

SUBMISSION RE DENDROBIUM EXTENSION PROJECT

Introduction

The National Parks Association of NSW is one of the state's peak environment groups and was established in 1957. NPA Macarthur Branch is the region's oldest established environment group, operating as a sub-branch of Sydney Branch since 1975 and as a full branch since 1987.

NPA Macarthur has a history of involvement with mining in the Special Areas which goes back 20 years –

2001 - participation in the COI for Dendrobium mine

2002 to end of 2015 – representation on Dendrobium CCC

2007 – participation in Southern Coalfield Inquiry (SCI)

2009 – participation in Metropolitan mine PAC

2010 - participation in Bulli Seam PAC

2015 – participation in Russell Vale PAC

... as well as countless submissions and published articles

Through the author's involvement with the Dendrobium CCC, we have had 10 years (2005-2015) of experience of observing first-hand the ongoing impacts of mining in the Metropolitan Special Area. Via independent inspections we have also seen the damage wrought by mining on Waratah Rivulet from 2006 onwards in the Woronora Special Area.

After all this time we feel nothing but frustration with the fact that the very obvious continuing damage to the catchments has not led to any meaningful change in government policy re mining in those areas.

The fact that the current proposal is a scaled-down version does not make it any more acceptable. Longwall coal mining is totally unacceptable in our Special Area drinking water catchments and we remain utterly opposed to existing mining and any extension proposals.

Specific comments on the proposal

1. Environmental Impacts Downplayed or Ignored

The IPC refusal should have been a landmark decision, as was the 2010 Bulli Seam Operation PAC determination, where environmental considerations were deemed to outweigh economic ones.

So much of what was said about impacts to the environment in the IPC Statement of Reasons for refusal would still apply to this amended application.

The EIS cites the IEPMC and IAPUM reports regarding the previous application, where they concluded that the total loss of water to the storages was not significant, as being a major reason for this mine extension being acceptable. This, however, disregards the equally important objective of WaterNSW under their Act, which is – Principle 5: the protection of the ecological integrity in Special Areas.

An intrinsic part of ecological integrity is hydrological integrity and this is underpinned by the health of the upland swamps. The 30 or so swamps that have already been impacted by past mining, especially those in Area 3B, have all been offset, with no avoidance even considered. Offsetting was the first recourse, not the last, as stipulated in the principles of ESD. The offset was a sizeable chunk of Maddens Plains transferred to NPWS. This site is apparently no longer available, however, so we are left wondering what site could be used to “offset” damage to Area 5 swamps.

NPA rejects the whole notion of offsetting, especially for upland swamps, as it still results in a net loss of a significant and irreplaceable feature, so is a nonsense.

The so-called mitigation measure of protecting significant stream features is also largely a nonsense as, by undermining their feeder swamps, the water supply for these 1st and 2nd order streams will be cut off in dry times. They will only flow for a short time after rainfall, not perennially as they should when fed by a healthy water-holding swamp.

