

**SUBMISSION**

**TO**

**NSW DEPARTMENT OF PLANNING INDUSTRY AND ENVIRONMENT**

**IN SUPPORT OF OUR OBJECTION TO**

**MOUNT PLEASANT OPTIMISATION PROJECT (SSD 10418)**

**SUBMISSION BY JIM AND NELL LONERGAN**

**PROPERTY ID: 143**

# SUMMARY OF CONCERNS IN SUPPORT OF OUR OBJECTION TO MOUNT PLEASANT OPTIMISATION PROJECT (SSD 10418) (MPOP)

| Impact  | Description   | Concerns  | Risk  | Comment  |
|---|---|---|---|--|
| <b>General</b><br>Close proximity of our land to the existing mine will be compounded by the proposed mine's expansion – should it be approved.<br><br>Profound detrimental impacts upon the utility, general amenity and marketability of land which is suitable for use as existing and/or future residences. | Refer image below – land which we own has not been identified in the EIS.             | Not all our land is identified in the MPOP EIS. Only Property ID 143 (a), 143 (b) and 143 (e) are specifically identified in the document provided to us.<br><br>Land which is not described in the document provided to us by MACH (described as "Landowner Briefing") includes those parcels identified in the images below. Two of the overlooked parcels (which we own) are in fact within the existing ML1645.   | As a consequence of not identifying all our relevant land in the EIS – the Planning Assessment may inadvertently overlook relevant impacts upon our land such as will impact profoundly upon its utility, general amenity and marketability as farming land utilised and suitable for residential habitation.<br><br>We also have existing permits for the purposes of travelling stock between our grazing paddocks using the existing road reserve which links the properties (Dorset Road). The ability to continue to use the road corridor will be at risk in the event the road is realigned and upgraded to a 100km speed capability.  | We have at least 6 independent parcels which either have a dwelling constructed upon them or which have positive prospects of having a dwelling approved under existing planning controls. We farm our land as a large aggregation of farm land and also provide housing for our children. |
| <b>Noise</b>  | Described in the EIS as "significant" impacts at three locations (143 (a), (b) & (e)) | No reference is made to our land situated off Belgrave ROW and Castlerock Road – part of which is within the boundary of ML1645.  | There are two potential home sites available to this land under existing planning controls but which may be impacted by noise and which are not identified in the EIS.  | We request clarity be provided as to the potential impacts of noise upon our utilisation, amenity and potential habitation of our land at Castlerock Road and Belgrave ROW.  |
| <b>Dust/Air Quality</b>   | Described in the EIS as impacting Residence 143b and profoundly impacting 143e.       | No reference is made to our land situated off Belgrave ROW and Castlerock Road – part of which is within the boundary of ML1645.  | There are two potential home sites available to this land under existing planning controls but which may be impacted by Dust/Air quality issues and which are not identified in the EIS   | We request clarity be provided as to the potential impacts of air borne particulate matter upon our utilisation, amenity and potential habitation of our land at Castlerock Road and Belgrave ROW.   |
| <b>Blasting</b><br><br>Degradation of infrastructure used in conjunction with farming and residential habitation.   | Land ID 143 (all land described in the images below)                                  | Lots 9 & 10 fronting Dorset Road are literally within 20metres (the width of Dorset Road) width) of the northern periphery of the boundary of ML1645 and ML1808. Both paddocks have underground infrastructure to facilitate water reticulation and irrigation. To the east of the MPOP proposal, our nearest paddock is 150metres from the eastern boundary of ML1645 and is also developed by mains used for water reticulation and irrigation (as is the balance of our river flats which is within 750m). | The underground mains are in fair working order however are fibrous cement and will be acutely susceptible to damage as a consequence of blasting and associated vibrations.<br><br>There is no mention in the MPOP EIS of the potential impact upon proximate underground reticulation and irrigation infrastructure in respect to blasting and vibrations impact.<br><br>Further, the comments in the EIS are conditioned to specifically reference "residences" (we have assumed that is be interpreted as existing residences) however, it is unclear what the impact is upon that land which is currently vacant but which is suitable for residential development under existing planning controls. | An adverse impact upon the underground infrastructure will severely constrain (potentially render uneconomical) our utilisation of - and productivity derived from - existing fodder production and other utilisation of our developed river flats.  |

