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NEW SOUTH WALES

INDEPENDENT PLANNING COMMISSION

RECORD OF MEETING

PROF MARY O’KANE, Chair

MR ANDREW HUTTON

MR TONY PEARSON

RIX’S CREEK CONTINUATION HEARING

LOCATION:

**CHARBONNIER HOTEL
44 MAITLAND ROAD
SINGLETON, NEW SOUTH WALES**

DATE:

11.30 AM, WEDNESDAY, 6 JUNE 2018

PROF O’KANE: Okay. Good morning. Before we begin, I would like to welcome and acknowledge the traditional owners of the land on which we meet, the Wonnarua People, and pay my respects to their elders past and present, and to elders of other communities who may be here today.

5

Welcome to this public hearing on the development application from Bloomfield Collieries Proprietary Limited, the applicant, who is seeking to extend open cut mining at Rix’s Creek Mine until approximately 2038 – so that’s a further 19 years – to enable the production of an additional 25 million tonnes of product coal. It is understood the proposal will generally utilise the existing infrastructure.

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My name is Mary O’Kane. I’m the chair of the Independent Planning Commission, as of course it’s now known since 1 March, when it had some changes; and I’m also the chair of this particular panel, and this panel was appointed to review this proposal. Joining me are my fellow Commissioners Andrew Hutton and Tony Pearson; you will see us better when I move this podium a bit later.

15

We are supported by David Mooney, Robert Bisley – where’s Robert? He’s down the back. And he’s the one you need to talk to if you – about any arrangements – and Anna Summerhayes, who’s here in the front, from the Commission Secretariat. We’re also supported by Katherine Richardson – Kate Richardson – SC and Kate Lindeman, who are here, who are here to assist the Commission in directing hearing as counsel assisting.

20

Before I continue, I should state, all appointed Commissioners must make an annual declaration of interest identifying potential conflicts with their appointed role. For the record, we are unaware of any actual or perceived conflicts in relation to our review of this development application. Further information is available on our website. You can find additional information on the way we manage conflicts in our policy paper on the matter, which is also available on the Commission website.

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In the interests of openness and transparency, today’s hearing is being recorded, and a full transcript will be produced and made available on the Commission’s website. And in that regard, can I ask speakers to state your name and affiliation at the start of your – when you speak, so that that gets recorded appropriately on the transcript.

35

I will now turn to hearing purpose and effect. We are here today because the Minister for Planning has requested a review and public hearing of the Rix’s Creek Mine expansion project. This request was made under the former section 23D of the Environmental Planning and Assessment Act. In the Minister’s request for this review, he has asked the Commission to:

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(1) Carry out a review of the Rix’s Creek coal mine extension project, by:

(a) considering the Environmental Impact Statement for the development, the issues raised in submissions, the response to

submissions, any other information provided concerning the development by the applicant, and any information provided during the course of the review or as part of the public hearing;

- 5
- (b) *considering the likely economic, environmental and social impacts of the development in the locality, the region, and the State;*
- (c) *assessing the merits of the development as a whole, having regard to all relevant New South Wales government policies and guidelines; and*
- 10
- (d) *providing recommendation on any additional reasonable and feasible measures that could be implemented to avoid, minimise, and/or manage the potential impacts of the development.*
- (2) *To hold a public hearing during the review as soon as practicable after the Department of Planning and Environment provides its preliminary assessment report to the Commission; and*
- 15
- (3) *Submit its final report on the review to the Department of Planning and Environment within 12 weeks of receiving the Department’s preliminary assessment report, unless otherwise agreed with the Secretary of the Department.*

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So, in accordance with the Minister’s request, today’s hearing will serve as the public hearing for the review. Public hearings of this nature provide you, the community and interested parties, with a valuable opportunity to participate in the review of the proposed development. This will be of great assistance to our project review, and we thank you for being here today and for your contributions.

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In accordance with the Environmental Planning and Assessment Act, holding this hearing means that no appeal may be brought under division 8.3 of the Environmental Planning and Assessment Act in respect of a future decision made by the Commission as consent authority in relation to Rix’s Creek coal mine extension project. Findings and recommendations of this panel’s review must be considered

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before the project is determined. For more information, again, please visit our website, and go to the part where we’ve published the public hearing guidelines.

35

So, a little bit about us. What is the Independent Planning Commission, and what role do we play in this review? The Independent Planning Commission of New South Wales – the IPC – it doesn’t roll off the tongue like “PAC”, but still – the IPC was established by the New South Wales Government on 1 March 2018 as an independent statutory body. The Commission plays an important role in strengthening transparency and independence in the decision-making processes for major development and land use planning in New South Wales.

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5 The key functions of the Commission include – and you see section 2.9 of the Act – to determine State significant development applications; conduct public hearings when requested to do so by the Minister or the Greater Sydney Commission; to provide independent advice on planning and development matters when requested by the Minister for Planning or the Planning Secretary.

10 The Commission is the designated consent authority for State significant development applications where there are more than 25 public objections, or reportable political donations by the applicant, or objections by the relevant local council. The Commission is the consent authority for the Rix’s Creek Mine expansion project because of more than 25 public objections that have been received to the project, and the applicant has made reportable political donations.

15 So where are we in the process? The public hearing is one part of the review the Commission is carrying out in response to the Minister’s request. The Commission has already undertaken a number of steps in this review. On 10 May 2018, the Commission received the Department of Planning and Environment’s assessment report. This report is available on the Department’s website. The Department has also received a number of written submissions in relation to the Rix’s Creek Mine expansion project Environmental Impact Statement, which the Commissioners have reviewed. These written submissions are available on the department’s website also.

25 On 25 May 2018, the Commission met with the representatives of the applicant in Sydney. A summary of what occurred at this meeting is also available, this time on the Commission’s website. On 25 May 2018, the Commission was briefed by the Department. A summary of what occurred at this meeting is available on the Commission’s website also.

30 On 4 June 2018, the Commission carried out a site inspection at Rix’s Creek site, including looking at the heritage coke ovens paddock; visiting the lookouts on the south-western dump, to view into the mine and its southern neighbours; to visit the lookouts to the north-western dump, to view the location for the proposed out-of-pit dumps, and to view the resource area to be mined in the project; visiting the northern dump area rehabilitation sites, and the coal loading area and rail loop. The applicant and the following representatives of the local community groups attended as observers at the site inspection: Wendy Bowman, from the Hunter Communities Network; Michelle Higgins, from the Rix’s Creek Community Consultative Committee, the CCC; and Wendy Wales, from DAMS HEG, the Denman Aberdeen Muswellbrook Scone Healthy Environment Group.

40 A summary of the questions asked and the answers given at the site inspection will be added to our website by the end of the week. The applicant also produced more material that was sent to the Commission just the Friday ahead of the site visit; and that material is also going up on our website, along with further material that the applicant provided at the site visit and subsequent to it.

At today's hearing – sorry, there's one more bit here I forgot. So also on 4 June 2018, the Commission met with Singleton Council; and notes of this meeting will also be available on the Commission's website by the end of the week.

5 After today's hearing, we may convene with relevant stakeholders if clarification or additional information is required on matters raised. Records of all meetings will be published on the Commission's website.

10 Now to written submissions from here on in. The Commission will continue to accept written submissions or comments until 5 pm on Wednesday, 13 June 2018. Anyone can send written submissions or comments to the Commission before that time. You can do so by sending your submissions or comments to the Commission by email – and the email address – and we can give it to you later, but here it is: it's
15 ipcn@ipcn.nsw.gov.au – or by post, to the Independent Planning Commission, level 3, 201 Elizabeth Street, Sydney, New South Wales 2000.

So next steps: following today's hearing, we will endeavour to complete our review as soon as possible. However, there may be delays if we find a need for additional information. We will then finalise a report containing our findings and
20 recommendations. This report will be provided to the Department of Planning and Environment in accordance with the Minister's request. The report will also be published on the Commission's website and the New South Wales planning portal.

25 So now I'm going to move to the ground rules for today. And what I'm going to say is a summary of the public hearing guidelines, which are now on our website – relatively new addition to the website; do have a look at them. So before we hear from our first registered speaker, I would like to lay out these ground rules that we expect everyone taking part in today's hearing to follow.

30 First, today's hearing is not a debate. Our panel will not take questions from the floor, and no interjections are allowed. Our aim is to provide maximum opportunity for people to speak and be heard by the panel. For some people, public hearing is an ordeal; and though you may not always agree with everything you hear today, each speaker has the right to be treated with respect and to be heard in silence.

35 Today's focus is public consultation. Our panel is here to listen, not to comment. Counsel assisting, and occasionally we Commissioners, may ask questions for clarification. It will be most beneficial to the review if your presentation is focused on the issues of concern to you.

40 It is important that everyone registered to speak receives a fair share of time. Ms Richardson, on my behalf, will enforce the speaking times that were nominated, in this instance, by each speaker. As chair, however, I reserve the right to allow additional time for provision of further technical materials. A warning bell will
45 sound – one minute, right? Right – one minute before the speaker's allotted time is up, and again when it runs out. Please respect these time limits.

Though we will strive to stick to our schedule today, speakers sometimes don't show up, or decide not to speak. If you know if someone will not be attending, please advise either David Mooney, here in the front, or Robert Bisley, down in the back. If you would like to project something on the screen, please give it to David or to Robert before you make your presentation. If you have a copy of your presentation, it would be appreciated if you could provide a copy to the Secretariat after you speak.

And please note that any information given to us may be made public. The Commission's privacy statement governs our approach to your information. If you would like a copy of our privacy statement, you can obtain one from the Secretariat or from our website.

Today's hearing, as I said, will be recorded by Commission staff and our supporters, and then it will be transcribed; and that transcript will be made available on the Commission's website. However, other recording of this hearing is not allowed. I request that everyone present please turn their phones to silent. I note that we will probably take a short break, of around 15 minutes, around 12.30, but when there's a natural break in the – in between speakers. And now I will pass over to counsel assisting, who is assisting, as I said, with the conduct of the hearing. Ms Richardson.

MS K. RICHARDSON SC: Thank you, Professor O'Kane. We have an order of speakers today. The first speaker today will be Garry Bailey, from the Bloomfield Colliery. If he would like to come forward to the lectern.

MR M. MOONEY: Sorry, folks. Won't be a sec.

MR G. BAILEY: My name is Garry Bailey. I'm the general manager of Mining Development at Bloomfield, and I've been in and about the Rix's Creek mine site since 1991. Rix's Creek has been operating since 1990. The Bloomfield group is seeking approval to continue mining at Rix's Creek another 21 years. In this period we see all the open cut resource mined out of the lease. There's about 25 million tons of saleable coal left. The project seeks approval to place overburden in an area currently outside the mining lease, which will provide benefits of lower visibility, lower dump elevations, reduced noise levels and improved air quality.

The progression of mining away from Singleton, which is designed to minimise and mitigate environmental health social impacts, and the timely rehabilitation following minings allow pasture establishment, active cattle grazing land use as per the current practice, and to keep our footprint airborne dust down.

There has been some changes to the project since October 2015 when the EIS was submitted. The first one was the purchase of Rix's Creek North, formerly Integra Open Cut Mine, in December 2015. This allowed the early introduction of noise-suppressed mobile plant to Rix's Creek, because all the plant at Rix's Creek North was noise suppressed. It allowed a reduction in the maximum yearly product of being sought and four and a half to 3.6 million tons of Run of Mine coal a year, and

therefore a reduction in impacts. Removal of the requirement for the construction of the Rix's Creek rail loop, which is – was approved under the current consent, and its associated impacts, and a better integration of the final landform and adjoining sites.

5 There was no change to the mining and overburden in placement areas other than a
removal of mining from the Stonequarry Gully and the associated creek diversion for
that. A consent order was determined through the Land and Environment Court in
August 2017. This clarified the environmental assessment are for the continuation
project. The project biodiversity offset requirements agreed upon with the Office of
10 Environment and Heritage. This plan shows the continuation mining project. The
green area is the area that's in the current approval. The pink areas are where the
mining will be carried out under this consent. There's a small area left to the north
inside our current approval area that we mined. The vast majority of the mining will
be out here in the west pit progressing from the south to the north, adjacent to the
15 New England Highway, and the out of pit dump off the current – this is the current
lease boundary – out here's where we're asking permission to put an out of pit dump
out of here.

20 The project footprint will be 21 per cent of what the current footprint is. So the key
environmental issues for the project are air quality, noise impacts, lasting impacts,
biodiversity impacts and offsetting arrangements. Surface water catchment and
quality impacts, groundwater impacts, final landform and standard rehabilitation and
social and economic impacts.

