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12th June, 2015.

The Secretary
The Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Via email: matthew.sprott@planning.nsw.gov.au

Dear Ms McNally

Re: Objection to Drayton South Coal Project Application Number: SSD 6875

I am writing as a concerned member of the community to object to the second application by Anglo American for the Drayton South open coal mine project.

I am very aware of the political lobbying and community relations exercises conducted recently by the NSW Minerals Council and the mine owners seeking to expand their mines. They have put together an extensive (and probably expensive) PR program that plays on fear of reduced employment and business opportunities afforded to people in the industry, contractors and suppliers. That this is more of a result of the coal price downturn and completion of major infrastructure projects is apparently overlooked by the miner's PR campaign. That the only solution is mine expansion has to be viewed increasingly incredulously considering the economic downturn and the existence of many valid arguments against expansion. The results that you see from this industry propaganda, evidenced by the flouro shirts present in PAC hearings, needs to be balanced with the views of other residents and existing agriculture and tourism industries that have also contributed so long to the valley's economic result.

May I offer the following points supporting my objection:

1. I have spent the past 13 years living in Pokolbin in the Hunter Valley owning and running a small commercial vineyard, cellar door and tourist accommodation business. My family has a long relationship with the Hunter Valley, with my father born at Muswellbrook over 100 years ago.
2. During the last 5-6 years I have noticed a significant alteration to the environment and the lifestyle which attracted me to the Hunter Valley. I believe that this alteration is purely as a result of the existence, extensions and openings of new open cut coal mines and the amplification of the train network.
3. I have noted:
 - a. The massive increase in dust in the air, coal dust, overburden dust and inter-burden dust. There was no dust to speak of before the expansion of mines in the 1980's. When we came here in 2013 there was no noticeable dust fallout. Now the clothes line and outside tables are black after a few days of exposure; I have had to spend over \$5,000 on equipment to filter tank water; I have to



spend more cleaning solar panels, wash down to public areas and tables etc has to occur weekly at least, and the leaves of the grape vines have dust on them which must affect photosynthesis and the quality of the grapes.

- b. The dust from time to time in adverse wind directions, and as a low level asthmatic I have increased concerns with the quality of life we now experience.
 - c. The increase in dust and dust events where the amount of particulates in the air regularly exceeds world standards, even now.
4. With the Drayton South Project potential approval looming, the number of serious dust events, injurious to human health, can but increase. Watering dusty areas with water taken from the pits is not an answer. That water is usually contaminated with salt and other contaminants and if it escapes from the site could well do damage, and indeed sterilise, surrounding soils.
 5. The increase in dust and its build up in drinking water tanks cannot be of any benefit to human health. Additionally, the inhalation of dust particles, particularly coal dust particles, must affect the developing lungs of infants and affect the breathing of older members of the community.
 6. Dr Tuan Au of Singleton has been carrying out studies on the effects of the dust from coal mines on the community of Singleton. Whilst I understand that Dr. Au has not completed his research, which he has been conducting for some years, no further dust should be injected into the atmosphere without Dr. Au, and indeed the Health Department, being asked for a preliminary report resulting from his research.
 7. I am concerned that productivity of my vineyard, and many other vineyards, and the quality of the produced grapes and consequent wines, will be detrimentally affected by this continuing increase in dust.
 8. The wine industry and the wine tourism industry provide thousands of jobs in the community and contribute millions of dollars to State Government coffers.
 9. The wines produced from the Hunter Valley are world renowned. It is a sustainable industry which has existed for 200 years and probably has another 200 years of sustainable production. This sustainable industry should not be put at risk for a few years of open cut coal mining.
 10. In order that the wine industry, and particularly the wine tourism industry, can prosper and continue to attract investment, it must be realized that it cannot co-exist without significant buffer zones from open cut coal mining. The moonscape between Singleton and Muswellbrook is evidence in itself in the inability of agriculture and open cut coal mining being unable to co-exist.
 11. You cannot have wine tourists driving through and past open cut coal mines to go from cellar door to cellar door or to go from restaurant to restaurant. The tourists will stop coming and the burgeoning wine tourism industry will find it difficult to continue affecting many thousands of jobs.
 12. It is quite clear that land values have been reduced by the existence of the open cut coal mines. Properties in and around Bulga are difficult to sell other than to a mining company.
 13. The damage the Drayton South Coal Project to the neighbouring thoroughbred horse studs, with the noise, light, dust and risk to fresh water aquifers, could be catastrophic. You would wonder how a horse stud could continue in such an environment. It would be a monumental backward step for our State if it were to lose the thoroughbred breeding industry to another State. Having just travelled to the Barossa Valley, it is clear that the SA Government takes protection of their vineyards and wine tourism areas more seriously than the NSW Government. Don't be under any misunderstanding that there are many alternative areas that these studs could find attractive if you destroy their ability to operate profitably in the Hunter Valley.
 14. No approvals for further open cut coal mining in the Hunter Valley should be considered without cumulative impacts of all existing coal mines and their emanations. Without cumulative impacts being taken into



account, a proper evaluation of any proposed new mine would not be available. We understand that the NSW Government is undertaking an 'under the covers' assessment of this – surely consideration of the Drayton South application should be deferred until this has been completed.

