

I object to the proposed Warkworth Continuation Project. SSD 6464

This proposal seeks to mine the same coal from the same land as the previous proposal (2010) which was disallowed by the Land & Environment Court and reinforced by the Supreme Court.

When RTCA and DoPI (DOPE) sought to appeal the LEC decision, it was upheld by The Supreme Court.

Given that there are two legal entities involved here, there are two proposals.

Thus, EIS for the Thorley extension and the Warkworth Continuation are worded almost identically. Since this is so, I have referred to pages/paragraphs from the Mount Thorley EIS for both objections.

In fact they are one and the same proposal on the same land as was disallowed by the Land and Environment Court.

My home is situated opposite the point where the two mines meet and we are significantly affected by the activities of both mines.

My objection(s), therefore, are similar for both Warkworth and Mount Thorley proposals.

Both Courts; LEC and Supreme Court, have said NO to mining this land.

In LEC Judge Preston said NO after carefully examining every detail and weighing the benefits and impacts of the proposal. (499 paragraphs 174 pages)

The three most senior judges of The Supreme Court said NO to the DoPI (DOPE)/RTCA Appeal. They forensically examined Judge Preston's findings for errors in law. (378 paragraphs) and found none.

None of these judges could be said to be lacking in expertise, assessment or judgement.

The NSW government should, also, say NO.

To do otherwise shows contempt for the judicial system and would clearly demonstrate how thoroughly DoPI (DOPE) and this government is in thrall to Rio Tinto and "Big Mining"

ICAC Commissioner The Hon. David Ipp in his report entitled 'Reducing the Opportunities and Incentives for Corruption in the State's Management of Coal Resources' (October 2013) recommended that; *'an efficient and effective policy and regulatory environment was one where **opaqueness, uncertainty and discretion were eliminated from the decision making framework**'.*

Commissioner Ipp also indicated that unless opaqueness and discretionary decisions are removed it tends to create an environment of 'great unease and opposition within the community' when mining permits were issued for areas of land that had competing land uses, local populations and environmental value.

He went on to suggest that in such situations where there is little transparency it often led to claims that the Government regulators were biased towards the interests of mining proponents.

This suggestion is apposite to the expansion of Mount Thorley Warkworth.

The 14 volume EIS(Thorley) and 18 volume (Warkworth) is a blatant hymn to advocacy for the proposal, it is filled with untruths, half-truths, obfuscation, misleading (often irrelevant) statistics and "modelling," carefully 'tweaked' to give the outcome desired by RTCA and the government.

A perfect example of; "Lies, damned lies and statistics" designed to bedazzle, confuse and, ultimately, confound any reasonable person.

It is unlikely even the most dedicated person would be able to read and critically assess all 14 (or 18) volumes

At a "Drop-In" session in Bulga the Acting General Manager, Operations, David Bennett, stated (to me) that the Supreme Court process was "unfair" because the Appeal was decided on points of law not merit.

It should be stressed that the original action in LEC was **all** on merit and RTCA/DoPI (DOPE) took the lion's share of evidentiary time and deep pockets bought expensive counsel and experts.

Despite that, the BMPA case was found to have merit! The Supreme Court upheld that finding.

David Bennett is same person who now writes to the Singleton Argus citing "The Company's Proud Record of Compliance"

The "Compliance History" is a joke based on infrequent "attended monitoring" at a time known to the mine and many of the measurements being excluded for various reasons. Hardly an accurate representation of reality!

Had the mine been compliant in adhering to their "conditions of consent" in 2010, BMPA would never have taken the original action in LEC.

When the noise impacts became frequent and intrusive the community sought meaningful engagement with MTW. My husband, who has degrees in Mathematics and Physics, sought to research and to learn as much as he could about the basics of acoustic science, he became the 'de facto' noise person for BMPA.

Any meetings or attempts at serious scientific debate were met by arrogance obfuscation and lies (all this backed by DoPI (DOPE) allegedly "public" servants!)

At one point, in his research, my husband was engaged in correspondence with Norm Broner (simply to learn more, he was not aware of Broner's affiliation with SKM at that time) when it became apparent we were one of the sites of the SKM Independent Noise Study, correspondence abruptly ceased without explanation.

To, realistically, assess this EIS and the current Warkworth/Mt. Thorley proposals, it is necessary to go back to the situation in 2010 that led to the BMPA challenging the original 2010 proposal in The Land & Environment Court.

Nothing has changed from then until now and nothing can change if RTCA are permitted to move ever closer to the inhabitants of Bulga.