| Impact   | Description   | Concerns  | Risk   | Comment  |
|--|---|---|--|--|
| <b>Water Resources</b><br><br>Impact upon existing bores and wells is described.         | The EIS predicts we will experience detrimental impacts in respect to drawdown which exceeds 2m.  | <p>Accuracy of the data presented.</p> <p>Misrepresentation of drawdown of 22m at Belgrave well – purported to be a consequence of Dartbrook mine.</p> <p>Well on 448 is not marked on image at Fig. 5.17 of EIS.</p>   | Nil independent assessment is available.   | Understanding the highly technical nature of the science and engineering necessary to interpret ground water impacts and hydrology - we would appreciate an independent expert's explanation of the project's effect on my groundwater supply.   |
| <b>Visual</b>  | <p>Are described in the EIS as existing under current approvals and expansion of the project is predicted to "alter the visual impacts".</p> <p>Observation of changed landforms and lighting (direct and indirect) will be visible to us continuously.</p>   | Should the MPOP be approved the visual impacts will be greater upon our general amenity at our existing residences.   | Land we own, which is currently vacant land, but which is suitable land for residential development under existing planning guidelines – will be impacted by close proximity to changed landforms as well as direct and indirect light visual intrusion.   | <p>We request clarity be provided as to the potential impacts of visual intrusion upon our utilisation, amenity and potential habitation of our other land.</p> <p>The overburden remediation along Kayuga Road is anticipated to be some 360m tall on completion (ground level is approximately 200mRL). The difference is therefore anticipated to be an artificial landform which is some 160m above the flood plain.</p> |
| <b>Other Considerations</b><br><br>Existing and proposed design and future modifications | <p>The proposed plan identified in the EIS as "Project General Arrangement" depicts a design whereby the proposed north pit extends to the norther periphery of ML1645 and appears to be situated some 20 metres from the boundary of our land at Dorset Road.</p> <p>Furthermore, the former north-west emplacement area (described as an approved disturbance area) includes part of our private land which is situated off Belgrave ROW. Our land will also be impacted by a proposed road realignment (Northern link Road Options 1 &amp; 2 – either directly or indirectly).</p> | <p>Notwithstanding the EIS indicates the approved disturbance area is to be relinquished and therefore may well "reduce the residual biodiversity impacts" the fact remains that part of our land (Lots 73 &amp; 74 in DP 750926) is within the boundary of ML1645 and appears to form part of the area which was previously approved for integrated waste rock emplacement (without obtaining our consent).</p> <p>Furthermore, Lots 73 &amp; 74 are proposed to be impacted by the proposed realignment of Castlerock Road (Northern Link Road Options 1 &amp; 2) – either directly or indirectly.</p> <p>Our land which is situated off Belgrave ROW and Castlerock Road has an existing (dilapidated) dwelling on one parcel and has positive prospects of obtaining approval for two detached dwellings on the land under existing planning controls. Realigning the Castlerock Road as is proposed - under either option - will have significant detrimental impacts upon our land and its use – including how we manage our grazing interests in moving stock between paddocks but also the prospects of habitation on those western blocks.</p> | <p>The fact ML1645 encroaches on our land is a risk to future development and marketability of our land.</p> <p>The MPOP proposes to expand mine operations to the full extent up to the northern boundary of existing Leases. The MPOP is a significant risk to future development and marketability of all our land.</p> <p>Notwithstanding the northern disturbance area is proposed to be relinquished – the risk remains – MACH or some future owner may decide to reinstate those earlier plans for waste rock emplacement, either concurrent with this proposal or by modification at some future time.</p> <p>In either event our land remains within the boundaries of ML1645 which is proposed under the MPOP to be expanded to the extent of its northern boundary.</p> | <p>The MPOP proposal is a foreseeable detrimental impact upon the utility and amenity of our land as well as its development potential and marketability.</p>  |

