

## Our Story

We bought the vacant land in November 2005 and at the time we obtained from the Mine Subsidence Board a certificate stating that, “the property is **not** within a proclaimed Mine Subsidence District” on the strength of this partial information presented by the mine subsidence board, we made an educated decision to build our family home. By the time we knew the intention of Austar to do long wall mining our house was well under construction with no turning back.

## Concern with Property Values

**The Submission present by Austar via Umwelt states;**

### **7.1.17 Land Use and Property Values**

*There are approximately 36 privately-owned land parcels in approximately 26 separate land ownerships directly above the proposed Stage 3 Modification underground mining area.*

*There are an additional approximate 11 properties located between the perimeter of the proposed Stage 3 Modification underground mining area and the predicted 20 mm subsidence contour. As described in **Section 5.3**, land use within this area includes grazing land, chicken sheds, rural residential and hobby farms, forest plantations and vineyards.*

*The assessment of potential impacts from subsidence on the land surface, natural features and surface infrastructure as set out in **Sections 7.1.1 to 7.1.15** combined with the implementation of contingency and management measures as set out in **Section 7.1.16**, indicate that the proposed Stage 3 Modification will not have a significant adverse impact on land use above the proposed Stage 3 Modification underground mining area. In addition, mining is not expected to have a negative impact on the visual attributes, ecology, amenity of the area, stream flow or usable groundwater resources in the area.*

*Extraction Plans and Built Features Management Plans that will detail monitoring and management measures to be implemented on a property by property basis will be prepared in consultation with relevant authorities and landholders prior to longwall extraction. Based on the low level of predicted surface impact and the management controls that are proposed, it is envisaged that land values and agricultural capability of the properties above Stage 3 Modification will not be adversely affected by the proposed underground mining.*

*Continued economic growth coupled with predicted growth in urban and rural residential development in the area, are likely to result in increased demand for property in the area.*

I am by no means experienced or qualified to argue if the long wall reorientation will further impact on subsidence or damage to our home and for this reason I will not try, however one area that I can with absolute confidence argue is that property values and even overall non-salability of our home if desired or required are effected now and will continually be effected moving forward.

The reason for my confidence is I am a Licensed Real Estate Agent who has worked for the last 20 years in the township of Morisset and have first hand seen the impact of the Mandalong Mine and its result in negative buyer sentiment. Even putting my experience to one side, no reasonable person would purchase acreage for market value knowing that a mine is going under the property or has already done so. All the reports under the sun will not convince a buyer to pay correct market value with this major appendage attached, that we as owners never asked for.

### Our Predicament Moving Forward

Austar are happy to offer a sharing in the benefits agreement. I have had the opportunity to read a draft example of this agreement and can say first hand it reflects more a major commercial agreement which understandable would be relevant between Austar and a property owner who is on 50, 100 or 200 acres not my wife and I who own 5 acres. Royalties involved, based on what was quoted to me for my property at \$14,000 per acre, would be \$700,000 to \$2,000,000 plus depending on land size and the amount of land directly effected due to the extraction of coal at \$1 per ton. Hence the parameters of this "Sharing the Benefits" agreement are reflective in the amount of royalties that Austar would pay one of these larger rural holdings not our five acres.

With my wife and I only being on five acres, this avenue of "Sharing the Benefits" is not viable, when weighing up \$70,000 against rights lost by us and secured by Austar with the most concerning being a Caveat placed on our title as well as us loosing the right given to us in the 2009 Project Approval by the then state government re requiring Austar to purchase our property if the home is damaged beyond safe, serviceable and repairable.

We could try to sell the property now, but as discussed above this would not be successful with us legally and ethically having to disclose to a buyer of the intention to do long wall mining under the home in the next several years.

Either way we have a long and sometimes depressing process moving forward with our main asset being a four year old home being ultimately damaged resulting in our lives being disrupted during repairs. And even if we endure this journey ahead and the home is not considered to be beyond the point of, Safe, Serviceable and Repairable there is nothing saying that one day when we do go to sell the stigma of the mining will still be relevant.

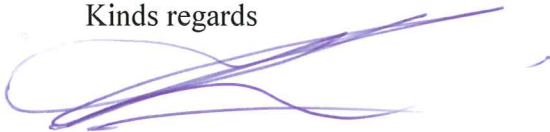
All we ask is that Austar look differently at our predicament of being **the only** five acre parcel with Top Wall Carving going under our home, and not pigeon hole us with all the larger rural holdings in the valley, I believe that Austar have come up with a win win plan of attack in dealing with other 99% of landholders but again being the only five acre parcel in Stage 3, I believe they can not suggest that this offering of "Sharing the Benefits" at \$1 per ton is fair or relevant to us considering our land size.

### What we Ask

In light of this we would ask that Austar consider acquiring our property if we so desire, as per Schedule 5 Land Sect 5 Land Acquisition in the 2009 Approval, effectively giving us Acquisition Rights. I have concern with our ability to negotiate with a large mining company moving forward hence if no agreement can be reached under the "Sharing the Benefits" offering then we could fall back on Austar acquiring the property.

I understand that the majority of the Planning Departments focus is around the environmental impacts of the Planned Modification, however last time we had an opportunity to present our concern was back in December 2008 when the Project Approval was being considered. I appreciate this opportunity to articulate our concerns a second time.

Kinds regards

A handwritten signature in blue ink, appearing to read 'Matthew Wilson', with a long horizontal stroke extending to the right.

Matthew Wilson