This EIS does nothing to change or alleviate the concerns and issues present in 2010.

In fact it relaxes several of the consent conditions.

One very major change is a proposal to allow more mine noise. (Broner)

### **Noise**

Until 2010 Bulga and RTCA had lived in relative harmony.

The mine carried out the extraction of coal behind the buffer of Saddle Ridge which protected (by Ministerial Deed) the village of Bulga.

This Deed was implemented by Bob Carr, signed by Diane Beamer and trashed by Brad Hazzard!

It undertook to leave Saddle Ridge in place to protect the village of Bulga from the impacts of noise and dust and to protect and preserve The Warkworth Sands Woodland **"in perpetuity"**

Trashing this Deed was one of the first acts of government's blatant disregard for legal process.

When coal prices rose RTCA sought to maximise their coal extraction.

Spoil was allowed to exceed the height of Saddle Ridge and Bulga began to experience the noise of a 24hour Industrial Complex with disruption to sleep and all the deleterious effects that brings.

Sleep disruption has been extensively studied and has been found to affect health and emotional well-being.

We, who live here, can testify to that.

This mine has no Central Control Room for noise, no pre-emptive action and no direct 'phone number for complaints (all of this in contrast to the nearby Glencore Xstrata Bulga Mine)

**None** of these basic measures!

We are told in "Social Impact" that the mine is developing "A pre-emptive real-time noise modelling interface but no details.

However note the use of “modelling” a method which we have found can be used to significantly distort truth.

Enclosed noise data demonstrates a truthful (contemporaneous) representation of what has happened, is happening and can be expected to continue and exacerbate as the mine moves closer.

Reluctantly, after being deluged with complaints, this mine appointed three Community Response Officers.(CROs) These three do not work at the same time only one is rostered each night and, if he is away or sick, no one is substituted.

It is not possible to contact the mine (or the CFO) directly to complain. Complaint involves a tedious call to a 1800 Call Centre where firstly you listen to a “this call may be recorded” message, you may even be treated to a few minutes of music **then** you speak to a person who has no knowledge of the area, they in turn undertake to pass the complaint on “to the appropriate department” which is, of course, a text to the CRO on duty. He then has to go to the site, nearest the complainant, and conduct “attended monitoring” Those monitoring sites are chosen by the mine and are not actually at the place where the impact is being experienced (at odds with INP and their ‘conditions’ which state ‘the noise **at the dwelling**’)

If it is a noisy night the complaints keep coming in and the CRO is kept busy making measurements and, in between that, attempting to ‘get back’ to complainants. (this may be up to an hour later)

Complaining is, therefore, not for the faint hearted and when people get up in the night to go through this tedious process it is only because the noise is bad enough to be disturbing it is not to make “mischievous” complaints. If they could just turn over and go back to sleep they would! This can in no way be seen as “best practice” it is farcical in its design and useless in practice.

A recent extract from our Noise Log which illustrates how difficult this system is for residents;

15-Jul-14	19:40:00	dBA 42	dBC 58			<b>Corrected dBA 47</b>	11.6°	Engine noise "Andrew" stated "we do have noise issues" he was at Wambo Rd
"	20:50:00	39	59		"	' ' <b>44</b>	11.0°	Andrew "shooters prevented reading until 8.30 changes now" Noise continues!
"	21:50:00							No reply... music....engine noise now with loud bucket crashes Andrew call-back 10pm agrees bucket noise "will take another reading" finally abated after 11pm

Three ‘phone calls and the wait for a call-back, to achieve nothing in two hours. Noise abated after more than three hours! Hardy, “pre-emptive” or pro-active! Such is the history of MTW and it lives on! During this period our Barn Owl showed 35.3-37.3 (uncorrected) dBA, our intrusiveness criterion is 35. Had the +5 been applied, as it should have been in the presence of significant LFN, these figures would be 40.3-42.3.

Another example shortly before objections close on August 6th  
The morning and night of August 3<sup>rd</sup> and morning of August 4<sup>th</sup>

3-Aug-14	6-8.30am	dBA	dBC			<b>Corrected dBA</b>	Very loud noise inside house doors, windows and blinds tightly closed Engines roaring buckets clanging!
	21:40:00	41	62			<b>45</b>	Engines buckets clanging since ~8pm called 9.43pm <b>3minutes of music!</b> Andrew "At Wambo reading over have to wait 30-50 mins to assess changes, then will read at your location" <b>30-60 minutes This noise management is a FARCE</b> and it's not the fault of the CROs
	23:10:00	38	64			<b>43</b>	Noise finally abated towards midnight Woken again at 4am
4-Aug-14	6-9am+					<b>0</b>	Engines buckets clanging

Yet if you believe this EIS this cannot happen!  
It is quite plain EISs are written to satisfy the need of the proponent not to reflect reality.

