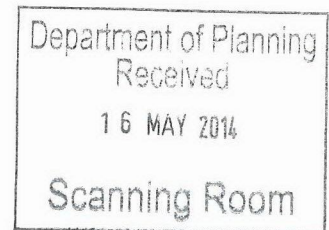


Michael Keats
33 Livingstone Avenue
Pymble NSW 2073
Tel/fax 02 9144 2096
Email mjmkeats@easy.com.au
Web www.bushexplorers.com.au
19th May 2014



Mining and Industry Projects
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001



Dear Sir/Madam,

Springvale Mine Extension Project (SSD 12_5594)
Angus Place Mine Extension Project (SSD 12_5602)

I wish to object to the above proposals in their entirety. In support of my objection, I am enclosing copies of extensive texts, The Gardens of Stone National Park and beyond, Books 6 and 7 in production, that I and my co –author Brian Fox have written regarding this World Heritage sensitive geo diverse and bio diverse area. Both applications should be thrown out and the entire Newnes Plateau area immediately gazetted as a part of the Gardens of Stone National Park as per the Colong Foundation for Wilderness Stage 2 proposal.

These two mine applications encompass much of the land area of the Newnes Plateau, an area which has been identified as rich in rare and endangered species and also the location of many thousands of irreplaceable platy and smooth pagodas, a landform unique in the world. Far from being destroyed to produce carcinogenic products caused by and derived from coal mining, this area should be immediately added to the Gardens of Stone National Park. Funds should be invested to open this area to tourism, which is equal to if not greater in potential as a long term draw card than the Katoomba Leura complex.

As a city, Lithgow has reinvented itself many times and it is quite capable of doing it one more time as a tourism hub, giving its citizens an improved quality of life and employment opportunities way beyond the short term prospects derived from the mining of coal.

As documented and demonstrated in the detailed attachments to this submission there are untold walking opportunities with visual and aesthetic experiences that await the walker/adventurer. With appropriate investment in tracks and signage, the encouragement of hoteliers and tourist operators there would days of scintillating and adrenalin pumping opportunities that would make this area a Mecca for domestic and overseas visitors. The economic benefits would be at least comparable to those of Katoomba and Leura that were recently estimated to be worth \$70 million per annum. There would be real stimulus to small business and ongoing investment in both Lithgow and also the surrounding smaller settlements. Opportunities for the local Aboriginal people to benefit in a positive way as tour guides to take visitors to the many art sites is a further plus.

On coal mining in the area generally the following material is relevant. The Sydney Basin is both blessed and cursed with bounty. It is blessed with some of the world's finest sandstone

landforms, some of which are now protected by National Parks, however successive state and federal governments have failed miserably to listen to reason and to protect the choicest places because of bounty of a different kind – coal.

Coal, via the conduit of royalty payments is the economic saviour of NSW and as such any ‘request’ of the coal industry for access to this black gold over rides any reasoned argument to protect irreplaceable heritage. The reason that the original proposal for the Wollemi National Park excluded the areas now under threat was at the ‘request’ of the mining industry. The reality is it was no ‘request’ it was, and is, blackmail.

The ‘black bounty’ underlies the entire Sydney Basin in a sequence of seams of varying quality and thickness. A sad thing is that the cheapest points of access to this ‘bounty’ are at the edges of the Basin where it is closest to the surface. This same selvedge is where pagodas have developed their most advanced forms.

The Colong Foundation for Wilderness have mounted cogent argument and presented an irrefutable case for sanity to prevail. Set out below is an extract of part of that argument.

“The Katoomba and Lithgow Coal Seams under the State Conservation Area proposal have been subject to underground mining for more than 120 years. An advantage of underground mining is that the associated surface works, such as ventilation fans, can be located away from the more environmentally sensitive areas. In practice, however, the location of dams, pumping stations, power lines, water pipes and numerous roads within the proposal area have tended to be hastily considered with little thought given to minimising the cumulative impacts of successive infrastructure installations. Some recent efforts have been made by Centennial Coal to locate new infrastructure within existing road easements, which has partly reduced the impacts. Unfortunately, these efforts to protect the environment have in part been negated by the construction of an effluent diversion pipeline through an endangered Newnes Plateau Shrub Swamp.

