

20 March 2021

Mr Joe Fittell  
Senior Environmental Assessment Officer  
Resource Assessments - Planning Services  
GPO Box 39  
Sydney NSW 2001

Dear Joe

**DPIE request for Advice - Glendell Continued Operations Project - SSD 9349**

I refer to your request via the NSW Major Projects Planning Portal for advice from Singleton Council on the Part A and Part B Response to Submissions Report (**Part A and Part B RTS Report**) for the Glendell Continued Operations Project (**SSD9349**).

Council notes that the original due date for its submission was 30 September 2020. Since that time, council staff have continued to discuss the Project with both the Applicant and the DPIE. The Applicant, in October 2020, requested an opportunity to brief council staff on the Part A RTS Report. Council staff identified council's disappointment in the Applicant's response to council's submission, and extended the opportunity to do so. Council advised a briefing on the following matters, as specifically identified in the SEARs, would be beneficial to inform future submissions:

- the likely interactions between the development and any other existing, approved or proposed mining development or power station in the vicinity of the site,
- a description of final landform design objectives, having regard to achieving a natural landform that is safe, stable, non-polluting, fit for the nominated post-mining land use and sympathetic with surrounding landforms;
- a detailed description of the proposed rehabilitation and mine closure strategies for the development
- an assessment of the compatibility of the development with other land uses in the vicinity of the development
- feasible alternatives to the development (and its key components), including the consequences of not carrying out the development

The Applicant has not proceeded with the requested briefing.

Council has also sought, as part of its review process, a briefing from the NSW Heritage Council on its submission into the Project. This briefing was held with councillors on the 1<sup>st</sup> February 2021. Council staff advised the Department that its submission would be finalised following this briefing.

## **The Proposed Glendell Continued Operations Project (the Project)**

The Glendell Mine forms part of the Mount Owen Complex, consisting of mining operations at Glendell Mine, Mount Owen Mine, Ravensworth East Mine as well as a coal handling and preparation plant, water management infrastructure, waste reject and tailings disposal, coal handling and transport infrastructure including rail load out facilities.

Council understands that the Project is needed to continue the operational life of the mine. Current mining will cease in 2023. The consent expires in 2024. The Project is seeking approval for a further 20 years of mining. The run of mine production schedule sets out how production across the two operations will take place (**EIS Main Text Figure 3.1**). The components of the Project include:

- Extraction of 135 million tonnes of Run of Mine (ROM) coal, equating to 86 million tonnes of saleable product;
- Increasing production from 4.5 million tonnes per annum to 10 million tonnes per annum;
- An additional 750 hectares of land clearing and disturbance;
- Realignment of Hebden Road (a local road subject to management and control of Singleton Council);
- Realignment of York's Creek;
- Relocation of the locally listed, yet State significant, Ravensworth Homestead;
- A construction workforce of up to 350 full time equivalent staff, and an operational workforce of up to 690 full time equivalent staff (an increase in staff of 390); and
- One final void to the north of the Glendell Mine.

The Project is proposed to expend over \$500M in capital, and contribute significantly to the local, regional and State economies.

In addition, components of the Project will require modification of the Mount Owen consent, including:

- Extended use of the Mount Owen approved Coal Handling and Processing Plant, Mine Infrastructure Area, rail loop and loading facility to 2045;
- Emplacement of overburden to 2045;
- Extension of time to complete the final landform at Mount Owen (to cater for the overburden, reject and tailings material from Glendell), although no date is specified;
- Delayed landform shaping by up to eight (8) years;
- Change in landform catchments, whereby Swamp Creek catchment will reduce, and Bettys Creek and Yorks Creek will increase;
- Use of the North Pit as a mine water storage, which will eventually become the final void; and
- Increased emplacement height to up to 200m (from approved 160m).

The Greater Ravensworth Area Water Transfer Scheme (**GRAWTS**) will also require some degree of modification, and an application to Singleton Council is proposed, but as yet not submitted.

