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<https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-3-pit-8-extension>

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Objection to Wilpinjong Modification 3 – Pit 8 extension

I am a long term resident of the Wollar district suffering significant social, economic and health impacts from the Wilpinjong Coal Mine (WCM) along with other family members. I hold a number of voluntary positions in the local community including Secretary/Treasurer/Public Officer of Wollar Progress Association, Community Engagement Officer with the Cumbo Rural Fire Service (RFS) and a community member of the Wilpinjong Community Consultative Committee.

I represent Wollar community on the EnergyCo Community Reference Group for the Central West Orana Renewable Energy Zone (CWOREZ).

This mine expansion proposal is substantially different to the current WCM project approved in 2017 and should not be assessed as a Modification. Peabody Energy describes this mine expansion as Stage 1 of a larger project, as outlined on their website under Future Plans.¹

It is essential that this mine expansion proposal is assessed as part of the new larger project described by the proponent. This piecemeal approach to mine assessment and approval fails to adequately address cumulative impact especially for the Wollar community that has been severely impacted by on going modifications and expansions of WCM since approved in 2006.

Under the original approval WCM would have been completely wound up and rehabilitated by next year, 2026. The level of pollution impacts would now have ceased and the community in a position to rebuild. The expansion approved in 2017 takes mining activity out to 2033 but again, as outlined in the Social Impact Management Plan (SIMP), mining operations should start winding back this year, 2025.

This application is to extend the area of WCM operations to the boundary of Wollar Village, disturb a further 155 ha containing biodiversity, cultural heritage and important water source values and extract a further 14Mt of thermal coal. Seeking an extension of mine life by only a further six months to June 2034 does not add up. This anomaly of time frame with additional disturbance further demonstrates that the purpose of this application is to set WCM operations up for the additional identified expansion to the east of Wollar Village.

The full social impact of the entire new expansion should be conducted up front.

¹ <https://wilpinjongmine.com.au/future-plans/>

Poor Assessment Process

The noise and air quality assessments for this application contain contradictions and are biased towards demonstrating no additional impact on remaining private property in the district. There is a clear intent to demonstrate that the proposal will not exceed current policy limits even though operations will move further to the east and closer to remaining private property.

In the NSW Land and Environment Court case Gloucester Resources Ltd vs Minister for Planning (2019), Chief Judge Preston's judgement included consideration that meeting the policy criteria for noise and dust emissions does not necessarily prevent social impacts and that decision-makers can refuse consent on the grounds of social impacts:

'cl 12AB(3) of the Mining SEPP and the Noise Policy for Industry set the criteria for assessing the acceptability of noise from industrial sources. The predicted mine noise levels will meet these criteria. The difficulty is, however, that residential receivers with very low background noise levels will not be placated by being told that the mine noise levels comply with the applicable criteria in the Noise Policy for Industry and are therefore considered to be acceptable. The residents will continue to have annoyance reactions to the mine's intrusiveness noise levels and cumulative amenity noise levels. This persistent annoyance is likely to have social impacts.'

'Consideration of the social impacts of the mine's intrusiveness noise levels and cumulative amenity noise levels is not precluded by cl 12AB(3) of the Mining SEPP. The development standard for cumulative amenity noise level in cl 12AB(3) of the Mining SEPP does not prevent a consent authority from refusing consent on grounds relating to, or imposing conditions to regulate, project-related noise impacts that are not the subject of that development standard or social impacts resulting from project-related noise impacts.'

While this judgement was considering impacts of coal mining on the Gloucester community it clearly sums up the ongoing social impact and noise intrusion suffered by the Wollar community since WCM was approved in 2006.

Noise Assessment

Appendix A – Noise and Blasting Assessment uses a different set of wind speeds than Appendix B – Air Quality Impact Assessment though both are obtained from the same place, the WCM weather station.

The Noise Assessment has limited wind speeds in the modelling to 1m/sec for noise enhancing conditions. This is lower than the standard. The Air Quality Assessment demonstrates that mean wind speeds are above 2m/sec. The limitation of wind speeds in the noise model produces a bias by restricting predicted noise emissions under noise enhancing conditions.

The identification of Low Frequency Noise (LFN) Zones across remaining private residences with 'representative' properties is not provided with any clear information about the distributive choices of the zones or the reason for the choice of the 'representative' property in each zone. I strongly object to properties 60A and 60B being placed within Zone 8 with no rationale provided for that placement.² Properties 60A and 60B are in different terrain to the representative property in Zone 8, 104. They are also closer to WCM and closer to Zone 9.

