

Mining and Industry Projects,
Department of Planning,
GPO Box 39,
Sydney NSW 2001

RECEIVED

30 NOV 2010

Project Application No. 10_0046,

Dear Sir/Madam,

I would like to formally object to the continuation of mining operations at Gujarat NRE No 1 Mine at Russell Vale.

The reason I am objecting to this proposal are as follows:

Water security concerns;

DA is not of State Significance and should not be assessed under Part 3A;

Environmental degradation- damage to environmental ecosystems, greenhouse gas emissions;

Lack of environmental forethought- poor escarpment management, insufficient renewable energy infrastructure and carbon footprint reduction;

Loss of amenity to the area- Noise, dust, visual impact;

Change in surrounding suburban area;

Miscellaneous items.

Water security:

The mine is located under the Sydney Water Catchment area, as are most coal mines in the Illawarra.

The NSW Government made a commitment to securing the Sydney water system by putting into place the 2006 Metropolitan Water Plan. Since that time the Government appears more concerned with revenue raising through coal royalties than adhering to this policy.

Given that the life of the coal mine under the Sydney catchment can be only 30 years and that the necessity to maintain a secure water systems stretches into the hundreds of years, the coal is probably more valuable left in place in order to securing this precious resource. Maybe it is time that we put a monetary value on this commodity.

The mining industry is in itself a primarily destructive industry and the mining companies' hyperbole does not match the mining companies' rhetoric.

This mine has previously contained large longwall mining areas under the catchment area and Cararact Dam, with subsidences over 2m and 500mm respectively. If mining continues in this area the stability of the substrate above it must be compromised and the loss of this most basic and precious resource (water) will be lost to us. We can not let this happen during our generation, it is not our right or yours.

Part 3A:

The introduction of Part 3A by the Environmental Planning and Assessment Amendment Act 2005 reflects the philosophy that the Government knows best and that planning decisions are technical matters that do not gain from input from the community. I believe this goes against our most basic democratic right. This suggests that the NSW Government consider the development more important than the environment or our own sustainability. The removal of this certainty, consistency and accountability from the planning process is unlikely to result in better decision making.

I do not believe that this DA to remove remnant coal from a mine is of State significance and should therefore not be processed under the Part 3A instrument.

Environmental degradation:

Damage to environmental ecosystems-

Any loss of environment habit is a concern but particularly when it occurs in a sensitive area such as the Sydney Water Catchment area.

The V Mains area of the proposal is directly under Wallandoola and Lizard Creek and their associated wetlands. The subsidence is stated in the application as being over 1m but the application has also said that it is not anticipated to have any effect on the creek or its riparian zone. However the applicant foresees adverse impacts on infrastructure such as gates and fibre optic cables on the fire trail.

I believe the natural environment should be consider above insignificant manmade infrastructure.

How can it affect one aspect without affecting the other?

The H Panels have been totally ignored in regarded to subsidence even though they are situated directly under Cataract Dam. The applicant has stated there will be no or insignificant subsidence in regard to this area.

Arun Kumar Jagartramka stated in an Sydney Morning Herald article on August 1st 2009 that- "mining beneath the dam is barred by legislation. Talking about water or coal, there is no question of choice there. What you can't do, you can't do".

Has he now changed his mind or has legislation changed?

The fluvial system within the Sydney Water Catchment area (in fact any where in these times of diminishing water supplies) is paramount and should take precedence over any development, no matter how profitable to the Government. The protection of the catchment area is not only about the protection of dams, rivers, creeks and streams but also about wet lands and reed beds (that filter water and create aquatic ecosystems), proper overland flow, and unpolluted runoff. Any major arteries that are damaged lose water, redirect water, and contaminate water. The mining companies state that this water lost in damage due to subsidence will eventually comeback and streams heal themselves (self remediate) but there is no sufficient data to support these long term recovery claims.

Remediation such as grouting has proved to be fruitless and it is documented that the water that does return from these fissures and cracks is polluted.

Greenhouse gas emissions-

The application included greenhouse gas emissions but segmented it into three separate areas which I believe should have been combined. Greenhouse gases are greenhouse gases, wherever they are generated in the world and under whatever process.

Source 1- the extraction of coal stated a loss of over 2 400 000 tons of Co2. There is no attempt by the applicant to capture this fugitive coal seam gas. We have been told previously that Gujarat NRE were investigating this capture but their current submission does not include it. I think given the current state of this planet that it is time for Gujarat NRE to now start taking responsibility for their part in the planets Co2 saturation.

Source 2- the electricity consumed during extraction of coal generates almost 300 000 tons of Co2. This could be dramatically reduced if CSG capture was implemented and used to generate electricity instead of just releasing it to the air.

Source 3- transport of the coal and end use is a staggering 6 700 000 tons of Co2. This figure also includes a thermal coal component that I have never heard of before. The transport cost of the coal could be reduced dramatically if the coal was graded, washed and processed here in Australia instead of shipping it to India with a 20% rock content.

The applicant has not included any substantial Co2 reduction infrastructure in this DA and is standing back and waiting for the Australian Government to introduce a Carbon Pollution Reduction Scheme. I want to see an application that is committed to reducing its carbon footprint. The planting of numerous indigenous trees around the lease site would be a start. The inclusion of photovoltaic panels on some of the structures may help.

Loss of amenity to the area:

Noise-

This has been our major amenity problem with Gujarat NRE to date. We have complained a large number of times and have never had one written response from the company notifying us as to how our complaint has been addressed (except for one 'post it note' in our letterbox.

We requested that a monitor be placed in our property but we were declined, instead they put one across the road in a property that does not hear the mine. Furthermore, these monitors were placed on the ground on the east side of the house, on the side away from the mine, between a one and a half storey house and a 1800mm high boundary fence. Now this does not give me any confidence in the monitoring system set up by Gujarat's consultants.

I can definitely state that the sound varies dramatically around this area, as I have spent 10 years walking our dog around and down every street in the area. Sometimes on a street like the top of Robson Road, close to the mine, there is no noise but then much further

away on Coxs Avenue it can be very loud, so the location of monitors is critical to producing a correct outcome.

The sound inversion that usually occurs at night can be bizarre with the conveyor machine house sometimes sounding like it is right outside our bed room window.

I do not have any confidence in the data produced, there are some major anomalies:

Positioning of monitors for a favorable outcome;

Contour maps have been sanitized, high readings on monitor C6 not shown;

Table 14.4 item 3 states existing industrial noise- there is no other noise other than the mine;

Contour maps stop at Princes Highway.

Gujarat NRE have always maintained that the Bulli conveyor and its associated machine house was going to be removed in the next stage, however it appears the DA states that the conveyor is to remain for at least another three years and there is no mention as to whether the conveyor machine house has is also to be decommissioned. We keep getting mixed messages from the company.

The noise management of the trucks is sadly lacking in content and positive thinking.

Their fleet is far from the 'quiet vehicles' they state and the possibility of the installation of sound barriers along Bellambi Lane has never suggested. These barriers are now standard installations on all noisy roads.

Dust-

The Air Quality section of the application has determined that the conveyor and the screening and sizing planter (also referred to as the crusher in other sections) have been stated as being minor generators. They offer no reason for this or any give any information about how the dust is suppressed. The conveyor is only partial covered and would generate a considerable amount of dust as it is constantly moving the coal, dumps it several times and it also has large deposition on the ground along the length of the belt. These items should be included in the assessment as they will add to the already high concentration of dust in the air.

The background data used in this section is not local, it is based on Wollongong figures six km away. This is a small suburban area and should therefore not be subjected to large city concentrations. I would like to be able to compare the proposed concentrations to those when the mine was operating pre the Gujarat NRE take over, that way I have something to relate it to.

The concentration contours shown in the application show significant impact on upper Robson Road and Paramenter Avenue. This obviously comes from the stockpile and conveyor surface area. Three measures should be implemented to reduce dust; firstly, reduce the stockpile in size, using it only as a working stockpile and have the main stockpile off site at Port Kembla; secondly, reduce the time the stockpile surface area has on site; and thirdly, enclosing the existing conveyor rather than just partially covering them. A great quantity of the dust would be avoided if these measures were implemented. We must all assume that when Gujarat NRE makes application for Stage Two and ramps up to 3 000 000 tons, that the coal will have to be stored else where, or do they intend to have a stockpile three times the current size?

There are partly sealed roads shown on the application, these should be fully sealed to keep down dust.

Transport dust is a problem. I cycle the northern distributor regularly and I am surprised at the amount of coal on the road (sometimes making cycling hazardous). If the trucks drop coal on the road they are also releasing dust. They are only partially covered and not enclosed or sealed.

The applicant is still unclear as to where, how and if the trucks will be washed. As I see it the problem comes when the trucks are loaded and therefore washing the trucks prior to loading is a waste. They have been trucking coal for years and there have been many complaints about the dust but still they have no solution or even positive resolve about what to do.

They could sweep the roads regularly, they could develop a sealed truck unit, they could install a vacuum cleaning unit for the trucks, but no, they offer nothing. Again what is going to happen when they ramp up to 3 000 000 tons, three times the amount of dust?

The application states that the project would therefore have no significant impact on the long term air quality. It also says that the exceedances would largely result from wind blown salt and other operations in the area. We are a coastal suburb, so I do not mind the salt, furthermore there are no other operations affecting our quality in the area, so this is misleading.

Visual impact-

The mine is located in a sensitive escarpment area.

Gujarat NRE should be more sensitive to the beautiful environment they are in.

The visible components included in this application should not be limited to the new items but should also address the existing structures.

The existing zincalume shed is the most obvious of these and should be upgraded to reflect the intent of the Illawarra Strategic Management plan and the current DCP/LEP of Wollongong City Council. The shed should in the least be painted or over clad to soften the impact against the escarpment.

The application failed to suggest whether the colours for the new infrastructure would match the surrounding green environment or the surrounding black environment.

The recent addition of an ugly, poor quality industrial fence around the site suggests to me that Gujarat NRE will be doing everything on the cheap rather than construct something that is sympathetic with the surroundings and adjoining residential areas.

The application is also misleading because of the visual trickery of the mine view from Bellambi Lane. The image is taken in the late afternoon when the escarpment is in shadow and you are unable to see anything.

Change in surrounding suburban area:

This is a major component that the application has not even bothered to address.

The area around the mine has change greatly in the ten years I have been here and when I speak to my neighbours who have been here 30 or 40 years they say it is unrecognizable. The suburb has grown up around the mine, propable due to the fact that 10 years ago people were told the mine was going to close down.

The number of people in the area has increased and the density has increased.

It is totally unacceptable to have a mine as our neighbour, especially one that does not have the proper infrastructure to have the most basic things such as an area to stockpile coal away from residences and families.

Miscellaneous items:

Waste-

The application failed to clarify what is happening with the emplacement area to the north. Is there more fill being placed on it? What is the stability of the emplacement area? Will it be remediated?

Maybe I could suggest a mud bike track so the hoons do not continue to destroy the escarpment tracks.

Contamination-

The application failed to clarify if there was any contamination on site and what will happen when they find it, as I know they will.

Environmental management-

The application has not addressed the responsibility that comes with escarpment leases. I know they are not good custodians of this unique and beautiful resource.

The mud bike trails through the area are a testimony to that.

The vegetation around the site is full of noxious and invasive weeds.

Maybe they could implement some reforestation and bush care. They could fund rehabilitation of Bellambi Gully Creek from Princes Highway to the sea.

I need something positive to help me see that Gujarat NRE are in this for more than a money grab or some public relations exercise of bailing out an ailing sports team.

As you can see from the above I am strongly opposed to this DA proceeding in its present form.

If you require any further information or clarification please fell free to contact me.

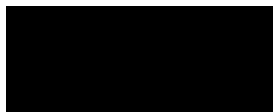
I state that I have not made donations to any political party.

Please do not make my name available to the Proponent, public authorities or display it on your website. Thank you.

Your Faithfully



Mining and Industry Projects,
Department of Planning,
GPO Box 39,
Sydney NSW 2001



RECEIVED

30 NOV 2010

28 November, 2010

RE: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Dear Sir/Madam,

I would like to formally object to the above mentioned Project Application and continuation of mining operations at Gujarat NRE No 1 Mine at Russell Vale.

The reasons I am objecting to this proposal are as follows:

- Water security
- Noise and air pollution
- Greenhouse Gas Emissions

Water Security

The NSW State Government has a responsibility to secure the water supply for the people of NSW. The proposed mine expansion further undermines the upstream swamps and riparian sedge of Wallandoola Creek and also Lizard Creek. Although previous mining has been conducted under this area, monitoring data is not available on either metal contamination or water levels and flow, so it is quite possible that significant damage has occurred to the catchment area that has not been recorded. The proposal refers to observable cracking and reduction in water levels that have already occurred in the water course WC4 (p. 47). And yet the application proposes further mining in the area.

This area of Greater Sydney region is too important to tamper with; the NSW Government and public service have a responsibility to protect this crucial water supply and prevent mining under the catchment area. At the very least a substantial buffer zone of several kilometers should be enforced around dams, rivers and swamps, with no mining of any kind allowed beneath this area. "Monitoring and management" measures outlined in the application (Item 9.4, p. 151) are inadequate as they will only alert after the damage has been done. "Remediations" of rivers damaged by mining in other areas of the state, such as Waratah Rivulet, have been ineffective. According to ERM, who are contracted by NRE for public relations in relation to environmental management, Gujarat NRE Coking Coal Ltd (NRE) will bear no responsibility for the damage to the Sydney Water Catchment Area after the expiry of its lease. Therefore, should damage to our dams and water ways become apparent in years to come, the

people of NSW will shoulder the burden of damage to and contamination of this crucial water supply as well as the cost of remediation. It would be grossly neglectful of the NSW government and the Department of Planning, if it fails to protect our water security by allowing further mining beneath the catchment area.

Noise and Air Pollution

Noise from the colliery is at an unacceptable level for a residential area. Numerous complaints made by my household to the EPA and to NRE have elicited an inadequate response.

I didn't quite know whether to laugh or cry when I read in the proposal documentation the location chosen for the placement of the noise monitoring equipment in the "study" of noise pollution. This is because our household has asked on a number of occasions that noise monitoring equipment be placed in our yard. We believe that the high pitched whining noise from the conveyer belt is unacceptably loud, particularly as it goes all night. In Summer especially, when we have the windows open at night, it sounds like the conveyor belt is right outside the window. Local topography means that the noise is not heard in all locations of my neighborhood; it may be quieter closer to the Colliery machinery than it is in certain households further away. The Environmental Manager at the Colliery, Don Jeffcott, as he dismissed our complaints about the noise, pointed out on several occasions that his friend, who lives across the road from us, says he cannot hear this noise. As previously mentioned, the topography of the area makes it understandable that our neighbor may not get the amount of noise as we do. However, what is not understandable, and is certainly *not ethical* is that we see from the proposal documentation that the noise monitoring equipment was placed in this neighbor's yard, and what's more, in his East facing *backyard*, where the house would block the travel of sound from the mine.

Such deliberate and cynical manipulation of the data collection calls into question the entire proposal and all of its included "studies" and "evidence". The application for continuation and development of NRE No 1 mine at Russell Vale should be rejected firstly because such a noise polluting industry is inappropriate for a residential area, and secondly, because the obvious manipulation of data collection in the studies contained in the application calls into question the scientific integrity of the claims made in the proposal and the various studies cited therein.

The location of the Colliery amidst a residential area and trucking of coal to Port Kembla Coal Terminal through residential streets causes unacceptable disruption to the peaceful enjoyment by local residents of their homes and neighborhood. It also affects the health and wellbeing of local residents. Trucks traveling up and down Bellambi Lane are noisy and distribute dust and coal dust lands in the homes and gardens of residents creating both a health hazard and a housecleaning nightmare.

