

LOCK THE GATE ALLIANCE

AUSTRALIANS WORKING TOGETHER TO PROTECT OUR LAND, WATER, AND FUTURE

Reply to: David Burgess
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Thank you for the opportunity to make a submission on the Dartbrook Coal Mine – Modification 7 project. Lock the Gate Alliance’s concerns about this project extend to the reopening of what is essentially a new coal project taking coal mining to its northernmost extent in the Hunter Valley; the proponent’s stated intention to both the Australian Stock Exchange and the Aberdeen community to progress from underground to open cut mining in the near future; the poor prospects of adequate rehabilitation in light of recent statements by the proponent; the contribution that mining a projected 370mt of coal will make towards climate change; the environmental impacts upon the Hunter River and its environs; and social impacts upon the local community and businesses – in particular thoroughbred breeding – combined with the cumulative impacts from the existing industry in the Upper Hunter.

We note that the Environmental Impact Statement upon which this modification is based was prepared in 1999 and granted approval in 2001 at a time when the scale of giant pits such as Mt Arthur, Mangoola, Bengala, Mt Pleasant and Muswellbrook open cut had not been envisaged. This leads to a genuine fear that the assessments of cumulative, environmental and social impacts completed in the last century are now out of date and inadequate. The Upper Hunter is now dealing with substantially different scenarios in terms of dust levels, supply chain movements, traffic and water allocations.

The Department of Planning states that the modification is “straightforward in scope” but complicated by the fact that Dartbrook has been in care and maintenance for over a decade. Notwithstanding the inactivity of the mine and its previous safety record, we feel there are further complications than this.

WATER

For some if not all the time the mine has been in care and maintenance, 156ML per annum of alluvial water has been leaking into a tunnel of the old workings. While claiming the rate of seepage won’t change as a result of the modification, the proponent also acknowledges that it doesn’t know whether the proposed shaft into this part of the mine is within the Hunter River alluvium and would exacerbate the situation. The loss of more alluvium water is unacceptable in a region identified by the Federal Government in 2018 as vulnerable to hydrological change due to the impacts of mining. Much more work needs to be undertaken by the proponent to determine if this is the case and before a decision is made regarding the application.

The proposal does not include an adequate or contemporary assessment of cumulative impacts regarding potential hydrological changes due to mining in the vicinity of the Hunter River. It still

relies upon a model developed in the 1990s and findings published in 2000. Much has changed since then, most notably the dramatic increase in mining throughout the region.

We are also concerned that raw water for Muswellbrook's town supply is drawn from the Hunter River not far downstream of the mine. The proponent fails to address the concerns of local government and residents regarding impacts on the quality and quantity of in-stream water.

While bord and pillar mining is generally assumed to be less impactful than the previous longwall methods, the proposal is deficient in assessing the subsidence impacts or damage of the longwall voids left by the previous operator and how this will interact with the new panels. In essence, this is really a new mine seeking to extend the old mine's approval. We submit that the entire proposal should be the subject of a new assessment and the extent of open cut plans in the near future be included in that assessment.

DUST

The Dartbrook proposal generally doesn't consider the impacts of the mine beyond the boundaries of the mine site itself, particularly in the area of transporting unwashed coal by truck and by rail to the Port of Newcastle. Dust levels in the Upper Hunter frequently exceed national standards and the cumulative impacts this is having on the local community's health and amenity is still poorly understood and possibly underplayed. Additional movements of nearly 1,000 B-Double trucks per week on unsealed roads will also have a major impact on pollution and noise levels in close proximity to Aberdeen.

The proponent acknowledges that a large number of surrounding properties will be impacted by noise and dust issues. If one takes the example of property ownership near the existing mines that surround Muswellbrook and the number of places that are now owned by the companies themselves, it is easy to see that living in proximity to a coal mine is often unbearable and that the predicted impacts are often understated.

It is disingenuous for the company to imply that air quality monitoring in regard to Aberdeen identifies non-mining activities as being more responsible for PM2.5 concentrations than mining activities. Coal mining is not established around the town as it is around the likes of Muswellbrook and Singleton and the proportionality of responsibility for poor air quality would change dramatically should mining gain a foothold north of where it is currently taking place.

