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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1303942

INDEPENDENT PLANNING COMMISSION

MEETING WITH WOLLONDILLY SHIRE COUNCIL

RE: RUSSELL VALE COAL UNDERGROUND EXPANSION PROJECT

PANEL: **PROFESSOR ALICE CLARKE (CHAIR)**
PROFESSOR CHRIS FELL AM
DR PETER WILLIAMS

OFFICE OF THE IPC: **BRAD JAMES**

COUNCIL: **BIANCA KLEIN**
DAVID HENRY

LOCATION: **VIDEO CONFERENCE**

DATE: **10.02 AM, TUESDAY, 13 OCTOBER, 2020**

THIS PROCEEDING WAS CONDUCTED BY VIDEO CONFERENCE

5 PROF A. CLARKE: Good morning. Before begin, I would like to acknowledge the
traditional owners of the land on which we meet. I would also like to pay my
respects to their elders past and present and to the elders from other communities
who may be here today. Welcome to the meeting today. Wollongong Coal Limited
owns and operates the Russell Vale Colliery located in the Illawarra region,
approximately eight kilometres north of Wollongong and 70 kilometres south of
10 Sydney. Wollongong Coal is seeking approval for the Russell Vale Coal
Underground Expansion Project which involves mining by means of bord and pillar
mining technique.

15 Wollongong Coal proposes to extract up to 3.7m tonnes of run-of-mine over five
years at a production rate that would not exceed 1m tonne of product coal per year.
My name is Professor Alice Clarke. I am the chair of this IPC panel. Joining me are
my fellow commissioners, Professor Chris Fell and Dr Peter Williams. Brad James
from the office of the Commission is also in attendance. In the interests of openness
and transparency and to ensure the full capture of information, today's meeting is
20 being recorded and a full transcript will be produced and made available on the
Commission's website. This meeting is one part of the Commission's decision
process.

25 It's taking place at the preliminary stage of this process and will form one of several
sources of information upon which the Commission will base its decision. It's
important for commissioners to ask questions of attendees and to clarify issues
whenever we consider it appropriate. If you are asked a question and are not in a
position to answer, please, feel free to take the question on notice and provide any
additional information in writing which we will then put up on our website. I request
30 that all members here today introduce themselves before speaking for the first time
and for all members to ensure that they do not speak over the top of each other to
ensure accuracy of the transcript.

35 As you're aware, we are meeting via video link. Should be experience technical
issues or lose connectivity, Brad James will place those participants still connected
on hold, so please stay connected. If your connection has been lost, please, contact
Brad on 93832165. The meeting will be temporarily adjourned and the transcript
will be paused until we can reconnect participants. We will begin now and I'll start
40 by inviting the members from Wollondilly to, perhaps, provide some opening
statements and any issues that you would like to make address to. Thank you.

MR D. HENRY: Would you like me to go first, Bianca?

45 MS B. KLEIN: Yes, if you wish.

MR HENRY: Okay. Anyway, so thanks very much for this opportunity. It's appreciated. Yes, so I've had involvement with this over a few years. I provided a submission on this application, maybe, about four years ago and noted the findings of the Commission, then, and, then, have since provided submission in last
5 year. So I should say the basic council position as probably most recently expressed on the Dendrobium coal expansion nearby is that – so what council recognised – contribution of mining to the economy, local employment but provided its impacts are adequately managed – adequately managed and particularly in the catchment the main issue would be water resources, ground water and surface water.

10 So that's the basic position. So I notice that – so there's those two in the catchment areas. There's another one. There's South32. There's Bulli Seam, plus then there's Tahmoor South, both involve longwall mining. With those ones out of the catchment, subsidence is a big issue water courses, so I notice with interest that
15 they're proposing the modified – or a different – I think it's called the first working scheme which may result in significantly less subsidence impacts, which would then address a potential lot of issues that we've raised in relation to those mining applications, so it'll be interesting to see if that's achievable. I recognise that there's geology and mining – and coal properties are different from project to project but
20 it'll be interesting to see – going to it could be translated to those other projects. That's probably a basic overview. I imagine you've seen the submission that was put in.

