I am a local resident, having lived at Razorback for 23.5 years and in the general Macarthur region for 33.5 years. I taught at Picton High School for 18.5 years from 1984-2002. For many years during that period I took groups for sport to Thirlmere lakes, either for canoeing or walking.

I was a member of the NPWS South Metropolitan District Advisory Committee which included Thirlmere Lakes in its area, during the 1980s, serving as Chairperson of the Committee during my term.

Since 1978 I have been an active member of the National Parks Association, Macarthur Branch. This is the local branch of NSW’s most established conservation organisation, which was formed in 1957. When the Community Consultative Committee for Tahmoor Colliery (TCCCC) was formed in 2003, I applied to join in my capacity as a local resident representing an established environment group. I remain one of only two original members on that committee.

Over all my years of visiting the Lakes I had never had any cause to be concerned about water levels until 1.1.10, when my partner and I went there as part of a New Years’ Day drive around the local beauty spots. What we saw when we stopped at L. Werri Berri shocked us, especially as we had been canoeing and bird watching with friends on the lake 18 months previously, on 7.6.08 and the water level seemed normal.
At about the same time, in early Jan. 2010, Wollondilly’s mayor, Michael Banasik, also noticed the lack of water in the Lakes and went to the media about it, after he had gone there to try out his new kayak and found no canoeable water. I also went to the media in my capacity as Secretary of Rivers SOS, an alliance of groups around the state, formed in 2005 to protect river systems from the impacts of mining. Thus began the campaign to raise awareness of the Lakes’ plight and to seek some explanation of the cause.

When I raised the issue at the first TCCCC meeting that year, on 15.4.10, I was told by Ian Sheppard from the mine (no relation), that they did not believe that there had been or could be any impacts on the Lakes from the mining. He said only one local private bore had lost water but it had recovered 3-4 years after mining.

This information is at variance with what Prof. Pells has discovered in his research and which is discussed on pp.80-85 of his Report. He found from interviewing landholders with registered bores, that at least 6 bores had been affected and remain so. This is also at variance with what has been reported in the mine’s AEMRs re a poultry farmer’s bore which lost water, requiring subsequent connection to mains water. Who’s paying for that water now, one might well ask?

So who’s telling the truth? It’s very likely that the colliery was only aware of the loss of water in one bore because this bore owner complained and also because his bore had been identified to be at risk and his water needs were critical for the viability of his business.

It seems that other bores did not receive such attention and complaints were not made to the colliery at the time. An explanation for the lack of complaints could be that many of the bore owners have poor English and either were not confident about making a complaint, didn’t know who to complain to and/or had an inbuilt cultural reluctance to talk to “authorities”. The mine most likely did not check the performance of all bores but only responded to complaints. They also may have discounted the need to consider bores well beyond the immediate longwalls that seem to have been affected.

Thus it appears that the mine’s interpretation of impacts on groundwater has been based on some very scant and selective evidence.

As community concern grew throughout 2010-11 regarding the continuing water loss from the Lakes despite good rains, and the campaign mounted for a full independent Government inquiry, I began my own monitoring on L. Couridjah. This lake had been about half full in early 2010 but was obviously dropping. We in Rivers SOS became aware that no-one seemed to be doing even the most rudimentary monitoring such as taking photos from an obvious reference point, leading to misinformation being put out by DECCW and NPWS that the Lakes were responding to rainfall (see letters from Minister Sartor and Sally Barnes, Dep. D-G and Head NPW, attached and in Appendix).

The low water level in L. Couridjah had exposed a number of historic posts and pipes relating to earlier pumping from the Lakes for the steam trains and also for Picton Lakes Village. I took a number of standing morticed posts as a reference point and photographed the water level starting mid-October 2010. Oct.-Nov. was a period of above average rainfall locally. At Razorback we received 203mm in the 6 week period between photos so when I went down to photograph the level at my reference point again, I expected to see some response but I was alarmed to see that the level had continued to drop despite above average rainfall.

This above average rainfall continued until the end of 2010 but the lake level continued to drop. The total rainfall recorded for Picton in 2010 was 829.1mm whereas the average is 801mm (Pells Report, App. A)
L. Couridjah 13.10.10 – water level is at 1st of the 6 morticed posts in foreground

L. Couridjah 30.11.10 – water level has fallen to just above the 2nd morticed post. (It was too wet to get around to take photo from same angle as the previous one.)
This failure of the lake levels to respond to rain goes against anecdotal evidence from the past that, although the Lakes have been known to dry up before in drought times, they have always refilled quickly once good rains resumed. This is why we are so concerned to find out what is going on, whether mining has had an impact, whether we will ever get our Lakes back and, if mining is implicated, what lessons can be learnt from this when mines are being approved near such natural features.

Yours faithfully,
Dear Dr. White,

I refer to your letter of 7 December 2011 regarding possible long wall mining impacts on Thirlmere Lakes. I appreciate your concern about the important conservation values in the World Heritage Area.

