



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF MEETING

**RE: SPRINGVALE WATER TREATMENT FACILITY MODIFICATION 11 –
WATER MANAGEMENT DURING POWER OUTAGES (SSD-7592 MOD 11)**

PUBLIC MEETING

PANEL:

NEAL MENZIES (CHAIR)
SARAH DINNING

SPEAKERS:

KEITH MUIR (Wilderness Australia)
**MADI MACLEAN (Blue Mountains
Conservation Society)**
RON BUSH (Centennial Coal)

LOCATION:

ZOOM VIDEOCONFERENCE

DATE:

9:30AM – 10:30AM
FRIDAY, 21st MARCH 2025

<THE MEETING COMMENCED

MR NEAL MENZIES: Good morning, everyone. My name is Neal Menzies. We're here for the Independent Planning Commission Public Meeting for the Springvale Water Treatment Facility Modification (SSD-7592 MOD 11).

I'd like to acknowledge that I'm speaking to you from the Turrbal and Jagera lands here in the Brisbane River Valley, and I acknowledge the traditional owners of all of the lands from which we're meeting today, and I pay my respects to their Elders past, present and to any Elders joining us today.

As indicated, my name is Neal Menzies. I'm the Chair of this panel. Joining me is Commissioner Sarah Dinning. All panel members have disclosed any conflicts of interest. The Chair of the Commission has decided that we can proceed with this application, and a copy of that decision is available on our website.

Just to define the scope of our role, we have a very limited role at the end of the planning process. We decide if an application should go ahead and if so, under what conditions. We follow the law and consider all relevant policies and the public interest.

The materials that we consider include the Department's self-assessment report, the application itself, your written and spoken submissions, and other required materials. All of these materials are already public or will be available on our website.

Today we want to hear your thoughts on the application. This is not the place to discuss whether you like the Applicant, the laws we must follow, or the policies we must consider. The Department has already assessed the application. Many of you have already participated in that process, and we thank you for that participation.

There is no need to repeat your previous submissions. We have access to them. The Applicant and the Department have reviewed your submissions and consider them in their assessment and recommendations. What we want to hear is your response to the Department's assessment, your thoughts on their recommendations and conditions.

Thank you for your time and let us begin the meeting.

Okay. I'm just finding my schedule. And Keith, you're our first speaker. So, when you're ready, please go ahead.

MR KEITH MUIR: Commissioner, and good morning. Mod 11 ends an interregnum with the sensation of what I believe are unauthorised flows in relation to the licensed – look, a pollution licence for the Mount Piper Power Plant. And these flows are currently running at 18.5 megalitres a day and was witnessed by the Commission on the site inspection last Friday on the 14th of March. And that's

a significant discharge that is contingent on the success of this modification.

5 And so I ask the Commission whether to make a determination in relation to what they witnessed and in relation to how it relates to this modification, whether it is a contingent part of whether it is part of the modification, because it lowers the dam to 90% of the full storage level of Thompsons Creek Reservoir.

10 The only other thing in relation to the character of Modification 11 I wish to draw to your attention is that it is obviously a temporary solution, but it's also a one-off. Because there are no real structural considerations on how to deal with future outages from the Mount Piper Power Plant.

15 So, if you could present the next slide, please. This slide indicates the two condenser units and the background of Mount Piper Power Station, and it has in the past successfully operated to remove all the mine water and establish originally a zero release system for the water treatment plant, the mines and the power plant. And that was a good outcome, it was an industrial reuse of mine water and removed the need to use the Coxs River. But this benefit is now being diminished by, in this case, the need for maintenance and so the water quality is changing in that Mod 11 is changing the output of water that is being transferred to the Thompsons Creek Reservoir. And that is indeed the purpose of this modification is to allow that to increase up to, I think it is 850 EC.

25 So, the question then arises, we've got a situation now of increasing discharges and the changing character of the operation of the plant so that it is increasing the amount of salinity, and this is being discharged into the Sydney's drinking water supply and it passes through the Greater Blue Mountains World Heritage Area. So, it's a somewhat paradoxical situation where we had a good outcome previously and now we're having a declining outcome. But yet instead of it being used for an industrial purpose, it's being diluted and discharged through a World Heritage Area and being consumed by five million people.

