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**TRANSCRIPT OF PROCEEDINGS**

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O/N H-1513541

**INDEPENDENT PLANNING COMMISSION**

**PUBLIC HEARING**

**RE: HUME COAL AND BERRIMA RAIL PROJECTS  
(SSD 7171 and SSD 7172)**

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

**COUNSEL  
ASSISTING:** **JANET McKELVEY  
JANE TAYLOR**

**ASSISTING PANEL:** **TROY DEIGHTON, Host**

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

**DATE:** **10.11 AM, TUESDAY, 13 JULY 2021  
DAY 2  
Continued from 12.7.21**

MR T. DEIGHTON: Good morning, and welcome to day 2 of the Independent Planning Commission public hearing into the Hume Coal and associated Berrima Rail projects. I'm Troy Deighton from the Independent Planning Commission, and I will be hosting the livestream of these proceedings. COVID has unfortunately forced  
5 us to move this public hearing online, and current restrictions in New South Wales mean our commissioners are presenting from their respective homes this morning. The hearing provides interested individuals and groups the opportunity to have their say on the projects and the department's whole of government assessment which has concluded both projects should be refused.

10 Now, we again have a busy schedule ahead with close to 50 people registered to present to the panel this morning. That follows 33 yesterday. And, of course, it's not too late for you to have your say on the proposed coalmine and rail spur. You can send us a written submission via email, post or by using the Have Your Say  
15 portal on the commission's website. And submissions will close at 5 pm next Friday the 23<sup>rd</sup> of July. Commissioners Duncan, Wilson and Clark are standing by for day 2 of the proceedings, so let's cross live to the chair of the panel now, Commissioner Peter Duncan. Peter, good morning.

20 MR P. DUNCAN AM: Thank you, Troy. Good morning, and welcome to day 2 of the Independent Planning Commission's electronic public hearing into the state significant development application for Hume Coal Project and Berrima Rail Project SSD7172 and SSD7171, second referral. My name is Peter Duncan, and I am the  
25 chair of this Independent Planning Commission panel. Joining me are my fellow commissioners, Professor Alice Clark and Chris Wilson. We form the commission's panel appointed to this application. We also have Janet McKelvey and Jane Taylor as counsel assisting the commission at this public hearing, and our host today, who you've heard from already, is Troy Deighton from the Office of the IPC.

30 Before we begin, I'd like to acknowledge the traditional custodians of the lands on which we variously meet and pay my respects to their elders past, present and emerging and to the elders from other communities who may be participating today. Hume Coal Pty Limited is the applicant and is proposing to build a new underground  
35 coalmine and associated infrastructure in the Southern Highlands region of New South Wales. The project involved two separate development applications. The Hume Coal Project proposes to extract 50 million tonnes of run-of-mine coal over 19 years, and the Berrima Rail Project includes the associated rail infrastructure to support this mining operation.

40 These projects are located approximately 100 kilometres southwest of Sydney and seven kilometres northwest of Moss Vale in the Wingecarribee Local Government Area. The application has come to the commission for determination because it received more than 50 unique objections and because Wingecarribee Shire Council  
45 objects to the project. The Department of Planning, Industry and Environment, hereafter referred to as DPIE, has completed its assessment of the merits of this collective project and has recommended refusal. The Minister for Planning and

Public Spaces has directed the commission to hold a public hearing of the application. He has asked the commission to determine the project within 12 weeks of receiving final whole of government assessment report from DPIE.

5 In line with regulations introduced in response to the ongoing COVID-19 pandemic, we have moved this public hearing online with registered speakers provided the opportunity to present to the panel by telephone or video conference. In the interests of openness and transparency, we are livestreaming proceedings on the commission's website. A full transcript of the two day hearing will also be published on the  
10 commission's website in the next few days. Following the public hearing, we will endeavour to determine the development application as soon as possible, noting there may be a delay if we find that additional information is needed. Written submissions on this matter will be accepted with the commission up to 5 pm on Friday the 23<sup>rd</sup> of July 2021, and you can make a submission using the Have Your Say portal on our  
15 website or by email or by post.

We have many speakers on today's schedule. As such, I would ask everyone presenting today to please try and keep to your allocated speaking time. As chair, I will maintain these timeframes to ensure everybody receives their fair share of time.  
20 However, I do reserve the right to allow extra time for the panel and counsel assisting to ask questions or to hear new information. I would encourage presenters to avoid repeating or restating submissions previously made on this application, noting that we'll be particularly assisted by hearing your views on the department's assessment report. Thank you. We will now hear from our first speaker.

25 MR DEIGHTON: Thanks, Peter. And our first speaker on day 2 of this hearing is Mr Andrew Davey from the CFMEU. Mr Davey, good morning.

30 MR A. DAVEY: Good morning. Good morning, commissioners. Thank you for your time. I really appreciate it. And I won't take up too much of your time. I'm here today to express strong support for the Hume Coal Project on behalf of the Mining and Energy Union. We represent coalminers across the southern district coalfields, where we produce some of the best metallurgical coal in the world. The Hume Coal Project will produce coal for export and domestic steelmaking and other  
35 industrial uses. Most importantly, it will create well-paid long-term local jobs. This project will create 400 jobs due to the construction phase and 300 ongoing coalmining jobs. Jobs of this number and quality are a gamechanger in the region like the Southern Highlands. In fact, these jobs would generally nearly \$1 billion – to be precise, \$922 million in wages alone – during the life of the mine.

40 Hume Coal is committed to training and recruiting local workers with operational employees required to live in the Southern Highlands and immediate surrounds. During the peak of operations, it is anticipated that around 70 per cent of workers will be sourced within and around the Wingecarribee Shire – sorry about that – with  
45 other skilled workers relocating to the area for employment. This is in addition to the significant flow-on economic benefit. The project would benefit surrounding communities by boosting the spending power of workers and their families,

improving roads, rail infrastructure and generating business for mining equipment suppliers and associated businesses. It would also benefit the whole state through millions in royalties – millions of dollars in royalties to fund our schools, hospitals and roads.

5

This project would mine coal from the Wongawilli seam, which is a high quality coking coal currently supplied to Port Kembla BlueScope Steelworks from the Dendrobium Coal Mine. With Dendrobium's future looking grim and its likely closure now in 2024 due to the IPC overturning support for the extension, this is a serious concern about the continued ability to supply BlueScope Steel with local coal for local steelmaking. This would be a real blow to the industry's future in our region. BlueScope has warned its viability is at risk if it cannot access local coal support. Dendrobium isn't the only local coal mine under the cloud. The future of the mine where I spent years underground was Peabody's Metropolitan Mine in Helensburgh. It's also up in the air due to the international financing issues, but Metropolitan Colliery also supplies coal to BlueScope Steel.

There continues to be a strong demand for Australian metallurgical coal. In fact, prices for the metallurgical coal are very healthy at this stage. All indicators that the Australian metallurgical coal industry has a strong future. After all, we need some steel to build the industries for the future, and our region should benefit from the jobs and the economic development that coal mining can bring. Of course, all coal mines should be met with high environmental standards imposed by the New South Wales Government and expected by the community, and I believe that Hume Coal has done a thorough job addressing concerns around the water usage and developing an innovative mining method to migrate against substance.

Coalmining has successfully coexisted with our communities for over 100 years, and it should continue to do so. We need coal mining more than we need wealthy celebrities. This project is important for keeping coal miners in jobs and keeping our metallurgical coal industry alive. Conversely, losing the project would be a blow to our reputation as a great place to invest, and our local will simply be replaced by coking coal from Queensland and overseas. I strongly support the approval of the whole Hume Coal Project. Thank you for your time.

35

MR DUNCAN: Thank you, Andrew. Thank you for your presentation. Do we have any questions for Andrew? No. Not at this stage. Thanks, Andrew. Thanks for your time.

40 MR DAVEY: Thank you very much.

MR DEIGHTON: Our next speaker is Joanna Bradley, the representative from Protect Our Water Catchment Incorporated. Ms Bradley, good morning to you.

45 MS J. BRADLEY: Hi. Good morning. Who are Protect Our Water Catchment Incorporated? We're a small group of concerned community members. We have connections to broader environmental groups, such as Protect Our Water Alliance,

Lock the Gate Alliance, Illawarra Knitting Nannas and so on, plenty of groups, and we have no vested interests in the area other than a deep love for the environment, a concern for our future water security, care for generations to come, care for the non-human life that's impacted by these developments, a very high value of the  
5 biodiversity and of any remaining wilderness areas that we still have and a deep respect for the cultural significance of country to Aboriginal people. Those are the things that motivate us and bring us together as a concerned community group.

10 We don't accept the State Government authority to compartmentalise our water catchment into individual coalmining lease areas, and we don't accept the limit placed on the IPC to consider these leases in total isolation. We don't agree with that narrow scope. At the end of the 19<sup>th</sup> century, colonial Australians began to set aside  
15 more land for collecting clean water. That's how our drinking water catchments came to be because we realised we didn't have a secure water supply. This land became the large special areas we now know, and their aim back then when they established these areas was to protect the water source from grazing and fire. At that time, coalmines – these style of coalmines weren't a threat.

20 While this Hume proposal is not officially in land that is labelled a special area, this area is still part of our drinking water source and catchment area. And the proponents of this development are suggesting that groundwater aquifers will replenish themselves over time. We don't believe that claim is anything other than  
25 wishful thinking. The photo behind me is of Thirlmere Lakes taken in April just after the deluge of rain. Thirlmere Lakes is affected by a nearby coal mine. So Tahmoor Coal Mine is within a kilometre of Thirlmere Lakes. There's also water extraction, groundwater extraction through farming nearby. These lakes are 15 million years old. They're suspended. They're extremely important world heritage beautiful areas. And the water in the lakes have never refilled back to the original  
30 shoreline since we've began these activities affecting the nearby groundwater. We can't make a guess for our future that it's okay to just, "Pretty good. Good enough guess," that our aquifers are going to fix themselves over time.

We also care for many places. We care for upland swamps. We care for smaller  
35 drinking water reservoirs, the special areas around them, the catchments of Woronora and Upper Nepean Dams, Cordeaux, Cataract, Nepean, Appin. We care for the Dharawal National Park, Heathcote National Park, Royal National Park. And we care for the Blue Mountains Pagoda Country, the Dunns Swamp. And we care for all the vast Warragamba catchment, including the distant corner of Moss Vale that this mine will impact. We see water catchment as an entirety, and we are afraid that all  
40 of these developments and mines assessed individually are in concert far more damaging than the IPC is able to judge. We ask the IPC to recognise that the scope of one decision is locked into a larger history of catchment management. We look to the IPC to help establish coherent care for the entire catchment.

45 We note that there is inconsistent advice here given from the DPIE. So given that the DPIE final assessment report summarises adverse findings from a range of government agencies, we offer our support while noting that similar advice has been

disregarded in the past. We highlight that damage to aquifers has not been a block to previous projects, even after a decade of planning subject to an aquifer interference policy that is supposed to protect aquifers. Excuse me.

5 We recognise that the DPIE is objecting to the Hume Coal proposed based on mine design and impacts to aquifers shared with the rural community. We note the DPIE is anticipating legal disputes beyond the mine closure, flagging legacy issues of environmental mismanagement. We note that mining experts employed by DPIE object to the mining design because it has the potential to collapse as opposed to the  
10 favoured technique of longwall mining, which is certain to collapse. We note that Hume proposed to carry out further groundwater modelling after mining proceeds, and the DPIE finds this an untenable approach. We support that position. Adaptive management is a failed strategy. It's a failed strategy. Look at Redbank Creek.

15 We understand the DPIE is also opposed to the development of new greenfields coal mines. We also support that position. Advice from WaterNSW regarding the NorBE test, that is, the neutral or beneficial effect, regarding negative impacts on both water quality and water quantity is given prominence in the DPIE assessment final report. We support that position, too. However, we are concerned that there is a double  
20 standard at play. Existing mines are sanctioned to extend their operations and continue causing damage to the catchments. Mines located in special areas are sanctioned to cause damage while mines in rural areas are not.

If Russell Vale and Tahmoor extension projects are approved after IPC review, why  
25 not approve Hume? Does the threat of litigation from farmers suing over damage to aquifers and bores constitute a significant sufficient political irritant while impacts on residents surrounding Russell Vale and Tahmoor mines are not sufficiently important? Are immediate political impacts elevated over long-term environmental impacts? All these projects fail the benchmark tests of the neutral or beneficial effect  
30 on water quality and quantity. All past mining proposals have deferred modelling of groundwater and subsidence impacts. All mining proposals fail to adequately assess emissions and mitigate against climate change.

What do we hope for as a group? We hope that the NorBE test will be applied  
35 without prejudice. We hope that the offsetting methodology is applied only in limited circumstances. We hope for forward planning to leave a legacy of protected natural assets, as our predecessors did for us when they set aside the special areas and engineered a secure water supply. We want to leave a legacy of care rather than one of the burden of coalmining damage as we can see from Redbank Creek, Lake  
40 Macquarie, Myuna Bay, Waratah Rivulet and the list goes on and on. We wish that the IPC will refuse this development proposal and, therefore, protect our water. We hope that the IPC will note that the DPIE is inconsistent here in its approach to assessment and advice. We hope that – we recommend that there is a return to a whole of catchment management as existed under the disbanded network of  
45 catchment management authorities which was dissolved in 2015.

We see the ..... mine design of Hume might be expected to be given approval, given that triple C mining at Russell Vale and longwall mining at Metropolitan have recently been approved. If subsidence impacts are a concern for the Hume design, they are definitely a concern for others. Likewise, if water contamination is a concern for Hume, they are equally of concern for others. We accept that the IPC is expected to stay within the scope of this hearing, but consideration ought to be given to a public perception of inconsistency. The public ought not to be left with the task of investigating the inner workings of the DPIE to explain the granting of approval to some mining operations and not to others. Is there a conflict of interest within DPIE staff who also work as private consultants for the mining industry?

Much of the history of coal mining interests dealing with the planning department is redacted and protected by commercial-in-confidence. Much discussion is not limited. The decision-making process of the DPIE might be made more transparent. We would like the NorBE test – that’s the neutral or beneficial effect – to be recognised. That has been overlooked in recent decisions when the DPIE and the IPC allowed longwall and triple C mining in our water catchment. It is time to apply that test to all the approvals. We would like it recognised that carbon emissions have also been overlooked in the approval process. It is time to seriously address our emissions target and curb fossil fuel extraction this year. We believe it takes all of us to step aside the scope of our daily lives and jobs and do what we can to protect future generations from the existential threat of climate change and needless environmental destruction.

We call on the IPC to investigate, document, record and, where warranted, even refer on to investigate what we are doing with our environment and our future care of generations to come. We ask for holistic management of our water catchment, and we would like to see a reestablishment of the catchment management authority. The purpose originally of the IPC was to ensure transparency and remove corruption in the planning process. Should the IPC fail to grant planning consent to this project, that decision ought to be upheld by the government as a demonstration that the greater public interest can, indeed, outweigh a particular business interest. We look forward to supporting the independence of the IPC in pursuing decisions made for the greater good, and we ask the IPC to discuss with the state planning minister, Minister Rob Stokes, the urgent need to broaden the scope of the IPC so that it is able to take into account the death by a thousand cuts to our water catchment that we are currently permitting. Thank you very much.

MR DUNCAN: Thank you, Joanna, and I can assure you that, as far as we know, there has been a merit-based system carried out, and we have to make a determination. So that’s the position we are here to hear about today. But we do thank you for your time today.

MS BRADLEY: Thank you.

MR DUNCAN: Thank you. Thanks. The next presentation, please.

MR DEIGHTON: Our next speaker is Mr Ian Wiskin. Mr Wiskin, good morning.

MR I. WISKIN: Good morning. Good morning, commissioners.

5 MR DUNCAN: Please proceed, Mr Wiskin.

MR WISKIN: I do have a presentation, and I'm not sure. Do you want me to show it from this end or – Jason did say they would run it from their end.

10 MR DUNCAN: I think we've got it now, so - - -

MR WISKIN: Thank you very much. My name is Ian Wiskin. I'm a resident of the Southern Highlands. My credentials were spelled out in my previous submission to the first hearing, so I'm not going to go into that now. The difference is, at that time,  
15 I was a part-time adviser to Hume Coal. This time I'm not, and so I can now freely speak and tell you what I really think.

Next page. There's a typo on this page where it says "planning department redetermined narrative". It's probably not a typo because they're actually  
20 redetermining what they said back at the first hearing, and the problem is that once the DPIE or DPIE locked in its position in the first hearing, the hole it dug was so deep that it was almost impossible for them to then further conduct a merit assessment, and that opportunity was lost. So we're expecting the IPC to stand in now to do what planning has failed to do.

25 And there's a couple of issues that I wish to draw to your attention. There was a failure in process to not provide full reports. There was issues around the mining design, and 70 pages of documentation was not supplied from Hebblewhite and Frith to the mining experts in an appropriate time. And there was a failure to engage  
30 between the government's experts and Hume Coal, contrary to what Mr Gainsford said in the private briefing. In fact, when an approach was made directly to Professor Galvin, he was prepared to engage, but we were told by the Department of Planning that any approval would be prohibited if we sought to do that.

35 Further, we issued an invitation to Heritage New South Wales for a site visit following the erroneous findings in its desktop assessment. I don't believe it's possible for any agency or decision-maker to conduct a proper assessment without a physical on the ground truthing, and I would encourage the IPC to do this when the rules allow it. Next slide. Importantly, Heritage New South Wales actually lied in  
40 its planning submission. It stated it had conducted a heritage assessment of Mereworth House/Garden and property. It later admitted that no assessment had been undertaken. It completely devalued the heritage work that was done at that time. And it goes to show that unless you actually do the on ground truthing, you will never get the proper assessment done.

45 Next point. Right at the outset – sorry. Not – next – right at the outset of the project, prior to the EIS even being prepared, DPIE Water stated that Hume would not get its

approval as it wouldn't be able to purchase sufficient water licences. If it's not an example of a predetermined outcome, then what is? 93 per cent of those licences have been purchased, with others if approval is granted. A planning department executive before the ink was even dry on the EIS actually said at a public meeting  
5 that the number of bores impacted was unprecedented. That language was repeated in subsequent DPIE Water submissions and planning, and DPIE Water became wittingly or unwittingly part of the no mine campaign.

Further, the issue of the VPA remains an absolute mystery. A document was lodged  
10 with the minister on the 6<sup>th</sup> of September 2017 regarding a VPA offer. This followed the failure of the council to engage with the proponent on a VPA offer. That VPA offer has not been submitted to the IPC, has not been advertised, and it is a mandatory IPC consideration under the Mining SEPP that any offer be considered. Now, I'm not sure what has happened to that particular offer, but the offer is still on  
15 the table. The minister is the planning authority, and delegation is with the IPC.

Next slide. Prejudicial conduct actually concerns me because under the Korea-Australia Free Trade Agreement, a foreign investor from Korea has to be treated the same as any other investor. Now, where I am particularly concerned as an Australian  
20 resident is that the sloppy conduct of various government agencies has exposed Australian and New South Wales taxpayers to a potential compensation claim through the ISDS process, but that's a matter not for this particular commission. Thanks very much.

Could I pass to the next slide. On the 1<sup>st</sup> of October 2020, the government – or the DPIE established an Independent Advisory Panel for Underground Mining, and I've quoted one of the terms of reference there. DPIE had eight months to seek the advice of the panel, but it didn't. It can only be assumed that DPIE either did not believe Hume had the impacts claimed in the terms of reference, were afraid of independent  
30 expert scrutiny or that a referral will jeopardise its planned ambush or Hume with the final assessment report. It would have made sense, given that some of the experts on that particular panel had particular knowledge of the Hume project, particularly Professor Galvin and Professor Hebblewhite, that that would have been an ideal opportunity to resolve any residual issues.  
35

Next slide. What has happened since the first IPC hearing? Well, there have been extraordinary delays we can understand and they're unexplained. There has been significant and unnecessary expenditure to reaffirm the original findings of DPIE Water's expert Middlemis' advice to the department. We had to bring one of the  
40 leading experts, one of the authors of the groundwater guidelines, Lloyd Townley, back from China just to tell us what Middlemis had already advised the department, and he confirmed Hume's EIS and RtS conclusions.

While everybody has been asleep at the wheel, construction has started on a 60,000  
45 square metre masonry factory approved by the council supported by an 11 hectare open-cut quarry 1.5 kilometres from Berrima previously approved by the Department of Planning. Planning in that case overrode the zoning prohibition using the Mining

SEPP. In that approval, landscape, heritage, land use compatibility and other assertions levelled at Hume obviously are not relevant to an open-cut pit 1.5 kilometres from Berrima. Of course, then we've had the Dendrobium Extension refused and, of course, the Tahmoor South Extension recommended and approved.  
5 The fact is that Hume is the only viable supplier of Wongawilli coal – seam coal for steel production for the next 20 years.

Next slide. Next slide, please. This graph is taken from the Wood McKenzie – go back one slide. Thanks. This slide was taken from the Wood McKenzie reports and  
10 clearly spells out the shortfall in supply of contracted coal, that is, coal for the Australian steel industry, from the Southern Coalfield. And I won't go into the details. It's fair self-evident.

Next slide. This is what BlueScope had to say about local coal suppliers, and I  
15 commend the BlueScope submission to the Dendrobium inquiry. It says that if it has to bring seaborne imports through Port Kembla, it will cost at least 150 million in extra infrastructure expenditure and would cost between 50 and 100 million per annum in additional costs. The ACCC recognised the importance of the Southern Coalfield in its inquiry back in 2016 and '17, and at that time, POSCO gave an  
20 undertaking to the ACCC to supply domestic customers to maintain competitive coal supply.

Next slide. The slides just point out a tale of two mines, two different DPIE recommendations and what I regard as double standards. I won't go into the detail of  
25 this, but please, commissioners, just look at the comparisons between the two mines and then come to your own conclusions.

Next slide. It's important here that we note the impacts on the Hume Highway gas pipelines and the Main Southern Railway. Contrast the advice given by the DPIE on  
30 Tahmoor and the advice given on Hume, where 20 millimetres of subsidence will have absolutely no impact on infrastructure, and, in fact, there is no planned mining under the Hume Highway. And, of course, there is no angle of draw from the 20 millimetre subsidence impact.

Next slide. So what about water models? I've been around in water models a long,  
35 long time. I'm dealing with them currently up in Queensland. Water modelling is inherently conservative and generally overestimates real world impacts on water take and bores. Particularly there was an exercise done at Cadia-Ridgeway which showed the water take was way, way less than the modelled outcome. And, of course, we  
40 have the Tahmoor and the Queensland CSG experience, which I'm happy to talk about. Water models in most jurisdictions are run on the basis of average or median conditions. Even the Tahmoor – recent Tahmoor model was done on an average – on average conditions.

45 So the adoption of a higher percentile sensitivity either at 67 per cent, which is unlikely to occur, and 90 percentile is extremely unlikely to occur, all that does is increase the number of bores that go beyond the arbitrary two metre drawdown. But

is this real life? Bore numbers greater than two metre drawdown are at the margins and not necessarily an indicator of bore impairment. Experience shows that modelled impacts, being the worst case, are not necessarily translated into impaired bore performance. Next slide. Just look at what the Department of Planning had to say about models and predictions, and I will leave that on the record. This is a quote – direct quote from an officer of the Department of Planning in relation to the likely impacts of the difference between modelled impacts and actual outcomes in relation to the Tahmoor South Project.

