

**'Rich Land, Wasteland - how coal is killing Australia' (Pan Macmillan/Exisle, 2012)**

**Sharyn Munro**

**Chapter 5. Clearing out the country**

Clearing out the country is nothing new in Australia. Although the weapons aren't muskets this time, I see some similarities with the poisoned flour and waterholes.

**Around Mudgee**

The Mudgee region is just over the range to the west of the Hunter. Similarly, the southern part is the main wine and food tourism centre, with no visible mines or pollution ... yet. About 50 kilometres north of Mudgee town, the invasion is well underway, in the fastest developing coal area in New South Wales.

In this northern part of the Western coalfield, for decades the only mine was Ulan open-cut; Xstrata since went underground, bought out Ulan village and won approval to double in size. Since 2006 two more have started, the huge Moolarben Coal Project across the road, and the Wilpinjong mine, rapidly whittling away at the village of Wollar and its surrounding valleys.

Wollar is Acland-in-progress, except this time it isn't an Australian company doing the damage. Moolarben soon passed from Felix Resources to Chinese company Yanzhou (as at Ashton), and Wilpinjong from Excel to the 'Big American', Peabody Energy. Having made their portfolios look impressive, those smaller companies sold up, company and assets, for big profits. They didn't stick around to deliver on what they had promised to do verbally or agreed to 'legally' in their consent conditions.

## Cumbo Valley

An elderly couple, a pretty valley, a neat rural property, their last home — until death or a coalmine do us part. This is the story of **Meg and John Kattau** and the Cumbo Valley, where about 30 people once lived. It's near the village of Wollar, where a lot more people once lived.

Thanks to our mutual friend Lance Batey from Wollar, I met the Kattaus in their new house in Coolah, a small rural town to the north-west.

Meg and John had retired to 117 acres at Cumbo, where they could make a small farming income on top of the pension. Before that they'd lived near Lithgow, growing strawberries, with John also working in a factory. At Cumbo they'd planted 100 acres of chestnuts. Although in his seventies, John used to do five or six hours' work on the tractor regularly. They had about eleven years in Cumbo before the nightmare began. In the end, John's only choice was 'either getting out or being carried out'.

They were told that their place would receive no impact from the Wilpinjong open-cut, about 1.5 kilometres away on the other side of a mountain. The noise was mostly not enough to bother them beyond a slight nuisance level, but three months after the mine started, the Kattaus became aware of something seriously wrong.

Normally calm Meg found herself see-sawing between weeping for no reason to being hyperactive, to being exhausted, lacking any energy, and with bouts of confusion. At her spinning group, some others gradually admitted the same. When Meg, then in her late sixties, consulted her doctor, it was suggested she might be 'going potty'!

When they could hear the bulldozers, the strange problems weren't so bad; they seemed most noticeable at night. Around 2 a.m. Meg would wake up and not know why; she would be driven to walk around holding her head. There was no relief; she felt like she was going crazy.

John began to have an extremely irregular heartbeat. If he tried to work in their big semi-open shed he would be at passing-out point, lacking any co-ordination, collapsing to the floor. They describe the night he was rushed by ambulance to Mudgee Hospital, with his heart pumping a few times and then missing. He was placed on a heart monitor until about 8 o'clock the next morning, when he was told it hadn't been a heart attack, but that he had an infection. He was given a quantity of antibiotics until about 5 o'clock, when he says it was decided it mustn't be an infection after all and he was sent home. An unsolved incident.

Lance had told me of another time, when Mudgee Hospital regarded John as too critical and flew him to Sydney. After four or five days of hospitalisation they still had no idea what it was. His symptoms were similar to what others had: arrhythmia and a very low pulse rate — in John's case it was 30 beats a minute, 'teetering on the point of death', said Lance. John had a leaking heart valve as well.

Their nextdoor neighbour, of similar age, also had an inexplicable emergency with those symptoms, and Mudgee Hospital also flew him to Sydney. Lance says his own nextdoor neighbour, aged 78, had the same problems.

