

Attention: Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

To Whom It May Concern,

**Objections to Proposal MP 10\_0046 - MOD 1**

I write to object to the acceptance of this proposal as a modification to the Preliminary Works Project MP 10\_0046. The extent and impacts of the proposed additions to the Preliminary Works Project, reflected in the increased coal volumes and the use of documentation from the (withdrawn) expansion project, make it clear that this proposal cannot sensibly be regarded as simply a modification to the Preliminary Works project. Gujarat NRE (GNRE) is attempting to incrementally establish their expansion project.

Given its errors and omissions, the Environmental Assessment Report (EA) for the current proposal is unacceptably misleading and confusing. That it has been released to the public reflects poorly on the Department of Planning and Infrastructure (DoPI). Furthermore, the DoPI failed to identify and act upon a number of non-compliance matters and it was left to community members to point out the failures in a series of complaints. While the DoPI clearly goes out of its way to accommodate the interests of the proponent, it seems it acts on the concerns of the public with great reluctance. The EA and its associated documentation contain a large amount of material for which the general public were given only three weeks to respond. Requests for an extension to the public comment period were refused.

I also strongly object to the proposal for the additional reasons given below.

**Longwall mining under the Sydney Water Catchment Area poses unacceptable risks to our water supply**

The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps. Cataract Creek has been recognised by the Planning Assessment Commission (PAC) as having "*highly significant values*" making it "*worthy of protection*" (Bulli Seam Operations report, 2010). Subsidence impacts on swamps, surface waters and groundwater has been described in detail in the Southern Coalfield Inquiry report and the PAC reports for the Metropolitan Coal and Bulli Seam Operations (BSO) projects. These reports recognise the importance of swamps both as water stores and filters, and as biodiversity pools of very high conservation value. I note with alarm that the May 2012 end of panel report for Longwall 7 in Dendrobium Area 3A reports serious impacts on swamps 12, 15b and 16. The evidence that swamps cannot be safely undermined is overwhelming. Remediation of swamps is not possible and there are no examples of 'self-healing'.

Swamps CRHS1, CCHS3 and CCHS4 have special significance status under DECCW (now OEH) 2011 draft guidelines, and CCHS3 and CCHS4 include rare Tea-Tree communities. Recommendation 18 of the Metropolitan Coal PAC report includes the following; "*swamps of special significance will be protected from negative environmental consequences*". Aboriginal site 52-3-0322 is located on the edge of CRHS1 and Aboriginal site 52-3-0320 is on the edge of CCHS3. CCHS3 and CCHS4 overly Longwall 5 and CRHS1 is within the subsidence zone of Longwall 5. Approving Longwalls 4 and 5 would approve the loss of these swamps.

Residents are also exposed to noise pollution from colliery operations and trucking. Countless complaints about noise remain unresolved.

### **Greenhouse Gas Emissions**

The coal seams of the Illawarra are known to be gassy and typically release 10 or more cubic metres of gas for each tonne of extracted coal. The composition of the gas varies from being primarily methane to primarily carbon dioxide. Assuming all of the fugitive gas is carbon dioxide, a considerably weaker greenhouse gas than methane, the coal to be extracted under the current proposal would add 32,000 tonnes of carbon dioxide to the 44,000 tonnes of fugitive carbon dioxide released by the Preliminary Works project. Combustion of the extracted coal would further add 4.8 million tonnes of carbon dioxide emissions to the 6.6 million tonnes of carbon dioxide emitted from combustion of the coal from the Preliminary Works project

### **GNRE has demonstrated that it does not have the capacity and resources to operate this colliery**

Since the Preliminary Works approval GNRE have proved that they are not capable of self-regulation. They have failed to even comply with basic conditions imposed on them by DoPI and the PAC, including: implementing management plans for noise, air quality, greenhouse gas emissions, traffic, biodiversity, water, heritage, and many more areas by the due date of 13 April, 2012 (still outstanding at the end of August 2012). Their implementation of a Community Consultation Committee or approved alternative was months overdue. The EAs account of the so called consultation process is highly misleading.

It appears that extraction of longwall 4 (a component of this Modification application and an activity that is already virtually completed as a result of another very controversial approval process) has been problematic, due to longwall misalignment and that this error has resulted in the contamination of all the extracted coal. Not only is the subsidence much greater than predicted, the extracted coal has little value.

GNRE does not appear to have the resources, or the will to bring the antiquated infrastructure at No. 1 Colliery up to modern standards. Irrespective of the drawbacks or merits of this proposal, GNRE is not an appropriate corporation to extract this coal or operate this colliery.

I recognise that jobs and royalty revenues may be lost with the rejection of this entirely unacceptable proposal. (Although, I note that this modification cuts jobs from the Preliminary works commitment by about 100 jobs or a third of the No.1 Colliery workforce.) However, the broader community interest and inter-generational considerations are of greater significance. The number of jobs at stake is small relative to the regional work force and likewise the royalty revenues are very small relative to annual State and Federal incomes. The value of the natural assets that would be put in harm's way by this proposal cannot be sensibly quantified; they are priceless.

I ~~have~~/have not made a reportable political donation. (Cross out whichever does not apply.)

I request that my name is withheld. (Cross out if not applicable.)

Yours sincerely, [REDACTED]

Name: [REDACTED]

Address: [REDACTED]

Date: 28/8/12

**Jessie Giblett - Fwd: Submission Details for [REDACTED] (object)**

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**From:** Clay Preshaw  
**To:** Jessie Giblett  
**Date:** 8/31/2012 1:23 PM  
**Subject:** Fwd: Submission Details for [REDACTED] (object)

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FYI - please save this as pdf in the submissions folder.

>>> [REDACTED] 8/31/2012 1:17 pm >>>



Confidentiality Requested: yes

Disclosable Political Donation: no

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Content:  
Attention: Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39

To whom it may concern,  
Objections to Proposal MP 10\_0046 - MOD 1

I object to the proposal for the following reasons:

1. Gujarat NRE is attempting to incrementally establish their expansion project for this mine.
  - The expansion project proposal was submitted to DoP and then withdrawn.
2. Longwall mining under the Sydney Catchment Area poses unacceptable risks to our water supply
  - The Sydney Water Catchment Area is a pristine vital resource is no t ours to destroy, it belongs to future generations.
  - The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps, thereby increasing risk of loss of surface and ground water from the Cataract catchment.
  - Cataract Creek has been recognised as having "highly significant value" and being "worthy of protection" (Planning Assessment Commission, Bulli Seam Operations report 2010). Yet one first order stream that starts over or at the edge of Longwall 5, as well as two other primary streams that join together directly over Longwall 5 to form a tributary to Cataract Creek will be severely impacted by the subsidence over Longwall 5.
  - Furthermore, recent work by Professor Philip Pells (Thirlmere Lakes report and research accepted for publication in Australian Geomechanics) shows that the Bald Hill claystone layer cannot be relied upon to protect surface and near surf ace waters from depressurisation and water loss.
3. Mining under swamps and streams poses dangerous risks
  - The importance of swamps as water stores and filters, and as biodiversity pools of very high conservation value have been recognised in the Southern Coalfield Inquiry report and the Planning Assessment Commission's report on the Metropolitan Coal and Bulli Seam Operations project. These same reports also describe the negative impact of

subsidence on swamps, surface waters and groundwater. Therefore it is alarming that the May2012 end of panel report for Longwall 7 in Dendrobium Area 3A records serious impacts on swamps 12, 15b and 16.

- The Gujarat EA is misleading in several respects, for instance it suggests that a report by Geoterra (Appendix 1) indicates little or no impact to swamps over Longwalls 4 and 5. It also provides no subsidence information and makes no mention of the swamps that would be directly affected.

4. Multi-seam mining has never before been carried out in the fragile Special Areas.

- This expansion adds a third coal seam to be mined and our understanding is that there are no examples of triple seam mining in Australia.

- Gujarat are proposing an experiment of unknown subsidence outcomes - compounded and unpredictable subsidence is likely.

5. The mine entrance is in a residential area and poses serious health and safety risks to residents.

- Gujarat point out the residential area was built around the mine but when Gujarat bought the mine in 2004 the residential area was already established.

- Particulate dust matter is a major concern. There are 80,000 ton stockpiles 200m from residences. 2.5micron dust and smaller is seen as the 'new asbestos', linked to respiratory and other illness, and yet the mine will only be monitoring down to 10microns.

- Noise is another major concern. The only exhaust fan from the current seam is 450m from residence. Gujarat's fan at their Wongawilli mine was heard 4kms away.

- The only method for coal transport from site is by truck. Gujarat have operated for eight years and still create noise, dust, speed and vibration problems in the area. Diesel fumes from these trucks are a known carcinogenic.

