



# Islington Village Community Group Inc.

*history diversity community*

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Thursday 28 November 2013

Mr Sam Haddad - Director-General  
NSW Planning & Infrastructure  
GPO Box 39, Sydney NSW 2001 (by email)

Dear Sir/Madam,

## **PROPOSED WARKWORTH COAL MINE (DA 300-9-2002-i MOD 6) OBJECTION**

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Islington Village Community Group (IVCG) wishes to join the public voice objecting to the project, and submits that it should be refused on the following grounds.

### **BROKEN PROMISES**

The proponent, Rio Tinto (**Rio**), signed a Deed of Agreement in 2003 promising not to mine Saddle Ridge, which protects the town of Bulga from the worst impacts of the Warkworth mine. Rio committed to approach Singleton Council and have Saddle Ridge and the endangered woodland around it rezoned for environmental protection. This project will see the company now break both promises, and casts a dark pall over whether it could be trusted to keep any new commitments it makes in the present application. The NSW Land and Environment Court has previously rejected Rio's application to mine Saddle Ridge. That decision must be respected and enforced.

### **UNETHICAL BEHAVIOUR**

IVCG is informed that Local residents learned of the new application the day before it was lodged. Residents had attended a community consultation meeting with Rio just three weeks before that. The project's Environmental Assessment would have been ready to lodge, yet Rio elected not to inform residents at that meeting. This is deliberately unethical and not behaviour that Rio Tinto should engage in if they are genuine in their commitment to consultation with the Bulga community.

### **UNFAIR PROCEDURE**

Significant mine expansion projects such as this would usually go on public exhibition for a period of up to 6 weeks. This was not the case with this project and it was sprung on the public without any notice, and with just a two week timeframe for public submissions. IVCG is also informed that a formal appeal by local residents for an extension to the public exhibition period was rejected by the Planning Department, with no reason given. This cannot be in the spirit of what Mr Hazzard proposes for any new Planning legislation and is certainly in contrast to pre-election promises offered by the Liberal National Coalition parties.

Acceptance by government of this application shows a blatant disregard for the outcome of the previous Land and Environment Court ruling and current proceedings in the Supreme Court. It is difficult not to see the Modification application as the first step in a strategy to have the disallowed Warkworth Extension approved bit-by-bit avoiding independent full assessment of the total project.

This whole approach makes the government appear to be favouring Rio by pushing this project through the approval system without normal due process applying. In light of recent revelations from the ICAC inquiry into mining lease corruption in NSW under the former government, this is inappropriate behaviour by the new government and not a good look.

## **IMPACTS ON RESIDENTS**

### **Noise**

The proposed expansion would bring the mine closer to Bulga removing some of the landform which currently shields the town from the worst of the mine's impacts. Residents report that noise from the mine already has a major impact on the mental and physical health of Bulga residents. IVCG understands that the mine continually breaches the NSW Industrial Noise Policy, and its current approval conditions. IVCG is also informed that despite this, and despite 800 noise complaints against the mine from local residents last year alone, the NSW Government and your department has not taken any action to enforce the mine's approval conditions.

It is therefore inappropriate for Government to approve a project that would increase noise impacts on local residents, when the current operation cannot adhere to its existing noise approval conditions.

### **Particulate emissions**

The World Health Organization now classifies particulate pollution as a Class 1 Carcinogen. And according to the EPA, 87% of PM10 sized particle pollution in the Upper Hunter comes from coal mines. It is considered highly likely that the existing Warkworth coal mine has a significant impact on the health of local residents, and any proposed expansion increases these unacceptable impacts. Therefore a cumulative health impacts study of the Hunter coal industry is needed before the project is considered for approval.

### **BIODIVERSITY IMPACTS**

In 2003 Rio agreed to protect this site in a permanent conservation area. Earlier this year the Land and Environment Court rejected open cut mining in the area. Therefore the Warkworth mine must not be allowed to expand into the proposed area. The proposed Warkworth modification project would destroy 16 hectares of Endangered Ecological Communities. We understand Rio's proposed 'offsets' are not protected, and may be subject to future mining applications making them in-genuine 'offsets'.

### **SOCIAL IMPACTS**

Sadly, too many Hunter Valley villages have already been swallowed up by coal mining. Bulga, a close-knit community with deep historical significance for the Hunter, must be protected. Governments are supposed to serve the people and legislate to protect communities from the Corporate Giants. ENOUGH IS ENOUGH!

### **ABORIGINAL HERITAGE**

IVCG understands that the proposed modification project would destroy four known Aboriginal artefacts, which Rio had previously agreed to protect (under the Deed of Agreement). This agreement must be kept, and these important cultural artefacts of the Wonnaruah people must be protected. Lost heritage can never be replaced and is criminal behaviour in our view.

### **JOBS AND ECONOMIC IMPACTS**

IVCG is informed that Rio has provided no economic assessment in support of the project, and their drab public statements espousing that the project is needed to maintain jobs have not been supported by any credible information.

The NSW Land and Environment Court has rejected Rio's estimates of the employment and economic benefits of expanding the Warkworth mine. Threats of jobs losses by the proponent should not be a factor for consideration when assessing the merits of this project, and they certainly should not take precedence over the protection of public health, adherence to the Deed of Agreement to protect Saddle Ridge from coal mining, and the right for the community of Bulga to persist and exist.

Sincerely,

  
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