No further development of the Russell Vale Colliery should be allowed. Instead the Colliery should be relocated over the escarpment in the non-residential area.

Greenhouse Gas Emissions

In a time when we all need to be reducing our carbon footprint this proposal demonstrates a massive level of greenhouse gas emissions, through both inefficient mining practices, such as allowing coal seam gas to escape into the atmosphere and through inefficient processing practices, such as shipping raw coal with 20% rock content to India for processing.

Due to the aforementioned reasons, I am strongly opposed to this DA proceeding in its present form.

If you require any further information or clarification please feel free to contact me on [REDACTED]

I state that I have not made donations to any political party.

Please do not make my name available to the Proponent, public authorities or display it on your website. Thank you.

Yours sincerely,

[REDACTED]

Naomi Nelson - Fwd: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

From: Clay Preshaw
To: Naomi Nelson
Date: 12/01/2011 9:55 AM
Subject: Fwd: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Hi Naomi,

I just received another submission from the Information Centre re. NRE No. 1. Can you flick it to ERM with the next batch?

Cheers
Clay

>>> [REDACTED] 11/01/2011 6:10 pm >>>
RE: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Dear Sir/Madam,

I would like to formally object to the above mentioned Project Application and continuation of mining operations at Gujarat NRE No 1 Mine at Russell Vale.

I am objecting to this proposal for these reasons:

This mine is in a residential area, where waste and storm-water run-off are a risk to the local creeks and bushland, as well to the water supply in the catchment area for the Cataract Dam. As well as contaminating surface water, the coal seam gas extraction process has been shown to have devastating impact on ground water and aquifers which feed into streams and wetlands. See 'Gasland'!

Dust and noise are also an ongoing issue in the vicinity of the mine, as well as on suburban streets through which coal trucks pass. The colliery detracts from property value of neighbouring houses, impacts healthy lifestyle, and scars the escarpment view.

Up till now there has been little if any community consultation in this in the context of a vibrant and engaged local community that deserves a say. This inadequate monitoring of the current mine is likely to continue as there is no Community Consultative Committee.

Aside from local impacts, given the pressing matter of global climate change, it is altogether imprudent to expand industries which contribute to Green House Gas emissions.

I am strongly opposed to this DA proceeding in its present form.

I state that I have not made donations to any political party.

Please do not make my name available to the Proponent, public authorities or display it on your website. Thank you.

Yours sincerely,

[REDACTED]

Mining and Industry Projects,
Department of Planning,
GPO Box 39,
Sydney NSW 2001
plan_comment@planning.nsw.gov.au

13 January, 2011

RE: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Dear Sir/Madam,

I would like to formally object to the above mentioned Project Application and continuation of mining operations at Gujarat NRE No 1 Mine at Russell Vale.

It is ironic that communities have to keep battling to protect themselves from governments elected to look after them. Here is another application for expansion that will

- swell the problems associated with increased numbers of trucks, including safety, dust and noise
- continue to put under threat a precious water catchment area
- continue to pollute local streams through run-off into stormwater drains
- increase the release of greenhouse gases and add to global warming.

We are rightly annoyed at the problems approval of continued mining operations will inflict on our community. We are also incensed that yet another development proposal has reached this stage without adequate consultation and the complete failure to establish a Community Consultative Committee. Residents have already spoken loudly on these matters. I add my voice of protest.

I am strongly opposed to this DA proceeding in its present form. Please do not make my name available to the Proponent, public authorities or display it on your website.



Mining and Industry Projects,
Department of Planning,
GPO Box 39,
Sydney NSW 2001

10th January 2011

RE: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Dear Sir/Madam,

I would like to formally object to the above mentioned Project Application and continuation of mining operations at Gujarat NRE No 1 Mine at Russell Vale.

The reasons I am objecting to this proposal are as follows:

More coal trucks on roads are creating noise pollution and dust from trucks and colliery affecting local residents.

Drip waste and pollution of creeks from trucks may be damaging to the environment.

The Mine is in a residential area and is detrimental to many residents. I have listened to local residents complaining of a loud grinding noise from this Mine starting at 3am and interrupting their sleep. Other concerns of residents are higher dust levels and increasing number of trucks on Bellambi Lane from early morning until 10pm at night. These issues are reducing quality of life for residents as well as creating respiratory problems for some.

Water Security may be at risk with environmental damage in Water Catchment area- Part 3A Development application process.

I believe there has been Inadequate Community consultation for the expansion of this Mine. I understand there is no Community Consultative Committee for this Mine.

Inadequate monitoring of current mine is of concern to residents. Catchment surface water, ground water and aquifers may be polluted and damaged risking safe water supply for our community.

Other issues of concern to residents are Cataract dam water supply, storm water run-off at colliery, greenhouse Gas emissions, uncaptured Coal seam gas and fracturing of underground earth.

The visual impact of Colliery on escarpment and Aboriginal heritage will be detrimental to the Illawarra. reducing its appeal to visitors and tourists from Europe who have a strong sense of history and the natural environment.

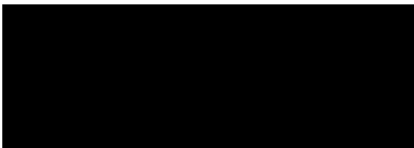
Loss of amenity and property values for neighboring residents may also be a casualty of expansion by the Mine.

Due to the aforementioned reasons, I am strongly opposed to this DA proceeding in its present form.

I declare that I have not made donations to any political party.

Please do not make my name available to the Proponent, public authorities or display it on your website. Thank you for your attention to this matter.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

HC Cousins & RJ Knappett

107 Bellambi Lane

Bellambi

NSW 2518

Received
16/12/10

Mining and Industry Projects
Department of Planning
Sydney NSW 2001

RE: Proposal Title: NRE No.1 Colliery Preliminary Works, Project Number: MP 10_0046

Dear Sir/Madam,

We wish to formally oppose and object to the ongoing mining activities at the Gujarat NRE No 1. Colliery at Russell Vale.

We are residents of Bellambi Lane.

We do not think the Department of Planning (DoP) should approve the ongoing mining activities at the NRE No.1 Colliery, which includes;

Preliminary Works (Stage 1) seeks approval to:

- continue operation of the Colliery extracting remnant coal reserves within existing mining areas;
- extract up to 1 million tonnes of run-of-mine coal a year from the Bulli and Wongawilli Seams for a period of three years;
- continue to use the existing infrastructure at the Russell Vale site and carry our minor upgrades;
- continue to transport run-of-mine coal from the mine via truck haulage to PCKT

Our reasons for objections are as follows;

Road Haulage;

Road surfaces are in disrepair, road truck haulage route in residential area-in this era-is not acceptable, noise from machinery and trucks (coal and construction) intolerable, air quality control-or even admittance of coal dust being present, at unacceptable levels, in, and around, our homes is being ignored.

Haulage hours are being misused. Eg.(Upgrading of mine infrastructure and site services [2.]) Construction trucks. Even though the Proposal has not been approved, NRE have been getting deliveries of truck loads of romix (ripped up tarred roads, to be used for fill), and reinforcement steel used for construction (concrete), is it given to NRE that this project will be approved?

NRE No.1 Colliery wish to upgrade facilities, infrastructure and services; ramp up extraction, over threefold (300%), for the next 18 years; and- using the **current** haulage route along a residential area/street, they are obviously prepared to spend a lot of money to make a lot of money;

In these current times, they are not, at present, prepared to ensure their haulage route is adequate for the export of this amount of coal.

This should include, alternate route planned for future use, eg; take truck haulage away from residential areas and utilise other transport routes, eg; Picton road; resume talks with BHP for use of Cordeaux Colliery surface facilities, or incorporate the finishing of/and use of Maldon/Dombarton railway; or in the interim, contribute to, and organise upgrade of current roads (ie; Bellambi lane)

Haulage hours-the curfew (7am 6pm) was brought in during the early 1980s because it was obvious to decision makers at the time that local people had a right to some peace from the noise of heavily laden trucks and that high levels of road haulage of coal resulted in a loss of road safety and amenity, why is NRE allowed to revert back to days of old? Get back to the current times! This is the 21st century, not the 19th! If the company wants to haul outside these more sensible hours, maybe it's time that they took the coal off and away from residential streets.

Now that the Northern Distributor has opened, we have lost approx 75% of traffic flow on Bellambi Lane, which now means that we have a nice quieter residential street which resulted in a more acceptable ordinary dust and noise level; until the trucks start to run enroute to Port Kembla and back 7AM to 10PM Monday to Friday - 8AM to 6PM Saturdays, SUNDAYS and PUBLIC HOLIDAYS. How does not affect resident's lifestyles?

The approved times for truck movement, should be made very clear, as some paperwork states 7am to 10 pm Monday to Friday 8am to 6pm Saturdays, Sundays and Public holidays. Does this mean the trucks can enter NRE from 7am or wake the whole street up at 6am or earlier on weekdays or 6:45 onwards on weekends and public holidays? We sometimes receive memos, re: truck movements on weekends, but, it also states that truck movements will be from 7am to 6pm Weekdays, then they don't do what they say, and then run through until 10pm anyway. Four of these trucks had squealing brakes (in both directions) there have been many more times when this has happened. (October and the December)- Where the trucks are running until ten o'clock to meet a ship deadline. The later the night becomes, the faster the trucks run up and down Bellambi Lane. These drivers tend to drive these trucks like they are on a race track and not on a residential street, where families live with children.

If, as it is written in the ERM Preliminary report, truck haulage hours from the mine (NRE No1.) deliveries are made 7:00am to 6:00pm weekdays and 8:00am to 6:00pm Saturday and Sunday and PUBLIC HOLIDAYS, they(NRE No1.) say a small amount of trucks occur outside these hours (6pm to 10pm Monday to Friday), with the ramping up(1.) of production, these trucks will run constantly at this time, and not just a small amount occasionally. This is misleading as the trucks run up to 10pm quite often.

In the ERM preliminary report, it states that there are 8-10 trucks, running to and from the mine at the present time. We have an email (to another resident in Bellambi Lane) from Don Jeffcott, Environmental Manager (NRE No1.), stating that "it is proposed that the current operations will be ramping up during the next few years. The level of operations will be returning at least to the levels that were here some 15-20 years ago. Compared to recent truck daily movements yes there will be an increase in the average daily number of truck journeys occurring along Bellambi Lane from the mine."

In a report done by Olsen Environment Consulting for NRE re: Surface facilities and On-site Traffic Preliminary works Part 3A, it states that "during the 1980's and 1990's washed coal was transported from the site by 25t capacity coal trucks (the current truck capacity is approx 34t) regularly transporting between 8,000 and 12,000 tpd on a typical day and peaking at 18,000 tpd. This was achieved at a coal truck access rate of typically 35 per HOUR, ranging up to 55 per hour. During these times an average of approximately 250 truck loads per day (to and from the site) were required to achieve the transport task." So is this what NRE has in store for us here on residential Bellambi Lane in these times (2011-13)?

Driver code of conduct: as per Port Kembla Coal Terminal (PKCT) 24/7. Signed by Chris Harvey (Head of Mining Operations, Scott Jones (Brindles Transport Manager), and to which all coal truck driver's agreed to (April 2009).

Speeding- Trucks have a code of conduct to follow, but often do not adhere to, Bellambi Lane 50km/hr coal truck limit, truck speed is a big issue on Bellambi Lane, with some trucks reaching speeds of 70km/hr, there is no one to police this issue and no penalties for drivers who disobey this code, which

needs to put into place before any permission is granted. Bellambi Lane is sign posted 60km/hr which should be sign posted to 50km/hr for trucks.

Dangerous driving- Some drivers continue to "run" the red light at the corner of Bellambi Lane and Princess Highway, or their speed is that fast that they lock their trailer brakes and skid for up to one hundred metres. Also they tailgate cars, which make it extremely dangerous to turn into their homes or other places of business along Bellambi Lane. Their "tool box" meetings have resulted in the information being passed to the drivers, but as no policing is done and no penalties for this dangerous driving, they continue to drive in this manner.

See News document below:

News

COAL TRUCK TRAFFIC NEEDS A HEALTH CHECK

- 18 June 2009

PATIENTS and workers of a New South Wales doctor's surgery are calling for changes to traffic conditions after a series of near-collisions with coal trucks. The driveway to the car park of the Bellambi Lane surgery is only metres from the Princes Hwy, meaning truck drivers travelling behind patients travelling to the Russell Vale Gujarat NRE No 1. mine, expect them to turn left at the main intersection.

Safety suggestions include altering the times trucks leave the mine and introducing a green right-turn arrow for cars turning onto the highway. Gujarat NRE Minerals head of technical service Chris Harvey says that with proposals by the group to continue mining operations using the Russell Vale site and to lift production up to the mine's historical capacity, it is self-evident that this intersection will need special attention and consideration into the future.

On the 27/04/10, a car was involved in an accident, with a coal truck from NRE, on the Northern distributor, the car was "pushed" more than one hundred and fifty metres-sideways in front of the truck, luckily no-one was seriously hurt or killed in the accident. Less than one week prior to this accident I had a meeting with Alex Chaulk of the PKCT, about the speed of these trucks on Bellambi Lane and the Northern Distributor, as this was a foreseeable accident waiting to happen. And NRE say that coal trucks on the roads do not have an impact on local communities!

I have purchased a "radar gun" to check truck speed on Bellambi Lane, I have been threatened with bodily harm by some truck drivers whilst checking their speed. Other drivers have locked up trailer brakes

on purpose, in front of our home, and left long skid marks on the road. (see pictures) We do not have anything against coal truck drivers; we only wish to see the coal taken away from residential properties.

Air quality/Dust issues being ignored

Greens MP said a report just released by the Department of Environment, Climate Change and Water, reviewing air quality and the power and coal industries, demands prosecution of polluting mines, the fast tracking the proposed air quality monitoring network.

"For many years the Department of Environment has stood by and allowed breaches by coal mines of their pollution licenses, without sanction. This has contributed to unacceptable air pollution, putting residents' health at risk,"

"The government should now be feeling a sense of urgency, knowing that air quality standards are being breached and that higher rates of respiratory and cardiovascular problems are experienced by residents in the region.

"It's time to fast track the promised new air quality monitoring network and ensure they are properly located and measure the very dangerous fine particles and toxic dust.

"Last week's NSW Health report concluded that, 'there is convincing evidence from the literature for a link between exposure to particulate matter and adverse health outcomes'.

"There are no standards available against which fine particulate matter, which is emitted by coal and power industries, are measured in NSW. This gap must also be plugged.

"These mining and power industries, that are making huge profits at the community's expense, should be forced to clean up their act.

"As well as the air quality monitoring stations promised by the government, the Greens are calling for EPA offices to be opened so there are government officers ready to respond to the many breaches that are occurring."

Dust control-inadequate

If simple, but effective, testing were done, the results of air quality measuring would be much different; ie. Hose down a few houses along Bellambi lane-then wait a few weeks after the coal trucks have been running to and from the PKCT for a week or two- then do a "white glove" finger test on the window sills of those homes, and then compare it to a home nowhere near a coal mine, then you will see the real difference. Now how can the mine say that there is no impact on local residences.

The current criteria for dust(-as per DECC) was set in 1988 and is not in line with today's standards (quality of living), there is nothing in these future plans, for achieving **current** (2010/11) dust level emissions when they are brought into line with today's standards.

Dust monitoring has been questionably obtained, even though we have a "dust monitor in our BACK yard, the readings from this have been only ever made available to us once, and we were told that it "complies with the criteria". The written results were indefinable by the general public.

Truck Covering- Some of the coal trucks run with tarps that have 2 metre by 2 metre holes, or bigger, where the wind blows freely through the coal and leaves a trail of dust from NRE all the way down Bellambi Lane. When the trucks run all day you can see the black dust on the roadway and around the house, over washing on the line. A lot of dust comes off these trucks because of bad and ill fitting tarps. The tarping system used on these trucks is great for non residential areas, but for Bellambi Lane and the Northern Distributor, this system is no good and should be updated to full roll outs to cover the whole load, this will eliminate any dust or coal escaping the truck. What is the criteria of coal truck tarping systems in residential areas?