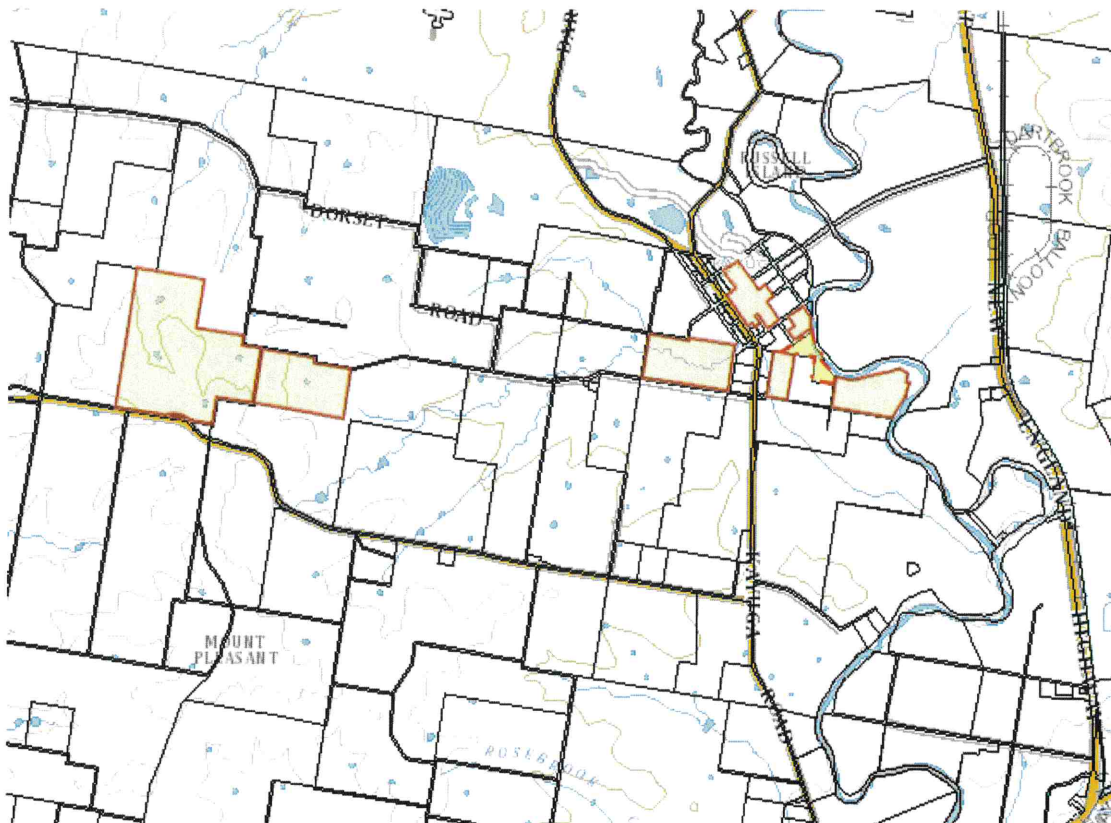


| Impact   | Description  | Concerns  | Risk   | Comment   |
|--|--|---|--|---|
| <b>Other Considerations</b><br><br>Land Purchase | MACH approached us enquiring if we would be prepared to sell our land. We obtained independent advice as did MACH – and proceeded to have “without prejudice” discussions in regards to an appropriate price – incorporating disturbance and other factors. MACH's advice failed to recognise the development potential of our land and the fact our land had positive prospects of achieving dwelling approval on a number of parcels under existing planning controls. | <p>We have concerns of a number of issues in respect to the discussions we have had to date with MACH regarding our land:</p> <p>The apparent lack of sincerity in the dealings.</p> <p>Ignoring the residential development prospects applicable to our land.</p> <p>Ignoring the fact, the market for land such as our is improving generally throughout the Hunter Valley.</p> <p>The proposal to impact our western land (Lot 73 &amp; 74) by either re-routeing a road through the parcel or by impacting the land with frontage to a rural link road (with capacity to carry traffic at 100km speeds).</p> <p>The inordinate amount of time being taken.</p> <p>The fact our western blocks off Belgrave ROW and Castlerock Road appear to be omitted from considerations in the EIS.</p> | <p>Detrimental impact upon our land's utility and amenity.</p> <p>Detrimental impact upon future development.</p> <p>Detrimental impact upon marketability of our land.</p> <p>Potential for damage to underground infrastructure.</p> <p>Potential for increased visual intrusion as a consequence of a successful MPOP.</p> <p>Potential for increased noise as a consequence of a successful MPOP.</p> <p>Potential for increased particulate matter (reduced air quality) as a consequence of a successful MPOP.</p> <p>Potential for changes to ground water and hydrology as a consequence of a successful MPOP.</p> <p>Potential for detrimental impacts directly upon our land which is within ML1645 as a consequence of future modifications which may include reinstating the use of the north west waste rock emplacement area or indeed mining that area.</p> <p>Potential for detrimental impacts upon our land in the event of realigning Castlerock Roads (and potentially Dorset Road).</p> | <p>We are concerned that we own land within ML1645 and yet MACH (without total control of the relevant land area) is proposing MPOP and seeking approval for a significant expansion of the mine.</p> <p>We are concerned MACH is not dealing sincerely with us in respect to discussions around purchase of our land – in a timely manner.</p> <p>Should the MPOP achieve approval – it will be those of us remaining on our land in close proximity to the mining operation - who will be most impacted.</p> <p>Our land is situated at varying distances from the northern boundary of the proposed MPOP operations – including parts of our land which is situated within ML1645 as well as the balance of our land which is between 20m and 750m from the northern boundary of ML1645.</p> <p>There are many unknowns which is a significant risk in itself.</p> |

