

“Reclaiming our Valley”

Hunter Communities Network

Planning Assessment Commission
Submission of Objection
Tuesday 13 February 2018

Hunter Valley Operations South Modification 5 – D497/17

The Hunter Communities Network is an alliance of community based groups and individuals impacted by the current coal industry and concerned about the ongoing rapid expansion of coal and coal seam gas exploration and mining in the region.

We particularly object to the proposed expansion of the Hunter Valley Operations South through Modification 5 (HVO Sth Mod 5).

We did not present our key concerns to the Planning Assessment Commission (PAC) public meeting held in Singleton on Tuesday 6 February for the following reasons:

- The public meeting was held two days prior to a PAC public hearing on the neighbouring United Wambo Project
- The notice for this public meeting was sent during the January holiday period
- Fifteen minutes is not enough time to address the concerns of this community group
- We consider that public meetings for mine modifications are not a genuine form of community consultation because of the manner in which they are conducted

There appears to be no consistency in the assessment and approvals process to consider cumulative impact across a range of environmental issues in this heavily mined area of the Hunter Valley.

We assert that it is essential for the PAC to give close consideration to long-term cumulative impacts on the community and the environment from this proposal taking into account current on-ground cumulative impacts and nearby proposed mine expansions (ie United Wambo Project).

We assert that the Department of Planning and Environment (DPE) and other NSW Government agencies have not given adequate consideration to the impacts of currently approved mining operations in this area and have not addressed the issue of cumulative impacts.

Hunter Community Network wishes to submit the following key issues for PAC consideration. We would appreciate an analysis of how this was undertaken to be included in the determination report.

1. Raised overburden dumps and increased regional dust

The assessment of increased dust emissions from the proposal to raise overburden dumps by 80 m to up to 240 m AHD has been entirely inadequate.

We note that DPE required the dispersion model for HVO South to be updated with additional meteorological data. The emissions inventory was updated to account for lower wind speed data, lower material bulk densities and an updated wind erosion factor. These changes to the model resulted in predicted emissions being reduced by approximately 25%.

DPE claims that *'these changes were made to better reflect actual site conditions while still maintaining an element of conservatism'*.¹

However, nowhere in the DPE report is there a discussion about the levels of regional dust being measured by the Upper Hunter Air Quality Monitoring Network that regularly exceed the national air quality criteria for PM₁₀ dust emissions.

The closest air quality monitors to this proposal are at Jerry's Plains and Warkworth. So far this year the Jerry's Plains monitor has alerted the community of 5 air quality exceedances and the Warkworth monitor has measured 10 exceedances to date.

The dumping of overburden at greater heights can only increase this dust problem. This is purely common sense. No amount of tinkering with dispersion models can change the fact that the EPA Dust Stop program is not protecting the community from dangerously high levels of dust pollution in this area of high intensity open cut mining operations.

The communities in this area of the Hunter are already significantly impacted by the approved large scale mines. Any expansions will only exacerbate the poor air quality.

We cannot support the DPE conclusion *'that HVO South and the proposed United Wambo Project could operate concurrently without significant adverse cumulative impacts to residences in Warkworth and Jerry Plains'*.²

This conclusion is not based on the real time evidence measured by the air quality monitors.

These communities are already suffering health threatening levels of PM₁₀ dust emissions and should not be subject to further cumulative increases.

¹ DPE Environmental Assessment Report (undated) p 15

² Ibid p 17

DPE does acknowledge this fact: *‘even if emissions and impacts are reduced as far as practicable, there may still be a few days when cumulative dust levels exceed the criterion due to high prevailing background levels’.*³

The proposed conditions relating to management of air quality from HVO Sth Mod 5 will not solve the cumulative impacts of high levels of air pollution on community health in the region.

2. Increased mine noise

Industrial noise from 24 hour mining operations in the Hunter, especially at night, is a significant impact on rural communities and has been raised many times in submissions from Hunter Communities Network.

DPE acknowledges that *‘receivers to the west in Jerrys Plains would experience higher noise levels’* and *‘considers these impacts are practicably unavoidable.’*⁴

This is an overt admission that community health impacts from mine noise is likely to occur but the NSW Government is not prepared to do anything about it.

The proposed conditions relating to management of noise from HVO Sth Mod 5 will not solve the problem of cumulative mine noise and its inherent disturbance of amenity and good health.

3. Cumulative impacts on water sources

We have long standing concerns about the ongoing irreparable sacrifice of surface and groundwater sources in the Hunter Region and the long-term cumulative impacts of this permanent destruction.

3.1 Management of surface water on the mine site

DPE acknowledges that with the increased groundwater inflows into the mine that *‘there would be a 10-25% probability that the combined water storage capacity of the site would be exceeded in any given year.’*⁵

We find this to be quite an astounding admission. It is proposed to be solved by storing excess water in active mining pits thus impacting on production. This economic impact has not been factored into the costs benefits analysis of the proposal.

