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Submission re: MP 10\_0046 - MOD 1

I would like to raise the following areas for consideration in the approval process for the modification of MP10\_0044.

I am a nearby resident to the NRE Colliery in Russell Vale/ Bellambi.

I have been a resident since December 2000, and I am a homeowner.

I make the following brief submission as to my objections about the approval of and the nature of this project:

- **The history of applications by the proponent:** Given the size and nature of the Company, Gujarat NRE Coking Coal Limited, the history of applications being made and withdrawn in an endeavor to try to introduce longwall mining and expand the nature of the operation at the NRE No1 Colliery, is confusing and bordering upon deliberate obfuscation of the overall plans of the proponent.

The nature of this application is incredulous, it is in relation to the NRE No1 Colliery, there was approval granted in October 2011 as part of the original MP10\_0046. It beggars belief that the proponent could order and have manufactured a custom made \$90 million longwall machine and not realise that their approval as granted in October 2011 did not allow for the use of such a machine (due to the approved usages of the Maingates 4&5 as “exploratory drivages” only and not as “operational gateroads”).

It was specifically noted by the Planning Assessment Commission, in the MP 10\_0046 PAC Determination Report that a number of submitters at that time had specific concerns about the “preliminary works” and the “expansion” projects being dealt with separately. The report makes specific note that the “proponent made an unequivocal statement concerning acceptance of all commercial risk involved in separating the project applications”.

It appears that the piecemeal approach taken by the mine administration is such that it borders on being deliberately deceptive. The history of applications being made, withdrawn and now modified is providing a very testing environment for local residents to be able to stay astride all of the issues and to know what should be replied to, to whom and by when. It also proves challenging to be aware of what is actually the subject of “community consultation” at any time. There is a very real risk of concerned locals suffering from “submission fatigue” and this could, sadly, lead to limited expression of the true feelings of the local community regarding any changes, not just as a result of this application, but as part of the collective whole of the

proponents applications. The proponent has commenced operation of the longwall machinery in the area known as Longwall 4 in the Wongawilli Seam; it appears that the use of the “exploratory drivages” has already progressed to them becoming “operational gateroads” without any proper approval. It is time for the proponent to approach its dealings with the community in an open, honest and transparent fashion.

- **Environmental impact:** The proponent is in an excellent position to become a first world leading Coal Mining Company providing innovative and world leading environmental solutions to the problems created by their activities. There are several areas, which are of concern arising from the Environmental Impact Assessment as lodged by the proponent.
  - *The lack of data to properly model Subsidence*, this is an issue that then daisy chains to several other concerns. As I understand the situation, the proponent is relying upon subsidence modeling performed by Geothermal. This modeling relies on data collected over many years in respect of mines, terrain, the rock strata's, depth of the mine, other landforms including aquifers, and ground water etc, to assess the likelihood, nature and extent of subsidence. It is not disputed that subsidence will occur, simply that the amount of subsidence and the area effected will be within acceptable limits. There are some caveats on this, the situation in the proposed mine area (namely Longwall 4 & 5) is mining in a seam over which 2 other seams have previously had coal extracted by longwalling. This is an unusual circumstance and gives rise to a greater degree of uncertainty as to the degree and extent of subsidence. This creates, I believe, a higher level of risk of subsidence that causes significant damage to the environment.
  - *Longwall under the Sydney Water Catchment*, namely; Cataract Creek Catchment. The higher degree of speculation that attaches to the modeling of subsidence creates a greater risk of there being a reduction in catchment storage in the area. The Proponent states that the predicted loss of stream flow would be 0.07m/l per day, (or >25m/l per year, or the equivalent of approximately 10 Olympic swimming pools being lost every year, for the foreseeable future. When the next El Nino cycle occurs, even that amount of water being lost from the Sydney Catchment is unacceptable. This is, in my view an unacceptable amount as predicted. Given that rate is predicated on the modeling of subsidence for which only very limited data is available; there is a very real risk of the loss of stream flow to greatly exceed that predicted and for the effect to be catastrophic upon the catchment. There should at very least be a requirement for a large bond or bank guarantee to be held in trust so that remediation work could start without delay should catastrophic effects be experienced in relation to stream flows and loss of catchment storage volume as a result of the proponent's workings.
  - *Longwall subsidence under suspended swamps*; the Environmental Assessment includes information that 3 upland swamps, named as “Endangered Ecological Communities” all are at some risk of damage by reason of cracking of the bed of the swamp. These areas are

irreplaceable and of incalculable value to a community that values and protects diverse and endangered land. The swamps themselves are largely protected in other ways, as they are included in a large area of “special purpose land” which provides a buffer around the water catchment area. They are largely undisturbed and intact at this stage; the risks posed by the approval sought by the proponent place this area at unacceptable risk of significant irreversible environmental damage.

