

Presentation for PAC Wambo Mod 12

08/11/2016

Thankyou for the opportunity to speak today. This is the first time a Wambo proposal has come before a PAC.

This modification disturbs more than double the area of the approved mine, from 860 ha to 1700 ha. Area 3, 185 ha has not been included in any previous plans. With such a significant increase, why was a new mine application not required?

The community is aware of the environmental impacts of open cut mining; however there is much less awareness of the impacts of underground mining. This also has devastating impacts on the environment, much less obvious from a distance, but closer inspection reveals changes in landforms, drainage, vegetation and often huge cracks, holes and gullies.

The troughs from longwall mining are kilometres long, 200 to 300 metres wide, and up to 4 or 5 metres in depth. In this proposal the panels are up to 4 km long. These troughs are there **forever**. They don't go away. On the edges of these, cracks will form, and holes and trenches can appear anywhere within the troughs or the surrounding area of impact, (usually as wide as the panel on either side, depending on the depth of workings and angle of draw).

Our property has 6 of these troughs extending across it in one direction and 2 perpendicular to these in one corner. Over 90% of the property has been undermined between 1990 and 2001, 15 to 26 years ago.

Obviously these troughs change the natural drainage of the land. Water doesn't run towards the creeks and gullies as it did, dams don't catch water as designed.

Cracks and holes allow water to drain into lower levels, even into mine workings necessitating dewatering procedures, which then have impacts on ground water.

Cracks and holes can be repaired, but they often open up again in the future. Some areas on our property have been repaired 4 or more times. There have been cracks up to 6 metres deep and over 2 metres wide. At present there are 26 areas of various sizes fenced off for safety. There are many more dangerous holes we are aware of that have not been fenced off, and no doubt there are many we are not aware of. When new ones are found Wambo personnel are informed, but the process of fencing and or repair is very slow. These holes are dangerous and have caused injury to people and stock as well as damage to machinery.

The responses from Wambo to submissions are inadequate, particularly subsidence, ground and surface water. The EA states Wambo Creek is ephemeral. Yes it is, but pre mining it was not. In the EIS of 1991 prepared for the Homestead Mine it was stated as permanent. This was supported by Singleton Council and the water authority at the time (now NSW Office of Water) and Wambo Creek was protected under DA108/91, condition 21.

Wambo Mine has been allowed to destroy the creek and has not done the required repairs or replaced the water lost. The entirety of DA108/91 is current; Wambo, Singleton Council and the Department of Planning are all well aware of this, but neither authority is prepared to enforce it.

Tracking through from the EIS of 1991, to the EIS of 2003 to the present EA, Wambo Creek (called South Wambo Creek in 1991) has changed from permanent in 1991, intermittent in 2003 to ephemeral today. This is solely attributable to the impacts of mining beneath it and in the surrounding areas. (This damage to the creeks and subsequent loss of flow is acknowledged in the 2003 EIS.)

Remediation efforts made in 2002 made the creek worse. The plans were not followed and huge rock structures were installed. In March 2004 the Department of Infrastructure, Planning and Natural Resources (now NSW Office of Water) issued Wambo a notice to repair these sites. This was not done and there were no consequences of this inaction for Wambo. However the flood events of 2007 and 2013 caused horrific damage to the creek, which we are still waiting to have repaired. We have been let down by the Office of Water, Singleton Council and the Department of Planning by their failure to enforce orders and consent conditions. If we were the offending party the outcome would have been very different!

We are awaiting repairs to the creek, with hope of return of permanent flow, but this will never happen with further mining under the dire predictions of the EA. (We have been waiting for over 20 years to have the creek properly repaired and water replaced.)

To say that Wambo can continue to manage Wambo Creek under its current policy is appalling; they are not managing it!

The change in the mining plan to not mine under our property does not alter the fact that the property is likely to have subsidence impacts. It is well within the angle of draw, and the assurances that main workings do not subside has been proven wrong in the past.

Offsets can be seen as a way to leave the land as it is after mining without having to bother to do any repairs. How can land inside the mine area be taken as an offset? This defies logic.

