

Who is Maules Creek CWA

Our Branch was initially formed in 1923. We are local women with a wide network. We are

concerned about the present and future health and well being of our community and environment.

We believe our community is at risk now and into the future from unsustainable developments.

Our State organization has put into policy our goal to lobby for a transition from fossil fuels to a renewable sustainable economy.

As country women we are primarily concerned with preserving and fostering the sustainability of rural communities. The advent of coal mining in the Boggabri/Maules Creek regions has caused the loss of 66 farms with four more in lined up to be purchased- to mine ownership, replacing active community members and farmers with empty farm houses, a handful of mine employees and others tenants who have not assumed permanent community commitments such as volunteer fire fighting etc. This has also dramatically reduced the agricultural productivity in the area.

We are very concerned about the impacts of climate change drivers – their emissions and their activities on all the communities in the world. In this instance we are concerned about rural community resilience, rural Australia's water needs, particularly the residents and including temporary FIFO/DIDO workforces in the North West.

We are also concerned that in light of the world's recent consensus that fossil fuels must stay in the ground, that all individual Government decisions going forward will be seen as market signals. We believe that all signals going forward from NSW Planning and Environment must reflect the world's call for real climate actions- not just discussions of emissions reductions and carbon credits. Department of Planning and Environment must demonstrate REAL CLIMATE ACTION and put vulnerable communities and environments first as the world transitions to renewable energy.

Companies like Whitehaven Coal who submit modelling to the NSW Government in order to secure planning approval and then seek to change it for their own bottom line should not be rewarded a mere four years later

with the approval of Modification 3 (MOD 3).

Maules Creek Mine History of Approval Creep

Maules Creek CWA believe that Mod 3 change is further evidence of a State Strategic Project which is out of control and an embarrassment to the NSW Planning System.

We demand that you reject this attempt to undermine Planning Act 79C-

"(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development"

In 2012 the Maules Creek Mine and the Boggabri Coal mine extension were approved. At the time residents were outraged and continue to be disappointed by the corruption of process to force a relatively unmitigated state significant project on our community.

Our then local State MP Mr. Kevin Anderson MP in a letter to the MCCC (21/5/12), supported our community's commitment for sustainable development and responded by saying he had made three separate representations to the Planning Minister Mr. Brad Hazzard.

In 2012 Mr. Anderson MP wrote to our community saying that he has been "stressing the concerns that the Terms of Reference have not been fulfilled by the PAC and that the various management reports and strategies including air quality and biodiversity management be prepared prior to determination as the projects could be substantially changed via these reports once an approval is given."

At the time our community acknowledged that "As you know we are aware of the benefits of mining but are not prepared to accept these at the cost of our environment and community. The compromise solution of underground mining was heard by the Minister and made sense to him however the company, the PAC and the D of P are ploughing on regardless," said Mr. Laird for our community.

At the time, our concerns were respectfully communicated to the Planning

Minister. Two weeks later, the then Minister for Planning and Infrastructure Mr. Brad Hazzard MP, in correspondence to Mr. Laird (7/6/12), said he had forwarded Mr. Laird's correspondence to the Department.

He also said "Whilst I understand your concerns, particularly after your family have been involved in farming locally for such a long time, the process for consideration must be objective and at arms length from me as Minister."

The Minister for Planning and Infrastructure Mr. Brad Hazzard MP, in correspondence to the EDO (18/6/12) acting for our community organization the Maules Creek Community Council said that the PAC will consider the legal issues raised by the EDO on the MCCC's behalf.

In the letter, he also said that the PAC is not planning to hold additional public meetings prior to the determination of the project, as requested by the EDO on MCCC's behalf. And that the Department has considered the cumulative impacts of the Boggabri Coal projects and is satisfied that there is adequate information available.

Mr. Hazzard MP said that the Department has "recommendedconditions specifically to manage cumulative impacts associated with the Boggabri Coal Project including Boggabri Coal to "comply with cumulative noise and dust criteria, minimize, monitor and manage cumulative noise and dust in collaboration with surrounding mines, acquire properties found to exceed defined cumulative noise and dust criteria, at the landowners request and prepare and implement detailed noise and dust management plans, in conjunction with adjoining mines."

Mr Hazzard MP said that while he noted the EDO's request on behalf of the MCCC for management plans and regional strategies, his advice was that it was common practice for these to be worked out post project approval.

In relation to the Maules Creek Coal Project Mr Hazzard MP said in his letter in 2012

“I can assure you the Department will comprehensively assess the impacts of the project, including potential cumulative impacts, prior to forwarding the application to the PAC for determination.”

Our community noted at the time that - “Cumulative dust and noise assessments are essential, according to the legal advice, to determining the zone of affectation and identifying which properties must be purchased by the mining companies.

And further we said - “Unfortunately, the Planning Assessment Commission has put the cart before the horse- leaving assessment of cumulative impacts to regional strategies that will be drafted after the mines are approved.” said Mr. Laird.

If the Department is to have any credibility within this community and indeed any community- you must reject this reckless attempt to cost minimize at the expense of the community.

Decision on MOD 3 must consider regional biodiversity impacts

Mod 3 is being sought without reference to a key overriding instrument, the Leard Forest Mining Precinct Regional Biodiversity Strategy. This strategy, whose stage 2 was due in January 2014 and is still awaited, is required under the conditions of consent for all of the Leard Forest coal mines.

