

**Friends of the Upper Hunter Inc.
160 Turanville Road,
SCONE NSW 2337
13 May 2019**

**Commissioners Lipman, Cochrane and Carter
The Independent Planning Commission
Level 3, 201 Elizabeth Street
Sydney NSW 2000**

Dear Commissioners,

Thank you for the opportunity to respond to the errors, omissions and misleading statements in Australia Pacific Coal's recent response to presentations at the public meeting on the Dartbrook Underground Mine Modification 7, held in Muswellbrook on 9 April.

Friends of the Upper Hunter Inc respectfully asks that you consider this letter in addition to our prior submission (April 2019) and the attached *Friends of the Upper Hunter - Dartbrook Mine Community Consultation Report - April 2019*.

A detailed summary of our concerns with the information raised by the proponent follows this letter.

While not addressed by the proponent, we reiterate our concern about the issue of rehabilitation and mine closure. When the CEO of Australian Pacific Coal attended the FOTUH Community Forum in Aberdeen on 7 April, he made it clear that the proponent has no plans or budget (beyond the minimal guarantee held with the NSW Government) for mine closure and rehabilitation. He stated that this was because the proponent 'isn't going to shut it'. We believe it would be a significant oversight to allow this modification if the proponent can't demonstrate the capacity to fulfil its obligations.

We also have significant concerns over one of the proponent's main assumptions - that customers in Korea and Japan will buy its unwashed 5500NAR coal. We have recently been informed that there isn't a market in either country for this class of coal.

If the proponent is basing its investment decision on a faulty market analysis it is even more critical that it demonstrates the financial capacity and plans to fulfil its environmental and social obligations, particularly in respect to mine rehabilitation and closure and to a closure and transition plan for its staff.

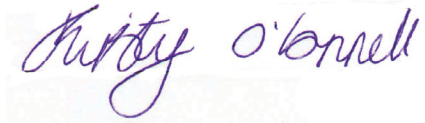
We believe this evidence, together with the other evidence you received on 9 April and via public submissions, demonstrates that this proposal is not in the public interest, that the site is not suitable for this development and that the likely environmental, social and economic impacts are unacceptable.

We believe it would therefore be inconsistent with the EP&A Act 1979 section 4.15 b, c and d to approve this proposal.

We reiterate our request on behalf of our members and the wider Upper Hunter community that you reject this proposal.

If you have any questions please don't hesitate to get in touch.

Sincerely

A handwritten signature in purple ink that reads "Kirsty O'Connell". The signature is written in a cursive style and is placed on a light-colored, textured rectangular background.

Kirsty O'Connell

Secretary

Friends of the Upper Hunter Inc.

Mob: 0411 100 734

Email: friendsoftheupperhunter@gmail.com

Errors and issues with Australian Pacific Coal's Response to Public Meeting Dartbrook Coal Mine Modification 7

P1 1.1 Background - Omitted information

AQC Stated: No mining activities have been conducted at Dartbrook Mine since it was placed under care and maintenance by the previous owner in December 2006.

It is our understanding that mining stopped in May 2006 as a result of spontaneous combustion underground and never recommenced before the eventual transition to Care and Maintenance mode in December 2006.

P1 1.1 Background - Omitted information

AQC Stated: AQC seeks to modify DA 231-7-2000 to authorise an alternative method of underground mining, an alternative coal clearance system and an extension of five years to the approved period of mining (the Modification). The application to modify DA 231-7-2000 is made under the former Section 75W of the EP&A Act.

It is also applying to process and transport unwashed coal.

P1 1.2 Existing Development Consent - Omitted information

Omits mention of the washery

1.3 The Modification - Omitted Information

Omits that coal will be unwashed.

1.4 Document Purpose and Structure - Query Expertise of Author

Is Hansen Bailey now representing that it has legal expertise? We reiterate the advice of the Environmental Defenders Office, who were the solicitors involved in this matter, regarding the applicability of Rocky Hill and respectfully suggest they would be far better informed than Hansen Bailey in this matter. We also note that the proponent in the Rocky Hill matter has confirmed it will not appeal Justice Preston's decision and that the judgment will stand (you will receive a separate letter from our solicitors, the NSW Environmental Defenders Office, on this matter).

P4 2.1 Assessment Documentation - Misleading information which fails to acknowledge expert testimony

AQC Stated: Dartbrook Mine Modification 7 Environmental Assessment (Hansen Bailey, 2018a) (EA). The EA included experts' reports on the key environmental planning issues relevant to the Modification.

The SIA is relevant and required by NSW Government guidelines was not included.

AQC Stated: Issues raised in submissions were addressed in the Dartbrook Mine Modification 7 Response to Submissions (Hansen Bailey, 2018b).

Some issues were partially addressed. Others not at all, such as the lack of genuine community engagement from the proponent. It is unacceptable for the Proponent to argue they addressed issues raised in public exhibition of EA. This is particularly so given that the SIA was not completed with the rest of the EA. As noted by Associate Professor Sara Bice, this meant the community did not have the opportunity to comment on the SIA during public submissions. This is no substitute for genuine community consultation.

AQC Stated: Following extensive testing of the proponent to ensure that the identification and quantification of all of the environmental impacts and socio-economic benefits resulting from the Modification had been conducted in accordance with NSW policies and guidelines, the Secretary of DP&E published an Assessment Report on 23 January 2019.

Our Expert SIA Review by Associate Professor Dr Sara Bice, one of the world's leading experts on social license and president of the global peak body for impact assessment, the International Association for Impact Assessment, has confirmed that the SIA was faulty and that any consideration of socio-economic benefits is therefore also faulty. Both the assessment, and the Department's evaluation have therefore been demonstrated to be faulty. This comment from the proponent fails to acknowledge this fact.

2.2 Determination Process – False information

AQC Stated: The majority of the objecting speakers were engaged by or affiliated with the horse racing industry, which has a documented history of opposing coal mining developments in the Hunter Valley and Mid-Western Region of NSW.

We welcome the contribution that the horse industry makes to the Upper Hunter and share a range of similar concerns, however it is completely false to say that the majority of speakers were engaged by or affiliated with the horse industry.

We refer to our prior correspondence (26 April) highlighting the following 23 speakers who are not affiliated with or paid by the horse industry.

Community members:

- Cr Kiwa Fisher
- Tony Lonergan
- Grantly Blake
- Wendy Wales
- Bob Vickers

- Bev Smiles
- Sue Abbott
- Dr Richard Abbott
- Bev Atkinson
- John Bancroft
- John Hayes
- Michael O'Connell
- Katherine Brooks
- Tim O'Connell
- Cherry Hamson
- Peter Hodges
- Doug Robertson
- Jason Chesworth
- Kirsty O'Connell

Independent experts retained by FOTUH:

- Associate Professor Sara Bice, Australian National University / International Association for Impact Assessment
- Natalie Vella, Environmental Defenders Office

Representatives of various environmental groups:

- David Burgess (Lock the Gate)
- James Whelan (Environmental Defenders Office)

We note that when the CEO of Australian Pacific Coal made his impromptu appearance at the FOTUH Community Forum on 7 April, that he attempted to categorise moderate community members opposed to this proposal as 'activists'. We are neither activists, nor paid horse industry advocates.

We separately note the inappropriate pro-mining bias that this proponent's independent environmental consultant has demonstrated on a in previous mining application. (The environmental consultancy Hansen Bailey is not a registered lobbying group, but it wrote to the Planning Department and the Deputy Premier in April and May 2011 to discuss the economic benefits of the mine and stress the costs of delaying an approval.)

<https://www.smh.com.au/environment/conservation/agency-for-massive-mine-muddies-independent-waters-20110624-1qjmc.html>

We see this as a concerning pattern of behaviour from both the proponent and its independent consultant, and can only conclude that this is a deliberate attempt to discredit the 23 community speakers opposed to this mine.

3.1 ROCKY HILL CASE

3.1.1 Relevance to the Modification - Selective information

AQC Stated: The issues involved in the assessment of the Modification differ materially from those in the Rocky Hill Case. His Honour was required to consider the benefits and detriments of the Rocky Hill Coal Project and determine whether the proposal is, on balance, in the public interest. In determining the Modification, the IPC is required to consider the benefits and detriments of the proposed modification rather than the development as a whole. As explained in Oboodi v Hornsby Shire Council, the benefits and detriments of the approved development are not required to be reassessed.

We reiterate our position that the IPC should consider the benefits and detriments of the proposed modification against Care and Maintenance as it has already been demonstrated by Anglo American, and affirmed by this proponent that the approved use is unlikely to unfold due to technical and economic shortcomings.

We also believe a number of the material issues in this case are the same, in that the impacted community of the Upper Hunter is actively pursuing a future incompatible with mining, that the area is scenic and rural in nature and that the preferred land uses are agriculture (including horse breeding, food and fodder production) and tourism.

3.1.2 Cumulative Visual Impact - Selective and misleading information

This statement neglects the fact that there are no coal stacks currently visible from the highway, no plumes of coal dust visibly spewing from the coal handling infrastructure and no B-Doubles traversing the river flats. Visitors to the Upper Hunter including tourists, agricultural customers, horse owners and buyers, campers heading to the Barringtons etc all will be drawn through this increasingly industrialised landscape to reach their destination. This contributes to that cumulative impact.

3.1.4 Noise emergence - Selective and misleading information

Ignores the fact that trains may be loaded 24 hours a day, 7 days a week. If and when this occurs at night, it can reasonably be assumed that this will coincide with reduced traffic noise from the New England Highway. Our local knowledge would suggest that if a 90-wagon train is loaded at night less than 1.3km to the south of town, that residents of Aberdeen and to the south of Aberdeen will be disturbed by the sounds of the train engine, cars being shunted and coal dropping from the loader into the cars. Therefore, we suggest noise emergence IS likely to be an issue.

3.1.5 Greenhouse Gas Emissions - Putting this information in context

We welcome the proponent finally quantifying the scope three emissions associated with the full volume of coal they are seeking approval to extract from 2023 to 2027.

At up to 18.1 million tonnes annually for five additional years, the proponent is seeking approval to generate up to 90 million additional tonnes of dangerous greenhouse gas emissions at a time when urgent action is required on climate change. (We note and welcome the Upper Hunter Shire Council's recent declaration of a climate emergency, together with many other local and national Government's around the world.)

To put this in context, AQC are seeking permission to generate dangerous and costly GHG emissions equivalent to 4% of Australia's target under the Paris Agreement.

The scope three emissions report provides some indication of the cost of these additional emissions:

Since its launch in 2015, the ERF has contracted 438 projects against a cost of A\$2.28 billion (US\$1.75 billion) to deliver a total of 191 Mt CO₂-e of emissions abatement over 2015–2029. With a total size of A\$2.55 billion (US\$1.96 billion), about 90 percent of the ERF has been allocated

So the Australian public has paid roughly \$13M for every 1 Mt CO₂-e of avoided pollution to date.

Furthermore:

On 25 February 2019, the Australian Government announced the Climate Solutions Fund, providing an additional \$2 billion to continue the momentum towards reaching Australia's 2030 emissions reduction target. This will bring the total investment in the Emissions Reduction Fund to \$4.55 billion and deliver around another 100 million tonnes of emission reductions by 2030.

If this further \$2B investment is achieving only another 100Mt CO₂-e in reductions, then the cost per Mt is about to rise to AUD\$20M, making Dartbrook a particularly costly exercise in discretionary pollution.

In addition to the costly exercise of undoing emissions abatement work, we note with concern that such emissions exacerbate the increasingly unpredictable and extreme weather events that impact the productivity of the agricultural sector, and that these same extreme weather events (droughts, windstorms, bushfires) also make it more difficult for existing mines in the area to get control of air quality issues that are impacting the health of local residents. Such weather events also heighten water security risks for all communities and industries in the Hunter, including mining.