The whole of the Wambo Mine property was once productive agricultural land with dairy farms, orchards, horse stud and grazing. Part of Area 3 was used for growing lucerne and making hay. Sadly this land and much of the land now owned by Wambo has degenerated into scrub. It would take a lot of time, effort and money to return it to productive agricultural land.

Wambo Mine is a haven for feral and native animals. Wild dogs, pigs, foxes, kangaroos, wallabies and wombats invade our place from the surrounding mine areas. It may be appropriate for the all of the mine areas to be fenced off from neighbouring properties to contain these animals!

Contrary to the Secretary's Assessment, power lines and communication cables are not owned by Wambo. They are owned by Ausgrid and Telstra respectively, and service three private properties as well as Wambo. Similarly, Wambo Road is a public road, Frost Track is a right-of-way to these properties, and there is another right-of-way to our property. The three of these roads have potential to be impacted by subsidence.

Placing conditions on Wambo Mine will not necessarily achieve the desired outcomes. They make assurances that they are compliant with their approvals, but this has not been the case in the past. Compliance with DA 108/91 has been an issue and continues to be. When complaints are made to the authorities if they do bother to check, they are satisfied with the responses from Wambo without checking with the complainant. This is evident in a compliance report with Singleton Council in October 2003. There are a number of statements which are completely untrue. It is also worth noting that longwall panel 1 of the Homestead Mine was started in May 1991, 9 months before the approval was granted by Singleton Council. Panel West 14 (board and pillar extraction), which is under our property, was mined before this, without our knowledge or consent. Monitoring of Wambo Creek is a requirement of DA 108/91. It is not being done, and has not in the past, creating the problem of lack of data for creek flow. It is a similar situation for our wells.

Privately owned properties in the area have been devalued because of mining. Our property is less productive than before mining because of restrictions of use due to subsidence, loss of water in the creeks and wells, and exclusion areas imposed by Department of Infrastructure, Planning and Natural Resources.

We were assured the property would be no worse after mining than before! This is an injustice. The place is a mess with subsidence evident throughout and no permanent

water. Why should the burden of mining be placed on privately owned land while multinational companies and NSW State Government reap all the benefits? Coal has had its day, it is time to move on to renewable sources of energy and the Federal and State Governments need to take the initiative and develop technologies and employment opportunities in these areas.

I urge the PAC to reject the Wambo Mine Southern Longwall Modifications. They have been unable to manage the damage caused decades ago and should be denied the opportunity to cause further harm.

Janet Fenwick

I object to the application of Wambo Coal Pty Ltd to modify the South Wambo Underground Mine.

The issues that concern me include: subsidence, water, noise, dust, safety, lack of compliance with previous consents.

“Wambo Coal Mine is situated near the village of Warkworth” (ES-1 of Environmental Assessment). The village of Warkworth no longer exists. The school, service station and shop, and most of the residents have long since gone because of mining in the area. Bulga is rapidly going the same way with very few privately owned properties along Wambo Road. This is the cumulative effect of mining in the area.

“The majority of the Modification area is located on WCPL owned land” p39 EA. There is no mention in the document of the ownership of the other land. Area 3 was not in the original South Wambo Underground Mine application. A small part of this area is privately owned. There is a requirement for consultation of the community and landowners before an application are lodged. This has not happened. It shows disrespect to the owner and contempt for the Secretary’s requirements. Nowhere in the EA is there any reference to the potential damage to this land (which does have some steep slopes) and the fencing on it.

### **Infrastructure and Improvements**

There is a high risk of damage to improvements. Fencing on privately owned land could be damaged with the potential of cattle wandering onto neighbouring land.

The phone cable could be damaged. This has happened with previous mining.

Power lines are also likely to be impacted by mining. We need assurance that there would be prompt rectification if there were any interruptions to electricity supply.

Wambo Road and two Right of Ways will be impacted by this proposal. (All of these are unsealed.) Maximum subsidence of 6.25 metres is predicted for these roads. The subsidence prediction maps do not have roads marked so it is impossible to see where this is likely to occur. There is a risk to safety for people traveling on the roads if there is a sudden drop in the surface. If this proposal is accepted it is important that all roads are able to be used at all times. They are the only access to local residents.

