

John George Kaye
PO Box 36
Denman, NSW, 2328

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SUBMISSION AGAINST MOUNT THORLEY WARKWORTH CONTINUATION PROJECT 2014

1. Coal Dust and the Food Chain.

The current situation where coal dust is deposited on farms without any information about how the deposited dust is to be managed is unacceptable. Comprehensive information about the coal dust being produced needs to be supplied to surrounding farms.

Coal dust is entering the food chain on surrounding farms. This mining project will produce dust that contains coal dust that will be carried from the mine site and deposited on surrounding farm properties. As farmers do not have any control over dust deposited on their farms the liability for the impact of coal dust on farming operations lies with the source of the dust. Farmers have a duty of care to record chemicals applied on their farms. As a food producer they have a duty of care to ensure that food they produced meets their industry standards.

Safety data sheets need to be provided to adjoining farmland owners in the valley that details how the coal dust that is deposited on their properties should be managed by food producers. The coal dust enters the food chain as it is deposited on crops that are harvested, or fodder crops that are ingested by farm animals. Coal dust also enters the food chain by being inhaled by stock or adsorbed through the skin.

Farmers are required by law to record chemicals applied to crops and/or animals. The data sheets for coal dust should be provided to farmers in a format that farmers are familiar with. The following detail that is normally contained on a pesticide label needs to be included:

- Signal heading
- Name
- Type of chemical
- Active constituents
- What the chemical does
- Withholding periods
- Restraints
- Compatibility with other chemicals used on farm

- Protection of livestock
- Protection of crops, native and other non-target plants
- Protection of fish, wildlife, crustaceans and the environment
- Health effects on humans
- Safety directions
- First Aid
- Dangerous goods, hazardous chemical information

2. This Project has previously been denied by the Courts.

The application by Rio Tinto, whilst presented in a new format, proposes to mine an area that has previously been denied by two courts. This behavior is arrogant in the extreme, an abuse of process, a contempt of the Court system and shows a disdain for the residents of Bulga and the fragile ecology of the Warkworth Sands Woodland

3. The EIS submitted in support of the application does not properly address the department of Planning's requirements.
4. This project cannot be considered in isolation.

In this area of the Hunter Valley we have Bulga Underground and Open Cut mine to the South East, Mount Thorley and Warkworth Mine to the East, Hunter Valley Operations to the North East and Wambo mine continuing around from North to North West. All of these mines create noise and dust, which are the major immediate impact on residents. If a dust exceedance is recorded, it is very difficult to identify the culprit mine, leading to a lot of "don't talk to us – it was them" statements when complaints are made. Similarly all of these mines make noise and each blames the other for exceedances. Despite fairly sophisticated monitors being available, Warkworth mine, operating as Mount Thorley Warkworth does not have real time monitors in place in proper locations to measure noise and therefore adjust their operation to ensure compliance with limits. They seem to rely on complaints from residents, and then deny an exceedance because their measuring and monitors are in the wrong place.

5. Compliance with consent conditions.

In the EIS, Executive Summary it is stated that the mine has very few issues of non-compliance with consent conditions – this was obviously written by someone who does not read the call logs of complaints. Whilst we do not have numbers, it is clear from conversations with residents that hundreds of complaints are made each year to the Mine and to Compliance Officers. These complaints are not trivial and very often noise exceedances are three and more times the consent limit.

6. Diesel exhaust pollution.

The Many millions of litres of diesel burned each year in the mines produce PM2.5 very fine particles. The World Health Organisation has labelled diesel exhaust as carcinogenic. Mining machinery does not have to comply with the standards for on road vehicles. Likewise the diesel fuel used does not have to comply with standards used for motor vehicles and is often much 'dirtier' in its chemical composition.

7. Air pollution.

There are NO safe levels of exposure to PM2.5 and PM 10 particles, someone in the Dept. . . .of Planning has set an arbitrary number of so much per cubic metre per day – not in accord with NSW Dept. of Health or World Health Organisation guidelines – these are constantly exceeded, leading to a high incidence of respiratory disease, asthma in children and general illness in the community.

8. Social impacts

The social impact on residents of Bulga and surrounding districts is immense, as found by Professor Albrecht in his evidence to the Land & Environment Court. Residents feel constant solastalgia, loss of sense of place and see that this project will substantially reduce their, quality of life, their property values, their ability to have their expected quiet enjoyment of their homes and the relaxed rural lifestyle that seemed guaranteed by the 2003 Deed. In fact they feel cheated by the Mine and the Government, they feel marginalized as a small community fighting a multinational mining giant and they feel a distinct lack of trust in the planning process.

This lack of trust is exacerbated by the NSW Governments recent amendment to the Mining SEPP that makes 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. They have NO faith that noise dust and blasting limits will not be exceeded as the mine demonstrates today it cannot (or will not) keep within imposed limits. If it is too noisy and too dusty when it is 7kms away, how could one expect it to be less noisy and less dusty at 2.6km distance!!

End of Submission