

Council Reference: 150.2023.14 and 150.2023.13
Your Reference: SSD-11826681 and SSD 11826621

13 March 2024

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

Dear Joe

DPHI request for Advice – Hunter Valley Operations Continuation Project - SSD 11826681 (HVO North) and SSD 11826621 (HVO South)

I refer to your request via the NSW Major Projects Planning Portal for advice from Singleton Council on the Response to Submissions (RTS) for the Hunter Valley Operations Continuation Project. This Project incorporates two existing mining operations, HVO North (SSD 11826681) and HVO South (SSD 11826621).

Council staff have undertaken a review of the Response to Submissions provided to inform this submission and provides this letter as its response to the Department's request. Please note, this letter constitutes council's advice in relation to both the HVO North and HVO South Project.

Council has a process of providing preliminary submission responses to requests for advice, pending endorsement of the submission at a subsequent Council meeting. It should be noted that amendments to council's submission, or a subsequent submission, may occur as a result of this process.

The Proposed Hunter Valley Operations Continuation Project (the Project)

The Project consists of mining operations and associated infrastructure at Hunter Valley Operations North (HVO North) and Hunter Valley Operations South (HVO

South) and includes open cut mining operations coal handling and preparation plant, water management infrastructure, waste reject and tailings disposal, coal handling and transport infrastructure including rail load out facilities. The Hunter Valley Operations Complex spans the Singleton Local Government Area from Warkworth in the south, to Liddell Power Station in the North and encompasses approximately 13,000 hectares of disturbance, amounting to approximately 3% of the Singleton Local Government Area. The existing operations are significant in terms of both land area and location.

Council understands that the Project is needed to continue the operational life of the complex. Current development approvals will expire in 2025 (HVO North) and 2030 (HVO South). The Project is seeking approval for a further 25 years of mining for HVO North, taking the approved operations to 2050.

Following exhibition of the EIS, the Project has remained largely unchanged, with the following amendments the subject of an Amendment Report:

- Realignment of the proposed new Lemington Road to reduce impacts to the Warkworth Sands Endangered Ecological Community and two scarred trees of Aboriginal cultural heritage significance.
- Adjustment to the Project area boundary because of the proposed new Lemington Road alignment.
- Changes to the timing of the construction of the low permeability barrier wall within the Carrington West Wing area to address concerns raised by DPE Water during the exhibition period.

Council supports these adjustments as reducing the expected environmental impacts as a result of the proposed Project.

Council's submission on the EIS to the Project raised a number of issues related to:

- Interactions with neighbouring mining operations, particularly in relation to water management, tailings management, overburden management and the phasing of neighbouring operations rehabilitation works and mine closure planning to accommodate the increased life of the Project.
- The impacts of the proposed Project, including proposed flood levees, on downstream flooding, in the context of Council's draft Floodplain Management Study and Plan.
- The proposed realignment of Lemington Road.
- How the Applicant intends to provide for the long term (in perpetuity) maintenance of the New Lemington Road to meet the asset life requirements.

- Consideration of all alternative options (including the Preferred Mine Plan) taking into consideration the whole of life costs and benefits to achieve the outcomes set out in the adopted Hunter Regional Plan
- An assessment of the current rehabilitation and closure under the existing approvals, within all options, but specifically the Do-Nothing Option
- The timing of detailed mine closure planning, consultation on mine closure planning and the consequences of closure planning in a 'do nothing' scenario
- The negotiation of a Voluntary Planning Agreement
- The impact of a changing climate on air quality impacts for the life of the proposed Project, including post closure
- Evidence to support the effectiveness of existing controls in reducing impacts of air quality, in particular PM10 and PM2.5
- The Project's contribution towards achieving the NSW target of net-zero emissions by 2050, specifically actions that the Project has (or is proposing to) taken to support reductions in emissions and in particular Scope 1 emissions.
- The consequences of the Project on housing supply, affordability and availability.
- The social and economic impacts and benefits associated with mine closure, and in particular, early closure and compliance with the current conditions of consent.
- The preferred option(s) for securing biodiversity offsets, where land based offsets would be located, the area and location of ecological rehabilitation, the tenure of ecological rehabilitation and whether the required credits are available to purchase.
- The relationship between the proposed final and use and the planning principles set out in the Hunter Regional Plan 2041.
- The requirement to subdivide land for elements of the Project to take effect and the need to rezone land under Division 3.2 of the EP&A Act.
- That the disposal of waste on site, including potentially contaminated materials such as tyres, conveyor belts and drilling wastes, will result in environmental impacts that have not been assessed, and is not consistent with the NSW EPA Waste Strategy.
- A lack of detail on the design of buildings proposed by the development.

Council has prepared a table of responses to the Applicant's RTS and made recommendations in relation to conditions of consent, should the proposed Project be recommended for approval. This table is included at Attachment 1.

I would like to thank you for the opportunity to provide advice into the HVO North and HVO South Project Response to Submissions. If you have any further enquiries,

please do not hesitate to contact Mary-Anne Crawford on telephone 02 6578 7290
or email mcrawford@singleton.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that extends downwards and to the left.

Mary-Anne Crawford
Manager Development and Environmental Services