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NSW Department of Infrastructure
And Planning

Submission regarding the Environmental Impact Statement prepared by Alkane Resources for proposed mining project at Toongi referred to as the Dubbo Zirconia Project – Application Number SSD-5251.

On behalf of my family and myself I would like to thank the NSW Department of Planning and Infrastructure for the opportunity to comment on the project referred to as the Dubbo Zirconia Project.

I am a resident of the Obley Rd where my family and I have lived for 12 years. My property faces the Obley Road between the proposed project site and the Newell Highway.

I would like to raise some concerns that I have regarding information provided in the Environmental Impact Statement (EIS) prepared by RW Corkery & Co Pty Limited on behalf of Alkane Resources in relation to road traffic movements on the Obley Road.

Consultation

In October 2013 purely by chance I was made aware of an information session at the Dubbo RSL Club regarding a presentation about a proposed mine site at Toongi.

It was at this presentation that I first became aware of the proposed project and implications regarding its construction, operation and transport of their required materials and products.

The Alkane Resources representative informed those present an EIS had been prepared and was available for viewing.

Community Consultation

Section 2.1.1, Project Objectives, Dot point 6 states:

- *undertake all activities in an environmentally responsible manner to ensure compliance with relevant criteria/goals or reasonable community expectations;*

2.2.5.1 of the EIS states:

“The Proposal relies on the movement of reagents by road between the State Highway road network (Newell Highway) and the DZP Site. The roads that would be used, Obley Road and Toongi Road, are relatively lightly trafficked and the Applicant recognises these would require upgrading in order to accommodate the type and volume of traffic proposed.”

FACT 1

In each of the options for the construction and operation of the proposed mine site road traffic volume and type (more heavy vehicles) on the Obley Road will change and increase significantly between the Newell Highway and the Toongi Road turn off.

Section 3.2.1 states Alkane Resources has been actively consulting with the community from the development application process in 2001.

FACT 2

As a resident of the Obley Road in the area bounded by the Newell Highway and the Toongi road I have not been approached or have been consulted by Alkane Resources or any persons, companies or groups acting on behalf of Alkane Resources in person, by mail (electronic or hard copy) or telephone at any time before or after attending the meeting at the Dubbo RSL.¹

Given the nature and nominated life span of 25 years² for the project I feel Alkane Resources have a moral obligation to consult with affected landowners, by admission the Alkane Resources representative at the October 2013 presentation at the Dubbo RSL and EIS prepared for the project openly states road use is expected to increase, potentially doubling or greater with a high intensity of heavy vehicles compared to what the road currently carries.

I consider 12 years a reasonable time for some form of consultation; Alkane Resources have failed to consult affected members of the community providing false information in the EIS for the project.

The meeting I attended at the Dubbo RSL generated concerns regarding the proposals for transporting materials and equipment on the Obley Road to allow the mine to operate.

The perception I gained from the presentation was one of almost disregard for any options regarding the use of rail to transport materials and equipment to and from the proposed site, Statements were made by the Alkane Resources representative to the effect that if he was a road user he would not like to wait for a train to pass through a level crossing and he mentioned difficulties in having trains pass through the Hunter region.

I was interested to note the EIS cited the preferred method of transporting materials was via a road and rail network but the cheapest option of transport is by road, but Alkane Resources have a preference to include the Dubbo Toongi rail line.

*"The simplest and cheapest option would be to operate a road transport fleet only. However the environmental and social benefits in reducing the number of heavy vehicles on the roads of Dubbo and NSW have been considered and influence the Applicant's preference for including the Dubbo Toongi rail line into the proposal"*³

In reference to the option of rail transport Section 2.12.1 also states:

¹ It should be noted there is a mail box at the entry to my property that has been in place for 12 years providing ready access by mail.

² Section 2.14.2 states operational life as per the criteria in the EIS is 25 years

³ Section 2.12.1

“The Applicant would within five years of receiving development consent, complete a thorough and comprehensive review of the transport task to assess the feasibility of the rail option”.

Is this a statement of request for development approval in favour of Alkane Resources saying, Alkane Resources will only conduct further evaluation of rail transport options if development approval is granted?

The period nominated is a fifth of the total proposed life of the project. If this is the case the EIS is incomplete as it has not fully addressed transport issues in not fully evaluating the option to use the rail system to transport materials and products for the life project.

If it takes five years to undertake a study will it take a further five to make the necessary upgrades purchase of rolling stock and associated facilities?

As the predicted project life as defined by the criteria in the EIS is 25 years (2.14.2) I see the statement (2.12.1) as saying Alkane Resources will operate and do as it desires in relation to the evaluation of rail transport. As the proponent I would have thought the onus is on Alkane Resources to provide a complete evaluation prior to being granted any Development Approval as the transport of materials is a key factor relating to the construction and operation of the proposed project.