When you phone DECA (Wollongong) to report trucks going down Bellambi Lane untarped, I was told, "ring council". When I rang council, I was told "ring DECA", so when I ring them back again, I was told to

ring RTA. So who is the governing body of this? Is this why nothing gets put down as reported?

At times, contractors leave the site without going through the truck wash and deposit thick, black oozing mud, the length of Bellambi Lane and around to their depot. No one seems to think that this is an issue either.

Coal mine dust gets into everything, including our pets. We have Maltese terriers (white) and when they go downstairs in the morning and go onto the grass, their feet get damp from the early morning dew, they also are black from the coal dust from the mine.

Licensees must be aware of the environmental impact that occurs when dust is generated on the premises and migrates off the site into the environment. Dust control is an issue as a result of dust accumulation, resulting in excessive dust emissions from a premises when strong winds cause the dust to become airborne. There are also short-term incidents as a result of operations such as vehicle movement, overburden removal, blasting or rehabilitation activities.

An indication of the level of dust generation is obtained through dust generation gauges. Generally the expected maximum level for dust deposition is 4g/m² per month as an annual mean for total solids; **however a lower limit should be expected where coal mines are located adjacent to sensitive areas.** Coal mine management needs to identify areas of the premises, or processes on the premises, when dust is generated, and put appropriate and to community satisfaction (this is not currently happening) controls in place to suppress dust. Dust generation must be considered in the planning process for coal mines, so mine operating procedures need to detail practices to minimise dust generation.

The ERM Preliminary Report (page 50 Volume 2) states that a maximum of four exceedances of the DECCW short term air quality criteria (50ug/m³-24 hour period) is predicted. When we phoned the NEPC, they informed us that there must never be an exceedance of this criteria, also that they are using the wrong mechanism for measuring, that the measure they were using is for severe dust storms and bushfires and not for industry to exceed.

The report (ERM) also states that NRE would be unlikely to have a significant impact on local air quality as NRE is not the primary contributor for the exceedances, and that they would result from windblown salt and other operations in the area. NRE is the **ONLY** coal dust contributor in the area that would result in any such measures. IT also states that the concentration contours show that the highest impacts are centred around the site boundary, with minimal impacts predicted beyond 1000 metres (1 kilometre), we live well within that 1 kilometre radius, as do many other residents.

It also says that a number of management measures, many of which are already in use are proposed to ensure that emissions to local air-shed are minimised. If this is the case, why are we still getting so much wind blown dust particles at our homes?

Stockpiling

Upgrading of infrastructure and services (2.): Ramping up production has led NRE to compile plans for a 60,000 tonne stockpile to be made on site, it has not been proven that stockpiling coal and the use of water sprays or chemicals (another hazard) to contain dust, has ever worked effectively. Chemicals and water sprays only work on a capped stockpile, once disturbed its open to all the elements (wind etc.) Loading trucks from stockpiles with excavator can only create **more** dust. Also in (approximately) the months of August-October, we experience what is commonly known as the August winds, reaching speeds of 100km/hr plus.

Due to a burst pipe at the coal mine, in the floods (1998), and the fact that there was a stockpile directly in front of the pipe, it washed the stockpile directly down the hill onto Bellambi Lane residents homes and businesses, creating damages of hundreds of thousands of dollars.

Valuable **Water** issues being ignored, capital city major water catchment area in jeopardy, contaminated creek

Stop coal mine expansion under Sydney water catchment

Threat to Cataract dam: Greens MP and mining spokesperson Lee Rhiannon has called on the NSW government to stop the expansion of long wall coal mining under Sydney's water catchment. (Sydney Morning Herald)

"Premier Morris lemma needs to recognise the enormous economic and environmental costs caused by new coal mine projects," Ms Rhiannon said.

"The Environment Report leaked to the Greens warns that subsidence is a 'major issue' causing damage in the southern coalfields.

"Plans put to the Australian Stock Exchange reveal that the coal company Gujarat NRE will mine within 500 metres of the Cataract Dam wall if the Planning Minister Frank Sartor gives approval.

"The NSW government should put protection of local waterways and the local economy before the demands of this giant coal company.

"Premier Morris lemma needs to say 'No' to the demands of mining companies.

"The massive Gujarat underground coal mine plans for the southern coalfields will cause irreparable damage to Sydney's water catchment.

"Earlier long wall coal operations in this area have resulted in the river beds of the Georges, Bargo and Cataract Rivers cracking and massive water loss. The Cataract River ran dry in 1994.

"The NSW Mineral Council's spokesperson, Lancia Jordana, is being misleading when she states that this subsidence causes 'no loss of water quality' and 'no loss of water'.

"The threat of runaway climate change and the damage caused to waterways provides clear grounds for Premier lemma to rein in coal industry operations in NSW.

"The leaked report from the Environment Department gives backing to this position," Ms Rhiannon said.

Dear Coal Communities,

The National Water Commissioner today spoke out about the potential risks to sustainable water management from inadequate regulation of the Coal Seam Gas Industry. The commissioner also called on government's to adopt a precautionary approach to Coal Seam Gas developments.

The commissioner released a position statement highlighting the potential risks from Coal Seam Gas including:

- Reductions in surface water flows from the depressurisation of coal seams
- Land subsidence over large areas further impacting on surface water flows
- fracturing causing connections and cross-contamination between aquifers, with impacts on groundwater quality
- disruption of current land-use practices and the local environment through infrastructure construction and access

Noise issues are being ignored

There are no adequate noise barriers on Bellambi lane or the Northern Distributor (Remembrance Drive), or other mine neighboring residential areas. There are no plans for consultation with RTA/Wollongong city Council to upgrade, the residential, Bellambi Lane in these, or future plans.

Truck noise has many sources; including squealing brakes, which can be heard for up to 500 metres, trucks coming up Bellambi Lane empty, speeding and with rattling tailgates (sometimes not even latched off properly) exacerbates the noise, especially at night when there is less background noise from local traffic. This has not been addressed, as they say that the trucks that currently run are state of the art, this is not true.

Sound barriers and double glazing of local resident windows are all types of standard implementations that the mine could do for the residents for protection from the constant noise of the mine and the transporting of coal, which never seems of importance to the mine. Constant engine revving, loud gear changing, all form part of extra residential noise issues we have to try and live, work, and sleep with on a daily basis and will only get worse with any current production and increased production.

Environmental issues not present

Environmental issues associated with coal mining include:

□ **contamination of surface and underground water**, either as a result of rain-generated run-off from the premises, or as a consequence of contaminated discharge arising from the mine's activities.

longwall mining: coal is extracted in a series of panels that may be up to 200 metres wide and two kilometres long. As no coal is left to support the roof at the mining face, hydraulic roof supports must be used to hold it up and the roof is allowed to fall once the coal has been extracted. This method of coal mining causes surface subsidence.

In underground mining, coal is transported from the underground mining face by conveyor to the mine coal handling plant. Water, which is often polluted, may be disposed of from underground mine workings with adverse environmental impacts.

At present, the Bellambi Gully creek occasionally runs pure black after heavy rain, this creek runs directly from the mine site to Bellambi beach, we have been informed that this "black" is due to water seepage through the dam wall. EPA has been notified of this on several occasions, but we were told that this was within their "criteria" (is this a 22 year old criteria too?), how this was deduced is unbeknown to us, as no-one came out to do water sampling/testing from the EPA. If this continues then, the dam in question requires stabilizing/lining to prevent further pollution. This preventative measure is not in the future plans.

Part 3A

New minister hastens developer approvals

Brian Robins

February 24, 2009

THE number of major development projects - so-called part 3A projects - approved by the State Government has risen sharply since the appointment of Kristina Keneally as Planning Minister last October, triggering criticism that the developer lobby has gained the upper hand.

In her first five months on the job, 90 Part 3A projects have been approved, significantly more than the 54 projects approved by the former planning minister, Frank Sartor, in the same period a year earlier, according to data compiled by the State Opposition. The quick approval of so many projects has caused surprise, since Ms Keneally has only been in the job a matter of months.

If anything, it was expected she would be more cautious in approving large projects while she was coming to grips with the complexities of the portfolio. Ms Keneally disputes the number of approvals made since she became minister, saying it is a more modest 61, with some of those signed by the director-general of the Department of Planning, Sam Haddad. The high level of activity has triggered criticism that, with Mr Sartor out of the way, the developer lobby has gained sway.

The Ports Minister, Joe Tripodi, and ALP numbers man, MLC Eddie Obeid, are known to have the ear of

the new minister. "The rush of approvals makes Frank Sartor look like a rank amateur," the Opposition's planning spokesman, Brad Hazzard, said.

One in 10 of the major projects approved since Ms Keneally became minister involve donors to the ALP. That runs counter to Ms Keneally's commitment to distance the Government from projects where developers had donated to party coffers by referring them to the recently established Planning Assessment Commission for consideration. One of the largest recent project approvals was the stage-one development of the Vincentia Coastal Village and the associated Bayswood Retirement Village at the former Naval Stores site in Ermington. The developer, Stockland, has been a regular - and large - donor to the ALP, giving it upwards of \$150,000 over the past five years.

In a matter of weeks after taking office, Ms Keneally approved two projects promoted by Rosecorp at Breakfast Point near Homebush. Rosecorp has been a regular donor to the ALP and to individual members, such as Mr Sartor and Angela d'Amore.

The new Planning Assessment Commission has yet to approve any projects. "With 90 decisions made by the minister in 166 days [since being appointed minister], the Planning Assessment Commission is effectively rendered useless," Mr Hazzard said. "State Labor's Sussex Street headquarters prefer the minister to have the final say on major developments - not a panel of professional and industry experts."

The Opposition has said it plans to repeal the present system of Part 3A projects, due in part to concerns that the process has become corrupted, while the Government has extended Part 3As to projects that are not truly state significant.

Ms Keneally said the commission had been established only recently, and had started reviewing its first round of projects.

"I have imposed a 14-day time limit on the Planning Assessment Commission to either accept or reject applications, otherwise there is the need to publicly state why an extension has been given," she said.

The issues arising with this DA, are the same issues that have been around for thirty years and are still not resolved, the environmental manager Don Jephcott has been associated with this mine for 25-30 years, these problems with trucks, dust and noise are the same now as they were then.

There are many deficiencies in this project, and you will come to the obvious conclusion that this project must be fully reviewed, all the options re-assessed, before any approval can be given.

We are strongly opposed to this DA proceeding in its current form.

We state that we have not made donations to any political party.

Yours faithfully

Dick Knappett & Helen Cousins

107 Bellambi Lane

Corrimal 2518

Coal Dust on Shade Cloth 18/04/2010
at rear of house (away from road)



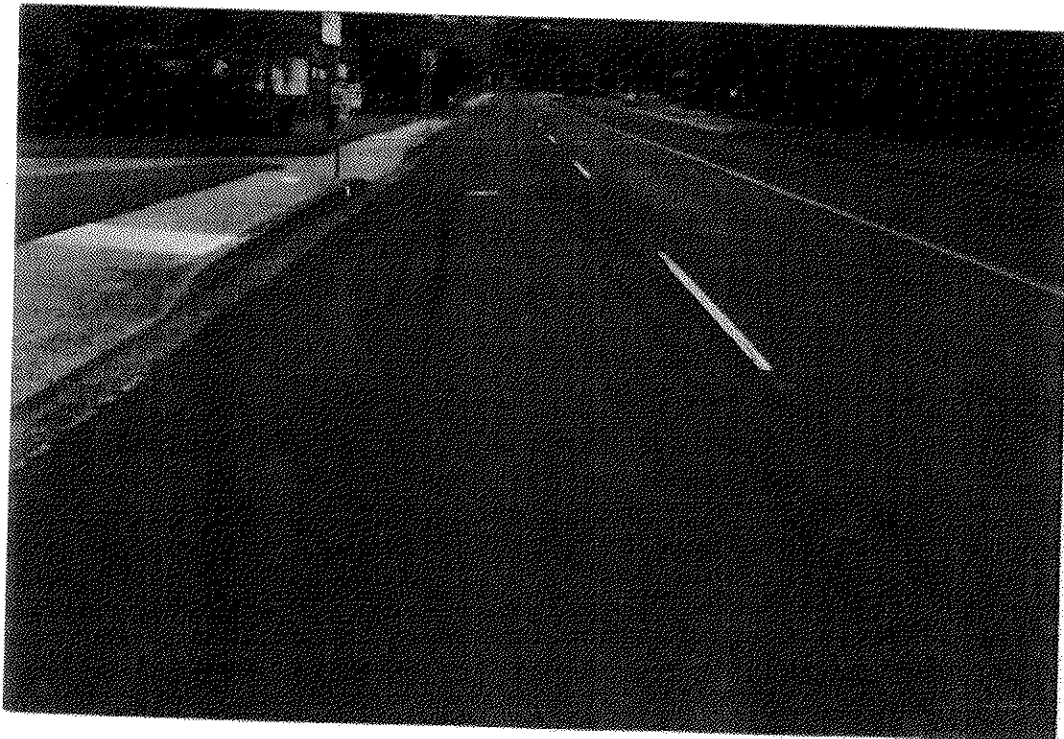
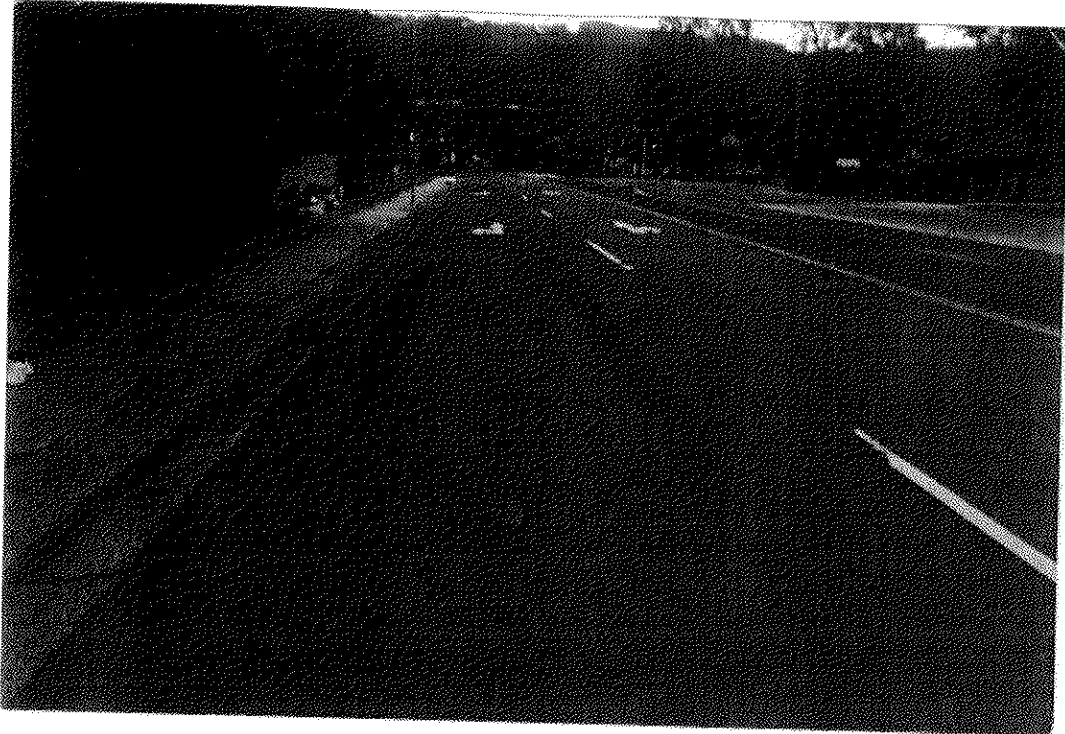


10/04/2010 Large lump of coal off an NRE coal truck



Road runs black after one day of road haulage October 2010. This happens all the time. This is excessive dust deposits on the road. (Exit from NRE mine onto Bellambi Lane)

17/04/2010 Purposefully locked up brakes (X3) from NRE coal truck



16/04/2010 evasive skid marks. NRE coal truck
locks up brakes to narrowly miss family going to
ten pin bowling alley

27/04/2010 Car pushed 150 metres in front of truck (NRE)
north on Northern distributor from here



15/11/10

Environment Resources Management
Australia
Building – 33 Saunders Street
Pyrmont NSW 2009
Locked Bag 24
Broadway NSW 2007
Phone: 61 2 8584 8888
Fax: 61 2 8584 8800

Dear Christine Allen

Your Reference 0079383 Nov10.DOC
Attention John Hugo

1. In answer to your letter dated 27/10/2010 we received and my phone calls to you since we had our first meeting in the Russell Vale Hall to try and solve the problem for the environment and residents of Bellambi Lane since the mines stored coal exploded from a mines dam collapsing on the mountain north of Bellambi Lane that washed the mine stored coal onto our land causing over one million dollars damage to our building in 1998 but that is yesterday.
2. Today is the 15/11/2010 and our understanding of the mines position is the mine needs a new lease to operate as a mine from the position of the mine on the Bellambi escarpment over looking an expanding residential area since 1887.
3. Since the displacement of the mines stored coal in 1998 above our land ready for shipment by contracted trucks via Bellambi Lane to the Port Kembla coal loading terminal for overseas export.
4. Residents we believe will have had a problem with a new lease to be applied for we believe in 2010 and our need is to save and protect our properties and our environment in Bellambi Lane from the mine damaging and endangering our properties and lives from the mine using Bellambi Lane multiplied by seven to deliver their planned increased production for export coal delivery via Bellambi Lane when there are other avenues for the mine to Port Kembla terminal to load their coal the only problem being my transport

costs for the mine will increase at whose cost Bellambi Lane and residents or the mine.

