

Warkworth Mine Modification 6 - Submission

I am a resident of the Hunter Valley village of Bulga. I have read all the documentation for the current Warkworth Mine Consent 2003 Modification 6. [1]. The Modification is presented as a small and insignificant change that would extend the life of the mine for additional two years. I am not convinced that this is right. Therefore I oppose the proposed Consent Modification 6 for the following reasons:

HIGH COURT APPEAL. The very existence of our village is currently threatened by proposed expansion of the Warkworth open cut coal mine that belongs to the Rio Tinto transnational group. They originally wanted to extend the mine within 2.6 km from the Bulga village. This was approved by a PAC sitting in Singleton (February, 2012), then disapproved by NSW Land and Environment Court (April, 2013). At present we are waiting for a decision on an appeal to NSW High Court that was initiated jointly by Rio Tinto and NSW Department of Planning (September, 2013). Why this rush? Why Rio Tinto cannot wait for what the High Court of NSW decide? This shows a lack of respect for Australian institutions! The unseemly rush of this proposal may also indicate that the rumours that Rio Tinto is trying to unload their Hunter coal mines and sell them to an Indian or Chinese corporation are true [2]. Bulga Milbrodale Progress Association would be then conveniently blamed for any job losses by the Rio's publicity machine.

SOCIAL LICENSE. This time around there was no consultation with the local community of Bulga and Milbrodale before the Modification 6 was lodged with the Planning Department. The move was not even discussed at a recent Warkworth Mine CCC meeting. The company is obviously not seeking a social license for their operations and hopes to get their way by brute force. It gives us no pleasure to get into legal battles with Rio Tinto, a big transnational company with unlimited funds. Everyone in Bulga would much prefer to live quietly in our pleasant rural surroundings - our village used to be the orchard of the Hunter and our oranges were famous! However we have seen what happens to villages and townships like, Warkworth, Ravensworth, Camberwell, Ulan and Wollar that allowed open cut coal mines to expand too close to them - after a lot of suffering they became ghost towns!

LAND. In this application Warkworth Mine wants to extend its Western Pit into the high elevation area behind the Saddleback Ridge. This area was in 2003 declared "Non Disturbance Area 1" to **be protected in perpetuity**. Warkworth Mine subsequently failed to register this undertaking with the Singleton Council by negligence or perhaps intentionally. The Saddleback Ridge was always regarded to be an important bulwark protecting Bulga from the noise and dust pollution. Now Warkworth Mine wants to dig into the Ridge regardless. It is quite likely that they will find the wall too high and try to apply for another consent modification to remove the whole Saddleback Ridge on work safety grounds. This is a well known "salami" technique i.e. achieving the original goal slice by slice and mining companies are famous for it.

NOISE. Section 6.4.1 **Overview of noise management plan** [3] of the documentation shows that the Warkworth Mine management is aware that the noise pollution generated by their coal mining machinery is plaguing local residents. They also make a great effort to downplay this serious problem. My personal experience is that five years ago we could not hear at home any mining noise and these days, or more accurately these nights we do. No amount of scientific jargon will convince me that the level of the noise pollution has not increased significantly!

However, it appears [4] that the Company installed some very impressive instrumentation software and production procedures to try to combat the problem. Unfortunately, all this sophistication is only internal, invisible from outside and therefore not transparent. The local community has to trust what the nice people from the Mine tell them. This is very hard after the Saddleback Ridge debacle. Surely a company seeking a social license would at least attempt to make their systems transparent and local-residents-friendly by making them available on-line. Thus if local residents are woken up in the middle of the night by a mining machinery noise they could go to the company website and see that the foreman is aware of the problem and is taking action. This would be far less confrontational than the current procedure of calling an external complaint line, waiting for a response from the mine and then getting into heated noise arguments with the staff. This would be the way to gain at least some of the social license back.

AIR QUALITY. Similarly, the Company is aware that dust escaping from the mine is a problem and tries to downplay it. Yet the scientific research [5] shows that both PM10 and PM2.5 dust particles are a serious health hazard. The former are created by shifting mountains of overburden and coal day and night. The latter are the result of burning huge quantities of the heavy diesel fuel by heavy vehicle mining fleets. Both PM10 and PM2.5 particles are known to shorten human life.

I have worked on various coal mining sites for over twenty years and consequently my respiratory system is very sensitive to dust pollution. When I drive on the Putty Road on a windy day past the Warkworth Mine on my way to Singleton, I always make sure that the car is hermetically sealed. On such days the Upper Hunter Air Quality Monitoring Network (UHAQMN) [6] issues health alerts to warn Hunter residents to stay indoors.

