

14 March 2024

Department of Planning and Environment
ATTN: Joe Fittell

Dear Sir,

Glendell Mine Modification 5 - Life Extension

Thank you for the opportunity to make a submission in relation to the 'Glendell Mine Modification 5 - Life Extension' project.

As the NSW Greens spokesperson on Mining, Coal and Gas, I am writing to object to this project/modification.

The Greens' key concerns are in relation to:

1. Greenhouse gas emissions and their abatement
2. The assessment and approval process for this project
3. The Ravensworth homestead
4. Aboriginal cultural heritage

1. Greenhouse gas emissions and their abatement

The Modification Report claims that the modification will not increase overall greenhouse gas emissions from the Glendell mine, arguing from the premise that the modification simply sees a shift in the period over which the balance of extraction occurs, rather than an increase in extraction.

The claim is a nonsense if the alternative is simply the cessation of operations when the current approval runs out. Mod 5 is projected to generate Scope 1 emissions of 74,901 t CO₂-e, Scope 2 emissions of 399 t CO₂-e and Scope 3 emissions of 2,635,136 t CO₂-e. Further, there is no evidence of any proposals to abate Scope 1 or Scope 2 emissions related to this modification.

Beyond this, it is unclear how approval of the project can be consistent with the purpose and objects of the Climate Change (Net Zero Future) Act 2023. This issue is not examined and needs to be.

2. The assessment and approval process for this project

The project is being assessed as a modification. As such, under current Government policies and processes, it is not subject to any independent scrutiny. (This fact sits in appalling juxtaposition to the promise by NSW Labor that new coal mine development projects would be subject to an independent approval process.) Dodging independent scrutiny in this way when what we're talking about here is the extension of a fossil fuel project with substantial GHG implications is underhanded.

Further, the course of action pursued by the Department means there is no public meeting, no public hearing and merit appeals rights are quashed. As noted by NSW ICAC, "Merit appeals provide a safeguard against biased decision-making by consent authorities and enhance the accountability of these authorities."¹ Their ongoing extinguishment by the planning system, especially in the area of fossil fuel development, is a disgrace.

3. The Ravensworth Homestead Complex and its setting

The Ravensworth Homestead Complex and its setting are conspicuously absent from the Modification Report. This is a significant gap.

The Homestead itself - located approximately 1.5km from the mine site boundary - is not within the mine site, although some of the Ravensworth Estate, of which it was historically a part, is. The land on which the Homestead is situated is owned by Glencore.

Perhaps it is the case that the proponent feels there is nothing to say in relation to Ravensworth Homestead since this modification simply allows for the fulfillment of what was originally proposed, and any relevant considerations were taken into account at that time.

The historical assessment² for the project, apart from potential dust deposition, mentions potential blast impacts only elliptically, saying:

"It is understood that (the proponent) has committed to a blasting strategy that will have no vibration impacts to structures/features outside the mine site including listed items such as Ravensworth Homestead..."

¹ NSW Independent Commission Against Corruption (2012), "[Anti-corruption safeguards and the NSW planning system](#)", p6

² Umwelt (Australia) Pty Ltd, on behalf of Xstrata Mt Owen Pty Ltd (2007), "[Historical Heritage Assessment for Modification of Glendell Mine Operations](#)"

As for the Estate area that does fall within the mine site boundary, potential impacts are not addressed directly. The historical assessment does, however, say the following about the mine site area as a whole:

“The detrimental impact of operations within the (...) area is inevitable. (...) (T)he key potential impacts are vibration from blasting and the effect of dust.”

With these potential impacts acknowledged, it is particularly concerning that the consolidated development consent³ for Glendell - under which the mine currently operates - makes no mention of the Ravensworth Homestead/Estate or protecting it from impacts (of blasting or otherwise).

It is critical, however, to understand that the Heritage Council of NSW has recommended that the Minister for Heritage list the Ravensworth Homestead complex and setting on the State Heritage Register.⁴ The Minister’s decision is pending.

The significance of the homestead complex was an important reason why the previously proposed Glendell Continued Operations project was refused by the NSW IPC in October 2022.

In summary, then:

- (a) the Ravensworth Homestead complex and setting is extremely important from a State heritage point of view,
- (b) potential impacts were not thoroughly considered at the time of the original approval, for various reasons,
- (c) although blasting impacts were acknowledged they received scant attention, with no detailed consideration given to them, and
- (d) current consent conditions are completely silent on the Homestead complex.

Notwithstanding the fact that the modification sits entirely within current parameters (other than with respect to end date), it’s clear that a full consideration of impacts on the Homestead complex is now required, with an adjustment to consent conditions as needed. Remaining silent on such an important issue is simply unacceptable.

4. Aboriginal cultural heritage

Here I would like to emphasise a point that I believe will have also been made by others.

³ See:

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=DA80/952-MOD-4%2120200304T221503.539%20GMT>

⁴ See:

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/Heritage-council-meeting-minutes-and-resolutions/2023/heritage-council-oos-meeting-minutes-2023-nov-21.pdf>

The Modification Report states that the modification “does not involve any additional surface disturbance”, meaning no further impacts on Aboriginal heritage items. The proponent says, however, that Registered Aboriginal Parties were notified “as a matter of courtesy”. They claim that “no community stakeholders have raised concerns or matters for further consideration”.

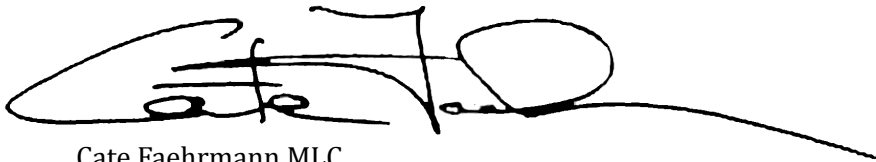
It is clear that such notification was not comprehensive. I am aware that a member of the Plains Clans of the Wonnarua People, for example, has said that they were not consulted and that they object to this expansion.

In conclusion

The modification as proposed is no trivial matter. In the context of a climate crisis, and the government’s stated Net Zero goals, the extension of coal mining operations - with their attendant GHG emissions - shows a reckless disregard for our shared future. Treating the project as a modification allows it to avoid thorough, independent scrutiny, not least with respect to the potential impacts on the Ravensworth Homestead Complex.

I reiterate my objection to the project and urge that it ultimately be refused consent.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Cate Faehrmann', with a long horizontal line extending to the right.

Cate Faehrmann MLC
Greens NSW spokesperson for Mining, Coal and Gas