Meg's brother, ex-RAAF, visited one day. He parked his Mercedes in the shed and took a photo of it with his digital camera — or tried to. The picture was 'all shimmery, no clear outlines'. The aviation industry is no stranger to infrasound/low frequency noise (ILFN). He backed the Merc out and took a picture into the shed, with the same results. He showed the photos to Meg and John and said, 'You've got to get out of here.' The frequencies that were upsetting the camera were causing the shed to vibrate and, highly probably, John to be ill when in there.

This sounds weird, so let me explain more about this unregulated, unmonitored impact of open-cut mining.

## **Infrasound/low frequency noise (ILFN)**

Lance, who has been researching ILFN, gave me some background. ‘Audible noise is officially from 20 Hertz to 20,000 Hertz [Hertz = cycles per second] ... but frequencies below 20 Hertz *can* be audible. Low frequency noise is considered to range from 20 Hertz up to about 200 Hertz; infrasound is below 20 Hertz ... but the boundaries are not fixed.’

UK noise consultant Dr Geoff Leventhall, who produced a review of work on the topic for the UK Department for Environment, Food and Rural Affairs in 2003, explains, ‘Low frequency noise and infrasound are produced by machinery, both rotational, e.g., gas turbine, and reciprocating, e.g. diesel engines, all forms of transport and turbulence. For example, typical sources might be pumps, compressors, diesel engines, aircraft, shipping, combustion, air turbulence, wind and fans.’<sup>1</sup>

Barriers like walls and hills may block the higher ‘noisy’ frequencies, but not ILFN, so Lance says that ‘at a distance from the source of the sound where most of the noise has fallen away, the infrasound will be heard or felt at near its full power. The further the distance the noise travels, the more it will consist of low frequency and infrasonic content. Quiet rural areas are prone to this disturbing impact because of the lack of background noise that would mask the perception and impact of these lower frequencies — at residences up to 16 kilometres from the source, from personal experience.’

So the ILFN impact can be worse further away, and can’t be blocked. No wonder the mines need to ignore it.

Lance had told me that people complain of not being able to ‘get away’ from it; these frequency ranges aren’t perceived only through the ears, but the whole body, which may account for the greater distress of those exposed to them.

It does no good to shut your doors and windows or put a pillow over your head.

Inside buildings it can also be perceived through ground vibrations, and to make things worse, there's the resonance effect of ILFN, which 'occurs in enclosed, or partially open, spaces ... a room with an open door or window can act as a Helmholtz resonator ... similar to that obtained when blowing across the top of an empty bottle'.<sup>2</sup> As in the Kattaus' shed.

Without getting too technical, the loudness of noise is measured in decibels (Db). Sound level meters give amounts of decibels; for environmental noise monitoring, it's normal to use the sound level A-weighting rather than the C-weighting that takes ILFN into account far more.

Leventhall notes that the World Health Organization recognises the special place of low frequency noise as an environmental problem. Its publication on Community Noise says that where 'prominent low frequency components are present', the C-weighting should be used, that such components 'may increase considerably the adverse effects on health' and the evidence is 'sufficiently strong to warrant *immediate* [my emphasis] concern.'<sup>3</sup>

Yet Lance says that 'when the problem was at its worst [March 2007], myself and others complained many times to the EPA and the Department of Planning only to be told that the Industrial Noise Policy did not require these frequencies to be recognised.' Why?

Most conveniently for coalmines, the A-weighting continues to be the norm here.

ILFN is a recognised cause of cardiovascular disorders, while loss of balance, confusion, loss of concentration and mental acuity, learning difficulties, headaches, nausea, sleep deprivation, kidney trouble, throat and lung trouble, combined with stress, despair and hatred are all recorded as symptoms in various scientific research. No wonder it's hard to pin down. The physiological impact on the brain causes a psychological impact; the autonomic nervous system, which controls the functions you usually don't need to think about, like breathing and heart rates, can malfunction. So you can have an increase in blood

pressure while you sleep.

