

## **PA 09\_0161 MOD 2 - North West Mains Development**

1. I object to the project for these reasons:

- a) As stated in the original Nebo Area Environmental Assessment, the Western Driveages are entirely related to the North West Domain project. They were originally tucked into the Nebo approval on the assumption they would be "required in the near future to ensure timely access to the Western Area." It is now ten years on and the proponent has failed to make timely use of the original approval. It has neither built the approved roadways nor has it progressed planning for the Western Area. The economic context has changed dramatically in that time, as has our understanding of water resources in relation to water supply due to population growth and resilience to climate change. The department should make good use of the proponent's delays by reintegrating planning approval for the driveages into assessment of the overall Western Domains SSD, so the people of NSW can be sure the project receives proper independently verified assessment of the western domains project as a coherent whole;
- b) The proponent's expert consultants have not given assurance that mining under the reservoir has zero risk of water loss. Because the consequence of reservoir water loss is significant, any likelihood of water loss, no matter how negligible, is unacceptable;
- c) WaterNSW objected in 2010 to the original proposal and in 2015 to the first extension modification on the basis of potential reservoir water loss into the Western Drivage, supported by assessment of the Dams Safety Committee that inflows have in the past resulted from mining under this reservoir;
- d) The original Nebo Area Environmental Assessment selected the approved Western Area Access component from several options, on the basis that "Existing road ways are not 'fit for purpose' for a modern high capacity longwall mine." The proponent has since committed to no further longwall mining and using only first workings techniques. Therefore the original route selection should have been reassessed with a view to using existing roadways rather than driving new roadways under the reservoir;
- e) On the topic of route options selected by the proponent, past planning approvals for numerous projects in NSW show a pattern of deferring to proponents' assessment of each project's economic viability. That approach by the planning department puts NSW in an untenable bargaining position where proponents have the leverage of understanding the viability hurdles and the Minister, representing the interests of NSW, does not. But the resources are the property of NSW. Extraction takes place on behalf of the people of NSW by whichever leaseholder can most effectively extract it for the benefit of NSW. The Minister is responsible for making that judgement on the advice of the planning department. In this assessment, and all future assessments, the department should be properly representing the interests of NSW by independently modeling the proponents' internal project economics to decide whether each proponent's business case is maximally beneficial to NSW. In this example, of roadway routes, the department should be independently modeling the economics of alternate routes in order to verify that it is economically infeasible for any miner (not limited to the current leaseholder) to avoid undermining the reservoir and therefore eliminate all risk, no matter how negligible, of water supply depletion.

2. If the project modification is approved I ask you to impose these consent conditions:

- a) First workings only. No longwall mining. To eliminate the possibility of a future leaseholder continuing longwall extraction in the Nebo area;
- b) Fewer roadways beneath the area of draw down of the reservoir. The minimum number, probably two, sufficient for safe evacuation in the event of an accident. The full complement to be properly risk assessed in the North West Mains SSD approval.