I also noted with interest the Alkane Representative at the October 2013 Dubbo RSL meeting and 2.5.2 of the EIS state the Obley Road is approved for access by B Double truck trailer combinations to the Benelong road turn off, when I viewed the Roads and Maritime Services (RMS) website on 18 November 2013 and conducted a search on the RMS Restricted Access Vehicle Map Service⁴ the map clearly shows B Double truck trailer combinations are not permitted on the section of the Obley Road between the Newell Highway and the Benelong Road.

FACT 3

The Obley Road is not approved to be traversed by B Double truck trailer combinations from the Newell Highway to the Benelong Road turnoff as reported in the Alkane Resources EIS.

As the Obley Road is not an approved road for B Double truck trailer combinations the information in the EIS relating to the section of Obley Road from the Newell Highway to the Benelong Road may be questionable.

The EIS proposes the use of B Double Truck Trailer combinations, a type of heavy vehicle that is not permitted to use the Obley Road as verified by the RMS Restricted Access Vehicle Map Service.

As a resident of the Obley Road I am also concerned about the impact of noise generated by these heavy vehicles and others, the possibility of products being transported not being covered and contained correctly related to the project, there are no clear guidelines⁵ as to what the road transport hours use is during the construction and production cycles in the EIS for the project.

⁴ www.rms.nsw.gov.au/heavyvehicles/ravmap/

⁵ Section 2.14.1 does not openly address the hours road transport activity related to the proposed project will be undertaken to meet the requirements of the project.

The hours of operation by the mine related traffic has the potential to generate disturbance noise from heavy vehicles during night periods and weekends impacting local residents, road users and other road users such as school operators.

Section 4.12.4 Mitigation and Management Measures, states a Construction Traffic Management Plan would be prepared and then implemented, if Alkane Resources are proposing to do this why is there no Construction Traffic Management Plan within the EIS to allow an informed decision by those reading the document, additionally reference is made regarding the preparation and implementation of a Code of Conduct for road travel, why is there no Code of Conduct included within the EIS to allow affected persons to comment, surely a company with the supposed resources and ability to undertake such a complex activity as the proposed project at Toongi would have a Code of Conduct and the ability to provide Construction Traffic Management Plans that could be provided?

The NSW Resources and Energy requires an Environmental Impact Statement “to provide a thorough public examination of a proposed activity that is likely to have a significant impact on the environment”.⁶

The Traffic Management Plan and Code of Conduct will impact on the transport activities undertaken by Alkane Resources in the immediate vicinity of the proposed project, the Dubbo City area and the roads and highways nominated within the EIS.

In relation to transport activities related to the construction and operation of the proposed project the EIS prepared by RW Corkery & Co Pty Limited on behalf of Alkane Resources:

- Has misrepresented Alkane Resources as Consulting with the community, verified as I as a resident on Obley Road for 12 years have not been approached by Alkane Resources or received any information form Alkane Resources regarding their proposed project.
- Have misrepresented the Obley Road as being partially approved for use by B Double truck trailer combinations as verified by the RMS website.
- Have not provided adequate information relating to the option of use transport by rail as the primary mode of transport for mine related products, this is supported by statements in section 2.12.1 where Alkane Resources state they will only undertake a “comprehensive review” within five years of receiving “development consent”.
- Section 2.14 does not adequately show or explain the expected hours of operation by road transport activities related to the proposed project on the Obley Road.

In summary I have no objections to the mining activity proposed at the proposed project site at Toongi. I do however have concerns relating to the claims made within the EIS by Alkane Resources as reviewed above that demonstrate the brashness in the manner the project and EIS process has been managed and applied.

I do object to the use of the Obley Road and other road networks in and around Dubbo to transport materials to and products from the proposed project site.

⁶ ESG2: Environmental Impact Assessment Guidelines Part F page 3

I respectfully request the NSW Department of Planning and Infrastructure:

- Delay approval for the development until Alkane Resources have fully investigated and provide conclusive evidence that is considered to be fair, reasonable and correct relating to the movement of products by rail from Toongi between prospective ports such as Newcastle or other prospective ports to allow the Department to make an informed decision on the use of Rail as the primary transport mechanism.
- Implement conditions on Alkane Resources that requires the use of the rail network and or construction of rail facilities to minimise road activity required to allow the proposed project to operate.
- Delay approval until Alkane Resources have produced, provided, and published for Departmental and public scrutiny their *Mitigation and Management Measures* such as the proposed *Construction Traffic Management Plans* for each and every proposed road alteration/addition, and the proposed *Code of Conduct* to be implemented and observed by persons associated with the proposed project.
- The Department give consideration to restricted use of the Obley Road by Alkane Resources and associated companies/persons/agents during daylight hours during week days, morning half days on Saturdays, with no traffic movements allowed on Sundays or public holidays.
- I request the Department develops monitors and implements conditions to apply severe penalties on Alkane Resources should Alkane Resources or their associated companies/persons/agents undertake any traffic movements on the Obley Road outside any periods allowed for traffic movements on the Obley Road unless there is a threat to life or a substantial environmental event requiring immediate assistance to manage.