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**Modifications to the Warkworth Mine Development Consent Application Number
DA 300-9-2002-i MOD 6**

I strongly object to this application Rio Tinto have submitted. The land in the application being Saddleback Ridge, part of the same land on application 09-0202 that the Land and Environment Court rejected on 15th April 2013. It is clear that the changes to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Resource Significance) 2013 gazetted 8th November one week before this new application, was the result of the Land and Environment court's decision after the miners lobbied the Premier. The State Government is not protecting the people living near coal mines and is favouring the interests of the foreign mining companies.

Rio Tinto omits to state that it signed a Deed of Agreement in 2003 promising that it would never open cut mine Saddleback Ridge and that it would apply to Singleton Council to have the Saddleback Ridge and the balance of the NDA1 that was to protect Bulga, rezoned as a permanent conservation area. Rio Tinto is breaking its promise with both of these important undertakings and thus cannot be trusted to honour any of the promises it is making with this amendment application.

The amendment proposal is ecological vandalism. This extension will destroy an Endangered Ecological Community (EEC) containing Central Hunter Grey Box-Ironbark Woodland and Central Hunter Ironbark-Spotted Gum-Grey Box forest vegetation. Offsetting to allow the destruction of the EECs is not acceptable. The proposed offset is not like for like. This area in the offset should be preserved in its own right, not as an offset.

The Aboriginal Cultural heritage in the expansion area must not be destroyed. Four out of seven artefacts remain from those identified in the earlier EA. With this expansion the remaining four will be destroyed. These artefacts were intending for preservation under the Deed of Agreement of 2003. This will not be honoured under this expansion

It is undesirable for governments to inflict a proposal on a community that has a high apprehension of health, injury or other serious environmental dangers. The government has a

Duty of Care. This Duty of Care is compounding as each new mine opens or expands as the life of coal mining in the Hunter Valley lengthens.

A study by Macquarie University and CSIRO found that PM2.5 particles in the Hunter Valley are enriched with carbon, sulphur and chromium (Nelson, Morrison, Halliburton, Rowland and Carras, 2007). Robinson (2009) states that PM2.5 particles are not suppressed by spraying with water. Moreover, being so fine, they remain in suspension in the air much longer than larger ones and are carried further by the wind. An approval for an extension to the Warkworth open cut mine will further pollute the air in the Hunter Valley and Bulga in particular.

The rural environment of the Bulga Community has already been degraded by the increase in noise levels over the years as mining activity draws ever closer. 35 dB maximum noise should be used for the Bulga Community to provide “Best Practice” by both the MTW mine and the NSW Government. The All Year Worst Case Day And Night Time Operational Noise Levels predicts the imposition of 38dB throughout the Bulga Village. This is approaching a fourfold increase of noise above the Australian Government guide lines and 3dB above the highest rural noise levels 35dB approved for Wind Farms in NSW. The rural community of Bulga and the surrounding rural properties should not be discriminated in applying different noise criteria for rural environments. The existing mining leases should be made to conform to not exceed a cumulative noise level of 35dB to all privately owned residences. The cumulative impact of noise generated needs to be addressed as the year 2 noise forecasted will exceed 35 dB in the Bulga Village and nearby rural area..

Saddleback Ridge must be retained as the intended abatement against noise and dust impacts on the Bulga community.

Michael Rayner