25 For air quality, the impacts from the project reduce as it moves further away from the
township of Singleton. The Todoroski Air Sciences cumulative impact assessment
or air quality and gas, which included all the surrounding mines modelled at their
maximum production levels, shows negligible impact. The project has minimal
impact on Camberwell Village with the predicted change to be within any natural
30 variation in the background levels of the ambient environment.

Rix's Creek utilises best practice predictive modelling to manage and mitigate dust
impacts by the application of water to roads and working area, and ceasing
operations if required to effectively manage air quality. Noise – the noise sources are
35 Main Northern railway line, New England Highway Mines area – the area in
proximity to the mine is inherently noisy and has been this way for a long time. The
project achievable noise criteria is based on the existing noise environment and has
been developed in conjunction with the EPA and accepted by the Department of
Planning and Environment in the approved noise management plan.

40 These noise levels are more stringent than the existing consent minutes. The
management of the operational noise is by use of a noise-predictive model, noise –
suppressed mobile plant, washing plant cladding, proactive production scheduling
and uses people in the field evening and night to measure the actual noise in Rix's
45 Creek and to have the production areas adjusted accordingly. So, in this plan, you
can see this is the mine. The white spot – dots are all the residents around us. We've
got the New England Highway running through the mine. The Main Northern

railway line runs out here on the eastern boundary. And the purpley-coloured clouds are what the weather conditions are saying there may be noise enhancement. So it's these areas around our local residences where we go and measure the noise first up for the night.

5

Additionally, the mine runs very similar predictive modelling for blasting to make sure that our blasting impacts are managed as well. The – biodiversity. The project will require 5808 offset credits agreed by the office of Environment and Heritage under the Biodiversity Assessment framework. The offset strategy we have in place is the purchase of biodiversity offset properties with the intention to convert to stewardship sites, and contracts have been exchanged on two Upper Hunter properties. There will also be some direct payment in the biodiversity trust fund to ensure all the affected vegetation types are offset.

15 Surface and groundwater: the water needs for the project can be satisfied by water sourced and recycled on the site. Surface water: Rix's Creek Mine has been mining in the head reaches of Rix's Creek since 1990, and Dead Man's Gully since 1994, without damaging either water course. The project will result in a 2 per cent catchment loss for Rix's Creek and Dead Man's Gully. The concerns raised by
20 downstream landowners regarding cattle drinking water have been resolved by expert review of previous analysis confirmed by recent testing and the EPA has passed their eye over that analysis and are happy with the way it was done.

Groundwater: there's no disturbance or impact to alluvial aquifers. There's no
25 groundwater-dependent ecosystems identified, and the groundwater impact is confined project area in the highly saline Permian coal measures. They're the only aquifers on site. So final landform and rehabilitation. This is the plan that's in the EIS. See the green area shows all the areas that we rehabilitated. Final void – in here – the land – there will be 140 hectares of final void, which we can't get drained
30 back into the Dead Man's Gully running through here, Rix's Creek running through there water diversion around that 140 hectares.

So through the process, changes have been made to the current approved final
35 landform integrated into the surrounding natural landscape. We have areas down here that are offset areas for the McDougalls Business Park. These darker shadings are trees over pasture, and in the lighter areas of pasture. It's all designed to give us agricultural use for grazing, but also will have habitat in there.

40 The current approval allows for two final voids: the optimised project mine plan achieves this one final void only. There will be no remaining high walls. That will take care of any public safety concerns, and a maximum 18 degrees slope will allow successful rehabilitation and cattle grazing.

45 Rehabilitation: monitoring of the rehabilitated land through landscape function analysis shows the established pasture with successional growth providing sustainable grazing equivalent to or better than unmined land. The Bloomfield Group is a significant local landholder and has a vested interest in producing an end

of mine landform that is consistent with and compliments the long-term use of the area. Because of its proximity to Singleton township, the Bloomfield group will continue to work with the Singleton Council towards order final land use opportunities. And we have been any of the local government plans for Singleton Council to show our interest in that.

Social and Economic Impact: there's 130 fulltime employees on the site and there could be a generation of another 87 jobs. Over 35 per cent reside in Singleton, and then the vast other majority of our workforce between Maitland and Muswellbrook. Of the 120 new employees that have been started at Rix's Creek when we put it back into operation, this included many mine workers who have previously lost their jobs at Integra and Drayton Mines. Revenue from the high valued coal resource – the majority of the coal onsite can be sold as coking coal – provides substantial economic benefits to the local area and the state. We have an in-principle agreement with Singleton Council for payment of the voluntary planning agreement contributions into the Singleton Council Economic Development Fund, which Singleton Council are only newly forming now. The Bloomfield Foundation continues to tribute to local charities, community facilities, and local junior sport.

So, in summary, the project is a continuation of the current mine that has been operating for the past 29 years – next year will be our 30th birthday. The project has been designed to minimise and mitigate any potential environment/health/amenity impacts. The operation is moving away from Singleton. There's no impact on viticulture, equine or agricultural industries. Project has been assessed by Department of Planning and Environment to provide a net benefit, and the public interest is approvable.

And the aerial shot – see there – gives a good indication of – this is the limit of the rehabilitation, so everything above there is rehabilitation, in our west pit; this is the natural ground. We have Rix's Creek running through the middle of the resource. So the mining that will happen in future, out between here and the New England Highway; and the rehabilitation will be continued to be planned to seamlessly move into the existing landform. And that's – presentation.

MS RICHARDSON: Mr Bailey, I just have a few questions for you - - -

MR BAILEY: Yes.

MS RICHARDSON: - - - if I may. Is my voice being projected down there? No. It's now being projected. Just an administrative question, first of all: would you be able to provide the Secretariat with a copy of that PowerPoint, so that that can be incorporated as part of the transcript that's made available on the website, so people can have access to that?

MR BAILEY: David's already got it there.

MS RICHARDSON: Thank you very much. I just have a couple of questions for
- - -

MR BAILEY: Yes?

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MS RICHARDSON: - - - you, if I may. In relation to the potential for noise impacts from the proposed project, are you able to give the Commissioner some information about what noise mitigations you see as being feasible to take as part of the proposal to adopt achievable noise criteria on the project?

10

MR BAILEY: Yes, we're actually in front of the mitigation measures that were put in the EIS. In the EIS, the noise mitigation measures were all new plant – mobile plant that came on site was going to be noise-suppressed. Well, that schedule has become considerably forward, because we've got all the excess plant out at Rix's Creek North. And I should explain, when we put Rix's Creek North to work, we're only working it at half the capacity it was before. So we've got half of the machines from there we can use at Rix's Creek South.

15

We're currently constructing the two cladding walls on the coal preparation plant, which we gave an undertaking to do; that contract has been let. The main mitigation measure is us actively managing the noise. As I said, we have people out in the field every night, and they measure the noise to a TARP. That TARP is around – if the noise level is getting within two dB of what our level is, then we will take action to make sure it doesn't go over it.

25

We've been – whilst we're still under the 1995 develop consent, which are design goals, we've been running to these levels that you're talking about now since last year, when the EPA licence, with the co-joining of Rix's Creek North and Rix's Creek South into one EPL, that is now licensed at those levels, there has been no – in all the monitoring that has been done for our consent, there has been no noise levels that have gone over those consent levels. So we're very confident that we can adhere to those levels. And we basically have been since 2014. We – under a consent, you know, you take into account what the weather conditions might be. But the way we operate it, it doesn't matter whether it's inversion or noise enhancement; if it's getting to our TARP levels, then we will change something.

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MS RICHARDSON: And can you tell the hearing about what work Bloomfield has done in terms of considering cumulative impacts with noise.

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MR BAILEY: Yes, the – and because it's – it is a very complex noise environment, we've found what far the best way is to have our people out in the field. To go with continuous monitors out in the field, all they do is get a continuum; they can't tell where the noise is coming from. But you get out in the field, you can actually tell where the noise is coming from. And it changes at different times of the day. A lot of the time, that noise from the New England Highway is the largest noise source. You get high noise but intermediate coming from the trains on the track. But that's the – that's by far the best ways, to be out there.

45

And the predictive modelling that we use is – first time it has been used in the valley – it has been developed for us by Todoroski Air Sciences, with Alex Todoroski and Nigel Holmes. It’s actually a 3D predictive weather model going to the noise. So it – and we been running since 2014. All the results we feed back into them to make sure we can calibrate it, and that has been working really well.

MS RICHARDSON: I was moving on to another topic, unless Commissioners have questions about noise specifically.

10 PROF O’KANE: I have one question. Does the noise model break the sources apart? Does it predict by source, or does it just predict by a noise profile in globo?

MR BAILEY: Well, where we are up to now is, the noise model has got a second level to it. Alex has been able to actually back-calculate. So what we get each morning is, at 6 o’clock, we will get a readout of what it’s predicted to be every half-hour for the next 24 hours. One of those will show where the enhancement will be; the other one will actually show which areas of the mine that enhancement would come from. And that’s where we direct – we might have to shut that plant down. And the weather is changeable. We will find, through the night, that that enhancement might change two or three times, because of the way the weather patterns are.

PROF O’KANE: Thank you.

25 MS RICHARDSON: I just wanted to move now to the topic of the proposed out-of-pit dump, and ask you a few questions about that, if I may. Was consideration given to a dump to the south of pit 3, which would be contiguous with the mining resource area?

30 MR BAILEY: The current pit limit for the dump of the south pit 3 is actually the limit that was put on the current consent. There’s an area down there of class 2 agricultural land, that we – that our current dump goes down to the edge of that, doesn’t go any further. And the other issue with that is that it’s not doing anything for our neighbours. Dumping down there is moving the noise and dust source closer to our neighbours. By going over the ridge and into the land to the west, there’s – we’re moving away from the vast majority of our neighbours.

MS RICHARDSON: Is it the case that the site of the proposed out-of-pit dump would require clearing of an area that is currently nominated as an EEC, in terms of biodiversity? Is that correct?

MR BAILEY: Yes, in that that – 213 hectares all up – part of that is the mine; part of that’s the dump. But that project has all been sent off to Canberra, and we’ve got the licence for that. And post that being granted is when the federals listed that community.

MS RICHARDSON: One – I just want to ask, what considerations were given to minimising the volume of waste material that would need to be put into the out-of-pit dump, as opposed to, for example, backfilling of the mining area? We're just interested to hear.

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MR BAILEY: Yes, we do intend to backfill the mining area. There's a minings option study in the EIS. And we had to do a lot of work on the life-of-mine plan to actually find areas for the overburden that we can do with the least impact to the community by way of noise and dust. The Rix's Creek resource is a big syncline. So on our western – eastern side – sorry – it's about one in six; but down on the western boundary, it's about one in one and a half. So it's quite steep.

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It doesn't really present safety issues mining it, because we can do it in flat level lifts. But when we come to dump the dirt back into it, we can't safely do it until that resource – that strip of resource is extracted all the way to the bottom of the syncline. If we put it in before that, it will just tumble down on top of the mine. So that geological anomaly of how the resource is what governs how we can, geotechnically competently, put the overburden back in.

20
We are – we have orientated the mine to maximise the amount of overburden that will go back into the pit. But because there's an amount, and it's, you know, about 20 million BCMs have got to go out of the pit first to make it safe to do it – that's the 20 million BCM that's going to go out into that western boundary.

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MS RICHARDSON: So one of my – it's a related question – is, has Bloomfield considered changing the orientation of the progress of the mining to avoid having the size of the final void that's currently proposed.

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MR BAILEY: Yes, the mine plan as presented is the fifth of all the options we came up with, and that minimises that void. And the work we've put into it is to take away any public safety issues. So what we're asking for is, under our current consent, we've got permission to have two voids, totalling 120 hectares. We've been able to design that in to have one final void of 140 hectares. And when we looked around the valley at what is consented around the valley, you've got final voids up at Mount Arthur North of 1500 hectares. Warkworth is 900 hectares. We believe what we've come up with Rix's Creek is a really good result.

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MS RICHARDSON: So are you saying that five options were considered and this option is the one that leads to the smallest final void?

MR BAILEY: Yes.

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MS RICHARDSON: Because one of my questions about the – in terms of the options that - - -

MR BAILEY: Well, the other option is not to mine the resource.

MS RICHARDSON: So is the final size of the void driven by optimising mining planning? Or you say that it is an outcome – the mining planning has been designed to produce the smallest final void?

