

J & N Barlow  
"Mirrabinda"  
Boggabri NSW 2382

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25 October 2018

Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr O'Donoghue,

**Re: Adjoining Landholder Submission in Response to EIS for Proposed Vickery Coal Mine Expansion Project ('Project') DA No SSD 7480**

We strongly object to the proposal of the Vickery Extension Project.

We are not in negotiation with the proponent.

**INTRODUCTION & HERITAGE**

My family has owned 'Mirrabinda' for three generations. We host three homes - private dwellings referred to as 127a, 127b and 127c in EIS Figure 3.1, and adjoin the Namoi River on the west bank, immediately opposite the proposed Project.

The main homestead (127a) is just 2 kilometres from the proposed overburden emplacement zone, with home numbered 127c a mere 800 metres from the rail spur and the coal preparation plant, the coal storage and train load out area. Home 127b is mid-way between the other two, about 500 metres from the banks of the Namoi River.

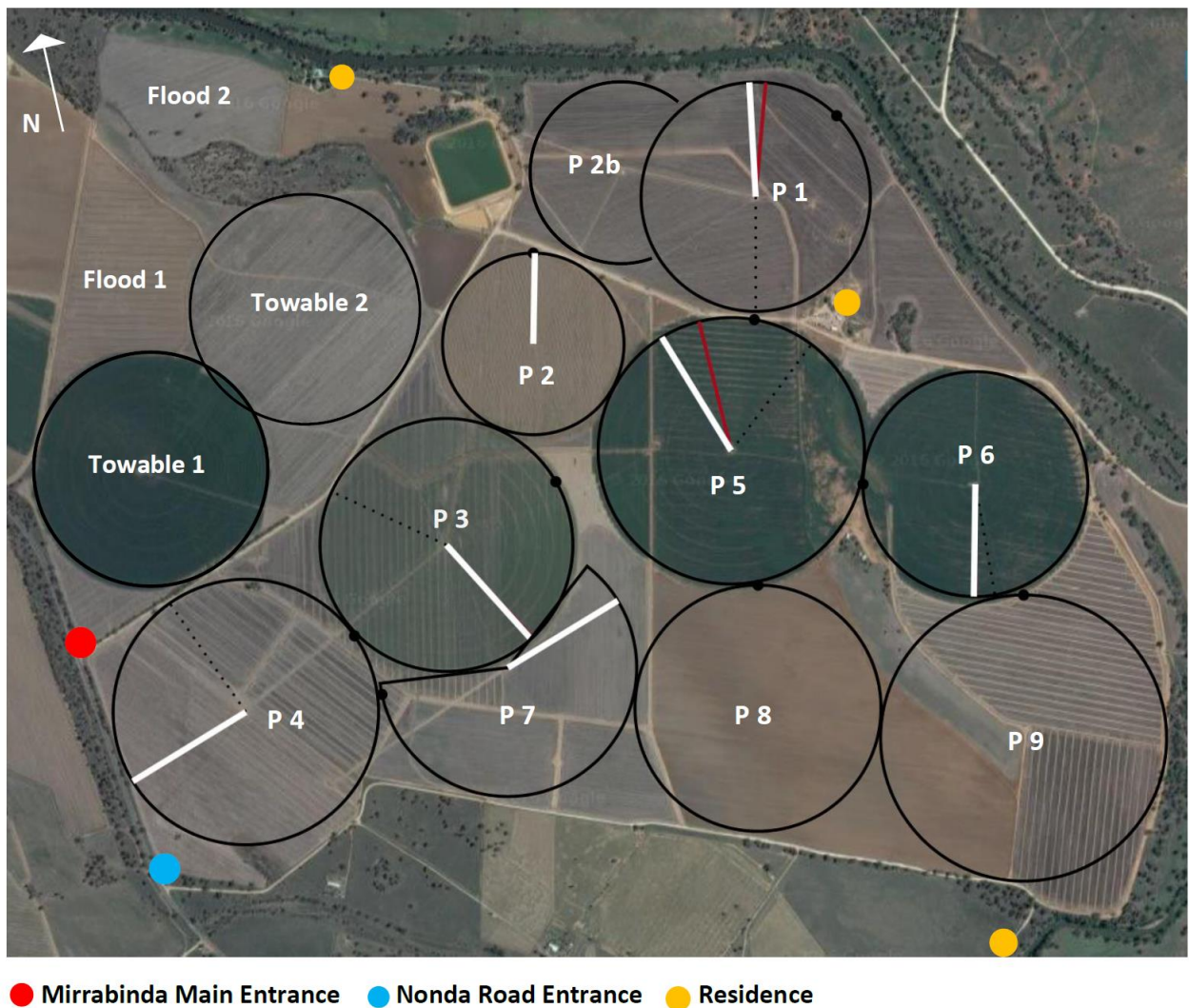
In summary, my family lives immediately adjacent to the proposed mine, will be adversely impacted by it, and thus it will come as no surprise that we object in the strongest possible terms. We respectfully request the NSW Government reject the Project unless private citizens who have environmental, social and economic costs imposed upon them are fairly and rightfully compensated through a negotiated agreement.

