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**TRANSCRIPT OF PROCEEDINGS**

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O/N H-1398937

**INDEPENDENT PLANNING COMMISSION**

**PUBLIC HEARING**

**RE. MANGOOLA COAL CONTINUED OPERATIONS**

**REFERENCE NO. SSD 8642**

**PANEL:** **PROF SNOW BARLOW, Chair**  
**MR PETER COCHRANE**

**COUNSEL ASSISTING:** **MS JOANNA DAVIDSON**

**DATE:** **9.59 AM, WEDNESDAY, 3 MARCH 2021**

PROF S. BARLOW: Good morning, and welcome to day 1 of the Independent Planning Commission's electronic public hearing on the state-significant application for Mangoola Coal Continued Operations project. I am Professor Snow Barlow, and I am chair of this Independent Planning Commission panel. Joining me today is my  
5 fellow commissioner, Peter Cochrane. We also have Joanna Davidson, who is the counsel assisting the commission at this public hearing. Before we begin, I would like to acknowledge the traditional custodians on the lands from which we variously meet today and pay our respects to their elders past, present and emerging and to the elders from other communities who may be participating today.

10 The applicant, Mangoola Coal Operations Proprietary Limited, is a subsidiary of Glencore Coal Proprietary Limited and owns and operates the Mangoola Coal Mine, an existing open-cut coal mine 20 kilometres west of Muswellbrook in the Upper Hunter Valley. The applicant seeks continuing approval for the extraction of an  
15 additional 52 million tonnes of run-of-the-mine coal established by a new open-cut mining area known as the northern extension area. I note that the Department of Industry and Planning and Environment has the ..... report and has concluded this project is approvable, subject to conditions. The Minister for Planning and Public Spaces has directed the commission to hold a public hearing for this application.

20 He has asked the commission to determine this application within 12 weeks of receiving a whole of government assessment report from DPIE. In line with the regulation introduced in response to the ongoing COVID-19 pandemic, we have moved public hearings online with registered speakers provided with the opportunity  
25 to present to the panel via telephone or video conference. In the interests of openness and transparency, we are livestreaming proceedings from the commission's website. A full transcript of the two-day hearing will be published on the commission's website in the next few days. The commission's role and its determination.

30 The commission will - was established by the New South Wales Government on the 1<sup>st</sup> of March 2018 as a standalone statutory body operating independently of the Department of Planning, Industry and Environment and other agencies. The commission plays an important role in strengthening transparency and independence  
35 in the decision-making process for major development and land use planning in New South Wales. The key functions of the commission include determining state-significant development applications, conducting public hearings for development applications and other matters, and providing independent expert advice on any other planning or developmental matter when requested by the Minister for Planning or the  
40 planning secretary.

The commission is the consent authority for this state-significant development application, because more than 50 or more unique public objections were received. It's important to note the commission is not involved in the department's SSD  
45 applications, nor the preparation of its assessment reports. The commissioners make an annual declaration identifying potential conflicts with their appointed role. For

the record, no conflicts of interest have been identified in relation to our determination of this development application. You can find additional information on the way we manage potential conflicts on our website.

5 Where are we in this process? This public hearing forms one of the part of the  
commission's process. We have also met with the Department of Planning, the  
applicant and the Muswellbrook Shire Council. Transcripts of all these meetings  
have been published on our website. After this public hearing, we may convene with  
10 other stakeholders if clarification or additional information is required on matters  
requested. Following the public hearing, we will endeavour to determine the  
development application as soon as possible, noting that there may be a delay if we  
find additional information is needed, when written submissions on this matter will  
be accepted by the commission up to 5 pm on Thursday the 11<sup>th</sup> of March 2021. You  
15 can make a submission using the Have Your Say portal on our website or by email or  
by post.

The purpose of this hearing is to invite interested individuals, groups to make any  
submission they may consider appropriate during the hearing. However, the  
commission is particularly assisted by submissions that are responsive to the  
20 Department of Planning, Industry and Environment's assessment report and  
recommended conditions of consent. All submissions made to the department during  
the exhibition of the environmental impact statement have been made available to the  
commission. As such, today's speakers are encouraged to avoid repeating or  
restating submissions they've previously made on this application.

25 The commission must emphasise that there are certain matters that by law it is not  
permitted to take into account when making this determination, and therefore  
submissions on such matters cannot be considered. These factors include the  
reputation of the applicant, any past planning law breaches by the applicant. Before  
30 we get underway, I'd like to outline how this public hearing will run. We will first  
hear from the Department of Planning, Industry and Environment on the finding of  
its whole of government assessment report currently before the commission. Then  
we will hear from the applicant. We'll then proceed to hear from our registered  
speakers.

35 While we endeavour to stick to our published schedule, this will be dependent on the  
registered speakers being ready to present their - at their allocated time. Counsel  
assisting, Joanna Davidson, will introduce each speaker when it's their - their turn to  
present to the panel. Everyone has been advised in advance of how long they will  
40 speak. A bell will sound when the speaker has one minute remaining of their allotted  
time and a second bell will sound when the speaker's time has expired. To ensure  
everyone receives their fair share of time, I will enforce the timekeeping rules.  
However, I do reserve the right to allow additional time, as required, to hear new  
information.

45 If you have a copy of your speaking notes or any additional material to support your  
presentation, it would be appreciated if you could provide a copy to the commission.

Please note, any information given to us may be made public. The commission's privacy statement governs our approach to managing your information. Our privacy statement is available on our website. Thank you. Please call the first speaker.

5 MS J. DAVIDSON: Our first speaker is Matt Sprott from the Department of Planning, Industry and the Environment. Matt.

MR M. YOUNG: Sorry. It's Mike Young here. I'm also here from the Department of Planning, Industry and Environment. I'm the Executive Director of Energy  
10 Industry and Compliance, and I'm assisted, as you've suggested, by Matt Sprott, who is a Director of Resource Assessment at the department as well. Matt will be doing the bulk of the presentation, but I just thought I'd kick off the presentation today. I - I understand we've provided some slides to the commission that may be assisting our presentation. I can see those. Can I confirm that the commissioner can see that?

15 PROF BARLOW: Not as yet, Mike. Thank you. They now appear.

MR YOUNG: Fantastic. Look, I'll - I'll hand over to Matt and - and I'm sure that today we - we just wanted to do a - a relatively quick presentation of the key findings  
20 of our whole of government assessment that we've submitted to the commission, which is available on our website and the commission's website. We don't go - propose to go through that exhaustively.

That's obviously a very long report and detailed also with technical appendices and  
25 so forth, so we propose just to do a short presentation today and - and leave time for potentially the questions today following our presentation and we're certainly quite keen to - if the commission has any questions, as people present today and tomorrow, to come back and to answer any questions that the commission may have as a result of things that are raised during the hearings and/or indeed take things on notice and  
30 provide a - a written response in due course to assist the commission. So, look, with that very short preamble, I'll hand over to Matt to just present some of the key elements of - and findings of our assessment. Thank you, Matt.

MR M. SPROTT: Thank you there, Mike. For the transcript purposes, my name is  
35 Matthew Sprott. I'm a Director of Resource Assessments within the Department of Planning, Industry and Environment. As the commission has already outlined, we're here to discuss the Mangoola Coal Continued Operations project, which is a proposal put forward by Glencore to extend the life of its existing operations at the Mangoola Coal Mine in the Hunter Valley of New South Wales. The Department of Planning,  
40 Industry and Environment's role in this purpose is to bring together the whole of government assessment on behalf of the New South Wales Government.

This process has been ongoing for a number of years, with SEARs initially issued on  
45 this project in 2017 and the project lodged and exhibited in July 2019. It's been through a comprehensive and - and long assessment process to date and we're now at the - at the final stage in this, which is the - the commission's public hearings and determination of the matter. Could I please move to the next slide, if that's possible.

5 Just to provide a brief overview of the project that's been proposed by Glencore, as you can see on this slide, the existing Mangoola Coal Mine is one of the westernmost mines in the New South Wales Hunter Valley. It's shaded there in - in light grey as the existing operations, which circle Anvil Hill, and have been operating for over 10 years now in the Muswellbrook community.

10 The proposal is shown here in the polygons to the north, the new open-cut mining area being shown in blue. It's an eight-year proposal to extend mining to the north of the existing operations and recover an additional 52 million tonnes of coal through the development of a new satellite pit, which would be operated concurrently with the existing operations over an eight-year period. With the absence of this pit, Glencore has identified that the coal reserves in the current mine would expire in about 2025. So by operating the existing Mangoola Mine and the new extended area concurrently, they could see the operation continue through to the end of 2030.

15 They'd be continuing to mine at the existing extraction rate and continue to process coal at the existing infrastructure at the Mangoola site over the duration of the project and rail that product coal from the site via an existing rail loop to the main northern rail line. The existing Mangoola line is a 24-hour operation, seven days a week, and this is proposed to continue with the current proposal. It would provide 145 construction jobs and would provide continuing employment for the existing 400 staff at the mine, as well as 80 additional operational jobs once the northern extension area is up and running at full capacity.

20 In order to connect the two sites, Glencore is also proposing to create an overpass between the existing Mangoola Mine and the northern extension area, which would cross across Wybong Road and, as you can see on the map there, Big Flat Creek, which is the main surface water catchment in the area. If I could please move on to the next slide, thank you. So the department exhibited this project, as I mentioned, back in July of 2019 for an extended period of time. We received a number of community inspection group submissions with 320 submissions received during the exhibition period, which about three-quarters provided their support to the project and around a quarter of submissions raised objections and concerns with aspects of the project.

35 Those in support were primarily supportive of the economic benefits of the project, along with the royalties to the state and - and Mangoola's positive environmental track record in the local community. Those opposed to the project comprised two main groups: those living within five kilometres of the project, who are the local receivers; and those living more than 50 kilometres away from the project. Local submitters primarily were concerned with the direct impacts that the project could have on their quality of life and the amenity and health impacts that could arise, including noise and dust emissions, along with negative socioeconomic impacts to the local community.

45 Those located further afield raised questions that were more aligned to regional matters within the Hunter coalfields, such as air quality across the coalfield, and

global issues, such as the mining industry's contributions to climate change. We also engaged - if I could, sorry, please move to the next slide. We also engaged with a number of expert agencies within the New South Wales Government and received advise from 14 government agencies, two key infrastructure providers and the  
5 independent expert scientific community on coal seam gas and large coal mining development. None of these agencies or infrastructure providers objected to the project, but many of them did seek additional information or clarity throughout the assessment process and in relation to their regulatory responsibilities, along with how the project could potentially be conditioned.

10 Following provision of the submissions report and this additional information throughout the project, all of the New South Wales Government authorities have confirmed that they were satisfied that the project can be appropriately managed and regulated in accordance with the department's recommended conditions of consent  
15 and other applicable regulatory instruments. Muswellbrook Council also provided a detailed two-part submission on the proposal following the exhibition period in 2019 and, at that stage, did not formally object to the project. However, the department is aware that at its meeting with the commission in February, council has now advised that it objects to the project proceeding.

20 If I could move on to the next slide. I'd like to just cover off on the major impacts throughout the assessment process that we've identified and some of the key aspects that have been imposed to manage these impacts. So the project, as I mentioned before, involves a major shift in mining operations towards the northwest, and this  
25 will see a correlating shift in impacts, primarily amenity impacts, towards receivers located towards the northwest of the project. Glencore has sought to manage these impacts through the project design, including using existing terrain as shown in the attached, which includes a 100 to 150-metre tall ridgeline to the north of the site, which helps to attenuate minimising impacts on receivers beyond that ridge.

30 They'd also staggered their fleet across the existing and proposed extension area to minimise the source of noise and dust emissions, adaptively manage their operations throughout the consent life to meet any relevant regulatory requirements, use existing infrastructure at the Mangoola site to minimise the need for new infrastructure and  
35 new noise sources to the north and have proposed a land form that would integrate with a low profile to minimise visual impacts in the northern area. Next slide, please. Noise impacts were one of the main issues raised by local members or local residents in their submissions on the project.

40 Those to the south and east of the site would largely see similar levels of noise to that of the existing operations, albeit for a longer period of time. Those existing operations would continue for a period over the continued operation project life and the existing CHPP and rail loop would continue to operate, which explains the similarity in those noise experienced - experiences to the south and east. Receivers  
45 to the north and the west would experience a slight increase in operational noise, which we have recognised in our assessment report. Most of these residences would comply with the EPAs noise assessment requirements for operational noise impacts

at their residences and some would experience slight or minor exceedances of those limits.

5 Following a comprehensive assessment of the noise impacts to the project, we've identified that eight additional residences would experience marginal impacts and would warrant voluntary acquisition rights as a result of the - voluntary mitigation rights, I apologise, as a result of the project, and six additional residences would experience significant impacts and would be afforded voluntary property acquisition rights as a result of the impacts of the proposal. The air quality, blasting and visual  
10 impacts of the project, however, would all be able to meet applicable criteria at all residences and no further mitigation or management requirements are needed for addressing relevant policies in relation to these matters.

15 The EPA has also advised the department in relation to the air quality, noise and blasting aspects of the proposal and is satisfied that these matters have been comprehensively assessed and is supportive of the department's recommended conditions. In relation to traffic and transport, which is on the next slide, please, the proposal, as I've mentioned, involves the construction of an overpass over Wybong Road in order to connect the existing mine to the new operational area. This  
20 overpass would need to be constructed, as requested by council, to accommodate oversized and over-mass vehicles that currently utilise Wybong Road and would be built in the initial construction period.

25 In other to maintain traffic flow along Wybong Road, Glencore has proposed to build a bypass road around the construction site to the same specs as Wybong Road and would ensure that all traffic is diverted via this road during the construction period. From the analysis of the road network performance, the department's comfortable that all intersections would continue to operate at acceptable levels over the duration of the proposed mine life, which not be a material increase in the extent of mine life  
30 relative to the current operations. All product coal would also continue to be transported from the site via rail in accordance with the existing transport limits imposed under the project approval for the current Mangoola Mine.

35 The department also notes that there has been a - a long assessment of one aspect in - in particular related to transport and traffic, which is the closure of an affected section of Wybong Post Office Road. As can be shown in this figure here, Wybong Post Office Road currently traverses the proposed open-cut mining area and, as such, a section of that road would either need to be realigned or closed in order to allow access to those coal seams. Glencore originally proposed realigning that section of  
40 road as shown in yellow on the - on the slides attached and has identified that that would result in a little over one minute's worth of additional travel time for residences to the west reaching Muswellbrook.

45 Muswellbrook Council in response has provided further commentary on the broader road network operation in this area and has proposed an alternative, being the closure of this affected section of road and upgrades to Yarraman Road, which are shown in green and purple on the attached slides, and those upgrades to Yarraman Road would

provide an alternative pathway for those residences to reach Muswellbrook and Wybong Road. Glencore's indicated it's willing to contribute an equal amount of money to either option and the department is satisfied that both options could be undertaken and that either option could be negotiated with council following the  
5 determination of the project as an appropriate management of these road impacts.

Next slide, please. The department's also carefully considered the biodiversity impacts of this project, including extensive correspondence with the biodiversity conservation division, now the BCS. The project was - has been assessed under the  
10 FBA, which is consistent with the transitional arrangements in place under the Biodiversity Conservation Act 2016. The project area has been extensively investigated over many years and the biodiversity in the area is well known. It's been subject to assessments under the Upper Hunter Strategic Assessment, as well as supplementary assessments undertaken in order to inform the environmental impact  
15 statement for the project.

It would be proposing to clear around 570 hectares of vegetation within the proposed disturbance area, comprising around about 60 per cent woodland and forest species, and the remaining areas are currently derived native grasslands. Glencore has  
20 proposed a comprehensive biodiversity offset strategy, including a number of land-based offset locations to offset these impacts on the proposal. This has been subject to quite an extensive review by the biodiversity conservation division and has also been subject to the preparation of an expert report by Dr Steven Bell, who was commissioned by Glencore in agreement with the Biodiversity Conservation  
25 Division to provide expert advice on the adequacy of these offsets to account for particular impacts on identified threatened ..... species within the disturbance area and offset locations.

BCD is satisfied that the assessment of these impacts has been appropriately and completely undertaken and is supportive of the department's recommended  
30 conditions, which require the retirement of the relevant credits and preparation of comprehensive biodiversity management plans to ensure that performance measures are met, remedial triggers are in place to ensure that any unforeseen impacts are accounted for and offset if - if and as required and that the biodiversity offset strategy  
35 is secured. Next slide, please. In considering the water resourcing impacts of the project, the department noted that the existing Mangoola operation already operates a successful surface water and groundwater management system.

It already holds sufficient licences to - to account for all water take associated with the project - that's the combined northern extension area and Mangoola Mine - and currently obtains water through surface water runoff, groundwater inflows into the mining areas, reclaimed water and recycled water from mine processes and supplementary water from the Hunter River. Glencore undertook detailed surface and groundwater assessments as part of its EIS, which indicate there would be very  
40 minimal impacts to the surface water environment from a broader catchment perspective, resulting in about a 1.2 per cent reduction in the surface water catchment of Wybong Creek as a result of the proposal. The groundwater impacts would be  
45

expected to be very similar to those of the existing Mangoola operations and would meet all requirements of the New South Wales Aquifer Interference Policy minimum impact provisions at all bar one private receiver, who is primarily affected by the existing operations.

5

The department's recommended that this - this bore owner be afforded compensatory measures to account for its - his impacts on long-term water supply as a result of the proposal, in addition to the fact that this receiver is also afforded acquisition rights under the proposal. Finally, the department notes that the flood modelling indicated that while there is some increase in flood levels just behind the overpass along Wybong Creek, which would, in the long run, be removed, there would be no additional impacts to privately-owned land during the one-in-100 year ..... event. Next slide, please. The rehab and final landform aspects of this proposal have been subject to extensive review, including consultation with the mining exploration and geoscience aspects of regional New South Wales, along the New South Wales Resource Regulator.

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Glencore sought to develop a final landform that builds on the success of its current Mangoola Mine rehabilitation outcomes and incorporates topographic relief, hydro-geomorphological drainage lines and provides a profile that integrates with the northern landform, primarily by trying to maintain and lower profile overburden dump, so that there's less visual impacts associated with that northern landfall. The mine plan followed an extensive review of options that Glencore undertook as part of its EAS, including seven different potential mine planning options and void configurations. It would result in the retention of two final voids in the landfall, although it would allow for the transfer of 50 million bank cubic metres of overburden to the existing Mangoola Mine to improve landform integration and reduce the final void size at that particular site.

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The disturbance area in the long term would be rehabilitated with a combination of woodland communities, which have been established for biodiversity offsetting purposes, as well as grassland for future grazing potential and riparian vegetation along Big Flat Creek. The department's recommended comprehensive conditions in accordance with contemporary rehabilitation obligations and would require the preparation of a life-of-mine rehabilitation strategy, as well as a rehabilitation management plan in accordance with the Resource Regulator's guidelines. Next slide, please. So finally from a high-level assessment of key issues perspective, the department recognises there's a range of positive and negative social and economic impacts that would arise as a result of the project and that these matters need to be considered and balanced.

45

Many of the positive economic impacts relate to the continued employment opportunities and generation of jobs and economic investment in the local area. It would deliver a net economic benefit to New South Wales of over \$400 million and royalties to the New South Wales Government of \$130 million. The department recognises that the local community has expressed concerns over the potential health and amenity impacts that could arise, particularly in the local area, as a result of the

project, along with the potential for people who are afforded acquisition rights to leave the area resulting in effects on social dynamics in the local community.

5 We consider that these matters have been assessed and appropriately addressed throughout the assessment of the project, and have recommended the preparation of a detailed social impact management plan to improve the uptake of positive aspects for the project and promote those matters, and to seek to reasonably avoid and minimise any negative social impacts that would arise during the project life. We also note that Glencore has made an offer to enter into a VPA with council. I understand that 10 this matter is still ongoing, however, that offer is in the quantum of approximately \$5 million, and would be proportionate to the existing Voluntary Planning Agreement that's in place at the current Mangoola operations.

15 Next slide, please. So, in summary, the department has completed a long and comprehensive assessment of the project in accordance with the requirements of EP&A Act and, following consultation with a number of relevant regulatory authorities, infrastructure providers and experts, we consider that the project has been designed to minimise the environmental, amenity and social impacts to the greatest extent practicable, would generally comply with appropriate assessment criteria and 20 relevant New South Wales government policies and guidelines, and that residual impacts can be minimised, mitigated or offset in accordance with the recommended conditions. On balance, the department considers that the project is approvable and that the benefits of the project would outweigh its potential negative impacts. Thank you.

25 PROF BARLOW: Thank you, Matthew. I think Professor – Commissioner Cochrane has a question for you.

30 MR COCHRANE: Thank you, Matthew. Peter Cochrane, Commissioner. This is a question which you could come back to us tomorrow on, and that is are you confident that all the existing commission – conditions for the current operation will survive in either their current or a more contemporary form in the proposed conditions of a consent for the combined project to ensure completion of existing requirements and obligations? If you could come back to us tomorrow with your 35 response to that question that would be great. Thank you.

MR SPROTT: Certainly.

40 PROF BARLOW: Thank you. Matthew, could I ask you, we note that the hydrological model both of surface water and under – and ground water that, you know, one in 100 years return period was used for extreme events. While this might be appropriate for the mine, did you consider a longer time period for, indeed, the rehab, you know, particularly the voids. The impact of something like one in 1000 45 for that longer term period which will operate for the rehabilitated landscape?

MR SPROTT: I will come back to you on that one tomorrow, Commissioner. Typically, we would seek to ensure that those long term impacts on the voids are

considered over a longer period of time. The void lakes themselves would take hundreds of years to actually develop, so I will come back to you with some more fulsome comments on that tomorrow if I may, but I am comfortable that that is a standard thing that we would be looking at for those kind of interactions.

5

MR YOUNG: It's Mike Young, here, Commissioner Barlow. Could I just ask specifically what of – is of concern there just to tailor our response, noting that the final voids, obviously, would have – gradually fill up with water from ground water and the coal seams and so forth, and would have significant amounts of freeboard from any rainfall etcetera. But were there particular matters that were concerning you that we might be able to provide further information on?

