



**RYLSTONE REGION
COAL FREE
COMMUNITY**



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Rylstone Region Coal Free Community
PRIA Submission: Land Use and Capability
Final



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August 2021

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Document Control

Document Reference	RRCFC Submission Land Use Capability And Conflicts FINAL V1.Docx
Project	Rylstone Region Coal Free Community
Document Type	PRIA Submission: Land Use and Capability
Author	Rylstone Region Coal Free Community

Acknowledgement of Country

The RRCFC acknowledges that we live and work on Wiradjuri Country.

We acknowledge the Wiradjuri peoples as the traditional custodians of the land, and pay our respects to Elders past, present and future.



Executive Summary

2020 Strategic Statement and the PRIA process

The NSW Government June 2020 Strategic Statement on Coal Exploration and Mining outlines the NSW Government's approach to transitioning to renewable energy and supporting the economy and aims to improve certainty about where mining should not occur. It identified 14 potential future coal exploration release areas (NSW Government, 2020). The Hawkins and Rumker potential release areas were identified in this Statement; the Ganguddy-Kelgoola area, which sits adjacent to the Hawkins and Rumker areas, is also identified in this statement.

Following the release of the Strategic Statement, the NSW Government Advisory Body for Strategic Release has requested the Hawkins and Rumker areas be put through the Preliminary Regional Issues Assessment (PRIA) process (Department of Planning, Industry and Environment (DPIE), 2021a). Ganguddy-Kelgoola is expected to go through the PRIA process in the near future once further exploration is completed.

The PRIA process, also set out in the Strategic Release Framework (NSW Government, 2020), is an initial assessment of social, environmental and economic matters relating to areas that could be released for exploration. In theory, it involves engaging with interested and potentially impacted stakeholders to identify issues for consideration.

RRCFC's Land use and Conflicts Submission

This report is the Rylstone Region Coal Free Community's (RRCFC's) submission to the PRIA for the Hawkins and Rumker areas covering Land Use and Land Use Conflicts. Separate submissions for a range of other issues are also being submitted by the RRCFC. The RRCFC recognises that coal exploration is a precursor to coal mining, and therefore it is predominantly the mining phase that is considered in this submission.

The Hawkins and Rumker areas are located in the Central Tablelands region of New South Wales and fall within the Mid-Western Regional local government area. The regional topography of the area is dominated by elevated rocky ridges and broad flat alluvial valleys. The topography generally ranges in elevation from over 900m Australian height datum within peaks and ridges associated with the Great Dividing Range which runs through the centre of the Hawkins and Rumker areas, to elevations around 600m Australian height datum within the alluvial valleys.

The region is a rural landscape, comprised of cleared agricultural land surrounded by vegetated slopes and ridgelines. The land zones set out in the Mid-Western Regional Local Environmental Plan 2012 are predominantly RU1 Primary Production, with some R5 Large Lot Residential and E3 Environmental Management.

Inconsistency with Mid-Western Regional Local Environmental Plan

The release of the Hawkins and Rumker areas for coal exploration and mining is not consistent with the following aims of the Mid-Western Regional Local Environmental Plan (LEP) 2012:

- the region's rural, natural and heritage attributes
- fostering a sustainable and vibrant economy
- rural uses that minimise land use conflict and adverse impacts on amenity.

The Independent Planning Commission findings relating to the Bylong Valley stated that mining would be a new land use, and that agriculture and tourism land uses are preferred. The Hawkins and Rumker areas have very similar landscape and heritage values to the Bylong Valley. They have predominantly agricultural and tourism economies, which are far stronger than existed in Bylong. Therefore, these

findings should be applied to the Hawkins and Rumker areas by PRIA. It is not acceptable for the realities of recent court law in relation to approving greenfield coal mines in NSW be disregarded in this instance. It NSW Government has a duty of care to not put this community through years of uncertainty which leads to divestment in the region and its existing industries as occurred in the Bylong community.

Water Use Conflict

Coal mines use a lot of water to produce coal and there is simply not the water available to mine coal in the Hawkins and Rumker areas. To do so would take what precious little water there is from the surrounding properties, businesses, communities and their environment.

Mines cause damage to the surface and groundwater features of the catchments they operate in resulting in water being lost from the surface water systems, or the water being polluted and unusable.

Rylstone Dam supplies the drinking water for the townships of Rylstone, Kandos, Charbon and Clandulla. Windamere Dam supplies the town of Mudgee. The Rumker area sits over, or would interrupt flows from, 21 percent of the Rylstone Dam catchment area.

Groove, in the north-eastern portion of Rumker contains Biophysical Strategic Agricultural Lands (BSAL) mapped through the valley. It is possible that the alluvial flats through Coxs Creek are also BSAL and there are BSAL lands in the catchments below Hawkins in Lawson Creek and downstream of Windamere Dam. Any mining within the supporting catchments threatens the water resource in the BSAL areas. If the Hawkins and Rumker areas are mined, the BSAL areas are at risk of losing the critical water which underpins their inherent value.

World Heritage Conflict

The Hawkins and Rumker areas are located to the west of the Greater Blue Mountains World Heritage Area. There is 33,254m of the Rumker proposed coal release area which directly borders the Greater Blue Mountains World Heritage Area. Before releasing any of the Hawkins and Rumker areas, the NSW Government and Cabinet should demonstrate that there would be no negative impacts on the Greater Blue Mountains World Heritage Area.

Pastoral Heritage Conflict

The Rylstone region retains evidence of many significant historical themes, including early pastoral settlement, and the growth as a service centre throughout the 19th and 20th centuries. There has been little change in many aspects of the region since its settlement. The agricultural lands of this region are a key part of the character of this region. They have, and continue to, support the economic prosperity of this area. This unique feature of this region would be lost with the development of an industrialised mine in the midst of this rural landscape.

Conflict with the Local Economy

There are farms and small businesses throughout these areas, undertaking business activities including: grazing, cropping, orchards, vineyards, plantation forests, native forestry, sheep and cattle studs, poultry egg production, mineral water supplies, an olive press which presses for many olive growers in NSW and boutique brewers. Tourism-based businesses include accommodation (farm stays, bed and breakfast, rural and wilderness retreats), artisanal workshops, arts and crafts, Aboriginal cultural and heritage tours, and more. These land uses and businesses are all sustainable long-term businesses that rely on the land and its water resources for their viability.

These businesses will be put at risk in several ways if mining operations commence; by being directly displaced to make way for a mine; losing their water resources through mining operations; or loss of income because tourists no longer visit the area – coal mines are not tourist destinations.

The Agriculture, Forestry & Fishing industry sector is the largest employer within the Rylstone Kandos and East areas, accounting for 22 percent of jobs. Tourism supported nine percent of the jobs in this area in 2019. It is expected to be higher now given the recent boost in tourism activity across the region, as recognised in a recent Business NSW award. In contrast, mining only accounts for 2 percent of jobs in this area. **This is not a coal reliant community, nor does it wish to have its current industries destroyed by becoming one. Developing a coal mine in this area is not fostering a sustainable and vibrant economy.**

It is the RRCFC's strongly held view that the PRIA should find that the proposed exploration areas should not be opened for exploration under the Strategic Framework that it recommends against release of the proposed areas, and the Advisory Board should rule that coal exploration should not proceed in the Hawkins and Rumker areas.



Ganguddy (Dunns Swamp) billabong and camping area

Photo credit: NSW National Parks



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1 | Introduction

1.1 Preliminary Regional Issues Assessment (PRIA) Process

The NSW Government's Advisory Body for Strategic Release has asked the NSW Department of Planning, Industry and Environment (DPIE) to prepare a Preliminary Regional Issues Assessment (PRIA) (DPIE, 2021a), to consider the benefits, opportunities, risks and constraints of releasing two adjacent areas located near Rylstone in the Mid-Western Regional local government area (LGA).

These areas are shown in Figure 3 and include:

- Hawkins - an area of 14,900 ha located directly north of Rylstone, and
- Rumker - an area of 17,800 ha located directly northeast of Rylstone.

An initial assessment of resource potential undertaken by the Division of Mining, Exploration and Geoscience within the Department of Regional NSW has identified coal resources within the Hawkins and Rumker areas that could be mined by underground mining methods (DPIE, 2021a). It is noted that these areas could just as well be mined using aboveground methods.

In June 2020, the NSW Government released the Strategic Statement on Coal Exploration and Mining (NSW Government, 2020). The Strategic Statement outlines the NSW Government's approach to transitioning to renewable energy and supporting the economy and aims to improve certainty about where mining should not occur (NSW Government, 2020). It identified 14 potential future coal exploration release areas (NSW Government, 2020).

Adjacent to the Hawkins and Rumker potential release areas is the Ganguddy–Kelgoola potential release area, which is slated to go through the PRIA process once further exploration is completed (NSW Government, 2020).

1.2 PRIA Preparation

The PRIA process, also set out in the Strategic Release Framework (NSW Government, 2020), is an initial assessment of social, environmental and economic matters relating to areas that could be released for exploration. In theory, it involves engaging with interested and potentially impacted stakeholders to identify issues for consideration.

The DPIE has engaged Resource Strategies to undertake “preparation of a Preliminary Regional Issues Assessment document in relation to a defined area that could be released for coal exploration”, for a sum of \$167,156 (NSW Government eTendering, 2021). On its website, Resource Strategies (2021) says it ‘facilitates development approvals for major mining and associated infrastructure projects and prepares comprehensive and timely environmental assessment documentation with the assistance of recognised experts across all environmental fields.’

The DPIE undertakes the PRIA and submits it to the Advisory Body for Strategic Release (ABSR), which considers potential release areas, reviews, reports and recommends assessment of the release of an area for resource exploration. The Advisory Body for Strategic Release makes recommendations to the Minister for Regional NSW, and these are considered by Cabinet and, if approved, the Minister for Regional NSW releases an area for exploration and invites companies to apply for a prospecting title.



1.3 Rylstone Region Coal Free Community

1.3.1 RRCFC

The Rylstone Region Coal Free Community (RRCFC) is a self-funded group of like-minded local residents and supporters of the Rylstone Region, committed to stopping further exploration of coal and approval of mines in our region. Our aim is to protect the land, heritage, culture and community for now and future generations. The RRCFC is self-funded and not affiliated with any political party.

1.3.2 Purpose of this report

This report is the RRCFC's submission to the PRIA process areas covering Land Use and Land Use Conflicts. Separate submissions for a range of other issues are also being submitted by the RRCFC. The RRCFC recognises that coal exploration is a precursor to coal mining, and therefore it is predominantly the mining phase that is considered in this submission.

