



**Nature Conservation Council**

The voice for nature in NSW

Brendan Liew  
Project Assessment Officer  
Major Project Assessments  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

18 July 2014

Dear Mr Liew,

**Submission of Objection: Wilpinjong Coal Mine Modification 6 (MP 05\_0021 MOD 6)**

The Nature Conservation Council of NSW (NCC) is the peak environment organisation for New South Wales, representing 130 member societies across the state. Together we are committed to protecting and conserving the wildlife, landscapes and natural resources of NSW.

NCC strongly objects to the proposed increase in extraction of coal at the Wilpinjong Coal Mine in the western coalfields in Mid-Western Region local government area.

The environmental and social impacts of this large open cut operation are significant and in our view have not been adequately addressed in earlier assessments or with respect to this modification application. NCC raised concerns with this project in our submission to modification 5 in September 2013. Many of our concerns remain, and we strongly oppose the current proposal to increase the extraction capacity of the mine.

We note that this large open cut coal mining operation has had significant issues with spontaneous combustion of coal at the site. There are a number of key concerns about the environmental impact of coal burning in the open with no management of emissions.

In particular, we note the condition of approval requiring the management of odour emissions from spontaneous combustion. Schedule 3 condition 16 (Wilpinjong Coal Mine Consolidated Consent) requires that:

*'The proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.'*

The *Protection of the Environment Operations Act 2007* defines offensive odours as:

- (a) *that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances:*
  - (i) *is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or*
  - (ii) *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or*
- (b) *that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.*

NCC considers that the regulation of offensive odours emitted from the Wilpinjong Mine has not met the conditions of approval. The proposal to increase extraction of coal and overburden is likely to increase the problem of spontaneous combustion on the site and therefore should not be approved.

We also have concerns regarding the increased emission of greenhouse gases caused by the uncontrolled burning of coal at the Wilpinjong Mine. These emissions are above those predicted in previous environmental assessments for this mining operation. There is no indication that additional greenhouse gas emissions have been reported under the requirements of the *National Greenhouse and Energy Reporting Act 2007*.

In our view, the arguments put forth in support of modification 6 expose the extremely poor environmental and geological assessment conducted for the project in 2004 that led to the approval of the mine in 2006. It also exposes the continued poor management and planning processes of the mining operations at the Wilpinjong Mine.

Modification 5 for this project was only approved in February 2014. This allowed an increase in the area of mining activity and in the bank cubic metres of overburden produced. The required plans of management to mitigate environmental impacts of modification 5 have not yet been produced. The ongoing need to change the size of the impacts of this mine is a major concern.

The very poor quality of the coal and the need for '*additional coal being mined to meet the equivalent product output rate*'<sup>1</sup> indicates that the project has a number of significant issues that have not been clearly addressed through previous assessment reports or the current assessment report.

The position that an increase in coal extraction by an additional 1 million tonnes per annum with associated increase in overburden management and mining machinery will '*not significantly increase potential environmental impacts*'<sup>2</sup> is not accepted.

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<sup>1</sup> Environmental Assessment Report p ES-1

<sup>2</sup> Ibid p ES-4

This proposal is requesting a greater trade off of social and environmental impacts to maintain the viability of a very marginal operation. There has been no socio-economic analysis provided with this proposal and no clear costs benefits analysis.

NCC is of the opinion that the long term social and environmental cost of the Wilpinjong Mine has far out-weighed any public benefit. While the assessment report identifies that 550 jobs are provided by the operation, it does not assess the change in job numbers after 2018<sup>3</sup> when coal production is predicted to halve.

The justification for the proposed modification 6 is not based on sound analysis of environmental and social impacts and we subsequently recommend that this proposal not be approved.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Kate Smolski', with a stylized, cursive script.

Kate Smolski  
Chief Executive Officer  
Nature Conservation Council

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<sup>3</sup> Ibid Table 2 p20