The problems associated with coal mining include:

- i. Mine access roads and utility easements that fragment bushland, encourage inappropriate off road vehicle use and facilitate weed infestation and foraging by feral animals.*
- ii. Soil erosion associated with mine operations and road construction, and soil slumping associated with subsidence of the land surface when the coal seam is extracted. Mine subsidence occurs when the rock strata above the colliery collapse into the void created when the coal is removed. In the Newnes Plateau area, surface subsidence can be up to two metres, but is typically in the order of one metre.*
- iii. Cliff collapse: surface subsidence can be associated with rock fracturing, which, when it occurs near cliff lines, induces cliff collapse and rock falls. Cracks can also transgress prominent physiographic features, such as pagodas, woodlands, heath and swamps. Such damage is capable of degrading the visual quality and ecological function of the landscape.*

- iv. *Changes to the water table, particularly but not solely in the context of endangered upland swamps and natural springs, can cause dieback of native vegetation and subsequent loss of wildlife. The swamps can dry out and sustain serious gully erosion and be destroyed entirely, if the peaty soil burns during the next bushfire event. Establishing protection zones in key areas, including all streams and the high altitude shrub-swamps of Newnes Plateau, will reduce damage to the groundwater table. This is particularly important as these peat swamps make a fundamental contribution to the Wolgan River and its tributaries, sustaining the river during dry periods.*

Under the Threatened Species Act, 1995 the NSW Scientific Committee has listed long wall mining as a Key Threatening Process to threatened species and communities (Hughes, L. 2005(a)). Such mining has contributed to adverse effects on the Newnes Plateau upland swamps, which have been recently listed as Endangered Ecological Communities (Hughes, L 2005(b)). The adverse effects of long wall mining are best documented for swamps on the Woronora Plateau (Gibbens, 2003), that are functionally similar to those on Newnes Plateau and likely to be affected by the same adverse influences.

- v. *Dissolved and filterable salts of manganese and iron are present in waters pumped from the collieries within the park proposal. Oxidation of the effluent water by biological agents causes anoxic conditions for some distance downstream from the discharge points. Pollution of pristine streams, such as the Wolgan and Wollongambe Rivers and Bungleboori Creek is abhorrent and should be totally avoided. Mining operations currently extract about 28 ML of water per day from the groundwater resources of Newnes Plateau. This effluent water is now being diverted by Centennial Coal into the Coxs River catchment for storage in Lake Lyell and Lake Wallace. There is concern that this level of pumping will, over the protracted life of mining operations, compromise streams running from Newnes Plateau into Sydney's water supply catchment and the World Heritage Area, perhaps even to the extent that they cease flowing except after heavy rain. Should this eventuate, wholly or in part, many Newnes Plateau Shrub Swamps will die. It is unfortunate that this valuable groundwater resource is to be wasted as coolant in the coal fired Mount Piper and Wallerawang power stations. The State Government has yet to apply more stringent water conservation measures to the power industry.*

- vi. *Appropriate regulation of coal mining operations. By having regard to conservation of the area's natural and cultural values, coal mining operations can minimise their impacts on the proposed State Conservation Area. Despite nearly all the proposed State Conservation Area being subject to coal mining leases or interests, it is possible to reserve it to a depth restriction under section 30G of the National Parks and Wildlife Act 1974. Section 47H of the same Act provides that a state conservation area does not affect "the terms and conditions of any existing interest in respect from those lands from the Crown: or the use permitted of those lands under the interest". The recently introduced coalmine subsidence management planning process should ensure that the values of the*

Gardens of Stone area are protected for future generations. Under subsidence management, plans upland swamps, pagodas and cliff lines all qualify for protection from mine subsidence. Protection zones require parts of the coal seam to be retained to ensure that the surface environment does not experience environmentally unacceptable subsidence during mining operations. Using the subsidence management planning process, protection zones should be extended to apply to streams within coal leases to ensure that aquatic environments and their dependent wildlife are not destroyed. Areas requiring priority protection include Cape Horn to Mount McLean, an extremely scenic but remote watershed running off the Great Dividing Range, and the Baal Bone Creek headwaters, both in Wolgan State Forest. Similarly, the outstanding scenic beauty of the cliffs and pagodas, and the important cultural heritage of the oil shale ruins should make Mount Airly a heavily constrained area for mining, with extensive protection zones. The best mining method for Mount Airly would be partial extraction by board and pillar methods, as adopted at the Clarence Colliery. This mining method has protected Goochs Crater from damage by limiting surface movement to three centimetres.

