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PART TWO: ENVIRONMENTAL PROTECTION: CENTENNIAL COAL OWNED LAND MANAGEMENT AND MANDALONG WETLAND

The many properties that Centennial Coal have purchased are not managed to enhance the natural environment they contain. Often they are overstocked with livestock. The Centennial Coal Land Management plan requires restructuring to have greater emphasis on rehabilitating and protecting native flora and fauna. In addition, the large Mandalong Wetland could be developed as a local community environmental project sponsored by Centennial Coal.

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 protected. This request was granted after much community agitation for this cause and data in Centennial Coal Ecological reports that grazing was causing damage. Approximately two years ago the large wetland was fenced from livestock grazing, in consultation with Centennial Coal's contracted ecologist. In addition the large wetland was protected by an agreement between Centennial Coal and Catchment Management Authority. However, over grazing does occur very close to the edge of the Wetlands as a result of the Centennial Coal tenant and their abundance of livestock.

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 Centennial Coal 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. In addition, the Mandalong Independent Environment Audits (2013 and 2011) have provided land management and environmental management recommendations based on the need for improved adherence to land management development consent conditions. These recommendations have not been implemented.

Here is an excerpt from the *Mandalong Independent Environment Audit (2013) Appendix A Compliance Audit (p.12) – Develop Consent Condition Mandalong Mine 42 DA 97/800 – Compliance Status and Recommendations* regarding Centennial Coal Land Management improvement requirements:

Recommendation (from previous audit):

It is recommended that objectives and actions in Land Management Plans and Whole of Farm Plans are integrated into Site or Corporate EMS objectives and Plans. At present there is little linkage between these environmentally focussed systems and site environmental personnel have little responsibility over land management outcomes for land owned around their sites.

Recommendation: (from previous audit):

It is recommended that Centennial Coal or Mandalong develop processes to ensure that contractors managing Centennial owned land have an understanding of sustainability outcomes required, and that there is a process of assessment of the management of the lands against the required outcomes.

Recommendation:

It is recommended that Centennial Coal implement more documented and auditable systems to better assess performance in land management.

It is further recommended that Centennial Coal install a process whereby there is occasional third party review of Land Management Practices by suitably qualified specialists in land management.

Recommendation:

It is recommended that Land Management personnel develop and implement a means of better consultation and coordination with site environmental and land management personnel so that efforts can be better coordinated and issues such as the placing of spoil in low lying areas are not repeated.]

Recommendation:

It is recommended that a more formal process is in place for weed identification and control.

The recommendations raised (above) in the past two independent audits in regards to land management and environmental management have mostly not been implemented.

There is much support in the community for the large Mandalong Wetland to be developed as an 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 area/platform, sponsored by Centennial Coal, has been suggested but rejected. Although this project requires minimal expenditure and would attract environmental grants, and fit with the mining companies environmental strategies, Centennial Coal seems unwilling to consider it.

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. Either through the Voluntary Planning Agreement or other mechanisms.
 - 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.
- A development consent condition included that requires Centennial Coal to manage the natural environment on land they own appropriately, such as through rehabilitation and protection works.

LOCAL ROAD UPGRADES

Background

The roads in Mandalong can be described as country roads. 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, narrow and blind corner, 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.

Issue

The roads in Mandalong require upgrading to cope with the heavy vehicle traffic associated with the Mandalong Southern Extension. 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.

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.

AIR POLLUTION

Issue

Strict development consent conditions are required to ensure no pollutants are released into the air from the mining activities that will impact on resident's health. Members of our family, and others we know in Mandalong, are asthmatics. We live in a rural area to avoid city air pollution. There is much concern about a decrease in quality of air. The community should not suffer respiratory health effects from mining. Other areas of the Hunter Valley have been negatively impacted by mining activities polluting the air they breathe. We do not want this to occur in Mandalong.

Recommendation

- Development consent conditions be put in place that strictly enforce no pollutants being released into the air.

MANDALONG MINE COMMUNITY CONSULTATIVE COMMITTEE (CCC)

There are insufficient representatives from the Mandalong Southern Extension area on the Mandalong Mine CCC. Improved mechanisms to ensure a democratic nomination process of community representation to the CCC is required.

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*” and was subsequently approved without a democratic nomination process or proper consideration of the need for greater representation from the southern area of Mandalong.

See excerpt from the June 2013 CCC minutes available on the Centennial Coal website (right).

Email was received from Milton Morris dated 19th June 2013 advising that Rob Kothe had tendered his resignation from the CCC.
 Marton Marosszeky nominated Mick Astles to replace Rob as he was already on the MCA executive.
 Anne Ferris said she was asked to suggest that they would like to see someone from Mandalong South or within this vicinity nominated.

However, the nomination was approved rather than seeking nominations from the community/Mandalong South area, see excerpt (right titled Correspondence, p.7 of October 2013 CCC minutes).

Nominations to the CCC are decided solely by the long standing President of the Mandalong Community Association without notification or consultation with the wider community. (Note that nomination to the Mandalong Community “*Executive*” is also solely decided by the president of that group). There is a view amongst the community that they are “locked out” of the CCC nomination process. All community appointments to the CCC

have been through the Mandalong Community Association executive since its inception (10 years ago) with the exception of 1, being the person from the Mandalong Southern Extension area.

CORRESPONDENCE

Margaret McDonald-Hill provided a list of correspondence.

In

- Email 8/7/13 from Jeff Dunwoodie attaching Mandalong Mine Noise Monitoring & Management Program
- Email 16/7/13 from Jeff Dunwoodie attaching Mandalong Mine IEA (high compliance)
- Email 18/7/13 from Jeff Dunwoodie attaching Cooranbong Site Compliance Noise Audit (compliant)
- Letter dated 16/7/13 from DP&I approving Mick Astles
- Email 20/9/13 from Phil Enright attaching quarterly Subsidence Management Status Report
- 28/8/13 thank you from Milton Morris

Out

- Letter dated 9/7/13 to Milton & Rae acknowledging their contribution
- Letter dated 12/7/13 to DP&I seeking appointment of Mick Astles
- Email 31/7/13 forwarding DP&I approval to Mick Astles
- Email 31/7/13 advising of death of Mrs Morris
- Condolence card 6/8/13 to Milton Morris

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, as per the example given, the majority of the representatives on the CCC are nominated due to membership of the Mandalong Community Association *“executive”* rather than where they reside/ impact by mining or ability to represent the community effectively.

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.

Membership of the CCC provides residents with valuable information on the mining process and an ability to directly provide feedback to Centennial Coal. 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....”

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. This will empower landowners through the opportunity to learn about the mining process in more depth and provide alternative mechanisms for community feedback and consultation,
- A process of nomination to the CCC that is fair, equitable and democratic, and
- 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 and/or local newspapers.