Members of the community have been calling for access to view and comment on stage 2 of the RBS, but had been advised that this will not be possible until August 2016. As a result, the community must refer back to the Stage 1 scoping report.

The Regional Biodiversity Strategy (RBS) is based on Recommendation 1 from the Planning Assessment Commission Review Report (February 2012), which states that the strategy should:

“...set out an appropriate framework for the strategic conservation of the biodiversity values and functions likely to be impacted by the mining of land within the Leard State Forest and surrounds.”

According to the Stage 1 scoping report, May 2013, produced by consultants Eco Logical Australia, the objectives of the RBS (at p. 5) include to:

- identify and map biodiversity values of the broader study area (which extends to Mt Kaputar to the North, Pilliga to the west, Kelvin Ridge to East and Namoi River to the South, and extending to Vickery Forest to the South-East)
- scientifically and practically demonstrate where in the landscape offsets and [biodiversity] corridors are best placed
- and identify opportunities to better align proposed mitigation commitments to maximise efficiencies and ecological outcomes
- to provide a spatial framework to facilitate strategic placement of future proposals and offsets in the Leard Forest area

To date, the RBS whose Stage 2 was intended to be in place before any of the final plans for the Maules Creek or Boggabri mines, still remains in limbo and it is not known whether any scientific investigation into the biodiversity corridors has been conducted. If it has, there is no evidence in any Maules Creek mine documentation, and there is no evidence of any species or populations studies being conducted to assess the impacts of road traffic on wildlife.

It is clear from the intention of the RBS that the survival and population outcomes of native fauna seeking refuge following clearing of the Leard State Forest by Whitehaven are within the scope of the Strategy.

Identification of competing land uses

In its Comments on the Draft Scoping Report, the Dept of Planning & Infrastructure (as it then was) stated (email from Mike Young, Head of Planning-Mining to Danny Young, Whitehaven Coal) that to achieve its objectives, Whitehaven in its strategy would need to “establish a

defensible scientific basis for the study area... Including consideration of connectivity with areas to the west" and "identify and consider other (potential competing) land uses," – but does not mention specifically Road uses. In the same communication, the DPI also called on Whitehaven to "undertake field based verification of high priority locations."

Presumably, these requirements are being addressed in the forthcoming Stage 2 of the RBS.

it is an omission on the part of all concerned that roads have not been specifically named as competing land uses which have an adverse impact on connectivity and the conservation of biodiversity values and functions.

Maybe Stage 2 will address these matters, but it makes no sense to proceed with MOD 3 unless the East-West biodiversity corridor is scientifically assessed.

Requirement for community input into the RBS

Consultation with the local community on the RBS is to be undertaken primarily via existing community consultative committees (CCC's) according to the Stage 1 Scope (at p 9). However this has not occurred. There is no evidence of any consultation and all with members of the Maules Creek CCC. On the contrary, details have been kept very secret from the community.

CCC members have asked repeatedly for access to view the Draft Stage 2 document, but have been denied.

Given that apart from Whitehaven itself, the community is best placed to provide feedback on local environmental impacts, the failure to consult community members is a serious and fatal admission reflecting poorly on the process and likely outcomes of the RBS.

This needs to be corrected urgently by including community members in the development of the RBS.

Clearly this has been designated to occur “primarily via existing Community Consultation Committees” [emphasis added] (P 9 Scope) and the CWA / P4P unless they gain a representative seat at the Maules Creek CCC, consider it imperative that they be included in consultation about the RBS.

For now, we wish to state that the wildlife casualties arising as a result of Whitehaven’s continued breaching of condition 63 have not been considered. For the Dept to even consider MOD 3 with the inadequate level of scientific information and feedback about the volume of animals using the corridor and species found alive there, is contravening the intentions of the PAC, and the conditions of approval.

Maules Creek CWA say there should be No further modifications until RBS satisfactorily completed

For the above reasons, we submit that MOD 3 should not be considered by the Department at this stage. We believe that the Department has two choices:

- reject MOD 3
- place MOD 3 on hold until RBS process is completed, the meantime fining Whitehaven coal again for breaching conditions 63 continuously since it was breached in 2015, and prohibiting them from any variation from conditions 63 until such time as a lawful modification has been approved.

Social Impact Strategy

Maules Creek CWA has determined that MOD 3 changes to the Maules Creek Mine Transport Management Plan pose grave concerns to key requirement aspect of the Maules Creek mine social impacts strategy and has impacts for workers and community as a result of crossing the biodiversity corridor for wildlife from the Leard State Forest.

We feel it has excessive impacts to both the built and natural environment particularly as it is not adequately addressing the current and projected cumulative impacts of mining and gas mining developments as outlined in the WHC Social Impacts Assessment. We determine the modification should not be allowed and that it is not suitable and that the case has not been made and should not be made and a fine for breaching is necessary.