5 MR BAILEY: It's an outcome of the shape of the deposit, as where we're at at this point in time, we've got a pretty – one of the longest strike lengths, between the New – because the other problem that Rix's Creek has in mine design is, the New England Highway runs directly through the middle of the lease. So with that New England Highway running on its north-west orientation, and the western outcrop of that coal
10 basically heading north on the western side, as we get up into the last five or six years, we will be very constrained up in that northern boundary. And physically, all the dirt will have to come out of here before we can put dirt back in, and that dirt will come – during this options process, we've changed the sequence of mining to remine – that remainder of coal resource that we've got in the northern side – that will be the
15 last coal we mine, and that's what we will use to make those 18-degree rehab batter.

In the – actually, work – right at this point in time, 60 per cent of the resource that's left at Rix's Creek is in those steep areas. So by the time we get to about 2026, 100 per cent of the resource that is left is in those steep reserves. And the only way to
20 safely mine that is, we have to take all the coal – all the top coal in the resource out till we get to the floor, and then we can bring the overburden back in to form the final landform.

MS RICHARDSON: And as – part of the options modelling that was done was
25 consideration given in relation to rehandling of the materials to avoid impacts on the void?

MR BAILEY: We have had a look at that. If that void was to be built to be self-draining, the 60 million bank cubic metres of the material have to be actually re-
30 mined from areas that have already been rehabilitated. They would have to be re-mined – put in there. So at maximum production levels, that's about four years work, but at the – because the mine schedule has an air of maximum production in it, but the last 10 years production level actually does taper off because of the physical issues with mining in that constrained area. At those production levels, we would be
35 mining probably another 12 years of going back and rehandling dirt – just environmentally and economically the project wouldn't stand up.

MS RICHARDSON: In relation to the final landform, was – has any consideration
40 been given to regional planning strategies such as the synoptic plan in terms of - - -

MR BAILEY: Well, currently the synoptic plan is 20 years out of date. Now, the mine – we're an active part of Upper Hunter mining dialogue and we're trying very hard, actually, to get the department, Premier and Cabinet and – planning to come up with new regional synoptic plan. And we – in our discussion with the council – you
45 know, we've said to Singleton Council, towards those last years of the mine, you know, we would be open to any submissions that they might have as to what we

might do with that final void. So that is an area that actually, across the valley, needs work on it.

5 MS RICHARDSON: Because that plan is currently being reviewed by the Premier's department; is that your understanding?

MR BAILEY: We hope so. The – I know everyone in the Upper Hunter mining dialogue is trying very hard to push towards that to happen, but it's very slow.

10 MS RICHARDSON: And has Bloomfield had consultation with the local community about its views about the final landform?

MR BAILEY: Mostly through the CCC – the Community Consultant Committee. And we – our communication – we've had a fair bit of communication with the
15 locals just around us – not – it's – any communication we might have with the town itself, we go through Singleton Council or do a mail out to everyone in Singleton. But the individual landholders that are around us, we do talk to and, you know – everyone is started life back in 1989 when we got there. It started life as grazing
20 land. We've been concentrating on putting it back to grazing land, because there's – you know, there's an industry around here, and we would like to – everyone in Singleton would like that industry to continue on, but because we're that close to Singleton itself, as if some higher order of land use that we can get towards the end, we would be open to looking at that as well.

25 MS RICHARDSON: In relation to the saline water that would be left in the void, as opposed – has Bloomfield consideration to whether that water can be treated, either as operations are ongoing or conclusion of mining operation?

MR BAILEY: So at the conclusion mining, the way – the level will be quite low,
30 because we will be mining in there. What – the plan – the final landform plans in the EIS is what the groundwater assessment equilibrium. That's 100 years post, and that comes up to 60 hectares where you're still grazing land; 80 hectares if you're underwater. But what we will have is there will be a final depression in the north pit and then the final depression in the west pit. The depression in the north pit, we –
35 Rix's Creek can go back through it, but there will be two depression there that have got a 70 metres difference in height, but, you know, someone might want to come up with using that.

And the – what our current plan is – there is a little bit of work going on through
40 Newcastle Uni which we will get in touch with, looking at what species are best to plant in those areas that are going to be inundated to get the best result, quality-wise, in the soil – sorry, in the water when it's inundated, and that's one thing that we will be looking heavily at, you know, towards the end of the mine, when that's going to happen.

45 MS RICHARDSON: I just – moving to a different topic, I just want to – sorry.

PROF O’KANE: Could I just – just going to ask could you tell me a bit more about the optimised project mine plan and I would like to understand a little bit more about what you optimised for.

5 MR BAILEY: We – well, we optimised it for was to reduce the area of out of pit dump, and to actually reduce the noise and air quality impacts. We made sure that once the design was done and was modelled through the noise – the way we operate is to make sure we’ve got a low level dump for night time, because obviously we will want to continue operating at night if we can, to stay under our limits. So Rix’s
10 Creek has got a history. When we started the mine in 1990, we actually started as close to Singleton as we could, and we only worked two 7-hour shifts for the first five years of the mine. And that all allowed us to get the mine down and out of pit dumps up so that we had a night time area to go to, and it was about five years after we first started we went to three shift production.

15 We did the same thing in the western pit, as you see it now. The western pit, when we opened it up – we worked for three years only working daylight hours, and then we would take all the men back and work in the north pit. So what the optimisation plan continued on that want from us, to have dumps where we have a daytime and a
20 night time dump, but those final landforms that can be seen by our neighbours – they’re quite achievable to be done in the daytime with the noise, but you can’t be up there at night.

PROF O’KANE: Thank you.

25 MS RICHARDSON: There are a number of properties that are owned by the mine
- - -

MR BAILEY: Yes.

30 MS RICHARDSON: - - - that are affected by dust levels; is that correct?

MR BAILEY: There’s a – we’ve got a number of mines that are inside the acquisition zone that we’ve purchased over the years, in excess of 20.

35 MS RICHARDSON: I just – and some of those properties have private dwellings on them; is that correct?

MR BAILEY: Yes. There’s – we’ve got over 20 private dwellings with people
40 renting them off us.

MS RICHARDSON: And I just wanted to ask you a question about what, if any, steps are taking on, for example, high dust days to warn people who are living in the areas that are closely affected on – being mine-owned properties.

45 MR BAILEY: Whilst they’re mine-owned properties, they’re outside our mining consent area. Our consent – our current consent precludes us having visible dust go

off the mine site. So all our supervisors, all our environmental officers, they are very focused on making sure that that doesn't happen, so again, we use a similar variant to that noise model.

5 So we get twenty – we've got a couple days notice of what events – bad dust events that may be coming, and we will – what we will do is maximise the amount of water we can get out and into the pit, particular on the night shifts, to get it wet, ready for the hot day coming forward, get out there and do all our drill areas and things like that. But if it gets to the point during the day we need to shut down, well, we will
10 shut down.

MS RICHARDSON: So those are the measures you would take, right. So there's not been a history of specific notifications to people in the area?

15 MR BAILEY: No, because, when I – our consent says we're not allowed to have that dust go off-site, so we make sure that doesn't happen. Those people in those homes – there's only four of them that have been there for less than 10 years, and two of those were only purchased last year. We got some people in those homes that have been there for – been renting off us for 30 years, you know. They're quite
20 happy with – it's – whilst they're close to the mine, what you got to understand is, they're looking at air quality, and PM 2.5, there's less at those homes than what you find in the township. And all the speciation reports that were done a couple of years ago showed that that – living in an urban area does generate a lot of the PM 2.5, whereas out in the agricultural areas, it's – the air quality is actually – can be
25 better sometimes.

MS RICHARDSON: I wanted to ask you a question about the coke ovens, the old
- - -

30 MR BAILEY: Yes.

MS RICHARDSON: - - - coke ovens, that are on the site. Are you able to tell the hearing anything about any measures that are being proposed in terms of protecting the coke ovens, which, I understand, date back to the late 1800s?

35 MR BAILEY: Yes, on – there's over 15 underground mines on our lease area. So mining has actually been going on inside that lease since the 1860s, and in that 1880s to 1930s area, some of the – obviously, there was a lot of coal mined that went straight to – as coal, but a lot of it went through those coke ovens, and particularly
40 went out to Cobar. So when we bought that land, and as part of the original 1989 consent, we did a condition survey of them. We've done a condition survey again about 10 years ago.

45 The main thing we've done is – there's a lot of large – there would be hundred year old trees in some of it. So we've taken – the majority of the fallen limbs have been taken off. There's – the condition survey said there's a big risk if we try and do anything about those trees. So what we do is that there's an eight-hectare paddock

that has been fenced off, and we don't allow any development in there, because besides the coke ovens, you've got the remains of the added entrances to the three undergrounds in that eight hectares, as well.

5 MS RICHARDSON: In relation to blasting impacts, are you able to tell us something about how blasting is managed when it occurs close to the New England Highway?

10 MR BAILEY: Yes, what our consent, and our blasting limits on us is, if we're going to be blasting within 500 metres of the New England Highway, we have to make sure there's no traffic on the highway. Public safety. That came out of the original public inquiry, from day 1 at Rix's Creek. So we have an arrangement with RMS, where we've got qualified people who can get the – we make application; get the traffic management authorisation to close to traffic on a particular day; there's a
15 large proportion of the Rix's Creek staff have got all the appropriate traffic control qualifications. So we will go out and close the traffic on the New England Highway during that period of the blast, to make sure that the public safety is looked after.

20 MR T. PEARSON: Could I clarify, once the road is reopened, is the road then inspected prior to the road reopening?

MR BAILEY: Yes, prior to reopening – we drive it prior to reopening as part of the procedure.

25 MS RICHARDSON: I just want to ask you some other questions about water. In relation to the water that would be left in the proposed final void, is that all from or only partly from groundwater interactions, or is there also going to be some surface water?

30 MR BAILEY: Well, you've got – inside that 140 hectares, any rainfall that falls in there will be captured; it won't get out. So it'll actually charge the groundwater back in there, but – and the only groundwater source we've got is in those coal measures. So most of those coal measures will be gone, but you'll still have coal under the highway, through there. So it will be a combination, but it will be saline.
35

MS RICHARDSON: Is there any potential for backfilling the void to above the predicted post-mining groundwater level, so as to minimise interactions between the void water and surrounding groundwater?

40 MR BAILEY: We haven't looked at that. That would be a variation of that 60 million bank cubic metres to fill it, so it would be half, or something like that – would require that. And, really, that is 20 years away. There may well be quite a decent use for that saline water. While I say it's saline is, it's not at the level of saline that you find in the ocean. So there's all sorts of intensive agricultural
45 practices that people are looking for a home for, because the general public don't want them next to their place, and it may be there will be some use for that in that area.

MS RICHARDSON: Those were the questions I had for this speaker, unless the Commissioners - - -

PROF O’KANE: No.

5

MS RICHARDSON: - - - have anything else.

PROF O’KANE: Anything else?

10 MR A. HUTTON: No, that’s everything.

PROF O’KANE: You right?

15 MR PEARSON: I just would mind understanding, with the five options that you looked at earlier, just at a high level, if you could outline the other options that you considered.

20 MR BAILEY: So – yes. The other options – we looked at the changing sequence, like, just actually going to the northern end and working back down. We actually required a larger out-of-pit dump area for that – to do that, because there was nowhere actually in the pit. But at the moment, we have got some area in the pit to put dirt back in.

25 We looked at the different orientations. We looked at whether we would mine all that flat coal first, and then – but we can’t do that for safety reasons, because the steep holes would slide downhill. And again, that option was going to have a bigger out-of-pit dump, because we still had to get all of the dirt out. The option we came back to in the end was a combination of mining and mixture of steep and flat at the same time, so that we were always generating some dump room in the pit, to
30 maximise what we can get back in the pit.

MS RICHARDSON: I note the time, Professor McKane. Is now a convenient time to have that short break for lunch?

35 PROF O’KANE: Sure, I think that’s a good time. So why don’t we break for 15 minutes, and we will all be back here at 12.45. Thank you.

MR BAILEY: Thank you.

40 PROF O’KANE: Thank you.

ADJOURNED [12.30 pm]

45

RESUMED [12.49 pm]

PROF O’KANE: Okay. Ladies and gentlemen, we will start again. And again, I will pass over to counsel assisting to move us on to the next phase.

5 MS RICHARDSON: The next speaker is Howard Reed, from the Department of Planning. He has been allocated 20 minutes’ speaking time.

