

Submission on Application Number SSD 6464, Warkworth Continuation Project.

As long term residents of the Bulga region we are opposed to this proposal. Our home is located at 218 Wambo Road Bulga and will be subjected to impacts above socially accepted impact levels if this project is approved. This, unacceptable level of impact, has already been accepted as fact, by Rio Tinto (2003 Consent), PAC decision on 2012 Consent application and the resulting Land and Environment Court Decision. This application outlines, that it is essentially the same as the 2009 application, the impact will be the same, but now the economic benefit to Warkworth, its employees, its suppliers and Government revenue means that the people of Bulga are expected to accept greater than socially acceptable environmental impact along with the consequence of substantially devaluing of our properties' value.

Warkworth Mine has been established for a long period of time. The original owners of this mining entitlement had an agreement with the local residents to operate a large Open Cut Mine which would exist from the mine infrastructure area up to the Singleton side of Saddle Back Ridge. From Saddle Back Ridge to Bulga would be mined by underground methods. In 2002 Warkworth Mining came to agreement with the residents of Bulga to mine past the ridge, to the north of Saddle Back Ridge (leaving Saddle Back Ridge intact) and up to Wallaby Scrub Road.

The attached Newsletter Number 2 June 2002 outlines Warkworth Mining WML (Rio Tinto Group) agreement with the community that it would be unacceptable, for Bulga, if the Open Cut Mine progressed past Wallaby Scrub Road. Mr Chris Salisbury General Manager Warkworth Mining oversaw this whole process and now continues on as the most senior Rio Tinto Executive in Australia. This same Mr Salisbury has been very vocal with the economic reasons as to why this agreement must be breached, but is not acknowledging that under his direction this whole process now relies on the residents of Bulga being the scape goats.

This newsletter was given to us by Ms Sarah Fish (2002 Project Manager) on her first visit to our home, in 2002. It acknowledges that "the major issues of concern include noise and vibration, air quality, drinking water quality, visual amenity, property values, ecological values and road safety". At Ms Fish's next visit to our home we were given a copy of the EIS document and she outlined to us that the only way these impacts could be controlled, for the residents of the Bulga Region, was for Warkworth Mining to enter into a legally binding deed of agreement that would ensure Saddle Back Ridge and all the woodland on the western side of Wallaby Scrub Road would be left in perpetuity as a buffer for the Bulga Residents.

This current proposal does not ensure this and if it is approved will subject us to unacceptable environmental impact and our home being unsaleable.

Noise will be a major concern and the proposal as outlined in the current EIS is not acceptable. The report supplies two opinion's that the noise management plan will comply with the Industrial Noise Policy. We cannot offer opinion as a noise specialist but common sense appraisal of the proposed noise limits and management plan shows these expert opinions are flawed:

2003 Consent noise report showed the only way to comply was to leave the buffer zone in place.

2009 EIS then offered the opinion that the 2003 noise report levels could now be used (by machine sound attenuation and changes to mining practices) to demonstrate the mine could progress through Wallaby Scrub Road and up to adjacent to our property with no additional noise impacts. This was disproven in front of the Land and Environment Court. WML noise experts were

demonstrated to have used impractical noise power levels and had not applied individual receptor methodology. These same consultants have now issued another opinion that does not stand up to practical appraisal. The noise management plan, as outlined in this proposal, is centred on incorrect background noise level assumptions and a management plan that does not stand scrutiny.

Reference to Figure 8.1 “Long Term Background Noise Monitoring Locations at Bulga” highlights incorrect assumptions being made to the background noise levels in the area around our home (Wambo Road). Our home is residence 24 with an address of 218 Wambo Road. The rural road numbering system means we are situated 2.18 kilometres from the start of Wallaby Scrub Road (Putty Road intersection). The noise consultants have referred to long term noise monitoring location (C) as 128 Wambo Road, residence 32 where (C) is actually at 128 Wambo Road, residence 35. This means the noise report assumptions for Wambo Road are flawed. Position (B) 367 Wambo Road is 3.67 kilometres from the Putty Road turn and position (C) is actually 1.28 kilometres from the Putty Road.

