

SUBMISSION TO IPC PUBLIC MEETING ON THE BYLONG COAL PROJECT

7 November 2018

Rylstone District Environment Society

Rylstone District Environment Society (RDES) thanks you for the opportunity to address this IPC public meeting for the Bylong Coal Project

First we would like to acknowledge the Wiradjuri peoples as the traditional owners and custodians of the land on which we are meeting today. We would also like to pay our respects to the Elders past and present, and to the Elders from other communities who may be here today.

RDES is totally opposed to this coal mine in the Bylong Valley. The reasons are many and cover issues relating to

- Nature and Biodiversity
- Water and agriculture
- Cultural heritage both Indigenous and European
- Unacceptable impacts of subsidence

These issues have not been adequately addressed by the revised mine plan.

Nature and Biodiversity

- 691 hectares of native vegetation, including critically endangered woodland, will be cleared by this mine. What is the point of recognising ecosystems as critically endangered if mines are still allowed to clear them? Mine rehabilitation does not replace such ecosystems and to suggest it does shows no understanding of how ecosystems work. Disturb them and it can take decades to centuries for them to return to original condition and in the interim species are lost.
- Our region has lost hundreds of hectares of critically endangered ecological communities and Regent Honeyeater habitat due to coal mining yet there has been no assessment of this cumulative loss. Why this omission? The Planning system is seriously flawed in that it does not take in the whole picture by insisting cumulative impacts be addressed.
- Cliffs will collapse due to mine subsidence and this will lead to permanent loss of threatened species habitat.
- Biodiversity offsets are always problematical and in this case KEPCO's largest biodiversity "offset" area is over the underground mine which means it will be subject to subsidence so hardly a true "offset".
- The proposed Bylong mine is on the edge of the Greater Blue Mountains World Heritage Area. This means the area affected by groundwater drawdown caused by the mine will include parts of the National Park. We understand the material presented to the Commission does not include assessment of this impact. This impact must be assessed and addressed.

Water

- Local farmers are seriously concerned about the impact of this mine on the Bylong River and rightly so. We understand the Bylong River is known to flow underground through its alluvial aquifer. The mine will negatively affect this aquifer and thus negatively impact the Bylong River. Studies show that at times the Bylong River may run dry.
- Such compromise of the Bylong River source affects the rich agricultural land that relies on this water source. In common parlance the Bylong Valley is well watered country. Affect this and you affect the livelihood of all the farmers who live there.
- The Aquifer Interference Policy for both productive groundwater drawdown and salinity has minimum impact criteria which should not be exceeded yet this mine proposal is likely to substantially exceed these criteria. How can this be allowed?
- The current water model and the peer review process does not have the confidence of the community. It is imperative that there be an independent review that tests the assumptions in the water model before the project is finally determined.

Agriculture

- The amended mine plan will still result in the direct loss of mapped “biophysical strategic agricultural land” (BSAL) – 400 hectares of it. Promises to rehabilitate this land are hard to accept, given the very limited success of a much smaller (about one sixth of the size) trial in the Hunter Valley. Even the Commission review was highly skeptical of Kepco’s promises to rehabilitate BSAL remarking that: “no mines in NSW have, to date, returned agricultural land or soil profiles to equivalence” with biophysical strategic agricultural land.¹
- Kepco has not included two crucial elements for testing the success of rehabilitation. One is the important BSAL criteria of water availability. The other is landscape function. These criteria have been rejected by The Department of planning and Kepco, even though they were previously suggested by the Planning Commission.
- In addition to the impact on BASL land, close to 600 hectares of land mapped as part of the critical industry cluster for the thoroughbred breeding industry will also be lost. This industry has already been reduced by KEPSCO when a thoroughbred stud, instead of going ahead with a proposed expansion, relocated away from the Valley as soon as Kepco gained the exploration licence.

Heritage

¹ The HVO Alluvial Lands Reinstatement Project took ten years to rehabilitate just 63 hectares of productive alluvial farmland and has not been repeated. KEPSCO is promising to do the same with 400.

RDES is concerned that the advice and findings of the independent report commissioned by the Heritage Council are not reflected in the advice given by the Heritage Council to the Dept of Planning and are not found in the Department's final assessment report.

