

“Reclaiming our Valley”

Hunter Communities Network

Planning Assessment Commission
Level 3, 201 Elizabeth Street
SYDNEY, NSW 2000


Tuesday 5 December 2017

Submission of objection *Wambo Coal Mine MOD 17 - D493/17*

Introduction:

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 submitted an objection to this 17th modification to the substantial Wambo Mining complex when it was exhibited for public comment in May 2017. We have reviewed the Department of Planning and Environment (DPE) Environmental Assessment Report (undated) and consider that the majority of the issues raised in our submission have not been addressed.

We note that there are considerable concerns raised by NSW Government Agencies and the Federal Independent Expert Science Committee that have not been satisfactorily resolved.

There is also considerable confusion over the relationship with this project and the proposed United-Wambo proposal. As stated in our original objection it appears that the key purpose of Modification 17 is the integration of operations with the proposed United Wambo Open Cut Coal Mine Project. However, there has not yet been a determination on this proposal.

We also noted that the Wambo Mine received approval to mine additional longwall panels in December 2016 through modification 12.

This Southern Longwall modification increased the mine footprint with 7 new longwall panels in Area 3, 8 new longwall panels closer to the surface in Area 1 and the reconfiguration of 7 approved longwalls and 6 new longwall panels in Area 2.

The justification for this expansion was to ‘*enable the continued use of existing Wambo infrastructure and workforce and would promote the more efficient and economic recovery of coal resources*’¹

¹ Mod 12 Main Report p ES-8

This is a new approval for a major increase in mining activity on the Wambo Mine site. We strongly reject the proposal now before you to delay these approved mining operations until after an entirely new area of land is subjected to yet another major extension to the disturbance footprint of Wambo Mine.

To delay the current approved expansion does not meet the object of the Environmental Planning and Assessment Act:

a) to encourage:

(ii) the promotion and co-ordination of the orderly and economic use and development of land,

The DPE assessment report does not address the issues raised in relation to the proposed delay of an approval.

We do not support that this new proposal can be characterized as a 75W modification. The area of new land to be impacted is significant and the assessment of environmental impacts is inadequate. The application for 9 new longwall panels will impact an area outside the current Mine Lease Area and subject 508 ha to the impacts of subsidence and aquifer depressurization.

The cumulative environmental impacts of this new mine expansion are significant and will not be adequately mitigated.

Hunter Communities Network recommends that this proposal be rejected.

Key Issues:

1. 75W modification

We consider that this proposal is a major extension to the impact of the Wambo Mine disturbance footprint and should be assessed as a new project. The dependence on assessment information generated for previous proposals is highly inadequate.

The lack of any Aboriginal cultural heritage assessment on a portion of the land to be impacted is unacceptable. The predicted subsidence impacts over 508 ha is a significant threat to the natural environment and cultural heritage values in the area.

The cumulative impact, particularly on water sources, has not been rigorously assessed and must be given a greater emphasis. This should occur through a full environmental assessment process.

We do not support DPE's position that this proposal can be characterised as a modification. The volume of coal to be extracted is only one aspect of any planning consideration. The size of the area to be impacted and the lack of full assessment in some areas is a key issue that must be addressed.

The proposal will extend the period of time for mining impacts until 2039 with long term irreversible damage to key natural resources.

The dismissive nature of the environmental impact analysis provided by DPE is not objective and should be reviewed in a rigorous and independent manner.

2. Relationship to United-Wambo proposal

The DPE assessment report provides a number of contradictory positions on the relationship of this proposal with the United-Wambo super pit proposal.

The key justification for this proposed mine extension is the integration of operations with the proposed United-Wambo Open Cut Coal Mine Project.²

It is stated that the assessment has assumed the approval of United-Wambo to assess worse-case scenario cumulative impacts but then goes on to state that it is not a key consideration in respect of water management for this proposal. DPE will carefully consider any water management concerns in the separate assessment of the United-Wambo project.

The assessment report then states that the mine's water balance was reviewed for the proposed United-Wambo project, including this proposed extension.

Part of the area to be impacted by this proposal is being considered as an offset area for the disturbance of critically endangered ecological communities on the United-Wambo site. This area is likely to be impacted by surface cracking of soils. The suitability of this offset site would be considered during assessment of the United-Wambo project.

It appears that some matters are being considered jointly for both proposals and some matters are being considered separately. There is little consistency in the DPE approach. This demonstrates a very poor planning process for an area of the Hunter that has highly significant cumulative impacts occurring through current large-scale mining operations.

Hunter Communities Network recommends that this proposal not be determined until the assessment for the United-Wambo proposal is completed.

3. Government agency issues

A considerable number of key issues raised by Government agencies have not been resolved in the DPE assessment report.

The Independent Expert Science Committee on Coal Seam Gas and Large Mining Development (IESC) raised a number of key concerns with the proposal. These include impacts from groundwater drawdown and changes to surface water flows in North Wambo Creek, water quality and subsidence impacts on the geomorphology and hydrology of North Wambo Creek.

