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Attention: Mr Stephen Shoosmith
NSW Department of Planning Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Your Ref: SSD 8194
Our Ref: Z20/42559
File: DE-2017/22
Date: 2 March 2020

Dear Mr Shoosmith

RESPONSE TO SUBMISSIONS – DENDROBIUM MINE EXTENSION PROJECT

Thank you for providing Council with the opportunity to make comment on the Response to Submissions for the Dendrobium Mine Extension Project.

Council recognises the importance of the project to the local Illawarra economy and to local steel production. However, Council maintains its previous position on the matter as per our letter dated 18 September 2019 since a number of issues in that letter remain largely unresolved. Therefore, Council requests that its previous letter of 18 September 2019 be considered in any further assessment of the project.

Council remains concerned about the extent of subsidence related impacts upon watercourses and coastal upland swamps due to the current proposed mine layout, especially the 305 metre widths of the proposed longwalls. Council is also specifically concerned about the cumulative loss of water to reservoirs, creeks and upland swamps in the Greater Sydney Water Catchment due to mining activities.

Council notes that the Minister for Planning and Open Spaces in late 2019 indicated that a moratorium would take place on any new coal mining project in the Special Areas of the Greater Sydney Water Catchment until such time as a government response was provided to the second report of the Independent Expert Panel for Mining in the Catchment. In this regard, Council is unaware that the NSW Government has yet provided its official response to the report's findings and recommendations.

Further, one of the recommendations in the second report of the Independent Expert Panel for Mining in the Catchment was that an inter-agency working group be set up, in order to identify what the 'acceptable' level of surface water loss due to mining would be. Clearly, this is a fundamental piece of work required by the NSW Government in order to ensure the correct balance between mining projects and the long-term protection of water resources within the Greater Sydney Water Catchment.

Therefore, in Council's view, the project should not be determined until such time as the NSW Government review occurs on the cumulative impacts of mining in the Greater Sydney Water Catchment and the NSW Government determines what the 'acceptable' level of surface water loss from mining projects to the catchment is.

Further, it is recommended that the findings and recommendations of the second report of the Independent Expert Panel for Mining in the Special Areas of the Greater Sydney Water Catchment be considered with due regard to the Response to Submissions report by South 32. The assessment is recommended to determine the appropriateness of the proposed project mine layout given the subsidence related impacts associated with 305 metre-wide longwalls and the potential impact upon the long term health of local watercourses, groundwater system and upland swamps, and the ramifications with regard to potential water losses to the reservoirs in the Greater Sydney Water Catchment.

The Response to Submissions report also does not adequately address the downstream greenhouse gas emissions relating to the end use of coal by third parties elsewhere in Australia and the rest of the world. This assessment should be undertaken given the NSW Land and Environment Court decision in *Gloucester Resources Limited v Minister for Planning, Preston CJ [2019]*. This is consistent with Council's resolution of 12 August 2019 which declared a climate emergency and required all levels of government to take urgent action.

Should you wish to discuss this matter further or organise a meeting with Council, please contact Mr Ron Zwicker, Special Projects and Planning Support Manager on (02) 4227 7111, during office hours.

This letter is authorised by

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