This submission considers the land use capability within the Hawkins and Rumker potential release areas (herein referred to as areas), its surrounds and potential conflicts that would arise with coal exploration and mining.

There are farms and small businesses throughout the Hawkins and Rumker areas, undertaking business activities including: grazing, cropping, orchards, vineyards, plantation forests, native forestry, sheep, cattle, horse and alpaca studs, poultry egg production, mineral water supplies, an olive press which presses for many olive growers in NSW, and boutique brewers. Tourism-based businesses include: accommodation (farm stays, bed and breakfast, rural and wilderness retreats), artisanal workshops, arts and crafts, Aboriginal cultural and heritage tours, and many more. These land uses and business are all sustainable long-term business and rely on the land and its water resources for their viability.

The RRCFC believes the cost to opening up this area for mining is too high. **This is not a coal reliant community, nor does it wish to have its current industries destroyed by becoming one.** Developing a coal mine in this area is not fostering a sustainable and vibrant economy. It is the RRCFC's strongly held view that the PRIA should find that the environmental constraints in Hawkins and Rumker areas are insurmountable and cannot be mitigated against by any future mining activity. As such, coal exploration should not proceed in the Hawkins and Rumker areas.

It is the RRCFC's strongly held view that the PRIA should find that the proposed exploration areas should not be opened for exploration under the Strategic Framework that it recommends against release of the proposed areas, and the Advisory Board should rule that coal exploration should not proceed in the Hawkins and Rumker areas.



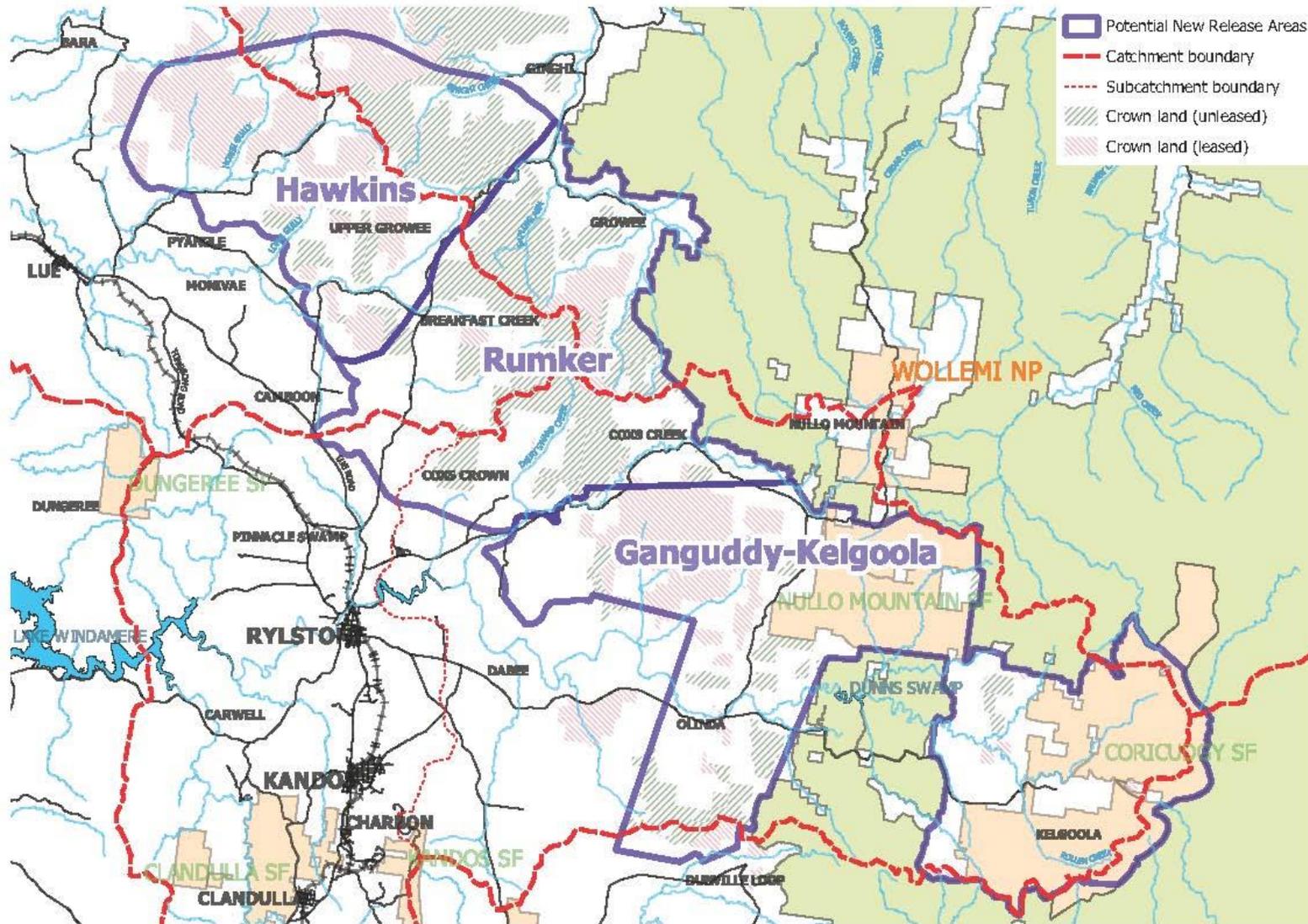


Figure 1 The proposed exploration areas



2 | Existing environment

2.1 Location and context

2.1.1 Location

The Hawkins and Rumker areas are located in the Central Tablelands region of New South Wales and fall within the Mid-Western Regional local government area (LGA). The Hawkins and Rumker areas are within the Sydney Basin Bioregion and predominantly in the Wollemi subregion, with the Capertee subregion occurring in the southwest and Kerrabee subregion to the north (IBRA version 7 2012).

The key information about each of the areas is listed in Table 1, including the affected localities.

Table 1 Key Information on Potential Release Areas

Feature	Hawkins	Rumker	
Basic location	North of Rylstone	North-east of Rylstone	
Key localities covered	Pyangle, Breakfast Creek, Ginghi, Upper Growee, Barigan	Rylstone, Growee, Coxs Creek, Coxs Crown	
Area	14,910 ha	17,840 ha	27,900 ha
Number of private landholders affected	64	117	181

2.1.2 Greater Blue Mountains World Heritage Area

The Hawkins and Rumker areas are located to the west of the Greater Blue Mountains World Heritage Area (see Figure 2) and 33,254m of the Rumker area directly borders the Great Blue Mountains World Heritage Area.



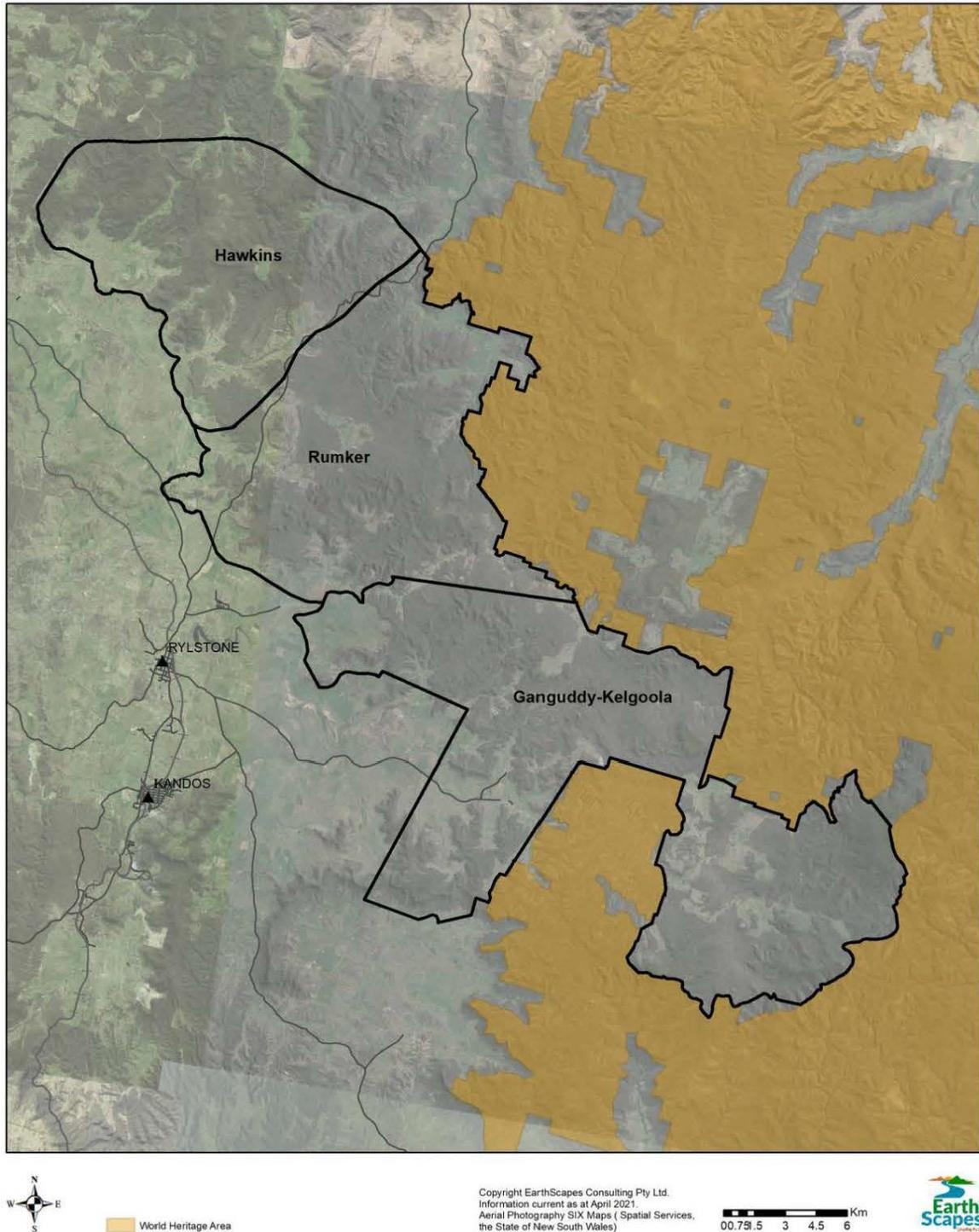


Figure 2 Location of the Hawkins and Rumker Strategic Release Areas
(Source: Earthscapes, 2021)

2.2 Topography and landform

The Hawkins and Rumker areas each cover a vast area and straddle the Great Dividing Range with each having a portion of their catchments falling east, into the Upper Hunter catchment, and west, into the Cudjegong River and Lawson Creek catchments (Figure 3).