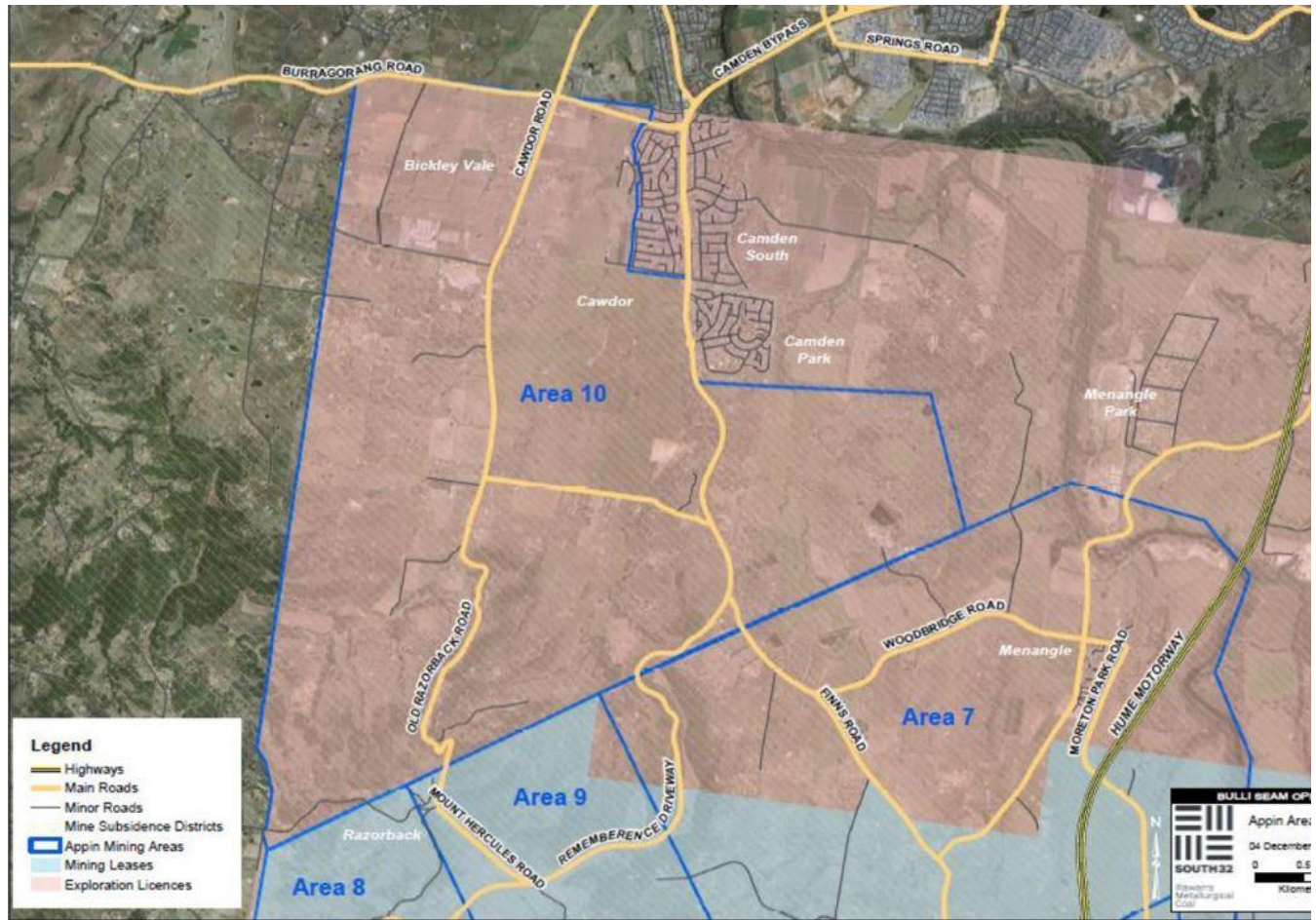
It is NPA policy that mining should be phased out in the Woronora and Metropolitan Special Areas and, due to their high biodiversity values, they should be designated Nature Reserves. It is hard to maintain these biodiversity values whilst allowing mining to occur. At the IPC hearing, NPA Macarthur presented a slideshow illustrating the full range of observable impacts to the catchments from mining since Dendrobium began production in 2005. This showed irrefutable damage to the Special Area caused by every aspect of mining, from the exploration stage through to subsidence impacts that are permanent and irreparable.

Even this scaled down Area 5 proposal brings with it huge undesirable incursions into the Special Area from – access road, power line, water supply pipeline and vent shaft construction as well as setting up monitoring equipment such as piezometers and carrying out regular monitoring of subsidence impacts on surface features. Some of this will have already occurred in the exploration phase. The amount of vehicular and foot traffic generated by all this activity is enormous and seriously out of keeping with the concept of a Special Area where hefty fines apply to the general public if they should trespass.

We are aware that the insidious soil-borne plant pathogen *Phytophthora cinnamomi* has been found in Dharawal National Park. It can be spread on surfaces such as shoes or vehicles. It is not native to Australia, so our native plants have not evolved resistance and serious dieback can occur in forests where it takes hold. Any activity in the water catchment, including construction and mining, risks spreading this pathogen to as yet unaffected areas unless stringent infection control measures are used. With the multitude of contractors and consultants that mining involves, quite apart from Sth 32 employees, it is very unlikely that *Phytophthora* will be controlled.

2. Alternative local sources of coal

The arguments put forward by the proponent against sourcing coal from their other local mine at Appin are not convincing. They are all, as expected, about the convenience and the economics of extending Dendrobium. Sth 32 are currently exploring a further huge area NW of their current massive Bulli Seam Project based on Appin. For the sake of saving further damage to the Special Areas, undermining this area would be preferred.



3. West Cliff Emplacement Area

An off-catchment impact that is little-known or understood in this area, is the emplacement, or dumping of coal waste/coal wash/coal reject material.

Since the 1970s when mining first started at West Cliff, near Appin, coal waste has been dumped in the Brennans Ck valley, a convenient site adjacent to the mine pit top. Brennans Ck was a major tributary creek of the upper Georges River. Brennans Ck dam was also built in that era to treat run-off water from the coal stockpiles and pit top surface and also run-off and leachate from the emplacement area.

