

## Caitlin Elliott

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**From:** R & J Fenwick <randjfenwick@bigpond.com>  
**Sent:** Friday, 8 August 2014 10:15 AM  
**To:** Elle Donnelley  
**Cc:** Caitlin Elliott  
**Subject:** Mount Thorley mine expansion

**Importance:** High

I would like to take the opportunity to lodge the following to complete my opposition to the expansion of this mine and to do so with the following major concerns that have not been properly prepared, evaluated and considered:

- The project has been refused in previous version following approvals by the Department of planning and its agent the PAC.
- The Approval was overturned in the LEC.
- The refusal to grant was supported in the Supreme Court.
- The company intends to destroy habitat lands already set aside under deed of agreement.
- The company intend to similar destroy, not temporarily relocate the section of the Great North road known locally as Wallaby Scrub road.
- The Heritage areas within the project both aboriginal and European are to be mined without proper consideration of the value to the local region and the State.
- The lack of the protection of the environment regarding water and the habitats being impacted is inappropriate.
- There is no realistic consideration for the people of Bulga and surrounds with the impacts of noise, dust, lighting and visual amenity only given lip service with no genuine solutions being reviewed.
- The economics is poorly reviewed and flawed.
- With the overwhelming quantity of documentation the time allowed is not realistic to prepare a comprehensive response and as such I would submit this brief objection with the request to be allowed a period of extension to provide a more adequate response.

The fact that the Mine has chosen to submit this application as a dual format being both individual and combined with the neighbouring mine further confused all issues.

Regards,  
Ron Fenwick.

This application for **Mount Thorley** to be considered for an approval for an extension under any guise is both and insult to the people of the local communities and the people of New South Wales in entirety. It could be seen to be appropriate that this objection could be referred to be an objection to both applications individually as well as separately. The timing of both and the bulk of the material makes it difficult to separate.

The manner in which this company, aided by the Department of Planning has gone about this and the previous attempts to this expansion defies both good sense and the integrity of the approval process. In order to justify approval for this application you need to be certain that **the precautionary principles** apply and the outcomes will not have severe impacts on the lands and the community. There is no consideration within the evidence provided to assess this version of the expansion of the mine. There is no evidence that this, like any application made within the Hunter Valley Coal mining precinct.

The previous approval by PAC was overturned in the LEC. And despite this whilst awaiting Judgment from the Supreme Court a second attempt to bulldoze approvals was launched to overturn the protection of the small area of agreed lands to not be mined. With the passing of this by a sympathetic PAC, mine on regardless is the message given to the people of Bulga and the hunter region.

Now we have the presentation of the “new” expansion project led by Rio Tinto for the dual mines and the combined banner to be justified primarily under the new rules that were passed by the state government to ensure that the mining of coal shall be primarily based on the merit of the resource value. It has only been in the past few days that there is a potential change to this focus in favour of a balance to incorporate the environmental impacts and the social impacts with this to be the new focus. This is yet to be ratified let alone applied.

On attempting to read the series of documents provided for comment it is a certainty that there is insufficient time for anyone to adequately do so in the timeframe given despite the time allocated for consultation with the mining company. Remember the consultants have had years to prepare and modify the application material and used a considerable force of personnel to do so.

There is only minor change to what has already been denied by the courts and the facts are pretty much the same as previously.

Misinformation is rife throughout, minor additions that are not completed with sound referencing and little to show genuine mitigation and protection for the environment and the people of the area.

Overwhelming bulk of material reduces the amount of review and reduces likelihood to comment.

Misleading information provided to Justify.

Unsubstantiated assurances given of minimal or no impact to the environment and the community appear throughout as was the previous application.

“Impacts on surface water unlikely to be significantly different to existing approved operations and would not have a significant impact on surface water quality of the adjacent water features” is provided to override the potential impacts on surface water as seen in the Wollombi and Hunter catchments. Nothing indicates the potentials for cumulative impacts and to further the cause the water sharing arrangements with neighbouring mines, Wambo and Bulga, overlooks the facts that the combined mines have excessive supply of saline water on site to deal with. The allegations of working with the Hunter River Saline trading scheme is another case of misdirecting information. The amount of salts legally discharged does not give any true value on the increasing salinity or the potential toxicity of the salts and heavy metal passing into the systems.