The region is a rural landscape, comprised of cleared agricultural land surrounded by vegetated slopes and ridgelines. The regional topography of the area is dominated by elevated rocky ridges and broad flat alluvial valleys. The topography generally ranges in elevation from over 900m Australian height datum within peaks and ridges associated with the Great Dividing Range which runs through the centre of the Hawkins and Rumker areas, to elevations around 600m Australian height datum within the alluvial valleys. Large tracts of land also remain heavily vegetated, predominantly within the crown lands and, primarily on steep, hilly terrain.

2.3 Water resources

2.3.1 Waterways

a) Hawkins

Hawkins straddles two upper catchment areas: the Upper Hunter and the Upper Lawson Creek catchments.

- The Upper Hunter catchment portion of Hawkins is 4,787ha, with Ginghi Creek and Growee Creek rising in mountainous terrain and flowing northeast into the Bylong Valley.
- The Upper Lawson Creek catchment portion of Hawkins is 10,123ha in which there are numerous waterways. These include Breakfast Creek and Reedy Creek, which cross Hawkins after rising in Rumker, and Greenhills Swamp Creek, Long Gully, Horse Gully, Hawkins Creek and Lawson Creek, all of which rise in Hawkins. The Lawson Creek catchment waterways generally flow in a westerly direction, where Lawson Creek eventually joins the Cudgegong River below Mudgee.

b) Rumker

Rumker straddles three upper catchment areas: the Upper Hunter, the Lawson Creek, and the Cudgegong River catchments.

- The Upper Hunter catchment portion of Rumker covers an area of 6,123ha. It includes Sapling Creek, Sawyers Creek, Jumper Creek and Spring Log Creek, which rise in mountainous terrain and flow northeast into the Growee River in the Bylong Valley.
- In the upper Lawson Creek catchment portion of this Rumker, Breakfast Creek and Reedy Creek rise, then flow west into the Hawkins area, further downstream they converge to form Lawson Creek. This covers an area of 4,842ha.
- In the Cudgegong River catchment, Coxs Creek and Dairy Swamp Creek rise, with their confluence on the southern boundary of Rumker before flowing into Rylstone Dam. This is an area of approximately 5,858ha. Another 1,022ha of Rumker drains into the Cudgegong below Rylstone Dam, where it flows west into Windamere Dam.

Additionally, there is an area of 5,554ha upstream of Rumker which drains through Rumker and into the Coxs Creek catchment and down to Rylstone Dam.

The majority of the waterways within the Hawkins and Rumker areas are first order and second order streams. These are small waterways, generally characterised by moderate to very steep slopes. Many of these are ephemeral streams, with quick flowing waters following rainfall events and periods of dry in between. The only third order stream is the Growee River.

c) Waterway condition and fragility

Within the two proposed coal release areas, 88 percent of the waterways are in good or moderate condition and 98 percent of these waterways have a moderate or high stream fragility (Earthscapes,



2021). This means that the water resources are in a healthy environmental state, but they are very susceptible to the impacts of any disturbances.

2.3.2 Natural springs

To understand the full extent of springs that may be present in the Hawkins and Rumker areas, use was made of Cardno (2020), which presented some mapping of springs within the Bowden’s study area. This report indicated that there were 29 springs present within an approximately 320ha area. Extrapolating this to the 32,700ha of the Hawkins and Rumker areas, it would be reasonable to conclude that there would be more than 3,000 springs within the proposed release area.

2.3.3 Rainfall

There is significant variation across the catchments being considered. Average annual rainfall on, or at the foothills of the ranges, is higher at approximately 940mm (Bureau of Meteorology (BOM), 2021a) due to the orographic effect, and rainfall in the valley is several hundred millimetres lower at approximately 535mm (BOM, 2021b). Some of the northern areas through Hawkins lie in a rain shadow and become desperately dry in drought years. Variations of up to 63 percent have been recorded in extreme years. In the past decade the Hawkins and Rumker areas have experienced both their wettest and driest periods in recorded history (Bureau of Meteorology, 2021a).

2.4 Land use zones and uses

The land zones set out in the Mid-Western Regional Local Environmental Plan 2012 are predominantly RU1 Primary Production, with some R5 Large Lot Residential and E3 Environmental Management.

Figure 1 shows the land tenure and the split of leased and unleased Crown Land in the Hawkins and Rumker areas; Table 2 lists the tenure types for each area.

Table 2 Tenure categories

Proposed Coal Release Area	Tenure	Area (Ha)
Hawkins	Crown (leased)	4746.1
	Crown (unleased)	3352.3
	Private (258 lots)	6630.9
Rumker	Crown (leased)	1112.6
	Crown (unleased)	5804.0
	Private (326 lots)	10150.9

Figure 3 shows the land use classes. The lands in the Hawkins and Rumker areas have a long history of agricultural land use, including grazing and cropping (dryland and irrigation). There are rural properties, farms and small businesses throughout the Hawkins and Rumker areas. Land uses include grazing, cropping, orchards, vineyards, plantation forests and native forestry (Earthscapes, 2021). Sheep, cattle, horse and alpaca studs, poultry egg production, mineral water supplies, an olive press which presses for many olive growers in NSW and boutique brewers. Tourism-based enterprises include: accommodation (farm stays, bed and breakfast, rural and wilderness retreats), artisanal workshops, art and crafts, Aboriginal cultural and heritage tours, and many more. These land uses and businesses are all sustainable long-term businesses and rely on the water resources within these catchments.



There are also many other properties between Rylstone Dam and Windamere Dam which rely on the water within the Cudgong River for their water supply and business viability, as well as properties below Windamere Dam.

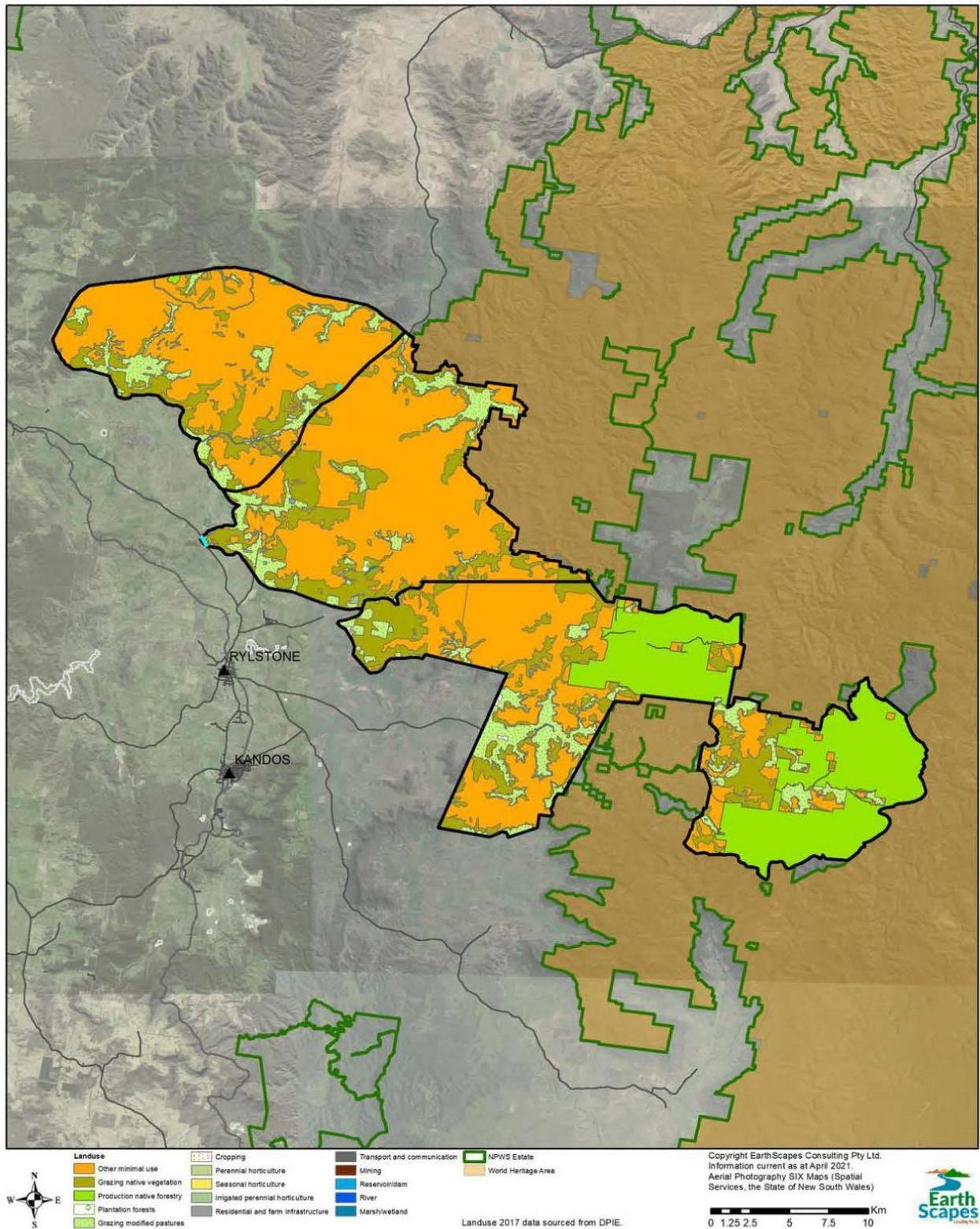


Figure 3 Land use Classes

(Source: Earthscapes, 2021)



2.5 Town water supply

Rylstone Dam is owned by Mid-Western Regional Council and is the sole water supply for the townships of Rylstone, Kandos, Charbon and Clandulla. Raw water is sourced from the dam and processed at the adjacent water treatment plant before being distributed to the Rylstone, Kandos, Charbon and Clandulla townships (MWRC, 2016).

Downstream of Rylstone Dam is Windamere Dam, owned by WaterNSW, which supplies Mudgee's town water. There are many properties downstream of both Rylstone and Windamere Dam that are dependent on the Cudgegong for their water supply and business viability.

The Rumker area sits over, or would interrupt flows from, 21 percent of the Rylstone Dam catchment area.

