling several boreholes to obtain core samples. The other alternatives are to excavate a small number of shallow test pits using a backhoe or similar means, or to take soil samples using a hand held tools or a trailer-mounted auger.

How much clearing will be required to conduct the works and where will it take place?

At this point, DMP are yet to determine the type of geotechnical investigations needed, and don't know the exact number, depth, spacing or location of proposed boreholes or test pits. It may eventuate that DMP can do the geotechnical investigations with hand held tools and avoid the need to clear native vegetation altogether, but this permit application has been lodged in the event that native vegetation clearing is required.

At this point, DMP cannot accurately define how much clearing will take place. An amount of 1 hectare has been applied for as a worst case scenario that a large diamond drill rig needs to access the site and drill several boreholes. Even if this is the case, 1 hectare is an ample amount. DMP will record and report on all clearing activities.

DMP anticipate that any native vegetation clearing needed would be very minor and would involve providing access and safe working area for a drill rig and support vehicles or a small backhoe to dig test pits.

All vegetation clearing will be kept to an absolute minimum.

When are clearing works likely to commence?

DMP is currently tendering for an engineering and environmental specialist to assist in the preparation of a batter design and rehabilitation strategy for the pit. It is likely that the successful applicant will be commissioned in March/April 2013 and will thereafter need to access

Black Diamond and undertake the geotechnical investigations. To avoid delays in progressing the project, DMP would like to have all necessary approvals (including clearing permit) in place ASAP.

A permit duration of 2 years is sought to account for any unforeseen delays in carrying out the geotechnical investigations.

Locality of proposed clearing: Allanson (Shire of Collie)

Ownership of Land:

Crown Reserve 23032 – In the name of the State of Western Australia, with the primary interest holder being the State of Western Australia. Crown Reserve 23032 is an unmanaged reserve set aside for the purpose of mining. The responsible agency is listed as the Department of Minerals and Energy (now DMP).

Crown Reserve 47126 – Vested with the Shire of Collie for the Purpose of Coal Discovery Site.

Ferguson Road Reserve - Vested with the Shire of Collie.

DMP is **not** proposing to undertake any vegetation clearing on freehold land.

See attached letters from the Shire of Collie and DRDL. DMP believes the letters from the Shire to be sufficient authority to access the land. The letter from DRDL would indicate that DMP doesn't need authority to access Reserve 23032 as it is the responsible agency.

Supporting information and environmental management:

DMP does not have access to any flora, vegetation or fauna studies to support the application. However, it is our understanding that the Shire of Collie was granted a permit in the same area very recently for the realignment of Ferguson Road.

In the event that some native vegetation clearing is necessary, DMP does not envisage that any large trees, significant stands of vegetation or fauna habitat will be impacted. Drilling locations will be cited in disturbed/bare ground wherever possible.

No clearing or drilling activities will be undertaken in wetlands or watercourses. Clearing and drilling activities will be carefully managed to ensure sediments and contaminants are not transported offsite.

What stakeholder consultation has occurred?

Local Government

DMP has been in close consultation with the Shire of Collie regarding safety issues and management options at Black Diamond lake for the past 2 years.

The Shire of Collie is fully supportive of the proposal to batter the southern wall of the pit. The Shire's recent realignment of Ferguson Road was cognisant of DMP's proposal to batter the pit wall.

The Shire has confirmed that DMP does not need Planning Approval to undertake geotechnical investigations at Black Diamond.

State Government

DMP has engaged with Mr Drew Griffiths at DEC's Collie office on the proposal to undertake rehabilitation works at Black Diamond.

DMP has also liaised with Mr Ron Pumphrey (South West Manager) at the Department of Regional Development and Lands (DRDL).

Local Community

DMP has spoken to and formally written to neighbours of Black Diamond to explain the proposal to batter the pit's southern wall.

Wider Community & Media

DMP has published news articles on the front page of its website to keep the Western Australian community informed of the proposal to undertake remedial works at Black Diamond.

Local media companies including the Collie mail have shown interest in the project by publishing newspaper and online articles about the project.

Private Industry

DMP has briefed local Collie mining operators Griffin Coal and Premier Coal on the proposed remedial works at Black Diamond. It is envisaged that both companies will work with DMP as the project progresses to provide their expertise and learnings on local mining landform designs, rehabilitation and closure issues.