Further, we note that the proponents assumptions around the likely buyers for their coal seem ill-founded. Per our attached letter, we understand that there is currently not a market for unwashed 5500NAR coal in either Korea or Japan. This casts doubt on the business case for this modification and the Scope 3 emissions analysis.

4.4 Air quality

We dispute the assertion that *‘Many of these comments related to the cumulative impacts of the Hunter Coalfield as a whole.’*

In fact, several presenters (including Upper Hunter Shire Council, Catherine Chicken and FOTUH) raised air quality issues specific to local air quality issues as monitored at the Muswellbrook, Muswellbrook North and Aberdeen Air Quality Monitoring stations.

It is entirely unbelievable, given the frequent and significant air quality exceedences noted at these three local stations, that the re-start of mining at Dartbrook and particularly the transport, crushing and loading of unwashed low grade coal will not have a further adverse impact on air quality at these locations and therefore on the townships of Aberdeen and Muswellbrook.

It is also seems highly unlikely that the proponents assertion that *“The Modification will not exacerbate particulate concentrations at Muswellbrook”* could be true. Has the proponent actually accounted for the kind of extreme weather events that are becoming all too common – in particular, the frequency of droughts and storms?

The proponents other statement *“Conversely, the absence of further mining at Dartbrook Mine will not reduce the particulate matter concentrations measured at Muswellbrook”* is quite odd. No one is suggesting that the absence of mining at Dartbrook will improve air quality in the Upper Hunter, merely that it will prevent an already unacceptable situation from becoming worse.

4.5 Water Management – omitted and misleading information

The response on Water Management fails to acknowledge the very important fact that any impact from the re-start of underground operations at Dartbrook will exacerbate the serious impacts predicted by the Commonwealth’s Bioregional Assessment Team in its Hunter Bioregional Assessment, as the Dartbrook Underground Mine was not included in the study.

4.5.3

AQC stated: Past experience indicates that Dartbrook Mine has not needed to extract raw water from the Hunter River or discharge water off-site.

The mine may not have needed to, but our consultation revealed that the mine did discharge to the Hunter River, with flooding of the evaporation ponds.

Furthermore, upstream and downstream water users have indicated issues with their wells the last time Dartbrook operated. Despite promising at the FOTUH Community Forum on 7 April to come back to local residents about what compensation arrangements will be made for residents whose wells are impacted, the CEO of Australian Pacific Coal has yet to provide any answers on this topic.

4.5.4 Water Licensing

The proponent and its environmental consultant continue to avoid telling the Commission or the community the exact quantity and classification (e.g. high security or general security) of the WALs associated with Dartbrook.

We respectfully suggest that the Commission should not be satisfied with the bland assertion that *“AQC will comply with its WALs, thereby ensuring that there is sufficient water for other users and the environment.”*

The simple fact is that quite a lot has changed in this area since Dartbrook last operated and we know that during major droughts general security users cannot be confident of being able to access their full allocation. This creates uncertainty for important users in agriculture, food production and our internationally recognised equine and viticulture clusters.

4.8.7 Social Impacts - misleading information that ignores expert testimony

The statements in this section fail to acknowledge the expert assessment of Associate Professor Dr Sara Bice, the President of the global peak body for impact assessment (the International Association for Impact Assessment (IAIA)) and one of the world’s leading researchers on social license matters relating to the infrastructure and resources sectors. Associate Professor Bice determined that the SIA was faulty and could not inform an accurate Cost Benefit Analysis without significant additional work.

It is fundamental that the proponent’s SIA ignores the community’s concerns (real and perceived) as per Justice Preston’s judgement. We draw the Commissioners’ attention to the advice provided by our legal counsel, the NSW Environmental Defenders Office, who highlighted Justice Preston’s determination that the fear of an impact is an impact in itself. This is particularly relevant to air quality exceedences and the actual **and perceived** human health impacts. Our community research, detailed in the previously tendered FOTUH Dartbrook Community Consultation report

(**attached**) clearly demonstrates that air quality and human health impacts are one of the leading concerns among the residents we consulted and should therefore have been part of the scope of the SIA.

We would argue that the proponent shifting its baseline (from approved to care and maintenance) to suit their argument does not help with the EA (and therefore SIA) analysis.

The proponent's statements stem from a belief we fundamentally contest, i.e. that the projected impacts of the approved development (a development which no company has been able to reliably and consistently undertake) should be the basis against which the modification is compared. One of the largest and most experienced miners in the world failed with the approved development. The proponent has shown no appetite to mine to this approval. We therefore contend that the only realistic impact which the modification proposal can be compared against is the care and maintenance impact. The social impacts should be considered in this context.

4.8.2 Community Engagement – misleading

The proponents Response to Submissions is no substitute for genuine community engagement. The proponent has also failed to address that fact that the RTS was incomplete, as community members didn't have the opportunity to comment on the SIA (and we believe would have highlighted the faulty scoping that our independent expert, Associate Professor Sara Bice, identified).

We refer again to the FOTUH Dartbrook Community Consultation report and to the FOTUH Submission to the IPC (April 2019) which clearly demonstrates that the consultation undertaken by the proponent lacked depth and was absent any opportunity for meaningful two-way engagement. Even the basic communications provided (newsletters and CCC meetings) were fraught with inaccuracies, missing information or demonstrated an approach to engagement that at best could be described as begging forgiveness rather than asking permission.

4.9.1 Hunter Regional Plan – Selective information

We point again to the priorities set by the Department of Environment and Planning for the Upper Hunter. This proposal is not consistent with those priorities.

4.11.2 Mine Safety – misleading information

AQC States: Some submissions asserted that Dartbrook Mine is unsafe due to high gas levels and water ingress. These submissions mentioned the previous accidents at Dartbrook Mine and suggested that the Modification is a risk to human safety.

The fact is that this is a complex mine with longstanding and well documented problems with flooding, gas and spontaneous combustion. In fact, Modification 6 was just one of the initiatives undertaken to attempt to combat those issues.

Complex mines such as this take a toll on concentration which can lead to the kind of preventable accidents that have already caused three deaths at this site.

Managing the issues and complexities of this mine will require greater experience, training and preparedness than even a typical mine might require.

We respectfully suggested that a new and completely untried proponent presents an even greater risk as the owner and operator of such a mine, having none of the experience that their predecessor possessed.

Nothing in the proponent's statement indicates how they will address this gap in experience in their own right. Their deal with Stella Natural Resources is yet to be completed and even if it is, this proponent is yet to provide any response to the concerning gaps in SNR's mining credentials that were identified by the Upper Hunter Shire Council.

The proponent also infers that the Kayuga seam will be less prone to gas and flooding than the Wynn seam. We note that Anglo American experienced significant problems with both in the Kayuga seam. Also, two of the three deaths that have occurred at this site occurred while mining the Kayuga seam.

4.11.3 Proximity to Aberdeen - continued selective and misleading information

The proponent just can't seem to bring themselves to admit when they are being misleading. Surely in discussing the location of the mine it would be relevant to focus on the areas of the mine which will create the biggest impact for the community - in this case, the CHPP where coal could be crushed, handled and loaded - which is less than 1.3km from Aberdeen.

4.11.6 Local Employment

The CEO of Australian Pacific Coal, John Robinson Jnr, inserted himself into the FOTUH Community Forum on 7 April.

When asked about the number of jobs to be created at the mine, Mr Robinson said 99 full time operational jobs would be created. When questioned about the statement in the Mod 7 Application and the Department's Assessment Report that 70 jobs that would be filled by local hires he said:

“We are targeting for them to all be local jobs... we put some numbers in there for the purpose of the IPC but if we could take 100% of the workforce from the local community we would.”

When asked if AQC had prepared a workforce plan to enable them to gauge whether the required people would be available in the local community, John Robinson Jnr said this was the responsibility of the development partner and stated:

*“They have started that work and have done a lot of work on where those people can come from. **A lot will come from the local community, not specifically the Aberdeen community, but the Greater Region** has enough experienced underground miners that would love the opportunity to come and work at Dartbrook and be able to go home and not have to travel.”*

When asked what his definition of the ‘greater region’ is, he replied: ‘As far north as Narrabri and as far south as Newcastle.’

With this statement the CEO of AQC confirmed our concerns that the jobs would not come from the local community (i.e. the Muswellbrook and Upper Hunter LGAs) and that it would result in further increases to the DDO workforce. The recording of this is available if the Commissioners would like to hear this statement for themselves.

Furthermore, AQC states in its response to the public meeting that underground mining has recently been undertaken at a number of mines including Wambo and Integra. The fact that underground mining has been undertaken in the Singleton LGA does not mean those staff members are currently available to take jobs at Dartbrook. FOTUH raised this precise point during the public meeting. Unless the proponent has undertaken detailed research to determine how many unemployed underground miners are in fact living in the Muswellbrook and Upper Hunter LGAs they are not providing anything more accurate to respond to this concern.

ENDS

Community Consultation Report

Dartbrook Underground Modification 7



**Prepared by Friends of the Upper Hunter Inc.
April 2019**

Table of contents

1. Executive summary.....	3
2. Background.....	5
3. FOTUH engagement activities and findings.....	8
Formation of the group	8
Findings from face to face interviews.....	8
Findings from Dartbrook Community Forum.....	11
Findings from online engagement	16
4. Conclusion.....	18
5. Appendices	18
Appendix 1: FOTUH Community Forum Feedback	19
Appendix 2: Forum Agenda.....	42
Appendix 3: Questions on Notice from Community.....	44

1. Executive summary

In the absence of any significant community engagement by Dartbrook Mine proponents, Australian Pacific Coal (AQCLTD), in the matter of the Dartbrook Underground Mine Modification 7, Friends of the Upper Hunter Inc (FOTUH) undertook to engage the communities of the Upper Hunter ahead of the Independent Planning Commission's Public Meeting on Tuesday 9 April.

Through a volunteer-led communication and engagement campaign conducted from early March 2019, FOTUH engaged directly with approximately 405 community members throughout the region to inform them of the proposal to re-start underground operations and elicit their feedback.

Despite the fact that the proposal was lodged in March 2018 and that the Department of Planning and Environment considers that the notification process met the requirements of the EP&A Act, community members demonstrated an extremely low level (<10%) of unprompted awareness about the proposal during initial informal one-on-one interviews conducted by group members. Feedback also indicated that <10% of the 325 individuals consulted had not seen the single week of advertising taken by the Department and were unaware of the proposal.

During the 325 informal one-on-one interviews community members demonstrated significant concerns on the following topics (listed in order of the frequency of mention):

- Cumulative impacts
- Air quality and human health
- Water security and quality
- Impact on prime agricultural land
- Quality of life impacts (related to noise, dust, odour, visual amenity)
- Safety concerns for workers
- Concerns regarding targets for local hires
- Impact on surrounding industries - particularly farming and tourism
- Adverse impact on property values
- Impact of residents who may be displaced
- Community dislocation
- Climate change

At the request of community members, FOTUH then undertook a publicly advertised consultation exercise (The Dartbrook Mine Community Forum). Despite having just 5 days and a limited budget to promote the event, it was attended by 101 participants (approximately 20 of whom had already participated in a one-on-one interview with a member of FOTUH). A group of approximately 6 participants who were supportive of the mine (including the proponent, a staff member, and a contractor of the mine) also attended the session.

Sentiment and comments at the Forum echoed that received during the one-on-one interviews, with the exception that several of the supporters highlighted the

economic importance of mining and expressed the hope that the proposal goes ahead to provide jobs to the community.

A total of 547 questions, comments and concerns were received during the Forum across the following themes, listed in order of frequency of mention:

- Community impacts
- Air quality
- Water
- Health and wellbeing
- Environment (other than water and air)
- Farming
- Planning for the future (transition)
- Economic impact
- Safety
- Climate change and intergenerational equity
- Rehabilitation
- Capacity and experience of the proponent

Greater detail and specific comments are included in the attached 'FOTUH Community Forum Feedback' Report at Appendix 1.

