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**WARKWORTH CONTINUATION PROJECT 2014**  
**Application Number SSD 6464**

The application by Coal & Allied for this Continuation Project proposing to mine an area that has previously been denied by two courts. I believe that to submit such an application is arrogant, an abuse of process, contempt of the Court system and shows a disdain for the residents of Bulga and the fragile ecology of the Warkworth Sands Woodland.

The NSW Land and Environment Court examined the proposal to mine this area in very great detail and rejected it as without merit.

Rio Tinto and the Government of NSW lodged an appeal with the NSW Supreme Court claiming a lack of fairness and a number of other procedural errors. In a unanimous decision, the three most senior judges in the Supreme Court found against them and dismissed the appeal.

In looking at these application documents it is very difficult to believe that the amount of volumes supposedly covering all the requirements addressing the matters in the Secretary's Requirements which was issued on 22 May 2014 and answered in 14 volumes dated 15 June 2014. It is quite unbelievable that such documents could have been prepared in this time, properly addressing the matters in the Secretary's Requirements. In fact I do not believe it does properly address these requirements.

**Community**

The Bulga community increased by 11.5 per cent from 2006 only because after the 2003 approval, when the Government required Rio Tinto to sign a Deed which was to preserve Saddle Ridge and other areas in perpetuity to protect Bulga, Rio Tinto, in an incredible display of disdain for rules, never executed the requirements of the Deed and subsequently secretly induced Minister Hazzard to amend it so it has no effect.

Many residents made life decisions based on the existence of the Deed, bought homes, built homes, induced families to move here or stay here, or did not move when they could.

Residents that have settled in Bulga using their life savings to build and settle find that they are now unable to move because their properties have become unsaleable because of the ever encroaching mine.

## **Noise and Dust**

For the Government to allow this project of be approved puts the people of Bulga under the added stress and ill health of having to live with the constant noise and dust. Calls to the mine hotline and the EPA are to no avail as they are not taken seriously, that is quite obvious from the blatant lies on noise levels represented in the EIS. Bulga residents have their own noise monitors, calibrated by EPA, and take their own readings; they are always higher than the mine readings.

Lack of trust in the NSW Governments recent amendment to the Mining SEPP making economics the key consideration in assessing such projects, the same Government changing the rules relating to offsets and the Government's failure to enforce consent conditions on the existing mine. Why should we believe this EIS where Rio are only making vague scenarios on potential noise impacts because as in their own words they *must maintain a production profile to generate sufficient revenue*. As the mine demonstrates today it cannot (or will not) keep within imposed limits. In the Secretary's Requirements, specific mention is made of the concerns of Bulga residents and certain criteria are to be addressed. In the EIS various vague statements like *"local residents perceive that there will be increased noise/dust but we will put in place measures to address that"* This is not addressing the social impacts, but making a general motherhood statement which is not in the terms or spirit of what is required. In fact a "Social Impact Management Plan" is necessary under the terms of the Secretary's requirements to address the likely impacts and this is totally missing from the EIS.

## **Water**

EIS says there is no measureable impact on water. This is really glossing over their inaccurate data. The present landform west of Saddle ridge slopes substantially to the west, towards the Wollombi Brook. Rain which falls on this slope would normally find its way, via creeks, seasonal streams and underground aquifers into the Brook. When the area is subject to Open Cut mining, all water will fall into the pit. At the simple equation of 25mm of rain on 1 hectare = 1 megalitre of water, then if the 768 Hectares is mined, at the average annual rainfall of 600mm per annum, the potential is to lose at least 18,432 megalitres of runoff water per annum. A total of over 313,000 megalitres over the projected life of the project. This number does not take account of the consequent loss of flows from unidentified underground aquifers that are in the area that will be impacted by these mines, neither does it take account of interrupted flows from the amended plan for Mount Thorley Mine. It is well known that exposed ground of Open Cut mines and the consequent unfilled pits create and collect polluted water, mainly saline; this will increase if the mine goes ahead and creates a huge new void.

## **Warkworth Sands Woodland**

This mining proposal does not appear to follow the general requirements of the Secretary's Environmental Assessment Requirements which states that a development must comply with the requirements of Clause 7 of Schedule 2 of the Environmental Planning & Assessment Regulation 2000

The principles of ecologically sustainable development are as follows:

*(a) the "precautionary principle" , namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*

*(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*

*(ii) an assessment of the risk-weighted consequences of various options,*

*(b) "inter-generational equity" , namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*

*(c) "conservation of biological diversity and ecological integrity" , namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*

Warkworth Mine Environmental Impact Statement says the proposal would result in the removal of many hectares of forest, woodland and native grassland vegetation communities that provide foraging, shelter and breeding habitat for threatened fauna species

Warkworth Sands Woodlands is a unique landform and ecology only occurring in this area, no amount of offsets can replace or replicate it. If mined the Warkworth sands will disappear forever. As demonstrated during the Land & Environment Court hearing, the WS supports a plethora of endangered species of flora and substantial colonies of endangered fauna. Should the woodland be mined it is likely that the remnants of this flora and fauna would struggle to survive in new and different environments namely off sets.

In the Warkworth Sands Woodlands and on Saddle Ridge are significant aboriginal heritage sites, grinding grooves, middens, Burial and Bora Grounds. These must be preserved to protect and preserve our indigenous heritage. No coal sold overseas is worth the destruction of these important sites. This is not a specious claim, these sites have been identified for many years and many of the Wonnarua people who live locally recognize and respect them.

## **Wallaby Scrub Road**

In the 1820s and beyond, when Bulga was first found by our white ancestors, the Surveyor, General, Sir Thomas Mitchell, surveyed roads through the area, including what is now known as Wallaby Scrub Road. This road, running between the Putty Road and Bulga and the

Golden Highway at Warkworth. This is a continuation of the Great North Road which began at Wisemans Ferry and allowed access to the Upper Hunter Valley. Now this road is still an important route, paralleling the wartime Wallaby Scrub Airstrip and cutting the corner between Mount Thorley and Warkworth and beyond.

The Bulga Rural Fire brigade has responsibility for the area to the north, extending to a few Kilometres short of Jerrys Plains. Considering the bush fires in the Wollemi National Park around Bulga people's lives depend on the Rural Fire Service in these emergencies. If the Wallaby Scrub Road is closed, emergency vehicles will take a minimum of 8 minutes extra to travel the highways to these areas. In addition they will have to traverse considerable extra traffic which can lead to delays and its own emergency issues. In the last few years the area from Warkworth to Jerry Plains has been the site of a number of major vehicle crashes and fires, even an 8 minute delay in responding can mean that the situation becomes more critical. Bulga Rural Fire Service has members trained as "Community First Responders" that is they have had specialist trauma training and can render much more than emergency first aid to trauma victims and in cases of medical emergency. While the mine has offered a fire trail within their western boundary this will only allow access to the mine site and not be a reasonable emergency vehicle route.

I object to this proposal and any extension of this mine

Ron Corino