

6 October 2017

Carolyn McNally
Secretary
Department of Planning and Environment
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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 objects to the Mod 4 and Whitehaven Coal removing a specific requirement for continuous environmental noise improvement by maintaining or reducing mining equipment sound power.

I am disappointed that WHC is hoping to put even more noise into this once quiet, beautiful place and that this is considered a reasonable response to not being able to meet their major, legal- Project Approval conditions.

It is unsurprising that they can't meet the conditions. They are putting a lot of energy and looking in the wrong direction for noise. I daily see money wasted on a security guard sitting on our road near our primary school and the fixed sound monitor. My sleep is being severely interrupted now, as we are subjected to a constant noise – Low Level noise that is a drone on a good night, and on a bad, constant noise of individual machinery (we are approximately 9km north from the Mine Precinct). Surely sitting outside one of the gates of the other mines in the Leard Forest would be more useful for detecting noises - other than their own. I wonder if the mines have sat down and devised a precinct mine management plan. This should be first port of call.

To me this modification seems to be a way of fixing sound power levels- for the company- but not for the community. There must be another way to fix sound power and low frequency noise at night. We are constantly told by company Representatives that they “Work to their approval conditions.” But to they?

For example rather than deleting the condition and the words to make this true, does the Company's Noise Management Plan actually include this legal requirement as a Noise Management Objective- i.e. put the words 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"** as a focus to guide their actions?

Watching the community for the next 30 years is awful and no substitute for the continuous improvement and use of best available technology to reduce sound power. I urge the government to reject this application and direct the company in refocusing their efforts on reducing sound power levels.

Further, this is the second modification to the Project Approval this year – and both have been about Approval Conditions that would make this company a better, more professional workplace and neighbour.

The government must impose a condition that the company redouble their focus on adhering to approval conditions, this one in particular in this instance and stop looking for others to blame.

In closing, I understand that the mine is expanding to the west in February and in the north with the exploring of A346, Wollondilly and this will bring them closer to my residence. Under the circumstances this is worrying for our business and land value.

We were told by the company that "We wouldn't even know they were there." I wished it were true. I ask the government to agree that with expansions the community need MORE, NOT LESS protection against sound power level intrusion and noise generally.

I feel from the Department and the community's perspective that by this time, this issue requires penalty notices to encourage a change of behaviour towards mine problems. Much the same as would happen to people who are breaking any driving licence agreement.

And I question whether this approach – asking an environmental improvement condition to be deleted is typical of all professional mining companies?

In summary, I believe that this deletion of a requirement for continuous environmental noise improvement by maintaining or reducing mining equipment sound power would be bad for my family and set a bad Project Approval precedent. I strongly urge the Department to reject this Modification 4.