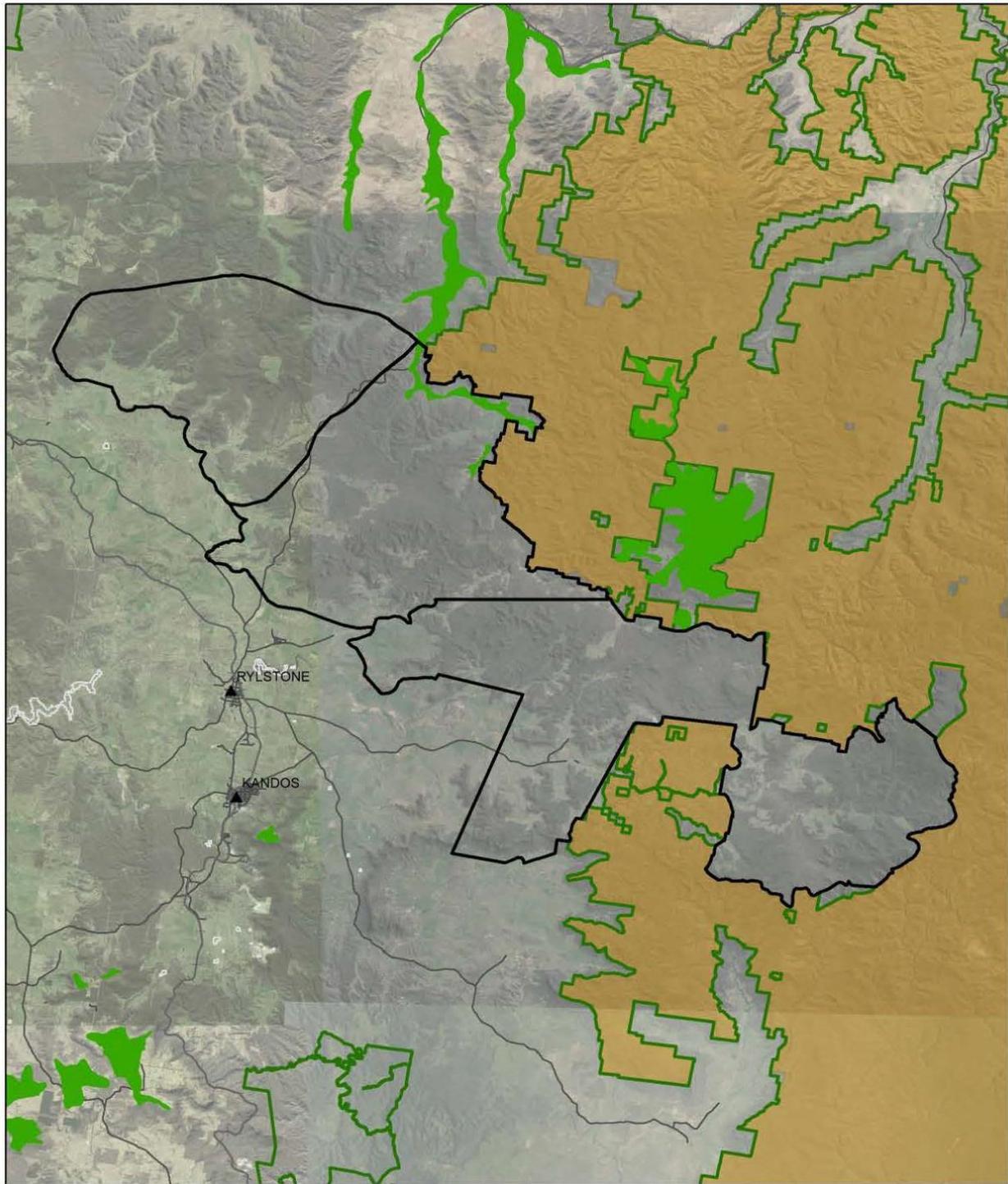
2.6 Biophysical Strategic Agricultural Land (BSAL)

Figure 4 shows Biophysical Strategic Agricultural Land (BSAL) for the Hawkins and Rumker areas (Earthscapes 2021). Growee, in the north-eastern portion of Rumker contains BSAL throughout the valley.

It is probable that some of the river flats along Coxs Creek would also constitute BSAL for the same reason that the lands through Growee are – that is, alluvial flats are present and there are abundant water resources from natural springs and high rainfall due to the orographic effect of the area's proximity to the Great Dividing Range.

It is also noteworthy that there is a significant amount of BSAL downstream of Windamere Dam and further downstream of Hawkins in the Lawson Creek catchment (Figure 5).





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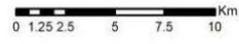


Figure 4 Biophysical Strategic Agricultural Land (BSAL) in the Hawkins and Rumker areas
(Source: Earthscapes, 2021)



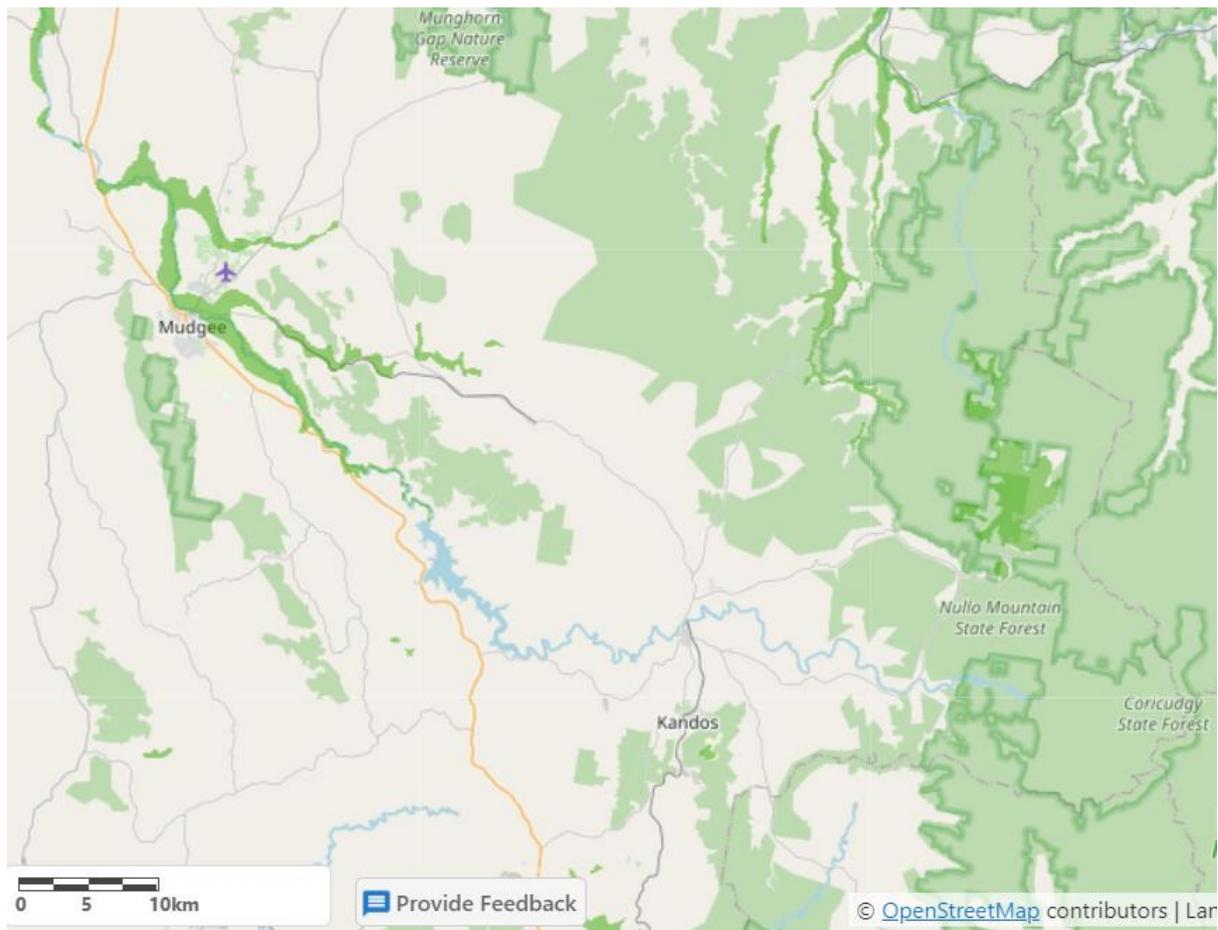


Figure 5 Regional Biophysical Strategic Agricultural Land (BSAL)



3 | Potential impacts on water and land use and risks to our area

3.1 Sustainable rural production and land use conflicts

The development of the Hawkins and Rumker areas as a coal mine is not consistent with the aims of the Mid-Western Regional Local Environment Plan (2012). This document sets out the following aims:

(2) The particular aims of this Plan are as follows—

(c) **to provide a secure future for agriculture through the protection of agricultural land capability and by maximising opportunities for sustainable rural and primary production pursuits,**

(d) to foster a sustainable and vibrant economy that supports and celebrates the Mid-Western Regional’s rural, natural and heritage attributes,

(e) to protect the settings of Mudgee, Gulgong, Kandos and Rylstone by—

(i) managing the urban and rural interface, and

(ii) preserving land that has been identified for future long- term urban development, and

(iii) **promoting urban and rural uses that minimise land use conflict and adverse impacts on amenity,** and

(iv) **conserving the significant visual elements that contribute to the character of the towns, such as elevated land and the rural character of the main entry corridors into the towns**

Developing a 32,700ha mine so near to Rylstone and Kandos, particularly one which straddles the Great Dividing Range, is not in line with the specific aims of Mid-Western Regional Local Environment Plan 2012.

As discussed within this submission, and in RRCFC submissions on a range of other constraints and impacts, the release of this area for coal exploration and mining is not consistent with:

- the region’s rural, natural and heritage attributes
- fostering a sustainable and vibrant economy
- rural uses that minimise land use conflict and adverse impacts on amenity.

The Independent Planning Commission in its deliberations to reject the Bylong Coal Mine noted the following:

The Commission has adopted Preston CJ’s guidance on likely preferred uses in Gloucester Resources v Minister as referring to uses of the land that, having regard to land use trends, are likely to be the preferred uses of land in the vicinity.

The Commission considers that the MWLEP 2012 is a relevant presentation of what land uses are most likely to be considered the preferred uses of land in the vicinity of the Project.

The commission notes that the majority of the zone’s objectives [RU1] are associated with maintaining agricultural lands, rural, scenic and heritage qualities and minimising conflict between land uses. As stated in paragraph 87, the zone’s objectives are:



- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the visual amenity and landscape quality of Mid-Western Regional by preserving the area's open rural landscapes and environmental and cultural heritage values.
- To promote the unique rural character of Mid-Western Regional and facilitate a variety of tourist land uses.

The Independent Planning Commission then proceeded to document how in each case the values of the Bylong region currently reflected the agriculture heritage and tourism values set out in the RU1 objectives. It concluded:

Mining would be a new land use in a predominately agricultural setting, surrounded by State Forests and National Parks. The Preliminary Assessment Report stated that “[e]xpansion of the mining industry into the Bylong valley area has the potential to create land use conflicts with existing agricultural industries, including cattle grazing operations”.

