

12 February 2020

Brad James

Senior Planning Officer
Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
Sydney NSW 2000

Dear Brad

RE: Glendell Mine – Modification 4 – Response to Department Assessment Report

I refer to our meeting of 5th February 2020 regarding the Glendell Mine Modification 4 application currently under assessment by the Independent Planning Commission.

Council understands that the application is seeking to mine an additional 1.97MT of ROM coal, resulting in disturbance of an additional 4.3 hectares of land. Additional impacts have been assessed and the Department Assessment Report concludes that the impacts of the proposed modification can be adequately addressed through amended conditions of approval.

Council also understands that this modification application is needed for the Applicant to enable continuity of mining operations whilst an assessment of a larger project, the Glendell Continued Operations Project is undertaken. The EIS for this project is currently on exhibition. Council has had several briefings from the proponent on both the modification application and the larger Glendell Project. It should be noted that the presumption within both this modification and the Glendell Project is that both will be approved.

Due to the nature of the proposal, Council did not make a submission on the application at the time of exhibition, however, we note that a number of submissions were received from the community objecting to the proposed modification.

Despite not providing an initial comment on the proposed modification, Council notes and acknowledges the existing suite of conditions related to the planning of rehabilitation and mine closure for the mine and notes the department's assessment report stating that the modification would result in minor changes to the conceptual landform, and that the applicant would investigate final land use options nearer the closure of the Mount Owen Complex, which is currently around the year 2037.

However, the Glendell Mine is within five years of closure, in that it does not have an approval to operate beyond 2024 with production scheduled to cease in 2023. As such, detailed mine closure planning should have commenced in accordance with its obligations under its existing development approval and Mining Lease.

In November 2019, council provided comments on the draft Mining Operations Plan for 2020-2024 for the Mount Owen Complex, which includes the current Glendell Mine. Council's correspondence in relation to this is attached at **Attachment 1**. It should be noted that Council has not received a response.

Despite raising these concerns, the Applicant has, within this modification application, the revised Mining Operations Plan submitted to the Department, and the EIS currently on exhibition, sought to defer closure planning to a future time, to be undertaken as part of an as yet not approved operation. Council considers this to be highly presumptive.

Council recommends that the conditions related to mine closure need to be revised to require the applicant to develop a detailed mine closure plan commencing immediately. These conditions should require the applicant to:

- Define the actions that will be taken to achieve a post mining land use that is suitable and does not result in a negative socio-economic impact to the community. This should include, as a minimum:
 - o Identification of potential areas of the mining lease (or mine owned land) where proposed final land uses could be applied;
 - o The relationship between proposed final land uses and the final landform;
 - o The integration of future uses with other existing and proposed land uses in the vicinity, including the compatibility and viability of competing land uses;
 - o Whether any, or all, of the proposed final land use options will be safe, stable, non-polluting and sustainable in the context of the final landform; and
 - o A timeframe/timetable for investigation and implementation of one or more option(s) through to feasibility.
- Identify final void management action that will be taken to ensure highwall stability during and post mining, including contingencies for final landform design and rehabilitation outcomes should the highwall destabilise during and/or post mining;
- Assess the suitability, permissibility and sustainability of the final land use(s) proposed by area or domain, including actual feasibility and economic viability, as well as linkage between the final landform and final land uses (that is, will the landform proposed provide for the uses identified); and
- Analyse climate change risks (temperature, rainfall, fire) on the success of rehabilitation, including contingency measures that would be implemented in the event rehabilitation fails.

These actions should be undertaken in consultation with Council. Council considers that further discussion is required to provide greater certainty around how the rehabilitation and mine closure activities proposed would achieve outcomes consistent with surrounding land uses and community expectations.

Council has previously provided suggested wording for the development of a detailed final land use strategy into previous mining proposals. Given there is an immediate need to ensure adequate planning for closure, council proposes consideration of the following condition to be added, should the Modification be approved:

The Applicant is required to prepare a Final Land Use Strategy for the mine. The Applicant shall consult Singleton Council in the development of the Strategy. The outcomes of any Final Land Use Strategy must be consistent with, and complementary to, any

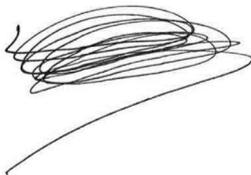
Local Strategic Planning Statement prepared by the Council. The Strategy must:

- a. Identify the areas of the mine where proposed final land uses could be applied;*
- b. Identify the relationship between final land uses and the final landform;*
- c. Demonstrate how final land uses will integrate with surrounding land uses;*
- d. Demonstrate how the final land uses will be safe, stable, non-polluting and sustainable;*
- e. Identify final void management actions that will be taken to ensure highwall stability;*
- f. Identify adaptive management actions that will be taken to prevent rehabilitation and landform failure;*
- g. Demonstrate how the final landform will meet the needs of the final land uses;*
- h. Include an assessment of climate change consequences on the likely success of rehabilitation, and what, if any, adaptive management actions are required to ensure rehabilitation success; and*
- i. Include an assessment of the suitability, permissibility and sustainability of final land uses that includes feasibility and economic viability.*

Council considers the development of a final land use strategy is essential in providing confidence to the community that mine closure is being adequately planned for throughout the life the mine.