## **The Applicant's Response to Council's Submission**

### **General Comments**

#### **1. Water Licensing**

The RTS references section 2.1.4.2 of the EIS in response. This section describes the GRAWTS and its linkages, however, it does not provide information on the water licensing requirements related to the scheme, particularly:

- Whether adequate licenses are held for mine water generation, nor how the scheme reduces reliance on 'raw water from licensed external sources'. Nor does it describe how the Project does or will rely on the Hunter River Salinity Trading Scheme (HRSTS) to operate.
- Figure 7.5.9 does not provide detail on storages used by the Project, nor does it provide evidence to support a decrease in impact on raw water users
- The EIS states that the Project is expected to increase the volume of catchment runoff into the mine, resulting in the generation of mine water, this water will report to the GRAWTS, decreasing available water supply to other users in the catchment.

Since council's submission and the preparation of the Part A RTS Report, Hunter Valley Operations (HVO) has submitted a request for SEARs for continuation of mining activities at the HVO North and HVO South Operations. The Scoping Report supporting the request identifies ongoing and future interactions with the GRAWTS.

The RTS does not address these issues.

#### **2. Timing of Water Licensing Requirements**

The RTS refers to Appendix 17 of the EIS as addressing this issue. Whilst Appendix 17 provides a list and quantity of licenses held, it does not discuss when water licenses will be required by the Project, and whether these licensed volumes would be needed by other participants in the GRAWTS. Table 3-1 of Appendix 17 identifies the licenses but not the operation that uses the license, nor whether the licenses are sufficient to manage requirements for the operation and importantly, the impact that holding these licenses has on downstream water users under the Water Sharing Plan.

#### **3. Overburden Emplacement Schedule**

Overburden emplacement has a direct impact on final landform, both design and height. It is not uncommon for mining operations, shortly into their approved life, to seek a modification to the approved design and/or height of overburden emplacement, often to meet operational needs. However, these modifications break a contract with the community that was established when the original project was approved, and incrementally increases the impacts to the community and the environment. These changes are often considered 'minor', however, result in longer mine life (and therefore longer duration of impact) and altered landforms (and therefore changes in the potential final land use outcomes).

Glendell is an existing mining operation with over 30 years of mining history. Council is seeking assurance that there is an adequate operational understanding of the nature

of overburden creation, its placement and the consequences of inadequate estimation of volume and design on community and environmental impacts.

The RTS refers to section 3.2.3.2 and Figures 3.2 to 3.5 of the EIS to address this issue. Figure 3.2 to Figure 3.5 lack clarity on the relationship of overburden emplacement between each operation (Ravensworth, Liddell, Mount Owen and Glendell). The EIS does not provide a mass balance of overburden across the operations, to enable a determination on whether the volume of overburden produced across the complex will meet the proposed landform outcomes and anticipated final landform height.

Council identified in its input to the SEARs that:

Whilst it is correct that the consent authority is not required to re-assess the likely impact of the continued development of the Glendell Mine, as approved under DA80/952; the consent authority '*may modify the manner of the continued development for the purposes of consolidation of the development consents applying to the land concerned*' (clause 4.63 (3)(c)).

The proposed project includes complex interactions with other approved, and yet to be approved, operations in the vicinity of the proposal. These complex interactions will require careful consideration within the Environmental Impact Statement, particularly in the areas of final landform and final land use, set within the local and regional context.

The Project is proposing to rely on the approved (and yet to be approved) operations of other neighbouring mines to operate in the manner proposed in the Application. It is important that the impact assessment for the Project includes how these interactions and inter-relationships will occur.

The EIS states that overburden will be emplaced in various locations, including Glendell Mine Emplacement Areas, Ravensworth East (whose approved operations will cease in 2023), in pit, out of pit, Yorks Creek Alignment and to be used for the capping of tailings at the Mount Owen Complex. The EIS does not include the volume, timing or sequencing of these activities and the relationship with the other operations. Nor does the EIS consider the cumulative production of overburden across the operations, and the capacity of the final proposed landform design and height to cater for this. The Emplacement Strategy and its relation to final landform and closure outcomes across the complex is vague and poorly described.