By way of background, my grandfather purchased the property in 1968. My father and his siblings were raised here, my sister and I were raised here, and I am looking forward to raising my daughter here. This farm is much more than just a highly productive water efficient cropping enterprise, it provides a peaceful lifestyle within a supportive community and encompasses much family heritage.

Three years ago we implemented at 'Mirrabinda' an irrigation infrastructure modernisation initiative in concert with the Government. Together, we invested several million dollars in on-farm works such as travelling irrigation systems and water delivery and storage components designed to improve on-farm water use efficiency. As a result of this vision, 741 ML of Namoi River water was saved and re-directed to benefit other users in the Murray Darling Basin, including the environment.

'Mirrabinda' is now a modern agribusiness prudently designed for optimal irrigation agriculture, featuring 12 pivot irrigation circles, 220 ML of water storage capacity, three groundwater bores and two river water pumps. Our farm relies on both the River and underground water to operate. It would be a shame to see the investment of those public and private funds wasted thanks to industrialising a prime, highly productive rural area.

Figure A. Map of Mirrabinda.



We were neighbours to the Rio Tinto mine in the 80s and 90s as Whitehaven continues to point out, let it be made clear however that this mine was approximately 20 times smaller, with no railway spur or CHPP.

In 2014 the Vickery Coal Project mine was approved. This proposal is much bigger and has greater impacts than the already approved mine. We believe it will be a tipping point for the area.

This proposal involves:

- a larger mine footprint, needing to gain access to 179 Mt of ROM coal reserves compared to 135 Mt for the earlier proposal;
- mining coal at an average rate of 7.2 Mtpa over 25 years (with peak production of 10 Mtpa), compared with a peak production of 4.5 Mtpa for a period of 30 years in the earlier proposal;
- given more coal is to be mined, a commensurate increase in the size of the waste rock emplacement areas (now to be 1,830 Mil bank cubic metres, plus co-disposal of CPP coal rejects);
- construction of 10 water supply bores and use of up to 396 ML/year of groundwater;
- construction and use of a pump on the east bank of the Namoi River to extract up to 1,752 ML/year of surface water;
- construction and operation of a 13 Mtpa ROM Coal Handling and Preparation Plant (CHPP) and train load-out facility and rail spur across the Namoi River Floodplain – not part of the earlier proposal;
- the haulage to the site of 6 Mtpa of ROM coal from other Whitehaven operations for processing and transport off site – not part of the earlier proposal;
- haulage of 11.5 Mtpa of product coal from the site by rail – not part of the earlier proposal; and
- a concomitant increase in impacts from noise, dust, blasting, surface water and groundwater losses, night lighting, flooding changes and visual impacts.

We have worked hard to develop and improve the property, just as my parents and grandparents did before me, and are looking forward to continuing a productive and enjoyable lifestyle on 'Mirrabinda'. We are located in a brilliant spot. In a rural location, not an industrial area and we love it here. It is such an excellent spot for a farm in the productive Namoi Valley with great soil, good summer and winter rainfall, quality surface water and groundwater supplies, the Namoi River at our doorstep and the abundance and beauty of a diverse range of wildlife that is attracted to the riverine corridor is extremely important to us. Our three houses mentioned above are also important assets. 'Mirrabinda' is irreplaceable in our eyes!

