

**Robert Timbs**I would like to be notified by email ☐

Thu Jun 29 2017



Confidentiality Requested: no

Submitted by a Planner: no

Disclosable Political Donation: yes

Name: Robert Timbs

Organisation: The United Mineworkers South Western District  
(District Vice President)

Govt. Agency: No

Email: BobTimbs@umw.com.au

Address:

636 Northcliffe Drive

Kembla Grange, NSW

2526

Content:

I have attached the relevant documents in support of the Hume  
Coal Projects

IP Address: cfmeum.lnk.telstra.net - 165.228.150.125

Submission: Online Submission from company The United  
Mineworkers South Western District (org\_support)[https://majorprojects.accelo.com/?  
action=view\\_activity&id=214369](https://majorprojects.accelo.com/?action=view_activity&id=214369)

Submission for Job: #7172 Hume Coal Project

[https://majorprojects.accelo.com/?action=view\\_job&id=7172](https://majorprojects.accelo.com/?action=view_job&id=7172)

Site: #3137 Hume Coal Mine

[https://majorprojects.accelo.com/?action=view\\_site&id=3137](https://majorprojects.accelo.com/?action=view_site&id=3137)



**THE UNITED MINEWORKERS  
SOUTH WESTERN DISTRICT**  
(Division of the Construction, Forestry, Mining and Energy Union)  
ABN 49 954 293 181

636 Northcliffe Drive  
KEMBLA GRANGE NSW 2526  
PH: (02) 4271 7577 FAX: (02) 4271 7677  
Email: admin@umw.com.au

52 Eskbank Street  
LITHGOW NSW 2790  
PH: (02) 6351 3287 FAX: (02) 6352 3229  
Email: umfa@umfa.com.au



30 June 2017

The Secretary  
NSW Department of Planning and Environment

Submission made via portal at [majorprojects.planning.nsw.gov.au](http://majorprojects.planning.nsw.gov.au)

Dear Secretary,

**Submission with respect to Hume Coal Project (7172)  
and Berrima Rail Project (7171)**

I write on behalf of the Construction, Forestry, Mining and Energy Union in support for the Hume Coal and Berrima Rail Projects. The union is broadly and strongly supportive of the projects with this support being qualified only to the extent the support is based on commitments made by the proponent with respect to the social and economic benefits of the project being fulfilled.

The CFMEU is the major union in the industries of its title, and we represent the majority of people employed in production and maintenance roles in the Australian coal mining industry, including in the Illawarra region.

Coal mining in the Illawarra region dates back to around 1848, and the history of the union in the region is almost as long. Both are an integral and longstanding part of the history and culture of the region. While it is clearly the case that the region is less reliant on coal mining and related industries than it once was – and such economic diversification is endorsed for improving the resilience of the region and community – the Hume project represents the continuance of an established industry rather than anything new or novel.

### Long term demand for Hume Coal's product

The majority of output of the mine will be higher quality metallurgical coal for steelmaking, as is most of the coal produced in the region. Coal is an essential chemical component in the production of iron and steel; it is not just a source of heat energy. While the role of thermal coal for power generation is under challenge from lower emission technologies that will reduce global warming, there will be a role for metallurgical coal for steelmaking for as long as we need steel. Steelmaking itself will need new technologies to reduce its emissions to the atmosphere, but that is beyond the scope of this submission.

The ultimate parent company of the project proponent is the Korean steelmaker POSCO, one of the world's largest. Its intention to extend into direct resource procurement for its core business demonstrates the long term demand for coal for steelmaking, and that the Hume mine would be less exposed to the vagaries of the coal market than many other mines.

### The employment benefits

The company appears to have gone to considerable lengths to ensure that the employment impacts of the mine are measured and beneficial.

The temporary construction workforce will be housed on site in a temporary village to minimise demand on local short term accommodation that is oriented to the tourism industry.

The production workforce of around 300 people will be predominantly sourced from within the region, while those recruited from beyond the region will have a strong incentive to relocate closer to work as the proponent will require the workforce to live within 45 minutes travel time from the mine. This is to reduce fatigue risk associated with long commutes on top of shift work.

The company has provided good contextual demographic and housing data that suggests the workforce – likely to be centred around the 25-45 age bracket with families - will broaden the demographics of the region that are slightly polarised to the young and the old.