#### **4. Reject and tailings generation**

Council requested clarification on:

*Reject and tailings production from the Project, and the impact of this production on the capacity of storages and rehabilitation timing of tailings and emplacement areas at the Mount Owen Mine*

Council considers that its question regarding the generation of reject and tailings has not been answered in the RTS. The RTS does not provide information on the capacity of the Mount Owen approved operations to store, handle, dispose, emplace or rehabilitate the combined reject and tailings volumes from the Mount Owen Complex, including the predicted volumes from Glendell.

#### **5. Schedule of construction, mining, decommissioning and rehabilitation**

Council requested clarification on:

*Scheduling of construction, mining, decommissioning and rehabilitation activities across the Greater Ravensworth Area, which impact not only approved production limits for the respective mining operations, but also approved workforce numbers, water licensing requirements (as identified above), and cumulative amenity impacts to be felt by the community for a longer period of time.*

The RTS refers to the Project Schedule that was included in the EIS as a response to this question. However, the Project Schedule does not include the relationship of these activities with other approved, or yet to be approved operations, in the Greater Ravensworth Area.

The Project will rely on sequencing activities with these operations in order to reduce, mitigate or offset its impacts, as such the schedule of activities should be clear to determine whether the combined impacts can be mitigated.

#### **6. The inter-relationships between the operations**

Council sought inclusion of a figure that depicts the inter-relationships, flow pathways and volumes of each flow pathway for all input and outputs related to the inter-dependencies.

The RTS refers to Figure 2.3 as showing these inter-relationships. Figure 2.3 does not include Glendell transfers between the various operations.

#### ***Hebden Road***

Council notes the different methodology for calculating road delay impacts and notes that, should the project be approved, these impacts will be in perpetuity (not for the life of the Project) and that there are both large and light vehicle users of the road.

##### **1. Long term road maintenance**

The RTS disputes council's assessment of road condition and states that scheduled maintenance requirements will be re-set with the construction of a new road, resulting in less maintenance required in the first years following road construction. The RTS does not provide an alternative condition assessment of the existing road, nor does it acknowledge the significant spend council has incurred in current maintenance costs.

The proposed Hebden Road will result in extra length, additional assets and liabilities for council, and additional depreciation costs to be incurred by council and the

community. These costs affect the fit for the future ratios for which local council's are held accountable to by both the NSW Audit Office and the Office of Local Government. These considerations are significant for council when entering discussions on acquiring new road assets.

Council and the Applicant have commenced discussions regarding the costs of long-term maintenance of the new Hebden Road, should the project be approved. No agreement has been reached regarding closure and acquisition of the road. Should the Department recommend approval, council requests a condition that requires the Applicant to close Hebden Road in accordance with the requirements set out in the *Roads Act 1993*.

## **2. Closure of Old Hebden Road**

The RTS acknowledges that any road closure of old Hebden Road will be undertaken in accordance with Part 4 of the *Roads Act 1993*.

Council and the Applicant have commenced discussions regarding the possible closure of Hebden Road and the subsequent acquisition of the land parcel created by the closure.

To date, no agreement regarding the closure of old Hebden Road has been reached. Should the department and Independent Planning Commission be of a mind to approve the Project, council would ask that the department/IPC impose a condition of approval requiring the Applicant to undertake appropriate road closure processes under the *Roads Act 1993*.

## **3. Impact of not realigning Hebden Road**

Council, in its submission, requested clarification on:

*The impact of not realigning Hebden Road, including transparent costs and lost coal value, and the consequent environmental, social and economic impacts and benefits of not relocating the road.*

The RTS refers to the assessment of options included in Appendix 1 to the EIS. Appendix 1 to the EIS considers options regarding Hebden Road, however, all options were to realign the road. Appendix 1 to the EIS does not include an assessment of the impact of not re-aligning Hebden Road, nor does it include the costs and lost coal value and the consequent environmental, social and economic impacts and benefits of not relocating the road.