10

PROF BARLOW: Thank you, Mike. There are probably a number of matters but the two that would be of concern would be, one, the – whether that freeboard would be maintained in extreme events of one in 1000 intensity for the voids, and bearing in mind probably the water quality in the voids may be somewhat different from the local surface water. The second would be, you know, perhaps the impacts of any upgrade in the – on Yarraman Road and the ability of that ..... those upgrades to withstand in – particularly in the, you know, the crossing of Wybong Creek at those sorts of intensities. Yes, they were the major concerns, yes.

20

MR YOUNG: Sure. Thank you, Commissioner, and, certainly, in regard to the road, clearly, obviously, a detailed design if the project is approved and one of those options is pursued in consultation with council, clearly, an appropriate study would need – and a detailed design would need to be undertaken in accordance with Austroads standards to ensure that any creek crossings and other elements of the design, you know, met relevant standards. But, look, that's very helpful. We will come back to you on both those matters tomorrow.

25

30 PROF BARLOW: Thank you. Peter?

MR COCHRANE: I have no more questions.

PROF BARLOW: The only other question we would have to you is in your assessment, while you did assess the greenhouse gas emissions implications of the project, did you assess the likely fugitive emissions of that area following the closure of the mine?

35

MR YOUNG: Certainly we – the company has undertaken a greenhouse gas assessment in accordance with the relevant accounting procedures at the – that the Australian government publishes. Unless Matt knows specifically to what extent that includes post closure fugitive emissions from the coal seams and to what extent that's taken into account, then I think it's probably a matter we will come back to you on tomorrow, I suspect. Matt, did you have any further information on that at this stage?

45

MR SPROTT: I will look to come back to you. For the purpose of the transcript, Commissioner, I will look to come back to you tomorrow with a specific response to that matter confirming how that has been incorporated in the assessment.

5 PROF BARLOW: Thank you, Matthew. I don't believe we have any more questions for you, Mike and Matthew, so thank you very much for your presentation and thank you very much for your cooperation today.

MR YOUNG: Thank you so much, Commissioners.

10

MR SPROTT: Thank you, Commissioners.

MS DAVIDSON: Next speaker is Nick Slater from Mangoola Coal Operations Pty Ltd, the applicant, and I understand he's standing by.

15

MR SLATER: Good morning, Commissioners, can you hear me?

PROF BARLOW: Good morning, Nick. Yes.

20 MR SLATER: Loud and clear. All right, good. I have a presentation. I'm wondering if that's available?

PROF BARLOW: It is now .....

25 MR SLATER: Okay. Thank you very much for the opportunity to speak at this public hearing this morning. My name is Nick Slater and I'm the operations manager at Mangoola Coal. Before beginning my presentation, I would like to acknowledge the traditional owners of the land on which we meet today and pay our respects to the elders, both past, present and emerging. I would also like to take the opportunity to thank all of our stakeholders but particularly the local community who have generously given their time to provide input into our social impact assessment, and also learn about the project as we've progressed with the development of the environmental impact statement. As it does it with all of Glencore's project, this feedback has guided changes in our design and the proposed mitigation measures.

30

35 Can we go to the next slide, please. Mangoola Coal is fully owned and operated by Glencore Coal Assets Australia. GCA as we call ourselves. It's one of the largest coal produces in Australia with over 16 operating mines across New South Wales and Queensland, and we are a part of the Hunter community, with our Australian coal headquarters located at Bulga, around an hour's drive from the Mangoola site. The Mangoola Coal Continued Operations project is part of the future pipeline of coal supply which is both sold domestically into the Australian market as well as to the export market overseas. A project fits within our both self imposed production cap of 150 million tonnes per annum, and our future carbon reduction strategies of the global Glencore business.

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Next slide, please. Our existing operation, as documented in the project's environmental impact statement, Glencore purchased the mine under development – the mine as an undeveloped deposit from Centennial Coal in 2007, and the site was renamed Mangoola Coal Mine at the time. Under New South Wales approval,  
5 mining operations commenced in September 2010. Mangoola is currently approved for an annual coal extraction of 13.5 millions tonnes per annum, and this coal is transported to the Port of Newcastle and domestic power stations by rail with an approved truck capacity of up to 10 trains per day. We have approval to operate until 2029, however, and it's an important point to note, without the Mangoola Continued  
10 Coal Operations project, the mine will exhaust coal extraction in 2025. The project, therefore, is critical to the ongoing employment opportunities for a workforce of around 400 people, most of them living locally.

15 Since we have commenced operations, we have been particularly focused on local procurement, giving local employment opportunities, apprentice opportunities and service and supply opportunities, and, as a result, 88 per cent of our workforce are from the local communities which is something we're very proud of. Our people work in a state of art coal mine with modern equipment and modern systems to support operations, and we would embrace the opportunity to continue to utilise our  
20 people, equipment and systems further to extract the additional 52 million tonnes within the Mangoola Coal Continued Operations project area which is the proposal for discussion with the IPC hearing.

25 Can we go to the next slide, please. The Mangoola Coal Continued Operations project involves continuing the current operation to the north west or to the north of Wybong Road. This will extend the mine life to 2030 if the project is approved. It will give 10 years of further employment opportunities for our workforce whose medium age is 41 years. Provide for 145 construction jobs in the shorter term, including the development of a bridge we're proposing to build over Wybong Road  
30 to avoid the impacts on local roadways. It will also enable Mangoola to continue to provide economic benefits across the local community, something I will talk a little bit more about in detail shortly. Overall, the project will deliver an additional 120 million in royalties, net present value terms, to help the New South Wales  
35 government to continue to pay the wages of nurses, teachers, police and build much needed public infrastructure.

40 Can we go to the next slide, please. As part of our environmental impact statement, we've studied the economic and social benefits of the project, both projected and already initiated. And, as I mentioned, our workforce is predominantly local and their annual spend in the local government area is around \$32 million based on past social economic survey that we've undertaken. We've spent more than \$100 million with local suppliers each year and, over the past five years, we've actually spent half a billion dollars with local businesses. Importantly, during the challenges that 2020  
45 presented, we were still able to spend almost \$200 million with our suppliers half of whom are based locally. In short, we are a significant contract contributor to the local economy. We have worked in partnership with Muswellbrook Shire Council to execute our Voluntary Planning Agreement, and we are proud to have contributed

\$10.7 million to date which has led to projects such as upgrades to the Denman Memorial Hall, local road upgrades and our prize project, the Denman Recreational Area which is a first class facility.

5 Can we go to the next slide, please. We would be remiss if I didn't note our surprise at Muswellbrook Council's stated opposition to our project which surfaced only after the transcript of last week's meeting between the council and the IPC was made available to us on Monday. It's also disappointing to note that council has chosen to present its views in this – chosen not to present its views in this public hearing. In  
10 fact, the council has declined or not responded to numerous invitations from Mangoola and our project team over the last two years to discuss our project. It's not clear at what point the decision was made to oppose the project or whether this was put to a vote of council. This is particularly concerning that given that more than 400 employees and 140 suppliers within the Muswellbrook Shire rely on operations  
15 continuing. In 2019, Mangoola's total economic contribution to the Muswellbrook LGA was \$335 million.

I do not intend to address today each of the issues raised in the two reports prepared by council to support their position as these were only made available to us on  
20 Monday. We take these issues raised by council very seriously and we will be providing a detailed response to each of them. Can we please go to the next slide. As I've mentioned, we find council's position disappointing because we've worked very hard to make a positive impact on the local communities. In addition to our Voluntary Planning Agreement with the council, we focused on investing,  
25 contributing and participating in projects that support the areas in which we operate, particularly Wybong, Denman and Sandy Hollow. We have many longstanding regional community partners in the Muswellbrook area, including the Upper Hunter Show and the Upper Hunter Educational Fund, of which we're founding sponsors.

30 We have a workforce donation committee continually raising money for local areas of need with ideas brought forward by those who work and live locally. In the last 12 months, the workforce has raised in excess of \$30,000 to support numerous local community charities and organisations. We believe strongly in transparency and have an open door policy to mine tours, a rare approach for the mining industry, and  
35 it has resulted in more than 2500 people touring our operations, including community members, other mining practitioners, tertiary, secondary, primary school students, aged care residents, politicians and regulators and other interested parties. These site tours allow people to form their own views about Mangoola from informed first hand observation.

40 Can we go to the next slide, please. Our rehab is industry leading. We were the first coal mine to adopt natural landform geofib design concepts, and carefully matched the local ecological communities to the locations where they would occur on the natural landscapes. We employ dedicated and passionate restoration ecologists who  
45 continue looking for opportunities to better our practices. To date, we've completed 755 hectares of rehabilitation progressively behind the advancing mine. That's equivalent to more than 12,000 football fields. Sorry, 1200 football fields. We have

a strong commitment to environmental compliance and this is demonstrated through our independent environmental audit findings which the public can view on our company website.

5 The conclusion from the 2019 audit was shown on the screen which found that a very high standard of environmental management is being applied at Mangoola operations. The number of best practice systems of data management and recording were noted during the audit. Next slide, please. Mangoola Coal is proud of our whole of mine rehabilitation approach, and it has earned widespread recognition.  
10 Muswellbrook mayor, Martin Rush, told the ABC Lateline program that, in his opinion, best practice is really what is occurring at Mangoola. Everyone plays their part to make sure we're leaving a positive legacy and exceed statutory obligations. We use objective science to measure our success against our completion criteria, as detailed in our mine operations plan. And, recently, we've made some great  
15 observations. The Hunter Bird Observers Club recorded over 70 species of birds in our rehabilitation, and we have recorded secondary succession in all of our canopy species in the northern pit rehabilitation despite three years of recent drought.

20 Some of our ecological restoration initiatives include stag trees, bee hotels, wetlands and translocations and are creating habitat for the successful return of echidnas, goannas, woodland and wetland birds, micro bats, snakes, small lizards, possums and large mammals. All of this has been achieved in rehabilitation that is less than 10 years old. We are confident we can meet our rehabilitation objectives for the site and are on track to commence application for government sign off of areas prior to the  
25 end of the current mine lines. Please go to the next slide. In conclusion, we have a proven track record. We've undergone a rigorous environmental assessment process which is assessed and deemed approvable by the Department of Planning, Industry and Environment, subject to conditions. This extension of our operation to 2030 allows for the continued employment of local people and the procurement of local  
30 services.

Further revenue will be generated through rates, taxes and royalties that support local, state and federal services. We've received the proposed conditions for the project and are comfortable that we can continue to have a strong compliance record  
35 that underpins our future licence to operate. Thank you for your opportunity to present today.

40 PROF BARLOW: Thank you, Mr Slater. Could I ask you, after your comments about the VPA offer to the Muswellbrook Shire Council, are there any plans for future meetings or perhaps negotiations between yourselves and the council?

45 MR SLATER: Thank you for your question, Commissioner. Yes, I certainly hope so. We would – we have continued meetings to discuss the current VPA that are planned in the next week or so - - -

PROF BARLOW: Thank you.

MR SLATER: - - - where we will be trying to address them again.

PROF BARLOW: Yes. Do you have any questions?

5 MR COCHRANE: Not at the moment, no.

PROF BARLOW: Do you have any questions, Joanna?

10 MS DAVIDSON: In relation to the question of fugitive emissions, Mr Slater, I note that there's a proposed condition in respect of taking all reasonable steps to reduce greenhouse gas emissions of the development, and that one of the issues that Glencore reviewed was the feasibility of pre-draining coal seam gas to reduce fugitive scope 1 and 2 emissions which it concluded was economically unviable at the time. Is there work being done in respect of steps that may become more  
15 economically viable over the conceivable life or the planned life of the mine that could involve reduced costs in relation to additional measures on fugitive emissions?

MR SLATER: Look, as I understand it, at a corporate level the business is always  
20 looking to see where there's innovations in those types of things that can help. In terms of the coal mine seams that we're mining up here, there's a very low level of gas ..... so the technology would have to advance quite somewhat for it to become viable.

MS DAVIDSON: Thank you.  
25

PROF BARLOW: Thank you. Thank you, Mr Slater. I think the Commission has no more questions, so thank you very much for your time today.

MR SLATER: Thank you, sir.  
30

MS DAVIDSON: Next speaker is Joscelyn McGarity from Environmental Justice Australia and I understand that she's standing by.

35 MS MCGARITY: Yes. Good morning, Commissioners. Thank you for providing me with the opportunity to speak on behalf of EJA. A little bit about EJA. We're a not for profit public interest legal organisation which means we're independent of government and corporate funding, and we act generally as advisers and legal representatives to community based environment groups, regional and state environmental organisations as well and some larger NGOs. And today we were  
40 asked by a number of community groups who I can see who are appearing later today to consider making a submission to the committee so that's why I'm here. I'm based in Newcastle and I would like to acknowledge that I'm speaking from Unseeded Awabakal land and I pay my respects to the elders, past, present and  
45 emerging.

EJA opposes the Mangoola Coal Continued Operations project, and I don't intend to speak for very long. I have drafted some written submissions which I will submit to

the committee. The main points I would like to raise, though, here today are really, firstly, on the cumulative impact of the project on air quality in the Upper Hunter region, and, secondly, on the impact that their pollution has on human health to communities in the Hunter. Regarding greenhouse gas emissions, our submission  
5 doesn't go to those, but we note that a number of objectors have raised their concerns about scope free emissions, and we generally support the submissions that have been made with respect to those in those objecting submissions.

In relation to cumulative impact of the project on air quality, our main concerns are  
10 that the air quality impact assessment only uses air quality data from 2012 to 2018, so there's a clear deficit in the data for the period 2019 to the present. And, understandably, it is difficult, obviously, to create an EIS that can assess all of, you know, the changing environmental conditions right up to a project's approval, but we do think it's important to note, particularly given the air quality that the Upper  
15 Hunter has experienced in the past 18 months. So, you know, whilst we acknowledge that there's an extended dry period and regional dust events, bush fires, in – and that's represented in some of the 2018/19 data, we submit that the project will add to the cumulative impact of poor air quality conditions in the Upper Hunter particularly during climatic and weather events such as those which we know are  
20 projected to become frequent and profound if climate change continues to accelerate.

I think as well the deficit in having that more recent is particularly pertinent given that a number of additional major projects have been approved in the Hunter and the Upper Hunter region since December 2018, and that there has been also a significant  
25 number of PM10 and PM2.5 FM AAQ which is the national environmental protection measure ambient air quality standards. There has been a number of exceedances to those standards since January 2019, and so they're obviously not represented in the data that has been analysed by the applicant. So, since January 2019 to November 2020, there has been a total of 17 state significant or – state  
30 significant developments or state significant development modification projects that have been approved in the Singleton and Muswellbrook local government areas, and of those, 10 expand or extend the life of mines. We've included a summary of those projects in our written submission for you.

The cumulative impacts of those approvals since January 2019 hasn't been  
35 considered by the applicant in its assessment of ambient air quality. In relation to exceedances of PM10 and PM2.5, they're the air quality criteria, since January 2019 there have been – from – so looking solely at the Muswellbrook monitoring station, which was used in the air quality impact assessment, from 1 January 2019 to 2  
40 March, so yesterday, 2021, based on 24 hour averages, there's a total of 73 monthly exceedances of the PM10 criteria, and a total of 35 exceedances of the PM2.5 criteria recorded. So that means that for the 24 hour average where exceedances were recorded, PM10 exceeded the air – ambient air quality limit of 50 micrometres and the PM2.5 exceeded the air quality limit of 25 micrometres. And they're legislated  
45 for in the National Environment Protection Measure.

At the Wybong monitoring station, which is another monitoring station that's included in the applicant's air quality impact assessment, from 1 January 2019 to 2 March 2021, based on, again, 24 hour averages, there were a total of 69 monthly exceedances of PM10 particulate matter, and we've compiled that data as an  
5 annexure to our written submission so that you can view that a bit more easily. It was also reported in June last year that by June 2020 there had been more than 250 air quality alerts in the Upper Hunter, and in 2019 there were 1000 alerts issued for the region. So this is a region that, you know, air quality is obviously a significant concern for the community, and the community is regularly reminded of the fact that  
10 they have poor air quality when they receive these alerts. Which takes me to the impact that this has on human health notwithstanding the mental health impacts that you could say are a cause of the worry about air quality in the Hunter, but I would just like to raise that there's no safe threshold for exposure to air pollution.

15 So, you know, health impacts have been studied and reported at concentrations well below the current NEPM standards. And so those NEPM standards which are the standards that the applicant's air quality assessment are based on, they don't tell the complete picture which is that there are still health impacts below those standards. So you might be compliant with those standards based on, you know, development  
20 assessment criteria and what you need to achieve in order to have a complete air quality impact assessment, but it – but, in reality, health impacts are still caused below those standards. There's no threshold below which particle pollution doesn't contribute to cardiovascular and respiratory ailments, and short term exposure to elevated concentrations of PM10 particulate matter trigger health responses that can  
25 lead to hospital admissions.

So every 10 micrometre per metre cubed, and we're getting into the technical weeds here, increase in PM10 concentrations. That can cause a 1 per cent increase in hospital admissions from respiratory disease. Doctors for the Environment Australia,  
30 which is a not for a profit organisation, made up of doctors and specialists across Australia, using the World Health Organisation figures, they've calculated that over the last five years pollution from PM10 alone has caused at least 160 more deaths in the Upper Hunter than would otherwise have occurred. And I think that that's – this sort of information hasn't been presented in the applicant's social impact assessment  
35 nor their air quality impacts assessment either. Exposure to particle pollution from coal mining also adds an increased burden on the community in terms of the cost of health care. So in the town of Singleton we're looking at approximately \$47 million of an increased burden on the health care system and \$18.3 million in Muswellbrook.

40 And those are the communities that are most affected and at risk from poor air quality. You know, compared to, for example, even the smaller towns of Camberwell, Warkworth, Jerrys Plains and Wybong. So, again, this kind of impact assessment hasn't been considered as part of the applicant's assessment of the project. And I think it's really important to note that, yes, the unfair health burden of  
45 air pollution in the Upper Hunter is shouldered by the community. So it's our submission that the project will further contribute to air pollution burden in the Upper Hunter. Noting that we oppose the mine, I will very briefly turn to some

consent conditions that address air quality in the event that the mine is approved. That – I – looking first at recommended condition B27, which incorporates the air quality criteria that applies to the project, and that condition, we say, should be expanded to also include references to the National Environment Protection Measure and then air quality goal for particles of PM2.5 by 2025 which is a goal proscribed in that legislation for PM2.5 particulates which is significantly lower, obviously, than the standards that the applicant has assessed air quality on.

Given that the project is projected to run until 2030 if approved, that really means that based on the air quality data from 2012 until, you know, the present, the project is going to exceed that goal which we say isn't good enough because it means that for at least five years between 2025 and 2030 there's going to be a number of exceedances of that goal and that project it not going to fulfil some of the requirements of the NEPM. It will – sorry, to clarify, it will fulfil the requirements of the NEPM but it won't be going, you know, above and beyond and trying to achieve goals that are also set within the NEPM. Recommended condition B19, that – we say that that should be expanded to include some conditions requiring the real time air quality monitoring data that's collected by the applicant and published in real time on a publicly accessible website. Obviously, one of the greatest issues in the community for those that object to mining expansions and extensions such as this are the impossibility of scrutinising data to do with air quality monitoring.

So we say that an expansion of this condition and the requirement that the applicant, you know, be required to publish that in real time would really improve transparency and trust within the community about these kinds of projects. And, finally, recommended condition D5 subclause H we say that that should be expanded to require the applicant to publish any incident, non-compliance or exceedance of any impact assessment criterion or performance criterion, and complaints, failures to comply with statutory requirements on a publicly accessible website on a monthly basis, again to ensure that the broader community has access to air quality exceedances and can scrutinise the operations of the project. And, you know, noting that non-compliances or, for example, penalty notices are published already on the EPAs public register.

Often the community is unaware of where to look to find that kind of information so we feel like a central repository posted by the applicant itself which encapsulates all that information would again really improve transparency and trust within the community. And that's the extent of my oral submissions today and I can provide our written submissions to the Chair.

PROF BARLOW: Joscelyn, thank you very much for your thoughtful and comprehensive presentation, and we hope that you will include all the information you included there in your written submission to the Commission. Could I ask you just a point of clarification, with regard to the changing air quality standards or goals, they are a goal by the Doctors Association but not a change in the standards that will occur in 2025; is that correct? I - - -

MS McGARITY: Yes. They're represented as a goal in that piece of legislation. To be adopted as a legal requirement in each state and territory, they would have to be subsequently adopted by our legislators in each of those states and territories, and that – they might be adopted within – my understanding is they would be adopted  
5 into the way that the EPA provides for the appropriate methods for air quality assessment.

PROF BARLOW: Thank you. Peter, do you have - - -

10 MR COCHRANE: Yes, I have one question. Thank you, Joscelyn. Do you have any comments on the adequacy or otherwise of the – or the proposed conditions for minimising PM10 and PM2.5s and particular condition B30? If you've got any comments on that we would welcome those. Thank you.

15 MS McGARITY: Okay, great. Thank you. I might take that on notice and have a look at that condition in more detail.

MS DAVIDSON: Sure. Thank you.

20 PROF BARLOW: Joscelyn, just another quick question again of clarification. The health data you talked about, namely 160 more deaths in the Hunter region over the past five years, what is the base of that? And, again, you could take it on notice and put it in your submission which would be fine. But is that – you know, in percentage terms, and we would like absolute terms as well, but just what is that a – what  
25 changes that in percentage wise?

MS McGARITY: Yes. Again, I will take that one on notice, thanks.

30 PROF BARLOW: Okay. Thank you. Joanna, do you have any questions?

MS DAVIDSON: I think the other – Peter's question was the one I was going to ask.

35 MR COCHRANE: Thank you.

PROF BARLOW: Well, thank you very much, Joscelyn. And the Commission will now take a morning break and we shall return at 11.40 I believe. 11.24.

40 MS DAVIDSON: 11.40.

PROF BARLOW: 11.40. So thank you very much for those watching the live stream and we will see you at 11.40. Thank you.

