

Brian Gilligan
Chairman Bylong Coal Project Review
Planning Assessment Commission
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Thursday 18 May 2017

Dear Sir,

SUBMISSION of OBJECTION - R040-17 Bylong Coal Project

Central West Environment Council (CWEC) is an umbrella organisation representing conservation groups and individuals in central west NSW working to protect the local environment for future generations.

CWEC has objected to the proposed Bylong Coal Project (the proposal) on a number of public interest grounds. We recommend that the merit review being conducted by the Planning Assessment Commission (PAC) focus on the following key issues:

1. Biodiversity Impacts

The biodiversity offset package proposed to mitigate the loss of 232 ha of mature woodland habitat, including 180 ha of habitat for the critically endangered Regent Honeyeater and 78 ha of Box Gum Woodland critically endangered ecological community, as well as 521 ha of derived native grasslands is highly inadequate. The offsets will not replace key ecological features in the landscape, including connectivity.

CWEC specifically objects to the proposed Offset Area 5 within the underground mine subsidence impact area. This offset is proposed to provide the majority of the vegetation and species offset credits, particularly for the Regent Honeyeater.

This is an inadequate biodiversity offset arrangement based on ongoing monitoring during underground operations to verify if the credits are met.

OEH has proposed a different system of permanent protection to the other offset areas. There is no certainty that Offset Area 5 will achieve the mitigation of biodiversity loss in the long term.

CWEC recommends that the PAC conduct a thorough review of the rationale behind the proposed biodiversity offset package.

The assessment of impacts on groundwater dependent ecosystems (GDEs) reliant on perched aquifer systems is very poor. More information is required.

2. Impacts on Water Sources

The uncertainty around the groundwater modelling exercise is a key issue for decision-makers. The proposal will have a significant impact on water sources with regional implications.

The close relationship between surface and groundwater systems in the Bylong Valley is a critical consideration. The over-allocation of irrigation licences in the unregulated river system must be recognized in regard to water availability, particularly in periods of extremely dry conditions.

Mining operations need to use water 24hrs/day, 7/days per week. The irrigation industry is seasonal and mainly concentrated in times of low rainfall. The increased competition for water due to the proposal has the potential to impact on the health and long term viability of all water sources in the Bylong Valley.

CWEC does not accept that the minimum buffer of 150m from the alluvial aquifers associated with Lee Creek and the Bylong River is adequate. There has been no regional analysis of the success of this minimum buffer zone where it has been applied for other mines in the Hunter coal fields.

It is acknowledged that the groundwater take for the proposal will be substantial and that there may be insufficient water available for mining operations during prolonged periods of drought.

The assessment has failed to identify the regional export of salts into the broader Goulburn River catchment. The three large coal mines at the head of the Goulburn River have had substantial impacts on the river system.

An independent regional water study is required to have a full understanding of the cumulative impacts of mining on the Goulburn River system.

The impacts of the proposal on the water sources within the Goulburn River catchment have not been assessed on a regional scale.

3. Impacts on Aboriginal Cultural Heritage

The assessment has identified that 102 cultural heritage sites will be directly impacted by the proposed open cut pits and a further 42 from blasting and subsidence.

The assessment does not consider the cumulative regional impacts of cultural heritage loss, even though this issue was raised by OEH for the recently approved Wilpinjong Mine Extension to the west of the proposal.

The Goulburn River corridor, tributaries and associated landscapes are culturally very significant. The assessment conducted for the proposed Kerrabee Dam in the 1980's demonstrated this with a high number of significant sites recorded in the area. This occurred in close proximity to the Bylong Valley.

The lack of knowledge in regard to regional rock art patterns is a major failure of the planning system. The poor level of research into the extent of Aboriginal history in the area is an indication of societal neglect that needs to be addressed. This important heritage information should not rely on coal mine assessments. Independent archaeological research across the Goulburn River catchment is urgently needed.

CWEC is concerned that the region has lost a large number of connected Aboriginal cultural heritage sites across the regional landscape with the rapid expansion of coal mining since the turn of the 21st century.

This proposal is a further threat to these heritage values. The precautionary principle should require greater caution in the approval of ongoing loss of cultural heritage values in the regional landscape.

4. Significant change in land use

The proposal to introduce the industrial activity of large scale mining operations into a green field agricultural landscape is not in the public interest. The Bylong Valley is identified under the Upper Hunter Regional Strategic Land Use Plan as containing Equine Cluster land and Biophysical Strategic Agricultural Land.

The relationship between water sources and prime agricultural land is fragile and should not be threatened by the proposed irreparable disturbance.

5. Traffic disturbance through conservation reserves

The remote nature of the Bylong Valley is demonstrated by the road access routes to the proposal. All available routes travel through or adjacent to major conservation areas in the region.

These include Wollemi National Park World Heritage Area, Goulburn River National Park and Munghorn Gap Nature Reserve.

It is of particular concern that Department of Planning and Environment has designated Wollar Road, through the Munghorn Gap Nature Reserve, as the only route for large, heavy vehicles that are oversized and overmass.

The significant issue of roadkill of native wildlife that inhabit the conservation areas has not been assessed, other than to recognize the threat as 'intolerable' for motorists and road safety.

The massive increase of wildlife killed on roads leading to the current large mining operations has not been identified or assessed as a cumulative impact of mining.

This needs to be assessed, along with audits of other road safety issues.

Regional wildlife has lost a significant area of habitat in the region through mining approvals over the last 10 years. More species are being pushed into the conservation areas, having to compete for food and nesting resources over a smaller area of habitat.

The increased daily traffic movements to and from mining operations has also increased the extent of wildlife fatality in the region.

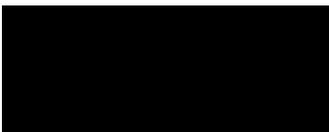
CWEC considers that all available road access routes to the proposal are unsafe, both to motorists and to wildlife. Increased daily traffic movements over long distances to the proposed mine site are not in the public interest. This should be a key consideration in determining the merit of the proposal.

Conclusion

The PAC merit review of the Bylong Coal Project must consider the principles of ecologically sustainable development.

CWEC is of the opinion that the proposal, as recommended by the Department of Planning and Environment, does not meet the precautionary principle or provide intergenerational equity.

Yours sincerely

A solid black rectangular box used to redact the signature of Cilla Kinross.

Cilla Kinross
President