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HD Land and Environment Court approve Ashton expansion  
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Residents and supporters who gathered at the Camberwell Common to hear the result of the appeal against the approval of Ashton South East open cut **coal** mine were left despondent as the verdict was passed through to them via mobile phone.

The NSW Land and Environment Court rejected their appeal and have approved the mine with the conditions yet to be announced.

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"We have been fighting this mine for 14 years and now with this court decision my family has no choice but to leave the once beautiful Camberwell village," said a bitterly disappointed Deidre Olofsson.

"No way can we stay in our home it will be surrounded by mines and the health impacts added to the blasting and noise means our Australian dream of living in the home of our choice is over.

"People have to realise what will be left of the Singleton and Muswellbrook communities once the **mining** is finished " nothing that's what will be left."

The legal challenge to the approval of the 315 hectare mine expansion next to the village of Camberwell, near Singleton, was mounted by the Hunter Environment Lobby, represented by the NSW Environment Defenders Office (EDO). The proposed mine expansion, proposed by the **Chinese company** Yancoal, I would extract 16.5 **million** tonnes of **coal** over seven years.

The court judgment states that: "On balance I consider that approval can be granted but that approval must be subject to adequate conditions about which a number of issues of clarification and possible alteration remain."

The judgment also stated that a number of conditions still need to be finalised including those relating to air quality, water resources and **acquisition** of properties.

The court found that the mine expansion would have negative economic impacts on neighbouring rural properties including a farm which has been in the same family since the 1830's, one of the oldest farming families remaining in the Upper Hunter.

EDO NSW principal solicitor Sue Higginson said: "While the prospect of this mine being approved is disappointing for the Camberwell community, the wine growers and farmers downstream of the mine, there is still some scope for setting conditions designed to minimise adverse impacts on air and water quality and prime agricultural land."

The battle to stop the \$83 **million** Ashton South East open cut **coal** mine has been a long one between its proponents and those opposed to its development on the grounds of its expected adverse effects on water sources and the community's health.

In December 2011 the NSW Planning and Assessment Commission (PAC) rejected the project based on concerns it had about the adverse impacts the mine was likely to have on water and health.

The mine's owners appealed this decision in the NSW Land and Environment Court and in October 2012 the original PAC decision was overturned and the mine was given the go-ahead.

The Hunter Environment Lobby started legal action in the New South Wales Environment Court in January 2013.

Determined to continue the fight against the mine was Wendy Bowman who described the court decision as leaving the local community in limbo.

"They have approved it but we still have to negotiate the conditions "what does that mean and how long will that take," she said.

Mrs Bowman's property that front Glennies Creek contains about 60 per cent of the **coal**Yancoal hopes to extract.

"I'll fight them all the way because if I don't what happens to Glennies Creek and all the water users downstream " Pokolbin, Broke and further down the valley," she said.

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