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30-9-2021

Newstan Mine Extension Project

Application No. SSD-10333
EPBC ID No. 2019/8528

Please find objection to the above proposal...

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Member of the Eraring Community Consultative Committee.

OBJECTION TO ... NEWSTAN MINE EXTENSION PROJECT

History shows that the upper Central Coast and lower Lake Macquarie regions has been a major contributor to the supply of coal and production of electricity by way of three major power stations. The decommissioned Lake Munmorah power station still today impacts on both the local community and lake itself. History shows that subsidence has had a major influence in Lake Munmorah and has changed the ecosystem forever. Vales Point and Eraring power stations are earmarked to close within the decade due to aging issues and their inability to compete with renewables. They today continue to impact immensely on the people's health and the environment and will do so for decades after their closure.

All three have left their major legacies on the region and its residents. One of which is the bi-product of coal- ash causing extreme and acute respiratory issue, especially in children 0-15 yrs. which is well documented over the past three decades.



The legacy that won't go away... Ash Dams

The Lake Munmorah power station has been identified through history's recordings to have dumped over 8,000 tonne of coal ash per week into the ocean at Wybung Point by the then Electricity Commission.

(Brisbane Water Historical Society, "Blue Gum Flat to Budgewoi" Fellow Charles Swancott 1963, page 148 "Vales Point").



Mine subsidence and the foreshore consequences... Lake Munmorah

The recent **NSW Legislative Council Public Works Committee Inquiry** (March 2021) looking into the cost of remediation of sites (**Report 4**) containing coal ash had sixteen recommendations. All sixteen should be part of the approval process for the Newstan Mine Extension Project, as what is proposed is part of a circular process that comes back to impact on local communities. More mining equals more coal, more subsidence, longer lifespan of power stations, more coal ash, more air pollution and more environmental damage with more health issues.

Recommendation No. 6 states “ that NSW Health immediately undertake an epidemiological assessment of the health of residents near coal ash dams to establish the impacts of coal ash and publish by 31 December 2022”.

To my understanding this has not yet been done and this proposed project will certainly add to the amount of coal extracted, burnt by the power stations and coal ash produced for further years. Therefore this project should not be considered until the epidemiological or other health studies are conducted plus transparent Environmental Impact Statements, Social Impact Assessments and an assortment of Risk Impact Assessments and Mine Subsidence Assessment Studies and their findings are released.

The Inquiry’s recommendations No’s 1, 2, 3, 4, 7 & 14 along with the Public Works Committee’s comment (3.66) were very critical of the NSW EPA, NSW Health and the NSW Government by stating that they had a complete disregard towards the health of its citizens.

All three power stations have legacies of coal ash dams being unlined and today having major environmental impacts on land and lakes, yet the state government has ultimate responsibility for rehabilitation of the dams once the operators decide the stations are no longer economically viable. The state government has no long term rehabilitation plans, except for the covering of the coal ash with 650 mm of clean fill from Sydney's North Connex project which has other complications such as illegally dumped asbestos.



Coal ash dust blowing over neighbouring suburbs:

Much has changed over the past five decades with housing developments now being a major consideration for the regions future. The Central Coast Regional Plan 2036 has earmarked the Central Coast northern region alone for an increase of 41,500 new homes by 2036 (103,750 new residents) with Lake Macquarie Council's Regional Plan having figures of over 30,000 new homes (a further 75,000 residents).

Democratically elected Local Government representatives and or an Administrator are no longer the consent authority for the Central Coast with Local and Regional Planning Panels, NSW Planning, Industry and Environment and the Environment Protection Authority having more impact on the resident's life and democracy than that of the people themselves.

What is proposed by Newstand clearly shows in the Environmental Impact Statement of impacts of subsidence up to 3,250 mm, native vegetation to be cleared, impacts to threatened plants and ecological communities from subsidence, cracking, sinkholes, plug-failures, with marginal impact on habitat availability, water and sediment concerns for macroinvertebrate communities in Stony Creek and Kilaben Creek (page 5).

The proposal is clearly the extension of operations below the Eraring Coal Ash Dam which has its own safety and environmental issues having the need to stabilise the dam walls which are currently undergoing studies that have not yet been completed.

There is no mention of the former Wangi Coal Ash Dam which is also in the immediate region of this proposed project.

These issues alone jeopardise the stability of the ash dam and its containment of over 40 million tonnes of stored coal ash which was the catalyst for the closure of the Myuna Bay Sport and Recreation Camp.