We are only here today because of the supportive community that surrounds us. We have bound together now more than ever at the very real threat of this project to our community. We do hope the social impacts are genuinely investigated. We disagree with the statement in

the Social Impact Assessment in the EIS that “there is no potential for the Project to have direct impact on farming practices or community activities” (Appendix R, page 106).

We strongly object to the Project for the technical and procedural reasons outlined below and ask the NSW Government to reject the Project on the current terms.

Based on the real-world experiences of landholders adjacent to coal mines elsewhere in the Gunnedah Basin and the Hunter Valley we remain to be convinced of the accuracy of the EIS impact modelling. Common experience suggests such modelling understates the impacts, leaving it for landholders to suffer the many highly problematic dis-benefits. We request you do not leave us in this position.

## **1. WATER IMPACTS**

Our family holds the following water licences:

- 1,359 ML of Namoi River water (Lower Namoi Regulated Water);
- 123 ML of Namoi River high flow supplementary water; and
- 587 ML of groundwater from shallow (30-50m) alluvial aquifers (Upper Namoi, Zone 4).

‘Mirrabinda’ hosts three production bores (numbered MR1, MR2, MR3 – see Figure 15 in the EIS), the closest being number MR1 which is approximately 2 kilometres west of the Project mining area. Our farm relies on both the River and underground water to operate.

### **Groundwater Impacts**

It is understood from the EIS water modelling that:

- privately-owned bores in the Upper Namoi Alluvium surrounding the Project are predicted to experience drawdowns of up to 0.61 m – including on ‘Mirrabinda’;
- the leakage of groundwater from the Upper Namoi Alluvium to the underlying consolidated sediments of the Maules Creek Formation during the Project and post-mining due to depressurisation of the Maules Creek Formation;
- as a result of mining there will be a permanent reversal in groundwater flow direction in the immediate vicinity of the Project, from a westerly direction, pre-mining, to an easterly direction, post-mining;
- an increase in river leakage from the Namoi River and also Driggle Draggie Creek to the immediate west of the Project mining area, due to the proposed 10 bore borefield;
- there will be a 1m drawdown up to 2 km to the west and east of the 10 bore borefield north of Hoad Lane in the Upper Namoi Alluvium. Proposed bores BH8-10 expect a maximum drawdown of 10 m, with 5 m predicted at BH1 to BH7. The annual water requirement from the borefield will be up to 396 ML/year.

This is of course only modelling, and consequences are likely to be far greater.

### **Connectivity Between the River and Aquifers**

As noted in the submission by the Boggabri Farming and Community Group, the EIS states there will be increased leakage of, or reduced base flow to, the Namoi River due to depressurisation of aquifers. Appendix A section 5.6 attempts to quantify these losses, predicting a long term leakage of 75,000L per day from the Namoi river. We do not see this as insignificant. With the effects of blasting this figure could be extremely understated. The connectivity of the river and aquifers is delicate, and any interference could have exponential consequences.

It should also be noted that the above figure is contradicted in Appendix A 6.4.2.2, where it quotes the average daily leakage of the Namoi River at 18.7ML during the mining period. This equates to 6825.5 ML/year!

This discrepancy, along with the discrepancies noted in Gunnedah Shire Councils submission are of real concern. How can we rely on the figures in this report on the topic of such pertinent issues?

### **Surface Water Quality Impacts**

We have concern regarding the dust fumes and dust deposits entering into the Namoi River. Our residences are borderline (and understated in our view) according to the proponent in regard to the air quality assessment and they are further from the mine than the River is.

It is understood from the EIS that there will likely be an increase in salinity in the Namoi River due to the migration of salt from mine water storage.