Maules Creek CWA are concerned about Whitehaven Coal Breaching their Approval Condition 63

This submission concerns MOD 3 of PA_0138 is on exhibition until 7 July, seeking changes Condition 63, as follows (at par 3.1 of the EA):

The Proponent shall ensure that a shuttle bus service is available to facilitate the transportation of construction and operational employees to site. MCC will target that 70% (averaged over a week) of the operations, maintenance and CHPP wages employees would utilise the bussing service.
~~*are predominantly transported to the site by shuttle bus, consistent with the assumptions used in the traffic study undertaken for the EA. Note: The EA assumed that 90% of construction employees and 90% of operational workers based on peak travel movements would be transported to site by shuttle bus from Boggabri township. However, the shuttle bus service could also operate from Gunnedah and Narrabri.*~~

See

https://majorprojects.affinitylive.com/public/17cc2f8bf2169f6a51fb251fe4c6aead/Maules%20Creek%20Transport%20MOD3%20EIS_%20Main%20Report.pdf

- We ask that rather than reward the company, that you implement your strict and stringent conditions and reward them for self reporting then fine this company to the maximum for breaching their Approval Conditions and use the evidence supplied by the independent report by GTA Consultants (GTA Consultants (NSW) Pty Ltd) and any additional required.
- We are sick to the back teeth of constant media statements from this company stating how strictly they are controlled by their Approval conditions and how stringent they are. The fining statistics don't bare this out.
- We at Maules Creek CWA are concerned and startled by the fact that Approval Condition 63 being continually breached since the end of the construction phase.
- This is as noted in the MAULES CREEK COAL MINE EMPLOYEE

TRANSPORT MODIFICATION ENVIRONMENTAL ASSESSMENT- MAY 2016 Project No. WHC-15-30 Document No. 00740194.docx when it states:

- “Following review and determination by the Planning Assessment Committee, Project Approval was issued and a condition (Condition 63, Schedule 3 of the Project Approval [10_0138]) was included which reflects the initial traffic assumptions and contains specific requirements regarding the use of a shuttle bus system to transport construction and operational workers to and from the site. Of most relevance, this condition requires that construction and operational employees travel predominantly via bus consistent with the EA.
- Construction of the mine is now complete and the operational phase is underway. These activities have occurred in a period characterised by a significant contraction of the mining industry, in contrast to the boom experienced during the project planning and approvals phase when the employee and transport assumptions were devised.
- MCC has strongly advocated a local employment policy that has resulted in a predominantly residential-based workforce. Therefore, rather than a workforce using accommodation facilities, employees typically live in local towns with their families. Long-term residency in accommodation villages is discouraged.
- Consistent with Condition 63, Schedule 3 of the Project Approval (10_0138); MCC has implemented a strategy to facilitate the use of buses by their employees.
- From review of the patronage of these services, MCC has determined that some 65 to 84% of MCC’s direct operations, maintenance and CHPP wages employees typically use this service when working a regular rostered shift pattern.” Page 4.
- Therefore we consider that this modification seeks to legitimise, and make legal, continuous breaches of Condition 63 that have been occurring since the end of the construction phase of the mine, i.e. non-compliance with the requirement to bus 90% of operational workers to work.

Only 40% of the workforce currently travelled by bus – MCCM data demonstrates a significant and ongoing breach of Condition 63

Below is the MCCM Gate Survey Data

Table 3.5: Gate Survey Summary for Operational Workforce (10-18 June 2015)

Survey Day	Whitehaven Employees				Other Operational Employees	
	Shuttle Buses		Light Vehicles		Light Vehicles	
	Buses	Passengers ^a	Vehicles	Passengers ^c	Vehicles	Passengers ^c
Wednesday ^A	4	31	17	34	37	41
Thursday	16	80	75	122	58	75
Friday	18	77	64	104	61	79
Saturday	15	61	16	27	19	24
Sunday	15	58	19	31	10	13
Monday	19	77	61	94	62	73
Tuesday	20	98	75	115	46	55
Wednesday	19	85	57	87	49	72
Thursday	20	113	55	90	44	58
Total	146	680	439	704	386	490

^A part day only

^a Inbound trips only, excludes bus driver

^c Includes driver and passengers

analysis of the data above indicates that over the week surveyed, of the total of **1,874** operational workers who travelled to and from the Maules Creek Coal Mine site (excluding shuttle bus drivers), 680 travelled by shuttle bus, and 1,194 travelled by light vehicle.

Therefore of all operational workers only 40% of the workforce travelled by bus. As 90% is the mandated requirement in Approval Condition 63. By their own data, MCCM have comprehensively self disclosed a significant and ongoing breach to their current conditions. CWA of Maules Creek ask the Department to engage with this.

We do not see Condition 63 as optional. It is one of the conditions under which this company promised the community and government that it would operate in order to conduct its business.

History of Breaches

We are aware that Whitehaven Coal breached Condition 7, Section 2 of their consent conditions for the Narrabri Coal Mine.

Whitehaven Coal told the media 11/12/12 that “Whitehaven has been in

communication with the Department of Planning..." regarding the trial (Namoi Valley Independent- *"Trucks hit the Kamilaroi at Gunnedah-commodities can't wait."*)

At the time, the company was well aware that this trucking operation was unlawful, as it had already lodged an application for a modification to its development consent to allow haulage of coal by truck (2011: 08_0144 Mod2).

At the time the community wrote to Mr. David Kitto the then Director of Mining and Industry (NSW Department of Planning and Infrastructure) expressing our dismay. But the Department failed to fine the company. Thus sending a signal that it is O.K to breach transport conditions- as there is no consequence.