As a community member of the Eraring Community Consultative Committee (CCC) appointed by the government, I totally oppose the Newstan Mine Extension Project in its entirety.

Yet no matter what Newstan Mines legal responsibility is either way, each particular mine would need studies particular to each location. Assessing potential impacts of subsidence due to coal mining or predicted ground movements are needed for each natural and built surface features above or near the proposed mine layout.

The potential impacts are determined by:

- Site specific and regional subsidence-induced changes in vertical position, horizontal position, tilt, strain and curvature of each feature of interest
- The nature of the relationship between the ground/lake and the separate feature of interest
- The nature of construction of the feature of interest
- Other site specific characteristics, such as permeability of the surface and subsurface rocks
- The type and effectiveness of mitigation and remediation measures employed.

Given the variable and interactive nature of these factors, impacts and consequences must be assessed on a site-specific basis. Because subsidence impacts are site-specific, each significant feature that has the potential to be affected by subsidence whether it is 20 mm up to 3,250 mm, ultimately needs to be subjected to its own **Risk/Impact Assessment**. The final risk rating depends on the measures implemented to control the risk.

Each significant surface area or lake feature located close the proposed extension area should be identified in a **Mine Subsidence Assessment Study**. Subsidence predictions should subsequently be provided and an impact assessment developed for each and every mine not just this proposal, as there may be massive domino effects that jeopardise all lands and the lake itself.

Under the guidelines of a State Significant Development the Director-General in some circumstances can waive the requirements for an application for DGRs. However, the DGR's cannot be waived ***if the SSD is on land that is part of a critical habitat, or if the SSD is likely to significantly affect threatened species, populations or ecological communities, or their habitats.***

Two of such locally and significantly threatened species in Lake Macquarie:



Green turtle in Lake Macquarie:



Grey Nurse Shark:

PERSONAL HISTORY:

Over twelve years ago I purchased my family's home in Lake Munmorah and was required to pay a fee to the Mine Subsidence Board. Some five year later I was granted a D.A. for a Granny Flat for my now 94 year old mother and was also required to pay a fee to the Mine Subsidence Board. Only a couple years ago I received a note from the board, telling me our home was no longer in a mine subsidence region. After much investigation, I found that the existing mine voids had not been filled and nothing had changed underground, yet remarkably we should have no further concern for subsidence. This alone was nothing but a lie, as we now see this and other proposals predicting potential subsidence between 20 mm up to 3,250 mm.

The Newstan Mine Extension Project or the proposed Chain Valley Colliery Consolidation Project proposals may be under the letter of the law a State Significant Development and takes precedence over all other development approvals. Yet these proposals are nothing more than a short sighted and blatant grab to extend the lifespan and profits of the mine owners to the detriment of the thousands of residents who have already made the region their home and the well over 100,000 proposed new residents in the future, most not knowing what lies underground and lake below.

History shows that subsidence has occurred in the region since 1801 and officially being recognised and recorded from 1826 with subsidence occurring on a regular basis since.

Whether ground surveys and monitoring, empirical prediction methods, graphical, analytical, numerical methods or computer simulations are used, nothing can be guaranteed to ensure safety of life or property.

Subsidence is a major problem throughout the Hunter Valley, Lake Macquarie and Central Coast regions, with many old coal mines crisscrossing under the land and lakes and therefore taking into consideration all aspects and forecast predictions, there can be NO guarantees that subsidence will not continue to occur well above the predicted 20 mm – 3,250 mm potentially causing catastrophic impacts and damage.

If the Myuna Bay Sport and Recreation Camp can be permanently closed by the NSW Government in 2019 due to the findings of two independent expert reports which found the risk of life was 'intolerable' and considered 'unacceptable' if the Origin Energy owned Eraring coal ash dam wall collapsed in the event of seismic activity. Why then can underground and under lake mining, crisscrossing the region officially since 1826, be treated any different by potential impacts of earthquakes of any magnitude, considering the recent Melbourne quake which stretched to Port Stephens and beyond?

CONSULTATION:

The recent Umwelt Community Engagement for the first Scoping Report for the Chain Valley Colliery Consolidation Project states the identification of Project Stakeholders and names those who were part of the process. Many of those identified were contacted and asked what I believe to be loaded questions favouring Umwelt's client Delta Coal.