MR H. REED: Good afternoon, Commissioners, counsel assisting, representatives of the community and the mine. My name is Howard Reed. I’m a director of resource assessments in the planning services division of the Department of Planning and Environment. I’ve worked in the Department and its predecessors since January 10 2004, and I have been a director of resource assessments in the Department since March 2015. My team and I have been responsible for undertaking the Department’s assessment of the Rix’s Creek continuation of mining project since March 2015.

15 The Rix’s Creek Mine is an existing open cut mine, located five kilometres north-west of Singleton. The mine is owned and operated by Bloomfield Collieries Proprietary Limited. Bloomfield is perhaps the last remaining small, privately owned coal mining company operating in the Hunter Valley. The mine commenced oppositions in the early 1990s. The mine currently operates under a development 20 consent granted by the Minister for Planning in 1995. Mining under this consent is permitted only until June 2019.

Bloomfield is seeking to expand and continue its mining oppositions at the Rix’s Creek Mine. Bloomfield is proposing to expand the mine’s west pit, also referred to as pit 3, towards the north, and also to continue mining an area in the southern part of the north pit, also referred to as pit 1. Mining would largely progress towards the north-west in pit 3, and therefore the predicted air quality, noise and blasting impacts would decrease for the majority of potentially affected receivers to the south-east in Singleton and Singleton Heights. This expansion would recover an additional 25 30 million tonnes of product coal, and allow the continuation of mining operations until 2038.

The maximum production rate sought is 3.6 million tonnes per annum of run-of-mine coal, or ROM coal. This high production rate is planned for a period of five years, 35 between 2021 and 2025. Following that, ROM coal production would drop very significantly, to between 1.6 million tonnes per annum and 0.8 million tonnes per annum. Prior to that period of peak production, 2.5 million tonnes per annum of ROM coal production is proposed. The product coal recovery rate, or saleable coal recovery rate, is about 60 per cent the ROM coal extraction rate.

40 Bloomfield lodged this application for State significant development in October 2015. The application and EIS were exhibited for 30 days in November and December 2015. The Department received 131 submissions from special interest groups and members of the general public. Of these, 44 submissions objected to, and 45 86 supported, the project. The main issues raised in objections by special interest groups and members of the general public related to air quality, noise and biodiversity impacts.

5 In June 2016, during the Department's assessment of the application and EIS, one of my assessment officers identified potential noncompliances by Bloomfield with its existing consent. In particular, a significant area of coal extraction, waste rock emplacement and other disturbance north of pit 3, or west pit, was identified as potentially being unauthorised under the 1995 consent. This matter was then referred by my assessment team, or by me, to the Department's compliance team, for careful investigation.

10 As was its right, Bloomfield then proceeded to lodge a partial response to submissions, or RTS, document, in October 2016. However, due to the unresolved uncertainty regarding approved versus proposed disturbance areas, which would affect the scale of the project, versus the extent of approved operations, the Department requested additional information. Bloomfield subsequently lodged an addendum RTS, in December 2016, but this still did not resolve the issue of the approved disturbance area to the Department's satisfaction. It was agreed by both Bloomfield and the Department to await the outcome of the compliance investigation and any resulting enforcement action. For that reason, assessment of the project was essentially put on hold.

20 The Department then lodged civil proceedings against Bloomfield in the Land and Environment Court in respect of its compliance investigation. In August 2017, the Land and Environment Court issued consent orders, declaring that there had been a breach of the mine's 1995 development consent. The orders specified a series of measures that Bloomfield had to undertake, including retiring 2716 ecosystem credits. It also noted an enforceable undertaking that Bloomfield had agreed to, under powers resident in the Mining Act 1992, which were at that time not available under the Environmental Planning and Assessment Act 1979.

30 Very importantly for the assessment of this project, the court's consent orders confirmed for the first time the site's approved disturbance area, and therefore the scope of the unapproved elements of the new project. The Department then requested Bloomfield to revise its documentation for the development application to reflect this new and agreed boundary. This revised RTS was then submitted to the Department in November 2017. This document has been the key basis for the Department's preliminary assessment report.

40 I will now outline what the department considers to be the key assessment issues for this project. Since the mine was first – noise is really the first of those. Since the mine was first approved, in 1995 – or at least for State Government approval – in 1995, the residential community of Singleton Heights, which is located south-east of the mine, and other nearby communities, have grown significantly.

45 The mine now operates in a noise environment which is very complex. There are two essential reasons for this. Firstly, the underlying noise environment is partly rural and partly suburban. Secondly, it is affected by a number of other significant noise sources apart from Rix's Creek Mine, including other open cut mines, the Main Northern railway, and the New England Highway.

5 The Rix's Creek EIS was lodged in 2015, and its noise assessment was conducted under the then prevailing Industrial Noise Policy 2000. Under this policy, project-specific noise levels, or PSNLs, are calculated for every new project, based on the more stringent of the project's noise-intrusiveness criteria, which is background noise environment plus five dBA, or the INP's general noise amenity criteria. In this case, as is usual for coal mines, the intrusiveness criteria apply. That is, background noise environment plus five dBA.

10 However, Bloomfield advised that it would be unable to reduce its proposed noise levels to fully meet the calculated PSNL, particularly during noise-enhancing weather conditions. This is essentially a result of that crowded noise environment with the suburban areas not being very far away. Bloomfield therefore proposed the use of what it termed achievable noise criteria, which I will call ANC. The INP – the Industrial Noise Policy – in section 8.2 allows for the application of achievement noise criteria instead of PSNLs, but only in circumstances where all reasonable and feasible noise mitigation measures have already been applied.

20 Circumstances where achievable criteria may be applied include pre-existing premises such as Rix's Creek. In 2012, the EPA imposed the pollution reduction program, or PRP, on the mine's environment protection license, which required the implementation of all reasonable and feasible noise mitigation measures. Bloomfield completed all of these measures to the satisfaction of the EPA except one, which is the cladding of the mine's coal handling and preparation plant, or CHPP. Garry Bailey spoke about that earlier today in terms of that work – a contract having been let. However, as Bloomfield had committed to clad the CHPP as part of this continuation of mining project, the EPA removed the PRP from the mine's EPL in August 2017.

30 So there's no external requirement from the EPA currently prevailing. It's a matter of Bloomfield's commitment to complete that work in terms of cladding the CHPP. The department has recommended that for the ANC to apply, cladding of the CHPP must be undertaken prior to commencement of mining under this project. Importantly, the use of ANC would result in a significant reduction in the mine's existing noise criteria, and therefore a beneficial improvement to existing operational noise emissions from the mine. The existing noise criteria and the 1995 consent were defined prior to the INPs publication in the year 2000. They are based on the LA10 noise index, which is the noise level exceeded for 10 per cent of the time. This index only applies under what is termed neutral weather conditions.

40 The INP sets criteria based on the LAeq index – ie, the average noise level over a period of time, whether it's 15 minutes or an hour, or whatever – or a minute, whatever it might be. In LAeq terms, the existing noise criteria at Rix's Creek are equivalent to a range between 42 and 47 dBA. The proposed ANC would range between 40 and 42 dBA, which was a substantial reduction. The ANC would also apply under both neutral and most adverse weather conditions – ie, the periods in which noise is most likely to be noises and to be intrusive.

Application of the ANC would require adaptive management of all operations on site by Bloomfield. These practices are already implemented on site in order to reduce noise emission. However, the department recommends reinforcing these practices by applying contemporary standard conditions of consent for noise management on mines. This would make adaptive management in order to avoid breaches of the mine's noise emission criteria an enforceable condition.

Turn to air quality. Number of residential receivers, as well as vacant land on which residences could legally be built, are predicted to experience exceedances of various particular matter criteria as a result of the project. In accordance with the government's *Voluntary Land Acquisition and Mitigation Policy 2014*, the department has recommended that these receivers and landholdings receive acquisition and/or mitigation rights. Based on the acquisition criteria and the existing VLAMP, some receivers would be eligible for voluntary acquisition rights. Receiver R1 has an existing negotiated agreement with the mine, and the department recommends the continuation of acquisition rights for this receiver.

The remaining six eligible receivers noted in the EISs R170, R171, R173, R175, R176 and R177 are currently subject to acquisition rights from other mining operations which are closer to those residences; notably, the Ashton South East Open Cut Project and the Rix's Creek North mine. The department has reviewed the likely contribution of this project towards the cumulative air quality exceedances at these receivers. In comparison to other closer mining operations, the department considers that the project would have a minor contribution that is less than 10 per cent to annual average cumulative PM10 impacts.

Moreover, if the other nearby mines were not operating, these receivers would be unlikely to experience air quality exceedances as the – as a result of the project alone. Consequently, the department considers that Bloomfield should only be required to provide acquisition to these receivers in accordance with the VLAMP if acquisition is not achievable under the consents for the close up, more impacting mining operations. The department considers that in total five receivers or vacant land holdings, being receiver R1 and four vacant land parcels, should be afforded acquisition rights under this consent.

Also, five receivers or vacant land holdings, being receivers 170 and 171 and three vacant land parcels, should be afforded acquisition rights under this consent only if acquisition is not able to be achieved under the consents for other mines, which cause the greater proportion of overall impacts. And four receivers, being R173, R175, R176 and R177, should be afforded air quality mitigation rights as against acquisition. The location of all receivers is shown on figure 6 in the Department's preliminary assessment report. The vacant land holdings are shown on figure 7 of this report.

In light of the changes in the EPA's Approved Methods 2016, and in anticipation that the VLAMP will be revised to match these standards, the Department also considered potential acquisition and mitigation rights if the 2016 standards were to

5 be applied. The result of that is that no additional receivers would exceed the reduced annual average PM10 criterion of 25 micrograms per cubic metre, as against the current criterion of 30 micrograms per cubic metre. That is, there are no predictions in the EIS or the revised RTS that fall between 25 and 30 micrograms per cubic metre.

10 There were some exceedances of the annual average PM2.5 criterion; however, these properties were already recommended for acquisition or mitigation based on the PM10 impacts. That is receivers 170, 173, 176 and 177. So while there would be an additional reason that those properties would be offered acquisition or mitigation, there would be no additional properties affected.

15 Terms of biodiversity, the EIS's biodiversity assessment was prepared under the then proposed Upper Hunter Strategic Assessment, or UHSA. UHSA was a joint initiative of the New South Wales and Commonwealth Governments, to improve the assessment of new or expanded coal mines which have the potential to impact on the biodiversity values in the upper Hunter Valley. UHSA involved upfront identification of biodiversity values present within identified areas, the biodiversity impacts associated with potential mining activities within those areas, and the development of a coordinated offsetting strategy that would be secured through the establishment of an Upper Hunter offsets fund.

20 However, there is continuing uncertainty regarding the finalisation of the UHSA. At this stage, there is no likelihood that the UHSA will be finalised before determination of the project. Consequently, the Department asked Bloomfield to prepare a second biodiversity assessment, under the Framework for Biodiversity Assessment, or FBA, for offsetting purposes. Bloomfield completed this FBA assessment as part of its revised RTS. As part of this assessment, Bloomfield proposed an offset package for the 212.8 hectares of proposed additional disturbance. This clearing would lead to a requirement for the provision of some 5808 ecosystem credits. Would you like me to
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- - -

PROF O'KANE: I would be - - -

35 MS RICHARDSON: Madam - - -

PROF O'KANE: - - - comfortable with a quick summary to the end, of a couple of minutes.

40 MS RICHARDSON: - - - I have seen Mr Reed's notes; I don't think he has much further to go. I would submit he be entitled to finish his thoughts, if that's acceptable.

45 PROF O'KANE: I agree with that.

MR REED: Thank you. Bloomfield has proposed three options for securing this offset requirement. The first is paying into the newly established Biodiversity

Conservation Fund. The second is purchasing ecosystem credits from the biodiversity credit market. And the third is sourcing and establishing its own land-based offsets. Bloomfield has advised that paying into the fund is its preferred offset mechanism, assuming that the market value of credits does not substantially increase.

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In the Department's view, there could be an opportunity for Bloomfield to use a combination of offset mechanisms. For example, Bloomfield has identified some potential land-based offsets; however, these potential offset sites contain a surplus of some credit types, and a substantial deficiency in others. That is, they are not a good match to the identified offset requirement.

10

Bloomfield has also proposed to retire its required biodiversity credits in two stages, based on its anticipated progression of mining. The Department considers that the two-stage approach that Bloomfield is proposing may be acceptable, and has recommended that any payments into the fund are finalised before any land-clearing of either of those stages begins under the project, and that any suitable land-based offsets are at least identified before any land-clearing of either of those stages begins under the project, and then finalised within 18 months.

