



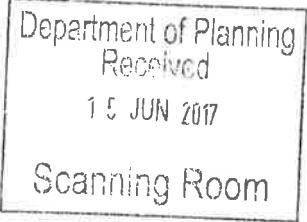
PCU071188

David M Newby

Oldbury Farm, Oldbury Road, Moss Vale NSW 2577 ABN: 24 786 706 240

Postal Address: PO Box 720, Moss Vale NSW Australia 2577

Telephone: (02) 4869 2818 Fax: (02) 4869 3028



June 5, 2017

Department of Planning and Environment
Attention: Executive Director – Resource Assessments & Business Systems,
GPO Box 39,
Sydney NSW 2001

Re: Hume Coal Project (SSD 7172) and associated Berrima Rail Project (SSD 7171)

Dear Sir/Madam,

I object to both projects. While coal mining is part of the Southern highlands' history, it is incompatible with its' present and future state as a desired and developing region in agriculture, food, wine, health, education, equestrianism, gardening and horticulture activities , each of which generates many more jobs, and a much brighter future for jobs, than the projects contemplate. The projects threaten that bright future.

Background

I own 220 hectares of land at Sutton Forest, on Oldbury Road and Golden Vale Road. My land lies within Hume Coal Exploration Area 349. My property is known as "Oldbury Farm", and my home as "Oldbury", probably the oldest house in the Southern Highlands. Built by Governor Macquarie's Principal Clerk, James Atkinson, in 1826, "Oldbury" and its environs are very well documented and State Heritage listed. "Oldbury" was the cover for the First Edition of Historic Houses of Australia. James Atkinson wrote the first treatise on Agriculture in the Colony of New South Wales, published in 1830. Oldbury Farm has been a commercial farm since the 1820's and it is a commercial farm today.

I am not a supporter of Hume Coal's plans, as Hume Coal knows. My limited dealings with Hume Coal have been unsatisfactory, and it has never attempted to seriously engage with me on my concerns. It does seem that Hume Coal has, for now at least, varied its plan to undermine "Oldbury" itself – but it still plans to mine beneath much of the rest of my land. My objections remain, and I will state them.

An underlying concern I have, based on my interaction with Hume Coal, is that its work is of poor calibre. For me, that raises the very real threat that any approval for

Hume Coal may be based on unreliable information. My experience also is that Hume Coal is inconsistent, and that if an approval were granted based on conditions, Hume Coal is likely later try to alter those conditions. The best course is to refuse approval now.

Reasons for Objection

1. This project will destroy amenity. Properties like Oldbury Farm, which are within clear view of planned mine facilities, will be affected by coal dust, noise, light, traffic and visual blight. Hume Coal's proposals for amelioration are obtuse at best.
2. The idea of the project has already destroyed value, in my case by millions of dollars, and approval would only worsen the position.
3. I have invested heavily in "Oldbury" and its curtilage, all in accordance with Heritage Council, State Government and Local Council requirements. The curtilage includes plantings that date back to the 1820's, and are near-unique in New South Wales. The gardens are a district feature, along with the 1826 home. Opened selectively for fund raising for local charities the gardens won the Wingecarribee Shire prize for outstanding heritage tourist attraction in 2015. Hume Coal's planned structures and activities imperil the legacy that State instrumentalities encourage, even require, me to preserve. It's a clear conflict.
4. Hume Coal's plans for water use threaten the viability of my farm business, and obviously then its value. Oldbury Farm has been home to beef cattle farming since the 1820's. Today, my business based at Sutton Forest and Breadalbane, and which employs 6 people, involves the ownership and management of more than 700 Angus breeding cows and their progeny. At most times we are running on these properties alongside the 700 plus cows some 700 of their progeny, growing them out to 450 kilos at 15 to 20 months of age. Approximately 1500 head of cattle in total, with 700 new calves each year. For these animals, and my business, good water is vital, not only for drinking (which is crucial) but for irrigated pasture as well. At Oldbury Farm I am dependent on groundwater coming from 3 licenced bores, for my stock watering and also for irrigation under a 100 mega litre licence from the water authorities in NSW. Without groundwater I cannot run cattle. I have improved the farm infrastructures that reticulate groundwater to drinking troughs and irrigation points over the past 12 years at an expense approximating \$1 million, and based other significant expenditure on my continued substantial (and permitted) use of groundwater.

So, available groundwater is crucial to my business. It is also crucial to the heritage curtilage at Oldbury, as I use groundwater for the trees, gardens and the hedges that make up its celebrated gardens.

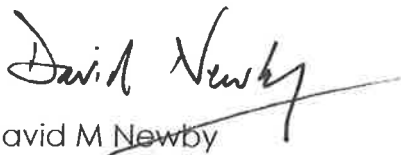
Everything that I have read – apart from Hume Coal's Water assertions – tells me that there is a significant risk, bordering on a certainty, that Hume Coal's proposed use of water threatens the viability of the groundwater supply. Oldbury Farm would not be the only property affected, but it would be devastated. Any relevant principle, including the precautionary principle, would say that the risk of destruction of groundwater should not be taken unless there is overwhelming evidence to show that the risk is minimal. There is no such clear evidence here. My property's future and that of the 6 people I employ is dependent on the continued availability of groundwater – Hume Coal's proposal is a complete threat to that future. On water grounds alone, the proposal should be rejected.

Conclusion

I repeat my objection to both projects, for the reasons given. I support the objections made in more details by others.

I declare that I have reported all reportable donations made by me. I think the last reported donation was more than two years ago, to the Liberal Party of NSW in support of my local member. I apologise that I do not have a record of the date.

Sincerely

A handwritten signature in black ink that reads "David Newby". The signature is written in a cursive style with a long horizontal stroke extending to the right.

David M Newby