

24th October 2018

Attn: Mr Steve O'Donoghue,
Mining & Extractive Industries
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY. N.S.W. 2001

Dear Mr O'Donoghue,

**Re: Vickery Extension Coal Project
Project Application Number: 16_7480**

This Vickery Extension EIS should not be approved.

I strongly object to this project proposal considering the past disgraceful track record by the parent company Whitehaven Coal.

1. Impacts

This Vickery Extension EIS is lacking in detail.

This State Significant Project will impact the, Namoi River, the surrounding underground and surface water systems, the agricultural industry, the health of the nearby residence and local township of Boggabri as well as the habitat of local fauna and threatened species.

There is a huge cumulative effect from three mines in the Leard State Forest already as well as the nearby Whitehaven owned Rocglen mine to the east of the Vickery State Forest, which all use a huge amount of water, much of the natural run-off in rain events is captured by these mines causing extreme stress to many native vegetation communities surrounding these mines.

Another bore-field will only deplete more of the underground water which is relied upon by local farmers for stock and domestic supply.

Destroying native vegetation to dig up coal, that is a major contributor to Climate Change, is not in the best interest of our future generations who wish to continue to feed the nation.

2. Lack of time for submissions.

The Limited time to make a submission is absurd, the local people asked at a public meeting in Boggabri for an extension of time (90 days) to make their submissions, and obviously they were denied this opportunity.

This only adds to the belief in the community that the people who will be most impacted if this Vickery Extension is approved are not being listened to. For that reason, I have no confidence in the way the system gathers real and honest information, so a project can be scrutinized and either approved or denied.

There are numerous details in this EIS that still need to be addressed, but with the lack of allowable time it is impossible to speak to all the issues that are flawed. This is a failing of the Department to listen to the people who will have serious impacts thrust upon them if this project is to be approved.

If the Department of Planning and Secretary only listen to the proponent and take their word that they will carry out their obligations in their EIS, and in their Management Plans, which are at best very vague due to the wording which always gives the proponent a way around their commitment, especially when words like 'Generally' are used, then in this case it has failed before it has even been reviewed!

Those that have experienced rushed project approvals know that there is heavy leaning by the proponent on the authorities to continue the process, so their project can be quickly approved.

3. Lack of Good-faith, Transparency and Honesty.

In the past Whitehaven Coal (WHC) have not shown Good-Faith, Openness, Honesty or Integrity, at their Community Consultative Committee (CCC) meetings, by refusing to answer questions, especially to 'Green Groups', to the Gomeroi by destroying more than 11 sacred sites, and to local stakeholders, by not communicating and listening and being respectful.

I see no difference if this project goes ahead, the community will be forever trying to hold them accountable as the compliance authorities have failed to keep this unruly company in line. The Community will have to be the 'Compliance Police' just as the Maules Creek community have had to do ever since Whitehaven Coal have started mining in the Leard State Forest.

4. Miserable Rehabilitation Record.

This company to date has not demonstrated that their rehabilitation is up to standard. Whitehaven coal report to the Department that they have done all that is required to rehabilitate their mine sites via their annual reviews, but it is very visible on the ground, that this is not the case.

The Rocglen mine is located a short distance from the Vickery mine, and adjoins the Vickery State Forest on the Eastern side. This mine owned by WHC is a clear indicator that this company does not have the ability to carry out successful rehabilitation within the required timeframe at its mine sites, and certainly not to a standard that would go anywhere near replacing the cleared areas of the footprint of this Vickery mine extension if they were allowed to use mine site rehabilitation as an option for Offsets.

The annual reviews don't reflect the on-ground reality as the rehabilitation has not been successful.

It is recommended that the Department ground-truth Whitehaven coal's rehabilitation sites and not just rely on the Whitehaven company to report that they have complied via so called "independent environmental reviews", and annual reports.

If the Department visited these sites, not just on the Rocglen mine site, but also the Tarrawonga mine they would see that the rehabilitation has not been successful. Both these rehabilitation areas are in my view well below the standard that they should have attained with their plantings to date. In the case of the Rocglen mine there are virtually no trees on their rehabilitation site that adjoins the Vickery State Forest, this site was planted with propagated tree stock, which have obviously failed, and have never been replanted.

Ground-truthing would give the Department a clearer picture of the failure of this company to successfully revegetate their mine sites, which in this case the Vickery Extension is saying it will use mine rehabilitation to supplement their Offset commitments.



Rocglen mine June 2018 – Rehabilitation? (Vickery State Forest in the foreground).



Tarrawonga mine Rehabilitation? Jan 2018

By inadequate rehabilitation that should have been years old by now, the possibility of providing adequate habitat for fauna will take much longer, it appears that this mining company is never made to comply with their Management plans to rehabilitate their mine sites successfully.

4. Real people and families living near this proposed mine will be greatly affected!

I'm not sure what Whitehaven regard as 'no direct impacts' if there are residences on private properties as there are in this case, in close proximity and literally just across the Namoi River, there will be a major impact on their ability to sleep at night, made worse by inversions, and due to the noise from the trains, of which there could be up to 16 train movements per day as stated in their EIS, but also the continual operational mine noise.

The impacts from this type of continual noise is a major concern on the physical and mental health of the local community that are near this proposed project, that has a life expectancy of 25 to 30 years.

At other Whitehaven mining sites, they have not managed to mitigate the CHPP or Train noise, it would not be expected that the Vickery Extension can in any way reduce the impact of the rail spur noise that will impact their near neighbours, at all hours of the day and night.

