

Battle4Berrima

“Our fight is for the whole Southern Highlands”

24 August 2018

Paul Freeman
Team Leader, Resource Assessments
NSW Department of Planning & Environment
GPO Box 39,
Sydney NSW 2001

Dear Mr Freeman,

Re: Hume Coal Response to Submissions

1. Background

Battle for Berrima has been provided a limited period to review the in excess of 700 page Response to Submissions from Hume Coal in respect to the Hume Coal Project and the Hume Coal Rail Project.

As a community organisation representing the interests of hundreds of local residents in the immediate environs of the proposed mine and many thousands across the Southern Highlands, the Greater Sydney Water Catchment and NSW and beyond.

Whereas Hume Coal has had more than 12 months, unlimited funds and the expertise of paid consultants to review submissions in response to the EIS, Battle for Berrima just as ordinary families, residents and business owners have limited time and resources to review thousands of pages of report and appendices.

We note this inherent bias to the proponent and as such we reserve the right to continue to raise with the Department of Planning issues and deficiencies identified in both Hume Coal's EIS and Response to Submissions.

2. Fundamental Rejection by Hume Coal of Submissions

Hume Coal has characterised its response to the 12666 submissions lodged of which 12212 were objections, in the following terms.

“The overall outcome is that no major changes to the two projects were required as a result of any of the submissions or the additional groundwater modelling work undertakenTherefore, the description of the project and, and project evaluation

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and justification, as presented in the EIS, remains a true and accurate reflection of the project for which approval is sought.”

This position clearly demonstrates the proposition that Hume Coal believes the original proposal should be approved irrespective of concerns raised by the community and government agencies in response to its the EIS.

That Hume Coal has demonstrated extraordinary hubris in the wholesale rejection of concerns as expressed above.

3. Impact on Groundwater and Bores

The Hume Coal response to submissions has revealed a greater impact on groundwater and privately owned water bores than was detailed in the EIS.

The number of property landowners to be impacted by water drawdown as a direct result of the Hume Coal mine has increased to 72.

The number of bores to be impacted by water drawdown as a direct result of the Hume Coal mine has increased to 94

Nine (9) private owned bores would be intercepted by mining operations

The time it will take for bores reliant on groundwater to recover after the end of mining has increased 4 years to 76 years.

The median drawdown will be 6 metres and the median duration of drawdown on the 94 affected bores is 46 years.

One third of the 94 affected bores will according to Hume Coal require *“bore replacement or an alternative source of supply.”*

Another third of affected bores will require additional submersible pumping equipment and a further third of affected bore will have higher operational costs as a direct result of the lowering of ground water.

The response to submissions fails to detail the make good provisions that will be applied to those landowners whose bores are impacted, run dry or are unusable as a result of mining activities.

The response points to future consultation with affected landowners. It is our view that this consultation should occur now and that detailed make good plans for each of the 94

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affected bores are developed now and their adequacy or otherwise is included in the assessment of the project.

In addition, the area of ground water drawn down includes the iconic and state heritage listed Oldbury Farm as well as the former NSW Governor’s residence of Hillview and the impacts of permanently lowered groundwater on these irreplaceable items of Australian heritage is not known.

Hume Coal has failed to demonstrate that it also possesses 100% of the required water licences for the project. In its response to submissions Hume Coal States:

“Hume Coal has continued to acquire water licences for the project on the open market and via controlled allocation, and has now secured in excess of 90% of the total project peak requirement”.

As such and given the deficit in required water licences, the proposal should be refused.

Battle for Berrima supports the assessment of the NSW Environment Protection Authority that the untested method of mining proposed by Hume Coal leads to unacceptable environmental risks and threats to water quality within the Sydney Drinking Water Catchment.

Hume Coal’s response to submissions fails to demonstrate how the mine can proceed without significant and irreversible impacts on landowners and on the ground and surface water systems of the area.

4. Return of mining rejects underground and mine sealing

The current crisis at the mothballed Boral Medway Colliery, the discharge of heavy metal contamination into the Wingecarribee River and the technical difficulties facing Boral in its attempts to address mine water impacts, put into sharp focus the plans by Hume Coal to return mine waste underground.

The placement of coal washery effluent into the mining voids as proposed by Hume Coal is an untested and high-risk strategy, which has serious potential to cause contamination of ground water systems.

Hume Coal has based its risk mitigation on sealing of mine voids prior to pumping coal washery effluent into underground voids and the company claims, *“after mining is complete each panel will be sealed with an impermeable bulkhead.”*

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The capacity to achieve a 100% seal to avoid water contaminated by the coal washery effluent flowing from the mining void into the aquifer and surrounding groundwater systems is highly doubtful.

Boral is considering such a bulkhead seal approach to permanently manage the contaminated discharge flowing from the former Medway colliery as a result of groundwater flooding of the mine workings. Boral has advised that a complete and impermeable seal of such bulkheads is not possible and that some leakage would be inevitable.

