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**TRANSCRIPT OF PROCEEDINGS**

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O/N H-1503408

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH COUNCIL**

**RE: HUME COAL AND BERRIMA RAIL PROJECTS STAKEHOLDER MEETINGS (SSD7172) & (SSD7171)**

**PANEL:** **PETER DUNCAN AM (Chair)**  
**PROF ALICE CLARK**  
**CHRIS WILSON**

**ASSISTING PANEL:** **LINDSEY BLECHER**  
**CASEY JOSHUA**

**COUNCIL:** **BARRY ARTHUR**  
**MARISSA RACOMELARA**  
**APOLOGIES: LISA MISCAMBLE**

**LOCATION:** **VIA VIDEO CONFERENCE**

**DATE:** **4.03 PM, TUESDAY, 29 JUNE 2021**

MR P. DUNCAN AM: Good afternoon and welcome. Before we begin I would like to acknowledge the traditional owners of the land from which we variously meet today which for me is the Darramuragal or Darug people. I would like to pay my respects to their elders past and present and emerging. Welcome to the meeting to  
5 discuss the Hume Coal Project and Berrima Rail Project which is currently before the Commission for determination. Hume Coal Pty Limited is the applicant and is proposing to build an underground coal mine in the Southern Highlands region of New South Wales and develop associated rail infrastructure to support the mining operations. These two components are the subject of two separate development  
10 applications made to the Department of Planning Industry and Environment.

But for the purpose of the assessment they are integrated, and we will refer to them as the project today. The project is located approximately 100 kilometres southwest of Sydney and seven kilometres northwest of Moss Vale and Wingecarribee local  
15 government area. My name is Peter Duncan. I am chair of the Commission panel. I am joined by my fellow commissioners Alice – Professor Alice Clark and Chris Wilson. We are also joined by Lindsay Blecher and Casey Joshua for the – from the Office of the Independent Planning Commission. In the interests of openness and transparency and to ensure the full capture of information today’s meeting is being  
20 recorded and a complete transcript will be produced and made available on the Commission’s website.

This meeting is one part of the Commission’s consideration of this matter and will form one of several sources of information upon which the Commission will base its  
25 determination. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and not in a position to answer, please, feel free to take the question on notice and provide any additional information in writing. We will also put that on the website. I request that all members here today introduce themselves before  
30 speaking for the first time and for all members to ensure they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin. Marissa, really, we have two key points in the agenda and that is council’s response to the Department’s assessment and recommendation and, secondly, discussion of council’s initial objections to the project and whether council has any residual concerns  
35 following the Department’s recommendation. So over to you, Marissa. Thank you.

MS M. RACOMELARA: Thank you. I’m actually going to hand over to Barry who has undertaken all of the work in regards to this project and is somewhat of an expert in this area and then I’m available if there are any questions that need to be  
40 escalated to me.

MR DUNCAN: Thank you very much.

MS RACOMELARA: Thanks.  
45

MR DUNCAN: Barry.

MR B. ARTHUR: Yes. So Barry Arthur. I'm the manager of environment and sustainability Wingecarribee Shire Council and, look, as I mentioned before, Peter and colleagues, I've – apologies for my voice today. But in answer to the first question in relation to the Department's assessment report, yes, look, I've been  
5 through the report. I think the assessment is – reflects the concerns of council. It focusses on a number of the key major concerns particularly around groundwater, the mine design and the wastewater. In terms of the – in terms of their conclusions I think it's in line with the position that council has taken all the way through this project. So I can only support the assessment report and also the – and also the  
10 conclusions and recommendations from that.

One thing that I might add in relation to – in relation to the assessment report – and I might just bring that up in front of me. They do talk about – apart from the key impacts they do talk about another – a number of smaller or other impacts. Things  
15 such as noise, visual amenity and traffic – vibration and noise. They do say that, you know, these impacts would be relatively localised and – and can be managed in a way similar to other – to other mines. One thing that I might – I – look, without sort of taking any – anything away from that report I do think, though, these are concerns of council and the local community and I might refer to that a little bit later when –  
20 when we talk about any – in the next topic. But particularly on the social impact and the impacts that it's having, you know, the concerns of the locals.