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Next slide. The ease of access with which Hume has been able to acquire almost two gegalitres of its groundwater licences in the open market raises the obvious question to me – and I was surprised that they were able to do this in such a short time – it raised the question about how much water is actually used. So I turned my attention to have a look at various statistics, and the first one was, of course, the Water New South Wales Water Register, which is the register that legally records all entitlements in New South Wales. And if you have a look at that, the table of water use in the groundwater – in the Nepean groundwater source is quite low. It's, like, three gegalitres, three gegalitres, and then in 2019 twenty – in fact, it's not complete at this stage, so we don't know what that was.

25  
30  
But there are a couple of proxies that relate to water use, and if you have a look at the ABS water use statistics, it shows that in the Wingecarribee Local Government Area, there's only 1500 megalitres out of a total volume of 3300 megalitres actually used. And when you drill down into the smaller Moss Vale/Berrima SA2 regions, there are 39 agricultural businesses, but only five businesses are using groundwater for irrigation, and this was confirmed in the cockpit of the firefighting helicopter during the worst of the bushfires that you could count on one hand the people who were using irrigation. Water use figures are also consistent with the ABS data on agricultural output, and that is documented in the Hume economic assessment 2020.

35  
40  
Next slide. I won't deal with these because they've been repeated, so next slide. Next slide. Next slide. Let's talk about the AIP policy. There is no New South Wales AIP make good policy; therefore, the standard consent condition is the only mechanism available to regulate make good. I wrote a letter to the minister back in September 2019 following the Bylong decision complaining about the lack of guidance given to decision-makers about government policies or the lack of policy, and the department replied on behalf of the minister that they are developing a statement on make good provisions to support implementation of the AIP. That was 596 days ago. Next slide. The letter also goes on to say it is not the department's role to determine, prescribe or negotiate on behalf of affected parties what may be reasonable. This has always been a matter for direct negotiation.

45  
Next slide. The fine tuning arrangements that Hume suggested as part of its approach was not to change how the system works but to actually engage earlier. The current water compensation arrangements are an opt-in arrangement after the damage occurs or the impact occurs. What Hume was proposing was an upfront bore assessment. But if agreement or access is denied, then the standard condition

applies. DPIEs concern about the number of disputes, that is a subjective judgment not supported by history. Only four to five bores require attention per year.

5 Next slide. I'm in Queensland at the moment ironically to sign off on landowner agreements for bore impacts. I will move now to the next slide. These are self-explanatory. Mine design. I would urge you to look at Professor Hebblewhite's summary of where things are up to. The final assessment report does not reflect the agreement between the mining experts. Next slide. The safety issues are common to all mines that deal with secondary extraction. I would urge the commissioners that  
10 the rest of the submission is fairly self-explanatory, but I would also ask you to have a look at the links that I've provided on the slides that are forthcoming to show you what the actual mining method is, and it is not something that is experimental. With that, commissioners, I would ask you to – sincerely hope that this is not a tick the box exercise, and I have faith in the independence of the commission and not to  
15 pander to the Alan Jones Incorporated and its shareholders. Thank you, commissioners.

MR DUNCAN: Mr Wiskin, thank you for your presentation. We have the presentation, so we can go through that. And can I just reassure you that the  
20 department has not made a determination. That determination is the role of the IPC. So this hearing is a very important part of that process. Thank you for your time today.

MR WISKIN: Thank you. Thank you.  
25

MR DUNCAN: Next speaker, please.

MR DEIGHTON: Joining us on the phone now is Mr Rod Blay. Mr Blay, good  
30 morning. Mr Blay, are you there?

MR R. BLAY: Has the previous speaker finished?

MR DUNCAN: Yes. Go ahead with your presentation.

35 MR BLAY: Okay. I'm watching. It's obviously slow. Thank you for this opportunity. My name is Rod Blay, and I live in the village of Berrima. Despite strong evidence to the contrary, some people, lobbyists, mining organisations and guns for hire, still promote the myth that burning coal is harmless and coking coal will always be an essential part of steelmaking. Just as thermal coal is slowly being  
40 replaced by sustainable energy, coking coal in steelmaking will also be replaced by alternate forms of energy. Today, several European steelmaking blast furnaces are already coal-free. Even POSCO is working towards green steel.

45 Ultimately, it follows with the global fall in the demand of all coal, there will be a global fall in the price of all coal. I would like the IPC to consider this very real probability if it approves this mine. By the time the Hume coalmine actually comes online, POSCO will already be buying coking coal of similar quality sourced from

many of the huge open-cut mines in New South Wales and Queensland, costing far less than Hume Coal's cost of production. Only by spreading the operating loss over Hume Coal's entire Australian operation could POSCO hide the true folly of keeping the Hume mine open. Although the price of coking coal is very buoyant today, in the  
5 not too distant future, as green steel becomes more and more prevalent, Australia's huge, extremely efficient open-cut mines will also be feeling the pressure of a fall in demand. The price of all coal will go into freefall.

10 POSCO would already be aware that the shipping distance from ports such as Dalrymple Bay and Abbott's Point central to the Queensland coalfields versus Port Kembla is 25 per cent closer to the South Korean port of Pohang. The shorter distance equates to a 25 per cent reduction in fuel and labour. This would only add to the pressure on Hume Coal's uncompetitive, outdated mine. Eventually, faced with this scenario, POSCO would bite the bullet and retire the Hume Coal mine. The  
15 jobs and any tax or royalties anticipated by the State Government would just be part of a broken promise Hume Coal had no chance of delivering.

What does this mean for the Southern Highlands? What about the big hole, the damage to the environment, the lost opportunities in the tourist industry? Well, the  
20 government and the community would be left to deal with that. Who would be responsible for this disaster? Certainly not the community. The community backed by experts, facts and figures and common sense has long opposed this mine and the predictable catastrophe. Maybe not even the government. The government's instrument, the DPIE, has twice voiced its well-researched opinion that the Hume  
25 Coal Project should not go ahead.

Hume Coal. Well, Hume Coal is only a needle in the huge POSCO haystack. Writing it off would be of little consequence to one of the world's largest companies. POSCO wouldn't give a second thought to the carnage that it leaves behind and it  
30 certainly would not give any consideration to paying any restitution to this community for its misadventure. If it doesn't already know the answer, POSCO may conduct an inquiry into how it got things so wrong. Why did it decide to buy the remaining interest in a lease that several very experienced coalmining companies had already chosen not to pursue? Surely if POSCO knew or even suspected what it  
35 knows today, it would have also chosen not to pursue this lemon.

The Wongawilli coal seam under lease, A349, is as little as 80 metres and no more than 150 metres below the surface and under what is possibly the most important aquifer in New South Wales. Furthermore, the lease area is full of volcanic  
40 intrusions, the seam is relatively thin, and for these reasons, the lease is unsuitable for longwall mining. And finally, POSCO either misunderstood or it chose to ignore the result of the local community being seduced by the state significant development. POSCO failed to understand that the Southern Highlands has a more important classification, and that is state significant future.  
45

I think you, the IPC, has been handed a poisoned chalice. This huge moral responsibility comes down to you, the Independent Planning Commission. The

consideration you have is to heed the DPIEs recommendations the mine should not be given approval, that the overwhelming public opinion against the mine is that Hume Coal doesn't have a social licence to proceed. Please consider the very real possibility that POSCO will ultimately be able to buy for a fraction of the Hume Coal production costs similar quality coking coal from the huge open-cut mines of New South Wales and Queensland.

I believe POSCO knows it has made a serious mistake in buying out its former partner, and to keep face, it has attempted to reinvent the wheel in its mine design. This unproven design will leave 35 per cent of the coal in its path in the ground in a gamble to prevent the thin veneer of unstable rock and sandstone from collapsing into the mine. A controversial aquifer is in the sandstone, and despite its claims, Hume Coal will have almost certainly no control over it. And finally, consideration should be given to the duty of care we all owe to the future and wellbeing of our children and their children. Thank you.

MR DUNCAN: Thank you, Mr Blay. Proceed to the next speaker, please.

MR DEIGHTON: And we have Jane Lawler next. Ms Lawler, good morning to you.

MS LAWLER: Good morning.

MR DUNCAN: Good morning - - -

MR DEIGHTON: Go ahead.

MR DUNCAN: - - - Ms Lawler. Please proceed.

MS J. LAWLER: My name is Jane Lawler, and I live with my family at our property on Medway Road, Medway. We share two common boundaries south and west with Evandale, historic agricultural land now owned by POSCO Hume Coal. In 1998, we purchased a bare five acre block, and since then, we have built and established a home and garden. We have a beautiful place to live that we are very proud of surrounded by good neighbours, friends and family. Our property will be severely impacted by the noise of the Hume Coal Project day and night. We will be able to see the towering stockpiles from our kitchen, living room window directly south at a distance of 750 metres. We are one kilometre from the main mine structure and rail loop. We will be able to hear, see and smell this project 24 hours a day, seven days a week. Welcome to our world.

Our water security. We rely on rainwater for use in our home. We are not on town water. We are extremely concerned about our water supply being contaminated if there is a coalmine next door. Our bore water flows into our dam, and our stock and gardens have relied on this constant supply of water over the years. The importance of this water supply was no more evident than through the 2019/20 drought and subsequent fires approaching us from the north and south. In preparation for this, we

had connected a sprinkler system around our home and sheds. This system is run by a pump from the dam backed up with a generated power supply. We felt we were prepared and we were able to stay and defend ourselves and our home only because we had water.

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Anyone who lives in a rural area is under no doubt of the importance of water and how our lives can be altered if our water supply is gone both for stock and domestic use. Water is our greatest resource and must be protected, and no one, not a farmer, any industry or a person in an apartment in the middle of a city, should take water for granted. To see it disappear or be irreparably damaged is not acceptable, as we believe the land should be improved to pass on to future generations.

Our community. Our family building company has operated for over 20 years. It employs five full-time tradesmen and always an apprentice. Another 10 are employed as main contractors, all local. Our 20 plus suppliers operate local businesses. As we can only put forward our own experience and try to relay our value in the community, a community that has already changed as neighbours have decided to move on, this process has extracted a huge price both emotionally and financially to all involved. For the last 10 years, we have lived with the pressure and stress of planning and decision-making without certainty. Throughout this project, our lives have been reduced to a particular coloured dot on a map in a report. To read and try to understand that our home and our lives will be significantly affected by noise day and night in calm or adverse weather is soul destroying.

Our property is one of two entitled to be voluntary acquisition because of the noise factor. We are not alone in this situation. All our neighbours, our friends have dots of various colours. They will all experience noise disturbance and visual impacts. Our response to this constant reminder that our lives have changed forever has always been measured and reasonable, but if this proposed coalmine goes ahead, we will not be able to continue to live in our home and would have to question our future here in the highlands. The outcome of this, the ripple effect is extensive. We live and work with an unknown future, with plans put on hold. We question any outlay of capital as our property will not return what we have put in if there is a coalmine next door. This is our reality.

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The social impacts. We have waited for years for our future to be decided by others, and still we wait. The effect that this has had on us cannot be understated. Our daughter was in primary school when this became part of our lives, and she's now in year 12 about to complete the HSC. As Medway Road residents, we have met on two occasions with the Department of Planning representatives. We met with their noise expert. We would like to take this opportunity once again to thank them for their decision not to approve this project. In 2018 when I spoke to the IPC panel, I asked them while in the Southern Highlands to please drive down Medway and Liebman roads and have a look at the area, the homes, the farms and the lifestyles that would be affected by the noisy, visual impacting working end of the coalmine day and night. It was my hope that when they saw this, they would think of us and

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the future generations that will suffer the effects on their water and landscape being permanently altered if this project goes ahead.

5 The decision this panel is going to make will change our lives one way or the other. And we hope that the correct decision for us, our families and our friends and neighbours but most importantly our community will be made not to approve this project in any way or form, and I thank you for this opportunity to speak.

10 MR DUNCAN: Thank you, Jane. We appreciate your presentation today. Thank you for your time.

MS LAWLER: Thank you.

15 MR DUNCAN: Next speaker, please.

MR DEIGHTON: Our final speaker for this session is Mr John Lamb. Mr Lamb, good morning.

20 MR J. LAMB: Good morning. Can you hear me?

MR DEIGHTON: We can. Go ahead, please.

25 MR LAMB: Good morning, commissioners. I wish to object to the Hume Coal Project SSD7172 and SSD7171. I'm a resident of Berrima and have lived here for 19 years. I strongly believe this is the wrong location for another greenfield coal mine in our state. The proposed mine is on the edge of an historic Georgian village, unique on the Australian mainland. The region is renowned for its beautiful agricultural country lying in the heart of some of the most productive grazing land close to Sydney and a significant tourist region that contributes to the local economy.  
30 The mine is to be built within a pristine aquifer which supplies the region's agricultural industry and is within the headwaters of the catchment which feeds Sydney's largest water reservoir, Warragamba Dam.

35 The unsuitability of a mine in this location is further exacerbated by the defined risks and known and unknown issues that this proposal presents. The unknown impacts on groundwater is my largest concern. At least 118 bores will be impacted over the life of this mine proposal. There is clear uncertainty for any make good arrangements to compensate landowners, particularly if these impacts on the water table are irreversible. Specifically I highlight the potential irreversible impacts on  
40 the aquifer from the proponent's mine proposal to store wastewater underground and the inherent risks associated with the untried and untested mining method being proposed and the unknown impacts of any failure of these methods.

45 In my view, Hume Coal's response to the management of the risks and uncertainties of this mine are both unacceptable and inconsistent with the precautionary principle. The risks and uncertainties associated with this proposal undermine any benefits the Crown may receive from production royalties, and any potential employment

opportunities underlie the economic rationale for the mine proposal. The chosen mining method is untested and places significant execution risk, further eroding the economies of the proposal and any potential financial returns on investment. The proposed mining method may also pose an unsurmountable OH&S risk to mine employees and in a worst case scenario create an irreversible economic disaster in the area. “Environmental disaster” that should be in the area.

Erosion of existing tourism values in this part of the Southern Highlands and the impacts on the existing character and aesthetic values and attributes that the community values so highly will easily offset any potential employment benefits and economic gains from the mine proposal. The nature of such an industrial development and its associated workforces will significantly change the cohesion and composition of the existing village atmosphere. The recent growth in awareness of our Georgian village of Berrima, our tourism infrastructure and the agriculture and tourism industry in the area will be irreparably disrupted by this mine proposal. In summary, this is the wrong mine in the wrong place. Please do not approve it. Thank you.

MR DUNCAN: Thank you, John. All right. I believe that’s the last speaker before we take a break .....

MR DEIGHTON: That’s right. That bring us to the end of this morning session. We will come back at 11.30. Don’t forget that you can get the latest news and information from the commission from our website or from following us on social media, on Facebook or Twitter. We’ll see you at 11.30.

**RECORDING SUSPENDED** [11.06 am]

**RECORDING RESUMED** [11.32 am]

MR DEIGHTON: Welcome back. And our first speaker for this session is John Mallet. Mr Mallet, good morning.

MR MALLETT: Good morning.

MR DEIGHTON: Go ahead.

MR DUNCAN: Please proceed.

MR MALLETT: Good morning, commissioners. Thank you for giving me the opportunity to speak this morning. My name is John Christopher Henry Mallet. I am a resident of historic Berrima and live on the banks of the Wingecarribee River. I am totally opposed to the Hume Coal project, 7172 and 7171. The proposed Hume Coal POSCO mine with its toxic tailings would contaminate and destroy our

internationally significant world-class aquifer forever when it seeps into our local river system. Hume Coal have no social license to destroy our precious life-sustaining pristine water resource and our fragile environment. This water flows through the Wingecarribee River and is the main feeder river for the Sydney water catchment and the Warragamba Dam, supplying 2.5 million residents. The mine would lower the groundwater level and dry 118 vital bores, including our own bore.

The main mine will affect the mental and physical health of our community. The toxic micropore coal dust from the industrial site, coal loader and eight storey high coal stack would blow on the strong prevailing south-westerly wind over our family property, contaminating our only rainwater drinking supply and blow over the surrounding villages of Berrima, New Berrima, Burradoo and the towns of Moss Vale, Bowral and Mittagong all the way up to Sydney. This will threaten the community's health and wellbeing, along with the abundant wildlife, including our local documented endangered koalas.

The Federal Court of Australia has just found the Australian Government has a duty of care to prevent harm to young people from carbon emissions arising from a coal project and climate change. The Hume Coal project would not be consistent with the precautionary principle, so please reject the mine for once and for all and pay back the mining leases. It's time the government said a final no to any future coal mining in the Sydney water catchment and in particular the Hume Coal POSCO project. Thank you very much.

MR DUNCAN: Thank you, Mr Mallet.

MR MALLET: Thank you.

MR DUNCAN: Next speaker, please.

MR DEIGHTON: And our next speaker is Geoffrey Wright. Mr Wright, good morning.

MR WRIGHT: Morning. I would like to start by thanking the commissioners for the opportunity to address them. My wife and I are the owners of a small holding at Belanglo at the south-west end of the proposed mine area. I, like my six neighbours, are totally opposed to the Hume Coal and Berrima Rail projects. There are many reasons why I oppose Hume Coal's environmentally destructive projects. Firstly is the existential threat to the regions underground water. As farmer, we rely particularly during the increasingly longer drier periods on the incredibly pure water from the aquifer. It's my understanding that the proposed mine will place significant threats on this aquifer. These threats have been well-covered by others. However, the possible collapse of the aquifer into the mine voids would result in its loss. If this were to happen, the impacts to the whole water system would be devastating, not just locally but for Sydney's water supply.

Hume's plan to use the underground water to wash the mined coal will result in a quick and substantial draw-down, such that many rural bores could lose access to underground water completely. Should this happen, Hume's make good proposal is extremely problematic. In a letter I received from Hume Coal and signed by Greig  
5 Duncan on the 25.6.2018, it stated that any impacts to your bore water would be temporary and you will not, for any period, be left without access to water for all your needs. How can Hume Coal possibly back this statement up? I understand that 118 bores could be adversely affected. Where would Hume obtain the water? How  
10 would they provide the infrastructure to deliver it? To my mind, these questions remain unresolved.

Every time I turn on a tap, I am reminded just how precious our water is. During the last drought, our streams were dry. Our dams were dry. Our tanks were dry. We  
15 were totally reliant on our pristine bore water for almost six months. Importantly, we were still able to provide access from the underground water so that we were able to maintain the static water supply for the rural fire service. Our bore and those of our neighbours would be the first affected should the mine proceed. Suzan Woodcock, owner of the thoroughbred stud Meredith Park told me she would have to let two  
20 full-time employees go if she lost access to her bore water. David Lawrence, owner of Cherry Tree Winery in Sutton Forest said his business could not survive if not able to rely on high quality water from their bore. Eight full-time employees would lose their jobs.

These negative impacts to agricultural jobs could be and probably would be repeated  
25 across the whole area. Yesterday, a speaker suggested bullying and another suggested a planned campaign of misinformation by those against the mine. In my six and a half years working with the many locals involved against the coal mine, I have never witnessed or been made aware of any bullying or misinformation campaign. I believe such assertions are themselves misinformation and really belong  
30 in the conspiracy theory category. Also, a previous speaker mentioned the involvement of the extraction industry in the Southern Highlands, insinuating that coal is part of it. It is not. Southern Highlands has its share of sand, clay, stone and gravel mines, but the largest extracted resource, it should be noted, is water.

Others have voiced the probable impacts this mine would have on pristine localities  
35 in the Southern Highlands. The region, particularly the historic town of Berrima, which was recently awarded best small tourist town in New South Wales, would be greatly affected. Berrima, the oldest ..... town on the mainland brings many thousands of tourists to the area. The region's many attractions include its early  
40 colonial history and architecture, spectacular scenery and wildlife, seasonal change, wineries, restaurants, the abundance of fresh local produce, as well as camping, hiking and mountain biking. These last three attractions have experienced encouraging growth in the last few years. Berrima's proximity and easy access from Sydney is also a big draw card. Huge stacks of mine coal, dust and grid residue from  
45 the stacks, noise and light pollution 24/7, sizeable increases in road and rail traffic will all have a detrimental effect on tourism, health and the local residents and the environment.

Since the first IPC hearings, the level of public concern regarding the impacts to the environment of the burning of fossil fuels has markedly increased. Hundreds of peer reviewed scientific studies, including those carried out by the UN, make it clear that we have no more than one precious decade to act if we are to avoid devastatingly  
5 intense climate impacts. Business as usual is no longer an option. We must urgently transition to clean energy and close down the deadly fossil fuel industry. This includes coking coal. The technology now exists to make steel without the use of coal.

10 As painful as the adaption we face by ending the reliance on fossil fuels, it will be nothing compared to the pain our young people and future generations will face from climate collapse. I want a future, even I'm not part of it. I submit that the IPC commissioners, after considering the findings and recommendations of the Department of Planning, Industry and Environment, as well as more than 5,000  
15 submissions objecting to the proposal at the previous IPC hearing, determine – and due to the negative impacts on environment, water, health, tourism, social and mine safety issues, must find in opposition to the Hume Coal and Berrima Rail projects. Thank you.

20 MR DUNCAN: Thanks, Mr Wright. Just by clarification, do you use the bore full-time for stock and domestic?

MR WRIGHT: At the moment, we don't, because as you would be aware we've had a lot of rain over the last, well, eight months at least. So our tanks and bores –  
25 our tanks and dams are full. The streams are still flowing. And so we're not accessing the bore. But in normal times, yes.

MR DUNCAN: Thank you. Thanks for your presentation today. We appreciate it.

30 MR WRIGHT: Thank you.

MR DUNCAN: The next speaker, please.

MR DEIGHTON: And our next speaker is Pamela Wright. Ms Wright, good  
35 morning.

MS WRIGHT: Sorry. We just had to swap over seats.

MR DUNCAN: Please proceed when you're ready, Pamela.  
40

MS WRIGHT: Before I start, I would like to acknowledge the Gundangara people, traditional owners of the land where I live today. I wish to express my absolute opposition to Hume Coal's application for the coal mine. My name is Pamela Wright, and I live in Belanglo here in the Southern Highlands. Hume proposed to  
45 build a coal mine under our property, risking damaging our bore in the construction of the mine, plus subsidence of our land and the even greater problem of adding more damage to the environment.

When the world is steering away from fossil fuels, I feel it's so damaging for our future generations to approve a new coal mine. Approving a new coal mine, in my opinion, is madness, particularly when it risks structural damage to the aquifer, plus the risk to Sydney's water, as Hume propose to pump their washed coal sludge back  
5 into the mine. I know many previous speakers before me have given detailed and accurate reports on this proposed mine that could cause catastrophic damage to the Highlands, taking in the hospitality industry, the wine industry, the olive growers, the farmers.

10 Southern Highlands is a beautiful part of New South Wales with its seasonal changes and cool climate. Berrima just won an award in the tourism business, and that is very near the proposed coal stack to be situated. Can you imagine sipping coffee in the sunshine while being sprinkled with black coal dust when there is a breeze? It would break the hearts of the many proprietors in Berrima who have built up  
15 successful businesses there – businesses that employ locals and have been trading for many years.