6. This mine is non-compliant with its DA conditions.

- Department of Planning still haven't approved one of Gujarat's Management Plans (required to be in place 4mths ago) and yet Gujarat is multi-seam longwalling under the Metropolitan Special Area.

7. Gujarat (and Department Resources and Energy) are having the validity of the Longwall 4 approval challenged in the Land and Environment Court.

8. No proper community consultation has taken place regarding Gujarat's proposed mining expansion and its effects on local residents.

- There has been an extremely limited opportunity for residents to express opinions, including opposition to a proposal from Gujarat to continue an existing longwall (Longwall 4) and develop a new longwall (Longwall 5) in the Metropolitan Special Area just behind Russell Vale.

- The Department of Planning (DoP) has refused to grant an extension of time.

In view of all the above concerns and facts, I repeat my opposition to this proposal.

Yours sincerely,

[REDACTED]  
Illawarra resident for over 30 years.  
30 August 2012

IP Address: - 101.172.170.150

Submission: Online Submission from [REDACTED] (object)

[https://majorprojects.affinitylive.com?action=view\\_diary&id=40291](https://majorprojects.affinitylive.com?action=view_diary&id=40291)

Submission for Job: #5317 Preliminary Works Project Mod 1 - Longwalls 4 and 5

[https://majorprojects.affinitylive.com?action=view\\_job&id=5317](https://majorprojects.affinitylive.com?action=view_job&id=5317)

Site: #1785 NRE No. 1 Mine

[https://majorprojects.affinitylive.com?action=view\\_site&id=1785](https://majorprojects.affinitylive.com?action=view_site&id=1785)

[REDACTED]



Powered by AffinityLive: Work. Smarter.

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**Longwall mining under the Sydney Water Catchment Area poses unacceptable risks to our water supply**

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Two first order streams join together directly over Longwall 5 to form a second order tributary to Cataract Creek; these streams will be severely impacted by the subsidence over Longwall 5. There is also a first order stream that appears to commence over or at the edge of Longwall 5. Low order streams play a vital role in connecting upland swamps to higher order streams.

Subsidence, increased strata permeability and strata depressurisation risks redirection and loss of surface and ground water from the Cataract catchment, as the Sydney Catchment Authority believes has occurred as a result of damage to the Waratah Rivulet. Recent work by Professor Philip Pells (Thirlemere Lakes report and addenda, and research accepted for publication in Australian Geomechanics) shows that the Bald Hill claystone layer cannot be counted on to protect surface and near surface waters from depressurisation and water loss.

In Appendix E Pells cites examples highlighting the uncertain nature of subsidence prediction. The severe damage to two kilometres of the Waratah Rivulet provides another example of modelling and prediction failure. The widths of the longwalls that caused the catastrophic damage to the Waratah Rivulet were much the same as the width of Longwalls 4 and 5. Compounding this uncertainty, there appears to be little precedent for multi-seam mining, for which additional subsidence factors of up to 80% have been suggested. Such risks and uncertainties are unacceptable in relation to our water supplies and the need for biodiversity conservation.

The Gujarat EA is misleading in several respects, for instance it suggests that a report by Geoterra (Appendix I) indicates little or no impact to swamps over Longwalls 4 and 5. This report refers specifically to CRHS1, which is not located above the longwalls, and makes no mention of the swamps that are directly over the longwalls. The EA provides no subsidence information, predicted or observed, for Longwall 4. Longwall 5 would reactivate and compound the subsidence of Longwall 4. There appear to be no predictions for valley closure or upsidence, other than a mention of upsidence in CRHS1. Appendix J does not seem to contain monitoring and management plans referred to in the EA. The EA provides essentially no mitigation information. The Metropolitan Special Area is a Schedule 1 area for which SCA consent is required, it is not a Schedule 2 area as the EA suggests. The EA makes no reference to the Sydney Drinking Water SEPP or its embodied Neutral or Beneficial Effect (NorBE) on water test.

The water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

### **The location of the Gujarat NRE No. 1 Colliery in a residential area is unacceptable**

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include; a coal stockpile located just 200m from people's homes; a resizing (crushing) facility; an enormous ventilation fan that blasts air from the underground mine directly at homes in West Corrimall; and, trucking of coal past people's homes to Port Kembla Coal Terminal.

Airborne particulates from coal mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5 micrometres are known to damage health (NSW Environmental compliance and performance report: Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010, p3). This Modification proposal does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. It is unacceptable for DoPI and the Government of NSW allow this kind of exposure.

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I have not made a reportable political donation. (Cross out whichever does not apply.)

**I request that my name is withheld.**

Yours sincerely,

[Redacted signature line]

[Redacted signature line]

[Redacted signature line]



Attention: Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

1 September 2012

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I have not made a reportable political donation.

I request that my name is withheld.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

**Clay Preshaw - Objection to Proposal MP\_0046\_MOD1**

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**From:** [REDACTED]  
**To:** <plan\_comment@planning.nsw.gov.au>  
**Date:** 9/2/2012 7:32 PM  
**Subject:** Objection to Proposal MP\_0046\_MOD1

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I object to the above proposal for the following reasons:-

- The Dept of Planning and Infrastructure has conducted itself poorly in it's communication with the public in this matter, (e.g. refusing an extension to allow extra time and discussion of reading matter) and consequently I feel very much let down by a government that seems to have little concern for community.

- The extension will increase dust levels in the immediate residential area, as well as increased noise pollution from the mine and extra trucks, at a time when related health impacts to residents around coal mines are now being recognised.

- Most of all, I bring to your attention that Barry O'Farrell made a promise, before the last election, that he would not allow mining in and around water catchment areas. Our escarpment is already suffering from past and current mining. How can it be responsible to allow bigger and bigger machinery to pull out such incomprehensible quantities of coal, for the mighty dollar, when in the longer term we must all be big losers. I plead with you that we must take stock and act responsibly to protect this very important environment that is part of the the catchment area for drinking water for millions of people.

I am sorely disappointed at the way decisions are made by the Planning Dept. I want a government that has wisdom and takes it's job seriously, not just to ensure quick money in the kitty, but realises that decisions today will be effecting our generations to come.

I write to you as a concerned citizen.

I wish my name to remain confidential.

[REDACTED]  
[REDACTED]  
[REDACTED]

Attention: Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001



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**Objections to Proposal MP 10\_0046 - MOD 1**

I AM A RESIDENT IN BELLAMBI LANE AND MY MAIN CONCERN IS THE INCREASE IN THE NOISE (TRUCK MOVEMENTS) COAL DUST AND GENERAL POLLUTION WHICH WILL HAPPEN DUE TO THE INCREASE IN COAL MINING AT THE SITE.

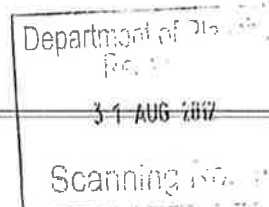
THE FRONT DOOR OF MY HOME AS WELL AS THE WINDOWS HAVE TO REMAIN CLOSED FOR THE ENTIRE DAY AND NIGHT (THEY OPERATE FROM 6am - 10pm) DUE TO THE NOISE LEVEL AND DUST POLLUTION OF THE TRUCKS DRIVING PASS MY HOME. MY FRONT VERANDA HAS TO BE SWEEP DAILY AS IT IS COVERED IN BLACK DUST - HOW MUCH OF THAT AM I BREATHING IN - TIME WILL ONLY TELL - THAT IS ALSO A CONCERN I HAVE.

I have/have not made a reportable political donation. (Cross out whichever does not apply.)

I request that my name is withheld. (Cross out if not applicable.)

Yours sincerely,

Name: [REDACTED]  
Address: [REDACTED]  
Email address: [REDACTED]  
Date: 29. 8. 12



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**Longwall mining under the Sydney Water Catchment Area poses unacceptable risks to our water supply**

The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps. Cataract Creek has been recognised by the Planning Assessment Commission (PAC) as having "*highly significant values*" making it "*worthy of protection*" (Bulli Seam Operations report, 2010). Subsidence impacts on swamps, surface waters and groundwater has been described in detail in the Southern Coalfield Inquiry report and the PAC reports for the Metropolitan Coal and Bulli Seam Operations (BSO) projects. These reports recognise the importance of swamps both as water stores and filters, and as biodiversity pools of very high conservation value. I note with alarm that the May 2012 end of panel report for Longwall 7 in Dendrobium Area 3A reports serious impacts on swamps 12, 15b and 16. The evidence that swamps cannot be safely undermined is overwhelming. Remediation of swamps is not possible and there are no examples of 'self-healing'.

