

Philip Nevill
Locked Bag 5022
Parramatta NSW 2124
Attn: Philip Nevill

Tarrawonga Coal Mine (MP11_0047-Mod-7): Adequacy of Environmental Assessment

Dear Philip Nevill,

I refer to the correspondence dated [redacted] inviting the Resources Regulator to provide advice regarding the adequacy of the Tarrawonga Coal Mine Life of Mine Modification 7 for Tarrawonga Coal Mine MP11_0047-Mod-7.

Development Details

The Tarrawonga Coal Mine is located 42 kilometres north-northwest of Gunnedah in New South Wales (NSW).

The Tarrawonga Coal Mine is an open cut coal mine which has been in operation since 2006. The Tarrawonga Coal Mine is owned and operated by TCPL, a wholly owned subsidiary of Whitehaven Coal Limited (Whitehaven). The Modification proposes mining of coal within 200 m of the Upper Namoi alluvium (but would avoid mining the Upper Namoi alluvium itself). This would allow TCPL to maximise the extraction of economic coal without the requirement to construct the low permeability barrier, Goonbri Creek diversion, road and electricity transmission line realignments required. The Modification would result in forgoing coal extraction from some areas permitted under PA 11_0047.

The Tarrawonga Coal Mine proposes to:

- increase ROM coal production rate from 3.0 to 3.5 million tonnes per annum (Mtpa)
- increase in ROM coal transported along the Northern Section of the Approved ROM Coal Transport Route from 3.0 to 3.5 Mtpa
- reduction of the open cut extent to avoid mining the Upper Namoi alluvium and Goonbri Creek
- revision of the post-mining landform and land use
- relocation of the ROM coal stockpile and associated infrastructure
- construction of a new site access road
- construction and use of a water transfer pipeline between the Tarrawonga Coal Mine and the proposed Vickery Extension Project

Environment and Rehabilitation

The Mining Act Inspectorate within the Resources Regulator has responsibility for providing strategic advice for environment issues pertaining to the proposed project in so far as they relate to or affect rehabilitation.

The Resources Regulator advises the Department of Planning, Industry & Environment – Resources Assessments that the SEARs for Rehabilitation have not been adequately addressed in the Tarrawonga Coal Mine Life of Mine Modification 7 for Project Tarrawonga Coal Mine

On Review of the Tarrawonga Coal Mine Life of Mine Modification 7, the Resources Regulator requests further information in relation to the key points listed below.

- The material for the batter of the final void is sodic and the modification report states that the void will take time to fill to equilibrium. As such the Regulator seeks further information on how the rehabilitation strategy for the void batters will provide for a native vegetation outcome that will protect the substrate from both wind and rainfall erosion until such time as the void fills to equilibrium.
- As shown in Figures 2-1 and 2-2, the indicative active mining and waste rock emplacement areas are in excess of 500m to 1500m wide behind the active mining strips and there appears to be minimal areas available for progressive rehabilitation from Year 3 to Year 7. As such, the Regulator seeks further information as to whether the progressive rehabilitation schedule can be advanced between these years. In addition, further detail is required in regards to the progressive rehabilitation scheduled proposed beyond Year 7 until the cessation of mining operations.
- Further information in regards to the target vegetation communities that will be established as part of Domain 1A – Woodland / Forest and the Final Void.
- Further detail is required in Figure 6-2 to adequately define the revegetation boundaries associated with the conceptual rehabilitation domains for the Overburden Emplacement Areas, Infilled Open Cut Areas and the Final Void.

The Resources Regulator also requests a review of the draft conditions prior to finalisation and any granting of development consent.

It should be noted that this review does not represent the Resources Regulator's endorsement of the proposed rehabilitation methodologies as presented in the Tarrawonga Coal Mine Life of Mine Modification 7. Under the conditions of a mining authority granted under the *Mining Act 1992*, the Resources Regulator, requires an authority 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 the site specific risk assessments conducted by an authority holder. This risk assessment should be used to not only establish a basis for managing risk when planning an activity, but it should also be used and updated (as required) to continuously evaluate risk and the effectiveness of controls used to prevent or minimise impacts. An authority holder may also be directed by the Resources Regulator to implement further measures, where it is considered that a risk assessment and associated controls are unlikely to result in effective rehabilitation outcomes.

The Resources Regulator requests that Whitehaven Coal Mining Limited provide information responding to the comments above.

Mine Safety

Mine Safety Operations within the Resource Regulator is responsible for ensuring mine operators manage the risk to worker health and safety through compliance with the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the subordinate mining legislation. In particular the effective management of risk associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

The Mine Safety Inspectorate within the Resource 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. The Mine Safety Inspectorate will undertake assessments of the mine operators' proposed mining activities under clause 33 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 as well as necessary regulatory actions in response to any identified non-compliances.

The Resource Regulator reserves the right to communicate with you in regards to significant WHS matters.

If you require additional information, please contact the Resources Regulator on 1300 814 609 (Option 2, then 5), or via email at nswresourcesregulator@service-now.com.

Yours sincerely,

Matthew Newton
Principal Inspector Environment & Rehab
Mining Act Inspectorate
Resources Regulator

8 July 2020