Other communication and engagement activities included:

- FOTUH website www.nodartbrook.com (1000 users and >1300 sessions in 3 weeks)
- FOTUH Facebook page (approximately 3470 likes, mentions, comments, shares and recommendations with only one week of regular posts)
- Direct mail to all Aberdeen and Scone residents (>5000)
- Advertising in the Hunter Valley News and Scone Advocate (March 27,28, April 3 and 4)
- Editorial in the Hunter Valley News, Scone Advocate, Singleton Argus, Town and Country Magazine, The Newcastle Herald, The Aberdeen Whisper, ABC Upper Hunter, Radio 2NUR, Radio 2NM.

Across the approximately 405 residents, landowners, regular visitors, business people and farmers engaged directly by FOTUH, fewer than 10, including employees and contractors of the mine, expressed support for the proposal.

In broadening to social media (an audience of approximately 23,000 people) less than 14 expressed support for the proposal.

In summary, the consultation revealed strong community opposition to this proposal and concern regarding its immediate impacts, its contribution to cumulative impacts and its strategic relationship to the company's stated plan for a future open cut.

In total, of approximately 23,500 people who were reached through the communication and engagement campaign, fewer than 24 expressed support for the proposal and primarily on the basis of employment/business opportunities with the proposal.

2. Background

The Dartbrook Underground Mine has been mothballed since 2006 after longstanding and well publicised issues with gas, flooding and spontaneous combustion and three deaths at the site.

New owners, Australian Pacific Coal, took possession of the mine in 2017.

In the intervening period, they have:

- prepared and lodged the Dartbrook Underground Modification 7 application under the now defunct s75w. (February 2018)
- prepared and released a Prefeasibility for an Open Cut Mine at the site (March 2018)
- advised investors of the strong investment prospects of the combined underground and open cut mines (AGM Presentation November 2018)
- Issued nine community newsletters (audience unknown, available on aqcltd website) including four issued prior to the s75w modification application being submitted
- Conducted seven meetings of the Community Consultative Committee including three prior to lodging the section 75w modification.

To our knowledge, Australian Pacific Coal has not conducted a single information session, public meeting or workshop regarding either their underground modification or their open cut plans.

When CEO John Robinson Jnr made an impromptu appearance at FOTUH's Dartbrook Community Forum and was asked why there had been no public opportunities for the community to be briefed on the project, he said 'it (the need for consultation) just got away from us.'

Community newsletters

The collection of community newsletters is significant for the information it fails to provide and for the disputed information it contains.

In its [first newsletter](#), dated July 2017, the cover story dubbed 'Our Commitment' says:

'Our first commitment is to meet all of the existing obligations attached to the asset and to meet on a one on one basis with as many of our neighbours and other stakeholders as we can, to introduce ourselves.'

Despite this, as of April 2019 a number of immediate neighbours and other near neighbours say they have had no personal contact from the company. (As noted later in this report.)

In its [second newsletter](#), dated September 2017, the company said:

Australian Pacific Coal is continuing preparation of an updated MOP for Dartbrook, a requirement of the Mining Lease and Development Consent conditions. The objective of this updated MOP is to document the long-term care and maintenance, environmental compliance and mine closure principles and outcomes whilst outlining proposed rehabilitation activities during the three-year MOP period. As Dartbrook is currently in a care and maintenance phase, the scheduled rehabilitation activities are mainly limited to inspections and maintenance. Australian Pacific Coal is consulting with the Department of Resources and Geoscience (DRG) and the Dartbrook Community Consultative Committee in relation to the MOP including discussion on post mining land use, rehabilitation objectives and completion criteria. The MOP is due for submission in late 2017. Once approved by the DRG, the MOP will be made available on the company website.”

When the CEO, John Robinson Jnr, attended FOTUH's Dartbrook Community Forum, he stated that the company had no plan for rehabilitation because 'we aren't going to close it'. He further stated that the company had not undertaken any assessment of the likely budget required for closure and rehabilitation but then changed position to say that the bond with the NSW Government would be sufficient to cover the cost. When asked how the mine could be closed and rehabilitated for less than \$10M he could not answer.

In its [fourth newsletter](#) dated December 2017 (the final newsletter prior to lodging their s75w modification) there was no mention of immediate plans to lodge their modification application. The only reference to further mining was in an article dubbed 'Background Environmental Studies', in which they said:

“The purpose of all of these studies is to provide a good understanding of the existing environment so that as our plans come forward for further mining at Dartbrook we can best understand the potential for any environmental impacts and how to best mitigate and manage these.”

In its [fifth newsletter](#) dated February 2018, the company announces that it has lodged its modification application. Interestingly, on examination of the properties of this PDF document, it appears that this newsletter was in fact created on March 8, 2018 at 3.06pm. The modification was lodged on 27 February 2018.

In its [sixth newsletter](#) dated April 2018, the company shares its plans for an open cut mine and its intention to lodge a Gateway Application in May 2018. It promises that 'Newsletter 7 will provide details on how to get involved.'

In its [seventh newsletter](#) dated June 2018, there is no mention of how community members can 'get involved' with respect to their open cut proposal. Instead It states:

AQC is continuing to refine feasibility studies on an optimised open cut plan to further develop the valuable coal resources at Dartbrook Mine. As and when these plans materialise, AQC will consult with a range of stakeholders in a logical and progressive manner.

They do share details of consultation for the underground proposal and again claim to have consulted with their near neighbours – a statement disputed by several near neighbours.

AQC has consulted with various stakeholders including NSW regulatory authorities, local councils, other mining stakeholders, the Dartbrook Community Consultative Committee,

Aboriginal parties and near neighbours. The stakeholder engagement program has identified a number of issues that are of concern to external stakeholders. The outcomes of the stakeholder engagement process informed the preparation of the Environmental Assessment (EA) for the Modification.

Community Consultative Committee Meetings

Upon reviewing the minutes of the Dartbrook Community Consultative Committee meetings since Australian Pacific Coal took ownership, there is further cause for concern.

In particular, we note the meeting minutes from the March 2018 CCC Meeting, when CCC members were advised after the fact of the modification application lodged on 27 February 2018.

5.3 KF questioned the differences between the AQC statements to the ASX in early 2017 and the plans publicly provided in the recent newsletter and in the presentation. AR confirmed that the plans were quite different and that these had changed due to further work conducted by the Company on a smaller scale operation.

KF is Chair and Upper Hunter Shire Council representative, Kiwa Fisher. AR is Andrew Roach.

Advising the CCC of such a significant event after the fact is concerning to FOTUH and speaks to a pattern of failing to engage meaningfully and in good faith with the local community in developing its plans.

Such significant events would be well known by the company in advance and should be signalled to the CCC members in order that they might have time to consult more broadly with the community.

We note that the Company had already been requested (and had agreed) to do just that at its first CCC meeting after taking ownership of the mine.

See the minutes for the August 2017 CCC meeting:

8.2 ND was concerned that there wasn't enough detail on the next CCC meeting sent out prior to the actual meeting. It was agreed that, where possible, greater detail will be circulated to the members in the agenda prior to the meeting

ND is Noel Downs, Muswellbrook Shire Council representative. FOTUH considers that a detail such as the intention to lodge a s75w modification would fall under that commitment.

3. FOTUH engagement activities and findings

Formation of the group

In the light of what was seen as a concerning absence of engagement from Australian Pacific Coal, and of significant concern regarding the company's two mining proposals, Friends of the Upper Hunter Inc. was formed in March 2018.

Working from an initial core of motivated community members a wider group of approximately 30 people were assembled who met regularly, critically reviewed public documents, raised questions and identified broad areas of community concern. This broader engagement ensured a deep understanding of community concerns and issues with respect to the Underground proposal.

Findings from face to face interviews

Group members undertook to speak with as many individual community members as possible, particularly those who would be most impacted.

Informal interviews were conducted with 325 neighbours of the mine, irrigators throughout the Kingdon Ponds / Dartbrook systems, contacts within the wider network (family members, friends, neighbours, community members), prominent members of the agricultural, business and tourism industries, local educators, regular visitors to the area and members of other existing groups. Numerous interviewees work in, or at least earn part of their income from the mining sector.

Broad findings

- Low levels of awareness (<10% unprompted awareness of the proposal)
- Relatively high levels of cynicism regarding the ability of community members to influence the planning process (>30% of those approached). Worth noting that at least 10 participants referred to the Bengalla / Rosemount Estate 'change with the stroke of a pen' unprompted and presented this as a reason not to participate.
- Other respondents raised concern for their own jobs or those of their family members employed by other mines if they made public comments or submissions against the Dartbrook Proposal. They agreed instead to have their concerns shared as part of this consultation report.

Through the interview process FOTUH identified the following themes of concern (which would later drive consultation topics for the Community Forum in Aberdeen)

- Cumulative impacts
- Air quality and human health
- Water security and quality
- Impact on prime agricultural land
- Quality of life impacts (related to noise, dust, odour, visual amenity)
- Safety concerns for workers
- Concerns regarding targets for local hires (and whether the jobs would really be filled by local people)
- Impact on surrounding industries - particularly farming and tourism
- Adverse impact on property values
- Impact of residents who may be displaced

- Community dislocation
- Climate change

A number of significant insights were gained from this exercise. In terms of sentiment:

- A total of 97% of interviewees opposed the underground proposal
- 1.5% of respondents were neutral, but when asked about the open cut plans, 5 of the 5 neutral respondents said they didn't believe the open cut would be allowed to proceed. If it did, 3 of the 5 neutral respondents said they would oppose the open cut.
- 1.5% of the respondents were supportive of the underground proposal. When questioned about the open cut, 4 of 5 said they didn't think the open cut would ever be allowed to go ahead, and if it did, 2 of the 5 would be opposed to the open cut.
- All neutral and supportive respondents cited perceived economic benefits as the sole reason for their support.

In terms of concerns among those opposed to the mine:

- 100% identified cumulative impacts and expressed the sentiment that the region already has sufficient (or far too much) mining underway
- 98% raised current air quality challenges and the area's overburdened airshed as a key concern (including 100% of Scone, Aberdeen and Muswellbrook residents)
- 96% of those opposed raised water security and quality as a key concern with numerous respondents from the Aberdeen and Scone districts stating that the last time the mine operated, it had a negative impact on irrigation wells upstream and downstream of the mine and on the Hunter River
- 87% of respondents were concerned about the impact on agriculture and productive farmland with many expressing the sentiment that we need buffer zones around our productive agricultural land.
- 93% (and 100% of Aberdeen and Scone respondents) were concerned about quality of life impacts associated with noise, dust, odour, visual and traffic)
- 52% raised the prior history of the mine and safety risks for workers with one former worker describing the mine as 'a deathtrap' and another as 'an accident waiting to happen'.
- 80% of respondents criticised the relatively small number of local jobs and expressed the sentiment that the local community would not have sufficient experienced people available to fill those positions - that they would probably be filled by DIDO workers
- 85% of respondents cited the impact on surrounding industries
- 44% raised concerns that property values in the Aberdeen district would drop while those in neighbouring mine-free areas would rise, exacerbating the difficulty for those displaced by mining or wanting to move away from its impacts
- 51% were concerned about the emotional and economic impacts for displaced residents
- 71% were concerned about the impact of such a contentious proposal on community cohesion, on the risk of an 'us and them' confrontation and of people splitting into 'camps' and also of the loss of local people from the community and the impact of losing local history and knowledge

- 87% were concerned at the impact on climate change, that reopening the mine is a regressive step and that we are creating an unfair burden on future generations when we should be looking to invest in other sustainable industries and renewable energy.

A number of informative meetings were held with near neighbours of the mine. The feedback from these near neighbours was:

- Most had had no contact with the company at all and had experienced no proactive engagement
- They cited longstanding issues – noise, gas, odour, water (impact on wells) which were not addressed to their satisfaction during Anglo American’s tenure and have not been addressed to their satisfaction in the current proposal. Several had not even seen the current proposal.
- They were deeply concerned about a repeat of issues with groundwater and asked what compensation they would be eligible for if the proposal proceeds knowing the risk and the problem occurs again.
- Some of the near neighbours declined to make comment saying that they have leases in place with the company and felt they would risk losing those leases if they made public, negative comments about the proposal.