### **Sediment Water Discharges**

As noted in the submission by the Boggabri Farming and Community Group, the EIS states that water will overflow from sediment dams in the event of storm rainfall when rainfall exceeds 38.4mm over five days (appendix B 10.5). This water will be untested. This discharge will affect river water quality. According to The Bureau of Meteorology data from Boggabri post office, Boggabri has recorded more than 40mm over five days every year for the past 39 years at an average of 17.2 times per year. This means uncontrolled releases of sediment water could be released into the surrounding creeks and Namoi river more than 17 times a year or more than 425 times over the life of the mine. This is outrageous and simply unacceptable.

It is stated that runoff or infiltration from overburden, interburden and coal reject material would be captured in mine water dams. It also says that these materials can be high in Sulfur, Saline, Potentially Acid Forming (PAF) and have concentrations of Arsenic, Molybdenum and Selenium. The CHPP and the western embankment where the coal rejects and overburden will be placed is adjacent to the Namoi River. The runoff and infiltration water from the western embankment with the above mentioned contaminated material will be the water allowed to

leave the site if the sediment dams exceed capacity. This is not acceptable and no water that is even slightly contaminated should leave the mine site.

We don't feel this is alarmist as it has happened already by the proponent who has been found to breach their environmental licence for polluting waterways and it can be extreme as seen 2015 at the Wollangambe River by Centennial Coal which discharged mine waste into the river under its environmental licence. The river has been found to be polluted at the site but also as far away as 22 km downstream. High levels (sometimes extremely high) were found and also metals like nickel and zinc when compared to above the discharge point. Also, insect numbers decreased by 90%.

The project is upstream of us and there are many communities relying on the health of the Namoi River. From the River we irrigate wheat, barely, oaten hay, cotton, sunflowers, chickpeas, canola, mung beans and sorghum.

### **Requested NSW Government Action**

Our family respectfully requests the NSW Government not allow yet another coal mine to be approved where there will be depressurisation of privately-owned groundwater bores.

Furthermore, it is not appropriate for the Proponent to be allowed to determine whether or not groundwater drawdown has occurred and is attributable to the Project. Clearly, the miner has a vested interest in the matter and is not sufficiently impartial to protect the interests of the landholder.

We respectfully request that any consent should place the burden of proof with the miner to prove it has NOT caused any drawdown, rather than allowing the unfair scenario of a farmer trying to prove first, that there has been a drawdown and secondly, that the drawdown is directly attributable to the mine, then wait 'cap in hand' for the miner to act in the farmer's best interests.

Any proposed consent conditions must be far stricter and more rigorous than typically adopted and should require the miner to remedy the situation without delay, directed and supervised by NSW Government regulatory and compliance personnel. In addition, the obligations on the miner to implement high quality, prompt make-good provisions are essential and heavy penalties should be imposed for any delays.

## **2. NOISE IMPACTS**

We note the Noise Policy for Industry describes noise impact categories as "negligible", "marginal", "moderate" and "significant" and that they are generally consistent with Table 1 of the Voluntary Land Acquisition and Mitigation Policy (VLAMP) (DPE, 2014) which addresses noise and air quality impacts from State significant mining, petroleum and extractive industries.

The VLAMP describes the voluntary mitigation and land acquisition policy to address dust and noise impacts, and outlines mitigation and acquisition criteria.

Under the VLAMP, if a miner cannot comply with the relevant impact assessment criteria, or if the mitigation or acquisition criteria may be exceeded, it should consider a negotiated agreement with the affected landowner or acquire the land. In doing so, the land is then no longer subject to the impact assessment, mitigation or acquisition criteria, although provisions do apply to “use of the acquired land”, primarily related to informing and protecting existing or prospective tenants.

An updated draft version of this policy (DPE, 2017) was released in November 2017. It is understood that, given the policy is still in draft form, the revised version has not been considered in the noise assessment of this Project. Please advise us if this is not the case.

We also note that:

- “significant” evening and night time exceedances (greater than 5 dB according to the VLAMP) are predicted at our house numbered 127c for the maximum predicted noise level, while “moderate” evening and night time exceedances (between 3-5 dB according to the VLAMP) are predicted at our house numbered 127b;
- Sleep disturbance: The night time LAeq,15min noise predictions are predicted to exceed the LAeq,15 min noise trigger of 40 dBA at our house numbered 127c;
- Construction noise levels associated with the mine infrastructure area and the rail loop are predicted to exceed the day Project noise trigger level of 40 dBA at our house numbered 127c.

