Meryan McRobert
The Hunted Gourmet
501 Rouchel Road
Aberdeen
NSW 2336

May 31st 2013

Matthew Sprott
The Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr. Sprott,

Re: Objection to the Mt. Arthur Extension

I am writing to object to the Mt. Arthur mine extension. I am the owner and operator of The Hunted Gourmet, we have provided catering services in the Upper Hunter for nearly 25 years. Much of my business comes from the Thoroughbred Breeders of the region, many of whom I have served on a long-term basis. We are proud to have long associations with both Coolmore Stud (for whom we provide all corporate catering in both Jerry's Plains and Sydney) and Darley Stud (for whom we operate staff canteens at both their Woodlands and Kelvinside studs and whose clients we have catered for since Darley started operations in NSW at Collingrove in 2001. I employ 3 full time and 2 part time staff to service Darley's canteens. Other clients include Scone Race Club, Vinery Stud, Segenhoe Stud, Yarraman Park Stud.

As a long term resident of the Upper Hunter (I came here over 30 years ago to work at Segenhoe Stud) I have seen the changing nature of the valley and witnessed the detrimental impacts of the mining boom creep ever northwards. Air quality is of particular concern, only recently I drove back from Coolmore and came over Mt Arthur along the Edderton Road to see the thick dust blowing off the Mt Arthur and Bengalla mines. The air quality monitoring network masks these spikes with their rolling 24 hour averages but we residents feel their impacts. The Minerals Council talks up their members' best practice and "dialogues with the community" about how they're cleaning up their act yet they still blast when they want to and there is a net increase in un-rehabilitated land and overburden areas across our region, all of which leads to further deterioration in air quality.

Many local residents were encouraged by the coalition's election promises to redress the balance and consider the cumulative impacts of mining developments, yet the SRLUP is a severe disappointment and offers little if any protection to our best land and the industries that work it, the Gateway has had the gate removed so it is little more than a rubber stamp and access ramp. There is no mechanism to address cumulative impacts, projects are still being assessed on a case by case basis as they come before the Department of Planning. The opportunity to address these issues has been squandered pathetically and the great plan watered down into irrelevance by the Minerals Council. We are still waiting for the cumulative impacts methodology promised in the SRLUP to be released.

Co-existence between mines and rural industries in the Upper Hunter is a misleading furphy. The impacts on roads, labour, health, services, amenity, air quality, water quality and availability and the direct competition for land just aren't being considered. The case study of Edinglassie Stud is frequently pushed by the Minerals Council and features on their website and that of the Mt. Arthur

proponent BHP Billiton. As can be seen from the photograph below, Edinglassie is sandwiched between Mt. Arthur and Bengalla.

Mick and Michelle Talty who lease Edinglassie from BHP Billiton are popular and highly regarded members of our community yet it is also widely understood that their Lease contains a 'no nuisance' clause which specifically precludes the Taltys from providing any adverse on the record commentary or complaints regarding the impacts of their landlord's and neighbour's business activities. The 'no nuisance' clause is a standard insertion to lease agreements with mining companies.

However, it is possible by collating information from a number of sources including the National Pollutant Inventory and the Mt Arthur Annual Environmental Management Reports [AEMR] of 2011, 2010 and 2009 and the Bengalla AEMR of 2010 and 2009 (which are available on the websites of the parent companies) to gain an insight into the very tangible and at times alarming impacts the two mines have on the property.

Dust. The NSW Government stated in a 2010 Environmental Report that ***"Managing dust from coal mines is important as it can impact local and regional air quality and adversely affect local amenity and pose a risk to public health"*** [1] Although a colour photograph of a High Volume Air Sampler at Edinglassie is reproduced in the 2009 Mt Arthur AEMR, results and readings from this monitor have never been released publicly.

Dust is monitored via dust deposition gauges at Edinglassie by both Mt Arthur (gauge DD16) and Bengalla (gauges D12A and D12B) with samples recorded and weighed monthly. The Air Quality Standards and Criteria for Particulate Matter Concentration Standard for insoluble solids in deposited dust is 4 grams per square metre per month. The Table below lists the results for the three gauges at Edinglassie from 2009, 2010 and 2011 and gives the average, total and highest monthly reading for each year compared to the Air Quality Standard Criteria.