The PAC considered that the impact of this new use would be felt across the local economy of the Bylong Valley:

“...the conclusion that might be reached is that any approval of the project would represent a fundamental shift in the valley in favour of mining as opposed to agricultural or pastoral pursuits, and that the water security on which agricultural activities depend, may be jeopardized, particularly during extended dry periods”

The Independent Planning Commission concluded:

The Commission acknowledges that open cut mining on the Project Site is permissible with consent...On balance, the Commission finds that agricultural and some tourism land uses are the likely preferred uses in the vicinity, having regard to:

- the objectives of zoning in the MWLEP being primarily agricultural, as well as the maintenance of heritage and promotion of tourism;
- the minimum lot size being suited to intensive agricultural use
- the prevalence of BSAL in the area....
- the prevalence of historical items and landscapes with heritage significance in the vicinity
- the nearest coal mine being 20km away.

While the Hawkins and Rumker areas do not have a prevalence of BSAL, all the other factors hold and, as outlined in section 3.3., the Hawkins and Rumker regions also sit in the ‘East’ portion of the local government area, have very similar landscape and heritage values to the Bylong Valley, and have a predominantly agricultural and tourism economy. The findings of the Independent Planning Commission should be applied to the Hawkins and Rumker areas and should be applied upfront before putting the community through years of uncertainty which leads to divestment in the region and its existing industries as occurred in the Bylong community.





Figure 6 The Rylstone Region has sustainable primary industry production
Photo credit: C. Nielsen

3.2 Unsustainable Water Use

Coal mines use a lot of water to produce coal. Water demands for a coal project typically include:

- miscellaneous uses, such as construction water
- coal-handling and preparation plant water
- mine infrastructure areas, such as workshops, vehicle washdown areas and other on-site facilities
- haul road dust suppression
- irrigation

A chart of the water use for mines is shown in Figure 7.

For the Hawkins and Rumker areas, it is anticipated that the volume of coal could be 910 megatonne (DPIE, 2021a). Given the rapidly diminishing world market for coal, it is reasonable to assume that any company seeking to mine this deposit and receive a commercial return would be pulling it out of the ground as fast as it possibly could. Given this, it would be reasonable to assume that 20 million tonnes per annum (Mtpa) would be extracted. (It is noted that even at this rate, it would take 45 years to deplete this deposit, around the year 2075, a point in time when it is highly unlikely there will be a demand for either domestic or export coal). To extract this volume of coal per annum would require an annual water demand of **12,000 ML/a**.



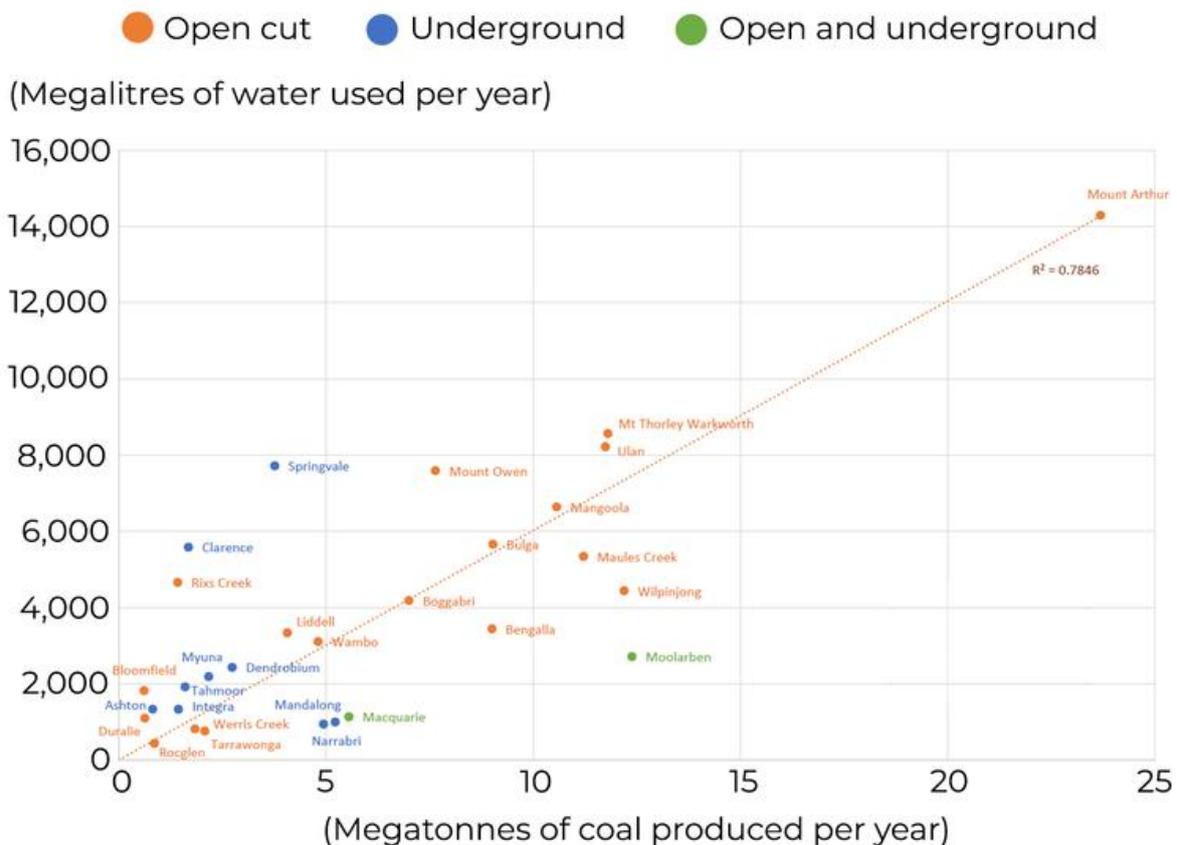


Figure 7 NSW Coal mine coal production vs water use
Source: Overton, I. 2020

About 80 percent of this water is freshwater from rainfall and runoff, extracted from rivers and water bodies, groundwater inflows or transferred from other mines. The other 20 percent comes from water already contained in tailings (mine residue), and recycled water or seepage from the mines. Almost all water used in coal mines is consumed and cannot be reused (Overton 2020).

The Hawkins and Rumker areas are in the upper part of the catchments. While mines use the term ‘water make’, they do not in fact make water. Seepage from the mine is only water that would have become available at some other point in the catchment, either rising as a natural spring or as groundwater later infiltrating into surface waterways further downstream in a catchment. It is not the mine’s doing, but rather the mine is taking the water away from where it would have naturally flowed.

The Australian climate is extreme, characterised by both short-term variability as well as medium to long-term wet/dry cycles. The extremity of these cycles will only be exacerbated as climate change continues to influence weather patterns. In the past decade the Hawkins and Rumker areas have seen both their wettest and driest periods in recorded history (Bureau of Meteorology, 2021a). Further, there is significant variation across the catchments being considered, with rainfall on, or at the foothills of the ranges being higher, approximately 940mm on average per annum (BOM, 2021a) due to the orographic effect, and rainfall in the valley being several hundred millimetres lower at approximately 535mm on average per annum (BOM, 2021b). Some of the northern areas through Hawkins lie in a rain shadow and become desperately dry in drought years. Variations of up to 63 percent on these have been recorded in extreme years.

Any mining operation will consume what little water there is naturally in the three affected catchment areas.



Mid-Western Regional Council (2020) provided the following advice to DPIE on the SSD 5765 Environmental Impact Assessment for Bowdens Silver Project (Appendix A):

The significant and long-term water usage for the project remains a serious ongoing concern for Council, particularly in light of the recent drought conditions and rural hardship experienced across the Region. **The recent drought has demonstrated water is a highly valuable resource and Council does not support any potential threat to the existing town water supplies or the amount of water available for rural property owners for domestic and agricultural purposes.**

Given the Hawkins and Rumker areas are located across the upper catchments of the landscape, it is not feasible for it to source the water it would require from elsewhere. It is not acceptable to take what little water that already exists from the surrounding land and communities.

3.3 Loss of water from the landscape

Mines demonstrably use and destroy the existing water resources. In these three upper catchment areas there are no alternatives. There are rural properties, farms and small businesses throughout each of the Hawkins and Rumker areas. There are also a number of other properties between Rylstone Dam and Windamere Dam and downstream of Windamere Dam that rely on the water within the Cudgegong River for their water supply – including the town of Mudgee. All of these residents and businesses are at risk from either a total loss of water or will suffer a marked reduction in the available water if mining operations are permitted.

Whilst DPIE's PRIA information (DPIE, 2021a) is based on the proposition that the mining could take place underground, the coal deposits in a number of places in the Hawkins and Rumker areas are shallow, in the order of 100m to 150m (pers. comm. G. Buchan 4 July 2021). It is anticipated these deposits could only feasibly be mined with open cut techniques. Further, the rapid increase in the size and capacity of surface mining equipment has made mega-scale open cut operations more feasible, with consequential increases in the depth at which open cut mining could be carried out and the ratio of overburden to coal profitably worked (Hydrocology Consulting, 2014). Open-cut mines are also favoured as they enjoy labour productivity gains of two to four times compared to underground mines (Hydrocology Consulting, 2014).

Open cut mining has major impacts on streams, alluvial aquifers and alluvial soils. Mining which removes alluvium to reach coal beneath has an obvious impact on an alluvial aquifer, requiring it to be dewatered during mining, and with very little probability of successful restoration afterwards (Smith, 2009). Any open cut mine would be an extremely significant interruption of the catchment flows, particularly with the massive scale of deposit being considered in the Hawkins and Rumker areas.

It may well be that any mine would have an underground component, however, there are still significant issues for water resources. Subsidence caused by longwall mining has been found to have impacts on surface water assets. The NSW Department of Environment and Climate Change (DECC) (2007) noted that longwall mining subsidence is frequently associated with cracking of valley floors and creek lines with subsequent effects on surface and groundwater hydrology. Of particular concern is the potential for longwall mining to affect upland swamps. Upland swamps, particularly peat swamps, are important to catchment hydrology and ecology because they absorb water and allow runoff for long periods after rainfall has ceased. These swamps and bogs are present throughout the Hawkins and Rumker areas. The DECC considered that much of the **impact / damage to natural features from longwall mining is unacceptable as many are irreversible and contrary to the principles of ecologically sustainable development.**



Underground coal mining close to or beneath alluvial aquifers, or open cut mining close to alluvial aquifers may lead to fracturing of the hard rock layers that confine the ground water. The result is that any significant degree of fracturing will establish additional conduits for increased movement of saline groundwater into the alluvial aquifers, and to surface water features (Smith, 2009).