Impact on wells

An issue of significance for local landholders is the widely-held belief that irrigation wells were negatively impacted and the Hunter River itself changed as a result of the initial operations of the Dartbrook Underground Mine under Anglo American.

A total of six property owners presented anecdotal evidence of the impact on their properties and farming operations in the early 2000s. While most said the water levels had at least partially recovered since the mine has been in Care and Maintenance, they agreed that the wells have never fully recovered.

Key comments from these interviews include:

‘We had a whole orchard die and we had to get rid of our stock... that kind of thing sticks in your mind. We also used to see the water going frothy... we knew they were doing something up at the mine when that happened.’

‘I’ve farmed in this area for over 60 years. I’ve been through huge droughts in the sixties, the eighties and at the start of the millennium... I know what that well can do and I can tell you that levels that would normally have lasted us 18 months took less than 6 months to disappear. We also had a couple of calves go to sleep near their methane vents and never wake up. They said it could be anything but the next thing we knew there were signs up telling people not to loiter in the area.’

‘It stands to reason, doesn’t it? A catchment is like a big bathtub and Dartbrook effectively pulled the plug out.’

‘I burned out two pumps where previously I’d had no trouble running 50 sprays. The mine stopped running. The water largely came back.’

FOTUH was limited by time and budget in undertaking this consultation and suggests further effort is invested in understanding and documenting these issues as well as more widespread monitoring of water quantity and quality in irrigation wells across the Upper Hunter and Muswellbrook LGAs. This is consistent with the advice from the Commonwealth Bioregional Assessment Team who produced the Hunter Bioregional Assessment.

Findings from Dartbrook Community Forum

During the informal interview process, FOTUH members received multiple requests for an open community meeting to inform the wider community and give people who hadn't yet been contacted an opportunity to hear further information. As a result, and in the absence of any similar exercise from the proponent, FOTUH organised the Dartbrook Community Forum.

Venue and time

The Forum was held at 6pm on Sunday April 7 at the Aberdeen RSL Club, Moray St Aberdeen.

Publicity

The Forum was advertised in local newspapers (The Hunter Valley News and the Scone Advocate) and via interviews with Radio ABC Upper Hunter and Radio 2NM for the five days immediately prior to the event.

Agenda

(Attached at Appendix 2)

Feedback session format and rationale

In order to give all participants the opportunity to make comments, raise concerns and ask questions in a non-confrontational way that acknowledged the value of a variety of viewpoints, FOTUH opted for a facilitated World Café style consultation, as recommended by the International Association for Public Participation.

Participants were invited to write their feedback down and post it under an appropriate theme. They had the opportunity to discuss their feedback with other people at their table and to ask questions of group members throughout this facilitated activity. Participants with writing difficulties or vision impairment were offered assistance from FOTUH members although most opted to work with the friends and neighbours they were sitting with.

Impromptu Q&A

Australian Pacific Coal CEO John Robinson also made an informal appearance at the Forum and offered to take questions from the floor. The session ran for approximately 30 minutes.

Key concerns from Q&A

There were a number of key concerns raised by the answers that Mr Robinson was able to provide on the night. Notably:

- That Mr Robinson stated that while there may not be enough workers in the immediate Aberdeen area to fill the jobs, that there would be enough people within the 'greater district' to fill the local jobs, with 'local' workers coming from Narrabri to Newcastle. When pressed on the target number

for 'local' workers identified in the Modification Proposal (70 operational), he stated that the company 'put some numbers in there for the purpose of the IPC application.' This raises questions regarding the credibility of the information presented in the application.

- That Australian Pacific Coal did not have a plan for mine closure and regeneration because 'we aren't going to shut it' (the mine). When questioned about what the costs would be if and when the mine is closed, he at first said no costs had been calculated and then in another answer said that the bond with the NSW Government would be sufficient to cover the costs of regeneration.
- That he started the meeting by saying the company has no plans for an open cut mine but finished the meeting by saying he answers to a Board of Directors and couldn't give guarantees on something like that.

Outstanding questions from Q&A

Mr Robinson undertook to come back to FOTUH and the community on a number of outstanding questions. These were provided to Mr Robinson on Weds 10 April. As yet these questions remain outstanding. They are included at Appendix 3.

Participants

The Forum was attended by 101 participants (approximately 20 of whom had already participated in a one-on-one interview with a member of FOTUH).

A group of approximately six participants who were supportive of the mine (including Mr Robinson, a staff member, and a local contractor of the mine) also attended the session.

All remaining participants were opposed to the mine.

Sentiment and comments at the Forum echoed that received during the one-one-one interviews, with the exception that several of the supporters highlighted the economic importance of mining and expressed the hope that the proposal goes ahead to provide jobs to the community.

Broad findings

A total of 547 questions, comments and concerns were received during the Forum across the following themes, listed in order of frequency of mention:

- Community impacts
- Air quality
- Water
- Health and wellbeing
- Environment (other than water and air)
- Farming
- Planning for the future (transition)
- Economic impact
- Safety
- Climate change and intergenerational equity
- Rehabilitation
- Capacity and experience of the proponent

The specific topics raised under each of these broad themes are summarised below.

The raw comments posted by community members under each of these themes has been transcribed and included at Appendix 1. These raw comments reveal the depth of concern, fear, and indeed outrage, that this proposal has attracted within local communities. They also serve to highlight the significant uncertainties and unanswered questions about this proposal.

Broad themes raised under 'Community' at Dartbrook Community Forum

- Amenity impacts - noise, visual, odour, traffic
- Community dislocation and loss of local knowledge / resources
- Identity of the Upper Hunter as a farming community
- The need for solid employment for locals in all industries
- Impact on property values (negative in areas adversely affected / positive in areas not affected making it even harder for displaced individuals to remain in the community)
- Rising cost of living and growing inequality in the community (two-speed economy)
- Access to infrastructure and services such as the passenger rail service through the crowded coal rail network

Total 'Community' concerns raised at Forum 92

Ranking for 'Community' concerns out of the broad themes raised 1st

Broad themes raised under 'Air' at Dartbrook Community Forum

- Unacceptable cumulative air quality impacts and the frequent and concerning NEPA exceedences
- Impact of methane
- Sulfur smell
- Dust affecting amenity, quality of agricultural products, appeal as a destination, appeal as a place to live
- Unquantified air pollution from the transport of coal
- Additional dust from crushing, loading and transporting unwashed, lower quality coal

Total 'Air' concerns raised at Forum 73

Ranking for 'Air' concerns Equal 2nd

Broad themes raised under 'Water' at Dartbrook Community Forum

- Unacceptable impact on local water security for drinking water, irrigation, farming, horse studs, viticulture and other existing mining
- Pollution (including salt pollution) of precious water sources
- Impact on drinking water, including downstream and in tanks
- Potential damage to aquifers
- Concerns that the EPA can't adequately manage or police proponents

Total 'Water' concerns raised at Forum 73

Equal

Ranking for 'Water' concerns out of the broad themes raised 2nd

Broad themes raised under 'Health and Wellbeing' at Community Forum

- Concern for the individual and cumulative health impacts on the wider community with pollution (particularly air and water), traffic, noise etc
- Mental health implications for those impacted by mining (residents and people in other industries) and those involved in mining (with constant concern for longevity of employment)
- Expected exodus of residents (particularly farmers) and the fear about the negative changes this will spark in the community
- Concern at the need to preserve community unity
- Worry about the safety of local people who may be employed by this mine

Total 'Health and Wellbeing' concerns raised at Forum 64
Ranking for 'Health and Wellbeing' concerns 3rd

Broad themes raised under 'Environment' at Dartbrook Community Forum

- Concerns regarding odour
- Concerns regarding noise
- Concerns regarding climate change
- Concerns regarding biodiversity
- Concerns regarding rehabilitation
- Concerns that the EPA can't adequately manage or police proponents
- Concerns regarding the loss of the 'clean and green' perception of the area

Total 'Environment' concerns raised at Forum 63
Ranking for 'Environment' concerns 4th

Broad themes raised under 'Farming' at Dartbrook Community Forum

- Impact on strategic agricultural land
- Impact on long term agricultural prospects
- Impact on farmers and the farmers community
- The challenge of co-existence
- Impact on water required for productive agriculture
- Impact on 'clean and green' image needed for food production

Total 'Farming' concerns raised at Forum 45
Ranking for 'Farming' concerns 5th

Broad themes raised under 'Other' at Dartbrook Community Forum

Planning for the future

- Concern regarding future open cut plans

- Concern regarding the transparency and fairness of the planning process
- Concern regarding the lack of cumulative impact assessment tools.
- Sentiment that we need to have pollution limits by airshed and catchment. That we are past the tipping point of how much mining can be safely sustained and there is no limit in place.
- Support for Upper Hunter Shire Council's no mining position

Total sub-category Planning/Future 36 6th

Broad themes raised under 'Safety' at Dartbrook Community Forum

Concern for the physical safety and mental health of miners

Concern for the safety of the wider community with traffic, pollution etc

Total 'Safety' concerns raised at Forum 31

Equal

Ranking for 'Safety' concerns 7th

Broad themes raised under 'Other' at Dartbrook Community Forum

Economic impact

- Negative economic impact on other industries needed for transition (particularly farming, horse breeding and tourism)
- Concern that jobs won't be local
- Questions as to whether this additional impact is justified when prominent miners such as Glencore are capping production.
- Support for the mine on the basis of economic benefits

Total sub-category Economic impact 31 Equal

7th

Climate change and intergenerational equity

- Concern that this project and others like it will exacerbate climate change at a time when urgent action is required to address climate change.
- *Vision for the future*
- Concern that opening a new thermal coal mine is a regressive step and we should be pursuing clean energy

Total sub-category Climate Change and intergenerational equity 24 8th

Rehabilitation

- Doubts that rehabilitation will be undertaken / will work

Total sub-category Rehabilitation 8 9th

The proponent

- Doubts that the company and their development partner have the experience or capital to safely manage this mine and to fulfil their environmental obligations

Total sub-category The Proponent 7 10th

Total 'Other' concerns raised at Forum 106

Findings from online engagement

FOTUH utilised two primary platforms for its online engagement campaign, its website (www.nodartbrook.com) and its Facebook Page (@Friends of the Upper Hunter). Content on both platforms aimed to maximise submissions to the IPC but also encouraged audiences to engage with upcoming events including the Community Forum and the IPC Public Meeting.

Despite limited time and budget to organically build an audience, the two sites combined reached a total audience of over 23,000 people (1000 unique website users, 22,098 Post Reach for Facebook).

Significantly, the Facebook page and the website only attracted comments from 14 users who were supportive of the Dartbrook proposal or mining generally. This was lower than anticipated, particularly with posts being boosted within the local area (and therefore promoted to a significant number of coal miners) throughout the final week of the consultation.

Website

Despite only launching the FOTUH website on 24 March, the site attracted 1000 individual users. No negative feedback was received through the site. It appears that many visited the site for the purpose of making a submission (the primary call to action on the home page is to make a submission via the IPC website, hence the short session duration and the relatively high bounce rate).



Facebook page

Despite only creating the FOTUH Facebook page on 21 March 2019 and only having capacity to post regular content in the week from April 9 to 16, the FOTUH Facebook page posts reached a total audience of over 22,000 people in the local area (Assisted by targeted Facebook advertising within the Upper Hunter).

Of that total paid audience, the page attracted 3470 total post engagements, 662 page views and 183 likes.

