

27 October 2020

Professor Mary O’Kane AC Chair
Independent Planning Commission
Via email: mary.okane@ipcn.nsw.gov.au

Revised Russell Vale Underground Expansion Project (MP09_0013)

Dear Professor O’Kane

The Illawarra Local Aboriginal Land Council has reviewed the report in relation to the proposed Russell Vale Underground Expansion Project. We would like to record our objection to this development proceeding due to the potential for significant cultural and environmental damage that may occur.

We would also like to draw attention to the fact that the Aboriginal community, and I am sure the wider community generally does not believe that the destruction of this area through the expansion of the of the Russell Vale coal mine is in keeping with the expectations and values we hold for this area. Furthermore, we would contest that the economic impact which may be attributed to this project and its State Significant Status does not align with the cost that will be borne by the community in the future. It is our recommendation that this development does not proceed and that all extractive industries are restricted from further development in this environmentally and culturally significant location.

To support our position on this matter we would like to draw attention to the findings in the original Environmental report which highlighted that over 200 sites were already recorded in the vicinity of the mining operation. Furthermore, the report identifies that no systemic evaluation of the landscape has occurred to confirm these numbers were complete. In addition to the potential damage to these sites we are concerned no assessment has been conducted in relation to the Aboriginal cultural landscape and the values, stories and belief structures that sit within this very important cultural area.

As there has been no real assessment of the Aboriginal cultural heritage of the area there has been equally no consideration the potential desecration that may occur and the mitigation measures which would need to be implemented, which in our view would be avoidance of these areas.

It would be an appalling and un-mitigatable disaster for the approval of this mine to proceed without full and comprehensive knowledge of the potential for desecration of Aboriginal cultural heritage. If we reflect on the damage that occurred to the art works and rock shelter at Juukan Gorge, where the cultural heritage site was known, how can a development be approved without a comprehensive understanding of what may potentially be lost. Furthermore we ask, how could the Independent Planning Commission see fit to put on record their approval to a project the could lead to destruction of Aboriginal cultural heritage, that provides no benefit to the Aboriginal community nor does it demonstrate any competence in how damage to at least the 200 known sites would be managed.

How would it be possible for those assessing this project to honestly and comfortably allow a project to proceed, that has the potential to destroy Aboriginal sites, without knowing the scope of risk that they are approving, particularly when the proponent has provided very little reflection or regard for the importance of Aboriginal heritage in their own submission.

The report acknowledges that the archaeological significance of the identified Aboriginal sites was determined by their research value, representativeness, intactness and rarity and that on the basis of these criteria. While we agree with the high significance finding identified, we contest the reasoning and the process used for this rating. We assert the fact that Aboriginal people and our cultural history should not have its importance ranked by its research value, combined with structures that have been determined by a values position of non-Aboriginal people. Furthermore, we recognise that this landscape and area holds significance that can’t be constrained to scientific value. The destruction of this area will eliminate, without the potential for repair, a significant cultural and environmental landscape which has already seen the destructive hand of western values. We therefore demand that this continued destruction and undervaluing of Aboriginal history stop and that we rightfully be respected as the custodians of this land, as you cannot return what you continue to destroy.

The Illawarra Local Aboriginal Land Council's view and our position on this development is further supported through The report recommends that the mitigation program should comprise of an archaeological salvage, undertaken prior to the commencement of the proposed works, where portions of significant Aboriginal sites would be impacted by the proposal. The Land Council identifies the entire precinct as being significant and part of a much larger cultural site. This is due to the connectedness of the landscape features, To destroy any aspect of this landscape would destroy the entire site in our view.

We therefore ask for the Independent Planning Commission to not approve the amended plan for the Russell Vale Underground Expansion Project due to the potential and permanent damage that may occur to Aboriginal cultural heritage.

Regard

A handwritten signature in black ink, appearing to read 'Paul Knight', written in a cursive style.

Paul Knight
Chief Executive Officer