² RWDI, 13 August 2025. Noise and Blasting Assessment Fig E-1 Low Frequency Noise Assessment Zones

It is of interest that the only zones provided with a 2dB penalty are zones 7 and 9 – both only containing properties with agreements to not complain about noise intrusion. For a more realistic prediction of LFN impacts on properties 60A and 60B they should be placed within Zone 9.

The 2024 Annual Report identified that noise levels were underpredicted for two attended monitoring sites: N6 and N20 under 'strong inversion conditions' in June and July 2024.³ The N20 monitor is adjacent to properties 60A and 60B.

The Noise Assessment for this proposed expansion of WCM toward the east and closer to remaining private properties is based on biased model inputs with the intention of under predicting noise impacts. Noise complaints are the most commonly reported for existing WCM operations⁴ and have been one of the main causes for the depopulation of the district.

Noise assessments for WCM have consistently underpredicted the impacts of noise pollution on the Wollar community. I am regularly disturbed by mine noise and distressed by the need to continue complaining to no effect. If the mine started winding back operations this year the noise intrusion would start to decrease and there would also be fewer train movements. This would start to alleviate another source of high annoyance at my property. The noise from coal train movements day and night is a constant source of sleep disturbance and irritation. A decrease in train movements from this year onwards would be a welcome improvement to amenity and well-being.

Air Quality Assessment

Dust deposits in private and community properties have increased significantly since mining commenced in Pit 8. The Wollar Community Hall is regularly coated with dust internally on furniture, floor, kitchen area and toilet block. This requires constant and regular cleaning whenever the community facility is used. This has become more evident over the past few years.

The proposal to bringing open cut mining operations up to the boundary of Wollar Village is unacceptable as a major health threat to residents and visitors to the area. The attempt to down play this proximity in predictions and ignore its impacts is irresponsible.

It is of great concern that the Air Quality Assessment predicts exceedances of PM_{2.5} within the Village boundary but attempts to describe this as insignificant. It is likely that exceedances will be greater and more regular than predicted for a longer period of time. The fact that this proposal is identified as Stage 1 of a project that will completely surround the Wollar Village with open cut mining pollution is a strong reason for rejecting it. The increase in health threatening poor air quality is a significant social impact for the Wollar community.

Again, Chief Judge Preston determined in the Gloucester Resources Ltd vs Minister for Planning case in the Land and Environment Court that:

'The negative social impacts caused by residents' concerns about the project-related air quality impacts, including the perceived threat to their health and the health of their families, are not impacts that are the subject of the cumulative air quality level development standard in cl

³ Peabody 31 March 2025. 2024 Annual Review. Wilpinjong Coal Mine p26

⁴ Modification Report Figure 14

12AB(4) of the Mining SEPP. That development standard does not prevent a consent authority from refusing consent on grounds relating to, or imposing conditions to regulate, project-related air quality impacts that are not the subject of the development standard or social impacts resulting from project-related air quality impacts.'

The scale of noise and air quality impacts have caused significant social impacts in the Wollar District. These impacts should be strong grounds to reject the proposal.

There is no recognition that the Mudgee Local Aboriginal Lands Council has received title to three blocks of land in Wollar Village and the TSR. There has been no assessment of impact on these properties that are part of the aspiration to reconnect and rebuild the Wollar community.

Water Assessment

The ongoing cumulative impact on the Upper Goulburn River catchment combining water interception and discharge from the three large coal mining operations is not assessed.

As a downstream landowner with basic rights on the Goulburn River I have been significantly impacted by changes to the river since large scale mining commenced upstream over the past 40 years. The increasing salt loads and mine water discharges are having a significant impact on the water quality, ecology and flow heights of the river. This is particularly impactful at times of medium flood levels or receding high levels of floodwaters. The three mines have been granted Environment Protection Licence (EPL) variations after flood events allowing higher levels of mine discharge. This causes river levels to remain higher than natural recession rates and prolongs loss of access to public road users at O'Briens Crossing.

The lack of flow gauges above the Coggan Creek gauge is a significant issue for understanding flow impacts on water users, internal property access and public road access.

The assessment of surface and groundwater impacts is highly inadequate. It fails to recognise current water management problems at Wilpinjong Coal Mine that have caused the application for an increase in daily discharge rates from 6.5 ML up to 20 ML. This is a substantive change under the current approval. This is a clear demonstration that the predictive water models used for this mining operation are not fit for purpose.