15. Economic Impact.

- a. I submit that this Application is not in the public interest.
- b. This is Anglo American's second application for a mine on this site.
- c. The Planning Assessment Commission refused a mine plan on this site in 2014 on the grounds that *"the economic benefits of the project do not outweigh the risk of losing Coolmore and Darley and the potential demise of the equine industry in the area with flow-on impacts on the viticulture and tourism industries."*
- d. That finding still should stand. Note that:
 - i. This project has the potential to detrimentally affect the economic diversity of the Hunter Valley by threatening the future of sustainable wine, equine and tourism industries.
 - ii. The project overestimates the benefits and underestimates the costs.
 - iii. Anglo American, on numerous occasions, has argued that a smaller mine plan would render the Project economically unviable.
 - iv. The economic analysis does not justify why a smaller mine plan is now economic.
 - v. The threat this one mine poses to the wine and equine critical industry clusters in the Hunter Valley and to tourism, to the community and many thousands of sustainable jobs, is unacceptable and should be rejected.

16. Water Impacts.

- a. The EA lacks credibility and raises serious concerns with respect to compliance with the Government's Aquifer Interference Policy
- b. The EA lacks clarity on important final void and water/salt balance. Critical assumptions do not seem to be based on science nor are they representative of real world surface and groundwater behaviour.
- c. There is a lack of clarity and detail on the impacts of the project with respect to voids, tailings, water reject plans.
- d. The EA fails to adequately address the cumulative effects from existing operations which are likely to be compounded by the impacts from proposed adjacent mining projects.

17. Visual Impact Assessment.

- a. The Project will impact on tourist, investors and clients travelling via the Golden Highway to the Upper Hunter.
- b. As such the concerns raised by previous PACs and Gateway Panel regarding visual amenity remain unaddressed and a significant concern.



18. Aboriginal and Non-Aboriginal Heritage.

- a. Aboriginal and Non-Aboriginal heritage issues have not been comprehensively addressed. There are nearly 200 Aboriginal 'sites' potentially affected by this project – which have not been appropriately assessed.
- b. A cultural heritage landscape assessment has not been undertaken in accordance with NSW heritage assessment criteria.

19. Acoustic Impact Assessment.

- a. The methodology is questionable.
- b. Noise impact assessment is misleading and has the potential to exceed prescribed noise limits stipulated by the NSW Industrial Noise Policy
- c. No evidence is provided to assure landholders that the Project will comply with NSW noise limits.

20. Rehabilitation.

- a. In the 2014 PAC Determination Report, the PAC raised serious concerns on the matter of rehabilitation.
 - i. *"The contention was if the Drayton South mine is not a viable mine, it could be placed in caretaker mode following any approval. If this were to occur, this new consent would allow the proponent to defer its rehabilitation responsibility for virtually the life of the approval being sought, notwithstanding the Department's recommended conditions which require a Rehabilitation Strategy for the Drayton Complex by June 2015, which must include the details of a timetable for the rehabilitation stages for both the existing Drayton mine and Drayton South.*
 - ii. *Given the lack of progress with rehabilitation works on the existing mine, the Commission is not confident that the Rehabilitation Strategy will be implemented and the disturbed areas will be progressively rehabilitated regardless of whether the proposed mine goes ahead or is put in caretaker mode."* (p 18)
- b. We are not satisfied that appropriate rehabilitation is taking place and have no confidence that the Proponent will comply with its rehabilitation commitments in the future – particularly if both current and future rehabilitation commitments are deferred for a further 15 years.
- c. This issue remains a significant concern for the community.

21. Grounds for Previous rejections/refusals.

- a. **PAC Review Report 2013: The PAC recommended:**
 - i. The Coolmore and (Darley) Woodlands horse studs should be recognised as essential to the broader Equine Critical Industry Cluster and given the highest level of protection from the impacts of mining.
 - ii. The mine plan for the site should not be approved.
- b. **PAC Determination Report 2014: PAC Refused the Project:**
 - i. The project does not provide sufficient buffer to protect Coolmore and Darley from the impacts of mining as recommended in the PAC Review Report and the Gateway Panel



Report.

- ii. The project has not demonstrated that it will not adversely impact on equine health and the operations of the Coolmore and Darley horse studs.
- iii. The approach of monitoring the response of thoroughbred horses to the mine's operation to address uncertainty is not acceptable because once the damage to the operations of the studs occurs, it is irreversible.
- iv. The economic benefits of the project do not outweigh the risk of losing Coolmore and Darley and the potential demise of the equine industry in the area with flow-on impacts on the viticultural tourism industries.
- v. The project is not in the public interest.

I respectfully request that you register my objection to this proposal and seriously consider my objections when assessing the appropriateness of the Drayton South Open Cut Coal Extension Proposal.

Yours Sincerely,

(Signed by Ian Napier electronically)

Ian S. Napier

Director and Proprietor