I would like to thank you for the opportunity to provide comment on Mount Owen Glendell Operations – Mining Operations Plan – 2020 to 2024. Should you have any questions or comments, please contact Mary-Anne Crawford, Manager Development and Environmental Services on 02 6578 7290.

Yours faithfully

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Mary-Anne Crawford
Manager Development and Environmental Services



15 November 2019

Jason Desmond

Environment and Community Coordinator
Mt Owen / Glendell Operations
Singleton NSW 2330

Dear Jason

RE: Mount Owen Glendell Operations – Mining Operations Plan – 2020 to 2024

I refer to your email request dated 31 October 2019 requesting comment from Council on the Mount Owen Glendell Operations – Mining Operations Plan – 2020 to 2024 (**Mining Operations Plan**). This letter forms Council's feedback in relation to that request.

The Mining Operations Plan relates to three approved mining areas within the Mount Owen Mining Complex, Glendell Mine (with mining cessation in 2024), Ravensworth Mine, limited to the area of Ravensworth approved under SSD5850 incorporating Ravensworth East (with mining cessation in 2023), and the Mount Owen Mine (with mining cessation in 2037).

The Glendell Mine is within five (5) years of mine closure. As such, detailed mine closure planning for the Glendell Mine should have commenced in accordance with the conditions of approval. This detailed mine closure planning should include consultation with Singleton Council.

The Mining Operations Plan states that, whilst this is the case, *Glencore are currently preparing an application for the GCOP which will seek approval to extend open cut mining operations north from the Barrett Pit extracting approximately 140 Mt ROM Coal and extending the mine life to 2044. Should the GCOP not be approved, Glendell would commence detailed closure planning.* Council considers that reliance on the potential for a new project approval is not an adequate justification to delay mine closure planning for the current operations. In addition, given the short time frame until the current approval expires, Council considers that it would be imperative to include detailed mine closure planning within a revised Mining Operations Plan, that includes both a timetable for completion of a detailed mine closure plan and a stakeholder engagement plan to underpin closure planning outcomes.

The Ravensworth Mine, whilst approved for mining until 2037, is within five (5) years of cessation of mining. There is limited detail within the Mining Operations Plan as to how rehabilitation activities post cessation would be undertaken, or whether the mining area would remain in a 'care and maintenance' phase, and therefore un-rehabilitated, until 2037. It is unclear when the mine closure date for the Ravensworth Mine will occur, thereby triggering the development of a detailed mine closure plan.

The Mining Operations Plan would benefit from a detailed timeline of exploration, mining, rehabilitation, decommissioning and closure activities for the three mining areas.

In addition, all detailed mine closure impact planning, including final landform finalisation, groundwater impacts post closure, social impacts of closure and final void management are all proposed to be deferred until the mine closure planning phase has commenced. The Mining Operations Plan states that these assessments would be included in a mine closure plan that would be submitted to the relevant authorities for approval, two years prior to cessation of mining. The development of a final landform occurs during overburden emplacement, as such, it is difficult to retrofit an alternative landform outcome once this has occurred. The Mining Operations Plan should include detailed final landform design that has taken into consideration issues and opportunities raised during consultation with the community, government agencies and other stakeholders, and identify what, if any, adjustments have been made as a result of this consultation.

With the above in mind, and with the conditions of approval, within Table 10 of SSD 5850, including a requirement to minimise the socio-economic effects of mine closure, any rehabilitation activities undertaken during the life of the Mining Operations Plan require review against the needs and expectations of the community, such that any adverse impacts (including reduced access to land for development) are identified, acknowledged and mitigated. The Mining Operations Plan states in Table 17 that these effects are discussed in section 4.3. There is no discussion in the Mining Operations Plan of how the activities proposed within the Plan will minimise the effects of closure on the community.

Relinquishment of mining tenements at the end of mine life relies heavily on community endorsement of final land use and the ability of the final landform to provide for future land use outcomes that are sustainable post mining. The current zoning provides an indication of the community expectation post mining. However, there is no discussion within the Mining Operations Plan of how the rehabilitation outcomes, will:

- Encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- encourage diversity in primary industry enterprises and systems appropriate for the area.
- minimise the fragmentation and alienation of resource lands.
- minimise conflict between land uses within this zone and land uses within adjoining zones.

Council considers that further discussion is required to provide greater certainty around how the rehabilitation activities proposed within the Mining Operations Plan would achieve outcomes consistent with surrounding land uses and community expectations.