**Land Description – the MPOP EIS omits a number of parcels of our land as is described below.**

| Jim and Nell Lonergan land holdings which are impacted by the proposed MPOP.  |
|---|
| <p>"Maryland" - Kayuga Road<br/>           Lots 1 &amp; 4 DP2770 Sec 1, Lots 1-6 DP2770 Sec 2,<br/>           Lots 3-11 DP758554 Sec 10, Lot 3 DP2770 Sec 1,<br/>           Lots 1-4 DP758554 Sec 11, Lot 287 DP823092 and<br/>           Lot 1 DP823126<br/>           Existing dwelling on the land</p> |
| <p>"Belgrave" – Kayuga Road Includes<br/>           Lot 832 DP599850,<br/>           Lot 1 Sec 13 DP758554 &amp;<br/>           Lot 285 DP750926<br/>           Existing dwelling on the land</p>   |
| <p>Small village aggregation – Kayuga Road<br/>           Lots 1, 2 &amp; 8 Sec 19 DP758554 &amp;<br/>           Lot 284 DP750926<br/>           Dwelling entitlement available under existing planning controls.</p>   |
| <p>Dorsett Road -<br/>           Lots 9 &amp; 10 DP750926 &amp;<br/>           Lot 3 DP112745<br/>           Dwelling entitlement available under existing planning controls.</p>   |
| <p>Belgrave ROW parcel -<br/>           Lots 73 &amp; 74 DP750926<br/>           Dilapidated dwelling on site. Dwelling entitlement available under existing planning controls.</p>   |
| <p>Castlerock Road parcel -<br/>           Lot 200 DP750926 &amp;<br/>           Lot 22 DP870608<br/>           Dwelling entitlement available under existing planning controls.</p>  |