45 **ADJOURNED**

**[11.07 am]**

5 PROF BARLOW: Welcome back to the public hearings by the Independent Planning Commission on the Mangoola Coal Continued Operations Project. I'll ask counsel assistance to introduce the first speaker in this session.

10 MS DAVIDSON: The first speaker in this session is Angela Van Den Heuvel from the Wybong Concerned Landholders Group. Angela.

15 MS VAN DEN HEUVEL: Thank you. Thank you for the opportunity to speak to you today. My name is Angel Van Den Heuvel and I speak on behalf of the Wybong Concerned Landholders Group. The group is around 40 people who live in and around the small district of Wybong, which is being impacted directly by the Mangoola Mine.

20 The district is 20 to 30 kilometres from the nearest towns of Denman and Muswellbrook. We do not want this project to go ahead. We did not want Glencore Mining in our community initially. Our community has been decimated and we want to protect what is left from this project.

25 This submission doesn't cover every issue raised by each of the landholders, but attempts to distil the key issues concerning most, if not all members, regarding the significant expansion of the Mangoola Mine. The issues raised have been expressed previously in appropriate forums, such as the social impact assessment and community information presentations and remain largely unchanged.

30 The assessment report and the development consent completed by the New South Wales Government raise great fears for landholders who, after sharing their concerns, feel dismissed and are unable to reconcile the report findings and proposed subsequent actions with the issues raised.

35 The anxiety and stress on landholders has grown such that many are no longer able to engage in the process, given how it makes them feel. All are drought survivors who, although enjoying a vastly improved season at the moment, bear deep scars as a result of the 2017 to '19 drought.

40 The group has been unable to have any material impact on the outcome and now fear that they will only be perceived as whingers as their concerns remain unresolved. How do 40 dramatically affected people have any gravitas in the approval process when the New South Wales Government seem blinded by the proposed benefit of \$129 million and have no desire to engage.

45 The Mangoola expansion sits on the extremity of the Hunter Valley Coalfields in an area where people have never lived with coal mining at the boundary of their properties. Some of the residents are descendants of the original pioneering families who settled and began farming the local land in the 1860s. Many still farm the land

and all value living in a rural setting enjoying clean air, the sounds of nature and dark skies at night. This idyllic setting has already been compromised to different degrees by the current mine and the community believes that further impact will end the Wybong landscape and community as we know it.

5

Air quality and noise. Is lived experience actually meaningful. Current modelling relies on a heavily wooded ridgeline to prevent dust and noise from travelling to the properties of residents living in close proximity to the new mining area. The EIS notes that the topography is complicated in the region between the mine and the residents to the north and west. The assessment notes in section 6.2.5 the most significant feature involves a prominent and heavily wooded ridgeline approximately 100 to 150 metres above the surrounding land that wraps around the north and north-west of the northern pit mining area.

10

The community would say, however, that the most significant features are the existing saddles at only 50 metres above the surrounding land to the north and north-west. These provide a convenient corridor for dust and noise to spill further up the Wybong Valley. Landholders know what the dust and noise actually do when the prevailing strong southerly winds blow through these complex landforms, and feel that no modelling can possibly predict the effects without significant error.

20

The complexity of modelling this can easily be seen in the dramatic contour deviations on the combined noise contour diagram in figure 14 of the assessment report on page 48. There is genuine mistrust in the modelling used to provide supporting data for the approval of projects. Noise and dust modelling is constantly at odds with the lived experience of local residents.

25

Supporting evidence around controls is at best weak, and in many cases damning, such is the exceedances that occurred in 24 hour particulate matter below 10 micron in size, exceeding its limit of 50 micrograms per cubic metre, which is acknowledged in the assessment report in section 6.3.20 as:

30

*...typically coinciding with regional dust events and bushfires.*

Which suggests that mining operations were not the sole contributor to these exceedances. In reference to a further 15 exceedances in particulate matter below 2.5 micron where in 6.3.21 it states:

35

*Again, while mining would have contributed to these particulate matter levels, these exceedances would have likewise been affected by regional events and/or other sources.*

40

No further examination or explanation is provided in this assessment, and no changes to consent conditions can be identified in this assessment. The argument around cumulative impact and whose dust it is will remain an issue and, as such, undermine the trust between the community, the mining industry and the regulator.

45

How can approval be granted based on modelling complex topography when historical exceedances cannot be attributed to actual causes. The lived experience remains a much stronger gauge of impact than modelling or recorded data. Do we trust water modelling in a changing environment. How can we trust the water modelling in the latest Mangoola EIS. Previous predictions were highly inaccurate.

In reference to the Mangoola 2018 annual review, table 33 on page 7 shows the comparison of predicted water usage to actual water usage during 2018. The EIS for the 2014 modification 6 application predicts a high water demand of 889 megalitres. Actual water usage in 2018 was recorded as 3142 megalitres. This is an increased water intake of 2253 megalitres, which is 250 per cent above the mine worst case scenario predictions. Do we blame the 250 per cent increase in water usage on poor initial modelling and predictions or on a changing climate and longer, deeper dry periods. The impact is real.

Are road modifications adequate. It is worth noting that there is an expectation that Ridgeland Road will see mining traffic, even if only construction traffic. This is a rural road only servicing local landholders, which is unmarked and at best one and a half lanes wide and unsuitable for any proposed traffic increase.

There have been a number of accidents involving multiple fatalities on our local roads in recent years, many involving mining traffic. Wybong and Bengalla Road have seen too many of these. They have left both the local and the mining community utterly heartbroken. Any increase in traffic movements is a significant concern, given road network changes to this point have not been effective in preventing such devastating incidents.

The assessment report notes the proposed closure of Wybong Post Office Road and goes on to further state that all properties whose access is directly affected by this mine are mine owned. This is not the case, as there are a number of private landholders who are also affected. They have grave concerns regarding the proposed upgrade to Yarraman Road and access to their properties in times of flood, potentially also affecting the provision of emergency services and rerouting of bus – of school buses.

Is property sterilisation real. The sterilisation of property values because of proximity to the mining area remains a real source of anxiety for landholders. The assessment report is dismissive of this issue and states that there is no opportunity for remedy. The community are expected to acknowledge this as an acceptable outcome when they have evidence to the contrary and are being told this is, effectively, a policy problem with no compensation mechanism. The department notes, 6.10.12:

*Importantly, the department notes that the New South Wales Land and Environment Court has consistently held that concerns regarding property devaluation can be given little weight in the absence of supporting evidence and the EP&A Act does not provide any compensation mechanism for development which is permissible under relevant planning controls.*

From the landholders' perspective evidence does exist. This is in the form of land valuations, discussions with real estate agents about mine-impacted property prices and cases where property owners have been unable to sell their homes after long periods of time on the market, as was the case for one local resident who, while  
5 needing to move his family due to terminal illness, could not sell in a reasonable time. The community could only sympathise with him and provide support while he and his family were effectively trapped in their home.

10 There is a misconception that landholders are just looking for a big payout. This is not the case. They just want to be treated fairly. While it has been put in the too hard basket up until now, members of the group would be willing to assist in formulating an agreement which could resolve this issue.

15 Final voids. Is this truly the legacy we want to leave for our children. The assessment supports a project that disturbs another 600 hectares of land, then proposes to increase the current approved final void from 52 hectares in area to two voids with a total proposed final area of 130 hectares. The newly proposed northern void would be 82 hectares and in close proximity to landholders. This is a 250 per cent increase in the area to be left once mining ceases.

20 The community does not understand how this solution could appear to be a good outcome. While it must present as an economical solution, it is a devastating legacy for future generations. It is expected that these voids will be legacy water bodies unsuitable as dam storage and an ongoing pollution risk in terms of overtopping into  
25 existing water courses, never again to be used as the agricultural land that it once was.

This is categorised in the executive summary of the assessment report under the heading evaluation as having residual amenity impacts at surrounding receivers that  
30 are either consistent with or only marginally higher than those associated with the existing operations. We find this utterly unbelievable. How can this possibly comply with the New South Wales Government's own strategic statement on coal exploration and mining in New South Wales which promises to strengthen regulatory requirements for mine rehabilitation and closure planning.

35 How does the community enhancement program resolve the issues raised. The effects on our community cannot be underestimated. To quote one local resident, as stated in their submission, "What will the effect be on our community? Growing up in Wybong we used to have a school bus full of children, dances at the hall,  
40 Christmas parties which always packed the hall; however, ever since Mangoola Coal came to the area, the community has been decimated". We acknowledge that there is proposed mitigation in the form of a voluntary planning agreement and a community enhancement program. Section 6.10.28 of the assessment report states that:

45 *These measures are in place to address the perceptions of impacts to property values, declining sense of community and to improve the social amenity for residents within the acquisition mitigation zones.*

What these measures mean for us, exactly, as a small community remains nothing more than an aspiration. How will the CEP address the issues raised by community. How can a project be approved without clarity around resolving the issues. We are reminded often these days about the importance of mental health. We have seen a  
5 number of people in our communities suffer great anguish over these issues, because they feel that they have no voice. They don't know what the future holds and they worry about what they'll be handing down to their children. They question the effort and investments they make in their properties in businesses and, if forced to sell, what financial penalty will they suffer.

10 The wellness of a very small group of people may seem so unimportant and even irrelevant to a project with such seemingly huge economic benefit to the region, the government and Mangoola Coal. To us we are not just a small group of people. We are neighbours, friends and family. We categorically ask that you don't support the  
15 approval of this project. We do not feel that the issues raised in the SIA have been addressed satisfactorily at all. While the community is aware of the need of the New South Wales Government to fund the running of the State over the coming years, this should not be at the expense of our countryside for future generations.

20 If the IPC believe there is still a case for approval given these submissions, please consider the needs and fears of our local community and please work with us to find an effective, meaningful ways to mitigate what will be devastating effects on the Wybong community. We know we are a small group fighting to be heard over the  
25 noise of big industry and big money, but we hope that our attempts to make our point will not go unnoticed and that we can rely on the IPC to listen to us, to hear us and to understand how important it is to work together to achieve an outcome that will truly benefit not only the local community today, but also generations to come. That should be our legacy. Thank you.

30 PROF BARLOW: Thank you, Angela. I trust the points – the clear points you have made well in your presentation will be included in submission. Are you making a submission – written submission to the Commission following this presentation?

35 MS VAN DEN HEUVEL: Yes, they will. Yes.

PROF BARLOW: Thank you very much. Do you have any questions, Peter?

40 MR COCHRANE: One. Thank you very much for your excellent presentation. If the Commission was of a mind to approve this project, you made reference to the community enhancement program and the social impact management plan. Would there be specific matters that those two, that program and that plan, should include that would address some of your concerns? At the moment they're listed in some  
45 level of generality, so if they're – if in your submission there were specific matters you thought warranted our attention, we'd appreciate that.

MS VAN DEN HEUVEL: Yes. Yes. Well, we can certainly include that in our written submission. I think that really the – there were quite a few issues raised by

the community. The issues of dust, noise and property values were really the major ones, and that's why we've concentrated particularly on that in this. I don't know – in terms of what the community wants around that, I think that, basically, the community wants to know that if we are going to sell our properties that we can be  
5 assured that we will be able to do that. That's a very, very big fear in our community.

I don't know if the community enhancement program can address that at all. If it can, well, that's wonderful, in some form of guarantee, perhaps, but we are certainly  
10 willing as a community to sit down and discuss those issues and put forward suggestions as to what might be helpful.

MR COCHRANE: Okay. Thank you.

15 PROF BARLOW: Thank you, Angela. Can you call the next - - -

MS DAVIDSON: Yes. The next speaker is Kirsty O'Connell from Friends of the Upper Hunter Incorporated. Kirsty.

20 MS O'CONNELL: I'm terribly sorry. Were you calling me ..... I just couldn't quite catch you. You dropped out. Hello? Hello? Can you hear me okay?

PROF BARLOW: Not well.

25 MS O'CONNELL: Can you hear me on the other end?

PROF BARLOW: Can you hear me?

30 MS O'CONNELL: I can hear you now. Yes. Sorry. That just ..... for a moment. If you don't mind, what I might do is kill my video and perhaps that might help the connection to stay more stable. Is that okay? I'll just turn my video off and - - -

PROF BARLOW: Yes. That - - -

35 MS O'CONNELL: Does that - - -

PROF BARLOW: That often helps.

40 MS O'CONNELL: - - - assist? Yes. It's – you know, it can be fine one minute, and then the next minute it's not great. Thank you so much for the time to speak. My name is Kirsty O'Connell, I'm a committee member of a local group called Friends of the Upper Hunter Incorporated. We have spoken to the Commission several times and, in fact, we have presented before Peter before, so it's nice to see you again. I thought it may be worthwhile just recapping for profit community organisation. Our  
45 members include local farmers, local businesspeople, parents, grandparents - - -

PROF BARLOW: Kirsty. Yes. Yes.

MS DAVIDSON: All right. Well, Kirsty, we'll come back to you. I'm not sure whether you can hear us, but we'll see what can be done. We now – before we do that, we'll move to Marg McLane who is in the Muswellbrook studio, as I understand it.

5

MS O'CONNELL: Other professionals. We are people who - - -

MS DAVIDSON: Hello, Marg, can you hear us?

10 MS McLANE: Yes, I can. Yes. This is Marg McLane. Hello, Commissioners. I've chosen to take five minutes of your time to try to satisfy myself that you'll have some idea of the actual impact of the proposed Mangoola Mine extension on the biodiversity of the Hunter Valley. The impression given by the executive summary of the biodiversity assessment record at appendix 13 of the EIS is that, "It's all okay,  
15 the impact's been accounted for", but this is misleading. It's not the case at all.

I have to give you an historical context for you to have some gauge of my concern. I actually hope that I'm teaching my grandmother to suck eggs. I sincerely hope that you are familiar with the evolution of the approach to biodiversity protection in  
20 Australia and this State. In the 1990s there was an attempt to establish a comprehensive adequate representative reserve system. I was a community environmental representative in the lower northeast regional assessment process.

It was a multimillion-dollar joint affair between the Federal and State Governments.  
25 This assessment process was data rich, rules based, target driven, computer-assisted decision-making with expert panel support. The threatened species fauna targets, including seeking to protect enough appropriate habitat to support enough breeding females to enable the perpetuation of viable regional populations. My involvement meant that I was acutely aware of the biodiversity crisis that was in train. For  
30 instance, of the 61 species assessed south of the Hunter River, 49 of these failed to meet target. These species are very vulnerable to extinction.

In 2006 I submitted my objection, and I'll attach that now for your info, to the destruction of the remnant woodland of the Mangoola Mine site. It had been  
35 identified by the CRA process as irreplaceable. There was record of 14 species that were part of populations that had not met target. They needed the habitat of the ecosystems that the mine site provided. Also, the EIS then and now, also, did not recognise the regional biodiversity corridor that National Parks had identified in their Key Habitats and Corridors Project, which I'll also attach.

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The proposed destruction of a further 570 hectares of native vegetation if the Mangoola Mine was extended northward now further compromises the connectivity value of this country, of the Central Hunter Foothills. This Mitchell landscape was 79 per cent cleared in 2006, and when I've now – and I've so far been unable to  
45 discover what the extent of clearing is now 15 years and more than 15 mines later I have a project ahead of me.

I approached this EIS with trepidation. I thought I'd be confronted with the results of flora and fauna survey work depicting an even more tenuous existence of many threatened species. On the surface I was wrong. It seems to me that there's some basic false premise that all impact can be offset, but I surely don't know how you can  
5 offset the extinction of a species, and I do know that the cumulative loss of habitat and food and denning resources and contraction of vegetation extent and distribution, lack of connectivity and loss of local populations at their geographic limit escalates the process of extinction.

10 It seems to me that the vegetation legislation of the early 2000s notion of maintain or improve as the operating principle for a minimalist acceptable environmental outcome has infected policy and regulation to the extent that now offsetting is deemed to be the goal, that the output from the biobanking credit calculator is our ticket to ride. We are only living in the present. We are denying the impacts of pass  
15 clearing. This can't continue indefinitely. There is cumulative impact. There is a tipping point. Populations crash. There will be ecosystem collapse.

I have only recently become aware that the Upper Hunter Strategic Assessment has never actually seen the light of day. It has not been publicly released. The need for  
20 the cumulative impact assessment of mining projects and biodiversity of the Upper Hunter had finally been acknowledged in the agreement between the Federal Government and the New South Wales Government in 2012. The link's in my paper. The work proceeded into 2015 with the limited release of some material to stakeholders, but then stalled. I can only assume that with due respect paid to the  
25 conservation of biodiversity it was just too constricting for further mining development.

MS DAVIDSON: Ms McLane, I - - -

30 MS McLANE: In 2021 perhaps we can do better. I ask you Independent Planning Commissioners to do your utmost to act in the public interest for ecologically sustainable development.

MS DAVIDSON: Ms McLane, I note your time has expired.  
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MS McLANE: I ask the application to be rejected. Thank you for your time.

PROF BARLOW: Thank you very much, Ms McLane.

40 MS DAVIDSON: We're going to next move to Mr Wayne Brawson.

PROF BARLOW: Mr Brawson.

MR BRAWSON: Hello, can you hear me?  
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PROF BARLOW: We can hear you.

MR BRAWSON: Wonderful. Wonderful. My computer genius will just leave the room while I address you today.

PROF BARLOW: Please proceed.

5

MR BRAWSON: Thank you very much. Good afternoon, thank you for allowing me the opportunity to address you today. My name's Wayne Brawson. I'm a property valuer with 40 years experience in and around the Hunter Valley. I established Brawson Valuations in 1995. I have extensive experience valuing all classes of property throughout the region with a particular emphasis on representing landowners and mining companies in acquisitions of property for mining and ancillary purposes.

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Until my retirement this year I was the preferred valuer for most of the coal mining companies operating throughout the Hunter and surrounding areas. I'm speaking today as an independent expert on the impact that the combination of the Mangoola Mine, the proposed Mangoola Continued Operations Project and mining in general to the west of Muswellbrook is causing to property values in the area.

15

In February 2019 I was commissioned by Michael and Margot White to undertake valuations at their property at Yarraman Road, Manobalai which they purchased in 2002. One of the factors in purchasing the property was the absence of nearby mining. I understand that the Whites are tabling that report with their submission. At the date of my 2019 valuation the Whites' property had been listed for sale for about 18 months. Despite a realistic asking price, a strong property market and the use of a prominent real estate agent the property had failed to attract a buyer.

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The agent confirmed that the overwhelming evidence – obstacle to potential buyers was the existing and proposed mining operations in the vicinity. Unable to secure a sale, the property was subsequently withdrawn from the market. My instructions were to assess the market value of the property on two scenarios: (1) ignoring any impact caused by the existing and proposed Mangoola operations and (2) considering the Mangoola impact.

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With consideration given to market evidence of properties outside of mine affectation and other properties impacted by their close proximity to mining, I concluded that the specific detrimental impact caused to the Whites' property by the existing and, more specifically, the proposed Mangoola mining operations was equivalent to between 20 per cent and 25 per cent of the otherwise unaffected market value of the property.

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I stress that this impact is specific to the Whites' property. Whilst other properties in and around Yarraman Road are also likely to be adversely impacted, the extent of that impact will vary from property to property; however, there is no doubt in my mind, based on my specific investigations in relation to the Whites' property and my extensive experience throughout the Hunter Valley that the market value of a number

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of properties in the Manobalai region is adversely impacted by the existing and the proposed Mangoola Mine.

5 The proposed mine significantly exacerbates the impact, because the pit will be close to Ridgeland Road, which is the access route from Manobalai to Muswellbrook. Should the Mangoola expansion be approved, the equity of some of those more fortunate landowners will be protected by the granting of acquisition upon request, or AUR, under the mining consent, while others on periphery properties where the predicted noise and dust levels fall below the AUR trigger point will be left to fend  
10 for themselves. Some of those landowners may have the option of obtaining mitigation through double glazing – hello?

PROF BARLOW: Hello.

15 MS DAVIDSON: We can hear you.

MR BRAWSON: Sorry. It just came up as somebody else. So I'll start again. Some of those landowners may have the option of obtaining mitigation through double glazing of windows and air-conditioning; however, I have often pondered the  
20 irony of mitigation, given that the appeal of rural lifestyle holdings is usually the property itself, rather than the inside of the house. If the inside of the house needs to be protected from the outside environment the appeal and, therefore, the market value of the property must be diminished.

25 Since the early 1980s I've witnessed the significant alteration to the Hunter Valley landscape to the point that mining has now become the dominant land use in Muswellbrook Shire. In the 1980s mining was in its relative infancy, and the rural land around Muswellbrook was dominated by a broad range of agricultural enterprises. More specifically to the purpose of my address today, rural property  
30 values around Muswellbrook were at least commensurate with those around Scone, whilst there – where there is no mining, whilst residential values in Muswellbrook were higher.

35 Whilst the expansion of mining in Muswellbrook Shire has provided an economic advantage in terms of wages and investment, it has significantly reduced the appeal of the area as a place to live and to farm. The cumulative impact caused by mining is such that property values across the board are now lower than in Scone. In my professional opinion, the reduced demand for properties in and around Muswellbrook is a direct response to the expansion of mining.  
40

At this point, I note that the cumulative impact of mining is never addressed in the granting of an AUR under a typical mining consent. In fact, the reverse is true, given that the market value of the property specifically ignores any impact caused by the project with no reference given to any cumulative impact that may be caused by the  
45 addition of the proposed mine to other mines in the vicinity.

In my opinion, that standard consent provision is inequitable, because the market value of a property unaffected by the project, in particular, but cumulatively impacted by other mining activities can be insufficient to allow the landowner to purchase a similar property outside of the mining area. That inequity particularly impacts on long-term landowners who have witnessed the incursion of mining after purchasing their property. I believe that a more equitable market value assessment under AUR would be to ignore all mining activity in the vicinity of the property, rather than the specific proposal in isolation.

