

**BRUCE & DONNA UPTON**

PO Box 83 Rylstone NSW 2849

11 Brymair Road BOGEE NSW 2849

Phone (02) 6379 7767

E-mail [lansallos@ipstarmail.com.au](mailto:lansallos@ipstarmail.com.au)

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**Mining and Industries Projects  
NSW Department of Planning & Infrastructure  
GPO Box 39 SYDNEY NSW 2001**

**Forwarded through the on-line submission system**

**Personal Submission Opposing  
Airly Colliery DA 162/91 Modification 3  
Existing Consent Conditions are Inappropriate"**

In the regrettably short time permitted for submissions with respect to Centennial Coal's application to extend the time of its Airly mine, Capertee Valley Alliance ("CVA") makes the preliminary submission appearing below. Such submission is made in its current abbreviated form as a consequence of the time constraints imposed, and as a more comprehensive submission will follow as agreed with the Department.

**In Summary**

We totally oppose Centennial completely ignoring the negotiations and agreements made between Centennial Coal, the Colong Foundation for Wilderness, Blue Mountains Conservation Society, Colo Committee and National Parks & Wildlife Service wherein meetings were held to ensure that the highly dissected plateau is not damaged by coal mining.

Centennial subsidence engineer at that time completely agreed. Centennial Coal supported the creation of a State Conservation Area now known as the Mugii Murum-ban SCA, an area the Greater Blue Mountains World Heritage Advisory Committee wants added to the greater Blue Mountains World heritage Area once responsible mining has concluded.

**We rely on the above groups submissions on this point.**

**Introduction,** my wife and I bought land in the Capertee Valley in 1997 and have lived here full time as self-funded retirees since 2003.

At the same time we researched the area discovering that it was the largest canyon in the world but not as deep as the Grand Canyon in America. Indeed there is interpretive signage at the Grand Canyon that refers to the Capertee Valley.

We also discovered that the Capertee Valley was rich in heritage Oil Shale Ruins recognised by the NSW Office of Heritage, Aboriginal and European Heritage. My wife and I recognising the potential in tourism developed a Business Plan for a purpose built B&B. We also chose the Capertee Valley after exploring NSW recognising the magnificent scenery, flora and fauna but it is still close enough to Sydney that we could keep contact with family and friends.

Capertee Valley is registered as an Important Bird Area (IBA) world wide and 1 of 50 places you must visit in the world for bird watching. A bird trail was developed and in the last 18 months over 8000 bird trail brochures have been printed or downloaded from the Capertee Valley blog sites. State, National and International visitors visit the Valley for this tourism activity alone.

When we purchased here, mining did not exist in the valley except Airly mine which was in care and maintenance. Neither did it show on property searches carried out prior to purchase.

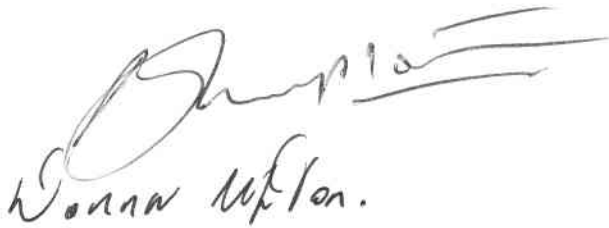
The recent application by Airly mine to extend operations has caused us great concern for the following reasons;

- This mine is within the Mugii Murum-ban State Conservation Area (SCA) and any irresponsible action by the mine will affect it.
- There has been disregard for due process of current legislation that is there to protect significant environmental assets, a place that has been recognised as World Heritage value.
- At the time of creation of the State Conservation Area, Centennial Coal gave an iron clad guarantee to the Capertee/Capertee Valley community that they would only extract half the coal thus assuring that the pristine condition of the area would remain intact.
- Full extraction of coal will cause 1.8 metres of subsidence which will cause massive damage to the unique landscape of pagodas, slot canyons, springs Grotto and flora.
- Maximum subsidence should revert to the 125mm previously guaranteed
- This proposed mining method is out of date with current methods and predates the creation of the Conservation Area.
- This proposed mining method will slow or stop the water flowing to surrounding farmers and the World Heritage Area. Farming activities would cease.
- The Lidsdale Seam which is being mined on Airly (ref Kim Bayly's Report – "it's not what it Seams" 2012) is high in heavy metals, salt and contains levels of sulphur which will bring about contamination of the streams.
- Inferior coal deposit of questionable economic viability. There is a Centennial verses Coalpac battle to supply power stations in the Lithgow Local Government Area risking destruction of communities and tourism of international standard.
- In the EA p12 states there is no change to employment of 120 personnel when in fact there are only 59 employed (information, Centennial Airly Coal Environment Officer Greg Brown)
- Page 26 states No European heritage sites have been identified in the proposed mining area for this Modification, even though the EA mentions protecting a stone cottage which is marked figure 6: 'Surface Sensitive Features'. However this same Figure 6 does not mark the very significant heritage sites of the Torbane Colliery workings and the New Hartley Shale mine workings. These are assets of huge value to the local community. They must be protected and conserved for future generation...
- Throughout the EA there is constant reference to and explanations for MEP (Mine Expansion Project) which begs the question is this the EA for MOD 3 or just a rehash of the EA Centennial is working on for the MEP?
- Polluted water from the mine into Airly Creek will eventually end up in the Colo River (a wild river) Wollemi Wilderness.
- Tourism will be severely affected in this much loved area. NPWS would be obliged to close the SCA for safety reasons.
- Mining with this method will destroy the historic oil shale ruins due to half a metre subsidence.

- It is possible that the new camping ground in the SCA will be affected by mining activities as it is very close to the surface there
- DA 162/91 is out of date and totally lacks current informed research.
- Communication to the Community by Centennial and the Department in relation to this Extension has been totally inadequate.
- The current Coal Piles visible from Pearsons Lookout and entry to the Capertee Valley on Glen Davis Road is not acceptable. Centennial have not fulfilled their obligation to screen the area under DA 162/91. A non-compliance issue which has been reported to the Department.
- We support the Colo Committee submission by Dr. Haydn Washington sent to you recently.
- We also support the submission by the Colong Foundation
- We support the Capertee Valley Alliance Inc. submission.

In its present form this application, Airly Colliery DA 162/91 Modification 3, should be refused.

Yours sincerely



Donna Upton.

Bruce & Donna Upton

The following pdf file contains a small selection of landscape photos of the Airly Genowlan area. A full collection for the entire Capertee Valley can be found at <http://caperteevalleyphotos.blogspot.com.au/>