As you may be aware, the NSW Office of Water (NOW) recently released a report assessing the possible causes of low water levels in the Thirlmere Lakes. The report found that the most likely cause of water level decline in Thirlmere Lakes is the prevailing climatic conditions. Specifically, the continuing declining trend in rainfall due to the recent severe drought appears to be having a continuing impact. The report found no evidence of long wall mining impacting on the Lakes.

A copy of this report can be viewed on the NOW website at:

To better understand the impacts of weather on the water levels of the lakes, National Parks rangers have commenced photo monitoring of the lake levels. Information from this suggests that the lakes levels have risen noticeably with rainfall in the last six months.

In relation to the impacts of longwall mining on parks and reserves, Department of Environment, Climate Change and Water (DECCW) reviews the Environmental Assessments and provides a response to the Department of Planning for coal mine proposals. DECCW is particularly interested in investigating any possible impacts on significant streams, swamps, Aboriginal cultural heritage sites and other environmental features within the project area and surrounds.

Please contact me if you would like to organise a field visit to the area for you or your staff or visiting officials from UNESCO or the IUCN.

Yours sincerely,

Sally Barnes
Deputy Director General
Head - National Parks and Wildlife

The Department of Environment and Climate Change NSW is now known as the Department of Environment, Climate Change and Water.
Dear Mr McMahon

I refer to your letters of 29 and 31 March 2010 to the Minister for Climate Change and the Environment, the Hon Frank Sartor MP, concerning low water levels in Thirlmere Lakes National Park, and the impacts of the Native Vegetation Act 2003 and the Threatened Species Conservation Act 1995 on agriculture and property rights of farmers. The Minister has asked me to respond on his behalf.

The Department of Environment, Climate Change and Water has advised that it is of the view that the low water levels in Thirlmere Lakes are a natural phenomenon due to drought and low rainfall over past years. Thirlmere Lakes consist of a ‘perched lake system’, which means that they sit higher than the surrounding landscape and therefore no river or creek feeds into the lakes. The lakes rely on either runoff from the surrounding hills or ground water to fill them.

Historical records of the lakes being completely dry in 1902 during a drought were the reason documented for not using Thirlmere Lakes as a water source for Picton. The Bargo Weir was subsequently built for this purpose. Records from 1928 also show the lakes were almost dry, and there are stories of horses being raced and cattle being grazed on the lake beds. Lake Nerrigorang dried completely in 2006, but refilled within a couple of weeks after good rain.

In regard to Council’s concern about the impacts of the Native Vegetation Act and Threatened Species Conservation Act on agriculture and property rights of farmers, native vegetation not only provides essential habitat for many unique native animals, but it also stabilises soils, prevents erosion and can be used to control salinity. These are important for the sustainability of rural economies, as well as their local environments. Farms with healthy native vegetation can improve economic outcomes for farmers by improving land value, increasing productivity, and reducing operating costs.

Since 1788, 60 per cent of native vegetation in NSW has been cleared, thinned or significantly disturbed, and 77 species of plants and animals have become extinct. In this context, the Native Vegetation Act was introduced in 2003 to end broadscale clearing of native vegetation, unless it improves or maintains environmental outcomes. The Act was designed so that it does not prevent farmers from clearing regrowth, or from conducting routine agriculture management activities. Its intent, however, is to protect important native vegetation.
The Act establishes property vegetation plans (PVPs) as negotiated agreements between Catchment Management Authorities and landholders. A PVP is a simple, voluntary tool to assist farmers to effectively manage native vegetation on their property. PVPs help to identify offset opportunities (works or actions to make reparation for cleared vegetation) and allow appropriate clearing, and can assist in attracting incentive funding to re-establish native vegetation. These agreements provide long term security for farmers, together with provisions for land clearing.

The Act also seeks to minimise disruption of day-to-day agricultural activities by providing a number of exemptions from the need for approval. There are exemptions for clearing along fence lines, removal of noxious weeds or pests, collection of firewood for non-commercial purposes, provision of buffers for fire protection and power or water supplies and harvesting planted timber. Further, farmers do not need to go through the approval process to clear native vegetation that is younger than 1 January 1990 (or 1 January 1983 in the Western Division). That is, any land that had been lawfully cleared after these dates may be cleared again without requiring Government approval.

The Government has made several changes to the Act since it came into force to improve its workability for farmers. For example, amendments have been made to improve procedures for managing invasive native scrub, which can cause environmental and production problems such as soil erosion, changes to soil surface hydrology and biodiversity impacts. Approval has been given for clearing over 2 million hectares of invasive native scrub.

The NSW Government has recently conducted broad consultation on the Act as part of its five-yearly review. The report of the review outcomes is available on the Department's website at www.environment.nsw.gov.au/vegetation/nvact.htm.

I trust this information is of assistance.

Yours sincerely

Angela D’Amore

22 JUN 2016

Angela D’Amore MP
PARLIAMENTARY SECRETARY FOR CLIMATE CHANGE AND THE ENVIRONMENT