There is no evidence provided by Hume Coal to suggest that it could achieve a different outcome.

As such the passage of contaminated water contact between this toxic mine waste and groundwater passing through the sandstone aquifer, is far from assured.

Indeed similar attempts to seal mine voids at the former Berrima Colliery are being undertaken with the knowledge that such seals are never 100 percent effective and that there is always some form of leakage around the seal.

The proposed return of coal effluent into the mining cavity represent an unacceptable and unknown environmental risk.

5. Subsidence

The Response to submissions at various points claims that there is no risk of subsidence as a result of mine activities or negligible.

These claims are unsupported by evidence and are based on general statements about the low impact form of coal mining Hume Coal proposed to employ on the project. The proponent should be required to identify evidence supporting its claims on subsidence with evidence from other locations where this untested mining method has been employed.

6. Employment

We do not believe that Hume Coal has addressed or provided compelling evidence to demonstrate that the development of a massive underground mine and associated mining infrastructure in the middle of the agricultural and tourism heartland of the Southern Highlands.

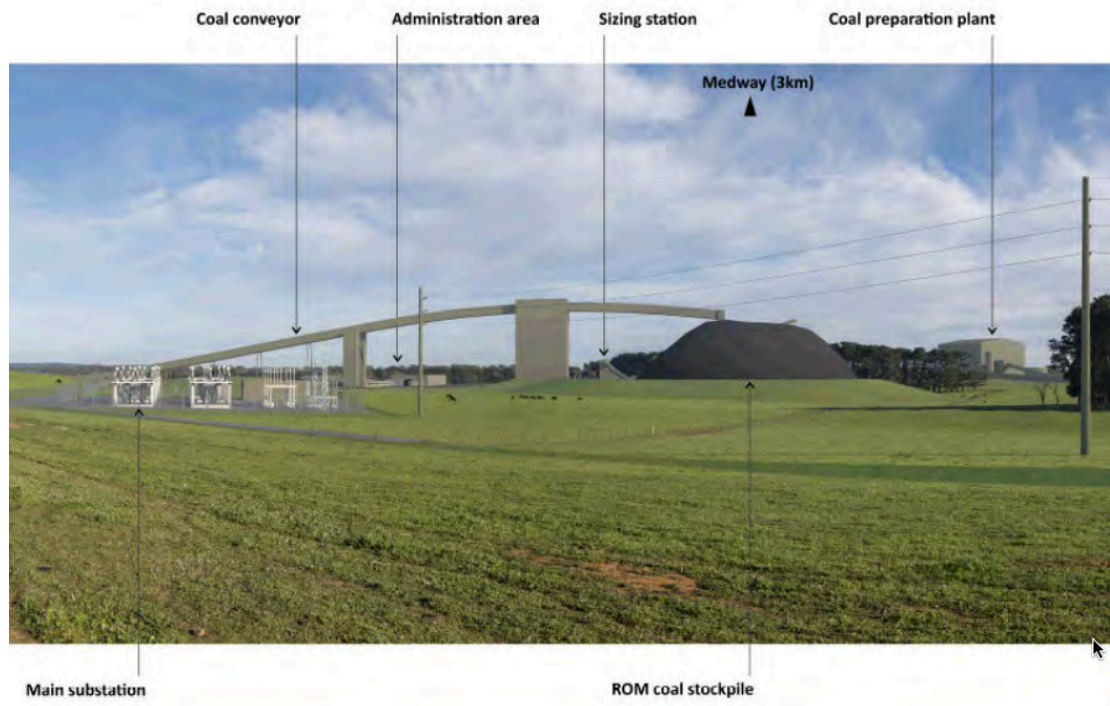
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Further suggestions of an employment bonanza if the mine is approved do not withstand scrutiny against existing and published evidence. We refer to our submission in response to the EIS and attached. **(Submission – Hume Coal – Battle for Berrima, Perica & Associates Urban Planning Pty Ltd)**

We point to ABS data that shows mining in the Southern Highlands accounts for 0.8% of all employment in sharp contrast to 21% of employment generated by accommodation, food and retailing.

As stated in our submission to the EIS:

“....the Mining industry is a small employer, and will remain so if the proposal goes ahead, even if the figures in the EIS are realised despite ongoing modernisation and technology seeking to reduce recurrent labour costs in repetitive tasks.”

And:

“There were 3 businesses operating in Mining in 2011 and this has declined to zero in 2015, so the total contribution to employment numbers is expected to be little changed if the proposal is approved.”

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The Southern Highlands is home to many businesses, operated by people living locally. There is a vibrant tourist economy, encompassing hotels of international standard, 5 star accommodation, bed and breakfasts, guest houses and farm stays. These businesses depend on both clean water and the attractiveness of the landscape and image of the area for business. There are over 1000 accommodation facilities in the southern highlands catering for tourists and over 50 accommodation places in Berrima alone.”