Today, I would like you to consider my plea as an ordinary Joe, a landowner, and someone who would like to leave this place perhaps a little richer than when I found  
20 it. Planting, feeding trees for the glossy black cockatoos, planting feeding and resting trees for our koalas just to give them a chance to survive. We are doing this on our property and happy to do it, but we need water for these trees to grow. And if Hume is allowed to mine under our land, that water via the bore will go. Plus I do not believe Hume's claim – make good our water. In spring this year, we are  
25 receiving another 200 casuarina trees to plant at our place, hoping to make a feeding corridor from south to north for the glossy black.

During the recent drought, it was tough living on the land, seeing our dams dry up, watching the wildlife venture our from the safety of the bush to drink in the evenings  
30 from the constantly refreshed stock's water troughs fed by the bore. At times, we have had flocks of parrots and the very shy black cockatoos lining up to drink from the cows' water. We are not in drought now, but unfortunately it is probably just around the corner. Water is precious, and it should not be wasted washing coal. In closing, I would like to point out that so many of the people from Coal Free Southern  
35 Highlands and Battle for Berrima have spent years and years fighting this mine, and I am amazed they still have the energy and resilience to keep going. Thank you, Commissioners, for the opportunity to put my concerns to you.

40 MR DUNCAN: Thank you very much for your presentation today, Pamela. Next speaker, please.

MR DEIGHTON: Our next speaker is Rose Read. Ms Read, good morning.

45 MS READ: Good morning. Good morning, Commissioners, and thank you for the time. Firstly, yes, I would like to acknowledge the traditional owners of the Gundangara land where I am presenting from today. As I mentioned, my name is Rose Read, and I am a local resident of Medway. I live along Medway Road, and I

have a small property where I run a horse agistment and breeding property. I have been here for – sorry.

MR DUNCAN: No hurry.

5

MS READ: Sorry. I wasn't expecting this. Anyway, I've been here for 30 years.

MR DUNCAN: .....

10 MS READ: No, no. It's just – no. It's interesting, because – anyway, my husband died in November last year, so I didn't expect this emotion. Anyway, the impacts of the coal mine are significant directly for us, because we rely on bore water. It also affects – it will produce noise, dust and amenity. And that's an immediate impact on us or on me and the property and the livelihood I have created. The other aspect is  
15 the impact it has on my neighbours, their water supplies, their businesses and the beauty of the Southern Highlands.

But irrespective of that, the damage created and the risk to the Sydney water supply, our groundwater system, is significant – is massive, and for what? To extract a small  
20 amount of coal in the scheme of things to export and produce steel in another country. We have our own steel manufacturing facilities here in Australia who need scrap steel to produce. We are really – to put – to allow this development to go ahead and to create more carbon emissions and to – it's just contrary to where the New South Wales government is going. We are talking about net zero emissions.  
25 This does not deliver net zero emissions. This does not deliver real economic value or environmental value or build social value in Australia or New South Wales or the Southern Highlands.

It is disappointing that the IPC has taken so long to make a decision. It has left  
30 neighbours hanging in no man's land, not knowing what to do with their future. It has been unfair and irresponsible of the IPC to take so long to make a decision on this. It is clear that the water impacts – our pristine water – look at the droughts we have been through in the last two and a half, three years. Rainfall here last year was half of what we had. We only had 330 millimetres. We normally get 750 on  
35 average. The previous two years were 550 millimetres each year. We need to protect our water resources for Sydney, for our livelihood here. This is not a development that is going to help do that, and it is not going to create a positive future for the region, for New South Wales, for Australia. And it's only going to add carbon emissions and cause greenhouse gas issues for us, which we don't need. We  
40 have already gone through some really harsh conditions, and that is going to continue. So we need to stop this mine to go ahead. So thank you. And I apologise for getting a bit emotional. I did not completely expect that at all. But thank you very much for your time.

45 MR DUNCAN: No need to apologise. And we appreciate your presentation today. Thank you, Rose.

MS READ: Thank you.

MR DUNCAN: Next speaker, please.

5 MR DEIGHTON: Our next speaker is Samantha Bailey. Ms Bailey, good morning.

MS BAILEY: Good morning. Can you hear me clearly?

MR DEIGHTON: We can. Go ahead.

10

MS BAILEY: All right. Firstly, thank you for the opportunity to speak today, and I would also like to acknowledge the traditional owners of the land on which I live, the Gundangara people. While I am speaking as a concerned member of the community, I should also make mention of the fact that I am a long-term members of the Coal  
15 Free Southern Highlands team, and I am the current president of Sustainable Southern Highlands, which is currently in hibernation, a not-for-profit community association established in 2015 primarily to fund legitimate, independent and professional research into the pertinent science facts and potential outcomes of proposed initiatives within the Highlands, the major one obviously being the  
20 proposed Hume Coal mining project.

Members of this community dug deep into their pockets to support the research funded by Sustainable Southern Highlands to the tune of more than \$200,000. The importance of water security is a significant issue, not just in our community but also  
25 for the wider Australian community in these times of significant climate change. As a previous resident of Sutton Forest, I received communications from Hume Coal that the bore on the property I owned at the time would be drawn down as a result of the mine activity in excess of five metres, a greater than minimal impact as defined under the New South Wales Government's Aquifer Interference Policy and that it  
30 would take over 45 years to recover.

Now, whether anyone believes Hume Coal's assertions around recovery and make good are true or not – and I personally do not – the significant water impacts cannot be ignored and should be of paramount importance in the decision made as to  
35 whether this project should be given approval, an approval that I most definitely and emphatically believe should not be given. And notwithstanding the significant efforts of our community to provide balanced, factual and scientific evidence supporting the community's opposition to this project, of greater concern to me personally is the significant impact this has had on the community.

40

I and many others in the community freely and willingly devoted a significant proportion of my time to volunteering with groups such as Coal Free Southern Highlands. The fact that so many in the community felt similarly and contributed so much, not just in donations but also in time, should also not be discounted. And it  
45 would be folly to think that this project has any form of social license. I have also personally witnessed the toll this has taken on many good friends, which has been extraordinarily distressing and heartbreaking to watch, something you have literally

just seen firsthand for speakers here today. The community has made it clear that this project has no social license.

5 I am also currently employed in a business that operates a large number of holiday rentals in the area. It's a business that directly affects the employment of many in the community. And that includes not just those directly employed in the business, but a veritable army of ancillary workers. It's cleaners, housekeepers, launderers, gardeners, et cetera, and visitors to this region bring millions – literally millions of dollars – into the community annually. Not just for those connected to where they  
10 choose to stay, but also to the many cafes, restaurants, wineries in the area, and of course indirectly to those who also provide ancillary services to those businesses in turn.

15 As many here have also said, I have significant concerns regarding the safety of the mining method proposed. And while I will leave commentary on that to the experts in that field, it would appear that Hume Coal's appetite for risk would seem to be far higher than the community's, and there are many of us who strongly believe that this mine will have significant and long-term adverse effects on the Highlands economically, socially, and environmentally.

20 In closing, I will reiterate the closing words of my previous presentation, which was that the commission and department were "both in the same game", and that's doing it right for the State. I sincerely hope that you will do what is right for the State and our community and once and for all put an end to this inordinately drawn-out saga  
25 and conclude that this mine is not in the public interest and should never be approved. Thank you very much for your time.

30 MR DUNCAN: Thank you, Samantha. Thank you for your time today. Next speaker, please.

MR DEIGHTON: Mr Ian Burns is on the phone this morning. Mr Burns, are you there?

35 MR BURNS: Yes, I am.

MR DEIGHTON: Good morning. Go ahead.

40 MR BURNS: My wife and I have owned rural property since 1999, and since 2016 we downsized to a 60 hectare property at Fitzroy Falls. Our property depends on bore water for our grazing system. Any change in the availability of bore water would put our grazing system at risk. I strongly support the DPIE recommendations to rule against the Hume Coal mine. The major reasons are – and many of these have been covered, but I hopefully have got a couple of unique. Firstly, the dramatic  
45 impact of groundwater availability. We've got that that's already been mentioned about 100 times in these presentations. The real potential to totally destroy the aquifer, and that combined with the storage of mine waste back underground is a real recipe for disaster. The make good arrangements appear unworkable as outlined in

the DPIE. In 2019, Hume Coal attempted to make a case for a change in New South Wales Government legislation for water similar to existing mining dust and noise legislation. This was rejected by the New South Wales Government. There is a real danger that the assumed water flow data dramatically underestimates the projected water flow into the mine. This would potentially result in polluted water flowing into Sydney's water supply.

The commissioners are now aware of the ongoing unsuccessful attempts by Bowral to stop the outflows of polluted water from the non-operating Berrima Coal Mine into Sydney's water supply. Why are no similar remediation works being carried out on other closed mines in the Sydney area with similar problems? The corporate owners of these mines no longer exist. All remediation works would have to be funded by the New South Wales Government, and the mine royalties have long been spent. The commissioners would hopefully also be aware that this is a global problem, not just a local problem.

The next point, this is a Greenfield mine and estuary zone area and is totally inappropriate for development. Hume Coal have pointed to the Bowral cement works as a precedent of industrial development. The works were commissioned in late 1920s. The population of the Southern Highlands at that time was approximately four and a half thousand residents, not the almost 50,000 today. I believe that cement works would fail to be approved on that site in 2021.

The Southern Highlands does not need the jobs Hume constantly refers to. The unemployment levels, you have heard, are estimated by the WSC at 2.7 per cent. Tradespeople are particularly scarce. On Saturday, I met in Bowral Matthew Burke, the owner of a significant local electrical contracting business. I asked him about the availability of staff. He replied it was tough to find people, and that he had recently bought another electrical contracting company from a retiring owner not for the extra business but, really, for the staff.

This is not an important mine to POSCO, New South Wales, Australia. It is tiny by comparison. Annual production of metallurgical coal over the life of the mine is 1.92 million tons. Queensland, in 2019, exported 154 million tons in one year. Metallurgical coal is not in short supply, not now and not into the future. Since this mining lease was acquired by POSCO, the world and indeed POSCO have moved on. And I am now quoting from the POSCO global website:

*POSCO was declared to achieve carbon neutrality by 2050 last year. Accordingly, in the short term, it plans to develop technology to reduce CO2 emissions and expand its low-carbon product portfolio, while in the long term achieve carbon neutrality using hydrogen-based steelmaking. Hydrogen society is fast approaching, and in the centre of this is POSCO, which continues to pioneer and innovate towards carbon-free steelworks with its world-class steel technology.*

The next point: the Queensland Treasury study of long-term global coal demand refers to the sustainable development goals to the United Nations ..... require the production of thermal coal to fall 65 per cent and metallurgical coal by 48 per cent by 2040. This depends on many countries changing policies and rapid industry  
5 development. So the Queensland Treasury is forecasting a more modest decline of 22.6 per cent for metallurgical coal. With this, the price of metallurgical coal must fall, and it is highly likely the Hume Mine will not be operating for its projected lifespan.

10 And in conclusion, the very worst outcome for all concerned would be for the mine to be approved with a very long list of conflicts and hard to monitor administrative conditions. Against great community resistance, the mine would be constructed and commence operations, only to have the mine's productive life cut very short due to  
15 future predicted market movements and the poor financial and environmental realities of this project. It would then be placed in care and maintenance to avoid high remediation costs, and the resulting damage of this project will have been permanently done for little or no benefit. In summary, this is absolutely the wrong project in the wrong century and in the wrong location. And I ask the IPC to recommend against it. Thank you very much.

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MR DUNCAN: Thanks for your time, Mr Burns. Next speaker, please.

MR DEIGHTON: Lynn Watson is next. Ms Watson, good afternoon to you. Can  
25 you hear us?

25

MS WATSON: I can, thank you. Can you hear me?

MR DEIGHTON: We can. Go ahead, please.

30 MS WATSON: Thank you. Good afternoon, Commissioners. The impacts to our highly productive groundwater aquifer are actually my number 1 objection to the Hume Coal mine. However, these impacts have been clearly addressed by many others, so today I would like to speak about the proposed Hume Coal workforce. I  
35 own two local businesses, Highlands Recruitment and Highlands Staffing Solutions, and do have a good understanding of the local employment scene. So first of all, I would like to speak about the Hume Coal workforce during the construction phase.

The social impact assessment report said that the skills acquired during the construction phase are highly specialised, and therefore specialist firms will be  
40 contracted from around Australia for these tasks. They said 90 per cent of construction workers will be flown in, and as construction activities will occur 24 hours a day seven days a week for two years, the non-local construction workforce of around 400 workers will need to reside in a temporary construction village that will be built a few kilometres from the heart of Berrima.

45

We have 600 residents in Berrima, so bringing in 400 non-local workers living in a construction village a few kilometres from the town would dramatically change the

social fabric of this top tourism town. During the two years of the construction phase, Hume Coal aims to employ 10 per cent of the workforce of – would be locals, which at best promises between 20 and 40 local jobs, while at the same time threatening hundreds of existing jobs in tourism.

5

Then we move to the operational phase of the mine. Hume Coal has said over and over and over that this project will create 300 local jobs. And then it goes to say 70 per cent of the jobs during the operational phase will be allocated to people who already reside locally. So that means that Hume Coal proposes that 210 positions will go to people who already live in this area. I consider this a fanciful figure. I have been working in the local employment sector for over 14 years, and we just don't have those numbers of local residents with the skills or the experience to work in an underground coal mine, so many of the workers would have to come from other areas.

15

In the very first social impact assessment report, it mentioned that some of the workers would come from Illawarra and Shoal Haven. This made sense to me at the time, because many of our tourism and healthcare workers do come from these areas because there is more affordable housing. However, these areas have now been deleted from all reports because they are more than an hour's drive away. And in the mining industry, workplace health and safety stipulate that workers are not allowed to travel any more than 45 minutes after completing their shift to maximise employee safety. Hume Coal's workforce, therefore, must live within a 45 minute radius of Berrima. And in this area, there is actually a crisis in affordable housing, which I am only too well aware of as I try and search for healthcare and tourism workers. So I think it will be very difficult for workers at the mine, if it is approved, to find affordable housing and adhere to the 45 minute drive rule.

20

25

To conclude, there are many thousands of jobs here already in tourism, education, retail and agriculture, and this is where our growth in jobs is happening. The Hume Coal project presents a real threat to these current sustainable growing jobs. No wonder more than 90 per cent of the submissions have been against the Hume Coal project, as I am. Thank you very much for your time.

30

MR DUNCAN: Thanks, Ms Watson. Thank you for your time today.

35

MR DEIGHTON: Craig Lockyer is next on the phone this afternoon. Mr Lockyer, are you there?

MR LOCKYER: Thank you very much. Can you hear me all right?

40

MR DEIGHTON: We can.

MR DUNCAN: Yes. Proceed.

45

MR LOCKYER: Okay. And good afternoon, everybody, and good afternoon, Commissioners. Look, I'm just a local guy. I don't have a great deal of facts and

figures. I'm just talking from the heart and from a local person. Look, the health aspects of this coal mine will be devastating for this area. It's a young, growing area. A lot of young people. And you know what their thoughts are on coal and the health and the breathing of the air that we have up in here in the Highlands. People come  
5 from all over Australia to breath the clean are and enjoy the Highlands weather. I just think this coal mine would be absolutely against everything that we stand for. Visually, I think – visually, people don't come up here to the Highlands to see a coal mine. They come up here for the beautiful clean air, our history, our local economy, and the people in the Highlands. We don't travel all over Australia to have a coal  
10 mine in our face.

Environmental impact – look, with this coal stack that's going to be positioned virtually 200 yards from where I live – with the breezes – and with the wind we have up here in the Highlands, it's just going to be a blackened landscape, and that's the  
15 last thing we want up here. I mean, people come here to have the clean air and the clean aspect of the Highlands. They don't come up here to have coal dust everywhere. And it's not a mining area. It's not an industrial area. It's a tourism area. And it's a young people's area.

I just can't stress enough how bad it will be for the area with the tourism and the people. They come up here for – to get away from that industrial aspect of city living. They come up here to enjoy the Highlands. The Highlands is a beautiful, untouched piece of paradise. That's why I moved up here and my granddaughters want to move up here when I pass from this mortal coil. They want to have this  
20 house here, and they want a clean aspect. And I want them to breathe clean air and bring up their family in a beautiful, beautiful pristine environment that we have.  
25

The social impact – I can't see how a few jobs from this area is going to overwhelm the idea of having all these fly-in fly-out workers. We haven't got the infrastructure here to have a coal mine. The roads, the rail, and not to mention the water we have here. So many people have bores, have groundwater. And it's a water catchment area for the Wingecarribee and for Warragamba Dam, which is the Sydney area. They don't want coal and they don't want the pollution from this coal mine to go into their drinking water. I mean, that's just a no brainer. I mean, everybody should  
30 understand that.  
35

The social impact on this area if we have a coal mine would be devastating – absolutely devastating. I've seen what has happened up in the Hunter Valley. It's not pretty. People don't go there to see a coal mine. They go up there and they go,  
40 “Oh my goodness, what a disgraceful – disgraceful things happening up in the Hunter”. We don't want it here. The Southern Highlands is pristine. We want it left that way. And I just don't see that there's that much economic advantage to having a coal mine here. Coal is a dinosaur industry. It's – fossil fuels are finished. They're in decline, and I really really don't see the point in having a coal mine here. Wrong  
45 place, wrong time, wrong century.

I don't have a lot of facts and figures. I'm just talking from the heart. I love this area, and I really do think the social and economic impact on this area would be just absolutely disgraceful. And I for one don't want it. And I think there is enough evidence to tell you people that – don't put this in here. Don't let them go ahead. I mean, POSCO isn't an Australian company. We just don't need that in the Highlands. That's all I have to say. I'm sorry if I don't have a lot of facts and figures to back up my – I'm just talking from the heart, okay. Thank you very much.

MR DUNCAN: Thanks, Mr Lockyer. And I assume from what you're saying, you're a close neighbour to either the north or the west; is that right?

MR LOCKYER: Well, I'm probably about 200 yards from the actual place where they're going to have this coal stack outside. And look, the rail and the roads – the infrastructure is not there. Wingecarribee Council can't even build a bridge over the rail line at the moment, let alone a coal mine. The infrastructure in this area just can't handle it, and I just can't see it going ahead, honestly. I really don't think it's a good idea.

MR DUNCAN: We appreciate your time today. Thanks for your presentation.

MR LOCKYER: Okay. Thank you very much, and I hope it all goes well. Thank you very much.

MR DUNCAN: Next speaker, please.

MR DEIGHTON: Our next speaker is Simon Balderstone. Mr Balderstone, are you there?

MR DUNCAN: Please proceed, Mr Balderstone.

MR BALDERSTONE: Can you hear me?

MR DUNCAN: Yes, we can.

MR BALDERSTONE: Yes. Thank you. And thanks, Commissioners, for this opportunity. It's a marathon effort by you guys to listen to all these submissions, so I congratulate you on that, too. When I was an advisor to a federal minister and two prime ministers, I fully assessed many mining projects and other development projects and proposals, and I have to say this proposed mine – overseas owned and inherently contrary to virtually all economic trends and to policies on environmental protection and climate change – is one of the least worthy proposals I have seen.

As a consultant, I have seen many mine proposals with a lot more economic benefit and more potential damage knocked back by governments because it was rightly considered that even with those better attributes, their drawbacks clearly outweighed any potential benefits. Rather than reiterate in any detail the several major problems with this proposed mine such as potential impacts on groundwater and surface water,

including the rivers already affected by mining and Sydney's water supply and major transport and local pollution and damage problems, I want to just run through three developments only last month which highlight even further the sheer folly of this mine proposal.

5

First, the release of the Federal Treasury's major intergenerational report examining the long-term sustainability of current policies and how various trends may affect the future economy. It pointed out that the adverse economic impacts of climate change are already occurring and that 129 countries have committed to net zero emissions by 2015, including key trading partners such as Japan and South Korea, while China has committed to carbon neutrality by 2060. In 2020, these three countries accounted for 74 per cent of Australia's thermal coal export value and 55 per cent of Australia's metallurgical coal export value. The report said:

15           *These commitments by other countries, if fully implemented, are likely to reduce demand for unabated fossil fuels over some decades.*

Of course, South Korea is the major stakeholder in this proposed mine and the major direct destination without the value adding and therefore relatively little economic benefit to Australia of the ..... unabated fossil fuel produced by it. Connected in 20 June, the G7 – the seven major industrialised countries – announced further plans to reduce carbon emissions, including from the making of steel as well as ending almost all direct government support for the fossil fuel sector. They accounted the phasing out of coal plants unless they include carbon capture technology. All this just 25 doesn't add up for this mine.

Third, the value to Berrima and surrounding areas of tourism and supporting industries and the grave consequences of damaging that industry, as Lynn just pointed out, was highlighted in June when Berrima won the top tourism town in New 30 South Wales award for population under 5,000. Literally hundreds of local businesses and other suppliers and workers rely heavily on visitors. Data from Tourism Research Australia shows estimated visitor expenditure of 365 million in the Southern Highlands in the year ending September 2019, with the local tourism industry contributing an estimated 208.4 million in gross value added activity per 35 annum to the local economy. The data showed the local tourism industry directly employs an estimated 1,565 workers and indirectly supported a further 623, and that's just in this region.

The mine job numbers claimed by the proponents, even if accurate, pale into 40 insignificance against the potential job losses caused by damage to the region, and therefore the tourism sector and supporting industry in the Southern Highlands and beyond, with supplies coming from near and far. Some years ago, I did a consultancy project for a CSG company, drawing up a community consultation plan for a major coal seam gas project. I pointed out that a proper community 45 consultation plan, one which involved in-depth consultation, not just briefings in which a mine proponent virtually just told the community its intentions ..... was

needed if the company was to have any chance of gaining the necessary social license. I noted the Department of Planning rightly used this term in its recent report.

5 This mine doesn't have a social license either. Indeed, the mining proponent has not only thumbed its nose to the community, it has thumbed its nose at the repeated requests for explanation and justification of claims and proposed actions, particularly in regard to water protection, an issue on which many, including the department, have eloquently outlined the problems ahead. I ask the IPC to reject this proposal. Thank you.

10

MR DUNCAN: Thank you, Simon. You broke up a little bit along the way, but we got everything. Having said that, if you wish to make a further submission, note that there – submissions are open until the 23<sup>rd</sup> of July.

15 MR BALDERSTONE: Okay. Well, I will send the transcript of this. Thank you.

MR DUNCAN: Thank you very much, Simon. Thank you.

20 MR BALDERSTONE: .....

MR DUNCAN: Next speaker, please.

25 MR DEIGHTON: Our next speaker is Timothy Littlemore on the phone. Mr Littlemore, can you hear us?

MR LITTLEMORE: Yes, indeed.

MR DEIGHTON: Go ahead, please.

30 MR LITTLEMORE: I would like to thank the commissioners for allowing me and for everybody else who wanted to speak, either on the positive or the negative, in regard to the project. It's very sad that we can't hold this as an open forum in the Highlands where, as it is, it's a beautiful day for winter. And we would like to keep it that way. The two things in our lives that are imperative are air and water. Lots of  
35 other necessary things, but without water and without air, we really have a problem, and we should be respecting them rather than risking them.

40 POSCO tell us that they will make good anything that goes wrong – if the water is short or if there's any damage or something they haven't thought of or got wrong, perhaps. But what if they are wrong? What if their judgments are incorrect? What if they have estimated how much water they are going to take out and they take out double that? What happens if they poison the water? What if they get it wrong? How can we be certain? They can't. The scientists who have looked at it from every angle can't be certain. Sydney relies upon our water. Forget about us – Sydney – 6  
45 million people. Let's say we poison their water and nobody can fix it.