Pollution licencing by the Environment Protection Authority and selection of the appropriate discharge points can prevent damage to pristine rivers. Clarence Colliery has established an upgraded water treatment plant for mine water so that iron and manganese are removed before discharge. Recently these discharges have been directed to Farmers Creek and should be used to improve environmental flows for the upper Coxs River rather than to enhance water supplies for power generation. The water from the Springvale Colliery is also being transferred from the mine pit to the Coxs River catchment but without adequate treatment. The in-ground placement of the waste water transfer pipe from the Springvale mine should minimise visual and wildlife impacts; however, pipeline construction has damaged sensitive upland swamps and woodland communities.”

A more historic document, but nonetheless a relevant one is important for consideration by this inquiry. It relates to a 6000 Megawatt Power Station and associated Coal mine proposed for the Newnes Plateau.

Researching for information about this proposal has been a challenge. It would appear from various source documents¹ that the proposal was in two distinct parts.

¹ Report on Item 10, Services Plans of Birds Rock Colliery Feasibility Study Stage 2. Contributors: Sinclair, Knight & Partners, Electricity Commission of New South Wales, Taiheiyō Coal Mining Company Ltd, Birds Rock Colliery, Taiheiyō Coal Mining Company. Publisher: Sinclair, Knight & Partners, 1980 Includes: folded plans, maps.

Electricity Commission of New South Wales, Taiheiyō Coal Mining Company Ltd, Birds Rock Colliery, Environmental Impact Statement, c. 1981, Includes: folded plans, maps.

Birds Rock Colliery Pty Ltd, Birds Rock Colliery, Environmental Impact Statement, January 1981.

An inquiry pursuant to section 119 of the Environmental Planning and Assessment Act, 1979 into a development application, Birds Rock Colliery, an underground coal mine near Birds Rock on the Newnes Plateau, NSW, Mr John Woodward, Chairman and Dr Alan Gilpin, Commissioners of Inquiry March, 1982.

Electricity Commission of NSW Taiheiyō Coal Mining Company Title Appendix B, Report on Item 10, Services Plans of Birds Rock Colliery Feasibility Study stage 2. Publisher: Sinclair, Knight & Partners, February 1980.

Department of Environment and Planning, Proposed Birds Rock Colliery, Newnes Plateau, Environmental Impact Assessment, November 1981.

One part, relates to a joint proposal by then Electricity Commission of NSW, and a Japanese based consortium headed by Taiheiyo Coal Mining Company Ltd to develop a large underground coal mine near Birds Rock on the Newnes Plateau and export this coal to Japan².

The second proposal has been more difficult to formally identify. This proposal was to establish and operate a power station in conjunction with the Birds Rock Colliery, drawing on water supplies from a proposed dam on the Colo River. Oblique references to this proposal can be found in a commissioned survey of the Newnes Plateau / Colo River area by the Electricity Commission of NSW³,

“...the Museum was advised that the faunal survey was required as background information, to be used in the preparation of environmental impact statements. Such statements will be prepared by the Electricity Commission in connection with a number of possible development projects planned for this area. No details of any such proposals were furnished to the Museum although some of these, at least in outline, were mentioned in informal discussions.”

A map, Figure 2.1, showing the proposed corridor from a dam site on the Colo River to the Newnes Plateau via Mount Cameron is included in the report between pages 3 and 4. A copy is reproduced as part of this document.

A further oblique reference is contained in a paper prepared by the Colo Committee,⁴

“A power station on Newnes Plateau would inevitably pollute the Colo Wilderness with heavy metals and other toxic pollutants, both by water and air.”

The Colong Foundation for Wilderness further advised,

“On 6th September 1977, the NSW Electricity Commission advised the National Parks Association of its intention to build a power station near Birds Rock in Newnes State Forest. At the time, the proposed 6,000 MW power station was to be the biggest in the world”.

Associated with the proposed power station on Newnes Plateau, a 110 metre high dam was proposed for the Colo River near Boorai Creek. A three kilometre road along Boorai Ridge and a helipad was constructed. A track from the ridge to the Colo River was established and a flow meter constructed.

The Sydney Bushwalker,⁵ May, 1978. Editorial

Birds Rock Colliery Groundwater study Mine Inflows Appendix H, Australian Groundwater Consultants Pty Ltd, Publisher: Sinclair, Knight & Partners, Report 691, April 1981. Includes: folded plans, maps.

Birds Rock Colliery Water Quality Monitoring Program Appendix G, Publisher: Sinclair, Knight & Partners, May 1981. Includes: folded plans, maps.