The ongoing workforce will provide some impetus to housing demand and subsequent supply that the region is well-configured to provide without overheating demand.

The company proposal makes reference to typical mining wages (page A.10 of Appendix R Social Impact Assessment). Being higher than wages in other industries, this will provide a boost to the region in terms of flow-on demand for goods and services compared to lower-paying jobs.

The company proposal could do with greater specificity regarding:

- the method of operation of the mine eg owner-operated or run by contractor(s);
- the mix of permanent (including part-time) versus casual and contract employment;
- the likely wages paid; and
- the rosters and working hours proposed.

The proponent has advised the union that the mine will be owner-operated rather than contracted out, and that the company will seek to regulate wages and conditions at the site through collective bargaining.

This provides greater assurance that the project will provide reasonable rosters and working hours, that the wages will be in accordance with coal industry standards and that employment will be relatively secure and longer-term. This will maximise the benefits of the project to the local area.

In recommending or granting approval to mines or other major projects, regulators should make careful note of the claimed employment and other social and economic benefits of the projects, and take reasonable steps to ensure that such claims are borne out in practice. In the case of the Hume project, the company has claimed \$16 million per year in royalties and payroll tax to the State government, \$33 million in annual wages to locals, and \$90 million in purchases of goods, services and payments to contractors. In addition the federal government will also derive income tax payments from the company and its workforce.

It is noted that, in general, approval conditions for mines and major projects are largely related to environmental requirements and tend to assume, rather than require, that the economic and social benefits be achieved. Regulators should address this imbalance through ensuring that claimed social and economic benefits are met.

#### Covered rail freight

New projects in established areas tend to find it more difficult to locate and build the infrastructure that will facilitate the project while minimising adverse impacts.

It is vastly preferable that the output of the mine be transported by rail in order to minimise truck movements on local roads and highways.

The company has therefore done well to propose a short rail extension to an existing spur line that accommodates the existing owner and users of the line, and which will enable coal to be railed to the port.

It is noted that the company proposes to use covered wagons to further reduce the risk of coal dust from the freight process. This is certainly beyond current industry practice and it is hoped that this does not cause complications with efficient management of coal rolling stock in the coal freight system or with other users and the port. The union has been of the view that dust issues with coal freight are adequately managed through watering and possibly the use of surfactants.

#### Avoidance of subsidence

The company plans to use a mine plan that leaves in place a large proportion of the coal, with the result that mine tunnels/voids will not collapse after mining and there is expected to be negligible surface subsidence.

This is a highly conservative form of mining. In fact the union has taken the view in the past that this type of mining, where the majority of coal is *not* extracted, is “sterilising” valuable resources and not to be encouraged. Subsidence can be managed successfully, especially for modern mines with well-documented mine plans.

In this case, the mine plan to virtually eliminate subsidence demonstrates the extraordinary lengths to which the proponent has gone in order to minimise adverse impacts in a well-settled region.

#### Ground water management

The issue that appears to have received the most negative publicity surrounding the project is with respect to groundwater management. The underground mining operation will draw down the groundwater level by around 2 metres for the duration of mining and for a further period, with affected bores recovering by 75% within 23 years of first impact.

The company has announced that it will “make good” the adverse impacts on affected properties. It estimates that a third of the 93 affected bores will require additional pumping

to maintain flows, another third will require repositioning of pumps, and around a third of bores will need redrilling or other repositioning.

This is a minimal adverse impact that the company proposes to manage so that those affected suffer little more than some inconvenience.

### Conclusion

This project will add to the diversity and resilience of the area in which it is located, reducing the heavy reliance on tourism. It will broaden the population, bringing in well-paid jobs for the 25-45 age group with families. It will be a significant contributor to the local and state economy.

There is long term demand for the principal product of the mine – coal for steelmaking. The steelmaking parentage of the proponent is solid evidence of this.

The proponent has gone to substantial lengths – possibly considered extraordinary – to minimise common mining impacts like subsidence, and dust from coal wagons. The measures proposed to compensate and make good the adverse impacts of groundwater drawdown appear very reasonable.

On these bases the union is happy to support the project.

