

Jack Turner
Senior Environmental Assessment Officer
Energy Resource Assessments

Via: Major Projects Portal

Dear Mr Turner

Re: Wongawilli Coal (PA 09_0161 MOD2) modification report

I refer to your request of 4 February 2021 for advice regarding Wongawilli Colliery's modification report (MOD2) for North West Mains Development. The Resources Regulator has reviewed the request.

Assessment

Based on the review of the modification report and supporting documents, the Resources Regulator advises that it has no specific comments in relation to mine rehabilitation.

The Regulator notes that the first workings in the North West Mains Development (NWMD) are within approximately 60 metres of the base of the Avon Reservoir and intersect a dyke. The mine should undertake a review of the Inrush and Inundation Risk Assessment and the Inrush and Inundation Principal Hazard Management Plan prior to undertaking the planned activities.

In addition, potential interactions between the proposed NWMD and the underlying old mine workings must also be considered and any risks managed appropriately.

Regarding subsidence, the Modification Report states that:

"There is no potential for the proposed main heading development roadways to cause surface ground movements of any consequence. Any surface subsidence is expected to be so small as to be imperceptible for all practical purposes. Impacts to natural and built features are expected to be imperceptible."

Notwithstanding this comment, there are several factors that must be specifically considered further.

The presence of important natural and built surface features above the proposed NWMD including the Illawarra Escarpment, the Moss Vale to Unanderra Railway Line and Transgrid's Avon to Marulan 330kV power transmission line is critically important.

Development and implementation of effective subsidence monitoring programs and risk management plans for these surface features must be a requirement of the Conditions of Development Consent. Monitoring and management must include consideration of the

shallow depths of cover between the proposed workings and parts of these surface features.

Dam Safety NSW's is the regulator of prescribed dams in NSW and their advice must be sought in relation to impacts on the Avon Reservoir.

Limitations

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the plans provided. Under the conditions of a mining authorisation granted under the *Mining Act 1992*, the Resources Regulator requires the holder to adopt a risk-based approach to achieving the required rehabilitation outcomes.

The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on site-specific risk assessments conducted by the authorisation holder. An authorisation holder may also be directed by the Resources Regulator to implement further risk control measures required to achieve effective rehabilitation outcomes during the life of the mine.

Regulatory requirements if approved

The proponent will be required to submit a revised Mining Operations Plan for approval by the Resources Regulator prior to the commencement of the works associated with the proposal.

The Resources Regulator may undertake assessments of the mine operators' proposed mining activities under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and Regulation as well as other WHS regulatory obligations.

Background

The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking assessment and compliance activities in relation to mine rehabilitation activities and determination of security deposits.

The Mine Safety Inspectorate within the Resources Regulator is responsible for ensuring the mine operators' compliance with the Work Health and Safety (WHS) legislation, in particular the effective management of risks associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Contact

Should you require any further information or clarification, please contact the Office of the Executive Director (ED.ResourcesRegulator@planning.nsw.gov.au)

Yours sincerely,



Anthony Keon
Executive Director
Resources Regulator

25 February 2021