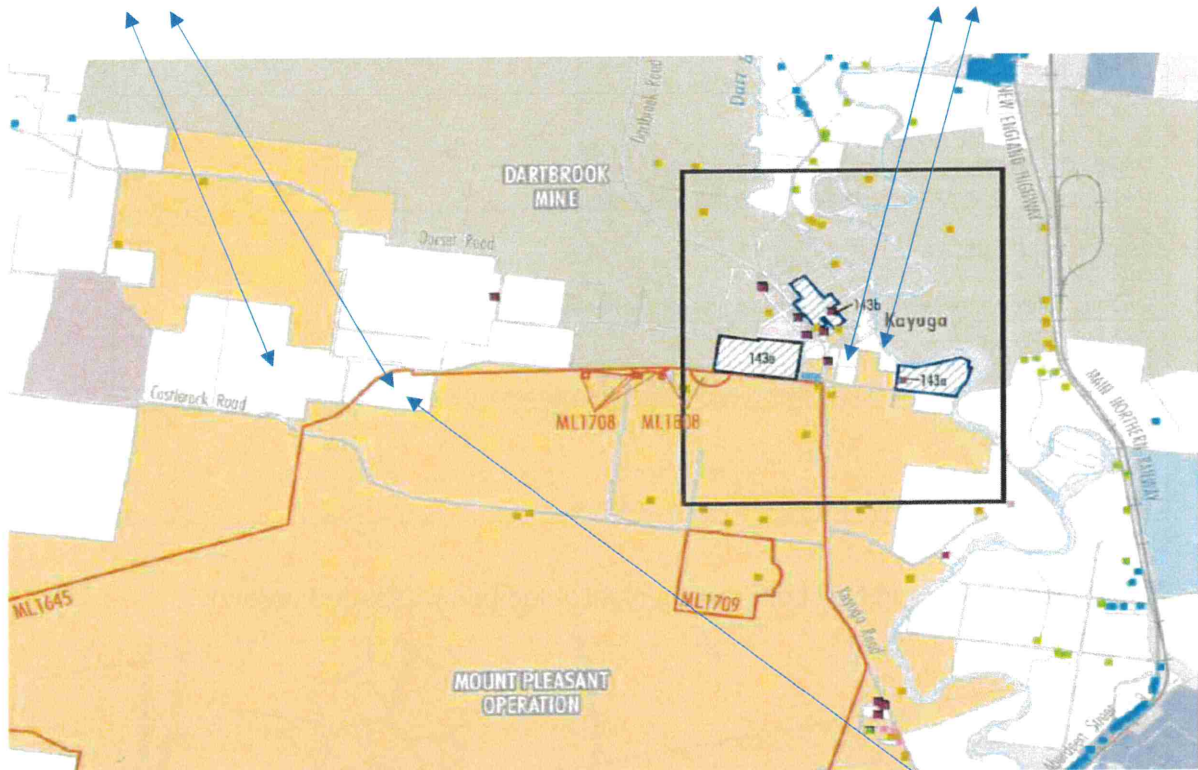
Land owned by Jim and Nell Lonergan is highlighted below (shaded yellow).





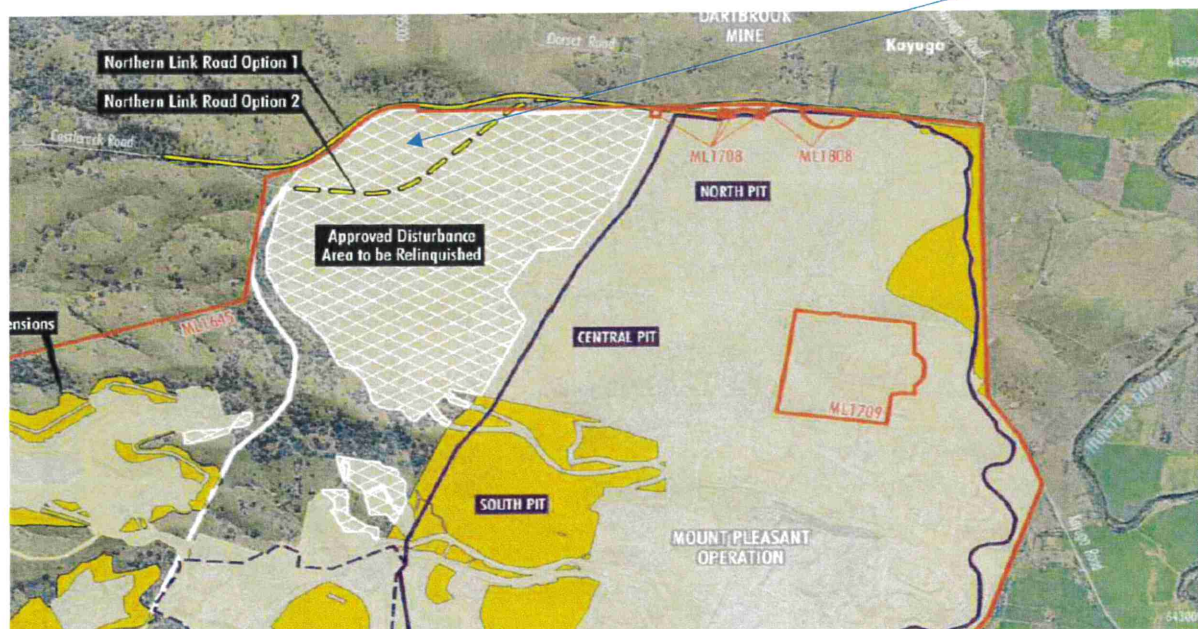
Below is an image described in the MPOP EIS as “Relevant Property Cadastral Base”.