15

The Department has considered a range of other issues during assessment of the project, including blasting, water resources, rehabilitation and final landform, social impacts, economic viability, Aboriginal and cultural and historic heritage, transport, and visual impacts. It does not consider that any of these issues are major. It considers that each of these issues can be managed under relatively straightforward and standard conditions of consent.

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Overall, the Department believes that the benefits of the project outweigh its costs, and that the proposed mine plan strikes an appropriate balance between protecting the environment and local community and realising the significant economic benefits of the project to the region and the State of New South Wales. The Department considers that Bloomfield has designed the project in a manner which balances the recovery of a recognised coal resource of State significance, and minimising the potential impacts on surrounding landowners, as far as is reasonable and practicable. Consequently, the Department's preliminary findings are that the project would be expected to deliver a net benefit, that it is in the public interest, and is approvable, subject to strict conditions.

25

PROF O'KANE: Thank you.

MS RICHARDSON: I just have one question, if I may, Mr Reed. Are you able to tell the Commissioners what assessment or analysis the department or officers did in relation to whether the proposed size of the final void is the highest and best use of the land?

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MR REED: Ms Richardson, we certainly did consider that. I think the first thing I would say was, there was no readily apparent alternative option. So the Department has regularly pressed back on final void options or final landform options that have

45

been identified in other mine proposals. The Drayton mine proposal was one; the Mount Owen mine proposal was another. Mount Arthur is another. But in regard to this case, there's no readily apparent alternative option. So, for example, the mine plan as proposed has eliminated one of the previously approved final voids. That has
5 been done by an intention to fill both the void that is in pit 2 and the void that is in pit 1, leaving only one remaining void, in pit 3.

It's important, from the Department's perspective, that there are no remaining high walls. That's not a common outcome with final void solutions in the Hunter Valley; often there are some very steep walls left, and they do present a public safety risk, and a geomorphological risk of failure over time. So the fact that this option avoided that was also significant.

140 hectares is not a large-size void, as I think was indicated earlier. And the
15 Department also gives careful consideration to what the alternatives are. So the final void, as groundwater rises first to the floor of that void and then above, in a – and eventually forms an equilibrium, an equilibrium that is the result of rainfall and groundwater flow and evaporation – so eventually, you got to a highest point, where the evaporation matches the inflows – and a mine void like that acts as a sink for
20 groundwater. That is, there's a continuing flow in, but an evaporation from the surface.

And the result of that is that there's a continual migration of saline groundwater towards the void. And the benefit of that is that saline groundwater is not moving
25 elsewhere on the site or off the site. There is a benefit associated in having a groundwater sink within a final void. So even to half-fill a void impacts on that flux between evaporation and inflows and rainfall. And you could fill a void to the half level, and be above the groundwater level, only to find that groundwater level kept rising, and daylighted again, because there's no evaporation in that state of flux.

30 So, overall, I think, with an 80-hectare final void lake – that's not the day the mining concludes, but an eventual final void lake of 80 hectares, which is small compared with some – it's .8 of a square kilometres – with a 60-hectare catchment draining into that, that is useful for grazing or biodiversity management purposes, as against being
35 a steep-sided rock wall; and certainty regarding long-term groundwater management; the – and the overall constraints of the site, given the proximity of the New England Highway – the Department found it to be a sound proposal, and I don't know how I could change that to improve it.

40 PROF O'KANE: Any questions?

MR PEARSON: Just one. When you mentioned, under – when you were talking about air quality, you mentioned that certain private residences were being afforded
45 acquisition rights that also had acquisition rights available to them from nearby mines, but only where the acquisition was not achievable by virtue of the discussions with those other mines. But could you just explain a little bit more about what you mean by “achievable” in that situation.

MR REED: I think that's a very good question, and the reason it's a good question is because one of those projects, being the south-east – Ashton South East Open Cut Project – has been approved, but not yet commenced. The other one is the Rix's Creek North project, which is also owned by Bloomfield. So I think in regard to
5 receivers that are mentioned under the Rix's Creek North consent, the question is a little academic, because whether acquisition is pursued under either consent it will be Bloomfield Coal – or Collieries that will be paying in the end, so I don't think that there's a lot to see there.

10 But in regard to the Ashton South East Open Cut Project, it's an important question. And the way things stand at the moment is that the South East Open Cut Project has not been physically commenced. That is, the consent exists as a piece of paper, but in terms of planning law, that piece of paper – that right to mine – hasn't been taken up by Yancoal, the owners of the Ashton South East Open Cut Project. So any rights
15 under that are effectively moot until that is taken up. There's a particular step in the Ashton South East Open Cut Project that has to be undertaken in order to initial development there, which is the purchase of one property that's effected by the very – effected in a very major way by the project, and until that property is purchased or leased or some other right is assigned to Yancoal to mine on that land, then it's very
20 doubtful indeed that Ashton can physically commence its project.

And the department's view is that landowners – other than that first property I mentioned, landowners cannot seek and obtain acquisition under the Ashton South East Open Cut consent until that project has been physically commenced. So in the
25 case of receivers that are mentioned in the Ashton South East Open Cut consent and would also be reflected in this consent going forward, if Ashton is still on the shelf, then anyone who wanted acquisition would have a perfect right – and in fact their only avenue for acquisition would be to come to Bloomfield in terms of the Rix's Creek consent.

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PROF O'KANE: Right. Thank you.

MS RICHARDSON: The next speaker is Deidre Olofsson, who is a local resident, and she has been allocated 20 minutes to speak.

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MS D. OLOFSSON: Okay. Do I start?

PROF O'KANE: Yes, please do. Yes.

40 MS OLOFSSON: Okay. State significant development assessment, Rix's Creek, continuation of mining project SSD6300. The assessment of the New South Wales Department of Planning's report of May 2018. That's what I note. On assessment of the report provided by the Department of the Planning – that I do not hold a degree in environmental science or economics. The qualifications I hold is an electrician
45 maintenance planning, with 37 years experience in the energy industry.

So therefore the information I provide is concerns within the report and the perceived perception of impacts on the village of Camberwell, especially of the privately landholders. I'm reading a documentation. The Department of Planning has used to word prediction on several occasions. Looking at the definition of the word
5 predictions I what someone thinks will happen. Prediction is a forecast, but not only weather. Pre means before and diction has to do with talking. It's a guess sometimes based on fact or evidence, but not always. The interpretation of the document is difficult when considering the use of the term prediction, and will this be correct relating to the impacts experienced or the future impacts that not might be
10 correct, and the legacy of the future generations received will be far greater than predicted.

Cumulative. On page 3, there is 8 – of the document there is 18 operational mines in 10 kilometre radius of Rix's Creek operation, and the mine will be three
15 kilometres south east of Camberwell. The concern the report failed to identify the South East Open Cut mine of Ashton Coal has not commenced operation to do the Land and Environment Court merit appeal, but has approval. Also, the premise has lodged a modification to the Department of Planning related to the commencement and changes to the acquisition rights of the privately-owned villages. Also, the
20 concern that Glencore Glendell Mine has started proceedings producing an EAS for the continuation of the mine, which will impact the historical significance of Ravensworth Homestead. If approved, this granting could be operational in five years.

The impacts on the Camberwell village: another significant issue is the approval of the Hunter Valley operations, mountain of overburden. I will just call them
25 mountain – which could have the potential of changing airflows from the south each of the village due to the geological changes to the valley floor. Another significant issue is the height of the Ravensworth West super pit. The mountain in the
30 construction is considered from viewing out of the Camberwell of the New England Highway is the height of the Bayswater cooling towers, which also has the impact of changing the structure of the valley floor and possibly the airflow conditions.

The has not considered future modifications of the 18 operational mines in the area and the impacts this will have on the geological structure of the valley floor, which has been predicted, and the outcomes of changing airflows, weather patterns, air quality – one certainly sees in the air, especially Camberwell. The impacts
35 related to south east of the village of Camberwell with two minds: Rix's creek and Ashton South East Open Cut operating as perceived potential of causing harm to the occupants in the village through exposure of high levels of particulate matter and noise.
40

Since the commencement of the Upper Hunter Air Quality Monitor in the village of
45 Camberwell, the OHE has provided air quality exceedance alerts, with offer to register – with the offer to register to receive these alters. On registering in 2012, the cumulative impacts received in this village over the last five years – 2012, 34 alerts

5 from the 15th of the 8th to the 31st of the 12th; 2013, 64 alerts; 2014, 29; 2015, 22; 2016, 26; 2017, 56 alerts; 2018, to date 17 alerts. These alerts relate to PM10 exceedances, and there was two PM2.5s. Now operations closed – operation mining care and maintenance until the purchase of Glencore and Bloomfield, and which the premise has commenced operation.

10 The increase in the last year could be potentially related to the operation of, resumption or climatic changes, but highlights the concerns related to the dust stop program and the mitigation of the vast areas of exposed area. So if they're – so therefore the potential increase relating to cumulative air quality exceedance are expected in the village of Camberwell, which the Health Department states in the letter 8 December 2012. Note: there is no evidence of threshold below which exposure of PM is not associated with health effects.

15 There is consequences with the potential increase of air quality exceedance due to two more operating mines in the south east would have the flow on effect of exposure of over four months a year or greater. So, therefore, the village health and safety is compromised. As stated on page 28 of the report, direction of the mining would progress towards Camberwell. Impacts on Camberwell will increase.

20 Page 16, New South Wales health: noise can have a negative impact on health – on human health. The accumulative impacts relating to operation of South East Open Cut and Rix's Creek project plus the New England Highway in the vicinity of the village are difficult to locate at this stage; could not find any context to this concern. 25 High volume of traffic movement at certain times, especially commencement of shifts and knock-off times increase the noise movement. The structural shape of the village increases the level, and then as to two operational mines to the south east would have a negative impact on health. Even with mitigation to the premise, levels above acceptable level to a occupant on their perception, which negates stress and 30 entrapment.

Page 32, cumulative noise: the statement prevailing winds would be unlikely to lead to cumulative noise impact. The mine is unable to reduce existing noise level to meet desirable PSNL – is committed noise reduction. So, therefore, how is the 35 mine going to New England Highway – number of operating mines to reduce noise levels. As stated before, the noise has negative impact on human health. So, therefore, do the mine have the right to operate when they are unable to reduce the noise level perception of the wording? On page 32, the predicted exceedance noise which they offer vacant land acquisition rights and possession. Unable to – 40 perception – unable to reduce noise levels for others – this does not make logical – procedure or logic – this perception.

Page 40, cumulative impacts of blasting. Cumulative impacts of blasting 45 concurrently with neighbours mine was not considered in the BIA, on page 40. Is this the acceptable outcome for a departmental assessment in relating – relation to hazard generation and risk to health and safety of the public? Therefore, two mines blasting at the same time, South East Open Cut and Rix's Creek, the village of

5 Camberwell is not protected against actions associated with that location. Due to the potential failure to investigate a potential harm to the village, which is already under stress from poor air quality, and that a sudden exposure of high levels of PM, which there is no safe levels, could have the possibility of impact of life to the occupants.

10 Predicted surface water impacts, page 42. There will be 160 hectares lost from the catchment in which the 140 hectares internally draining void. The final void would – as a ground – would as a groundwater sink, with the inflows exceeding outflows, and evaporation exceeding rainfall. Therefore, it would become a pit lake. Now, the cumulative impact of 30 pit mines in the region, looking through the report, was unable to locate the impacts of the Upper Hunter and how this would be managed, regulated and monitored for the prediction of 2000 years, when the water would be close to seawater. The amount of money set aside to compensate for the loss of
15 water or income to production if the particular final void behaviour is not correct, and the climatic changes, surface water and the underground water changes the void to a

20 There was no context which could be found the cumulative impacts of land loss due to 30 final voids in the Upper Hunter. The prediction that a final void would fill in 100 years is – and stabilise – therefore, the concern, is this correct, in fact, or a guess? Could climatic conditions cause the pit lake to be filled in two to 10 years? And how is this going to be monitored and controlled? Therefore the concern arises that a final void should be removed from the application due to the harm it imposes
25 on our environment, the sterilisation of land, and the cost of maintenance, monitoring, potential harm could impose on other users of resources in the area, and the contamination of those resources.

30 In the department's report, there seems to be no context to the predicted economic analysis of the final void maintenance, monitoring, classification or plan with the final void. The land value, and what would be the ratable income from the said land. The reason why the void was classified as required a significant asset, also the costing of a filling of the void. The other concern which seems not to be addressed was the potential land value of the joining properties to the said land unclassified
35 type, with a final void that is rendered unusable.