There would be irreversible changes to the landform and the natural hydrological cycle that has been set up over millennia. These changes cannot be rehabilitated or artificially reinstated by a mining company using earthmoving equipment. The construction and operation of mines within the Hawkins and Rumker areas would irrevocably change the catchments and the quantity and quality of existing water resources, regardless of the type of mine built.

3.4 Impacts on BSAL

DPIE’s provided the following information on BSAL (DPIE 2014):

This land has the best quality soil and water resources and plays a sustaining role in the State’s \$12billion agricultural industry.

Agricultural land across the state was assessed against specific scientific criteria-levels of soil fertility, land and soil capability classes and access to reliable water and rainfall levels.

It is the inherent values of the land itself, rather than the agricultural activity it supports, which determine the BSAL classification.

Given the climate variability experienced in this country, the water resources are a critical part of this equation. In this instance, this water is the product of the runoff of the contributing catchment, of which a significant proportion, 6242.6ha rises to the south-west and south, from the Rumker area. As DPIE itself says (above), BSAL is that land which has the best quality soil and water resources and plays a sustaining role in the State’s \$12billion agricultural industry.

It is probable that there is BSAL along Coxs Creek. DPIE should undertake further survey and consider the requirements of the Interim protocol for site verification and mapping of biophysical strategic agricultural land (Interim Protocol; NSW Government 2013).

In the case of Growee, even if the area mapped as BSAL is not mined, the water that supports the BSAL does not suddenly magically appear at the mapped areas. This applies to the BSAL in the Lawson, Coxs Creek (likely BSAL) and Cudgegong River catchments. The water that supports the BSAL land moves through the surrounding catchment and then is available to support agriculture in the mapped areas. **Any mining within the supporting catchments threatens the water resource in the BSAL areas. If the Hawkins and Rumker areas are mined, the BSAL area is at risk of losing the critical water which underpins its inherent value.**

In the Independent Planning Commission Statement of Reasons (2019) for its decision to reject the Bylong Coal Mine, it quoted the NSW Farmers Association, which said **“With the greatest of respect, when you are talking about BSAL, we find its rehabilitation very hard to believe. You cannot unscramble the egg.”** The Independent Planning Commission agreed and stated it **“does not consider the Applicant’s rehabilitation plan to restore....the BSAL impacted by the Project....to BSAL equivalent land to be feasible.”**

3.1 Risk to drinking water catchment

As part of the application for the Hume Coal and Berrima Rail Projects (SSDs 7171 & 7172), the proponent was required to demonstrate neutral or beneficial impacts of the development on surface water. To achieve this, the project proposed to store any excess water in a surface water dam before



pumping it underground to the voids behind the sealed bulkheads. The storage of water underground was integral to on-site water management. Water balance modelling was presented. However, WaterNSW maintained significant concerns that, without a water treatment plant or other suitable contingency measure, the project could result in untreated water discharges into Sydney's drinking water catchment (DPIE, 2021b).

The Hume Coal and Berrima Rail Projects (SSDs 7171 & 7172) Assessment Report (DPIE, 2021b) outlined DPIE's and Water NSW's concerns regarding the viability of the water treatment methods proposed, the sensitivity of the downstream environment and risks to the downstream drinking water catchment. DPIE concluded there remained uncertainty about the potential surface water impacts on Sydney's drinking water catchment, given the mine design risks and the lack of a contingency strategy in the event that surface water discharge is required.

The inability to conclusively mitigate risk to surface water was one of the reasons for DPIE's recommending its refusal to the Independent Planning Commission. It found the project did not achieve a reasonable balance between recovering a recognised coal resource of State significance and minimising the potential impacts on the environment and surrounding land users as far as practicable.

There are strong parallels between the recently rejected Bylong, Hume Coal and Berrima Rail Projects and any future mining in the Hawkins and Rumker areas. Any discharge of saline water into the surface water of the Cudgegong River system would contaminate the water in the Rylstone Dam. This is the drinking water supply for four townships and should be viewed as being as precious as Sydney's drinking water catchments are.

3.2 Loss of rural lands and character

The *Rylstone Shire Community Heritage Study* was undertaken in 2003 (Christo Aitken & Associates 2003). This study found the Rylstone region retains evidence of many significant historical themes, including early pastoral settlement and the growth as a service centre throughout the 19th and 20th centuries. There has been little change in many aspects of the region since its settlement.

Pastoralism has been a significant theme in the region since the 1820s, with early graziers such as Richard Fitzgerald, Edward Cox, John Thompson and the Suttor family among others, establishing large pastoral properties. The descendants of many of these early pioneering families still live in the area, and some of these properties remain in original family ownership. Associated with these large pastoral holdings were many fine homesteads with their related working buildings. Many of these homesteads remain intact and in use, thus retaining their significance to the region.

The town of Rylstone, established in 1842 as a service centre for the surrounding pastoral properties, retains important aspects of a mid-19th century Australian village which is in many ways unchanged today. It includes a number of significant vernacular buildings dating from the 19th century and constructed from the local rubble stone which gives the town a unique and cohesive architectural character.

The rural character of the landscape is shown in the series of images in Figure 8. The agricultural lands of this region are a key part of the character of this region. They have, and continue to, support the economic prosperity of this area. This unique feature of this region would be lost with the development of an industrialised mine in the midst of this rural landscape.





Figure 8 Rural landscapes within the Rylstone region
Photo credit: Rylstone Kandos Chamber of Commerce



3.3 Lost economic production

3.3.1 Our industries

There are farms and small businesses throughout the Hawkins and Rumker areas, undertaking business activities including: grazing, cropping, orchards, vineyards, plantation forests, native forestry, sheep, cattle, horse and alpaca studs, poultry egg production, mineral water supplies, an olive press which presses for many olive growers in NSW, and boutique brewers. Tourism-based businesses include accommodation (farm stays, bed and breakfast, rural and wilderness retreats), artisanal workshops, arts and crafts, Aboriginal cultural and heritage tours, and more.

These land uses and business are all sustainable long-term business and rely on the land and its water resources for their viability. **They will be put at risk in several ways if mining operations commence by being directly displaced to make way for a mine; losing their water resources through mining operations; or loss of income because tourists no longer visit the area –coal mines are not tourist destinations.**

3.3.2 2019 employment data

The REMPLAN (2021) website presents economic and demographic insights for the Mid-Western Regional LGA. REMPLAN divides the LGA into East and West areas. The East area runs from Capertee in the south through to Kerrabee in the north, with Rylstone and Kandos sitting approximately in the centre. The East area is highlighted Figure 9 below.

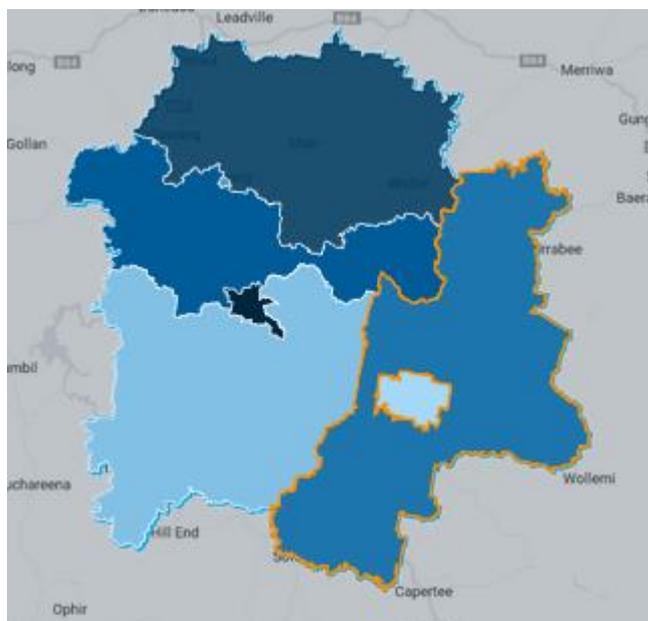


Figure 9 The East area in the Mid-Western Regional LGA

REMPPLAN reports an estimated 845 jobs in the Rylstone Kandos (320) and East (525) areas which accounts for 8.4 percent of total jobs in the region.

The Agriculture, Forestry & Fishing industry sector is the largest employer within the Rylstone Kandos and East areas, accounting for 22.3 percent of jobs in the selected areas. Tourism supported nine percent of the jobs in this area in 2019. **In contrast, mining only accounts for 2 percent of jobs in the area.** These figures clearly demonstrate that the Hawkins and Rumker areas are **not coal reliant**



communities. Developing a coal mine in these areas is not fostering a sustainable and vibrant economy.

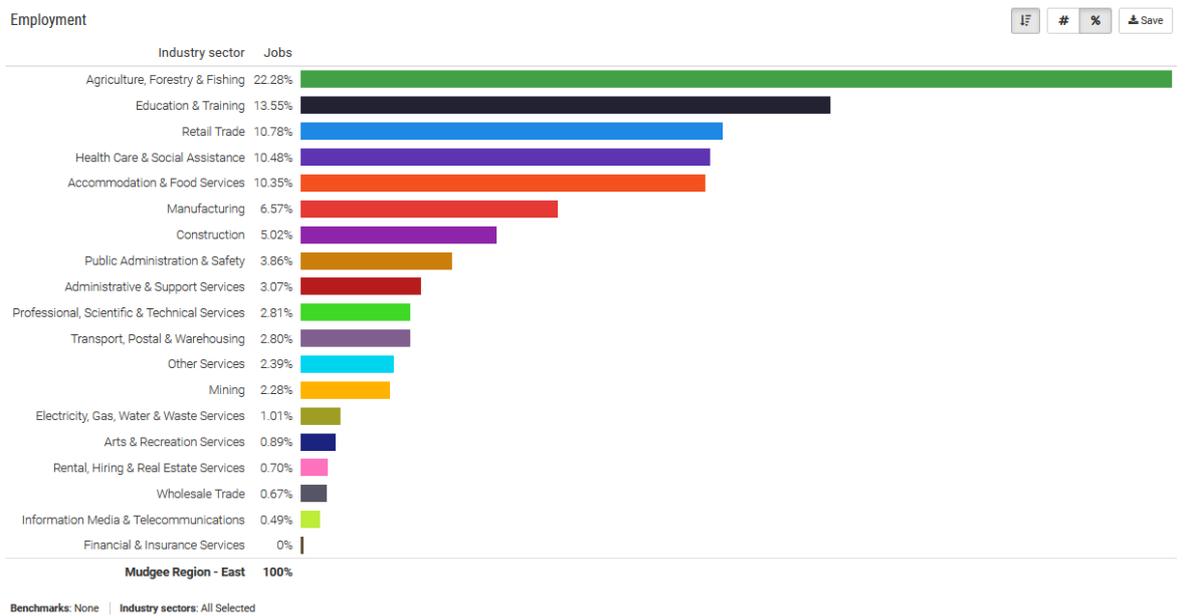


Figure 10 Breakdown of employment by sector in the East area

Tourism supports an estimated 9 percent of total jobs in these areas and is a drawcard to the area. It is important to note this is based on 2019 data, which is not reflective of the recent surge in visitors to the Rylstone region that has been occurring over the past two years. Therefore, it is reasonable to assume that tourism is a greater proportion of the East’s economy than reported and, given it is a cash dominant economy, the real value of tourism to the Rylstone region is likely to be even higher still. This boom in tourism was recognised with the Mudgee region being named the 2021 NSW top tourism town (Appendix B).