Arrowed below is additional land (not identified as such in the MPOP EIS) but which is private land which is also owned by J & N Lonergan. A number of these additional allotments have dwelling entitlements under existing planning controls. Two particular allotments which we own are within the boundary of ML1645 and are intended to be impacted by proposed realignment of Castlerock Road (Northern Link Road Options 1 & 2).



Below is an image described in the MPOP EIS as “Project General Arrangement”.

J & N Lonergan land which is within the ML1645 is arrowed below and above.



## COMMENT:

We wish to lodge the strongest possible objection to the MPOP. We operate a beef cattle and irrigation property which is situated immediately to the eastern, northern and western boundaries of the proposed open cut coal mine.

We are extremely concerned about the massive affect the MPOP will have on our health as well as the operation and viability of our property and associated business.

We are concerned about the drawdown impacts the MPOP will have on the water levels in our wells, which we rely upon for domestic and stock water supply, and we fear the consequences should our wells be rendered unusable as a consequence of the MPOP.

The EIS states the Belgrave well evidenced a drawdown of 22m as a consequence of the Dartbrook Mine. This is incorrect, in my experience, the well has never evidenced an impact anything 22m. The current water level in this well is 8.2m below surface and the total depth of well is 23m.

The proposed realignment and upgrade to Castlerock and Dorset Road will make it difficult and dangerous to co-ordinate management of the eastern and western parts of our property and therefore will have a significant detrimental impact upon our cattle business.

We presently use the Dorset Road (for approximately 3km) when moving farm equipment, machinery and stock between properties in the course of our activities. As there is very little traffic using Dorset Road as it is at present – it is reasonably safe and a permitted use - we fear an upgrade and realignment of Castlerock and Dorset Roads will result in a sizable and dangerous increase in traffic volumes and speed.

We are also concerned that some of our land is within the boundaries of ML1645 – and was previous approved for use as a waste rock emplacement area. We did not previously give our consent for our land to be used for that purpose. Notwithstanding the disturbance area is proposed to be relinquished for the purposes of this MPOP, it is reasonable to consider the mine may seek a modification in future to utilise this area for a range of activities.

MACH approached me some years ago enquiring if we would consider selling our land to them. The discussions to date have been carried out on a without prejudice basis. We are disappointed with the time it has taken and apparent lack of sincerity in MACH's dealings with us.

We do not have access to a computer (a fact MACH is aware of) and therefore MACH's initial explanation to us at the public exhibition as to why they were not providing us with a hard copy of the EIS (blaming their decision on the impacts of COVID 19) was disappointing. Following further requests, a hard copy was subsequently made available to us by MACH however, the timing did not leave us with much time remaining to read it prior to the objection deadline. Furthermore, as we are unable to enhance the map scale used in the EIS – it is impossible to interpret many of the descriptors on the maps and images in the hard copy of the EIS as the printing is too small.

We have been informed the proposed road realignment will not impact our land. This is not correct - the two options which are depicted in the EIS will either track across our land (bisect it) or create a road border to part of our land – both of which will impact detrimentally upon our land, its utility and amenity and the concurrent use of all our land for cattle production purposes.

The EIS doesn't identify some of our land – specifically the land off Belgrave ROW and Castlerock Road but also a large proportion of our developed river flats is also omitted from identification in the EIS.

We own extensive land holdings in the Kayuga and Castlerock localities and will be detrimentally impacted should the MPOP be approved. We have much to lose and this objection prevails upon the Department to make a full appreciation and understanding of our concerns.



## FAMILY HISTORY:

The Lonergan family has lived in the Kayuga and Castlerock area for multiple generations. I have lived in the area all my life.

My great grandfather first moved to Castlerock in the 1880s and bought his first block of land in 1905. That block of land is still in the family. There was a time, when no one in the area thought about mining. We knew there was coal, people found it when they were farming, but no one thought much of it. The only thing we had to worry about was farming.

