



PHOTO:  
Mandalong  
Wetland

# SUBMISSION

EIS: Mandalong Mine Southern Extension Project SSD5144

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## INTRODUCTION

Thank you to the Department of Planning for the opportunity to respond to the Mandalong Southern Extension EIS. The information provided on the Major Planning section of your website in regards to major projects has been very helpful.

I am a landowner in Mandalong, residing close to the Mandalong Southern Extension area. I have lived in Mandalong for more than 10 years. Having many friends in the area, being previously a member of the Mandalong CCC and the Mandalong Community Association, and with my property impacted by mining, I am very aware of the issues related to the proposed Mandalong Southern Extension EIS.

I have outlined in my submission in response to the Mandalong Southern Extension EIS my concerns and recommendations.

I would appreciate a response to my submission.

## NOISE IMPACT

The noise from the construction is completely unacceptable on a 24 hours a day – 7 days a week basis. A wider geographical area will be affected by noise than the area outlined in the EIS Noise Assessment.

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## BACKGROUND

Mandalong is a very quiet and peaceful rural area. People often choose to live here solely for this reason. This is noted in the EIS Social Impact Statement prepared by James Marshall. Low levels of noise affect wide geographical areas. Noise significantly impacts landowner's ability to enjoy the quiet lifestyle. The proposed twenty four hours a day, seven days a week (24/7) infrastructure construction for approximately a year and a half is located in one of the most densely populated regions of Mandalong. It contains many smaller rural holdings and therefore many homes. Most are families with young children and landowners that work from home in the region surrounding the proposed infrastructure.

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## ISSUE

The EIS Noise Assessment for the construction of the mine ventilation shaft (infrastructure) is a major noise impact, not only in noise level but due to the 24 hours and 7 days a week nature of the noise for 78 weeks. It is very likely to cause health and wellbeing issues for landowners living in the area of the construction. The 24/7 proposal of construction is completely unacceptable as there will be no respite from noise for a year and a half.

Centennial Coal's request of Dept. of Planning to allow the construction of the infrastructure on a 24/7 basis should not be imposed on the community. The EIS Noise Assessment refers to the need to undertake 24/7 construction due to the extended time the project would otherwise take to complete. In response, Centennial Coal Mandalong has had ample time to consider the timing of the construction. Centennial Coal has undertaken mining in the area for at least ten years. The fact that this project has taken so long in the planning stage is not fault of the community. The Mandalong Southern Extension EIS has been three years in the planning. Centennial Coal's planning time frames should have considered the needs of the community and mitigated the need to construct the ventilation shaft and road on a 24/7 basis.

Although the EIS Noise Assessment identifies landowners who will be directly affected by noise – listed as “noise receivers” - due to how quiet the area is, and how noise travels, it is likely a wider area will be impacted by a lower level of noise that will be disruptive, albeit not to the level deemed as officially (as per the EIS Noise Assessment report) as causing an impact. Therefore, the actual impact of the noise will be wider spread than what is outlined in the EIS Noise Assessment. In addition, the EIS Noise Assessment outlines that even with mitigation such as noise barriers, homes will still be impacted due to the geography of the area.

The current Mandalong Mine Development Consent Conditions include conditions giving rights to landowners for noise impacts. Referring to the EIS Noise Assessment, it states that development consent conditions to give landowners rights, such as those in the current Mandalong Mine Development Consent Conditions, should be included in the Mandalong Southern Extension Development Consent Conditions for landowners impacted by the construction of the infrastructure.

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## RECOMMENDATION

- The construction of the Mandalong Southern Extension infrastructure (mine shaft and road) be during daytime, weekday hours to provide landowners with some respite from noise.
- The Mandalong Southern Extension have development consent conditions that give landowners impacted by the construction of the infrastructure rights to
  - Independent noise testing

- Mitigation (such as the noise level reduced and respite from noise), or
- Compensation, or
- Request their property to be purchased by Centennial Coal (Centennial Coal has purchased over 40 properties in Mandalong which proves their ability to do this)
- A zone of noise affectation be agreed upon and that land is purchased by the mining company at the landholder's request.

## VISUAL IMPACT

The infrastructure must be screened to reduce the visual impact through, for example, native revegetation of the area.

## BACKGROUND

The area in which the Mandalong Southern Extension infrastructure is proposed consists of picturesque rural and forested areas. This is viewed from the main road through Mandalong, being Mandalong Road. In addition, many landowners enjoy views of this area from their homes.