Our family is concerned the NSW Government has noise policies that can even permit a mine proposal to be contemplated that generates such impacts. We urge the NSW Government to refuse the proposed Project on noise pollution grounds alone.

We note the EIS indicates that the proponent “has been in dialogue with the owner of the property (receivers 127a, 127b and 127c) regarding entering into a potential noise agreement and in addition, the owner of these receivers has the right to acquisition upon request in Development Consent (SSD-5000) for the Approved Mine”. This statement must not be considered a satisfactory answer to the exceedances. From our perspective this ‘dialogue’ has been disappointing. We attach documentation in this regard and are happy to discuss in this more depth.

Also, it must be noted in the EIS for the Approved Mine; the Vickery Coal Project (4.5 Mtpa), the proponent repeatedly made a **false and misleading statement** in response to noise exceedances, stating that “At the time of writing Whitehaven has entered into negotiations with the owners of receivers 127a, 127b and 127c”. This was not definitely not the case and we hope no weight was given to this statement by the Department of Planning in assessment of that EIS or the current EIS.

### **Comparison of Approved Mine and Proposed Extension**

We are highly concerned with the validity of the noise modelling.

The EIS shows 127b will be in the noise management zone, exceeding the limit by 3-5 dB (Annexure D, page 39). Where as in the previous 2014 approval for a much smaller 4.5 Mtpa mine, the EIS Noise & Blasting Impact Assessment document showed this house was much more affected/had higher predicted noise levels.

If you compare Year 7 at 127b in the proposed extension where the mine will be at 8.4Mtpa – operational noise will be lower at 35 dB (Day P10) 37 dB (Evening P10) and 38 dB (Night P10) than in the already approved much smaller mine which has production in Year 7 at 4.5 Mtpa (nearly half), and noise at 38 dB (Day P10), 42 dB (Evening P10) and 43 dB (Night P10) (Vickery Coal Project EIS Noise & Blasting Assessment, page 41).

If you compare Year 7 at 127a – the proposed extension operating at 8.4Mtpa with a CHPP and railway spur, the operation noise will again be lower at 31 dB (Day P10), 33 dB (Evening P10) and 33 dB (Night P10) compared to the approved much smaller mine which will be operating at 4.5 Mtpa with noise predicted at 34 dB (Day P10) 37 dB (Evening P10) and 39 dB (Night P10) (Vickery Coal Project EIS Noise & Blasting Assessment, page 41).

At 127c, the home nearest to the CHPP and railway spur, operation noise in Year 7 will be 38 dB (Day P10), 40 dB (Evening P10) and 40 dB (Night P10), compared to the approved much smaller mine operating at 4.5 Mtpa, without a CHPP or railway spur, with noise predicted at 33 dB (Day P10), 33 dB (Evening P10) and 39 dB (Night P10) (Vickery Coal Project EIS Noise & Blasting Assessment, page 41). Just one decibel difference at night?

This is just one example which makes you wonder about the reliability of the noise modelling that is the basis for the approval of the mine and consent conditions. We wonder what has been left out to achieve such results, or has a realistic mine plan that will actually be followed been put forward to achieve the noise predictions?

If any of the modelling has been understated, then the predicted noise levels for night-time noise are also of great concern. Residence 127c reaches the cumulative noise criteria for night-time noise as it is and 127b is just below.

### **3. AIR QUALITY IMPACTS**

We note under VLAMP - outlined above - voluntary mitigation rights apply when a development contributes to exceedances of the criteria set out in EIS Table 3-3 and voluntary acquisition rights apply when a development contributes to exceedances of the criteria set out in EIS Table 3-4. The criteria for voluntary mitigation and acquisition are the same, with the exception of the number of allowable days above short-term impact assessment criteria for PM10, which is zero for mitigation and five for acquisition.