Swamps CRHS1, CCHS3 and CCHS4 have special significance status under DECCW (now OEH) 2011 draft guidelines, and CCHS3 and CCHS4 include rare Tea-Tree communities.

Recommendation 18 of the Metropolitan Coal PAC report includes the following; "*swamps of special significance will be protected from negative environmental consequences*". Aboriginal site 52-3-0322 is located on the edge of CRHS1 and Aboriginal site 52-3-0320 is on the edge of CCHS3. CCHS3 and CCHS4 overlie Longwall 5 and CRHS1 is within the subsidence zone of Longwall 5. Approving Longwalls 4 and 5 would approve the loss of these swamps.

Two first order streams join together directly over Longwall 5 to form a second order tributary to Cataract Creek; these streams will be severely impacted by the subsidence over Longwall 5. There is also a first order stream that appears to commence over or at the edge of Longwall 5. Low order streams play a vital role in connecting upland swamps to higher order streams.

Subsidence, increased strata permeability and strata depressurisation risks redirection and loss of surface and ground water from the Cataract catchment, as the Sydney Catchment Authority believes has occurred as a result of damage to the Waratah Rivulet. Recent work by Professor Philip Pells (Thirlemere Lakes report and addenda, and research accepted for publication in

Australian Geomechanics) shows that the Bald Hill claystone layer cannot be counted on to protect surface and near surface waters from depressurisation and water loss.

In Appendix E Pells cites examples highlighting the uncertain nature of subsidence prediction. The severe damage to two kilometres of the Waratah Rivulet provides another example of modelling and prediction failure. The widths of the longwalls that caused the catastrophic damage to the Waratah Rivulet were much the same as the width of Longwalls 4 and 5. Compounding this uncertainty, there appears to be little precedent for multi-seam mining, for which additional subsidence factors of up to 80% have been suggested. Such risks and uncertainties are unacceptable in relation to our water supplies and the need for biodiversity conservation.

The Gujarat EA is misleading in several respects, for instance it suggests that a report by Geoterra (Appendix I) indicates little or no impact to swamps over Longwalls 4 and 5. This report refers specifically to CRHS1, which is not located above the longwalls, and makes no mention of the swamps that are directly over the longwalls. The EA provides no subsidence information, predicted or observed, for Longwall 4. Longwall 5 would reactivate and compound the subsidence of Longwall 4. There appear to be no predictions for valley closure or upsidence, other than a mention of upsidence in CRHS1. Appendix J does not seem to contain monitoring and management plans referred to in the EA. The EA provides essentially no mitigation information. The Metropolitan Special Area is a Schedule 1 area for which SCA consent is required, it is not a Schedule 2 area as the EA suggests. The EA makes no reference to the Sydney Drinking Water SEPP or its embodied Neutral or Beneficial Effect (NorBE) on water test.

The water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

### **The location of the Gujarat NRE No. 1 Colliery in a residential area is unacceptable**

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include; a coal stockpile located just 200m from people's homes; a resizing (crushing) facility; an enormous ventilation fan that blasts air from the underground mine directly at homes in West Corrimall; and, trucking of coal past people's homes to Port Kembla Coal Terminal.

Airborne particulates from coal mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5 micrometres are known to damage health (NSW Environmental compliance and performance report: Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010, p3). This Modification proposal does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. It is unacceptable for DoPI and the Government of NSW allow this kind of exposure.

Residents are also exposed to noise pollution from colliery operations and trucking.

### **Greenhouse Gas Emissions**

The coal seams of the Illawarra are known to be gassy and typically release 10 or more cubic metres of gas for each tonne of extracted coal. The composition of the gas varies from being primarily methane to primarily carbon dioxide. Assuming all of the fugitive gas is carbon dioxide, a considerably weaker greenhouse gas than methane, the coal to be extracted under the current proposal would add 32,000 tonnes of carbon dioxide to the 44,000 tonnes of fugitive carbon

dioxide released by the Preliminary Works project. Combustion of the extracted coal would further add 4.8 million tonnes of carbon dioxide emissions to the 6.6 million tonnes of carbon dioxide emitted from combustion of the coal from the Preliminary Works project

**GNRE has demonstrated that it does not have the capacity and resources to operate this colliery**

Since the Preliminary Works approval GNRE have proved that they are not capable of self-regulation. They have failed to even comply with basic conditions imposed on them by DoPI and the PAC, including: implementing management plans for noise, air quality, greenhouse gas emissions, traffic, biodiversity, water, heritage, and many more areas by the due date of 13 April, 2012 (still outstanding at the end of August 2012). Their implementation of a Community Consultation Committee or approved alternative was months overdue.

It appears that extraction of longwall 4 (a component of this Modification application and an activity that is already virtually completed as a result of another very controversial approval process) has been problematic, due to longwall misalignment and that this error has resulted in the contamination of all the extracted coal. Not only is the subsidence much greater than predicted, the extracted coal has little value.

GNRE does not appear to have the resources, or the will to bring the antiquated infrastructure at No. 1 Colliery up to modern standards. Irrespective of the drawbacks or merits of this proposal, GNRE is not an appropriate corporation to extract this coal or operate this colliery.

I recognise that jobs and royalty revenues may be lost with the rejection of this entirely unacceptable proposal. However, the broader community interest and inter-generational considerations are of greater significance. The number of jobs at stake is small relative to the regional work force and likewise the royalty revenues are very small relative to annual State and Federal incomes. The value of the natural assets that would be put in harm's way by this proposal cannot be sensibly quantified; they are priceless.

I have not made a reportable political donation.

*I request that my name is withheld.*

Yours sincerely,

Date: 2 September 2012



**From:** [REDACTED]  
**To:** <plan\_comment@planning.nsw.gov.au>  
**Date:** 9/2/2012 8:39 pm  
**Subject:** GNRE Modification

Attention Director Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box39  
SYDNEY NSW 2001

2/9/2012  
To Whom It May Concern

I object to the proposed Modification to the Preliminary Works Project MP10\_0046 for the following reasons-  
Long-wall mining under the Sydney Water Catchment Area poses unacceptable risks to our water supply.

The extraction of coal from long-wall 4 and 5 will cause subsidence within an area that includes Cataract Creek and Upland Swamps. The Cataract Creek flows into the Cataract Dam, any risk to this watercourse is unacceptable. The upland Swamps of the Sydney Basin Bio region have been declared a Threatened Ecological Community, and as such they should be protected. Furthermore the swamps play a crucial role in the filtering of water that goes into the reservoir, these should also be protected as a crucial component of our drinking water supply system.

The subsidence predictions are questionable because there is little precedent for multi-seam mining of this nature (Pells). Even Sydney Water Catchment Authority's Agency response to Preliminary Works (Major Project 10\_0046) Development Approval states that although subsidence can be predicted there is less certainty about how water will respond to the collapse of the land caused by long-wall mining. I draw your attention to Appin Colliery it has been mining under Appin township for more years than I can remember. I drive up to that area approx 3 or 4 times a month and there are Subsidence and End of Subsidence Signs in and around Appin township, it is easy to see where the subsidence is in the paddocks and other areas. Where as around the catchment areas with the amount of under growth it will not be easily seen. It will take a number of years for this to happen as like it is now appearing in Appin. Gujarat NRE is unlikely to be still under operations by the time any subsidence occurs and as such who will be responsible! Such risks and uncertainties are unacceptable in relation to our water supplies.

The Water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

The location of the Gujarat NRE No1 Colliery is unacceptable as it is in a residential area.

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include a coal stockpile located just 200m from people's homes to Port Kembla Coal Terminal.

Airborne particulates from Coal Mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5micrometers are known to damage health (NSW Environmental Compliance and Performance Report, Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010,p3) This Modification does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. It is unacceptable for DoPI to allow this exposure to continue. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. Residents are also exposed to noise pollution from Colliery Operations and trucking.

The movements of the Trucks from the Colliery to the Coal Loader and return are of concern to me because of the constant acceleration and deceleration combined with the brake squeal and empty truck noise, vibrations and coal dust. This is to be estimated to be one truck alone would do approx 18 round trips per day.

Countless complaints about noise and coal dust remain unresolved.

I am not affiliated with any political party nor have I given donations to any party.

I request that my name be withheld.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

Attention Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning GPO Box 39  
SYDNEY NSW 2001  
2 September 2012

To Whom It May Concern

Objections to Proposal MP 10\_00446 –Mod 1

I write to object to the acceptance of this proposal as a modification to the Preliminary Works Project MP10\_0046. There are several important items that concern me; the main one is that, why Gujarat NRE just continually enters Modifications to their Preliminary has works. It appears to me that they are just seeing what they CAN get away with in this piecemeal manner.