Unfortunately, any amendments made to AUR consent conditions will not assist those landowners whose properties are situated outside of the designated acquisition zone. Those landowners will continue to suffer as collateral damage with no recourse to compensation. My investigations reveal that numerous landowners have already been adversely affected by the proposed Mangoola expansion, and that impact is likely to intensify in the event that the proposal is approved. I note with concern the conclusions made by Glencore's commissioned valuer in a 2019 response to objector submissions on the Mangoola proposal. In that valuer – in that paper the valuer makes several conclusions, including the following three points:

*(1) properties which are situated in proximity to a proposed mine but which are not predicted to be impacted by environmental factors or reduced amenity to the extent that they have acquisition rights do not appear to evidence a detrimental impact upon value as a consequence of that activity.*

I do not agree with that statement:

*(2) we draw the conclusion there is nil discernible change in market value evident for those rural lifestyle properties surrounding the proposed MCCO Project which could be described as being a consequence of proximity to the proposed mining area.*

Again, I do not agree:

*(3) there is a fluid market for residential assets and rural lifestyle assets in the Muswellbrook LGA generally and the West Muswellbrook localities particularly where vendors are prepared to meet the market.*

In my opinion, meeting the market means accepting a price below the value that that property would have achieved had it not been impacted by mining. In support of his conclusions, the valuer cites numerous market transactions as evidence of the demand for properties proximate to Mangoola's existing and proposed operations; however, there does not appear to be any attempt to compare the prices achieved for those properties with similar holdings outside of mine affected areas.

That is the essential comparison I made in my assessment of the cumulative impact caused by the existing and the proposed Mangoola mining operations on the White property. I did not conclude that there is no market for properties in the vicinity of

Mangoola operations. My rational conclusion is that the market value of nearby properties will be discounted in comparison to similar properties in non-mining localities. The amount of that discount will vary from property to property, depending on the range of factors resulting in the specific impact. That conclusion to  
5 me is commonsense, and it is supported by the unsuccessful marketing campaign on the White property.

In conclusion, I note that there will always be economic winners and losers in a community that is impacted by a mining consent. Affected landowners can be  
10 grouped into three categories: (1) those within the mining lease who potentially stand to sell their property to the mine at a considerable premium (2) those whose property is deemed to be sufficiently impacted by noise and/or dust to be granted AUR, thereby providing them with an insurance policy against deteriorating property values (3) those who have no recourse to compensation, other than in some cases  
15 mitigation, giving them the dubious advantage of being able to stay inside their house to avoid the dust and noise emitted by the mine - - -

MS DAVIDSON: Mr Brawson, I note that your mind has expired.

20 MR BRAWSON: I've just got four more lines to read.

MS DAVIDSON: If there was to be an extension, the chair would need to grant it.

25 PROF BARLOW: Yes. I'm happy to – please continue.

MR BRAWSON: Thank you. I'm virtually done. Thank you. Should the Mangoola proposal be approved the collateral damage will be significant and many landowners without AUR will suffer erosion in property values specifically as a result of Mangoola's operations and generally as a result of the cumulative impact of  
30 mining to the west of Muswellbrook. Thank you.

PROF BARLOW: Thank you, Mr Brawson. Are you going to submit that as a submission to the Commission?

35 MR BRAWSON: I'd be happy to. Yes.

PROF BARLOW: Well, thank you, we'd enjoy receiving that. Thank you.

40 MR BRAWSON: Thank you. Thank you. Thanks for your time.

MS DAVIDSON: Our next speaker is Kim MANWARING, who I understand is in the Muswellbrook studio. Kim.

45 MS MANWARING: Good afternoon. Can you hear me?

MS DAVIDSON: Yes, we can.

PROF BARLOW: We can hear you.

MS DAVIDSON: But we can't see you at the moment.

5 PROF BARLOW: But we can't see you. Yes.

MS MANWARING: You can't see me. Maybe our technician will sort that out. Would you like me to start? Good afternoon, my name is Kim Manwaring. I'm speaking on behalf of myself and my two girls, Sophia and Ella. You will be aware  
10 from reading my submission my home is property IG144.

In summary, I am significantly impacted, but have not been afforded this rating. The 40 decibel noise contour line goes straight through my home. You will be aware the 40 decibel point is a point of being significant. The first indication of noise impact  
15 provided by Mangoola Coal was 38 decibel during the morning, 38 decibel during the day and 40 decibel at night.

I went out and I found Dr Darlene Heuff from Advanced Environmental Dynamics. She's the leading expert in noise, dust and works primarily with the mining industry.  
20 She does all the work for BHP in noise and dust, because she is an expert. Her assessment of the data presented for my home was that it was seriously flawed. These findings are in my EIS submission.

And now I am reassessed as 40 decibels in the day, 40 decibels in the evening and 40  
25 decibels at night. The major key points are ..... in the mountains, noise inversion and fleet management. These are all in my EIS submission. Once again, I state to you both my data went up for day and evening, but night stayed the same. How does it work, I don't know. Can someone please explain this, because now I'm 40 decibel  
30 day, evening and night, 365 days of the year for the next eight years of this expansion.

If you approve this new expansion these new pits will come within two kilometres of my home. I will be significantly impacted. If my home was 100 metres closer to this expansion, I would have been reassessed at greater than the 40 decibel sign, and  
35 where I would have been assessed as per the VLAMP.

My expert has advised me that blasting, noise, dust and groundwater will be significantly impacted – impact my home. This expansion will remove my water safety. To what, I actually don't know. All the time I've lived here I've never  
40 experienced a lack of water. Access to my groundwater sources will drop. This is outlined in both reports, yet I am expected to accommodate this by allowing more intrusion into my life with water monitoring and water trucks assessing my home, and as you would know, water sources on dry blocks of land are gold.

45 It's my everything to my home and our liveability. During my negotiations with Mangoola Coal they have been very minimal on all dealings on this expansion. I've

had to negotiate every point, fight all the way, fight to be heard in the process, fight to have my needs recognised. It was all too hard. Sorry.

5 And Mangoola Coal have never had to consider anyone with a disability's needs before, and I just find that – just – a large corporate company and never had to come across this sort of situation is ignorance. I have requested to Mangoola Coal to put a noise monitor at my home, so as I can have - - -

10 PROF BARLOW: Just take a moment to compose yourself, Kim.

MS MANWARING: So I can have some real-time data to monitor. Mangoola Coal refused. I've pointed out in my submission concerns about the baseline data used to model the noise impacts. I'm carrying all the risk of the dust and noise modelling. This is the only time I get to ask for a readdress. Once you've all gone and I'm  
15 living this 24/7 and one slight change to their average fleet assumption or a temperature inversion or the modelling has discrepancies will result me being significantly impacted, particularly at night.

20 By the time I get up to call the Mangoola Coal reporting line it's too late. I'm already awake. It takes me at least another hour to get back to sleep. You can see, but you can't see, I have a significant and permanent disability. I'm a single mum of two teenagers, one who will be studying their year 12 next year, and the other one in a few years. The existing mine already impacts on our sleeping patterns, affecting our ability to – their ability to study and sleep without being disturbed by mining  
25 noise.

30 Once again, this new expansion will be two kilometres from my home. The impact on them and myself will be catastrophic and devastating to our mental health. I work full-time and I need to sleep. I do not need to be disturbed by mining noise that is 40 decibels in the morning, 40 decibels at day and 40 decibels at night 365 days of the years – of the year for the next eight years of this expansion.

35 My husband died seven years ago. He and I designed our home to be a private retreat, reflective of the surrounding bushlands. My home meets all my disability needs and is important to my girls and I for emotional wellbeing, connecting me with the environment. This is land that's been now in my family for over 150 years. Our home was our forever home. Now, this expansion devastates our pristine environment and it will never be my forever home.

40 My home is my financial – my total financial investment. This expansion will rob a significant proportion of its value. Mangoola Coal currently has no other obligation, then, to offer me their version of market value, all because my home has been assessed at 40 decibels, not greater than 40 decibels. This is wrong and I need you to fix it.  
45

I state again I carry all the risk for noise, dust, blasting and groundwater impact. My expert has significant concerns about the level of sophistication of modelling of noise

and dust. Everything in this assessment of noise impacts on my home distils down to the ridgeline being a noise blocker on this expansion on pits that are as close as two kilometres and soil dumps being the same height as the ridgeline.

5 I know my home will be significantly impacted. I know my mental health and my physical health will be significantly impacted. My expert has advised me this, and I know this from the existing operations. I carry all the risk. Forty decibels in the day, 40 decibels in the evening, 40 decibels at night, 365 days of the year for the next eight years. It will not be – I will not be able to go outside my home.

10 I will now live in a bubble. My girls and I will no longer be able to enjoy our environment. I need for you to fix this. You can have this expansion if this is where the State's going, but you need to instruct Mangoola Coal to remove me and my girls from physical and mental health harm. For 11 years I've been assessed under the current Mangoola Coal operation as 35 decibel noise impact, marginally impacted, and I am impacted.

I've made over 300 complaints. I could have made 3000. Make no mistake, I am 40 decibels morning, day and night. This will be significantly impacted not continually marginal, as Mangoola Coal and New South Wales Planning has assessed. I'm asking you to fix this risk imbalance. I thank you for your time. Please, if you require any further information or clarification, please feel free to contact me, and if you're visiting the community, please feel free to visit my home. Thank you.

25 PROF BARLOW: Thank you, Kim. I note you have some notes there. Are you going to make those notes available to the Commission?

MS MANWARING: Certainly. That is not a problem at all. I'll leave a copy.

30 PROF BARLOW: Thank you very much.

MS MANWARING: Thank you.

35 MS DAVIDSON: Our next speaker is Jan Davis from the Hunter Environment Lobby.

40 MS DAVIS: Thank you, and thanks, Commissioners. I'm Jan Davis, president of the Hunter Environment Lobby. I'd like to acknowledge the country we're all speaking on is – it belongs to the custodians of this lands long before we came here. This land has never been ceded.

45 Hunter Environment Lobby Inc, or HEL, H-E-L, is a regional community-based environmental organisation that has been acting for over 20 years on the issues of cumulative impacts of environmental degradation involving species and habitat loss, climate change and effects on groundwater and midlands. HEL strongly objects to the proposed expansion of the Mangoola Coal Mine on the grounds of environmentally sustainable development.

Our original objections were about the adequacy or otherwise of the original EIS and compliance with planning objectives, biodiversity issues, water issues, cumulative impacts and greenhouse and energy issues. These matters have been significantly degraded since the consent of the original development, and we saw further  
5 degradation after 2014 when the proposal to increase the coal extraction rate by 28 per cent went ahead. Now the proponent wishes to increase that production up to near one third above that 2014 increase.

Cumulative impacts of the many dozens of mine developments and increase and extensions are adding exponentially to the air quality degradation, river water salinity, groundwater drawdown, loss of biodiversity and greenhouse issues that are the ongoing result of large scale industrialisation of this Hunter Valley. Muswellbrook Shire Council mayor, Martin Rush, publicly apologised to the Wybong community for allowing the start of the Mangoola Mine, Anvil Hill in 2010.  
15 Now the mine wants more land and a longer life.

Glencore's Mangoola Mine near Muswellbrook has applied to expand into the north now, which would clear an additional 570 hectares of woodland, open forest and grassland to mine an additional 52 million tonnes of coal. The project titled the  
20 Mangoola Mine Continued Operations will extend the life of the mine for about five years. Glencore states that current coal reserves will run out around 2025.

In offsets, HEL is concerned that the system of purchasing ecosystem credits to offset for the 11 threatened species found here in the latest EIS is not an adequate  
25 way to deal with the issue of biodiversity demise. The threatened species include five birds, four bats and two orchid varieties. There are also four New South Wales threatened ecological communities, as well as the federally listed one which brings in a controlled action. This is the White Box-Yellow Box Blakely's Red Gum Grassy  
30 Woodland Association that is critically endangered.

Excuse me. At a time when species are becoming extinct at an alarming and rapid rate, we believe to remove another 570 hectares of valuable, irreplaceable forest habitat and threatened species is irreconcilable with an ecologically sustainable  
35 outcome. There are critically endangered orchids in this area, which is an important wildlife corridor in the Great Eastern Ranges, as other people have pointed out today.

Air quality, due to the already existing multiple mining operations, the Upper Hunter currently experiences regular air quality exceedances. Our air ..... is already overburdened by existing mine operations and cumulative impacts, including increased incidence of respiratory disease, especially asthma, and low birth weights for babies. Our local sustainable agricultural industries rely on the clean, green and pristine air, which our area has been known for and valued. We do not need or want to be increasing the footprint of existing mining operations.

Excuse me. Right. The impacts on residents surrounding this development will be subject to at least an extra third increase in dust emissions from this latest project. HEL commented in 2014 that the proposal was set to increase air quality impacts by 22 per cent. This had been slated as a minimal increase in activity. We stated that it represented a large increase.

In health, Mangoola Coal addressed the New South Wales Health's concerns regarding significant incremental air quality impacts in the RTS, indicating that there are currently no standards or criteria to determine what represents a significant increase. Whilst New South Wales accepted the response, it indicated it is working on a criteria to guide the assessment of acceptable increased particular impacts.

Greenhouse gas emissions. In these times of worldwide anxiety over the increase in carbon emissions we find there's no excuse for planning for massive increases that will come onboard with this extension. For the life of this mine, the assessment is now that there'll be a massive increase in scope 1, scope 2 and scope 3 emissions. I will be sending the volumes in notes later.

This volume of carbon emissions is untenable when the carbon budget requires no new coal extraction if we are to meet the global target of 1.5 degree increase in temperature as Australia supported in the Paris agreement. The overall total increase in emissions has been forecasted over 400 million tonnes for the life of this mine of carbon equivalent emissions. This is far too much.

We also said the Australian Government has acknowledged it previously underestimated the country's greenhouse gas emissions and has increased the official estimates for every year on record. This just happened recently. This realisation has implications for all new proposals. Revised data in the last quarterly emissions update shows Australia pumped out the equivalent of 274.5 million more tonnes of the heat trapping gas between 2020 than suggested in the latest report three months ago.

It adds about six months worth of emissions of the national – to the national counts, pushing up emissions by 2.3 per cent a year on average. The full increase is likely to be greater, as the report does not include data for before 2000. These admissions by our Federal Government have not been taken into account for this proposal. We feel it needs to be.

On the issue of water, HEL would like to comment that it has made a submission in that – to the last 10 year review of the Hunter River Salinity Trading Scheme in February 2014, supporting the Environment Protection Authority’s position not to raise the salinity targets. In the HEL submission, which outlines some key issues  
5 regarding lack of adequate monitoring in the Hunter catchment, mining plays an integral role of increasing problems with river health from salinity.

The need to monitor for a broader range of pollutants present in mines and power station discharge water is also another issue that concerns us. We see that rapid  
10 expansion of the mining industry over the last 20 years or so has placed considerable pressure on the health of the Hunter River. There are areas in the river system that have poor health, and it has been recognised that salinity is an important factor in effecting river health.

HEL has concluded that until such time as there is a comprehensive, a representative  
15 monitoring program across the Hunter catchment there is no conclusive measure of the trends for salinity in the river system and, hence, there should be no increase in mining activity or, as in this case, no increase in rate of extraction or increase in mine water discharges into the Hunter River system.

HEL considers that the proposal to increase the extraction rate and water demand at  
20 the Mangoola Mine is a high risk decision. Besides the mine having possibly storage problems during the periods of high rainfall, it has been identified that there will be significant shortfall in available water during periods of prolonged drought.

DPIE consider this to be a commercial risk for Mangoola Coal to manage, because  
25 conditions require that production be adjusted to match the available water supply, but HEL is concerned that if Mangoola have to begin extracting groundwater using existing groundwater licences during prolonged drought, the cumulative impact on groundwater systems for mine drawdown and increased licenced extraction has not  
30 been adequately modelled.

With community and social impacts, the projects will contribute to the ongoing  
35 degradation of the local community, as you heard in previous submissions, in both numbers and spirit. Many residents will and have left the area due to the negative environmental air quality and noise impacts. For those who are unable to sell their properties due to decreased land values or lack of buyers due to the impact of the mine being in close proximity, as well as those that feel they have no choice but to move away, this will lead to solastalgia, a form of mental and existential distress  
40 caused by the negative transformation of one’s environment.

Noise impacts are part of the impacts on our communities living near the mine and  
45 along the rail chain. The project will result in increased unacceptable noise impacts on the community and residents in proximity to the mine in particular. Impacts to land values, as you’ve heard, the project will directly negatively impact land values within the area.

With environmental impacts, the project will increase the already multiple negative impacts which mining is already having on our local environment, as you've heard from Marg McLane. With reference to the Rocky Hill decision by Chief Justice Preston, now is the time that rapid and deep decreases in emissions are needed to ensure climate targets can be met.

The cumulative impacts from the already existing multiple mines in the Upper Hunter already significantly impact the environment. Additional mining is not needed and is considered a tipping point in terms of long-term negative impacts on our environment. And final voids, this project will see the creation of another permanent final void in the Hunter Valley landscape. Mangoola currently has approval to leave one final void of 52 hectares. If this expansion goes ahead, the final voids will be 130 hectares. It is estimated that a final void of this size would take 200 years to fill with what will become saline water.

In conclusion, we note our sunburnt country has a unique competitive advantage on the international stage to transition out of the fossil fuel stage to renewables. Australia has abundant solar and wind clean energy expertise and mineral resources, all the right ingredients needed to champion the transition if the government supports it. I thank you today, Commissioners, for the opportunity. I'll be putting my notes, and they'll be somewhat enlarged, to you. I'll email those to you, and thank you again for the opportunity.

PROF BARLOW: Jan, thank you very much for your presentation. Peter, do you have any questions?

MR COCHRANE: No, but we look forward to seeing your written submission. Thank you.

PROF BARLOW: Yes.

MS DAVIS: Lovely. Thanks again. Bye-bye.

PROF BARLOW: I have no further questions. Thank you, Jan.

MS DAVIS: Bye.

MS DAVIDSON: Thank you, Jan. Our next speaker is Michael White.

PROF BARLOW: Good morning, Michael, can you hear us?

MR WHITE: How do I – yes. Good morning, or good afternoon, Professor Barlow and Commissioner Cochrane, it's Michael White here.

MS DAVIDSON: Yes.

PROF BARLOW: Yes. Please proceed.

MS DAVIDSON: We can hear you and see you.

MR WHITE: Right. Thank you. I am a local Wybong resident and have been for 19 years. My farm is located at 20 Yarraman Road, residence 206 and  
5 approximately five kilometres northwest of the current Mangoola Mine, and we have lived there since June 2002. I'm also a mining engineer with more than 25 years experience in technical and operational roles both here in Australia and internationally for major mining companies. I have 16 years experience in the coal industry in New South Wales and Queensland. For eight of those years, I was  
10 responsible for the running of Mount Arthur Coal at Muswellbrook. This project should not be approved.

As a nation we know climate is real, and we've seen terrifying examples of this with the recent fires in New South Wales last year. We know we have to get to a zero  
15 carbon economy as quickly and practically as possible. As a father and grandfather, I feel a heavy responsibility to ensure that we're leaving a strong legacy for our future generation. As a region we know that we need to plan a transition away from thermal coal mining to other long-term sustainable industries.

20 The current mine approval is until 2029. Glencore says Mangoola will exhaust its current reserves in 2025. The reason is because in 2014 the mine increased its production rate from 10 million tonnes to 13.5 million tonnes per annum. It has simply mined the defined coal reserves faster than the original plan. Enough is enough.

25 I believe that Glencore should develop a transition plan over the next four years to plan for the Mangoola Mine closure and to protect its workforce. There are many good people who work at Mangoola Mine. Glencore is the largest coal miner in the Hunter Valley with many large operations, through mine closure rehabilitation work,  
30 transfer to fill vacancies at other local mines caused by natural attrition and voluntary redundancies. I do not believe that any current Mangoola employees would forcibly lose their jobs.

Deteriorating air quality. Upper Hunter air quality is already the worst in the State.  
35 We should be planning to make it better, not worse. Muswellbrook regularly exceeds both PM10 and PM2.5 annual NEPM criteria. The NEPM criteria for 2.5 annually is eight, and the department in its – in this assessment report and industry is happy to blow this off as woodsmoke and diesel exhaust, referring to an Upper Hunter particle characterisation study done nine years ago.

40 There have been major mine expansions and new mines since – that started since that time, for example, Mount Pleasant in 2018, United Wambo in 2019 and the Mangoola increase in 2014. This has resulted in the introduction of 100s more off-road diesel engines. The EPA in a published 2015 study identified off-road diesel emissions as the third biggest primary contributor of PM2.5 in the Hunter, and  
45 attributed 95 per cent of these to off-road diesel emissions from coal mining. This report was published six years ago.

The mining industry in the Hunter burns more than 700 million litres of diesel a year, and there are still no emissions standards mandated by the government or regulators for off-road diesel engines. The US has had off-road diesel engine emissions standard since the mid-1990s. There are no pollution reduction program requirements for off-road diesel emissions in any New South Wales mine's environmental protection licence at present.

Some recent conditions, like B30(b) in these proposed conditions are now including reference to "reasonable and feasible emissions"; however, there is still far too much latitude in these loose requirements in mining consent conditions. For example, existing equipment doesn't need to be changed, and there's no requirement to get to tier 4 standards.

We live here. We expect the government and the industry to protect the health and wellbeing of the community and they have failed us in this regard. There is a solution currently available to reduce PM2.5 emissions and, frankly, mine operators have not responsibly used it, and they haven't been required to use it by either the department or the EPA. We have no trust in the department.

Final voids. There are currently approximately 40 final voids approved or planned in the Hunter Valley and we don't want another one. Mangoola, as you've already heard from a number of presenters, is one final void of 52 hectares, and this project will result in an additional final hectare void of 83 hectares. That's larger than our entire farm. This is not acceptable.

The Mangoola Mine commenced in 2010 and has been negatively impacting upon us since that time with noise, dust, negative impact on property values and the continuing destruction of the Wybong community. If this project is approved, the mine operational area will be twice as close to our home at 2.5 kilometres closest.