Having advertised the posts, which were aimed at maximising submissions to the IPC, to a public audience that included a strong mining community, FOTUH had anticipated a potentially contentious reaction. Eager to maximise engagement opportunities, the comment function was left enabled and a fairly light-touch moderation adopted, with supporters of mining encouraged to share their views (see example below):



Friends of the Upper Hunter Guys we just want to say thanks for the good comments and questions on here. It's really important to hear from both sides of the argument. **Ryan Bates****Lennard Woodley****Geoff Brunker****Nigel Mcilveen** thanks for raising your point of view. We all live here after all. Happy to keep having the conversation whenever time permits.

Surprisingly, just 14 users shared pro-mining or pro-Dartbrook viewpoints.

Sentiment from other users reflected significant concerns about water, air quality, cumulative impacts, the impact on farming and the impact on local residents.

Still other residents expressed cynicism regarding the process.

The vast majority of users stayed silent and it is FOTUH's opinion that this is due to the divisive and heated social media commentary that ensued from the first and subsequent Drayton South campaigns – particularly on various local community noticeboards. This tension demonstrated and possibly reinforced the separation of the community into 'camps'. Numerous interviews from the one-on-one interview phase commented on this and remarked that they would not comment on social media as a result.

Overall FOTUH considers the online engagement to have been an effective complement to the face to face engagement activities and believes it is significant that just 14 commentators ventured support for the proposal, and also that commentary on the whole remained constructive and civil.

4. Conclusion

The community consultation activities coordinated by FOTUH revealed significant concerns about the Dartbrook Underground Modification from communities within the Muswellbrook and Upper Hunter LGAs and further afield, with >97% of consulted community members opposed to the application.

Out of a consulted community of greater than 23,000 people, fewer than 24 people spoke out in support of the proposal.

The feedback from community members is rich, relevant and well considered.

Community members have shared their fears and aspirations, have given a clear indication of their vision for the future and have revealed the true depth of adverse social impact that this proposal can be expected to create.

If one compares the raw comments included at Appendix 1 against the nine categories of social impact (below) which were defined in the NSW Government SIA Guidelines and set out in *Gloucester Resources Limited v Minister for Planning [2019] NSWLEC 7*, it is clear that community members within the Upper Hunter and Muswellbrook LGAs may experience adverse social impacts in every category.

Importantly, community members have indicated that they *fear* these impacts and that this fear is influencing their decision making and causing them stress.

Nine categories of social impact defined in NSW SIA Guidelines.

- 1. Way of Life** (Definition: This includes how people live, work, play and interact with each other)
- 2. Community** (Definition: This includes the composition, cohesion, character and function of community and people's sense of place.)
masculinisation of the town through the influx of mine workers;
social tension between those who support and those who oppose the project; and
impact on emotional attachments to the land.
- 3. Access to and use of infrastructure services and facilities:** (Definition: This includes consideration of any increase in the burden on existing infrastructure (including traffic noise) and also additional facilities that would be required as a consequence of the project.)
- 4. Culture:** (Definition: This includes shared beliefs, customs, values and stories, as well as connections to land, places and buildings. Culture includes both Aboriginal and European culture and heritage, with specific consultations with Aboriginal people considered best practice.)
- 5. Health and Wellbeing:** (Definition: This incorporates both physical health (including impacts from noise, night lighting, fine particles and other contamination) but also mental health and other social impacts such as an expected exodus of residents.)

6. **Surroundings:** (Definition: This includes access to and use of ecosystem services, public safety and security, access to and use of the natural and built environments, and aesthetic qualities and amenity. The concept of the "amenity" of a place or locality is wide and flexible. This is not just a physical inquiry – amenity may embrace the effect of a place on the senses, the residents' perception of the locality and their envisaged impacts from the project.)
7. **Personal and property rights:** (Definition: This includes issues related to economic livelihood and whether or not people experience personal disadvantage or have their civil liberties affected. This consideration may extend to those who formerly owned the land subject to the project as well as those nearby.)
8. **Decision making systems:** (Definition: This is related to the extent to which individuals and groups experience a say in the decisions that affect their lives and if they have access to complaints, remedy and grievance mechanisms.)
9. **Fears and aspirations:** (Definition: This is related to one or a combination of the above, or about the future of their community. Relevantly, people who support the project also have fears and aspirations which should not be discounted.)

We respectfully put to the Commissioners that in evaluating the Dartbrook Underground Mine Modification 7, it is relevant to consider this community feedback, to consider the vision for the future expressed through this feedback and to weigh the significant disbenefits which this community fears it will experience as a result of re-starting this mothballed mine.

5. Appendices

Appendix 1: Dartbrook Community Forum Feedback

The following comments have been transcribed from the raw feedback provided by participants at the Dartbrook Community Forum held on 7 April 2019 at the Aberdeen RSL Club.

Specific Comments made relating to 'Farming' at Dartbrook Community Forum

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- Effect of gas on animals
- Irreversible destruction of prime farming land
- Dairying - the last in the district - much more essential than devastation of farming profit
- Destroying available farm land and destroying all farms around - farmers will all leave the area
- How will farming growth and consolidation be assured
- Future industries for when the mines finish need to be protected
- Destruction of productive farming land
- Interruption to aquifers and supply. Impact on water availability to established farming businesses
- Impact on future of agriculture upstream in long term
- Effect on good farmland - we don't have too much of it left
- So little fertile country left in this area - can't reduce our critical farmland
- Dust problem affecting crops, animals, dust on lucerne, crops and rain
- Competition for water between miners and agriculture
- Dust on natural pastures - effect on grazing animal long term/unknown - health
- The mine will threaten and destroy river flats which will be lost forever. "rehabilitation" doesn't work - **STRONGLY AGREE WITH THIS**
- Farming has a long term future. Coal mining is short term.
- Destruction of water resources on the river flats is criminal
- This mine is proposed in one of the Upper Hunter's rare farming irrigation basins. We are open to mining. Mining needs to respect agriculture and our future.
- We should all value the farming land we have for the future without having any more dug up and losing it to mines
- Ag base starts at Dartbrook - negative for visual; negative for proximity to Aberdeen
- Damage to river flats
- Loss of long term farming operations - 100 years+
- Valuable river flat - potential damage
- Prime agricultural land
- Water, air impacts on agriculture
- Loss of more farming families in the community
- One of the three most important horse breeding areas in the world being jeopardised by an industry with a finite life
- Loss of dairy farms - good arable country
- Losing the farmers who know the land
- What compensation will you provide to farmers whose wells go dry? Will you bring a water truck to my place each day?
- Really good productive area being depleted when these areas are not widespread in this country
- Damage to good river flats
- Use of good quality agricultural land for mining - we can't eat coal
- Damage to precious river flats

Specific Comments made relating to 'Farming' at Dartbrook Community Forum

Black text = comment primarily relates to this category Blue text = comment relating to more than one category

- How can they justify compromising the ecology, environment, agricultural businesses, horse studs, dairy farms, our young people (Aberdeen has 3 schools) when Dartbrook mine itself has a problematic history of flooding, spontaneous combustion and gas solution.
- Damage to reputation of horse studs
- Water table underground for agriculture and environment
- Underground water MOST valuable resource for ALL businesses - agriculture/viticulture/equine
- Our water is precious - we can't grow crops or water our stock without it. What will the effects be on aquifers and rivers
- Impact on farm irrigation water
- The Dartbrook mine will use water that the Upper Hunter CANNOT SPARE. Town supplies, irrigation, stock
- The effect of the mine on the water aquifers - irrigation, agriculture, available water for these.
- Will farmers be compensated for any lack or shortage of water which might cause disruption to farming operations and production? Knowing full well that when the mine initially went into production around 1998 the existing water in the wells and bores dropped to alarming levels, and never totally recovered, though much improved at this stage, still not what they were.
- In years gone by even with up to 10 years of drought with a major dairy industry of 400 dairies supplying OAK in Muswellbrook the majority of which drew their water supply from the underground water supply. Not so now.
- We have some of the best agricultural land in Australia - our future. How is it guaranteed?

ENDS

Specific Comments made relating to 'Community' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- Impact on transport infrastructure
- Whole value of living on the Aberdeen hillside is ruined by farmland being turned to industry
- If they rejected "Rocky Hill" on account of climate change surely with the amount of methane (which killed workers) produced by Dartbrook, it should also be rejected for same reason.
- NOISE 11 hours a day would be unbearable for Aberdeen? NOT acceptable at all
- Mental health of community. Very divisive in the community. Destroy the fabric and diversity of community.
- Tourism (\$, jobs) in Upper Valley - entire impression of valley from road and rail, despoiled
- Loss of diversity in community with potential loss of other industries
- Solastalgia
- Intergenerational inequity
- Community vandalism
- Increased house prices. Decreased people providing services at normal prices e.g. electricians, plumbers
- Damage to community. No-one will want to live in the towns of Muswellbrook and Aberdeen
- Our carbon budget is almost used up
- Dido effect on town
- Climate change - this carbon is already sequestered
- Relocation of families
- Reduced opportunity for environmental tourism in the future - clean Upper Hunter
- Out of area workers getting jobs NOT displaced locals
- Mental health
- A new hostility towards each other as people break into "camps"
- Impact of 11 hours of B-doubles on our roads
- Start building solar farms instead
- Community groups are dependent on funding from mines. This places too much power in the hands of the mining companies
- Very concerned re open carriages of coal passing through towns
- You don't always find that families come with mine workers. Miners will travel/families will stay in larger towns with infrastructure
- Mining towns push out lower income families-rents increase/housing demand/cost of living goes up
- Jobs -it is well documented that mining proponents always overestimate the number of jobs. It is apparent and evident that many more workers travel from Lower Hunter
- APC promises 70 jobs for local people. The mine will divide, polarise and (when it closes) destroy the town - not worth 70 jobs
- More trains on the already overcrowded Hunter line. Disruption to our much-needed passenger train service
- Top heavy industry. We need to develop a future which is sustainable

Specific Comments made relating to 'Community' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- Community long term uncertainty through this process
- Long term residents can no longer afford to stay in the Valley
- How will you ensure that the jobs are local?
- What time will trains be arriving to load? Have you had any indication of time slots?
- More trains on the already overcrowded Hunter line. Disruption to our much needed passenger train service
- Traffic on highway? - increase/decrease?
- Noise, pollution, dust, contaminated water, water shortage, wreck agriculture, we did ok before mines. Rail noise. Truck movements.
- How many train movements a day/week are proposed
- We DO NOT need MORE coal trains moving across the countryside
- We do not need another mine in our small community. Too close to town and farms!
- Local non-farming families will move from the area - business - skilled community members. Mining families will move in - but when the mine is finished - they will move on and the town will die.
- Communities sacrificed for MONEY
- So many communities destroyed. Families who have lived in communities for generations moved on.
- Noise of trains
- What time will trains be arriving to load? Have you had any indication of time slots?
- [Destroying available farm land and destroying all farms around - farmers will all leave the area](#)
- [Mine subsidence](#)
- [Ag base starts at Dartbrook - negative for visual; negative for proximity to Aberdeen](#)
- [Loss of more farming families in the community](#)
- [Losing the farmers who know the land](#)
- [Mental health of community](#)
- [People were working deep in water, I am told. Could say nothing.](#)
- [Road safety - tired miners/too many trucks/trains....Mental health](#)
- [Safety of miners](#)
- [Potential issue with problems already raised/mention of safety affecting community and workers](#)
- [What compensation will you provide to farmers whose wells go dry? To impacted residents in the town? To other impacted industries?](#)
- [Quality of life of residents resulting from environmental issues such as noise, congestion etc.](#)
- [Views across valley and along valley - trucks/cars/parking/road/vents/waste heaps. Threat of open cut mountain](#)
- [Trucks - too many on roads-no one will want to visit. Dangerous. Trains and trucks will be all you will be able to visit](#)
- [Views across and along valley seriously compromised by 1\) Mod 7 2\) by threat of open cut](#)
- [Loss of traditional Hunter Valley rural life due to proliferation of mines in recent times; can't keep increasing](#)