This same company at the May CCC meeting told the community "that they only comply to their statutory obligations," and approved conditions, not draft conditions. Whether it be for CCC's or operations in general.

We are also aware that Maules Creek mine was fined for breaching condition 63 in 2015 as a result of community complaints about excessive number of vehicles.

The fine in 2015 did not bring about any changes behaviour or contrition by Whitehaven.

We question why the Department allows the continuous breaching of condition 63, knowing the biodiversity and public safety risks posed.

Rather, we believe the company should be fined again and ordered to comply with its condition 63 requirements.

The industrialization of our area is expensive for locals.

We want less mine traffic not more. And we value any Conditions imposed that allow this. In June 2016, Outside the heavy mine traffic area at the intersection of Bluevale Rd and the Kamilaroi Highway, one of our members recently suffered a smashed windscreen costing \$500 to replace due to a coal rock flicking up off the road from a haul truck tyre heading to the WHC CHP in Gunnedah.

Maules Creek CWA are concerned about Whitehaven Coal watering down and using loose, unmeasurable language of their Approval Condition 63 rendering the Condition meaningless

The Proponent shall ensure that a shuttle bus service is available to facilitate the transportation of construction and operational employees to site. MCC will target that 70% (averaged over a week) of the operations, maintenance and CHPP wages employees would utilise the bussing service.

MCCM are attempting to water down this condition so that the only requirement is that MCCM ensure a shuttle bus service is available. They will only target 70% (averaged over a week)...of wages employees to be utilizing the bus.

In this context only wages employees are included, the condition is merely a target and not a requirement and a shuttle bus service can be reduced to some minimal figure. It does not specify any particular service route or towns and does not mention peak travel movements.

Maules Creek CWA can see how this language can be manipulated to mean that a wages employee could conceivably travel once per week on the bus and be counted as part of the 70%. Further the word target is loose and open to interpretation in law. Leaving the Secretary of Planning's "general satisfaction" to be the arbitrator.

Maules Creek CWA are concerned about the impacts on the health and well being of the community and the workforce, caused by additional cars on the road.

What is the need for a modification?

From our perspective the case has not been made for a reduction in bussing from 90% down to 70% and further by 2020- there is a planned reduction from 70% travelling by shuttle bus down to just 10% when the workforce is at 470 individuals. See highlighted below.

4.3.1 Light Vehicle Trip Distribution

The distribution of shuttle buses on the surrounding road network is assumed to be similar to that surveyed in 2015 for the operational workforce (Table 3.7).

The resulting vehicle trips on the road network are summarised in Table 4.5 for the 2015 and 2020 workforce levels, assuming that 10 percent of the operational workforce travel by shuttle bus.

It was stated and therefore known that the “Over a 5-10 year period, with targeted incentives provided to the workforce to encourage relocation to the local area, Aston considers that the 80% non-local workforce would be reduced to approximately 50%.” As predicted by Hansen Bailey in the Social Impacts Assessment.

<https://www.whitehavencoal.com.au/environment/docs/appendix-r-social-impact-assessment.pdf>

As it was predicted by the miner that the workforce would be local it is reasonable that the bus be maintained. We do not consider a winding back of a condition seeking to safeguard tired workers and other road users is necessary or justified. Workers families want their parent to come home safely as do local road users. There are very long shifts, doing tedious, repetitive work and these people need looking after- as per the terms of their employment.

“Accordingly, this Modification seeks to modify the existing Condition 63, what Schedule 3 of the Project Approval (10_0138) to better reflect the locally residing workforce and associated transport regime. Page 4.

We ask that you very carefully consider the wisdom from submissions and the findings of the Senate *Inquiry into the use of ‘fly-in, fly-out’ (FIFO) workforce practices* contained in the following report dated: 13 February 2013.

The House Standing Committee on Regional Australia Inquiry report **“Cancer of the bush or salvation for our cities? Fly-in, fly-out and drive-in, drive-out workforce practices in Regional Australia.”** Can be found here- and we request that you read it in full before making your determination on Mod 3.

http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_representatives_Committees?url=ra/fifodido/report.htm

We have taken excerpts:

“in drive-in, drive-out (DIDO) regions, road safety is of serious concern with a mounting accident and death toll. “ pg. 43

A recommendation to support the DoPE decision-making from the Report is below:

“Area for corporate action – mandatory ‘bus-in, bus-out’

3.73 Fatigue- and congestion-related traffic accidents (including a high rate of fatalities) are a serious concern in areas, such as the Bowen Basin in Queensland, with a high concentration of mines and DIDO employees. Resource companies acting collectively can have a significant impact on the accident rate by instituting mandatory regional ‘bus-in, bus-out’ policies.” Pg 58.

Maules Creek CWA does not want to see senseless loss of life. Children without parents for the cost of a bus fare and cost shifting by a multinational onto families.

Maules Creek CWA are concerned about the loss of skilled employment for bus drivers in our region.

We are concerned that workers will lose their employment. We see this wind back and the assumption noted in the previous point that the bus is being slowly withdrawn as a service.

This is unacceptable as the mine has touted jobs as its prime significance to this region.

Maules Creek CWA are concerned that this modification is simply an economic money-saving decision by Whitehaven Coal.