Noise. There are already numerous times when we are negatively impacted at our home by Mangoola Mine noise. Our background noise levels were measured in 2011 at a nearby property at 22 decibels, and that was done by a Mangoola consultant. At our resident, the project maximum noise level for night is going to be 37 decibels, and that's not bush noise. That'll be mining noise. That increase of 15 decibels means it will be almost three times as loud, and it will be mining noise.

The negative impact on property values and the ability to sell. The existing operation and this project has already had a very significant impact on property values and ability to sell at an unimpacted price for properties close to the mine, and you've heard from Mr Brawson. The mitigations proposed by Mangoola, this confected constructed called a community enhancement program and a couple of discretionary purchase offers with shut-up clauses are a token effort that is of little effect and does not mitigate these significant social impacts.

In reviewing the transcript of your own meeting with the applicant on Tuesday the 23rd of February you asked about the community enhancement program, Professor

Barlow. From the answers given by the applicant, it is obvious that the applicant clearly has no idea how this fabricated magic solution would work and has spent no effort trying to develop any substance beyond the title of this program. So, effectively, at this final decision point in the planning process, Glencore is asking us to just trust them.

I live here. I've seen how they manage social impacts and, frankly, I don't trust them. I find it astonishing and concerning that the department was satisfied by this empty shell of a social impact program. Commissioners, the department went back to the applicant several times during its assessment of the process. I beg your pardon. Several times during its assessment process of this project. Nobody came back to the Wybong community, not once, to discuss the major concerns contained in our EIS submissions regarding inadequacy of the proposed social impact solutions.

As stated by Muswellbrook Council in their submission to you, the "trust us" approach is not acceptable for this project. The DPIE in its assessment ignores our concerns on negative property values and says there is no evidence to support this negative impact. As you heard, Commissioners, my wife and I have unsuccessfully attempted to sell our property for a period of 18 months, and as a result we commissioned expert property valuer, Mr Brawson, to assess our property and in the report that I have tabled with the Commission, that loss in value was assessed at 25 per cent.

Commissioners, we do not want this project, and we ask that you do not approve it. If you do consider approval, please ensure there are more equitable conditions for the already impacted nearby residents and community. Glencore will make a net profit of 30 to 40 dollars a tonne on 52 million tonnes of coal. That's 1.5 to 2 million – billion net profit to Glencore. Local Wybong residents already significantly impacted get nothing. In fact, the local residents will be significant worse off. Thank you for your consideration of Wybong residents' concerns. Enough is enough. Thank you.

PROF BARLOW: Thank you, Michael. We – and thank you, I think you have confirmed that you will make a detailed submission to us as part of this process by March 11; is that correct?

MR WHITE: That's correct Professor Snow, yes.

PROF BARLOW: Yes. Thank you, Michael. Well, thank you for your time today. Can we proceed.

MS DAVIDSON: Yes. We're now going to return to Kirsty O'Connell from the Friends of the Upper Hunter and, Kirsty, I suggest that you recommence your presentation and we'll recommence the time that was allocated.

MS O'CONNELL: Thank you ..... better and I'm sorry for earlier. So I'm Kirsty O'Connell, I'm a community member and a committee member of Friends of the

Upper Hunter, and I thought it may be worth just recapping the Friends of the Upper Hunter is actually a not for profit incorporated body. We're a community organisation, and we are very moderate. Our members are farmers ..... teachers, professionals and miners. So we're not anti-development and we certainly wouldn't  
5 be here if we felt that the development of the mining industry in the Upper Hunter was being managed well or appropriately for our community. Unfortunately, what we've ..... will really give you - - -

10 MS DAVIDSON: Kirsty, we're - - -

MS O'CONNELL: - - - a very clear picture of what we're dealing with. I'm sorry. Can you hear me?

15 MS DAVIDSON: There was a temporary dropout there.

PROF BARLOW: Yes.

MS DAVIDSON: But it seems to be all right now.

20 MS O'CONNELL: Okay. I'm on a different connection, so it should be okay. So what I would like to show you, just to give you a very clear visual. This is what we were dealing with in 2000, and as you can see in 2000 ..... look at Muswell ..... we only just had the beginnings of Bengala commence in about 1990 in terms of development. My own family home was just adjacent to that at that time. There was  
25 no Mount Pleasant. Mount Arthur was extremely small, just near Muswellbrook. It's now enormous, and there was no Mangoola.

If I now show you what we're dealing with in 2021. I'll just change the ..... that it's a very different picture. So we're now looking at an extensive footprint for Mount  
30 Arthur, which is some 36 million ..... the largest mine in the southern hemisphere. We have 15 million tonnes permitted annual production at Bengala immediately to the west of Muswellbrook and within three kilometres of that ..... of committed production at Mount Pleasant, seeking to go to 21 million tonnes.

35 We have the huge picture that you see just adjacent to Castle Rock with thirteen ..... million tonnes in permitted production for Mangoola, which was scheduled to be done. The scale of devastation that we have seen in this area ..... and this isn't where it ends. What we're actually seeing is exploration at Muswellbrook West, exploration at Manobalai, a stated plan from the Dartbrook owners for an open cut,  
40 some one billion tonnes of additional potential thermal coal production in this tiny area ..... seven ..... Muswellbrook. So it is an extremely concentrated development of the mining industry in this area.

45 What we find particularly concerning is ..... the department's ..... approvals of or endorsement of mining activity in the area, and their continued endorsement of mining in the area. One employee of the Department of Planning, in fact, famously said to a Mangoola resident that he believed every application was approvable, all

they need do is knock the horns off. Well, unfortunately ..... our perspective ..... stampede, and a stampede is what we have.

5 In fact, in 2020 – sorry 2020, what we saw was an additional 11 proposals added to the Federal Government’s forward schedule of potential coal production in the Hunter Valley. So an incredible onslaught of new coal development, and we’re setting that against – I will relate this to ..... going to speak generally. What we’re setting that against, and I stopped sharing my screen now, is a world context where even today there are ..... has called on all wealthy nations to abandon the use of coal  
10 by 2030.

We have the context of Joe Biden and Boris Johnson calling for more ambitious target ..... action ..... comments from business leaders and academic leaders across Australia showing that we must transition away from coal. We have people like  
15 Twiggy Forrest saying that, and we have eminent ..... academics who ..... advice from them to the IPC. So Professor Frank Jotzo advised the IPC on behalf of ..... that the thermal coal industry is in permanent decline.

Professor ..... the IPC on the behalf of ..... that not only must we not approve any new  
20 coal development, we should stop the coal development – the coal mines that are currently operating if we hope to achieve our Paris target. So that’s the broader context, and we find it extremely concerning in that broader context, we are puzzled as to why the New South Wales Government appears to be continuing to approve new coal developments in the Hunter Valley, and let’s talk about the current context.

25 We have recently seen the Independent Planning Commission fold on its decision not to allow a five-year extension at Dartbrook, and ..... unless the ..... successful, then we will be seeing the Dartbrook Mine reopen and that, in our opinion, opens the door to an open cut mine there. As recently as December, eight million tonnes of new  
30 annual permitted production was approved at the Maxwell ..... proposal. Very significant increases.

And, for context, the current Adani proposal is 10 million tonnes per annum. We are  
35 looking at the equivalent of two and a half Adanis in this local area this year. This is extraordinary. Now, let’s look specifically at the Mangoola proposals, which like so many others in this area, we believe, commits to – contributes to ..... impacts ..... about water, and I’d like to draw your attention, and I’ll share my screen again.

I would like to draw your attention to the Upper Hunter bioregional assessment,  
40 which was the – I’m sorry, I’m just trying to find this file. Yes. Which was conducted by the Commonwealth’s own scientists. Now, if we look at that assessment ..... I’ll show you is that all of the mines with the line indicating green are part of baseline. Now, everything in blue contributes to an impact above baseline, and what the Commonwealth’s own scientists have told us is that that impact of  
45 opening these additional mines ..... blue ..... water of five billion litres and up to 12 billion litres in the Hunter River at ..... a very significant impact to our region’s most important water resource, and a water resource which supplies not only towns, not

only communities, but also very significant economic centres, including ..... which supports a \$700 million tourism industry.

5 So it is extremely important in our view that we attempt to mitigate the impacts projected in ..... by ..... and yet when I look at the projects indicated in blue, Wambo has already been approved, Bolga is part of a fast track assessment, Liddell has been approved, Bengala has been approved, Drayton South has been approved as Maxwell, Mount Arthur's expansions have been approved, the Mount Thorley Warkworth extensions have been approved, the Ashton extension has been approved, 10 the Mount ..... extension ..... approved ..... at Mount Pleasant and Mangoola as we speak.

We are well above the number of new mining approvals required to create that minimum impact of five billion litres per year shortfall. We think this is a significant 15 problem and urgently needs to be addressed by not approving any further mines, and it's a topic that comes up at every hearing. We know that you hear this all the time, but it seems to us that no action is being taken on this, and that the impacts on our health are definitely coming a very poor second to the dubious economic benefits of these proposals, and ..... Angela Van Den Heuvel's between the proponents 20 modelling and what's actually being experienced. The lived experience.

And I'd like to reiterate that what we saw during the 2018 drought and continuing through to the early – late 2019 and early 2020 bushfires was air quality spikes ..... up to ..... 500 recommended NEPM guidelines for PM10 air pollution, particulate 25 pollution. So, for example, where the NEPM guideline recommends a maximum of 50 parts per cubic metre, we frequently saw numbers of well over 200, and that was on the New South Wales Government's own air quality monitoring network.

30 So this is information that they had, and we also heard that this was probably exacerbated by drought and exacerbated by bushfires. Our response to that would be that, well, if we can't stay within recommended guidelines, then planning needs to change and we need to close mines until we can keep within those ..... I might also draw your attention to the results from just this week, 8 pm on Monday evening. Now, this is a week when we've had very recent rain. We're enjoying a wonderful 35 season. There is no drought, there were no bushfires, and yet at Muswellbrook at 8 pm on Monday evening the pollution for PM10 was at 72, and at the Muswellbrook North ..... so more than double the NEPM guidelines at a ..... which is immediately adjacent a community of 10,000 people, and that's during a good season.

40 We do not have the headroom for another mine in this area, and we most certainly should be taking the opportunities, in our opinion, taking the opportunities ..... the natural permitted end of their life cycle allow them to close. There is nothing wrong with the mine closing as scheduled. This mine has exhausted its allocation and, in our opinion, it should be allowed to close as planned, not to have another bite of the 45 cherry, and I might point out that the NEPM guidelines are far more generous than the ..... guideline ..... 20 parts per cubic metre of PM10 pollution.

So we are well and truly outliers in terms of air quality performance in New South Wales and in Australia and in real terms, we are not looking to ..... other points that really concern us and that concern our many members about this proposal is the fact that it's proposing to leave a final void, as other speakers have mentioned. This is a  
5 modern proposal. It is not acceptable in the present day that we be left with even more final voids which will never be remediated.

You saw the moonscape ..... has driven past it, though I'm not sure if you've been to the area, but, you know, it has left scars on this community which will never be  
10 remediated. We shouldn't be permitting that to expand. We really have seen enough. The biodiversity impacts are very significant, and you've heard about that. I won't dwell on it.

We would also argue that this contributes to an impact on economic diversity. We  
15 know that this industry is in decline ..... could argue that these investments in our other sustainable industries that we be preserving sufficient land, sufficient clean water and a clean environment to support the expansion of those ..... agricultural, horse ..... tourism, food and wine production. These are all things that can happen here and that we have a skillset to pursue.

20 We also have some, you know, natural opportunities and advantages in terms of offering retirement living and regionalisation opportunities which have presented post-COVID. There's so many people like myself who work in Sydney, but who choose to actually live in the Hunter.

25 In terms of the better – sorry, the impacts ..... attention to is the community dislocation which occurs. Now, local impacted residents have rightly raised that they should be able to sell their homes and in the face of a billion dollar potential windfall for Glencore it would seem only reasonable that those 40 most impacted residents are  
30 able to sell ..... who has lived in the area my entire life, and who knows the Wybong community extremely well, I went to many dances at Wybong Hall, my aunt and uncle actually live in the area of impact. My uncle, unfortunately, passed away 12 months ago due to lung cancer, and was staunchly against this proposal.

35 We lose something as a community when people like Michael White, people like Angela are forced to leave the area. We cannot afford to lose thoughtful ..... experienced ..... we need their contribution and, unfortunately, what is happening when the New South Wales Government and when you approve new mines is that there are fewer and fewer places for those valuable community members to relocate  
40 to. We can't afford to lose any more of them, and I would urge you not to allow that to happen.

This community has something to offer, and in a world where so many of us are very comfortable video conferencing and telecommuting and don't need to live in  
45 metropolitan ..... offer to new residents, but only if we have the space and a clean environment to do so. In closing, I suppose I would like to say that the impact of recent decisions and the impact of feeling as though we're not being heard is to make

us somewhat cynical about the planning process, and I'm sure you can understand that.

5 Our group, in fact, had some very robust discussions about whether we should bother to present today, because so many of these things do seem to be ..... to please justify our optimism in spending the time that we don't have to put together a submission to come today to talk to our members about this issue and to talk to you about this issue. We hope that you will look at this and come to a practical conclusion. So let's get practical. Mount Arthur is for sale. It's a thermal coal asset that's recently had  
10 75 per cent wiped off its book value, and we understand that Glencore walked into the data room and walked away - - -

MS DAVIDSON: Sorry, Ms O'Connell, I note that your - - -

15 MS O'CONNELL: ..... developing a thermal coal asset in the Upper Hunter, it should go and buy Mount Arthur.

MS DAVIDSON: Ms O'Connell, I note that your time has expired. Professor Barlow would need to extend that if there was to be further submissions.  
20

PROF BARLOW: Kirsty, please conclude now.

MS O'CONNELL: That's fine, Professor. My concluding remark is that what I think should happen is that no new approvals should be made in this area,  
25 particularly in the face of the significant cumulative impacts which we're dealing with, and ..... impacts, including the health impacts are properly studied and understood, and until a rigorous, comprehensive plan is developed, the environmental, social and economic future of the Upper Hunter. Thank you.

30 PROF BARLOW: Kirsty, thank you and your group for taking the time to bring this to our attention. We would ask that are you going to put that rather detailed and methodical accumulative impacts of coal mining in the Upper Hunter, are you going to put that as part of a submission?

35 MS O'CONNELL: We will. If that's helpful to you, yes, we will.

PROF BARLOW: Yes. It would be helpful to our deliberative processes. Thank you. Peter.

40 MR COCHRANE: Just a quick question, Kirsty.

MS O'CONNELL: Thank you.

45 MR COCHRANE: You referred to the Upper Hunter bioregional assessment. Is that the Hunter subregional bioassessment - - -

MS O'CONNELL: I beg your pardon. It is the Hunter subregional bioassessment.

MR COCHRANE: Okay.

MS O'CONNELL: Sorry. I misspoke then.

5 MR COCHRANE: That's okay. Thank you. A question though - - -

MS O'CONNELL: And, in particular, there's - - -

10 MR COCHRANE: Just one final question, Kirsty.

MS O'CONNELL: ..... assessing impacts of coal resource development.

MR COCHRANE: One final question. Are there any other bodies looking at the cumulative impact of multiple coal mines in this area?

15

MS O'CONNELL: Look, not that we're aware of. There are some moves being made to assess the potential economic future of the Upper Hunter, but nothing that we can see that takes us to an improved situation in terms of air quality. All it seeks to address the, kind of, water impacts that we're talking about, it's that it's a very  
20 piecemeal approach, and we have reached out to Local and State Government on this. We're not hearing anything, so as far as we're aware, you're the only forum that has any potential to evaluate for those impacts.

25 PROF BARLOW: Thank you. Well, thank you very much for your presentation and we look forward to receiving your commission – submission.

MS O'CONNELL: Thank you.

30 PROF BARLOW: That concludes the morning session of this public hearing. So we will now take a break for lunch and we will reconvene at 2 pm this afternoon. Thank you very much.

35 **ADJOURNED** **[1.12 pm]**

**RESUMED** **[2.15 pm]**

40 PROF S. BARLOW: Welcome to the afternoon session of this IPC hearing – public hearing – into the Mangoola Coal Continued Operations project, and I'll ask counsel assisting to call the first speaker, please.

45 MS J. DAVIDSON: The first speaker for this afternoon is Mr Alan Nightingale.

MR A. NIGHTINGALE: Good afternoon, Commissioner. My name is Alan Nightingale. I'm the owner of 620 Ridgeland Road at Wybong, which I've owned

for 16 years, where I reside with my wife and two children aged 11 and 12. The property is known to Mangoola as property number 157.

5 I'm in absolute opposition to the development – the planned development of the new coal project. If we can refer to number 1 map – have that one there – this map in front of you; that's my property there, Nightingale 157. As you can see by the map, my property is located no more than one kilometre from the proposed Mangoola new expansion pit.

10 Also evident on this map in the darkish shading, to the south of my property, is a ridge, which is my southern boundary, and one across the road which is also a ridge. Those ridges are about 150 metres or so high. The gap between the two ridges is of major concern for the dust and noise to travel directly from the large green area – the proposed expansion – onto my residence, which is that yellow dot just sitting below  
15 157.

So it is of major concern to me that my property, being so close to such a large mining operation, is not even considered in the acquisition zone, nor is it considered even to be eligible for the mitigation zone, and I find this modelling – it's  
20 unbelievable. I don't even know how to further explain that to you. The modelling was the same modelling that was given in that area when the first mine was approved some 10 or 12 years ago, yet the mine now, the pit itself, is coming four kilometres closer to my residence – my property – and yet that modelling hasn't changed.

25 In fact, some monitoring that I had done in 2012/2013, showed at that time, the pit – the previous mine – the existing mine – four kilometres away and the noise at my property then was at 40 decibels, so that to bring that three to three and a half kilometres closer and still be – well, actually, less the new modelling shows – less  
30 than 35 decibels is astounding at best. I think that this modelling is grossly incorrect and needs to be further looked at prior to any further development of this expansion.

Obviously, I can't believe that that modelling can be correct; it's misleading at best. Perhaps it's done that way to get the approval and then, after the approval's given it, then, like previous years, the residents have to prove their point by having  
35 independent monitoring done to prove that the modelling just cannot be as it says.

So, on my property, some 30 metres from my home, we have a water bore that is a part of the Sydney City Water Basin. The bore is 85 metres to the pump, and the head of water is 50 metres deep and 30 metres from the top of the bore. It flows, or  
40 pumps, at 400-plus litres per second. This bore is the lifeblood of our 120 acre property. If we can show diagram number 3, please; that's – so this diagram here was done by a company for the mine, AGE, and it shows – the red dot there being my bore and the shape of the pit is quite obvious. But the concerning part of that is that the underground water that runs straight through the middle of the pit heading  
45 towards my bore is of immense concern to not only me, but to many other people in the community.

Now, my bore sits, as I said, so my pump's at 85 metres down, and I believe that the pit is to go 120 metres down, and I'm probably not the most intelligent man in this room by any stretch, but I have never seen water run uphill. So I'm figuring that this is going to not only affect me but affect all the farming in the Wybong Creek and so forth from – if this water is disturbed. And these questions that have been asked time and time again, have never been answered satisfactorily, in my opinion, by the mining – Mangoola mining operation.

Now, as we all know, we've just come through a big drought, and then, without that bore, I certainly wouldn't have a property. You know, in fact, without water, the farming community dies; we can't survive without it, and that's going to have a major impact on the water system, and particularly at my bore - - -

MS DAVIDSON: Mr Nightingale, I know - - -

MR NIGHTINGALE: - - - where there's been no - - -

MS DAVIDSON: - - - your time has expired.

PROF BARLOW: Mr Nightingale, do you have any other points you'd like to mention? You've mentioned noise and you've now mentioned water. Are there other points that you're objecting to?

MR NIGHTINGALE: Yeah, there is. I guess the – like I say, the close proximity, my young kids catching a bus 800 metres from the pit. You know, the dust and the noise, the rock escarpment at the back of my house where rocks could be removed from blasting. My house sits 30 metres from a large block escarpment where my water tanks sit. Yeah, there is quite a few other points I would be liking to make, however, if I am out of time, I could do that also in a written submission.

But I think from the – from my point of view, that the consultation process from Mangoola has been zero, and that they've failed dramatically in that area to assess these situations that certainly concern me. As I say, I'll be less than a kilometre from the pit itself.

PROF BARLOW: Thank you.

MR NIGHTINGALE: I'd just like to let you know we are the Nightingales. We are the community. We are Wybong. We're more than just property 157 .....

PROF BARLOW: Thank you for that, and please put that in your submission to the Commission. Thank you.

MR NIGHTINGALE: Thank you, Commissioner.

MS DAVIDSON: Our next speaker is Margot White.

MS M. WHITE: Yes, I'm here; can you hear me?

PROF BARLOW: We can hear you, Margot.

- 5 MS WHITE: Thank you. Good afternoon, Commissioner Barlow, Commissioner  
Cochrane. Thank you for this opportunity to speak to you today. My name is  
Margot White, and I live on our family farm, Fernleigh, 20 Yarraman Road or as  
referred to by Mangoola Coal, R206 stakeholder ID 23375. I haven't, as yet, had to  
have that – been required to have that tattooed on my arm.
- 10 For the first time in my life, I am ashamed of being Australian. My trust in the  
planning process has been completely eroded over the last decade. The department  
asked us to do a thorough assessment of the EIS and they would protect us on issues  
of air quality, dust, noise, water, etcetera. They said don't spend your money getting  
15 independent experts; it was their job. They didn't listen to, or protect us, in 2010  
and they haven't now. We have been foolish to not have had independent expert  
opinions on matters of greenhouse gas emissions, air quality, dust, noise, water and  
social disadvantage.
- 20 The department has given no weight to the concerns of the community. The  
department is inherently biased in its assessment of Mangoola Coal's EIS in this  
project. I am concerned that you two Commissioners only have 12 weeks to fully  
digest the consequences of this proposal. The department took 18 months, even with  
their inherent bias, as their starting position. It also does not seem just that they get  
25 another one hour 45 minutes at this public hearing when we, as individuals, who  
have had only 20 working days to prepare, are given a maximum of 15 minutes.
- To say the negative impacts will be minimally more than the existing operation is an  
absolute misunderstanding of everything we have been saying for the last decade.
- 30 We did not want the Mangoola Coal mine in our community back then, and we don't  
want it now. .... no one ought to lose employment at Glencore. They have time now  
to redeploy their workforce through natural attrition, voluntary redundancies and  
transfer to other Glencore operations.
- 35 Please remember, this workforce only ever had a job at Mangoola until 2029.  
Glencore made a commercial decision in 2014 to seek approval to increase the  
intensity of their operation. The .... granted them approval and we, the community,  
bore the greater negative impacts of that increased intensity. They could continue  
mining through to the end of their licence – 2029 – by reducing their intensity, by  
40 only mining maybe eight hours a day, Monday to Friday.
- We hear about transitions from coal mining frequently, and all strategic plans for the  
area mention transitioning to new and sustainable industries. The department  
conveniently cherry-pick in these plans, to support their decision to say this project  
45 can be approved, ignoring the strategic direction to diversify our local economy. The  
only way this transition will happen is if an IPC panel make it a priority and find that

a project should not be approved because the greater benefit to all would be to listen to the science and leave the coal in the ground.