This was clear in the LEC and played a large part in Justice Preston’s findings that the evidence showed then and still shows now, the mine cannot operate within the conditions set.  
Of course; “We could move the goal-posts and permit more noise” EPA and DoPI (DOPE)  
This point was also covered in the Judgement, Justice Preston finding that simply to lift cumulative limits to allow for more mining was not acceptable.

The EIS makes mention of the “Noise Compass” (ENC) impressive indeed!

Despite being commissioned in December 2013, measurements from the Compass are not yet being used or shared with neighbouring mines.

The EIS notes that “Alternate Noise monitoring Technologies” for this project are in development but does not discuss details of such technology or methodology nor the likely effects of the institution of the same.

At this stage it is worth mentioning that directional monitors fail to take account of the very real “amphitheatre effect” experienced by us and other properties that lie within the encircling arms of the Wollemi State Park. This amphitheatre causes noise to be amplified by resonating against the backdrop of The Park. Thus what we experience is not just the directional noise but also its’ amplification by the amphitheatre of the Park.

This fact is probably the reason why our property, despite being one of the most distant, experiences significant impact from Low Frequency Mine Noise. This was amply demonstrated in The SKM Independent Noise Study of 2010-2011. Cited on p.25 “Noise & Vibration”

The noise modelling appears to be unable to take account of this very real factor and continues to see our property as being well outside of noise impacts. (see above real and current data)

Resident’s Noise Logs, proffered in evidence in LEC, showed that supposition to be erroneous for us and others.

This EIS finds only one property exceeds “intrusiveness criteria” (presumably from ‘modelling’)

The methodology used in the assessment to reach that conclusion is “Broner criteria”

The methodology (Broner) used in this EIS has yet to be tested in consultation let alone implemented.

Essentially, the prospect of using absolute dB(C) as a measure of intrusiveness has some merit but **ONLY** if the absolute dB(C) “intrusiveness number” is consistent with background measured dB(C) this is the logic behind the current INP use of dB(A) background +5.

The methodology cited and used in this EIS has yet to be adopted.

It proposes a strange amalgam of the current INP use of dB(C)-dB(A) gap as an indicator of excessive LFN and substitutes “Broner criteria” (absolute dB(C) >60) as the trigger for use of :the correction factor of 5 dB(A) In its’ current form it demands a great deal more public consultation.

It should be emphasised, that consultation has not taken place nor has it yet been passed into current INP. To use it as the assessment tool in this EIS is disingenuous in the extreme!

To use “Broner’s number” of 60 dB(C) as an acceptable threshold for “intrusiveness” at night is to massively move the goal posts!!

This is a **major** difference to the previous conditions for noise and one that seriously leaves the way open for the mine to far exceed the noise that drove us to Court in 2012.

BMPA **won** a **merits-based** case and RTCA and this government are determined not just to trash that merit but to take noise intrusiveness further!

If the background dB(C) was measured in our area it would be most likely around 35 dBC (winter) 40-45(summer-due to crickets, frogs and cicadas-wonderfully soothing-high frequency sounds!) certainly **nowhere near 60!**  
An extract from our contemporaneous noise log shows;

March-17-2013 dBA=35 dBC=48 (gap 13 therefore no correction factor) temp 16degC (autumn)

“Very quiet...mine noise barely perceptible...sounds like Mt Thorley...distant droning...we could live with this!!”

When we lived through the intrusive noise 2010-2013 (and beyond on occasions) a typically noisy night would result in measurements of 40+dB(A) and 60+ dB(C) and that was **very** noisy, sometimes it could be very noisy with measurements of 38dba and 58dbc simply because that noise was relative to a very low background and contained significant LFN. I.E. the A-C gap was >15.

To establish an arbitrary dB(C) figure with no reference to background is unscientific and unworthy of any “scientist”  
However, it does allow the mine to make a **lot** more noise!

We would hope and expect that this government would take the findings of LEC into account when assessing potential impact and not rely upon a “glossed up” goalpost-moving, exercise proposing the use of a methodology (Broner) not yet even open for public consultation, let alone officially adopted!