25 PROF CLARKE: Yes, David, we read the Wollondilly submission that was put in, yes.

MR HENRY: Okay. Yes. That's basically a bit of an overview, anyway, I guess would be the context.

30 PROF CLARKE: Thank you. Thanks, Dave. Thanks for that context and those comments. Bianca, could I turn to you? Do you have any statements you'd like to make or issues that you'd like to raise?

35 MS KLEIN: Thanks for the summary, David. He's pretty much covered up on most of the things in the submission. David did write it. I've only been at Wollondilly for about a month, so I don't have the whole background but I am familiar with the expansion project having come from private industry, where I've done some monitoring on mining projects, so I think the main concern for us is the water quality and water quantity impacts. Seeing as minimal subsidence is proposed,
40 it'll be interesting to see if, yes, the monitoring of water shows negligible impacts or lesser impacts as opposed to longwall mining. Yes, so those are probably our, yes, main issues around water in the catchment.

45 MR HENRY: So I can just quickly add the independent panel for mining – the catchment was welcomed but we did put a submission in saying it appears to be of concern it was focused on water quantity and didn't really look in any detail in water

quality. So, again, certainly quality and a quantity is something that we'd be looking at as far as any impacts go.

5 PROF CLARKE: Yes. Thank you. I'll now pass around to the other panel members to see if they have particular issues that they'd like to raise or questions that they have. Chris, if I could start with you, do you have any questions here?

10 PROF FELL: I was just interested, if I may – Chris Fell – in what importance to an

PROF CLARKE: Chris, could I ask you to repeat your question? You dropped out for just a little bit there. Thank you.

15 PROF FELL: I'm sorry. I'll move closer to the mic.

MR HENRY: Yes. Sure.

20 PROF FELL: What importance do you attach to the risk of damage to upland swamps?

MS KLEIN: Sorry, you go, David.

PROF FELL:

25 MS KLEIN: Yes, we think that is quite a major risk, especially if that comes down to loss of water availability in those sort of sensitive vegetation types, like upland swamps, so, yes, the proposed monitoring of those swamps would be welcome and, yes, it's one of those ones where you can't really predict the full extent of impacts to swamps because they all have their different geologies, so it is a risk but if the board and pillars or first workings method minimises that, yes, hopefully it won't be too
30 much of an impact on the swamps.

35 PROF FELL: Just to follow up on that, how many of the swamps that are shown in various documents would be in the Wollondilly Shire?

40 MR HENRY: I don't think that's – I'd have to take that on notice. I don't think – there's not a – there's not a big number. I think they're more in – this particular project is largely in Wollongong. The part that's proposed to be extended into Wollondilly – I'll probably have to take that on notice.

MS KLEIN: Yes, we'll have to - - -

PROF FELL: Thank you, that's helpful.

45 MS KLEIN: - - - look at that. Yes.

PROF FELL: Thank you, chair.

PROF CLARKE: Chris. Peter, did you have any follow up issues to ask?

DR WILLIAMS: Yes, thanks, Alice. Peter Williams. Sorry, David, I just missed a
5 little bit, a comment you made in relation to the review by the independent expert
panel of mining in the catchment. Did you felt there was an emphasis on water
quality rather than quantity? Was that the - - -

MR HENRY: Water quantity? Well, the terms of reference – I mean, we
10 recognised that the panel had enormous expertise and, I mean, obviously, you just
mentioned swamps and – well, the panel had enormous experience but the focus –
we can see the focus of the terms of reference was on quantity.

DR WILLIAMS: Right. Right. So you thought they may have been – did you have
15 any specific concerns in relation to quality? Or is just that you perceived that that
should have been addressed a little more fully?