After several meetings with the management team who talk to us (the residents) we are told time and time again that they have to have the Money to update and implement the regulations that bind them to be able to do the work. Unfortunately it has been an ongoing neglect with regard to our concerns, mainly the dust, noise and truck movements. We are continually told we are getting the dust monitors, but they are not in place, We are told the truck noise is being monitored but nothing is really being done, it seems that when they listen to a few of the trucks, they advise them to correct their habits. It eases for a while then starts up again. Also when they hear the trucks they say it's not that bad," but do them or you listen to it every day". We are also told some people tune out to it and we are being too sensitive to the noise. In the Modification they say the number of truck movements is not going to change, and they state that it is within the Coal Loader 24/7 times. Sorry we are in a residential area the times for that are within their first approval times are 7am-10pm Mon-Fri and 8am-6pm Sat-Sun. It is not noted in their NEW Modification submission. We have also noted that sometimes the Trucks are not washed and they haven't been covered. Hence dust carries. GNRE have been fined for that neglect. The dust carried by the trucks and the stock pile (even though it is washed down) is continually settling on the outside and inside of homes in the area of the mine & truck routes. With the heavy truck movements I also have noticed cracks appearing on the walls and ceiling in our home

Finally GNRE had baulked at implementing a CCC it is now a reality (only just) but that was a condition to their first Application, why did you not make sure that they did not fulfil that requirement within a reasonable timeframe.

I am not a member of any political party and have not donated money to any party.  
I wish my name to be withheld thank you.

[REDACTED]  
[REDACTED]  
[REDACTED]

Attention: Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

To Whom It May Concern,

**Objections to Proposal MP 10\_0046 - MOD 1**

I write to object to the acceptance of this proposal as a modification to the Preliminary Works Project MP 10\_0046. The extent and impacts of the proposed additions to the Preliminary Works Project, reflected in the increased coal volumes and the use of documentation from the (withdrawn) expansion project, make it clear that this proposal cannot sensibly be regarded as simply a modification to the Preliminary Works project. Gujarat NRE (GNRE) is attempting to incrementally establish their expansion project.

Given its errors and omissions, the Environmental Assessment Report (EA) for the current proposal is unacceptably misleading and confusing. That it has been released to the public reflects poorly on the Department of Planning and Infrastructure (DoPI). Furthermore, the DoPI failed to identify and act upon a number of non-compliance matters and it was left to community members to point out the failures in a series of complaints. While the DoPI clearly goes out of its way to accommodate the interests of the proponent, it seems it acts on the concerns of the public with great reluctance. The EA and its associated documentation contain a large amount of material for which the general public were given only three weeks to respond. Requests for an extension to the public comment period were refused.

I also strongly object to the proposal for the additional reasons given below.

**Longwall mining under the Sydney Water Catchment Area poses unacceptable risks to our water supply**

The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps. Cataract Creek has been recognised by the Planning Assessment Commission (PAC) as having "*highly significant values*" making it "*worthy of protection*" (Bulli Seam Operations report, 2010). Subsidence impacts on swamps, surface waters and groundwater has been described in detail in the Southern Coalfield Inquiry report and the PAC reports for the Metropolitan Coal and Bulli Seam Operations (BSO) projects. These reports recognise the importance of swamps both as water stores and filters, and as biodiversity pools of very high conservation value. I note with alarm that the May 2012 end of panel report for Longwall 7 in Dendrobium Area 3A reports serious impacts on swamps 12, 15b and 16. The evidence that swamps cannot be safely undermined is overwhelming. Remediation of swamps is not possible and there are no examples of 'self-healing'.

Swamps CRHS1, CCHS3 and CCHS4 have special significance status under DECCW (now OEH) 2011 draft guidelines, and CCHS3 and CCHS4 include rare Tea-Tree communities.

Recommendation 18 of the Metropolitan Coal PAC report includes the following; "*swamps of special significance will be protected from negative environmental consequences*". Aboriginal site 52-3-0322 is located on the edge of CRHS1 and Aboriginal site 52-3-0320 is on the edge of CCHS3. CCHS3 and CCHS4 overly Longwall 5 and CRHS1 is within the subsidence zone of Longwall 5. Approving Longwalls 4 and 5 would approve the loss of these swamps.

Two first order streams join together directly over Longwall 5 to form a second order tributary to Cataract Creek; these streams will be severely impacted by the subsidence over Longwall 5. There is also a first order stream that appears to commence over or at the edge of Longwall 5. Low order streams play a vital role in connecting upland swamps to higher order streams.

Subsidence, increased strata permeability and strata depressurisation risks redirection and loss of surface and ground water from the Cataract catchment, as the Sydney Catchment Authority believes has occurred as a result of damage to the Waratah Rivulet. Recent work by Professor Philip Pells (Thirlemere Lakes report and addenda, and research accepted for publication in Australian Geomechanics) shows that the Bald Hill claystone layer cannot be counted on to protect surface and near surface waters from depressurisation and water loss.

In Appendix E Pells cites examples highlighting the uncertain nature of subsidence prediction. The severe damage to two kilometres of the Waratah Rivulet provides another example of modelling and prediction failure. The widths of the longwalls that caused the catastrophic damage to the Waratah Rivulet were much the same as the width of Longwalls 4 and 5. Compounding this uncertainty, there appears to be little precedent for multi-seam mining, for which additional subsidence factors of up to 80% have been suggested. Such risks and uncertainties are unacceptable in relation to our water supplies and the need for biodiversity conservation.

The Gujarat EA is misleading in several respects, for instance it suggests that a report by Geoterra (Appendix I) indicates little or no impact to swamps over Longwalls 4 and 5. This report refers specifically to CRHS1, which is not located above the longwalls, and makes no mention of the swamps that are directly over the longwalls. The EA provides no subsidence information, predicted or observed, for Longwall 4. Longwall 5 would reactivate and compound the subsidence of Longwall 4. There appear to be no predictions for valley closure or upsidence, other than a mention of upsidence in CRHS1. Appendix J does not seem to contain monitoring and management plans referred to in the EA. The EA provides essentially no mitigation information. The Metropolitan Special Area is a Schedule 1 area for which SCA consent is required, it is not a Schedule 2 area as the EA suggests. The EA makes no reference to the Sydney Drinking Water SEPP or its embodied Neutral or Beneficial Effect (NorBE) on water test.

The water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

#### **The location of the Gujarat NRE No. 1 Colliery in a residential area is unacceptable**

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include; a coal stockpile located just 200m from people's homes; a resizing (crushing) facility; an enormous ventilation fan that blasts air from the underground mine directly at homes in West Corrimall; and, trucking of coal past people's homes to Port Kembla Coal Terminal.

Airborne particulates from coal mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5 micrometres are known to damage health (NSW Environmental compliance and performance report: Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010, p3). This Modification proposal does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. It is unacceptable for DoPI and the Government of NSW allow this kind of exposure.

Residents are also exposed to noise pollution from colliery operations and trucking. Countless complaints about noise remain unresolved.

### **Greenhouse Gas Emissions**

The coal seams of the Illawarra are known to be gassy and typically release 10 or more cubic metres of gas for each tonne of extracted coal. The composition of the gas varies from being primarily methane to primarily carbon dioxide. Assuming all of the fugitive gas is carbon dioxide, a considerably weaker greenhouse gas than methane, the coal to be extracted under the current proposal would add 32,000 tonnes of carbon dioxide to the 44,000 tonnes of fugitive carbon dioxide released by the Preliminary Works project. Combustion of the extracted coal would further add 4.8 million tonnes of carbon dioxide emissions to the 6.6 million tonnes of carbon dioxide emitted from combustion of the coal from the Preliminary Works project

### **GNRE has demonstrated that it does not have the capacity and resources to operate this colliery**

Since the Preliminary Works approval GNRE have proved that they are not capable of self-regulation. They have failed to even comply with basic conditions imposed on them by DoPI and the PAC, including: implementing management plans for noise, air quality, greenhouse gas emissions, traffic, biodiversity, water, heritage, and many more areas by the due date of 13 April, 2012 (still outstanding at the end of August 2012). Their implementation of a Community Consultation Committee or approved alternative was months overdue. The EAs account of the so called consultation process is highly misleading.

It appears that extraction of longwall 4 (a component of this Modification application and an activity that is already virtually completed as a result of another very controversial approval process) has been problematic, due to longwall misalignment and that this error has resulted in the contamination of all the extracted coal. Not only is the subsidence much greater than predicted, the extracted coal has little value.