5 So let's start. Glencore could become the leader in showing the way with a small example of how to manage this transition in a fair and thoughtful way. Glencore and the department are saying this is only a little bit extra and only for a few years so approve it. But this little bit extra leaves a very large forever negative legacy and comes at a great cost to an already decimated community.

10 This is a wonderful opportunity to be a showcase on how to close a mine down and start to move towards a healthier, more diversified economy with better social and health outcomes for all in the community. I find it incredible that the department, in their assessment, did not even consider this scenario.

15 We are being treated by the government and the department with disdain. The language the department uses, the disregard for real concerns of the community is dismissive. When assessing the social impacts, they refer to a subset of the local community raised concerns about property values. How can it be a subset when, on their own assessment report, they show clearly, on page 141, figure 13, the greatest  
20 concern for residents within five kilometres of the project is property value.

The department finds no evidence that Glencore's current proposed project will have a negative impact on property values. We know it does and have tried to sell our properties unsuccessfully. Glencore's own property consultant, Robert Choo, told  
25 me, at a community meeting in Muswellbrook, when I told him whose residents we are, "Your property is fatalistic ....."

To give you some background on one matter which the department mentioned in their assessment report as an example of the proponent's goodwill – Glencore also  
30 mentioned it to you in your meeting with them on Tuesday the 23<sup>rd</sup> of February – I refer you to property-specific measures, page 140, point 6.10.26 and page 141, point 6.10.27.

35 My husband and I met with Howard Read, then Director of Resource Assessments at the Department of Planning, and Megan Dawson in Sydney on November the 30<sup>th</sup> 2018. It was at this meeting that we discussed with Howard the plight of local residents should this project be given approval. In discussions, we mentioned three households who were going to be gravely disadvantaged; we gave Howard the names and property numbers for these three households.

40 Strange that in approximately May 2019, as Mangoola were trying to finalise their EIS, these three households were approached by Glencore with an offer of \$25,000 up front, if they agreed to sell to Glencore if the project got approved with the condition they were not to participate in the approval process. Call me cynical, but I  
45 cannot believe that Glencore recognised these three households on their own initiative. It appears to me that Glencore had been coached by the department.

I am pleased for these three households and it was our intention to try and get some justice for at least some in our community, but I do object to it being retold as Glencore being a good neighbour. Glencore have not, through the property-specific measures, offset the project's negative social impacts. If a bucket has 50 holes and you plug three, it might leak less, but it still leaks. If VLAMP were a fair and equitable piece of policy, it would capture all those that are negatively impacted. Plainly, it isn't and the department acknowledge this but choose to do nothing to address the inequity.

10 When it comes to the community enhancement program, we, the community, clearly stated in our submissions to the EIS we felt it did not fix any of the problems created by the proposal, however, the department once again found in favour of the proponent. I refer you to page 141, point 6.10.29 and page 143, 6.10.43.

15 It cannot be acceptable that this could be done after approval. The department have not given any solutions in their recommended conditions to reduce the negative social impacts. To say to do it after with an agreement between the community and the mine is completely unacceptable. This project must not be given approval without thorough, thoughtful solutions to the negative social impacts on the community. The community enhancement program is not the solution; the solution is to refuse approval and allow the community to repair itself and move towards other sustainable industries.

25 I ask could you please listen thoughtfully to what I am about to say. What is Glencore really asking for? The answer is profit. Profit to Glencore. This company, which is not Australian, minimise the tax they pay, is by far the biggest beneficiary of this project, conservatively approximately \$1.5 billion. The greatest harm is done to those of us who live next door and the future generations, who would have to live with the consequences of mining and using 52 million tonnes of coal.

30 Glencore and Mangoola – Glencore in their Mangoola EIS – state that the NPV to New South Wales is \$408 million, which the department states is great for New South Wales, for roads, schools, hospitals, etcetera. Undoubtedly, it is, however, only a small portion of that \$408 million goes directly to the New South Wales government to spend on the community. A larger proportion goes into the hands of employees and businesses to spend as they, as individuals, see fit.

40 So even if you consider both the direct benefits and the indirect benefits to the New South Wales government, \$1.5 billion compared to \$408 million for 130 hectares of final voids in perpetuity, coal that can only be used once, adding to the already dangerous climate consequences, polluting further the already overburdened airshed in the Hunter, possible extinction of native orchids - - -

45 PROF BARLOW: Margot, are you just about finished?

MS WHITE: I am almost finished. A disturbance of native vegetation, destruction of ..... continuation of socio-economic disadvantage in the LGA, creation of a lot of

stress to the ..... residents and devalue the property prices, all so a very rich non-Australian company can get richer. Is this the legacy you are prepared to leave to future generations? I am not, however, I don't have the power to stop this destruction; you two gentlemen do.

5

It is not the time to be admitting new mining; it's the time to be making sensible, thoughtful steps towards transitioning away from coal mining; time to be diversifying the Hunter economy and starting to reduce emissions for future generations. As a grandmother, I'm worried about the mess we've made to leave our grandchildren. Our futures are in your hands and I beseech you to err on the side of doing no harm and determine that this project creates a legacy far too grave for a short-term financial gain.

10

PROF BARLOW: Thank you.

15

MS WHITE: We, who live here – thank you.

PROF BARLOW: Thank you very much.

20 MS DAVIDSON: Thank you. Our next speaker is Wendy Wales from the Denman Aberdeen Muswellbrook Scone Healthy Environment Group.

25 MS W. WALES: Good afternoon. I would like to thank the Commissioners for the opportunity to speak today. I am speaking on behalf of the Denman Aberdeen Muswellbrook Scone Healthy Environment Group and would like to acknowledge that I'm on the traditional lands of the Wanaruah people. I pay my respects to their elders, past, present and emerging, and acknowledge this land was never ceded.

30 I am sorry, Commissioners, but it is with disbelief that I find myself before this hearing today in 2021, having first objected to the Anvil Hill Coal Mine about 15 years ago. With clear and present danger of climate change now being explained to us by children, we need to listen and act; we must stop approving coal mines and new coal pits. Since the ..... at Anvil Hill in I think 2006, we have seen the global environment deteriorate exponentially, with the main culprits of climate change and habitat destruction reaching tipping points that leave our planet in terminal decline.

35

I took part in the Anvil Hill biodiversity surveys at that time and shared the excitement of the discovery of a new species of orchid called *Prasophyllum* sp. *Wybong* at the moment. The orchid will be the main focus of the presentation as other environmental and health issues will be covered by experts.

40

45 While in New South Wales, this species, since its discovery by Christine Phelps, has been made synonymous with *Prasophyllum petilum*, it is protected as *Prasophyllum* sp. *Wybong* by Federal legislation, which does not accept that *Wybong* *Prasophyllum* is synonymous with the endangered *Prasophyllum petilum*.

Looking through the historic and world references to this EPBC critically endangered species seems to reveal a cavalier and dismissive approach paving the way for this orchid to be tipped into extinction. Our flora and fauna are unique and have evolved over millions of years. How is this extraordinary evolutionary outcome so  
5 undervalued? How do we justify our financial system at the expense of nature? We are deluded when we act as if we are not part of nature.

Why does the EIS represent the rare and critically endangered orchid *Prasophyllum* sp. Wybong as common around the site and imply it is not at risk? Although that  
10 treatment equating petilum with species Wybong has been accepted by the New South Wales herbarium, it hasn't been accepted by the national authority, the Australian Plant Census, and I've included the references for that in the document.

Even then, the New South Wales threatened species profile states, "The Wybong  
15 population is by far the biggest known." Its distribution is endemic to New South Wales. It is known from near Ilford, Premer, Muswellbrook, Wybong, Yeoval, Inverell, Tenterfield, Currabubula and the Pilliga area. Most populations are small, although the Wybong population contains by far the largest number of individuals.

20 I am sorry, Commissioners – sorry – I am sorry. There are less than 10 sites in New South Wales where the endangered *Prasophyllum* has actually been found. The Ilford population is confined to a very small area about the size of a couple of house blocks. For the EIS to assert the Wybong species is safe when the first Mangoola  
25 mine destroyed the best known population is glossing over the more dire reality. The second mine will put a big hole in the remaining Wybong population leaving two small, and therefore more vulnerable, island populations. What assurance is there that these populations will not be sacrificed by the very next modification?

Before Mangoola had mining approval, I went with a group of orchid enthusiasts on  
30 several walks around Anvil Hill. We saw large numbers and fabulous diversity of orchids including *Diuris tricolour* which is part of the endangered population in the Muswellbrook LGA. So the absence in the first EIS was a scandal. It was ridiculous there was only one sighting recorded of *Diuris*, and that was roadside, not even in the  
35 area to be mined.

By the time of mod4 however – the powerline – *Diuris* and the newly discovered  
35 *Prasophyllum* were peppered all over the zone of destruction – or were they? The map had an error that left the presence of *Prasophyllum* quite ambiguous. A casual glance at the map and its key could give the impression that still no *Prasophyllum* sp.  
40 Wybong had been located. This is because the key had an aqua cross but the map had a pink cross, and there were no pink crosses in the key. Well, those populations have been destroyed, acknowledged only after the fact.

45 While it is good news that some successful transplanting of the orchids has been achieved, nobody has been able to propagate the *Prasophyllum* and it's not yet known whether they will be able to successfully recolonise post-mining.

Other problems, of course, as mentioned, are air quality. The Upper Hunter air quality will continue to be a problem while ever we are digging up, dumping, transporting coal and overburden and burning coal. I know there's more expert presentations about air quality and health, physical and mental, human and livestock.

5 As a resident, I have met and worked with people who are obviously affected and some who have had to leave the area because of the air quality. The rest of us live in the knowledge that our longevity statistics are reduced, plus house prices are relatively low, which just speaks volumes about the impact of air and visual pollution on the perceived liveability of this town.

10

As to climate change, the Mangoola Anvil Hill mine resource is winding up. Despite the fires of 2019/20 in eastern Australia and this summer's fires in W.A., continuous wildfires around the world, the fish kills, the loss of 500,000 head of cattle in floods in North Queensland that didn't even break the drought, the intensification of

15 extreme weather events and so many ecosystems losing complexity and integrity, including the Barrier Reef, Mangoola remains committed to extracting coal, no matter the global cost.

20 We wish these clever people would put their energy, effort and finances into projects with long-term sustainability. Mining really well a resource which, when burned, increases the impact of climate change is just not acceptable. Similarly, the final void is perplexing to all of us ..... if it's not economic to fix the final void, then how is the project deemed economic?

25 Mangoola's impressive rehab is incomplete with a toxic final void and a much larger second final void in the new EIS. We do not know why this is an acceptable legacy to the State Government. It is so much easier to not mine this resource than it is to fix the enduring consequences.

30 And I'll finish with reasonably optimistic words from Greta Thunberg: sometimes we just simply have to find a way. The moment we decide to fulfil something, we can do anything. And I'm sure that the moment we start behaving as if we were in an emergency, we can avoid climate and ecological catastrophe. Humans are very adaptable: we can still fix this. But the opportunity to do so will not last for long.

35 We must start today. We have no more excuses. Thank you.

PROF BARLOW: Thank you, Wendy, for that presentation. Now, I trust that you and your group are going to make a submission to us for our submissions which close on March 11.

40

MS WALES: Yes.

PROF BARLOW: Thank you very much.

45 MS WALES: Thank you.

MS DAVIDSON: Our next speaker is Mr Nic Clyde.

MR N. CLYDE: Good afternoon, Commissioners. I'm just checking that you can see my screen.

PROF BARLOW: Now we can.

5

MS DAVIDSON: We can now.

PROF BARLOW: Thank you, Nic.

10 MR CLYDE: Excellent. Thank you very much. So, look, I'd like to use my time this afternoon to speak to the issue of greenhouse gas emissions, the 108 million tonnes that Glencore propose to emit, that would be approved if this project gets an approval. The first thing I'd like to talk about is that there is zero abatement proposed for more than 99 per cent of scope 1, 2 and 3 emissions. That's the first  
15 point.

The second point is that of the remaining 0.8 per cent of emissions, an unknown volume of those may be avoided or minimised, but the department does not specify, and there are no goals, so there's an unknown volume there. In addition, there are  
20 zero carbon offsets proposed for scope 1, 2 or 3 emissions.

In terms of how significant those emissions are, the Department of Planning describes them as relatively modest, but I'd like to challenge that. They're not relatively modest. They are in fact greater than emissions from the entire Victorian  
25 economy. So Victoria 102 million tonnes; Mangoola would produce 108 over the lifespan of the mine. Mangoola's emissions would also be almost triple those of the Rocky Hill project that was famously refused and rejected by the Land and Environment Court, partly on climate grounds, partly because those emissions were unacceptable. So Mangoola would be triple the size of that project.

30

What – as I said, there's no abatement planned at all for scope 3. That's 104 million tonnes. The proponent says, "Well, look, we have no operational control over these emissions. That's someone else's problem." So what does the Department of Planning say about that? Well, they say, "Look, don't worry too much about this.  
35 The issue of scope 3 emissions will be regulated by the international and national policy agreements, the Paris agreement," and that most of the countries who are going to buy the coal are signatories to the Paris agreement. Inconveniently, Taiwan is not, but that's not a problem for this project.

40 What does the United Nations Environment Programme think about this kind of logic? Well, they produced a special report last year called the production gap. In that report they demonstrated – they produced this graph of planned coal production and new capacity globally, and what they said was coal companies want to proceed along this red line here that you can see with my cursor. Coal production consistent  
45 with climate pledges of the Paris agreement countries are the brown line, but where we actually need to be are the green and lilac-shaded areas. So green is consistent with two degrees; lilac is consistent with a 1.5-degree scenario. So you can see that

what the coal industry wants to do is massively out of sync with what we need to do to manage a safe climate.

5 What does the Department of Planning say about that? Well, they say, “Look, this is not our problem either. There aren’t any specific laws against us recommending approval of a bunch of new coal projects, and, in any case, none of them seek to restrict private development in Australia.” So the response of the New South Wales Department of Planning to this fairly diabolical and alarming situation is the following. Since the landmark Rocky Hill case, and, indeed, since the creation of  
10 your agency, the Independent Planning Commission, the Department of Planning has assessed 12 major new coal and gas projects, 11 coal and one gas. Every single project has been recommended for approval. So that’s the Department of Planning’s response.

15 What about the Independent Planning Commission? Well, your organisation, unfortunately, has approved already more than a gigatonne of new coal capacity, and if you two commissioners determine to approve this project, that would add another 108 million tonnes to that tally.

20 So what about scope 1 and 2 emissions? Often the most sort of common scenario in New South Wales is, “Look, scope 3 – it’s really not our problem. We’re not” – you know, “That’s someone else’s concern. What we’re on about is doing our best to manage scope 1 and 2 emissions.” So let’s have a look at those. The Department of Planning says, “Well, look, to start with, they’re going to be low, these emissions.  
25 They’ll make a very small contribution to climate change, and, in any case, they’ll be managed by best practice, reasonable and feasible measures.”

But will they? And are they low? Well, Mangoola’s scope 1 emissions on their own, just from that single mine extension project, would put this mine in the top 100  
30 list of Australia’s emitters of scope 1 emissions. Number 82 in the top 100. I don’t think that’s a low level of scope 1 pollution. The Department of Planning want you two commissioners to believe that they’re taking scope 1 and 2 seriously. But are they? Having sort of given up the ghost on scope 3, they say, “Well, look, it’s really scope 1 and 2 that are ‘the key areas’ for active management for the Department of  
35 Planning, so what we’re on about is trying to reduce scope 1 emissions and improve energy efficiency.”

But what does that look like in practice? Well, fugitive emissions are far and away the largest component of scope 1 emissions – in fact, 87 per cent. Glencore’s  
40 consultants say, “Look, we need to pre-drain and capture the coal mine waste gas and burn it.” That’s a high-impact mitigation measure. It’s technically feasible, but Glencore say it’s economically not viable.

45 The Department of Planning agree with that proposition, and hence they have suggested a condition of concern to you, gentlemen, where there is no requirement to do any of the pre-draining, capturing and combustion of those methane emissions.

Nor is there a requirement to offset those emissions. They simply suggest a vague condition to improve energy efficiency and reduce emissions of the development.

5 But I've already explained that they have no intention at all of doing anything to  
reduce the 99.2 per cent of emissions from fugitives and scope 3, so that really only  
leaves us with diesel or – and electricity, which is 0.8 per cent of the total emissions  
from this project. And, as I mentioned earlier, there are no targets, no requirement  
for any particular level of emissions reduction. There's just a commitment to do  
10 what you can to reduce. That could be one tonne. It could be 100 tonnes. It could  
be 1000 tonnes. There's no requirement for any specific reduction and no  
requirement for offsets.

Turning to offsets now, I'd love it if the Independent Planning Commission could  
15 clarify its position on offsets. For the Narrabri project the commission allowed all of  
the scope 1 fugitives, but said if you produce anything additional, they have to be  
offset. At Russell Vale the commission allowed all of the scope 1 emissions, but said  
if you produce any scope 1 emissions additional to those predicted, well, then, that's  
simply not allowed. I don't know how that works in practice, but that's the  
condition.

20 With Maxwell Underground, approved just before Christmas, the commission said,  
“Well, look, there's no requirements at all to offset scope 1 emissions. We think  
they're impractical, and, in any case, there's no law that says we have to, so we're  
not.” So that panel decided not to do anything about scope 1 fugitives. With  
25 Dendrobium it was different again. As you would be aware, that mine was refused  
consent. However, importantly, the commission in the scope of the reasons did say  
that they would have approved the project on greenhouse grounds; however, they  
said it could be conditioned in a manner to ensure methane emissions are flared or  
that offsets are provided accordingly. So they did provide – or suggest that they  
30 were willing, that panel, to fully offset scope 1 and 2.

All right. I'm getting towards the end of my talk now. I suppose the final point that  
I want to make is how are we faring against the Paris agreement's targets, to which  
35 the New South Wales Government and the Australian Government have signed up  
to. Well, not well is the short answer. We've already exceeded the budget for 1.5  
and have already talked about the budget for 1.2. So that makes it all the more  
alarming that there are so many projects being routinely approved – well, uniformly  
recommended for approval by the Department of Planning, and somewhat routinely  
approved by the Independent Planning Commission.

40 So, Commissioners, I'd just ask you to consider this 108 million tonnes. It really  
needs to be considered in the cumulative context of the decisions of previous IPC  
panels only in the last three years, since your organisation was established since the  
Rocky Hill decision. So already six coal projects approved, one large gas project  
45 approved. That's more than 1.2 gigatonnes, bearing in mind that scientists say we  
have already moved – we've already exhausted our 1.5-degree budget, and we're  
rushing towards exhausting our two-degree budget in coming years.

So that is the basis that I urge the commission to refuse consent. If you don't have a mind to refuse consent, then I think really the absolute minimum is to require all scope 1 and 2 emissions which cannot be minimised or avoided to be 100 per cent offset. Thank you.

5

PROF BARLOW: Thank you very much, Nic.

MS DAVIDSON: Thank you. Our next speaker is Mr Paul Vincent.

10 MR P. VINCENT: Hello, Commissioners. Can you hear me okay?

PROF BARLOW: We can, Nic. You're on the phone, aren't you?

15 MR VINCENT: Yes, I am. Yes. So my name is Paul Vincent. We have a property on Yarraman Road out of Wybong, the local area out there, which is not the local area that has 88 per cent of the employees at Mangoola. I think you'd be lucky to find one employee out there. We're on Yarraman Road, and we're five kilometres away from the mine at the moment. If they get the extension, we'll be two and a half kilometres away. In certain conditions, we get the noise inside our residence, mainly  
20 from about midnight through till mid-morning, and it's enough to wake you up. And if you're going to come two and a half ks away, it's going to be pretty noisy.

How do we know what the predicted noises are going to be? Well, we've got to rely on Mangoola. I've spoken to their project manager. Behind our property there's low  
25 points in the hill. On the other side of the hill is a Mangoola residence which faces the proposed area. I've asked them for their proposed level from that house, and he said they're not going to give it to me. They said they don't have to, and they're not going to give us that information. So if they're fair dinkum, why would they hold back on information like that?

30

Secondly, I was going to work about 3.30 one morning. This was two months ago. There was a light on the public road in front of the house. I didn't know what was going on. It might have been a car accident or something. So I've driven down there, and there's a guy standing in the dark at 3.30 in the morning, monitoring the  
35 sound. And I said, "Well, can you hear the noise of the mine?" And he said, "I heard a bit of noise, but that might have been you driving up to me." And I said, "Well, I think you're wasting your time here being here today, because the wind is coming from the west. The breeze is coming from the west. There's no way you're going to hear a mine when the weather is going in the opposite direction to where the  
40 mine is coming from." But I suppose they put that in their data.

