

**From:** [Phill Kennedy](#)  
**To:** [IPCN Enquiries Mailbox](#)  
**Subject:** EXPIRED CONDITIONAL GATEWAY CERTIFICATE  
**Date:** Friday, 2 August 2019 9:39:32 AM

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Independent Planning Commission NSW  
Level 3, Elizabeth Street  
Sydney NSW 2000

To whom it may concern.

I have noted recently that the gateway certificate issued to KEPCO for the proposed coal mine in BYLONG VALLEY has expired and the IPC is now willing to take submissions regarding this matter. To the best of my knowledge the original certificate was issued in 2014 and it was very evident back then that the proposed mine failed in almost all of the criteria. With such a report how has this process of a proposed mine been allowed to advance any further?

I am a farmer living and owning in the Bylong Valley. It is a rich fertile valley with an invaluable underground aquifer. It is quite unique in fact, it's so good that even during this current drought irrigation water is still available to irrigate crops and pasture to graze animals on and produce fodder for other desperate farmers in other regions. Only yesterday I counted I counted 7 irrigation hoses running on 5 different properties.

The available water used for this pumping is supplied by an underground aquifer which is only 3-5 meters below ground level, this has been the case for many decades now and is used for not only irrigation but also for stock watering and domestic use. Combined with fertile basalt soils this makes the Bylong Valley a valuable resource only a few hours from major markets. Managed correctly and conservatively this will be an invaluable resource for generations to come.

In July 2018 I was contacted by Kepco staff and had a private meeting. The purpose of the meeting was for me as a land owner to sign their "MAKE GOOD WATER AGREEMENT". Initially Kepco said that they will make good my water entitlements if my water supply was interrupted or impaired. Upon further discussion I asked them if my irrigation availability was impaired how were they going to supply a megalitre of irrigation water per day? Kepco replied that they will not supply any irrigation water only stock and domestic water could be delivered. This would have a major impact on my livelihood and many of my neighbours who use this current irrigation water.

The proposed open cut pit mine would be some 50 or more meters below ground level, whilst our irrigation water is only 3-5 meters below the surface, yet Kepco tell us that our current water availability will not be impeded or impacted. Why is it then that Kepco will not provide any guarantees or compensation on such vital point? Should this proposal be allowed to go any further in such a rich agricultural area?

I hope this has painted a clear picture of what is really happening in the valley and what is at stake. A short term carbon emitting program that could alter water availability forever verses long term sustainable food and fibre production.

I thank you for taking the time to read my email.

Regards.

Phillip Kennedy

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