

Bylong Valley Protection Alliance Inc. BVPA

Mr Gordon Kirkby
Chair
Bylong Panel
NSW Independent Planning Commission
Email: ipcn@ipcn.nsw.gov.au

RE: GML Heritage Report on the Bylong Coal Project Revised Mine Plan

Dear Mr Kirkby

Thank you for commissioning the GML Heritage Report (GML) and allowing time for further submissions on heritage. The BVPA agrees with the conclusion of GML that despite attempts in the revised mine plan to mitigate the effects of mining the project will have irreversible adverse impacts on the Bylong Valley. GML concludes that:

“ ... areas of the valley’s natural and cultural landforms and patterns that contribute to its distinctive qualities will be irrecoverably altered.” (page 20).

In our previous submissions to the Planning Assessment Commission and the Independent Planning Commission we emphasised that the impacts on Indigenous and settler heritage in the valley will be severe. The Bylong Valley and Upper Bylong Valley are relatively small valleys and the impact of the mine project will irreversibly and negatively affect cultural, scenic and historical value of this iconic landscape. It should also be emphasised that the whole Bylong Valley has been classified by the National Trust as the Bylong Landscape Conservation Area based on its ‘**significance as prime agricultural land with a rural landscape of exceptional scenic value**’. Mining in the Bylong Valley is incompatible with landscape scale protection of heritage values.

The BVPA contends that if approved:

- mining will significantly and irrevocably impact on the heritage values of Tarwyn Park
- mining will adversely impact on farming-which will in turn threaten the agricultural heritage values of the Bylong Valley
- the heritage value of Wiradjuri cultural history and artefacts will be threatened
- the natural heritage values of the Greater Blue Mountains World Heritage Area will be diminished.

These threats to heritage posed by mining in the Bylong Valley are outlined in more detail below.

State significant heritage values of Tarwyn Park at risk

For a property to be listed on the NSW Heritage Register one or more of seven relevant criteria have to be met. In their assessment, GML found that Tarwyn Park (and Iron Tank) clearly met four of the seven criteria for it to be listed on the NSW Heritage Register. Therefore, the heritage values of Tarwyn Park should be protected.

Protection of these heritage values, as GML argued in their advice, must take into account the wider landscape, history, culture and activities that surround Tarwyn Park (and Iron Tank). It is acknowledged that the revised mine plan places the open cut area outside the property boundary of Tarwyn Park. However, Tarwyn Park and Iron Tank will still be adversely affected by mining. The heritage values of Tarwyn Park and consequently the listing of Tarwyn Park on the NSW Heritage Register will be at significant risk from the coal project.

In relation to the continuation of the Natural Sequence Farming (NSF) methods there is no publicly available evidence that the NSF methods are being deployed by KEPCO at Tarwyn Park. Anecdotal observations by local residents suggest that the structures and practices underpinning Natural Sequence Farming are not being maintained by KEPCO.

The impact of open cut coal mining on the groundwater source that supports NSF at Tarwyn Park will be significant.

Additional impacts on heritage caused by threats to farming

The GML advice clearly outlined many of the destructive effects on the heritage values of Tarwyn Park. The GML assessment concurs with the family histories and experiences of many BVPA members who have lived (or live) in the Bylong Valley. However, we would also like to add that the impact of KEPCO on agriculture and farming in the Valley is already detrimental to the culture of farming in the valley. A long standing, productive and harmonious community has been fractured by aggressive land acquisitions by the company resulting in the loss of many families from the valley. The total productivity of the land acquired has, on any measure, decreased substantially.

Furthermore, the risks to water supply have not been adequately recognised or addressed by government authorities or KEPCO's consultants. Based on the experience of landholders the threats to water supplies are real. If adequate water is not available then there will be further reductions in the heritage value of the valley as a place of agricultural significance and history. The mining project has already had negative effects on the farming and culture of the valley. It is the history, culture and activities in the valley that provide the context for the protection of heritage. Mining will irreversibly destroy that context.

Wiradjuri heritage

Initial archaeological surveys conducted by consultants for the coal project indicated a rich and diverse history of land use by Wiradjuri people. In relation to the protection of Indigenous heritage there is a growing body of research that demonstrates for Indigenous heritage to be protected the wider landscape which provides the context for heritage sites should also be protected.

It is also noted that the Ibbai Waggan-Wiradjuri People have recently claimed Proprietary Regional Territorial Rights over the Ngurangbang mapped area. To our knowledge this claim of territorial rights has not been acknowledged by the Independent Planning Commission or KEPCO.

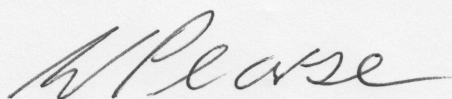
Greater Blue Mountains World Heritage Area

The Bylong Valley is adjacent to the Greater Blue Mountains World Heritage Area. The coal project will have adverse impacts on this World Heritage Area. The World Heritage Area will be directly impacted from blast, noise, dust and regional groundwater drawdown. Scenic views from vantage points in the World Heritage Area will be adversely affected. The longer-term effects on biodiversity are not known but will not be positive. We are not aware that any government agency or the Independent Planning Commission have adequately recognised the impacts of mining adjacent to the Greater Blue Mountains World Heritage Area. However, if all the impacts on heritage are to be adequately considered then the undoubted negative impacts on the Greater Blue Mountains World Heritage Area must be acknowledged.

Conclusion

The state significant heritage values of Tarwyn Park (and Iron Tank), Indigenous heritage, the Greater Blue Mountains World Heritage Area and the nationally significant Bylong Valley landscape will not be secured if the coal project is approved. The heritage values of Tarwyn Park (and Iron Tank) can only be protected if the wider context of the Bylong Valley landscape and agriculture are also protected. The heritage values of the unique Bylong Valley will be lost forever if the coal project is approved. The certain destruction of Indigenous and settler heritage is one of the many reasons this coal project should not be approved.

Sincerely



Warwick Pearse

Secretary

Bylong Valley Protection Alliance (BVPA)

26 June 2019