



Hunter Environment Lobby Inc.

[REDACTED]
East Maitland 2323

19th May 2017

Submission of objection to Bylong Coal Project: SSD 14_6367 for the Planning Assessment Commission

Hunter Environment Lobby (HEL) is a regional community-based environmental organization that has been active for well over twenty years on the issues of environmental degradation, species and habitat loss, and climate change.

HEL has particular interest in water management issues in the Hunter Region and has held positions on the Hunter River Management Committee and on the Hunter and Paterson Environmental Water Advisory Group. HEL also has had a position on the Upper Hunter Air Quality Monitoring Network Advisory Committee.

HEL noted in November 2015 that the Korean power company, Kepco, had proposed to mine 6.5 million tonnes of coal per year (Mtpa) over 25 years from 2 open cut pits (8 yrs) and an underground mine in the highly fertile Bylong Valley. HEL opposed that development at the time, and opposes it for the same reasons today.

We have major concerns that the environmental assessment of the impacts of the proposal is very poor, that predictions are understated and that the proposed mitigation measures will not adequately provide offsets for the extent of the permanent damage.

1. Agricultural Impacts

The Department of Primary Industries is also concerned about flow on impacts to agricultural productivity in the Bylong Valley and the broader region as a result of the mine and the extensive areas of agricultural land and water now owned by the coal company.

Among the properties now owned by KEPCO are a former thoroughbred breeding property that has already been displaced by the coal mine proposal and historic Tarwyn Park, former home of Melbourne Cup winner Rain Lover and the living laboratory where Peter Andrews developed Natural Sequence Farming practice of regenerative agriculture.

HEL notes that a significant area of prime agricultural land will be destroyed, the mine footprint will disturb 2,875 ha of land including 440 ha of Bioregional Significant Agricultural Land (BSAL). This is a larger area of highly productive land to be impacted by mining than approved for the Shenua project on the Liverpool Plains.

The removal of 260 ha of BSAL in the open cut mine is not acceptable because of the high connectivity with alluvial groundwater. The proposal to replace BSAL at another location is untested and high risk, particularly on top of mine spoil. The relationship between soil quality and groundwater cannot be replaced.

The impact on a further 700 ha of mapped Critical Equine Industry Cluster land is an additional loss of an important productive area that should be protected from mining impacts.

2. Water Impacts

HEL has a particular interest in impacts on water and groundwater and we note that impacts on groundwater and surface water will be significant in this development.

The Bylong River catchment is an important tributary of the Upper Goulburn River water source. The cumulative impacts of mining operations at the Ulan, Moolarben and Wilpinjong Mines in the headwaters have caused significant degradation of the Upper Goulburn water source. The current approved drawdown of baseflows and groundwater systems is significant and will continue for many hundreds of years.

There has been no independent regional water study conducted for the Upper Goulburn River. Further stress on this water source from mining in the Bylong Valley has not been adequately assessed. Impacts on water quality and the operation of the Hunter Salinity Trading Scheme have not been considered.

The Bylong River water source has been categorized as highly stressed. The report card produced during the development of the Hunter Unregulated and Alluvial Water Sharing Plan identified this system to have high hydrological stress. This is because summer extraction rates exceed flow.

There is little discussion within the EIS about management of water shortages for the coal washery and dust suppression during prolonged drought sequences.

The highly connected alluvial aquifer system within the stressed Bylong River catchment will have predicted peak losses of up to 295 million litres per year (ML/yr). This creates losses to the Hunter Catchment additionally.

Loss of base flows to the Bylong River is predicted to be 918 ML/yr. The mine proposes to use up to 1,942 ML/yr which is over 75% of the annual rainfall recharge, which is excessive in this area.

Already the river system is over allocated and local farmers will lose important water supply, which will be an unacceptable outcome for agriculture and will have broader ramifications for the Hunter Valley as a whole.

Kepeco's assertion that this dramatic exceedance of the Aquifer Inference Policy criteria does not count because the mining company has purchased the properties that will be affected by this damage is not acceptable: the Bylong water source should not be subjected to this depletion for just 23 years of coal mining, leaving the Valley potentially unable to support productive agriculture into the future after the coal mine has been exhausted.

The Department of Primary Industries has expressed concern that in dry conditions, there may be insufficient water to run the mine and has warned that some neighbouring bores may become non-viable as KEPCO's a result of the profound.

Even KEPCO has agreed that the potential to reduce the availability of groundwater to agriculture during dry years is likely.

The Department of Primary Industries is also concerned about flow on impacts to agricultural productivity in the Bylong Valley and the broader region as a result of the mine and the extensive areas of agricultural land and water now owned by the coal company.

HEL is of the opinion that the proposed impacts on water sources and dependent agricultural and ecosystem values are too great and will cause irreversible damage.

We consider that these impacts alone are strong reason for rejecting the Bylong Mine proposal.

3. Biodiversity Impacts

The mine disturbance area has very high biodiversity values that will not be mitigated through the proposed offset arrangements. HEL has always found that the predicted species occurring in an area have been assessed incorrectly.