My second point is in relation to the most important element in this entire discussion, and that is the community of the Southern Highlands. And that community has spent 10 years wondering whether their lives are going to be affected. I know so many people down here who have been damaged – let’s call it what it is – mentally  
5 affected by the danger and the risk that their lives are never going to be normal again. If farmers lose their water, they have nowhere to go. Hume Coal, POSCO, say they will make good. It’s totally impossible. They can’t come plan as to how they’re going to make good. They keep changing the information. They keep varying everything.

10 I met hundreds of people. I have had a role working with Coal Free Southern Highlands as a volunteer, and my role has been principally seeking donations from people in order that we could pay the bills of fighting this thing. The extent to which they have helped us, the community – the extent to which their generosity has been  
15 unrestricted is quite warming. This is a wonderful society here, a wonderful community. As a small example, we have had a number of functions that we wanted to raise money at, and we have sought the help of the winemakers in the district. Every single winemaker simply said to us, “How much wine do you want? We are supporting because our lives will change.”

20 The bushfires last year or the year before caused every crop of grapes in the Highlands to be thrown away. No wine was made in the Highlands from that year of bushfires. Can you imagine what happens if the dust and this pile – 800 metres long, 25 metres wide, 25 metres high – these are POSCO’s figures. If that blows over the  
25 wine areas, if it blows over the Highlands, there is no way out. Again they lose everything. We have got a burgeoning horse industry down here. It’s been strong, but it’s about to be huge if we don’t have a mine. But they won’t come if the air isn’t right and the water isn’t right. Please, Commissioners, look at all of this stuff and realise that this community deserves the respect of being democratically able to tell  
30 you what it believes. The science will win, but the community should. Thank you for the opportunity.

MR DUNCAN: Thanks, Mr Littlemore. Thanks for your presentation today. Next  
35 speaker, please.

MR DEIGHTON: Our next speaker is Kirstine McKay. Ms McKay, good  
afternoon to you.

MS McKAY: Good afternoon. Good afternoon, Commissioners. My name is  
40 Kirstine McKay. I have proudly called the Southern Highlands home for over nine years. My husband and I are raising our three young children here and run two small businesses in the area. I am speaking today to express my strongest opposition to the Hume Coal proposed mine, a mine that threatens my family’s small businesses, my children’s health, the viability of our ability to continue to reside in this area. And  
45 like every coal mine around the world, creates a product that threatens our very existence.

I would first like to address the mine's impact on my family's two small businesses, both of which rely heavily on tourism and the Southern Highlands being a clean, green destination. Having a coal mine in our area with the pollution and the health ramifications that have been proven to impact our area will be devastating to visitor numbers. And our businesses, that are already struggling to continue under COVID restrictions, will not survive.

And whilst economically the mine would be devastating for our families, the health implications are what terrify me as a mother. I have three young boys, all of whom have the right to breathe clean air into their developing bodies. But it's my 10-year-old son for whom I am most concerned. He, like many children in our area, lives with asthma. In the projections, the prevailing winds from the enormous coal stockpile blow directly over our property. We also live near the rail line that will carry coal daily. If this mine goes ahead, I don't see how I can allow his health to be so badly compromised, and we would need to consider the very real possibility of leaving our family property, leaving the highlands that we have worked so hard to achieve and we love dearly. The micro coal particulates will not only be problematic in the air we breathe, but we grow much of our own food, and I fear for the contamination of our produce.

And finally, in a world where we need to be reducing emissions and focusing our energy sector towards a just transition to 100 per cent renewable energy in order to survive what has been scientifically proven to be a catastrophic climate emergency, the idea that we are even having a conversation about the possibility of opening a new coal mine – for me, it's not just wrong, but it is negligent to the future generations. So I ask and I plead with the IPC to reject this proposal. Thank you.

MR DUNCAN: Thanks, Ms McKay. Thank you for the presentation today. Next speaker, please.

MR DEIGHTON: Our last speaker before lunch is Jenny frost. Ms Frost, good afternoon to you.

MS FROST: Good afternoon. Can you hear me?

MR DUNCAN: Yes, we can. Please proceed.

MS FROST: Thank you. Good afternoon, Commissioners. My name is Jenny Frost, and I am a permanent resident in the picturesque Southern Highlands, whose landscapes are certainly more than a bunch of cow paddocks, as I heard Rod Doyle, Hume Coal's project manager, disparagingly describe this area of enormous natural beauty recognised by the majority of New South Wales residents, let alone passionate locals. I have been a strong opponent of the Hume Coal project proposal for many years. In fact, the rigorous assessment process has taken so long, that is the reason why I asked to speak today – to reaffirm to you the depth of community opposition which, in my view, has grown rather than diminished over the years.

It is a fascinating community in which to live, and we are blessed to have so many talented and dedicated professionals who have spearheaded not a NIMBY response but a well-researched, science-based analysis of the evidence on the proposal's extraordinarily wide impacts. It is a well-educated and experienced community quite  
5 capable of understanding and evaluating the disparate technical views presented. Most landowners and residents, I believe, adopt a custodial and protective stance towards the unique environment in which we live and understand the incompatibility of the Hume Coal proposal with the existing approved and preferred land uses in this history and culturally significant landscape area of the New South Wales state.

10 My initial opposition was based on obvious concerns about the devastating impact mining would have on the unique aquifer system in the area. These immediate groundwater concerns are scientifically supported, as you are no doubt fully aware, and I support and deeply appreciate the work undertaken by Dr Ian Wright in his  
15 presentation to you yesterday.

The drought effects of recent years impacted the Southern Highlands, and I passionately believe it would not be in the public interest to endanger any aquifer system which forms part of the Sydney water catchment area. Serious wastewater  
20 issues have been well-analysed by the department in their comprehensive and balanced assessment report. I have always understood that it is a criminal offence to pollute the catchment area, so any project proposal with such potential to do so within the catchment area ought not to be approved. Suggesting that the department's report is lacking in stratagems for approval to achieve consent or  
25 suggesting conditions of consent in the light of the scientific evidence is absurd and disrespects the competence of some very senior public servants. I endorse Steve O'Donoghue's opening remarks yesterday that the department feels that there is sufficient information available upon which to come to a decision at this time, as does the long-suffering community.

30 Being aware that I am standing between you and the lunch break, I shall not expand my comments and concerns on the economic damage this proposal poses for existing industries across this unique area which have also been covered by other speakers and within the department's assessment report. So I shall close by thanking you for  
35 allowing me to express my sincere and real concerns about this project and respectfully, I ask you unreservedly support the department's assessment report and have the fortitude to unanimously recommend that this State significant project be refused and to provide some certainty to allow ultimate job-creating economic opportunities within this region to be constructively pursued and developed. Thank  
40 you.

MR DUNCAN: Okay. Thank you for your presentation today.

45 MS FROST: Thank you, Peter. Thank you.

MR DUNCAN: Thanks very much.

MR DEIGHTON: All right. Peter, that does bring us to lunch on day 2. Despite a bit of a late start this morning, we're running about 20 minutes ahead of time. Our next speakers are not scheduled until just before 2 o'clock this afternoon. So we will take a break until 1.55 pm. Don't forget it's not too late for you to have your say on the project. You can make submissions via email, post, or the Have Your Say portal on the commission's website. We will see you at 1.55 pm.

10 **RECORDING SUSPENDED** [12.31 pm]

**RECORDING RESUMED** [1.55 pm]

15 MR DEIGHTON: Welcome back to the afternoon session for the second day of this public hearing into the Hume Coal and Berrima Rail Projects. Next up is Craig Brackenbury. Mr Brackenbury, good afternoon.

20 MR C. BRACKENBURY: Good afternoon.

MR DEIGHTON: Go ahead.

MR BRACKENBURY: Can you – you can all hear me? Yes. Okay.

25 MR DUNCAN: Yes. Please proceed.

MR BRACKENBURY: So I'm all right to start?

30 MR DUNCAN: Yes, please.

MR BRACKENBURY: Yes. Okay. So I'll be reading from a speech. So good afternoon. I would like to speak in support of the Hume Coal on behalf of myself and my family, talking on a personal level on the benefits it would provide for families. On the 11<sup>th</sup> of March 2011 I was working and living in Japan with my wife, Kumiko, and our two daughters, Grace and Michelle. Grace was three and Michelle was about eight months old when first the earthquake then the tsunami and then the Fukushima nuclear reactor disaster occurred. After a couple of days of mixed information and not knowing what to do, a friend of mine, Satoshi, who worked in the Japanese Air Force, called me and asked me if I was still in Japan and I said I was and I don't know what to do.

45 He said that he was actually flying over the reactor and that it was worse than being reported and that we should get out. So we pretty much grabbed all the things that we could carry and at that time it included the kids and left our house, cars, furniture and everything – furniture behind and spent the next three days trying to get out of Japan and eventually got out. I told my wife everything would be okay. Australia has a great social security system and it would help us to keep going while I get a

job; however, when I got back to Australia and went to Centrelink, the wife, the kids, the bags and everything, they told us, no, they could not help us and our best option was to go to a church and to ask for a handout and maybe somewhere to stay.

5 That wasn't a solution. I needed to find work and I needed to provide for my family, so we spent the next few months living in friends' garages, caravans, cars, housesitting whilst spending what little money we had to survive while I did odds and ends jobs and looked for work, so a very stressful time. Then I found work in coal mining. Since then I have the opportunity to have continuous full-time work on  
10 a number of interesting projects and develop my career. I now work as a health and safety business partner. Very importantly, coal mining has been – also given me the ability to provide for my family, to house them, feed them and clothe them.

We've been able to have another child, Luke, and we can pay for their education,  
15 toys, sports, and activities and family holidays. We also sponsor a child in Zimbabwe. As time went on we own our own home, our cars, and even have an investment property. So basically coal mining has given us the opportunity to first rebuild our lives and now we're starting to get ahead. And that is what Hume Coal is offering – 300 jobs. 300 opportunities for individuals, just like me, to work and  
20 provide for themselves and their families. Again, 300 people and their families the opportunities to get ahead. 300 apprentices, mine workers, machine operators, mechanical and electrical trade workers, staff and management.

There will be the opportunities from the flow on effects for suppliers and contractors  
25 and their families. This will be a \$300 million a year operating business. I think the local people, the local families, local businesses all deserve this opportunity. Sutton Forest Public School closed due to a lack of children. What does that say about the opportunities for families? This coal reserve belongs to the Crown, which represents all the people of New South Wales. It provides no opportunities just left in the  
30 ground. Now is the time for us to gain the benefits. It's a state significant development with only a few minor, localised and, most importantly, manageable impacts, and that when compared to the significant benefits and opportunities to New South Wales, the region, the local people, and families it should be approved. Thank  
35 you.

MR DUNCAN: Thank you, Craig. Next speaker, please.

MR DEIGHTON: Thank you. Our next speaker is Luke Fox. Mr Fox, good  
40 afternoon.

MR L. FOX: Hello.

MR DEIGHTON: Go ahead.

45 MR FOX: You can hear me?

MR DUNCAN: Yes. We can. Please proceed.

MR FOX: Oh, thank you. Oh, sorry. Hello. My name is Luke Fox. I'm talking to you today as a resident of Moss Vale and as a father of two children. I would like to thank the panel for their time and I appreciate your efforts to arrive at a facts based conclusion. I sent visual references to the panel separately along with a written copy  
5 of my comments here today, but I won't share the photos separately – publically. There are many contributors and concerned locals who have made a compelling case for the negative environmental consequences of the proposed Hume Coal Mine. My contribution will focus more specifically on Hume Coal as a company, its role as part of our local community, and its attitude to those who have opposed their project  
10 ambitions.

I have closely followed Hume Coal's actions in relation to their very real need to generate a social licence for the project. In my view, it reveals their true regard for the community and teaches us what to expect should they be successful in their  
15 application. 300 full-time employees is a lot of influence. Since February of 2016 Hume Coal has used Facebook as a means of community engagement. In so doing from the earliest they have decided – they have divided the community into supporters and activists. They equate activists with outside influence and the Greens Party. Two petitions with over – over 10,000 signatures have each been dismissed as  
20 not representing the views of the community.

It is worth noting that Hume Coal itself has never mounted a public petition. Hume Coal controls the message and debate on their page. Hume Coal negative comments are often deleted and those of supporters, some of them quite abusive, are not  
25 moderated, even sometimes liked by Hume Coal. I was banned from their page in 2016. They publically stated that it was due to my use of foul language. I'll let you be the judge of the veracity of this claim, but whilst I have never required the use of expletives to make my point on their page I did ask a lot of questions which they clearly did not like. Removing me also removed all my comments and questions.  
30

With their posts and comments they have encouraged divisive debate. Hume Coal has presented itself as a member of our community with the same concerns and rights to express opinions as a natural citizen. Concurrently they have promoted free money for certain activities through their charity and corporate sponsorships. These  
35 include football team sponsorships, trainee sponsorships, money for charitable efforts and other similar initiatives. Whilst providing financial support for community activities is to be appreciated, they have not mentioned their foundation in over a year. Certainly recipients of Hume Coal's charity have appeared in past advertising activities, but the company has ceased such promotional efforts.  
40

The trustee for the Hume Coal Charitable Foundation, a discretionary investment trust, remains registered with the Australian Business Register, but the ACN for that charity has expired. In the last year for which they have published figures in their annual information statement, 2019 to 12 October 2020, they gave away zero funds.  
45 Their 2020 financial report is overdue. Their diminishing support for the stated aims of the charity, their failed promise to provide around \$400,000 in funding, and their failure to maintain the registration of the charity or its necessary documentation

speaks to the company's appetite for meeting their commitments when things don't go to their liking.

5 Their charity has dwindled to nothing over six years while the investment trust still grows. The advertised version of Hume Coal is out of step for their face to face  
10 persona. In particular, in their dealings with landowners who have refused to accede to their demands for access, it is out of step with their willingness to silence dissent and their efforts to divide the community for their own benefit, and it is out of step with their failure to meet their own commitment to the area in regards to their  
15 charitable efforts. Can we – can the community trust Hume Coal? However compelling their assurances, should we not look at their past actions to best judge their future behaviour?

20 We do not need a well-funded, selfish and inconsistent new member of the community with the stated aim of taking what they can and then leaving. We do not need a company with a revenue of \$80 billion seeking to use community division to satisfy their own profit motives. The area needs jobs and economic activity but it's my view that we do not need Hume Coal. Therefore, I ask that the Commission reject the application. Thank you.

25 MR DUNCAN: Thank you, Mr Fox. Just confirming, you did provide us with some documentation and photos. Are you suggesting that we – we – you don't wish those to be made public, because we normally publish – publish everything we receive.

30 MR FOX: Well, I haven't obscured the names of any of the people in those Facebook comments, and I – I would imagine that naming third parties may not be  
- - -

MR DUNCAN: Okay.

MR FOX: May not be appropriate.

35 MR DUNCAN: You - - -

MR FOX: So if someone wishes to – to remove those names then I would be happy for you to – to – to share those pictures.

40 MR DUNCAN: We can redact the names but we may follow up with you after this meeting just to confirm things. Okay. Thank you - - -

MR FOX: Absolutely.

45 MR DUNCAN: - - - for your presentation.

MR FOX: Thanks for your time.

MR DUNCAN: Thank you. Next speaker, please.

MR DEIGHTON: On the phone we have Gordon Boyd. Mr Boyd, good afternoon to you.

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MR G. BOYD: Good afternoon.

MR DEIGHTON: Please go ahead.

10 MR BOYD: Thank you. I object to the proposed Hume Coal Project for a variety of reasons – personal, community, and environmental – as the project represents a threat to my wife and I, to the residents of Berrima and Southern Highlands, the Sydney drinking water supply and to the environment. I live in Berrima, a small village which has developed as a tourism, hospitality, wedding venue with some  
15 small scale specialised farming. I live approximately one kilometre north-east from the project boundary. Berrima recently won the Business New South Wales Top Tourist Town Award and will represent New South Wales at the national awards held in August at Parliament House in Canberra where a future PM carried a lump of coal into his workplace.

20

There is a certain irony in having to make a submission to the IPC regarding a coal mining project proposed for an area approximately two kilometres from the centre of an award winning village which can be seen from my workplace. In this location mining and tourism industries are certainly incompatible. My wife and I operate a  
25 short term – sorry – a short term accommodation business which would be severely impacted by any project of this nature and size, as will all tourism business. Excuse me. I base my logic on experience in the Hunter Valley which was a developing tourism area prior to the impact of the open cut coal mines which have created an environmental disaster, unlikely to be remedied without a huge financial taxpayer  
30 funding process.

The 20 year lifespan of the Berrima project would decimate Berrima tourism and so our business income as a result of unwarranted visual and environmental damage. Who would want to visit or get married in a village impacted by a coal mine, coal  
35 stockpiles which include dust particle pollution over a considerable area of the Southern Highlands? Prevailing south-west winds will carry coal dust and diesel emissions, which will impact our state water supply and seriously increase coal dust health issues. The World Health Organisation decrees there is no such thing as a safe threshold for coal dust and when fine particles of coal dust are inhaled then people  
40 are prone to getting asthma, allergies, respiratory disease and lung cancer.

The application to build a greenfield mine in the Southern Highlands is not in the public interest. The project is strongly opposed by the local and broader community with 97 per cent of the 5000 plus submissions to the IPC opposing. The  
45 overwhelming community opposition highlights the total lack of social licence and this opposition will not diminish. The display of anti-Hume Coal signage by the majority of businesses on the Old Hume Highway and on many private residences

throughout Berrima is a visual display of opposition. The recently completed DPE report concludes that despite some economic benefits here for New South Wales the project could not be viable without significant adverse impacts on the local community and the environment.

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The site chosen for the project is unsuitable, not in public interest, and there remains far too many uncertainties that the IPC should refuse to grant approval to the project. The project would also have significant adverse impacts on the highly productive groundwater aquifer, including drawdown impacts on 118 privately owned bores. The proposed make good strategies have not been legally ratified, are less than adequate, and likely to lead to significant dispute and disruption in the local community. The groundwater impacts for landholders bores being mainly used for irrigation – any disruption and the make good provisions will not be practical and feasible with the large number of the landholders involved.

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A major degree of uncertainty also just – the potential impacts on Sydney’s drinking water catchment and the lack of contingency in the event that water is discharged remains a significant issue. The high potential for discharging lime overflow and coal wash water into the catchment without a strategic plan is beyond belief. The unconventional mining design and operational method which purportedly minimises subsidence and surface impact with storage of the mine underground has a high potential for operational risks involving water discharge and worker safety. A similar situation regarding the likelihood of a mine failure could have significant or even catastrophic impacts on the area and workforce.

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Any organisation which does not adequately address these risks in the assessment would surely not have the capacity to prevent or even minimise and repair the damage. The project plan currently opposes that – proposes that initial stage of the mining using the uncertain and untried method would be in the vicinity of the Hume Motorway, perhaps the nation’s busiest and most vital transport infrastructure. Also given the low depth of cover of the project, the presence of other critical infrastructure, such as the Illawarra Highway and the Moomba to Sydney Gas Pipeline and the uncertainty in subsidence development has the potential to create a – severe safety consequences and the risk of catastrophic damages.

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The project’s failure to adequately address these issues are another reason the project should not be approved. In concluding, the project fails in a number of critical fronts and my concerns and also the concerns of the broader Southern Highlands community have been communicated consistently for a number of years.

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Community opposition to the project has been maintained, will not diminish or go away. There are numerous other reasons why this project should not be approved, but I’ve tried to present enough points of concern to the IPC to rule out the project entirely. Thank you for your time.

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MR DUNCAN: Thank you, Mr Boyd. Next speaker, please.

MR DEIGHTON: Victoria Ross is up next. Ms Ross, good afternoon.

MR DUNCAN: I think you're on mute, Ms Ross. We can't hear you. I think you might be on mute.

5 MS V. ROSS: Thank you. Sorry. Hello. I am Victoria Ross and I've lived here since 1986, sort of, on various farms and ever fighting environmental problems, mines, things threatening us, and the mines seem to be going on and on. I would ask that with this one and everything that's been said and the more still to be said that to make sure that whatever happens, the lease – if we – the Government decides absolutely and cannot go ahead with this mine, that we destroy visibly the lease to 10 this land so that no other mining companies can use it. So we can all know peace, and that the local landowners don't have to know the ongoing stress of fighting ruining their lives, and the threat to their water and all our water, in fact.

15 I mean, the pollution caused by coal mining inflicting health problems on local residents, our God given water – the water we are blessed to have beneath us in the aquifer is just so wondrous and we'll never get it back again if we destroy it, if we let the chemicals go into it and ultimately go to Sydney. It's a very real threat from coal mining with the pollution that it would cause, quite apart from the water wasted in the mining process and, above all, the contamination to Sydney water, I think, is 20 absolutely vital to note. And I think we'd all like to see the mining lease gone, if that can just be noted for everybody's sake. To ruin the natural beauty of this long acclaimed area – I mean, people have been coming down here since the earliest times of settlers, almost.

25 Governors built their son residences down here and onwards it went. And then many people like you and I have just chosen to come down here with families because it's just a beautiful place to raise children and to live yourself. We – we can't go back on that. If we destroy it, that's it, and we all know that coal mines and any sort of mining just don't ever seem to make good the – the land, the countryside that they 30 destroy. So it's never going to come back, quite apart from what we have to put up with while it was all happening. And if you had to be hiding from COVID in semi-lockdown, as we sort of are now, or being careful, the full on lockdown, where would you rather be?

35 For me, it's just been easy compared to my family in Sydney. We can go out into the garden. We have space. We have places to walk. There are paddocks, there's freedom. It's a wonderful place to live, and I'm blessed to have come here. Thank you so much.

40 MR DUNCAN: Thank you.

MS ROSS: I pray that the right decision will be made.

45 MR DUNCAN: Thank you for your presentation. Next – next speaker, please.

MR DEIGHTON: Up next we have Christine Mallet. Ms Mallet, are you there? I think Ms Mallet's call might have dropped out. We'll move on to Sally McGlashan on the phone. Ms McGlashan, are you there?

5 MS S. McGLASHAN: Yes. I am.

MR DEIGHTON: Good afternoon. Go ahead.

10 MS McGLASHAN: I'd like to object wholeheartedly to the Hume Coal POSCO Korean owned proposal. After receiving almost 30,000 signed petitions against the proposal since 2017 it makes me weep that here we are again in 2021, having to go to battle yet again against the foreign entity being given permission to ruin one of New South Wales' most beautiful, rural, agricultural and historical areas. Even in the ensuing four years since 2017 the issue of climate change due to our overuse of  
15 fossil fuels has been acknowledged as a present danger with international agreement that a stepped change has to be made by all countries if we're going to try to make a dent in the escalating temperatures and increasingly ferocious weather patterns we're already experiencing.

20 Yet, for some reason, New South Wales arrogantly believes it is somehow special and can go on as before without careful consequences just to turn a buck. This proposed mind is not even to produce coal for our own consumption but to enable a foreign entity to take it, leaving goodness knows what destruction in its wake. We all know no matter what is written into these mining licences regarding make good  
25 they're not worth the paper they're written on. The mine will eventually be closed down at some time in the future, leaving a wasteland above where once had been prime agricultural land, now with its water supplies ruined, the land polluted, nature decimated, and all this just a few kilometres away from well-established, currently thriving residential areas.

