

## SUBMISSION

### WARKWORTH CONTINUATION - 2014

I object to the Expansion of Warkworth Mine and the Continuation of Mount Thorley Mine.

My concerns are centred on the impacts of noise, dust, visual amenity and health on the residents of Bulga and the undeniable destruction of the Village of Bulga if the Warkworth Extension is approved. These outcomes were made clear in the decision of the Land & Environment Court.

My great-great-great-grandfather was the first white settler at Bulga in 1825 and it is my duty to protect the heritage of this historic village.

This application is substantially the same as the 2010 application with some minor alterations which will be of no benefit to the Bulga Community and generally ignores the findings of the L & E Court.

The project is situated on precisely the same parcel of land and contains the same coal resources as the previous disapproved application.

I am amazed that this project has reached this stage when both the L & E Court and Supreme Courts have rejected the proposal.

The DPE has supported the mining company in both court cases; having voluntarily joined the mining company as a second appellant in the Supreme Court Appeal knowing that the appeal was futile and costing the NSW tax-payer hundreds of thousands of dollars. Furthermore I would have expected the department to respect the decision of both courts and accept the decision rather than secretly amend the State Planning Policy in a desperate effort to gain approval for the mine extension.

Other issues which need to be brought to your attention are –

#### 1. Cultural Heritage

The RAAF Base at Bulga which has been owned by Mount Thorley Operations for more than 30 years has been left to deteriorate to such an extent that restoration is not possible.

Potential stakeholders such as Military Museums, Air Force Museums and historians were not consulted on the future of the site.

Similarly, consultation over the future of Wallaby Scrub Road was, I understand, limited to discussions with Convict Trail Project, a group government funded through OEH, with an offer from Rio Tinto of \$200,000 to relinquish any interest in that section of the Great North Road which has State and Commonwealth Heritage significance. Once again museums, academics and historians have had no input into the future of that Road.

The heritage assessment (Table 19.2 Page 325) states that Wallaby Scrub Road meets the “threshold requirement for the criterion” for heritage significance. In Item 19.5 the report concludes that “while small portions of Great North Road Complex would be impacted by the proposal heritage impacts are likely to be minor”. Destruction of almost the entire length of Wallaby Scrub Road, an integral part of the Great North Road, is not considered to be minor.

I note that Rio Tinto is anxious to conserve a small section of the northern end of Wallaby Scrub Road which is outside of the mining lease whilst determined to destroy the remainder of the road.

#### 2. Stakeholder Engagement

Item 8.8.1 – Singleton Council raised the matters of “consideration of the alternates to the closure of Wallaby Scrub Road, and an appropriate approach to property acquisition in Bulga Village”.

Neither of these issues was addressed in the EIS.

When discussing “Social Impact” MTW give considerable importance to the welfare of their employees, notwithstanding the number of dismissals that have occurred recently, and places very little importance on the welfare of the neighbouring community. This is not a fair and reasonable comparison.

### 3. Saddle Ridge

The proposed mining area is slightly smaller than the original proposal in that an area of approximately 34ha was granted mining consent under Modification 6 and an area of approximately 30ha immediately to the east of Mod. 6 which falls within the 2003 approved NDA1 has now been disturbed. A request to DPE for details of mining approval for that parcel of land has not been forthcoming and I have no choice but to bring the matter to your attention. If my suspicions are correct then there has been a serious breach of consent.

Mod. 6 allowed the Minister's Deed of Agreement to be amended to remove the specific need to approach Singleton Council to rezone the land to Conservation Area, however it could not remove the status of NDA from the 2003 Conditions of Consent which is the Agreement the mine is currently operating under, as there is no binding relationship between the Minister's Deed and the already mining company initiated NDA.

### 4. Southern Biodiversity Offset Area

Expansion of the SBOA will sterilize productive river-flat farmland in the Bulga area adding to the already depleted available agricultural land in the region. Using prime agricultural land for offsets is bad policy.

### 5. Ownership

Whilst Warkworth and Mount Thorley mines are separately owned entities they are operated as one project. Why then have the mines been split into two separate projects?

The Warkworth Extension now includes a significant portion of MTO owned land to the north of Putty Road. I can only assume that a financial arrangement has been made over coal resources in that section. In the event that Miller Pohang decide to dispose of their property then a problem arises with mining of the common section which comes under two separate approvals.

This has not been addressed in the EIS.

### 6. Landform

The claim that the mine will now redesign overburden dumps to an undulating topography will not be possible in the areas where the dumps are now at maximum height. The timeframe for the bulk of this work will be post mining and of no benefit to the Community over the next 20 years. Drayton South Proposal has retreated behind a ridge to protect the neighbouring properties yet WML intend removing the Saddle Ridge buffer, an inconsistent approach.

### Conclusion

I trust that, unlike previous PAC's, you give serious consideration to my concerns and fears.

This battle has been in progress for more than four years and has taken a toll on those residents who only want to retain a reasonable, non-impacted lifestyle and save the Village of Bulga. Other mining alternatives exist.

Please do not usurp the findings of the L & E and Supreme Courts. We are all obliged to obey the laws of this State.

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