On 26<sup>th</sup> March 2021 council was provided with a report titled *Review of Glendell Continued Operations Project Mine Plan and Mine Plan Options*. Council staff have not completed a review of this report to date, and will provide a subsequent submission once a review has been completed.

## ***Ravensworth Homestead***

Council has reviewed the Applicant's response in relation to clarification sought through its submission and considers that, with the exception of the actions proposed

---

## ***Singleton Council Submission Glendell Continued Operations Project***

---

to ensure appropriate investigation is undertaken for buried remains, and the actions that would be taken in the event additional remains (archaeological and human) are located across the entire Estate area none of the remaining points of clarity have been answered in the RTS. Council specifically sought clarity on:

1. *approval requirements, current and future land ownership (as well as outcomes of consultation with current land owners), future Homestead ownership and maintenance, should relocation to McNamara Reserve be approved;*

This question has not been answered in Part A of the RTS.

2. *permissibility of Option 1 and Option 2 in the respective zoning, including a description of the intended final land use approval being sought for the Homestead under each option;*

This question has not been answered in Part A of the RTS.

Council notes that whilst dwellings, farm buildings, roads, rural industries and agriculture are permissible uses in the RU1 zone, commercial premises are not. The proposed relocation of Ravensworth Homestead to Ravensworth Farm for the purposes of mining offices would likely not be permissible under the *Singleton Local Environment Plan 2013*.

Given the Project is seeking future approvals for the relocation of the Ravensworth Homestead under both Option 1 and Option 2, it is likely that these approvals will be additional, not ancillary, to the Project. As such the assessment requirements set out in the *Singleton Local Environmental Plan 2013* will apply.

3. *the broader community support or otherwise for the management of the Homestead in a scenario where the Project is not approved, including consideration of a post mining use of the Homestead in both its current location and at Ravensworth Farm*

This question has not been answered in Part A of the RTS. Council notes that on page 72 of the RTS, the Applicant is prepared to spend \$20M to relocate the Homestead for economic gain, but is prepared to spend very little, if anything, to maintain the Homestead in situ should the Project be refused.

4. *the management actions and controls that would be implemented to ensure appropriate investigation is undertaken for buried remains, and the actions that would be taken in the event additional remains (archaeological and human) are located across the entire Estate area*

Council considers this clarification has been answered with detail provided in the RTS on the actions to be taken should buried remains be located on site.

5. *the feasibility of McNamara Reserve, in the context of clause 2.14 of the Crown Land Management Act 2016, the Biodiversity Conservation Act 2016, the Roads Act 1993, the Local Government Act 1993 and any other*

---

## ***Singleton Council Submission Glendell Continued Operations Project***

---

*Act/Regulation/Environmental Planning Instrument where an approval or assessment of the impact of such a proposal would be required;*

The Applicant maintains a position of deferring these issues to a later approval process. Council, in its submission provided details on the process for securing McNamara Reserve as a potential location for the relocated Homestead. Any assessment of the Project should require the Applicant to secure tenure for Option 2.

Given the Project is seeking future approvals for the relocation of the Ravensworth Homestead under both Option 1 and Option 2, it is likely that these approvals will be additional, not ancillary, to the Project. As such the assessment requirements set out in the *Singleton Local Environmental Plan 2013* will apply.

- 6. social and economic impact and consequences of such a facility on the Broke community, including future maintenance costs of facilities and infrastructure required to support the relocation that will be borne by the community or any other party, and transparently quantifying these in a revised Economic Impact Assessment;*

This question has not been answered in Part A of the RTS. The Applicant is proposing to defer the assessment of such impacts to a secondary approval process, not associated with the Project. However, the impacts of relocating the Homestead are directly related to the Project and, as such, how such a facility will be secured and maintained in the future requires assessment.

- 7. persons or entities responsible for completing the relocation to McNamara Reserve, including the capacity of the identified persons or entities to undertake such actions as are required to complete the relocation (some of which are identified in points 1 to 3 above), a timeline for completion of points 1 to 3 above and a contingency plan in the event the relocation to McNamara Reserve becomes unsustainable; and*

This question has not been answered in Part A of the RTS.

