

Director, Mining and Industry Projects  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

To Whom It May Concern,

### ***Objection to Proposal MP 10\_0046 - MOD 1***

I write to object to the acceptance of this proposal as a modification to the Preliminary Works Project MP 10\_0046. This proposal, along with the Preliminary Works component of the original MP 10\_0046, and the SMP application to the Division of Resources and Energy are attempts by Gujarat NRE (GNRE) to incrementally establish their expansion project. It is misleading to exhibit this proposal as a mere modification. This piecemeal approach to planning and this strategy of brinkmanship erodes the capacity for public involvement and participation in environmental planning and assessment as conferred by the *Environmental Planning and Assessment Act 1979*.

It is obvious that this is about GNRE's expansion and yet no-one is able to see or comment on the full picture. I do not believe that this approach reflects planning best practice.

Furthermore, I object to the proposal for the following reasons:

#### **Longwall mining under the Sydney Water Catchment Area**

Recent reports of damage to the Waratah Rivulet, loss of water in the Woronora Dam and the draining of the Thirlmere lakes, all attributable in full or in part to damage from longwall mining, are alarming. I believe that the Department of Planning and Infrastructure (DoPI) is out of step with the public view on risk of the water catchment posed by mining.

The extraction of coal from Longwalls 4 and 5 will cause subsidence within an area that includes Cataract Creek and several upland swamps. Cataract Creek has been identified as having "*highly significant values*" making it "*worthy of protection*" (PAC, Bulli Seam Operations report, 2010). Subsidence impacts on swamps, surface waters and groundwater are documented in the Southern Coalfield Inquiry report and other reports. These reports recognise the importance of swamps within the catchment system both to store water and to filter it as it moves down into the larger water courses. Swamps cannot be undermined "safely" and they cannot be remediated.

I am not qualified to critique the risk assessment in the proposal but I will state that risk assessment is just an estimate of risk of subsidence damage based on available information. Pells acknowledges that there is little precedent of multi seam longwall mining upon which to base his estimate. The precedents cited are only observances of subsidence effects in the short term. Do any of the experts know what the cumulative effect of undermining of the swamps and watercourses may be in 50, 100 or even 200 years time? Irrespective of the risk assessment of the various experts cited, I argue that the water catchment area is not ours to risk. We have a responsibility to preserve the catchment special area and its underlying land and aquifers undamaged, so that future generations of this area can have the access to drinking water that we have taken for granted in our lifetime.

I strongly object to the proposal because the location of the proposed longwalls poses an unacceptable risk to the Sydney Water Catchment Area.

### **Proximity to residential areas and the resultant negative impacts on the health and wellbeing of residents**

Unlike other collieries in the Illawarra, GNRE No. 1 Colliery is located in a residential area. I have google mapped each colliery in the area and yet I cannot find any with the proximity to residences that is evident with the Russell Vale Colliery. It was disappointing that the PAC approval of the Preliminary Works application did not reflect an understanding of this fact. Because of this proximity, the Russell Vale Colliery should be subject to *more, not less* stringent regulation and monitoring than any other mine in the area. However, recent developments have shown that GNRE is unwilling or unable to self-regulate and the DoPI is unwilling or unable to monitor GNRE's compliance.

As a resident that lives near the colliery, I am increasingly frustrated and angered by the contempt with which colliery staff have treated local residents and by the staff's dismissive attitude to legitimate complaints about various pollutions we are subjected to. What is even more shocking is the impotence and disinterest of state government agencies to address residents' concerns.

Homes and mines don't mix. In 2012, Russell Vale is no longer an appropriate place for a colliery.

### **Airborne particulate pollution**

Residents in the vicinity are exposed to airborne particulates from the colliery's operations. These operations include; a coal stockpile located just 200m from people's homes; a resizing facility; and, an enormous ventilation fan that blasts air from the underground mine directly at homes in West Corrimal. Trucking of coal past people's homes to Port Kembla Coal Terminal also creates an enormous amount of dust for people living in the vicinity of Bellambi Lane.

Airborne particulates from coal mines are increasingly associated with serious respiratory and other health complaints. In particular, particulates smaller than 2.5 micrometres are known to damage health (NSW Environmental compliance and performance report: Management of dust from coal mine, Dept of Environment, Climate change and water NSW in collaboration with NSW Dept of Planning and Industry and Investment NSW, 2010, p3). This Modification proposal does not even measure or model small particulates. The only air quality monitoring data is from an air quality monitor located in Wollongong 6 kms away. The exposure to particulates of 2.5 microns and less may extend for kilometres and could reasonably be expected to impact on at least 1000 to 2000 homes in the area. It is unacceptable for DoPI and the Government of NSW allow this kind of exposure.

### **Noise pollution**

Residents are also exposed to noise pollution from colliery operations and trucking. Countless complaints about noise remain unresolved. The noise from the exhaust fan is unacceptably loud, disturbing and offensive, particularly at night and when it is exacerbated by adverse meteorological conditions. GNRE are either unwilling or unable to address the noise pollution. As previously mentioned, a residential area is not an appropriate place for a colliery.

### **Inability to self-regulate or comply with conditions of approval**

Since the Preliminary Works approval GNRE have proved that they are not capable of self-regulation. They have failed to even comply with basic conditions imposed on them by DoPI and the PAC, including: implementing management plans for noise, air quality,

greenhouse gas emissions, traffic, biodiversity, water, heritage, and many more areas by the due date of 13 April, 2012 (still outstanding at the end of August 2012). Their implementation of a Community Consultation Committee or approved alternative was months overdue.

It took a community group's complaint to DoPI to draw attention to the non-compliance. As far as I am aware, no "enforcement action" was ever taken over the non-compliance. The Management Plans are still outstanding. I draw the conclusion that GNRE's inability to self-regulate is enabled and even encouraged by DoPI's inability or unwillingness to enforce compliance. There appears to be an entrenched culture at DoPI of compromised priorities. It was left to community members to point out that GNRE was not meeting its obligations by writing a series of complaints. While the DoPI clearly goes out of its way to accommodate the interests of the proponent, it seems it acts on the concerns of the public with great reluctance. As a taxpayer, I find this unacceptable.

Moreover, the fact that the management plans are still not available to the public during this public exhibition stage of the modification planning process (Noise, Air Quality and Greenhouse Gas, Traffic, Surface Facilities, Water MP's) is unacceptable.

In the public information session on this proposal we were informed that it appears that extraction of longwall 4 (a component of this Modification application and an activity that is already virtually completed as a result of another very controversial approval process) has been problematic, due to longwall misalignment. Furthermore, it appears that this longwall alignment error has resulted in the contamination of all the extracted coal. Not only is the subsidence much greater than predicted, the extracted coal has little value. The public was told that the proceeds of sale of the minerals extracted only covered extraction costs. This unfortunate outcome should be taken into account by DoPI and the PAC in the assessment of GNRE's assertion in making this application that the corporation is able to competently and responsibly extract Longwall 5. The evidence suggests otherwise.

GNRE does not appear to have the resources, or the will to bring the antiquated infrastructure at No. 1 Colliery up to modern standards. Irrespective of the drawbacks or merits of this proposal, GNRE is not an appropriate corporation to extract this coal or operate this colliery.

I have not made a reportable political donation.

**I request that my name is withheld from the proponent and from the website.**

Yours sincerely,

Kaye Osborn

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