There is no clear indication given about the predicted increased water make from the proposed expansion of mining operations into a new area outside the approved mining lease. This new area of disturbance is within the Wollar Creek catchment and will intercept additional surface flows and connected groundwater. The alluvial aquifer associated with Wollar Creek has been identified as highly productive and will therefore result in additional water interception.

The lack of information on water make from the proposed expanded area of impact is a key failing of the water assessment. Further interception will decrease the level of natural flows in Wollar Creek and Goulburn River over a very long period of time, while increasing unnatural flows from polluting mine discharge during mine operations.

Social Impact Assessment

The Wollar community is desperate to start rebuilding and has welcomed new residents and the return of old residents to the district. There has been a resurgence of social activity based on the predictions of the current approval that mining impacts would start winding back from this

year. This has given active community volunteers some hope that life will gradually return to some sort of normal. The uncertainty created by this new proposal as the first stage of a larger expansion is causing high stress levels, a sense of loss of a hoped for future and the ongoing psychological grind of having to deal with a multinational mining company.

These social impacts have not been well assessed and the ongoing loss of health and well-being of remaining Wollar district residents is basically ignored. The argument that mining jobs are more important than the environmental, cultural and social health of an entire region does not stack up and certainly not in this case.

It appears that this proposal under assessment staves off employment loss at Wilpinjong Mine by only another two years until 2027. Mine workers would be better served to move on now to take advantage of the industry diversification taking place in the Wollar area.

The SIMP developed to mitigate the social impacts of the last WCM expansion in 2017 has proven to be ineffective and has provided nothing to support the Wollar community. Since the SIMP was approved the Wollar General Store has closed including access to fuel and postal services, Wollar Public School has officially closed and other businesses employing local people have relocated due to the impacts of the adjacent coal mining operations.

The Social Impact Assessment for this application to expand open cut mining operations to the northern boundary of Wollar Village fails to recognise the cumulative impact and extent of ongoing social distress.

New opportunity developments in Wollar district

It is incompatible for the NSW Government to continue approving coal mine expansion in an area that has major renewable energy development. The CWOREZ is the first approved REZ in NSW and starts at Wollar with the Barrigan Creek Switching Station. This new infrastructure will connect the CWOREZ generators through two new 500kV transmission lines to the existing electricity grid. These new projects offer an important opportunity for workers to transition away from the polluting coal industry to employment in the clean energy industry. Construction of the switching station and transmission lines is due to commence next year.

The Wollar Solar Farm has completed construction and is now generating clean power. An application to increase battery storage capacity is currently in the planning system. The Goulburn River Solar Farm is also now under construction in the district with numerous vacancies.

These projects cause some cumulative traffic impacts in the district during construction but do not create 24 hour noise and dust or blasting and spontaneous combustion impacts or destroy groundwater systems or intercept surface water flows during operation. The scale of impact from open cut coal mining including additional greenhouse gas emissions cause significant social and environmental impacts.

The opportunities in Wollar district for new employment options are significant. The current WCM approval identifies a winding back of mining and employment from 2025. Now is a perfect time for mine workers to transition into new jobs in the same area as their current employment.

It is contradictory for the NSW Government to work towards reducing climate impacts through promotion of renewable energy while continuing to consider expanding thermal coal production at the same time.

Peabody Energy maintains that WCM is responsible for 25% of NSW coal-fired power.⁵ This means the operation is also responsible for 25% of NSW scope 3 emissions from coal-fired power. Bayswater Power Station is predicted to close as early as 2030. The WCM expansion approved in 2017 was based on supplying only export coal from 2026. There appears to be a lot of very confusing misinformation about the purpose of this proposal to expand Pit 8.

No justification

The economic evaluation of the proposal has concluded that it will generate \$21 million of public benefit. This calculation has ignored the current cost of extreme weather events to the NSW economy. The production of an additional 25 Mt of greenhouse gas emissions will continue to add to those costs.

The calculation also ignores the social and environmental impacts that will not be mitigated through any of the identified commitments and mitigation methods.⁶

This proposal has no merit and should be rejected on social, environmental and economic grounds.

Yours sincerely,

B. Smiles

Bev Smiles

⁵ <https://wilpinjongmine.com.au/future-plans/>

⁶ Attachment 10 Summary of Mitigation Measures