Gauge	2011 Av	2011 Highest	2011 Total	2010 Av	2010 Highest	2010 Total	2009 Av	2009 Highest	2009 Total
DD16	5.25g*	7.6g	63g*	4.1g*	8.2g	49.3g*	5.0g	11.3g	59.6g
D12A	N/A	N/A	N/A	6.0g	28.8g	71.6g	3.9g	5.6g	47.2g
D12B	N/A	N/A	N/A	6.5g	12.0g	78.1g	5.7g	8.9g	68.6g
criteria	4.0g	4.0g	48.0g	4.0g	4.0g	48.0g	4.0g	4.0g	48.0g

* Where samples have been reported as contaminated with insects and droppings and no result listed in the Mining company returns, I have used the Ash residue weight recorded for that given monitor in that month to provide a more representative figure. The true weight of the sample would have been higher (ash forming only one component of the insoluble solids collected).

[1] 'Management of dust from coal mines' NSW Government 2010

In the AEMR, BHP Billiton explain away the 'elevated dust depositional dust results' for gauge DD16 by stating ***"This monitor is located on land owned by Mt. Arthur Coal and is used for management purposes only; it is not indicative of nearby privately owned residences"*** and that the monitor is ***"3.5ks from the nearest sensitive receptor"*** which will be a great comfort to their tenants at Edinglassie. By such means are BHPB able to claim that they have ***"achieved 100% compliance with air quality criteria"*****,** even though the criteria for depositional dust was exceeded at Edinglassie in every month of 2011 except May and July, and the annual criteria was exceeded by 31%. In both 2009 and 2010 the criteria was exceeded in 7 individual months at this gauge.

Bengalla's two gauges have both produced some alarming results. The October 2010 reading for gauge D12A of 28.8grams is 620% above the concentration standard. Gauge D12A exceeded the annual criteria in 2010 by 63% and gauge D12B by 49%.

The table below shows pm10 and pm2.5 emissions from both mines. Figures from the National Pollutant Inventory available at www.npi.gov.au

Report Year pm type kg	2010 / 2011 pm10 kg	2010 / 2011 pm 2.5 kg	2009 / 2010 pm10 kg	2009 / 2010 Pm 2.5 kg	2008 / 2009 pm10 kg	2008 / 2009 pm 2.5 kg
Mt. Arthur	4,200,000	110,000	2,600,000	270,000	7,100,000	300,000
Bengalla	1,900,000	26,000	1,600,000	23,000	1,700,000	25,000
Total	6,100,000	136,000	4,200,000	293,000	8,800,000	325,000

Noise is not measured at Edinglassie by BHP Billiton, but is measured by Bengalla via monitor NO3. Bengalla state ***"Monitoring at this location for BMC internal use only".*** Bengalla monitor noise at 5 other locations each of which has a differing set of specified decibel limits as set out in the 2008 Bengalla Mine Modification Approval.

The table below compares the noise levels measured in 3 categories quarterly at Bengalla in 2009 and 2010 against the *highest* specified limit in each category from the other 5 locations. Noise measurement units are decibels (dB). The 'A' weighting scale describes human response to noise.

The table illustrates how noise levels at Edinglassie are routinely higher than the mandated highest limits for privately owned land, occasionally much higher.

The 2010 3rd quarter *average* measurement of 68 dBA exceeds the highest limit set by the 2008 Bengalla Modification by 79%. 68 dB is the equivalent of a commercial petrol-engined generator at 7 meters.

Category	Day LAeq (dB A)	Night LAeq (dB A)	Night LA1 (dB A)
Edinglassie 2010 quarterly	44 50 68 47	39 40 46 41	46 46 52 46
Edinglassie 2009 quarterly	45 38 40 47	44 46 40 42	48 52 46 48
Highest limit	38	38	46

Blasting. Both Bengalla and Mt Arthur blasts are recorded on geophone monitors at Edinglassie. Although the 2010 Annual Environment Management Report for Mt Arthur features the same colour photograph used in the Edinglassie Case Study of their geophone (BP08) together with a

thoroughbred mare and foal on the lawn near the homestead, results for this monitor were not included in that report and only partially in the previous year's. This means that blasting results information for 2011, 2010 and 2009 at Edinglassie from both mines cannot be accurately collated.