A lot of that – you know, a lot of the feeling that they have now relates a lot to the – to the amenity and, obviously, while these – while these issues can seem to be  
25 managed, so to speak, or put in conditions of consent I do think that the ongoing feeling in the community is – is, obviously, at a much higher level than might be indicated in this report. So while – while there may be other bigger concerns addressed by – and rightly addressed by the Department I just want to bring context of some of those other residual impacts, so to speak, that for a lot in our community  
30 these are very real and if the proposal was to go ahead, you know, that ongoing scene – the ongoing visual interruption – the ongoing hearing of it is really just going to just drive and – and affect their day-to-day living of the people that have been fighting against this proposal for the last 11 years.

35 So I think they're going potentially be ongoing sources of issues for the community and the wellbeing in the community and I'm – because I will touch on it a little bit later as well the visual amenity is a big concern for – for council and the community as well particularly how it may affect our tourism industry and our visual heritage and how that – and what impacts that may have on that as well. So I think that's it  
40 for this – for – in terms of council's – in terms of the first point of the agenda – in terms of our – you know, our views on the Department's assessment. Yes, that's probably a good summary, I think.

MR DUNCAN: Okay. Thank you. Do you want to go onto the next point then?  
45

MR ARTHUR: Okay. So, look, just in terms of the next point I was going to read parts of our – council's submission and – original submission which – so just bear

with me. I'm just going to pull it up and read – read from that. Okay. So, look, as I mentioned I'm making this statement on behalf of the council and council made a submission on the EIS back in June 2017 and the submission was adopted by council at that time and it's from the submission that I will talk to from today. I'm not going  
5 to read the whole submission. But just a number of the points to keep that – to keep the time relevant for today.

MR DUNCAN: Thank you.

10 MR ARTHUR: I would also – we will submit a copy of the whole submission.

MR DUNCAN: Okay.

15 MR ARTHUR: Council has been concerned about the prospects of a new coal mine in the Wingecarribee shire since 2010. Council has adopted a policy of opposition to any new coal mining because of the concerns it has over potential impacts on groundwater, water catchments, agricultural land - - -

20 MR DUNCAN: Barry, you're – you're freezing a bit. So we're losing parts of your presentation. I wonder – I think you're still frozen. I wonder if you turn your video off whether that would help. Casey, is Barry still online?

MS C. JOSHUA: Yes, he appears to be.

25 MR DUNCAN: Okay.

MS JOSHUA: I will send him a message.

30 MR DUNCAN: Okay. Well, he has gone off now. So, possibly, if he re-joins without the video it might – it might help. Barry, we – you were freezing a bit then. Just – I'm just wondering whether if you turn the video off it may – may help with your presentation.

35 MR ARTHUR: Sure. I might do that. Thanks for that. Okay. So, by all means, if I start to breakup, please, stop me and I'm happy to repeat.

40 MR DUNCAN: Will do. Okay. Maybe – maybe if you start from that part of the report – or council's submission you were – you were reading from. Just re-do that section. I think we've lost you again.

MR ARTHUR: By council – it is from the – it's from the submission that I talk from today. Can you hear me, Peter?

45 MR DUNCAN: I can hear you now. Yes.

MR ARTHUR: Okay. So I won't read from the whole submission. But just a number of the key points to keep the time as succinct as possible.

Wingecarribee Shire Council has been concerned about the prospects of a new coal mine in the Shire since 2010. Council has adopted a policy of opposition to any new coal mining because of the concerns it has over potential impacts on crown water, water catchments, agricultural land and tourism. Council has adopted many resolutions since this time that reflect this long held position. In 2016 the current council reaffirmed this position declaring the Shire as a coalmine free shire and placing signage with this declaration at the Shire's entry points. The Shire is a peri-urban area located in the Southern Highlands of New South Wales covering an area of approximately 2700 square kilometres.

The LGA comprises rural, semi-rural and urban areas including historic towns and villages. It also contains many natural areas including national parks and state forests. The Shire is considered to be a biodiversity hotspot and is one of the most biodiverse regions in Australia. The Shire is located on Sydney's doorstep in the Sydney to Canberra corridor. Much of the Shire's current growth and opportunity are being driven because of these regional influences and the Shire is not in the need of growth it stimulates such as a mine proposed by Hume Coal in the EIS. Rather, the impacts of a new coal mine puts some of these regional opportunities at risk. The majority of the Shire falls within the Sydney drinking water catchment area and the integrity of this catchment is critically important to the residents and the economy of Greater Sydney and New South Wales.