Please note, the approval of the Hunter Valley operation's final void by planning assessment in which states the void is – will be hypersaline and unusable. Also, the department's report – minor seepage into the groundwater system and
40 monitoring would be required, and states that Bloomfield should pare a groundwater monitoring responsement. So you interpret – so the interpretation that it's not mandatory – how is the department going to regulate? The issue is, how is the EPA going to manage compliance with licence for a final void that's hypersaline and unusable? And what is the regulatory controls of how will they enforce protection of
45 the taxpayer from undue cost if the applicant is not able for the life of the void?

The project prediction to have an economic benefit, approximately 270 million, through royalties, wage and company tax, of department's report – now, the recent announcement of the T4 in Newcastle, and the outcome of the 2009 relate to the predictions. So for the – so, therefore, the concern here – is this prediction covering all aspects, and is this achievable? That does not considered automation of the fleet, reduction of employment to meet shareholders' expectation of income, company tax cuts, the devaluing of coal in the future, and the impacts of climate change related to water availability for mitigation and coal handling, the possibility of contracts for the coal had been terminated, for external markets are looking at other technologies for energy, and in relation to reduce carbon. So, therefore, is the predicted forecast achievable, but not for the future depreciation of land, final void maintenance, if the land is a saleable product.

Social impact, 6.8 of document. The perceived perception that the report states there is no risk to human or the community, that they looked at a CC minutes spoke to stakeholders. The department report states, the social impact was not done under the new assessment guidelines. Therefore, the perceived perception has not met – perception has not met the criteria expected for a social impact assessment today, and could be considered not covering all concerns related to impacts exposed – experienced now related to health risk – related to risk to health, and especially to the Camberwell district.

Mitigation, page 67. Where Bloomfield considers that the social impact of the project could be mitigated through the implementation and management and monitoring programs as well as effective communication CCC means. The CCC is advisory structure, in which the company provides the information. The community members cannot make management changes to the operation. This is a government department or legislative requirement. Therefore, in relation to mitigation and controls how a CCC member can change operational mitigation controls.

Mitigation controls and compliance is a government agency's responsibility to have a robust procedural process in place, policies that effectively protect harm to others and the environment. Therefore, the perceived perception that the department's obligation the community is provided with tools and skills to understand the processes, and how to report the incidents that cause harm and identify behaviours that may deem to cause risk to health and safety. Therefore, the concerns and the conclusion the department's assessment has not addressed a few concerns, especially related to impacts to the – impacts on Camberwell.

Also note, Camberwell has no town water supply, and recently the letter from Singleton Council not receiving supply due to cost. Also note, several occasions, the water tanks have been found to be grey in colour, and health issues, gastric and vomiting. The other concerns is that enforceable undertaking between Bloomfield and Department of Planning, 2017. From it, the undertaking (h):

Department has been conducting investigation into allegations that Bloomfield has provided false and misleading information in the report of mining operation plans, year 2001, 2005, 2013.

5 From the perceived perception and reading the enforceable undertaking on the government website raises concerns of actual land disturbance and the social fabric of the company. Also, the independent auditing system place – in place – does this meet expectations? Note, the department has no independent auditor register, and the proponent selects the independent auditor.

10 In conclusion on the report, using the term “prediction” raises concern. The objection – my objection to the application remains that Camberwell has not been assessed adequately, and the impacts outweigh the benefits.

15 MS RICHARDSON: Could I just ask you one question, Ms Olofsson?

MS OLOFSSON: Not too technical, for goodness’ sake.

MS RICHARDSON: No, this is an easy one: are you a resident of Camberwell?

20 MS OLOFSSON: Yes, I am.

MS RICHARDSON: Thank you.

25 MR: Thanks, Deidre.

MS OLOFSSON: No problem.

MR: Well done.

30 MS RICHARDSON: The next speaker is Ms Jan Davis, of the Hunter Environmental Lobby, who has been allocated 15 minutes to speak. I might ask - - -

MR: Just here. Is that all right over there?

35 MS J. DAVIS: Yes, thanks very much.

MR: Just let me know if you need anything.

40 MS DAVIS: Okay.

MS RICHARDSON: I might just ask – I know people get nervous with public speaking, but maybe try and speak slowly, just for the - - -

45 MS DAVIS: Yes.

MS RICHARDSON: - - - benefit of the transcriber.

MS DAVIS: That's fine.

MS RICHARDSON: Thank you.

- 5 MS DAVIS: Shall do. Yes, thanks very much. Thanks, Commissioners. I'm Jan Davis, from Hunter Environment Lobby. And I would like to acknowledge the traditional owners, the Wonnarua, the people on whose land we are today. This land was never ceded.
- 10 Because of the time constraints today, I won't read the introduction that I had prepared. Suffice to say that Hunter Environment Lobby has been active, and has been incorporated, for 26 years, and has made comment on just about every coal mine in the Hunter Valley in that time. Thank you. So, to start on the second page, we continue to strongly object to this mine expansion, on the following grounds:
- 15 (1) The mine operator has demonstrated that they are not responsible environmental managers. The illegal disturbance of 96 hectares of land, that resulted in a Land and Environment Court case in 2017, has severely diminished community trust in Bloomfield's ability to manage the cumulative impacts of this operation in the manner described in the Department of Planning and Environment (DPE) assessment report, May 2018.
- 20
- (2) The cumulative impacts of proposed mine expansion are significant, and have not been adequately assessed, in regard to the Mount Owen continued operations, approved in November 2017, and the Hunter Valley operation south modification 5, approved in February 2018. Both these projects have increased impacts in the vicinity of the Rix's Creek Mine, as you've already heard, particularly in regard to regional air quality.
- 25
- (3) Regional air quality continues to regularly exceed the national standards for PM10 dust emissions, as measured by the Upper Hunter air quality monitoring network. The Camberwell monitor regularly reports air quality exceedances, as Deidre has just outlined. We remind the Commission that these reports are based on 24-hour averages; therefore, there are times when the level of PM10 emissions are dangerously high. The EPA pollution reduction programs are not working in the Upper Hunter, mainly because more mine expansions continue to be approved.
- 30
- (4) The impacts on biodiversity are far greater than first assessed. It is difficult to understand, from the information provided, how the 2716 ecosystem credits required by court orders have been met in relation to the identified shortfalls in biodiversity offsetting arrangements for the proposal under consideration.
- 35
- (5) The project proposal has significant land use conflict because of its proximity to Singleton. We do not agree with DPE's satisfaction that the various environmental impacts on amenity – that is, noise, blasting and air pollution – can be adequately managed.
- 40

- 5 (6) DPE fails to understand that “cumulative impact” means any additionality to existing impacts, regardless of its size. The constant reference to the fact that Rix’s Creek contribution to cumulative impacts is less than other, larger mines in the area is immaterial. Any additional impacts, where exceedances already exist, needs to be carefully considered.
- (7) HEL – Hunter Environment Lobby, or HEL – continues to object to the retention of a 143-hectare final void that will remain in the landscape for ever, with a predicted salinity level of 31,000 microsiemens.
- 10 (8) The cost/benefit analysis has not included the cost of managing the final void in perpetuity. Nor has it costed the cumulative loss of catchment to the Hunter River, nor the increased cost to the health system of worse air quality in the Hunter, nor the loss of ecosystem services and biodiversity.
- (9) The project fails to meet key goals of the Hunter Regional Plan 2036. That is, biodiversity-rich natural environment and thriving communities.
- 15 (10) The DPE assessment report identifies a number of issues that need to be addressed before a decision can be made on this proposal; and these include reporting to the federal Department of Environment on the increased area of central Hunter Valley eucalypt forest and woodland to be destroyed; the new concept of a stage biodiversity offsetting approach they held as not the accuracy of the economic assessment that fails to cost environmental impacts; 20 the planning agreement for Singleton Council to mitigate social impacts. HEL request that these matters be provided for further public comment before a determination is made.

25 Biodiversity impacts: as stated, HEL has major concerns that during the time between public exhibition of the Rix’s Creek extension proposal and the current stage of the assessment process that Bloomfield was found to have breached the mining consent by illegally disserving 96 hectares of land. Community trust in this mining company to carry out and of its legal requirements has been greatly diminished. The project is not required to retire 2716 ecosystem credits prior to the 30 determination of this proposal – proposed extension.

35 This has occurred without adequate assessment of the cumulative impact of this illegal clearing. We are unclear whether these credits have been found. The cumulative biodiversity impacts of the intensive mining operations in this central area of the Hunter Valley are highly significant. The planning process has failed to adequately assess cumulative biodiversity impacts, which continuing to approve ongoing extensions and ongoing removal of critical threatened species habitat.

40 Because of this failure, a once-common ecological community, central Hunter Valley eucalypt forest and woodland is now listed as critically endangered under federal environmental legislation. The costs-benefits analysis for these mining extensions fail to adequately assess the benefits and environmental services provided by a

healthy and functional natural biological system in the Hunter. We consider that the current highly complex biodiversity value calculating systems and associated offsetting policies are doomed to failure in both the short and the long term.

5 Decision-makers have a duty of care to future generations to clearly consider cumulative biodiversity impacts at original scale. The challenge for the Rix's Creek proposal to locate suitable offset sites when none have been found is a clear indication that too much significant habitat has already been removed from the Hunter landscape. We note that the reassessment of this proposed – proposal
10 demonstrates the need to clear 47 hectares of the critically endangered Central Hunter Valley eucalypt forest and woodland rather than the initial 19 hectares first identified. This is a significant loss that must be reported to the Federal Government.

We also note that the DPE assessment report has identified that further clarification
15 is needed in regard to stage offsetting and associated disturbance areas, and we have heard that some contracts have been exchanged, but we would like to hear further on that. HEL strongly objects to the concept of stage biodiversity offsets. We maintain that this project cannot be determent without the assurance that adequate land-based biodiversity offset sites have been secured.

20 As we have stated, the cumulative loss of various threatened ecological communities and threatened species' habitat in this central area of the Hunter due to recent mining activity and expansion has not been quantified in this assessment. The additional disturbance of 213 hectares of native vegetation is not a minimal impact in the
25 context of the scale of recent clearing undertaken from mining projects, in addition to traditional clearing for agriculture.

Every area of remnant vegetation, scattered mature trees and derived native grasses is critical habitat providing linkages and stepping stones across a significantly degraded
30 landscape. While the original biodiversity assessment was based on the Upper Hunter Strategic Assessment Process, that has now stalled. We note that an alternative assessment of biodiversity impacts was undertaken using the Framework for Biodiversity Assessment. Revised calculations undertaken for the new disturbance area project footprint were based on the original survey work undertaken
35 in the Upper Hunter Strategic Plan.

I will leave that there. HEL is concerned about this conclusion made by the consultants and its impact on the calculation of ecosystem credits. We also question
40 the rigour of assessment of the flora and fauna values of the project site, particularly in regard to the habitat values of the threatened squirrel glider that has been recorded in vegetation targeted for removal. While the vegetation remnants are fragmented, they are critical in the context of remaining connectivity across this section of the valley floor. Biodiversity corridors are a goal of the Hunter synoptic plan, and they must have old growth remnants to maintain habitat reliability.

45 The significant nature of this particular habitat corridor on a regional scale has not been identified or assessed. The connectivity of remnant native vegetation allowing

fauna movement through this highly modified, industrialised landscape is critical. The proposed removal of patches of vegetation from this significant corridor remnant that connects fragmented areas of vegetation across the landscape to the Hunter River will cause additional loss of opportunity for species movement in the Central Hunter. This cumulative impact has not been assessed.

The proposed loss of the critically endangered ecological community Central Hunter Valley eucalypt forest and woodland should be identified and assessed as a percentage loss of remaining patches of this critically endangered ecological community from the floor of the valley. HEL recommends that the Commission require additional assessment of the cumulative biodiversity impacts of this proposal. I will leave out my comments on air quality and noise; I will go straight to water.

With ground and service water, the scale of the drawdown, loss of base flows to the Hunter River and accumulation of high-saline water bodies in the landscape has not been adequately assessed at any level of the open cut mine approval process in the region. The Federal Independent Expert Science Committee has recommended just this week against final voids. HEL has strongly advised that the planning department undertake an independent cumulative impact study of final voids in the Upper Hunter.

