

Enquiries

Please ask for Steve McDonald

Direct

02 6549 3700

Our reference

Your reference

2 February 2018

**Ms Melanie Hollis
Senior Planning Officer
Dept of Planning & Environment
GPO Box 39
SYDNEY NSW 2001**

Dear Ms Hollis,

RE: Bengalla Coal Mine Modification 4 – Statement of Environmental Effects

I refer to the application from Hansen Bailey on behalf of the Bengalla Mining Company ("the Proponent") for Modification 4 of the Bengalla Continuation Project approval (SSD-5170). I am pleased to provide the following submission on behalf of Muswellbrook Shire Council ("Council") with respect to the Proponent's Statement of Environmental Effects dated December 2017.

The proposal seeks:

- amendments to the approved water management system;
- temporary storage of excavated earthen and clay material for future use;
- increased capacity and locations of run of mine coal stockpiles; and
- additional temporary storage locations for coal processing reject material.

Whilst the four proposed changes to the existing consent are comparatively minor in nature, each has the potential to have offsite impacts if not managed correctly.

Council's issues of concern are as follows:

Dry Creek East Dam

The modification proposes to build a new dam, called the Dry Creek East dam immediately north of the rail loop. The purpose of this dam is to initially hold mine water, and in time capture runoff from the rehabilitated areas. It is to remain post closure. Some of this dam is located on the Hunter River alluvium. Due to the location of the dam on the alluvium and the minimal studies provide in the Application, Council is concerned it may leak and pollute the alluvium with saline mine water.

Council requests that the following be required of the Proponent, or additional requirements be included within the revised Consent:

- i. the Dry Creek East dam should not be located on any part of the alluvium;

- ii. Further studies are to be undertaken to determine the likelihood of the dam leaking saline water and provide recommendations on how this risk can be avoided and the alluvium not polluted with mine water;
- iii. Should the building of the dam be approved in its current location, Council be provided with monitoring results with the purpose of satisfying Council that the water quality within the alluvium is not being compromised by the dam.

It is noted that a temporary overburden emplacement area dam is to be constructed. Council has assumed that this dam would be decommissioned prior to closure. Should it remain post closure, it will also need to be sealed to prevent this dam contributing to saline ground water within the overburden emplacement area.

ROM Pad Dust Management

The Run of Mine (ROM) pad is to be significantly enlarged from 350,000t to 1,250,000t, an increase of 900,000t. This has the potential to generate additional coal dust in windy conditions and when being loaded into or out of the stockpile. The dust management methodology is not described in the application. The application only offers to apply techniques consistent with the Bengalla Air Quality Management Plan. As the ROM pad currently does not exist, its management will not be currently covered in this plan.

Council requests that the following additional requirements be included within the revised Consent:

- i. The Consent to contain methodology and the minimum requirements to manage the potential for dust generation from the ROM coal pad and its use. This should include permanent irrigation systems and controllers that respond to differing weather conditions.

Western Link Road

The replacement of the Western Link Road is not considered as a part of this application. Bengalla currently has the requirement (Condition 34 Schedule 3) to replace the northern portion of the Bengalla Link Road, with a road further to the west, prior to mining within 200m of the Bengalla Link Road. The current design of this road, as shown in the existing consent, does not satisfy some road standard requirements, including for curve radii.

Council's current position is to not build the Western Link road and instead build a road to the east of the Bengalla Mine, primarily on Bengalla owned land. This may make the requirements of Condition 34 redundant to a large extent.

Council requests that the Proponent be invited to discuss this issue, together with the operators of the Mt Pleasant Mine, well before the requirements of Condition 34 are triggered.

Land shape and micro relief

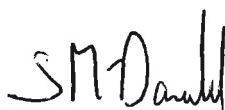
The current Bengalla approval came into force in October 2015. Condition 44 Schedule 3, and in particular the first point in Table 15 requires:

Final landforms designed to incorporate natural micro relief and natural drainage lines, which, where reasonable and feasible, further avoid straight run drop structures, to integrate with surrounding landforms.

To date no micro relief type of landforms have been observed in the recent land shaping and rehabilitation at Bengalla Mine. Council is concerned that this requirement of the Consent is not being complied with in full and so the matter should be resolved prior to granting any further modifications to the existing Bengalla Consent.

Council appreciates the opportunity to comment and would be pleased to provide additional information if requested.

Yours faithfully



Steve McDonald
General Manager