Birds Rock Colliery Project, Birds Rock Colliery Pty Ltd Submission by the National Parks and Wildlife Service March 1981

² Birds Rock Colliery – Review of Environmental Impact Statement Submissions, May 1981, p.2.

³ Faunal Survey of the Newnes Plateau/ Colo River Area, September 1979, “Appendix J,” Australian Museum, p.1.

⁴ Wilderness and Power, the case against a power station on Newnes Plateau and suggested alternatives – with special reference to heavy metals, Colo Committee, February 1979, Abstract, p.1.

⁵ The Sydney Bushwalker is an official publication of Sydney Bushwalkers Inc.

"Most readers will be aware of the proposed dam on the Colo River and, rightly, are horrified at the prospect of the last wilderness area close to Sydney being destroyed. To argue that dammed water is not unattractive or sometimes even improves the landscape is ridiculous, for the associated construction sites, roads, power-lines, etc. are the real destroyers of beauty. (In a satellite photo I have of the whole of Tasmania, taken from about 3,500 km above the earth, not even Hobart shows as a blot on the green of the island, yet the construction roads to, and power-line clearing from, Lake Pedder show as huge scars even from that height.) The Colo's waters will not be used for drinking water or for hydro-electric power. The plan is to mine coal on the Newnes Plateau, build a huge coal power-station there – Wallarawang (sic) size: - and use the dammed water for cooling. The used, heated water will no doubt be stored in artificial lakes near the power station. We are therefore protesting not just at the building of a dam but the destruction of a huge area of bushland. Let's look at the Colo from a bushwalker's point of view. It is an area of spectacular scenery with huge cliffs close to the river, quite unlike the Grose and other Blue Mountain valleys. It is an area of real challenge, with no tracks, long distances. The river is still clean, drinkable, and well-stocked with fish. For we bushwalkers, faced with increasing petrol costs and the inevitable fuel shortages of the future, a wilderness area and ideal walking country so close to Sydney is especially attractive. In the last 25 years we have lost the Warragamba Gorge, the Burragorang, and many miles of the Coxs River. We have seen the flooding of the Kangaroo River and part of the Shoalhaven we have lost so many valleys in the Snowy Mountains."

The then Director of National Parks and Wildlife Service, D A Johnstone, wrote in scathing terms to the Secretary, Department of Environment and Planning, 17th March 1981, about the inadequacy of the Environmental Impact Statement issued by the proponent, Birds Rock Colliery. Extracts from the letter are set out below.

"...In assessing the Environmental Impact Statement, the Service has been severely hampered by the paucity of information and detail within the Environmental Impact Statement...

...The Service is most concerned that no attempt has been made to consider alternative sites for the proposed development; even though a series of constraints on the potential locations of alternative development areas is presented. In fact the site chosen appears to have been selected on only one of the criteria advanced ... that is the access drifts have been located so that they penetrate both the Katoomba and Lithgow seams, clearly this is a non- selective criterion and appears to be on entirely economic grounds, disregarding important environmental considerations...

The Statement has not addressed a number of critical issues with respect to the potential impact on the existing environment and land use of the area. No assessment is made of, inter alia,

- 1 the impact of the proposed rail line*
- 2 the existing recreational usage of the area*
- 3 the effect of subsidence on hydrological regimes, both surface and groundwater and subsidence effects on geomorphology of the area*

Further, the survey for Aboriginal relics has proven to be totally inadequate...

The development proposals outlined in the EIS appear to be a primitive approach for such a potentially fragile environment."

It appears that the castigation of the NPWS about the inadequacy of the survey for Aboriginal relics, caused the urgent commissioning of a detailed EIS for the proposed Rail Spur from Newnes Junction to the colliery site. A document dated July 1981⁶, reads, inter alia,

"The Survey

The route was inspected at every point of vehicle access, and surveys on foot made along most sections of the route from these points.

Many of the creeks are swampy, and owing to the nature of the soil and vegetation cover, very little erosion occurs in the area. Open sites were therefore unlikely to be found. Attention was paid to ridges and rock outcrops, where most sites in this area north of Clarence have been found.

What was found

At 4110 9922 a shelter, was found with flakes of fine grained siliceous material on the surface of a shallow deposit, and 10 axe grinding grooves on top of the outcrop.

This site is on top of a ridge, above the railway easement. Although it looks stable, it is recommended that the site be inspected by a geologist and consideration be given to the possible effects of vibration.