- 8. long term, in perpetuity arrangements that will be imposed and implemented to ensure the Homestead is accessible, sustainable in the long term and reused for an appropriate purpose (in other words, meets the required public interest test), for both Option 1 and Option 2.*

This question has not been answered in Part A of the RTS.

### ***Mine Closure***

The Applicant has provided detail regarding the internal mine closure planning process undertaken by Glencore. Whilst council commends the development of internal closure protocols, council maintains the position that a detailed mine closure plan for a Project that has an existing mine life of less than 2 years, and an operational life of over 30 years, is not an unreasonable expectation to include in the EIS for the Project.

In its submission, council specifically sought clarification on:



1. *Timing of detailed closure planning for the existing operation, should the Project not be approved, including the actions needed to be taken to achieve a post mining land use that is suitable, and does not result in a negative socio-economic impact to the community. This analysis must include:*
  - a. *Potential areas of the mining lease (or mine owned land) where these land uses could be applied;*
  - b. *Relationship between the proposed final land uses and the final landform;*
  - c. *The integration of these uses with other existing and proposed land uses in the region, including the compatibility and viability of potentially competing uses;*
  - d. *Whether any or all of these options will be safe, stable, non-polluting and sustainable in the context of the final landform; and*
  - e. *A timeframe/timetable for investigation and implementation of one or more option(s) through to feasibility.*

These issues have not been addressed in the RTS.

The RTS refers to a conceptual mine closure plan for both the existing operation and the Project, which has not been included in the Part A RTS Report and reiterates the Applicant's post approval commitment to develop a Mine Closure Strategy.

2. *Role of both council and the community in the post mining land use options assessment and analysis, including the extent to which such consultation has occurred and its outcomes;*

The RTS acknowledges that the Council and community play an important and integral role in mine closure planning.

Council is not aware of any consultation undertaken with the community regarding the proposed mine closure options for the Project. Council has not been consulted on the proposed mine closure options. Council refers the Applicant to its recently exhibited Draft Local Strategic Planning Statement, which provides future direction for land use planning in the Singleton Local Government Area.

3. *The relationship between post mining land use and the principles of strategic land use planning, including the extent to which the Applicant has consulted with council on the future strategic land use planning outcomes for the local government area;*

This question has not been answered in the RTS. The Applicant has not consulted with council on the final land use options, or future strategic land use planning outcomes for the local government area. Council considers consultation on post mining land use planning post approval is an inadequate time to commence such discussions.

Council has commenced a project that seeks a whole of LGA approach to post mining land use to provide a strategy for spatial connectiveness and land use that supports environmental and socio-economic sustainability outcomes, pathways and actions to

enable the beneficial reuse of post mining land. Council acknowledges that the Applicant's parent company has participated in some initial discussions on this Project.

- 4. Final void management actions that will be taken to ensure highwall stability during and post mining, including contingencies for final landform design and rehabilitation outcomes should the highwall destabilise during and/or post mining;*

The RTS refers to the Glencore Mine Closure Planning Protocol, requiring all Glencore mining operations to develop closure plans at various stages of mine life. The RTS states, on page 77 that '*highwalls retained in the final landform will be designed to be geotechnically stable for the long-term having regard to a range hydrostatic scenarios*'.

However, council noted in our submission that:

*Appendix 24 identifies that highwall stability will be dependent on performance during mining, however, there is no discussion on how stability will be monitored and to what condition, nor is there discussion on the actions that will be taken in the event of highwall failure and its subsequent impact on rehabilitation outcomes and performance. Appendix 24 also states that highwall stability will improve as the void fills, however, given the timeframe for this to occur and stabilise, and that equilibrium will be 160 metres below natural ground level, this does not appear to be a sufficient or manageable control.*

Neither the RTS nor Appendix 24 of the EIS describe the adaptive measures that will be taken to ensure highwall stability will be ensured and maintained until equilibrium is met or addressed in the event highwall stability is lost.