We ask the DoPE require a Biodiversity Impact Assessment for this Modification

Conflict with east-west biodiversity corridor. We value the input from our local Wando Conservation and Cultural Centre on this point.

The east-west biodiversity corridor is a core foundation of the Maules Creek and Boggabri Coal offset strategies AND the Leard Regional Biodiversity Strategy. The entire Maules Creek offset strategy has been based on this corridor which theorises animals will follow a westwards path to the Pilliga Forest, traversing the Kamilleroi Highway, and feeder roads to the mine. As a consequence, the land acquisition strategy of Maules Creek mine has also been based on the east-west corridor.

Rushing workers, driving fast on dark country roads, are at higher risk of impact with animals, especially as the shift changeover coincides with the most active time for wildlife - i.e. in the early morning and at dusk/early evening.

Information provided to the Maules Creek CWA and Wando CCC by mine workers and community members is unanimous that:

1. exceptionally large numbers of road kill since the 2015 Leard Forest clearings
2. Maules creek staff member daily delegated to remove carcasses daily (we can't verify because much of this happens on private roads)

In addition, we have been informed that the shuttle bus has had wildlife collisions several times and needed panel beating.

How, then, has Whitehaven been permitted to lodge a modification without being asked to provide a biodiversity impact statement demonstrating:

1. That it recognises the problem that the bio corridor is supposed to cross over roads, highway
2. A report on road kill numbers, broken down into species and other diagnostics such as age of the animals
3. what measures it takes to remove road kill daily
4. what impacts have occurred between mine workers and animals

Through evaluating this new employee transport plan Maules Creek CWA has been left with many questions and deep concern about the unrealistic assumptions contained in the data provided to DoPE . We ask that the DoPE meaningfully investigate, interpret and clarify the data for us and the company before even considering awarding an approval.

- We refer to the following analysis of the *Maules Creek Coal Mod 3: Employee Transport Modification* EIS

Condition 63 states that “The Proponent shall ensure that construction and operational employees are predominantly transported to the site by shuttle bus, consistent with the assumptions used in the traffic study undertaken for the EA. Note: The EA assumed that 90% of construction employees and 90% of operational workers based on peak travel movements would be transported to site by shuttle bus from Boggabri township. However, the shuttle bus service could also operate from Gunnedah and Narrabri.”

Therefore as Condition 63 requires that MCC ensure 90% of employees are transported by shuttle bus.

The EIS states that “Employees mainly live in private houses and other accommodation in Gunnedah, Narrabri, Boggabri.”

These are the towns from which shuttle buses operate. So there is no issue of lack of service.

The EIS states that- “The workforce includes many specialised contractors.”

We are concerned about what are the statistics of the specialized contractors- we ask for these facts to be made available for this assessment to be meaningful to the planning considerations for a major change to occur in our community?

MCC has reviewed the prevalence of bus use and has determined that some 65 to 84% of MCC’s direct operations, maintenance and CHPP wages employees typically use this service when working a regular shift.

MCC admit that at no time are they in compliance with condition 63.

“the assumed 90% bus usage and the actual use.

This assessment has shown that despite the reduced reliance on bus transport....”

We ask, where is the evidence that MCC has at any stage attempted to comply with condition 63 of ensuring workers travel by shuttle bus?

There is no evidence in the EIS that MCC have made any serious attempt to comply with this condition, suggesting that workers are just not taking up the option of travelling by shuttle bus because it is not as practical as anticipated.

To allow a relaxation of a condition that has not at any stage been complied or any evidence of a serious attempt to ensure this condition is met does not make sense.

And further “In accordance with Condition 63, Schedule 3 of the Project Approval, a shuttle bus system is used to transport workers to and from the MCCM. Employees who do not use the shuttle bus system are encouraged to car pool.

Stating employees who do not use the shuttle bus but are encouraged to car pool does not demonstrate that MCC is attempting to ensure 90% of workers travel by shuttle bus

“A bus service is used to transport mine employees from Gunnedah, Narrabri and Boggabri to the MCCM.

3.1 Consistent with the Traffic Management Plan, MCC provides buses free of charge to employees from Boggabri, Gunnedah and Narrabri to the MCCM and has also restricted the availability of parking on-site (to encourage use of the bus service).”

Why is the policy to encourage bus service the condition is to ensure not to encourage it is the responsibility of MCC to ensure this condition is met not

to blame the workers for not electing to catch the bus.

Further there is no specification as to what the restricted availability of parking on-site is or what happens if this capacity is exceeded (what happens to drivers then?)

“From review of the patronage of the bus services, MCCM has determined that some 65 to 84% of MCC’s direct operations, maintenance and CHPP wages employees typically use this service when working a regular shift.

Maules Creek CWA note that this figure excludes any contractors, or any worker not working a regular shift – where are the figures which take into account these additional factors?

“MCC would continue to mitigate employee road transport movements by specifically encouraging the use of buses and car pooling.... These measures would continue to be conducted in accordance with the Traffic Management Plan (MCC, 2014). The Traffic Management Plan would be reviewed and revised for the Modification.”

Based on the data of this report, the local community can take no comfort from MCCM concerning the above mitigating strategy statement of “encouraging the use of buses.” It is only action from the regulators that will assist MCCM abide by their Approval Conditions.