5. Your many reports relate in our opinion to the mine site, but who protects the area residents of Bellambi Lane and the surrounding area from the mines operation we believe your organisation controls the mine and the mines new lease.

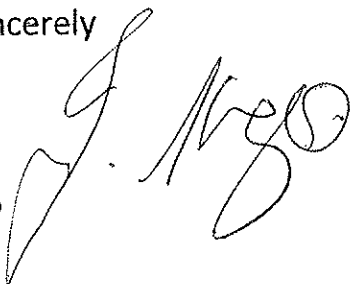
6. Would you please lodge our claim that no further coal be delivered via Bellambi Lane to the Port Kembla terminal has been accepted by the land owners of Bellambi Lane and the close residential area of the mines operation for their export coal delivery to Port Kembla to export their coal not by Bellambi Lane.

7. Our protection in the mines disaster of 1998 was almost negated from information released by the mine in 1998 until we discovered a mine dam had burst releasing a flood that caused our damage to Bellambi Lane building the then mine accepted as our claim from the mine for damage to our property was paid, in 2010 residents do not need another version of 1998 but will sell our land to the mine for resale when the mine closes or the mine removes their coal from their other outlets but not until we read a copy of the new lease for the mine to continue operating from their Russell Vale mine and how the mine intends delivering their stored coal for delivery to the Port Kembla coal terminal.

Kind regards

Yours sincerely

H J Hugo



17-11-2010

WOLLONGONG BROKERS PTY LTD

ACN 000 276 728

IMPORT - EXPORT

DISTRIBUTORS - AGENTS - MANUFACTURERS

Unit 2, 22 Doyle Ave
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Phone: (02) 4271 6076 Fax: (02) 4271 6172

Email: hugo@wollongong.starway.net.au

SECRETARY:

H J Hugo

DIRECTOR:

S J Hugo

9th September 1998

Mr Trevor Jones
Environmental Protection Authority
86 Crown St
WOLLONGONG NSW 2500

Dear Mr Jones

As you are a representative for the care of the environment, we are asking you or other persons in your organisation who are in a position to inform us on procedures that need to be, and are taken to:

1. Safe guard the environment.
2. Protect other people's property from pollution of the environment.

We are writing with concern to the damage caused to our properties and others situated on Bellambi Lane Russell Vale and the contingent damage that can be caused in the future from the storage of coal by the coal mine on the escarpment above Russell Vale.

Would you please inform us:

1. If you have given permission for the storage of such volumes of coal, and
2. When this permission was given.
3. If your inspectors have inspected the mine's property since the storm that caused the loss of coal from the mine and thus the damage to other properties.
4. Would you inform us if the current stockpiles are legal or are they illegal.
5. Our understanding is no inspections are permitted on the mine's property to ascertain how the mine is and has conducted its control on the mine's land.
6. What procedures you have in place to prevent future damage to other properties when we have another storm that washes the mine's coal storages down the main streets of Russell Vale.
7. We have been informed that our insurance company inspectors have been unable to enter the mine's property to ascertain the source of the damage to our property.
8. As our company has suffered severe financial loss and our insurance company has not agreed as yet to cover our loss. We believe that before we can proceed to refurbish our property and continue our business activities on our land, we must have legal undertakings that damage from the mine's coal stockpiles and water retention dams must be covered by the parties pertaining to the stockpiles of coal and dams on the mine's land.
9. Our company and others, we believe will proceed with legal actions unless our losses are covered.

Yours Sincerely



VOLUME 1 NRE NO 1 COLLIERY

- 1.1.6 page 5 -One million tons per year for three years with trucks.
Reply until 29/11/2010 GPO Box 39 Sydney
Fax 0292286466
2. History 1887 August 2004 mined closed from damage to the environment in 1998 when the mines water reserve dam bust and all the mines coal stored for delivery to Port Kembla via Bellambi Lane was washed down Bellambi Lane. The insurance companies first claim was flood damage in 1998 for about ten weeks until admitting liability.
 3. The mine was closed to become a residential area until NRE 2005 arrived on the scene to buy the remainder of the closed mines lease and proceeded to operate the mine and increase the mines overall output for coal storage for truck delivery to the Port Kembla harbour port for export delivering other unwashed coal down Bellambi Lane with deliveries of coal to increase multiplied by seven to deliver their coal and dispense their unwashed coal dust to the surrounding residential area in Russell Vale Bellambi and Corrimal homes beside the roads.
 4. Refer to 1.1.1. project overview that stated in number three that states extra coal up to 1 million tons from Bulli and Wongawilli and seek for a period of three years meaning and trucking for coal for the colliery to the port, but who pays for damage caused now by unwashed coal dust that is already entrenched in and on buildings in the area caused by the mine coal deliveries to the Port that causes under valuation of all buildings in the area unless the mine intends to buy all affected properties by coal dust delivered by road down Bellambi Lane.
 5. Page 21 1.5 the project will enable a continuation of existing operations by carrying out of some environmental improvements of working at the Russell Vale site for protection of the mines environment.
 6. But not the residents assets in the area from the mines coal deliveries to keep contaminating from their unwashed coal dust damaging the inside and outside of their houses and business with no offer from the mines

2.

owners to remove their unwanted coal dust distributed from their mined coal trucks to Port Kembla.

7. The mines plans for storm water management only involves the mines site are required that does not include the mines over flows expected by other residents since 1998 from the mines water and more stored coal from more production multiplied by seven of expected future output.

Page 28 - Since 1998 the mine has been used as a golf course. The long term intention of this area as reflected in the current development consent 1089/839 is that the entire free hold area will be eventually used for recreational residential area when the current lease expires or the mine buys all other properties for sale from the mines operation that involves delivery to Port Kembla by road since the coal export port closed with coal delivered to the port at Bellambi by rail from the mine via Bellambi Lane to the port.

8. The railway line could be used again down Bellambi Lane if the mine plans to continue delivery of their coal via Bellambi Lane after the three year period listed in this report or the term of the new lease being requested by the mine for the mines gain from a residential area that has out grown a mine in a prominent residential area.

9. Page 44 2.6.3 Storm water
Russell Vale

The storm water collection network at the Russell Vale site directs dirty water run offs to a series of dams both on concrete and earthen zone and the lower catchment is dominated by the coal stockpile and haul areas truck loading facility and settlement basin.

10. The mines dams need to be full for the mines production with no plans for any excess torrential rain to protect the environment as experienced by the residents in 1998 when the mines dam water dams collapsed and the residents had no reports on the mine and I have found no plans for my properties protection in the current application for other properties from the mines estimated production multiplied by seven from the 1998 production output and the amounts of water stored for the Bellambi mine site.

11. Page 51 Item 2.8 Hazardous materials (A) explosives, (B) diesel fuel (C) oil (D) no reference to unwashed coal dust being distributed into the residential area homes shops and factories from hazardous coal dust being inhaled by children and adults in the air before it settles and becomes impregnated inside and outside the residential buildings inspections are required by government departments before any new lease is approved.
8. Page 63 3-4 Product transport will be as required by the mine seven days a week and twenty four hours to achieve shipping deadlines by delivering their coal by trucks to the Port Kembla port instead of by train to the old port at Bellambi.
9. Water management 3-5 my understanding from my discussion with the mines department and a Wollongong engineer who entered the locked mine site to discover the mines collapsed dam that caused damage we had claimed on the mines insurance company who refused our claim for I believe about \$1.5 million dollars as being caused by flood damage and not covered by our insurance policy for I believe ten weeks before the mine accepted their liability for the damage caused to our building and their insurance paid to repair our building in 1998
10. We believe the mines expansion of coal output water storage multiplied by seven and the change in the worlds climate it is only a matter of time before another episode of destruction from the mines operation that closed the mine in 1998 only to be reopened again in 2004 when residents had purchased their homes in the area because the mine site was closed only to be reopened and expanding the production by seven but who controls the weather in the world in 2010 not the mines calculations to protect the residents but is to close the mine from another 1998 flooding with coal down Bellambi lane.
11. Page 76 Environmental planning and assessment regulation 5.2.2 mining act 1992 section 74 mining on affected by environmental planning and assessment act 1979 continues to have effect in respect of an existing mining area whichever is sooner as section 74 was repealed on 15 December 2005 the relevant transitional period ends on the 15 December 2010. We have been waiting for the mines new lease to protect the residential areas now surrounding the mine at Russell Vale

and increasing their coal output since 1998 by multiplying their production by seven under a new applied for lease to operate within the same results proven in 1998 in the future years depending on the uncontrollable weather.

12. Page 77 The state environment planning policies. The expansion will classify the mine as a major mine in a residential area surrounded by homes and private business sections of zoned business all approved to trade for many years before the 1998 storm.

With risks from the mine from torrential rain in 1998 that will increase with the planned expansion from the mine that will now be classified as a major development while the mines value and profits are increasing and all the others in the residential area close to the mine are decreasing from a repeat of their damage caused by the mine in 1998 if the mine is permitted to grow to seven times under any new lease to transport their coal via Bellambi Lane because the mine has a classification that agrees with (A)-(B)-(C) but under 5.3.1 but 5.3.2. we claim places the environmental and social impacts under a very high risk for residents of Bellambi Lane if a new lease of the mine is approved or reverts to a residential area again if the mine is closed as it was after the 1998 collapse of the mines stored water reserves now reduced as unwashed coal is being exported via Bellambi Lane distributing the mines unwashed coal dust to Port Kembla for export now the coal washery has ceased to operate since 1998.

- (1) We claim in 2010 the area where the mine was established in 1887 as has the Illawarra area for delivery of coal via Bellambi Lane has grown larger than an outlet for delivery of mined coal via Bellambi Lane that places other business at risk of another 1998 episode from enlarged multiplied by seven from the mines stored coal ready for export via Bellambi Lane with multiple truck movements at a risk to Port Kembla for the coals export.
- (ii) We agree and if the mine wishes to expand for the benefit of the total Illawarra area is for the mine to purchase business holdings and homes that were damaged in the 1998 mines debacle from their stored coal for export or other owners living standards from the mines expanded truck movements down Bellambi Lane.

(iii) Refer my assessment in (ii)

(b) (i) (ii) (iii) my comments

(c) My comments (i) (ii) (iii) clause (14) natural resource management and environmental management

(1) Agree

(A) Agree

Page 79 (b) agree (c) agree (2) agree clause is resource recover (1) agree (2) agree (3) agree including damage to other residents.

Clause 16 (1) agree (A) Agree unless agreed to by residents and land owner of land on Bellambi Lane (B) agree (C) agree

(2) Agree (A) agree (B) agree

Claim transportation of (ROM) coal to the Port Kembla coal terminal (PKCT) is via the existing road network with no increase in traffic is proposed and is in my opinion is propaganda – deceit or false and misleading information to the public.

(1) Would you please explain how if coal production from the mine and as I understand has began and production has-is-or-will be increased multiplied by seven times the previous output with coal delivery not increased by the mine to fill the boats from coal stored at the mine instead of the Port Kembla terminal to save the mines more costs.

(2) Would you please explain how and why the mines coal is only available by no other routes except via Bellambi Lane in trucks.

(3) We would like to read the prepared code of conduct to minimise impacts on the community and maximise public safety by the mine.

Page 80 We will be very interested in reading Chapter (23) and Chapter (21) that will we presume will name the mines closure dates and the reasons

6.

why and not be like the previous mine owners claim for the mine area to be used for residential area that enticed residents to buy homes in the area. The homes have been and as all other properties close to the mine have been devalued and development in the area ceased when NRE reopened the mine and now if a new lease is granted will increase their coal output from the mine multiplied by seven.

Page 83 Part 4

- (B) To eliminate haulage of coal would the mine please inform the public if the mine has any future plans besides on public road users as far as practical in order to overcome conflict with other road users and adverse environmental impact of such haulage multiplied by seven down Bellambi Lane for how long in future years before the mine is closed again.
- (C) The coal washery has been removed and the coal is being exported via Bellambi Lane increasing dust in the area. Implications for the project there will be increase in road haulage trucks on our roads.

Page 333

Social impact assessment 22.1.1 introduction and communities most affected by road transport of coal to the Port Kembla terminal is via Bellambi Lane from the Princes Highway and not West Street Russell Vale adjacent to the Russell Vale site.

22-1-2 A major services and social infrastructure is currently concentrated on our land beside Princess Highway and Bellambi Lane that incorporates a Ten Pin Bowling alley that now exists from the main use by school children all ages from Kindergarten to High Schools and handicapped children from the north and south of the Illawarra Bellambi Lane area that needs to be saved from the mines expansion down Bellambi Lane that limits our lands expansion from the experienced damage caused to our land in 1998 that we expect will be repeated in the future by the mines operation.

22.1.3. Our company has made an offer to the mine to sell our land for storage of their transport of coal trucks the previous mine owners and

7.

current owners trucking company offered to buy in 2009 but only part of our land we had purchased to develop before 1998.

Our company purchased the land as our companies expanded years ago but we expanded our factory to Unanderra with buildings and land more suitable for our business to employed forty people.

The problem from the mines stored stock pile of export coal ready for export cancelled our plans to build on our land since 1998, that caused over a million and half dollars damage to our Ten Pin Bowling alley that convinced our other shareholders to open their own bowling alley in other areas away from the mine but we have kept our lanes open for the children to enjoy with our business increasing with more and more children visiting our bowl.

My age is forcing me to sell my business interests from Doctors and my darling wife advising me to retire at 80 years on Anzac Day 2011 and I believe it is in the mines interest to buy my land. The mine in buying the land from owners who went to sell after the problems caused by the mine in 1998 will be good policy until the mine makes other arrangements to export their coal but not down Bellambi Lane but to keep our Ten Pin Bowl open storing of the mines trucks delivering their coal has no effect on our children enjoying their visit to our bowl all can see their enjoyment from visiting our bowl and accepting the mine in Russell Vale.