30 And I believe that, so Modification 11 should be a temporary solution, not just – and a one-off solution – because I think that structural changes can be made to improve the performance. And so this then reports back to the conditions, and the conditions should ensure that the consent is a temporary one-off proposal.

35 Can we have the next slide, please? OK, so I've spoken in my submission about a regulatory framework and, unfortunately, I'm not seeing a regulatory framework coming forward through the EPA and indeed what I'm seeing is conversations in regard to what can be achieved in relation to modifications. And so the modification tail is wagging the pollution management dog, if you like, or even the management regulatory principles that should occur. Because you can't do structural changes with a modification, this is an unfortunate way of thinking and may indeed be part of the reason why the EPA has indeed chosen not to licence this discharge. But I don't know – I can't see into the mind of the EPA, of course.

40 So, what I've suggested is that the fairly general statements which I think other

stakeholders may agree with, to try and get some thinking about what we're trying to achieve and a purpose of what we're trying to achieve, not just for this mod, but for further down the track outside this mod, so, I've put these forward.

5 Polluter pays, it's obvious, it's point two, that the discharge must be cleansed to a very high level because it is used by Sydney residents and it goes through a World Heritage Area. There are various needs to keep little creatures that live in water alive, and I think the trigger limit for that is around 350 EC but I'm not exactly
10 sure. And so it's better to just put in terms of principles, general frameworks and regard to these principles.

And the third one is an obvious one, that we all have to abide by the law, and so I then refer to the apparent non-regulatory discharges. We do need to comply with the law and it's not an option. So, I think it's very important and incumbent on
15 regulators to always be aware of their role in engaging with these processes. So, I'll leave that as put.

The fourth point, of course, doesn't address, you know, it's not related to Mod 11, so I think I'll park that. But I think it's useful for the Commission to think about
20 determination in constructive principles, and you may not agree and can certainly disagree with these. But it would be useful to have principles laid out and to be thinking about why we are doing what we are doing and for what purpose. Rather than just saying, well, this is the best we can do. Even if it is the best we can do, then we need to do better, and that's okay, we need to acknowledge that.

25 So, can we then move onto the next slide, please? Okay, so this is [Wellaween's 00:11:08] condensers, or one set of them, the older set, and it's obviously failed, and it's just to make the point, that slide is to just make the point that it's also the water performance criteria also designed and intended to protect infrastructure.

30 Now, there hasn't been any real conversation in relation to the condensers, which I believe are being repaired, as well as some other major works happening during this required outage. But that's maybe the reason why we need good quality water is to, you know, protect the plant that is the, is still one of the major consumers
35 even if it's a declining consumer of the produced water by the mines. And so obviously we need to have good quality water for the plant.

Now, what constitutes good-quality water? We had some remarks in relation to that on the site inspection from Energy Australia and I think they said that, you
40 know, they'd love 50 to 100 EC water. Obviously, that's not what's being produced now, but certainly 850 is no way near that. So, that's the point of that slide and I had speculated in relation to the transfer that perhaps the transfer without the release when it is transferred does permit a beneficial increase or decrease rather of the salinity because in June there will be a transfer of more
45 treated water. But I don't know, and it's not explained in the amended mod, and perhaps Mr Bush can explain that better.

Could we please push on now to the next slide? Okay. So, I think this is again

fairly self-evident that this such standard should not just be ad-hoc, and we do need to be mindful of what we're trying to achieve. You know, if it's to protect the creatures that live in the river, is the water being discharged achieving that? And, to my understanding, that's nowhere near the case. It's a large amount of water, you know, perhaps a quarter of the flow of the Coxs River that's being discharged. And then there's a question of salinity, which [audio glitch 00:14:01] of salt are an indicator that the waste containment of salt has failed and we need to – and EPA and Energy Australia are addressing that by capping with a film, I think, over the ash repository and have built a new one with a liner.

So, those are contributions of salt are significant, the EPA and Energy Australia have addressed that and are addressing that, and the report of that salt will diminish and therefore it is indeed certainly a problem and it is recognised and is being addressed. And if that isn't taken into account and considered, then the subsequent reporting of this discharge and future discharges will be great, because the original problems have been addressed. And then you get to a point where the main problem is the thing that you are discharging now. And so it's very important that we look at the upstream character and not groundwater, claims of groundwater which have come forward very recently during this conversation over this determination process.

