

October 2020

Wollongong Coal's Revised Underground Expansion Project for
Russell Vale Letter of Objection.

To the Independent Planning Commission,

I object to the Wollongong Coal Limited's (WCL) Russell Vale Revised Underground Expansion Project (Major Project 09-0013). My objection centres largely around the unjust burden project like this place on the local community, our broader global community and upon future generations. My objections specifically are: the damage to the Sydney water catchment, the greenhouse gas emissions from the mine and the extracted coal, and Wollongong Coal Limited (WCL) lack of financial stability to responsibly mine and adequately restore the mine in the future.

I am a local resident living a few kilometres away from the proposed expansion. I have a young family and a vested interest in the future we are creating and decisions we make today.

Further details for my objection are as follows:

The damage to the greater Sydney water catchment

- Our water catchments are a critical public common, the degradation of such an essential resource for the benefit to a few with a short-term outlooks is not in the public interest. This proposal is in a classed "Special Area", forbidding public access due to its sensitivity and strategic importance.
- As the mining expansion will drain both surface and ground water from the Cataract Reservoir catchment. This dewatering, exacerbated by drought and climate change, will impact the biodiversity and increase bushfire risk to the area as the bushland will be drier and more flammable. This increases the bushfire risk, not only around Cataract Reservoir, but also along the Illawarra Escarpment and puts at risk the Illawarra community.

- Additionally, the ongoing nature of the damage to the catchment that places an unfair burden upon future generations, with drinking water loss from the proposal extending decades into the future.
- Subsidence of the project may be much greater than originally portrayed. The transcript of a meeting between the Resources Regulator and the IPC Panel on 13 October 2020 reveals that the subsidence impacts of the proposed mining may be much more serious than the Dept of Planning has portrayed. It appears that subsidence has continued above longwalls 4 and 5; what was reported several years ago as 1.4 metres of subsidence (still nearly 5 times the predicted subsidence of 30cm) is now 1.78m of subsidence. A subsidence engineer expressed concern that the cumulative effect of the new project beneath two previously mined coal seams could trigger instability of “marginally stable pillars” in the overlying Bulli Seam mine. The expert makes several concerning statements before the meeting was cut short for private “internal” discussions of the IPC commissioners and staff present. These include:
 - *“It’s a substantial effort to control the risk hazard of those marginally stable rock masses, because the – by nature, by definition, they do not need a lot of external force to become non-stable.”*
 - *“Importantly, without a reasonable understanding of this key risk factor” [the state and location of the marginally stable pillars in the Bulli seam] “we are in the dark in making decisions in relation to Russell Vale Colliery’s proposed revised underground expansion project. That’s an important message.” (1)*

Wollongong Coal admits that instability in the overlying old Bulli seam workings may cause pillar collapse and subsidence of the surface of almost 1 metre. It is unacceptable for the NSW government to allow such risky mining in the water catchment for 5 million people of Greater Sydney in a time of increasing drought.

Greenhouse gas emissions and climate change impact

- The extraction and use of coal from this mine will have broad impacts, reaching far beyond the life of the mine. It is estimated that if the Russell Vale coal project goes ahead, over 300 000 t CO₂-equivalent per year will be emitted from the operating alone. This puts it in the top 100 largest emitters under Scope 1

emissions in Australia. Additionally, it is not only CO₂ that will be emitted, a lot of methane would be released into the atmosphere during mining, and methane is a powerful greenhouse gas. This flies in the face of the step we need to take to address the current crisis we as a society are facing to ensure our children, and theirs have a diverse and safe future.

- It would cost the Australian government about \$24,000,000 to offset the GHG emissions that Russell Vale will generate. Wollongong Coal's cost benefit analysis (CBA) overstates the benefits and understates the costs. For example, the CBA does not include the cost of offsetting emissions from Russell Vale. In September 2020, the Clean Energy Regulator paid an average of \$15.74 per tonne of abatement to buy emissions reduction as part of their 11th Emissions Reduction Fund auction (20). Using this price as a guide, it would cost about \$24M to abate the 1,523,000 t CO₂-e of Scope 1 and 2 emissions that this project will generate in NSW over 5 years. As Wollongong Coal pay no company tax, they will likely contribute nothing towards the cost of abatement.
- The coal exported is passed on to India's climate emissions, and has been legitimised by India also being a signatory to the Paris agreement. This does not follow the principle of harm avoidance. Harm avoidance is a widely recognised principle, including under international law. It is international declarations to which Australia is a signatory (the Stockholm Convention 1972 and the Rio Declaration of 1992). These international declarations state that parties "have the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States". Trade in injurious substances flies in the face of the harm avoidance principle and coal is such an injurious substance. The loophole in which exporting coal falls through in Australia's emission accounting does not make it an ethical one.

Wollongong Coal Limited (WCL) lack of financial stability

- Wollongong Coal's liabilities outweigh its assets by approximately A\$1 billion. It cannot be expected to properly resource mining in the sensitive and strategically important water catchment.

- Furthermore, the company is no longer listed on the Australian Stock Exchange and therefore even the basic accountability requirements for ASX-listed companies do not apply. The NSW government has been investigating whether Wollongong Coal is fit and proper to hold a mining license for 4 years but has never concluded the investigation or released the findings. The investigation is still going on, with the government just saying that they can't establish that the company is "unfit" and "improper". This company is not fit and proper. They should not be allowed to mine the water catchment of the largest city on the driest inhabited continent on earth.

A just and sustainable world are what we need to be seeking. I want nothing more than a safe, diverse world for my child and all children to enjoy and find meaningful work in. The proposed Russell Vale UEP is not in the public interest. I ask that you reject this application from Wollongong Coal and recommend a process to close and rehabilitate the mine at Russell Vale permanently. I hope you seriously consider these major concerns.

Sincerely

Dr Aaron Burton