



Blue Mountains Conservation Society Inc

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Nature Conservation Saves for Tomorrow

The Honourable Anthony Roberts MP
Minister for Planning
Parliament House
Sydney NSW 2000

11 January 2021

Dear Minister Roberts,

Cracking damage to Mugii Murum-ban State Conservation Area by coal mining at Airly Mine

The Blue Mountains Conservation Society (the Society) is a community-based volunteer organisation with 900 members. Our mission is to help protect, conserve and advocate for the natural environment of the Greater Blue Mountains. In fulfilling its mission the Society advocates for the protection of the Greater Blue Mountains World Heritage Area.

The Society is concerned about cracking damage at Mugii Murum-ban State Conservation Area (SCA) which appears to be caused by Airly Mine failing to comply with its development consent. Airly Mine operates under the state conservation area. Mine subsidence has been reported as considerably greater than the performance criteria in the consent on several occasions and occurring for more than a year.

Mugii Murum-ban SCA is an environmentally sensitive area, with hundreds of pagoda rock formations and home to rare and threatened species. Protecting the area from mining subsidence was the most significant issue raised with the Planning Assessment Committee (PAC) during the approval of the Airly Mine extension in 2016. The PAC took considerable effort through the conditions of consent to address this risk to an area which the PAC recognised as “an area of spectacular geodiversity with majestic cliffs and rock formations that are considered highly significant and delight the local community and visitors alike.”¹

¹ PAC Determination Report Airly Mine extension Project (SSD 5581), 15 December, 2016 at pages 3-4.

Current cracking

Cracking in Mugii Murum-ban State Conservation Area is associated with longwalls 2 to 9 inclusive. The Society requests that the company involved be prosecuted for failing to comply with the development consent condition that requires surface subsidence be limited to 125mm, with a maximum strain of 2.0 mm/m and a maximum tilt of 2.5 mm/m. Subsidence associated with the first three longwall panels was measured at 200mm and it increased to 400mm with the fourth panel. The maximum surface subsidence measured in this mined area is 700mm. Cracking damage in the state conservation area associated with the above mine subsidence has been measured as up to 700mm wide and 3m deep.

Future mining

Regulatory authorities in your Department are often under pressure to weaken consent conditions but in this case they have not agreed to weaken subsidence performance criteria for the Airly Mine. The Society thanks your Department for its efforts. The Society would like to know what remedial action your Department will take to ensure the Airly Mine's development consent will be complied with in future. The Airly Mine consent allows mining to continue for twenty years, that is until 2036.

Coal mining is now progressing under the Genowlan Mesa, an area of the highest environmental sensitivity with continuous high cliffs and beautiful pagoda studded ridgelines. This area contains, for instance, "...the only known population of the critically endangered *Pultanaea* ssp. Genowlan Point, consisting of 15 plants... Alteration of habitat following subsidence due to longwall mining ... (is) a key threat to the species".² The Society understands that mining intensity was over 70% coal extraction when the cracking damage occurred and it has since been reduced to around 45%.

Could you please reassure the Society that mining intensity at Airly Mine will not be increased so as to ensure compliance with the current subsidence performance standard. We believe that if performance standards were weakened for this mine it could result in a "regulatory disaster" similar to what happened at Sugarloaf SCA. In that case crevasses developed following coal mining that were completely incompatible with the management of a National Parks and Wildlife reserve.

Yours sincerely,



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² NSW Assessment report Airly Mine (SSD5581) in Statement of Reasons for approval under the *Environment Protection and Biodiversity Conservation Act (Cth) 1999* dated 20.3.2019 at para 38.