But the acknowledged 'annoyance' that ILFN causes is not just in the mind, nor are the cardiovascular disorders just from the stress, according to Portuguese researchers Pereira and Branco.<sup>4</sup> They treat complaints of noise annoyance as a clinical symptom of possible cumulative excessive exposures to ILFN. They also found that under ILFN vibrations, the body responds by producing more collagen, which they see as an attempt to 'reinforce its structural integrity', to hold itself together, which thickens the blood vessel walls and 'can lead, directly, to coronary heart disease'. Excessive exposure to ILFN causes vibroacoustic disease (VAD) which Pereira and Branco say can be readily tested for. Why don't we?

Studies have been done in many countries on what is so commonly reported that it's been officially named 'the Hum'. The following ILFN experiment results noted by Leventhall sum up such clear health impacts that I have to consider it callous of authorities and mines to continue to ignore them.<sup>5</sup>

#### **Health comparison of exposed and control group**

	<b>Symptom test group %</b>	<b>Control group %</b>
Chronic fatigue	59	38
Heart ailments, anxiety, stitch, beating palpitation	81	54
Chronic insomnia	41	9
Repeated headaches	89	59
Repeated ear pulsation,		

pains in neck, backache	70	40
Frequent ear vibration,		
eyeball and other pressure	55	5
Shortness of breath, shallow		
breathing, chest trembling	58	10
Frequent irritation,		
nervousness, anxiety	93	59
Frustration, depression,		
indecision	85	19
Depression	30	5

The heavy diesel machinery in most open-cuts operates 24 hours a day; people's bodies and minds get no respite. Sleep deprivation alone is an acknowledged torture, and when the torturer — the mine — denies any responsibility, no wonder 'stress, despair and hatred' follow.

Cumbo's tale of ILFN had struck a chord with Marilyn at Acland, who told me that Tanya has had heart arrhythmia and low pulse rate problems for the past few years. I mentioned it in most mining areas, and became used to the response: 'Funny you should say that!' Many are on medication for their symptoms, their GPs unaware of this possible cause.

When John raised the question of ILFN with Peabody, he says their response was akin to 'There's none of that over there — and what's more it doesn't exist.' Then they 'sent a fellow who told us that the hum was in everybody's head and had nothing to do with the mine'. Meg and John received 'the distinct impression

that the trouble was that we were over the hill and the noises in our heads were really not there. Senile degeneration!' This offensive attitude spurred John to investigate further.

John and Lance complained often. In the end a potentially damaging Cumbo noise audit worried Peabody enough to offer to buy the Kattaus' place, and others. They hadn't been eligible for this before because they were just outside the line on the map within which people had to be bought out if they requested it. As we all know, noise doesn't cross roads or lines.

John says they offered \$280,000, not even the value of their house, let alone the acreage and improvements. He just laughed at them. Later a higher offer was made by Peabody's negotiator, but still not enough for them to buy elsewhere.

Meanwhile the couple were becoming more and more ill; it was getting harder to laugh at anything. John suggested they find him a comparable place in a non-coalfield area, and whatever that cost he'd sell out for. He looked, and their agent looked, and found four or five equivalent places; both agreed there was nothing under \$1 million.

Nevertheless, a fortnight later Peabody came back with a final offer of \$400,000 maximum. By this stage both Meg and John were so sick that I have been told by many they looked shocking, 'at death's door', on footage taken for a documentary.

They had fought for three years, but had been so consistently denied, balked and now beaten down by Peabody that they could fight no more. They accepted \$400,000, and after fourteen years, left Cumbo, the 'exceptional community' Meg says it was, and all their work. Meg adds that it was especially bad getting out of there because John was so very ill. At 71 and 81 they couldn't start again, and were unable to afford to buy in Mudgee or nearby.

The whole Cumbo Valley has now been bought, emptied of complainants. The last to sell was a woman who had similar symptoms to Meg; having just rebuilt



her house, she didn't want to go, but it cost her dearly to hang on.