30 All this for the sake of a fuel well past its use by date. The very tiny percentage of unnamed people who have so far written supporting submissions for this project all cite the apparent positive factor that the coal is to be transported by train, not by road truck. I'd like to say that this is definitely not a positive factor. The number of  
35 additional trains is estimated to be approximately another 40 – that's 40 – per day. This on an already very busy, single track freight line which travels through miles of pristine rural countryside. This increase would mean nonstop trains 24/7. The constant noise of these trains would be unbearable, plus the effect on traffic in our area due to the many level crossings the track has to traverse, not to mention the  
40 pollution from all those uncovered carriages carrying coal.

I've lived in this area for 20 plus years. The train tracks goes along two of my boundaries, and over the past 20 years I've already noticed a huge increase in the number of trains along with an increase in size and noise from more powerful  
45 engines necessitated by the increasing length of these trains. Some of the bigger diesels sound like a plane they're so loud. If the noise pollution wasn't enough the air becomes full of diesel particles from the engines, plus the coal dust which is

blown off the uncovered coal carriages, so our clean country area's already becoming more and more polluted by the existing train traffic. The track then runs right through our village of Robertson, alongside the local primary school, and many village houses.

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Those schoolchildren, along with all the residents, are forced to breathe in all that pollution. It seems somehow that trains escape all surveillance for pollution for diesel fumes, which we know now have been proven to be extremely carcinogenic, and there's apparently no policing or enforcing the fact that the loads should be covered. The inside of my house and that of my friends' in the village is always covered in black, smutty dust from both these sources of airborne pollution, no doubt the insides of our lungs too. Why on earth doesn't our State Government make a stand and say, "No. We will not allow this. The people don't want this.

10

We value our preserved historical and natural beauty spots and want to maintain them for future generations as well as places for our people to visit and enjoy now"? It seems our parliamentarians are incapable of seeing the big picture, incapable of making decisions based on the greater good for the benefit of our people. They continually demonstrate that their decisions are always based on a financial outcome, no matter the consequences, so bugger any other considerations with regard to future impacts and loss of amenity of these glorious natural places.

20

I also support, agree with and reiterate all the many points others have raised against this proposal such as loss of groundwater, degradation of natural areas, loss of fauna, undermining existing structure, pollution of Sydney water catchment supplies, pollution to nearby residences, long term, unredeemable permanent damage to the Southern Highlands and the negative knock on effects of this on our very important tourist industry. Can the – I'm left despairing that we are yet again having to fight for something that on all counts should not be allowed to proceed. Not now, not in the future. Thank you.

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MR DEIGHTON: You're on mute, Peter.

MS McGLASHAN: Yes.

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MR DUNCAN: Thank you, Ms McGlashan. I just wanted to clarify, I think the train movements per day proposed are – are around four return journeys, which makes eight, not 40. I just wanted to clarify that.

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MS McGLASHAN: Well, nonetheless, I - - -

MR DUNCAN: I understand. I understand.

45

MS McGLASHAN: - - - will tell you the traffic – the traffic on this tiny little single track freight train is already too much and the locals are already starting to wonder about what we can do. There's, as I say, no policing of the loads. We're all breathing in this crap from the diesel – monster diesel engines, some – sometimes

two of them pulling an enormous train. This freight line was never built to take such a load, so whether it's - - -

MR DUNCAN: Yes.

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MS McGLASHAN: - - - four more – four more is too many, quite frankly.

MR DUNCAN: I understand the point you're making. I just wanted to clarify that for the – for the audience. Okay.

10

MS McGLASHAN: Okay.

MR DUNCAN: Thank you. Thank you again for presentation today. It's much appreciated. Next speaker, please.

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MR DEIGHTON: All right. We're going back now to Christine Mallet. Ms Mallet, good afternoon.

MS C. MALLET: Good afternoon.

20

MR DUNCAN: Please proceed.

MS MALLET: I start?

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MR DEIGHTON: Yes. Go ahead, please.

MS MALLET: Okay. Thank you. Good afternoon, Commissioners. Thank you for giving me the chance to speak. My name is Christine Mallet. I'm a resident of Berrima and I'm firmly against the Hume Coal Project. Mining has a long history in the Berrima area of the Southern Highlands. A number of mines have been in more or less continuous production since eighteen – the 1860s, including Berrima Colliery. Boral, Centennial Coal, Delta SBD Limited, and coal exploration companies such as Aston and Butter Limited and Bellambi Coal Company have all played a part in the opening up of the coal industry in this area. The Southern Highlands coal exploration leases were granted in 1956.

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The licence now held by Hume Coal is only a portion of the original grant. Exploration area number 349 covers about 89 square kilometres; however, the underground mining area is significantly less. In 2001 Anglo Coal Australia Limited acquired the Sutton Forest as part of a – of a takeover of Shell Coal. In 2010 a joint venture between POSCO and Cockatoo Coal known as Hume Coal acquired the authorisation 349. In 2013 full ownership of authorisation 349 was acquired 100 per cent by POSCO Australia. From 1956 to 1986 some 509 sites – 159 exploration holes were drilled by the many and varied exploration companies.

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At this point given the number of exploration companies and the number of exploration holes drilled it's hard to understand why none of those mining companies

- decided to pursue the development of what is now the Hume Coal Mine. What was it that they discovered at the bottom of those drill holes? One can only conclude that what they discovered was that SD7172 mining lease is not a viable option. Once they'd done their research they moved the lease along to any other company
- 5 interested in developing a mine in the Southern Highlands. In hindsight we can guess that it probably had something to do with the depth and thickness of the coal seam, the sandstone aquifer immediately above the coal seam, and the unique local geology.
- 10 Hume Coal is 100 per cent owned by POSCO, a Korean company, who, according to the Honourable Andrew Robb, Federal Minister for Trade and Investment, in 2017 is Australia's single largest global customer. The Honourable Andrew Robb also said that this trade and investment agreement between two countries is the economic confirmation of our longstanding friendship, and as Mark Vale mentioned, a
- 15 friendship very much forged – forged by the heroic deeds of the young men from both our armies who fought alongside one another in the Korean War. It is curious that the Honourable Andrew Robb should mention the heroic deeds of the young men from both our armies.
- 20 Mr Robb also signed an Australian – a Korean/Australian free trade agreement demonstrating our longstanding friendship. Remembrance Drive came to Berrima Residents Association's attention some time ago. It was originally part of the Hume Coal Remembrance Memorial Driveway which commences in Sydney and finishes in Canberra. It was cut off when the new motorway bypassed Berrima village. This
- 25 part of Remembrance Drive, surrounded – surrounds the big roundabout at the corner of the Old Hume Highway and Taylor Avenue and continues south along the Old Hume Highway for about half a kilometre. Significantly, the land on the western side is now owned by Hume Coal.
- 30 This is – what is important about Remembrance Grove – its new name – apart from its magnificent trees and future potential as a picnic and rest area, is that there are five or six plaques that commemorate the young men who fought and died during World War II and at least two that commemorate the young men who fought for the Korean War. Given that Hume Coal is a Korean company and that most Asian
- 35 countries believe in ancestral worship, one can only hope that Hume Coal will be keen to preserve what is, to all intents and purposes, a sacred site. Once this site, right in the middle of all the coal activity, will struggle to survive, and, once again, become another forgotten, nationally important memory, lest we forget.
- 40 Since the last IPC hearing in 2018, the world has changed significantly. Climate change reared its ugly head in a big way and gave us an opportunity to look into the future and assess what Hume – the Southern Highlands could be like if Hume Coal goes ahead and the water in our bore dries up. We honestly don't believe that Hume Coal will have the wherewithal to replenish our bore. That's Cinderella stuff. The
- 45 drought which dragged on for more than three years depleted all of our tank – nearly all of our tank water, our only source of drinking water and it significantly reduced the amount of water flow from the bore. We lost almost 50 trees and dozens of

shrubs and when we do have rain it seems to disappear almost immediately into the parched earth.

5 It is going to take a very long time to replenish what was lost. We experienced exceptional heat. It reached 45.5 degrees in January 2019. At the same time, the bushfires were raging around us on three fronts from around Colo Vale and Alpine in the north, Wombeyan Caves area in the west and, worst of all, from the south around Bundanoon and Exeter. At one point, all three - - -

10 MR DUNCAN: Ms Mallet, that's - - -

MS MALLET: - - - seemed to be heading towards us. Fortunately, the wind changed direction at about 2 am in the morning and suddenly the urgency threat retreated. A day or so after that it rained, so we breathed an enormous sigh of relief,  
15 but I still feel haunted by it and I'm not sure if I have the nerve to go through it again. We were - - -

MR DUNCAN: Christine, can we start to wrap up, please.

20 MS MALLET: - - - very lucky. I'm nearly finished. I - - -

MR DUNCAN: Can we - okay.

MS MALLET: I'm nearly finished.  
25

MR DUNCAN: Yes, yes. Okay.

MS MALLET: We were very lucky that the mine hadn't been built and that there were no eight storey high, 800 metre coal stacks. A lot - because if the embers had  
30 dropped in the coal stack, our experience would have been completely different. During the public meeting at the local fire service team - with the local fire service team we were warned that it wasn't a question of if the bushfire hit Berrima; it was a question of when. When we have to face the same set of conditions again in the future, there is no guarantee that the fire servicemen will be available to help us fight  
35 the fire because they may be off fighting an even bigger fire somewhere else. That's the reality of the world we're moving into.

We really do need to preserve our most precious resource - water. We have to do everything that we can to preserve it. It's certainly - we certainly can't afford to  
40 waste it washing coal. It would be much wiser to plant trees and cool our planet. We need to think about the sort of future we want for our children and their children. Surely we are meant to leave the world in a better place than it was when we arrived, not squander - squander the incredible assets that this country has to offer.

45 MR DUNCAN: Christine, we've got other speakers lined up, so - - -

MS MALLET: Okay. It's just - it's just a short thing now.

MR DUNCAN: People have - - -

MS MALLET: Commissioners, please acknowledge the concerns of the DPIE,  
5 local residents and the failure of Hume Coal to adequately address our concerns  
about the risks to the environment, air quality, water and our way of life. The  
precautionary principle must surely be applicable in these circumstances. Thank you  
very much.

10 MR DUNCAN: Thank you. Next speaker, please.

MR DEIGHTON: Our next speaker is David Brennen. Mr Brennen, good  
afternoon.

15 MR D. BRENNEN: Hello. Good afternoon, everyone. Thank you for allowing me  
to speak at this inquiry. I live in Bundanoon, just down the road from the proposed  
site. I acknowledge the Gundangara People, traditional owners of the land where I  
am today, and I wish to express my opposition to the mine. I've read with interest  
the reports and listened to the many technical arguments for and against this project.  
20 I'd like to add two more objections broadening the argument on why the Hume Coal  
Mine should not proceed. Firstly, because of the risk and uncertainty of irreversible  
environmental damage to the region's water supplies and local bore holes.

25 Secondly, taking a much broader perspective, if this project gets a green light it  
raises for me grave humanitarian issues. I believe in the 21<sup>st</sup> Century no organisation  
should pursue an activity for short term financial gain that poses an existential threat  
to our children, our grandchildren, and the planet that we all share. I'll now address  
both issues in more detail. Firstly, the damage to our local environment. Two years  
ago the DPIE told us that the proposed mine could potentially have very significant  
impacts on the local environment, groundwater resources and landowner bores.  
30 Yesterday the DPIE told us that little has changed to address these issues. In other  
words, the risk remains and we just cannot afford to take that risk.

35 Memories may be short but two years ago here in Southern Highlands and across  
much of New South Wales we were in the middle of a drought. Neighbours around  
Bundanoon were tanking in water and we were raising funds to help our local  
farmers, who were struggling to keep their crops and animals alive. Sadly, scientists  
tell us that droughts will become an even more frequent event in the future. Our  
farmers will struggle even more to adapt to a rapidly warming climate. For these  
reasons, I believe our local groundwater supplies are so precious and scarce. We  
40 simply cannot afford for them to become contaminated or to dry up.

45 We should not allow the rapacious appetite of any company, let alone POSCO  
making steel 8000 kilometres away, to take risks with our Southern Highlands  
environment for their short term gain. And this leads me into my second point  
regarding the humanitarian consequences of allowing this project to succeed. Many  
of the submissions over the past two days have talked about climate change. Our  
planet continues to warm because of the continued mining and burning of fossil

fuels. Today people are dying in the world from unprecedented and extreme temperatures, from toxic air, from climate accelerated bushfires, and the noxious burning of fossil fuels. Our world already has a climate emergency.

5 News reports from the Western US at the weekend, and two weeks ago from Canada, continue to confirm this. With our current pattern, global temperatures will push even higher, triggering yet more extreme weather events and impacting society not just here in New South Wales, not just here in Australia, but all over the world. The science screams out at us. Our global future, powered by fossil fuels, cannot safely  
10 sustain human civilisation. We must not inflict this on future generations. The future for our children would be horrific. Commissioners, in conclusion, I believe it's immoral to allow Australia to continue as one of the world's biggest exporters of coal and gas and one of the top contributors to carbon pollution.

15 Allowing this mining project to continue is to condone the failure of government in their duty to protect our citizens. They are denying the science and committing an immoral action against our human rights. For these reasons, I support the DPIEs recommendations and strongly recommend that you reject the Hume Coal appeal. Thank you.

20 MR DUNCAN: Thank you. Thank you. Thank you for your presentation today. Next speaker, please.

25 MR DEIGHTON: Up next we have Lynette Chamas who's on the phone. Lynette, are you there?

MS L. CHAMAS: Yes. I am. Can you hear me?

30 MR DEIGHTON: We can. Go ahead.

MS CHAMAS: Oh, great. Oh, good afternoon, and thank you for giving me this chance. Look, my name is Lynette Chamas, as you know. I'm 72 years old. My husband is 76. We moved to Bowral in 2013 and we are totally opposed to the Hume Coal Mine. I – I want to raise an issue other people have perhaps overlooked,  
35 and that's one of health. I have a condition called pulmonary fibrosis. It's like getting somebody in to plaster a crack in your lounge room and they keep plastering and they go through the house and they won't stop. And I'm fortunate that so far my condition has remained stable but there are no guarantees this will continue, especially if the air quality here takes a nosedive because we've got a coal mine in  
40 the area.

Now, we came here for the clean air because I was having a difficult time in Sydney with the pollution and it was only after we moved here that we found out about the mine and that there would be a mountain of coal, six storeys high by 800 metres long  
45 plus for the first 18 months toxic material would also be stored aboveground, and this is to the west of us – to the west of Bowral, so that every time the westerly winds blow, especially in the summer when, you know, some of these westerlies are gale

force, this stuff will all end up our way. Now, there was a dust storm that hit Canberra – I think it was 2019, and it coated everything – it got up here and it coated everything in this fine red/brown dust.

5 The cars were driving around covered with it. It was on the house fronts. It was in the trees so that – and every time the breeze blew it all went back into the air. It was on grass. It covered the windows, darkened – it covered everything. It only cleared after we got some decent rain. And at that time I washed some sheets, took them out to hang them on the line, and where they trailed across on the grass there were huge,  
10 horrible, ugly, rusty brown stains on them. I had to go back in, take them inside and wash them again. I could hardly hang anything out on the line. I had to wear a mask to take – to go outside. Most of the time I couldn't leave the house while the dust was still there because if you went out you tracked it back in.

15 That was a one-off, but if this mine goes ahead this will be a regular occurrence. This will be happening all the time. Every time there's a westerly, especially in the summer when they blow gale force, this is going to happen to us. There are a lot of retirement units going up around here. I live on Moss Vale Road. Around the corner from me in Links Road there are two developments that are finished and they're  
20 selling like – like hot cakes. There's another huge one on the corner of Links and Moss Vale. There are already established ones between where I live and – well, Links – Links Road and the start of the town. There's a new development just finished at the Mittagong end of Bowral.

25 There are retirement units springing up everywhere because there's a huge demand because so many retirees are leaving Sydney and coming down here and they're all older people and they have the health problems of older people and a lot of these problems are respiratory. The last time I gave a submission I remember the – the figures were something like 35 per cent of people here are over 50 compared to 18  
30 per cent nationally. And recently I checked with the council and it said that 25 per cent of – of the residents were over 60. And I've attended twice a – a – a respiratory rehab course at Bowral Hospital and it was full of people with lung and breathing problems.

35 And, I mean, I have this lung issue. One of my neighbours has emphysema. There are so many people down here with these kinds of issues and they just won't be able to cope with coal fines and toxic material being blown their way every time there's a westerly. And the mine and its air polluting pile of coal and toxic stuff can't help but impact on their health. And whatever the company says, they can't control the  
40 weather. They can't control the wind. There'll be an increase in pulmonary presentations to the local GPs and hospital. There will be extra pressure on our health facility. Some people may actually succumb years before they otherwise would have – and I'm trying not to think of me – losing valuable time that they earned to finally enjoy their lives and be with their grandkids.

45 And on top of all that, there's the blow to tourism that the mine will bring because who wants to sit in an outdoor café when the seats and tables are covered with grit,

when every time you – it blows it – the wind blows it gets into your hair and on your clothes? Then there's the environment – the destruction to the environment which we've moved down here to enjoy, the terrible cost of climate change and global warming, water security or, rather, water insecurity, the changing neighbour of the demographics – you've got old people and you – you'll have lots of tradies – and I'm not knocking tradies. God knows, when my toilet jams I want a tradie, but it's going to – every – the whole concept of the thing is – the whole vibe – as the guys in the – in the cars would put it – is going to change.

10 There are so many reasons to oppose this but in the final analysis, I just can't see how it can be accept that the everyday existence of the people of Bowral and Berrima and Burradoo and all the surrounding areas – the health, and even the lives themselves of these people should be put at risk so that some mining company thousands of miles away in South Korea can post a bigger profit margin. Thank you  
15 for giving me the opportunity to speak.

MR DUNCAN: Thank you, Lynette. Thank you for your presentation. Next speaker, please.

20 MR DEIGHTON: Up next we have Andrew Forrest. Mr Forrest, good afternoon.

MR A. FORREST: Good afternoon, Commissioners, and thank you for the opportunity to speak. My name's Andrew Forrest. I'm a resident of Berrima and a retired farmer. I am totally opposed to Hume Coal's application to operate a mine in the Southern Highlands. My – my family and myself and – and friends feel that the risks that the mining by Hume Coal is not acceptable and they have failed to answer these risks proposed by people in the past. The biggest thing that is – is of a worry to me and – and to many other people is the air and water and I think that's been well and truly talked about by previous people, and these tend to be our main concerns  
30 that need to be protected.

Fine coal dust is the biggest risk to me. This dust lifting on the winds from the 700 metre stack must be – must be real. The dust can remain in the atmosphere for days and this will cause many health – health problems, ie, lung cancer and – and just to your previous speaker, her – her problems, let alone everybody else that may come into contact with these problems. There are many articles about removing coal dust from clothes or our homes and why – why should we have to put up with this sort of pressure to do these things when this project is not necessary? Our health is not worth the risk. The environment when the coal is loaded on to the trains and we start  
40 to see the effects of the winds moving that coal dust – we are in a – we are really in a special place here.

That does not deserve to be covered in corrosive, toxic, fine dust. The – the damage done to infrastructure by the fine coal dust is also not acceptable through corrosion and the other – other effects of – of this very fine dust that will – will come from this mine. We just have to look at the village of Berrima alone. Its mix of historic buildings, will they all be covered in fine black dust, and then the community will

phone – fill – fill the bill to – to clean and maintain these things. It's, once again, just not acceptable. Let alone what will happen to our tourism industry, which is probably the largest or one of the largest earners in the – in the Southern Highlands.

5 When the site is all covered in dust and not – not a healthy place to visit, what are we going to do? No one will come and see these beautiful buildings, these beautiful areas. The impact on water has been certainly talked about by most people that are totally opposed to this, and, once again, why should the community suffer at the hands of the interests of a mining operation? The risk is too high to our water  
10 systems. The example of the Medway Mine that has toxic water passing into the Sydney water system has to send warning signals. We have in Boral somebody that is using every possible means to stop these flows but don't seem to be able to totally fix the problem and we want an open mine just up the road or a mining operation just up the road, a short distance from there?

15 I still think it's not acceptable. The talks of numbers of people that are going to be employed, it seems to – which is really confusing to me. It seems to fluctuate between 300 to 700 people or less. We have businesses in Berrima who can't afford to get staff at the moment and this is purely due to the lack of rental and – and –  
20 rental accommodation and rental being too expensive. How are these mine jobs going to happen if there is a great lack of accommodation in the Southern Highlands? I find this is an – an extraordinary thing, that people will think that we can just grab people out of the sky and – and – and employ them at this mine, let alone all the other industries that are happening and – and that – the – the total lack of people  
25 we've been able to get so far.

So, in conclusion, because of the above reasons, I and my family are totally opposed to this mine. It has too many risks attached to the operation that our community need and I will urge you as Commissioners to reject Hume Coal starting this project, and  
30 thank you for listening to me.

MR DUNCAN: Thank you, Mr Forrest. Thank you for your time today and the presentation.

35 MR FORREST: Thank you.

MR DUNCAN: Next speaker, please.

MR DEIGHTON: And next up is Mr Nick Murray. Nick, are you there?  
40

MR N. MURRAY: Yes. Hello.

MR DEIGHTON: Hi. Go ahead.

45 MR MURRAY: Thank you. Thank you for giving me some time to speak, Commissioners. I appreciate it. I – I live in Berrima and our house is one of the closest – it's on the outskirts of Berrima, one of the closest houses to the proposed

outdoor, aboveground work area at the mine, the 117 hectares of piles of coal and machinery. We are 100 per cent opposed to the mine. I've been buoyed to hear some of the previous speakers and – and their points, and I don't want to travail some of the same areas that have been raised. But I do want to point out that – talk about  
5 the employment aspect of – of the mine and – and really focusing on that.

The – the numbers that were provided were 400 employees during construction, 300 employees with the mine on an ongoing basis. The proponent of the mine says that only 20 per cent of those 300 people will be new jobs created. There'll – the other  
10 ones will come from other mines in the area, so we're talking about a total incremental additional employees of 60 staff for the trade off on environmental damage and – and the other issues that people have talked about – the dust, etcetera. So 60 new staff. Even if we say they're all new, let's say 300. The area is a very, very significant hospitality and – and tourism area. In fact, I was going to say  
15 greetings from the top tourism town, which was announced in May of this year by Stuart Ayres – the Minister, Stuart Ayres.

Berrima is – has been voted the top tourism town with under 5000 residents. So if we look at the – the example of – of the venues around here, a lot of them associated  
20 with vineyards, so that requires, you know, pristine environment and – and a, you know – clean – clean air. The venues are largely, you know, hospitality. They have restaurants and other facilities attached to them – wine tasting rooms and that kind of thing. There are – there are four – just off the top of your head – Centennial Vineyards, Bendooley Estate, PepperGreen and Artemis, just quite near to the mine.  
25 One of those examples, Bendooley Estate, currently employs 120 staff. So that's just one example – currently 120 staff.

The next stage that they're just about to reopen has another 60 staff and then the stage after that that they're developing is another six – 60 on top of that. So that's  
30 the same number of people on each of their new stages as the incremental increase that the mine is going to offer. So I'm not quite sure of what the trade-off is here that I know you have – you've got a difficult task of trying to – to balance those things, but the trade-off of – of very low income to the state of \$5 million a year on net present value, a foreign owned company where – that is not going to be bringing  
35 money back to Australia, and almost no additional employment in the area and – and the very fact that it's there jeopardises the existence of the major employers in the area, the second largest employer after the health industry.