Maules Creek CWA are concerned about the modeling in the Mod 3 EIS.

Why is there missing Traffic Counting Location data?

Regional Location Maps: Figure 1 and Figure 2: The Maps show M01, M02, M03, M04, M05, M09, M10 & M12 all of these are south of the mine access road.

Not included or noted are data for M06, M07, M08, M11 or any details of movements from north of this point ie from Narrabri (what is the route and effects on local roads for travel from Narrabri?).

CWA Members witnessed the contractor laying out the traffic movement counter across the road at the corner of Maules Creek and Harparary Road earlier this year.

Maules Creek CWA ask: Why has this data or any reference to this not been included? We believe it is required for a full assessment and ask that it is sourced.

Any traffic survey data needs to take into account Narrabri traffic and include the cumulative impacts of traffic travelling to and from the Narrabri Underground Mine. There is no data included in this report relating to this despite the statement that employees do come from Narrabri and also a bus service is provided to Narrabri.

600% greater light vehicle traffic than originally submitted is too much for a quite rural community

CWA of Maules Creek are concerned about the outcomes that will result from the proposed changes in the detail of this Modification 3 EIS.

The original EA traffic assessment assumed 6 buses for each day and night shift.

And below are the assumptions for traffic movements in 2020 as written in the *Maules Creek Coal Mod 3: Employee Transport Modification EIS*.

“Peak workforce of 470 full time workers in 2020, including contractors, maintenance activities, deliveries, coal processing, coal transport and mining operations;

- ☐ maximum daytime workforce of 140 people;
- ☐ maximum night time workforce of 110 people;
- ☐ light vehicle occupancy 1 person per vehicle;
- ☐ shuttle bus occupancy 20 people per bus;
- ☐ two shifts per day 7.00am to 7.00pm and 7.00pm to 7.00am;
- ☐ mining operations 24 hours per day, 7 days per week;
- ☐ 90 percent of employees travel by shuttle bus;

shuttle buses arrive carrying start-of-shift workers from Boggabri, then depart carrying end-of-shift workers back to Boggabri (it should be noted however that the Project

Approval [Condition 62, Schedule 3] states that the buses may also be provided from Gunnedah and Narrabri); and Therribri Road would be used as the main site access road once construction of the Mine Access Road was completed.

And the traffic generation of the Maules Creek Coal Project for the 470 operational workers in 2020 was assessed as:

- 6 shuttle buses arrive between 6.00am and 7.00am, and depart between 7.00am and 8.00am;
- 6 shuttle buses arrive between 6.00pm and 7.00pm, and depart between 7.00pm and 8.00pm;
- 14 light vehicles arrive between 6.00am and 7.00am and depart between 7.00pm and 8.00pm; and
- 11 light vehicles arrive between 6.00pm and 7.00pm and depart between 7.00am and 8.00am.

Table 3.3: Maules Creek Daily Traffic Generation June 2015

	Light Vehicles	Heavy Vehicles	Total Vehicles
Monday	252	114	366
Tuesday	353	102	455
Wednesday	326	62	388
Thursday	307	113	420
Friday	274	72	346
Saturday	105	37	142
Sunday	87	36	123
Weekday Average	302	93	395
Weekend Average	96	37	133
Daily Average	243	77	320

But the actual data shows light vehicle trips to average triple the heavy

vehicle trips on one day **being 6 times the heavy vehicles.**

Therefore on an average weekday 302 light vehicles and 93 heavy vehicles.

This compares to original application of a total of 50 light vehicle trips (25 return) and 24 shuttle bus trips. The traffic is 6 times the original modelling suggested (as stated this is 600% greater traffic than originally submitted in 2010).

We say that the extra 252 light vehicle trips above MCCM current approval conditions- on these roads are unacceptable traffic levels for a rural community to host on rural roads.

School childrens safety must come before cost shifting strategies.

Below is a table from the *Maules Creek Coal Mod 3: Employee Transport Modification* with the average Week Day traffic generation.

Table 3.4: Average Weekday Traffic Generation of Maules Creek Coal Mine (vehicles/hour)

Hour Starting	Light Vehicles	Heavy Vehicles	Total Vehicles
12.00am	1	1	1
1.00am	1	0	1
2.00am	4	2	6
3.00am	4	5	8
4.00am	6	1	6
5.00am	29	2	31
6.00am	55	12	68
7.00am	21	8	29
8.00am	9	6	15
9.00am	11	7	18
10.00am	11	7	18
11.00am	10	5	15
12.00pm	17	7	23
1.00pm	13	6	19
2.00pm	11	5	15
3.00pm	14	3	17
4.00pm	19	6	26
5.00pm	40	6	46
6.00pm	15	1	16
7.00pm	9	0	9
8.00pm	2	0	2
9.00pm	2	1	3
10.00pm	1	0	1
11.00pm	1	1	3
Daily	302	93	395

Interpreting the data, Table 3.4 says that average weekday traffic between 5am and 8am consists of 105 light vehicles and 22 heavy vehicles. and that average weekday traffic between 3pm to 6pm consists of 73 light vehicles and 15 heavy vehicles.

Therefore these two 3 hour peaks account for almost 60% of light vehicles and 40% of heavy vehicles from MCCM. This does not even consider the cumulative traffic from other mines in the area.