We understand that:

- voluntary mitigation rights apply to any private residence where the consequences of the exceedance, in the opinion of the consent authority, are unreasonably deleterious to worker health or the carrying out of business;
- voluntary acquisition rights apply to any private residence and also when an exceedance occurs across more than 25% of any privately-owned land where there is an existing dwelling; and
- the November 2017 draft update of the VLAMP includes a revised annual average PM<sub>10</sub> criteria of 25 µg/m<sup>3</sup> and introduced PM<sub>2.5</sub> criteria (8 µg/m<sup>3</sup> annual average and 25µg/m<sup>3</sup> 24-hour average). The criteria levels in the draft VLAMP are consistent with the assessment conducted for this Project.

We note the modelled Project-only and cumulative annual average PM<sub>10</sub>, PM<sub>2.5</sub> and TSP concentrations and dust deposition levels predict no exceedances of the annual average impact assessment criteria at any private home. Similarly, the modelled Project-only and cumulative 24-hour PM<sub>10</sub> and PM<sub>2.5</sub> predict no exceedances of the 24-hour average impact assessment criteria at any private home.

The proponents predictions however show the PM<sub>2.5</sub> to be very close (ranging from 23.7 to 24.8) to the cumulative 24-hour criteria (25) at each of the 3 homes at Mirrabinda during the 25 year life of the proposal.

Based on the real-world experiences of landholders adjacent to coal mines elsewhere in the Gunnedah Basin and the Hunter Valley we remain to be convinced of the accuracy of the EIS air quality modelling that suggests we will not be adversely impacted by dust. Again, we request that the NSW Government not permit this mine proposal because of the aggregated impacts on local landholders, including dust.

#### **4. BLASTING**

We are concerned of the effect of air quality the blasts will have and if this mine was to go ahead, we request a no blast zone to protect privately owned residences.

The predicted overpressure/airblast levels at 'Mirrabinda' range from 111.2 to 115 dBL, this is very close to the criteria of 115 dBL. We request the inputs and accuracy of this modelling to be investigated.

## **5. VISUAL IMPACTS**

Our family will be adversely impacted by views of the waste rock emplacement for about 15 years and mine infrastructure for the life of the Project, as outlined below:

- Our homes numbered 127a and 127b will be visually impacted by the active waste rock emplacement for approximately 15 years. By Year 7, the overburden stockpile would be at its maximum height and not rehabilitated. The main source of impact will be the contrasting colour and texture of the existing landscape and the newly placed and unvegetated waste rock; and
- Our homes numbered 127b (1.75 km from the rail loop) and 127c (800 m from the rail line) will be visually impacted by the mine infrastructure area comprising the CPP and coal load out and rail loop and rail line across the Namoi River floodplain.

We note the visual impact findings stated in the EIS:

- high visual sensitivity of the Mirrabinda (1) (VP10), Mirrabinda (2) (VP11) and Mirrabinda (3) (VP12) homes;
- high levels of visual impact from Mirrabinda (3) (VP12) of the rail overpass on the Kamilaroi Highway; and
- for Mirrabinda (1) (VP10), Mirrabinda (2) (VP11) and Mirrabinda (3) (VP12) homes, the moderate level of visual modification, coupled with the high level of visual sensitivity, indicates a high level of visual impact during operations.

Furthermore, all three 'Mirrabinda' homes will be adversely impacted by direct and indirect night-lighting. This will include:

- direct night-lighting: direct views of Project lighting sources such as stationary work lights, fixed/permanent lights and vehicle-mounted lights and the headlights of trains on the rail line and in the mining infrastructure area;
- indirect night-lighting: light will spill from vehicles and stationary work lights producing sky glow. The glow will be exacerbated when there is cloud cover, with reflection of the light downwards off the cloud base.

Again, we request that the NSW Government not permit this mine proposal because of the aggregated impacts on local landholders including visual pollution.

## **6. FLOODING IMPACTS**

Our family is concerned that the flood impact assessment is of questionable value as the EIS states that the actual location of openings (bridges and culverts) and the height of embankments will not be determined until much later – after any approvals are granted – at the detailed design stage. This means the various assumptions factored into the model may not translate into reality, thus the value of the model is questionable.