The ..... I'd like to talk about is the property values. During one of Mangoola's open days at the Wybong Hall, I had an in-depth conversation with a property valuer from Charlestown. He was paid to attend by Mangoola ..... he started off by saying there  
45 is no evidence to prove property values would drop because of mining nearby, but after some debate – and we had a pretty good conversation there for a while, and we both came to the conclusion that the values will drop between 10 and 30 per cent, but

he wouldn't commit to what he thought exactly that would be. Later on in that day, he spoke to my neighbours across the road. He was saying the same stuff, till he realised or they realised that they knew each other through phone conversations with their business. Once he came to that conclusion, he said, "You probably want to sell out." And they did.

One last thing I've got to say is through these three years of process, Mangoola has never done a public meeting where they stand in front of this small community and tell them how it's not going to affect them. I spoke to the general manager, Nick Slater, at one of these open days, and I said, "Nick, you need to come out and do a presentation and talk in front of these people. They're only a small group of people, old people." And, by the way, three of those farmers have passed away in the last three years, and their families have got to try and sort this out.

But, anyway, I was telling Nick he needs to come and talk to these people. Listen to their concerns. Stand out in front and tell them how the noise and the dust is not going to affect them. And the water, the ground water, how that's not going to affect them. And the property values. And tell them how ..... and Nick Slater, the general manager, looked at me, and he said, "Some things you can't fix." I'm going to leave you with that, Commissioners, just to give you a bit of an insight into how Mangoola has been treating the people out here. Thank you very much.

PROF BARLOW: Thank you very much, Paul.

MS DAVIDSON: Thank you. Our next speaker is Robert Monteath from the Cheaper Electricity Party.

MR R. MONTEATH: How do you do? I'm just putting my PowerPoint presentation up.

PROF BARLOW: Thank you, Robert.

MR MONTEATH: Thank you, Commissioners, for giving me the opportunity to speak this afternoon. I'm going to be taking a bit more of a holistic approach to the project. I own a land surveying and town planning business with offices in Newcastle, Sydney, Muswellbrook and Gunnedah. And, as you all know, coal has been mined in the Hunter Valley for over 200 years. Some people think it's a blessing; other people think it's a curse. And a lot of people think coal is finished. But does coal have what I call some unfinished business?

Mangoola's coal is used for electricity generation in Australia and Asia. Now, it's thermal coal. So do we, being Australians particularly in New South Wales and the world still need coal? Reading quite a bit of media comments over quite some time, Australians can easily come to the conclusion that renewable energy will replace coal, and we can have wind and solar farms, and we don't need coal. So there's plenty of commentary regarding that, and amongst the media also are other

advocates, including some of our politicians. And ..... there's an article claiming that Australia is the renewable capital of the world.

5 But it's worthwhile looking at the statistics, just to see what – how much renewable energy contributes to Australian electricity generation, and where the rest of it comes from. And each year the Australian Federal Government produces this Australian Energy Update, which was last produced in September 2020, and on one of the pages of that report, it shows a graph of renewable generation over the last 40-odd years, and the first – from '78 through to, say, 2000, that renewable energy generation was hydro, Snowy hydro, Tasmanian hydro.

15 And since 2000 onwards, the increase in that graph is due to wind and solar. But, unfortunately, overall, it only produces 12 per cent of our electricity at present, and there's a big, big gap between the light blue and the dark blue. So it's going to be a long, long, long time before renewable energy, being wind and solar, will become the major contributor to electricity generation in Australia.

20 And it's not as if we haven't been trying hard to increase or get wind and solar farms up and running, and at present we've got about 16,000 megawatts of capacity, generation capacity, in Australia, compared to 32,000 megawatts of coal and gas, so it's a 1:2 ratio, or a third to two-thirds. But, unfortunately, the wind doesn't always blow, and the sun doesn't always shine.

25 And if you went on the website which is Live Australian Electricity Generation Statistics, you can see this graph. And I'll just explain the graph. There's every state, and the black bar is what's being produced at any one time by coal. The red bar is gas. The blue – sorry – the green bar is wind, yellow solar, blue water – hydro, and the brown is brown coal. But it does show – this is on a about midday in last June – that wind and solar are producing about 25 per cent of our electricity, which isn't a bad effort, and down the bottom right-hand corner you can see that overall we're consuming 27,000-odd megawatts of power.

35 The other thing I'd like to note is that the white bars underneath the coloured ones with the sort of hatching on it – that shows the actual demand for energy, as distinct from the coloured bars, which is the amounts being produced. Now, I'd like people to note that in New South Wales it's been quite some time that we have been meeting our own demand, and ever since we lost Munmorah Power Station and Wallerawang, New South Wales does not produce all of its own electricity.

40 But then 6 o'clock at night we're all wanting to have dinner. And this is again in June of last year. The sun has gone down. And this is a very still night over virtually the entire continent, where the amount of generation by wind and solar is down to three per cent. And it's a cold night, and you can see at the bottom right-hand corner we're generating – or consuming 31,000 megawatts of power, but very little is coming from wind and solar. And the other thing to note is that South Australia, that prides itself on its renewables – most of it was coming from gas, but there, that purple bit next to the red, is actually liquid fuel, as it's called in the second column

there, which is diesel. So 8 per cent of South Australia's coal – electricity, sorry, was coming from diesel generators at that time.

5 And I just want to show a similar example, where on this occasion, again, on the night of Saturday the 6<sup>th</sup>, 7 o'clock, same thing. No sun. No wind. 4 o'clock the following morning it's very, very similar. The wind has come up a little bit, but we have consumed, say, 20,000 megawatts an hour. So over that period – over the night we've consumed 250,000 megawatts of electricity. And if we were attempting to rely on just wind and solar, it wouldn't work. And this is a cartoon from The  
10 Newcastle Herald of a few weeks ago, saying, well, you can have wind and solar. That can replace coal, but where are the batteries? Wind and solar doesn't come with batteries. Batteries have got to be included. So we would need to have a storage capacity, nominally – you know, it could be some pumped hydro as well, but, overall, 250 megawatts of storage.

15 And looking at just what that would cost, you know, the Australian Financial Review of late has said that the world's biggest battery is proposed to go into the Hunter Valley, near Kurri, and there's 1200 megawatts of capacity, and that's going to cost \$2.4 billion. So, extrapolating that out, if we want to have anywhere near 250  
20 megawatts of battery storage, the cost will be \$500 billion, which is a very, very big number, and it's fair to say it's nearly unaffordable. So will renewables come up with cheaper electricity? I don't think so.

25 And just going back to as a comparison with our generation capacity, I just want to make a point that the 32 megawatts of coal and gas that we do have – that equates to 32 gigawatts, and while we're considering not building any more coal-fired power stations in Australia, last year China, according to this news item, commissioned 38 gigawatts of new coal-fired power stations, which they do call as the ultra-low emission brand new power stations using modern technology. So China produced in  
30 – well, they probably took a few years to build, but last year 38 gigawatts of capacity came online, which is more than all of what we've got in Australia. So that's what's happening in other parts of the world.

35 And, looking further into other parts of the world, at present, there are nearly 1900 coal-fired power plants being built around the world. In Europe they're building 27, Turkey 93, South Africa 24, etcetera, and 90 per cent of those are in Asia, and the best thing that these Asian power stations could be doing is using Hunter Valley coal, because it is the best and the cleanest coal in the world, and Mangoola is and will keep on continuing to provide coal to Asia, but, from our perspective, more  
40 importantly, they provide coal to Bayswater Power Station. It's essential that Bayswater Power Station keeps operating, because when the wind doesn't blow and the sun doesn't shine, we need our coal-fired power stations.

45 And, overall, modern existence is totally dependent on electricity, and it's one thing we often take for granted, but we can hardly do anything without electricity, and, as mentioned before, we consume between 20 and 30 thousand megawatt hours of

electricity every hour and every day. It just doesn't stop, and we need to have reliable sources.

5 So if New South Wales did ban all coal mining, as some people would like to see happen, what would be the ramifications for New South Wales? Well, we don't have to look far to see what would happen, and South Australia is a good example. And they, you know, do promote their renewables, wind and solar, and think they don't need base load power, fossil fuel power, but what they do need is – when there's not enough wind and solar for them, they switch on their diesel generators to make the  
10 difference, which I showed in that earlier graph.

And here's another version of it – or another day of it. This is January of last year. You see South Australia is consuming nearly 3000 megawatts of power at that time, and 14 per cent of that power was coming from diesel, and they were consuming  
15 80,000 litres of diesel an hour to produce electricity, which – if you have a choice between burning diesel or coal, I think it's been proven that coal is a lot cleaner to burn than diesel. And Elon Musk's battery would last about two minutes at that rate of consumption. And on that night the price of electricity in New South Wales was \$104, Queensland 100, South Australia over \$3000 an hour. And diesel is very  
20 expensive, and it's the dirtiest form of electricity generation.

So renewables won't necessarily lead to cheaper electricity. And Victoria is getting a similar problem. Here's a photograph of – those black boxes are all diesel generators which are sitting in front of a closed power station at Morwell, and it  
25 could well be when Liddell close in a few years time, there will be diesel generators in front of Liddell to be – for those diesel generators to be linked into the grid to transmit power around the state.

So there's a moratorium on coal seam gas in New South Wales, and with 12 per cent  
30 of our electricity coming from renewables, New South Wales has got two choices. We burn coal or we burn diesel. And people may not think that's a great choice, but wind and solar aren't reliable enough. But if we're wanting to reduce or keep as low as possible our greenhouse gases, it's far better burning coal than diesel. So, unfortunately, there's no such thing as reliable renewable energy, and there's no such  
35 thing as totally clean reliable energy.

So, just looking a little bit, potentially, into the future, what does a modern coal-fired power station look like? Here's one in Japan, very close to Yokohama Bay, near  
40 Tokyo. It's been there for nine years. It burns 20 per cent less coal than the same sized power station in Australia, and ours are 30 to 40 years old, and the emissions are 30 per cent less. And it sits in Yokohama Bay. Those two red dots are where it is. It's so clean and reasonably quiet that it can be within an industrial area of a city. It doesn't have to be stuck out in the middle of nowhere. There's another very  
45 modern plant in Hamburg, Germany, called Moorburg, and its carbon dioxide emissions are 75 per cent lower than any of what we can do, and that's its red dot, just on the left-hand side of – or western side of Hamburg, in the industrial area.

And, you know, a lot of people think coal is disappearing and dying and dead, and, you know, we should shut down all coal mines in Australia, maybe around the world, but the International Energy Agency, which monitors the use of energy all over Australia, over the world, be it electricity and all forms of energy - - -

5

MS DAVIDSON: Mr Monteath, I note that your time has expired.

MR MONTEATH: I'm sorry. I haven't heard the ding. Sorry.

10 MS DAVIDSON: Yes. It - - -

MR MONTEATH: Okay. Well, I'll submit this as a PowerPoint presentation anyway, but basically saying that, yes, we still – we need Mangoola's coal to, as I say, keep the lights on. Thank you.

15

PROF BARLOW: Thank you, Mr Monteath.

MS DAVIDSON: Our next speaker is Tony Lonergan.

20 MR T. LONERGAN: Hello, Commissioners, and nice to see you again.

PROF BARLOW: Hello, Tony. You're not on our screens yet.

MS DAVIDSON: We can't see you at the moment. Yes, we can now.

25

PROF BARLOW: Yes. Now you are. Thank you. Go, proceed, Tony.

MR LONERGAN: ..... back a little bit. Okay. I'd like to acknowledge the Wanaruah, the traditional owners of the country. I'm going to confine my presentation today to climate change. I'm also concerned about biodiversity, final voids and the cumulative impact on air quality of this project, but climate change is really the elephant in the room here. Climate change is not something we will experience. Climate-change-related extreme weather events are occurring across the world right now. The first attempt to quantify the impact of adding greenhouse gases to the atmosphere was published in 1897. That's 124 years ago. Since then, a huge amount of scientific effort has gone into basically clarifying the details.

35

The IPCCs 2018 report made very clear the significant difference between 1.5 degrees of warming and two degrees of warming. For example, if we can limit the warming to 1.5 degrees, then between 10 and 30 per cent of the world's corals – coral reefs should survive. At two degrees, that's less than 1 per cent of the coral reefs. At the current rate of emissions, the window will close on the possibility of a 1.5-degree limit by the end of this project, and this project would help to close that window.

45

The assessment of emissions reduction plans submitted to the UN at the end of last year found if all commitments were fulfilled, they would cut global CO2 emissions

by only one per cent by 2030, compared to the 2010 levels. That's emissions, not atmospheric CO2. The CO2 content of the atmosphere stops going up when net emissions reach zero. The heating then continues till the system reaches equilibrium two to three decades later. The IPCC has advised a 45 per cent cut is needed by 2030 to limit global heating to 1.5 degrees above pre-industrial levels.

Australia is seen internationally as a laggard on climate action. We have a history of deliberately undermining global efforts and international meetings. Patricia Espinosa, the executive secretary of the UN Climate Change, called on all countries, including those that submitted their commitments this last year – and Australia wasn't one of them – to reflect on this new assessment and lift their ambition. To quote:

*We need concrete plans to phase out fossil fuels as quickly as possible.*

Mohamed Adow, director of think tank Power Shift Africa, said it was staggering that countries such as Australia, with Brazil, Japan, Mexico and New Zealand, had shamefully done nothing in recent pledges. This state of affairs cannot continue, and we need to see things change dramatically, he said. Tasneem Essop, the executive director of the global Climate Action Network, said:

*With their woefully weak climate targets, big emitters like Japan, Australia and Brazil are weighing down overall global ambition, when in fact they should be leading.*

Official projections in December suggest Australia was not on track to meet even its weak 2030 targets. There's an argument by advocates of the coal industry that emissions from additional coal mined at, say, Mangoola go on our customers' balance sheet, and therefore they're not Australia's problem. I reject this argument. All emissions are everyone's problem. We only have one atmosphere. And, as a country which is the source of the coal, as a nation which profits from coal exports, we cannot absolve ourselves from responsibility, from the real long-term damage to the planet's ecology, and the human misery that these emissions will by their very nature cause.

Another familiar argument is that if we don't supply the coal, someone else will. It won't be as good as ours, and we'll make the situation worse. With due respect, this is the heroin dealer's argument, and it holds no water. Japan and Korea, two other climate laggards, buy coal from us because it suits them for a multitude of reasons. Phasing out our supply would in all probability have the effect of moving them more quickly to greener alternative solutions of energy. In conclusion, I would like to quote from Sir David Attenborough's speech last week at the UN Security Council. I don't know if you saw it. It's worth a look. He said:

*If we continue on our current path, we will face the collapse of everything that gives us our security: food production, access to fresh water, habitable ambient temperature and ocean food chains. And if the natural world can no*

*longer support the most basic of our needs, then much of the rest of civilisation will quickly break down.*

Commissioners, I care deeply about the natural world. I have children and  
5 grandchildren. Coal has served us well in the past, but we have to start making the hard decisions. We have to start leaving it in the ground. If we don't do it now, when will we do it? What is the limit? The problem is only going to get bigger. Thanks very much for your time.

10 PROF BARLOW: Thank you, Tony.

MS DAVIDSON: We'll now take a short adjournment, and I understand we're coming back at 3.40.

15 PROF BARLOW: Yes. Thank you. Thank you, Joanna. So we will now have a short adjournment. Back at 3.40.

20 **ADJOURNED** [3.23 pm]

**RESUMED** [3.41 pm]

25 PROF BARLOW: Welcome to the final session of the public hearing by the IPC on the Mangoola Coal Continued Operations project. Would counsel assisting please invite the first speaker?

30 MS DAVIDSON: Our first speaker is Melissa Blackhall.

PROF BARLOW: Thank you.

35 MS BLACKHALL: Good afternoon, Professor Barlow and Commissioner Cochrane. My name is Melissa Blackhall. Thank you for the opportunity to speak today. I'm a current local Wybong resident, and have been for the past six years. I object to the project. I want to firstly acknowledge the submission made by Angela Van Den Heuvel on behalf of the Wybong Concerned Landholders Group, and I reiterate the issues raised and support that submission. My husband, Michael, and I are the landowners of 380 Yarraman Road, which is identified as property ID 124.  
40 Our property is currently within the four to six kilometre radius of the existing mine and if the project is approved, it will be within the two to four kilometre radius at approximately 3 ks.

45 We have been told that we will not qualify for the voluntary acquisition rights, pursuant to the VLAMP. We have to accept the modelling results, as we have little or no means of challenging or verifying the data. We have to trust that it is correct. What if we are faced with unforeseen circumstances and we have to move? What if

our property can't be sold, is stale or undervalued, solely because of the mine? What do we do then? We are not entitled to VLAMP. We are not entitled to any compensation. How is that fair? The applicant is set to make billions and we are left in a vulnerable and precarious financial position with no exit strategy available to us, but we won't know this until it is too late with no recourse available to us whatsoever.

My husband and I have grave concerns about the increased impact of the project on our health, on the health of our children, the value of our property, how we will sell in the future, and the status of the Wybong PO Road. We have so much anxiety regarding these issues. The landowners' concerns have not been adequately addressed. I fail to see how that can be the case when the landowners still have no certainty or clarification as to what will happen in the event that our properties are stale or devalued. The applicant has not addressed this concern with us. What are their proposals? Is there going to be any terms and conditions to deal with it, or is it just being ignored?

What about the property-specific measures that have been offered to some landowners that do not qualify for VLAMP, which are referred to by the Department of Planning in the assessment report at paragraphs 6.2.64 and 6.2.65? Why is this available to only some and not all, and why isn't this information disclosed to all of us? What are these measures? Does it deal with the devaluation or sterilisation of the property? How are we supposed to know? How can the project be given the go-ahead when there are grey areas that still need to be addressed? For instance, what is actually happening with Wybong PO Road? This road is an all-weather access road that we use to travel to Muswellbrook and Denman on a daily basis. The road is of particular significance to us and, yet, it is still unclear.

If the PO Road is closed, the creek crossing on Yarraman Road will need to be upgraded to allow us to cross the creek when it floods, otherwise we will be forced to travel all the way back around via Ridglands Road. How can it be guaranteed that this will actually happen, or will we just be left high and dry? And what about the Community Enhancement Program? The applicant is still unable to provide any details regarding this program. How will the Wybong residents benefit from this program or will the funds be used for the broader community? Who decides? It seems that it is proposed that the issues surrounding the property values will be dealt with by this program, but how do we actually know when the details are not finalised?

There doesn't even seem to be any draft terms. Will the amount be adequate? What happens if the funds are exhausted? Then what? Will there be any accountability measures put in place or is this just an empty concept or smokescreen in order to get the project approved? The dust and the noise is already causing issues for our health. My children can't have their toys on the back veranda because they're covered in dust, and I have no doubt they're ingesting it. I fail to see how this is not going to increase even more when the mine is going to be closer to us, and yet this is not

addressed in the VLAMP for us. We have many sleepless nights and feel very powerless.

5 Every time we ring and complain we get the well-rehearsed spiel that goes something along the lines of, “Your complaint was investigated and the results show that the mine was operating within their approval conditions.” What is going to change if they are closer? Nothing. It is so frustrating that apparently this is acceptable, because the approval conditions will say so. If we wanted to listen to roaring truck engines at night, we would live next to a highway. Despite the applicant’s attempt to  
10 create an image that it is, or has addressed the concerns of the landowners and going above and beyond what they are required to do, this is not the case.

And to demonstrate what I mean by this, I requested for my solar panels to be cleaned but was told that our residence was 400 metres outside the 4 k radius set out  
15 in the mitigation policy, and therefore we weren’t entitled to it. But they did note that if this project is approved, we will then be entitled to have our solar panels cleaned. This shows that the applicant will only do what they have to, and nothing else. They will only do what is in their best interests and the landowners come off second best. Granting the project without the concerns of the Wybong landowners  
20 being properly addressed – and I mean not just considered, but a strategy that will actually be implemented to deal with those concerns, would be an injustice to the local Wybong landowners who will be - - -

25 PROF BARLOW: Melissa, how much longer do you have? Do you have a lot more?

MS BLACKHALL: No, I’m just about finished.

30 PROF BARLOW: Well, thank you. Well, can you finish?

MS BLACKHALL: Local – yes – would be an injustice to the local Wybong landowners who will be the collateral damage of the project. I don’t understand how the applicant can cause such an impact and not be held accountable for it. I’m asking that the Commission give suitable consideration to this submission, because we have  
35 no other options. I hope that the application is rejected, in the first instance, but should this not be the case then I respectfully submit that if the Commission has the power to impose conditions on the applicant, then such conditions should be included which adequately addresses Wybong landowners’ concerns as set out in the social impact statement, but particularly with how the landowners will be compensated in  
40 the event that the properties are stale or devalued. It should not be left to the discretion of the applicant. This is just an overview, and I intend to make a more detailed written submission. Thank you.

45 PROF BARLOW: Thank you. I would urge you to put the many questions you’ve asked in your written submission, so thank you for that.

MS DAVIDSON: Our next speaker will be Geoffrey Bowditch. I understand there may be a short delay while some cleaning occurs in the studio.

PROF BARLOW: Good afternoon. Are you ready, Geoffrey?

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MR BOWDITCH: Yes. Good afternoon, Commissioner Barlow and Commissioner Cochrane. Thank you for allowing me to speak this afternoon. My name is Geoffrey Bowditch, and I'm number nine of 13 children who grew up as a teenager in Sandy Hollow. And one of my first lessons in adult life I learned, it was easy to get your licence than to keep it. I travelled on the Wybong Road to get to school. I was on the bus when the children from the Hogan and the Ray families got on. They were the major landholders where Mangoola is located today. These families that I knew, all relied on off-farming incomes to survive. I consider myself a local.

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I built my first home in 1983 and started my family in Goulburn Drive, Sandy Hollow. Started my business on a residential block next door in 1988. We relocated to Muswellbrook in the mid-90s, where we still operate today. Being drawn back to Sandy Hollow we purchased a rural block on Wybong Road in 2003, where we now live, starting our daily commute along Wybong Road. Since the Mangoola project started operating and funding infrastructure, the community life has benefitted beyond expectations. The daily commute on Wybong Road, compared to travelling in the 70s on a Bedford bus, is much safer and better built and to a better standard than a local council could have been able to achieve under any other circumstances.

