

Objection to Proposed Expansion of Chain Valley Colliery

My objection to the proposed expansion is for multiple reasons.

Global warming

The first is the combustion of the mined coal will cause additional global warming. The proposed mine extension will permit the Vales Point Power Plant to continue to operate until the coal supply is exhausted. There is no other economical coal supply for Vales Point. The Scope 3 emissions of this plant are an integral part of the application not an unconcerned “extra”.

Global warming is not a natural phenomenon, it is caused by combustion of fossil fuels to a very large extent. The scientific evidence supports the projection that global temperatures will rise well over 1.5 degrees. Urgent action is now required to reduce the combustion of fossil fuels. If this project proceeds, what offset carbon reduction measures will the proponent pay for? The proponent has not identified any concern for the additional carbon contribution from this project. No mitigation or management measures were identified for carbon emissions. The assumption is that “other measures” will be employed to reduce carbon emissions. The project fails to satisfy the precautionary principle.

Economic

The economic analysis report fails to address the proven costs of carbon emissions. Instead, the report focuses on benefits (to the proponent). Attention is drawn to the failure of the report to identify any costs arising from the financial impacts of climate change in NSW, Australia and throughout the world. While this may be consistent with the “Planning Guidelines” it is certainly inconsistent with the need for critical analysis of this project. The report infers that the bushfires in previous years and the flooding in 2022 are purely natural events totally unrelated to global warming. The flooding on the north coast of NSW in February this year was significantly contributed to by the combustion of fossil fuels. Why is climate change damage cost incurred in NSW not being considered as part of this project? Why are flooding events in the Lake Macquarie area not considered as a cost of this project.

The inconsistency is not based on scientific evidence derived from the predicted effects of global warming on climatic patterns. Insurance costs and uninsurable properties are a direct cost of global warming. These are real costs that the report should have identified.

The report does not identify any costs associated with the extension of operation of Vales Point. The closure of mining and power generation is reasonably expected to cause a significant increase in land valuations with cleaner air, less noise, removal of coal trucks etc. The failure of the cost benefit analysis to claim this would not occur amounts to a fundamental flaw in the analysis. The increase in land values would more than compensate to local government in the form of land rates.

The economic report does not include the diesel fuel rebate savings which mining is granted by the Commonwealth Government. These savings is not provided to all other industries and adds to the distortion of employment opportunities for other industries in the local area. Nor does the economic report identify the consistent pattern of paying very small amounts of Commonwealth income tax thus company income tax benefits to NSW are purely fictional.

The claim “Adverse uncompensated environmental, social, and cultural impacts of the Project have been minimised through project design and mitigation, offset and compensation measures” is false. Global warming costs have not been included, nor offsets identified. Land values post closure of the

activity have not been included. Hence the conclusion of the economic analysis is flawed and should be disregarded.

Air quality

The air quality assessment is lacking in providing the best available health criteria to protect human health. The NEPM values represent Australia wide values that the political representatives accept. The WHO provided new criteria in 2021. Applying the precautionary principle will result in the most recent WHO criteria being used in this assessment. The Air Quality Guideline (AQG) for PM_{2.5} is 5(µg/m³) not 8 proposed by the proponent. Using the conservative approach to protect the health of NSW citizens, this project should not proceed. The combining of the two mining activities is merely a matter of convenience for the proponent. Why shouldn't the operation of Vales Point be included as part of this assessment?

Groundwater and subsidence impacts

The Groundwater report identifies issues with groundwater management and settlement arising from the proposed expansion. There is some uncertainty in the geological formation and the potential effects of expansion of the mining area under the Lake. The precautionary principle requires that the uncertainty of groundwater impacts demands that this proposal not be approved. .

Surface water management

The water pollution taking place in Swindles Creek (under EPA licence or not) would be reduced by the ceasing of the mining activities. Justification that the existing pollution (licenced or not) should continue, is not provided in the report. The existing EPA licences permit unlimited concentrations of many pollutants, like heavy metals, mercury, arsenic. EPA licence breaches occur frequently. The local streams will have an improved water quality when the mining activities cease. Heavy metals concentrations will be reduced. Licence information show that there are multiple instances when faecal coliform licence breaches occur (Licence 1770). The risk to uses of Lake Macquarie for water sports would benefit from eliminating such incidents. Upgrade of the sewage treatment system failed to address licence breaches with respect to faecal coliforms. This is of serious concern. The responsibility falls on the licensee to instigate measures to protect the environment not to continue with licence breaches. The question of whether the licensee is suitable to hold a licence is raised.

Noise Management

The concern with this project is noise from the proposed ventilation fans. Of particular concern is the dominance of noise from Vales Point. Should Vales Point cease operations, the coal mine expansion would be permitted to operate under legacy conditions. This is questionable and suggests that the noise assessment should be performed on the basis of Vales Point being non-operational. This is because Vales Point is a dominant noise source in the locality. Its closure would see background noise levels greatly reduced.

The case for Vales Point and the two coal mines being considered as a single activity should be critically assessed due to their inter-relationship. While it is interesting that Delta seeks to combine the two coal mines into one activity, it opens the questions of why the regulator should not take the initiative and consider the mine and power station as one entity.

The role of Regulatory

The relationship between the Power Plant and the two coal mines suggests that this project should be addressed as a single entity. It is the responsibility of the regulatory to determine the regulatory approach not for the developer to decide what suits them. The community demands the regulator acts in the interests of the residents of NSW not the interests of the developer.

Conclusion

This project is not supported due to its failure to be consistent with the precautionary principle for multiple reasons. The project has inherent long term risks to groundwater and settlement. Water pollution will be reduced when the mines cease to operate. Air quality and the acoustical environment will be improved when mining and power generation ceases. NSW will progress towards achieving its carbon reduction goals by ceasing this mining activity sooner.