People used to live *off* the land, there was more people on the land than in town. There was no need to go into town. You can still see where the old homesteads used to be, just need to look for a grove of old pepper trees. Many of the houses are long gone now but the trees are still there. People would have made their living by having a small herd of dairy cattle, about 20 of them. People knew the country; kids would walk to school through the paddocks and people would know the best and easiest way to get through the hills. Back then the Hunter River didn't run all the time, so there was no real benefit being in the hills or on the flood plain.

My dad went to the Kayuga school in the 1920s and at one point there were 80 kids enrolled and two teachers. The Lonergans could field a whole cricket team at the Kayuga Cricket Club. Over time things changed and Muswellbrook started to grow, people started to move into town. The school closed in the 1970s and kids went to school in either Aberdeen or Muswellbrook.

But that was before mining. In the mid-1980s it all changed. Mining started with Dartbrook and has grown since then. We've all been impacted by mining. People have had their land purchased and left the area or have been impacted by the dust, the noise the traffic. Most of the old families have gone now. They have either sold to the mining companies and moved away or passed on. There aren't any young people in Kayuga anymore. The town is dying with just a few people left. Dartbrook was the start of the end of Kayuga.

At the moment, depending on what is going on at a mining company, I can easily spend 3- 4 days a month dealing with them. It takes time. It's not just the meetings and reading all the materials, you can be in the middle of the paddock and stop and realise something, it's always on your mind. It's hard to keep up with the mines and what they are up too. It's getting even harder with everything going online as we don't have internet connection.

the internet. The loss of our local newspapers makes things harder and changes what we chat about. We'd often say, "did you see .... In the newspaper" to our neighbors or friends, we can't do that anymore.

The worst part about mining is, it annihilates everything in its path, the houses, the productive land, the people and what does it leave behind? The mining companies say they are or are going to rehabilitate. How can they do that? They have taken so much out of the land and moved it around so much, it can never go back. You can see that from the attempts to rehabilitate the overburden. There just isn't enough topsoil to cover it - it's simple mathematics.



All the hills in the pre-mining landscape, that we used to think were tall are now dwarfed by the overburden of Bengalla and Mt Arthur. My brother lives on the hill in Muswellbrook and he used to be able to see Mount Dangar out near Merriwa, where my mum came from. He can't see it anymore; he looks out at Bengalla's overburden instead. It feels like, between Mt Arthur, Bengalla and Mount Pleasant, Muswellbrook is going to have a wall of overburden around on the southern and western sides of it. It's going to make so hot in town.

You used to be able to drive from Muswellbrook to Singleton with paddocks on either side of the road. Now there are trees that block the view of the mines. The mining companies plant out the side of the overburden that you can see from the road, but they do nothing on their side, you can see that when you drive past and get a glimpse into the pits.

Miners don't see the land like farmers do. Most are not from here so don't have a connection to this land. They don't feel the permanent damage they are doing. Everything they do is big, big equipment, big holes in the ground and big hills of overburden. Miners are pushing all the time and there is constant pressure. They operate 24 hours a day, 7 days a week, but why? It's all about the money, they have got themselves in a position where they cannot afford to stop. The mine workers live a completely different lifestyle to the farmers. They don't have freedom or flexibility we have. They do however earn a lot more money and I think because of this, some of them think they are better than us.

Mining in the area has changed, it used to be small and underground, they used to operate Monday to Friday. The mines would shut down for two weeks *off* over Christmas and the miners and their families would go away for their holidays. The miners used to be part of the community, they would play sport on the weekends and volunteer but now with the 12 hour shifts and the rosters, the mine workers are separate to the community. One of my sons works on roster at Mangoola and I don't know when to call him. I can't call in the evening because he goes to bed early after spending precious time with his family, and I can't call him during the day because he's not allowed to have his phone on him at work. The hours and shift work keep mine workers from their friends and family, unless their friends and family are working those hours too.

The hours also effect how they can volunteer, e.g. in the sporting team and the RFS. They aren't always available to do train, maybe every second weekend. The mining companies do support their workers to be a part of the RFS, they make generous donations, however they are restricted unlike the farmers. We were going to support MACH to undertake cultural burn, however it wasn't able to happen because it was too wet.

  
Jim Lonergan

  
Nell Lonergan