After six months at their daughter's, Meg and John had been in their new home for six months when I visited. They are much better, but not over it. John has a heart monitor and is checked regularly, but certain frequencies can send him to his knees, as had happened that morning. Meg still has occasional bouts of being confused and has to stop and wait until her head clears, and she gets flashbacks to those dreadful nights. She asks, 'When you consider the money the companies must get, why do they need to destroy people's existence?'

Given that officially the ILFN problem didn't exist beforehand, John and Lance have raised public awareness to the point that Mid-Western Regional Council now says it is concerned about low frequency vibration as one of the cumulative impacts of mining.

There is a wind farm proposed for the ridges around Coolah and the already sensitised Kattaus will be vulnerable to its possible low frequency emissions. Regulations for noise from wind farms need to be based on the latest research and designs, and include ILFN.

The Kattaus are far from being the only residents of Cumbo affected by the mines. In 1999 **Cathy Pattullo** and her husband were finally able to buy their own farm: 550 acres in Cumbo. They and their two children 'absolutely loved' living there, but they struck a run of ill fate. First the long drought; then the locust plague — and then Wilpinjong mine.

In the two years before the mine started in late 2006, Excel held meetings in Wollar. Cathy wasn't against the mine, as they were told there'd be no adverse impacts. Since Cumbo people could hear the trains at Wollar, 10 kilometres away, they'd queried whether they would hear the mine. Cathy says the reply was, 'Oh no, no, you won't get any noise.' They believed it because they thought the main plant operations area, not marked on Excel's maps, would be about 15 kilometres away. In fact, it was directly in front of the saddle in the hills before

Cumbo: 'We were ... 3 kilometres from house site to mine site' as the crow flies.

Peabody hired Thiess Contractors to operate the mine. 'The minute they started construction we heard them; we thought we had a bulldozer in the valley doing dam work and a friend and I went round to have a look because often if there's a bulldozer in our valley we get them to do other jobs. But we couldn't find it so we started to listen where the noise was, to go closer, and we realised it was the new Wilpinjong mine, and we just looked at each other — we couldn't believe it. That was Day One.

'So we gave them six months, thinking that ... they're in construction ... but once they get into the ground a bit we won't hear them. At that stage they were only working in the daytime, but after six months of noise, once they started mining, they went to 10 o'clock at night; they'd stop, so we'd sleep then.'

They'd hear the chutes banging as the coal was dumped and 'the trucks and bulldozers sounded like they were coming up your front driveway. But then it extended to 3 a.m. so we'd get to sleep then, sleep until six and get up and go to work. Then they went to 24 hours.'

No consultation about such extended hours, 'we were just told'.

At first they were only ringing the mine, but then they would ring DECC and Planning as well; the responses would be that the mine was not going above their consent condition levels. Cathy would reply, 'Yes, but we've got huge noise problems down here!'

As always, reality loses out against what's on paper. When Cathy went through Wilpinjong's approval conditions she found there were 'so many loopholes that they're not worth the paper they're written on.' Eventually she realised two things.

Firstly Wilpinjong could control the noise, make less if they wanted to. 'They ... found that our tolerance level was about three nights ... the first night two people would complain, the second night there'd be five or so, and by the third night

we'd be all screaming — you know, that we'd had no sleep and couldn't sleep because of the noise, and so on the fourth night, because they'd had all the complaints, they'd shut down whatever was making the noise, change it.

'It was horrible. But they knew when to stop before we did something drastic.'

Secondly they used a weather condition loophole to maximise noise levels. They kept the only weather records. When it was over 3°C cold inversion or over 2 metres per second wind speed, any data gathered then is deemed invalid, as the mine couldn't be held responsible for weather conditions making the noise more obvious.

Inversions are most common in winter, especially in valleys, and it was in the winter months that Cumbo suffered the worst noise levels, but Cathy finally understood that: 'The minute the temperature changed and they knew they couldn't be penalised for making more noise because of the weather, they just went hell for leather.'

Cathy doesn't think ILFN was an issue for her family, but she did experience it once: 'I walked out of the kitchen one night and it was like walking into a wall ... like a vibration ... it was really weird; I felt it, stepped back from it and there was nothing there and I then walked back into it again; it's hard to explain.'

