

Dr Merran Auland'
Wigelmar'

BUDDEN 2849

1 August 2019

Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

By email: ipcn@ipcn.nsw.gov.au

To whom it may concern,

RE: EXPIRED CONDITIONAL GATEWAY CERTIFICATE FOR THE BYLONG COAL PROJECT

I have noted with interest that the gateway certificate issued to KEPCO for the proposed mine in Bylong Valley has expired and that the IPC is now willing to accept submissions on this subject. The initial gateway certificate issued in 2014 was very clear in its guidance that the proposed mine failed on 11 of the 12 criteria. Many would ask why this proposal has gone beyond such a damning review and indeed the entire gateway process has been justifiably heavily criticised.

Bylong Valley is a fertile and productive area in NSW that continues, despite one of the worst droughts in history to produce high quality food, fodder and wool – all of which are sustainable and of far greater value per tonne than coal. There are no mines in Bylong Valley, it is a pristine environment. The threat of mining and CSG to NSW's valuable agriculture industry was recognised and biophysical strategic agricultural land (BSAL) was designated by the NSW Government to protect this land. The NSW department of planning website states that (<https://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Safeguarding-our-Agricultural-Land#>);

'BSAL plays a critical role sustaining the State's \$12 billion agricultural industry.'

The gateway process identified the risks to BSAL and water in the Bylong Valley. It is my understanding that the gateway panel was meant to provide advice to the consent authority (IPC) in relation to the development applications. Without a valid, in-date gateway certificate it does not seem logical that the IPC, as the consent authority can continue to even consider this application. I would go further to suggest that any work undertaken by the IPC since the expiry date of the gateway certificate is not consistent with the process and should be discarded until a valid gateway certificate has been supplied by KEPCO.

I have no doubt that the legal aspect of KEPCO's failure to maintain up to date permissions and certificates will be addressed by others more learned than me in that arena. I write to you as a local land owner. The basic facts are that Bylong Valley should be protected to ensure ongoing sustainable production of food, fodder and fibre for NSW. The original gateway certificate flagged this and I trust the IPC can acknowledge this and protect this productive valley from mining.

Even before this mine has been approved the impact of KEPSCO on our valley has been significant so the fact that they have failed to update their certificate is really just a testament to how they value our valley. For KEPSCO this is simply a way to provide coal to Korea, cheap coal with no regard to NSW or the impact that their mine will have long term on a very productive valley in NSW. I made a submission regarding the impact of this proposed project on the heritage of Bylong Valley. My submission highlighted the significant impacts KEPSCO have had on the heritage of the valley already even before they start mining. Our valley is empty of people now. Just last week the local shop was broken in to and this is because KEPSCO have bought all the homes and boarded them up- no one lives in the village of Bylong anymore and that is because KEPSCO actively prevent it. Our farm signs have been vandalised with obscene slogans and stolen by pro-miners. Already KEPSCOs presence in the valley has not been positive.

Your recent request to the department of planning industry and environment for clarification on the biophysical strategic agricultural land in Bylong Valley is appreciated. As a land holder this is obviously a significant issue for me. I have asked many times for the few land holders that remain in the valley to be able to meet with you and discuss our real concerns about the impact on the productivity of our land and most importantly the impact a large coal mine will have on our aquifer water supply. Recently the Sydney morning Herald yet again demonstrated the impact of mining on water

(<https://www.smh.com.au/environment/sustainability/shocking-mining-damage-in-sydney-s-catchment-prompts-calls-for-halt-20190726-p52azm.html?fbclid=IwAR07zk6u0Sv3D2zpkS2LPJy8c6WdoVdnTDT6xkgWY0a14LP4qi4e8TEckc>).

I can provide many other examples from different mines demonstrating that mines have either stolen, diverted, wasted or polluted water making ongoing agricultural activities or even human consumption impossible. The impact of mining goes well beyond the proposed foot print of the huge open cut mine on mapped BSAL land, it has the potential to impact far more BSAL land by impacting our water supply.