- Loss of opportunity for expansion of environmental tourism in future
- Muswellbrook already one of two most polluted postcodes in Australia
- How much noise will the CHPP generate, both in processing and loading trains
- Extra trains running on line. What noise abatement will be made for residents
- Noise and impact on nearby residents
- Our area is beautiful and pristine. A mine and extra trucks will ruin this
- 192 truck movements per day - dust/noise/visual impact - NO
- Environmental safety - effect on local communities and well being (noise, traffic, general pollution)
- Underground water. Dust. Noise. Increased release of greenhouse gases. Living quality. Communities destroyed. Health problems. Climate change.
- Visual amenity of the region
- Damage to reputation of horse studs
- How can they justify compromising the ecology, environment, agricultural businesses, horse studs, dairy farms, our young people (Aberdeen has 3 schools) when Dartbrook mine itself has a problematic history of flooding, spontaneous combustion and gas solution.
- With only 1.3km from Aberdeen with our prevailing southerly winds, Aberdeen will become a dust bowl.
- Noise pollution - noisy vehicles, intrusive lights, reverse alarms when coal are loading. This can be anytime of the day or night
- Water quality in tanks is being compromised
- Train trucks - will increase coal train movements and why are coal wagons still not being covered
- When my well runs dry who will bring me water each day in a truck?
- Dust from mine - settling on house rooves - washing into house tanks - quality of drinking water to household
- The Dartbrook mine will use water that the Upper Hunter CANNOT SPARE. Town supplies, irrigation, stock
- Water quality - coal dust on rooves washing into house tanks
- Polluting the atmosphere to the point of not wanting to live here
- Noise. Pollution. Trucks. Trains. 24 hours
- General health concerns especially for young, old and compromised individuals with air quality
- Community impact - e.g. air pollution, visual pollution
- Muswellbrook looks like there is a fire around but it's the dust in the air. What does that do to our lungs. We do not want in our area
- We live in Wingen. Our air quality is impacted by Hunter Valley mining and coal carrying trains. Our fresh water tank is polluted by coal dust. Black dust is evident in our house every day. This additional mine will only increase air, dust and visual pollution in the Upper Hunter
- Already coal-burning smells every week from power stations!
- Tunnel under Hunter River. Seepage into Hunter River causing further pollution. Rail, truck movements. Coal stockpile so close to Aberdeen. Dust across Aberdeen
- 65% of workers in Upper Hunter don't live in the communities - Singleton traffic concerns

ENDS

Specific Comments made relating to 'Safety' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- People were working deep in water, I am told. Could say nothing.
- Road safety - tired miners/too many trucks/trains....Mental health
- Safety concerns for workers
- Truck movements increase in area
- Coal miners doing long hours are increased risk of mental health issues
- There is too much gas CO2 and methane in this mine. Dangerous locally and globally
- With ongoing safety concerns closing underground operating the concern is they will quickly progress to applying for open cut
- There have already been 3 deaths
- Increased vehicular movements can cause more accidents and incidents with traffic
- The previous mine filled with gas and water. How is this going to be controlled? Safety of workers
- What union will support these workers? Zoned troubled.
- Dangerous site. Lives at risk. Community and safety.
- Is bord and pillar a safer way of mining (i.e. subsidence has already happened)
- Flooding of mine
- Spontaneous combustion
- Drivers at shift change
- Safety of miners
- Precedent of gas and WHS Issues in mine
- Gas biggest issue. What makes them think they can manage that better?
- Potential issue with problems already raised/mention of safety affecting community and workers
- Safety - can an untried mining Co. manage the issues of safety
- If it has been an issue with safety what will the extent of modification be to ensure miners well being?
- Concerns re general safety of mine - vehicle movements and working within
- This mine proposal is just too dangerous for employees underground. We will see many more deaths if it goes ahead.
- What evidence do you have that the bord & pillar operation will be safe if we experience more earthquakes like we experienced in Muswellbrook in recent years?
- What control over gas emission will the company have? And combustion of seams?
- The threat of a gas explosion - it is a real concern. Its one of the top worries
- [Mental health of community. Very divisive in the community. Destroy the fabric and diversity of community.](#)
- [A new hostility towards each other as people break into "camps"](#)
- [Illegal loads on trucks \(60T\). Where will truck maintenance occur?](#)
- [What type of B double can carry 60 tonne - air quality](#)

ENDS

Specific Comments made relating to 'Health and Wellbeing' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- Mental health of community
- Dangers of air and water pollution to farms and town
- The valley is at its narrowest and all the water meets there. WRONG place for a mine. **Same problem 1920's - mine failed**
- Reference "Thematic history of Kayuga" has history of failed mine Muswellbrook Library
- Truck movements increase in area
- Health concerns for community. Dust=respiratory disease increases measured down valley at Muswellbrook/Singleton
- With ongoing safety concerns closing underground operating the concern is they will quickly progress to applying for open cut
- Spontaneous combustion
- Gas biggest issue. What makes them think they can manage that better?
- Potential issue with problems already raised/mention of safety affecting community and workers
- [Dust on natural pastures - effect on grazing animal long term/unknown - health](#)
- [Loss of more farming families in the community](#)
- [Mental health of community. Very divisive in the community. Destroy the fabric and diversity of community.](#)
- [Solastalgia](#)
- [Dido effect on town](#)
- [Relocation of families](#)
- [Mental health](#)
- [A new hostility towards each other as people break into "camps"](#)
- [Community groups are dependent on funding from mines. This places too much power in the hands of the mining companies](#)
- [Very concerned re open carriages of coal passing through towns](#)
- [You don't always find that families come with mine workers. Miners will travel/families will stay in larger towns with infrastructure](#)
- [Mining towns push out lower income families-rents increase/housing demand/cost of living goes up](#)
- [Top heavy industry. We need to develop a future which is sustainable](#)
- [Community long term uncertainty through this process](#)
- [Long term residents can no longer afford to stay in the Valley](#)
- [APC promises 70 jobs for local people. The mine will divide, polarise and \(when it closes\) destroy the town - not worth 70 jobs](#)
- [Do your dams and ponds overflow in heavy rain and where does that water go?](#)
- [What time will trains be arriving to load? Have you had any indication of time slots?](#)
- [How much methane will you discharge when operational? Will it be different under bord and pillar?](#)

- Trucks - too many on roads-no one will want to visit. Dangerous. Trains and trucks will be all you will be able to visit
- Loss of traditional Hunter Valley rural life due to proliferation of mines in recent times; can't keep increasing
- Muswellbrook already one of two most polluted postcodes in Australia
- How much noise will the CHPP generate, both in processing and loading trains
- Extra trains running on line. What noise abatement will be made for residents
- Noise and impact on nearby residents
- Environmental safety - effect on local communities and well being (noise, traffic, general pollution)
- Underground water. Dust. Noise. Increased release of greenhouse gases. Living quality. Communities destroyed. Health problems. Climate change.
- How can they justify compromising the ecology, environment, agricultural businesses, horse studs, dairy farms, our young people (Aberdeen has 3 schools) when Dartbrook Mine itself has a problematic history of flooding, spontaneous combustion and gas solution.
- With only 1.3km from Aberdeen with our prevailing southerly winds, Aberdeen will become a dust bowl.
- Noise pollution - noisy vehicles, intrusive lights, reverse alarms when coal are loading. This can be anytime of the day or night
- Water quality in tanks is being compromised
- Train trucks - will increase coal train movements and why are coal wagons still not being covered
- Dust from mine - settling on house roofs - washing into house tanks - quality of drinking water to household
- Water quality - coal dust on roofs washing into house tanks
- Will farmers be compensated for any lack or shortage of water which might cause disruption to farming operations and production? Knowing full well that when the mine initially went into production around 1998 the existing water in the wells and bores dropped to alarming levels, and never totally recovered, though much improved at this stage, still not what they were.
- Serious health issues arising from excessive pollution
- Impact on specific health issues that we know are in my community
- Polluting the atmosphere to the point of not wanting to live here
- Killer air
- Cumulative damage to health of communities of the Upper Hunter
- Noise. Pollution. Trucks. Trains. 24 hours
- General health concerns especially for young, old and compromised individuals with air quality
- Dirty coal dust we are killing ourselves if we let this happen. Air is already terrible
- Community impact - e.g. air pollution, visual pollution
- My daughter in law constantly wheezes with her asthma now how would her health be if air quality declines even further
- Our concern on the air quality as now the health is being a worry to young children and aged people
- Respiratory illness from poor air quality. Dust and coal particle pollution increased.
- Air quality. Resulting illnesses.

- Deterioration in air quality increasing in the Upper Hunter. Health impacts are evident and documented
- Respiratory problems (asthma etc.) are already well documented in the Hunter. This mine will increase these medical issues.
- Health concerns. Statistics from Appalachian Mountains USA show correlation between mining/cancer/respiratory diseases
- Air quality - effects it will have on our daughter who has a congenital heart issue
- Been asthmatic. Air quality - asthmatic?
- Already coal-burning smells every week from power stations!

ENDS

Specific Comments made relating to 'Environment' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- Already coal-burning smells every week from power stations!
- What control over gas emission will the company have? And combustion of seams?
- Climate Change and renewable energy in area
- Quality of life of residents resulting from environmental issues such as noise, congestion etc.
- Where is the scope for clean energy in Scone?
- Views across valley and along valley - trucks/cars/parking/road/vents/waste heaps. Threat of open cut mountain
- Trucks - too many on roads-no one will want to visit. Dangerous. Trains and trucks will be all you will be able to visit
- Views across and along valley seriously compromised by 1) Mod 7 2) by threat of open cut
- If open cut goes ahead I would like to move elsewhere but my house would be worth nothing
- Is there a definite need for this coal? i.e. Glencore cut back coal production - why?
- Loss of traditional Hunter Valley rural life due to proliferation of mines in recent times; can't keep increasing
- Impact on valley for future damage to trees, vegetation
- Climate emergency
- Loss of opportunity for expansion of environmental tourism in future
- Muswellbrook already one of two most polluted postcodes in Australia
- A new mine creates the optimism that climate change is not real and doesn't require immediate action
- No guarantee of rehabilitation post mining activity
- NOT sustainable as an underground mine. We know they will go open cut.
- What vegetative and rehab done to date? What provision for future
- How much noise will the CHPP generate, both in processing and loading trains
- Extra trains running on line. What noise abatement will be made for residents
- Effect on the environment
- Destruction of the aesthetics of the environment
- Noise and impact on nearby residents
- 6 MK per year underground. How much production open cut. What type of operation - truck and shovel or dragline
- Our area is beautiful and pristine. A mine and extra trucks will ruin this
- ?monitoring and regulatory inspections
- Restoration of all mines??? Does not convince us that Dartbrook will be different
- 192 truck movements per day - dust/noise/visual impact - NO
- Detract generally from natural beauty of area
- Environmental safety - effect on local communities and well being (noise, traffic, general pollution)
- If we don't look after the environment the planet will not support future generations. Coal mines, CO2 and methane is causing great harm to our environment