Page 334

22.1 Features the community development programs and charities the NRE supports are many but the bowl will repay the mine and acceptance of the mine in the area.

All I am suggesting is for the mine to buy my land with a self supporting ten pin bowl operating at a profit with good staff only from the support from the handicapped people and the school children who are the major supporters of the bowl. I have tried to keep open but my time has come for me to retire with my wife on the Gold Coast at Broadbeach, Queensland.

2.1.4 My methodology is to work in harmony with and not against with resistance for change caused by previous problems associated from others mistakes.

Page 342

Who controls vulnerability from the atmosphere from torrential rain that caused the 1998 tragedy and who will control any future repetition of the 1998 storms not the mines plans that are only plans for protection.

Page 343

22.2 Economic impact assessment

22.2.1 Introduction the project we agree is an asset for the Illawarra area.

22.2.2 We agree

Page 346

Except the property owners values affected by the devaluation of their land homes and existing businesses caused by the mine in 1998 now expanding their coal storage output ready for the next extended rain storm.

Page 347

23 Mine closure and rehabilitation when does the mine plan their closure of their operations or their mine.

Page 348

Item 23.2 Rehabilitation of and the future mine closure – Russell Vale site due to the estimated short life of the project. How long is a short life date and how long is short estimated and required but no date has been released.

Page 352

Conclusion nobody knows when the mine will close and again reöpen as has happened from 1887 and Bellambi Lane residents and property owner will continue to suffer from the mine unless the mine buys their properties disrupted by the mines operations since 1998 from future expected damage from future storage of coal ready for export fromn a wild and uncontrollable rain storm.

Page 353 to 3634

Commitment where will the mine place their stored coal ready for delivery to the boats during our future expected rain deluges of unstoppable rain the results being another 1998 catastrophe

Page 366

25 Conclusion and justification

25.1 Introduction We agree

25.2 We agree

25.2.1 We agree but how do you control the weather's torrential rain fall from your principles or interpretations and justification for the land owners along Bellambi Lane.

Page 367

25.2.2 We agree Page 368 agree with justification page 369 25.2.4. We agree to applying valuation standards in 1998 not now there is a proven risk by the mine increasing production and storing their coal on their land above the land owners land down Bellambi Lane who hold the mine liable for the lost valuation of their land since 1998 when their coal ready for export and this mine knowing the results and land owners expect another and know the results.

Justification

The NRE mine is not able to control the rainfall from future storms as quoted on page 369 and page 370 25.3 and page 371 .

Page 375 to page 384 references are many but are not able to protect the land owners of Bellambi Lane for excess rain fall as established in 1998 from stored coal on the mine.

BRCCA 13/10/10 Page 3 Volume 21 NRE No 1 Colliery

1.1.01 Preliminary works we refer to from the introduction during 1998. We agree with the considerable damage caused on our land by the storm.

Storm water methodology of the past and our concrete information relayed after I believe ten weeks of flood damage by the insurance companies refusing our claim until our independent witness who entered the locked mine to see a burst mine dam that we believe caused the excess water flow that moved the stored coal ready for export onto our property causing our coal land fill and the damage to our operating ten pin bowling alley and building.

When we revealed our information the insurance companies involved agreed and paid our claims of I believe about one point five million dollars.

We suggest the mine buy the land down Bellambi Lane the residents wish to sell and escape the damage again caused to their land from the mines operations I believe was offered by the mines senior executives at a meeting at a major Wollongong hotel to our witness of the conversation that the mine would buy properties who wanted to eliminate anymore risks from the mines operation without the mine expanding from my information multiplied by seven and no research will control the power and water output of water from storms as happened in 1998.

Olsen Environment Consulting Pty Ltd

Final

NRE NO.1 Colliery Russell Vale Site

26th May 2010-11-06

Table of Contents from introduction from page 5 to page 29

Introduction

Page 5

We have no problem with the mine expanding if the mine is prepared to buy our properties to eliminate any future risks to our properties from the mines stored stock piles of coal stored on their land waiting for their boats to export their coal up to twenty four hours a day.

We still have the risks of another problem that could be caused to our land if we continued with our plans to develop our land for our profits and not NRE profits from their risks for future damage to our planned developments since 1998.

The mine needs to renew their licence to operate the mine from their existing site that places our land at more proven risk from their planned output multiplied by seven from the mines previous coal output from the site.

Page 6

Existing site arrangements we agree including mine ownership and their future operations if a solution is able to be reached by protection for our ten pin bowling alley specifically used by school children and handicapped children

11.

who control our bowl five days a week and their birthday parties on weekends.

Page 9

Coal mining and transport requirements paragraph three surge storage was being used in 1998 and the mine is aiming to continue surge storage

increased by multiplying their storage by seven increasing the potential damage to our properties and other properties operating down Bellambi Lane for more profits for the mine that places all our land taking the initial damage from the mines 1998 disaster for damage to our land and if the mine wish to continue to operate under a new lease buy the properties down Bellambi Lane at risk proven in 1998.

Page 10

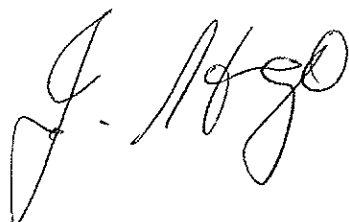
3.4.2 Drainage

My understanding any excess water from the mines water storage on their coal producing and produced coal area flows from their property by the mines controlled outlet values under the Princes Highway then via our land other Bellambi Lanes lands by their creek to end up at the Bellambi beach.

3.4.1 Topography and land use I believe under paragraph seven is amiss of the old railway line that delivered coal to boats at the Bellambi harbour for shipping coal by sea many years ago and never joined the NSW rail system.

Page 12

3.4.9 No mention of mine damage from off site damage caused by the mine up and down Bellambi Lane to the residents and their properties by moving traffic to be joined by more heavy trucks full of unwashed coal and dust.

 17-11-2010.

Stage 1

Over period DRP bay truck not 24 Hills to where the fort on in mine.

Stage 2

3 million

To be washed down onto residential land as per 1998

That has began

What is the approval Process for the Projects?

To operate a mine to operate on the site has expired and a new *LICENCE*

Step 1

Copy required

Step 2

Copy required

Step 4

Copy required

Step 5

A copy is required

Step 6

Whole copy is required

Step 7

Copies required for property owners public

What has taken place in the approval process so for afr Gjarat NRE

Excess truck

Stage 1

Movement down Bellambi Lane Road spreading coal dust onto and into all the buildings in the area inside and outside and repairing need.

Copies required

Including all copies as requested to study the applications

Stage 2

1-2-3 complete before approval

Community Information Session in November

and Department of Planning.

Further Information

Copies required

What is happening at Nre No 1 Colliery?

With a lease expires 2010

And the local residents after 1998

Why

Stage 1

From to where

More

Contaminative the area

Stage 2

With more trucks down Bellambi Lane

To cease

Mine trucks

More trucks where contamination

Will there be ore trucks on Bellambi Lane Yes

Stage 1

Do not

Not used

Will trucking hours be changed as part of this project

When a boat arrives

And the residents will suffer

Will the project increase dust levels in the area?

Yes

Not successful since 1998

Nil

Since 2004 when you reopened the mine from 1998

Will the project increase noise levels in the area? In Stage 1

Forget South and East

Why more trucks

What is NRE going to do to fix the problem in Bellambi Gully Creek?

Contaminating our land

With permissin across ourland as ny previous can't explain with the previous mine in Bellambi

Will there be new job opportunities?

And coal transport to Port kembla instead of down Bellambi Lane

How long will it take to construct the new surface facilities

Stage 1

To begin or has began since 2004

Will there be more noise and dust during the construction?

Yes

As per 1998

More coal production means more coal for shipping to be stored.

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Stage 1

To be shipped via Bellambi Lane

With or without approval via Bellambi Lane

Will mining affect any creeks?

Yes

The creek in our land down Bellambi Lane

Will mining affect groundwater?

From excess mine water

Will mining affect flora and fauna? Yes

I have heard that the Green and Golden Bell Frog has been found at Russell Vale site, will construction works impact on their habitat?

Yes from contaminated water from the mines quallow.

Also on our land

Will the Project affect Historic heritage?

Until another episode of 1998 water and coal ready for shipping

What is NRE doing to manage environmental risk?

To prove

Not recognised by drivers

Trucks speed up and down Bellambi Lane

As per 1998 water and coal from stored coal

And after construction for stored coal

From coal storage

From rain

When

Below the mine

Introduction

Welcome to Project Newsletter No. 7. The purpose of the newsletter is to update you on NRE's plans for upgrade and site improvements and to give you the dates for the next community information days.

A reminder - What is the project?

Newsletter No.6 reported that NRE has decided to seek approval for the proposed upgrade and site improvements in 2 stages. This means that two separate Project applications will be submitted to the Department of Planning, one for each stage. The two stages are:

Stage 1 - The Preliminary Works Project, involves continued operation of the Colliery and upgrades of some infrastructure and equipment at the Russell Vale site. In Stage 1, coal production will continue at current rates of up to 1 million tonnes per annum (mtpa). There will be some improvements to surface facilities at Russell Vale including, but not limited to, improvements to water flows, installation of noise barriers and changes to the existing coal conveyor system.

Stage 2 - The Major Expansion Project, includes additional longwall mining areas and an increase to production up to 3 mtpa. Further upgrade of the site facilities at Russell Vale is proposed including a new stockpile, truck loading system and further improvements to dirty storm water management.

A Question and Answer sheet is attached to this newsletter. This provides more information about Stage 1 of the project.

What is the approval process for the Projects?

Both projects need approval from the NSW state government. For each Project an application is made to the NSW Department of Planning (DoP) under Part 3A of the Environmental Planning and Assessment Act 1979. The key steps in the process are:

Step 1 A Preliminary Environment Assessment (PEA) is prepared and submitted to the DoP.

Step 2 DoP and other government agencies assess the

Preliminary Environmental Assessment and identify the issues which must be addressed in greater detail and compiled into a larger document known as an 'Environmental Assessment Report' (EAR).

Step 3 The Environmental Assessment is undertaken for the proposed development. It assesses the potential environmental, social and economic impacts associated with the proposal.

Step 4 The draft Environmental Assessment Report is submitted to the DoP and then distributed to government agencies for comment on the adequacy of the assessment.

The feedback from these agencies on the adequacy of the EAR is then addressed, if required, and a final Environmental Assessment Report is submitted to the DoP.

The Environmental Assessment Report with the supporting documents is placed on public exhibition by the DoP where the general public and government agencies have the opportunity to read this report and comment on the proposal.

All comments received from all stakeholders are assessed, addressed and if needed, changes are made to the project and the report, known as the 'Preferred Project Report' (PPR).

Step 8 The Preferred Project Report is assessed by the Department of Planning and an assessment report is presented to the Minister of Planning. The Department may decide to appoint an expert panel to assist with the assessment process.

What has taken place in the approval process so far for Gujarat NRE?

Stage 1 The Preliminary Works Project

Steps 1 to 5 of the process as above, are complete and the MODERNISMS DOWN BELONGING LANK ROAD SPREADS COAL DUST ONTO AND INTO ALL THE BUILDINGS IN THE AREA INSIDE A MATTER OF FEET.



ERM
NBR07

COPY REVIEWED

OVER PERIOD

STEP 5 DAY TRUCKS

NOT 24 HOURS

STEP 6 3 MILLION

STEP 7 TO BR

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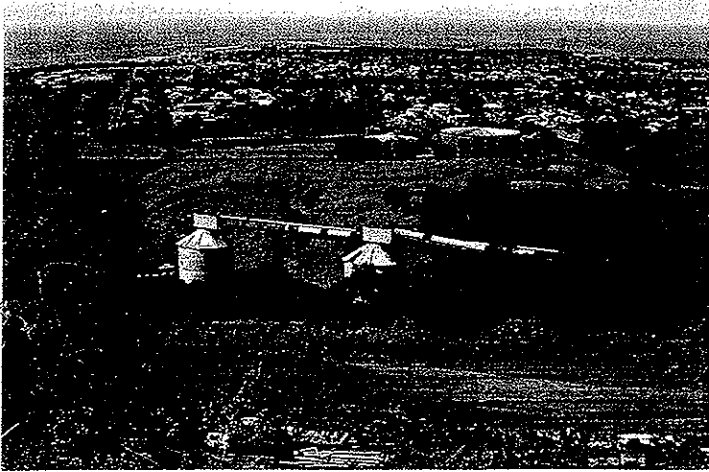
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If you are interested in viewing the documents or making comment on the Project you may make a submission to the Department of Planning. **COPIES ARE AVAILABLE**

NRE is proposing to hold two community information sessions where copies of all the documents will be available to view. CD copies of the Environmental Assessment Report will also be available free of charge. **INCLUDING ALL COPIES AS REQUESTED TO STUDY THE APPLICATION**

Stage 2 The Major Expansion Project

Steps 1 and 2 are complete and the environmental assessment (Step 3) is well advanced. NRE is planning to lodge the EAR for this project in late 2010. **1-2-3 COMPLETE BEFORE APPROVAL**

Community Information Session in November

The next Community Information Sessions will be held on Friday 5 November and Saturday 6 November. You are invited to drop in at any time during one or both of the sessions to ask questions or discuss any aspect of the project with representatives from ERM and NRE. **AND DEPT OR PLANNING**

Date & Time: Friday 5 November from 3pm to 6pm
 Saturday 6 November from 11am to 2pm
 Venue: Russell Vale Community Hall, Keerong Ave

Environmental Assessment Report will shortly be placed on public exhibition (Step 6) from 28 October 2010 to 29 November 2010. All the documents will be available:

- online at the DoP's website <http://majorprojects.planning.nsw.gov.au/page/on-exhibition/>;
- online at Gujarat NRE's website <http://gujaratnre.com.au>; and
- at the following locations:
 - The DoP's Information Centre – 23 to 33 Bridge Street Sydney NSW 2001;
 - Wollongong City Council – 41 Burelli Street Wollongong NSW 2500;
 - Wollondilly Shire Council – Frank McKay Building 62 to 64 Menangle Street Picton NSW 2571;
 - The Nature Conservation Council of NSW – Level 2, 5 Wilson Street Newtown NSW 2042; or
 - NRE No.1 Colliery – Administration Building, Cnr Princes Hwy & Bellambi Lane, Russel Vale, NSW, 2517 - by appointment only Monday to Friday 9am to 3pm. Phone 42236800 to make an appointment.

Further Information

If you would like to find out more about the information session or register your interest in receiving information about the assessment, we encourage you to contact ERM at:

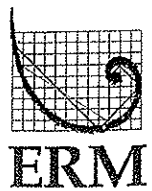
Email: au.gujaratpart3a@erm.com

Post: ERM Gujarat Part 3A Process – Locked Bag 24, Broadway, 2007, NSW, or

Freecall: 1800 253 902 (during business hours)



View from Brokers Nose



How long will it take to construct the new surface facilities?

Stage 1 construction works are expected to take approximately twelve months. **TO BEGIN ON 14/5**
BEGAN SINCE 2004

Will there be more noise and dust during the construction? **YES**

There will be more machinery operating during construction and because this has the potential to cause short term noise and dust, NRE will implement a construction management plan to manage such issues and mitigate as appropriate in accordance with regulatory guidelines. This may include frequent watering of disturbed areas and stabilising temporary stockpiles with vegetation to minimise dust, limiting construction hours and using silencers on equipment. Generally construction is only allowed between 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. **MORE**

What mining is proposed in Stage 1? **COAL PRODUCTION MEANS MORE COAL FOR SHIPPING TO BKN STORAGE**

In Stage 1 NRE will continue to mine in existing areas and also to carry out first workings in some areas of the Wongawilli coal seam, all of which is located several kilometres west of the surface operations at Russell Vale. First workings are the initial development of road cuts in the coal seam that are fully supported and results in 'zero' subsidence. **TO BE SHIPPED VIA BELLAMBI LAKE**

The areas where mining will continue are called the V Mains and 309 Panel. NRE already has approval from the Department of Industry and Investment to mine in these areas. Approval from the Minister for Planning is now required to continue mining these areas, because of changes in the legislation. **WITH OR WITHOUT APPROVAL VIA BELLAMBI LAKE**

Will there be any mining subsidence in the V mains and 309 Panel?