At the very least there should be a requirement to use the same principle of assessing background dB(C) plus “acceptable noise”, as in the current conditions, before deciding on “Intrusiveness Criteria”

For our property alternately described as “property 1 or property E” the mine’s paid consultants do their utmost to minimise what has been well-demonstrated (in all previous work) to be significant impact.

Even in the allocation of background dB(A) they state in 8.3 p.40(Noise & Vibration) that the “data recorded may have **underestimated** true background because of season and wind direction”.

This is apologist nonsense, we have months of data from the Barn Owl on our property showing quite the opposite, background (when mine noise is less apparent ) is less than 30 dB(A) So, if anything , background is “over-estimated”  
The MTW BarnOwl on our property shows backgrounds of 25.9-30 during hours of darkness for the week preceding July 14<sup>th</sup> 2014.

To exacerbate resident’s problems with noise, DoPI (DOPE) arbitrarily decide that despite a PSNL (Project Specific Noise **LIMIT**) being established i.e. background dBA + 5 they allow an extra 2 dBA for reasons unknown A “limit” is meant to be just that “a limit” not a moveable target.

PSNL is not a Project Specific Noise **Recommendation** it is a Limit!

Further the addition of 2 dBA is not just a simple linear increase in noise.

Noise pressure increases logarithmically thus two DbA is a more significant increase in impact than would be the case were the increase linear in scale.

Why is this arbitrary increase permitted??

Surely PSNL is PSNL!!

It certainly does not appear anywhere in this 14 volume EIS, yet it is used by RTCA and accepted by DoPI (DOPE)

However, in this EIS, the government has granted RTCA a “get out of jail free” clause 9.4.1 pp. 47-8 which allows the mine;

If unable to achieve “cost-effective” (for the mine) mitigation, the property owner can “discuss” mitigation or acquisition but the mine will decide the terms!

We do **not** want to be “acquired” and we have never had any discussions regarding mitigation.

Incidentally mitigation would be a major task; we are high-set so have no natural bund (since Saddle Ridge height has been exceeded by slag heaps) to screen us acoustically or visually.

Double-glazing, the mining company’s catch-all, does not effectively screen out Low Frequency Noise.

So, the “regulatory authority” can now decide the mine should only be required to meet “achievable” noise standards I.E. “the noise they make is the noise they make .... Sorry folks!”

**This underlines the importance of a major finding of the LEC where it was found, from all evidence presented, that the mine would be unable to stay within the noise conditions.**

This “achievable” provision just gives “carte blanche” to any noise beyond PSNL.

It is true that in order to maximise the allowable noise conditions EPA at the request of DoPI (DOPE) are looking at alternate methods of noise measurement and are leaning heavily toward an adaptation of The Broner “Simple Outdoor Criterion for the Assessment of Low Frequency Noise” in this Mr. Broner proposes absolute levels of “ 60dB(C) recommended but **maximum 65 dB(C) allowable!!**”

**Unfortunately our past experience tells us that this Company will operate to the maximum allowable (and then some) ...always!**

We know, very well from experience that in a rural area with low ambient noise, dB(C) **60-65 is intolerable!**

“Simple” is indeed the operative word in Mr. Broner’s approach since, unlike other international acoustic experts who **do** see the need to differentiate between urban, suburban and rural environments, he and his consultancy customers (Mining and DoPI) do not acknowledge the simple fact that what may be acceptable in urban or suburban environments is not acceptable in a rural environment!!

Indeed they state they need different methodology, to allow more noise **because** of the challenges of a rural environment.

Translated that means; noise is more intrusive in an environment where there is very little ambient noise (Particularly LFN) so we need to re-define “intrusive” even if that is done unscientifically.

The current INP approach, properly followed, does adequately address issues of LFN in rural areas.

Despite the Mining Industry’s claim that it is “perverse” that sites distant from the source can receive significant impact from LFN because LFN attenuates less over distance than higher frequencies.

That is **the point!!**

That is indeed the case and that is why properties such as ours, almost 7km from the source receive significant impact (SKM) So, it is “perverse” for us to receive the noise rather than perverse for the mine to acknowledge that we receive it.

The current INP correction factor takes account of the capacity for LFN to travel further and to be more intrusive than HFN. I request you read the following statement from EPA

**Assessment of low frequency noise impacts**

*The EPA acknowledges and is actively addressing the issues associated with the assessment methodology used to assess low frequency noise impacts, however until such time as a new approach is accepted, the INP remains the NSW government's policy which defines the acceptable assessment methodology.*

*However where this approach leads to demonstrated perverse outcomes, for example receivers further from the project receiving higher levels of amelioration or results in an incentive for a proponent to emit higher levels of A-weighted content noise to reduce the CA difference, alternative approaches can be considered. This should be taken into consideration in the Departments assessment of the acceptability of residual noise impacts.*

Quite apart from the appalling grammar the scientific argument is does not make much sense.