MR MENZIES: If I can stop you there, Keith. I want to make sure that my fellow commissioner, Sarah, has an opportunity to ask questions before we need to go to the next speaker. Sarah?

MS SARAH DINNING: Thank you, Neal. And thank you, Keith. No, I have no further questions.

MR MENZIES: Okay. Then I think we are very much on time. Keith, thank you very much for your presentation.

MR MUIR: I'll now pass over to Madi Maclean.

MR MENZIES: Yes, I understand Madi's the next speaker. Oh, Madi's in the room with you, okay, now I understand. Thank you. Welcome, Madi.

MS MADI MACLEAN: Hello. I just spilled water on the keyboard [unintelligible 00:16:10]. Okay. Good morning. Tell me when I start.

MR MENZIES: You can start right now, Madi, you have our attention.

MS MACLEAN: Okay. I shouldn't watch myself on the screen because it's all time lapsed, isn't it? So, look, I'm Madi Maclean, I'm Vice President and former President of the Blue Mountains Conservation Society. We're a completely voluntary organisation with around 900 members, and which is a pretty significant number for a regional group. And our mission is the protection of the Greater Blue Mountains World Heritage Area and that, obviously the natural environment.

5 So, I think I've got a fairly simple presentation to make. The starting point for us is that the Springvale Water Treatment Plant was approved to treat the mine wastewater from Springvale and Angus Place mines and reuse it in Mount Piper Power Station, in the cooling towers. This was to protect Sydney's drinking water catchment and a consent in 2017 shows it operates as a zero discharge system. It's achieved a significant environmental protection as, for instance, the Planning Department's Assessment Report recognises.

10 The plant's operation also protects the Greater Blue Mountains World Heritage Area from the mine's discharges, and this is also an important natural environment outcome, but clearly a federal matter, I guess, not a matter that has so much weight in a planning matter.

15 I'm just going to talk on the three things that you've outlined that you wanted comment on. So, looking at the amended modification, well, clearly it is a big improvement on the earlier proposal, which was sought by Centennial Coal which was a huge over-reach, and we're pleased that it's been pulled back to the extent that it has, like, it's not longer an open-ended framework and limiting the volume of daily transfers, all those sorts of things are very important.

20 It's introduced two trigger points. I wasn't sure of the explanation of the choice of that standard of micro siemens. But the transfer obviously needs to be controlled, but it still allows salinity to increase during the operation of the actual modification. So, it's – we feel a bit disappointed by how you're looking at the water standards, the drinking water standards. I know NorBE doesn't apply to mods, but it is still – the view is still it's best practice to try to reach it. And we don't think it's really being addressed.

30 We are also concerned that you didn't address any heavy metals impacts, which are typically found in mine wastewater. But I see that the experts panel has picked that up. The other issue that is of concern for us is of course that the discharge to Thompsons Creek Reservoir, which is not being controlled and there is no proposal to do that, and it's unclear how that would be regulated to us, but it's not for us to solve that problem, it's in a different regulatory system as being a repair and release or an environmental flow. But that shouldn't be a reason to, I guess, ignore it or – the issue is there, it's going into the river and it's not appropriate.

40 Looking at the Assessment Report, we're disappointed to see water quality can only be maintained at historical levels, which we take to mean pre the operation of the water treatment plant. And I don't think it's a suitable goal to be trying to say that that's being reached. Clearly, as the expert panel has now come in and underlined as well, there's a permanent solution that's needed here. The mod's obviously not the way to achieve it, but it needs – all the parties are recognising that's what needs to happen.

45 With the independent panel's report, as I mentioned, it's picked up on a few issues, I guess, as directed given the short timeframe and the lack of minerals and the circulation of impounded waters and how that works and how that can impact

on salinity. And it's also picked up on the very practical need for a wet weather contingency plan to go with the mod. As a former Public Works Regional Manager, all these things are sort of absolutely necessary. I understand that.

5 Looking at the independent panel, we welcomed their advice, yes, I've gone through that. The bigger question is, one, how to get the, for us, the water treatment plant needs to operate how it was approved to operate; that's what it's for, and we don't want to see that being diminished or undermined. And every mod that has had an interim water management plan regime has done that, and we
10 don't want that pattern to continue.

