

14 June 2022



Manager, SSI 33143123 Submissions
Department of Planning and Environment,

Southern Sydney Branch
ssydney@npansw.org.au

Dear Madam/Sir

Dendrobium Mine Extension Project State Significant Infrastructure 33143123

The Southern Sydney Branch of the National Parks Association of NSW (NPA) appreciates the opportunity to comment on the Dendrobium Mine Extension Project State Significant Infrastructure 33143123

NPA's mission is to **protect nature through community action**. Our strengths include State-wide reach, deep local knowledge, evidence-based input to policy and planning processes, and over 65 years' commitment to advancing the NSW protected area network and its professional management. We also provide outstanding opportunities for experiencing and learning about nature through our unrivalled program of bushwalking, field surveys, bush regeneration and other outdoor activities.

Background

Our Southern Sydney Branch of National Parks Association of NSW (NPA) made a submission to the original proposal by South 32 to expand the workings of the Dendrobium operation beyond the current 8 year permitted scale of extraction of metallurgical coal. The Independent Planning Commission (IPC) accepted the majority of arguments from other Branch presenters for NPA NSW and rejected the proposal on many grounds.

Many times, within South 32's proposals, an argument was made that there were no viable alternatives available to avoid the scale of risk that was admitted and that economic arguments needed to be the major grounds on which the proposal was justified. The proponent, in this revised proposal, still cites the economic argument as the prime reason for proceeding, effectively mirroring the advocacy role that DPI took in signalling its original support.

NPA contends that many of the reasons the IPC rejected the proposal are still valid. We thus attach our original submission as a document which is still substantially relevant to the revised proposal.

Comments to expand on and add to the arguments in NPA's attached initial submission.

When assessing this so-called State Significant Infrastructure, a number of important points need to be kept in mind.

Our Branch of NPA challenges that DPIE should be the prime arbiter of whether this SSI is justified in view of its known advocacy for acceptance of the original proposal on economic



grounds. It bases this on the Illawarra Metallurgical Coal's assessment of submissions. This model is hardly in the public interest. NPA requests that the Independent Planning Panel be asked to also assess submissions and IMC's advice to the Minister for Planning in the public interest and in the interests of objectivity.

The original company statements that there were no alternatives to the original proposal are decidedly untrue as alternative proposals demonstrates.

Alternative important uses of the land were not discussed. There was always the NSW Government Planning position that the continuing expansion of this coal mine was THE necessary sole use of this land

The lead group's summary of biodiversity values is marginalised despite considerable (but not complete) documentation of the extensive biodiversity values of the lands and lower order streams that are not to be protected. These values are much more obvious in the appendices eg Appendix D of the proponent which enumerates the exceptional biodiversity values of these lands and waterways. Ten significant threatened fauna species require offsetting including the Giant Burrowing Frog and Littlejohn's Tree Frog. Coastal upland swamps that will be undermined also require biodiversity offsetting.

Despite Commonwealth-level biodiversity values, there is no concerted effort to trigger detailed investigations under the Commonwealths EPBC Act apart from offsetting for likely occurrences of Commonwealth threatened species. We question whether appropriate offsets are available and therefore question the legitimacy of such offsets.

The presence of koalas is indicated, but there appears to be no major study on their actual distribution and abundance in the subject lands and wider region. The new "Endangered" status of the Koala is also not mentioned in the Biodiversity Appendix D

Calculations of biodiversity offsets required have no discussion how compromised wildlife corridors around the mine site due to surface works and stream collapses are to be compensated. Offsets beyond the local region will still add to the cumulative impact of this proposed extension and many others that were developed in the past and are planned for the future. Cumulative impact assessments have not been done despite the regional record of near a dozen fauna species extinctions over a hundred years or more.

The attached former submission by NPA outlines the case for the unmined and mine-complete parts of the so called "Special Areas" being used to create a new NPWS Nature Reserve. The biodiversity values documented in Appendix D of this current proposal and the Federal Governments signed agreement to the international goal of 30% of lands conserved by 2030 point to a great opportunity to expand the 9% of current NPWS conserved lands in NSW to a scale that more directly addresses the extinction crisis the world (and Australia in particular) is facing.

NPA asks that this **alternative** use of these biodiverse but threatened lands be considered **for nature conservation purposes** within a new NPSWS Nature Reserve as alternatives to a major coal mining expansion which would be the least favoured option if State and federal governments are serious about supporting international biodiversity and land management goals.

The known impacts on cracking in lower order streams and probable drying out will still affect riparian vegetation and decrease the water available for both aquatic animals and terrestrial

animals that use these waters for drinking. Not all animals can move to a better protected higher order stream, especially those with a smaller home range. Continued acceptance of stream bed cracking for of damage caused should not be tolerated in a so called "Special Area" Appendix D refers to the "*significant impact due to the project*" (on fauna and flora), so DPIE needs to be cognisant of the fact that this revised proposal is not a solution to predicted biological impacts on this Nature Reserve quality land. And while some of the larger endangered Coastal Upland Swamps will not be undermined, others will be, and there is an accepted risk that future drying out and increased fire-vulnerability will be a negative factor if this expansion proceeds.

The oft quoted principle that Australia can't maintain its Greenhouse emission targets while starting up NEW coal mines should be interpreted as not permitting mines producing thermal or metallurgical coal to expand their operations beyond current existing permissions. The atmosphere has no cognition of whether increased carbon dioxide levels are from a new or expanded mine, so major expansion proposals like this one need to be viewed as equivalent to new mine proposals and rejected if the ultimate goal of leaving "new coal" in the ground is to lead to Australia reaching its emission targets. Further, it does not consider Scope 3 emissions. Dendrobium needs to factor these in especially for coal that is intended for export.

The NSW Department of Planning, supported by the Australian government, should **plan** for creation of green hydrogen hubs at places like Port Kembla. Generalities like statements that we won't see Green hydrogen as a replacement for metallurgical coal within 20 years should be replaced by cooperative industry/government programs to make these hubs operational in strategic locations within ten years if Australia is to be seen to be serious about instigating programs that acknowledge the dire climate crisis we are in. Bluescope Steel is already investigating alternative approaches to steel-making. It has signed an MoU with Rio Tinto to explore using renewable hydrogen to replace coking coal to directly reduce iron ore.

Conclusions

NPA requests that:

- These lands should be conserved as an addition to the national park estate in order to protect water catchment lands and biodiversity values
- The Government seek alternative technologies to the use of coal, enable new industries and take seriously its commitment to the dangers of climate change

PA recommends that DPIE investigates our alternative proposal for how these lands and waters must be conserved. This is set out in our former submission, attached as an appendix to this

If you have any questions about this matter, I can be contacted at ssydney@npansw.org.au

Yours sincerely



Gary Schoer, Vice President, Southern Sydney Branch, National Parks Association of NSW
protecting nature through community action