

Tahmoor South IPC Presentation 17/2/2021

Sam Davis

Many thanks to the commission for this opportunity.

Can I first declare that I am a member of the Illawarra Coal Community Consultative Committee, however my presentation today is purely in a personal capacity.

Given time constraints I will get straight to the point.

Mine Subsidence is THE issue.

It is agreed by all parties that mine subsidence will cause substantial damage to homes and other built environment assets, as well as to the natural environment.

How is it that the state permits profit making mining companies to cause such damage?

A very brief history may assist...

Historically, coal mining used “bord and pillar” – a system that did not cause any significant mine subsidence. Certainly there was no wilful, predicted or intended mine subsidence.

Mining leases under the Mining Act 1906, then 1973 and now 1992 required miners to, quote...

“optimize recovery of the minerals that are the subject of this mining lease to the extent economically feasible”

In the mid-1980s, well after mining leases in the Bargo area were approved, Longwall mining technology was introduced to “optimize recovery” of coal.

It is the longwall mining process that causes mine subsidence.

Coal mining, in particular for steel making will diminish and end in the next decade or so

It was heartening to hear Sanjeev Gupta, on Monday, describe GFG’s plans to move entirely to Green steel. Although I didn’t catch his precise words, I believe he intends Tahmoor South as transitional as we move completely away from coking coal over the next decade or two.

I believe there to be general agreement with Sanjeev.

So how to resolve the mine subsidence issue now?

There is no longer a need to optimize recovery of coal

Throughout NSW we have enormous coal reserves that “almost” all agree will never be required.

We can now minimise mine subsidence at the expense of optimising coal recovery.

There are other methods of recovering coal that do not cause mine subsidence.

A return to bord and pillar, such as will be used by Wollongong Coal’s recently approved Russell Vale project, for example.

The current proposed Tahmoor South panels could be mined using a single shearer to take parallel strips from the panel whilst leaving strips of the same width. Mining engineers advise leaving 50% of the coal seam in this manner is sufficient to prevent collapse hence no subsidence.

I believe entrepreneurs such as Sanjeev Gupta and his family would be open to such methods.

In addition, such methods would provide the required transition, allowing a slowdown of coking coal production, and steady employment change over the ensuing decades whilst green steel processes grow.

Why haven't mining companies moved already?

In my experience, mining executives in Australia have been of the view their projects are so valuable to the economy they will always be approved, albeit with certain environmental conditions attached.

This "bravado" leads them to brush aside mining processes that prevent mine subsidence.

The recent Dendrobium rejection will make them think twice.

If the project is to be approved, what conditions could the IPC impose?

I suggest the commission consider Section 62(7) of the Mining Act 1992 in their deliberations... paraphrasing...

(7) A mining lease must not be granted over land... except... subject to such conditions, as the decision-maker considers sufficient to minimise damage to that surface.

This includes dwellings, gardens - all significant improvements.

The "decision makers" who approved the original mining leases had no way of anticipating longwall mining and its deliberate, predicted, wilful damage to surface improvements, let alone natural features.

The IPC could recommend approval with conditions requiring mining processes to prevent mine subsidence altogether.

If this is not possible then one must attend to the disastrous effects of mine subsidence.

The Coal Mine Subsidence Compensation Act 2017 is flawed.

To my knowledge there is no other Act that permits profit-making businesses, in most cases large multibillion dollar entities, to destroy people's homes and other assets and then simply pay replacement value.

Conditions must be imposed that compensate for inconvenience, pain and suffering.

I have been lobbying government for some years to amend the Act so it fairly compensates, and I'm pleased to have our current state MP Nathaniel Smith now engaged in this process.

In a nutshell conditions imposed by the IPC (that I think should also be in the Act) include.

1. A presumption that damage in an area within or close to mining was caused by the mine. The mine must prove otherwise beyond reasonable doubt.
2. A percentage-based levy on the agreed cost of rebuilding or restoring property to its pre-mining state.

I propose a 100% levy, however many residents I know of who have gone through the mine subsidence mess would not have been content until this levy approached 10 times or 1000%.

It is simply un-Australian for mining companies to profit from the misery they inflict on those above their mines.

Those who suffer from mine subsidence can at least share in the profits.

Thank you for your time.