KEPSCO have attempted to bully the remaining land holders into signing their 'compensatory water agreement'. The agreement offered by KEPSCO offers to provide 'some' water for stock and domestic use only. It DOES NOT guarantee how much or how often or how soon it will provide this water not how and when it will be delivered or stored. Our stock will die within 3 days without water. Their agreement goes no where to meeting our needs should they ruin our water supply. More importantly this agreement does NOT attempt to compensate us for irrigation water. Many of us irrigate to either grow lucerne as a main income producing activity or to revise winter fodder for our stock. In this current drought both these activities are valuable both locally and for supply of hay to drought stricken farmers in the rest of NSW.

Given the importance of water to farming and the more than likely impact that this mine will have on BSAL land in the Valley I would ask you to meet with local land holders in Bylong Valley as you did with the applicant KEPSCO and the mid western regional council as well as the Muswellbrook council. I have to be honest I do not understand why the local council who will receive a large, bias making, payment from KEPSCO should be given preferential treatment in the assessment of the impact of this mine. Are you aware that even now mid western regional council receive significant 'donations' from KEPSCO and their general manager Brad Cam have submitted false statements to the IPC

(<https://www.ipcn.nsw.gov.au/resources/pac/media/files/pac/projects/2018/10/bylong->

[coal-project/correspondence/190315-email--mid-western-regional-council-to-ipc.pdf](#).

It is very clear that not all of the community in mid-western regional council are supportive of the mine and I have asked Brad Cam to adjust his submission to the IPC but he has refused. I have to assume this is because the council have received large payments from KEPCO that influence their decisions. As small independent land owners we can not possibly fight the might of the Korean government or even the heavily biased and disingenuous regional council. This is David vs Goliath and we rely on the IPC to recognise the value of BSAL, to recognise the real impact of mining on water in rural Australia and to protect this valley from ruination by a foreign owned company.

Regards

Dr Merran E Auland

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [IPCN Enquiries Mailbox](#)
Cc: [REDACTED]
Subject: Water in Bylong Valley
Date: Saturday, 27 July 2019 10:27:43 AM

Dear Gordon Kirby
Chair IPC panel for Bylong Valley Coal Mine

I have followed with interest the recent activities of the IPC in requesting more information on the potential heritage impacts of the proposed mine in the pristine Bylong Valley. As a local land holder I welcomed the opportunity to make a submission. My submission highlighted the significant impacts KEPCO have had on the heritage of the valley already even before they start mining. Our valley is empty of people now. Just yesterday the local shop was broken in to and this is because KEPCO have bought all the homes and boarded them up- no one lives in the village of Bylong anymore and that is because KEPCO actively prevent it. Our farm signs have been vandalised and stolen by pro-miners. Already KEPCOs presence in the valley has not been positive.

I also note your recent request to the department of planning industry and environment for clarification on the biophysical strategic agricultural land in Bylong Valley. As a land holder this is obviously a significant issue for me. I have asked many times for the few land holders that remain in the valley to be able to meet with you and discuss our real concerns about the impact on the productivity of our land and most importantly the impact a large coal mine will have on our aquifer water supply. Today's Sydney morning Herald yet again demonstrates the impact of mining on water (<https://www.smh.com.au/environment/sustainability/shocking-mining-damage-in-sydney-s-catchment-prompts-calls-for-halt-20190726-p52azm.html?fbclid=IwAR07zk6u0Sv3D2zpkS2LPJy8c6WdoVdnTDT6xkgIWY0a14LP4qi4e8TEckc>).

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Given the importance of water to farming and the more than likely impact that this mine will have on BSAL land in the Valley I would ask you to both meet with local land holders and to open up for submissions on the issue of BSAL in Bylong Valley as you did with the ongoing review of impacts on heritage.

I look forward to the opportunity to meet with you as has been afforded to KEPCO and mid-western regional council and Muswellbrook council.

Regards

Merran Auland



Sent from my iPhone