Mining in the V Mains uses the 'pillar extraction' method which is different to the longwall mining method. Subsidence is predicted to range from 0.2m to 1.02m. The 309 Panel is a small area 215m x 180m, with maximum predicted subsidence of 0.4m.

Will mining affect any creeks? **YES**

There are two major creeks in the vicinity of the V Mains area and 309 Panel. These are Wallandoola Creek, located above the V Mains area and Lizard Creek, located east of the V Mains area. Subsidence in the small section of Wallandoola Creek above V Mains is expected to be approximately 0.8 m. No subsidence is predicted at Lizard Creek as there is no mining under the creek. No loss of stream flow is expected as the low levels of subsidence are not expected to cause cracking of stream beds. **THEY COME IN ON LAND DOWN BELLAMBI LAKE**

Will mining affect groundwater? **FROM THE GROUND WATER**

It is anticipated that there will be no significant reduction in groundwater levels in the base of Wallandoola or Lizard Creek valleys as a result of mining based on the extensive assessments undertaken.

Will mining affect flora and fauna? **YES**

Ecologists have carried out extensive surveys of the proposed mining areas. An upland swamp has been found 320m west of the 309 Panel. One Endangered Ecological Community, upland swamps in Wallandoola Creek and eight threatened fauna species have been found in the V Mains area. Mining is unlikely to affect flora and fauna, due to the low level of predicted surface deformations.

I have heard that the Green and Golden Bell Frog has been found at the Russell Vale site, will construction works impact on their habitat? **YES FROM CONTAMINATED WATER FROM THE MINES OVER**
Suitable habitat for the Green and Golden Bell Frog has been recorded at a number of locations on the Russell Vale site. One of these habitats known as 'Dam 6', requires removal as part of the proposed site works. It is not yet confirmed whether these frogs inhabit this dam and further surveys will be carried out to confirm or not, their existence. However, should this frog species be found, NRE proposes to carry out a habitat enhancement and translocation plan to manage this species effectively. **ALSO, ON ON LAND,**

Will the Project affect Aboriginal heritage?

Indigenous Heritage specialists and local Aboriginal groups have carried out extensive surveys of the proposed mining areas and on site at Russell Vale. No items of Aboriginal heritage were found above or surrounding the 309 Panel. A shelter with deposit and axe grinding grooves, was found above V Mains. The maximum subsidence predicted at this shelter is 0.3m, and is expected to have a negligible risk to this site. There are no Aboriginal heritage sites or values present at the Russell Vale site.

Will the Project affect Historic heritage?

The Russell Vale site is listed as historically significant. Surface works have been designed so that no items of historic heritage will be affected by the Project. **UNTIL ANOTHER EPISODE OR 1998 WATER AND COAL READY FOR SHIPPE**

What is NRE doing to manage environmental risk?

NRE will implement measures to manage risk and establish contingency plans for any unforeseen impacts. NRE's commitments include:

- continued community consultation; **TO PROVE**
- regular (truck) driver, tool box talks to reinforce the drivers code of conduct; **NOT RECOGNISED BY DRIVERS**
- construction of noise barriers and development of a operational noise management plan in accordance with regulatory guidelines; **TRUCKS SPEED UP AND DOWN BELLAMBI LAKE**
- construction of a new Bellambi Gully Creek channel to manage clean storm water flows and maximise the effective dissemination between dirty and clean storm water. This will significantly reduce the likelihood of out of channel flows during extreme weather events causing a repeat of past downstream impacts; **AS PER 1998 WATER AND COAL FROM STORAGE COA**
- a construction management plan to manage erosion, dust and noise during construction; **AND AFTER CONSTRUCTION FOR STORAGE**
- an extraction plan including subsidence monitoring to confirm predictions and identify any unanticipated impacts; **FROM COAL STORAGE**
- surface and groundwater monitoring to measure the water quality and assist in identifying any impacts; **FROM RAIN**
- targeted surveys for the Green and Golden Bell Frog to determine the actual presence of this species and its movements and a habitat enhancement plan and translocation plan, if required; and **WHEN**
- a conservation management plan for the preservation of heritage items at the Russell Vale site. **BELONG THE MINES**

What is happening at Nre No 1 Colliery?

With a lease expires 2010

And the local residents after 1998

Why

Stage 1 With a lease expires in October 2010

From to where

More

Contaminative 1 coal dust into the residential area from the mine to the Port Kembla port the area

Stage 2

With more trucks down Bellambi Lane if a new lease is approved

To cease

Mine trucks

More trucks where contamination

Will there be ore trucks on Bellambi Lane Yes**Stage 1**

Do not

Not used

Will trucking hours be changed as part of this project Yes

When a boat arrives

And the residents will suffer 24 hours a day from stored coal stocks with a repeat of the 1998 mines stock pile moving down Bellambi Lane

Will the project increase dust levels in the area?

Yes

Not successful since 1998 inside and outside of all homes and buildings close to the mine are impregnated with coal dust now unwashed coal dust

Nil

Since 2004 when you reopened the mine from 1998

Will the project increase noise levels in the area? In Stage 1 Yes

Forget South and East

Why more trucks

What is NRE going to do to fix the problem in Bellambi Gully Creek? A new pipe

Movement down Bellambi Lane Road spreading coal dust onto and into all the buildings in the area inside and outside and repairing need.

Copies required

Including all copies as requested to study the applications

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1-2-3 complete before approval

Community Information Session in November

and Department of Planning.

Further Information

Copies required

NRE NO 1 Colliery, Russel Vale

ERM-Newsletter Seven
October 2010

Stage 1

Over period DRP bay truck not 24 Hills to where the fort on in mine.

Stage 2

3 million

To be washed down onto residential land as per 1998I

That has began

What is the approval Process for the Projects?

To operate a mine to operate on the site has expired and a new lease is required by the current leaser of the mines.

Step 1

Copy required

Step 2

Copy required

Step 4

Copy required

Step 5

A copy is required

Step 6

Whole copy is required

Step 7

Copies required for property owners public

What has taken place in the approval process so for afr Gjarat NRE

Excess truck

Stage 1

In contaminating our land and larger dam

With permission across over land as my previous mines travelled by rail and the old 4.

railway line could be used down Bellambi Lane in 2010 to join the government rail line at Bellambi can't explain why the previous mine in Bellambi Lane.

Will there be new job opportunities?

And coal transport to Port Kembla by rail instead of down Bellambi Lane

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Vale site, will construction works impact on their habit?

Yes from contaminated water from the mines yellow water.

Also on our land

Will the Project affect Historic heritage?

Until another episode of 1998 water and coal ready for shipping

What is NRE doing to manage environmental risk?

To prove

Not recognised by drivers

J. M. G. O.
17-11-2010

NRE No. 1 Colliery, Russell Vale

ERM – Newsletter Two
October 2008

FORBES RICHY REPORT FOR THE DIRECTOR IN OUR OPINION IS A REPORT FOR NRE MINER GROUPS

Introduction

Gujarat NRE Minerals Ltd (NRE) is in the process of preparing an environmental assessment and application for approval of its mining operations at NRE No. 1 Colliery at Russell Vale. Approval will be sought from the NSW Department of Planning (DoP).

What is being proposed?

The proposed development will include the following activities:

- Underground coal mining beneath existing mining areas, with production reaching up to 3 million tonnes of coal per annum.
- Upgrade of some existing surface infrastructure. This may include conveyors, coal handling equipment, noise and dust controls and truck loading facilities at the Russell Vale site;
- Continued trucking of coal from Russell Vale to Port Kembla Coal Terminal for shipment to India, using the existing haul route. Trucking will occur between 7am and 10pm Mon-Fri, and 7am and 6pm on weekends and public holidays; and
- Upgrade of suspension and braking systems in all haul trucks and provision of wet weather tarps.

*40002
DUST*

EXCLUDES

BELLAMBI LANE

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PREPARING FOR MORE OF 1998 LANE!

The assessment and approval process

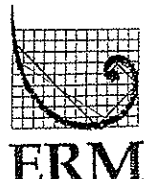
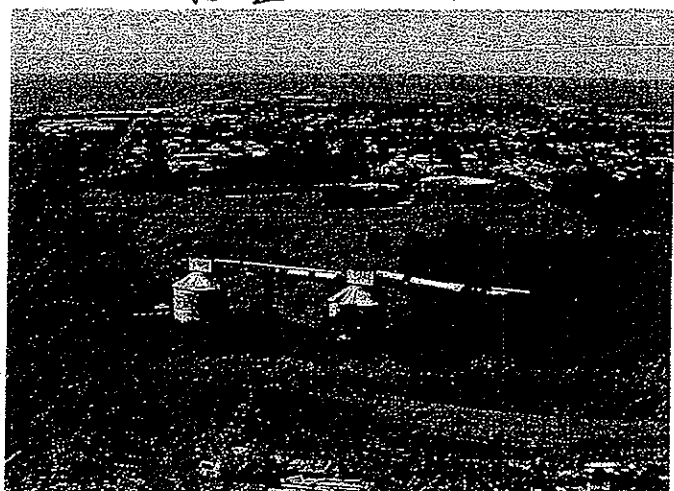
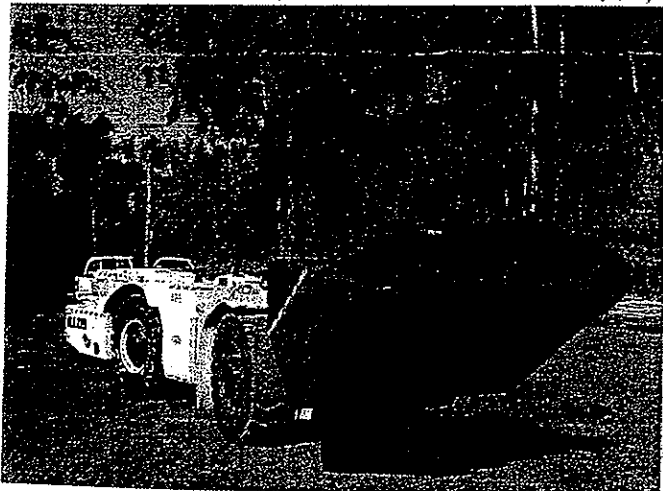
NRE is seeking approval under Part 3A of the NSW Environmental Planning and Assessment Act 1979, which relates to planning and development for major projects. The key steps in the process are:

- The applicant, in this case NRE, prepares a Preliminary Environment Assessment (PEA) which is submitted to the DoP.
- The DoP and other government agencies will then assess the PEA and identify the issues which must be addressed in greater detail in an Environmental Assessment.
- An Environmental Assessment is then undertaken for the proposed development. It assesses the potential environmental, social and economic impacts associated with the proposal.
- The draft Environmental Assessment Report (EAR) is submitted to DoP who distribute it to government agencies and authorities for their comment on the adequacy of the assessment.
- The feedback from these organisations is addressed and the EAR is resubmitted to the DoP.
- The EAR is placed on public exhibition by the DoP and the general public have the opportunity to comment on the proposal.
- Comments received are addressed.

DOWN BELLAMBI LANE

*FOR ALL
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BELLAMBI LANE



- The DoP then makes a decision on whether or not the development should proceed and what conditions should be placed on the development, taking into consideration any issues identified by the community.

ON BELLAMBI
LANE RESIDENTS

What is happening now?

The proposal is in its early stages. NRE has engaged Environmental Resources Management Pty Ltd (ERM), an environmental and planning firm, to undertake the assessment of the proposed operation at the mine. As part of this assessment process, community consultation and preparation of the Preliminary Environment Assessment has commenced.

TO
CLOSE

Key issues that will be assessed include:

- Noise impacts; NIL
- Air quality and dust impacts; NIL
- Traffic impacts; NIL
- Social and economic impacts; NIL
- Greenhouse gas emissions; NIL
- Historical built and indigenous heritage impacts; NIL
- Ecological impacts; NIL
- Surface and groundwater impacts; and NIL
- Subsidence impacts; NIL

MINR AND BELLAMBI

Social Assessment

LANE

The social assessment for the proposed development has commenced to identify the impacts of the proposal on the local and wider community. The preliminary stages of work will focus on gathering information and identifying people, organisations and interested groups who wish to be involved in the consultative activities which will occur during the assessment process.

BELLAMBI LANE HAS
BEEN EXCLUDED
REVEN AFTER 1998

Project Information Sessions

Sessions will be held to provide further information. The next session will be held on the 18th of October. You are invited to drop in at any time during the session to ask questions and discuss the progress of the project with the project team. Representatives from Gujarat and ERM will be available to answer your questions. The information session details are:

ALTER
PROTESTS ON EXPANSION
Date: Saturday 18th October 2008
Time: 2pm - 6pm
Venue: Corimal Community Centre, Short Street, Corimal
VERY DECEPTIVE IN OUR
MISLEADING

Further Information

If you would like to find out more about the information session or register your interest in receiving information about the assessment, we encourage you to contact ERM at:

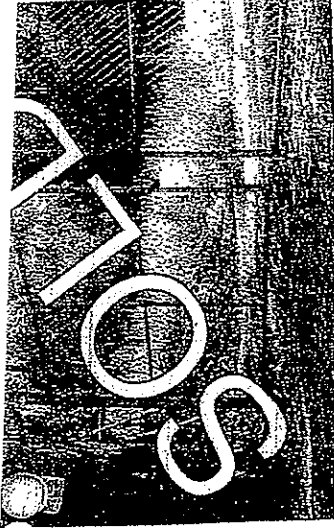
Email: au.gujaratpart3a@erm.com;
Post: ERM Gujarat Part 3A Process – Locked Bag 24, Broadway, 2007, NSW, or
Freecall: 1800 253 902 (during business hours)

OPINION

There will be further project newsletters and information sessions to inform people about the progress of the project and outcomes of the environmental assessment. These will be advertised in future project newsletters and on the NRE website at:

<http://www.gujaratnre.com.au/>





• The Hobart Street gales to the Old Bulli Colliery

FROM page 1
 The land mainly comprises of escarpment land, but also includes the heritage listed tramway route running the length of Hobart Street near Bulli Public School.

Multiplex will undertake an independently facilitated community engagement process to ensure the views of stakeholders and residents are taken into account in future planning for the site according to Multiplex Developments spokesperson Lana Woods.

While the developer was aware of the heritage and conservation values of the land, they have also commenced environmental

investigations, which will continue in the coming months according to Ms Woods.

Multiplex believes there will be substantial benefits from the project, including; the colliery rehabilitation and management of existing environmental problems.

While the rehabilitation and development of the site will contribute to flood mitigation and soil stabilisation within the area.

Multiplex said they proposed to discuss with government authorities the potential to dedicate large tracts of bushland on the western part of the site to an escarpment park or reserve.

DEVELOPER Multiplex has purchased 80 hectares (198 acres) of land at Bulli from BHP Billiton.

Settlement of the old Bulli Colliery and its surrounding lands for an undisclosed sum of money was made on December 23.

The announcement comes after the Northern Leader reported last week of a \$100 million parcel of former colliery land at

The Leader reported last week that 800 hectares (1976 acres) of the old South Bulli Colliery, including environmentally sensitive core escarpment land, had been advertised for sale by international property consultants FPD Savills with lower parts of the property marketed as having residential development potential.