- Underground water. Dust. Noise. Increased release of greenhouse gases. Living quality. Communities destroyed. Health problems. Climate change.
- Hunter Valley was always referred to as "clean and green" - this image is vanishing but we could still save the Upper Hunter
- This mine is **too late**. The Upper Hunter should be saved from further pollution. The Hunter Valley has already suffered environmentally because of coal mines.
- P. 40 Dartbrook Annual Review 2017 - 52400 tonnes of CO2 equivalent gas via a shaft into atmosphere in 2017
- QUESTION TO APC - Why are you offering us money (1/4 of a percent) to the Upper Hunter Shire ???. This is an INSULT - is this a price you put on our environment and way of life
- Unwanted coal
- Climate change
- Noise
- Mine subsidence
- Water contamination/noise/pollution/increased rail and vehicle movements/tunnel under Hunter River/seepage into river
- Cumulative enviro impact of mining in the area
- Loss of habitat for wildlife
- Visual amenity of the region
- Damage to reputation of horse studs
- Change of visual aspect of hunter Valley - no trees/no green grass/no vineyards/no farms
- How can they justify compromising the ecology, environment, agricultural businesses, horse studs, dairy farms, our young people (Aberdeen has 3 schools) when Dartbrook mine itself has a problematic history of flooding, spontaneous combustion and gas solution.
- For the sake of 100 jobs, the company is willing to jeopardise the jobs and well being of thousands of other people i.e. industry, community, schools and agricultural tourism.
- With only 1.3km from Aberdeen with our prevailing southerly winds, Aberdeen will become a dust bowl.
- Noise pollution - noisy vehicles, intrusive lights, reverse alarms when coal are loading. This can be anytime of the day or night
- Water quality in tanks is being compromised
- Acid rain
- Loss of biodiversity in the Hunter River - nothing left but carp and a noticeable change in the river after Dartbrook started the last time.
- Train trucks - will increase coal train movements and why are coal wagons still not being covered
- We have the most polluted post code in NSW - two studies showed this. We need action - not further mines!
- What happens to the waste - non coal extracted. Is it piled on surface and then what?
- [Reduced opportunity for environmental tourism in the future - clean Upper Hunter](#)
- [Water table underground for agriculture and environment](#)
- [Sulphur/dust/noise/more trains/noise/quality of life](#)
- [What is the tipping point for our underground and above ground water supply. This should not be an experiment.](#)
- [Mine subsidence](#)
- [Noise of trains](#)

ENDS

Specific Comments made relating to 'Water' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- Tunnel under Hunter River. Seepage into Hunter River causing further pollution. Rail, truck movements. Coal stockpile so close to Aberdeen. Dust across Aberdeen
- Effect on aquifer?
- Climate change. Planting trees to get more rain and water
- What is the status currently of the groundwater across the designated mining areas?
- Damage to water quality and supply that may be irreversible
- Polluting the water and probably ruining the water supply altogether
- Why does the company want to keep their washery licence?
- Seam breakage allowing underground water to escape
- Source for same? (washery) - NO to washeries
- Danger of filling bord and pillar with water which can seep into aquifers and river
- Water table underground for agriculture and environment
- Water table. Aquifers. Kingdon Ponds
- Underground water MOST valuable resource for ALL businesses - agriculture/viticulture/equine
- Water - this mine is making toxic water in care and maintenance
- Damage to water - Hunter River
- Water, Salinity. More salt from diffuse sources
- What does Dartbrook propose to do for those whose aquifers have or will be lessened due to their operations
- Overuse of water and effect on aquifers and the river
- Water - we are in drought. Water is used to extract and dampen the coal. Where is it coming from?
- Pollution of river/water table
- How much water will be used by mine? Water is a major concern as competition for it goes up - mining a very one way use of this resource
- The ongoing effect on the Hunter River that is already used by existing mines
- When my well runs dry who will bring me water each day in a truck
- Destruction of water quality
- How can we be assured/guaranteed there won't be a huge impact on the aquifer
- Can the Dartbrook guarantee there will be no impact on the aquifer?
- Our water is precious - we can't grow crops or water our stock without it. What will the effects be on aquifers and rivers
- Do not let our water be effected. Look after the farmers and horse studs
- Impact on farm irrigation water
- Where is the Environmental Impact Statement?
- Does the mining company have licence from Glenbawn Dam?
- Concern as to impact on water
- Coal washing?
- Dust from mine - settling on house rooves - washing into house tanks - quality of drinking water to household

- Where is the mine getting the water from to wet down the coal and to control the dust
- The Dartbrook mine will use water that the Upper Hunter CANNOT SPARE. Town supplies, irrigation, stock
- The effect of the mine on the water aquifers - irrigation, agriculture, available water for these.
- Where do they get and is it connected to wash the coal
- After just going through a drought and having trouble with underground water we don't need to lose any more to mines
- What is the tipping point for our underground and above ground water supply. This should not be an experiment.
- Effects on water table. Mine is located directly on top of the Hunter River and is high geographically in the catchment
- Potential for contamination of the water table
- Water aquifer
- Water discharge into the Hunter
- Drought - Mine - Where is the water?
- Water quality - coal dust on roofs washing into house tanks
- If proposed Dartbrook is to be part of the "Hunter River Salinity Trading Scheme", where will the salty water empty into the Hunter River? What heavy metals does it contain?
- How can you guarantee there will be no impact to groundwater again?
- Will farmers be compensated for any lack or shortage of water which might cause disruption to farming operations and production? Knowing full well that when the mine initially went into production around 1998 the existing water in the wells and bores dropped to alarming levels, and never totally recovered, though much improved at this stage, still not what they were.
- What will the company do with any existing water which is in the mine at the moment?
- Will the company use water from Glenbawn dam?
- The upper reaches of the valley are finding it extremely hard to find water to maintain stock and domestic water even though we have only been in drought for 3 years.
- In years gone by even with up to 10 years of drought with a major dairy industry of 400 dairies supplying OAK in Muswellbrook the majority of which drew their water supply from the underground water supply. Not so now
- We have big players i.e. Mt Arthur North, Bengalla, Mt Pleasant which also draw water from the same source.
- It is a fact that water collects at the lowest point, flowing downhill in this case that collection point underground sump is traditionally around Dartbrook mine and because Dartbrook mine is deeper than the aquifer it is draining away the water which will restrict the use of water for agriculture and domestic purposes.
- What will the company do with any existing water which is in the mine at the moment?
- What type of irrigation licenses do you have? (e.g. high security / general security) and what is your total allocation? High security licenses equate to three times the volume of general security general so if you have 2000ML that could be the equivalent of 6000ML... more than what's used by the whole Pokolbin PID.
- Do your dams and ponds overflow in heavy rain and where does that water go?
- [Interruption to aquifers and supply. Impact on water availability to established farming businesses](#)
- [Competition for water between miners and agriculture](#)

- Destruction of water resources on the river flats is criminal
- This mine is proposed in one of the Upper Hunter's rare farming irrigation basins. We are open to mining. Mining needs to respect agriculture and our future.
- Water, air impacts on agriculture
- Dangers of air and water pollution to farms and town
- The valley is at its narrowest and all the water meets there. WRONG place for a mine. **Same problem 1920's - mine failed**
- Can they restart washery if needed?
- Flooding of mine
- Acid rain
- On the basis of megalitres/tonne of coal, how much water will be required
- If proposed Dartbrook is to be part of the "Hunter River Salinity Trading Scheme", where will the salty water empty into the Hunter River?
- Water and management if washed
- Water contamination/noise/pollution/increased rail and vehicle movements/tunnel under Hunter River/seepage into river
- Water quality in tanks is being compromised

ENDS

Specific Comments made relating to 'Air' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

- There is too much gas CO2 and methane in this mine. Dangerous locally and globally
- Air Quality - how will the mine manage release of toxic gases and its dissemination across the valley?
- Serious health issues arising from excessive pollution
- Impact on specific health issues that we know are in my community
- Polluting the atmosphere to the point of not wanting to live here
- Gas vents. Tell us what is planned. I heard there will be concrete vents - pipes? What gases enter air?
- Scone smells. Sulphur from the power station 35km away. Same Direction plus spon. Com This is 10km and poor Aberdeen
- We need more trees in the Upper Hunter for air and water. Coal is a stupid short term industry. We have 12 years to bring the temperatures under control or we wont have any earth to inhabit. All scientist are in agreement that we have to reduce emissions, plant trees
- Dust - prevailing winds up valley
- Air quality has plummeted in the last few years - proliferation of open cut
- Pollution x 192 B double truck movements
- Killer air
- Cumulative damage to health of communities of the Upper Hunter
- Noise. Pollution. Trucks. Trains. 24 hours
- Our air quality - These trucks will be adding PM 2.5's + PM10's Unwashed coal
- Next to CO2 methane has been identified as a major contributor to greenhouse gases
- The history of Dartbrook mine indicates a high level of methane in the coal seam. How will new operations deal with the methane issue?
- General health concerns especially for young, old and compromised individuals with air quality
- Train fumes increase on already bad levels. What will be done about this?
- Worried about adding to already poor air quality
- 11 hours a day of B doubles!
- The air quality is already terrible. This will only increase the amount of air pollution.
- Air quality is already really bad - this will make it worse
- Dirty coal dust we are killing ourselves if we let this happen. Air is already terrible
- Grave concerns re air quality deterioration - already exceeding safe levels of pollution
- Community impact - e.g. air pollution, visual pollution
- My daughter in law constantly wheezes with her asthma now how would her health be if air quality declines even further
- Muswellbrook looks like there is a fire around but it's the dust in the air. What does that do to our lungs. We do not want in our area
- Our concern on the air quality as now the health is being a worry to young children and aged people

- Respiratory illness from poor air quality. Dust and coal particle pollution increased.
- Air quality. Resulting illnesses.
- Uncovered - transport of coal by B double
- Air quality - consequent health of the community and farm animals
- Is the EPA monitoring and is there a response?
- Deterioration in air quality increasing in the Upper Hunter. Health impacts are evident and documented
- Air quality
- More mine approvals impact on our ability to meet the Paris Accord commitments
- What Environmental Air Statement on air has been presented?
- We live in Wingen. Our air quality is impacted by Hunter Valley mining and coal carrying trains. Our fresh water tank is polluted by coal dust. Black dust is evident in our house every day. This additional mine will only increase air, dust and visual pollution in the Upper Hunter
- Respiratory problems (asthma etc.) are already well documented in the Hunter. This mine will increase these medical issues.
- Air monitoring shows our air is not clean and the EPA seems powerless to regulate the mines
- Clean air is a basic human right. Hunter Valley air is NOT clean. This mine will make it worse.
- Doctors for The Environment - concerned about air quality causing respiratory problems
- More coal from this mine = more uncovered coal trains = more dust for Aberdeen = more respiratory illnesses
- We are not a third world country - our air should be clean
- Our verandah (in Wingen) is always coated with fine black dust, especially when the wind is from the south
- I smell the coal mines at Wingen (Wingen South)
- Bad air
- Health concerns Statistics from Appalachian Mts USA Show correlation between mining/cancer/respiratory diseases
- Air quality is already poor from mines without making it worse
- Air quality - effects it will have on our daughter who has a congenital heart issue
- What type of B double can carry 60 tonne - air quality
- Sulphur contact
- Dust from trucks
- Diesel pollution from trucks
- Been asthmatic. Air quality - asthmatic?
- Sulphur pollution affecting the quality of air on days of heavy pollution
- The layers of dust hang over the valley on most days and can be clearly seen from the air
- Air quality and dust
- How much methane will you discharge when operational? Will it be different under bord and pillar?
- What control over gas emission will the company have? And combustion of seams?
- Effect of gas on animals
- Dust problem affecting crops, animals, dust on lucerne, crops and rain
- Dust on natural pastures - effect on grazing animal long term/unknown - health

- Water, air impacts on agriculture
- Dangers of air and water pollution to farms and town
- Gas biggest issue. What makes them think they can manage that better?
- Very concerned re open carriages of coal passing through towns
- P. 40 Dartbrook Annual Review 2017 - 52400 tonnes of CO2 equivalent gas via a shaft into atmosphere in 2017
- With only 1.3km from Aberdeen with our prevailing southerly winds, Aberdeen will become a dust bowl.
- Dust from the ventilation shafts
- Train trucks - will increase coal train movements and why are coal wagons still not being covered

ENDS

Specific Comments made relating to 'Other' at Dartbrook Community Forum 7 April 2019

Black text = comment primarily relates to this category [Blue text = comment relating to more than one category](#)