And the only good thing is, of course, the – the health industry will be benefitted by  
40 people being affected by coal dust. There's your benefit, but the – the hospitality areas – and that's a real concern to me. It's a vital area. It's got even better during COVID and anything that would hamper the development of a – of a – such a great, clean, pristine area this close to the centre of Sydney – one hour and 20 minutes from the very centre of Sydney – there's not much else certainly in New South Wales  
45 which is that close to Sydney. So I would – I would be encouraging you to look at the total employment of it.

The coal mining industry only employs .3 per cent of the Australian workforce and if we look at that in the context of this area it's a very negligible employer and there is just simply no benefit to – to our local region that outlays the terrible damage that can be caused by this mine going ahead. So I thank you for your – your time this  
5 afternoon.

MR DUNCAN: Yes. Thank you for your time. Thanks very much. I believe we're now going to a break for - - -

10 MR DEIGHTON: Yes. That's correct. We will go to a short afternoon adjournment, give the Commissioners a chance to stretch their legs and grab a cup of tea, and we'll be back here at 3.30 for our final session where we've still got a – quite a few speakers to get through. So I look forward to you joining us back here at 3.30.

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**RECORDING SUSPENDED** [2.53 pm]

20 **RECORDING RESUMED** [3.30 pm]

MR DEIGHTON: Well, welcome back. We are in the home stretch and our next speaker is Raymond Frost. Mr Frost, good afternoon.

25

MR FROST: Good afternoon.

MR DEIGHTON: Go ahead.

30 MR FROST: Thank you. Thank you, Commissioners. Good afternoon to you. I am a long-term resident of Sutton Forest, where I live with my wife and son on an agricultural property. I object to the proposed mine and, along with the broader community, I do not want this mine. Yesterday I heard a spokesperson for Hume Coal say, "There will be no irreversible impacts from the proposed mine". I say this  
35 statement is a very high risk and possibly heroic statement, because Hume also tell us they will not remove their mine waste. The Dendrobium mine close by removes 1 million tonnes of mine waste every year for use elsewhere as engineered fill; they state this in their annual report of 2016.

40 Hume Coal will also generate in the order of 1 million tonnes of mine reject waste a year but, unlike the Dendrobium mine, Hume Coal will not remove their mine waste. What Hume Coal will do is combine their mine waste with water to form a slurry. This coal slurry will then be pumped underground back into the mine workings. Coal slurry is noxious as it contains hazardous metals, chemicals and surfactants as  
45 well as water and coal. Furthermore, the slurry consists also of a very fine coal dust that results in a waste called black water. Black water cannot be treated by any water

treatment plant and so it is stored with other mine waste in large impoundment ponds.

5 Where these ponds are on the surface the risk is that they will fail or overflow during weather events. Where the impoundment is underground these risks remain as the impoundment arrangements can still overflow, fail or leak and possibly leak badly. Hume will also use surface impoundment ponds as settlement ponds but their main method of waste disposal is to be underground, using mining voids which will be blocked off with underground dams when full. In proceeding I wish to make the point that the amount of coal slurry at issue is not small. The associated risk is also not small. If one tonne of crushed mine waste needs five tonnes of water in order to make a sufficiently liquid slurry, then 1 million tonnes of mine waste need 5 million tonnes of water.

15 Some of the water used in transporting the coal slurry back underground will be able to be recycled and used again, but not all of it. Total annual coal slurry generation amounts to something in the order of 6 million tonnes or 6000 million litres of coal slurry needing to be pumped back down the mine every year. Hume's coal waste disposal plan is simply this: pump the waste underground. I maintain that this method of waste disposal creates an unacceptable risk. The mine workings are not isolated in the aquifer. Water that will inevitably escape from the mine workings will spread throughout the aquifer as a plume of pollution. This type of underground pollution is permanent, it is irreparable and it is irreversible.

25 You cannot suck back up polluted water that has already escaped into the aquifer. Yes, it is out of sight, but it is not out of mind. That is why I say that Hume's statement is heroic when they say there will be no irreversible impacts from the proposed mine. There is no water treatment plant; none at all. The risk of pollution caused by pumping billions of litres of noxious slurry underground over the life of the mine begs the question as to why the issue has not been properly addressed. Major questions remain. I have seen no detailed modelling at all of this proposed method of waste disposal. This is too important an issue to be simply ignored.

35 Treating a serious issue as out of sight, out of mind is not acceptable. The community and the environment should not and cannot be expected to rely on nonsense terms such as "adaptive management", or unworkable concepts such as "make good". These risk cannot be brushed under the carpet. Failure is often unforeseen and that is why risk assessment is important, incredibly so. Unforeseen failure can be catastrophic and needs to be guarded against before mining starts. Failure such as restricted ..... underground or an uncontrolled overflow of the containment measures underground means that this mine could become a major long-term polluter.

45 The resultant pollution is incapable of ever being remedied. The risk in this method of waste disposal is therefore way too high and this alone should be ample grounds of which to deny approval. May I urge the Commission to support the recommendations of the department. You should not authorise or cause to be issued

a licence to pollute, yet such a licence is needed by Hume Coal if they are to mine in the Sydney water catchment. I urge the Commission to refuse this mine permission to proceed. Thank you very much for your time.

5 MR DUNCAN: Thank you, Mr Frost. The next speaker, please.

MR DEIGHTON: Our next speaker on the phone is Virginia Brousse. Ms Brousse, good afternoon. Ms Brousse, I think you've got your livestream on. You might need to turn that off. All right. Well, we might leave Ms Brousse there and go to Duncan  
10 McDonald. If Mr McDonald is standing by?

MR McDONALD: Yes, I am.

MR DEIGHTON: Thank you. Good afternoon. Please go - - -  
15

MR McDONALD: Thank you. Thank you. Good afternoon, Commissioners. My name is Duncan McDonald and I am a qualified practising food scientist and technologist running a food and agrifood business and a permanent resident of Berrima. I also chair the board of the Australian Institute of Food Science and  
20 Technology, which represents food system professionals working in all facets of the food industry, - - -

UNIDENTIFIED FEMALE: .....

MR McDONALD: - - - however, I am not here representing the institute today but, rather, my family and the thousands of very concerned educated commonsense-orientated residents living in this shire. I strongly reject these projects from a social, environmental and financial perspective. Over the last two days there have been many well informed and respected locals covering the high risk and long-term  
30 adverse consequences of the mining and transporting proposals, supported by the DPIE and Wingecarribee Council's own assessments. So I will focus my concerns to this project on what I know best, which has been our local agrifood sector.

A key driver in my field is to retain a clean and healthy image as the traceability of food products and ingredients to their origin is increasing in demand by retailers and consumers. I have no doubt, with the constraints of COVID and other marketing trends, buying locally produced products will forever increase in demand. In fact, I am currently working on two key local projects in my – on my property, growing nine different varieties of garlic to value add into black garlic, a new trend delicacy,  
40 and our own unique honey, drawn from our region with the intention of marketing under a registered trade mark, Highlands Providore.

I am not alone in researching or marketing healthy and innovative food products in this area. There are many of us, large, but there's also many innovative startup  
45 companies. Any element of contamination or impact on health and wellness to this picturesque region associated with greenfields mining, whether through dust or affiliated with water contamination concerns or other risks stemming from railing –

from railing coal to ports, will taint this image, it will taint the region. As mentioned yesterday by Brigid Kennedy from the chamber of commerce we are a food bowl, but I actually prefer to call us a delicatessen to the growing Sydney area and the world, with Badgerys Creek airport coming onstream.

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Our picturesque, clean and healthy environment that supports a health and wellness platform, in fact, attracted my wife and I to permanently live just out of Berrima town. This appeal is also why in our region we have an aging population. And just to confirm details with a previous speaker, aging population, that's over 60 year olds, accounts for almost 33 per cent now of our shire and it's growing at double the rate of any other age category and supporting this trend is the healthcare and social assistance job sector that accounts for nearly 15 per cent of the workforce and it's also growing. Now, time doesn't permit me to elaborate further on the health sector. But I wanted to just focus on one comment that – well, came from a picture from a Hume worker's presentation yesterday showing a field of canola oil – canola plants as being representative of our – of the feather mining project's relationship to the public. Rather, they should have shown a real world image of the potential gross infrastructure. 700 metre coal stacks, abundant coal – rail coal carriages and the coal dust settling onto a leaf in my paddock or into my drinking water because I'm on tank water.

20

This is my property. This is a photo from my backyard and four kilometres this way is actually where the proposal is being considered. They will never convince me that coal dust won't be an issue as just wetting coal as a means to suppress coal dust movement is a failed safe – is a non-failsafe process. The Georgian character of Berrima and the convenience of our location between Sydney and Canberra attracts the tourist trade. Pre-COVID it was running at, as details have said before, over 1.3 million visitors per year generating over 200 million per year in sales of local goods and services and employing over 2300 fulltime jobs while accommodation and the food service sector is growing at 11 per cent per annum in response to this demand.

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Local food and beverage produce to support this growth is, therefore, also in demand. We have a unique competitive advantage and this is acknowledge in the Wingecarribee operational plans 2021 to '22 and delivery program of '17 to '22 which puts great emphasis on the environment in retaining the character of this area as so does many, many local residents who are and have been for over a decade emotionally and severely traumatised by the adverse implications of this project proposal. Further, as one of many now investing time and money and energy into this area please consider the risk this Hume project will do to the reputation and the desires of businesses like mine to invest in the area now and in the future. Therefore, I ask on behalf of my family and the thousands of locals that the Independent Planning Commission once and for all puts an end to this Hume project proposal. Thank you.

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45 MR DUNCAN: Thank you. Thanks, Mr McDonald. Next speaker, please.

MR DEIGHTON: We will go back, now, to Virginia Bruce on the phone. Ms Bruce, are you there?

MS BRUCE: Yes, I am.

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MR DEIGHTON: Good afternoon. Go ahead.

MS BRUCE: Good afternoon, Commissioners. First, I would like to applaud the work done by the Department in this matter and I agree with and endorse most of its findings. I reference my previous 2017 submission. Although frustrating at times as Hume Coal is given extension after extension to complete their responses they have been more than fair, in my opinion, and I certainly cannot agree with Mr Kim's aspersions that there is one rule for Hume Coal and another for everyone else. As an Australian citizen and taxpayer in a world where we need to seriously reduce our use of fossil fuel I feel we need to act as global citizens as well and we will be paying a huge financial cost as well as an environmental one.

I would like to bring your attention to the European Union's intentions as announced recently to bring greenhouse gas emission targets by 2030 of 55 per cent from 1990 levels legally binding. This leaves Australian businesses vulnerable to expenses, business destroying tariffs and there will also be other actions from the United States if we don't change our present government inaction. In September 2019 the New South Wales Independent Planning Commission refused consent to KEPCO Bylong Australian for an open cut and underground coalmine in the Bylong Valley. The statement of reasons for the decision issued by the IPC states significant concerns around the long-term environmental impacts of the project including the incompatibility with the principles of ecologically sustainable development, inadequate greenhouse gas emissions, minimisation strategies and other issues such as agriculture, groundwater and heritage impacts.

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Also, the Whitehaven Coal judgment which states that the federal minister has a duty of care for future – regarding future harm to children. In a tear-jerking moment during the Federal Court's livestream summary the court found that one million of today's Australian children are expected to be hospitalised because of the heat stress episode, that substantial economic loss will be experienced and that the Great Barrier Reef and most of Australia's ..... forest won't exist when they grow up. It's found this harm is real, catastrophic and, importantly, from a legal perspective reasonably foreseeable. Lastly, I have been a committee member of, firstly, Southern Highlands Coal Group and then Coal Free Southern Highlands since the beginning of this fight and as an organisation it has never intimidated or threatened anyone as Hume Coal's property manager suggests. And as a well run and ethical organisation I take umbrage at these comments and I would like to see a retraction from Mr Begg from Hume Coal. I shall end this by saying that apart from the scientific findings regarding this project there is absolutely and utterly no social licence for this project. So I ask you, please, find in favour of the Southern Highlands community and reject this project. Thank you very much.

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MR DUNCAN: Ms Bruce, thank you for your presentation today. Next speaker.

MR DEIGHTON: Also on the phone this afternoon we have Ann Mawson. Ms Mawson, good afternoon to you.

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MS MAWSON: Good afternoon. Good afternoon, Commissioners. My name is Ann Mawson. I live in Exeter a declared coalmine free village of the Southern Highlands approximately seven kilometres from the proposed mining project. I strongly object to this mining proposal by Hume Coal. Twice the New South Wales  
10 DPIE has rejected this project as being not in the public interest. But it has hung like the Sword of Damocles over our head for 10 long years. I listened to Mr Doyle's reply to the DPIE's decision to reject this mine and in his presentation of evidence against their decision and Hume Coal's plan to refute their findings my impression is that they intend their mine plan to be reactive rather than proactive. To express this  
15 in another way I feel Hume Coal will carry out coal mining by feel rather than by – coal mining by fact.

My concerns remain in the areas of ground and surface water, the make good process, the re-injection of storage water into the mined out panels and held in place  
20 by cement bulkheads, mine safety and subsidence, noise, air pollution and the threat of greenhouse gas emissions. There will be very little economic benefit to anyone but the company, POSCO. Also, damage to Aboriginal heritage, the flora and fauna of our area – of the above, that is, the flora and fauna, etcetera. Little consideration has been given to these aspects of Hume Coal's plan, that is, very little fieldwork was  
25 carried out. Just desktop studies as evidenced in Hume's EIS. There is no doubt in my mind that this mine will negatively impact our native animal population and our native trees and plants.

I also bring to your attention that since early 2019 I have not seen evidence of any  
30 general community consultation by Hume Coal and, personally, as a retired registered nurse with extensive experience in mental and drug health I have closely witnessed the decline of some members of our community in both physical and mental health in their dealing with the personnel from Hume Coal leading to anxiety, depression, feelings of hopelessness and helplessness, overuse of alcohol and severe  
35 physical illnesses. My final observation is that the word "Hume" has become synonymous with harm and this company has caused immeasurable damage to our lives in every respect. So, please, deem this project to cease forthwith and discontinue this mining lease in perpetuity. Thank you very much.

40 MR DUNCAN: Thank you, Ms Mawson. Thank you for your presentation today.

MS MAWSON: Thank you.

MR DUNCAN: Next speaker, please.

45

MR DEIGHTON: Up next, we have Ray Tolhurst. Mr Tolhurst, good afternoon.

MR R. TOLHURST: Good afternoon, Commissioners, and thank you for this opportunity. If I could please, could I share a screen?

MR DUNCAN: Yes.

5

MR TOLHURST: This forms the basis of my presentation. While this department report issued in June is comprehensive in addressing the local matters, there are also significant state-wide benefits that appear to have been overlooked, and there are four main benefits that aren't addressed in the report that I would like to draw to your attention. Firstly, the impact of BlueScope for Wongawilli seam coal and the need for them to be able to obtain coal on demand. Secondly, the impact on sovereign risk and certainty for all mining projects in New South Wales. Thirdly, the benefits that this project could provide for the proposed Maldon-Dombarton railway line, and fourthly, the introduction of innovation in the industry through the Pine Feather mining method, and I would like to address each one of these separately.

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Firstly, BlueScope. As outlined in the Dendrobium Extension, the Independent Planning Commission hearing late last year, the Wongawilli number 3 seam coal is an essential part of the ..... for coal making at BlueScope Steel Port Kembla. With the rejection of that proposal, this Hume coal project is potentially the only supplier of Wongawilli seam coal available, and while it may be plain that BlueScope could use Queensland-imported coal, the port of Port Kembla is not equipped to handle the volume of incoming coal that's required on a continuing basis, plus there's only sufficient storage space available at the steelworks for seven days' supply of coal.

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So the importance of this Hume project being available to supply Wongawilli seam coal to the steelworks on demand should not be underestimated. The second state-wide issue that is of importance is the one of sovereign risk and certainty for New South Wales's largest export industry, mining, and I would draw your attention to that website shown in blue. The Fraser Institute internationally does surveys of mining provinces and compares them based on their assessment by the mining industry, and the current annual survey from February this year shows New South Wales being ranked forty-ninth out of 77 mining provinces, the lowest in Australia, and I've shown the rankings for all the other states, and this policy perception index is really a report card to governments on the attractiveness of their mining policies. And page 29 outlines:

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*New South Wales continues to be Australia's lowest ranked jurisdiction when considering policy factors alone.*

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So the ranking decreased two places last year, and minus express concern over protection issues, ..... factors and the respondents pointed out to environmental regulations and regulatory duplications and inconsistencies as factors deterring investment. All of this increases sovereign risk, reducing the estimated internal rate of return and the net present value of proposed mining projects right throughout New South Wales, and during their evaluations such as bankable feasibility studies, it

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impacts on the assessment as they are required to comply with the JORC Code, which I'm sure Alice can describe, since this is one of the key factors.

5 The third factor that shouldn't be overlooked is the proposed Maldon-Dombarton railway line. The completion of this railway line to southwest Sydney and southern new South Wales to the Illawarra and Port Kembla has been ranked as the highest major infrastructure project by Regional Development Australia Illawarra. The Hume coal project provides another use of the facility, increasing the potential commercial viability. And then finally in my four points is the Pine Feather mining method. Many of the innovations that are used in the Australian coal mining industry have been introduced through our southern coalfields.

15 The situation with the proposed Pine Feather mining method is similar to the introduction of longwall mining in the 1970s into our local mines. At that time, longwall mining had not been used at any other mine in Australia, but now, overwhelmingly, most underground coal mines nationally use this method. So similarly, the introduction of the Pine Feather mining method successfully is likely to lead to its use more widely throughout the Australian coal mining industry. Thus, for these reasons, it's recommended that the Independent Planning Commission provide approval for the Hume project, subject to the proposed mining methods being authorised by the New South Wales Chief Inspector of Mines.

20 So as for the final sentences in the earlier project report of June 2021, it's recommended that the commission approves the project subject to suitable conditions. Thank you for giving me this opportunity.

MR DUNCAN: Thank you, Mr Tolhurst. Next speaker.

30 MR DEIGHTON: Our next speaker is David Williamson. Mr Williamson, good afternoon. You might be on mute, Mr Williamson.

MR DUNCAN: Mute, I think. Mr Williamson, I think you're on mute. We can't hear you.

35 MR D. WILLIAMSON: Can you hear me now?

MR DEIGHTON: We can.

40 MR DUNCAN: Yes. Clearly. Thank you

MR WILLIAMSON: Okay. Well, thank you for the opportunity to make a submission on these projects. I object strongly to the developments and operation of this mine and ask the commission to reject approval under all circumstances and options. The world has credible at scale options for both met coal and steel and steel and coal power generation, and technically advanced companies such as POSCO should be switching their dominant focus to the future, not the past. My submission today is a shortened version of my written submission and focuses on the

fundamental issue of the impending and inevitable residential and industrial growth along the Highlands to Goulburn corridor.

5 The real consequences for this hearing is the necessarily dramatic increase in demand  
for clean water throughout the corridor over the next decade or two. .... of this  
corridor will lead to very extensive residential and industrial growth and the growth  
in water demand. The corridor has extensive ..... an established freeway, and heavy  
rail routes, quarries, and mineral resources and access, albeit expensive access, to the  
10 Upper Nepean and Shoalhaven water reservoir. The corridor is clearly and rightly  
seen by the state government as a growing growth area and the course of this work is  
well underway with visible development pushing south through the northern verges  
and now onto the core commercial areas of Mittagong, Bowral, and Moss Vale.

15 A residential surge is evident today in the southern verges, and particularly ..... with  
substantial new rock quarries and residential expansions. .... has burgeoned over the  
last 10 years. All this corridor development activity will accelerate over the life of  
the mine. The Southern Highland communities are at the top of the Sydney  
catchment, which makes each drop of water particularly precious as supplementing  
supply or replacing lost supply requires extensive pumping – extensive and  
20 expensive pumping transfer from lower altitudes. The Tallowa Dam on the  
Shoalhaven River is already used with water pumps 700 metres vertically to the  
Fitzroy Falls Dam, and these flow ..... to the Wingecarribee Dam.

25 The regional water shortage is further evidenced by the proposal that for a new  
desalination plan at Port Kembla on a similar scale and cost to the ..... plant. This  
will need to be built and commissioned within the proposed life of mine. Replacing  
Hume Coal's substantial water demand will lead to higher costs of manufactured and  
transferred water being charged to consumers, whether it comes from Kembla,  
Shoalhaven, or the Upper Nepean, noting also that the Wingecarribee Dam already  
30 pumps water south to supplement the overcommitted Goulburn resource. To the  
argument that water stored in the mined volume remains available, I say water  
pumped from active or collapsed mining galleries is heavily contaminated and  
requires sophisticated and expensive treatment before local use.

35 Projections for rainfall in southeast Australia are consistently for a significantly drier  
climate, aggravating this water shortage. The upshot is we simply cannot afford the  
Hume coal mine, an asset which uses, contaminates, and drains both surface and  
groundwater away from the top of the Southern Highlands catchment, also part of the  
catchment, of course, for the Sydney metropolis. The forever costs of providing  
40 replacement clean water to the extended Highlands and expanded Highlands  
Goulburn Corridor will never be offset by a couple of decades of coal royalties and  
the employment of so few people. As an example, True Green Group's current build  
of a heavy vehicle manufacturing plant at Moss Vale is typical of a far more valuable  
business to local employment and to Australian made products than that provided by  
45 a midscale coal mine such as Hume Coal.

Other important risks are evident. Ground settlement and consequent building damage is an inevitable outcome of longwall or short wall techniques. The best risk mitigation, as always, is to avoid the risk. Don't build the mine. Australia also has a sad history of underfunded mining closure and remediation plans. I have no doubt  
5 POSCO would meet their obligations, but if the mine is sold at late life to more fragile entities, then full completion of the original mine closure plan becomes much more problematic. The taxpayer and ratepayer will have to step in again. History tells us that this is a real risk.

10 On the revenue side, there is clear evidence that a coal mine – that the coal market is in structural decline. That comparatively, this seems to be a suboptimal mine with its hybrid mining techniques and difficult geologies amongst other issues that must cloud the theoretical revenue and royalty projections. The real employment future of the area lies in continuing to expand local businesses, local jobs in light to medium  
15 industry, warehousing and logistics, building, retailing, farming, tourism, food, wine. Businesses that are all primary contributors. Coal mining detracts from many of these activities. I urge you to put this long-running, divisive and high-risk proposed Hume Coal Mine out of its misery by rejecting the proposal and allowing the local population to get on with navigating the emerging growth opportunities and the  
20 inevitable challenges that will populate the Highlands Goulburn growth corridor. Thank you for listening.

MR DUNCAN: Thank you, David. Thank you for your time today and the presentation. Next speaker, please.  
25

MR DEIGHTON: Up next, we have Mr Bruce McGowan. Are you there?

MR B. McGOWAN: Hello. Can you hear me?

30 MR DEIGHTON: You just need to unmute yourself, sir.

MR McGOWAN: Okay.

MR DEIGHTON: There you go. Thank you. You've muted yourself again.  
35

MR DUNCAN: I think you're on mute. Mr McGowan, I think you're on mute. We can't hear you.