New owners of the old Bulli Colliery, Multiplex Bulli Pty Ltd - a subsidiary of international developer Multiplex Group

Bulli Pit sold to developer Multiplex

mining lease until the completion of rehabilitation.

To this end, BHP Billiton Illawarra Coal intends commencing a site rehabilitation program in March, Hank Pinkster from Illawarra Coal said in the statement.

It is anticipated to cause negligible inconvenience to the surrounding neighbourhood and will involve some stabilisation earthworks on site and management of erosion issues at the pit top.

A Continued page 2

Council, government agencies, stakeholders and the community to rehabilitate the colliery and "create a sympathetic residential concept on part of the 80 hectare site, and retain a substantial proportion as bushland".

Surrounding residents and interested groups, including Illawarra Greens, have raised concern over the future of the site with BHP Billiton issuing a statement revealing although the site had been sold, the company remains responsible for the

He watched a man drown,
now David Brennen warns:

STORM COULD KILL AGAIN

15
-
8
2008



MR BRENNEN

10 YEARS ON

By BRETT COX

A CREEK where a Wollongong man drowned in the great storm of 1998 is overgrown, blocked with debris and a disaster waiting to happen.

A *Mercury* investigation has found creeks in some of the suburbs worst hit by the storm 10 years ago, overgrown with grass and cluttered with weeds, garbage and other obstacles.

David Brennen, who watched a man drown in his car in

Bellambi Creek, says he fears catastrophe will strike again.

"Every time it rains the water sweeps down here like a tsunami, carrying logs and everything else with it," he said.

"It's not unusual for the water to rise to the handrail on the bridge and when it does I come out ... to try and warn people in cars to turn back."

Wollongong City Council has spent almost \$7 million on flood mitigation works and is working to clear 60 sites across the city. The council says it attends to problem areas straight away.

15-8-2008

news

'Water sweeps down here like a tsunami'



How on earth did no one die

Workers spared in Victorian mine collapse after flood



Earth shift . . . the Yallourn coal mine, east of Melbourne, shows scars from Wednesday's cave-in. Picture: MARK SMITH

By HEATH ASTON

A SPECTACULAR mine collapse that washed away a road and rail lines amazingly cost no lives.

An aerial view of the Yallourn coal mine, about 150km east of Melbourne, gives a chilling reminder of the power of nature as well as the constant dangers involved in mining.

The collapse happened early on Wednesday, with no miners caught up in the accident.

Mine boss Richard McIndoe described the monumental earth shift, with some understatement, as "major subsidence".

Mine company TRUenergy believed that the La Trobe River — which had been surging all last week after strong rain in the area of the mine — triggered the monumental cave in.

Water had been flowing into the mine for a week but it is believed the riverbank gave way overnight on Wednesday sending torrents of water into the mine's shafts.

Mr McIndoe said work to plug the leaks was scheduled to begin yesterday but civil engineers had no chance to start repairs before the mine collapsed.

When the bank collapsed the weight of water could not be held and thousands of tonnes of earth shifted, dragging rail lines and an access road on the surface into the chasm.

The La Trobe River will have

to be diverted from the site to allow for emergency repairs.

The landslide damaged conveyor belts and halted coal production but TRUenergy reverted to reserve supplies of coal to keep output going at roughly 30 per cent yesterday.

Despite the surreal appearance of the battered mine site after the landslide, coal power producer TRUenergy is still producing a limited electricity supply for Victorians from the site.

Normally the Yallourn coal power station supplies 22 per cent of Victoria's needs.

Victorian Premier John Brumby said he did not believe the state was at risk of losing power.

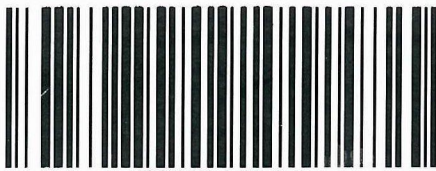
"With the weather we've got at the moment, and the level of demand that is not an issue," Mr. Brumby said, "I will be getting further advice about the repair requirements . . . but there's certainly no immediate threat to power supplies."

TRUenergy believed the mine's restoration will take up to a week while work is done to divert the river and stem the flow of water into the mine.

Yallourn power station operates four generators with the capacity to produce up to 1480mw of power.

But due to the flooding, only two generators were operating with a total capacity of 140mw, while a third unit was undergoing scheduled maintenance.

Electricity generation at Yallourn dates back to 1921.



PCU018563

Rowan Huxtable
22 Elizabeth St
Mangerton 2500
Ph 0408372792

Department of Planning
Received
14 JAN 2011
Scanning Room

Department of Planning,
GPO Box 39,
Sydney NSW 2001

12 January, 2011

RE: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Dear Sir/Madam,

I would like to formally object to the above mentioned Project Application and continuation of mining operations at Gujarat NRE No 1 Mine at Russell Vale.

WATER SECURITY

According to the Dam safety commission a large part of the mining lease is below the Cataract Dam. Water and water catchments are precious resources and we should not allow mining under dams.

LARGE UNREGULATED CONTRIBUTION TO GHG EMISSIONS

Burning coal creates greenhouse gas emissions much greater than the emissions involved in its production and transport. The EIS has not addressed this issue at all.

Steelmaking is necessary. However, use of coal should be minimized, given its greenhouse impact. Australia should control the end use of its coking coal and audit the efficiency of the plants using its coal to make sure we are not contributing to unnecessary GHG production.

POOR VALUE ADD FOR AUSTRALIA

The Gujarat operation minimizes the "value add" to Australia from this coal. Coking coal should be treated as a strategic asset.

Any coal used should be washed in Australia. This saves transport GHG emissions and creates jobs.

We should ensure we have a strategic reserve available for Australian steel production long into the future.

Yours sincerely,

Rowan Huxtable

Mining & Industry Projects
Department of Planning
GPO BOX 39
Sydney NSW 2001

15 January 2011

Re: Project Application No. 10_0046, Gujarat NRE Coking Coal Ltd

Dear Sir/Madam,

I would like to formally object to the abovementioned Project Application and continuation of mining operations at the Gujarat NRE No 1 Mine at Russell Vale.

The reasons I am objecting to this proposal are as follows:

- Bellambi Lane being used as a carriageway, almost exclusively for NRE coal. The truck drivers show very little respect for the residents or even for other traffic using the road.
- Noise from the trucks and the colliery is deafening. It is impossible to follow a conversation or watch a program on television. Our front doors and windows are not able to be left open to allow fresh air to enter or circulate through our home.
- Dust from the trucks and the colliery settles on our homes, cars, laundry and is the general cause of an environment of dirt and unwellness.
- The colliery sits adjacent to and affects a residential area.
- There has been inadequate community consultation on this issue. Occasional newsletters addressed to "Our Neighbours" are not good enough. These only serve to tell us what they're going to do regardless of the residents.
- Inadequate monitoring (noise and dust) of the mine at current levels of production. These would be good so that residents can gauge how much worse things will become when production is stepped up.
- The condition of the surface of Bellambi Lane and other frequently used roads will deteriorate rapidly and frequently.
- Whilst I am certain the economic impact of this Application has been thoroughly researched and reported on, I feel that the positives to be gained economically have overshadowed proper community consultation. Specifically, the devaluation of surrounding properties (including mine) appears to have been lost on the Department of Planning. Should this not be at the core of your purpose? It is interesting to note that development proposals on Cliff Rd in Wollongong are continually rejected on aesthetic grounds. Does Bellambi Lane not warrant the same consideration?
- Visually the mine is like a wart on what would otherwise be a beautiful backdrop to the township of Corrimal.

Sincerely,

Desmond C. Jacobs (111 Bellambi Lane, BELLAMBI NSW 2518)

Submission to the New South Wales Department of Planning
Major Projects Application 10-0046 NRE No.1 Mine - Russell Vale
Philip Laird, PhD, FCILT, Comp IE Aust, University of Wollongong December 2010

This submission is based on research conducted at the University of Wollongong. However, the views and research findings are the responsibility of the writer.

This submission includes updates of edited submissions of October 2008 and supplementary submissions (January and April 2009) to the Department regarding application 08-0009 by the Port Kembla Coal Terminal (PKCT) to both lift the curfew and to potentially expand road receipt of coal to 10 million tonnes per annum (mtpa).

1. The Illawarra Regional Strategy

Attention is drawn to statements on page 4 of the 2006-2031 Illawarra Regional Strategy of the Department of Planning as follows (emphasis added).

*"It is important that the Region's transport networks support economic growth and maximise the efficiency of freight transport. In particular, what is required are strategic transport corridors to support development of the port of Port Kembla, **increase the proportion of freight transported by rail**, efficiently link regional centres and towns, and support public transport."*

The consent given in June 2008 to application 08-0009 to increasing road haulage of coal to the Port Kembla Coal Terminal from the present high levels of about 5 million tonnes per annum has the marked potential to reduce *"the efficiency of freight transport"* (from increased road congestion, increased road wear and tear and increased energy usage). More coal on road would also reduce *"the proportion of freight transported by rail"*.

2. It is noted that the Preliminary Works Project for NRE No. 1 Mine Russell Vale is not seeking to expand run-of-mine coal from above 1 mtpa. This could well be part of the consent conditions, along with other appropriate consideration regarding the road haulage of coal to minimize road safety risks and improve amenity for residents. These could include, in addition to any code of driver behaviour requirements for coal trucks to be fitted with tachographs.

3. It is of note that the original consent granted in 1979 by Wollongong City Council for a coal loader at Port Kembla was for a maximum of 2 mtpa of road haulage. This limit was imposed in June 1979 with the consent of the NSW Government.

4. State Environmental Planning Policy 7 (SEPP 7) was gazetted in December 1982 by the NSW Minister for Planning, and, that this occurred after the then new Port Kembla Coal loader had been officially opened on 22 November 1982, and in part because the 2 mtpa limit consent condition became untenable in the absence of committed construction of a conveyor from the South Bulli Colliery to rail loading facilities near Bellambi Station.

If the Company wishes to expand its production of NRE No. 1 Mine above one mtpa (to 3 mtpa as foreshadowed) is suggested that consideration be given to EITHER construction of a conveyor from the South Bulli Colliery to rail loading facilities near Bellambi Station (as agreed to by the previous owners of the mine c1980) OR opening of a new mine outlet and connection to the long proposed Maldon Dombarton rail link.

5. SEPP 7 did, however, by way of compensation to Wollongong City residents, and users of the Mt Ousley Road and other highways, retain a curfew to preclude coal trucking at night, as well as Sundays and Public Holidays. In addition, SEPP 7 did effectively reserve coal from Tahmoor and Western Mines to rail.

Despite the provisions of SEPP 7, the road haulage of coal continued to impose adverse social and environmental impacts on the City of Wollongong. These included:

- Ongoing loss of life in fatal crashes involving coal trucks on public roads
- Air pollution and noise from coal trucks on and near public roads
- Increased road wear and tear
- Contributing to road congestion at certain times, and
- Increased dust pollution at the Port Kembla Coal Loader as road receipt was, and is, a dustier operation than rail receipt.

As a result, a number of reports were commissioned. In addition, Wollongong City Council, reflecting the concerns of ratepayers and residents, formed a Coal Transportation Task Force that reported in 1990.

Other reports of note include those of the:

- Coal Resources Development Committee (1989) Strategic Study of the Southern Coalfield
- NSW State Ombudsman (1984) into the Maritime Services Board re the operation of the Port Kembla Coal Loader
- Air Quality in the Illawarra (1985) by the Illawarra Environment Centre
- Bureau of Transport Economics (1992) Relative Efficiencies in the Transportation of Commodities
- Energy Research and Development Corporation (1993) Land Freight Transport Energy Evaluation
- Air Quality in the Illawarra, and Transport Options (1992) A Young and P Laird
- Report of the Commissioners of Inquiry (1993) re Port Kembla Coal Loader, and
- The Kinhill Engineers Report for Wollongong City Council (1995).

Some comment from these reports follows:

A. The 1990 Report of the Wollongong City Council Coal Transportation Task Force noted, inter alia, that the NSW Roads and Traffic Authority had then suggested that an average external cost of pavement wear and tear due to bulk haulage is 3 cents per net tonne kilometre. This road pricing issue in relation to coal had been earlier taken up by Coal Resources Development Committee (1989, Strategic Study of the Southern Coalfield p49) that noted there is a potential to use "hidden costs" of road transport "... as a form of cross subsidy for coal producers who do not use road transport".

B. The report Air Quality in the Illawarra (1985) by the Illawarra Environment Centre (prepared with the financial assistance of the Federal Department of Environment) had recommendations including # 7 "*The state government should recognise the need for an adequate rail transport system for coal in the Illawarra so that the coal loader can operate at its originally planned level of road receipt.*"

This still applies. As noted above, the original planned limit was set at 2 mtpa.

C. The Federal Bureau of Transport Economics in the above cited 1992 report found, inter alia, that train operating costs in terms of cents per net tonne km for Southern NSW coal train operations on existing lines could be appreciably lowered (by over 30 per cent) if the Maldon - Dombarton link was completed and electrified. This conclusion was reached after extensive analysis.

D. The 1993 report Land Freight Transport Energy Evaluation Main Report-Part One by P Laird and G Adorni-Braccesi for the Energy Research and Development Corporation (ERDC) and undertaken at the University of Wollongong, with the assistance of consultants, found in part that transport of coal to Port Kembla had a **low overall energy efficiency** of 1.34 net tkm per MegaJoule (MJ - which is less than one third of Central Queensland coal train operations). It also had **high land transport operating costs along with high social and environmental costs** (respectively \$160 million and \$19 million for one year).

The ERDC project did not attempt to give a judgement on what is an appropriate limit, if any, for road haulage of coal. Rather, it showed that under the proposals made in 1992 by the PKCT and BHP, by 1996-97 with coal tonnages to Port Kembla raised to 26 mtpa of coal over the existing rail and road system, and O'Brien's Drift upgraded, the overall energy efficiency would be 1.47 net tkm per MJ. If, however, the conveyor at O'Brien's Drift was not upgraded, and road haulage of coal remains high, then the overall energy efficiency would remain low.

However, if the Maldon - Domarton rail link was completed and electrified between Glenlee, Tahmoor, Tower (with spur line) and Port Kembla, there would be a reduction of annual operating costs by some 17 per cent, a reduction of social costs of some 23 per cent, a saving of diesel fuel of about 9 million litres of diesel a year, and an increase in average energy efficiency to about 1.6 ntkm/MJ.

E. The Report of the Commissioners of Inquiry (1993) re the Port Kembla Coal Loader was followed by the NSW Minister for Planning making a determination in 1994 granting consent for expansion of the Port Kembla Coal Terminal. In addition, the Minister for Planning also acknowledged three other items. These were:

1. Noise Impacts on residents along Mt. Ousley Road (leading to noise walls).
2. Formation of a Working Party by the NSW Department of Transport into Burragorang Valley Coal Transportation arrangements.
3. BHP giving a commitment to upgrade O'Briens Drift.

F. Following approval in 1993 by the Federal Department of Local Government of funding for a \$100,000 feasibility study for completion of a St Marys/Badgerys Creek - Campbelltown - Maldon-Dombarton rail link, a report was presented to Wollongong City

Council in May 1995. This report examined in some detail potential coal and general freight traffic.

The main finding of the Kinhill Engineers report, based on calculated negative Net Present Values, was "*...that the St Mary's - Port Kembla rail link is not economically feasible*" at this time.