THE ROCKY HILL DECISION & CLIMATE CHANGE

In light of local amenity and climate change, the recent Land and Environment Court decision on the Rocky Hill proposal should be examined in detail with regard to this project. Gloucester and Aberdeen have a number of similarities in the sense that large scale coal mining does not surround the towns and mines within hundreds of metres of the towns would impact upon them dramatically. We ask that the commission considers this proposal (along with its clear and stated intention to expand into a big open cut mine) in the light of industry attempting to establish a foothold in a new part of the Hunter Valley. While the 5-year extension proposes the extraction of 1.5MT per annum, Australian Pacific Coal is publicly pushing for a far larger open cut project envisaging the mining and burning of 370MT. Approval of this mine would be yet another step in the wrong direction for the Hunter Region and New South Wales to meet the targets set under the Paris Agreement.

Criticisms were made of the Environmental Assessment that it significantly underestimates the levels of fugitive emissions during the 12 years that Dartbrook was under care and maintenance. The mine has a history over nearly two decades of being at the high end of gassy mines and does not respond adequately to these concerns in its Response to Submissions.

Dartbrook is one of 14 new and expanding coal projects in NSW that Lock the Gate has identified as having the potential to produce more coal and greenhouse pollution than Queensland's Adani proposal. In this case it is more sensitive Hunter Valley farmland that would have to make way for coal. With 90% of the coal mined in the Hunter going to export, the International Energy Agency's Sustainable Development Scenario has global thermal coal consumption dropping by more than half over the next 20 years. The push of coal mining further up the Hunter Valley and the promise of expansion is entirely inappropriate at this time.

CIC CLUSTERS

In recent times Lock the Gate has worked closely with the NSW wine and thoroughbred industries in seeking to resolve land use conflict. The Strategic Regional Land Use Plan for the Upper Hunter resolved under the O'Farrell Government in 2012 to afford land critical to the equine and viticulture industries "protections never before seen in NSW" and "heightened protection." However, the situation is still unresolved and it is now the community of Aberdeen who are feeling the heat of ongoing land use conflict. A balanced and less conflict-ridden approach would be to make regulation that prevents development. Every single one of the exploration licences that affect industry identified critical industry clusters in the Hunter as being due for renewal in this term of Government. The Dartbrook lease overlaps 153.7ha of land identified by the equine industry as critical.

The local community and council have forged an identity in these parts as being 'the Horse Capital of Australia' with the primary land use being agriculture. There is a strong commitment throughout the community to having a "clean and green identity" as a point of difference to what is taking place between Muswellbrook and Singleton. Lock the Gate supports the long-held concerns of the local industry regarding the impacts of this mine and the position it has taken regarding the lack of social and environmental assessment.

REHABILITATION

In regard to rehabilitation, Lock The Gate recently commissioned a [report](#) through RMIT that found a major rehabilitation deficit in NSW leading to large holes being left in the Hunter's prime agricultural lands. The mines featured in this study were the 9 biggest in New South Wales, all of which are located in the Hunter. The report found that only 30% of a 30,000ha footprint of disturbed land had been rehabilitated and this by some of the world's richest mining companies.

The picture this paints is not likely to get brighter given the slow but ongoing withdrawal of the major players from coal and the entry of less well-resourced second tier operators. While acknowledging this is an underground proposal, we are gravely concerned by comments made by the CEO of APC at a recent Community Forum in Dartbrook (7/4/19) that implied that there are limited plans for rehabilitation at Dartbrook and that the \$9 million bond that currently sits with the NSW Government should suffice if required.

TRANSITION

The projected decline in thermal coal demand as countries take steps to implement Paris Agreement will have consequences for the Hunter Valley. Entities such as the Port of Newcastle, Singleton and Muswellbrook Councils and AGL are looking to various extents to take an active approach where the region prepares to change. An essentially new mine in a location with a comparatively small mining footprint is not compatible with this. We beg to differ with the Department of Planning and Environment's conclusion that the Dartbrook mine provides net benefits at a "state and local" scale. We also urge you to look beyond coal royalties, which the department has limited itself to, and indeed examine the proponent's business model, particularly given the rehabilitation risks and the unsafe history of the mine.

Lock The Gate believes that the "operating challenges" posed by the reopening of this notorious coal mine, with a high end combustability risk and by a second-tier operator, will put the wellbeing of the local community at risk and is an unacceptable incursion into productive farmland. It will contribute significantly towards a worsening air quality situation in the Hunter Valley. The Valley has already lost a considerable amount of good quality farmland to coal mining and the Upper Hunter Shire has so far remained relatively unscathed which is a notable marketing point made to those who visit. When looking at cumulative impacts it is clear that this proposal and its longer-term ambitions to develop into an open cut operation is the start of an attempt by the coal industry to push further north. No more strategic farmland and thoroughbred breeding areas should be exposed to the impacts of coal mining.