

"Reclaiming our Valley"

Hunter Communities Network

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Presentation

Independent Planning Commission of NSW
Public Meeting
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Mt Pleasant Coal Mine Modification 3

Thank you Commissioners for the opportunity to present to you today and for the invitation to attend the site tour yesterday.

There were a number of questions I would have liked to have asked yesterday during the tour. I will refer to some of those during this presentation and perhaps the Commissioners might like to follow up.

Community members are pleased to see that some of the recommendations made to improve this stage of the assessment and approvals process for coal mines have been adopted by the NSW Government.

We are particularly interested in a clear demonstration of the independence of the Commission that will result in a more balanced approach to this particular proposal than that shown by the Department of Planning & Environment (or DPE), in the Secretaries Environmental Assessment Report signed off on 8 June.

History

The Mt Pleasant Mine has hung around undeveloped for 17 years. There has been no interest from successive NSW Governments in the royalties or jobs associated with this approval until now. Meanwhile various changes caused the approval to be more closely linked to the Bengalla operations. This was OK until Rio Tinto saw the light and jumped out of thermal coal production in the Hunter and sold the two mines to two separate entities.

So, in 2016 MACH Energy took the financial risk to purchase an undeveloped coal mine with only 4 years left on an approval that is based on assessments conducted more than 20 years ago.

In early 2017, MACH applied to DPE to modify the approval by changing an internal haul road. This was the time when the planning system should have put the brakes on and caused the entire project to be reassessed.

Instead the community has been presented with a third modification, that is actually asking for the approval of a smaller mine until 2026 while a bigger mine is assessed for further approval at a later stage.

There is also the complexity of extricating the Mt Pleasant Mine from its various relationships with the Bengalla mining lease.

Assessment

DPE makes the justification for this proposal very clear - it will allow sufficient time for MACH to make a return on its investment.¹ We do not consider it the role of Government planners and decision-makers to be giving priority to private investment decisions.

We believe DPE is placing a much greater emphasis on the financial health of a coal company than on the social and environmental health of surrounding communities and ecosystems.

The key argument for all other considerations is that the mine is already approved, so any form of new cumulative social or environmental impact is inconsequential and need not be afforded new assessment.

For example DPE note that MACH did not reconsider the impacts on other industries in the Upper Hunter such as nearby viticulture, equine or tourism industries because it is not significantly changing the approved use of the site. This approach is ignoring the fact that the mine is now a new operation in the midst of expanded mining impacts in the region since the mine was first approved.

This approach by DPE is unacceptable. To ignore the impacts of existing mining operations while assessing the commencement of new operations, we believe, is irresponsible. We trust that the Commission will take a more balanced approach to the assessment of this proposal.

The commencement of mining at Mt Pleasant should be assessed as a new mine in the context of the cumulative growth of mining operations surrounding Muswellbrook and its environs since 1999.

Social Impacts

The social impacts of the Mt Pleasant Mine have already been significant - even before the commencement of mining.

The acquisition of property over time and the uncertainty hanging over neighbouring landholders and the township of Muswellbrook with a dormant approval sitting idle for such a long period of time has paid a social toll. I held a position as Trustee on the Hunter Catchment Management Trust from 1998 to 2004. We visited many mines and local communities during that time. There was a high level of uncertainty around Mt Pleasant Mine. A common story has been landholders with stranded assets and no certainty for the future.

¹ DPE Assessment Report p 24

There is now a requirement in NSW to conduct a Social Impact Assessment for State Significant Development under guidelines adopted in March this year. We consider that the cumulative impact of mining on the surrounding rural communities and industries with the addition of this proposal must be assessed.

Noise

The noise assessment indicates that an additional 12 properties have been acquired since the first modification was approved in 2011. There is considerable discussion in the DPE report around the identification of neighbours, errors made in the Mod 1 assessment and the need to monitor for noise enhancing meteorological conditions to the east of the mine.

The impact of noise emissions from this new mine and its management requirements needs to be independently reviewed.

Air Quality

The section in the DPE report on air quality demonstrates that a very large number of properties in the vicinity of Muswellbrook are already impacted by mining operations. An additional two properties are identified for acquisition while there is a convoluted discussion of management of dust during worst-case weather conditions.

These management activities must be assessed to consider times of prolonged drought with limited water supply to suppress dust generation, times of high winds which are not unusual up through the valley and times when the regional monitoring system is recording dust levels above the national standards. This already occurs on a regular basis.

The current levels of mine dust in Muswellbrook and surrounds are already untenable. The adequacy of the assessment of cumulative impacts of dust from mining directly to the west of Muswellbrook and surrounding areas is highly questionable and needs to be independently reviewed.

We saw on the site tour yesterday how close to the township this mining operation will be, particularly the planned extension to the eastern overburden emplacement area that will rise an additional 60 to 80 m above the current landform. The dumping of rocks and soil on this site will increase the dust burden already experienced across the township.

I was very surprised by the huge extent of the land disturbance that we viewed yesterday.

Visual Impact

The assessment of visual amenity is particularly concerning. DPE covers this issue under the topic of other matters and is unsurprisingly satisfied that the conditions of the existing approval will suffice. This is in the context that a final land form is still under review and will be left until a post approval management plan.

The MACH EIS reports that since the original visual assessment was conducted over 20 years ago, there have been a number of significant changes including the development of the Bengalla Mine, ongoing development of the Mt Arthur Mine and the growth of Muswellbrook.