The Kattaus were in a different line or angle of effect from the mine than Cathy's place. This could partly explain why only some people had ILFN impacts and others had serious audible noise. Cathy also noted that older people tended to be more impacted by ILFN, as it affected their balance and made them nauseous.

Three of the people in the valley developed ear problems; each unaware of the others, they had gone to their doctors complaining of sore ears, but no diagnosis was possible. It was only by chance that at a meeting someone mentioned it and they compared notes: same problem, no diagnosis, and when they left the area their ears got better. Cathy puts it down to ILFN; as with the heart issues, she

doesn't know how you could substantiate ILFN as the cause, but she feels that Mudgee doctors are starting to have more awareness of possible medical issues from ILFN, from the number of people presenting.

It took a lot of time and phone calls and letters to get any action on the loud noise and it was hard to demonstrate. Murphy's Law: when they got a Department representative to come, it would be quiet and they'd 'look at us as if we were having them on, but then it could be terrible for days after'.

Wilpinjong started with spot noise monitoring, then a small continuous monitor on Cathy's house fence; then a huge monitor in her paddock, and in the last year an eight-week audit was done with a special high-tech monitor. When she asked the 'independent' noise engineers — contracted to Wilpinjong — not to tell the mine when they were monitoring, she says the reply was, 'We have to.' So the mine knew when to control their noise. Even so, in those eight weeks they had 35 exceedences; sixteen penalty infringement notices were imposed.

Wilpinjong refused to pay, says Cathy, so the Infringement Bureau looked into it and re-affirmed the penalties as being outside the noise limits. The levels were recorded at 40–42 decibels for sustained periods of time, against the 36 allowed. Wilpinjong still refused to pay, and said they said would take this to court, which Cathy thinks was because penalty infringement notices would have triggered acquisition clauses where they would have to offer market value plus compensation.

DECC chose the two highest exceedences on which to take them to court. All of this to-ing and fro-ing took about a year and meanwhile the noise torture continued. But then, she says, the legal people looked hard at those two and decided 'they won't stand up in court'. It is this sort of slipperiness in the loopholes of our mining laws that enables Wilpinjong to invalidate any adverse data ever obtained, so as to state on their website, as Cathy assures me they did, that they have not had a noise problem.

Well, I suppose that's true. *They* hadn't; the people of Cumbo had.

'It was not until we were literally screaming that we started to get anything happening from Peabody and that was by the pressure that we put on the DECC to uphold the approval conditions. This was the key point; no one was upholding the approval conditions and no one was making that mine accountable for its actions.'

In the end, even the government couldn't do that.

The government gave the mine two years to improve the 'noise attenuation' on their machinery because they were going to replace their current fleet in two years anyway. The health of the community was suffering and yet the perpetrator was officially allowed to continue causing that harm until it was economically convenient to stop.

Consider how poorly we regard those companies that continue to cause harm to people's health — asbestos, tobacco — even after they know of the risks. The coal industry is only different because it enjoys government protection by its custom-designed legislation, where mining law trumps all others.

Helpless in the face of a corporate attitude where the ongoing damage was not even acknowledged let alone remedied, yet unable to sell and move away, the strain proved too much for Cathy and her husband. They had coped with the stress of natural disasters, but this un-natural imposition wrecked their marriage.

Until the end, Peabody said they would not be buying properties outside the 1-kilometre buffer zone. The audit results got 'them worried, which is why they offered to buy us out, but by that stage people were sick, and sick of it. They wanted to get out, they'd had enough.' The value was decided solely by Wilpinjong's valuers; they refused to take any other into account. 'Everything was always in their control,' said Cathy. 'All we ended up with was a choice to get out. But you just couldn't live there, you couldn't live with the noise.'

Had the mine been ordered to operate only in set daytime hours, it wouldn't have been pleasant, but at least the residents could have slept. It does indeed do your head in that this wasn't done; on paper, Cumbo wasn't impacted and Wilpinjong had no noise problem.