The EIS social impact statement prepared by James Marshall says the factors that attract people to the area include its *"rural character"*.

## ISSUE

The proposed Mandalong Southern Extension infrastructure will create a scar on the landscape. The proposed road, raised, wide and of considerable length, cuts across the picturesque natural landscape. The road, ventilation shaft and relocation of the transmission towers require considerable clearing and levelling. This will create an ugly scene, replacing what was a beautiful vista for landowners and visitors to the Mandalong area. There is concern that this will detrimentally affect the property values permanently for landowners in the geographical area of the infrastructure.

## RECOMMENDATION

- The infrastructure be screened through rehabilitation of the area with appropriate native vegetation.
- The visual impact be minimised to the greatest extent possible.
- Requirements for this to occur be included as a development consent condition in the Mandalong Southern Extension.

## INVESTMENT IN MANDALONG

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### BACKGROUND

Centennial Coal Mandalong Mine has been in operation in Mandalong for over ten years. In that time various proposals have been put to Centennial Coal for direct investment in the Mandalong community, such as a community Park, meeting facilities, road improvements, a cycling track alongside Mandalong Road and environmental projects such as the large Mandalong Wetland. These proposals have been refused.

### ISSUE

Mining has a negative effect on the community. This includes a reduction in property values, loss of neighbourhood through property purchases, stress to landowners due to the mining process and impacts on their property from mining and negative environmental impacts. There has been extremely minimal direct investment in Mandalong to mitigate these losses and impacts.

In addition, the development consent conditions only provide for an initial payment for legal expenses to landowners in the PSMP process. In the last two years this amount has been increased by Centennial Coal from \$2000 to \$3000. Any other requests for compensation including mitigation (other than legal requirements from impacts) are left to negotiation between the mining company and landowner. This has often led to the view of inequitable allocation of compensation to landowners, pressure and stress due to the negotiation process, and a feeling of being powerless within this process.

### RECOMMENDATION

- The Mandalong Southern Extension consent conditions include provisions for direct investment in projects in the Mandalong community to mitigate the losses felt by the community from mining. Such as:
  - Road upgrading
  - Meeting facilities
  - Mandalong Wetland (see following)
  - Cycling/walking track
- Individual landowners, through the PSMP process, have an increase in the amount paid to include compensation based on subsidence impacts (other than the legal requirements). That this be specified in the development consent conditions.
- The Voluntary Planning Agreement process includes true consultation with the Mandalong community (such as via the CCC) to ensure a component of this fund is directed to investments to enhance the Mandalong community.

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### BACKGROUND

The Mandalong region is characterised by much natural bushland. It is fringed by extensive national park. As the valley floor in Mandalong is mostly privately owned, many of Mandalong's environmentally sensitive wetlands (found mainly on the valley floor flood plain and drainage lines) are located on privately owned land. Centennial Coal owns many of these properties. All wetlands in Mandalong are listed as Endangered Ecological Communities (EECs).

The largest wetland in Mandalong is located to the east of Mandalong Road, opposite the Mandalong Road and Tobins Road intersection (see photo on cover page of this submission). It is located on land owned by Centennial Coal. In the past the community has requested that this wetland be rehabilitated and protected. This request was granted after much community agitation for this cause. Approximately two years ago the wetlands was fenced from livestock grazing, in consultation with Centennial Coal's contracted ecologist. In addition the Wetland was protected by an agreement between Centennial Coal and Catchment Management Authority.

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### ISSUE

Centennial Coal's Land Management plan strongly emphasises grazing and farming type activities on their more than 40 properties that they own and rent. Often tenants over stock the properties with livestock and cause degradation of the natural environment, including various ecosystems listed as EECs in their own environmental reports published with various applications to government. Land Management issues are consistently raised with Centennial Coal but largely ignored. The Mandalong Mine CCC Minutes provide evidence of this. As does the last Centennial Coal independent audit, available on the Centennial Coal website.

Mandalong residents, with support from the Mandalong Community Association and the CCC forum, have requested that Centennial Coal develop the large Mandalong Wetland as an environmental site from the community. At the most recent CCC this request was rejected.

There is much support in the community for the large Mandalong Wetland to have a viewing platform. To be developed as a positive environmental attraction for the community and visitors to the area. It has been suggested that local people, including local school children, could be involved in rehabilitating and monitoring the area. That signage be erected describing the ecological importance of the Wetland and the flora and fauna that

rely on it for survival. A viewing platform, sponsored by Centennial Coal, has been suggested but rejected.