- Urban environmental impact; this approval would make very limited difference to the current approval (MP10\_0046) and its impacts. I will briefly outline how any increase in operation would likely impact:
  - The proponent relies heavily on the “history” of mining on the site as part of its arguments about the visual amenity and in regards to other aspects of their impact on the local environment, particularly at the mine head. Historically there has been a mine at South Bulli (now the NRE No1 Colliery) site since 1887; however, this has largely been conducted in a disruptive and almost piecemeal fashion since 1996, when the then owners Shell Corporation announced its closure. The colliery was, primarily in caretaker mode (so as to avoid the rehabilitation costs and to allow it to be sold as a “working” mine.) The site was operated/managed by Allied for several years leading up to its acquisition by the proponents, however, at the time commodity prices meant that there was little incentive for operation at any scale (and certainly extraction and movement by road did not approach the current 1MTPA). That was largely the case since 1996 until the purchase of the site and the lease by Gujarat NRE Coking Coal Pty Ltd in 2005-2006. This has meant an increase from approximately 400,000 tonnes (or less) per annum, to a significant escalation to 1,000,000 tonnes per annum by the proponent, it is noted that approval of the modification will be a step towards the proposed increase in extraction by the proponent to 3 million tonnes per annum.
  - *Trucks*; the proponent proposes to move all “run of mine” coal extracted from the NRE No1 Colliery by road. The impact of this is a loss of amenity as regards the peace and quiet enjoyment of my property on Bellambi Lane. The trucks are noisy, they generate dust and they are an eyesore. As stated historically they have not been a significant feature of the area during my ownership of the property since December 2000. Trucks cause significant vibration through the ground and by the shock wave of air that is caused by the low-pressure area created by the movement of the trailer. In recent times when the road surface had degraded, trucks hitting potholes and rough patches. The impact of the truck movements caused by the proponent is such that the road surface appears to be degrading rapidly and this creates a resultant increase in vibration and noise. The trucks generate significant noise this noise impacts directly ability to enjoy my suburban front yard of my children and myself. The

truck noise can disrupt conversation and is intrusive, the nature of positive traffic changes in the area (with the opening of the Northern Distributor Extension), has meant that the noise of the trucks is significantly above the ambient noise levels that exists at all hours of the day and certainly in the hours between 6pm and 10pm at night. The management plan set out in the approval of the MP10\_0046 Project still have not been implemented by the proponent, this is well outside the approval timeframes, and this proposal will continue to cement the unreliability of the proponent. They have not ensured compliance with the code of conduct by the drivers contracted to the proponent. Examples of this non-compliance include; exceeding the speed limit of 40km/h, ensuring that trailers are covered prior to leaving the Colliery site and running when the truck wash is not in operation.

There has been no discussion of, or, it appears, no transparent move towards implementing any environmentally friendly alternative to movement by road by the proponent, not in the current approval/modification, nor has it been mooted in future applications. In this day and age the reliance upon old technologies (such as trucks), without public examination of and a commitment to alternatives, to reduce the environmental impacts of the activities of the proponent is not acceptable. They are not examining the issues of alternatives, as it does not look like any agency, government body etc is making it viable for them to have to do so.

- Dust; the NRE No1 Colliery generates dust, as a local resident I can visually see the impact of the operations inside and outside my house. I cannot provide empirical scientific data, but I observe the layer of very fine, black dust increasing and decreasing in accordance with the wind direction and the amount of coal being hauled past my house. I have grave concerns about the impact of the fine (10micron) and very fine particulate (0.25micron) matter generated by the operations of the proponent. These have sources directly from coal being moved and stored within 400metres of my residence, as well as from the use of diesel engines and the wear of brake pads and clutches in the motors. There has been no assessment of the amounts or impacts of these types of substances in the residential area immediately surrounding the NRE no1 Colliery. The proponent has been very selective in locating dust detection and the level to which dust is detected and measured have been designed to maximise the likelihood of project receiving approval. It is my belief that the tarping of the trucks should be to a greater and a higher standard of wind and rain proof tarping system (such as those used for trucks carrying rain sensitive ores) -I have heard these tarping systems referred to as "100%ers". The proponent causes coal to be hauled through a long standing residential area and that they should control the risks associated with that haulage to a very high

standard. Experientially, I have children who suffer from asthma and I am concerned about the impact of the colliery operations on their short and long term health.

- Noise; as discussed above trucks and traffic connected with the use and development of the site generate the most significant noise impacts. There have been noises created by loading/earth moving equipment, which I have noticed, particularly when the ambient noise is greatly reduced. This includes “reversing beepers”, diesel machinery and other machinery noise. This noise has become more significant and there has been a cumulative impact of these types of noises over time, leading to increased sensitivity to noises of this kind. I have found that my ability to tune them out has decreased. I anticipate that this issue will be ongoing and that the proponent owes all existing residents a duty of care to ensure that their health and wellbeing do not suffer as a result of their actions.

This response is made by me as a local resident and someone who has been impacted negatively by the activities of the proponent.