However, from the information that is available it is apparent that Edinglassie is regularly rocked by blasts, with in excess of 100 blasts a year that exceed 100 dBL. In 2009 Mt Arthur initiated 15 blasts which resulted in ground vibration of more than 5 millimeters per second and 13 such blasts in 2011. In both those years there were 4 blasts exceeding overpressure of 115 (dBL) emanating from Mt Arthur. In 2010 there were 3 Bengalla blasts in excess of 115 (dBL) one of which exceeded 120 (dBL) and was reported.

Nor are these the only issues of living next to open-cut coal mines as the photograph below demonstrates. The picture was taken in May 2010 from the Denman Road and shows Edinglassie Stud in the foreground and an orange plume drifting towards it from the Bengalla coal mine. A witness Robert Reid told the ABC that ***"You'd swear to God it was a sunset coming out of the mine, that's how orange it was"***.

The plume takes its colouring from the presence of Nitrogen Dioxide (NO_2). The acceptable level of nitrogen dioxide in a plume is five parts per million and it turns orange-red when the concentration is between 50 and 250 parts per million and a deep red from 250 parts per million up. Nitrogen Dioxide is toxic by inhalation and a large scale pollutant. Researchers at the University of San Diego have suggested a link between levels of NO_2 and Sudden Infant Death Syndrome. It can also irritate the lungs and lower resistance to respiratory infection. Sensitivity increases for people with asthma and bronchitis.

The photograph (left) was taken by a Victorian racehorse trainer at Edinglassie on March 27th 2013. He was on the property to inspect yearlings. He reports a ground

shaking explosion was followed shortly after by this cloud, which is clearly NO2, and which he photographed. This is co-existence in action.

The National Pollutant Inventory lists combined Oxides of Nitrogen emissions from Bengalla and Mt. Arthur in reporting year 2010 / 2011 in excess of 2,300 tonnes.

A spokesman for Bengalla said the amount of fumes from the 2010 blast was "an unusual event and is thought to have resulted from an interaction of water with the explosives". That is Bengalla not Mt Arthur you will be thinking so I attach another photograph taken in 2012 from my own vehicle whilst on the Edderton Road of a similar plume emanating from Mt. Arthur. These plumes are not rare or unusual occurrences, indeed they are commonplace and although they very well may result from the interaction of water and explosives they also result from careless and substandard practices from mining companies who tout themselves as being "world's best" but routinely fall short of that. They then explain away their mistakes and poor behavior in their AEMRs in garbled 'mine-speak' where incidents are always 'localised' and usually the result of some completely unforeseeable circumstances (like shoving explosives into a wet hole) and accompanied by a litany of dog-ate-my-homework excuses. As a result these AEMRs are full of what the authors might describe as 'localised non-truth incidents', and where exceedences are hidden by averages and the real impacts on neighbours and the community are shoved in a graph that is barely able to be read or comprehended.

The Edinglassie Case study does not present a sustainable blue-print for the future of the Hunter Valley wherein coal mines and horse studs live side by side happily ever after. Indeed, careful consideration of the facts reveals the case study to be quite the opposite - it is a telling reminder of how vitally important the Strategic Regional Land Use Plan was to the ongoing commercial viability of the thoroughbred breeding industry in the Upper Hunter. Furthermore, subjecting tenants to quite shocking levels of pollution, blasting and noise whilst effectively gagging them and limiting their rights to freedom of speech is behavior few should be proud to brag about in a widely disseminated 'case study'. If BHP and the Minerals Council want to continue to use Edinglassie as a 'case study' they should be made to collate and release all the data (including historical data) from every monitor housed on that property. Then, and only then, can an accurate picture of the impacts be properly assessed.

Whilst I am broadly in favour of allowing mining to continue in the established mining precincts via extensions to existing mines I nevertheless believe that those extension plans need to be as rigorously assessed as new green field projects would be. This is really not the case and it is widely accepted that getting an extension is much easier for a mining company than a new approval, which is probably why Anglo American decided to rename their Saddlers Creek proposal as "Drayton South" and dress it up as an extension when it is clearly a new mine.

The recent Warkworth case in the Land and Environment court should have made proponents sit up and reassess how they present their economic data and arguments so that they can be properly

assessed in cost benefit analyses. However, the cost benefit analysis component of the SRLUP hasn't been released yet, and in this extension application the proponent is relying on economic modeling with a coal price of $97 a tonne, a price which is clearly inaccurate, misleading and makes an objective and accurate economic assessment of the extension very difficult to undertake.

Yours sincerely,

Meryan McRobert