Table 34 identifies the threats to rehabilitation and includes a number of site specific threats, such as contamination of land and subsidence. Other threats, such as land use conflict, declining rainfall, increased bushfire risks and the impacts of climate change (resulting in higher intensity storm events and flooding) have not been

considered or included in the Mining Operations Plan. In addition, consideration of the potential for tailings dam failure (including tailings dam rehabilitation failure), particularly following recent examples within the industry of such failures, are also considered threats to the success of rehabilitation. Council considers that further assessment of these threats, and appropriately scaled controls should be included in the Mining Operations Plan.

Rehabilitation objectives, outcomes and threats should be considered within an appropriate adaptive management framework that includes how the environment will respond to the management decisions that are made. Adaptive management includes clearly defined assumptions, sensitivity testing and validation of results. Adaptive management outcomes should be developed collaboratively and consultatively, enabling stakeholders directly affected by the outcomes to have buy in to the management actions and decisions that are made to respond to either the impacts that are occurring or the desired outcomes. The Mining Operations Plan does not consider these aspects of adaptive management. Council considers that the Mining Operations Plan would benefit from the inclusion and implementation of a defined adaptive management framework.

I would like to thank you for the opportunity to provide comment on Mount Owen Glendell Operations – Mining Operations Plan – 2020 to 2024. Should you have any questions or comments, please contact Mary-Anne Crawford, Manager Development and Environmental Services on 02 6578 7290.

Yours faithfully

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Mary-Anne Crawford
Manager Development and Environmental Services

From: [Crawford, Mary-Anne](#)
To: [Bradley James](#)
Cc: [Jhlejn, Mark](#)
Subject: RE: Glendell Mine - Modification 4 - Council Submission
Date: Thursday, 13 February 2020 3:17:27 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Brad

I wish I had a simple answer to your question...

The condition of consent related to mine closure for Glendell is condition 42. Technically there is no date for which this plan needed to be in place, which means that a closure plan which satisfies the condition should already be in place. Condition 6 of Schedule 5 of the Glendell consent sets out the circumstances around which a management plan should be developed and reviewed.

Mining lease conditions related to closure can vary from lease to lease and Glendell has 18 mining leases that it operates to. The list can be found at

<https://www.mtowncomplex.com.au/en/environment/licenses-approvals/LicensesApprovals/MOC-Approvals-Leases-and-Licences.pdf>

The conditions of lease are published on the DPIE DIGS database, below is a link to one of the MLs that covers Glendell. Condition 2(1) requires the leaseholder to complete a Mining Operations Plan that must include certain things. This Plan can only be for a period of up to 7 years. In the lease below, the conditions require that, should mining cease during the MOP period, a closure plan must be included in the MOP (condition 2(4)(j)).

https://search.geoscience.nsw.gov.au/api/download/0441bc403591e00abf770f3879006d83/ML_1561_20050217_Grant.pdf

The Resources Regulator has also prepared MOP guidelines. These guidelines set out the requirements for a MOP, including the requirements for closure planning within a MOP. These guidelines can be found below.

https://www.resourcesregulator.nsw.gov.au/_data/assets/pdf_file/0007/527911/ESG3-Mining-Operations-Plan-MOP-Guidelines-September-2013.pdf

Hope that assists.

Regards,



MARY-ANNE CRAWFORD
Manager Development and Environmental Services
T 02 6578 7337
M [REDACTED]
E [REDACTED]
W singleton.nsw.gov.au

From: Bradley James <Bradley.James@ipcn.nsw.gov.au>
Sent: Thursday, 13 February 2020 11:16 AM
To: Crawford, Mary-Anne [REDACTED]
Subject: RE: Glendell Mine - Modification 4 - Council Submission

Hi Mary-Anne,

Thank you for your comments. Confirming receipt.

Can you please confirm which conditions in the development consent and the mining lease Council is referring to in their letter – in relation to the need for a mine closure plan within five (5) years of mine closure?

Regards,

Brad James | Senior Planning Officer

Independent Planning Commission NSW
Level 3, 201 Elizabeth Street Sydney NSW 2000
e: bradley.james@ipcn.nsw.gov.au | p: +61 2 9383 2165 | f: 9383 2133 | www.ipcn.nsw.gov.au



New South Wales Government
Independent Planning Commission



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From: Crawford, Mary-Anne [REDACTED]
Sent: Wednesday, 12 February 2020 4:04 PM
To: Bradley James <Bradley.James@ipcn.nsw.gov.au>
Subject: Glendell Mine - Modification 4 - Council Submission

Hi Brad

Thanks for your time last week, and thank you to the Commissioners for the opportunity to discuss the proposal with them.

I previously tried to send this, but not sure if it went through, so apologies if you have received it twice. Attached is our submission.

Please don't hesitate to call if you had any questions.

MAC

Regards,



MARY-ANNE CRAWFORD
Manager Development and Environmental
Services
T 02 6578 7337
M [REDACTED]
E [REDACTED]
W singleton.nsw.gov.au