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## RECOMMENDATION

- The large Mandalong Wetland be established as an environmental attraction for the Mandalong area, similar to the Hunter Wetlands in Newcastle, however on a smaller scale.
  - As an offset to the destruction of native bushland that will occur with the Mandalong Southern Extension infrastructure
  - As an investment by Centennial Coal directly into the Mandalong community to balance the detrimental effects of mining in the area.
  - Provide signage, a viewing area/platform and open the area to various landcare projects.



## ROAD IMPACT

Mandalong Road needs improving. Investment in a cycling/walking track along side Mandalong Road is suggested.

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## BACKGROUND

The roads in Mandalong can be described as country roads. In nature and structure. The main road, Mandalong Road, has uneven areas, irregular and broken edging, is not very wide and there are often pot holes. Many of the arterial roads in Mandalong are dirt roads.

The roads in Mandalong require upgrading. The intersection of Deaves Road with Mandalong Road, at a treacherous and blind bend, is a source of many near and actual motor vehicle accidents.

Mandalong Road is listed as a preferred cycling route for local cycling clubs. There is a regular and increasing presence of cyclists and walkers on Mandalong Road and the arterial roads.

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## ISSUE

There will be extra traffic, particularly heavy vehicle traffic, associated with the Mandalong Southern Extension. Especially during the infrastructure construction period. This exacerbates the current problem with Mandalong's Roads as described above.

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## RECOMMENDATION

- The intersection of Mandalong Road and Deaves Road be upgraded to improve the safety of motorists, cyclists and pedestrians. In addition, to support extra heavy vehicle traffic associated with the Mandalong Southern Extension.
- Mandalong Road, and dirt arterial roads in Mandalong, be upgraded. Either through the Voluntary Planning Agreement or other mechanisms.

## MANDALONG MINE COMMUNITY CONSULTATIVE COMMITTEE (CCC)

There are insufficient representatives from the Mandalong Southern Extension area on the Mandalong Mine CCC.

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### BACKGROUND

The Mandalong Mine CCC currently has seven community members. Only one of these seven community representatives resides in the Mandalong Southern Extension area. The majority of current CCC members are longstanding members, many no longer directly affected by mining. There is a very low turnover of community representation on the CCC.

Predominantly, membership of the CCC is driven by the Mandalong Community Association. A recent nomination to the CCC was not from the Mandalong Southern Extension area. The nomination was due to membership of the Mandalong Community Association “executive”.

Referring to the current Mandalong Mine development consent conditions, there is a requirement that there be “*at least four community representatives including at least one member of the Mandalong Community Association*”. However, traditionally, the majority of the representatives on the CCC are nominated due to membership of the Mandalong Community Association “executive” rather than where they reside or impact by mining.

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### ISSUE

The issue created from this imbalance of community representation on the CCC is inadequate consultation across the Mandalong region, especially from the Mandalong Southern Extension area. In addition, there is a lack of a democratic process in nominating community representatives. Some representation from the Mandalong Community Association is beneficial as a mechanism for feedback from the community. However there is a need to ensure adequate representation from areas of Mandalong that are to be affected by mining in the future, such as the Mandalong Southern Extension.

Referring to the EIS Social Impact Statement, James Marshall has also identified the need for representation from the Mandalong Southern Extension area on the CCC:

*“The existing Mandalong Mine Community Consultative Committee will have community representation from the Mandalong Southern Extension Area as an ongoing strategy for consultation and liaison”*

*“The ongoing management of the impacts of the mine will be reviewed and identified via representation of landholders on the CCC....”*

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## RECOMMENDATION

A development consent condition regarding the CCC for the Mandalong Southern Extension to include:

- Regular renewal of CCC membership, such as on a 2 yearly basis, to enable membership to be refreshed and reflect the current areas impacted by mining.
- A process of nomination to the CCC that is fair, equitable and democratic.
- The nomination process be open and actively advertised to landowners in Mandalong who are affected by mining in the future, especially the Mandalong Southern Extension area. Such as via the Mandalong Mine Community Mailbox newsletters.

## AIR QUALITY

Country living in a bush environment provides clean air. Strict development consent conditions are requested to ensure no pollutants are put into the air from the ventilation shaft that will impact on landowner's health.

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## ISSUE

There are many in the valley that are asthmatics and live in Mandalong to avoid polluted air. There is much concern about a decrease in quality of air, in particular, asthma and other negative health effects. The community should not suffer respiratory health effects from mining.

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## RECOMMENDATION

Development consent conditions be put in place that stringently enforce no pollutants put into the air.