Planning / Future

- Planning Department weighted against communities
- How do you see it co-existing with the Horse Capital?
- Coal is on the way out
- Look to future (away from coal) start up alternate energy generation, bring more people in to broaden the thought process on these industries
- There is no reason to continue with mining - COAL is finished and we need to transition jobs now
- Point of difference with the Upper Hunter community - ongoing employment in a variety of industries, an interesting accessible place for people to live and bring up families away from existing mines
- Impact on other industry - UH Tourism is clean, green, ag/eco focussed
- Tourism becoming more important to local community
- Scottish heritage re farming. Iconic Aussie history
- Future work prospects - we need land, water and clean air to ensure next generations have something to do - coal power will not be here forever
- Coal will die out but so will our community save our Upper Hunter
- Don't let our area end up like Muswellbrook open your eyes
- Rebranding Scone. Trying to make Scone a destination by itself (+Aberdeen) spending millions then having all that work destroyed by mine.
- This proposal is a slippery slope towards an opencut mine proposal
- Thinking ahead transfer to alternative energy. Can't we use these sites?
- We have some of the best agricultural land in Australia - our future. How is it guaranteed?
- No long term future for jobs
- Stalking horse for open cut
- Imbalance of industry in Hunter Valley TOO much mining
- You say you're not interested in open cut any more... why is it still on your website? Why won't you give a guarantee?
- Expansion of ? To O/C
- [Farming has a long term future. Coal mining is short term.](#)
- [This mine is proposed in one of the Upper Hunter's rare farming irrigation basins. We are open to mining. Mining needs to respect agriculture and our future.](#)
- [Reduced opportunity for environmental tourism in the future - clean Upper Hunter](#)
- [Start building solar farms instead](#)
- [Where is the scope for clean energy in Scone?](#)
- [Views across and along valley seriously compromised by 1\) Mod 7 2\) by threat of open cut](#)
- [If open cut goes ahead I would like to move elsewhere but my house would be worth nothing](#)

- NOT sustainable as an underground mine. We know they will go open cut.
- Is there a definite need for this coal? i.e. Glencore cut back coal production - why?
- I bought a property in the Upper Hunter Shire where no mines were to be open cut
- Will they guarantee they will not go open cut?
- Hunter Valley was always referred to as "clean and green" - this image is vanishing but we could still save the Upper Hunter
- This mine is **too late**. The Upper Hunter should be saved from further pollution. The Hunter Valley has already suffered environmentally because of coal mines.
- Unwanted coal
- This is not setting Upper Hunter up for a sustainable future. It is raping the country for profit

Economics

- Damaging effect on property values
- Property values will be affected
- When coal prices go down (as they have in the past) will mine be moth balled again? What happens to the employees then?
- Concern re real estate prices, given the real estate in Muswellbrook (surrounded by mines)
- Valuation of our land and property going DOWN
- Employment of workers outside the area - money going out of the district
- If the project is not successful where do the 70 employees go?
- Have you any contracts pending if you produce the COAL
- What is the budget allowed to start and run this mine
- What's more important money or our community once the damage is done it's too late
- 65% of workers in Upper Hunter don't live in the communities - Singleton traffic concerns
- Hard to promote the valley with another mine
- Tourism - narrowing the Upper Hunter
- How will you ensure that the jobs are local?
- What compensation will you provide to farmers whose wells go dry? To impacted residents in the town? To other impacted industries?
- How will farming growth and consolidation be assured
- Future industries for when the mines finish need to be protected
- Tourism (\$, jobs) in Upper Valley - entire impression of valley from road and rail, despoiled
- Loss of diversity in community with potential loss of other industries
- Out of area workers getting jobs NOT displaced locals
- Mining towns push out lower income families-rents increase/housing demand/cost of living goes up
- Jobs -it is well documented that mining proponents always overestimate the number of jobs. It is apparent and evident that many more workers travel from Lower Hunter
- Trucks - too many on roads-no one will want to visit. Dangerous. Trains and trucks will be all you will be able to visit (impact on tourism)
- Belief that we need this mine and others like it for jobs
- We need this mine to keep our local businesses going

- QUESTION TO APC - Why are you offering us money (1/4 of a percent) to the Upper Hunter Shire ???. This is an INSULT - is this a price you put on our environment and way of life
- Loss of opportunity for expansion of environmental tourism in future
- Damage to reputation of horse studs
- How can they justify compromising the ecology, environment, agricultural businesses, horse studs, dairy farms, our young people (Aberdeen has 3 schools) when Dartbrook mine itself has a problematic history of flooding, spontaneous combustion and gas solution.
- For the sake of 100 jobs, the company is willing to jeopardise the jobs and well being of thousands of other people i.e. industry, community, schools and agricultural tourism.
- Future industries for when the mines finish need to be protected

Rehabilitation

- Once the damage is done it can't be repaired. Look at Muswellbrook.
- Not the right mine for an inexperienced proponent!
- No evidence that this company can afford start up, safe operations and then proper shutdown and reinstatement. \$9M BOND WILL NOT COVER IT!
- Rehabilitated land never returned to pre-mining state. Never gallop a horse and underground water damaged
- What will be the full cost to remediate this mine when you close it?
- The mine will threaten and destroy river flats which will be lost forever. "rehabilitation" doesn't work - STRONGLY AGREE WITH THIS
- Restoration of all mines??? Does not convince us that Dartbrook will be different
- No guarantee of rehabilitation post mining activity

Proponent

- The reason it closed before was due to gas - how will that not be a problem this time? - open cut?
- If he was one of your students I doubt you would award a higher grade than a D for competence. I would be looking for actual evidence for each statement
- What are the modern technologies you talk about that will allow you to manage the gas and spontaneous combustion issues that Anglo couldn't?
- Is the rail loop long enough for 90 carriage trains or will you be loading from the main line?
- Is the nitrogen injection plant still in place? We heard it was removed.
- What mines does your proposed JV partner currently operate? You mentioned they are operating underground mines in America?
- Claims he isn't interested in open cut. Not what he was telling his investors in November. Sounds like a ploy.

Climate change

- Global warming - well over 90% of climate scientists know that global warming is caused by fossil fuel burning and mining. As a responsible nation we should be leading the world in transitioning away from coal mining

- There is no Planet B
- Leave all fossil fuels in the ground
- IPCC say we must stay below two degrees Celsius increase before 12 yrs (2030). This is conservative.
- We have to meet Paris 15 Accord commitments
- Tipping points have been reached
- Time of climate change CO2 and methane
- Climate Change and renewable energy in area
- How have you quantified your greenhouse gas emissions?
- If they rejected "Rocky Hill" on account of climate change surely with the amount of methane (which killed workers) produced by Dartbrook, it should also be rejected for same reason.
- Our carbon budget is almost used up
- Climate change - this carbon is already sequestered
- Climate emergency
- A new mine creates the optimism that climate change is not real and doesn't require immediate action
- If we don't look after the environment the planet will not support future generations. Coal mines, CO2 and methane is causing great harm to our environment
- Underground water. Dust. Noise. Increased release of greenhouse gases. Living quality. Communities destroyed. Health problems. Climate change.
- Climate change
- We need more trees in the Upper Hunter for air and water. Coal is a stupid short term industry. We have 12 years to bring the temperatures under control or we wont have any earth to inhabit. All scientist are in agreement that we have to reduce emissions, plant trees
- Next to CO2 methane has been identified as a major contributor to greenhouse gases
- More mine approvals impact on our ability to meet the Paris Accord commitments
- What future for generations to come if we keep on digging up their land
- How will future generations judge us and how are their needs being considered?
- If we don't look after the environment the planet will not support future generations. Coal mines, CO2 and methane is causing great harm to our environment
- The I.Q. of our children is continuing to be compromised now - what can we expect from this ongoing invasion.

ENDS

Appendix 2: Forum Agenda

Agenda – Friends of the Upper Hunter Dartbrook Community Forum Aberdeen RSL Club 6pm for 6.30pm Sunday 7 April 2019

Item	Topic and description	Who	Time
1	Welcome address	Les Parsons	5 mins
2	Who is Friends of the Upper Hunter	Doug Robertson (Chair)	3 mins
4	<p>Overview of the proposal</p> <ul style="list-style-type: none"> - Brief history of Dartbrook: <ul style="list-style-type: none"> o Original investigations for opencut 1980s o Opened as an underground 1990 o Modified 1999-2001 o Subsequent mods until mothballing in 2006 o Care and Maintenance since 2006 o Sale to Tinkler et al 2017 o Proposal lodged for underground 2018 o Separate prefeasibility study for future opencut released March 2018 - The proposed modification: <ul style="list-style-type: none"> o Method of mining o Transport of coal o Unwashed coal o Extension in time o Not waiving existing approval of tonnage, longwall or washery o No of jobs o VPA o Reinstatement - Broad concerns in brief. 	Kirsty O’Connell, Committee Member, Friends of the Upper Hunter	10 mins
5	<p>How and when to have your say</p> <ul style="list-style-type: none"> - www.nodartbrook.com - Written forms - Confidentiality - Dates <ul style="list-style-type: none"> o 9 April Independent Planning Commission Meeting. Applications to speak have closed but please attend and show your interest. o ASAP and ideally by 9 April o Submissions to www.nodartbrook.com or postal. 	Kirsty	2 mins

	<ul style="list-style-type: none"> ○ There will be some leeway to 16 April but encourage everyone to get their submissions in early ○ Assume during April, Planning Commission makes decision. 		
6	Consultation <ul style="list-style-type: none"> - Break into tables - Participants to note comments, questions and concerns by theme - FOTUH members to facilitate 	Kirsty O’Connell	45 mins
7	Q&A session <ul style="list-style-type: none"> - Impromptu Q&A at the request of APC’s John Robinson Jnr 	CEO John Robinson Jnr	30 mins
8	Summary <ul style="list-style-type: none"> - Reiterate how and when to have your say <ul style="list-style-type: none"> ○ 9 April Independent Planning Commission Meeting ○ 16 April written submissions close ○ (www.nodartbrook.com or postal) but encourage everyone to get their submissions in early - Invite people who’d like assistance with a submission to stay and get help. 	Table representatives	15 mins
9	Close		
10	Members of FOTUH assist anyone who needs it with their submission (laptops available).		1 hr max

Appendix 3: Questions on Notice from Community to Australian Pacific Coal CEO

FOTUH provided the following list of questions to John Robinson Jnr on Wednesday 10 April and posted the list at www.nodartbrook.com Despite his agreement to have responses back before submissions closed, this did not happen. FOTUH respectfully suggests that the Commissioners may also be interested in the answers to some of these questions.

1. What type of irrigation licenses do you have? (e.g. high security / general security) and what is your total allocation?
2. How can you guarantee there will be no impact to groundwater again?
3. What compensation will you provide to farmers whose wells go dry? To impacted residents in the town? To other impacted industries?
4. How have you quantified your greenhouse gas emissions?
5. What guarantees can you provide for the safety of staff working at your mine?
6. What mines does your proposed JV partner currently operate? You mentioned they are operating underground mines in America?
7. Are you proposing that you might want to restart the washery in the future?
8. If proposed Dartbrook is to be part of the "Hunter River Salinity Trading Scheme", where will the salty water empty into the Hunter River? What heavy metals does it contain?
9. How much methane will you discharge when operational? Will it be different under bord and pillar?
10. Is the nitrogen injection plant still in place? We heard it was removed.
11. Is the rail loop long enough for 90 carriage trains or will you be loading from the main line?
12. What time will trains be arriving to load? Have you had any indication of time slots?
13. What are the modern technologies you talk about that will allow you to manage the gas and spontaneous combustion issues that Anglo couldn't?
14. Is bord and pillar a safer way of mining?
15. If it has been an issue with safety what will the extent of modification be to ensure miners well being?
16. Do your dams and ponds overflow in heavy rain and where does that water go?
17. What will the company do with any existing water which is in the mine at the moment?
18. How will you ensure that the jobs are local?
19. You say you're not interested in open cut any more... why is it still on your website? Why won't you give a guarantee?
20. What control over gas emission will the company have? And combustion of seams?
21. What will be the full cost to remediate this mine when you close it?
22. What evidence do you have that the bord & pillar operation will be safe if we experience more earthquakes like we experienced in Muswellbrook in recent years?