Since January 1, 2013 to November 27, 2013 UHAQMN issued altogether 299 health alerts and from these 65 were from the monitoring stations at Bulga and Mount Thorley [11]. These monitors are the two closest to our home and the dust plumes emanating from the Warkworth Mt. Thorley mine working surely make a very significant contribution. Unfortunately, without the proprietary Warkworth Mine air quality monitoring data available on-line it is not possible to ascertain which mine generates excessive dust. Documentation of the Modification 6 proposal provides a link [7] to the environmental reports that the Mine submits to the EPA on a monthly or annual basis. These are crude reports in Microsoft word format that provide a summary of environmental monitoring results for Mount Thorley Warkworth in accordance with Environment Protection Licences 1376, 1976 and 24. Data from each monitor, which are collected by the Mine

on a self-regulation basis, is averaged into a single mean and is invariably under the maximum air pollution limit as specified by the EPA regulations. This single figure in no way credibly represents the air quality situation characteristic of the Warkworth Mine. The independent Upper Hunter Air Quality Monitoring [6] shows a different picture. I believe that the current EPA statutory reporting system, of the last century vintage, is obsolete and cannot cope with the pollution created by this century mega-mines. Even worse, it helps them to maintain the fiction that the dust problems are under control. This legislation needs to be updated and modernised to reflect the current reality. Now we know that there is no simple limit below which the dust pollution is harmless to human health!

UHAQMN introduced and maintained by Department of Health is an excellent system. It allows to view meteorological and dust pollution data at in hourly detail or summarised in various ways. The summary charts from just about any “health alert day” often show an interesting pattern: There are huge peaks and troughs in the PM10 while the wind speed and direction stay much the same. This shows that the dust loads are predominantly the result of the mine operations. Section 6.5 Warkworth noise – management system in action. [4] of the Modification 6 documents shows how difficult and complicated it is for open cut coal mine to keep some semblance of dust control. It is turning out that this may not be practically possible at all. There is only one solution: KEEP THE MINES AWAY FROM THE RESIDENTIAL AREAS! A statutory buffer zone of, say, 5km around each town or village would do the trick and prevent enormous regulatory waste of time and money for all parties concerned. In our case this means: Stop the Warkworth Mine expansion towards Bulga!

SOCIAL CONSIDERATIONS

Chapter 12 “Other social and environmental considerations” of the Modification 6 proposal [8] is the least impressive. It completely ignores any REAL social issues. It looks like if the consultant, who have been paid to write it, did not know what to put there and filled the allocated space with some meaningless statistical waffle and half-baked assertions about “what a lot of public good” Rio Tinto generates in Australia.

Of course, the miners and mine executives are paid well - good luck to them. However, when they attack Bulga residents for endangering their jobs security they should realise that the out-of-control coal mining in the Hunter also endangers health, well being and property values of many more other residents who were here, after all, first. The situation may not be as the mine spin doctors like to paint it. Maybe that Greg Ray “King Coal up to old tricks” is right [9]. Maybe King Coal over-invested while the coal prices were high and now tries to cut back to restore the profits. They should also study the the history of coal mining. It shows that it is just a sequence of booms and busts and that nobody’s job is ever safe.

Similarly, any large industrial concern needs to buy necessary materials and services in the place they operate in. So Warkworth Mine is not doing anyone any great favours here. Coal

industry also hugely overstates their contributions to the Australian economy because the majority of the coal mines is foreign-owned and the profits are mostly exported. There is also a lot of talk about the royalties pouring into the government coffers. Strange! If the governments at all levels are doing so well from the resource industry, how come that they are all practically broke? We are currently supposed to be riding the crest of the mining boom, some say "the best is yet to come". Yet the state and the federal governments have no money. We are told daily that there is no money for schools, hospitals, roads and for any other infrastructure and that severe government budget cuts are necessary. Where is the evidence that expanding the coal industry, controlled by transnationals under the current arrangements, will actually improve government budgets? I have to conclude that we are selling our resources too cheap and that we are becoming a third world economy in the process. Clever countries do not base their future on digging big holes!

Several serious problems exist in the social area and they have not been touched upon in the Modification 6 documents [8]. We have seen that mines are not able to keep the dust, noise, lights and blast pollution within the boundary of their land and that this gets them into conflicts with the local residents. It appears, and Sharyn Munro "Rich Land, Wasteland" demonstrates very clearly [10], that the coal mining industry, either consciously or unconsciously, decided that the best solution to this conflict is to de-populate the rural countryside. Sharyn gives a many examples of where this already happened or is in the process to happen. Read about what already happened and is currently happening to villages and towns such as Warkworth, Ravensworth, Camberwell, Wollar, Cumbo, Ullan, Bulga, Jerrys Plains and Gloucester and, of course, Ackland on the Darling Downs. Read about what happened to people who once lived in those lovely rural settlements!

