

Matthew Riley
Senior Planning Officer, Resource Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Thursday, 10th March, 2016

Dear Sir,

Proposed Wilpinjong Mine Expansion (SSD 6764) - Objection

I am writing on behalf of the Bylong Valley Protection Alliance (BPVA), an incorporated association in the Bylong Valley of NSW. Wollar is our nearest neighbouring village and has shared a strong historical connection with Bylong over more than a century and a half. The BVPA has taken a strong interest in issues relating to mining and CSG development in the region since the end of 2010.

We object to Peabody's proposed expansion of its Wilpinjong mine.

The key areas of concern we wish to address in this submission include:

1. Social impacts
2. Noise
3. Water
4. Mine-related traffic and impacts on the road network
5. Application (or otherwise) of the voluntary acquisition policy

Within these respective areas, it's not only the impact of the proposed expansion itself that we are worried about, but that impact considered cumulatively in the context of other current and proposed mining development in the in the Upper Goulburn River catchment above Bylong. This includes impacts caused or likely to be caused by Ulan (Xstrata), Moolarben (Yancoal), Peabody's current proposal and KEPCO's proposed Bylong Project (a greenfield mixed open cut and underground mine).

1. Social impacts

The cumulative impact of the Ulan, Moolarben, Wilpinjong and proposed Bylong mines on the communities and landholders from Bylong right through to Ulan has been significant. There has been a substantial loss of local populations, with attendant negative impacts on the healthy functioning of vital community elements, including schools, churches, rural fire brigades and other community-based groups of various kinds. We do not believe these impacts have been adequately assessed in Peabody's proposal.

2. Noise

Peabody proposes to manage noise impacts to an increased limit of 37dBA, up from 35dBA. Wollar, before mining development, was a village with very low background noise levels. (By way of comparison, Bylong's current background noise is less than 20dBA.) Residents in the vicinity of the Wilpinjong mine have already suffered considerable impacts through noise. The idea that noise impacts are to be mitigated through some ad-hoc/when needed program of property purchase is unacceptable. If the mine cannot operate without a noise limit increase – i.e. if the revenue generated by expansion is not sufficient to allow effective noise management within current constraints – then the project should be deemed unviable (rather than seeking to, effectively, shift costs onto the community through greater loss of amenity).

Additionally, the assessed noise impacts do not consider the cumulative impacts of rail and road traffic noise off-site. The true extent of the noise impact on remote rural communities, such as Wollar, once a mine is approved, is thus systemically understated. (Bylong is potentially facing the exact same situation.)

3. Water

The BVPA is especially disturbed by the potential impacts of the project leaving three final voids. Similar to the case with noise, if the current proposal isn't capable of providing the backfilling of the planned Pit 8, i.e. if this is too costly to justify, then the project should be deemed unviable. In this case, costs are being shifted to the environment, with the potential impacts of large pits of highly saline/toxic water simply remaining the landscape unquantified (let alone the impact of "sterilization" of that land from any other rehabilitated use). Peabody's commitment and expertise as a manager of water resources is also questionable, given the poor health of Wilpinjong Creek within land owned by Peabody. Finally, we are concerned about increased salt loads in the Upper Goulburn as a result of the proposal and risks that may be presented by high rainfall events.

4. Mine-related traffic and impacts

In our view, the potential impact of additional mine traffic through the Mid-Western Region road network over the balance of the project's proposed life has not been properly assessed. The EIS has not provided the road dilapidation report as requested by Mid-Western Regional Council. Similarly, the cumulative impact of increased traffic movements through Wollar, with the proposed Bylong mine's traffic also to be using Main Road 208, does not seem to have been adequately assessed. As regular commuters to Mudgee via Wollar, Bylong residents are – in the context of the current proposal – especially concerned about potential deleterious impacts on the stretch of road between Wollar and Cooyal, through the Munghorn.

We are also concerned that traffic impacts on the section of road between Bylong and Wollar and on the Bylong Valley Way from Bylong to the east) be properly assessed, given the likelihood of greater Wilpinjong-related traffic movements (excluding overheight, overweight vehicles).

5. Application (or otherwise) of the voluntary acquisition policy

The BVPA deplores recent changes to the Voluntary Land Acquisition and Mitigation Policy (VLAMP) which effectively allow for higher noise and dust levels before acquisition rights are triggered. We view this as more industry cost shifting, where it is the community which pays in terms of decreased health and amenity.

That five landholders who had acquisition rights under the nearby Moolarben project's Stage 1 approval then subsequently lost them when approvals were given for Stage 2 (which required the project to be considered as a whole, under the revised VLAMP) is a clear demonstration of this weakening. (The PAC itself said that the policy could be seen to "provide less protection to surrounding residents".) We regard this dilution of protections as unacceptable.

In the case of Wollar, the community has been severely impacted and left to deal with a piecemeal, sort of "adaptive" process of property acquisition (in the face of impacts the mine has been unable to satisfactorily address) as the key form of "mitigation". Thought must be given to the wellbeing (in all senses of the word) of those remaining villagers in the area. They must not be "left hanging" by way of a lack of formal acquisition rights.

We wholeheartedly support the Hunter Communities Network (HCN) when they make the following recommendation in their submission:

HCN recommends that if the NSW Government decides to approve the extension proposal because of the perceived public benefit, then this should include adequate compensation for all remaining private residents in the Wollar district.

The compensation should include:

- *Value of property based on comparable nearby centres unaffected by mining*
- *Plus relocation and disturbance costs*
- *Plus a premium for replacement costs to landowners forced to move through no choice of their own*

This compensation should be negotiated through the Secretary of Planning and Environment.

Thank you for this opportunity to make a submission in relation to this project. We look forward to being kept abreast of developments.

Yours faithfully



CRAIG SHAW
Secretary
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