The protection of the region's water assets is fundamental to the agricultural industry and these are the foundations of our future growth and economic opportunities. The Shire is ideally located for agricultural business in terms of transport routes to markets in Sydney, Wollongong and Canberra with fresh produce easily moved to all three locations. This, in turn, provides opportunities for expansion into international markets. The EIS mentions in a number of places about the mining heritage of the region which may give the wrong impression about the character and nature of the Shire and we refute any implied justification or normalisation of new coal mine in the Shire. Yes, there is history of mines in the Shire which feature in historical economic benefit to the Shire. But whatever historic role mining played in the past it bears no resemblance to the current and future role this region must now play in providing essential peri-urban functions to Sydney and the corridor to Canberra.

Locating a new coal mine in the region now has a much greater consequence compared to putting in a mine in the region 100 years ago. This region is strategically important to Sydney and New South Wales and will become increasingly important in the years ahead. Any implied normalisation of new coal mines through historic relationship need to be rejected. The South Highlands is renowned for its natural beauty and – natural and rural beauty. The combination of key landforms, historic scenic rural landscapes and extensive historical features are key elements of the – of the Southern

*Highlands tourism brand. Tourism is well-established and is one of the key economic drivers for the Wingecarribee Shire.*

5 *It can be argued that one of the Southern Highlands key tourist attractions is the historic village of Berrima and, in fact, Berrima just won a New South Wales top tourism town award for 2021. Berrima is located approximately two kilometres from the project area and it is one of the best conserved towns from the colonial period in Australia. It has a significant collection of state heritage registered listed properties concentrated in a small area. The surrounding*  
10 *landscape and rural setting is integral to its attraction as a tourist destination. The uniqueness of this village attracts a sizeable number of tourists each year which has a flow – which has a flow effect for the rest of the Southern Highlands. There is fear that an impact on the tourism appeal of Berrima could be felt across the area.*

15 *Protecting visual amenity from the project of this scale cannot be achieved by any amount of conditions of consent. Even tree plantings will not remove this impact. The undulating nature of the Shire will mean that the mine will have – will be visible at numerous vantage points across the landscape. Even in*  
20 *glimpses or views from the motorway of mining infrastructure and activity that have negative connotations impact on the perceived aesthetic qualities of the landscape. The proposed coal mine and associated railway would be visual to Berrima, the Southern Highlands visitors entering and leaving from the Hume Highway as well as potential visitors driving through on the Hume Highway.*

25 *It is foreseeable that the area to become associated with the mine potentially lose its appeal. Council takes the Shire’s economic and jobs needs very seriously. It is committed to promoting a sustainable economy and sustainable jobs for our residents. At the time of council’s submission the Shire’s*  
30 *unemployment rates were relatively low at 3.1 per cent and I believe the figure is currently at 2.7 per cent. With respect to the Hume Coal Project there are significant elements of this project that add risk to the Shire’s economic development opportunities. Among these are the risks to our water resources, the Southern Highlands brand of agriculture and the Southern Highlands*  
35 *tourism appeal. The impacts of both surface water and groundwater resources is one of the most contentious parts of the proposal.*

40 *It was always known that a new mine was going to impact these water resources. The community has been concerned about these impacts from the start of the Hume Coal Project and it has been a key message of the ongoing public concern. The EIS reports and successive reports have not silenced the debate on the impact of water. The EIS shows a high level of impact on groundwater resources triggering aquifer interference provisions across more – well, approximately 100 bores. That number is contentious as pointed out in*  
45 *the Department’s assessment report. This level of impact from a relatively small project is unprecedented. This predicted impact alone is alarming and it’s a strong indicator that this is now the wrong region for a new coal mine.*

Council is also concerned that the mining method proposed by Hume Coal to try and reduce the groundwater impact is largely new and untested in Australia. The social impact from the proposal is a major concern for council. The Hume Coal Project is already having a significant social impact on residents of the Shire and council strongly disagrees with the social impact assessment conclusions put forward in the EIS. I think we're up to about 11 years now but over this time the threat of a new coal mine has caused considerable distress to some members of our community. This concern has extended well beyond the hundreds of property owners in the exploration area but also to residents and businesses across the Shire.