And really need a solution that will work, that will manage the brine, that will make the whole system work as it was planned to be. It's clearly too small. Its capacity is clearly too small with the water issue, the excess water issues that are
15 happening. And we don't see much activity to get that to happen. And I note that Planning said that none of the alternatives that have been put forward by Centennial Coal were feasible. So, we aren't in a good position.

The biggest issue for us is how to prevent the current mod from becoming just one
20 more interim mod/interim solution, and we know there's already been a series of them over several years. So, it's how to get the water treatment plant operating as a zero release operation that it was approved to be. And there needs to be a feasible plan to achieve this.

And ideally, the requirement for a plan should be included the water treatment
25 plant's development consent, as occurs with other major projects. We've seen this with Springvale Mine and subsidence was all part of the development consent and, I guess, the thing is how do you get it there, because this mod has its own parameters? So, I think – but that would be a good outcome.

30 But beyond the current problems, we need to be aware that Springvale, that the mine water, the amount of mine water has to be managed, and that's an issue that is probably beyond the capacity of the water treatment plant as it is. I looked to see if there were many other mines that might have the same configuration, and a purpose-built water treatment plant. I did find South Carmel, for instance, which
35 has just been allowed to store excess brine temporarily in underground spaces. Now, that may not be a solution that works in these circumstances, but there are other – apparently, there are other companies that are coming up with solutions to deal with their problems and we want to see that happening here.

40 Beyond the existing situation, there are also a number of future proposals which are going to rely on the water treatment plant. We know Centennial Coal has, from a briefing we've had, that they have a Mod 12 which may want more discharge of mine waste to Wangcol Creek for four years. Angus Place West's proposal is still
45 expected to come later this year. And Centennial Coal – Springvale Mine's consent ends in 2028. So, they are all medium-term issues which are going to depend on this solution or not.

5 So, keeping the RO plant working to capacity, managing the brine schemes and within consent conditions during an outage will be challenged without a solution. And the thing that I find astounding is that power plants have always had outages and they'll always be planned outages, and there'll be planned outages in the future. And the whole management of that issue seems to have been really a bit hit and miss or late or tardy, and I think this needs to be changed, really.

10 But these are critical issues for the future operations of the water treatment plant and environmental protection. And I think not only should Centennial Coal be providing a plan to keep the water treatment plant operating during outages; it should also have a plan for the next outage already, it should be doing this already. And to keep thinking about how it's going to be dealt with.

15 So, the things that I see for the future is, yes, there needs to be a strategy to manage the plant and to manage the extra water, and also this needs to be better accorded through the consents, if this is possible, and if it's not possible with the current water treatment plant, it may be possible with future developments that are coming ahead that there's the opportunity to ensure that this is being done. Just as we saw with Springvale.

20 Anyway. I think that's all I'll say now. I will put some submission in on Monday, but I appreciate the opportunity to talk with yourselves.

25 **MR MENZIES:** Thank you very much, Madi, we would certainly welcome further submission. We do note that you made a very good – or that the Blue Mountains Group made a very good submission to the Department earlier, and it certainly provided some good material to Sarah and myself.

30 One of the key points you've just made, and I think it's a very salient one to repeat, is our ambition should always be to make things better, rather than looking at status quo as an adequate solution. So, you made many good points, but that one in particular I take away.

35 Sarah, did you have any questions?

MS DINNING: Thank you, Chair, and no I don't. And thank you, Madi, for a good presentation.

40 **MS MACLEAN:** Well, if I can just say, I think – I know nothing lasts forever, but to see the scale that we now have, or the water treatment plant now has, and it's only seven years since it was approved, and it's been a very successful addition. And we really want to see that maintained and it has to be expanded, if that's what it has to be, well, Centennial has to do it.

45 **MR MENZIES:** Yes. Madi, I just want to finish, and Keith you're still there, so I make the point, and I always do in public meetings, that in making a submission to us, it's really useful to tell us what we could put in conditions to make this better if we do decide that we should approve. So, please consider both types of decision

that we might make. If we're going to approve it, what are conditions that could help us to get a better outcome.

MS MACLEAN: Yes.

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MR MENZIES: Thanks, Madi. We need to move on now to Ron. We are a minute or so ahead. Ron, if you're with us, are you happy to jump in now?

MR RON BUSH: Ah, yes, I'm available.