- 5. Assessment of the suitability, permissibility and sustainability of the final land use(s) proposed by area or domain, including actual feasibility and economic viability, as well as linkage between final landform and final land use(s) (that is, will be landform proposed actual provide for the uses identified);*

This question has not been answered in the RTS, as neither the EIS or the RTS has identified where on the mine the proposed final land uses could be applied, and therefore the feasibility and viability of such application cannot be determined.

- 6. Analysis of the climate changing risks (temperature, rainfall, fire) on the success of rehabilitation, including the contingency measures that would be implemented in the event rehabilitation fails;*

This question has not been answered in the RTS.

- 7. Viability of the proposed final land uses, including where on the lease or buffer areas these uses could be applied, the relationship between the proposed final land uses and final landform, the integration of these uses with other existing and proposed land uses in the region, including the compatibility and viability of potentially competing uses;*

This question has not been answered in the RTS. The EIS identifies a number of final land uses:

1. Ancillary mining activities
2. Power generation, including solar, gas and pumped hydro storage
3. Industrial/manufacturing uses
4. Active recreation/extreme sports
5. Waste, recycling, reuse and product development
6. Aquaculture
7. High value carbon forestry, nature based education, ecological restoration, low impact recreation, training and research

The RTS does not include an assessment of the viability of these land uses post mining as requested.

The RTS discusses the rehabilitation outcomes of vegetation and biodiversity and does not consider the relationship of these with the proposed list of final land uses.

8. *The consequences of the final land use options, including the final use of the void, on the principles of ecologically sustainable development, in particular, inter-generational equity;*

This question has not been answered in the RTS. No analysis of final void land use has been included in the EIS or RTS that considers the viability, permissibility, or integration with other proposed final uses in the vicinity and region.

The principle of intergenerational equity requires consideration of these issues to be projected into the future where the final void reaches equilibrium and can be used for a final intended purpose.

9. *safety, stability, pollution potential and sustainability of the proposed final land uses in the context of the final landform; and*

In the absence of the analysis requested in items 3, 4, 5, 7, and 8 above, this question has not been answered in the RTS.

10. *Timeframe/timetable for investigation and implementation of one or more option(s) through to feasibility, including a post mining use for the Ravensworth Homestead, in the event Option 1 is implemented.*

In the absence of the analysis requested in items 3, 4, 5, 7, and 8 above, this question has not been answered in the RTS.

### ***Voluntary Planning Agreement***

Council and the Applicant commenced negotiations on a Planning Agreement in 2019. On 18 June 2020 the Applicant wrote to council with a formal planning agreement offer of \$2.24M.

Council has spent significant time reviewing the contributions made to the Singleton community by the mining industry and in November 2017, Council resolved to apply a

1% levy on capital investment value to all future mining planning agreements or to apply a cents/tonne rate (where tonne is the estimated saleable product for the project), to be determined through negotiation with applicants.

In determining the capital investment value for the Proposed Project, both Council and the Applicant rely on Planning Circular PS10-008 to determine the capital investment value. This Planning Circular states that the capital investment value of a *development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment.*

Council also relies on the definition of *capital investment value* in the *Environmental Planning and Assessment Regulation 2000*, as:

*a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment, other than the following costs—*

- (a) amounts payable, or the cost of land dedicated or any other benefit provided, under a condition imposed under Division 7.1 or 7.2 of the Act or a planning agreement under that Division,*
- (b) costs relating to any part of the development or project that is the subject of a separate development consent or project approval,*
- (c) land costs (including any costs of marketing and selling land),*
- (d) GST (within the meaning of A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth).*

The Response to Submissions for the Glendell Continued Operations Project states (page 81):

*The capital amount of \$515.3 million (discounted) or \$869.6 million (undiscounted [sic]) in the Economic Impact Assessment is the total capital requirement for the life of the Project and includes the infrastructure works captured in the CIV as well as capital associated with the purchase of replacement mobile mining equipment and other sustaining capital spend required to support the mining operation. [our emphasis]*

The Project Capital Investment Value Report prepared for the Project, refers to another planning circular issued by the then Department of Planning PS13-002 – Calculating the genuine estimated cost of development. This planning circular applies to consent authorities when determining the cost of a project for the purposes of setting an application fee. This circular applies to development application fees under Part 4 of the *Environmental Planning and Assessment Act 1979*, other than State significant development and is not a relevant reference when determining the capital investment value of a project of State significance.