Domestic visitors stay in the region on average two nights and spend \$398 per trip. Figure 11 details how, on average, a dollar spent by a visitor to Mid-Western Regional LGA benefits local industries. The industry sector which captures the most value from visitor expenditure is Accommodation & Food Services. It is estimated that this sector captures \$0.516 for every dollar spent by visitors.

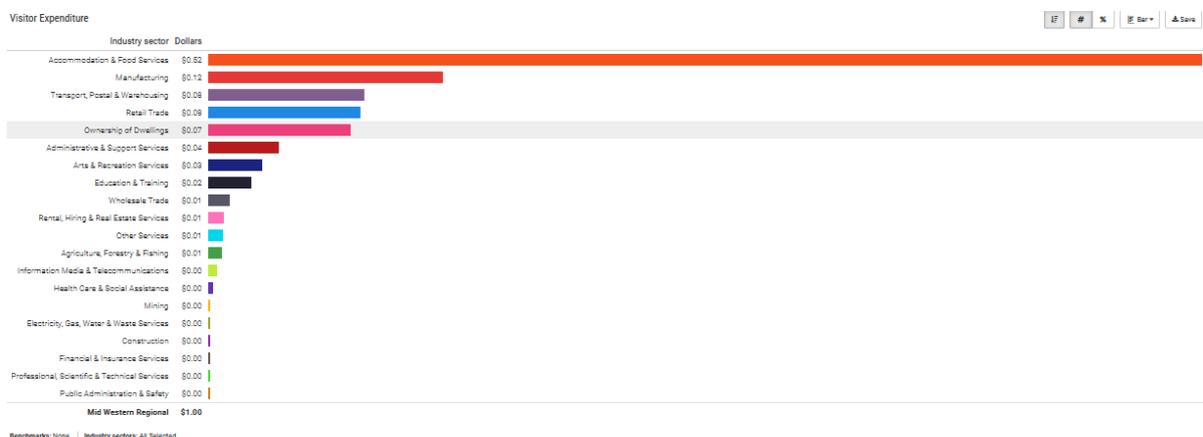


Figure 11 Breakdown of the tourist dollar spend



3.3.3 Employment Trends

The 2019 and 2016 Remplan employment statistics for the **Mudgee East area** (covering Rylstone and Kandos) were compared. This showed:

- An increase of 100% in tourism jobs
- Accommodation and food services had **76 percent increase in jobs**
- There was a **44 percent increase** in jobs in the Agriculture, Forestry and Fishing industry sector
- Mining jobs decreased by 24 percent



Figure 12 Ganguddy (Dunns Swamp) is a popular year-round tourist destination
Photo credit: VisitNSW

3.4 Greater Blue Mountains World Heritage Area

There is 33,254m of the Rumker proposed coal release area that borders the Greater Blue Mountains World Heritage Area. Given it is adjacent to the World Heritage Area, the proposal must be referred to the Commonwealth Government, as was the case with the NSW Government’s proposal to raise Warragamba Dam wall. In its recent consideration of the Warragamba Dam proposal, the Commonwealth Government has questioned the NSW government’s claim the proposal would have



no significant environmental impacts on the Blue Mountains World Heritage Area. Federal officials took issue with the environmental impact statement’s claim that important ecosystems would not be negatively impacted — a claim which had "no supporting evidence" (Slezak, 2021).

Inherent in any coal mining operations is blasting, impacts on surface and ground water resources as well as noise, air and light pollution. It is very hard to imagine how there would not be significant impacts on the sensitive environments within the Greater Blue Mountains World Heritage Area from these activities. Further information on the impacts of this proposal on the Greater Blue Mountains World Heritage Area are contained within a separate submission by the RRCFC.

The NSW Government must demonstrate that there would be no negative impacts on the Greater Blue Mountains World Heritage Area before releasing the Hawkins and Rumker areas. However, given the scale of the impacts, and that some, such the ecological impacts of mining have a considerable time lag and are complex, predicting these impacts is fraught. Further, given the extraordinary diversity of the Greater Blue Mountains World Heritage Area and the areas adjacent to it the Hawkins and Rumker areas, and their interconnectivity, it would be arrogance of the highest order to state that all impacts could be accurately predicted let alone adequately managed.



Figure 13 The north-west sector of the Greater Blue Mountains World Heritage Area: Rylstone & Kandos are the gateways
Photo credit: VisitNSW

3.5 Increase of risk of bushfire

Mining activities can increase the risk of bushfire and if fire takes hold in a coal mine, the effects can be catastrophic, as was the case in the Hazelwood coal mine fire. While coal seam fires can be ignited



through a lightning strike, forest fire or spontaneous combustion, human interaction and disturbance heightens the likelihood of fires occurring. Mining exposes coal to oxygen, and coal readily burns. With plenty of fuel and oxygen, a small spark can ignite a blaze that grows in scale quickly and is very difficult to extinguish. The burning coal releases potentially toxic elements like arsenic, fluorine, and selenium into the air (Zhang, 2014).

When responding to submissions on its planned expansion plans, Peabody acknowledged that spontaneous combustion events at the Wilpinjong coal mine, which have historically been associated with both run-of-mine coal stockpiles and carbonaceous material in temporary waste rock emplacements, had occurred (McCarthy, 2014).

The NSW Resources Regulator (2018) published a safety bulletin after it had noted there had “been an increase in the reporting of fires on mobile and fixed plant on mine sites that had the potential to cause major damage, destroy machinery or harm a person. Fire and explosion events may disrupt mining operations.”

While rare, once ignited, fires in coal mines can take months or years to extinguish and can be very dangerous. Victoria’s Hazelwood coal mine burnt for 45 days after it started from a grassfire during severe fire conditions. This fire posed a significant health risk for firefighters and residents in the nearby town of Morwell, with air quality very poor due to particulates and emissions produced in the fire. There were also concerns for the adjacent infrastructure, which included the Hazelwood power station. Another fire in 2006 at the Hazelwood mine did cause loss of generating capacity to the nearby power station. Even after the visible fire is extinguished, the underlying coal can remain hot. If this is the case and air can get into the seam, the fire can rekindle, days, months or even years into the future (Cliff, D. 2014).

The Hawkins and Rumker areas were subject to the recent Black Summer bushfire which swept through many parts of the country, and prior to this, a high number of fires are responded to during most fire seasons. The risk of fires will only be exacerbated in the future as we enter the Pyrocene age due to the climate induced impacts of, ironically, burning fossil fuels.

The risk to the environment, people and property in this region from bushfires and grassfires is already significant. This risk should not be increased both by way of exposing combustible material and increasing the fire risk locally or digging up more fossil fuels to release more greenhouse gas emissions into the atmosphere.





Figure 14 The Gospers Mountain fire hit the Rylstone Region in the 2019/20 Black Summer: risk should not be increased.
Photo credit: S. Baguley

3.1 Erosion and sedimentation

Within the two proposed coal release areas, 88 percent of the waterways are in good or moderate condition and 98 percent of these waterways have a moderate or high stream fragility (Earthscapes 2021).

The creeks in this area are highly susceptible to erosion and sedimentation from exploration and mine construction activities, which includes disturbance of creeks, rivers and floodplains due to bulk earthworks and construction of infrastructure. The fragility of the waterways means that damage will easily occur, and further degradation will result.

Mines in this area do not have a reputation for sound environmental ctices in regard to erosion and sediment control (pers. comm. G. Bucan 4 July 2021). Further, coal mining companies in the Hunter Valley have failed to set aside enough money to fill in their massive voids or maintain the vegetation required to restore the landscape once their mines come to the end of their lives (Hannam, 2021). **Given that any mine being developed in the Hawkins and Rumker areas will be done in an ever-diminishing market for coal and ever decreasing returns for this product, the financial viability of any mining operation will only be more precarious. This increases the risk that shortcuts will be taken, and the future communities and ecosystems of the Hawkins and Rumker areas will be left living with a mess that no one can afford to clean up. The RRCFC consider this is an unacceptable negative externality and the potential social costs for our region are too high to risk.**



4 | Conclusion

The Hawkins and Rumker areas are within a rural landscape, comprised of cleared agricultural land surrounded by vegetated slopes and ridgelines. Coal mining in the Hawkins and Rumker areas is not consistent with the aims of the Mid-Western Regional Local Environmental Plan.

The Independent Planning Commission findings relating to the neighbouring Bylong Valley (which also falls under the Mid-Western Regional Local Environmental Plan) state that mining would be a new land use, and that agriculture and tourism land uses are preferred. The Hawkins and Rumker areas have very similar landscape and heritage values to the Bylong Valley, and have a predominantly agricultural and tourism economy, which is far stronger than what exists in Bylong. Therefore, these findings should be applied to the Hawkins and Rumker areas by PRIA. It is not acceptable for the realities of recent court law in relation to approving greenfield coal mines in NSW be disregarded in this instance. It NSW Government has a duty of care to not put this community through years of uncertainty which leads to divestment in the region and its existing industries as occurred in the Bylong community.

Coal mines use a lot of water to produce coal and there is simply not the water available to mine coal in the Hawkins and Rumker areas. To do so would take what precious little water there is from the surrounding properties, businesses, communities and their environment. Mines also cause damage to the surface and groundwater features of the catchments they operate in, resulting in water being lost from the surface water systems or polluted and unusable.

Rylstone Dam is the drinking water for the Rylstone, Kandos, Charbon and Clandulla communities. Windamere Dam supplies the town of Mudgee. There are strong parallels between the recently rejected Hume Coal and Berrima Rail Projects and any future mining in the Hawkins and Rumker areas. Any discharge of saline water into the surface water of the Cudgegong River system would contaminate the water in the Rylstone Dam. This is the drinking water supply for four townships and should be viewed as being as precious as Sydney's drinking water catchments are.

