

Residents of Medway & Surrounding Properties
c/- PO Box 7004
Berrima NSW 2577

18 November 2011

Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Sir/ Madam

**Ref: Application Number DA No. 401-11-2002-iMOD 7 - Boral Cement Works,
New Berrima - Furnace Slag Processing**

We wish to lodge our objection to the above proposal with regard to the following concerns:

1. Lack of consultation with the local community
2. Our concern with any increase in heavy vehicle truck movements between Boral Cement Works New Berrima and Australian Steel Mill Services, Port Kembla in particular Taylor Ave and Medway Rd.
3. Lack of due process that allows Boral Cement Works to lodge three separate applications with DoPI for the projects listed below without considering the combined impacts of three such developments on the local community and the additional heavy vehicle movements between New Berrima and Port Kembla:

i. Project 10_0172 Berrima Colliery Medway and

ii. Application DA No. 401-11-2002-I MOD 6 Berrima Cement Works Section 75W
Modification of Existing DA in relation to coal stockpiling

iii. DA No. 401-11-2002-iMOD 7 - Boral Cement Works, New Berrima - Furnace Slag
Processing

Consultation:

In our objections to the Medway Colliery and Stockpiling of Coal at New Berrima Applications to DoPI earlier this year residents were highly critical of the lack of consultation between Boral and the local community.

In the Boral information sessions this year the latest in September with the community and in November with the Coal Reference Panel a committee of Wingecaribee Shire Council, not once has Boral presented any information to the community on the Furnace Slag Processing Application.

We still dispute Boral's so called "engagement" with the Community. Boral provides the community with updates on the operations at the mine and cement works but has not yet "engaged" with the community to develop any meaningful or agreed outcomes in relation to the processing of their applications. Nothing has been presented in relation to slag processing.

We find it inconceivable that Boral are so lacking in their regard to the community that the three applications and their impact on the community have not been discussed with the local community.

Heavy Vehicle Movements:

Boral has outlined a proposal for the upgrading of Medway Rd with Wingecarribee Shire Council in relation to its application for Berrima Colliery and the Stockpile at New Berrima but has not included any additional information on its third application for the furnace slag processing.

How many additional heavy vehicle movements will be running from New Berrima to Port Kembla once the 150,000 tonnes of slag are being transported?

Medway Road running from Berrima Colliery to the old Hume Hwy is classified as a local road and as such is under the control of Council. Council's Transport Engineer and Rob Parker Engineering Pty Ltd prepared reports that were presented to Council at its meeting on 13 July 2011 stating that Medway Rd does not meet AUSTROADS standards for heavy vehicle movements.

With this in mind residents challenge the fact that heavy vehicles are still allowed to use Medway Rd without the road being upgraded to AUSTROAD Standards. To think that Boral could increase its output from Berrima Colliery from 220,000 tpa to 460,000 tpa with the increased heavy vehicles movements without the road being fully upgraded is incomprehensible.

ASX announced on the 27 June 2011 that there had been a 25% increase in the production of coal from the Berrima Colliery. This has resulted in residents being subjected to increased truck movements, additional noise and dust from the increased operations at the Colliery and their concerns are often negated and or dismissed. (A list of complaints is available on request).

Residents of Medway have asked Wingecarribee Shire Council to fully consider its duty of care and risk management of Medway Rd when considering Boral's applications for the continued operation of its Colliery and the stockpile at the Cement works.

And now there will be additional truck movements on Taylor Ave and the top section of Medway Rd without any consultation with the community.

We challenge what Boral believes to be tangible short term improvements to the bulk of impacts on Medway Rd.

We consider that the price per tonne should be determined in consultation with Council engineers on all three projects so that an accurate maintenance levy can be determined that will allow for Medway Rd to be properly upgraded and maintained giving consideration to what needs to be done now and what has to be done in the future for Medway Rd to meet AUSTROAD Standards for the working life of the mine.

3. Lack of Due Process

It seems inconceivable to a small community that DoPI can allow Boral to submit and process three separate applications for the expansion and or the modification of their operations without taking into consideration the impact of these applications in their entirety and ensuring that Boral is open, honest and transparent with the community.

Residents of Medway and Surrounding Properties are extremely concerned for the safety and welfare of our families and friends when travelling Medway Rd. It is not of a standard suitable for heavy vehicles and Boral negates the impact that the operations of the colliery and stockpile at Loch Catherine (dust and noise) have on the residents of Medway Village

DoPI has a significant role to play in the processing of applications for major projects and modification of operations and we seek a formal response on what we consider the lack of due process for the community when large companies are allowed to submit multiple applications that when the impact is assessed has a huge impact on the community without full transparency for all concerned.

Conclusion:

Boral's EA and Modification Application for a stockpile at New Berrima lacked factual and verifiable information in relation to consultation, traffic movements and the impacts in relation to noise, dust and air quality. The residents and interested parties do not believe that Boral fulfilled the requirements to consult set by the NSW Department of Planning as outlined in Guidelines for Major Project Community Consultation(Oct)7), specifically "that informed views, knowledge from the community and the communities preferences were not taken into consideration in the assessment process and decision making process.

Again we reinforce the above paragraph in relation to the lack of consultation with the community in relation to the furnace slag processing.

Therefore the Residents of Medway and Surrounding Properties request that the Minister for Planning (as per Guidelines for Major Project Community Consultation (Oct 2007) appoint a panel of experts to provide independent advice and hold a public hearing so that the panel and the community can be fully informed of all factual information on the issues that will have a high impact on the local community prior to any applications being granted approval.

Yours Sincerely

Lynne Morrison

On behalf of Residents of Medway and Surrounding Properties.