

**Peter Watson**  
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**9 October 2017**

**Carolyn McNally**  
**Secretary**  
**Department of Planning and Environment**  
**carolyn.mcnally@planning.nsw.gov.au**

**Dear Ms McNally,**

**Re: Maules Creek coal mine Project Application Number: 10\_0138 Mod 4**

The proponent Whitehaven Coal, are seeking to remove a section from Condition 12a, Schedule 3 from Planning Approval 10\_0138 regarding the Maules Creek coal mine. That is the deletion of the wording and requirement to-

*“ensure that all equipment and noise control measures deliver sound power levels that are equal to or better than the sound power levels identified in the EA, and correspond to best practice or the application of the best available technology economically achievable;”*

I object to the Mod 4 and Whitehaven Coal removing a specific requirement for continuous environmental noise improvement by maintaining or reducing mining equipment sound power.

My property is located directly west of the Maules Creek coal mine and we have no other private landholders between us and the mine. My house is located less than 200m from what was originally the line of acquisition due to noise. The neighbouring property "Olivedeen" was purchased by the mining company because of the modelled noise impacts. The Olivedeen house is less than 500m from my house.

Whitehaven currently conduct attended noise monitoring near my mailbox, but it is not clear whether these are random spot audits or whether the mine management know the schedule and operate their equipment accordingly within the guidelines, during these brief recording periods. There is currently no independent attended noise monitoring occurring to ensure compliance with conditions.

I believe the Maules Creek Mine Mandatory Noise Audit was imposed precisely because the mine did not have a strong record of mine compliance.

Maules Creek coal mine Environmental Protection Licence has recently been downgraded to level 3 – only 3 out of 49 coal mines in NSW have this low status - confirming a less than desirable environmental performance from Whitehaven at the Maules Creek Coal Mine.

I believe that removing the requirement for continuous improvement in noise reductions will result in poorer living and environmental conditions for myself, my family, the community and the environment.

I strongly reject Modification 4 and urge the Department of Planning to investigate why the company needs to remove the requirement, is it simply they are not complying and wish to tidy up the paperwork to allow them to continue?

Sounds similar to the transport rule modification (Mod 3) where Whitehaven realised they were not complying and simply applied to change the rules rather than their practices, resulting in a poorer outcome for the community.

I believe that this will be bad for my family and strongly support the rejection of this Modification 4.

Yours sincerely

Peter Watson