

Bruce L. BATES & M. Llewellyn BATES
"The Oaks"
1102 Wybong Road,
Muswellbrook. NSW 2333



8 October 2013

Attention: Director – Mining and Industry Projects
Development Assessment Systems and Approvals
Department of Planning and Infrastructure
GPO Box 39
SYDNEY. NSW 2001



BENGALLA MINING COMPANY PTY LTD
APPLICATION NO. SSD 5170

We are making a personal Submission to **'OBJECT'** to the Proposal – Bengalla Mine Continuation Project – Application No. SSD 5170.

The reasons why we **'OBJECT'** to the Proposal are listed below:-

1. The westward expansion of the Open Cut Pit will bring it to within 2km of our Property, (No. 171), and will cause major fundamental issues to our environment due to the impacts of the increased Dust levels generated, the increase in Mobile Lighting towards the west, the increase in Noise levels generated, the increase in Blasting Frequency and impacts caused by Ground Vibration, Overpressure (Noise) and the sickly toxic fumes that have been generated in the past by Bengalla's Blasts, that have gone wrong, (the last event where we were exposed to the sickly toxic fumes was 12th Dec. 2012 – both Bengalla Mining Company and the NSW Dept. of the EPA were notified of our official complaint).

The increase in the volume of Diesel Fuel used 60,000 litres/day to 83,000 litres/day will result in PM 2.5 Air Pollutants making the Air Quality at our Property a Health Risk, under varying wind conditions.

2. We **'OBJECT'** to the Diversion of Dry Creek via dams and pipework on the grounds of it being a ruthless decision based on low capital expenditure, but carries a very high risk factor both to the environment and day to day human activity.
 - (a) The High Risk Factor is due to the construction of the CW1 Storage Dam of 900ML which will be constructed adjacent to Wybong Road, (a public roadway), on the north side. This dam which is designed to be a Dry Dam is to have its

walls and spillway positioned less than 50 metres from the Proposed Open Cut Coal Mine. The design criteria has no mention of the Blasting effects that may be a design safety factor in the construction of the dam wall for both when it is dry and full, (i.e. wall is dry and then wet, with blasting being so close, ground vibration within the range of 50mm/s to 100mm/s, this impact should be fully investigated).

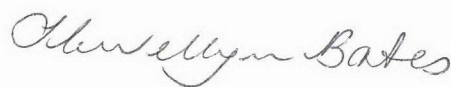
- (b) The Environmental Impacts have not been addressed with the use of the 140,000 Litres of Diesel which may be used by the emergency power generators, and the location and service of these generators/pump station using Wybong Road which has a 12 Ton load limit, placed on it by the Muswellbrook Shire Council.
 - (c) The Dry Creek Catchment North of Wybong Road which is approximately 665 Hectares, and the CW1 Dam has been designed to cater for a 1 in 200 year rain event. The safety factors have not been projected into the design if consideration had been given for Climate Change extremes. If there was an extreme storm event and the Dam CW1 spills, and the water enters the Bengalla Void and Mine Workings, this outcome has not been addressed. Flooded Open Cut Coal Mines in Queensland during the 2010-11 have set a precedent for Environmental Issues, and this should be addressed by the Bengalla Mine Continuation Project.
 - (d) The only safe way for this Proposal by Bengalla is to use a Gravity Drainage Solution with the capital cost borne by Bengalla Mining Company, (as per Option 1 Appendix B, Page 50-X).
3. Another major concern for us is that we are currently in the Zone of Affection for the Mt. Pleasant Open Cut Coal Mine, (Rio Tinto), which currently is on hold, but could start construction anytime, and now with the Bengalla Mine Continuation Project, we will be doubly effected with an horrendous outcome for us, our future and the environment.

We Declare that we have Not made any reportable political donations during the previous two years.



Bruce L. BATES

&



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