Many had a conflict of interest as representatives sitting on Community Consultation Committees with Delta or being Delta employees and contractors. The four identified Environmental Groups were not contacted for any environmental input or concerns with the project. Some contacts such as those in Catherine Hill Bay (Surf Life Saving Club and Progress Association) were outside the range of the proposed project, yet those within the proposed area like Summerland Point and Lake Munmorah Precinct and Progress Association were not contacted. **We hope that the same deceptive process is not mirrored with the Newstan Mine Extension Project.**

Delta Coal's Community Information Sheet issue #2 August 2021 has some worrying omissions. It certainly spruiks the positive aspects for Delta Coal, much the same as Newstan's proposal, yet raises no mention of the proposed increase in housing in the region that now unknowingly could be subject to further subsidence from further coal mining.

If the suggestion that the community can have their input via the online survey without knowing the outcomes and details of both the **Environmental Impact Statement** and or **Social Impact Assessment**, it is a deceptive way of collating the numbers of consultation with a survey of loaded questions that many of the community may not understand or have any of the findings of each study.

This Newstan proposal along with others, do nothing to enhance the *welfare of the local region*. It in fact endangers *the way of life, composition, cohesion, character and peoples sense of place. It impacts on the culture both Aboriginal and Non-Aboriginal including shared beliefs, customs, values and stories and connection to Country, land, waterways, place and buildings*. Again it also devalues the biggest investment of every home owner in the region, without many understanding or realising that the mines actually exist.

The proposed project *ignores the health and well being which includes physical and mental health especially for people vulnerable to social exclusion or substantial change, psychological stress resulting from pressures and change*. Many of those potentially being identified as stakeholders in any Scoping Report are simply part of the *third largest aging population in NSW*.

Their surroundings including *ecosystems are under immense pressure with pollution and erosion, public safety and security, access to and use of the natural and built environment and aesthetic value and amenity* of where they call home.

The general community, especially including the large aging population of the regions have very little understanding of the *decision making system, particularly whether people experience procedural fairness, can make informed decisions, can meaningfully influence decisions, and access complaint, remedy and grievance mechanisms*. None of which may be identified adequately in any information sheet other than contacting Senior Social Consultants or Project Managers with the majority of the elderly being intimidated, unwilling or unsure about how to discuss impacting details directly with the proponent's consultants.

It is concerning that I find in the Umwelt report for the Chain Valley Colliery Project that Central Coast Council supplies 160 ML per annum of potable water to sustain the Chain Valley Colliery. It also supplies a metered water pipeline to the Mannering Colliery with no indication of how much water per annum.

We can only hope that they or Lake Macquarie Council do not do the same for only two weeks earlier from writing this submission the Central Coast Community had a Zoom meeting with the Central Coast Council's Director of Water and Sewage Mr. Jamie Loader, who stated the need for the council to construct a desalination plant at Toukley and possibly one offshore at Budgewoi Beach as a measure to shore up water supply to residents. We now find that a massive amount of our water is being sold or directed to the coal industry which has detrimental impacts on all aspects of life in the region.

I read only of the two required studies the Environmental Impact Statement and possibly a Social Impact Assessment, yet nothing about any **Subsidence Management Plan** as per requirements under the Australian Government Department of the Environment 'Subsidence from Coal Mining Activities 2014'.



Home subsidence due to mining:

With little detail in the **Environmental Impact Statement (EIS)**, or having a **Social Impact Assessment or Subsidence Management Plan** available at this point of time during consultation and presumably until the end of the year 2021 or beyond, it is not perceivable that the Newstan Environmental Consultants or the General Community can make an **informed decision** on the outcomes and impacts of such a project. Nothing in the community information available to date indicate the full impacts or externalities of what is proposed outside the projects curtilage.

Without any indication of the contact details of the department for submissions, ***I therefore I put forward the suggestion that the project's approval or non-approval, be put aside for a period of at least twelve months to allow Newstand the time to complete the statements and assessments and the Community time to read and comprehend those outcomes and respond accordingly.***

*This being a fair and reasonable outcome that could give all parties time and due respect to understand and comprehend the complications and complexities of such a significant project which impacts on so many peoples lives and potentially having devastating environmental impacts calls for a **moratorium** to be applied by either the appropriate Minister or Director General.*

In the mean time (Covid willing) it is also suggested that real community engagement be formulated and organised by way of limited workshops in impacted townships that will identify any outstanding or concerning issues that the General Community may have.

I look forward to the Departments and Ministers responses...

Yours sincerely,

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Community representative
Eraring CCC

CC: The Hon Matt Kean MP Energy and Environment,
The Hon Rob Stokes MP Planning and Public Space,
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