The Hume Coal response to submissions does not provide substantiated reasons why tourism and associated employment will not be significantly and irreversibly affected by the approval of a greenfield underground coal mine.

7. Aboriginal heritage

The Hume Coal Response to submissions details unacceptable impacts on the Aboriginal heritage and archaeological sites and Hume Coal states that 38 separate Aboriginal archaeological sites will be directly impacted by the mine development.

This includes damage to sites as a result of development of mining associated infrastructure and mining activities.

For example Hume Coal’s response to submissions identifies site HC 179 is an area of moderate archaeological sensitivity with average artefact density of 13 artefacts / m2

Hume Coal is proposing wholesale removal of this archaeological site to make way for the development of the construction items of and wholesale removal of sites of indigenous archaeology identified as of moderate significance with 13 artefacts per square metre.

HC 179 will be removed in its entirety to make way for the construction of the coal conveyor and storm management works. This is one example of unacceptable impacts on Aboriginal Heritage across the site and another reason why the project should be refused.

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8. Rail project

The associated rail project will result in unacceptable impacts with 8 return trips each day, 24 hours a day between the mine head at Berrima and traversing the Southern Highlands via the Moss Vale to Unanderra rail line.

The proposed timetable is below.

Run	Arrive Port Kembla	Depart Port Kembla	turnaround time
1	0805	1140	3hr 35min
2	1110	1845	7hr 35min
3	2220	0005	1hr 45min
4	0050	0235	1hr 45min

In respect of the multiple level crossings on this line, Hume Coal admits *“a large number of vehicles are likely to be affected”*.

The target production of coal from the project is states as 3.5 million tonnes per annum.

The operation is stated to occur 350 days per year thus each train will need to carry 2,500 tonnes.

At a 25 tonne axle load, 4 axles per wagon & a wagon tare weight of 25 tonnes, each wagon will carry 75 tonnes of coal. Thus 33 wagons per train will be necessary.

Each wagon is approximately 17 metres long so train length, including 4 locomotives, will be in the order of 700 metres. At a speed of 50km/hr, the train will take about 50 seconds to traverse a level crossing.

The impacts of noise, coal dust dispersal irrespective of whether wagons are covered, safety and additional delays at rail crossings are significant issues in respect of the proposed rail project and present unacceptable impacts for residents and community.

9. Precautionary Principle

The Hume Coal response to submissions fails to provide any substantive case as to why the precautionary principle does not apply in the assessment and consideration of the proposal.

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Further, the recent problems identified at the former Medway Colliery and related discharge of contaminated mine waste water into the Sydney Drinking Water Catchment heighten the urgency for the cumulative effect of the Hume Coal proposal to be considered given its adjacent location within the same area of the Greater Sydney Drinking water Catchment.

The new and untested mining method proposed by Hume Coal and the potential for a similar contamination of groundwater systems as experienced at the Boral Colliery, demand consideration of the suitability of the Hume Coal project to proceed in the context of the precautionary principle.

10. Hume Coal Product Exceeds South Korean Sulphur Cap

In a matter unrelated to the Hume Coal Response to Submissions but of material import is the South Korean Government's recent introduction of a 12-month countrywide ban on the burning of any coal with a sulphur content of 0.4%.

It is unclear if this ban will be extended beyond July 2019 but it does signal a significant shift in emissions policy in South Korea which Hume Coal has consistently flagged as the end market of its coal product if the mine is approved.

Hume Coal in its SEARs document of 2016 (Page 13) has confirmed that the sulphur content of the coal to be mined from the Berrima / Sutton Forest has a sulphur content of 0.6% which exceeds the maximum banned level for coal combustion in South Korea. (https://www.humecoal.com.au/wp-content/uploads/2016/03/J12055_SEARs-application-supporting-document_FINAL_170715.pdf)

It is clear that were Hume Coal in operation now, coal mined in the Southern Highlands with a sulphur content of 0.6% would not be permitted to be combusted in South Korea with a ceiling of 0.4%.

Were the current prohibition extended by the South Korean Government, this would present a fundamental and material risk to the Hume Coal proposal.

11. Conclusion

In Hume Coal's own words, the company has stated that the submissions lodged did not require any real amendments to its EIS.

“The overall outcome is that no major changes to the two projects were required as a result of any of the submissions or the additional groundwater modelling work undertaken”

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This can only be interpreted as a rejection of any issues of concern raised by residents, business owners, farmers and government agencies in more than 12,600 submissions.

The project presents a real and present risk to the health and welfare of communities across the Southern Highlands, an unacceptable risk to the Sydney Drinking Water Catchment and a threat to the environment of the area and should be refused.

Yours sincerely,
Battle For Berrima Inc.

Michael Verberkt
President

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