



## ‘MOTHBALLED’ MINE CAN RESTART OPERATIONS BUT FIVE-YEAR EXTENSION REFUSED

9 August 2019

A ‘mothballed’ coal mine in the Upper Hunter can recommence operations using bord-and-pillar methods, the state’s Independent Planning Commission has ruled.

AQC Dartbrook Management Pty Ltd has an existing approval to extract up to six million tonnes of run-of-mine (ROM) coal annually from the Dartbrook mine, south of Aberdeen, using longwall methods until 2022.

However, the mine was placed in care and maintenance in late 2006 because of operational difficulties and lower coal prices.

The company, a wholly-owned subsidiary of Australian Pacific Coal Limited, sought to restart operations at the mine. It lodged a modification application to allow:

- bord and pillar mining within the Kayuga Seam, as an alternative to the already approved longwall mining activities in that seam
- an alternative coal clearance system for transporting ROM coal from the underground mine operation to the existing coal handling and preparation plant, and
- a five-year extension to the current approval which ends on 5 December 2022.

The Department of Planning, Industry and Environment referred the matter to the Commission for determination in January this year amid strong opposition from Upper Hunter Shire Council and the local community.

Commissioners Zada Lipman (Panel Chair), Ross Carter and Peter Cochrane were appointed to determine the application. They met with the Applicant, Department, Muswellbrook and Upper Hunter Shire Councils – and toured the site and surrounding areas.

The Panel also held a public meeting in Muswellbrook to listen to the community’s concerns, including air, noise, visual and water impacts; greenhouse gas (GHG) emissions and climate change; rehabilitation requirements; impacts on the local equine industry; and the cost benefit and viability of the project.

The Commission has today (Friday 9 August 2019) handed down its final decision.

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After carefully considering all the evidence, including the community's views, the Commission has determined to approve part of the Application to permit mining operations up until 5 December 2022, subject to conditions of consent, namely to:

- commence underground coal mining on the site using bord-and-pillar methods; and
- use a varied coal clearance system, including transport of coal by trucks using a private haul road to a new coal delivery shaft connecting to an existing underground conveyor to the existing coal handling and preparation plant.

In its Statement of Reasons for Decision, the Commission concluded that partial approval of the application is acceptable because "mining operations have been approved until 2022 and bord and pillar mining has been acknowledged by the Proponent and Department as a less intensive and environmentally-impacting activity than longwall mining."

It also noted that the Proponent had committed to seal a haul road to reduce dust emissions and had proposed "reasonable and feasible" measures to minimise noise impacts and mitigate flood risks.

But the proposed five-year extension to the life of the mine has been refused, with the Commission finding (in summary):

- the impacts relating to air quality, noise, subsidence, groundwater and greenhouse gas emissions have not been fully considered in this application
- there is a lack of rigour in the assessment of the environmental and social costs of the Project in the Cost Benefit Analysis (CBA) and as a result the Commission is not satisfied that these have been adequately assessed and quantified
- the air quality assessment does not consider the air quality impacts of the existing approval being fully operational, in addition to the proposed modification, in the context of changes in background air quality since the original approval was granted
- the information provided up to this point regarding greenhouse-emissions-related impacts and the appropriateness of the methodology for estimating the social and economic costs of the projected emissions is unsatisfactory
- the subsidence impacts of the Application have only been assessed against the bord-and-pillar methods and, although there is an existing approval for longwall operations, the subsidence impacts of longwall mining on Equine Critical Industry Cluster (ECIC) land and Biophysical Strategic Agricultural Land (BSAL) as part of the five-year extension have not been considered, should longwall mining recommence
- the Social Impact Assessment lacked rigour and did not adequately assess the social impacts of the Project, while it appears no assessment has been undertaken of the economic and social impacts of the modification on the local Equine Critical Industry Cluster, and
- a five-year extension would not be in accordance with the principles of ecologically sustainable development or inter-generational equity; and, as such, is not in the public interest.

“There is uncertainty about the Application’s future impacts as it entertains the possibility that some aspects of the currently approved Project may continue or restart after 2022 and the Application does not adequately evaluate these impacts, and how these would then affect the Project’s CBA,” the Commission noted.

AQC has previously stated the proposed five-year extension of the approval period was required to justify the capital expenditure involved in recommissioning the mine.

**The Commission’s Statement of Reasons for Decision can be read in full here:**

<https://www.ipcn.nsw.gov.au/projects/2019/02/dartbrook-coal-mine-modification-7>

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