GNRE does not appear to have the resources, or the will to bring the antiquated infrastructure at No. 1 Colliery up to modern standards. Irrespective of the drawbacks or merits of this proposal, GNRE is not an appropriate corporation to extract this coal or operate this colliery.

I recognise that jobs and royalty revenues may be lost with the rejection of this entirely unacceptable proposal. (Although, I note that this modification cuts jobs from the Preliminary works commitment by about 100 jobs or a third of the No.1 Colliery workforce.) However, the broader community interest and inter-generational considerations are of greater significance. The number of jobs at stake is small relative to the regional work force and likewise the royalty revenues are very small relative to annual State and Federal incomes. The value of the natural assets that would be put in harm's way by this proposal cannot be sensibly quantified; they are priceless.

~~I have/have not~~ <sup>HAVE NOT</sup> made a reportable political donation. (Cross out whichever does not apply.)

✓ I request that my name is withheld. (Cross out if not applicable.)

Yours sincerely,

Name: [REDACTED]

Address: [REDACTED]

Date: 30/08/12

Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

To Whom It May Concern,

### ***Objection to Proposal MP 10\_0046 - MOD 1***

I write to object to the acceptance of this proposal as a modification to the Preliminary Works Project MP 10\_0046. This proposal, along with the Preliminary Works component of the original MP 10\_0046, and the SMP application to the Division of Resources and Energy are attempts by Gujarat NRE (GNRE) to incrementally establish their expansion project. It is misleading to exhibit this proposal as a mere modification. This piecemeal approach to planning and this strategy of brinkmanship erodes the capacity for public involvement and participation in environmental planning and assessment as conferred by the *Environmental Planning and Assessment Act 1979*.

It is obvious that this is about GNRE's expansion and yet no-one is able to see or comment on the full picture. I do not believe that this approach reflects planning best practice.

Furthermore, I object to the proposal for the following reasons:

#### **Longwall mining under the Sydney Water Catchment Area**

Recent reports of damage to the Waratah Rivulet, loss of water in the Woronora Dam and the draining of the Thirlmere lakes, all attributable in full or in part to damage from longwall mining, are alarming. I believe that the Department of Planning and Infrastructure (DoPI) is out of step with the public view on risk of the water catchment posed by mining.

The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps. Cataract Creek has been identified as having "*highly significant values*" making it "*worthy of protection*" (PAC, Bulli Seam Operations report, 2010). Subsidence impacts on swamps, surface waters and groundwater are documented in the Southern Coalfield Inquiry report and other reports. These reports recognise the importance of swamps within the catchment system both to store water and to filter it as it moves down into the larger water courses. Swamps cannot be undermined "*safely*" and they cannot be remediated.

I am not qualified to critique the risk assessment in the proposal but I will state that risk assessment is just an estimate of risk of subsidence damage based on available information. Pells acknowledges that there is little precedent of multi seam longwall mining upon which to base his estimate. The precedents cited are only observances of subsidence effects in the short term. Do any of the experts know what the cumulative effect of undermining of the swamps and watercourses may be in 50, 100 or even 200 years time? Irrespective of the risk assessment of the various experts cited, I argue that the water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

I strongly object to the proposal because the location of the proposed longwalls poses an unacceptable risk to the Sydney Water Catchment Area.

### **Proximity to residential areas and the resultant negative impacts on the health and wellbeing of residents**

Unlike other collieries in the Illawarra, GNRE No. 1 Colliery is located in a residential area. I have google mapped each colliery in the area and yet I cannot find any with the proximity to residences that is evident with the Russell Vale Colliery. It was disappointing that the PAC approval of the Preliminary Works application did not reflect an understanding of this fact. Because of this proximity, the Russell Vale Colliery should be subject to *more, not less* stringent regulation and monitoring than any other mine in the area. However, recent developments have shown that GNRE is unwilling or unable to self-regulate and the DoPI is unwilling or unable to monitor GNRE's compliance.

As a resident that lives near the colliery, I am increasingly frustrated and angered by the contempt with which colliery staff have treated local residents and by the staff's dismissive attitude to legitimate complaints about various pollutions we are subjected to. What is even more shocking is the impotence and disinterest of state government agencies to address residents' concerns.

Homes and mines don't mix. In 2012, Russell Vale is no longer an appropriate place for a colliery.

### **Airborne particulate pollution**

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include; a coal stockpile located just 200m from people's homes; a resizing facility; and, an enormous ventilation fan that blasts air from the underground mine directly at homes in West Corrimal. Trucking of coal past people's homes to Port Kembla Coal Terminal also creates an enormous amount of dust for people living in the vicinity of Bellambi Lane.

Airborne particulates from coal mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5 micrometres are known to damage health (NSW Environmental compliance and performance report: Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010, p3). This Modification proposal does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. It is unacceptable for DoPI and the Government of NSW allow this kind of exposure.

### **Noise pollution**

Residents are also exposed to noise pollution from colliery operations and trucking. Countless complaints about noise remain unresolved. The noise from the exhaust fan is unacceptably loud, disturbing and offensive, particularly at night and when it is exacerbated by adverse meteorological conditions. GNRE are either unwilling or unable to address the noise pollution. As previously mentioned, a residential area is not an appropriate place for a colliery.

### **Inability to self-regulate or comply with conditions of approval**

Since the Preliminary Works approval GNRE have proved that they are not capable of self-regulation. They have failed to even comply with basic conditions imposed on them by DoPI and the PAC, including: implementing management plans for noise, air quality,



greenhouse gas emissions, traffic, biodiversity, water, heritage, and many more areas by the due date of 13 April, 2012 (still outstanding at the end of August 2012). Their implementation of a Community Consultation Committee or approved alternative was months overdue.

It took a community group's complaint to DoPI to draw attention to the non-compliance. As far as I am aware, no "enforcement action" was ever taken over the non-compliance. The Management Plans are still outstanding. I draw the conclusion that GNRE's inability to self-regulate is enabled and even encouraged by DoPI's inability or unwillingness to enforce compliance. There appears to be an entrenched culture at DoPI of compromised priorities. It was left to community members to point out that GNRE was not meeting its obligations by writing a series of complaints. While the DoPI clearly goes out of its way to accommodate the interests of the proponent, it seems it acts on the concerns of the public with great reluctance. As a taxpayer, I find this unacceptable.

Moreover, the fact that the management plans are still not available to the public during this public exhibition stage of the modification planning process (Noise, Air Quality and Greenhouse Gas, Traffic, Surface Facilities, Water MP's) is unacceptable.

In the public information session on this proposal we were informed that it appears that extraction of longwall 4 (a component of this Modification application and an activity that is already virtually completed as a result of another very controversial approval process) has been problematic, due to longwall misalignment. Furthermore, it appears that this longwall alignment error has resulted in the contamination of all the extracted coal. Not only is the subsidence much greater than predicted, the extracted coal has little value. The public was told that the proceeds of sale of the minerals extracted only covered extraction costs. This unfortunate outcome should be taken into account by DoPI and the PAC in the assessment of GNRE's assertion in making this application that the corporation is able to competently and responsibly extract Longwall 5. The evidence suggests otherwise.

GNRE does not appear to have the resources, or the will to bring the antiquated infrastructure at No. 1 Colliery up to modern standards. Irrespective of the drawbacks or merits of this proposal, GNRE is not an appropriate corporation to extract this coal or operate this colliery.

I have not made a reportable political donation.

**I request that my name is withheld from the proponent and from the website.**

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Date: 3 September, 2012

Attention: Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

To Whom It May Concern,

**Objections to Proposal MP 10\_0046 - MOD 1**

I write to object to the acceptance of this proposal as a modification to the Preliminary Works Project MP 10\_0046. The extent and impacts of the proposed additions to the Preliminary Works Project, reflected in the increased coal volumes and the use of documentation from the (withdrawn) expansion project, make it clear that this proposal cannot sensibly be regarded as simply a modification to the Preliminary Works project. Gujarat NRE (GNRE) is attempting to incrementally establish their expansion project.

Given its errors and omissions, the Environmental Assessment Report (EA) for the current proposal is unacceptably misleading and confusing. That it has been released to the public reflects poorly on the Department of Planning and Infrastructure (DoPI). Furthermore, the DoPI failed to identify and act upon a number of non-compliance matters and it was left to community members to point out the failures in a series of complaints. While the DoPI clearly goes out of its way to accommodate the interests of the proponent, it seems it acts on the concerns of the public with great reluctance. The EA and its associated documentation contain a large amount of material for which the general public were given only three weeks to respond. Requests for an extension to the public comment period were refused.

I also strongly object to the proposal for the additional reasons given below.