Yours sincerely

**THE UNITED MINE WORKERS SOUTH WESTERN DISTRICT**  
**DIV OF THE CFMEU**



**MR BOB TIMBS**  
**DISTRICT VICE PRESIDENT**



# Political donations disclosure statement



NSW GOVERNMENT  
Department of Planning

Office use only:

Date received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning application no. \_\_\_\_\_

This form may be used to make a political donations disclosure under section 147(3) of the *Environmental Planning and Assessment Act 1979* for applications or public submissions to the Minister or the Director-General.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below). Once completed, please attach the completed declaration to your planning application or submission.

## Explanatory information

### Making a planning application or a public submission to the Minister or the Director-General

Under section 147(3) of the Environmental Planning and Assessment Act 1979 ('the Act') a person:

- (a) who makes a *relevant planning application* to the Minister or the Director-General is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by any person with a financial interest in the application, or
- (b) who makes a *relevant public submission* to the Minister or the Director-General in relation to the application is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by the person making the submission or any *associate of that person*.

### How and when do you make a disclosure?

The disclosure to the Minister or the Director-General of a *reportable political donation* under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation is made before the application or submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation is made.

### What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act.

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General of the Department of Planning.

Note: A separate Disclosure Statement Template is available for disclosures to councils.

**Warning:** A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147.

The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part.

Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

## Glossary of terms (under section 147 of the *Environmental Planning and Assessment Act 1979*)

**gift** means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

**gift** means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

**local councillor** means a councillor (including the mayor) of the council of a local government area.

**relevant planning application** means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
  - b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
  - c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
  - d) an application for development consent under Part 4 (or for the modification of a development consent), or
  - e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,
- but does not include:
- f) an application for (or for the modification of) a complying development certificate, or
  - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
  - h) any other application or request that is excluded from this definition by the regulations.

**relevant period** is the period commencing 2 years before the application or submission is made and ending when the application is determined.

**relevant public submission** means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

**reportable political donation** means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

### 86 Meaning of "reportable political donation"

- (1) For the purposes of this Act, a reportable political donation is:
  - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
  - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
    - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
    - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

**a person has a financial interest** in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.


**persons are associated with each other** if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- d) they have any other relationship prescribed by the regulations.



## Political Donations Disclosure Statement to Minister or the Director-General

If you are required under section 147(3) of the Environmental Planning and Assessment Act 1979 to disclose any political donations (see Page 1 for details), please fill in this form and sign below.

<b>Disclosure statement details</b>				
Name of person making this disclosure <b>The United Mine Workers South Western District Div of The CFMEU</b>		Planning application reference (e.g. DA number, planning application title or reference, property address or other description) <b>Hume Coal Project (7172) and Berrima Rail Project (7171)</b>		
Your interest in the planning application (circle relevant option below)				
You are the APPLICANT    YES / <b>NO</b> OR    You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION <b>YES</b> / NO				
<b>Reportable political donations made by person making this declaration or by other relevant persons</b>				
<p>* State below any reportable political donations you have made over the 'relevant period' (see glossary on page 2). If the donation was made by an entity (and not by you as an individual) include the Australian Business Number (ABN).</p> <p>* If you are the applicant of a relevant planning application state below any reportable political donations that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</p> <p>* If you are a person making a submission in relation to an application, state below any reportable political donations that you know, or ought reasonably to know, were made by an associate.</p>				
Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation
ABN 36 192 855 036	9th Floor 377-383 Sussex Street, SYDNEY	ALP NSW Federal Admin Account	28.07.16	\$4279.88
ABN 36 192 855 036	9th Floor 377-383 Sussex Street, SYDNEY	ALP NSW Federal Admin Account	31.10.16	\$4279.88
ABN 36 192 855 036	9th Floor 377-383 Sussex Street, SYDNEY	ALP NSW Federal Admin Account	17.01.17	\$4279.88
ABN 36 192 855 036	9th Floor 377-383 Sussex Street, SYDNEY	ALP NSW Federal Admin Account	11.04.17	\$4279.88
Please list all reportable political donations—additional space is provided overleaf if required.				
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.				
Signature(s) and Date  29-6-17				
Name(s) Mr Bob Timbs				

Cont

**Political Donations Disclosure Statement to Minister or the Director-General**

Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation