



Edgecliff  
Level 1

287-289 New South Head  
Road

Edgecliff NSW 2027

Phone: +61 (0)2 9362 2600

Fax: +61 (0)2 9362 2601

[www.godolphin.com](http://www.godolphin.com)

@godolphin

The Secretary  
Department of Planning, Industry and Environment  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

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## **MT ARTHUR COAL MINE (MP 09\_0062) – MODIFICATION 2 – PATHWAY TO 2030**

Godolphin Australia Pty Ltd (“Godolphin”) is the largest integrated breeding and racing operation in Australia. We welcome the opportunity to comment on the Mt Arthur Coal Mine Modification 2 Report.

As a member of the Hunter Thoroughbred Breeders’ Association (‘HTBA’), we support the HTBA submission and provide the following additional comments.

### **Godolphin**

Godolphin is part of a global breeding business, which operates around the world, including Australia’s Hunter Valley, Newmarket in the UK, County Kildare in Ireland, Kentucky USA, Hokkaido, Japan and the United Arab Emirates.

### **Largest Integrated Australian Breeding and Racing Operation.**

In Australia, Godolphin employs in the region of 300 people (around 110 in the Hunter Valley) and has 6 main operational sites (3 stud farms and 3 training facilities):

- NSW: 2 farms (Woodlands and Kelvinside in the Hunter Valley) and 2 training facilities (Warwick Farm & Agnes Banks);
- Victoria: 1 farm (Northwood Park) and 1 training facility (Flemington).

Godolphin established its commercial breeding operation in the Hunter Valley in 2001 (trading under the Darley Australia name) in recognition of Australia’s growing force in international thoroughbred breeding and racing.

In 2003 we purchased the 1,700-acre Kelvinside Stud in Aberdeen in the Hunter Valley. The property has since been developed into a world-class facility with capacity to stand 17 stallions, comprehensive mare, racehorse spelling and rehabilitation and yearling facilities and a world class education and training operation.

In 2008 we also purchased Australia's then largest integrated breeding and racing operation, Ingham Bloodstock, which included the 6,000-acre Woodlands Stud at Denman. In addition to our Hunter Valley farms, Godolphin operates a Victorian breeding operation from its stud Northwood Park, at Seymour Victoria, where it is standing 8 Stallions for this 2023 Season.

Our Woodlands and Kelvinside properties operate as one integrated operation in the Hunter Valley.

Godolphin owns in excess of 700 horses with over 250 horses in training or racing from its two training bases in Warwick Farm and Agnes Banks (Western Sydney), and a Victorian training base at Flemington racecourse in Melbourne, Victoria.

Godolphin's business model is to "breed to race and race to breed". All of our progeny are bred from the finest thoroughbred bloodlines, building their reputation and credentials on the racetrack, and retired to stud to produce future elite athletes of the turf.

Godolphin employs some 110 employees in the Hunter Valley across its two stud farms. These include horse handlers, bloodstock experts, gardeners, and others working in corporate functions including administration, finance, human resources, IT, and marketing and sales.

Godolphin hosts, in normal circumstances, over 4,000 clients and visitors annually to our stud farms at Kelvinside and Woodlands.

It is important to understand that stallion farms are at the heart of the thoroughbred breeding business model. The stallion farms attract and support broodmare farms and other equine support industries, which ultimately form the equine critical industry cluster.

Our Woodlands and Kelvinside farms, which house our premier stallion and broodmare bloodstock, are reason why thoroughbred clients and investors are attracted to the Hunter Valley and why some 150 broodmare farms and many more equine support industries are co-located in the Hunter.

It is our shop front, our client interface. It is where we showcase our operations and our stallions, and where our clients bring their broodmares for cover by our Stallions.

Our business relies on a pristine environment, which is clearly visible to our clients, visitors and tourists.

### **Continuous Operation Since 1800's**

The Kelvinside property has a rich and continuous pastoral history since the 1800's. It was carved from the Segenhoe Estate in the late 1800's by John King Fleming who named it Kelvinside after a property in Scotland. The Kelvinside homestead was built in 1898, is one of the iconic historic homesteads of the district and is a classic example of Australian colonial architecture. The building is set on high ground with views of the Hunter and Pages rivers.

Woodlands has a proud uninterrupted history of thoroughbred breeding dating back to the 1800's. The property was settled in 1824 and it is understood that the current homestead was built in 1833.

Woodlands' first recorded association with thoroughbreds dates back to the 1870's under the ownership of H.C. White, who bred and raced thoroughbreds, the most prominent of which was dual Caulfield Cup winner Paris in 1892 and 1893.

Since then it has been operated as a thoroughbred stud by notable industry participants including George Ryder (founder of the Golden Slipper), Lord Derby and the Ingham brothers.

Champion Sires that have graced Woodlands include Yeats, Canny Lad and Lonhro. Champion racehorses reared at Woodlands include Octagonal, Golden Slipper winner Marscay, and notably Golden Slipper winners and Champion 3 year olds Pierro and Sepoy.

2019 Golden Slipper winner Kiamichi was born and raised on Woodlands, and she has now commenced the next phase of her career as a broodmare at Woodlands. Australia's and the world's champion racehorse Winx was sired by Darley's champion sire Street Cry and raised next door at the Coolmore stud.

Woodlands remains one of two international scale thoroughbred breeding operations in the Jerrys Plains/Denman area in the Hunter Valley. It is one of over 200 thoroughbred breeding farms and supplier companies located in the Hunter Valley's critical concentration of thoroughbred breeding and support operations.

### **The Woodlands "village"**

In addition to the thoroughbred bloodstock, Woodlands is the home of 34 adults and 15 children. There are some 33 dwellings on Woodlands, along with staff recreation facilities (tennis court, barbecue area and swimming pool).

The property also runs 1,200 cattle at present and has a significant lucerne production operation.

The workforce on the property spans a broad skill base including thoroughbred related staff, farmers, mechanics, maintenance crew and gardeners. Their children are educated locally, the school bus comes to the property, and the Woodlands community support all aspects of the local economy, and social/sporting activities.

Woodlands is essentially a 24-hour operation, and this is particularly the case during the breeding season, where heavily pregnant mares are monitored on a 24-hour basis. It is largely for this reason that we seek to house as many of our staff on site as practicable.

### **Mt Arthur Coal Mine Modification 2**

We concur and support the submission lodged by the Hunter Thoroughbred Breeders' Association. In addition, we make the following comments and recommendations:

1. Previous planning Ministers and Independent Planning Commissions have recognised that the Upper Hunter Valley Thoroughbred Breeding Industry is a very significant contributor to the regional, state and national economies and a major source of employment.
2. The industry has been mapped as an Equine Critical Industry Cluster and recognised as a State, Nationally and Internationally Significant industry and promised heightened protection from incompatible land uses, particularly mining.

3. The structure of the industry makes it particularly vulnerable to threats based on image and coal mining in the Upper Hunter Valley, particularly open cut coal mining in close proximity.
4. Open cut coal mining is highly visually, physically and environmentally intrusive and contrary to every message we send to our clients. Open cut coal mining and international scale thoroughbred breeding are fundamentally incompatible land uses that cannot coexist in close (including visually close) proximity.
5. This has also been a finding of previous Independent Planning Commissions and a finding on the original decision on Mt Arthur mine, carried through Modification 1, which resulted in specific conditions of consent relating to visual amenity impacts of open cut coal mining at Mt Arthur on our Woodlands stud (see below).

#### National Trust (NSW) Muswellbrook to Jerrys Plains Landscape Conservation Area

6. The Woodlands Stud farm and Coolmore are located in the National Trust Muswellbrook to Jerrys Plains Landscape Conservation Area (MJPLCA).<sup>1</sup>
7. The MJPLCA is characterised by lush cultivated alluvial flats of the central Hunter and lower Goulburn Rivers which present a magnificent view, with the wide valley floor of majestic scale bounded by low hills to the east and west and the rugged escarpment of Wollemi National Park to the south. It contains many of the high quality properties and large pastoral estates which contribute to the great rural wealth of the Hunter Valley.
8. The National Trust (NSW) states that the high scenic and cultural qualities of the listed area should be protected. (A recommendation made by NSW Independent Planning Assessment Commissions also). Open cut mining of the alluvial river flats should not be permitted. Should it be necessary for open-cut mining of the non-alluvial lands, **the aesthetic and social values of the Classified area should be recognised in the mining operation and the rehabilitation programme.**