The Independent Planning Commission should call for this study to be conducted before considering the approval of the perpetual impacts of another final void in the Hunter landscape. We note that the Hunter bioregional assessment has just been released by the Federal Government. The cumulative impact of mining on water sources has been assessed to be substantial. I did mention greenhouse gas emissions, but I will leave that out. I will go straight to final voids and then conclusion.

So HEL does not support the approval of any final voids on this mine site. We contend that there is limited or no knowledge of the cumulative impacts of the existing final voids approved in the Upper Hunter, and I know many of them are of some size. HEL continues to maintain that if this proposal, or any other, will now generate enough income to allow for the backfilling of all voids, then the project is unviable. The ongoing loss of critically endangered habitat, irreversible damage to water sources and broad scale landscape legacies in the form of large, toxic final voids is creating an enormous environmental debt for future generations. These cumulative impacts have not been adequately assessed or mitigated for this proposed Rix's Creek mine expansion.

The principles of ecologically sustainable development and intergenerational equity have not been met by this project. In conclusion, the process of assessing the Rix's Creek continuation project still has unanswered questions, despite the lengthy and confusing changes to assessment details, and new information provided to the commission must be made available for public comment prior to final determination to ensure complete transparency and inclusiveness of interested stakeholders and impacted community members.

5 The DPEs satisfaction with the proposal is based on too many unresolved issues and a lack of genuine accumulative impact assessment. The mine operator has demonstrated a lack of commitment to environmentally responsible management, and has therefore lost their social licence to operate this contentious mine expansion. Hunter Environment Lobby recommends this proposal be rejected. Thank you.

10 MS RICHARDSON: Ms Davis, I note you do have a little bit of extra time. Would you like to go back to the air quality and noise comments that you would otherwise have made

15 MS DAVIS: Sure. Thank you very much. Thanks for that. Sorry. Now I've lost my – air quality. So the proposal assessment fails to identify that the Upper Hunter Air Quality Monitoring Network has reported frequent exceedances of the national standard of PM10 in the vicinity of the Rix's Creek project. The monitors at Camberwell, Maison Dieu, Singleton Northwest and Singleton have frequently measured air quality exceedances, as Deidre has outlined as well, particularly in dry, windy weather conditions.

20 While the assessment contents that the impacts will be moving away from Singleton, it does not adequately assess the closer proximity to the Camberwell or the Maison Dieu communities in the context of the recently-approved Mt Owen and Hunter Valley operation south expansions towards these communities. So the cumulative impacts of – of open cut mining operations on ambient air quality in this area of the Hunter is already excessive. The health impacts on the nearby citizens is unacceptable. Thanks for the extra time.

25 PROF O'KANE: Thank you.

30 MR: Can I have a copy of that?

MS DAVIS: Yes, I'm going to give that to you.

PROF O'KANE: And there's a question

35 MS RICHARDSON: Sorry, Ms Davis. There's a question from the Commissioner, I think.

MR PEARSON: Ms Davis, thank you - - -

40 MS DAVIS: Thank you.

MR PEARSON: Thank you very much for your presentation. But I just had one question, which was in relation to some comments you made around the loss of community trust, and was interested to - - -

45

MS DAVIS: Sure.

MR PEARSON: - - - know if you were aware of any work that might have been done around this issue, any sort of – any work that might have been done around establishing or determining what impacts on community trust might have taken place.

5 MS DAVIS: Sorry, what exactly - - -

MR PEARSON: So you mentioned in your talk - - -

10 MS DAVIS: Yes.

MR PEARSON: - - - that there was a loss of community trust in the project.

MS DAVIS: Yes.

15 MR PEARSON: I was wondering whether you're aware of any information or work that might have been done to - - -

MS DAVIS: Well, I suppose, what we're alluding to is the fact that this – the issue of the illegal clearing had to be taken to the Land and Environment Court. So that was the way that it had to be brought out – the full extent of it had to be brought out – into the public realm. It wasn't brought out into the public realm, really, until that court case. And, you know, having been involved in Land and Environment Court cases a few times, and having been able to have some impact on the way things progress from that, and the way a court case is able to bring out information that these sort of planning commissions, and even your updated planning commission, an independent planning commission, cannot really bring out unless you have the rigour of a court case. But to get that far – I mean, we feel that those sort of things shouldn't happen. Illegal land clearing shouldn't happen, for a start, but the extent of it had to be brought out by a court case. That's what I was referring to there.

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25
30

MR PEARSON: Thank you.

MS DAVIS: Okay?

35 MR PEARSON: Thanks for that.

MS RICHARDSON: The next speaker is Mr Neville Jukes, from PJ Welding Proprietary Limited.

40 MR N. JUKES: Sorry, I've got a bit of a flu.

PROF O'KANE: If you would like some water, David can - - -

45 MR JUKES: No, I'm sweet.

PROF O'KANE: - - - get a glass for you.

MR JUKES: My name is Neville Jukes. I'm the managing director of PJ Welding. I'm pretty passionate about the Bloomfield group. I – they've provided my family with a feed for 45 years. We've had some extremely lean times over that period, had to reduce our company to bare bones. And when that has happened, I've approached
5 Bloomfield, and they've always helped me. They've kept me – kept my – sorry – my company afloat for 45 years.

We currently employ 30 people. Some of them are recent additions. A local company went into receivership prior to Easter, and some of their employees
10 approached us to seek employment. In an effort to give them stability for their families, I approached Bloomfield, and they were able to support us by giving us additional work at Rix's Creek. Without the help of Rix's Creek Mine, there would have been another dozen people or so on unemployment benefits.

15 We have employees with in excess of 35 years' employment. So these older workers would have little chance of gaining alternative employment, should they become unemployed. It's a continuation of the Rix's Creek mining creek – the Rix's Creek mining operation that will offer these people to work till their retirement.

20 We employ several tradesmen. They've spent their entire working life servicing Bloomfield group, from their apprenticeship till middle age. They rely almost exclusively on Rix's Creek Mine to feed their families. But two of our apprentices have achieved Hunter Valley Apprentice of the Year awards. The variety of the work that we receive from Bloomfield Group, their focus on safety, and extensive
25 environmental awareness, have had a significant impact on the training and quality of the tradesmen they've become. All our supervisors, tradesmen, apprentices and labourers have tutored – that we have tutored over many years, are of the highest quality due to the support of the Bloomfield group. Pardon me.

30 Bloomfield group is a wonderful corporate citizen. They support our community in many ways. I know they significantly support the Hunter Valley – the Hunter Medical Research Institute, a subject dear to my heart, because my wife and I are both cancer survivors. They support the Salvation Army youth off the streets
35 many others. I went to a funeral of the managing director several years ago, and it was announced at the – by the clergy, at the Christ Church Cathedral, that Bloomfield had given a significant contribution to help the rebuilding after the 1989 earthquake. I've only got another three or four things; would you - - -

40 MS RICHARDSON: I - - -

MR JUKES: - - - like me to continue.

MS RICHARDSON: I submit that Mr Jukes be allowed to finish; he hasn't got much - - -

45 PROF O'KANE: I agree.

MS RICHARDSON: - - - further to go.

MR JUKES: I haven't got much. Your decision will have a far-reaching impact on numerous families that rely on Rix's Creek Mine. In our case, some of our blokes
5 come from down the Central Coast, but I suspect all the areas of the Hunter Valley. In our particular case, PJ Welding employees, partners, families, amounts to 100 people or more; but considering the Rix's Creek employees and other contractors, you have the immediate future of thousands of people in your hands. Add to that the flow-on effect of the local corner store, the paper shop, Coles and Woolworths as
10 well, and you've got a serious human impact to consider.

As you're aware, Rix's Creek is privately owned Australian company. The profits and taxes remain in Australia. We're not dealing here with an overseas commercial giant; we're dealing with people who live amongst us and work beside us. We've
15 always displayed a – they have always displayed a strong community ethic and ongoing consideration towards their neighbours. We unreservedly support the continuation application, and urge you to approve the mining lease extension, to enable our children and grandchildren to be part of the Rix's Creek mining family. Thank you.

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PROF O'KANE: Thank you.

MR JUKES: No questions?

25 MS RICHARDSON: The next speaker is Mr Andrew Thomas, a local resident.

MR A. THOMAS: Hello, ladies and gentlemen. My name is Andrew Thomas, and I'm currently employed by the Bloomfield group as an open cut examiner at the Rix's Creek open cut. I've worked within the mining industry for the past 15 years,
30 and have been employed at Rix's Creek for the last two years. The majority of my employment has been spent as the night-shift OCE at Rix's Creek South. As an open cut examiner, or OCE, our primary role is health, safety and compliance. An essential part of this is to communicate effectively with our environmental officers and the wider community, to enable us to maintain our positive relationship with the
35 community.

Our environmental officers continually conduct offsite noise monitoring to ensure that the operation noise levels do not exceed compliance levels. Whenever I receive a call concerning noise levels, I would always encourage a positive attitude, and be
40 willing to help, as I feel that, as an OCE, I have the biggest influence in making changes to the operation to minimise noise levels, which is a huge advantage to our neighbours, as you don't get to – as you are not dealing with a third party or a hotline; you are talking to the one point of contact who has the ability to make changes.

45

One of the best cultural aspects of Rix's Creek is the team environment, which all levels of the workforce are working towards the same common goal. In my time at

Rix's Creek, I've never heard anyone fob off an issue to another department, or anyone – everyone works together for a solution. A primary example of this is, the CEOs and company directors are regularly seen on site by all levels of employment, as they are all a part of the community.

5

The Bloomfield group are proudly Australian owned, and have been operating successfully for the past 80 years, and still continue to support many local organisations and charities. One in which I am personally involved with is the Mount Olive Community Centre, which is solely ran by volunteers of the local area. This community hall is a place of meeting, social events, and numerous children sports and recreations. Rix's Creek is always seen to be giving back to the community.

10

I feel I am confidently speaking on behalf of myself and the other 500-plus employees that depend on Rix's Creek that we would like to see the continuation of Rix's Creek Mine, as I strongly believe that there are huge benefits, not only to the employees but to the surrounding communities.

15

On a personal note, my wife and I have been born and raised in the Singleton district. We currently live on a small rural property, raising beef cattle and breeding Australian stockhorses, at Mount Olive, just six ks from the Mount – from the Rix's Creek North turnoff. We feel our two sons are very lucky to be growing up within the diverse mining and agricultural community, which will continue to provide varied opportunities for their bright futures.

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I thank you for your time and opportunity to speak here today. Let's continue to work together and maintain Bloomfield's vision, mining and beyond, success through innovation and our people, and to strive for a sustainable and prosperous future for the generations to come. Thank you.

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MS RICHARDSON: Thank you. Our next speaker is Ms Sue Gilroy, of the Singleton Business Chamber.

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MS S. GILROY: Thank you. My name is Sue Gilroy, and I am the current president of the Singleton Business Chamber. The Singleton Business Chamber represents the interest of business on a local level. Through Chamber's vast network, each Chamber member has a community voice. The Chamber represents around 170 member businesses. As a team, we're able to identify the concerns of business in our community, plan actions; and together, everyone is rewarded.

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The Chamber welcomes the opportunity to provide a brief submission to the Rix's Creek Mine continuation of mining project. The Chamber strongly supports Bloomfield's – Bloomfield group's application for the continuation of mining at Rix's Creek Mine, and acknowledges, the environmental assessment report addresses a large number of key considerations. The Chamber understands that Rix's Creek coal mine sits 5 kilometres to the west of Singleton, and has been in continued operation since 1990.

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The Chamber acknowledges the establishment of relationships between the existing mine and the community of Singleton and the surrounding areas. The further – they – we further acknowledge Bloomfield’s commitment to support the community through the provision of funding to local community, environment and education groups. The current mine has long contributed to the ongoing economic health of the community, and can continue to do so into the future. Extension for mining at Rix’s Creek will ensure future viability and sustainability of our operations, enabling continued contribution to the economic and social fabric of surrounding communities. We further acknowledge Bloomfield’s commitment to ensure environmentally and socially responsible operations, and support their initiatives to ensure all consent conditions are met and operations are focused on minimising any impacts.

In conclusion, the Chamber is pleased to offer its support to the Bloomfield group’s Rix’s Creek Mine continuation of mining project. We welcome the extension – extensive environmental assessment report, and acknowledge that the work that continues in ensuring strong environmental performance at the site. The Chamber believes this is a crucial project in sustaining local employment, local and regional economic benefit, and positive social partnerships with various sectors of the community. Thank you.

PROF O’KANE: Thank you.

MS RICHARDSON: The next speaker is Mr Chris – is it Chris Paget? Am I pronouncing that correctly?