**Longwall mining under the Sydney Water Catchment Area poses unacceptable risks to our water supply**

The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps. Cataract Creek has been recognised by the Planning Assessment Commission (PAC) as having "*highly significant values*" making it "*worthy of protection*" (Bulli Seam Operations report, 2010). Subsidence impacts on swamps, surface waters and groundwater has been described in detail in the Southern Coalfield Inquiry report and the PAC reports for the Metropolitan Coal and Bulli Seam Operations (BSO) projects. These reports recognise the importance of swamps both as water stores and filters, and as biodiversity pools of very high conservation value. I note with alarm that the May 2012 end of panel report for Longwall 7 in Dendrobium Area 3A reports serious impacts on swamps 12, 15b and 16. The evidence that swamps cannot be safely undermined is overwhelming. Remediation of swamps is not possible and there are no examples of 'self-healing'.

Swamps CRHS1, CCHS3 and CCHS4 have special significance status under DECCW (now OEH) 2011 draft guidelines, and CCHS3 and CCHS4 include rare Tea-Tree communities. Recommendation 18 of the Metropolitan Coal PAC report includes the following; "*swamps of special significance will be protected from negative environmental consequences*". Aboriginal site 52-3-0322 is located on the edge of CRHS1 and Aboriginal site 52-3-0320 is on the edge of CCHS3. CCHS3 and CCHS4 overlie Longwall 5 and CRHS1 is within the subsidence zone of Longwall 5. Approving Longwalls 4 and 5 would approve the loss of these swamps.

Two first order streams join together directly over Longwall 5 to form a second order tributary to Cataract Creek; these streams will be severely impacted by the subsidence over Longwall 5. There is also a first order stream that appears to commence over or at the edge of Longwall 5. Low order streams play a vital role in connecting upland swamps to higher order streams.

Subsidence, increased strata permeability and strata depressurisation risks redirection and loss of surface and ground water from the Cataract catchment, as the Sydney Catchment Authority believes has occurred as a result of damage to the Waratah Rivulet. Recent work by Professor Philip Pells (Thirlemere Lakes report and addenda, and research accepted for publication in Australian Geomechanics) shows that the Bald Hill claystone layer cannot be counted on to protect surface and near surface waters from depressurisation and water loss.

In Appendix E Pells cites examples highlighting the uncertain nature of subsidence prediction. The severe damage to two kilometres of the Waratah Rivulet provides another example of modelling and prediction failure. The widths of the longwalls that caused the catastrophic damage to the Waratah Rivulet were much the same as the width of Longwalls 4 and 5. Compounding this uncertainty, there appears to be little precedent for multi-seam mining, for which additional subsidence factors of up to 80% have been suggested. Such risks and uncertainties are unacceptable in relation to our water supplies and the need for biodiversity conservation.

The Gujarat EA is misleading in several respects, for instance it suggests that a report by Geoterra (Appendix I) indicates little or no impact to swamps over Longwalls 4 and 5. This report refers specifically to CRHS1, which is not located above the longwalls, and makes no mention of the swamps that are directly over the longwalls. The EA provides no subsidence information, predicted or observed, for Longwall 4. Longwall 5 would reactivate and compound the subsidence of Longwall 4. There appear to be no predictions for valley closure or upsidence, other than a mention of upsidence in CRHS1. Appendix J does not seem to contain monitoring and management plans referred to in the EA. The EA provides essentially no mitigation information. The Metropolitan Special Area is a Schedule 1 area for which SCA consent is required, it is not a Schedule 2 area as the EA suggests. The EA makes no reference to the Sydney Drinking Water SEPP or its embodied Neutral or Beneficial Effect (NorBE) on water test.

The water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

### **The location of the Gujarat NRE No. 1 Colliery in a residential area is unacceptable**

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include; a coal stockpile located just 200m from people's homes; a resizing (crushing) facility; an enormous ventilation fan that blasts air from the underground mine directly at homes in West Corrimall; and, trucking of coal past people's homes to Port Kembla Coal Terminal.

Airborne particulates from coal mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5 micrometres are known to damage health (NSW Environmental compliance and performance report: Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010, p3). This Modification proposal does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. It is unacceptable for DoPI and the Government of NSW allow this kind of exposure.

Residents are also exposed to noise pollution from colliery operations and trucking. Countless complaints about noise remain unresolved.

### **Greenhouse Gas Emissions**

The coal seams of the Illawarra are known to be gassy and typically release 10 or more cubic metres of gas for each tonne of extracted coal. The composition of the gas varies from being primarily methane to primarily carbon dioxide. Assuming all of the fugitive gas is carbon dioxide, a considerably weaker greenhouse gas than methane, the coal to be extracted under the current proposal would add 32,000 tonnes of carbon dioxide to the 44,000 tonnes of fugitive carbon dioxide released by the Preliminary Works project. Combustion of the extracted coal would further add 4.8 million tonnes of carbon dioxide emissions to the 6.6 million tonnes of carbon dioxide emitted from combustion of the coal from the Preliminary Works project

### **GNRE has demonstrated that it does not have the capacity and resources to operate this colliery**

Since the Preliminary Works approval GNRE have proved that they are not capable of self-regulation. They have failed to even comply with basic conditions imposed on them by DoPI and the PAC, including: implementing management plans for noise, air quality, greenhouse gas emissions, traffic, biodiversity, water, heritage, and many more areas by the due date of 13 April, 2012 (still outstanding at the end of August 2012). Their implementation of a Community Consultation Committee or approved alternative was months overdue. The EAs account of the so called consultation process is highly misleading.

It appears that extraction of longwall 4 (a component of this Modification application and an activity that is already virtually completed as a result of another very controversial approval process) has been problematic, due to longwall misalignment and that this error has resulted in the contamination of all the extracted coal. Not only is the subsidence much greater than predicted, the extracted coal has little value.

GNRE does not appear to have the resources, or the will to bring the antiquated infrastructure at No. 1 Colliery up to modern standards. Irrespective of the drawbacks or merits of this proposal, GNRE is not an appropriate corporation to extract this coal or operate this colliery.

I recognise that jobs and royalty revenues may be lost with the rejection of this entirely unacceptable proposal. (Although, I note that this modification cuts jobs from the Preliminary works commitment by about 100 jobs or a third of the No.1 Colliery workforce.) However, the broader community interest and inter-generational considerations are of greater significance. The number of jobs at stake is small relative to the regional work force and likewise the royalty revenues are very small relative to annual State and Federal incomes. The value of the natural assets that would be put in harm's way by this proposal cannot be sensibly quantified; they are priceless.

I have/have not made a reportable political donation. (Cross out whichever does not apply.)

I request that my name is withheld. (Cross out if not applicable.)

Yours sincerely,

[Redacted signature]

[Redacted signature]

Date:



Attention: Director, Mining and Industry Projects,  
Major Projects Assessment,  
Department of Planning,  
GPO Box 39,  
Sydney NSW 2001.

Project Application No. MP 10\_0046 MOD 1,

Dear Sir/Madam,

I would like to formally object to Gujarat NRE's Modification No 1 to their Preliminary Works approval MP 10\_0046 to allow for longwall mining LW 4+ 5 at No 1 Colliery in Russell Vale.

The reason I am objecting to this proposal are as follows:

- Insufficient time allowed by DoP+I to make informed submission on such a large and complex application;
- Insufficient documentation for application, as MP referred to in Modification are yet to be approved or available to public;
- Poor documentation for application, as some appendices apply to whole site rather than being LW 4 + 5 specific;
- Piece meal application made again by GNRE. Application should be fractionated further, the Expansion DA should be only further application);
- Insufficient alternative consideration to the Longwall option;
- Water security concerns, regarding longwall mining under the Sydney Water Catchment Area;
- Damage to upland swamps, ground water and perched aquifers;
- Damage to environmental ecosystems, threaten species and greenhouse gas emissions;
- Loss of amenity to the residential area because of noise and dust;
- Trucks;
- Change in surrounding suburban area;
- GNRE's inability to properly manage the development;
- Socio Economic/employment;
- Miscellaneous items.

**Fractionated Development Application Process:**

The Preliminary Works Project at No 1 Colliery Russell Vale was approved on the 13 October 2011 for the continuation of mining and ancillary operations, being Stage 1 of the Major Expansion. This Major Expansion was supposed to be approved Dec 2010. This Preliminary Works application was deemed contentious by several State Government agencies that stated they "*do not consider it good practice to separate elements of the proposed new mining area into separate projects resulting in the*

*assessment being undertaken in a piecemeal fashion*". Now GNRE has fractionated the development yet again, by applying for this Modification (Mod). Longwall mining could never be considered preliminary works, it is an operation that belongs in the Stage 2 Expansion DA. For this reason alone, the Mod should be refused.

