

7<sup>th</sup> July 2014

To:

Mining and Industries Projects

NSW Department of Planning & Infrastructure

GPO Box 39

SYDNEY NSW 2000

**“Submission as an Objection\_ Airly Colliery DA 162/91 Modification 3 Existing Consent Conditions are Inappropriate”**

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To whom it may concern,

I am a primary producer running 500 head of stud cattle in the Capertee Valley, and I am also a direct neighbour of Centennial Coal's Genowlan Mountain proposed extension of Airly Mine.

I oppose the extension of time that Centennial Airly Pty Limited has applied for in the application DA162/91 for the following reasons.

- a) In the past 23 years environmental, human rights, land holders and Government expectations of corporate giants have changed considerably. The populous of the world now expect these companies to be more transparent and responsible for their actions more so than they were in the past. Companies cannot expect to reap the rewards of other countries mineral, coal and gas resources, and not be responsible for all those they affect along the way.
- b) Being a neighbour of the Airly mine and of their proposed “Airly Genowlan extension” I have attempted to co-exist with owners over the past 13 years. I am not against the mine if they wish to be good neighbours and do not affect my Water (which is the life blood of my farm) or impact on my property visually, or by noise or my property values. And they must be responsible for planning not to impact of the environment.
- c) Having attended public meetings that the mine instigated RE: the new application for the mine and the extension into Genowlan Mountain, I requested personal meetings with the management, after these meeting my concerns intensified, they being:
  1. WATER:
    - a) The Gap Creek feeds Genowlan Creek and the Capertee River, along with Emu Creek all traverse our 4,000 acre cattle property. Our cattle enterprise, Licenced Irrigation bores and stock and domestic water depend on all of these water

tributaries, all of the creek systems begin on Genowlan Airly mesa, the proposed future mining area.

- b) The mine has stated it will not guarantee these water sources to their neighbours, not now or in the future. But will be taking water that at times isn't available in the quantities they are talking about. They are also not acknowledging that our licenced irrigation bores will be affected, our bores rely on water directly from their future proposed development on Genowlan mesa we are a direct neighbour of this project.
- c) In the 1991 DA water was guaranteed to all effected land holders will this still be the case?
- d) The Airly mine hydrologist has stated in his report to Airly mine that the water in the bore at the mine is heavy in dangerous heavy metals and should not be used or let flow into any creek or river systems (Information obtained from "freedom of information) Capertee Valley has experienced dry times and water is a big issue and the colliery waste water should not be allowed to pollute local waterways which run into the Gardens of Stone National Park, and into Capertee Valley.
- e) The large storage dams at the Airly mine have over flowed into creeks in the valley after major rain events.
- f) The mines monitoring of the Airly bores have been shown to be floored and incorrect procedures used. On this bases alone we have refused to let them monitor our bores, monitoring of neighbouring bores should be done independently of all parties concerned.
- g) Water needs to be protected, it is a more precious commodity than coal, farming has been carried out in this valley for over 100 years but without water we cannot irrigate, without water we cannot have stock. The mines may only be in our area for some 20 plus years and if the bores, streams river systems and aquifers are not protected our valley and rural communities will suffer.
- h) There is still the serious risk that bores and creeks (Gap, Genowlan and Emu) and the Capertee River will be affected by mining and farming will run short of water. This directly affects us.

## 2. MINING METHOD:

- a) The community has been assured by Centennial Airly on many occasions that there will be no subsidence, but I notice the 1991 DA states that subsidence up to 1.8 metres. This modification 3 proposal would allow more intensive coal mining that causes 1.8 metres of vertical subsidence. This is unacceptable in 2014, there are now other, newer mining methods available to Centennial and the methods that are the least detrimental to the environment and the water need to be used, not the easier and cheaper alternative for the mines without consideration to all concerned.

## 3. AGRICULTURE:

- a) Agriculture has **not** been addressed in the 1991 DA; this is a huge oversight of all government planning agencies that have allowed this to happen. Whether the mine

likes it or not there is agriculture in the Capertee Valley and many people derive a living from agriculture. Over 6000 head of cattle mainly for the Australian domestic market exit this valley each year, sheep and other animals are also farmed within the valley. Agriculture **must** be addressed in a new DA.

- b) Cattle's grazing has even taken place even on the mine site, so it too has participated in agricultural activities.

#### 4. ENVIRONMENT:

- a) The Capertee Valley has a unique environment with majestic escarpments especially within the Mugii Murum-ban State Conservation Area which has been accessible to almost everyone. The Airly Genowlan mesa should be protected. The world heritage advisory committee recommend that the Airly-Genowlan mesa should be added to the Greater Blue Mountains World Heritage Area. Earlier negotiations regarding the creation of the Mugii Murum-ban State Conservation Area, Centennial told the Colo Committee and the Colong & Wilderness Foundation that they only planned to remove half of the coal to ensure support for the surface. This would ensure that the maximum vertical subsidence would be 125mm (5 inches). If allowed to continue with this DA 162/91 it will mean that they have lied to the community that want to support them but don't want them to endanger our environment.
- b) I am now 66 years old and I am trying to wind back my farming enterprise and sell my farm, this is made more difficult and I'm concerned that the coal heaps are NOW visible from Glen Davis Road and from Pearson's Lookout, people entering the valley are now confronted with these heaps of coal and are concerned about purchasing in an area that is affected by mines. They are in contravention of an agreement to screen them with trees. The heaps should be covered to control acid-run off that will affect local waterways and property values. The mine has had 23 years from the 1991 DA to plant trees and shield there activities.

The Capertee Valley is a very scenic place to live and if filled with enterprising people who run tourism based businesses apart from agriculture, we all should be protected and This consent should lapse and a new DA be submitted by Centennial for the entire operation.

Thank you for the opportunity to comment.