



PHOTO:
Mandalong
Wetland

SUBMISSION

EIS: Mandalong Mine Southern Extension Project SSD5144

VERSION TWO: this document has additional information and replaces the first version lodged on 9/10/13. This Version Two document was submitted in two parts due to online transmission size restrictions. This is **Part one of two** documents.

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Please note due to inability to transmit online this document in entirety, it has been split into Part 1 (pages 1-7) and Part 2 (pages 8-14) and submitted separately. As per advice from Colin Phillips.

PART ONE: INTRODUCTION

This is Version Two of my EIS Submission. The first version was submitted online on 9/12/13. Please disregard the first version. This version, (part one and part two) lodged 11/12/13, has been is updated to include further detail.

Thank you to the Department of Planning for the opportunity to respond to the Mandalong Southern Extension EIS. The information provided on your website in regards to major projects has been very helpful.

I am a landowner in Mandalong, residing close to the Mandalong Southern Extension area. I have lived in Mandalong for more than 10 years. Having many friends in the area, being previously a member of the Mandalong CCC and with my property impacted by mining, I am very aware of the issues related to the proposed Mandalong Southern Extension EIS.

I have outlined in my submission in response to the Mandalong Southern Extension EIS my issues of concern and recommendations.

I would appreciate a response to the recommendations in my submission.

NOISE IMPACT

The construction of the ventilation shaft and road infrastructure is unacceptable on a 24 hours, 7 days a week basis. Night time noise disturbance will have significant negative health and wellbeing impacts on local residents, as confirmed by World Health Organisation data. Further noise modelling of the construction phase is required with contour maps. In addition, clarification of what “*reasonable and feasible*” noise mitigation measures will be put in place and what level of benefit this will provide.

Background

Mandalong is a very quiet and peaceful rural area. People often choose to live here solely for this reason. This is noted in the EIS Social Impact Statement prepared by James Marshall. Low levels of noise affect wide geographical areas. Noise significantly impacts landowner’s ability to enjoy a quiet lifestyle. There are many families with young children, retirees and landowners that work from home in the region surrounding the proposed infrastructure.

Issue

The EIS Noise Assessment for the construction of the mine ventilation shaft is a major noise impact, not only in noise level but due to the 24 hours and 7 days a week noise. It is very likely to cause health and wellbeing issues for landowners in the area of the construction. The 24/7 proposal of construction is completely unacceptable as there will be no respite from noise for a year and a half.

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The EIS Noise Assessment outlines how the project will exceed noise target levels but states that it should be possible to reduce noise levels by up to 10dB at sensitive receivers. Table 54, “*Construction Noise Modelling Results – Access Road and Site Excavation*” (p278 of EIS Document No. 21) shows that without mitigation, the predicted construction noise will exceed the “*noise affected level (between 40-44 dBA) by up to 18 dBA, in particular those residents R24, R25 and R26 located near the junction of Mandalong road and the proposed access road*”. The mitigation measure proposed is the use of noise barriers 2m high which is predicted would reduce noise at R24 by 7dBA and a reduction of 1dBA at R25 and a reduction of 10dBA at each residence is achievable (as shown in Table 55 of EIS Document No. 21). It would be appropriate for modelling of the specific noise management measures to be provided. This would include noise contour maps for each stage of construction to see the predicted impact.

It is stated that the shaft sinking will need to be done outside of standard recommended operating hours and will marginally exceed (by 1dBA to be 36 dBA) the relevant “*noise affected*” level (35dBA) at R20. A mitigation strategy is to install a temporary barrier measuring 7m high and 20m long to provide acoustic shielding, as well as using equipment with a reduced sound power level. The EIS Noise Assessment states that Centennial Coal will use all “*reasonable and feasible*” noise mitigation measures to reduce impact. However, it is unclear whether the mitigation measures proposed are the only measures that are considered to be “*reasonable and feasible*” and what level of benefit would be provided by implementing all “*reasonable and feasible*” measures.

The World Health Organization (WHO) has developed various noise recommendations, including Night Noise Guidelines for Europe (Hurtley, 2009, *Night Noise Guidelines for Europe*, World Health Organisation). The sleep disturbance goals are listed in Table 15 of Appendix R (below) and range between 45 and 61 dBA which according to the WHO guidelines exceeds a level at which health effects are observed. It is clear from the WHO data (table on right) that the noise levels proposed will affect the health and wellbeing of local residents.

Average night noise level over a year $L_{night, outside}$	Health effects observed in the population
Up to 30 dB	Although individual sensitivities and circumstances may differ, it appears that up to this level no substantial biological effects are observed. $L_{night, outside}$ of 30 dB is equivalent to the no observed effect level (NOEL) for night noise.
30 to 40 dB	A number of effects on sleep are observed from this range: body movements, awakening, self-reported sleep disturbance, arousals. The intensity of the effect depends on the nature of the source and the number of events. Vulnerable groups (for example children, the chronically ill and the elderly) are more susceptible. However, even in the worst cases the effects seem modest. $L_{night, outside}$ of 40 dB is equivalent to the lowest observed adverse effect level (LOAEL) for night noise.
40 to 55 dB	Adverse health effects are observed among the exposed population. Many people have to adapt their lives to cope with the noise at night. Vulnerable groups are more severely affected.
Above 55 dB	The situation is considered increasingly dangerous for public health. Adverse health effects occur frequently, a sizeable proportion of the population is highly annoyed and sleep-disturbed. There is evidence that the risk of cardiovascular disease increases.