MR McGOWAN: Can you hear me now?  
40

MR DUNCAN: Yes, we can.

MR DEIGHTON: We can.

45 MR DUNCAN: Thank you.

MR MCGOWAN: Okay. Sorry about that. Thanks, Commissioners. I appreciate the opportunity to make a submission this afternoon. My name is Bruce McGown. Together with Patricia Minowez, I own a 100-acre farm at Sutton Forest. The farm lies just beyond the south eastern boundary of the Hume Coal project and lies above  
5 the extension of the coal seam. The bore on our property will be impacted by the project. For the many reasons already given by other residents, we welcome the latest DPIE assessment report recommendation that the Hume project should not be approved. In particular, we endorse its finding that Hume Coal has still not provided any substantive new information on the practicality of make good arrangements that  
10 they had previously proposed. I feel it's important for me to flesh out the assessments reports statements regarding the proposed make good arrangements.

Our farm operation is dependant on a reliable and regular supply of uncontaminated water and, in particular, on the bore. Drought periods over the last 10 years have  
15 resulted in paddock dams becoming redundant and replaced by reticulated troughs, very large trees dying in the last few years, and, more recently, a previously reliable spring drying up. Despite the good rains that commenced in early 2020, the spring has not recovered. We raise Angus cattle. The herd consumes an average of 2600 litres per day of water. We have a holding tank of 17,000 litres, equivalent to six and  
20 a half days of consumption. If something goes wrong with water supply, there is very little time to correct the problem before cattle die. Other local beef cattle farms have similar constraints.

We submit that the make good measures advanced by Hume Coal are disingenuous and could be in term "Trust me. She'll be right, mate." In its initial proposals, Hume  
25 Coal naively proposed that any reduction in water supply from bores would be made good by trucking in water. When the logistical impracticalities of this solution for over 90 bores was demonstrated by opponents of the project, Hume then proposed a quick-fix solution that the problem would be solved by Hume negotiating with  
30 individual landowners covering various scenarios: payment to cover increased pumping costs for bores forecast to decline in depth by two to five metres expected to occur in 15 to 20 years; increasing the depths of more impacted bores sometime in the future depending on drawdown forecast to happen in 10 to 15 years; bore replacement or alternative supplies to the most impacted bores at some indeterminate  
35 time in the future.

The implementation of these measures would require detailed negotiation and legally-binding agreements between Hume and the individual landowners. Hume  
40 proposes that such agreements be negotiated and agreed in advance of the mine operation. This quick-fix proposal raises many questions. How would a single landowner negotiate such complicated matters with Hume which would be in an overwhelmingly strong negotiating position once it has project approval? Who will pay the landowners' legal costs? A single landowner facing potentially high legal costs would be at a serious disadvantage to a financially powerful corporation in  
45 negotiations. Landowners will be required to reach agreement with Hume within a specified period of time prior to start up. However, the negotiations can only be fair if both parties have the freedom to walk away.

Hume proposes that the landowner that walks away would forfeit its rights to compensation. I ask the question would Hume accept to forfeit this project if it were unable to reach agreement with the majority of landowners with affected bores? Pre-start-up negotiations of compensation to make good would deal with decreases in  
5 bore flows projected to occur 15 to 20 years in the future and be based on current water resource modelling. The engineers and legal advisors of Hume Coal know that it is impossible to predict the state of the environment in 15 to 20 years, and that it would be impossible at such time to deflect blame for eventual bore flow decreases on other factors such as droughts, local aquifer conditions, bore pump conditions,  
10 imperfect model – modelling, etcetera, and thereby escape or at least minimise responsibility for making good.

Furthermore, such discussions and negotiations would be occurring at a time when the landowner would be facing the stressful prospect of inadequate water supply.  
15 Consequently, for each property holder, there would not be just one negotiation, but at least a second negotiation when predicted problems with – when the – when predicted problems with the aquifer occur. A cloud that will remain over them during the life of the process. Our personal concern about Hume Coal’s assurances and quick fixes is founded on personal experience. Hume Coal has professed –  
20 publicly professed to have had a policy of engagement with local landowners. Over the 13 years that we have owned our property, we have received one written communication requesting access to install a monitoring bore, which we declined. No follow up, nothing more.

25 Personally, I have had 40 years experience in the oil industry, of which the last 23 years was spent overseas, mainly in Asia, negotiating trading and infrastructure projects. I know only too well that in negotiations in accordance with the terms proposed by Hume Coal, we and all other impacted property owners would be at a considerable disadvantage to the detriment of our properties. I respectfully submit to  
30 the IPC that it should refuse approval of this project. And I thank you for the opportunity to make this presentation.

MR DUNCAN: Thank you, Mr McGowan. Thank you for your time today. Next  
35 presenter, please.

MR DEIGHTON: Up next, we have we have Lynne Crookes. Ms Crookes, good  
afternoon to you.

MS L. CROOKES: Yes. Can you hear me?  
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MR DUNCAN: Yes, we can. Please proceed.

MS CROOKES: Thanks. Mine is a reasonably short presentation because I did  
45 speak in the February 2019 session and we have submitted very intensive reports on – on our feelings about the project. But I just want to reiterate the concerns of my husband, our family and – and what relates to everyone in the area. We actually have 350 acres on Belanglo Road which directly adjoins the Hume Coal project, and

we are the property that's most affected by the project as the mine is proposed to run directly under it. We have the longest boundaries of the mine site of any of the other properties. We'll have problems of dust and noise from the close proximity of the mine head, and especially when there are high winds. But most importantly is the impact of our ground water. We run a prize-winning Angus stud. Water is vital for pasture production and operation of our three bores. We previously submitted a report from Larry Cook stating it would be possible that there may be a complete loss of water from one or more bores of the property. There's no way Hume Coal can replace that water, therefore we would lose our Angus stud operation, and this issue would apply to all other properties in the area. Finally, if the mine goes ahead, the value of our property will be decimated. We will lose our Angus stud. We will lose a property that is a very important part of the family's way of life. So we just – we recommend that this application is rejected, and I just want to thank you for all your time in this hearing. Thank you.

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MR DUNCAN: Thank you very much for your presentation, Lynne. Thank you.

MR DEIGHTON: Our next speaker is Elly Graham. Ms Graham, good afternoon. Ms Graham, are you there? Go ahead.

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MS E. GRAHAM: Good afternoon. Can you hear me?

MR DEIGHTON: We can. Go ahead.

MS GRAHAM: Wonderful. Thank you. Well, look, my name is Elly Graham. Born and bred in the Southern Highlands. I've always lived here, never lived anywhere else. We love this local district. The title of my talk today is We Have the Capacity, We Have the Knowledge, But We Don't Have Time/Climate Change. So, look, thank you very much to the commissioners for allowing me to speak today but I'm sorry, I won't be able to contain my emotion or my anger, and why should I? My question is why are we here. Why? Why are we here? Over 90 per cent of the local community have already said that we do not want Hume Coal here.

We've already spoken, yet here we are again. These people don't want to take no for an answer. Coming back with a make good of our watering possibility, and when we say no yet again, they will be back. Former New South Wales government Minister Pru Goward spoke at the last hearing, implying that our government does not support this mine. So let me get this straight: our community and our government say no, yet these powerful cashed-up companies can still override our strong opposition. Have we no sovereignty in this country? And when the time comes and they can't make good of the damage caused, they will be long gone, leaving us to clean up the mess.

We're still trying to get our waterways cleaned up from the Medway coal mine over 100 years ago. Everyone is passing the buck in that instance. Will we be repeating history? But, right now, I'm discussing our kids and our grandkids' future, who also live in this district. I have eight grandchildren and love them dearly. Wouldn't

everybody love their grandchildren and want to see them prospering in a beautiful country like we have enjoyed? 50 years ago, when I was a child, I bushwalked the entire perimeter of our beautiful local bush, exploring every waking moment when not in school. My dad was a bushwalking leader, taking groups deep into the bush and national parks, identifying every plant and animal he saw.

Right now, you might say, “Our bush is beautiful.” Well, it’s nothing compared to 50 years ago. Have you seen Mount Gibraltar lately? Have you seen Mount Alexandra Reserve? Have you been around the Welby Weir in Berrima lately? It’s a tragedy. This is climate change. This is business and industry not kept in check. Our local council can’t even keep up. I’m calling them with photos and evidence. They can’t keep up with what we have now, let alone adding a coal mine to the mix. I’m just so upset about the prospect of this coal mine. We are running out of time. I’m challenging the commissioners today to read in full as part of your consideration to your decision today these books.

Now, I’ve read them, they are fantastic books to read: *Flames of Extinction* by John Pickrell; *The Coal Truth*, David Ritter; *The Coal – sorry, Big Coal: Australia’s Dirtiest Habit*, Pearse, McKnight, Burton; *The Climate Cure*, Tim Flannery; *Beyond Climate Grief*, Jessica Newby; *A Continent in Danger*, Vincent Serventy, a personal friend of my father’s; *Last of Lands*, Webb, Whitelock, Brereton. The last two were published in the 60s. The 60s, how long ago was that? And we’re still not listening. Our scientists, conservationists, academics, botanists, marine biologists, journalists, all have written books and information is there.

These people have given us scientific and expert evidence. Why aren’t we listening? So why are we wasting all this time? It’s on your conscience, people. Our local council recently declared a climate emergency. Our decisions in this district are based on preserving our natural environment and mitigating a critical climate emergency, and this proposed coal mine contributes to additional emissions we can’t afford. We don’t want or need any more extraction of fossil fuels. This is the issue. Let’s stop with the evidence of making good. You’re not going to make good of our planet once it’s destroyed and our animals are all extinct. We’re preserving our endangered species, our water, and our air. So my message is: go home, you climate-wrecking mob. Find something else to do. Okay. And I really hope the commission will see sense and say no to this coal mine. We don’t want it. We don’t need it. So thanks again for your time.

MR DUNCAN: Elly, thank you for your presentation.

MS GRAHAM: Thank you.

MR DEIGHTON: On the phone, we have Alistair Parr next. Mr Parr, good afternoon.

MR A. PARR: Look, I – the main reason I’m here is I want to take issue with the way that the Murwillumbah Railway is – well, with the proposal of ripping up the

Murwillumbah Railway and converting it into a bike track which is basically what it's going to be. I think it's an appalling idea when you think about it. I mean - - -

MR DUNCAN: Mr Parr, I think - - -

5

MR PARR: In 2004, that railway was shut. Okay. And, I mean, even when it was closed, it was still getting, you know, quite a few thousand people every week using it. Okay. Just – you know, there was a thousand people using it a day, nearly, especially in peak times such as holidays as well. And, I mean, since 2004 our population – the population in this region has expanded and will continue to do so. I mean, it's a popular area. I mean, tourism-wise, it's very popular. I mean, if you look around towns like Mullumbimby, there's housing estates popping up left, right, and centre the same as there is in Byron Bay. Even around here in Murwillumbah, population is increasing.

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MR DUNCAN: Mr Parr, could you please direct your comments towards the project under consideration.

MR PARR: The rail – the rail trail – the Murwillumbah Rail Trail Project.

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MR DUNCAN: This is not about the Murwillumbah rail trail. We're talking about the Hume Coal and Berrima Rail - - -

MR PARR: Well, they have given me – sorry, they told me that – I was approached by your commission and they told me it was – there's something about this – there was something about the rail trail project on it.

25

MR DUNCAN: There has been a crossed wire here. So I apologise if - - -

30

MR PARR: Yes. That's all right. No worries. Okay. No worries. Thank you.

MR DUNCAN: Okay. Thank you for your time.

MR PARR: Okay.

35

MR DEIGHTON: Okay. Well, our next speaker will be Mr Tom Kristensen. Mr Kristensen, are you there?

MR T. KRISTENSEN: I'm here. Can you hear me?

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MR DEIGHTON: We can. Go ahead.

MR KRISTENSEN: I'm grateful for this opportunity to speak at the IPC hearing and to add my voice to those concerned about the impact of coal mining on the Sydney water catchment and our expanding carbon footprint. To be clear, I object to the Hume Coal and rail projects. I belong to several interest groups that work to

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protect the natural values of the Sydney water catchment and I would like to share my perspective on the planning process.

5 Having made a few submissions to the IPC on mining projects in the catchment, I realise that every mine is different and yet the underlying problems are broadly similar. Mining is a destructive and dangerous process that creates permanent damage for a temporary return. The DPIE are given the task of weighing that damage and danger against the mining business model, taking the input of agencies and advisers to prepare an assessment report for consideration by the IPC who will  
10 finally judge whether the project is in the public interest. Crucially, the IPC are able to hear from experts and others that may have not been consulted by DPIE. Often that additional advice reveals a pro-mining bias in the DPIE planning process.

15 We've seen recent decisions of the IPC reset the rules of coal mining in the catchment. With more aggressive mining proposals that threaten the safety of mine workers, the IPC has negotiated increased safety margins. This has happened Russell Vale and was attempted with the Hume Project. Some threats to the water supply are also too extreme to countenance. The Dendrobium expansion threatened to drain the Avon and Cordeaux reservoirs and failed to gain the consent of the IPE.  
20 Unsuccessful projects have been marked by a lack of willingness to follow mine design suggestions put by the review process.

25 Mine safety may be paramount, but it is an unfortunate paradox that safe mine design might also be the most destructive. The favoured longwall mining technique results in rapid collapse of the mining voids with consequent cracking of overlying rock, subsidence damage of the surface and draining of aquifers. The dramatic defacement of the landscape is a trigger for community outrage as creeks buckle, wetlands disappear and water runs orange. Failing aquifers no longer replenish water courses and provide the essential bore water for farming. In urban settings, roads and houses  
30 sink as gardens wither and die.

35 Conditions of approval have previously managed these impacts with the expectation of increased monitoring, adaptive management and remediation. As these promises fail to deliver solutions, yet another suite of compensatory measures were offered up as offsets to greater landscape, resulting in biodiversity losses, are to be offset by purchasing other lands that hopefully seem similar to the lands destroyed. Water lost to the cracks in the catchment is offset by paying to fix leaking pipes or for maintenance done to a fire trail. Sinking houses can be propped up and so on. Everything has its price and can be haggled over.  
40

45 The Hume Coal Project employs an old pine and feather design where voids are kept open to store waste material and coal wash. It seems likely to fail at some stage with the subsidence deferred to some point in the point, conveniently beyond the care of the mining company. The DPIE is right to reject this approach on safety grounds and on the pollution impacts, but the immediate damage done by longwall mining is not preferable to the slower subsidence produced by other techniques such as this except that the government is able to count the losses sooner with longwall mining.

It falls to the IPC to decide whether mining in the water catchment is a legitimate exercise. Mining impacts breach regulatory limits set by the neutral or beneficial effect test set by Water New South Wales and the Aquifer Interference Policy. Mining inside special areas breaches under the terms under which those lands were set aside. Mining coal in general breaches a commitment made by the Australian Government to meet the Paris emission targets.

The IPC may be restricted to consideration of each project in isolation, but in its totality each new mining scheme is literally chipping away at our water security. Each new mine is also contributing to unabated emissions, to a warming planet. None of this is sensible. I urge the IPC to reject this proposal and others of similar ilk. Future generations will thank you for calling an end to an unsustainable destructive and dirty business. Thank you for your time.

MR DUNCAN: Thank you, Tom. Thank you for your presentation today. Next speaker?

MR DEIGHTON: Our next speaker is Rebecca Reidy. Ms Reidy, good afternoon.

MS R. REIDY: Good afternoon, everyone. Can you hear me okay?

MR DEIGHTON: We can. Go ahead.

MS REIDY: The Southern Highlands is my home. I live here with my husband, my two daughters, eight and 10. My parents live locally on a working farm. I work as a carer for my family. I work as a psychologist, and together with my husband – he's a GP – we run a small, busy general practice clinic. Our patients are from right across the Southern Highlands. My husband is working today and spent the week – last weekend working at the private hospital. I wish to speak to the social impacts on the report.

We're a small and growing community, and if you wish to visit, you will notice the community spirit, the friendliness and the interconnectedness. We are people that like to grow veggies and have chooks in our backyard. Our locals are proud of how they generously support and care for each other. But we have been stretched and our resilience extremely tested. If you spend time here, you will hear the stories of the drought, fires, floods and now the pandemic. Our community is exhausted but striving to adapt and innovate. These are the stories we hear every day from people young and old.

They are connected by their love for their community and their environment. You may heard about our tourism campaign, Share the Love. The trust of our community would be broken if the approval of a mine that further threatens our livelihoods and our environment. As a psychologist, I work with the devastating impact these traumatic events have on people's lives. People are now aware of the climate emergency, and they are anxious, fearful and depressed about their uncertain and

insecure future. These feelings become heightened when witness to denial of the crisis and to proposals that ignore the science.

5 As a perinatal psychologist, the majority of my clients are pregnant or with little babies, and it's very hard for them to be here, but I wish to speak for them and for the future that they are dreaming for their families. Maintaining a hopeful outlook is a recommended coping strategy for crisis situations, and saying "no" to Hume Coal would be an action to create hope for the people of the Southern Highlands. I also wish to speak for our young people. Mission Australia's Youth Survey Report 2020  
10 cites that environment issues are more important for regional youth than economy and financial matters by nearly five points.

15 Eco-anxiety, the experience of chronic fear of environmental doom, is a growing clinical presentation. Trends indicate our youth are particularly vulnerable, and this is worrying due to the critical brain changes that occur at this age. When our young can watch a Greenpeace documentary detailing the manipulative powerplays of mining and media magnates, politicians and other officials for votes and money to the detriment of others, there is great grief and loss of trust in our institutions, leading to anger, sadness and despair.

20 The physical and mental health impacts on children growing up with toxins contaminating their air, soil and water and with parents in a chronic state of stress from worry does not secure the future of the Southern Highlands. Our children who will live with the aftermath of the mine are not consenting to it. Saying "no" to  
25 Hume Coal is a vote for the future of our youth. A bold, collective action is a great way to address eco-anxiety. Mental health also impacts our systems, communities and damages the resilience of our social infrastructure, and this is still being addressed, and last – and this month we've had a University of New South Wales event still working on these matters and helping us prepare and increase our  
30 resilience for the next round of extreme bushfires.

35 Ecological grief, the grief felt in relation to experienced or anticipated ecological losses, including species, ecosystems and landscapes due to environmental change, is a common presentation seen by our doctors. The term solastalgia is now used to express the lived experience of negative environmental change. A new mine will amplify the experience of ecological grief and solastalgia in our population. The anti-Hume Project activists in our community carry the burden for those who cannot bear to feel deeply about the costs of the coal mine on our people, land and the climate emergency. Commissioners, if you remain uncertain about this decision,  
40 consider it is known that the experience of grief is associated with our climate emergency. Denial is one of the stages of grief, a common human response to fear. The Southern Highlands has experienced plenty of grief and now is

45 is one of the stages of grief, a common human response to fear. The Southern Highlands has experienced plenty of grief, and now is our time for active hope, a lesson from the pandemic is we do best when our officials listen to the scientists, and our other new allies, other climate scientists. So here we have an opportunity to

restore a sense of faith in our processes and institutions. In coal mining, you never get back what you had. Thank you.

5 MR DUNCAN: Thank you, Rebecca. Thank you for your time today.

MR DEIGHTON: Our next speaker is Shane Wellings. Mr Wellings, are you with us?

10 MR WELLINGS: Yes.

MR DEIGHTON: Good afternoon, sir. Go ahead.

MR WELLINGS: I'm sorry about it being so dark, but that's life.

15 MR DUNCAN: Yes. Please proceed.

MR WELLINGS: I'm going to talk about the fact that (1) this area needs some financial stimulus other than farming and all this, and also I would like to look at the facts. Yes, we need to look at everything, the water, the environment, the whole lot.  
20 But we need to draw our facts from people that have the facts, not from people that have their ideas and their ideologies, and then turn those facts into truths. The truth is that Hume Coal is an opportunity for our Australia or our area to go forward with something that has probably never been practiced properly. But it will give us a chance to give the best possible outlook for a coal mine, with the opportunity to be  
25 best practice across the world.

We still need coal at this stage. It would be nice if we didn't need it. But we do. And it probably will be the same for another 30 years before we can find a better solution to energise our people. We need power. We need steel. We need resources  
30 at this stage to build our electric cars, to build our roads, and to go forward. So, yes, I understand not in my backyard. But I'm actually living in Bowral, and I don't mind a coal mine being here. For the rest of my time, I yield.

35 MR DUNCAN: Have you finished your presentation, Shane?

MR WELLINGS: Yes, sir. I only wanted a minute.

UNIDENTIFIED MALE: Thank you for your time. We appreciate it.

40 MR WELLINGS: Thank you very much.

MR DEIGHTON: Thanks, Mr Wellings. Our next speaker is Roderick Campbell from the Australia Institute. Roderick, good afternoon.

45 MR CAMPBELL: Good afternoon.

MR DEIGHTON: Go ahead.

MR CAMPBELL: Great. Thank you, Commissioners. My name is Rod Campbell. I'm the research director at the Australia Institute, and independent policy think tank based in Canberra. I've presented to many, many PACs and IPCs, and I've been accepted as an expert witness on the economics of coal mines in – and mining more  
5 generally in courts in New South Wales, Queensland and Victoria. I've made submissions on the Hume Coal project throughout the projects assessment period, and it never ceases to amaze me that this project is somehow presented as an economically and financially viable coal mine.

10 We've seen revisions of its economic assessment in the hundreds of millions of dollars throughout the various reports that have been written. This – perhaps more than any other coal mine that's gone through the New South Wales planning system in recent times, its economic assessments have had to be revised and the reviews of  
15 them have had to be redone over and over again. I was just refreshing myself on them. I think there has been at least three versions of the BA economics cost benefit analysis. I think there's at least three commissioned reviews of that.

And the fact that we're still here midway through 2021, and still having to have 36  
20 page long reviews of the proponents commissioned assessment, I think suggests that there's a real problem with it. There's a real problem with that assessment. And the problem, really, is that a small coal mine far from port and infrastructure at a time when the world is – and a greenfields mine at that – using production methods that are not common in Australia – the idea that this greenfields mine can somehow be worth hundreds of millions of dollars in net present value just on face value really  
25 should be questioned.

And, you know, look, I'm pleased to see that overall, the department in its assessment report has stated that it doesn't believe that the environmental and social costs are outweighed by any potential economic benefit. You know, I think that's  
30 the department actually getting it right for a change. However, in doing so, they still overstate the economic case for this project. I will try and share my screen to bring your attention to the relevant parts of the assessment report. I'm infamously bad at this. Has that shared my presentation with you?

35 MR DUNCAN: Yes.

MR DEIGHTON: Yes, we can see that. Thank you.

MR CAMPBELL: So what the department writes in the summary of its assessment  
40 report is there is now adequate agreement between the economic experts on the net economic benefits of the project with the department's expert estimating that the project would have net benefit of \$194 million in net present value terms. This is actually incorrect. In – from an economic and cost-benefit analysis perspective, if the department considers that the environmental and social costs of the project  
45 outweigh its economic – its financial benefits, then the net benefit of the project is zero or less.