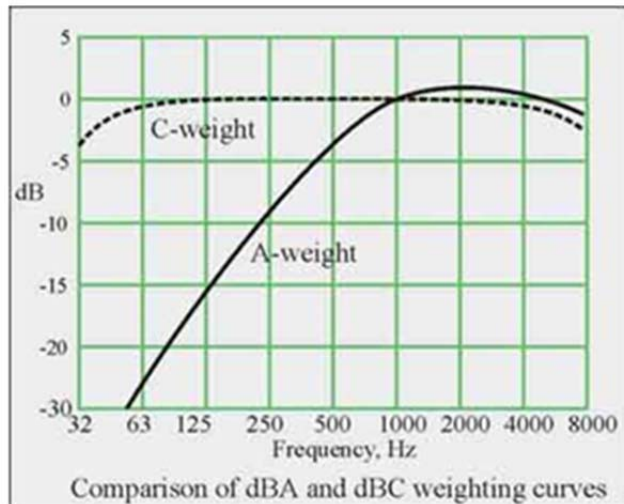
It is almost impossible for a proponent to minimise the dB A-C “gap” by deliberately emitting more A-weighted noise.

In the presence of significant C-weighted noise, the Added A-weighted noise would simply push the total higher whilst maintaining the A-C gap.

I include a simple graph to illustrate.

This graph also serves to illustrate the rationale behind current INP and the use of a correction factor when significant LFN is present.

A cursory examination of the graph will show >15 “gap” typically occurs below 125Hz (I.E.-LFN) No amount of added A-weighted noise can “fill the gap” A-weighted noise by its’ nature will generally be >125Hz



NB: Despite this EIS extensively using “Broner criteria” to assess impact, the EPA **still** states;  
 “Until such time as a new approach is adopted The INP defines acceptable methodology.” (See above)  
 However, this EIS uses” Broner criteria” throughout!

In a nutshell;

Nothing has changed; nothing can change in terms of the mine making more noise as it moves closer  
 That properties to the West will experience **less** noise is more optimistic modelling designed to please the mine.  
 We know what it was like to live through that constant noise and sleep disturbance caused by  
 acceleration/deceleration of dump trucks and the crashing of buckets. At that time the slag heaps were only looming  
 over saddle Ridge. In the future Saddle Ridge will be bull-dozed out of the way.  
 Considering the nature of LFN and its’ capacity to travel long distance with minimal attenuation, the argument that  
 trucks with improved noise attenuation will not only overcome, but improve upon the situation is a complete  
 nonsense

Looking at Table 10.11 p.76 (noise and Vibration)

It is predicted again I assume by “modelling” (what a marvellous tool it can be to give you what you want!) that our  
 property #1; will receive;

<b>maximum Leq15</b>	<b>Year 3: 32 dB(A)</b>	<b>Year 9: &lt;30</b>	<b>Year 14: &lt;30</b>
<b>As to LeQmax predicted</b>	<b>Year 3: 33</b>	<b>Year9: &lt;30</b>	<b>Year14: &lt;30</b>
<b>Cumulative noise predicted</b>	<b>Year3: 26-33</b>	<b>Year9: 25-32</b>	<b>Year14: 25-32</b>

These “modelled predictions” are so far from actuality that it would be laughable were they not being put forward as  
 “accurately modelled predictions”

I invite you to look at what we currently (14<sup>th</sup> July 2014-MYW BarnOwl results on our property) receive with the mine  
 7km away and considerably less activity than was the case during the “boom” and is likely if this expansion is  
 allowed. You will see that the majority of noise is LFN

Date	Time	L <sub>Aeq</sub> Total - All Pass (dB(A))	L <sub>Aeq</sub> Total - <1000Hz Low Pass (dB(A))	L <sub>Aeq</sub> Sources Total - All pass (dB(A))	L <sub>Aeq</sub> Sources Total - <1000Hz Low Pass (dB(A))	L <sub>Aeq</sub> MTW Direction - All Pass (dB(A))	L <sub>Aeq</sub> MTW Direction - <1000Hz Low Pass (dB(A))	L <sub>Aeq</sub> Other Sources - All Pass (dB(A))	L <sub>Aeq</sub> Other Sources - <1000Hz Low Pass (dB(A))
14/07/2014	23:45	36.5	36.3	35.4	35.3	35.3	35.3	17.0	1.8