We note the EIS indicates that:

- with respect to the 1% AEP event the Project rail spur will cause increases in flood levels up to 1.5 km upstream;
- the velocity impacts under the rail line will be 20% higher than existing conditions;
- the peak 1% AEP flood levels on the Kamilaroi Highway will be increased; and
- with climate change, it is predicted with high confidence there will be an increase in the intensity of extreme rainfall events and these changes will have consequences for increased peak flood discharges and peak flood levels across the study area.

We request that the NSW Government require the rail line design to first be fully specified, then more accurate flood modelling undertaken before there is any contemplation of the granting of approval. We feel this is pertinent and an exhibition period is warranted.

The importance of the floodplain to aquifer recharge and Namoi River, along with the impact flooding has on the people and land is so critical.

How can a case study be considered accurate when there is no detailed design of the proposed development?

The proposed location is undeniably not the most suitable to minimise impacts on the surrounding environment and the people. We ultimately feel a second flood plain crossing is not acceptable and unnecessary.

Why can't the proponent use the existing railway crossing? Why should the environment, community and landholders suffer because two companies cannot reach an agreement and work together?

## **7. MANAGEMENT PLANS**

We request the following Management Plans be completed before there is any contemplation of issuing development consent because they will contain the fine detail necessary to determine how effectively these key issues are to be managed:

- Water Management Plan;
- Noise Management Plan;
- Blast Management Plan;

- Air Quality Management Plan; and
- Mine Closure Strategy.

## **8. EIA DETERMINATION POLICES AND PROCESSES**

### **Voluntary Land Acquisition and Mitigation Policy (VLAMP)**

Whilst the Crown controls the mineral resources of the State found underneath the surface of privately owned land, in the event that they are exploited, the welfare of the public should benefit whether by way of royalties, resource rent taxes or other means. **However, the pursuit of a public advantage of mineral exploitation is not to be yielded at the cost of arbitrarily allocating private loss and damage.**

**It follows that every effort should be made to avoid casting on anyone who has to accommodate an impact to their land, any private cost or detriment. Fundamentally, the landholder should not be worse off because of this situation.**

**This means that to the maximum extent possible, the cost of obtaining the supposed benefit of mineral exploitation is not to be borne by the impacted landholder, but by the company that seeks the rewards of mining. Such costs are, in effect, to be recognised as a cost to the business of mine project planning, assessment and approval.**

The Project EIS indicates that the proponent has been in dialogue with the 'Mirrabinda' owners regarding entering into a potential noise agreement and in addition, the owner has the right to acquisition upon request in Development Consent (SSD-5000) for the Approved Mine. (Note the previous statement regarding the Approved Mine; that the company made a false and misleading statement indicating they were in negotiations with the owners of Mirrabinda at the time of the EIS).

Discussions between Whitehaven and our family have occurred intermittently since July 2016. We have been disappointed with the discussions to date regarding addressing the cumulative adverse impacts from noise, dust, blasting, water, visuals, night lighting, etc. For us, it is much more than just noise and dust; it is the aggregation of all the various impacts we will suffer. We feel our views have not been treated with the appropriate level of respect and understanding, with the company dictating the terms.

As farmers, we simply do not have resource capacity (be it time, funds or technical knowledge) necessary to enable us to make a full, informed and independent assessment of the likely impacts from the overall project on our quality of life, on 'Mirrabinda' itself and to help decide whether to seek mitigation measures or acquisition and, if so, under what terms and conditions.

We are educated, both having university degrees, but already this has put a huge strain on our lives.

VLAMP requires a miner to ensure that landholders 'are properly informed', and 'have a good understanding of the scale and nature of the predicted impacts through the provision of relevant air quality and noise impact predictions' to them and of the likely health risks. Furthermore, the miner 'should bear all reasonable costs' in enabling the landholder 'to make informed choices'. Several times since mid-2016 we have asked Whitehaven to soften the personal and commercial disruption by providing funds to allow us to engage the independent specialist resources we need to make an informed, considered decision as to what arrangement (mitigation or acquisition) we might wish to pursue. This request has so far been denied.

