
Hume Coal Project (SSD 7172) - second referral

1. I make no submission on the first point; the additional rail movements.
2. On the second issue, I submit that, for the reasons given by the Department, the Tahmoor mine situation is quite different. No inference can be drawn from the Tahmoor mine. The expert evidence on the likely groundwater effects of the proposed mine is from experts who confine themselves, properly, to the area in which the mine is to be sited, and the probabilities are based on the geology of the relevant area. That evidence is part of the Hume Coal's case. Therefore, the thrust of the Tahmoor mine argument is to undermine its own evidence. This cannot succeed, and should not be permitted. The circumstances of the Tahmoor mine can have no bearing on the probabilities set out in the expert evidence. The reality is that a good many bores will be affected and Hume Coal has not shown how the impact of the mine on them will be made good; doubtless because no system would be practicable, given the size of the problem.
3. I make no submission on the question of potential air quality impacts.
4. On the subject of the VPA, it should be noted that the offer was not publicly exhibited, and therefore cannot and should not be considered as an inducement to authority of any kind to accept Hume Coal's proposals.
5. I make no submissions on the 5th, 6th and 7th issues.