15/07/2014	0:00	36.0	35.7	34.7	34.7	34.7	34.7	13.2	0.0
15/07/2014	0:15	37.0	36.7	35.8	35.8	35.8	35.8	15.0	0.0
15/07/2014	0:30	38.2	38.0	37.2	37.2	37.2	37.2	3.7	0.0
15/07/2014	0:45	38.6	38.4	37.6	37.6	37.6	37.6	2.5	0.0
15/07/2014	1:00	37.4	37.2	36.2	36.1	36.1	36.1	10.1	4.0
15/07/2014	1:15	37.7	37.0	36.1	36.1	36.0	36.1	12.7	0.0
15/07/2014	1:30	36.8	36.6	35.7	35.6	35.6	35.6	14.3	0.0
15/07/2014	1:45	35.2	34.9	34.0	33.8	33.8	33.8	17.7	0.0
15/07/2014	2:00	36.3	36.0	35.2	35.1	35.1	35.1	15.5	0.0
15/07/2014	2:15	36.6	36.3	35.5	35.4	35.4	35.4	9.4	0.0
15/07/2014	2:30	37.5	37.3	36.4	36.3	36.4	36.3	6.4	0.0
15/07/2014	2:45	37.0	36.8	35.9	35.8	35.9	35.8	11.2	0.0



15/07/2014	3:00	35.7	35.4	34.5	34.5	34.5	34.5	16.9	0.0
15/07/2014	3:15	36.5	36.3	35.4	35.4	35.4	35.4	15.9	0.0

This is but one recent example.

It was far worse in 2010-2013 when activity was frenetic. The LFN at that time was louder and more intrusive. Despite that fact (SKM) the modelling is now saying that we cannot and will not experience the level of noise we are experiencing now!

The modelling is plainly not capably predicting reality

### **Social Impact**

The EMM study is a masterpiece in demonstrating the lengths to which paid consultants will go to produce a report which satisfies “The Piper” (‘He who pays The Piper calls the tune’)  
Some of the information provided is wrong, much is dubious and most is irrelevant to this project.

Extensive social impact interviews were conducted with Bulga residents.

These are the people most likely to bear the negative impacts of this expansion as was clearly shown in LEC and upheld on every point by The Supreme Court.

The concerns of residents are minimised to exaggerate the catastrophic consequences if the mine does not expand. This is presented as an immediate end to the jobs of 1300 people!  
The demise of Singleton LGA!

Thus, it is plain the impacts, as reported, are heavily weighted toward the plight of MTW employees. The proven experience (LEC) of Bulga residents is minimised.

I attach my written submission to EMM and the transcript of a meeting held with EMM at Bulga Hall. EMM also held many face-to-face interviews with individual residents, the information and opinion gained has been minimised or excluded in order to maximise the plight of “the workers”

Mining is an itinerant industry; employees have never been able to guarantee long-term job security. 1300 employees is an inflated figure even by RTCA’s most recent data (2013 Annual Review) where they show 1033 permanent employees only 36% living within Singleton LGA. Both numbers have dropped since then. Contractors and part-time or casual employees may be included to augment the total number now quoted. In this EMM report 34.9% of employees are identified as living in Singleton LGA. Yet the consequences for Singleton LGA are predicted to be dire:  
Loss of retail trade, housing, schools, health facilities etc. etc.  
All this is predicted to flow from the possible loss of 372 or fewer residents?

The report cites statistical data across all Hunter LGAs on a multitude of indicators; crime, drug abuse, mental illness, domestic violence etc. You name it and it’s probably there!  
None of this is pertinent to the expansion of the mine and appears to be included to “bulk-up” a report that is thin on factual issues relative to this development.

The citing of HVRF’s 2014 study of Greater Hunter cannot be extrapolated as vindication relative to the jobs at this mine.  
It should be noted that HVRF’s methodology was successfully challenged in LEC.

Only 5% of The Hunter's entire work force is employed in mining. 95% of the work force is employed in other sectors.

But let's objectively look at some "facts" as opposed to "models" and statistics.

If this mine closed tomorrow are we really to believe they would immediately sack 1300 (+/-) people and walk away?

Firstly, there is enough rehabilitation work to occupy most of those who operate the same major equipment that would be required to move spoil back as it is to clear it for coal.