The Mod states that the reason for the modification is to ensure the ongoing viability of the mine due to protracted time frames in obtaining approvals. This is an erroneous statement. GNRE have an approval to remove remnant coal from the Bulli Seam (the V Panels) but have decided not to opt for the longwall option.

GNRE have been tardy in putting together the appropriate documentation for their Expansion DA, due to GNRE'S lack of resources and the development being problematic. GNRE have approval under their Stage 1 DA to remove coal from the V Panels in the Bulli Seam but have decided that they no longer want to pursue this option due to economic considerations. Yet they are required under their coal lease to remove as much coal as possible but again they refuse to adopt their approved mining right. GNRE were requested on 18 August 2009 by the Director General of DoP+I to provide adequate information to support their Expansion DA. This information has still not been submitted. Clearly the time has been protracted by GNRE, for it has been three years since the DGR were issued.

DRE approved a SMP for LW 4 on 26 March 2012, subject to meeting certain conditions and additional documentation. This was subsequently approved 30 July 2012. This approval by DRE is now an ongoing Land and Environment Court case instigated by IRRM about the approvals legality under clause 8K of the Environmental Planning and Assessment Act. The extraction has been completed on this longwall, so it is curious to see GNRE include it in its Mod. Are they trying to make amends their illegal SMP?

#### **Submission time frame and poor documentation:**

There was only three weeks allowed for the public consultation component of this Mod. (GNRE advised concerned residents that the period was four weeks but later said that was their error.) Three weeks is insufficient time to read and digest a 900 page document and then make an informed submission on such a large and complex application, particularly when a large portion of the documentation is missing or nonexistent. There were many requests made to extend the exhibition period but they were all declined by DoP+I.

Poor documentation has become a major issue in this modification. There have been missing SMP Management Plans from the DoP+I website; approved Management Plans (MP) mentioned in the Mod that did not exist; an updated Statement of Commitment not being correct, that was amended and only made public late on Friday 31<sup>st</sup>; Management Plans that magically appeared on Wednesday 28<sup>th</sup>; Extraction Plan and Subsidence Monitoring Plan missing from Appendix j. DoP+I have acknowledged all this missing or incorrect information but still would not extend the exhibition period, even when new information was made available one working day from the end of the exhibition time.

In GNRE's Mod there are numerous references to Management Plans. These MP's, either associated with the SMP for LW4 or required under GNRE Preliminary Works DA. The SMP MP's were specified in the Mod as being included in Appendix J but in fact this

information was not included on the DoP+I website in its entirety (Public Safety, Heritage, Water, Electrical Transmission Lines MP's). The MP's required under the Preliminary Works DA are actually not yet approved (over four months overdue) and are not available to the public during this public exhibition stage of the modification planning process (Noise, Air Quality and Greenhouse Gas, Traffic, Surface Facilities Water MP's). It should also be noted that an Extraction Plan and Subsidence Monitoring Plan were also stated as being included in the notorious Appendix J but are missing in not only the DoP+I website but also the viewable hard copies.

In the Mod there is a Statement of Commitments; this Statement has been altered with the additional amendments shown in red. However there are numerous items that have been added that have not been highlighted, such as- *NRE will undertake regular meetings with the CCC, to provide timely and accurate information on major approvals issues and general operational aspects of the Colliery.* And also items have been deleted and not noted, such as- *"GNRE will conduct regular community liaison meetings and provide regular updates to the community both during construction and operation of the project."* This unacknowledged removal and replacement of information gives a totally different meaning of their commitments and alters their commitments that have been made during the Preliminary Works DA. This Statement was then altered and made public with only one working day left until the end of the exhibition period.

There are numerous Impact Comparison and Mitigation Measures mentioned in this Mod. These comparisons have no relationship to each other, the mining location is different (V Panels to LW5), the mining methods are different (Pillar extraction to longwall mining) and the affected features are different (Lizard Creek to Cararact Creek). I fail to see how is it possible to make a comparison between two different things? Are the new Impact Comparison and Mitigation Measures going to override the old ones and if so, does this mean that the V Panels are not going to be mined? What a confusing document.

This is a gross oversight on the part of the DoP+I and very misleading documentation on the part of GNRE.

The missing MP's are the ones that have the most impact on the surrounding community. How is it possible that the public can be asked to comment on an application that relies on supportive documentation that is not even available to them or has so many errors or misleading statements?

GNRE have proved that they are incapable of being self-regulated or trusted to carry out even simple conditions because of their indiscretions and multiple non-compliances over the past year. I believe that they should be more heavily regulated and monitored until they can prove they have the capacity to behave in a moral and professional manner. In this regard, it is important that DoP+I regulate them heavily and ensure that their conditions are monitored in the strictest possible way, unlike their Preliminary Works DA conditions.

GNRE have been reprimanded by DRE for poor and misleading documentation of their SMP submission for LW 4 + 5 and now I see that DoP+I has allowed GNRE's poor documentation of this Modification to pass their scrutiny.

### **Subsidence:**

The Pells Report- *"The prediction of the impacts of subsidence on swamps, creeks, groundwater and infrastructure depends on the accuracy of the subsidence predictions*

*themselves. However, it is a fact that these predictions of subsidence, and in particular tilts and ground surface strains, is fraught with uncertainty. The main reason for this is the impact of geological structures, often unknown, and, in the case of multi-seam mining is exacerbated by limited precedent.*" This statement is very illuminating and damning in itself.

This three tier mining that GNRE are experimenting with is very unique and has many problems and concerns in regard to predicting subsidence under our water catchment area. It also brings with it more concerns about being able to cease mining immediately should a major subsidence occur. Longwall mining is a very destructive method mining and is very difficult to stop part way through a panel extraction if necessary.

The Mod includes LW4, this longwall section is in fact almost completely extracted. The predicted subsidence for LW4 could be used in the prediction of subsidence for LW5 and others in the area. It would also be useful information to give the public so they can make an informed decision on the Mod. I have obtained verbal figures from GNRE staff about subsidence dimensions of LW4 so far: First working subsidence was predicted to be 20mm, whereas the actual subsidence was 28mm; Longwall mining subsidence was predicted to be 200mm, whereas the actual subsidence was 1280mm. So it can be seen that the predictions are very inaccurate. First workings a 40% error and Longwall mining a 540% error. I think that GNRE and DoP+I should postpone this development until the end of panel report has been completed on LW4.

#### **Water security:**

The Longwall LW 4 + 5 are located under the Sydney Water Catchment Special Area. Given that the life of this coal mine is only 15 years and that the necessity to maintain a secure water systems stretches into the hundreds of years, the coal is probably more valuable left in place in order to securing this precious resource. Maybe it is time that we put a monetary value on this commodity and this unique catchment area.

We do not have the right to destroy this wonderful resource, it belongs to future generations.

#### **Water:**

Recent reports of damage to the Waratah Rivulet, loss of water in the Woronora Dam and the draining of the Thirlmere lakes, all attributable, in full or in part, to damage from longwall mining, are alarming.

Risk assessment is just an estimate of risk of subsidence based on available information and Phillip Pells acknowledges that there is little precedent of multi seam longwall mining upon which to base this estimate. The precedents cited are only observances of subsidence effects in the short term. The experts don't know what the cumulative effect of undermining of the swamps and watercourses may be in 50, 100 or even 200 years time?

Although the subsidence impact and loss of water may not be large, the development should not be considered in isolation from the Expansion DA that plans to longwall a much larger area. The accumulative effect of dozens of longwalls with minimal subsidence is in fact The proposal's inclusion of operational gateroads 6, 7 and 8 indicates the applicant's intention to mine much more extensively and therefore the



consideration of subsidence of longwall's 4 and 5 alone is at best piecemeal and could be construed as negligent.

The Mod states- *modelled subsidence induced cracking could potentially affect stream flow in the reaches overlying and downstream of the proposed workings, although the anticipated stream flow losses would have little impact on the Cataract Reservoir water storage volume.* There will be numerous longwalls under taken at this mine. Given that this is another GNRE piecemeal application it should not stand alone in its impacts. The whole of the development should be taken into account when assessing the water loss as the accumulative effect of numerous 'little impacts' on streams could in fact be substantial. Also the comment about damaged streams self-remediating has been proven to be false and if the water does emerge further downstream it is usually contaminated from leached salts and minerals.

#### **Greenhouse gas emissions:**

The Mod states- *"with the volume of coal production and transportation per annum as per the approved project - air quality impacts (and Greenhouse Gas) per annum are as per the approved project."* but the dust is ongoing and of concern to local residents. It also states the dust will be monitored- *in accordance with NRE's approved Air Quality and Greenhouse Gas Management Plan.* This is curious because at the time of this Mod the MP has not been approved and is in fact over four months overdue, rendering the current project non-compliant. How much longer do the residents of this area have to suffer the tardiness of GNRE and the slackness of DoP+I.