#### Mt Arthur Coal Mine – Conditions of Consent

9. The importance of the scenic landscape within which Godolphin Woodlands operates (in terms of visual amenity, noise and blasting, and water resources) was recognized by former Minister Kelly in granting approval for the Mt Arthur Coal Mine – Open Cut Consolidation Project on 24 September 2010 <sup>2</sup>..
10. In this approval, Minister Kelly specifically required<sup>3, 4</sup>:
  - a. The need to screen and filter views of the Mt Arthur Project Area from affected section of Woodlands;
  - b. Mt Arthur Coal to implement works to ensure that views from Woodlands of the Project are appropriately screened to the greatest extent practicable and ensure that the works are effectively maintained throughout the life of the project at the cost of Mt Arthur Coal;

<sup>1</sup> National Trust of Australia (NSW), Landscape Conservation Area, 1984/85

<sup>2</sup> Project Approval, Section 75J of the Environmental Planning and Assessment Act 1979, Application No 09\_0062, Hunter Valley Energy Coal Pty Ltd, Appendix 3 Commitments 6, 7, 10, 19, 20.

<sup>3</sup> Project Approval, Section 75J of the Environmental Planning and Assessment Act 1979, Application No 09\_0062, Hunter Valley Energy Coal Pty Ltd, Appendix 3 Commitments 19 & 20

<sup>4</sup> These commitments remain current and have been carried through to Schedule 3, Condition 49 of the Mt Arthur Coal Project, as updated on 26 September, 2014

- c. Mt Arthur Coal to minimize views from the Woodlands Property within the Primary View Zone to active overburden faces on the out of pit emplacement areas of the Project to ensure the extent of any primary view is less than 2.5%.

#### Visual Impacts Assessments and Plans (VIA&P)

11. Over the past 13 years, Godolphin has developed a cooperative and constructive working relationship with Mt Arthur Coal not only on visual issues but on a broad range of operational matters, to minimize the impacts on our thoroughbred breeding operations.
  - a. This included the two organisations working closely and developing protocols during the Edderton Road realignment so as to ensure the safe and efficient access through this road which is an ambulance route during our foaling periods.
12. The preparation of the Woodlands VIA&P has proven instructive and produced important learnings in terms of the application of best practice approaches to mitigate visual impacts through the use of leading-edge technologies and early, constructive, and open communication between mining companies and community stakeholders.
13. An overarching best practice arrangement between our two parties was regular communication and consultation so that Godolphin could raise issues early and input into the rehabilitation design of those sections of potential visual impact on the Woodlands stud.
14. In doing so, both parties agreed on guiding principles for visual impact mitigation, including:
  - a. The applied Geofluvial process and **rehabilitation efforts would restore and replicate as many of the original landform characteristics (shape, scope, contour and context) as possible;**
  - b. the applied Geofluvial process and rehabilitation efforts would **maintain as much of the current vista as possible** by incorporating stronger valley features to enable depth of view to be maintained;
  - c. using best endeavours to:
    - i. retain shape as close to natural as possible and align with existing landforms in the background;
    - ii. practically use micro relief to create a natural looking and stable landform;
    - iii. establish visual and ecological planting patterns of native trees to achieve landscape patterns that complement the existing spatial distribution of tree and grass cover in a grazing landscape;
    - iv. minimise exposure of work areas to sensitive receivers where possible, largely through the timely rehabilitation of visible overburden emplacements; and
    - v. strategic design and rehabilitation of overburden emplacements for increased visual shielding of operations.
15. **As with our constructive relationship with the team at Mt Arthur Coal, we would like this working relationship to continue and these working principles to be carried over to the Conditions of Consent for this Modification.**

#### Underground Mining

16. We are aware of the approval for an underground mine at Mt Arthur (MP 06\_0091) and that there is no current intention to commence underground mining on this site.
17. The approval for the Mt Arthur Underground Project is due to lapse on 31 December 2030.

