



D458-17 WILPINJONG EXTENSION

Thank you for the opportunity to speak to this PAC hearing.

I'd like to begin by acknowledging the traditional owners and custodians of the land on which we are meeting today. I would also like to pay my respects to the Elders past and present, and to the Elders from other communities who may be here today.

The Running Stream Water Users Association was formed 25 years ago to protect our water resource (hundreds of springs sourced on Mt Vincent) from the threat of coal mining. There are currently three exploration licences over our area. Mining under such an important water resource is madness and we are fighting to protect our precious water for future generations. Our slogan is *Coal for a Decade or Water for Life?*

RSWUA therefore has taken a keen interest in the processes involved from the granting of exploration licence through to mine approval - and then extension after extension. We have watched other communities battling to preserve their livelihoods, their health, their community and their ability to pass on to future generations truly sustainable ways of living. What we have learnt, in particular about the planning process and how government operates, makes for a great deal of anger, disgust and cynicism.

It has become apparent that there is no planning - or at least not in the sense that we understand the word. Planning means looking to the future but the long term plan for a coal mine is never considered. Instead a small mine is approved, then straight away the applications for extensions start rolling in. Planning SHOULD be about looking at the big picture - the final size of a mine and the impact THAT has, plus taking into consideration the cumulative impacts of ALL the mines in the area. There is no evidence this is happening in the Mudgee region.

Nor is there any evidence that unforeseen effects or underestimated predictions are taken on board when more extensions are considered. Want some examples? Two immediately spring to mind: the noise impacts that resulted in clearing out the residents of Cumbo Valley (and only after years of ill health and fighting) or the promise of how the Wollar General Store would continue to be a wonderful community asset when Wilpinjong started - the store is expected to close shortly.

However, despite little confidence in the process, here I am once again making a submission to a PAC. I have taken the time and energy to do this because I believe we must continue to fight to ensure our environment and our communities survive. We are here today to talk about the conditions that should be placed on yet another extension to Wilpinjong. Hopefully this time round expert opinion and scientific advice will be listened to. Crucially the Review PAC's recommendation for a long term strategic plan for the Western Coalfields WILL be undertaken and this project will not be approved until such a strategic plan is done. Hopefully a community will survive to tell the story to their grandchildren of how they struggled against the power of a multi-national corporation.

This submission will cover five topics areas:

1. Predicted impacts on water sources;
2. Issues regarding water impact assessment;
3. Department of Planning Final Report conditions;
4. Relocation of Cumbo Creek;
5. Final Voids.

1. Predicted Impacts on water sources

- The project will impact base flows: the prediction is that the frequency of low flows in Wilpinjong Creek will be reduced by 50% for many years. The creeks affected by the project are described in Department of Planning Final Report as ephemeral creeks with low flows. A loss of 50% of frequency of flows less than 1 ML/day is a **major** impact on an ephemeral creek. Low flows are critical for ecosystem health during dry years.
- At the same time the project is predicted to increase salinity levels in Wilpinjong Creek. The water balance provided by Wilpinjong predicts a salt export on average between 5,000-8,000 tonnes /year from 2017- 2031. This is a shocking amount. *It should not be allowed.*
- The loss of low dilution flows will exacerbate water quality problems in Wilpinjong Creek. The mine water discharged from the reverse osmosis plant into Wilpinjong Creek will cease with mining operations. The loss of base flows will continue for a long time post mining. This is a legacy to be carried by the environment that has not been adequately accounted for.
- Groundwater take from the alluvium is predicted to be between 143 - 147 ML/year until 2100. The surrender of groundwater licences will not add this water back to the creek system.
- The regional impacts of mining on the long term health of the Goulburn River is a critical issue that the NSW Government has not addressed. The Department of Planning Final Report, Table 4 provides the loss of base flows to the Goulburn River from current Wilpinjong operations combined with the extension project.

However, it does not include the predicted loss of base flows from the Ulan Mine and Moolarben Mine operations. The total loss of water through drawdown of alluvial aquifers and hard rock aquifers in the Upper Goulburn River catchment has not been provided. These kinds of cumulative impacts must be addressed.

- It is the same story with the cumulative salt load from the three mines, Wilpinjong, Moolarben and Ulan, which is likely to exceed 20,000 tonnes per year. Nowhere is this issue dealt with.

The community has been calling for an independent regional water study to be conducted in the Upper Goulburn River catchment since mining started to rapidly expand over the past 10 years. The long term sacrifice of a river system is not in the public interest and has not been adequately assessed or costed.