In regards to the Maldon - Dombarton link alone, although the NPV's were in one case positive (as was the case with the ERDC report), it was held that completion of the 35 km link was "*not economically feasible and could not be justified on the basis of the coal and freight traffic expected in the foreseeable future.*"

The Kinhill Engineers report recommended instead that

- i. payment of Community Service Obligation (CSO) payments to encourage all Clutha coal onto rail.
- ii. "*...establishment of an effective road use charging system whereby road coal freight vehicles pay for the full external costs*" (emphasis added) such as pavement damage, congestion, noise and environmental costs [NSW moved away from this in 1996 when adopting Australia wide heavy vehicle charges determined by the National Road Transport Commission; and the issue is now receiving ongoing attention by the National Transport Commission and CoAG].
- iii. use of planning instruments to maintain the St Marys Glenlee and Maldon - Dombarton rail corridors.

6. The applicant in a report by Olsen Environment Consulting for NRE re: Surface facilities and On-site Traffic Preliminary works Part 3A, it states (page 26) that "during the 1980's and 1990's, the Mine was producing up to 3 Mtpa of Run-of Mine Coal. Washed coal was transported from the site by 25t capacity coal trucks regularly transporting between 8,000 and 12,000 tpd on a typical day and peaking at 18,000 tpd. This was achieved at a coal truck access rate of typically 35 per hour, ranging up to 55 per hour. During these times an average of approximately 250 truck loads per day (to and from the site) were required to achieve the transport task."

A point of clarification is needed here. At that time, it is understood (and implied) that the coal mine (South Bulli) then had a washery, so that the actual transported coal was less than 3 mtpa (with a question re the coal washery discard).

The 1993 report Land Freight Transport Energy Evaluation Main Report-Part One cited above on page 119 notes, inter alia, South Bulli having a 1991-92 tonnage of

1.7 mt (From the PKCT EIS) with a haulage length of 14 km (and hence a road freight task of 4.2 net million tonne km).

This 1.7 mt is much less than the claimed 3 mtpa.

7. It may be argued that the history does not matter. On the other hand, the haulage of South Bulli coal over the years through the shopping centres of Corrimal and Fairy Meadow pending the completion of the Northern Distributor meant that both residents and shop keepers were subjected to excessive road safety risks, noise, air pollution and other loss of amenity.

An outline of the wider problem follows (from a joint authored book of this and other writers *Back on Track ...* UNSW Press 2001) of the previous situation.

BOX 2.2 PORT KEMBLA COAL EXPORTS

In May 1979, no fewer than six lives were lost in two road accidents involving coal trucks. The public reaction was a massive petition signed by 40,000 people and presented to the NSW Parliament: *We, the residents of Illawarra and Southern Tablelands living on the road haulage routes used by heavy transport hereby request your consideration of our petition. I, the undersigned, am appalled by the continuing carnage on our roads and in particular Mt. Ousley, and join in demanding the local, State and Federal authorities take immediate action to ensure motorists' safety.*

I further demand the relevant authorities make provisions for the complete abandonment of coal haulage by road.

The immediate NSW Government response was a 40 km per hour speed restriction on heavy trucks coming down Mt. Ousley, and a thorough mechanical check of the entire coal truck fleet. The results, as reported in 1980 (McDonell) by a Commission of Inquiry showed that some 30% of the coal trucks had major safety defects, mostly in the braking and steering systems. This led to the ongoing efforts of the NSW authorities in annual and random safety checks of the mechanical condition of heavy trucks operating in NSW.

However, in 1983, Illawarra coal trucks were reportedly involved in fatal crashes at rates, per 100 million vehicle kilometres, of up to three times higher than NSW averages for all articulated trucks. During the eight years from 1978 to 1985, trucks hauling coal to Port Kembla were reportedly involved in some 27 road fatalities. Further efforts by the NSW Government and the coal and trucking industry in the late 1980s, along with much road upgrading, lead to an appreciable improvement in safety in coal trucking. However, the upgrading of main roads used by coal trucks and other vehicles came at a large cost, estimated to exceed \$250 million.

In 1983, the NSW Government commenced work on a Maldon - Port Kembla railway. However, after an outlay of some \$50 million on new track, half a bridge, and a start on a tunnel, work was stopped in 1988 by the Greiner Government.

Other external costs of coal trucking to Port Kembla include road congestion in urban areas, air pollution, vibration, and noise. The noise from coal trucks was found to exceed NSW Government road side noise guidelines and was appreciably more than the noise from coal trains (Healthy Cities Illawarra/EPA, 1993). Subsequently, extensive noise walls extending for several kilometres along Mt Ousley, and other roads used by coal trucks near residential areas in Wollongong City, were installed.

The impacts were well summarised by a NSW Coal Development Strategies Industry Task Force report (1990, p59): "*Road haulage has significant community costs including noise and dust pollution, increased energy usage, increased road maintenance, safety hazards, negative effects on tourism and complaints from local residents*".

8. Even if one sets the history aside, the current levels of road haulage of coal at about 5 mtpa to the PKCT (including 1 mtpa from Russel Vale) impose significant social and environmental impacts.

External costs do not appear to be a Director - Generals requirement for this application. They are however, a required part of the AusLink project assessment in the *National Guidelines for Transport System Management In Australia* released in 2004 (and updated in 2006) by the Australian Transport Council.

9 One external cost is the under-recovery of road system costs from articulated trucks hauling heavy loads over large aggregate distances each year. Although the subject is open to debate, there is general agreement at the Federal and State level of government that the operation of B-Doubles hauling heavy loads and large aggregate annual distances are subsidised. Here, the Productivity Commission independently found in 2006 that the current methodology used by the National Transport Commission for determining charges is "conservative" by international standards (i.e. resulting in lower charges) and that payments made by certain six axle articulated trucks do not meet NTC allocated costs. In addition, it is noted the ratio between New Zealand and Australian road user charges for a heavy 9 axle B-Double hauling long annual distances is about four to one, and, for heavily laden semitrailers hauling long annual distances, the ratio between the New Zealand user pays charges and the charges is about three to one.

External costs were also addressed in a 2001 Australian Rail Track Corporation Track Audit (by Booz Allen and Hamilton) which gave unit estimates for '*... noise pollution, air pollution, greenhouse gas emissions, congestion costs, accident costs, and incremental road damage costs*' for road and rail freight in both urban and non-urban areas.

These unit estimates were revised as part of research at the University of Wollongong for Queensland Transport and the former Rail Cooperative Research Centre (CRC) as follows (in year 2000 values): 2.75 cents per ntkm for road haulage in urban areas, 1.98 for road haulage in non - urban areas, 0.43 for rail haulage in urban areas, and 0.17 for rail haulage in non - urban areas. The cost for road haulage in urban areas, with indexation, is similar to the amount accepted by Council in 1990.

It can be seen that rail has significantly lower external costs for the movement of freight in general and coal in particular when track access charges include a capital component (as they do in Queensland and the Hunter Valley).

It is recommended that the proponent be required to give consideration to all external costs, with some attempt as to their quantification. This could be by use of default values given in the above cited and updated 2006 *National Guidelines for Transport System Management In Australia*. From Appendix 2 of the 2004 ATC publication, Default Externality Values (Austroads) are given. These follow in Table 1 for articulated trucks, but need to be supplemented with unrecovered road system costs and (as per a recent NSW Grain Freight Review) road crash risk costs.

TABLE 1 UNIT EXTERNAL COSTS - ATC DEFAULT VALUES

| Externality | Urban | Rural | (Rail) |
|----------------------------------|--------------|--------------|---------------|
| Air pollution (primarily diesel) | 0.87 | 0.0035 | 0.30 |
| Greenhouse/Climate change | 0.07 | 0.07 | 0.03 |
| Noise | 0.23 | 0.00 | 0.004 |
| Water | 0.01 | 0.00 | 0.005 |
| Nature and landscape | 0.33 | 0.003 | 0.068 |
| Urban separation | 0.20 | 0.00 | 0.069 |

All costs are in 2001 \$A, except water pollution 2002

Rail calculations are also given (in brackets).

Standard methodology of assessing road system costs includes not only vehicle numbers, but three other standard and important indicators: Passenger Car Equivalents (including 3 for a semitrailer and 4 for a B-Double), Average Gross Mass Vehicle kilometres, and, Equivalent Standard Axle kilometres. These parameters are outlined in official reports such as those of the National Transport Commission, yet only vehicle numbers and vehicle kilometres are often used in EAs. This understates the real impact

on the road system, and other road users, of the present 5 mtpa and the proposed maximum of 10 mtpa of road haulage of coal.

Road systems cost under recovery from heavy truck operations represent real dollars to tax payers.

Even without road accidents, the introduction of more heavy trucks carrying coal on a highway system already stretched at peak hours (as noted in the Auslink Sydney-Wollongong draft and final strategies) will cause incremental increases in journey time. This effort is better measured in Passenger Car Equivalent kms rather than plain vehicle kilometres; and gives rise to a road congestion externality. This should be addressed by the proponent.

10. The Russel Vale Mine is approximately 14 km from Port Kembla. Based on the above cited 3 cents per net tkm estimate (either the 1990 Wollongong City Council/RTA estimate for road system costs under-recovery or current estimates of six basic external costs), **then for each million tonnes of coal hauled by truck from Russell Vale to Port Kembla, there is a hidden subsidy of \$0.42 million.**

It is of note that the Government of Western Australia in a December 2006 submission "Comment on the Discussion Draft of the Productivity Commission's Inquiry into Road and Rail Freight Infrastructure Pricing" gave careful attention to both road pricing and external costs. On page 2 of this report, it is noted, inter alia, that

"In WA, there are a number of examples of the movement of bulk material by road where attributable costs are clearly not being covered. There are situations where increases in heavy vehicle charges could have a significant benefit on rail's modal share. There are also a number of cases in WA of mineral ore and grain movement where there is direct competition between road and rail services."

State Governments, by a combination of carrots and sticks can assist in moving bulk freight from road to rail. By way of example, in Western Australia Planning and Infrastructure Minister the Hon Alannah MacTiernan MP, noted that on 14 June 2007 that the WA Government will regulate the haulage of woodchips and logs in the South-West to ensure that the movement of timber products by rail destined for the Port of Bunbury is economically viable. To quote from her Media Release of that day *"We want to provide the best balance between road and rail freight, to ensure the impacts of freight on communities are minimized."*

Why not in New South Wales ?

11. Based on research conducted at the University of Wollongong, the average accident risk cost for freight moved by articulated truck is 0.6 cents per net TKM as against 0.03 cents per net TKM for rail. The ratio is 20 to 1 suggesting that rail is twenty times safer than articulated trucks as a way of moving freight.

12. The ratio of energy use for bulk haulage of coal by road to rail is about three to one. This has implications for greenhouse gas emissions.

13. It is understood that no other coal loader in Australia receives coal by road, although some was previously received in limited quantities by road at an old Newcastle loader and at Brisbane. Currently, all coal for Newcastle and Central Queensland coal loading facilities arrives by road at these coal terminals.

14. There is accordingly a case to reduce road haulage of coal to Port Kembla, as opposed to increasing it. Recommendation 7 of the report *Air Quality in the Illawarra* (1985) by the Illawarra Environment Centre stated *“The state government should recognise the need for an adequate rail transport system for coal in the Illawarra so that the coal loader can operate at its originally planned level of road receipt”*.

This recommendation is commended.

15. An adequate rail system would now appear to include completion of the Maldon - Port Kembla Railway.

16. Pending completion of this railway, or alternative options such as the use of conveyors, there is a case for limiting mine production.

17. The maintenance of the present road curfew for the haulage of South Bulli/Russell Value Coal is supported.

It is of note that in or near the Melbourne suburb of Footscray in the State of Victoria, a street parallel and just west of Bunbury Road was subject in 2006 (and ongoing) to trucking hour curfews. To quote from the notice:

NIGHT & WEEKEND
TRUCK CURFEW
FRANCIS STREET
8 PM - 6 AM MON - SAT
1 PM SAT - 6 AM MON

The website (in January 2009)

<http://www.vicroads.vic.gov.au/Home/HeavyVehicles/RouteInformation/TruckCurfews>

lists no fewer than seven (7) locations with trucking curfews at these times. Apart from Francis Street, the other roads and their locations are listed as follows:

- Ascot Vale Road at Epsom Road to Western Ring Road
- Beaconsfield Pde, Jacka Blvd, Marine Pde, Ormond Esplanade, St Kilda Espl and Beach Road at Bay Street to Nepean Highway
- Malvern Road, Malvern at Burke Road to Waverley Road
- Pacoe Vale Road, Essendon & Strathmore at Dean Street to Western Ring Road
- Somerville Road, Yarraville at Geelong Road to Hyde Street
- Wattletree Road, Malvern at Dandenong Road to Burke Road

Other restrictions, including 8am to 9.30am, 2.30pm to 4pm, during school days and 7am to 7pm Monday to Friday may also be found on this list.

Attention is also drawn to the restrictions imposed starting in 2005 on coal movements by road from the Curragh Mine to the Stanwell Power Station in Queensland. This traffic has since reverted to rail. The restrictions were outlined in page 15 of a Wesfarmers Curragh And Wagners Transport Pty. Ltd Road Use Management Plan For Haulage Of Coal From Curragh Mine To Stanwell Power Station

“Stanwell shift changes: In accordance with Stanwell directions no haulage is permitted along Power Station road at the following times: • 6.45am - 7.15am; and • 3.45pm - 4.15pm. Curragh Shift Change no curfew but other measures proposed.

Easter: Consistent with the RIA, the following haulage curfew is proposed:
2:00 - 8:00pm Thursday before Easter 8:00am - noon Good Friday and 10:00am - 6:00pm Easter Monday. Other public holidays to be monitored.

18. As noted by Tourism Wollongong (presentation 12 August 2008), although Wollongong is currently Australia's tenth largest urban area in population,) its growth rate is subdued to about 58th in Australia. This, in part, reflects transport limitations.

19. When commenting on conditions imposed by the government of New South Wales on the operation of a new coal loader at Newcastle, the Sydney Morning Herald on 4th September, 1976, noted that these included –

“All existing rail shipments must continue, and all coal from future new mines and increased output from existing mines also go by rail”, and

“Road haulage of coal will be ‘the subject of tough environmental protection action’.”

It is recommended that these two principles be applied to the operation of the NRE No. 1 Mine - Russell Vale.

20. On 11 and 12 March 2009 at Wollongong City Council chambers, the NSW Planning and Assessment Commission held a public hearing into Major Projects Application 08_0149 re Metropolitan Coal Project. Many people chose to attend this public hearing.

As noted by the Sydney Morning Herald *Planning powers too much for minister, says ICAC* December 14 2010, in May 2008, Mr Sartor told Parliament he expected "about 80 per cent of Part 3A projects will be delegated to the commission", at the discretion of the planning minister.

It is suggested that the option of determination of the current by the Planning and Assessment Commission coupled with the holding of public hearings, if not for the preliminary application, then certainly for Underground Expansion Project (for which the D-Gs requirements have been issued) should be given consideration.

Naomi Nelson - Fwd: Gujarat NRE no 1 Colliery at Russell Vale

From: Clay Preshaw
To: Naomi Nelson
Date: 12/01/2011 10:11 AM
Subject: Fwd: Gujarat NRE no 1 Colliery at Russell Vale

Hi Naomi,

Another submission re. NRE No. 1 from Information Centre.

Cheers
Clay

>>> "J.C. Tuggle" <tugglejc50@gmail.com> 12/01/2011 9:26 am >>>
To the Planning Committee responsible to decide on the Gujarat expansion of production:

I am writing to you to express this resident's' opposition to the proposed new development, specifically the Stage 1 currently before the Dept of Planning for Preliminary works and the Stage 2, ramping up of production at Gujarat NRE No 1 Colliery at Russell Vale to 3 Million tons per annum. Such an expansion would be 7 1/2 times the current production of the mine and would mean an unacceptable increase in the number of coal trucks on our roads as well as other major problems.

Sincerely,
Judith C. Tuggle
6 Wigram Road
Austinmer NSW 2515
(02) 4267 4760