Because of the high concentration of residents with views of the approved Mt Pleasant Mine site, Muswellbrook is considered to have a high visual impact and a high viewer sensitivity. The community has only just recovered from looking into the maws of the Bengalla Mine while Mt Arthur continues to loom on the general horizon. The social impact of having a direct view into the Mt Pleasant Mine has not been adequately assessed in the context of the existing visual impacts.

The MACH Report considers that views from the New England Highway will not affect tourists because they are transitory. However, there is no consideration of local and regional travellers who use the highway on a regular basis. The visual impact of both Bengalla and Mt Arthur Mines from the highway is already significant. Adding a third major mine has not been assessed for cumulative visual impact.

Commissioners saw for themselves yesterday the combined visual impact of both Bengalla and Mt Arthur mines. Many people find this visual impact quite shocking.

The proposed final landforms will not occur until after 2026 and by then there is likely to be the spectre of a larger mine on the horizon.

To achieve a balanced assessment of this proposal, a full social impact assessment is required to take into account the cumulative impacts of mining on the rural community neighbouring the mines and on other industries operating in the area.

Environment

Hunter Communities Network is not only concerned with the cumulative social impacts of mining in the Upper Hunter, we are also very concerned about the cumulative environmental impacts and long-term legacies being left with no adequate assessment of the costs and damage.

Final Void

The retention of final voids in the landscape is a key legacy issue that is a blatant shift of costs from the mining industry onto the environment and future generations.

We commissioned a report on the cumulative impact of final voids in the Hunter in 2016 because the NSW Government had not conducted this level of assessment. Our report discloses a high level of inconsistency in the predictive methodology and assessment of final voids with no consideration of the post mining management in perpetuity. The ongoing approval of final voids is occurring in a vacuum of knowledge.

The information provided in the DPE assessment report about the proposed final void or voids on the Mt Pleasant Mine lease is very confusing, but equally demonstrates that this proposal is merely a stop gap for greater impacts.

The updated groundwater modelling has not yet been completed, therefore the volume of groundwater inflows into a proposed final void, over an unknown period of time of regional drawdown is a critical and outstanding assessment issue.

The MACH Main Report states that: *'over the period of mining that is the subject of this Modification, only the South Pit would be developed (i.e. the North Pit is not planned to be developed by MACH Energy until post-2026).*

Once mining operations cease, groundwater inflows to the final void would no longer be collected and pumped out. As a result, the final void would gradually fill with water. Inflows into the final void would comprise incident rainfall, runoff within the final void catchment area and groundwater.

*The design of the final void would be refined as required to ensure that the final void would not spill to the environment and would provide a groundwater sink.'*²

This type of unqualified 'trust us' statement causes particular nervousness in the community. We expect the Commission to take a more scientific approach to the assessment of the proposed final landform including the requirement to backfill all mining pits and major water storages on site.

The lack of an updated groundwater model means that the Commission does not have the necessary data to properly assess this proposal, particularly in terms of the impact of a final void

HRSTS

We are also concerned about the impact of this mine on the health of the Hunter River. The relationship with the alluvial groundwater system and impacts on base flows is currently unknown until the new groundwater model is available. The requirements for discharge into the Hunter River under the Salinity Trading Scheme appear to need further assessment.

I would have liked to ask a question about the discharge point into the Hunter River yesterday. I trust the Commission will following up on this important issue.

The position of the Mt Pleasant Mine in the river system, above all other mines except the Dartbrook Mine, is significant in regard to the operation of the Salinity Trading Scheme.

The poor management of mine water discharge from the three large mines at the top of the Goulburn River is causing a rise in salinity entering the Hunter River at Denman.

It is not clear whether Mt Pleasant holds the required number of discharge credits needed to fully manage water inflows and storage capacity on the site. The level and volume of discharge needs to be better understood in the context of other impacts in this section of the Hunter River.

² MACH EIS Main Report p 77

EPBC

It is also necessary to fully consider the requirements of Federal legislation in regard to mining impacts on water sources.

The MACH EIS notes that an approval was granted under Federal Environment legislation in 2012.³ However, this was for impacts on threatened species.

The Water Trigger for mining and gas projects was brought into the Act in 2013. MACH consider that the impact on water sources will not be significant therefore the modification does not need to be referred to the Federal Environment Department.

We beg to differ, particularly in the context of the Bioregional Assessment released in early June that recommends the Muswellbrook area be subject to more localised assessment to consider the potential of hydrological change caused by mining impacts.

It is imperative that the Independent Expert Scientific Committee considers the impacts of the Mt Pleasant Mine in the context of surrounding mining impacts on hydrology in the local area.

This proposal must be referred to comply with Federal environmental law.

Conclusion:

Hunter Communities Network considers that operations being conducted at Mt Pleasant are a new mine. The assessment of the proposal to extend the life of this new mine until 2026 should be conducted with all relevant consideration of the cumulative impacts on the environment and community in the context of the surrounding mining operations.

The many complex associations with the Bengalla Mine need to be resolved before this proposal can be determined

The Mach report identifies that a conceptual final landform diagram for Year 2038 has been developed if mining activities were to be continued beyond the Modification operational period. This is a clear indication that the long term plan is a much larger operation for another 20 years.

The community would prefer to wait and see a full, contemporary assessment of the entire mine proposal, rather than this poor attempt to have a smaller mine approved under the existing conditions that are 20 years old.

We do not consider that the Commission has been provided with adequate information to make a determination on the proposal before you and therefore it should be rejected.

³ MACH EIS Main Report p 86