



ADVISORY COMMITTEE

PO Box 552, Katoomba NSW 2780

Phone: 0419 307 099

gbm.worldheritage@environment.nsw.gov.au

Our reference DOC14/256317

Our contact Jacqueline Reid ph: 0419 307 099

Director – Mining Projects
Development Systems & Approvals
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Re: Airly Coal Mine State Significant Development 5581

Dear Director,

The Greater Blue Mountains World Heritage Area (GBMWA) Advisory Committee is jointly appointed by the Commonwealth and State Environment Ministers to advise on matters relating to the protection, conservation, presentation and management of the GBMWA, which was inscribed on the World Heritage List in 2000 for its outstanding natural values.

The Advisory Committee has always taken a strong position that it is essential to consider any adverse direct and indirect impacts on World Heritage and other values from developments that occur adjacent to the GBMWA. The Advisory Committee has also expressed its support for the reservation of the Gardens of Stone Stage 2 proposal and has previously congratulated Centennial Coal for its support of the creation of the Muggii Murum-ban State Conservation Area (SCA) over the Mt Airly/Genowlan complex.

The Advisory Committee submission, dated 10 July 2014, has been forwarded to the Planning Assessment Commission by the Department of Planning and Environment. An additional copy of the submission attached herewith for your convenience, outlined strong opposition to the current Airly Coal Mine proposal (State Significant Development 5581) as it will significantly damage Muggii Murum-ban SCA and may impact the adjoining World Heritage Area.

Centennial Airly Pty Ltd has provided insufficient information to allow full understanding and assessment of the implications of the proposed works. Only a few, short, verbal statements have been provided on the existing and proposed extensions to the mining activities and two, small scale general maps which were impossible to interpret accurately or relate to the surface conditions, or any (possibly) affected natural environment. There was no contour information or relevant levels for either the mining works or the overlaying country.

Centennial Airly Pty Ltd should be required to submit all technical information in the form of maps and scale drawings showing the existing and proposed mine tunnels and shafts, their levels to AHD (Australian Height Datum and all new maps) together with overlaying maps (to the same scale) of the surface contours and features and the positions and details where strengthening pillars will be left to support the roof of the mined areas.

As part of the EIS Centennial Airly Pty Ltd should be required to detail all measures that will be taken to ensure the quality of any discharges of water from the mine or the adjacent areas affected by the mining activities or access roads. All surface drainage both natural and formed is to be detailed on the submitted plans. All sewerage installations both existing and proposed are to be fully detailed in the EIS documents.

The Vertebrate Fauna of Gardens of Stone National Parks (OEH 2012) identifies the rocky escarpment and pagoda formations as a high priority habitat for fauna conservation as they provide habitat for at least four high or moderate priority fauna species – the Broad-headed Snake, Brush-tailed Rock-wallaby, Large-eared Pied Bat and Eastern Bentwing-bat. The report states "Carne and Airly creeks rise outside of the Gardens of Stone National Parks. If these waterways are subject to disturbance or pollution in their upper catchments this can seriously impact on downstream hydrology (DECC 2009a) and alter the value of habitat to vertebrate fauna such as various frog species, the platypus and water rat."

The Advisory Committee maintains its opposition to the extension of the original consent. In summary, the Advisory Committee:

- believes that the 1991 development consent for this mine should be revoked and a new development application should be provided for the whole mining operation.
- strongly supports the proposed amendment of the conditions of consent regarding the subsidence - conditions 13, 13A, 13B and 13C.
- strongly opposes the proposed two thirds coal extraction over most of the SCA which will threaten pagodas, slot canyons and internal cliffs.
- supports that half the coal resource be left in the ground to protect the biodiversity and geodiversity of Genowlan and Airly mesas
- strongly opposes 30% mining extraction even under 120 metre cliffs like Genowlan Point.
- strongly opposes the proposed 60% coal extraction under the steep talus slopes that support the cliffs.
- understands that the New Hartley Oil Shale Workings are of national heritage significance, and are an important part of the mining heritage of NSW and welcome Centennial Coal's decision not to mine under those historical workings. An additional consent condition should be included to give effect to the intention of Centennial Coal to ensure this cultural heritage is adequately protected.
- remains concerned about the likely deleterious impacts on fauna and biodiversity should highly saline mine effluent be allowed to flow into Airly Creek, and therefore the Gardens of Stone National Park within the Greater Blue Mountains World Heritage Area. It should be a condition of approval that mine effluent and 'recovered leakage' be treated to a level where its chemistry is consistent with that of the receiving watercourse.

