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Hunter Branch

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Development Assessment Systems & Approvals,
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Lodged online at: <<http://majorprojects.planning.nsw.gov.au/index>>

Dear Sir/Madam

WEST WALLSEND CONTINUED OPERATIONS PROJECT EXTENSION (MP 09_0203 Mod 1)

The Hunter Branch of the National Parks Association of NSW (NPA) wishes to comment on the modification request for extension of the West Wallsend Continued Operations Project (application no. MP 09_0203 Mod 1 – ‘the project’).

Formed in 1957, NPA is a non-profit community organisation that promotes nature conservation and sound natural resource management. We have a particular interest in the protection of the State’s biodiversity and its supporting ecological processes, both within and outside of the formal conservation reserve system.

Firstly, we object to the short time frame provided for review and comment on the project. We consider the timing; effectively less than two weeks and immediately prior to Easter, as inadequate to allow sufficient time for a proper review of the technical details provided by Oceanic Coal Australia Ltd (OCAL) in support of its application to extend mining operations at West Wallsend Colliery. This is especially the case in light of recent impacts from the West Wallsend Colliery operations and the need to ensure that the public is not denied adequate opportunity to review the documentation given the wide interest generated in respect of this operation.

Background

NPA has long been, and remains, a strong supporter of the Lower Hunter Green Corridor, which links the coast and ranges to provide a strategic natural bushland connection across various habitats in the Lower Hunter landscape and of which the Sugarloaf Range is an integral part. The protection of this corridor has been identified in various strategic planning documents as an important mechanism for safeguarding landscape and ecological process against climate change impacts.

Protection of the Green Corridor has been partly achieved through the establishment of the Sugarloaf State Conservation Area (SCA) although there is much more to do to ensure its effectiveness because the integrity of the SCA, and the Green Corridor generally in this area, is threatened by ongoing impacts from both illegal activities, such as off-road vehicle use and rubbish dumping, and approved activities, such as coal mining. The latter is especially concerning where such approved activities have resulted in significant impacts to the land due to either unpredicted subsidence or inadequate management processes, as occurred during 2012 and 2013 in the mining of Longwall 41 under the eastern escarpment of the Sugarloaf Range. This serves to demonstrate that not even incorporation of high conservation value land into the State’s reserve system is an adequate mechanism for protection under these circumstances.

Subsidence Management

Following significant subsidence and subsidence management impacts experienced from the mining of Longwall 41, we remain concerned about the accuracy and validity of subsidence predictions for the proposed extension into Longwalls 51 and 52 and particularly about improvements to the management of subsidence remediation activities.

We find the statement in section 6.2.4.1 *Surface Cracking* of the Environmental Assessment, that surface cracking and vertical block movement of up to 830mm may occur on ridge crests and steep slopes as a result of the proposed mining, both concerning and unacceptable.

Following reports on the inaccuracies of subsidence predictions for Longwall 41 it is difficult to understand how subsidence of an undulating landscape, such as exists in the Longwall 51 & 52 project area, could possibly occur as uniformly as is shown in Figure 6.4 *Predicted Subsidence* of the Environmental Assessment.

We acknowledge the statement in section 6.2.5 *Subsidence Management Strategies...* of the Environmental Assessment that OCAL is revising and improving its approach to subsidence management, however the information contained in the Environmental Assessment does not address this in detail and does little to improve public confidence in this aspect of the mining operation's management.

Sugarloaf SCA Management

If the modification request is approved, it is understood that mine staff will regularly use tracks to and within the Sugarloaf SCA for monitoring purposes, as is the case for the existing operations, and will establish ancillary mine infrastructure as required to ensure mining is undertaken safely and in accordance with other approvals. This access and ancillary infrastructure establishment comes at some cost to the reserve, such as encouraging unauthorised users and transfer of weeds or pest species, and we are acutely aware that the NSW government has severely cut funding to departments and programs, to the detriment of management objectives for areas such as Sugarloaf SCA.

We therefore recommend that any approval of the modification be conditional on OCAL making a reasonable financial contribution to the operation and maintenance of the Sugarloaf SCA in order to adequately compensate for these impacts on the reserve. Such contribution should aim to assist management issues such as weed and pest species control and access, in addition to funding any direct impacts resulting from the mining operations under the reserve.

Transparency in Mining Operations

NPA remains concerned about threats to the environment in the Sugarloaf SCA due to long term impacts from West Wallsend Colliery's mining operations. We recommend inclusion of a condition in any approval granted in respect of the modification to include representation on the mine's existing community consultative committee of a person nominated by peak conservation bodies, such as NPA or the NSW Nature Conservation Council (as is the case for such representation for other activities), to ensure the mining operations are conducted in a suitably transparent manner and this task is not left to the scrutiny of local media.

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

We anticipate that the above SEPP will be applied in determining the modification request and we restate our objection to recent amendments to this SEPP that are inconsistent with both the objects of the parent legislation and the widely endorsed principles of good planning and decision making.

Conclusion

OCAL reiterate the point several times in the Environmental Assessment that the proposed mining of Longwalls 51 & 52 will offset production losses that have resulted from recent a review of operations. We make the point that approval of the proposed modification should in no way be seen as compensation for losses as a result of a review of operations by OCAL, as seems to be suggested, but the project should be judged on its merits.

Yours faithfully



Ian Donovan

President, Hunter Branch

National Parks Association of NSW