Secondly, despite the much quoted 2015 deadline this mine has a current approval to mine until 2021 the fact that they almost mined it out during the "boom" years is a problem of logistics and not the "fault" of the citizens of Bulga (goodness knows, we were in the front-line of the disruption and impact when they undertook to do that!)

All coal-mines have limited operation lifetimes; a career in coal-mining is by its' nature somewhat temporary and itinerant.

When looking at "impacts" again the negative impacts on Bulga residents are made to appear to pale into insignificance (numerically) by grouping the population of a small village into bigger numbers which include mine – workers living elsewhere, who will never be negatively affected by the same issues and expressing impacts in percentages of that unrepresentative figure.

This should not be reduced to a "numbers game" as LEC found, those who live in a small rural location should be afforded the same consideration as the population as a whole.

As evidence of impacts on property values EMM uses the 2012 Stubbs LEC evidence which was discredited at the time. Her sales demographic included the sale of a multimillion horse stud and sale of land to AGL at an inflated price.

The truth is; because of the proximity of the mine and the threat of it moving closer, properties are not only devalued they are simply unsaleable!

The EIS consultants use demographic data (?) from 2011: Table 4.4 p.46 "Social Impact" to indicate that there are 23.8% of dwellings unoccupied in Bulga, I don't know where they extrapolated this data from but it was not true then and is not true now.

This EIS is framed to give government an inaccurate picture.

This is just one example; currently there is one unoccupied residence in Bulga. There was one other, a deceased estate which has been recently sold; the buyers are there frequently.

The figures provided would have you believe Bulga is a declining "ghost town" which is far from the reality.

Recently a campaign of bullying and harassment has been directed by mine management toward the few workers who live in Bulga and/or those who support the future of Bulga. ("dob in a mate")

Now, we are told they will establish a "Bulga and near neighbour Amenity Resource" (no detail provided)

Frankly, coming from the most non-consultative and arrogant company in the area (demonstrated by history) this is not re-assuring.

When questioned at the Drop-in session in Bulga 17.7.14 they were unable neither to say just what this resource would be nor to put a dollar figure on it. Sounds like more lies and obfuscation.

The plethora of irrelevant statistics provided in the Social Impact Report relating to just about every social indicator known in every LGA in the entire Hunter area is an unnecessary diversion designed to take away from one simple fact that does emerge from the statistics provided which is;

Bulga is a remarkably cohesive and educated community (see Table 4.1 p.32 and Table 8.1 p.2 of Appendix B) It is a community that began in 1820. Many descendants of those original families live here today. It is a proud and independent community

We have fought to keep this community because of those very characteristics. We live here because we choose to live here not because a job brought us here.

If this expansion is allowed it will substantially reduce our quality of life, it has already reduced our property values. It threatens our ability to have the expected quiet enjoyment of their homes and the relaxed rural lifestyle that was guaranteed by the 2003 Deed.

We feel cheated by RTCA and the Government.

We are marginalised as a small community fighting a multinational mining giant with a distinct lack of trust in government and the planning process.

This lack of trust has been exacerbated by the NSW Government's recent amendment to the Mining SEPP that makes economics the key consideration in assessing such projects and changing the rules relating to like-for-like offsets.

DoPI (DOPE) has, with the support of government, failed to enforce consent conditions on the existing mine. We have NO faith that noise dust and blasting limits will not be exceeded. Even today the mine demonstrates it cannot (or will not) keep within imposed limits. (see examples above)

If noise and dust are problematic now (and they are) when the mine is 7kms away how can anyone expect impact to be less when the mine is 2.6km away and Saddle Ridge destroyed?

I invite the government to take notice of the real-time noise data, some of which is included in the submission. This data persuaded LEC that this mine is not capable of expanding and satisfying reasonable conditions. This data represents contemporaneous notes (some backed by Barn Owl data) that truthfully show what actually happens as opposed to highly tweaked "modelling" purporting to show what may happen!

Many residents kept Noise Logs at the peak of activity (2010-2013) and continue to do so when affected by intrusive noise. The numbers recorded in these logs differ markedly from the "models" and, in our case, can be verified by the Barn Owl on our property. It is unreasonable to give more weight to such models than to reality.

Also, take note of the actual feed-back that came from the EMM "Social Impact Study"  
This is the information they have chosen to leave out, instead bulking up the report with exaggerated reports of impacts to workers and very suspect "Flow-on" effects to Singleton LGA.  
Remembering that;  
a) There are not as many workers from the immediate area as indicated and  
b) If this mine complex should close it could not happen overnight.

