



MOUNT THORLEY WARKWORTH CONTINUATION PROJECT 2014

The Running Stream Water Users Association **objects** to this application/

This application, whilst touted as different, proposes to mine an area that has previously been denied by two courts. We believe that to submit such an application 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.

Of particular concern is the negation of the Deed which the Government required Rio Tinto to sign as part of the 2003 approval, This Deed was to preserve Saddle Ridge and other areas in perpetuity – but 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. How can any community have any confidence in the planning process or have trust in the Government?

We fully support and endorse the Bulga Milbrodale Residents Association's objection and all the detailed points they have made, particularly the many errors made in the EIS.

In particular we are concerned that the EIS says there is no measureable impact on water. This is incorrect. 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.

Despite the government's attempt to support the mine by changing the goal posts and amending the mining SEPP to make economic values the most important consideration (and thus negating the fundamental principle of Ecological Sustainable Development: viz equality of social environmental and economic factors), the court still rejected the economic merit of the project. Given that coal prices have fallen since that time, the economic value of the mine must be even worse now.

That the Planning Department has even accepted Rio Tinto's application is a failure of procedural fairness, and makes a farce of the very process you are now asking us, the public, to participate in. We are being asked to make submissions on a project that has already been through this very same assessment process and failed – twice. There can be no faith in this process.

Yours sincerely

Fiona Sim
President