

# LOCK THE GATE ALLIANCE

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

Reply to: Georgina Woods  
PO Box 290  
Newcastle 2300

by email: 

Professor Mary O’Kane  
Chair, Independent Planning Commission  
by email 

CC: David McNamara, Director, Independent Planning Commission

28 June 2018

Dear Professor O’Kane,

We are writing to request that the Independent Planning Commission use its power to call Government agencies to appear at the forthcoming public meeting for Modification 3 of the Mount Pleasant coal mine on 4 July.

We are extremely dissatisfied with the Department of Planning's assessment of the modification and failure to respond to concerns raised by the community and Government agencies.

Both the EPA and the Department of Health raised serious concern about the cumulative air quality deterioration in and around Muswellbrook, and about the mine’s proposal to discharge water into the Hunter River. The proponent has elected not to address these concerns and the Department of Planning has proceeded to assess the modification and conclude that it is “approvable” despite this omission.

Since this mine was approved in 1999, the surrounding area has changed substantially. Muswellbrook has grown by nearly 3,000 people. The Mangoola open cut mine commenced in 2007. The Mount Arthur mine was approved to expand in 2008 and in 2010 and then again in 2014. The adjacent Bengalla mine was granted approval to expand in 2015. The air quality in the local area has deteriorated and the noise from mining operations in the vicinity has grown worse. Many farms and properties have been bought by mining companies, and the thoroughbred breeding industry has expressed vocal concern about the expansion of further open cut mining operations in the area and the threat such operations pose to its continued existence.

These changes of environmental, social and economic context are in effect changes in the environmental, social and economic impact of the project. The modification being sought, to extend approval to mine beyond 2020, should have been assessed by the Department in this changed context.

The EPA said in November that insufficient information had been supplied to enable it to licence any discharge of water from the site. And yet, the company indicates it will seek a variation of its Environment Protection Licence to permit releases of mine water without assessment of the impact of that discharge. This discharge, according to NSW Health, has the potential to affect

Muswellbrook's drinking water supply. The EPA has also expressed dissatisfaction with the noise assessment and like the Department of Health, urged the Department of Planning to "consider the significance of the predicted air quality impacts when determining the proposed modification." There is little evidence from the Department's Assessment Report that this has occurred. The Department's actions in failing to require comprehensive assessment of the impact of this project in the context of its changed environment is a dereliction of duty to the people of Muswellbrook, Aberdeen and surrounding farmland.

There is a need for the views of the EPA and the Department of Health about this modification and the adequacy of the assessment to be heard at the public meeting. In addition, the public and the Commission should have the benefit of hearing directly from the Department of Planning and Environment how it came to the conclusion the modification was approvable, despite the failings and gaps in the assessment and consideration of the modification's impacts identified by the EPA, Department of Health and others.

We ask the Commission to make arrangements for these three agencies to appear at the public meeting on 4 July. We understand that there is limited time before the meeting to make these arrangements, but hope that you will agree that the potential damage to the health and well-being of the people of Muswellbrook and Aberdeen warrants action from the Commission to seek clarification and illumination from these agencies.

We look forward to your response.

Sincerely

Georgina Woods