



Sutherland Shire

Environment Centre Inc.

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November 23, 2008

Ms Alison Thomas  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

Dear Ms Thomas

### **Metropolitan Coal Project**

Sutherland Shire Environment Centre is concerned that any further mining under the Waratah Rivulet will cause more serious damage to the rivulet, cause ground water levels to drop, threaten the flora and fauna of the area and decrease water flows to the storage area.

The company applying for a licence for a mining operation at Metropolitan Colliery has one main objective and that is to maximise return to their shareholders. It has no interest in saving significant features, environment, waterways, aboriginal sites or drinking water catchments and if permitted would probably prefer to remove all the coal in the Southern Coalfields by the most economic method available with total disregard to the destruction that might be left behind.

There are huge profits to be made from coal mining and it is the responsibility of the State Government to ensure that the community does not bear *unreasonable costs* associated with that mining. These include not only the problems mentioned above but also the huge costs to the environment and the community from the impact on climate change from the use of the coal. This proposed mining operation would contribute approximately 7 million tonnes of CO<sub>2</sub> to the atmosphere for each year of mining.

Mining a finite resource that also adds to our carbon pollution and climate change is not an acceptable method of financing sustainable government expenditure.

The State Government is responsible for setting the constraints on the mining operation when issuing the mining licence. Risk Management Zones, remediation costs, penalties for non-compliance with mining approval (up to the extent of ceasing the operations and closing the mine) are tools available to the government to ensure that mining is only carried out to standards acceptable to the community. A substantial bond could be another deterrent. **Mining companies that default should not be granted any future licences for mining operations.**

The approval for a mining licence over a period of 23 years would also be an irresponsible act by government. *Shorter licences* with renewal based on review of performance in line with conditions applied to the mining

approval would ensure that the community is not left to bear the cost of long term abuse of conditions of consent or of government mismanagement.

Risk Management Zones are areas identified as at risk of damage due to mining and where that risk needs to be managed under a "Risk Management Plan". **If the risk is managed effectively there will be no resultant damage.** If a Risk Management Zone is damaged despite all action required by the Risk Management Plan being taken, then either the risk identification process is inadequate or the Risk Management Plan is inadequate. If such damage occurs mining should stop immediately and should not be permitted to resume until all such inadequacies (in identification and/or RMP implementation) are addressed. No level of damage is acceptable within a Risk Management Zone.

Even if all the above conditions are satisfied, there are other considerations that need to be addressed.

**Baseline data** needs to be obtained for water flows into the storage area so that the levels of flow can be checked regularly and compared back to the baseline conditions. There must be a method of measuring the real impact of surface damage to water storage levels.

As Metropolitan Coal now have an **award winning process** for remediating damage caused by mining processes, we expect the 2 kms of the Waratah Rivulet that has ceased to flow from prior damage to be fully remediated *before* any new mining operations begin. This would satisfy the current SMP approval for Longwalls 14 to 17 which states in Condition 17:

*"In consultation with the Sydney Catchment Authority, the Leaseholder shall ensure adequate remediation of subsidence impacts on the Waratah Rivulet, its pools, wetlands and any other habitats and its tributaries unless advised by the Director Environmental Sustainability. The remediation shall be undertaken to the satisfaction of the Director Environmental Sustainability".*

This mining application should be refused if Metropolitan Coal cannot prove there will be no residual damage in Risk Management Zones after the mining operation is complete.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G Booth', written in a cursive style.

Graeme Booth  
Development Officer