The fact that Rio Tinto used their corporate muscle to pressure the NSW Government, and particularly the now-disgraced Premier Barry O'Farrell and Chris Hartcher ( under investigation by ICAC) to change the planning rules in favour of Big Mining does not make this proposal any better than the last one, which was disallowed by the Land and Environment Court.

The SEPP amendment, which was hastily crafted after the BMPA win in LEC, is blatantly, unashamedly wrong!

It is plainly designed to best serve those who have fingers in the fossil-fuel pie.

The economics do not to justify it.

This mine is operating at arguably the worst strip ratio in The Hunter.  
Certainly, a ratio that is much worse than that of any of their near neighbours.  
Yes, we know they want to sell the mine as a going concern; understandably there is not a queue to buy.  
They probably have "Take or Pay" forward contracts with Rail and Ports. That is part of faulty strategic management.

The area of destruction of land in The Hunter to mines has grown enormously in the past 30 years.  
Bulga is surrounded by four open-cut mines.

It is time to say; "Enough is enough"

Why do we continue to rape our country for the profits of Big Mining when it has been shown that much of that profit is allowed to cleverly by-pass conventional taxation?  
82% of profits are directed overseas.

The 2% Royalty given to government is pitiable by comparison.  
So, why do individuals in the Planning Department continue to push projects through?  
Could it be self-interest??

We have already seen some individuals exposed, you can be sure there are more.

Even as we continue to desecrate our land, the World demand for coal is decreasing, the price of coal has decreased and will continue to do so as more and more economies invest in, and move to, renewable energy sources.

Germany produced almost 75% of energy use at midday on 11<sup>th</sup> May 2014 from renewables.  
On June 9<sup>th</sup> 2014 50.6% of Germany's total power came from solar, 90% from roof-mounted panels.  
The price of electricity in Germany is falling!  
Over the entire first quarter of 2014 27% of Germany's energy use was produced from renewables. This is happening in a highly industrialised economy.  
In 2010 the renewables sector employed 370,000 people.  
Renewable power is a growing and prosperous industry. It could be here in NSW.

Peak demand for coal from China is on the horizon and coal sourced from Indonesia is plentiful and cheaper than Australian coal.  
Surprisingly, China is the World's biggest investor **and** consumer of renewables.

Why is it that individuals in NSW government and DoPI (DOPE), past and present, are hell-bent on the continuation of this particular project when it is one that is not significant economically?

Only 2% of State Revenue is from Royalties, the percentage of that 2%, contributed by this mine, is around 7%.  
Thus 0.14% of State Royalties come from this mine.  
That amount of money cannot be said to be so significant it should override the needs of the community of Bulga and necessitate the destruction of irreplaceable ecology.

If this expansion goes ahead, the effects on the village of Bulga and in particular the Warkworth Sands Woodlands will be as Judge Preston foresaw in his judgement – **catastrophic**.  
The spoil containing Warkworth Sands will be dumped on Mount Thorley.

Rio Tinto proposes the destruction of 705Ha in this expansion; this land contains 471Ha of Woodland vegetation. (67%)  
A further 23-32 Ha of WSW would be destroyed if Wallaby Scrub Road is re-located.  
This is gross environmental vandalism!

Rio Tinto has trumpeted their re-establishment programme to "move" the WSW ecology to another site.  
More "window-dressing"

A recently published article (cited below) shows major difficulties in re-establishing Warkworth sands on a cleared site. It is likely to be even more difficult to achieve on a distant site.  
Previous attempts by UNE even under rigorous laboratory conditions have already shown that WSW is not easily replicable.

"Arrested recovery in a sandy woodland correlates with a lack of heavy and long seeds in the seed bank"  
CAROLINE L. GROSS AND LAURA B. VARY: Ecosphere June 2014

Is the anxiety for this project to go ahead because of the jobs that are, theoretically, at stake?  
This appears unlikely, when NSW Government, itself, has divested many more jobs.  
In December 2013 Premier Mike Baird predicted shedding up to 8,000 Public Sector jobs in 2014.

This project is one that has been subjected to the most rigorous examination in LEC where it was found unsound.  
A Supreme Court upheld the LEC findings point by point.  
In particular the Supreme Court was not persuaded that the economic argument outweighed the impacts on the village of Bulga

The importance of this project is highly suspect.

Mike Baird has promised to; "Clean up NSW politics"

Will this government allow this project in the face of that?

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