Maules Creek CWA believe that is unacceptable and places childrens' live and that of their carers at these times at unnecessary risk of collisions leading to injury or death.

It is critical this wider period of time be considered to fully appreciate traffic impacts in these critical time periods which intersects with significant commuter travel by local residents including school bus drop off or travel to school and their families going about their working lives in this impact zone.

We say condition 63 as placed on the Approval for this project was to protect the community and it should stay- and in fact MCCM's behaviour reviewed for the very significant departure the company has taken from its Condition.

Shift changes over times are typically timed to avoid the main operating times for the school buses. Morning bus services generally operating later than the times at which the majority of Maules Creek Coal Mine workers would be travelling on the road network. Afternoon school buses typically operate earlier than the times at which the majority of Maules Creek Coal Mine workers would be travelling.

In reality although actual peaks have been identified in this study for the highest one hour period the traffic is elevated in the morning and in the afternoon each for a total of three hours (5am-8am) and (3pm-6pm) where the additional two adjacent hours contribute to include as much traffic again as the one hour peak eg 5-8am 168 total vehicles (of which 88 are 6-7am) and 3-6pm 89 total vehicles (of which 46 are 5-6pm).

This falls directly into the school bus times in both the morning and afternoon. We believe that it is critical that the safety conditions for school traffic contained in the original Approval must be maintained.

70% (222 employees) of the total CURRENT Workforce are slated to be excluded from the requirements of the modified Approval Condition 63 if Mod 3 is approved by DoPE.

CWA of Maules Creek find the above change objectionable and not in the best interest of the Community hosting this State Significant Project. The EIS states

“Over the survey period, the operational workforce arrivals were made up of 1,384 Whitehaven employees, and 490 other operational workers not directly employed by Whitehaven. Whitehaven employees thus make up 73.8 percent of the operational workforce. The remaining 26.2 percent are contractors. Whitehaven currently employs 237 people, thus there is estimated to be 84 contractors, with a total operational workforce of 321 people in 2015.”

Our highlighted sections point out the change.

In summary, this means that 26.2% of the total workforce are contractors and their travelling is not to be included in traffic conditions in the proposed modification.

In this survey this was almost 30% of persons travelling and 45% of all light vehicle trips. This is creating a significant and ongoing effect of traffic on these roads (386 trips). This must be addressed immediately and should continue to be included in Condition 63.

Table 3.10: Operational Workforce Existing Traffic Generation

	Light Vehicles	Shuttle Buses
Total Workforce (people)	321	
People by Mode	205	117
Average day direct operations, maintenance and CHPP wages employees	99	
Average weekday direct operations, maintenance and CHPP wages employees by Mode	24	76
Vehicle Occupancy (people per vehicle)	120 Whitehaven employees 84 contractors	6 (laden)
Number of Vehicles	1.60 Whitehaven employees 1.27 contractors	20 (laden) 5 (unladen)
Daily Inbound Vehicles	142	25
Daily Outbound Vehicles	142	25
AM Peak Inbound Vehicles per Hour	45	10
AM Peak Outbound Vehicles per Hour	3	0
PM Peak Inbound Vehicles per Hour	2	0
PM Peak Outbound Vehicles per Hour	33	7

The above Table refers to the MCC operational workforce.

Of 321 employees MCCM consider that only 99 or just over 30% of the workforce falls into the category of wages employees. In the modified conditions MCCM wish to exclude almost 70% of their workforce from the traffic condition or 222 employees (including 84 contractors).

This means that MCCM EIS wishes to exclude the 181 of the 205 people who travelled by light vehicle during their survey period.

Maules Creek CWA say that it is not reasonable or acceptable to change these conditions to only apply to 30% of the MCCM operational workforce allowing more than 100 light vehicle trips per day to go unchecked.

A total impact of 416 light vehicle trips per day by 2020

Table 5.1: Operational Workforce Traffic Generation in 2020 with Modification

	Light Vehicles	Shuttle Buses
Workforce (people)	470	
People by Mode	177 Whitehaven employees 123 contractors	117
Vehicle Occupancy (people per vehicle)	1.60 Whitehaven employees 1.27 contractors	10 (laden)
Number of Vehicles	208	18 (laden) 5 (unladen)
Daily Inbound Vehicles	208	23
Daily Outbound Vehicles	208	23
AM Peak Inbound Vehicles per Hour	65	10
AM Peak Outbound Vehicles per Hour	18	2
PM Peak Inbound Vehicles per Hour	3	0
PM Peak Outbound Vehicles per Hour	48	7

The above table 5.1 notes the proposal with Proposed Modification 3, i.e. (70% of workforce on the buses) by 2020 with a total workforce of 470. In summary:

- 117 people on the shuttle bus out of 470 employees – on a total of 23 trips.
- Plus another 300 employees (including 123 contractors) generating a further 208 round vehicle trips –
- Making in total of 416 light vehicle trips per day.

A 500% increase in light vehicle traffic if DoPE give Approval for Modification 3

Under the current approval condition there will be a projection of 66 light vehicle trips per day by 2020.

The Mod 3 proposal in comparison if implemented on these projections will see an increase in the number of light vehicles from the current 2020 approval level of 66 light vehicle trips per day to 416 light vehicle trips.

This means an additional 350 light vehicle trips per day over their current approval conditions an increase of over 500% by approving the modification of this proposal.