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MR MENZIES: Thanks, Ron. Look, I didn't have specific things that I thought the company should cover, so it really is over to you. It would be helpful to Sarah and I if you've got any immediate responses to the public submissions that we've just heard. And I realise that it's very recently we sent you some questions on notice, but if you have any feedback on those, it would also be useful to Sarah and I at this time.

15

MR BUSH: Oh, I suppose just in response to the two submissions. We recognise that there have been significant environmental improvements to the Coxs River catchment since the commissioning and then operation of the Springvale Water Treatment Plant. And also acknowledging that there is a complex approvals/consent history on the site. We've got multiple facilities, different owners and different things that are consented.

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So, the modification that's currently before the Commission is, as amended, is for an outage in April/May. And through discussion with the Department and the regulatory authorities, there's been appropriate conditions approved, those being monitoring during the outage period, and limitations on ceasing the operations at certain criteria being met. And also from Energy Australia, restrictions on their repair and releases to address some of the concerns that have been raised in the submissions and the presentations that have just happened.

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MR MENZIES: Please go ahead, Ron.

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MR BUSH: Yes, so we acknowledge that the Commission yesterday sent through a range or a list of four questions – five questions. So, we're currently working through responses to those; we'll have a formal response to the Commission on Monday. So, there's some data that's being further requested, there's also some clarifications on some of the modelling and also some of the operating parameters that are controlled by Energy Australia. So, we'll work through those and endeavour to get that response back to the Commission on Monday.

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MR MENZIES: Excellent, that's great. Sarah, any questions from you?

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MS DINNING: Thank you, Chair. And I think, Ron, you'll probably cover this in the response on Monday, but just a few people have raised, and we've observed as well and we heard on site, about unanticipated mine water, so larger volumes than had been modelled and anticipated and how this is being managed and dealt with.

I understand that the figures were in the order of six times more, but that may not be correct.

5 So, I note that the CSIRO modelling from 2015 was the basis, so I think probably when you come back on Monday, a bit more around that, how managing that much bigger increase of mine water is being managed by you, or by the company. Thanks. I mean, if you wish to comment now ...

10 **MR BUSH:** Yes, I'll take that on notice. We'll provide that in the response on Monday. But in essence, as you're probably aware, we've had a period of unusually high rainfall in the last four years, and that has had some increased – a result in some increased mine water make, so that's a consequence of our limitations in our storages that we've got underground. But yes, I'll provide a more thorough response on Monday.

15 **MS DINNING:** Thank you. Thank you, Chair.

20 **MR MENZIES:** Okay. Ron, I don't think we have additional questions for you. I don't and Sarah clearly doesn't, so we don't. But I do want to note that on our site visit and the meeting that we had with you, we had really great in-depth discussions, we got the opportunity to on site see what a complex system is being operated and the difficulties inherent in that.

25 And so while we're – and this is for the audience who may be watching us rather than explaining our discussions with you, Ron, we've had very in-depth discussions with the Applicant. So, that we're not asking you questions at the moment doesn't mean that we haven't asked a lot of questions and of course the text of those discussions is available for people on our website.

30 At this point, Sarah, are you happy for me to close this meeting?

MS DINNING: Yes, thank you.

35 **MR MENZIES:** Okay. So, this brings us to the end of our public meeting for Springvale Water Treatment Facility Mod (SSD-7592 MOD 11). Thank you everyone for your participation. We appreciate that everyone took part in the process, and Sarah Dinning and I have certainly appreciated and valued your input.

40 It's not too late to share your views on this application. You can make a submission and – yes, you can submit your comments by making a submission by pressing that button, the 'Make a submission' button on our website, or by sending a submission by email or by post. So, whatever mechanism you choose, there are ways that you can still have an input. And as I commented earlier, input along the
45 lines of if we do approve, here's how you could improve things by appropriate conditions, is also very useful to us in addition to reasons why we might not approve this.

5 The deadline for written comments in 5 p.m. next Monday, the 24th of March. A full transcript of this meeting will be made available on our website in the next few days. When the Commission makes its decision, we'll publish a Statement of Reasons and this will explain how we considered the community's views in our final decision making.

10 So, a special thanks to my fellow commissioner, Sarah Dinning. Thank you all for watching. And from us at the Commission, have a great rest of your day. Good morning.

>THE MEETING CONCLUDED