MR HENRY: Yes, well, actually, we've seen, assuming we've – Dr Ian Wright
from Western Sydney University – we've seen some studies that he's down in
20 Redbank Creek which is a myrtle creek, which is similar typing of mining,
obviously different geology, but they picked up quite significant impacts to water
quality which he surmises is possibly when they're disturbing – the fracturing
disturbs shallow ground or when the water – it goes through and fractures and
then remerges downstream, so that's probably what we would have liked the
independent panel to look at – recognise they've got enormous expertise – and we
25 did have a meeting with the panel, which was good, and that was raised and
apparently that issue was raised by other groups and they said they were going to
look at it further once that report was out, so I'm not sure if that's happening or not.

DR WILLIAMS: Have you got any specific concerns in relation to the Cataract
30 Reservoir, at all?

MR HENRY: No. No, not as such. No. No stability or - - -

DR WILLIAMS: Well, in terms of stability, in terms of water quality, in terms of,
35 you know, groundwater runoff, you know, supply of water into the dam, loss of
water.

MR HENRY: I probably should say that – I suppose we recognise do recognise
40 that there's a lot of people – like I've got knowledge but there's people with a lot
more knowledge than what I've got in terms of, like, you know, PhDs in hydrology
and groundwater and stability, so, in that respect, I'd be happy to take advice from
- - -

DR WILLIAMS: Sure.
45

MR HENRY: - - - people with a bit more expertise.

DR WILLIAMS: Sure. No, that's fine. Thanks. Thanks, David. Sorry, just one more question, if I may, Alice. Also, I gather, to David and Bianca, that you sort of touched on the economic benefits. Do you foresee significant economic benefits to Wollondilly itself or are they more just regional benefits for, you know, the
5 Illawarra, Southern Highlands generally from the mine?

MR HENRY: Well, I think this particular one – I imagine – I assume most of the workers would come from Wollongong but – so more the contribution to the local economy and there's been recently changes to, I think, resources for regions, so
10 there's money that flows through in that regard, so it'd be more local economy, I'd say but any comment on that, Bianca, or - - -

MS KLEIN: Yes, I'd agree. Probably more local economy and also just sort of the public opinion of mining. If it's continuing to get approved and managed in a way
15 that it can be sustainable in terms of biodiversity and water quality it might look positively in the public eye, especially for residents who often have mining concerns in Wollondilly.

MR HENRY: Yes, it does get picked up for doing these sort of consultations.
20

MS KLEIN: Yes.

MR HENRY: It does get picked up – impacts mining and waterways, yes.

25 DR WILLIAMS: Right. Okay. Great. Yes.

PROF CLARKE: Thank you.

DR WILLIAMS: Thank you very much for that. Thanks, Alice.
30

PROF CLARKE: Thank you. Just back on groundwater for a moment and then Chris has another question. I note in your report that you refer to cumulative impacts across a number of areas having been mined, being post-mined and being mined now. And you raise some comments in there about that and I'm wondering if you
35 can expand a little around that, David or Bianca, in terms of those cumulative impacts on both surface and source water?

MR HENRY: Well, I would have been referring to the South32 operation. There's about three. Of course, some of them are largely in Wollongong but
40 Dendrobium – like, they've currently got an expansion it was on exhibition I think last year, so I'm not quite sure what the status for that is at the moment but that's a salient project so to look at – not just by isolation but look at the impacts on overall context of these other projects in the drinking catchment. So one thing I probably didn't touch on at the start that I should have was the impact on water
45 supply, which is a big issue, particularly with, I suppose, the change in climate with longer droughts. I mean, we've got a lot of growth happening, so it's cumulative impacts on both water supply and quantity with those mines, yes.

PROF CLARKE: Thank you. Thank you, David. Chris?

PROF FELL: Thanks, chair operation for five years but after time there are various effects from the mine which we should talk about a little bit but what's your
5 view? Is this five years a reasonable time or do you expect more to happen?