The proposition that our home and all the residences to the west of Inlet Creek should have a background noise level of 33dB (A) is flawed. This background noise level should in fact be 30 dB (A), the same as location (B). Position (C) is 1.28 km from the Putty Road, at Bulga. Our home and all the other residences, to the west of the Inlet Creek are over 2 km's from the Putty Road (1 km more than (C)) so should be assumed to be away from the higher noise levels associated with the Putty Road. We are also further away from any influence of Wambo Mine as location (B) is between us and that Mine.

These facts mean the noise report should at least have all the residences to the west of Inlet Creek at the same level as location (B), back ground noise level of 30 dB(A). The noise report should therefore have all these residences impacted as shown for the residence at (B) and subject to acquisition rights.

The noise management plan does not give the affected residents confidence in its application. WML does have compliance officers measuring noise levels in the community as outlined in this EIS and in the recent consent modification application (to mine 300m of Saddle Back Ridge). Scrutiny of the noise report for the consent modification could not find any examples where mine production changes had occurred until a resident had initiated it with a complaint about noise levels. This EIS report only sites one example of production being modified due to WML compliance officers rather than a resident noise complaint. While the EIS indicates WML has lost large amounts of production time, due to noise compliance, it is evident the vast majority of noise compliance changes will still only happen after complaints from residents.

The Social Impact and Economic Benefit reports are an insult to the residents of Bulga. We have now been subjected to 5 years of harassment by this consent process (2009 to 2014). All the residents of Bulga want is for Mr Chris Salisbury and Rio Tinto to keep their 2003 promise to Bulga. Instead Rio Tinto has submitted a Social Impact statement that tells us “there will be no specific effects of the proposed development”. It then goes on to say any opposition to the proposal is “mere local prejudice” and “the resistance of uninformed opinion to innovation”.

The report then goes on to outline that Bulga has a low level of net in-migration as well as a substantially older profile than other Singleton areas. Also Bulga contains nearly all family households. It is nearly unbelievable that a multi-national company can come into a N.S.W. village, give guarantees, in perpetuity, (that it will keep its word), then break that trust and say any

opposition is “mere local prejudice”. This in a community made up of long term family residents, normal people, who are very concerned about their lifestyle and retaining the value of their most important asset!

This report also tries to justify the proposal by stating Bulga has “experienced growth in population and housing prices from 2006 to 2011”. This should be acknowledged as another twisting of facts to justify the proposal. What it in fact proves is that Bulga was a vibrant destination for families resulting from the 2003 consent. This gave the area surety of its environment and did mean many families moved into the area. Four of the properties around our home did change hands post the 2003 consent, but what the report hides is the undeniable truth that no one has come into the area post the 2012 consent.

The same applies for housing prices; the market was prosperous post the 2003 consent. Investigation of housing prices post the 2012 consent will show market values applying. This is not the result of people coming to the area but a reflection of the properties WML brought because of the 2012 acquisition requirements and AGL buying a property so it could undertake CSG exploration. Figure 4.2 of this report shows how our properties are squeezed between the Wollombi Brook and Wollemi National Park. The one reason to live in our area is the enjoyment of a quiet rural lifestyle. If this proposal is allowed our properties will be unsaleable (as there will be an 18 million tpa mine at our doorstep). If this report was truthful it would acknowledge that granting of the development application will mean the only option for Bulga residents (wishing to move away from the advancing Mine) would be to sell our homes to Rio Tinto.

The case made in the Social and Economic Impact Reports is directly opposite of the point above. The EIS report goes to great lengths to try and prove no impact on residents’ home values. Rio Tinto is transferring this economic impact directly to the residents of Bulga.

The vague references to properties that retain acquisition rights are another example of misleading information in these reports. Great note is made of the assertions only one residence that is not already in another mines acquisition zone will be impacted. However Rio Tinto have informed those residents who did have acquisition rights, under the 2012 consent, that these rights will be re-instated upon grant of this consent. Additionally approaches are being made to other properties, to gauge their wishes for purchase.