Many of these neighbours do not wish to sell and relocate, so just offering alternate mitigation for those residence, such as soundproofing, double-glazing of windows is ridiculous in an area where most of the day to day work is performed outside.

Locating this rail spur on a flood plain and so close to private residences is unacceptable.

5. Biodiversity Offsets

"As impacts on biodiversity are likely to be permanent, the offset should also be permanent and secured by a conservation agreement or reservation and management for biodiversity. Where land is donated to a public authority or a private conservation organisation and managed as a biodiversity offset, it should be accompanied by resources for its management. Offsetting should only proceed if an appropriate legal mechanism or instrument is used to secure the required actions."

Since the Parent company Whitehaven, has to date not been able to secure their Whitehaven Maules Creek mine Offsets as required by their consent conditions, I have no confidence they would be able to meet their Offset obligations for their Vickery Coal Project Offset property 'Willeroi'.

The Willeroi Offset, forms part of the Vickery Approval and will be used with a couple of smaller properties and large mine rehabilitation area to make up the total offset area for the Vickery Extension.

After failing to meet two granted extensions to secure their Maules Creek Mine offsets, Whitehaven is looking like needing a third extension to either transfer the land to National Parks and Wildlife Service or secure a Biodiversity Conservation Agreement.

The WHC CCC has been denied access to see the mapping for the Regional Biodiversity Offset Strategy. It appears the maps are 'Top-secret', as usual there is no transparency at these meetings or willingness to provide information to the community about why the Offsets have not been secured in perpetuity.

If the proposed Vickery Project Offset Willeroi has not been transferred to NPWS nor had a Biodiversity Conservation Agreement secured, then this Offset property should not be counted or considered part of the Vickery Extension Offset obligations.

The WHC CCC have been given no explanation what is causing the delay, we can only assume that it is just as we pointed out three years ago, that the offsets descriptions were false and misleading, not being Like for Like as was required.

Offsets have been a very contentious issue for the Maules Creek Coal mine since its 'Claytons' approval, after a letter was leaked to blackmail the environment minister.

The Maules Creek Community Council independently had Whitehaven Coal's Offset properties reassessed by two local Ecologists and a Botanist to review the vegetation mapping. They provided evidence that the Offsets were not Like for Like habitat for the vegetation community destroyed in Leard State Forest.

Knowing that the approval was based on false and misleading description of the Offsets, it seems highly likely that is why it has taken Whitehaven Coal so long to have their Offsets locked in to an agreement with NPWS or the Biodiversity Conservation Trust.

Given Whitehaven's track record of paying people to falsify reports, why should the public trust that the Vickery Offsets will be locked in to an agreement in perpetuity?



Willeroi – June 2018

There certainly will be a lot of activity if this erosion is to be rehabilitated any time soon.

Other Existing Measures

Other existing measures which Whitehaven will implement for the Approved Mine which are relevant to reducing impacts on biodiversity include (Whitehaven, 2013):

- ✓ A noise monitoring and management system to maintain compliance with operational noise limits.
- ✓ An air quality monitoring and management system to maintain compliance with air quality limits.
- ✓ A blast monitoring system to maintain compliance with blast limits.
- ✓ Measures that would be employed to mitigate potential impacts from night-lighting, including (where practicable) the use of directional lighting techniques and implementation of light shrouds and reflectors to limit the spill of lighting.

6. Noise, Air Quality, Blasting, Night Light.

While these mitigation measures above all sound good on paper, let it be noted that at another Whitehaven coal mine site (Maules Creek Coal Mine) their intended measures have not mitigated these Noise, Air Quality, Blasting fumes & vibration, or lighting on the near neighbours and the community, so to expect that these mitigation measures would be applied and that they would reduce the impact on Biodiversity near the Vickery Extension is nothing more than wishful thinking.

Modelling of these impacts are not accurate (as is the case with noise at Maules Creek) and while the company will somehow 'stay' within the limits of their obligations, there will be huge impacts on the surrounding environment and community. The Environment and community are merely collateral damage when they co-exist close to an open-cut coal mine.

And as for the regulatory guidelines that are now set to the extreme limits, it seems that every complaint and breach reported by the local residence (at the Maules Creek mine) regarding noise, blast fumes or just the clouds of dust after blasting comes back as 'no compliance issue', this is what the locals can expect to endure if this mine is approved. The system is broken!

It appears that it is ok for the near neighbour's house to shake from over-blast pressure or ground vibration, simply because the vibration was a mere '0. Something' below the allowed limits....

The KURRUMBEDE Homestead will certainly be under threat from all this blasting and vibration, it may not be a declared a National Treasure, but it has history that cannot be replaced. With the infrastructure only 1.2kms away and the rail spur 300m, it has little chance of surviving the blasting and vibration that will surely cause major structural damage.

Real people and families live close to this proposed mine and the impacts will be enormous, regardless of what Whitehaven Coal has said in their EIA.

This proponent in the past, at their other mine sites have not been able to demonstrate that they have a social licence or that they can comply with their consent conditions, they continue to destroy habitat, agricultural land, and threaten life giving water supplies from bores that the local communities use for both stock and domestic supply.

Another large mine in this district would pose an even greater potential risk to the Environment and risk to both surface and underground water, which sustains the farming district and local town of Boggabri.

The Vickery Extension should not be approved.

Sincerely,

Roselyn Druce
Maules Creek
NSW 2382