Residents have well been – sorry, I beg your pardon. Residents have been well informed and well organised in campaigning against the proposal because of the potential impacts from the mine. The community have organised campaigns, rallies, public meetings, information sessions, public gatepost signage campaigns and petitions throughout these 11 years. Considerable fear and anxiety exists in some of our community over the impacts that a coal mine would have on the environment, their properties, their farms, their livelihoods, their health and their way of life. Many in this locality have already had poor personal experiences with Hume Coal. This has ranged from having their properties earmarked for exploration, the miner wanting access to their properties and bores, forced arbitrations, property blockades and court cases.

This community are not radical activists. Rather, it includes farmers, business people, property owners, parents, grandparents, families, locals both short-term and long-term and people who love this area who want to protect it. Their concerns are genuine and well-grounded and relate to impacts on the region's important groundwater resources, agriculture, businesses, tourism, biodiversity and character. The Hume Coal Project is already having a physical and mental toll on residents in the Shire. Residents have described their feelings of anxiety, fear, angst, depression, traumatisation, helplessness, uncertainty and stress. These types of social impacts are unlikely to quickly disappear. No amount of tree screenings, barriers, making good, offsets, buy-backs or any other conditions of consent are likely to resolve this social impact nor turn the project into a no impact mine.

And that's all I'm going to read from today. Thanks, Peter.

MR DUNCAN: Thanks, Barry, and well done for persevering with your voice.

MR ARTHUR: Now, I'm happy to provide a copy of that in case you missed it.

MR DUNCAN: We – no, we will have it. We will have it. The transcript was clear in your second - - -

MR ARTHUR: Okay. Great.

MR DUNCAN: - - - second opportunity without the video. Alice or Chris, do you have any questions?

PROF A. CLARK: I – I don't myself at this stage. Thank you, Peter.

5

MR DUNCAN: Chris.

MR C. WILSON: I'm fine. Thanks, Peter.

10 MR DUNCAN: Okay. I don't – Barry, I don't think we have any more questions and, Marissa, is there anything you would like to – to comment on. I - - -

MS RACOMELARA: Thanks. I would just like to add that it's – it is very much the intention of council to represent the view of our community and to advocate on their behalf in regards to this. There are a number of negative impacts both short-term and long-term and both localised and extensive that Barry has covered in a lot of detail and I would just like to reiterate that council is very much against this proposal and we think it's incompatible with the strategic direction our community would like to see this area go in in a number of ways in terms of land use and character, environmental and natural resources impacts, the strategic direction for energy production in the local area and, of course, lifestyle amenity and we don't believe it's – it's compatible with any of those uses for our community.

MR DUNCAN: Okay. Thank you. And I think both you and Barry have made the – made the point. We should also table Lisa's apologies of being unable to be here on the agenda. We don't have any further questions at that stage but we may need to come back with questions. We – we are planning a public meeting for the week of the 12<sup>th</sup> and submissions will remain open for seven days post the public meeting. So if you wish to make that further submission, please, do by that date.

30

MR ARTHUR: Sure. Can I just add one thing, too, Peter, if you don't mind and I'm sorry just to – to put it at this point in time. You just made me think about it when you talked about the public meeting. You know, it – I think in the community this has really felt like a marathon and I think it's – you know, the community be – have been rallying for – I think it's 11 years now, you know, and sadly, you know, during that time I know some of the campaigners have passed away. There's new people in. I – I just hope this – the time hasn't worn them down and I – I don't know what level of – of submissions are coming in at this point in time. I hope the community can maintain – maintain it and I just want to make that point because it – you know, here – from this and it definitely feels like a marathon and I just hope – you know, I'm just wary of fatigue in the community. But, anyway, that's – I just wanted to make that point as well.

40

MR DUNCAN: I understand the point you're making. Yes, these things – sometimes they – they take a long time and have – have an impact. So thanks for that. Anything further?

45

MR ARTHUR: Nothing from end.

MR DUNCAN: Yes. All right. Thank you and we will possibly see or talk to you during the public meeting process. Thank you.

5

MR ARTHUR: Thank you very much.

MS RACOMELARA: Thank you.

10 MR ARTHUR: Thanks.

MR DUNCAN: Good afternoon. Bye.

15 **RECORDING CONCLUDED**

**[4.29 pm]**