It wasn't until Dendrobium started production in 2005 that emplacement here went into overdrive. Mining the Wongawilli seam at Dendrobium involves a lot of rock being excavated along with the coal and there was no provision in the 2001 approval for any emplacement on the actual mine lease. A convenient solution was to truck that waste material up to West Cliff, the same trucks then returning with coal from the Appin mine, to the port. Up until at least 2011, more than 50 percent of what was emplaced at West Cliff was from Dendrobium, due to the large volume of rock being pulled out with the coal.

The emplacement area Stage 2 began filling quickly after Dendrobium began production in 2005. The creek flow was channelised high up on one side of the V-shaped valley of Brennans Ck, the valley floor and sides were cleared of vegetation and sculpted to maximise the fill area, and aboriginal sites in overhangs were recorded and then covered in plastic, ready to be entombed. In 2007 Stage 3 was approved.



Stage 2 before completion, already visible from the road



Until 2011, dumping coal waste attracted no government fees, unlike the hefty fees payable by councils for household waste tips. In 2011, however, the state government brought in legislation which placed a levy on any coal waste emplaced off the mine lease site. This applied to Dendrobium, so BHP miraculously discovered numerous uses for the product in the Illawarra which vastly reduced, for a time, the amount needing to be dumped.

We have become aware that sales of coal wash have recently been curtailed by Sth 32. ***South32 announced that it stopped sales of low-margin coal wash material, a by-product of the production of metallurgical coal, in part due to high freight costs*** (Illawarra Mercury, 27.4.22) It is to be hoped that this is not to be permanent, as it will result in a huge increase in the amounts dumped at West Cliff. This can be quantified from data in the EIS on the beneficial use of coal wash where it is stated that in the last 2yrs approx. 56% of total coal wash produced was diverted to beneficial uses (EIS 4.8.3). Thus, ceasing sales could result in an increase in the quantity to be dumped by at least that amount.

We note amongst the Mitigation Measures listed for the project, the following in dot point 7:

- use of existing infrastructure (namely the Dendrobium Pit Top, Kemira Valley Coal Loading Facility, Kemira Valley Rail Line, Dendrobium CPP, No 1 Shaft, No 2 and 3 Shafts and the **West Cliff Stage 3 Coal Wash Emplacement Area**), **which would reduce the requirement for additional surface disturbance.** (EIS 7.8.5)

Cessation of coal wash sales directly contradicts assurances given in the Environmental Impact Statement that current approvals for the West Cliff Coal Emplacement Area will be adequate to the project because “IMC’s supply of coal wash for engineering purposes (e.g. civil construction fill), or for other beneficial uses, reducing the quantity of coal wash required to be emplaced at the West Cliff Coal Wash Emplacement Area”.

Even if beneficial uses of coal wash were to continue at the previous rate, the extension of Dendrobium into Area 5 would bring forward the need for Stage 4 of the emplacement area. This area is largely untouched bushland, not in the creek valley but on flatter land above the dam, which means that the emplacement mound there will be highly visible, especially as a max. height of 360AHD is being proposed. That is 60m higher than the adjacent ridgeline.



Much more effort needs to be made to develop beneficial re-use of this material. This needs to be conditioned, as it has been previously but more than just a research project is called for. A heftier levy or a quantified reduction of dumped material over a specified period would put the onus on the company to be more proactive and creative in this matter.

Another environmental cost of this activity is the impact on the receiving waters of the upper Georges R. from the Brennan's Ck dam discharge. This has been problematic for many years, with a highly saline plume being traceable for 15 kms downstream. Despite a new EPL coming into play in 2012, Sth 32 is only now working on a permanent reverse osmosis plant to properly deal with this issue.

Conclusion

We concur with the comments of our neighbouring NPA branches and our Head Office and join with them in objecting to this mine extension proposal.

We are disappointed and angered that, in order to get this mine extension approved, the government has seen fit to side-step the exhaustive IPC process which roundly rejected the original proposal.

We therefore request that NSW Minister for Planning, Anthony Roberts, exercises his power under S.2.9 (1) (c) of the EP & A Act to task the NSW IPC with reviewing independent reports being commissioned by NSW DPE (including security of coal supply for Bluescope). This section of the Act allows the IPC "to advise the Minister or the Planning Secretary on any matter on which the Minister or the Planning Secretary requests advice from the Commission".

We also recommend that, in the event of approval being given, the following conditions should apply –

1. Area 3C, which needs re-approval after 2030, be refused
2. Area 6 lease be extinguished

Julie Sheppard

Secretary

14.6.22