We respectfully request the proponent, via its social licence obligations, and the NSW Government, via the making and implementation of fair and just public policy, ensure that our private property rights are given fair and reasonable consideration and that they are not deemed subservient to the generation of a corporate profit.

### **Independent Peer Reviews**

Given the EIS is essentially an advocacy document, we request that truly independent experts in noise, dust, water and flooding be engaged by the of the NSW Government to forensically examine these highly technical reports.

We also respectfully request:

- that landholder representatives participate in the selection of said experts and the setting of the scope of work, to enhance the level of trust in the process; and
- there be a face-to-face briefing in the district from the reviewer once the assignment has been completed.

It has become apparent in the proponents EIS that very little local knowledge has been used when preparing this application. We are the people that have grown up, and live and work in this area and have a really good understanding of the environment around us.

### **DPE Processing and Assessment**

We respectfully encourage the DPE to redouble its efforts to ensure that the Project is subject to a rigorous analysis and that evaluation of the proposal is scrupulously fair, impartial and objective. All the benefits and disbenefits and trade-offs need clear and transparent articulation.

We welcome engagement that is genuine and respectful, where our inputs are valued more and outcomes delivered that reflect natural justice, that protect our fair and reasonable interests and result in us not having to carry personal costs 'outsourced' by the miner.

To emphasise the point, we refer to findings of the August 2017 review conducted by Ms Lisa Corbyn, former head of the EPA and the NSW Department of Environment, Climate Change

and Water into the quality of DPE's Assessment Reports for proposed State Significant Developments.

After wide consultation it was revealed that industry, including the miners, considered the DPE's Assessment Reports to be impartial and properly positioned. On the other hand, community and environmental groups – including local government – found that the reports were not impartial and often ignored community issues. Based on these results, we respectfully suggest there needs to be a realignment of the Assessment Reports to better balance the ledger. We encourage the DPE to do so on this Project.

### **MONITORING & ENFORCEMENT**

We are highly concerned about the ability for the relevant departments to monitor the mine's operation and level of impact.

We do not feel there is enough independent and reliable monitoring in practice with existing mining operations in the area.

Without the ability to sufficiently monitor and enforce consent conditions, how will we be protected?

### **KURRUMBEDE**

The property Kurrumbede will form part of the mine site under the proposed extension. This mine should not be approved for the reason of historic value to the community and the nation. Gunnedah slogan is **"Welcome to my county ?"** Everybody knows the poem a Sunburnt Country, why would a government approve a mine destroying heritage?

Kurrumbede inspired Dorothy Mackellar to write this poem yet Whitehaven propose to destroy a significant portion of the property for coal that will be exported overseas. It is greed with no respect for the land. How can blasting and dust not affect the buildings?

### **MINE CLOSURE**

In 25 years, upon completion of this mine, will the unsightly proposed infrastructure be removed? Or are there further plans for this infrastructure?

The land should also be returned to the same agricultural class, not worse.

A company representative made the statement at a local information meeting at Emerald Hill that the Blue Vale Pit has been removed "at this stage"? This is of grave concern and indicates that firstly, it is not off the table and secondly, we have every reason not to trust the proponent and what there real plans for Vickery are.

## **CLOSING**

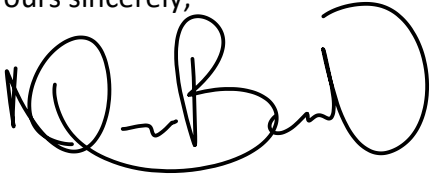
Presently we are experiencing one of the worst droughts on living record. Climate change is very real. We are working very hard to be sustainable farmers, always trying to adopt new practices. This proposal goes against all our beliefs for what we should be doing for future generations.

At the end of the day, it is a huge mine, in a very sensitive area, and a very productive area which forms part of the Liverpool Plains. There is way too much risk associated with this mine, particularly relating to water resources, and it should not be approved on these grounds alone.

We do feel like this proposal is crossing the line and it is a tipping point for the area.

If you wish to discuss any of the matters addressed above please don't hesitate to contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'James & Nicole Barlow'. The signature is stylized with large, flowing loops and a prominent 'B'.

James & Nicole Barlow