Where is the precautionary principal?

Any approval of this application will not protect the aquifers or the inhabitants of the area with Planning unable or more likely unwilling to enforce any reasonable condition on any of the mines. The directive appears to still be mine the coal by whatever company, whatever means. Process the better coal first and ignore the lesser product at this time. History will verify this.

By reading and considering the provision within the Economics section, chapter 9 of the main report you are overwhelmed with the provision of the two mines as part of a combined unit providing massive benefits to the local area as well as the state and the faithful workers. Both applications refer to the hundreds of million dollars invested and the need to recoup these costs. Both applications refer to millions of dollars for the state and similar references to the local community even to the referencing to the wealth offered to and potentially lost by additional staff if the project fails.

Realistically the facts do not ring true. The mine when opened originally was never to have an open ended work life. The companies at the time processed the funding to provide the infrastructure and staffing to the end of the mine life period. It has been a never ending list of sales of the mine and expansion applications to present day. The documentation provided has always touted the need to approve each expansion to prolong the job security of the workers, the benefits to the state and community as well as causing no or minimal impact environmentally and if so only to the greater benefit. Previous expansions have been necessary because of the influx of infrastructure and staffing to take up the benefits of price surges on the world market and the impact that this has had on reducing the reserve the mine carries. This set of false information overlooks the facts that, as stated within documentation “Mount Thorley progresses slower than

anticipated” and “the need to continue beyond 2017.” We are also told that “Warkworth forecast to reach consent limits in 2015.”

We are not told that for several years the mines have continued to chase the coal in one mine to the point that it has been played out at the expense of the other. Is this the result of shoddy management or simply chase the higher priced coal? This saw the continued transferring machinery from one mine to the other across the Putty Road over several years. Neither document set indicates that there is considerable amount of heavy machinery idle in obscure areas of the mines whilst there is evidence that proceeding on assumed approvals has been ongoing for some time.

Currently there is a spate of applications to expand with the hidden benefit of selling off in the near future, from one foreign owned consortium to another.

The life of mine each extension extends beyond what was predicted and allowed for. The bull headed continuance of investment and then the claim for the need to recoup this is simply a stupidity. It is a typical example of the fact that owners/managers have lost sight of what the actual operation was meant to be and the continuance of cries of “maintaining the security for the workers” lacks any semblance of integrity.

The employment generation claimed is intentionally misleading to indicate the alleged impacts to the community if the approval is denied. The allegations of high salaries to the potential employment that may be included or lost is meaningless. The incremental expenditure is unrealistic in this depressed climate and we are all aware that the mines have run out of cheap coal retrieval and to add to this the allegations of the royalties to flow to the State further smother reality. To take a rational evaluation it would have been appropriate to show how much infrastructure was really required to provide production to the end of the current expansion period, provide and honest report on what resources are genuinely accessible for NOW, and give a full summary of the income reaped by the multinationals and the total royalty to the state. This would then show that the intentions of the mine owners are far from honourable.

The Department of Planning and Rio Tinto are working as one for the benefit of profit at all cost. Major profit is provided to the companies with only token profit to the state through royalties. We need to recall that the ownership by the State only has been for a little over 40 years with the Coal Acquisition Act and this reaping of royalty overrides all other interest.

The heritage within the mine footprint has been destined to be destroyed since the current ownership of the joint mines. Under the review the heritage values of the sites are trivialised and the intent to “preserve” these sites via media is typical of the consultants that deal with this topic for many of the local mines. Document then destroy. The resultant has no genuine bearing to current and future residents of the area. The significance of the RAAF base is lost to the present governments and is evident in the manner of dealing in past and current assessments. Similarly the proposal regarding the Great Northern road is insulting to reasonable thinking residents. To offer a bribe to Singleton Council as “compensation” for the closure of Wallaby Scrub Road is offensive and it is surprising that Council even considered the possibility.