18. Given there is no intention to mine underground at Mt Arthur, reinforced by BHP's own economic assessments of the viability of open cut mining post 2030, **we strongly agree with the HTBA's recommendation that the Mt Arthur underground mine approval should be rescinded as part of this approvals process in order to provide confidence to all stakeholders regarding the path towards 2030 and post 2030.**

#### Air Quality

19. Air quality, dust and associated pollution is poor in the Upper Hunter, particularly Muswellbrook – the only town in NSW to feature in the top 10 most polluted postcodes in 2022 and the third largest Australian polluter of sulfur dioxide. Mercury, coarse and fine particulate matter, and nitrogen oxides.
20. Air, dust and blast plumes have no boundaries and cannot be contained. It is not surprising therefore that the Upper Hunter's air quality is a major concern for us and our industry.
21. As the Hunter's largest open cut coal mine operator BHP has a responsibility to lead the way to minimize the mining impacts on air quality in our region using its access to best practice technology and working with the community to improve its air quality environment.
22. The Mt Arthur Coal Modification 2 Report acknowledges that the proposed extension will result in existing air quality impacts of the Mt Arthur Open Cut Coal Mine continuing for an additional four years along with continued greenhouse gas emissions and climate change impacts.
23. In the current climate and given NSW net zero policies, it will be important that every endeavour is made to avoid and minimize air quality impacts associated with the Modification 2 should it be approved.
24. **We strongly agree with the HTBA that best endeavours are applied, and every possible opportunity is taken to ensure that mine related air quality impacts related to this modification proposal are avoided or minimised and that HVEC works proactively with the community to improve the overall air quality of the Upper Hunter.**

#### Noise & Blasting

25. International scale thoroughbred breeding studs, like ours, are designed to demonstrate high standards of thoroughbred breeding production and management that demonstrates state of the art breeding environments in a scenic setting.
26. Our industry is premised on a clean, green, serene environment where equine athletes can be born and bred with access to the best soils, exercised on the best topography and live in a serene environment, given their highly tuned flight instincts.
27. Open cut coal mine related noises and blasting are incompatible with thoroughbred breeding in close proximity. They pose a risk to the safety and wellbeing of both horses and handlers.
28. We understand that the NSW Industrial Noise Policy and nominated blasting criteria upon which mining proposals are assessed, are based on minimising damage to structures and do not take into account human comfort. Independent Planning Assessment Commissions have also recognised this.
29. Unscheduled blasting and mismanaged blasting events can have a significant impact on our operations, the safety of our people and bloodstock, perceptions of potential investors and clients, and to our business reputation.
30. For these reasons, **we strongly support the need for the highest standards to be applied to ensure mine related noise and blasting impacts of this proposed Modification are avoided or minimised, including for the protection of international scale thoroughbred breeding studs, such as ours, operating in the vicinity of the Mt Arthur Coal mine.**

## Water

31. Water is the lifeblood of our industry and our operations. Water security is of utmost importance to our operations and to our region's sustainability.
32. We concur with the HTBA's comments on both surface and groundwater, potential for increases in salinity of the Hunter River system, and the need to significantly minimize or avoid the inter-generational legacy of highly saline voids in perpetuity.
33. The legacy of hyper saline voids in perpetuity for future generations is not acceptable. **We strongly agree with the HTBA that every effort should be applied as part of this Modification (should it be approved) to avoid any impacts, both current and into the future, on the Hunter River, all who rely on it and future generations who will inherit its legacy.**
34. We share the HTBA's concerns regarding the size of the Northern Open Cut Void and its proximity to the Hunter alluvium. We strongly agree with the HTBA recommendation that the precautionary principle should be applied here to avoid any void water discharge into the Hunter alluvium – including by reducing the size of this void and increasing its distance away from the Hunter alluvium.
35. We also call on both the Government and Mt Arthur Coal to ensure this site is properly remediated, including filling in voids where possible, and make every effort to leave a positive legacy for future generations.

Yours sincerely



Ross Cole

Director of Corporate Services