DPE is assured that by interrupting mining operations uncontrolled spills of mine water into receiving waters will be prevented. There are numerous examples in the Hunter catchment,

³ Ibid

⁴ Ibid p 20

⁵ Ibid p 22

including the Goulburn River, where uncontrolled mine water spills and emergency releases have occurred due to high rainfall events.

There is no confidence that the current level of proposed on site water storage will adequately control mine water release into the surrounding environment. This issue needs to be addressed.

3.2 Groundwater impacts

We strongly object to this proposal to draw down approximately 10m of groundwater that will cause a predicted decrease of base flows to the Hunter River of 584 ML/year and to the Wollombi Brook of 107 ML/year.

The assessment of these losses to alluvial aquifer systems does not include an analysis of the cumulative loss of base flows caused by existing operations, recently approved mine expansions and proposed new operations in the vicinity of HVO Sth Mod 5.

The combined loss of base flows to the Hunter River and Wollombi Brook from the Wambo, HVO Sth & Nth, Warkworth & Mt Thorley operations together with the proposed United Wambo project have not been provided in the assessment for this proposed increase in groundwater interception.

The cumulative impact of mining on groundwater sources and associated surface water sources has not been considered.

This is a major failing of the assessment and approvals process for large scale open cut mines in the Hunter Region.

3.3 Surrender of water entitlements

DPE advises that 524 ML of held water licences would have to be retired to compensate for the long-term loss of groundwater after close of mining. This loss, including 318 ML of alluvial water, has not been assessed in the context of cumulative loss of access to groundwater in the Hunter Region.

A significant volume of water licences have been required to be retired across the region, thus permanently removing this water access from the market for future use.

The loss of productive groundwater into perpetual groundwater sinks, or final voids, is a long term legacy of the mining industry that has not been costed. The disbenefit to other industries of the permanent loss of available groundwater access has not been considered.

The assessment of permanent groundwater loss and retirement of water licences for this proposal has not included the volumes of retired licences already approved at neighbouring mines. The cumulative retirement of water licences is a significant social and economic impact of mining that has been ignored.

This is a major failing of the assessment and approvals process for large scale open cut mines in the Hunter Region.

4. Final Void

Another instance of remodelling the predicted impacts of this proposal was done for the final void. The community can be excused for scepticism when various previous modelling used for assessment and approval is now conveniently found to be incorrect. This demonstrates a lack of rigour in the first instance and increases the lack of credibility of information used to approve these very large projects.

This modification proposes to access deeper coal seams than previously approved. Therefore, it is difficult to accept that *'the remodelled approved final void and proposed final void are not dissimilar in terms of storage capacity, water levels and quality.'*⁶

This ongoing tinkering with models to achieve a required outcome further erodes community confidence in the entire approval process for large scale, large impact mining operations in the Hunter.

DPE supports the proponent's intension to cost shift major permanent impacts onto the environment and future generations. The retention of a final void with a predicted hypersalinity of 12,800 mg/L that will act as a groundwater sink in perpetuity, and be unusable, is irresponsible and unacceptable.

The proponent maintains that *'slope remediation techniques would be unviable due to the cost and complexity.'*⁷

We maintain that if the project does not produce enough income to backfill and rehabilitate the entire disturbed landscape, then it is not a viable operation.

The lack of a NSW Government policy on final voids is not an excuse for allowing additional, larger voids to be approved.

The assessment report fails to assess the cumulative impact of final voids in the Hunter landscape. The retention of over 30 final voids is an unacceptable legacy that should not be endorsed by the PAC.

Instead of leaving overburden dumps notably higher than the surrounding undulating hills in the natural landscape, this material should be used to backfill all disturbed mine areas on the HVO Sth site.

⁶ Ibid p 25

⁷ Ibid p 28

5. Socio-Economic assessment

The key economic justification for this proposal is the royalties obtained through the extraction of an additional 56.8 Mt coal over the life of the mine. No new jobs will be created.

The economic impact of an estimated 0.03% increase in greenhouse gas emissions compared with the existing mine (using different estimation methods) has not been costed. The cumulative impact of increased greenhouse gas emissions from all coal mining activities in the Hunter Region has not been assessed.

The long-term costs of retirement of water licences and retention of a hypersaline lake in the landscape have not been included in the economic analysis.

Hunter Communities Network maintains that the short term gain from royalties does not compensate for the permanent environmental and social risk of this proposal.

Conclusion

HVO Sth Mod 5 will cause numerous cumulative impacts that have not been addressed and will not be mitigated through proposed conditions of approval.

This proposal will cause long-term public costs that have not been assessed.

The NSW Government and the PAC have a responsibility to consider thresholds and tipping points for cumulative impacts on water sources, landscape viability, community health, biodiversity and social fabric of rural communities.

Hunter Communities Network strongly objects to this proposal because the assessment is inadequate, cumulative impacts have been ignored and the long-term costs will outweigh the short-term public benefit.