There is nothing to offer to compensate current and future users of this link when it is closed. Providing park benches in Singleton does nothing for the cause. To claim that it is unavoidable is demeaning and illustrates the situation that neither the mine, the State government and the Singleton Council have seen no need to look at genuine alternatives. After all, we see that this mine continues to close off the roads nearby, an inconvenience to the local and ongoing traffic, assisted by the use of “roadwork signs” that carry with them repercussions through imposition of speed restrictions that are total unnecessary and indicate corruption by the imposition allowed. The claim for safety by this means is ridiculous. A good shot-firer can incorporate the needed protections in his scope of work as was always expected in the past.

The two conservation funds are little more than token payments to appease in some way the political cause. They will serve no purpose other than allow the consultants to present a potential to appease the community. Every man has his price.

This is further presented under Traffic and transport by the minimalisation and dismissive references to closure of the Wallaby Scrub road.

Some increased daily travel-distance and time with the claim that safety and travelling conditions will improve. How is this really expected to be realised and what will be done to ensure this? What is to be provided as compensation for this destruction of the road to locals and travellers that have used it for a lifetime?

Both claim on the establishing of access to product transport and infrastructure such as road rail and port. The consultants fail to acknowledge the fact that this infrastructure has been in place prior to the inception of these two mines and have been upgraded due to the impacts of these and other mines and the destruction of the road transport facilities by the increased traffic brought on by the mine machinery movements and the increased drive in drive out workers that have developed as an industry propagated by the Contractor providers. Neither admit to the burden imposed on local infrastructure within the local roads and linked areas between the mine and port. The impacts on transport through the local area to support the mine and the closures of roads for temporary or permanent timeframes have had a devastating impact on the communities that this heavy traffic has developed. The Hunter expressway has been a temporary improvement but it was insufficient and incomplete for what is required. The roads are extremely dangerous with this influx of unnecessary mine generated movements.

Noise impacts are not treated seriously.

We note that our site( and two others) is finally listed on the file and the map. Regarding the resident site 166 is an inclusion as afterthought see page 151 figure 10.3 main report 2 Warkworth background noise levels- 30dB(A) where does this appear from and why choose such a level? If as stated the potential to have accepted these from Wambo Coal is only compounding the inaccuracies of the source and lack of commitment to the residents and the integrity of the assessment for the review by anyone. The fact that Wambo Coal has used its own operation noise as background for the purpose of its assessment is outrageous and misleading. Wambo has also provided information from its consultant justifying the deletion of data that exceeds levels of noise above consent requirements and uses non accurate weather data to dismiss readings above accepted level. It appears that the consultants used will present what the mining company requires to progress the applications. Page 155 table 10.6 indicates the manner in which the noise levels have been downgraded by the authorities ignoring the fact that we are a rural community and noise should not be rated as being predominantly mining. It has had this rating imposed by the non-control of consent conditions from the beginning of mining in the late 1960's.

Under the Visual amenity, there is no process that a reasonable man would accept to meet the claims of minimising impacts to visual amenity through site mitigation measures. Even on the smaller blocks within the village it would be unacceptable to reduce the land usage by prohibitive screening and the idea that the residence is where you must be. Who would accept the thought of imposed presence of a semi-detention area in lieu of the rural property. How could you compensate for this reduction of amenity?

Then to heighten this thought, on a property of reasonable size- I believe references to as broad-acre farm find a way to screen the unsightly views to the entire property and find a way to do this without the nightlights and accompanying noises.

In summary, there is little scope for an in depth series of comments to the expansion application due to the: duplication of material within both applications.

bulk of material.

use of material sourced from local mines which the company has "agreements" with.

failure to rectify the information provided and use this as being correct- Wambo Coal a prime example.

Claims of water transfers without due assessment on the need to do so and the grounds both parties share benefits to.

Please contact me if you require clarification.

Ron Fenwick

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