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Emergency national heritage listing of the Nepean River Corridor, Dendrobium Long Wall Area and Mine Sites along Illawarra Escarpment

The NSW Minerals Council (NSWMC) welcomes the opportunity to comment on the proposed emergency listing under Section 324F of the *Environmental Protection and Biodiversity Conservation Act 1999* (the EPBC Act) for the Nepean River, Dendrobium Mine area and mine sites along the Illawarra Escarpment.

NSWMC is opposed to the proposed emergency listing as we do not believe the heritage values in these areas are of national significance or that they are under threat. The proposed listing has implications for several mines in the region, particularly investment in existing operations, future expansions and new mining developments. These mines make a significant contribution to the regional and state economy of NSW. Any national heritage listing of these areas would simply be in response to community fears of mining proposals to place additional constraints on industry. This is outlined in further detail below.

Role of the NSW Minerals Council (NSWMC)

NSWMC is a major stakeholder in many of the environmental, social, regulatory and economic issues crucial to the sustainable development of New South Wales. The industry has a proud and demonstrable record of environmental management and continuous improvement, in no small part due to co-operative, consultative and constructive approaches towards ensuring balanced outcomes for sustainable development.

NSWMC is the pre-eminent body representing mineral exploration companies and the producers of coal, minerals and extractive materials in this State.

The NSW minerals industry has an annual production value of around \$7 billion, employing over 15,000 people, mainly in rural and regional areas. The minerals industry also provides indirect employment, estimated to be in the order of a further 45,000 people, in a large number of support industries, ranging from heavy engineering and equipment manufacturing to the provision of mine supplies and consumable items and specialised advisory, design and management services.

The industry contributes over \$1.2 billion per year to government revenues, with coal continuing to be the State's largest export earner at over \$4 billion per year. The export of Australian mining equipment, technology and services is also significant and is valued at well over \$3 billion per year nationally.

NSWMC always seeks to ensure that any environmental regulation and policy meets the basic criteria of effectiveness, efficiency and fairness.



NSWMC Position on the emergency listing

NSWMC does not believe the mining activities in the Illawarra region pose any threat to Commonwealth heritage values and therefore does not warrant emergency listing under Section 241F of the EPBC Act.

Mining operations and development in general, must be extensively studied in respect to Aboriginal heritage. Mining proposals and operations undergo significant environmental planning assessment including comprehensive community and government consultation and often, public independent Commission of Inquiry. Extensive monitoring of subsidence potential and environmental management programs are implemented at mine sites to ensure the ongoing operation does not affect environmental values, including heritage.

Specialist heritage studies of the Illawarra escarpment undertaken by the mining industry indicate that this area does not contain heritage values of national significance and we are opposed to the listing because it would add another level of assessment and regulation for developments in the area.

If, however, the area is found to have Commonwealth heritage values, then the legislative approvals required should be introduced for new developments only, and should not apply to previously approved developments. Government must recognise that retrofitting new legislative requirements to industry at late stages of the development process only discourages future investment through imposing unnecessary costs and time delays.

While it is understood that the proposed listing requires DEH to focus on the heritage values in making its decision, it is important that DEH recognises that the recommendation for listing has come from a community group opposed to a mining proposal in the area. Any national heritage listing of a region should be solely related to its heritage values, rather than opposition to a particular land use.

Conclusion

Mining has occurred on the Illawarra escarpment for many years. The continuation of longwall mining in the Southern Coalfields is regulated by rigorous State and Commonwealth legislation which limits mining activity so that operations are sustainable, and do not affect heritage values.

NSWMC is opposed to the proposed emergency listing as we do not believe the heritage values in these areas are under threat.

If you have any queries on our submission, or if you would like to meet for further discussion, please contact the undersigned on 8202 7218 or psmith@nswmin.com.au.

Yours faithfully

Mr Peter Smith
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