MR HENRY: Seeking approval? Is that right? Sorry?

10 PROF FELL: Yes.

MR HENRY: Well, I mean, if that's feasible – if that's feasible for the proponent, then, I guess that allows for changes in technology, et cetera, changes in – yes, changes in technology – I guess that would have some – that would be I think of value if that's achievable. Like, I know Bulli Seam, I think, had about a 30 year - - -
15

PROF FELL: Yes.

MR HENRY: - - - approval and I was working at Campbelltown Council at the time and I know that I recommended then that that be broken up into I think about a 10
20 year period or something like that just to allow for changes in technology and - - -

PROF FELL: Thank you for that.

MR HENRY: But, I mean, it's a fairly short time, isn't it, I guess?
25

PROF FELL: It is quite a short time. But one of the impacts of the mine is will still be water coming out the which are the entrances they use to get into the mine and in 2057, which is quite a while in the future, that 288 mega litres a year. Now, there are some questions about the quality of that water, also the quantity.
30 How do you feel that is best handled? This of water from the mine after it's been closed?

PROF CLARKE: David, were you able to understand Chris' question there? He dropped out a couple of times.
35

MR HENRY: I think I understood it largely – that there's going to be water – there's going to be water seepage after the close of the mine.

40 PROF FELL: Yes.

MR HENRY: Well, the basic council position is that we view that with concern because, like, we'd need – a sizeable water supply issue, largely or in part, because, as I said, we need to make sure we got a sizeable water supply because it's a lot of growth, you've got and other developments happening and they're looking to fast
45 track certain developments coming out of COVID, so, yes – and I think we've got a council resolution to that effect, as well, that that is concern that there's loss of

water and we probably suggest that – yes, so hopefully there's sufficient rehabilitation or methods put in place that would minimise it.

PROF FELL: Thank you.

5

PROF CLARKE: Are there any other questions from the panel or issues that you'd like to canvass? Peter, anything from yourself?

DR WILLIAMS: No, I think that's all, thanks. Thanks, Alice. Thank you.

10

PROF CLARKE: Okay. Chris?

PROF FELL: I'll just ask the question generally about nuisance caused by the mine but particularly in your shire as distinct from municipality. Are there any things you want to alert us to particularly?

15

MR HENRY: What type of nuisance?

PROF FELL: Well, I left it open. It could visual.

20

MR HENRY: Okay.

PROF FELL: It could be noise. It could be trucks passing or whatever.

25

MR HENRY: Yes. I assume you're speaking to Wollongong Council, are you?

PROF FELL: We are.

MR HENRY: Yes. Okay.

30

PROF FELL: But really I'm asking the question of your shire as it is probably quite different from Wollongong Council's view.

MR HENRY: Well, it's all in – like, so I call the Wollongong but then – like, under in – Wollondilly comes under the catchment area.

35

PROF FELL: Yes.

MS KLEIN: Yes, so we don't have many residences close by.

40

MR HENRY: No, we don't have any residences close by.

MS KLEIN: So I guess it won't be won't be as much of a thing for us as Wollongong in that way.

45

PROF FELL: Well, I don't want to put words in your mouth. I'm really saying just a view from the shire council.

MR HENRY: Yes. Like, I mean, like, just talking about the on occasions we get some queries and I just respond with referring them to the mining company and they deal with them and they advise – make the CCC meeting which works quite well but, no, I don't think there's any – because there's no residents within
5 Wollondilly.

PROF FELL: Thank you. That's helpful thank you, chair.

PROF CLARKE: Thank you, Chris. Peter, did you have a follow up question?
10

DR WILLIAMS: Yes, a follow up question. Thank you. Thanks, Alice. Bianca and David, what we're getting at I guess is that the surface impacts – the traditional sort of noise, truck movements, visual impacts and all that – clearly are not an issue for Wollondilly because the mines or what is of the mine is all below ground, so your
15 concerns are more about the broader environmental concerns about water quality, water loss, the potential loss of water, given population growth is going to occur. Just on that, is there anything you could say about the types of concerns that have – or what types of concerns, if any, have been expressed by residents in Wollondilly in this mine or any similar mines at all? Are they more broader environmental impacts
20 rather than – I won't call 'traditional town planning concerns'?

