

Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124
Attn: Andrew Rode

Dear Andrew Rode

Tahmoor South Project (SSD 8445): Second Project Amendment Report August 2020

I refer to the Department of Planning, Industry and Environment's (DPIE) correspondence dated 4 August 2020 inviting the Resources Regulator to comment on the Tahmoor South Project (SSD 8445) Second Project Amendment Report dated August 2020 (Amendment Report). A response from both the Mining Act Inspectorate (MAI) and Mine Safety Inspectorate (MSI) within the Resources Regulator is outlined below.

Mining Act Inspectorate

The MAI within the Resources Regulator has responsibility for providing strategic advice for environmental issues pertaining to the proposed project in so far as they relate to or affect rehabilitation. As detailed in the Rehabilitation Strategy contained in Appendix J of the Amendment Report, the MAI notes the proposed changes to the existing Reject Emplacement Area (REA) involving a reduction in the proposed extension area by increasing the height of the facility. Based on the review, MAI requests additional information to address the issues as outlined below.

- The revegetation strategy involves the re-establishment of native trees, shrubs and grassland as outlined in Section 3.3.3 of the Rehabilitation Strategy. However, further detail is required to specify the target vegetation communities that exist in the surrounding natural landscape adjacent to the mine as a means to clarify rehabilitation obligations for the site.
- Further information on the design of the surface water drainage network on the revised final landform and how runoff will be conveyed off a steeper areas without causing issues relating to erosion, exposure of rejects material in the long term and potential downstream sedimentation. Noting that the Regulator has previously issued statutory directions to Tahmoor to address erosion issues on the existing REA.
- It is noted that the area where the REA is to be increased in height by 10 metres will overlay existing rehabilitation that has been established by more modern revegetation practices. Given the potential risks of increasing the height of the emplacement area as detailed above, further options should be explored in regards to the emplacement of reject material to the northern part of the existing REA where the standard of rehabilitation is more commensurate with earlier revegetation practices. Emplacement activities in this area may present an opportunity to improve the standard of the existing rehabilitation in the northern area of the REA.
- There is a lack of information in the Rehabilitation Strategy in regards to the characterisation of reject material to justify the associated capping design that will be required to sustain the rehabilitation outcome (native and grassland). Further information is required to address risks associated with potential spontaneous

combustion, root penetration into the emplacement area which may have a detrimental impact to long term vegetation health.

- There is also a lack of information in regards to the quantity and source of capping material required and whether the material can be wholly sourced on site.
- Section 3.3 of the Rehabilitation Strategy outlines the topsoil management approach for the REA. Given that the type of natural soils on site will require further amelioration as well as substitution with material from off site, the Rehabilitation Strategy should not limit the import of topsoil only. The text should be updated to allow other alternative materials such as organics if the need is identified in the future.

Mine Safety Inspectorate

In Tahmoor Coal's submission to the Department of Planning, Industry and Environment dated 3 August 2020 and titled "Second Project Amendment Report", the Proponent proposes to remove two longwalls, namely LW107B and LW108B. The proposed removal of the two longwalls is expected:

- to critically reduce the risks of subsidence to the Sydney-to-Melbourne Railway at a location where the railway intersects two major gas pipelines (with diameters of 864mm and 203mm, respectively). In the view of MSI, the infrastructure intersection makes it impossible or extremely difficult to control the risks of subsidence to both the railway and the gas pipelines which are buried underneath the railway tracks. As a result of the proposed removal of LW107B & LW108B, risk of subsidence at the infrastructure intersection should be critically reduced, and
- to significantly reduce the footprint of subsidence impacts involving the township of Bargo.

Notwithstanding the above observations, MSI also make the following comments.

- 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-compliance.
- The Resource Regulator reserves the right to communicate with you with regard to significant WHS matters.

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

Yours sincerely,

Matthew Newton
Principal Inspector Environment & Rehab
Resources Regulator

8 September 2020