

**ITEM 12 NOTICE OF MOTION - COUNCILLOR CATH BLAKEY AND COUNCILLOR DOM FIGLIOMENI - KORRONGULLA SWAMP REMEDIATION**

Councillor Cath Blakey has submitted the following Notice of Motion –

“I formally move that Council –

- 1 Note the community alarm regarding the four days of land clearing undertaken at the Korrongulla Swamp copper slag emplacement site between Boxing Day and New Years Eve, and future uses of the site.
- 2 Note that the last license review was conducted in 2018, 15 years after the Port Kembla Copper Smelter ceased operation.
- 3 Write to the NSW Minister for Environment and Heritage, NSW Shadow Minister for the Environment and cross-party Environment Portfolio holders:
  - a. Noting the local community concern regarding the clearing of vegetation and sediment disturbance on a site with heavy metal contamination.
  - b. Requesting a review of the Environment Protection Licence 2509 for the Korrongulla Swamp and its former use as a copper slag emplacement site and an analysis of previous independent site audits, and information around the findings of those site audits in respect to future permissible use of the site.
  - c. Requesting that when monitoring records and annual returns have not been satisfactorily completed within a reasonable timeframe that compliance action is taken against the license holder.
  - d. Requesting that site remediation be finalised and that an Environmental Management Plan be developed and exhibited for public consultation.

**Background provided by Councillor Blakey and Councillor Figliomeni:**

The copper slag emplacement site at Korrongulla Swamp in Primbee is subject to Environment Protection Licence (EPL) 2509 issued under the *Protection of the Environment Operations Act 1997*. Port Kembla Copper was first granted this EPL for "waste disposal by application to land" in 1999, and this EPL was transferred to Mimosa Rehabilitations in November 2022 for Korrongulla Swamp in Primbee.

This Korrongulla Swamp site was a sand mine site that was used as a copper smelter slag emplacement pond by Port Kembla Copper up until 2003. The copper smelter closed in 2003 and was demolished in 2014. In 2020 Council rejected a proposal to transfer the Korrongulla Swamp into Council management and ownership citing the outstanding and on-going remediation costs and liabilities. The site is zoned C2 Environmental Conservation.

EPLs are managed by the NSW Environment Protection Authority (EPA) as the regulatory authority. The EPA may refuse an application for surrender of an EPL when of the opinion that there will be ongoing environmental impacts after the site activities cease and it is appropriate to manage those impacts. Commonly, the EPA will require a site to be remediated prior to approving the surrender of the EPL. This remediation work tends to be carried out after operations at the site have ceased. Environmental monitoring is generally required post-remediation to substantiate the low level of risk from the site or premises. Often in cases of contaminated lands an EPL will be replaced with an Environmental Management Plan established to manage any residual contamination.

The community has raised concerns that there has been a lack of public consultation by the previous and current owners, and lack of availability of monitoring records and annual audit reports, both of which are license requirements.

The site adjoins Korrongulla Wetland, a Council managed reserve that is an annex of the Wollongong Botanic Garden and is classified as containing four endangered ecological communities (Swamp Oak Floodplain Forest, Bangalay Sand Forest, Freshwater Wetland on Coastal Floodplain, and Littoral Rainforest) and species including the Green and Gold Bell Frog.



Figure 1. Aerial image of Korrongulla Swamp