MR HENRY: Yes, it would be more impacts to – environmental, probably, impacts, yes. I was going to say, like, next stage, I'm involved with, like, a mining environment-type subcommittee. Is there going to be a chance for community to
25 provide input in any way to this - - -

PROF CLARKE: Yes. Yes. David, there is a submission period that is open and announced on our website. Submissions will continue for a period of time after the public hearing, which will happen Monday and Tuesday next week and we have
30 already received a number of submission. I see Brad's got his video on there so he can come in and add some detail there. Brad?

MR JAMES: Yes, David. Yes, we'll take a number of submissions. They're made public once a week, as we receive them, and comments will close seven days after
35 the second day of the public hearing, so, yes, look, if you have any questions on top of that, I'm happy to answer your calls after this meeting.

MR HENRY: Yes. Is there going to be some sort of remote-type public hearing or some sort of remote - - -
40

MR JAMES: Yes.

PROF CLARKE: Yes. Yes.

MR JAMES: It's all - - -
45

PROF CLARKE: David – yes.

MR JAMES: In fact, all our – at this point in time, all our public meetings and hearings will be held electronically, so we'll have the panel set up in a remote studio and our people will dial in and be able to present to the panel.

5 MR HENRY: Is it possible to get a link

MR JAMES: Yes, so we'll just finalise everything now and - - -

MR HENRY: Okay.

10

MR JAMES: - - - that link will be made public and will be streaming on our website, so anyone can, yes, log in and view the hearing.

MR HENRY: Yes. I mean, the other issue, which doesn't really relate to it we do get feedback on its impacts to houses and but that doesn't apply to this because it's in the catchment area, so it would largely be environmental.

MR HENRY: Yes. I mean, the other issue, which doesn't really relate to it we do get feedback on its impacts to houses and but that doesn't apply to this because it's in the catchment area, so it would largely be environmental.

15

PROF CLARKE: Okay. I'll do one last whip around here and see if there are any other questions that the panel may have or any other issues that you would like to bring up before we close. Chris?

PROF FELL: thanks, chair.

PROF CLARKE: Thank you, Chris. Peter?

25

DR WILLIAMS: I'm fine, also. Thanks very much, Alice. Thanks.

MR HENRY: I just want to ask of the panel over the – so it's the first working – like, whether or not we'd use a different, sort of, standard longwall – what's the view over that? Do you think that's achievable? Do you think it's - - -

30

PROF CLARKE: I think it's - - -

MR HENRY: of it.

35

PROF CLARKE: Yes. It's fair to say at this stage we're still digesting the material that we have in front of us and working through those issues, so a bit premature, I think, of us to make a statement in terms of this at this stage, David. I think that's probably the best place to respond to that right now. Let's see how things unfold as we continue our deliberations.

40

MR HENRY: Okay. Sure.

PROF CLARKE: Bianca, anything further from yourself?

45

MS KLEIN: No, I think we've covered most of the things we wanted to speak about, so, yes.

MR HENRY: Yes.

PROF CLARKE: Okay.

5 MS KLEIN: All good.

PROF CLARKE: David, anything else there?

MR HENRY: No, all good. Thank you.

10

PROF CLARKE: Can I take this opportunity to thank you both for making yourselves available and for your time and candour here today and I'll hand over to Brad, now, to wind up and we will close the transcript down, then. Thank you, Brad.

15 MR JAMES: Great. Thanks for that. Yes, look, we'll close the meeting and the transcript and end it there.

MATTER ADJOURNED at 10.30 am INDEFINITELY