### **Land Resources**

Under the Singleton Council LEP (Attachment 4, p3) the land in this area is zoned RU1, and mining should not happen in such areas. In the past parts of area 3 have been used to grow lucerne and make hay, the whole area being used for cattle grazing, before purchase by WCPL in 1986. Similarly with area 2, some of which was purchased by WCPL in 1991.

4.5 ha of agricultural land will be directly impacted. The Remnant Woodland Extension Program will take another 15 ha of grazing land. This will degrade the agricultural land and will have implications for neighbouring properties, degrading and devaluing their land too. These remnant woodlands encourage feral animals such as pigs and kangaroos, wallabies and wombats. Maybe the mine should be required to fence these areas off from the privately owned properties.

The practice of allowing mines to have off-sets within their mining areas defies logic and common sense.

Subsidence damages the land and reduces its productivity. We have so much evidence of this.

Cracks need to be repaired rather than healing over time. Cracks are dangerous. People and animals have sustained injuries due to subsidence. Machinery has also been damaged. Impacts of subsidence extend beyond the mined areas and will affect neighbouring property. Our property has large cracks and holes in areas that were mined over 20 years ago, and more are still appearing. We have been waiting for repairs to be done for well over 5 years. We have about 20 areas fenced off for safety, awaiting repairs, and many areas which are not fenced.

The maps of subsidence predictions indicate that there will be variations of up to 6 metres within a couple of hundred metres, particularly around the perimeters of mined areas. I doubt this land can ever be made useful again. Some of it was highly productive land in the past.

### **Ground Water**

Previous mining has impacted on alluvial aquifers. This is evident from the substantially reduced water available in our wells. Further mining will exacerbate this, as will the continued dewatering of the underground workings.

### **Surface Water**

As with the ground water, Wambo Creek and Stony Creek have been severely impacted by previous mining. WCPL has not yet made repairs required under DA 108/91 (Singleton Council). **Wambo Creek was a permanent creek before mining in the 1990's, but now it is ephemeral.**

Previously as damage occurred no action was taken. How can we be assured the "Trigger, Action, Response Plans" will be adhered to in the future? Once cracking has occurred it is almost impossible to repair properly. Even in times of flow, Wambo Creek stops running above longwall 9 of the Homestead Mine, even though sections of the creek were repaired by grouting in 1998. Plates 43-55 Appendix C, p A27-34 are particularly disturbing as pre-mining there was permanent flow in the creek. The predicted damage does little to assure us that the repairs to a section of the creek upstream will have the desired result of restoring permanent flow. The lower section of Stony Creek is still suffering damage from previous mining, repairs are required. Predicted maximum subsidence of 3.1 metres on Wambo Creek and 5.6 metres on Stony Creek will surely mean further damage and loss of water.

There is a lack of historical and present monitoring on Wambo Creek and Stony Creek, as is evident in Table B1 Stream Flow Summary, Appendix C, p B3.

Incidentally, locations on some photos in Appendix A of Appendix C are incorrect. Wambo Road does not cross Wambo Creek at any place.

### **Noise**

Noise is a constant problem. In our area with the surrounding mountains there is an echo effect. When complaints are made there is always an excuse, usually weather conditions or coming from another source. With so many opencut mines in the area, it is impossible to tell sometimes, and no

consideration is given to cumulative effects. Over time the noise of the surrounding mines has been added to the background noise, and we are just expected to put up with the accepted increase in noise levels.

### **Air Quality**

The cumulative effect of all the mines in the area has resulted in more dust. This is evident by the more frequent need to change water filters, and clean the outside of the house.

Gas emissions from the ventilation shafts have the potential to create more pollution.

WCPL has a poor compliance record with Singleton Council and the Department of Planning. Repairs have not been done, monitoring was not done. An order in 2003 from the authority now called the Office of Water to remove rocks from Wambo Creek was ignored, causing enormous damage in the high flow of June 2007.

The Department of Planning should not approve this modification. Coal has had its day, it is time to change to renewable forms of energy and allow the land to be used for sustainable industries.

Janet Fenwick

10 May 2016