2. Issues regarding Water Impact Assessment

The Independent Expert Science Committee (IESC) highlighted a number of issues with the water impact assessment:

- There needs to be an assessment of potential metal contamination, as elevated levels of soluble metals in waste rock were identified in the Geochemistry Assessment;
- There needs to be a sensitivity analysis undertaken for the salt balance as was done for the water balance;
- There needs to be further geochemical studies and characterisation of surface water quality;
- Potential cumulative drawdown impacts from the Moolarben Coal Mine, approved Wilpinjong Coal Mine and proposed project may be exacerbated by drawdown effects from the Ulan Mine, but these potential effects have not been considered.
- Limitations associated with the groundwater numerical model reduce confidence in the modelling predictions.
- Baseline conditions were not presented in the assessment documentation.
- Groundwater metal concentrations, including baseline values, have not been compared to water quality guidelines for ecosystem protection.
- The potential for leaching of contaminants from the spoil emplacement areas has not been assessed.
- The Surface Water Assessment (EIS, App. D) does not provide adequate evidence to demonstrate the effectiveness of the existing strategies for managing impacts to surface water at the approved Wilpinjong Coal Mine, particularly in relation to potential metal contamination.
- Additional solubility studies (e.g. over a range of pH and kinetic tests) should be conducted to better inform understanding of the risks associated with metal contamination from waste storage, disposal, handling and treatment.

- Baseline data and data collected during the approved Wilpinjong Coal Mine operations would enable consideration of the effectiveness of the existing strategies to manage potentially acid forming waste rock, and the adequacy of the water management system.

Some of these issues have been resolved, however, many have not.

3. Department of Planning Final Report Conditions

The PAC Review Report had 11 recommendations relating to water management issues, requiring more information and explanation about the assessment and issues raised by the IESC. These have not been adequately covered in the conditions.

The Department of Planning maintains that the proposed conditions of consent cover all the recommendations made by PAC, including:

- IESC's requests for additional core testing to further elucidate aquifer properties, more groundwater monitoring in backfill areas and between the mine and Wilpinjong Creek, more metals monitoring including additional solubility testing of arsenic, selenium and molybdenum in waste and tailings material;
- Geo-Environmental's recommendations for the management of potentially acid-forming and sodic materials on site; and
- DPI Water's request for additional statistical analysis of salinity in Wilpinjong Creek.

However, the proposed conditions are very weak.

Condition 30 Schedule 3 c) requires only that Wilpinjong **consider** the recommendations of the IESC advice and the recommendations for management of potentially acid forming and sodic materials. This condition needs to be revised so that Wilpinjong is **required to adopt** the recommendations.

We support that condition 30 should be applied prior to carrying out any development. However, the loophole '*unless the Secretary agrees otherwise*' must be removed to give certainty the condition will be met in a timely fashion.

We consider that the following information should be provided up front to the Commission to support your decision-making rather than leaving it to a condition in a Water Management Plan:

- For surface water: detailed baseline data on surface water flows and quality and other water bodies that could potentially be affected by the development;

- For ground water: detailed baseline data of groundwater levels, yield and quality in the region that could be affected by the development.

The IESC identified that baseline data was not provided in the assessment reports. It is highly inappropriate for this information to be provided after approval under conditions of consent. It must be provided before consent is given.

The delineation of the Wilpinjong alluvium boundary in areas intersected by mining should also be information provided prior to approval.

It is also critical that the review of the groundwater model be conducted prior to the final decision.

4. Cumbo Creek Relocation

The community has never supported the proposal to move Cumbo Creek onto mine disturbed land.

The existing operations have not been conducted in accordance with the original EIS.

The creek relocation was supposed to occur in year 8 of mining, that is, in 2014. This commitment has not been met. There is still no management plan developed for this major disturbance of a natural creek line. We do not consider that Wilpinjong has any intention of carrying out this work.

Therefore Condition 26 and Condition 30 d) (i) should be removed: the creek relocation should be removed from the conditions and taken out of the mine plan. Cumbo Creek should remain in its original bed.

5. Final Voids

We do not support retention of final voids in landscape. Final voids become a permanent legacy that are a cost shifting exercise onto the environment and future generations. Rehabilitation Bonds do not cover the permanent, ongoing management of toxic lakes. It is time the mining industry stopped leaving a toxic legacy on this huge scale for future generations to deal with. There must be no residual voids and I quote the Independent Expert Scientific Committee which considers "that best environmental practice is to backfill voids" (*Advice to decision-maker, 1 Feb 2013, Moolarben Stage 2 development application.*)

The company argues it is too expensive to fill the void. Well, hello, welcome to the real cost of coal mining. The true cost of remediating mine affected land must be included as part of the mine plan.

Pit 2 and Pit 3 final voids are too close to Wilpinjong Creek and should be required to be backfilled.

It is inappropriate to be combining Pit 6 void with Moolarben Pit 4 void at mine closure and leave the planning up to the companies after approval. There is no confidence whatsoever that an adequate plan would be developed, let alone properly costed and provided for. Such a condition is highly inadequate and should be removed.

All reference to final voids should be removed from Condition 29, Condition 60 and Condition 61.

In Conclusion while we do not believe this extension should go ahead. Before consent is granted the additional information mentioned above must be provided. This may go some way to ensuring that consent is given with full understanding of the cumulative impact of this extension and with conditions that provide adequate safeguards to protect the water resources, the environment and the community. A number of the current conditions must be strengthened..

However rather than strengthening conditions we plead for PAC to demonstrate it is truly independent & give advice & reject approval of this extension.

Thank you.

Running Stream Water Users Association