Taking into consideration the Applicant's RTS Report and the application of relevant planning circulars issued by the Department of Planning, Industry and Environment, the appropriate capital investment value for the Proposed Project lies somewhere between \$515M and \$869M. Applying Council's adopted methodology, the voluntary contribution is valued between \$5.15M and \$8.69M. On that basis, the Initial Offer of \$2.24M was not accepted.

Council notes that council staff and the Applicant are continuing discussions in relation to an outcome for the Planning Agreement. Council also notes that the Applicant has indicated a preference for the Independent Planning Commission to determine an appropriate value for the Planning Agreement. Council has no objection to third party mediation, subject to the DPIE assessment process.

Should the Department recommend approval subject to conditions, council requests that the development not be approved until in principle agreement on the Planning Agreement has been reached with the Applicant.

### ***Social Impact and Community Loss***

Council's submission identified that the Project's amenity impacts will largely be mitigated through the acquisition clauses contained within the approvals of other adjacent mining operations, as such, the Glendell Project is not required to consider its impacts or acquisition as a result of its impacts. Council does not agree that this is an appropriate control measure to mitigate impacts associated with amenity loss, that will result in community loss and social impacts.

### ***Biodiversity***

The RTS does not provide an answer to the questions raised by Council in its submission. Instead, these matters will be addressed through the assessment phase of the Project. Council disagrees with this approach, as it lack transparency or an opportunity to review the potential impact of locally acquired offsets on council. Council is seeking to understand:

1. The preferred option(s) for securing the offsets required for the Project;
2. Where the land-based offsets would or could be, including its current and future tenure;
3. The area and location of proposed ecological rehabilitation and communities to be reinstated;
4. The long-term tenure of ecological rehabilitation; and
5. Whether the required credits are available for purchase.

### ***Greenhouse Gas Emissions***

The RTS does not provide an answer to the questions raised by Council in its submission. The NSW Government has a published Climate Change Policy Framework, which is underpinned by a Net Zero Emissions Policy and a Stage 1 Plan (2020-2030) to meet the goal of 35% reduction in emissions by 2030. This Policy and Plan requires action from all levels of government, industry and the community.

Appendix 29 of the EIS and the RTS identify actions undertaken by Glencore to offset the impacts of its global emissions, including participation in such programs as Coal21. However, the report does not quantify the reductions achieved, the reduction in impact that resulted from the action, nor does it establish whether these actions would mitigate the emissions from the Project.

The RTS makes no reference to the NSW Government Policy for Net Zero Emissions, nor does it provide alignment to the Net Zero Plan Stage 1.

The RTS does not provide evidence to demonstrate how *the project* will achieve the outcomes identified in Glencore's published climate change position.

### ***Air Quality***

The RTS acknowledges the impacts of climate change within the Hunter region, and the effect that this change will have on air quality. The RTS acknowledges that material handling is the primary contributor to particulate matter emissions from mining operations, with wind erosion from disturbed areas the most significant contribution. Given the lack of closure planning, and the disparity between disturbed areas and rehabilitated areas, and the lack of information in the EIS regarding the volume of overburden to be displaced and moved by the Project, the RTS has not considered the consequences of known climate change impacts on the success (or otherwise) of rehabilitation, nor proposed an adaptive management response.

Council's submission suggested that, for example, inclusion of an assessment of the air quality impacts associated with a projected decrease in rainfall during spring and winter months, where PM10 and PM2.5 have been identified as having greatest impact would be a useful assessment to determine the long term effects of real and known climate change impacts on air quality and rehabilitation outcomes. The Project cites rehabilitation as a key mitigation measure for reducing air quality impacts, however climate modelling shows that rainfall is predicted to decrease in spring (a key planting season for rehabilitation works).