The Hawkins and Rumker areas are located to the west of the Greater Blue Mountains World Heritage Area and there is 33,254m of the Rumker proposed coal release area which borders the Great Blue Mountains World Heritage Area. The NSW Government must be able to demonstrate that there would be no negative impacts on the Greater Blue Mountains World Heritage Area. However, given the scale of the impacts, and that some, such the ecological impacts of mining have a considerable time lag and are complex, predicting these impacts is fraught. Further, given the extraordinary diversity of the Greater Blue Mountains World Heritage Area and the areas adjacent to it the Hawkins and Rumker areas, and their interconnectivity, it would be arrogance of the highest order to state that all impacts could be accurately predicted let alone adequately managed

The Rylstone region retains evidence of many significant historical themes, including early pastoral settlement and the growth as a service centre throughout the 19th and 20th centuries. There has been little change in many aspects of the region since its settlement. The agricultural lands of this region are a key part of the character of this region. They have, and continue to, support the economic prosperity of this area. This unique feature of this region would be lost with the development of an industrialised mine in the midst of this rural landscape.

There are farms and small businesses throughout the Hawkins and Rumker areas, undertaking business activities including: grazing, cropping, orchards, vineyards, plantation forests, native forestry, sheep, cattle, horse and alpaca studs, poultry egg production, mineral water supplies, an olive press which presses for many olive growers in NSW, and boutique brewers. Tourism-based businesses include: accommodation (farm stays, bed and breakfast, rural and wilderness retreats), artisanal workshops, arts and crafts, Aboriginal cultural and heritage tours, and many more.



The Agriculture, Forestry & Fishing industry sector is the largest employer within the Rylstone Kandos and East areas, accounting for 22.3 percent of jobs. Tourism supported 9 percent of the jobs in this area in 2019. It is expected that this will be substantially higher given the recent boost in tourism activity across the region, as recognised in a recent Business NSW award. In contrast, mining only accounts for 2 percent of jobs in the area.

All of the existing sustainable businesses are put at risk by mining operations. The RRCFC believes the cost to opening up this area for mining is too high. **This is not a coal reliant community, nor does it wish to have its current industries destroyed by becoming one.** Developing a coal mine in this area is not fostering a sustainable and vibrant economy. It is the RRCFC’s strongly held view that the PRIA should find that the environmental constraints in Hawkins and Rumker areas are insurmountable and cannot be mitigated against by any future mining activity. As such, coal exploration should not proceed in the Hawkins and Rumker areas.

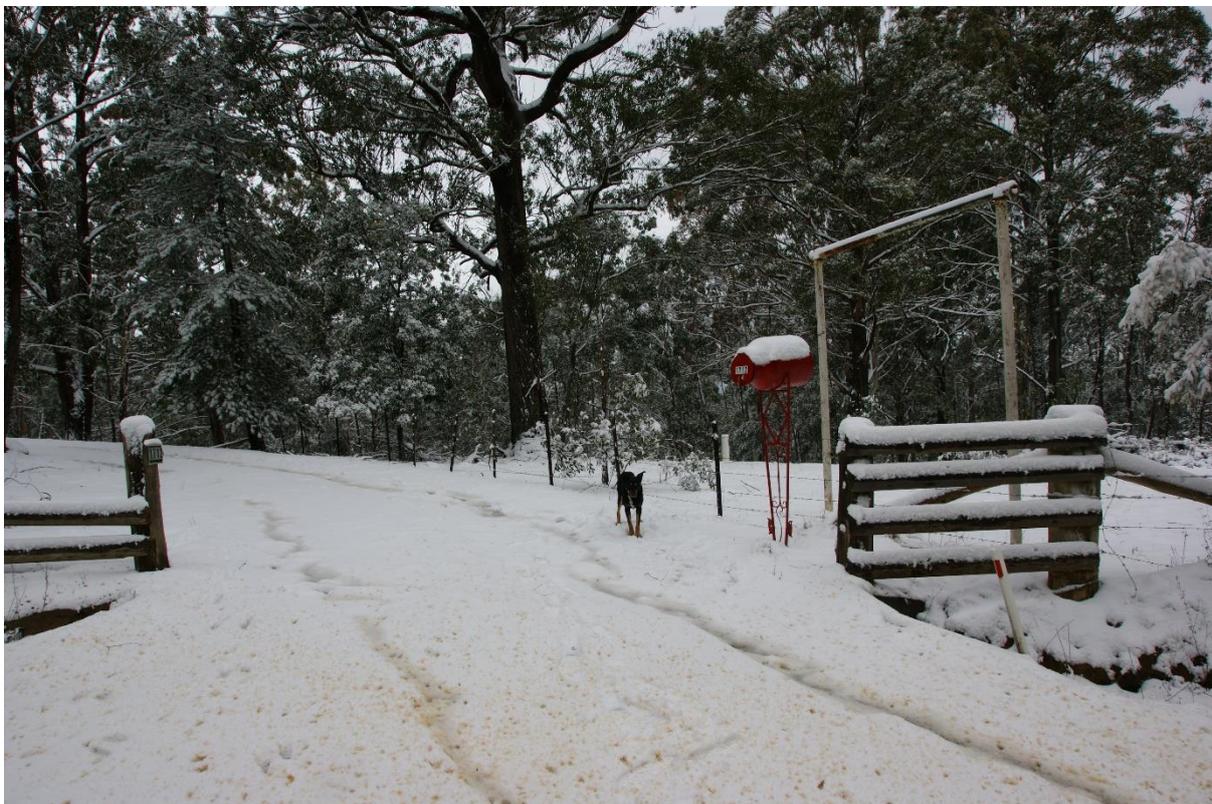


Figure 15 The Rylstone Region not a coal reliant community, nor does it wish to be
Photo credit: S Baguley



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Appendix A | MWRC advice on loss of water from mining



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEE NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
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E council@midwestern.nsw.gov.au

JR:CA:SSD5765

27 July 2020

Attention: Rose-Anne Hawkeswood
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Rose,

RE: SSD 5765 ENVIRONMENTAL IMPACT STATEMENT

Thank you for providing Mid-Western Regional Council (Council) with the opportunity to provide input into the proposed Bowdens Silver Project. Council has reviewed the Environmental Impact Assessment (EIS) and wishes to provide the following comments for consideration.

WATER SUPPLY

The significant and long-term water usage for the project remains a serious ongoing concern for Council, particularly in light of the recent drought conditions and rural hardship experienced across the Region. The recent drought has demonstrated water is a highly valuable resource and Council does not support any potential threat to the existing town water supplies or the amount of water available for rural property owners for domestic and agricultural purposes.

Whilst the EIS identifies a range of potential water sources for the project, it does not consider the contingencies available for the project during prolonged periods of drought. If water is not available in the volumes required, the EIS does not consider the implications this will have on the project and the associated environmental impacts.

The proponent has also recognised that water security continues to be a critical issue for this project and the broader community, and has proposed to obtain excess water from either the Ulan or Moolarben Coal mines via a 59km water pipeline.

The EIS states that up to 5ML of water per day may be transferred via the water pipeline but formal agreements have not been established with either Ulan or Moolarben Coal mines in relation to water access and sharing. Given the significant amount of water required for the viability of this project, details of a guaranteed water supply and evidence of formal agreements should be provided before the project can be determined.

Appendix B | 2021 Tourism Award for the region

MUDGEE NAMED THE 2021 NSW TOP TOURISM TOWN

Mudgee has been named the 2021 NSW Top Tourism Town in the category of towns with a population over 5000.

Mudgee claimed the top gong against 15 other towns in the awards presented by Business NSW. The Awards showcase the value of tourism to the towns and communities across NSW and celebrate their commitment to encouraging tourism and increasing visitation to their destination. Mudgee will now represent NSW at the inaugural Australian Top Tourism Town Awards at Parliament House in Canberra on 25 August.

So what is it that makes Mudgee region so special?

We sat down with repeat visitor, **Brett Goulston** on his last visit to ask a few questions about what he and his family love best about the area and why they keep coming back.

When did you first "discover" Mudgee?

My wife and I first brought our children here for an "escape-the-city-getaway" back in 2005. The kids rode their scooters along the footpaths of the town while we wandered around and enjoyed the cafes, shops and winter sun. We have such fond memories of that first trip. We fell in love with Mudgee instantly.

How many times have you been back since?

I've lost count but it would be a dozen or so. We've stayed at a few different places over the years but we have two stand-out favourites that are our "go-to" accommodation venues. The gorgeous Mudgee Homestead Guesthouse run by Karen & Sean plus the delightful, beautifully-appointed cottages at Bandalong owned and run by Diana and her sister Catherine. Both of these places are a short drive out of town and they feel like second homes to us. Both are 10/10 for service and comfort from our perspective. On our next trip, they might give us our own set of keys!

What is it most about the region that you like?

Well, there are dozens of reasons. Firstly, we love the fact that it's a 4 hour drive through stunning country side - especially once you are over the Blue Mountains from Sydney. If it were closer, it wouldn't be the same. Then, it's the fact that it is the perfect place to hang out with family and friends for a week or so because there is so much to see and do in the region and so many fabulous vineyards and places to eat.

OK, so what are your personal top ten things to do and see?

I could give you 20, but if I have to limit it to 10, then here goes... **1.** The places we stay at are both highlights - Bandalong Cottages on Hill End Road and The Mudgee Homestead Guesthouse at Buckaroo. They are sensational bases to see the region from. **2.** The degustation lunch at Pipe Clay Restaurant (OMG). It's not cheap, but its good value for money with sensational food and service. **3.** A walk around

Ganguddy (Dunns Swamp) and the drive there.

If I lived nearby I'd walk to the lookout every day!

4. The dumplings at Rylstone's Tea House are not to be missed. Hit them for lunch on the way back from Ganguddy. Consider their set menus which offer great value. **5.** Grab a bottle or two and a platter from Lowes Family Estate and sit on their grass in the winter sun. **6.** Visit Gulgong and the Holtermann Museum and the very quirky Pioneer's Museum. We've had a few good meals at the Thai restaurant in town too. **7.** Walk "The Drip" along the Goulburn River. It's heavenly and easy for kids. **8.** Take a day trip to Hill End and book a tour with the local expert Jhob. Wonderful history and lots of fun. Then eat in the beer garden of the pub or at the bakery just out of town. **9.** Hit the vineyards to do some wine tasting. Get a dedicated driver and depending on how many there are of you, rent a mini bus. **10.** Visit an Olive grove and learn about the olive pressing process. Our favourite is Gunemooroo run by Mark and Sandy. They also have great wine!

Finally, what is the ideal period of time to visit the region?

Well, a three night stay is really nice but frankly, you need much more time than that to get around and see most that the region has to offer. Ideally a week is perfect, or, two separate 3 or 4 night stays!