The independent experts found that both Tarwyn Park and the broader Bylong Scenic Landscape qualified for state heritage listing, but the Heritage Council did not adopt this recommendation in its advice to the Department of Planning.

The expected impacts on Aboriginal cultural heritage have not been properly investigated despite the Commission's review stating that such "further investigation remains to be completed to properly assess the expected impacts to Aboriginal cultural heritage." Why does this remain undone?

The Office of Environment and Heritage has stated, in regard to the impact of this mine on Wiradjuri heritage, that "Notwithstanding the mitigation actions of previous mine projects and those of the proposed Bylong Coal project, OEH is concerned that harm to [Aboriginal cultural heritage] is approaching unacceptable thresholds for the region unless adequately balanced with a measured conservation gain. An imbalance of this scale may have permanent intergenerational consequences."²

We have mentioned before the Department of Planning's and Kepco's disregard for cumulative impact and note it again in relation to the cumulative impact of this mine on Wiradjuri heritage. Cumulative impact cannot be ignored.

Subsidence

- We note that predicted subsidence from the longwall mining will be up to 3 metres which is greater than in any other western coalfield underground mine. Why is this considered acceptable?
- The proposed condition to repair or remediate subsidence damage is meaningless in regards to cliff collapse. We note that the Commission review raises this issue when it notes that irreversible damage to the cliff lines will be a result of any greater than anticipated change due to subsidence. You can't put a cliff back once it has collapsed!
- The high level of risk of permanent, irreparable damage must be considered. The loss of cliff lines and associated habitat cannot be compensated and the proposed condition to provide additional offsets in the event that impacts or consequences are greater than performance measures is unacceptable.

² Preliminary Assessment Report Appendix D: OEH comments on response to submissions, 3 May 2016.

<https://majorprojects.accelo.com/public/af8d6bf2f5718d45541f0e932f702545/02.%20Bylong%20Coal%20Project%20%20Preliminary%20Assessment%20Report%20%20Appendix%20D.pdf>

In conclusion, RDES believes the revised mine plan and further information provided by Kepco do not adequately alleviate the problems raised by the Planning Assessment Commission Review.

Of great concern is Tarwyn Park the birthplace of Natural Sequence Farming which is all about raising and maintaining the level of groundwater in the landscape. The open cut does exactly the opposite; it creates drawdown of the groundwater so simply moving the open cut a little further away does not remove the impact. Tarwyn Park still will be subject to the worst of the alluvial water drawdown and this will undo forty years of landscape work. On top of this Kepco proposes to surround Tarwyn with pits and spoil piles. The state heritage significance of Tarwyn Park is bound up with the availability of water and the ongoing process of natural sequence farming. It is also bound up in the broader Bylong scenic landscape, as the independent report prepared for the Heritage Council makes clear.

Concerns regarding the mine's impact on the Bylong River through both drawdown and mine water requirements have not really been allayed by the revised mine plan. These crucial water issues remain unaddressed.

Bylong Valley is valuable agricultural land. Starting a coal mine here will fundamentally change the valley. As the Commission has stated *"any approval of the project would represent a fundamental shift in the valley in favour of mining as opposed to agricultural or pastoral pursuits, and that the water security on which agricultural activities depend, may be jeopardised, particularly during extended dry periods."*

We note that the final DPE assessment report that this mine was "approvable" was released on the same day as the IPCC Report on the need to reduce coal dependency. As the chief executive for Farmers for Climate Action recently stated farmers are "beyond frustrated and devastated" by mining projects that directly impact agricultural land. Furthermore "The department's assessment the Bylong mine was "approvable", released on the day the world's climate scientists warned that coal consumption had to be phased out by 2050, "displays an almost staggering disconnect from reality". It just doesn't make sense at a time when the world is turning away from coal, to start that industry in this beautiful valley.

Fundamentally the decision of whether the Bylong Project goes ahead depends on what is considered to be the more important: jobs and economic benefit for a generation or the protection of a valuable highly productive water resource for five generations and more. RDES fervently asks the Commission to look to the future when it makes its final recommendation. This mine should not go ahead.