² Mod 17 Main Report p 25

The IESC also noted that this proposal would contribute to the cumulative impacts of mining across the region.

The IESC requested further discussion concerning the interaction between the underground and open cut operations and potential subsidence impacts. It is unacceptable that this issue has been pushed back to a post-approval geotechnical assessment of the highwall prior to extraction of the proposed longwalls

Both the IESC and the Division of Crown Land and Water (CLWD) requested further clarification of aspects of the groundwater model.

The IESC questioned whether the numerical model should include separate layers for alluvium and regolith, to better represent changes in saturation of the alluvium over time.

The IESC also considered that geological faults were not adequately characterised or included in the numerical model. Additionally, the IESC requested a sensitivity and uncertainty analysis of the model's hydraulic parameters including recharge, storativity and hydraulic conductivity.

We consider that DPE is quite dismissive of most of the key issues raised by the IESC with limited technical rationale for the position taken.

For example the IESC noted some limitations with the use of the Australian Water Balance Model for the analysis of flow regimes. DPE states it is satisfied with the model as a well-recognised, standard model developed specifically for assessment of runoff in Australian catchments, without addressing the limitations outlined by the IESC.

DPE states that CLWD, the PAC and a peer review accepted the groundwater model approach for modification 12. We maintain that none of these sources are independent and that the PAC has no resources to conduct any of its own independent analysis.

The IESC recommended a change in the longwall layout to mitigate the worst of the predicted subsidence impacts. This recommendation has been ignored.

DPE acknowledges that some of the data sets used in the assessment are limited, particularly in relation to impacts on soil moisture and groundwater dependent vegetation. It is unacceptable that the assessment of these impacts occur during mining operations.

It is very concerning that there is limited base data of flow records in creeks at Wambo. The IESC requested further justification for the off-site creek flow data used and information on the location of the creek and similarity to creeks at Wambo. This issue is also dismissed.

The lack of a revised Water Management Plan as required with the approval of modification 12 is a key problem for the assessment of this proposal. There are significant cumulative impact issues for groundwater and surface water sources in the area of impact.

The EPA and IESC both requested additional information on impacts on water quality. DPE questions the ability to set site specific triggers for water quality monitoring and identifies the long history of mining operations in the area as one of the challenges.

It is also highly inappropriate for DPE to support the proponent's position on the IESC's recommendation that monitoring be conducted for stygofauna in alluvial aquifers. The proponent maintains that the alluvial system is now highly modified and fragmented and that further assessment of stygofauna is not warranted. This is an admission that mining in the area has had significant impacts on environmental assets.

We consider that the long history of mining in the area and the significance of current cumulative impacts is a very compelling reason to reject this proposal.

4. Additional issues with DPE assessment report

Hunter Communities Network has a number of key concerns about the quality of the information provided in the DPE assessment report and the conclusions made in relation to the significance of the impacts of this proposal.

DPE states on page 20 that there is currently no Water Sharing Plan relevant to the porous rock aquifer. The Hunter porous rock aquifer is covered by the North Coast Fractured and Porous Rock Groundwater Water Sharing Plan that commenced on 1 July 2016.

We have major concerns that this proposal is acknowledged to cause surface and sub-surface subsidence impacts, including cumulative subsidence impacts, which could affect a range of surface water and groundwater features.

The Department considers that the proponent has not fully assessed the potential impact of a diversion of creek flow into one of the ancestral channels, it is acknowledged that there is potential for complete hydraulic connectivity and fracturing to the surface is predicted above 40 – 50% of the area above the proposed longwalls.

We do not accept the proponent's commitment to remediate damage to the creek system. No examples of successful remediation have been provided and the company has systematically refused to remediate the damage to Wambo Creek on the Fenwick's property for the last 20 years.

We cannot accept DPE's position that the impacts of this proposal are not significant and can be mitigated. There is no clear basis provided for this conclusion.

Conclusion

Hunter Communities Network does not support that it is acceptable for 28 ha of land to be damaged by subsidence for every million tonne of coal predicted to be mined in this proposal.

We do not support the delay of the currently approved Southern Longwall modification and consider that the full suite of cumulative impacts have not been adequately assessed.

There is no certainty for communities in this area of the Hunter Region when mining projects are subject to continuous change in approvals, modifications, expansions and new projects. The Wambo Mine has had significant environmental, cultural heritage and social impacts over a long period of time. The severity of these impacts have not been adequately assessed.

We consider that independent experts have raised a significant number of issues with the assessment for this proposal that have not been adequately addressed by DPE.

We strongly object to the dismissive approach taken by DPE and their satisfaction with the information provided.

We recommend that no further deliberation should be conducted on this proposal until the assessment of the United-Wambo project is complete.

Yours truly

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Bev Smiles
Convenor

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