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The Wybong Hall – all the locals would remember the Ray Boys dance once a month – is being maintained now with mowing and ground maintenance, assisted by Mangoola. The cemetery, again, new fencing and gate under construction. I've personally never seen it look so presentable, as it does today. Tony Rawnsley, you're doing a great job with Mangoola support. The old catholic church, the building is showing its age, but the grounds are maintained in a better standard than Father Woods ever kept them. The Denman Men's Shed, which I have many friends and have volunteered our services, would not exist as it does today without the support of a Mangoola E&C. The positive lists is too long to cover here.

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Getting to our business, our business today, we're a family who run an earthmoving company located in an industrial area in Muswellbrook. We've been fortunate to be given the opportunity to become part of the team to travel the journey on lifting the standard of rehabilitation on the mine site with the Mangoola E&C team. The two boys who lead our team at Mangoola have a reputation for their passion and the care they show, and the way that they are actively involved in the construction and the maintenance of the rehabilitation to leave a legacy of what can be achieved and left for future generations. My sister-in-law, brother-in-law, nephew, all part of our team on site. We employ local people and use local services wherever we can.

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As we move forward, the rehabilitation is growing behind us. That gives us an amazing feeling of achievement and pride in our work. The culture that's been created in our family business and, most importantly, within our team, is something

that I am personally very proud of. Now, on a personal level, I've seen our Sandy Hollow community change over the years when dairy farming was big in the area, vineyards were a big employer, the horse studs were there for a while. Collingrove proved very successful. Unfortunately, when it changed hands to Paknet farm it failed, and with its failure many local families who I was close to, suffered, really suffered.

I've seen small schools in the area close, churches close, little community shops have closed. Small family farms became hobby farms. Developers bought the large properties and subdivided them, and these have all nothing to do with the mining sector. It was purely a reflection of the times, and how times have changed, and we now appear to live in a time where it is fashionable to join a group to criticise an industry that has done so much for the mining community that I am proud to be part of. It's taken a lot of courage for me to speak out in support of Mangoola. I've been employed in the mining industry since the early 80s.

It has given my family and I more opportunities than my parents and their generation could ever have achieved. In ending my submission, I totally support the continuation of Mangoola Coal and truly believe that it should be of no surprise that mining communities such as the Hunter Valley, applications for mining companies to continue or to start new projects will continue to be submitted. It is the job of the regulator to ensure that mining companies do what they say they are going to do, and to hold them accountable if they don't. Thank you, and I'm very happy to answer any questions.

PROF BARLOW: Thank you for your comments, Geoffrey. I think we have no questions.

MR BOWDITCH: Okay. Thank you.

PROF BARLOW: Thank you.

MS DAVIDSON: Our next speaker will be Douglas Robertson.

MR ROBERTSON: Good afternoon, Commissioners. My name is Doug Robertson, I'm a local farmer from the Scone area, and president of Friends of the Upper Hunter, the concerned community group of which Kirsty O'Connell has already spoken to you today. At the 2019 IPC hearing in the Dartbrook Mine modification, as a fourth generation farmer living and farming in close proximity to the mine I question the social licence for the modification, along with numerous other impacts, most importantly, air and water. Similar arguments will be put to you today by the community directly affected by their close proximity to this expansion.

Many technical experts will also put their findings, and ultimately you will decide on the mine modification's merit to proceed or not. Your own IPC website mentions the important role the Commission has in building confidence in the decision-making process for major developments. I would argue the process is flawed. The

modifications and new proposals keep coming and the government, the planning department and you, the IPC, keep assessing them as individual projects. When will you all address the cumulative impacts these developments are having on our community and the environment? I recently spoke with a local GP, with nearly 40  
5 years of practising in Scone, about this upcoming IPC hearing.

He had voiced major concerns in the past about the deteriorating health of his patients in this region, due to the rapidly deteriorating air quality. He has lost his confidence in the process, along with many other people in our communities. The  
10 EPA air quality data proves that the regular air quality exceedances in the Upper Hunter are unacceptable to the health of our community, however the government, the planning department and the IPC still won't acknowledge the cumulative effect of mines in our region. The EPA accepts there are air quality problems but can't  
15 prosecute the whole industry. When will you all read the signs? There is an overload.

Even BHP has a thumping great coal mine, Mount Arthur, south of Muswellbrook, that has been trying to sell for two years unsuccessfully. The government, its departments and the IPC are all failing this community. The sugar hit from coal  
20 royalties is coming to an end. The proponent lifted its extraction rate above original consent are now asked to expand even further to satisfy their greed. Talk about have your cake and eat it, and then have another one. This spoilt child behaviour is exactly how the government is also behaving with the coal industry, and it's beyond  
25 comprehension what the effects are going to be on this region and our communities when the industry is finished.

We, the community, are fed up with the fact these modifications keep coming for expansion and extension or, even still, new proposals. They're looked at and assessed as individual projects with little or no regard to the cumulative impact they  
30 are having on our region. The proponent talks about how much they are putting into the community. Once again, a short sugar hit. They leave and the decimated local community will be depleted and destroyed, not to mention the toxic voids left for eternity. In this day and age, how can that practice still be acceptable? I read in the transcripts from your meeting with Muswellbrook Council, that even they are now  
35 calling for some balance in the development and expansion of this industry.

The council refers to the maintaining or trying to create some diversity in employment opportunities in the shire because of the dominance of the mining industry. I implore you to show some conscience and think about what our  
40 communities are asking for in this region. We feel like we are wasting our time continually standing up in this process, defending what we believe in. I certainly have better things to be doing today than delivering this address and sitting up last night writing it, however I feel compelled to, to do it for my children and all the next  
45 generations of this region, as they are the ones that won't get the sugar hit, just the aftermath, the disjointed community and the toxic final voids.

As president of Friends of the Upper Hunter listening to my community and their concerns, I will continue to voice these concerns as I strongly believe we owe it to our future generations. The size and scale of the mining industry in this region has passed the point of balance. In the past, my objection could've been seen as a case  
5 of, "Well, not in my backyard", however the world is now watching this backyard and the footprint being created here. The effect on our climate and that of our children can start to be addressed here and now. I once again implore you to please reject this modification, and I thank you for your time.

10 PROF BARLOW: Thank you, Douglas. Do you have any questions, Peter? No.

MR COCHRANE: No, thank you.

15 PROF BARLOW: Thank you. I'm sure we'll pick your sentiments up in your submission and also your organisation's submission. Thank you.

MR ROBERTSON: Thank you, Commissioner.

20 MS DAVIDSON: Our next speaker is Shane Davey.

MR DAVEY: Hello?

MS DAVIDSON: Hello, Shane.

25 PROF BARLOW: Hello, Shane.

MR DAVEY: Can you hear me?

30 PROF BARLOW: We can.

MR DAVEY: Yes. Thank you to the panel for hearing my submissions. Thank you to traditional owners past, present and future. Industry is at the heart of the Hunter Valley, the agricultural industry, the equine industry, the viticultural industry, the steel industry in times past and, yes, the coal industry. When first settled, though,  
35 and since, it was the coal industry that primarily began and forged our future, and continues to do just that. The other magnificent industries mentioned have, and continue to play, a major part in forging our prosperity, our culture and our lifestyle, as does the coal industry.

40 The way the world is moving there's a likely fact that all of those other industries will ultimately outlive the local coal industry and operations such as Mangoola, but for the foreseeable future, though, Mangoola Mine can play its vital role, alongside all other industries, positively, if permitted. Around 400 people who are significantly and predominantly local residents, and 150 or so businesses employing many  
45 hundreds more locals within the Muswellbrook LGA, will thank the IPC for getting this right. What that adds up to economically, I can only guess would be a definingly

negative blow to local prosperity if cut short. Just think of what that prosperity has all meant through recent challenges of COVID.

5 Coal, like other industries, has and has had its fair share of mistakes to deal with and improve upon over the course of local history. It's worked very hard to do just that, with great success. It is also undeniable it has had many triumphs, including the obvious prosperity and vastly improved mining processes and approach that it brings to local people, communities, the environment and local business. Activist attractors repeatedly amplify and promote only the perceptions of the broad and historically  
10 outdated environmental approach, more aligned with decades long past than the year 2021. They completely ignore the industry-changing environmental approaches of this mine, in particular. They could well do better to use it as a prime example as to how it should be done.

15 In the case of the local coal industry, I believe the Mangoola Coal Mine has been one the truly great triumphs. Mangoola has quite literally changed the way the broader industry thinks about and approaches rehabilitation through its globally recognised natural landform rehabilitation approach. It's an approach that goes beyond the obvious outcomes of a better future post-mining, as it also informs all other areas of  
20 interaction, impact and integration into the fabric of local life. This hearing is about working together and listening to each other and dealing only in fact, and not rumour, or conveniently and deliberately misinterpreted intentions.

I believe the intentions of the people who run this company and this mine are for the  
25 absolute best possible outcome for all. Do not get me wrong or think I do not understand it. There are some highly sensitive local impacts that need to be very carefully considered and dealt with, to the best possible outcome. Environment is equal at the top of that list and I personally doubt that Glencore would willingly destroy the hard-fought reputation of Mangoola and its environmental achievements.  
30 It is a showcase for the company and will continue to be just that, if allowed. Equal to the sensitivity of environment is the effect that the mine might have on nearby residents.

In my day-to-day life as a publisher my business happily, willingly and rightly  
35 highlights these most important of concerns. Local residents must be engaged fairly, openly and their concerns and fears dealt with to a point of absolute best possible outcome. I do not claim to have intimate knowledge of the most delicate of those, because I do not live them personally. I do believe, though, that they're at the very top of importance in terms of gaining approval for the mine operators. I trust that  
40 Glencore is, and will do everything in their power, not to just meet the basic needs of those affected fairly but strive to go beyond to mitigate, make any necessary adjustments to the plan or, if clearly needed, compensate in fair and just terms.

45 Mangoola also has a keen eye on the future of nearby communities like Denman to not only leave the land on which they operate better for the future, but the local communities more vibrant and prepared for that future. It will be a relatively short period of time in the Hunter's history. Let's allow it to be one that makes a positive

impact on lives, environmental outcomes, community engagement and an overall socially responsible and ethical life. Thank you.

PROF BARLOW: Thank you, Shane. Thank you very much.

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MR DAVEY: Thank you.

MS DAVIDSON: Our next speaker is Christine Phelps.

10 MS PHELPS: Thank you. Can you hear me?

MS DAVIDSON: Yes, we can.

MS PHELPS: Thank you. Okay. Will I start?

15

PROF BARLOW: Yes. Please do, Christine.

MS PHELPS: Yes. Okay. Well, I'm here. I used to be a resident of the area and dealt with the coal mining development out there, so – and I have background  
20 information and a passion. This proposed continued operations, it's a mine expansion, so let's call it what it is. It's an expansion of the mine. Before you, I hope you've got a slide of the Anvil Hill, a picture that was taken. No, that's definitely not it. This is a picture that was taken – where are we – that shouldn't even be part of the PowerPoint presentation. I'm sorry. What you've popped up on  
25 the screen is actually a document for your reading. It's not the PowerPoint presentation that I'm presenting to you.

MS DAVIDSON: I understand that that's the only document that's been provided to the Commission at this stage, but if you forward through the PowerPoint we can  
30 just play that or look at it.

MS PHELPS: Okay. I'm being asked to stop.

PROF BARLOW: If you wish to go through it and forward the PowerPoint to us  
35 after, Christine, and then we will review it.

MS PHELPS: Okay. It's – yes, it will be difficult without you looking on with me, but what I'm showing you at the moment is a picture of the Anvil Hill that was taken prior to any mining development. And it shows extensive woodlands surrounding  
40 the Anvil Hill outcrop which have now all been removed, and it shows also in the background the open grassland and woodlands that are now part of the proposed mine extension. I just wanted to discuss the dubious and illegal activities that the community have been subject to, prior to the exploration licence even becoming public knowledge. Initially, the Anvil Hill location had been mapped as a high  
45 priority fauna and flora habitat to be set aside for conservation. These maps were extracted from records and disappeared prior to the exploration licence being granted.

During the exploration stage an attempt by Centennial Coal was made to develop a bulk sample pit, with local council as the consent authority. Independent assessment showed that the bulk sample was actually an open-cut mine and the executive summary was deceptive about the size of the proposal. The executive summary  
5 suggested that it was only four hectares in size and it was actually way larger, and constituted an open-cut mine. The community had to take legal action. They had the bulk sample stopped. This is at exploration stage. Also at exploration stage the community discovered that unlicensed wells and old bores were being reopened as well as new bores sunk, and water was being extracted without appropriate water  
10 licences in place.

Government departments were notified, but no penalties. This only was rectified after the community did something. Early in the mine site's development stage a dam wall collapsed, allowing heavily silted water to escape and pollute Wybong  
15 Creek. No penalties were imposed. Rather, a sum of money went towards the Singleton Levee Bank project. Cash for comment, investigated by the ABC, Centennial Coal offered \$25,000 incentives to landholders to sign a contract that obliged them, their families and descendants into perpetuity to support the Anvil Hill mine. The contract prevented any future objections of any Centennial Coal activity,  
20 regardless of where, not just the Anvil Hill proposal.

The contract required the landholder to say anything reasonable, as and when directed by Centennial Coal, about any development. The contract covered any future owner of the Anvil Hill project, and that is now Glencore. Some landholders  
25 actually took the cash, so they are obliged and bound by this contract. Other landholders agreed to similar silence clauses in their contracts of sale when they sold their properties. These clauses are part of the purchase contracts. Indeed, when we sold our property to Mangoola Mine we had a silence clause removed from our contract, under threat of seeking an ICAC investigation if they refused to remove it.  
30 Therefore a question to the panel. How can you be certain that what is presented to you in support has not been gained by some form of obligation coercion under a cash for comment type contract?

MS DAVIDSON: Ms Phelps, can I just remind you that matters of reputation are  
35 not matters that are able to be taken into account by the panel. And so if you are able to direct your comments in relation to the proposal that's before the panel, that would be most appreciated.

MS PHELPS: I think this is very relevant for you and it is a matter of public  
40 knowledge. Let's not tell the truth, the whole truth. Government and industry continues to misrepresent landholders' rights. Landholders are treated with contempt and ill-informed. Legal rights of landholders are misrepresented or subverted with cash for comment contracts. Misinformation of no choice, your best option is being acquired, these are fostered by parties in positions of power, including State and  
45 Local Government, and the proponent. The community are left feeling they are in a no-win situation. Landholders have rights. They have the right to not give consent to any mining activity on their land.

Consent – approval for mining cannot be granted without a landholder’s consent. Landholders have the right to veto any mining on their land. Landholders are also protected by the law of nuisance, common law. Objective planning zoning laws have not removed the law of nuisance. Planning consents do not remove nuisance rights

5 from a landholder. Landholders maintain their rights to have the full use and enjoyment of their property, for the purpose of which they purchased it. You are entitled to be ensconced in peace and comfort to enjoy your place. Nuisance potential of this mine has to be addressed. Mine use is intrusive. It gets in.

10 Mining activities in the area of this mine were measured as having a background noise level of less than 20 dBA during night-time periods, and any noise from the mine would have to fit the category of nuisance noise. The Wybong location was noted to be the quietest area that the noise expert had ever worked in, with

15 background levels below what his equipment could actually measure. Noise impacts are not assessed against nuisance, they are assessed against an industrial noise policy, and this is just not correct. The entire community of Wybong are already impacted by noise. Their environment is what existed prior to the existing mine.

I know of no member of the Wybong community who’s actually granted consent to

20 any impact from the mine on their property or person, other than those obliged by a mine contract as per the cash for comment contracts or other contractual arrangements. This is technical. The doubling of the volume of loudness would be sensed at a level of plus 10 dBA. Controlled audibility testing has shown the following findings for the populations. 6 dBA increase is perceived as an

25 approximately 50 per cent increase in volume in the sample group. 10 dB increase is perceived as an approximate 100 per cent increase in volume by the sample group. Doubling of sound intensity, which is acoustic energy, belongs to calculated level change of only 3 dBA.

30 The EIS on fauna and flora. Right from the beginning in 2006, the EISs have been found to be inadequate. They downplay the significance of the area. True, there is described as regrowth. Significant threatened species are not identified. Significance of the native grasslands are underplayed. The Wybong Uplands, which

35 you’ll see mentioned frequently now as the Wybong Uplands Management Program, originally was identified as a specific area bordered by Wybong Road to the west, Mangoola Road to the east, Limb of Addy to the south, with Anvil Hill and its foot slopes as the centre. It’s exactly the mine footprint as it exists today. The Wybong Uplands/Mangoola Mine was identified as being one of only five remaining remnant

40 woodlands left in the Upper Hunter Valley. It’s gone. It’s all gone.

The mine footprint, as I already mentioned, was already identified as the high priority fauna and flora habitat. The result of the existing mine, let alone any proposed expansion, is the loss of large numbers of flora, fauna and habitat. When

45 populations are reduced, a genetic bottleneck occurs and future populations are genetically poorer and less resilient. No koala habitat identified, despite there being feed tree species, and a 2006 survey on Limb of Addy found a koala had recently used a grey gum. Scat analysis confirmed koala. The offset areas took in all the

ridged country which has little habitat value for valley floor species, dry woodland birds, and seedeaters. Native grasslands are a key component of the local biodiversity and an important habitat resource for threatened species on the site.

5 In 2006 the EIS found no *Diuris tricolour* on the area of disturbance, and only one specimen was noted on the road verge. On the basis of this, the community said, “We are going to walk in and we walked in on the Limb of Addy Road, and we found *Diuris tricolour* in the hundreds”, and additionally identified a new species of orchid now known as *Prasophyllum* species, the thin petilum Wybong or other names  
10 it has been given, but it is a critically endangered species listed under the EPBC Act and the mine site had a population in the several hundreds. This practice is not just at Anvil Hill. Surveys at Mount Owen Mine originally only found 130 plant species, but after consent and with subsequent monitoring another 87 have been found.

15 Reliability of such surveys have been found to be quite inadequate and more so in finding threatened species. Climate change, I don’t know why I’m here talking about it. It was a big issue with this mine’s development application in 2006, and here we are in 2021 still considering expanding this mine. Does the world want another coal resource? I don’t believe so. What it used to look like – well, again, I’ve got  
20 pictures that you won’t be able to see but they’re pictures of the area pre-mining, and there is one picture of Anvil Hill taken from the west – yes, this one. That’s the one I’m talking about.

25 PROF BARLOW: Christine - - -

MS PHELPS: Yes.

PROF BARLOW: - - - we now have your pictures.

30 MS PHELPS: Yes.

PROF BARLOW: Would you like to just very quickly run us through those? We’re getting short on time, but because we have - - -

35 MS PHELPS: Yes, we’re almost at the end. So this is Anvil Hill with the rainbow above it, and it was called the Hunter Valley art by the local community because of the biodiversity that was there. The next picture is taken from – on Anvil Hill from the Anvil rock, and it’s looking over what is now the open cut of the southern and main pit areas. All that now is gone, and the picture that’s on the screen there - - -

40

PROF BARLOW: Can we change that, please? We’re still on your first picture.

MS PHELPS: No, I’m not sure.

45 PROF BARLOW: Good.

MS PHELPS: I've got a different computer link to what you've got, apparently. So the picture that we're looking at now is Anvil Hill taken from the west, looking back towards Anvil Hill. All that timbered country that you see surrounding Anvil Hill, this has now been mined. The open grassland and woodland in the foreground of the picture, this is part of the proposed expansion area.

PROF BARLOW: Thank you. Keep going.

MS PHELPS: Okay. So do we trust process? Unfortunately, being involved with it since 2006 and even earlier, no, and I'll leave you to read those notes. For you, I've suggested some solutions that may make the process more trustworthy. I've also listed some personal experiences that I had while being involved with them, and it led from being called into meetings at offices in the dark of night being offered money, to being pulled aside in the halls of Parliament to being offered money, to being offered an Order of Australia. We had to engage our own independent experts, noise surveys and it cost us a lot of money, but we did this to make sure that our rights were protected.

We had agreed noise mitigation processes with the help of lawyers and independent experts. Mangoola Mine reneged on these agreements when it was pointed out to them that they just couldn't bring in a local tradesperson that had no licence and do it. They had to be done appropriately. They had to be done as required by law. They required a licensed builder. They required council consent. They required home owners warranty insurance and contracts and all the other things that happen when you spend \$385,000 on a residential building. Once Mangoola Coal became aware of this, they reneged.

PROF BARLOW: Christine, we're pretty well out of time.

MS PHELPS: Yes. In closing - - -

PROF BARLOW: Are you - - -

MS PHELPS: Yes. In closing, I pray that you don't approve any further extensions to the mine. The local community has already had enough. The world doesn't need this coal mine any more, and I'd just like to leave it at that. I have given in a number of submissions for you to read, in addition to this presentation.

PROF BARLOW: Thank you. We have received those and we look forward to reading. So thank you very much for your presentation today - - -

MS PHELPS: Thank you.

PROF BARLOW: - - - and I'm sorry there was a bit of a hitch in getting the presentation up, but I think we've got a very clear view of your views and - - -

MS PHELPS: Yes.

PROF BARLOW: - - - we will study the material you have submitted. So thank you very much.

MS PHELPS: Thank you very much. Thank you for your time. Thank you.

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PROF BARLOW: That brings us to the end of day 1 of this public hearing. Thank you to everyone who has presented for your thoughtful presentations, and a transcript of today's proceedings will be made available on our website in the next few days.

10 Just a reminder that the Commission will accept written submissions on this Mangoola Coal Continued Operations project up until 5 pm on Thursday, the 11<sup>th</sup> of March 2021. It is particularly helpful for us if you could comment on your submissions at this stage on the assessment report for the project prepared by DPIE, and the associated proposed draft conditions. You can submit your comments using Have your say portal at the Commission website or by email or by post. We will be  
15 back tomorrow morning at 10 am for day 2 proceedings. Thank you for your company today. From all of us at the Commission, enjoy your evening. Good night.

**MATTER ADJOURNED at 4.23 pm UNTIL THURSDAY, 4 MARCH 2021**