If you would like more information about the GBMWA Advisory Committee, please contact Jacqueline Reid by telephone to 0419 307 099 or via email to jacqueline.reid@environment.nsw.gov.au

Yours sincerely,



Prof Richard Mackay, AM
Chair
Greater Blue Mountains World Heritage Area Advisory Committee

31 October 2014

References

DECC 2009, *Gardens of Stone National Park Plan of Management*. National Parks and Wildlife Service, part of the Department of Environment and Climate Change NSW. Blackheath

OEH 2012, *The Vertebrate Fauna of Gardens of Stone National Park*. National Parks and Wildlife Service, part of the Office of Environment and Heritage NSW. Sydney

COPY



PO Box 552, Katoomba NSW 2780
Phone: 0419 307 099
gbm.worldheritage@environment.nsw.gov.au

Our reference DOC14/125616
Our contact Jacqueline Reid ph: 0419 307 099

Mining and Industry Projects
NSW Department of Planning & Environment
GPO Box 39
Sydney NSW 2014
via email to: thomas.watt@planning.nsw.gov.au

Dear Mr Watt,

Re: Airly Colliery Development Application 162/91 Modification 3

The Greater Blue Mountains World Heritage Area (GBMWA) Advisory Committee was jointly appointed by the Commonwealth and State Environment Ministers to advise on matters relating to the protection, conservation, presentation and management of the GBMWA, which was inscribed on the World Heritage List in 2000 for its outstanding natural values.

The Advisory Committee has always taken a strong position that it is essential to consider any adverse direct and indirect impacts on World Heritage and other values from developments that occur adjacent to the GBMWA. The Advisory Committee has also expressed its support for the reservation of the Gardens of Stone Stage 2 proposal and congratulated Centennial Coal for its support of the creation of the Muggii Murum-ban State Conservation Area (SCA) over the Mt Airly/Genowlan complex.

Objection

The Advisory Committee strongly opposes this proposal as it will significantly damage Muggii Murum-ban SCA, an area the Advisory Committee has recommended be included in the Greater Blue Mountains World Heritage Area once mining has concluded.

Background

The right to mine coal at Airly Genowlan was originally granted in 1991 under DA 162/91 with Centennial becoming involved in 1997. In 2009-10, mining commenced under a range of very strict conditions designed to ensure the integrity of internationally significant pagodas and their associated cliff-lines, and also protect the heritage of the Oil Shale Ruins (currently recognised by the NSW Office of Environment and Heritage). The negotiated conditions, in acknowledgement of the proposed Muggii Murum-ban State Conservation Area (SCA) involved low-impact extraction such that half the coal resource would be left in the ground to protect the biodiversity and geodiversity of Genowlan and Airly mesas.

In January 2013, the mine was placed on care and maintenance until Centennial announced that it would seek approval to renew Airly Mine's existing planning consent. Modification 3 is the first component of this 'new' proposal. It aims to extend the original 1991 development consent to October 2015, whilst a substantial mine-extension proposal (SSD 12_5581) is prepared.

Concerns with Modification 3

If approved, the modification would continue high- impact operations stemming from a time (1991) when environmental outcomes received relatively little attention. By continuing the original consent in a modified form, Centennial would no longer be complying with the commitments made in relation to preserving the attributes of the Mugii Murum-ban SCA.

The Advisory Committee believes that the 1991 development consent for this mine should be revoked and a new development application should be provided for the whole mining operation.

Pagodas, cliff-lines, surface water, groundwater, biodiversity, and oil-shale heritage must be protected from major levels of subsidence. Allowing mining under the old regulatory framework would permit up to 1.8 m of subsidence. This is inconsistent with the objectives of an SCA and should be opposed by the Department of Planning & Environment. The committee strongly believes that Centennial must be held to the commitments made in relation to limiting mine subsidence to 125 mm or less.

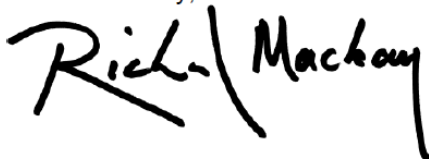
The Greater Blue Mountains World Heritage Area must be protected from impacts related to water discharges. If Modification 3 is approved, the mine will discharge saline mine-make into Airly Creek and thence into the Gardens of Stone National Park within the Greater Blue Mountains World Heritage Area. It should be a condition of approval that mine effluent and 'recovered leakage' be treated to a level where its chemistry is consistent with that of the receiving watercourse.

Conclusion

The Greater Blue Mountains World Heritage Advisory Committee opposes the Airly Colliery Development Application in its current form due to impacts on the Mugii Murum-ban SCA and adjoining GBMWhA.

If you would like more information about the GBMWhA Advisory Committee, please contact the Executive Officer, Jacqueline Reid by telephone to 0419 307 099 or via email to jacqueline.reid@environment.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink that reads "Richard Mackay". The signature is written in a cursive, flowing style with a large, sweeping 'R' and a long, trailing 'y'.

Prof Richard Mackay, AM

Chair

Greater Blue Mountains World Heritage Area Advisory Committee

10/07/2014