For better or worse, the Australian economy machine is centred on property values. Family home or family farm are the most important assets for the majority of Australians. They borrow money, pay mortgages, hope for an increase in the property values and expect that one day they will be able to leave something of value to their children. That has always been the Australian way. Yet these days in the rural areas the resource industry throws a mighty spanner into the works. As soon as an exploration or mining license for a new/expanded mine or gasfield mine is granted by the government, the property values in the particular area are affected. Property prices decrease, banks stop lending and insurance companies become difficult. Eventually it is impossible to sell anything at any price and the local residents become trapped.

Under the current system, in this situation, the mining company engages some computer modellers, they establish an acquisition zone and the property owners within this zone are then supposed to negotiate with the mining company the purchase of their property. This is a very unequal relationship. On one side there is an extremely rich multinational non-human "legal person" and on the other side a real person - an unfortunate landowner. The power is entirely on the side of the mining company. They might give you a good price and thus saw envy and disruption into the local community or they might give you a ridiculously low price and say that this is all you ever get. One side of the street might be in the acquisition zone and the other side,

20 m apart, outside it. It is all a real, unholy and unjust mess! The only solution that I can see would be to establish some baseline property values as a part of the exploration process, at the mining company expense, and then give the acquisition and compensation powers to an independent magistrate. That would be a fair solution, but what politician would fight for that solution? Certainly not those like Macdonald or Obeid!

I think that I have sufficiently demonstrated that there are huge problems in the area of co-existence between coal mines and local residents and what causes them. If these problems are not resolved and if we continue on the “business as usual” route we will finish with a very unpleasant future. Australian population will be clinging to the endless coastal suburbs, rich agricultural lands will be destroyed by coal and gas, inland areas will be depopulated and filled dusty man-camps in the moonscape left behind by the out-of-control mining. Is this the land we want to leave to our children? APPROVING THE WARKWORTH MINE EXPANSION IS A STEP IN EXACTLY THAT DIRECTION!

REFERENCES

[1] Warkworth Coal Mine - Warkworth Consent 2003 - Modification 6

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6260

[2] Chinese, Indian suitors mulling bids for Rio coal assets: report

<http://www.businessspectator.com.au/news/2013/6/12/resources-and-energy/chinese-indian-suitors-mulling-bids-rio-coal-assets-report>

[3] Warkworth Mine Modification 6 - Section 6.4.1 Overview of noise management plan.

<https://majorprojects.affinitylive.com/public/21a8282b326e7df576a885f5848cecfa/17.%20Warkworth%20Coal%20Mine%20Mod%206%20EA%20-%20Chapter%206%20Noise.pdf>

[4] Warkworth Mine Modification 6 - Section 6.5 Warkworth noise – management system in action.

<https://majorprojects.affinitylive.com/public/21a8282b326e7df576a885f5848cecfa/17.%20Warkworth%20Coal%20Mine%20Mod%206%20EA%20-%20Chapter%206%20Noise.pdf>

[5] The health factor: Ignored by industry ...

http://dea.org.au/images/general/DEA_-_The_Health_Factor_05-13.pdf&usd=2&usg=AFQjCNHmfz9Av-x8dAeAyqyee5Xf4iDJ7g

[6] Upper Hunter Air Quality Monitoring Network

<http://www.environment.nsw.gov.au/aqms/uhunteraqmap.htm>

[7] Mount Thorley Warkworth EPA reports

http://www.riotintocoalaustralia.com.au/ouoperations/5090_monitoring_results.asp

[8] Chapter 12 Other social and environmental considerations

<https://majorprojects.affinitylive.com/public/013625a58790d8b0f1b6684ad4d35aad/23.%20Warkworth%20Coal%20Mine%20Mod%206%20EA%20-%20Chapter%2012%20Other%20social%20and%20environmental%20considerations.pdf>

[9] Greg Ray “King Coal up to old tricks”

<http://www.theherald.com.au/story/1610004/greg-ray-king-coal-up-to-old-tricks/>

[10] Sharyn Munro “Rich Land , Wasteland”.

<http://richlandwasteland.com/>

[11] UHAQMN Summary of the Health Alerts, 2013

<http://forum.hunintervalleyprotectionalliance.com/viewtopic.php?f=12&t=667>

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