HEL has also found that with ongoing monitoring, threatened and endangered species become more visible, as there are often climatic reasons why certain species do not show on an initial survey. We use Mt Owen as a guide, where there is now many times more threatened and endangered species that are being tracked than the initial surveys twenty years ago.

Our experience on the Mt Owen Flora and Fauna Advisory Committee has demonstrated the problems associated with loss of high conservation value areas in the Hunter Region due to mining.

The ecological assessment of the study area for the proposed Bylong Mine has revealed that the area is a biodiversity hotspot that should be protected from mining.

Nationally endangered species recorded in the area include the Brush-tailed Rock Wallaby, New Holland Mouse, Regent Honeyeater and Spotted-tailed Quoll. Three entirely new plant species were recorded. This demonstrates the high conservation value of the area of impact.

The mine will also remove 180 hectares of habitat for the critically endangered Regent honeyeater. The Recovery Plan for this species specifically states that "Any breeding or foraging areas where the species is likely to occur" including the area where this project occurs, is "critical to the survival" of this species.

The Mudgee-Wollar area is specifically mentioned, and the Plan says that, "It is essential that the highest level of protection is provided to these areas and that enhancement and protection measures target these productive sites."

The proposal to destroy 135 ha of critically endangered Grassy Box Gum Woodland in the open cut and infrastructure area and impact a further 672 ha within the subsidence area is not acceptable and will not be adequately mitigated by the proposed biodiversity offset arrangements.

The proposed impacts on habitat for 17 threatened birds and 7 threatened plants including species listed as matters of national environmental significance are cumulative. The ongoing loss of habitat for threatened species in the Upper Goulburn catchment is increasing the competition for food and nesting sources within the adjacent reserve system.

The Bylong Valley falls within the area targeted by the Great Eastern Ranges Initiative. Landscape connectivity is an important feature of biodiversity conservation. A large investment of public money into reconnecting isolated remnants across the mountainous ecosystems of eastern Australia will be wasted if important areas of high conservation value are not protected from mining.

As HEL stated in 2015, the proposed Biodiversity Offset Strategy is entirely inadequate and will not meet the 'maintain or improve' requirements contained in the Secretary's Environmental Assessment Requirements (SEARs).

The largest offset, Area 5, is in an operating State Forest overlying the underground mine subsidence area. The bulk of the proposed ecosystem credits for the loss of critically endangered Grassy Box Gum Woodland and species credits for significant impact on the endangered Regent Honeyeater are contained within offset Area 5.

This is completely unacceptable as a biodiversity offset arrangement and should not be approved.

4. Heritage Impacts

The area has Aboriginal cultural heritage significance, this is shown by the fact that 239 sites were recorded in the study area with 25 regarded as being of high local or regional significance, including an ochre quarry, grinding grooves and rock shelters.

We find that 144 sites of these sites have been identified at risk from mine impacts with 102 in the open cut area. . The Wiradjuri heritage of the area has already experienced profound loss from three nearby coal mines and the Office of Environment and Heritage is warning of "permanent intergenerational consequences" if the loss of these sites continues.

In the six years since KEPCO moved into the Bylong region, it has bought up tens of thousands of hectares of strategic farmland, floodplains, thoroughbred properties, historic properties, homes and facilities in the region and caused substantial social and economic dislocation.

In the short period KEPCO has been gobbling up the Bylong Valley, the Bylong Mouse Races have ceased, thoroughbred activity has ceased, the Bylong Upper School has ceased and many people have vacated the Valley, leaving it barely socially and economically viable.

Remaining private landholders will be left socially & economically stranded and may lose access to water supply.

HEL also finds that important European heritage, including the Catholic Church Cemetery, a number of historic homesteads and farm buildings will be destroyed in the open cut. The social impacts on the Bylong community have already been devastating, this will impound that impact.

We consider that the impacts of this proposal on water, agriculture, biodiversity and heritage are too great and not in the public interest.

Impact on local Conservation Area

Heavy mine vehicle traffic is proposed to travel through the Munghorn Gap Nature Reserve and Wollar village between Bylong and Mudgee. This is a popular tourist drive. Road conditions are very poor and road safety will be threatened by a massive increase of daily mine traffic and heavy vehicles.

Conclusion:

HEL reiterates our previous conclusion, which is that there is no justification for a new, high impact greenfield coal mine in the Bylong Valley when a number of current approved operations are in care and maintenance. Greenhouse issues alone must hold the main mitigating hand in this proposal.

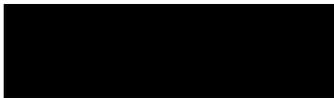
The NSW Government would be better receiving the royalties and employment benefits from existing approved mines than approving further cumulative irreparable environmental and social damage in the Hunter region. This would provide a more orderly public benefit.

HEL trusts that the Department of Planning and Environment will carefully consider our objections and provide rigorous scrutiny of the information provided in the EIS.

The predictions and proposed mitigation of impacts are highly questionable and require detailed examination.

We look forward to the Department's considered assessment of the Bylong Mine proposal.

Sincerely,

A solid black rectangular box redacting the signature of Jan Davis.

Jan Davis
President Hunter Environment Lobby Inc.