



PCU027122

Howard Reed – Manager Mining Projects
Major Projects Assessment
Mining and Industry Projects
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Our Ref: 24552
Your Ref: 10/03652



Dear Mr Reed

**AUSTAR COAL MINE - STAGE 3 MINE PLAN MODIFICATION (MP 08_0111)
EXHIBITION OF ENVIRONMENTAL ASSESSMENT**

I refer to your letter of 26 August 2011 relating to the application by Austar Coal Mine Pty Ltd to modify project application (MP 08_0111 MOD 2) involving an amendment to the approved mine plan for the Austar Coal Mine Stage 3 mining area to remove longwall panel A6 and reorient longwall panels A7-A17.

Austar has delivered two (2) hard copies of the Environmental Assessment (EA) together with twenty (20) CD copies of the EA to Council for review. A hard copy was placed on display during the exhibition period from 9 September until Friday, 30 September 2011 and CD copies were made available free of charge to interested persons.

During the exhibition period Council received one (1) submission from a resident of Quorrobolong and a copy of that submission is attached for your information and assessment.

The application has been reviewed by Council officers and it is noted that the proposed Stage 3 Modification involves a reorientation of the mine plan only and an increase in the chain pillar widths from 45 to 55 metres in order to reduce the risk associated with roadway failure. Further, the Stage 3 Modification remains entirely within the Coal Mining Lease 2 and existing lease extension application areas MLA 322 and MLA 333 and involves no proposed changes to the underground mining method, total approved rate or quantity of extraction, or associated surface infrastructure.

Council remains concerned about the potential subsidence impacts of the project on its infrastructure including roads and bridges etc and will look forward to further consultation with the proponent on the new extraction plans (EPs) and Built Feature Management Plans (BFMPs) which detail specific management and monitoring activities associated with subsidence affect on built structures.

The Stage 3 mining area is within the Quorrobolong Creek catchment area, with two tributaries of Quorrobolong Creek, Sandy Creek and Cony Creek running through the area before passing through into the Ellalong Lagoon and then to Wollombi Brook. Ellalong

Lagoon is a substantial water body with the local area with a high conservation value. Council has a high regard for the lagoon as a conservation area and therefore will be anxious to see that detailed monitoring of subsidence associated with the creek systems feeding into the lagoon and the management of the quality of the surface water within these systems is undertaken and maintained for the life of the development.

As previously advised Council's principal concern is that an extensive and transparent community consultation program is established and continued both during and after the exhibition period involving the Ellalong and Quorrobolong communities so that they may be kept informed of the progress of the project.

In the event you have any further enquiries regarding this matter, please contact Council's Senior Planning Officer, Rod Sandell on 4993 4122.

Yours faithfully



Gareth Curtis

Group Leader | Built and Natural Environment

13 October 2011

B. O'Dwyer & G. Quinn
331 Quorrobolong Rd
QUORROBOLONG 2325
26 September 2011

The General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Dear Sir

We write in relation to the proposed Stage Three modification of the Austar Coal Mine, Paxton NSW.

We wish to bring to your attention our serious concerns about the impacts of the proposal on our home, and ask for your assistance in preventing this. The proposal will increase the impact from Stage Three as previously approved, as our entire property, including our home, is now included within the subsidence envelope; whereas previously, the subsidence envelope cut across the front third of our property.

Our house floor level height was built to Council requirements. During the flooding we experienced here in 2007, we witnessed floodwaters rising to within an inch of the floor level of our house. We believe that should the Stage Three modification proceed, the consequent subsidence will cause our house to be inundated during the next major flood event.

We understand that such flooding is not eligible for any compensation or assistance from the Mine Subsidence Board, or indeed, by any home insurance policy as its direct cause will be the activities of Austar Mine. Consequently, we will suffer significant financial hardship when our home is inundated.

If subsidence is greater than the levels predicted in the Environmental Assessment, the impacts will be of even greater magnitude.

In addition, longwall extraction by the mine over the past year has caused ground tremors as the strata subsides and settles. These tremors, particularly at night, are disturbing and cause distress to our three young children. Tremors are expected to continue for years to come as the mine extracts coal throughout the Stage Three area. The intensity of the tremors we experience will only increase as extraction approaches our property.

Bronwen O'Dwyer & Glenn Quinn