The acquisition rights under the 2012 consent were another example of the Rio Tinto dividing the community. The 2012 PAC used a flawed noise report to force a majorly flawed acquisition zone onto the Bulga residents. We had a system that meant some properties had acquisition rights and those on both sides did not. All this did was make the properties without acquisition rights unsaleable.

A summary of our opposition to this proposal is;

If this mine plan is allowed the people of Bulga will be subjected to environmental, social and economic impacts greater than socially acceptable. This has been proven in the Land and Environment Court Case. Reports in this EIS have distorted the truth to try and mask this fact. Mr Salisbury and his company have a proven track record of not honouring their word to the

community so instead of the EIS casting aspirations on the integrity (“mere local prejudice”, “resistance of uninformed opinion to innovation”) of Bulga residents it should be explaining how it could go about regaining a social licence to operate in the Bulga community.

If the planning laws have been changed so socially unacceptable environmental impacts are discounted against economic benefits to the proponent, its employees, its suppliers and Government revenue then surely part of the economic analysis should be that the proponent must also purchase every residence in the Bulga region at a guaranteed market value.

This application should in every moral sense be denied, but if N.S.W. Planning laws mean it must be approved then the approval should also ensure all Bulga residents, who don’t wish to spend the rest of their days complaining to the Mine, have legally binding rights for purchase at full acquisition rights.

Fiona and Garry Bailey

218 Wambo Rd, Bulga.

3-8-2014.

Extension of Warkworth Coal Mine

Environmental Impact Assessment



Newsletter Number 2
June 2002

Introduction

The purpose of this newsletter is to provide the community with an update on the progress of the preparation of the environmental impact statement (EIS) for the proposed extension of the Warkworth Coal Mine.

In March 2002 we prepared and distributed the first newsletter on the proposed extension of Warkworth Coal Mine. It provided an introduction on the project including, an overview of the:

- proposed extension and associated infrastructure required;
- the environmental approval framework for the proposed extension;
- the issues that will be addressed as part of the environmental investigations; and
- the consultation process that is being undertaken as part of the preparation of the EIS.

Update On Proposal

There has been no change or modification to the mine plan or area of the proposed extension as shown in Figure 1.

However, the proposal has been modified to include the expansion and upgrade of the maintenance, mining and support facilities at Warkworth. This will also allow operational synergies between Warkworth and Mount Thorley Operations to be achieved in the future and may include staff from Warkworth and Mount Thorley Operations starting and finishing their shifts at Warkworth.

Community Consultation

An initial round of community information days were held at the Bulga Community Hall on 5 and 6 April 2002 and at the Warkworth Hall on 11 April 2002.

The information days provided an opportunity for the community to obtain information regarding the proposal, view maps and aerial photographs of the site and provide the opportunity for residents to discuss issues of concern directly with the EIS project team. Representatives from Coal & Allied and Environmental