So it's important to realise that most of these net benefit calculations within the EIS actually ostensibly include a monetary value for environmental impacts, including groundwater and make good agreements. So to state that there's a net benefit – to state that the environmental costs outweigh the estimate of net benefit is actually to  
5 double count the environmental costs. The department is really saying – what the department is really saying here is it doesn't accept how the economic assessment has countered environmental costs, and in fact, there is a net benefit of less than zero. So aside from the department not agreeing with this net benefit figure, actually I think it's misleading to claim that the department's reviewer or expert supports that,  
10 or somehow that there's agreement between economists here, you know, firstly as an economist somewhat recognised in this field, I certainly don't agree with this figure, at least not without a hell of a lot of qualifications, and in fact, the department's expert comes with a hell of a lot of qualifications as well.

15 We will just list through a couple of them, and I will put a more bit detail in a written submission. So BIS Oxford Economics were commissioned to review the economic assessment yet again, and they say the question of the mines production volumes is ultimately linked to project viability. If the mine is unable to produce the volumes projected, then the royalties of the project benefits will be lower than forecast, and  
20 some discussion about the Pine Feather mining method. So this apparent agreement on this apparent net benefit of \$194 million, in fact, BIS Oxford are questioning production volumes, and whether or not that can be viable, and that actually would affect that overall figure. So BIS Oxford certainly don't agree with that figure, without the qualification of production volumes. They're also concerned about costs.  
25 I've pasted these clumsily.

They're not actually adjacent paragraphs. They're from two different parts of the review. But again, I will make that clear in a written submission. It's not clear – so  
30 in the commissioned economic assessment, in the cost benefit analysis, it's not clear if any contingencies have been allowed for in the base project costings, and these might be relevant if mining operations prove more complex than originally anticipated. Elsewhere, they state more fundamentally:

35 *It's not clear that there is any allowance for project contingencies, optimism bias, ie. underestimating costs in particular may be a generic issue with major projects.*

That's the quote. And I would add, in relation to mining methods that are unusual in Australian circumstances, this concern of BIS Economics seems understated at best.  
40 So they're concerned about volume and viability, they're concerned about costs and optimism bias built into cost assumptions. They're also concerned about basically the coal market, and the future for demand around thermal coal and low-grade metallurgical coal such as this project would produce, production-related risks in the long run, there's the growing environmental concern around thermal coal, or the  
45 mining of coal under any circumstances.

And the idea that a project, you know, again a small marginal project like this greenfields project would produce under the assumptions in the EIS for the next 20 years, it seems a wildly optimistic assumption on behalf of the – by the proponent and its commissioned economists at BA Economics. A couple more of the  
5 reviewer's hesitations here. They're also concerned that the short to medium term impact of the pandemic hasn't been considered in the project documentations, and they note that no production specific sensitivity tests have been undertaken in the 2020 EIA, or for that matter, in my reading of them, in the earlier economic assessments.

10 So none of the sensitivity testing that has been done that claims that under almost any circumstances, the project is net present value positive, none of those claims include any assessment of, what if the project doesn't run to 2040? What if it has a period in the 2020s of not producing? There has been no consideration of whether or not –  
15 there has been no consideration of different production scenarios and how that might impact on the project's viability overall. Sorry, I will stop – stop soon. So I guess my overall message is that the department, even in considering – even in its relatively straight up assessment that the costs of the project outweigh any potential benefits, even then they're overstating the case for this project.

20 There's no consideration in there that New South Wales coal mines are already producing at about 100 million tonnes below their potential capacity, and there's no real discussion of whether or not we should be approving new coal mines at a time when the world is telling us that it wants to buy less coal anyway. So there's a  
25 whole lot of generic or – there's a whole lot of wider arguments about why we shouldn't be approving coal mines, new coal mines at this point in human history. But even within the documentation of the project, it's pretty clear that there is absolutely no economic case for it, and the department has managed to even overstate that. I'm happy to follow up with any questions or put this in a written  
30 submission.

MR DUNCAN: Yes. Thank you. We appreciate a written submission. Any questions from commissioners? None at this stage. Thank you, Mr Campbell.

35 MR CAMPBELL: Thank you.

MR DUNCAN: Thank you for your time today. Troy.

40 MR DEIGHTON: So that concludes public submitters for this public hearing. We will take a short break, and be back in a moment, when the commissioners have a few questions for the Department of Planning, Industry and Environment. Back in a moment.

45 **RECORDING SUSPENDED**

**[4.44 pm]**

**RECORDING RESUMED**

**[4.47 pm]**

MR DEIGHTON: Welcome back. We're rejoined this afternoon by Steve  
5 O'Donoghue and Phil Jones from the Department of Planning, Industry and  
Environment. Peter Duncan, I'll hand back to you to take us through this Q and A  
session.

MR DUNCAN: Thank you, Troy, and welcome back, Steve and Phil. We  
10 appreciate your time this afternoon. Can you hear us, Steve?

MR S. O'DONOGHUE: Yes, Commissioner, I can hear you. Thanks.

MR DUNCAN: Great. Good. We've just got a few questions that have come out  
15 over the last couple of days, so, as usual, please answer them as best you can.  
However, also consider taking things on notice, if you wish to come back and put  
things back in writing which we'll make public on our website.

So, to start with, I might ask the first question, and it's to do with the rail line, and, in  
20 particular, rail crossings, particularly the number of rail movements per day have  
been mentioned a couple of times. We understand there'll be four movements per  
day. That's eight trips. And what we're interested in is the number of rail crossings  
and whether there's been any consideration of the time those rail crossings would be  
25 closed. There are a couple of people particularly in some of the other towns that  
were raising the question, and I was wondering whether you could help us with that.

MR O'DONOGHUE: Look, well, thanks, Commissioner. Look, on that issue the  
Final Assessment Report does address that to some degree, looking at the maximum  
30 daily movements on the Berrima Branch Line, which is about 117 in each – 17 in  
each direction – sorry – which is about 77 per cent of the line operating capacity.

I guess in the advice we received from the ARTC, they didn't raise any significant  
issues about the rail traffic in particular, but I guess we considered that any residual  
35 rail issues, including delays at crossings and impacts on emergency vehicles could be  
addressed through conditions, if the project were to be approved. Just on that  
question, that's probably all I can say. I can take it on notice and get – provide  
further information on the specific details about the crossings, if you want, and get –  
and take – provide further info in writing.

MR DUNCAN: Yes, please. The 17 in each direction – is that inclusive of the  
40 additional trips from this proposal?

MR O'DONOGHUE: Look, I might get Phil to clarify that one, if he's on the line.

45 MR DUNCAN: Thank you.

MR P. JONES: Yes. Sorry, Commissioners. Yes. So it's my understanding that 17 is a maximum of additional movements on the branch line.

MR DUNCAN: Per day.

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MR JONES: Per day, yes. 17 each direction, so 34 movements in total, maximum.

MR DUNCAN: Okay. All right.

10 MR O'DONOGHUE: ..... provide some more just on that, Commissioner, just about the – so the question was more about delays at the crossing and the impacts on emergency services vehicles in particular.

15 MR DUNCAN: That's correct, yes. We'd like a bit of understanding of that, because there's been a lot of different numbers. In fact, I think we were advised there were four additional movements proposed in the application or from the applicant which would translate into eight movements altogether, but I assume that's average if the total maximum is 17.

20 MR O'DONOGHUE: Yes. We'll provide some further clarification on that in writing back to you.

MR DUNCAN: Good. Thank you. I'll open it up to the commissioners for other questions. I think Commissioner Wilson has got a question.

25

MR C. WILSON: Mr O'Donoghue, in the department's preliminary report and in their more recent report, it states that the predicted drawdown impacts on the aquifer would be the most significant for any mining project in New South Wales, yet we met with the applicant recently, and in his submission the applicant states that the impacts on groundwater were less than other mines, taking into consideration inflow, drawdown and recovery. Could the department please clarify its groundwater concerns with reference to the Aquifer Interference Policy and the applicant's position on this matter?

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35 MR O'DONOGHUE: Look, sure. I'll provide some context around that, and, look, I guess I might share just a slide from the ..... just a couple of slides on this as well, if that's okay.

MR WILSON: Sure.

40

MR O'DONOGHUE: So I don't know if that's come up. Sorry about that. I've just got to find the right slide ..... coming up with the wrong slide. Sorry. Look, I'll just talk through it. Was there a slide that came up on the PowerPoint then? I couldn't see it. Oh, it did? Okay.

45

MR WILSON: It did, yes. It showed a number of balls.

MR O'DONOGHUE: Yes, okay.

MR WILSON: But it's not there now.

5 MR O'DONOGHUE: Yes. I took it off. I couldn't see it on my screen. Is that there now?

MR WILSON: No. Hang on. Yes.

10 MR O'DONOGHUE: Yes. Okay. Look, I'll just run through a couple of slides on this. I guess the first thing to say is that our Final Assessment Report did include a detailed consideration of the project's impacts on groundwater bores compared to other contemporary mining projects in New South Wales, including Tahmoor South, and the first slide up there is just giving a summary. It's from the report. We're just  
15 giving some examples, I guess, as a comparison, and I'll just run through some of them, some more recent.

The Aquifer Interference Policy came in in 2012, and these are some of the more recent ones that were determined in the last five years or so. So, for example, the  
20 Dendrobium Extension Project – it was refused by the Commission, but the predicted impact was zero on private bores. The Russell Vale Underground Extension Project, the Vickery Extension Project, Rix's Creek – quite big projects, a range of underground and open-cut mines. Wallarah 2, which was approved, Rocky Hill, Wilpinjong Extension had very low predicted impacts on bores.

25 And I'll come to the Tahmoor South in a little bit, but I guess I just wanted to make the point that, you know, for contemporary projects, there's very few examples of a large number of impacts on privately owned bores. In the case of the Maxwell Project there was an exceedance on one bore, with two potentially impacted from  
30 cumulative impacts from other mines, so, again, the scale of the impact is pretty small.

The only comparable project is Tahmoor South, and we've got – we consider that in detail in our assessment report. As outlined in the report, there's a number of reasons  
35 to distinguish the potential drawdown impacts from the project and the Tahmoor South Project.

I guess the first point is that Tahmoor South is located in a mine subsidence district, created in 1975, and it provides protections and compensations for impacts to built  
40 infrastructure, including homes, infrastructure and groundwater and groundwater bores. On top of that, in the Tahmoor area 83 per cent of the houses were built after the declaration of the subsidence district, and I guess there's a longstanding process for identifying and rectifying subsidence-related impacts in that area.

45 I guess the next point is that Tahmoor was first approved in the 1970s, which, as mentioned before, predates contemporary water legislation and the Aquifer Interference Policy, including the requirement for the make good provisions, so there

was no requirement to consider aquifer interference, and the potential impacts on bores were assessed differently when the mine was approved, and similarly the Bulli Seam Operations, which is the other mine in that area, or the Acland Mine. I guess, in contrast, in the Berrima region, it's a smaller scale operation, bord and pillar  
5 mining, associated with the Berrima Coal, which is, you know, now in closure, and it's different land uses in the area.

Secondly, from an impact perspective, the two mines have different geology and hydrogeology aspects, and I'll just go to the next figure for Tahmoor. So I guess the  
10 point here, and just reflecting on the figure – the depth of mining is a lot deeper. We're looking at 370 to 430 metres to the mining zone. It's longwall mining.

The yellow here is some of the geology, which is the Narrabeen Group, which has got a range of claystones and sandstones, which provide a barrier to hydraulic  
15 conductivity through the zone. There's also the Bald Hill Claystone layer, before you get into the Hawkesbury Sandstone, where most of the bores are tapped into in the Tahmoor area.

So I guess the key point is that there's a number of less permeable – there's claystone  
20 layers, in particular, layers of sedimentary rock, that impede groundwater flow, even though it is a different form of mining.

Hume, on the other hand, looking at the hydrogeology and the geological formations there – and we sort of discussed this the other day. There's only a very thin layer of  
25 shale that's contained in the Narrabeen Group overlying the coal seam, and in some places it's eroded fully out.

But the main beneficial aquifer is the Hawkesbury Sandstone, at much lower depths, 50 to 120 metres, with some shales also overlying the Hawkesbury Sandstone, so all  
30 the bores are tapped into the Hawkesbury Sandstone formation here. So, I guess, for the Hume Coal Project, it's unique in some ways, compared to the rest of the Southern Coalfield mines, and that's – the Hawkesbury Sandstone is very close to the coal seam, and this is a major factor in predicting the high levels of groundwater drawdown.

Probably, just to – here's just another hydrogeology figure just showing, I guess, the  
35 Berrima Colliery here, and also the Hume Coal Project, where the coal, again, is in the Wongawilli seam, as that is directly beneath the Hawkesbury Sandstone with the bores tapped in there.

I guess the third point in comparing the mines is that Tahmoor South has – you  
40 know, there's 30 years of data and experience to inform the modelling, and also in assessing, you know, the drawdown impacts on the surrounding groundwater bores, and informing the need to make good.

So there's a good historical and extensive database that demonstrated that actual  
45 impacts are substantially less than the predicted impacts. In this regard, while the

Tahmoor groundwater model predicted that historical operations would have affected 72 bores – this is for the Tahmoor North Mine – only two bores were required to make good to date – that’s over that period of the mining – and, as mentioned the other day, this is due to subsidence impacts directly on the bore, rather than to groundwater drawdown in particular.

I guess the other aspect is in relation to the make good predictions at Tahmoor. They developed a detailed risk classification system based on this previous experience and historical data, and, based on this, they predicted that only 20 bores were likely to require make good provisions. I guess for Hume Coal there’s not that data around – historical data – to support that conclusion, and while Hume Coal state that may be the case for their project, there’s no evidence to support that claim, compared to the Tahmoor South case.

So I guess, in summary, you know, there’s different hydrogeology, much shallower mining, so the department can’t really infer that there’s any reduced likelihood of predicted impacts at the Hume Coal, based on the experience at Tahmoor. So we don’t think that the comparisons to Tahmoor South Coal Project are appropriate. When you look at the impacts at Tahmoor South, you’ve got up to 94 bores impacted on the 67<sup>th</sup> percentile, or 118 bores at the 90<sup>th</sup> percentile, and this should be considered the likely impacts from the Hume Coal Project, as recommended by the department’s water group in their advice to the department.

MR WILSON: Okay.

MR O’DONOGHUE: Probably just one other point, I guess, looking at comparing the 67, 50 percentile, the 90 percentile, which is based on the modelling assumptions and changing parameters to look at the sensitivity through the model at the range of impacts, I guess in the case of Tahmoor, where the 50 percentile was used in the predictions, the department’s expert, you know, considered that this was acceptable, because the model conceptualisation was mature and based on 20 years of data informing that model. The modelling was consistent with measured data from the mine, and the model displayed good calibration.

I guess the other point is that, looking at the Hume, the 50 percentile prediction for the Hume project would be still 84 bores, which is still – when you look at that range, 84 up to 100 is still a high value when compared to the Tahmoor South Project. Unless there’s any – that’s probably enough. I can probably provide more advice on that, or, Phil, have you got any more comments to add?

MR JONES: Sorry. Just trying to find the unmute button. No, I think you’ve covered everything, Steve. Yes. It really is about the difference in geology and hydrogeology between the two mines.

MR O’DONOGHUE: Okay. Thank you, Peter.

MR DUNCAN: Steve and Phil ..... without going it over again, when you come back to us, I was just curious to know how many level crossings there are that the trains would traverse between ..... as well ..... better understanding of that, which can go along with the delays in things.

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MR O'DONOGHUE: ..... Commissioner. We can – we'll have a look at that.

MR DUNCAN: Thank you. Another question or couple of questions that have been raised yesterday and a few speakers today goes to the issue of dust impacts, and a speaker particularly yesterday was concerned that there hadn't been enough – or it wasn't clear whether it had been taken into account in the assessment, and I was just wondering whether you'd like to cover that issue.

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MR O'DONOGHUE: Look, yes. Thanks, Commissioner. Look, we'll add some comments on that, and we can back it by any, you know, further written advice. I guess the issue was raised in the first public hearing, and informed one of the Commission's recommendations, which was recommendation 12. We did consider the dust emissions in our Final Assessment Report.

15

I guess the key to it was really that the department and EPA, who's the regulator for air emissions and provided the department technical expertise and review of the air quality modelling and assumptions around that, including emissions and representativeness of the met data, was satisfied that the met data used in the air quality assessment was appropriate and consistent with the approved air methods, and on that basis that the air emissions, you know, were considered that they would comply with the ambient air quality criteria. We can certainly pull out some more detail on that and provide more information on that aspect than, I guess, the EPA has sort of input into that process.

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MR DUNCAN: Thank you. Some more clarity on that would be helpful. Commissioner Clark, are you okay at this stage? Any further questions?

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PROF A. CLARK: Yes. Thank you, Peter. Mr O'Donoghue, I'm just wondering: we had a number of submissions – two that come to mind – that spoke to the difficulties of placing 100 per cent of the waste underground, and, I guess, the transportation of that waste through pipes, and some of the technicalities around that. I'm wondering if you have any comments on that.

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MR O'DONOGHUE: Look, I guess, the key – I'll probably take that one on notice to some degree, but it was looked at in our assessment report in terms of the ability – it was an issue raised in the first public hearing, but we were generally satisfied, I guess, with the advice provided back on that particular issue on waste going underground.

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I guess the main – in some ways it does link into that issue about some of the uncertainties about how the mine plan may develop, which the department sort of focused on previously, related to, you know, pillar stability issues and how that

45

might affect the rollout of the mine. If areas can't be accessed, for example, that would affect, you know, where you put waste underground and where you put water underground, so, from a mine planning perspective, there are implications on that side of it for stockpiles on the surface and water management on the surface.

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That's probably more the link for us in terms of our concerns and uncertainty on that side, but I might – Phil, if you've got any more comment on that one, we might take that one on notice and provide more information on that.

10 MR JONES: Yes. There was more assessment done in the response to the first IPC report, and I think, generally, from an engineering perspective, we're satisfied that it can be done and that, on the company's estimates, all of the waste can be emplaced underground. But, as Steve mentions, there is still uncertainty around that mine planning, in the department's eyes, which may affect the ability to emplace waste  
15 and water underground.

MR DUNCAN: Thanks, Phil.

PROF CLARK: Thank you.

20

MR DUNCAN: Commissioner Wilson, I think you have another question.

PROF CLARK: You're on mute.

25 MR WILSON: Yes. Thank you. Mr O'Donoghue, we've heard a lot over the last two days about the fear in relation to impacts on tourism in the locality. Was there any quantitative analysis done on what those impacts might be?

30 MR O'DONOGHUE: Quantitative analysis. Look, I might take that one on notice. From a quantitative point of view, I guess the economic evaluation looks at the costs and benefits of a project and incorporates that into the impact side of it – tries to value it. I think it's probably a difficult one in that economic evaluation to fully incorporate those costs.

35 But, look, I don't think there's a direct quantitative analysis done on that, and I guess in our assessment we sort of recognised the importance of tourism in the area, you know, more from a strategic level and land use change side, that the tourism is very important to the region, the land uses in the area with the environmental zoning, and heritage landscapes is an important feature, and the question is about the suitability  
40 in this instance of mining in the location.

MR WILSON: Okay. Thank you.

45 MR O'DONOGHUE: Again, Phil, I don't know if you've got anything you want to add on that aspect.

MR JONES: I'd just add that there was also a very detailed social impact assessment that was conducted as part of the EIS and the RtS, and impacts on tourism were considered as part of that assessment.

5 MR WILSON: Okay. Thank you. I'll refer to that.

MR DUNCAN: Okay. Thank you. I think counsel assisting has a question next.

10 MS J. McKELVEY: Yes. Mr O'Donoghue, there was an issue raised on behalf – really on behalf of the applicant or the proponent about the status of the VPA that was offered. Was that ever notified as part of the public process?

15 MR O'DONOGHUE: Look, it was, and it was certainly outlined in our assessment report, the Final Assessment Report, so the details of that were included and considered in the department's evaluation. Like, we do refer to the fact that Hume Coal did make an offer to enter into the VPA with the Minister for Planning back in May of 2017, quite a while ago in the project.

20 And the reasons around that was because of the ability to seek a voluntary, you know, planning agreement with the council, who we didn't want to engage, I guess in a planning agreement when they were objecting to the project, so that the company certainly looked at an alternative to seek to enter into a planning agreement with the Minister, or put an offer directly to the Minister.

25 So, as detailed in our report, that was for an initial contribution of \$750,000 and ongoing contributions of five cents saleable tonne of coal, so over the life of the project, assuming the production schedule is as per proposed, there's about just a bit over \$2 million over the life of the project. So certainly, you know, that was a consideration in the department's weighing up and consideration of the costs and  
30 benefits of the project.

I guess it's 1.2 – it is unusual, in mining projects, anyway, for a proponent to seek to enter an agreement with the Minister, as opposed to the council, so that – I – just not being aware of any examples myself in the mining, but certainly most proponents,  
35 you know, make all efforts to enter an agreement with the councils and the community that's affected in that basis.

I guess the other avenue, I guess, that's open to the Commission is that you can – in some cases the department has recommended and the Commission has included  
40 conditions under the Act for financial contributions in 7.12 of the Environmental Planning and Assessment Act, so directly to the council, consistent with their contributions plan. But so in some cases there has been conditions to that effect.

45 MS McKELVEY: Sure. So, just to clarify, because I don't think this is abundantly clear from the assessment report, the offer was also made to enter into a VPA with the Minister. I think the assessment report only refers to the offer to the council. I

think it's in correspondence to the Minister that it's referred to, but it was the same offer that was made to the council, that was made for the .....

5 MR O'DONOGHUE: Yes, that's right. Yes. So there was an offer made to the council from the proponent, but, essentially, the offer, you know, wasn't taken up or negotiated. The same offer was – you know, a letter of offer providing the details was provided to the Minister, and we can certainly – you know, while we've got details of that offer, you know, which is the substance of any planning agreement, you know, we can provide further details about that.

10 MS McKELVEY: And was the offer to the Minister publicly notified? Was that part of ..... notification process?

15 MR O'DONOGHUE: Well, I'll take that on notice.

MS McKELVEY: Sure. We're just trying to figure out the timeline of when things were done and so forth, so that would be helpful. That's all I had, Peter.

20 MR DUNCAN: Okay. Thank you. Any further questions from the panel?

MR WILSON: I'm right. Thanks, Peter.

PROF CLARK: I'm good, Peter.

25 MR DUNCAN: Okay. Steve and Phil, thank you very much for coming back. We really appreciate you coming back to answer questions for us, and we'd appreciate any follow up that you can provide. And, again, as I said, thanks again.

30 That brings us to the end of the final day. Thank you to everybody. That brings us to the end of the public hearing and to Hume Coal Project and Berrima Rail Project SSD 7172 and SSD 7171, second referral. Thank you to everyone who has participated in this important process. Commissioners Alice Clark, Chris Wilson and I have appreciated your input.

35 Just a reminder it's not too late to have your say on this application. Simply click on the Have Your Say portal on our website or send us a submission via email or via post. The deadline for written comments is 5 pm next Friday, the 23<sup>rd</sup> of July 2021. In the interests of openness and transparency, we'll be making a full transcript of this public hearing available on our website in the next few days.

40 At the time of determination, the Commission will publish its statement of reasons for decision, which will outline how the panel took the community's views into consideration as part of its decision-making process.

45 Finally, a quick thank you to my fellow commissioners, Alice Clark and Chris Wilson, and also to our counsels assisting the Commission, Janet McKelvey and Jane

Taylor. My name is Peter Duncan, and on behalf of all of us at the Commission, thanks for being with us, and good evening.

5 **RECORDING CONCLUDED**

**[5.17 pm]**