With hindsight, Wilpinjong had been 'basically fobbing us off, buying time for themselves', Cathy says. It's clear to her now that they'd expected to be mining closer to Cumbo in seven to ten years and would need to buy their properties then anyway. Think of the angst and ill health those people could have been spared if the company had been upfront with them and given them realistic options and timelines — and prices. All to save a few dollars for the US shareholders?

To the victims with whom I have spoken, Australia is no longer associated with 'a fair go', but with 'fair game' for those with lots of money and little social conscience.

...

### ...Wollar

Ten years ago **Lance and Kate Batey** moved to their 10-hectare level block, with a modern house and pool, just 5 kilometres north of Wollar. They came there after living on a yacht for a decade, and before that they'd run a pub in Sydney's inner west. So Kate had never had a garden before but she clearly had latent green thumbs. Lance's small vineyard was out the back, with the essential shed for beer brewing and matters mechanical and agricultural.

One prime reason for the move was Kate's ill health; afflicted with trigeminal neuralgia — sudden recurring bouts of severe facial pain from the trigeminal nerve — finding a quiet place to live was essential if she was to cope with the chronic episodes of pain, while maximising what pain-free times she had.

So when the Wilpinjong mine was proposed, even though it would initially

operate about 5 kilometres from them, they had concerns.

Lance says, 'The mine had their PR bloke going about in the village, promising the local shop and mechanic more business.' They donated money to the Rural Fire Brigade, put a lot of effort into winning people over. But 'the largesse was not to everyone — it caused jealousies, broke up the social fabric; people had no idea they were pawns in this ploy'. Now, Lance says, Wollar community 'will have vanished off the face of the earth by time the latest bout of purchases is finished'.

Unlike Acland, there was nothing official about Wollar's demise, as the mine had denied any plan to close it up like Ulan. Lance says that the shopkeeper was initially pro-mine but, 'He realises he backed a loser and feels trapped. He says 120 people have left the area.' The phone book now only has twelve listings for Wollar, when it had 96 just five years ago.

The mine had only been running for five months when Lance decided to have his tankwater analysed. He fed the results to the local Mudgee newspaper. Articles about the lead content appeared the next day and suddenly the school kids were supplied with bottled water. Lance put in downpipe sumps to take the first spill off the roof. He says a major contaminant, volatile organic compounds (VOCs), is from particulates from diesel. A thin film of black oil would be floating on the surface of pool. This would be on the roofs and entering tanks. 'You can pick VOCs by the taste even in tea or coffee; you can't drink it.'

Lance and Kate soon knew they'd have to get out; they put their place on the market but for four years it was the same old story: no buyer interest as 'too close to coalmines'. Trapped.

They were seriously impacted themselves by ILFN. 'You'd wake with a panic response in the middle of the night, but the noise wasn't loud enough to ring up and complain about. You'd just be aware of this sensation in the brain that you can't escape and you can't get back to sleep.'

At first they thought they could cope, assuming they'd get used to it as they'd

done with city traffic. But ‘the hum or vibration inside the head is instantly maddening; you can’t reduce the buzzing in your head because it’s not coming through your ear. It’s vibrating your brain.’

Lance figured it must be very low frequency; he began researching it, searching through the Industrial Noise Policy, thinking ‘there must be regulations about this because I’m sure this will kill me over a couple of years’. And this was after only a couple of months; ‘the more exposure, the more sensitised you become and the worse it is for you.’

Kate had been rushed to Mudgee Hospital in 2007 with a suspected heart attack, presenting with extremely high blood pressure and very low pulse rate; she was kept under observation, and improved — away from home. She had to go away somewhere every few weeks to get some respite.

Then Wilpinjong’s Slate Gully expansion required the buyout of about twenty residences, including theirs. One lady in Slate Gully who has been impacted all the time by noise, living within 2 kilometres of the mine, has been ‘going out of her head’ but only now will they buy her out. Another woman told Lance the only way she and her grandson can sleep is with prescribed drugs; she doesn’t want to leave because her late husband built the house, and his ashes are buried in their yard.