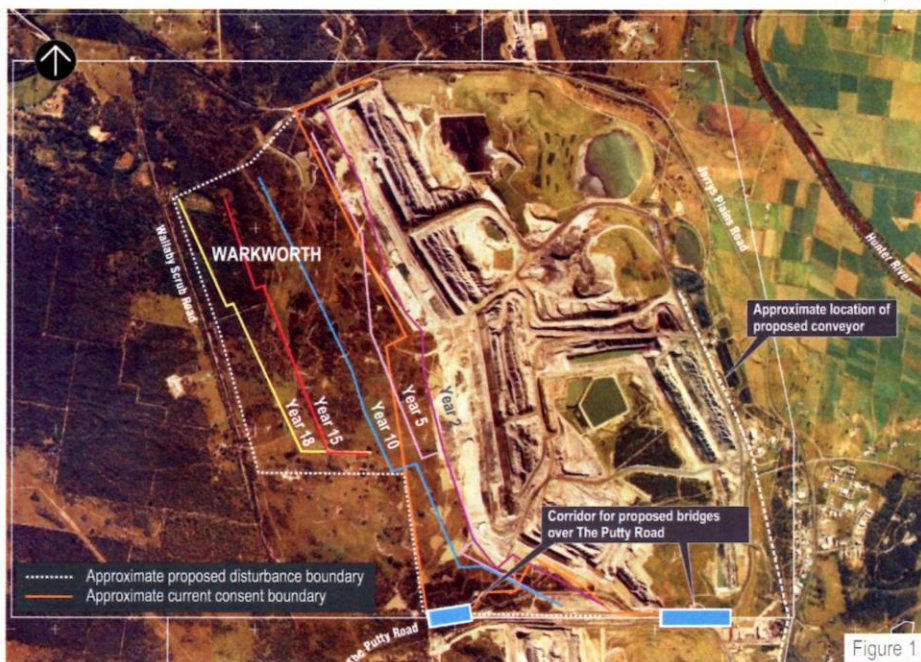


Figure 1

Resources Australia (ERM) were on hand at each occasion to discuss the project.

The information days were attended by a total of 19 groups of residents. A number of key issues were identified for assessment in the EIS. These issues particularly relate to potential impacts on the quality of life in the local area. The major issues of concern included:

- noise and vibration;
- air quality;
- drinking water quality;
- visual amenity;
- property values;
- ecological values; and
- road safety.

Photos of the community information days can be seen in Figure 2 and Figure 3.

A second round of community information days will be held during the first 2 weeks of the exhibition period of the EIS and SIS. The information days and EIS exhibition will be advertised in the next edition of the newsletter, as well as in the local newspaper.



Figure 2

Community information day at Bulga Community Hall



Figure 3

Community information day at Warkworth Hall

Environmental Approval Framework

Preparation of EIS and SIS

In addition to the preparation of an EIS, Coal & Allied have engaged ERM to prepare a Species Impact Statement (SIS). The SIS will address the potential impacts the proposed extension will have on threatened plants and animals and specific vegetation communities. Extensive flora and fauna surveys have been undertaken on the site of the proposed extension as well as Coal & Allied land to the west of Wallaby Scrub Road. The results of these surveys will be included in the SIS. The SIS will be placed on public exhibition with the EIS.

Commonwealth Approval

In April 2002 a referral was made to Environment Australia to determine whether the proposed extension requires approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 2000* (EPBC Act). Based on the potential presence of some threatened species on the site, Environment Australia has determined that approval is required under this Act.

Accordingly, the proposed extension will require approval under both the EPBC Act and the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) before it can commence.

Potential Environmental Issues

As part of the EIS, a number of specialist studies are being undertaken. These studies include an assessment of the potential impacts to:

- noise and vibration associated with the proposed extension of WML;
- air quality associated with the proposal;
- existing surface and groundwater regimes;
- the visual character of the area;
- the social and economic impacts that the proposed extension will have on the local, regional and State economies;
- Aboriginal and European heritage; and

- traffic utilising the The Putty Road by the construction of the proposed bridges and by-pass road.

The SIS will provide an assessment of potential impacts on flora and fauna within the proposed extension area

All of the above studies have been commenced and results will be presented in the EIS and SIS.

Warkworth Extension EIS and SIS Team

A team of specialists has been selected to work on the EIS and SIS for the extension of WML. These include:

- **Chris Salisbury**
General Manager, WML
- **James Bailey**
Manager Environmental Services, Coal & Allied
- **Sarah Fish**
Project Manager, Coal & Allied
- **ERM** - Environmental Consultants
conducting detailed environmental studies and preparation of the EIS and SIS. ERM team members include:
 - **David Snashall**
Project Director
 - **Brett McLennan**
Project Manager
 - **Karl Rosen**
Assistant Project Manager

Further Information

Should you have any queries regarding the proposed extensions and the preparation of the EIS and SIS, or to obtain a copy of the previous newsletter, please contact:

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