Table 3
Effects of different levels of night noise on the population's health

The need to construct the infrastructure on a 24/7 basis should not be imposed on the community when Centennial Coal has had ample time to plan and begin construction on the usual weekday construction timetable. The EIS Noise Assessment refers to the mining companies need to undertake 24/7 construction due to the extended time the project would otherwise take to complete. Centennial Coal Centennial Coal has undertaken mining in the area for at least ten years. The Mandalong Southern Extension EIS has been three years in the planning. Centennial

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Coal's planning time frames should have considered the needs of the community and mitigated the need to construct the ventilation shaft and road on a 24/7 basis in their planning timeframe.

The current Mandalong Mine Development Consent Conditions include conditions giving rights to landowners for noise impacts. Referring to the EIS Noise Assessment, it states that development consent conditions to give landowners rights, such as those in the current Mandalong Mine Development Consent Conditions, should be included in the Mandalong Southern Extension Development Consent Conditions for landowners impacted by the construction of the infrastructure.

Although the EIS Noise Assessment identifies landowners who will be directly affected by noise – listed as “noise receivers” - due to how quiet the area is, and how noise travels, it is likely a wider area will be impacted by a lower level of noise that will be disruptive, albeit not to the level deemed as officially (as per the EIS Noise Assessment report) as causing an impact. Noise modelling of entire spread of noise across the geographical area of the infrastructure needs to be provided.

Recommendation

- The construction of the Mandalong Southern Extension infrastructure (mine shaft and road) be during daytime, weekday hours to provide landowners with some respite from noise. This is the key issue arising from the EIS.
- The EIS states that noise mitigation measures suggest it is possible to reduce noise to acceptable levels, however cumulative noise and mitigation impacts have not been modelled for the construction phase. Modelling needs to be undertaken, and noise contour maps provided to the community.
- Clear and specific information be provided as to what “reasonable and feasible” mitigation measures are proposed and what level of benefit would be provided by implementing all “reasonable and feasible” measures.
- The Mandalong Southern Extension have development consent conditions that give landowners impacted by the construction of the infrastructure rights to
 - Independent noise testing
 - Mitigation (such as the noise level reduced and respite from noise)
 - Compensation
 - A zone of affectation be agreed upon and that land is purchased by the mining company at the landholder's request.

VISUAL IMPACT

Background

The area in which the Mandalong Southern Extension infrastructure is proposed consists of picturesque rural and forested areas. This is viewed from the main road through Mandalong, being Mandalong Road. In addition, many landowners enjoy views of this area from their homes.

The EIS social impact statement prepared by James Marshall says the factors that attract people to the area include its *“rural character”*.

Issue

The proposed Mandalong Southern Extension infrastructure will create a scar on the landscape. The road, which will be raised, wide and of considerable length, cuts across the picturesque natural landscape. The road, ventilation shaft and relocation of the transmission towers require considerable clearing and levelling. This will create an ugly scene, replacing what was a beautiful vista for landowners and visitors to the Mandalong area. There is concern that this will detrimentally affect the property values permanently for landowners in the geographical area of the infrastructure.

Recommendation

- The infrastructure be screened through rehabilitation of the area with appropriate native vegetation.
- The visual impact be minimised to the greatest extent possible.
- Requirements for this to occur be included as a development consent condition in the Mandalong Southern Extension.

INVESTMENT IN MANDALONG

Background

Centennial Coal Mandalong Mine has been in operation in Mandalong for over ten years. In that time various proposals have been put to Centennial Coal for direct investment in the Mandalong community, such as a community Park, meeting facilities, road improvements, a cycling track alongside Mandalong Road and environmental projects such as the large Mandalong Wetland. The vast majority of these proposals have been refused.

Issue

Mining has a negative effect on the community. This includes a reduction in property values, loss of neighbourhood through property purchases, stress to landowners due to the mining process and impacts on their property from mining and negative environmental impacts. There has been extremely minimal direct investment in Mandalong to mitigate these losses and impacts. The majority of projects proposed by the community require minimal expenditure. There is a need for conditions or legislature to formalise expenditure directly in the Mandalong community.

The payment to landowners during the PSMP process is inadequate. The development consent conditions only provide for an initial payment for legal expenses to landowners in the PSMP process. In the last two years this amount has been increased by Centennial Coal from \$2000 to \$3000. Having experience with obtaining legal advice on my own PSMP, \$3000 barely covers basic legal representation. Any other requests for compensation including property works to repair damage (other than through Mine Subsidence Board) are left to negotiation between the mining company and landowner. This has often led to the view of inequitable allocation of compensation to landowners, pressure and stress in the negotiation process, and a feeling of being powerless within this process. For example, some landowners are given generous amounts of compensation for property improvements and items such as tractors. In other situations, I am aware of landowners who have been offered compensation to have it later removed due to their inability to negotiate and communicate effectively with the mining company.

Recommendation

- The Mandalong Southern Extension consent conditions include provisions for direct investment in projects that enhance the Mandalong region to mitigate the losses felt by the community from mining. Such as:
 - Road upgrading
 - Meeting facilities
 - Mandalong Wetland (see p.8)
 - Cycling/walking track

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7 – Part One of Submission documents

- Individual landowners, through the PSMP process, have an increase in the amount paid. This to include compensation based on property subsidence impacts (other than MSB requirements). That this be specified in the development consent conditions.
- The Voluntary Planning Agreement process includes true consultation with the Mandalong community (such as via the CCC) to ensure a component of this fund is directed to investments to enhance the Mandalong community.

SUBMISSION DOCUMENT CONTINUES IN PART TWO – SEE SEPARATE DOCUMENT
MANDALONG SOUTH EIS SUBMISSION JR PART TWO LODGED 11/12/13

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