The RTS provides a summary of the management actions that may be taken when an alarm is triggered for poor air quality. However, the RTS does not discuss how effective these management controls are in eliminating, minimising or mitigating the impacts that may result from the action being taken.

### ***Waste***

The Project proposes to dispose of reject and tailings materials to the Bayswater North Pit and the North Pit. Council notes that at page 153 of the Part A RTS Report the Project intends to use the Bayswater North Pit and the North Pit as pit lakes and further identifies the Bayswater North Pit for tailings disposal. It is not clear from the EIS or the Part A RTS Report the capacity of these facilities to accommodate the tailings expected from the processing of both Mount Owen and Glendell Mine coal.

In addition, learnings in relation to the rehabilitation of tailings across the complex and industry should be incorporated into the impact assessment, including contingencies for how to manage should rehabilitated tailings landforms fail.

Council considers the issues raised in relation to disposal of demolition waste have been addressed in the Part A RTS Report.

***Building compliance matters***

The RTS proposed to defer building related requirements to the submission of construction certificates and other certificates that may be required post approval. However, Schedule 1, Part 1, Clause 2 of the EP&A regulation sets out the matters to be included in a development application, including, but not limited to:

*In the case of development that involves the erection of a building, an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site (as referred to in clause 56 of the Regulation),*

*(a) if the development involves any subdivision work, preliminary engineering drawings of the work to be carried out,*

The proposed Project will require subdivision works to be undertaken for both the Option 1 relocation of the Ravensworth Homestead and the relocation of the Hebden Road. No details have been provided in relation to these works.

*(b) the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,*

Indicative locations have been provided.

*(c) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,*

No floor plans have been provided for the proposed Mine Infrastructure Area or the relocated Ravensworth Homestead.

*(d) elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures),*

No elevations and sections have been provided for the proposed Mine Infrastructure Area or the relocated Ravensworth Homestead.

*(e) elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in clause 7 of this Schedule),*

No information has been included to determine whether temporary structures are proposed during or post construction.

*(f) proposed finished levels of the land in relation to existing and proposed buildings and roads,*

---

## ***Singleton Council Submission Glendell Continued Operations Project***

---

Council notes that the Applicant has provided some indicative finished levels in relation to the proposed relocation of Hebden Road. No finished levels have been provided for other buildings proposed as part of the Project.

*(g) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),*

Council notes that the Applicant has provided some indicative vehicle arrangements in relation to the proposed Mine Infrastructure Area, however, no details have been provided in relation to parking and internal site movements for the relocated Ravensworth Homestead or the Mine Infrastructure Area.

*(h) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),*

A landscaping plan for the Mine Infrastructure Area has not been provided.

*(i) proposed methods of draining the land,*

A drainage plan in relation to the Mine Infrastructure Area has not been provided.

*(j) in the case of development to which clause 2A applies, such other matters as any BASIX certificate for the development requires to be included on the sketch,*

A BASIX certificate for the Mine Infrastructure Area and relocated Ravensworth Homestead options has been provided.

*(k) in the case of BASIX optional development—if the development application is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied), such other matters as any BASIX certificate for the development requires to be included on the sketch.*

*(l) BASIX certificate, or if one is not required, a justification for not requiring one (given potential final land use of the Ravensworth Homestead could be a dwelling, an assessment of how the development will meet or exceed the requirements of BASIX should be included)*

Council raised this matter in its submission to the EIS. Nothing in clause 11 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (Mining SEPP) allows the construction of the Mine Infrastructure Area and relocated Ravensworth Homestead to be exempt or complying development for the purposes of clause 10 or clause 11 of the Mining SEPP. As such, these requirements are not post approval requirements that can be deferred.

### **Concluding Comments**

I would like to thank you for the opportunity to provide comment on the Glendell Continued Operations Part A and Part B RTS Report for the proposed Project. Please contact me on 02 6578 7290 if you have any questions.



Yours sincerely



Mary-Anne Crawford  
**Manager Development and Environmental Services**