Like coal’s victims everywhere, what irks Lance is the inevitability and the arrogance of it all, which means ‘bugger your rights, and your right to enjoy the amenity of your land and fresh water and air — all down the drain; they decide where and when and the rest of us have to tolerate it.’

When resources like coal were considered a national resource and mines were government-owned, things were different, but ‘now you have to go cap in hand to private companies to establish any rights and the only right in the end is to be bought out. That stinks!’

After protracted negotiations that were the final stressful straw for Kate, they sold



to Peabody — and left for separate destinations.

I am told that Peabody finally did say they want all of Wollar; the whittling is nearly complete.

...

## **Ulan**

Twenty years ago Ulan was a real village. The mine now owns the lot, except for the school, kept going by pupils from outlying areas — for the time being. Most of the houses have been bulldozed.

...

Lance introduced me to **Susan Symons** and **Grayson Tuck-Lee**, a younger couple living near Ulan. They built their kit home themselves, landscaped the gardens and got to know the wildlife neighbours on their 120 acres. Susan and Grayson do the school bus runs from Ulan to Mudgee; there's room here for a depot to park the buses, and work on them, Grayson being a mechanic.

They made sure their house had lots of windows, glazed doors, and decks — including one off their bedroom upstairs — to invite the outdoors in. Privacy was assured, with the nearest neighbour a kilometre away.

But now they have a new open-cut coalmine as a neighbour, and their view is dominated by a huge wall of dirt and rock just 400 metres from their house. The Moolarben mine in construction: three open-cuts and fourteen underground longwall mines in Stage 1 alone. It began as 80 per cent Felix Resources, 10 per cent Korean and per cent a Japanese consortium, before Felix sold to Yanzhou/Yancoal.

When I visited, the overall noise was loud and non-stop. The dust is a constant problem too. Because the mine was just starting, they don't know if these will get worse or better. Their property and seven others are in the acquisition lease

category, where the mine will buy them out if they request, but as Grayson says, 'This means we have no rights; the mine says they don't have to reduce noise or anything. The way they see it is that we have a choice to be bought out and go away or we sit here and put up with them.'

They were being offered reasonable money for the property, but theirs is attached to the business, their lives and their livelihood. 'They don't want to know about that; they just say we can sell the business.'

The mine said they would build a 'hill' to stop the noise and 'once it's finished you won't hear anything'. Now they are saying 'once we grow trees on it you won't hear it'. It defies logic, as it's hard to imagine trees growing on that steep pile of rubble, and most winds come from that direction.

I have stayed 5 kilometres and several ridges away from that mine, and the wintertime noise ranged from a constant rumble like heavy highway traffic to what sounded like a helicopter hovering overhead.

...

**Rob and Lisa Carroll** have gone; Wilpinjong drove them out after a long and heated battle that had Rob in court — and nearly drove him mad. In early 2008 I visited Rob and Lisa's place, 250 acres between Ulan and Wollar, to write an article about their two-storey house for *The Owner Builder* magazine. I called it 'Cypress fortress', subtitled 'Battling termites ... and coalmines'.<sup>9</sup>

They were impacted not only by the mine down the road, but also by the new coal rail line from Ulan to Wilpinjong, running right past their house.

...

They stayed until the stress was unbearable. Private testing at their place showed they were suffering a wide range of noise frequencies, including ILFN. I think of what Cathy said about ear problems at Cumbo when Lance tells me that Rob and Lisa's two large dogs had scratched their ears to the bone, 'the scars

still evident ... fifteen months after leaving Ulan'.

Driven to his wits' end by lack of sleep, if Rob rang to complain and found only an answering machine, it at times bore the verbal brunt of his frustration. He never thought it was being recorded, to be produced later in court. An AVO was taken out against him, hence he could no longer ring to complain. Eventually he had to sell.

...

Rob may have stepped over the line at times, and the language was often overly colourful, but as one local put it, 'By God he got them to pay attention!' Susan told me that once Moolarben started, someone wrote on the side of the road: 'Rob was right'.

...