The DoP+I stated in the Director- General's EA to the PAC- *"It must be noted that if the project was not allowed to proceed, the resultant gap in the coking coal supply would be almost certainly filled by another coal resource either in NSW, Australia or overseas. In other words, removing the GHG emissions from the project would not likely result in any decrease in global CO2 emissions."* So I will not hold our breath for a sensible and sustainable outcome from the approved Air Quality and Greenhouse Gas Management Plan.

GNRE have stated in their Mod that they will investigate opportunities to capture and/or reuse ventilation gases but gives no time frame or any tangible commitment. Their Preliminary Works DA mentioned the same statement but put a 2015 timeframe on it, one year after the expiration of this DA. Given that methane is 20 times more damaging than CO2 as a GHG, I think GNRE and the NSW State Govt should show some responsibility and due diligence to the environment and the community.

#### **Air Quality:**

The Mod states- *"with the volume of coal production and transportation per annum as per the approved project - air quality impacts (and Greenhouse Gas) per annum are as per the approved project."* but the dust is ongoing and of concern to local residents. It also states the noise will be monitored- *in accordance with NRE's approved Air Quality and Greenhouse Gas Management Plan.* This is curious because at the time of this Mod the MP has not been approved and is in fact over four months overdue, rendering the current project non-compliant. How much longer do the residents of this area have to suffer the tardiness of GNRE and the slackness of DoP+I.

The air quality monitoring mentioned in the Preliminary Works DA only mentions monitoring particulate matter down to 10 microns (PM10). As the mining industry and NSW State Government are currently aware, the real concern is particulate matter smaller than 2.5 microns (PM2.5). I believe it is time that this industry and the Govt took some responsibility for the health of the community and showed a bit of due diligence. All insoluble particulates are a danger to our health but it is extensively documented that diesel fumes, coal and silica dust are of special concern and 10 micron particulate matter causes less severe health effects than finer particles below 2.5 microns. Yet the mines in NSW are only required to record particulate matter to 10 microns. Dust has always been problematic at this mine (probably due to the close proximity to residential areas that GNRE bought into and to the fact that they bought antiquated infrastructure) and GNRE need to demonstrate that they have the ability to operate this mine under 2012 regulations and afford an acceptable amenity to the surrounding community.

*"In May 2003, the NEPC made the Variation to the Air NEPM which strengthens air quality standards to help protect Australians from the adverse health impacts of small pollutant particles. The Variation introduces advisory reporting standards for fine particles 2.5 micrometres or less in size (known as PM2.5). These are known to produce respiratory and cardiovascular illness."*

*"Emissions from motor vehicles constitute the most significant source of urban air pollution in Australia. Continued annual growth in vehicle kilometres travelled and fuel consumption by the diesel fleet highlights this as an area of growing concern from the air quality perspective. Analysis of the Australian diesel fleet shows that diesel vehicles are increasing as a proportion of the total fleet. The emissions of most interest in relation to diesel vehicles are oxides of nitrogen (NOx) and fine particles. NOx is a precursor to the formation of photochemical smog, and fine particles have been identified as a major health risk."*

#### **Noise:**

The Mod states- *"The production volumes and associated transportation activities are as per the approved project. Hence the proposed modification works are unlikely to result in noise impacts beyond those previously assessed."* but the noise is ongoing and of concern to local residents. It also states the noise will be monitored- *"in accordance with NRE's approved Noise Management Plan."* This is curious because at the time of this Mod the MP has not been approved and is in fact over four months overdue, rendering the current project non-compliant. How much longer do the residents of this area have to suffer the tardiness of GNRE and the slackness of DoP+I.

The mine infrastructure at GNRE No1 Colliery has an exhaust fan (in fact the only exhaust fan from the Wongawilli Seam) located only several hundred meters from residential areas. I have been informed by GNRE that this exhaust portal could have up to five fans located on it. At the moment there is only two and the noise is creating concerns in the area. I suggest that the fan portal be relocated to a shaft on top of the escarpment to move the noise generator to a more distant location.

**Community:**

A Community Consultative Committee has finally been set up after a long hard fought battle by IRRM and community members. GNRE were trying to supplant the DoP+I CCC model with their own strategy. (This strategy was going to include a 50 strong panel, members selected by GNRE's consultant and run by GNRE themselves.) It is now curious that GNRE stated in their Mod - *"Previous to establishing a CCC, NRE undertook interviews with the community utilising an independent third party to assist in understanding the community's key interests. NRE identified some key steps in Community Engagement as follows: **Step 1** – Identifying stakeholders / community of interest and the role they can play in Gujarat NRE's community engagement. **Step 2** – Interview those key community stakeholders and research / understand their interests and experience of effective community engagement. **Step 3** – Determine from these key community areas/groups, what is believed to constitute effective community engagement and interpret the key messages. **Step 4** – Build community engagement with the community utilising Community Engagement Principles drawn from Step 2 - Community Interviews. **Step 5** – Integrate the above into a Community Consultative Committee."* This statement suggests that GNRE were attempting to broker an accord rather than trying to deny the community of an independently chaired proven model that is the minimum requirement of every mine in NSW. It is even more curious that while this process of an alternative community consultation strategy was going on, GNRE was in the process of an approval SMP with DRE containing misleading community consultation documentation. They also neglected to mention the fact when they gave the community involved an update of their approval process.

The Mod contains a Statement of Commitment that is misleading and very erroneous. The Statement contains unacknowledged removal and replacement of information that gives a totally different meaning of their commitment. Under the new Mod Statement of Commitment, GNRE will do all their dissemination of community information through the CCC that was required under their DA and they will be no longer bound to have meetings or provide newsletters to the community as stated in the Preliminary Works DA. This is a not an appropriate way to consult or inform the community.

**Mining Options:**

GNRE have stated in their Mod that there are only two options, longwall or do nothing. I believe that this is naïve, as there are also multiple options in between. The multi seam mining method being experimented with at this mine is unique and so requires a little more investigation and alternative thinking. Just because GNRE have a longwall machine does not mean that any other mining method should be excluded. Bord and pillar and pillar extraction are probably a more suitable mining method in this sensitive multi seam mining area, as if a catastrophic problem arises such as pillar run, then the mining can immediately cease. This is not the case with a long wall miner, as we are frequently being reminded by GNRE's solicitors. GNRE stated in their Preliminary Works DA that pillar extraction was the preferred and most economic option in the Bulli Seam V Panels. Maybe if GNRE had of employed the Pillar Extraction method at LW4 they would not have contaminated all the metallurgical coal with clay due to over-cut and drastically

reduced its price and use. Another option would be leave it in the ground until it increases in value as to be viable under a more non destruction method.

**Socio Economic:**

This section starts off with a disjoint statement that the community (presume residential area) was built around the mine and because of its proximity to the site they will incur most of the impacts. This mine has the closest above ground infrastructure of any mine in the Illawarra. This mine has very antiquated infrastructure. This mine in the past actually sold off land for residential development. This mine is one of the few remaining mines that rely solely on trucks to transport coal to PKCT. This transportation is done through residential areas. This mine was on the verge of closing down in 2000 and was bought by the current owner with the knowledge that there are residential areas in close proximity. The fact still remains that this mine operates in 2012 and should be compliant under the strictest regulations because of close proximity to the built up residential area.

Employment at the mine is an ongoing cry that is flaunted by GNRE. It is now curious to note that GNRE's Mod states- *"The proposed modification will have a range of positive social and economic impacts to the local area, including: maintaining current employment of approximately 222 employees."* Their Preliminary Works DA stated that there were to be 259 employees plus 78 contractors, a total of 337 jobs. The 222 employees is 115 down from the stated in the Preliminary Works DA and yet there is no explanation of why this has occurred. Is it because the mine are now using their longwall machine or are they further cutting costs because of their economic situation. Either way this drastic reduction in employment at the mine should not go overlooked, losing 34% of its workforce in a modification to a development approval is a major concern.

Community funding commitments were not mentioned in this modification. The Preliminary Works DA documents \$0.1m-\$0.15m commitment to specified groups over two years, is this funding to remain and why isn't it being extended under this modification.

As you can see from the above I am strongly opposed to this DA proceeding in its present form.

If you require any further information or clarification please feel free to contact me.

I state that I have not made donations to any political party.

Please do not make my name available to the Proponent, public authorities or display it on your website. Thank you.

Your Faithfully

