



26 October 2021

NSW DEPARTMENT OF PLANNING, INDUSTRY &
ENVIRONMENT
PO Box 1226
NEWCASTLE NSW 2300

Dear Sir/Madam

Subject: Newstan Mine Extension Project (SSD-10333)
100 Miller Road, Fassifern, NSW 2283

Thank you for the opportunity to comment on the proposed Newstan Mine Extension Project.

In reviewing the Environmental Impact Statement (EIS) and supporting documentation, Council staff have identified a number of matters which need further investigation.

Department of Planning Industry and Environment (the Department) is requested to give due consideration to the following matters in the assessment and determination of the development.

Vehicle Routes

It is noted that coal handling and transportation will be undertaken in accordance with the existing approval for Northern Coal Logistics Project. Given no changes to the annual extraction quantities and staffing levels, the traffic generation from the development is anticipated to be comparable to the previously approved operations.

Council's Assets Management department has provided the following advice to minimise impact on local roads and railway during construction.

- No coal haulage should be permitted over Council controlled roads.
- Wilton Road Awaba is not an approved B-Double route due to load restrictions that apply to an aged timber bridge that requires replacement. No heavy vehicles will be permitted to use this bridge until the bridge and surrounding infrastructure is upgraded to meet required standards. A weight restriction has also been imposed on this bridge. All heavy vehicle movements will need to travel south to Wangi Road and then use the State road network from that location.
- Miller Road Fassifern has several locations where the road geometry will not easily provide safe passage for large vehicles, particularly the area near McCanns Road. Consideration should be provided to the upgrade of the sharp bends in this area along with stabilisation of the embankment near 250 Miller Road Fassifern.

- No heavy vehicle should be permitted to use Rosina Road.
- Approval from TfNSW should be provided prior to endorsement of this proposal for the State controlled road network.
- State Rail Authority (SRA) has an aged concrete bridge that crosses over the major rail line along Miller Road. An approval from SRA will be required to determine whether any weight restrictions would be applied to this bridge.
- Separate approval from Council will be required if loads are considered to be excessive by weight, length, height and width.
- If mine workings affect any Council controlled road, a Subsidence Management Plan should be submitted to Council for endorsement that states likely area affected, degree of subsidence and the measures undertaken to address possible damage.
- The use of heavy equipment and machinery on local roads can cause damage. The developer is to provide proposed haulage routes for all large articulated vehicles during the construction and operation stages.

Greenhouse gas emissions

The calculated greenhouse emissions over the lifetime of the proposed development appear to make it difficult for Lake Macquarie City to realise its current emission reduction targets. It is not clear if the project achieves the emission targets set by the State and Local governments.

Subsidence Impacts

Concerns are raised on the long-term effects of the predicted level of subsidence on ecology, hydrology and future recreational use of the area. The proponents are requested to consider an alternate mine design which has a reduced extent of partial and full extraction area (especially in the Teralba Conglomerate spanning area) to minimise subsidence impacts.

- Impacts on Awaba Biodiversity Conservation Area

The proposal involves mining under the Awaba Biodiversity Conservation Area (Lot 463 DP 1138964) which is a biodiversity offset site where Council has legal obligations to manage and improve biodiversity on the land.

The documentation submitted has not adequately addressed Council's previous comments in the SEARs regarding protection of the biodiversity conservation area and how any damages to the conservation area will be ameliorated by Centennial Coal.

- Impacts on proposed Awaba Conservation Area

The proposal does not address the impacts on the proposed Awaba Conservation Area which is identified as a significant biodiversity value area in Lake Macquarie Local Strategic Planning Statement 2020. The EIS predicts extensive subsidence (up to 3,250mm in vertical extent) in the bushland areas south-west of the Awaba township. Mining activities should be undertaken in a way that avoids and minimises impacts and respects this intended future use.

- Impacts on other offset sites

Native vegetation to the north of the ash dam was required to be set aside and managed as a condition of approval under Part 3A for the expansion of the ash dam associated with Eraring Power Station.

The Department should ensure the mine design and/or mining activities are undertaken in a way that avoids and minimises impacts and respects this intended future use.

- Impacts on watercourses and associated riparian habitat

The predicted level of subsidence may impact upon several watercourses or creeks, which may alter the hydrology, and in turn impact on terrestrial native vegetation.

The Department should ensure mine design and/or mining activities are undertaken in a way that avoids and minimises impacts.

- Impacts on Eraring Ash Dam

The proposal involves mining activity directly beneath the Eraring Ash Dam and predicts subsidence in the order of 800mm to the ash dam. Council staff have significant concerns over the potential for the proposed mining activity to cause ground movement in the ash dam structure, which is already known to be geotechnically unstable, and result in fracturing that will create flow paths for ash contaminated water to flow. Given the very risk associated with mining in this area, Council staff do not believe the project has adequately demonstrated adherence to the precautionary principle in either its method or assessment or the design of the mine plan in this area.

Water quality

The documentation identifies mine water discharge from the southern extension into LT Creek. These works should be considered as part of the proposal.

Noise and vibration

It is noted that validation of sound power levels has not occurred in the Noise and Vibration Impact Assessment for the development. The proponent will be required to undertake testing, measurement and certification within 90 days of operation to ensure operation is in accordance with the approved Noise and Vibration Report.

Economic impacts

The Economic Impact Assessment has not addressed the impact of the closure of the Eraring Power Station.

The proposed expansion is expected to have a positive economic impact through local employment opportunities and procurement of local goods and services. The increase in local employment would likely have a flow on effect in the local community through employees spending money in the Lake Macquarie area.

Air quality

The operational air quality management measures recommended for the site are in line with the Centennials existing air quality management plan, *Air Quality and Greenhouse Gas Management Plan for Northern Region*. This plan should be updated to incorporate the operations at the Awaba Colliery Surface site should this project be approved.

Scenic impact

Council supports the findings of the Visual Impact Assessment. It is noted the colour of the fan house is not identified in the document. Given this is the only built element that will have some level of exposure, it is recommended that a visually recessive colour, such as charcoal grey or black is imposed as a condition of consent if a favourable determination is made on this application.

Thank you once again for the opportunity to provide comments. Should you require further information, please contact the undersigned on 4921 0175 or by e-mail on lsebastian@lakemac.nsw.gov.au.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Leena Sebastian', with a horizontal line drawn underneath the name.

Leena Sebastian
Senior Development Planner
Development Assessment and Certification