From the community's perspective this simply must not be allowed to happen.

It appears the cumulative impacts have been understated as have the increase in traffic due to this modification.

Table 4.3: Operational Workforce Light Vehicle Travel at Approved Shuttle Bus Usage

Average Weekday	Year 2015	Year 2020
Operational Workforce (people)	321	470
10% by Light Vehicle (people)	33	47
Light Vehicles	23	33
Daily Inbound Vehicles	23	33
Daily Outbound Vehicles	23	33
AM Peak Inbound Vehicles	8	11
AM Peak Outbound Vehicles	1	3
PM Peak Inbound Vehicles	1	1
PM Peak Outbound Vehicles	6	8

Table 4.9: Boggabri Coal Mine Operational Traffic

Site ^A	Road and Location	Year 2015			Year 2020		
		AM Peak	PM Peak	Daily	AM Peak	PM Peak	Daily
M01	Kamilaroi Highway north of Rangari Road	10	11	52	25	27	128
M02	Kamilaroi Highway south of Rangari Road	25	27	128	25	27	128
M03	Rangari Road east of Kamilaroi Highway	34	38	180	0	0	0
M04	Rangari Road east of Themibri Road	34	38	180	0	0	0
M05	Themibri Road north of Rangari Road	0	0	0	0	0	0
M09	Rangari Road east of Barbers Lagoon Road	10	11	52	10	11	52
M10	Barbers Lagoon Road south of Rangari Road	0	0	0	0	0	0
M12	Maules Creek Coal Mine Access Road, east of Themibri Road	0	0	0	0	0	0

^A Refer to Figure 2-1 for locations

AM Peak = 6.00am to 7.00am (vehicles/hour), PM Peak = 5.00pm to 6.00pm (vehicles/hour), Daily = vehicles/day

MCCM figures based on a proposed new access road that is not even built
Maules Creek CWA believe this reality needs to be recognized.
Within this table above Boggabri Coal traffic is being taken off the road and put on a road that doesn't even exist and may not exist- ever.

In this case MCCM is relying on a raft of assumptions to effectively exclude 180 vehicle movements per day from Rangari Road from Boggabri Coal and no change in the Boggabri Coal workforce – despite having approval for an expansion. Further as noted above MCCM have included assumptions made about a proposed new access road by Boggabri Coal. This has not yet

happened and the traffic assumptions used here for future road use by Boggabri Coal are based on Parsons Brinckerhoff, 2010 as the same consultants whose assumptions for MCCM have been said by MCCM in this modification proposal to not reflect current reality.

Additionally any future changes at Tarrawonga Coal mine are dismissed as having no impact.

Table 4.13: Midblock Levels of Service at Approved Shuttle Bus Usage 2015 and 2020

Site ^A	Location	Year	North or Eastbound				South or Westbound			
			AM Peak		PM Peak		AM Peak		PM Peak	
			PTSF	LOS	PTSF	LOS	PTSF	LOS	PTSF	LOS
M01	Kamilaroi Highway north of Rangari Road	2015	25.9	A	30.4	A	24.4	A	27.0	A
		2020	25.0	A	35.4	A	27.9	A	26.7	A
M02	Kamilaroi Highway south of Rangari Road	2015	33.8	A	30.2	A	23.6	A	38.9	A
		2020	33.8	A	31.1	A	25.2	A	41.1	B
M03	Rangari Road east of Kamilaroi Highway	2015	27	A	14.2	A	14.0	A	29.3	A
		2020	29.7	A	4.2	A	5.1	A	31.0	A
M04	Rangari Road east of Themibri Road	2015	21.8	A	25.0	A	17.1	A	18.4	A
		2020	15.8	A	27.2	A	17.0	A	7.8	A
M05	Themibri Road north of Rangari Road	2015	27.0	A	3.4	A	2.8	A	24.5	A
		2020	28.4	A	2.2	A	5.6	A	26.2	A
M09	Rangari Road east of Barbers Lagoon Road	2015	19.0	A	18.5	A	16.7	A	19.3	A
		2020	19.9	A	18.7	A	15.7	A	19.3	A
M10	Barbers Lagoon Road south of Rangari Road	2015	8.9	A	17.1	A	19.7	A	13.8	A
		2020	8.7	A	14.6	A	20.0	A	15.8	A
M12	Maules Creek Coal Mine Access Road, east of Themibri Road	2015	26.6	A	2.8	A	2.6	A	24.7	A
		2020	27.8	A	1.5	A	5.7	A	26.5	A

^A Refer to Figure 2-1 for locations

Theoretical vehicle Numbers that don't actually exist

Note in the above table that due to assumption of Boggabri Coal removing 180 vehicle movements per day from M03 and M04 PTSF – there is an assumption that there will be a marked decrease in traffic on current assumed approved levels.

This data in turn is used to reduce the assumed impacts on the Kamilaroi Highway and Rangari road intersection.

If and when the Boggabri Coal proposed new access road is constructed and comes into operation, then and only then should the impacts on road traffic be considered to allow MCCM to apply for a modification to their conditions.

Maules Creek CWA argue that to grant any sort of approval or conditional

approval based on unproven assumptions is not appropriate.

Maules Creek CWA object to this change in operations by MCCM.