Two additional sites were found near Bald Trig, a shelter, at 4318 9575, with a small amount of deposit, and one flake of fine grained siliceous material being seen on the surface. At 433 9580 one axe grinding groove. This groove is on a flattish rock near an outcrop, and only about 22 m away from the road, and very close to the proposed railway line."

The letter of transmission from the Service, dated 31st March 1981, in the ultimate paragraph, slams the proposal.

"...In conclusion, the National Parks and Wildlife Service considers that the environmental impact statement should be rejected and lodges a strong objection to the proposed development, pending a complete review of the proposal, preferably in the form of a Regional Environmental Plan for the Newnes Plateau. Such an exercise should take into account the full range of possible land use options for the area including nature conservation, coal mining and pine planting. Accordingly it is suggested that, if a new EIS for the Birds Rock Colliery is to be presented, any approval of the proposed development should be deferred until after the completion of any such Regional Environmental Plan."

⁶ Birds Rock Colliery Pty Ltd, Environmental Assessment of Proposed Rail Spur from Newnes Junction to Colliery Site, July 1981, Sinclair Knight & Partners Pty Ltd, Appendix 3, a paper 'Archaeological Survey of proposed route of railway line between Newnes Junction and Birds Rock' June, 1981, Helen Brayshaw, Consultant Archaeologist, p2.

The Bushwalker⁷, Volume 6, Number 4, May 1981, carried the following article

"The Electricity Commission of NSW has recently released an Environmental Impact Statement for a proposed coal mine on Newnes Plateau to be known as the Birds Rock Colliery. The head works for the mine are to be sited in the headwaters of Carne Creek, otherwise known as the east branch of the Wolgan River. Mining would be underground, extending north towards Birds Rock, and east into tributaries of the Bungleboori Creek.

Submissions objecting to the proposal have been submitted by the Federation, the Colong Committee, NPA, TEC and NPWS. Conservation groups believe that the Birds Rock EIS is the worst since the new Environment legislation came into being. In fact, the TEC believes that the EIS contravenes the Environmental Planning and Assessment Act, and has threatened the Electricity Commission with legal action if the EIS is not withdrawn and rewritten. Even the Forestry Commission is reported to be unhappy with the proposal, as the proposed railway servicing the mine will go through one of its pine plantations.

The proposal, if it goes ahead will have severe impact on the natural environment of Upper Carne Creek, and could cause pollution to the Wolgan River. Numerous swamps at the head of Carne Creek could be drained. These swamps are particularly important ecologically, supporting many interesting plant species, and two rare birds, the Tawny Grassbird, and the Beautiful Firetail.

Water for the mine and for coal processing will be obtained from tributaries of Carne Creek. These tributaries at present are an important wildlife habitat mainly because of the relatively large amount of water flowing along them. Reduction of the water flow due to damming of these creeks would seriously downgrade their value as habitat and would surely cause changes in vegetation along the creeks.

The proposed mine will be serviced by a railway running from Newnes Junction. The route of the line is to the east of the old Wolgan Valley Railway and crosses into the catchments of Wollangambe and Bungleboori Creeks. The line will have a deleterious impact on the Wollangambe Wilderness, being visible and audible well into this area

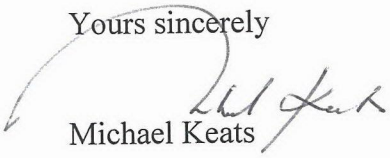
Recent cliff collapses at mines in the Lithgow area have highlighted the problems of siting mines in dissected sandstone country. The EIS claim that there are no significant cliffs in the area to be mined. On a recent inspection trip, cliffs of 30 to 50m were commonly sighted as were a few small canyons which would be destroyed if the walls collapsed."

In December 1979, The NSW State Government effectively put a stop to all development of the power station proposal by creating the Wollemi National Park, which included the Colo River, and the site of the proposed dam, an essential element of the power station plan. Whilst the worst aspects of the power station proposal have now been killed, the Newnes State Forest remains unprotected and the Birds Rock Colliery is still a possible development. The correct course of action from here is to stop the rape of NSW irreplaceable heritage, proclaim the area as a State Conservation area, engage with the tourism industry and Lithgow

⁷ The Bushwalker is an official publication of the Confederation of NSW Bushwalking Clubs

City Council and make the Newnes Plateau asset a crown jewel for future generations of domestic and overseas tourists.

Yours sincerely



Michael Keats

Springvale – Angus submission/MK