MR C. PAGET: Mostly. Good day. My name is Christian Paget. I’ve been working – employee at Rix’s Creek now for the last 13, 14 years. Current mine tech inspector there as well. Like to thank everybody for the chance to talk. I have the opportunity to talk for the company – well, for myself, for the company. Blokes on the ground, basically.

I’m not an expert anything. I don’t have any numbers or figures to give to you. I can only tell you what I see on the ground every day, and the incidents and discussion I have with our lads as to far as both environmental and safety things on site, and how the company treats those things, and how the dealt with them.

I was born and bred in Singleton. For the last – well, I left Singleton, but I was born and bred here; I was here for 20 years. I was hear during the duration of the Rix’s Creek Colliery; the father had a little bit to do with that. He worked for the Cant family prior, in the sawmills. So I was pretty well clued up as to what that was prior. I left school at 14 years of age, to pursue a trade; I wasn’t particularly built for academia, so to speak. However, what I did find was that physical life has a toll on your body, and your life has – body has only got so much life in it before it wears out. And I soon worked out that education is what – a key to most things in my life was, and re-educating myself was something that I needed to sort. And how I got education was money.

Whether we like to hear it or not, I can't educate meself unless I'm paying someone to teach me. So what the mining industry has given me is an opportunity: an opportunity for my life, for my children's life, and for me to better meself. I'm fortunate to travel the world, doing a few different things. But at the end of that, I've
5 come back to the mining industry, and I've had a job in the mining industry, as I said, 20-odd years. And the last 14 years I've spent with the Bloomfield group.

I had a permanent job working for Swamp Creek first, then Ashton Coal, at which time I was given an opportunity to have an interview at Rix's Creek. I was
10 interviewed by Garry Bailey over there, and one of the things he said to me – he said, “I need you to turn up to work and make sure me gear's going tomorrow, please. And don't upset the neighbours.”

So, you know, upon hearing those things, I talked to my father, and he said to me – I
15 said, “Well, what do you think, old mate? I've got a permanent job. It's – the job I've got is closer to home. Why would I want to go down there? What do they got?” And he basically said to me, “They're good – just good people. Don't worry about the coin, mate. They're just good people,” were his exact words.

So, taking that on, I said, “All right, well, I will go have a look at it.” And at that
20 time, I suppose – what would you say? It was a cultural blast for me to interact with a company where I wasn't just a number, where I was introduced to the owner of the mine, William Cant. I met him once, in passing. Next day – time, you see, he remembered me name, and he come and shook me hand, and had words with me.
25 Which – I don't know if that rings anything to anybody else, but that means a great deal to me. Those things and those values were so important to me that, you know, when you talk about the mine, it's not so much the mine or the money; it's the people running it.

And you're working for something that's fair dinkum, and prepared to give it a go,
30 give you a go, and be fair dinkum about their attitude towards work, and people around them, and the community. Because – let's face it – I know where he lives; I know where he lives; I know where all they live. So when something is a problem, they can't go anywhere – they can't run back to their country. They're here. They
35 have to answer what we ask them. And if they're in trouble, they can't go anywhere, so they're accountable, which is something that I really, really appreciate in those people.

John Richards same deal. I met him. I spoke at the last PAC meeting, in Scone,
40 around Bickham, for the same reason – not because I want a job, and not because I want money, and not because I want to kiss up to John; because they were decent people. I didn't know him; I met him having a cup of tea and a biscuit in the back room. He didn't know who I was, or what I was about to see. So, to me, it speaks
45 value – volumes about the people.

And when the issues come on site – like I said, the blokes come to me when there's an issue, whether it be dust, whether it be – you know – something safety on the line.

I can't say, you know, I'm across all shifts, but the shifts that I deal with, the lads come to see me. If there's an issue, whether it be dust or anything, the boys are calling up, telling us to stop, calling for a water cart. "We can't continue." The OCEs react appropriately. Our company reacts appropriately: we just don't do it.
5 And that's the blokes on the ground.

The reason why they buy into the company and that – because it's their future. And just over the hill two thirds of them live. So whatever we're breathing at work, or working in at work, their families are wearing it as well. So that, to me, means they
10 have to buy into it. And if they're fair dinkum about this company, and seeing it go forward, they have to speak up on tough issues, of dust, noise, whatever it may be, because if they're we're not going to get pinned, we're not going to get closed, and we're going to have a job for a long time, working with a company that is Australian owned – they're here amongst us; they live beside us. And I appreciate
15 the opportunity to come here today and speak for myself – not so much for them; for me. And the fact they know what please and thank you means. Old mate. Thank you very much for the opportunity.

PROF O'KANE: Thank you.
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MS RICHARDSON: Thank you, Mr Paget. The next speaker is Matthew Stidolph.

PROF O'KANE: Okay, we've still got to turn around. Thanks Matthew, yes.

25 MR: yes

PROF O'KANE: No, just get it there and I will just move to the side.

MS RICHARDSON: Mr Stidolph, while that is loading up, we might ask you for a
30 hard copy of whatever is on the screen so that we can keep that as part of the record.

MR M. STIDOLPH: Yes, sure. That's – yes. Go back to the bottom right. Hi, all. Just to give you a bit of an introduction, I am general manager of a company called Fluren. My name is Matthew Stidolph. We've been providing rehabilitation
35 services to Rix's Creek Mine since 2008. I believe Rix's Creek is a leader within the mining community when it comes to rehabilitation and environment. Their rehabilitation is best practice – returning mining areas back to their natural state. Our role is to work closely with the Rix's Creek environmental team to rehabilitate the mine area. To do this, the mine area's landform shapes are designed and constructor
40 to create a final contoured landscape that is stable and visually attuned with the surrounding natural area. The original topsoil is then spread back over the re-contoured landform, which is rich in nutrients, and maintains a seed bank.

Biosolids are then spread – using a tractor and spread and integrated into the topsoil,
45 and then sewn into pasture or native in the top left-hand corner there, you will see where we're spreading biosolids. Biosolids is a by-product from the waste treatment works from Hunter Water, and that just lists the soil quality. And then we seed it

with pasture seed, which you can see the other photos demonstrate 12 and 18 months after seeding, which is basically ready to go back to – for the cattle. Another part of the rehabbing includes building habitat areas for native animals. This involves building rock structures and standing hollow log trees, a landing for birds and other fauna to nest and breed. Tube stock is also planted to create habitat corridors.

I believe the Rix’s Creek and the Bloomfield Group do an outstanding job returning mining areas back into workable grazing land and animal habitat areas. I also believe the economic value for Rix’s Creek to continue mining is significant. We’re just one of many businesses that benefit from Rix’s Creek being in operation. This is why Fluren employs local people, which helps money flow through the community. Other small local companies also see the benefits of Rix’s Creek as they require additional services to meet their needs. Flow on effects of Rix’s Creek being permission to continue mining are huge to the Hunter Valley and Newcastle area. The positives to the local economy are significant and should not be underestimated.

The benefits of Rix’s Creek Mine flow right through the community, and with our money flowing into local business, companies afford to sponsor local sporting teams and donate to charities. I know that Fluren personally has donated \$10,000 in the last year to local sporting organisations and charities. Over the years, the Bloomfield Group has donated tens of thousands of dollars to charities, from the Cancer Council to the local CS – SCS, sorry. Just in summing up, approval for a mining extension to this mine is a real positive to the people of the Hunter Valley and Newcastle area. It is nice to have an Australian mining company doing good things in our region. Thank you.

MS RICHARDSON: Mr Stidolph, could I just ask you one question. Ms Davis, from the Hunter Environmental Lobby, spoke about connectivity issues between remnants of land; did you hear that comment she made?

MR STIDOLPH: Yes, I did.

MS RICHARDSON: Are you able to shed any light on your understanding of rehabilitated lands, and whether there – in your view – there are the types of connectivity issues she was raising?

MR STIDOLPH: Yes, I don’t see there being a problem like that. I know that there are areas where – instead of pasture, it’s more seed – tree seed going into the ground, and also tree-planting, to get those corridors – to have those corridors through the mine. So yes – no, I don’t think it’s a problem at all.

MS RICHARDSON: And is that part of your work in advising Bloomfield in terms of thinking about connectivity issues with the land that you’re rehabilitating?

MR STIDOLPH: No, we’re guided by their environmental team. So we carry out the work.

MS RICHARDSON: You're implementing a plan devised - - -

MR STIDOLPH: Correct.

5 MS RICHARDSON: - - - by someone else?

MR STIDOLPH: Yes.

10 MS RICHARDSON: Thank you. The next speaker is Mr Glen Parsons, from the Cancer Council.

MR G. PARSONS: Wonderful. Thank you. Thanks very much for the invitation. My name is Glen Parsons. I'm a community programs coordinator with the Cancer Council of New South Wales, and I'm based here specifically in Singleton, at 69
15 John Street. We've been here about six years, and today, it's my absolute pleasure to stand up here and tell you all about my relationship with the Bloomfield Group, and particularly Rix's Creek. It's quite a special relationship, and it's a relationship that we cannot do without.

20 So – made a couple of notes today; you have a copy of those notes. But the Cancer Council, in itself, is well over 60 years of age. We have six regions, right across the state, and we absolutely rely on community support. So what I mean by that is that you participated in the latest Biggest Morning Tea – Australia's Biggest Morning
25 Tea – or you bought a daffodil on Daffodil Day, or you've participated in the Relay for Life, or give any sort of money to a workplace giving project, or any sort of an event you've run, you've contributed to allowing us to put that money back into the community. We're not a government-funded organisation; we're a community-funded organisation. So the 96 per cent of the funds come from the community.

30 One thing I have left out: the corporate community. And that's where I want to really highlight exactly what the Bloomfield group has done for us, for well over 10 years now. The Bloomfield Group have contributed financially to Cancer Council to the tune of \$500,000. Particularly, the Rix's Creek project, or Rix's Creek Mine, has contributed well over 250,000 of those dollars. And people can stand back and say,
35 "Well, they're a coal mine; they have to do that," or, you know, "they should do that." In actual fact, they want to do that.

We know that one in two people, before the age of 85, will be diagnosed with some form of cancer. And without running a survey today, I can tell you, probably
40 everyone in this room has been touched in some way by someone diagnosed with cancer. So why is the relationship between Cancer Council and, particularly, the Bloomfield group so important for the Singleton residents? That's because we put the money back into local residents, to help local cancer patients throughout this area. So the money that I will describe from the Bloomfield group and Rix's creek
45 goes towards things like getting someone from their home to a treatment centre for life-saving chemotherapy, or radiotherapy, or cancer surgery.

And we know that chemotherapy, in this area, is as close as Muswellbrook, about 40 minutes away; but more so in Newcastle, which is around about an hour 10 away. Now, if you're a person that has been diagnosed with cancer, and you have to get from your home here at Singleton to go and have chemotherapy, it's essential that we
5 provide transport for treatment. And more so, the transport for treatment must be free of charge, because we know that cancer comes at a cost.

But it doesn't stop there. The Bloomfield group, and Rix's Creek particularly, have also given us money that we can use for things like home help, where we go in and vacuum floors, or do some general cleaning, mow a lawn. And if we pause for a
10 moment and think that if you've had cancer surgery, and the doctor gives the orders that you must lay on the lounge and rest, those are the main stresses of that person's life. So transport to treatment, home help, financial assistance in paying bills like water bills, power bills. The costs actually rise and rise and rise. Here, most
15 recently, I had a cancer patient. She's a really, really hard working 36 year old woman that lived here locally in Singleton. She had two jobs. She worked at the local gym and she worked in the local school giving education to children about healthy eating and whatnot. She got diagnosed with cervical cancer. No superannuation, no sick leave, no annual leave. Three kids. Recently divorced,
20 living in a house with a mortgage.

So we use this money from this organisation to offset some of those costs until that person could have that surgery and get back on track, and that's the important of having a relationship, and that's the importance of why it's so important that Rix's
25 Creek continues to operate in this town; so they can support cancer patients directly in this town. Cancer is a health issue, and we want to target that, and we can only do that through community consultation and then community funds.

The Bloomfield Group and particularly Rix's Creek also support our local office. So
30 the 69 John Street office is financially supported by this organisation, and again, I make comment that, you know, do they want things like accolade, do they want us to put it in the papers? In actual fact, they don't. It's a strange relationship. They don't want any accolade, they don't want any thank yous, and I will give you a great example. Mr John Richards, who just sits behind me, said Glen, no more morning
35 teas, no more thank yous, nothing in the papers. So we flooded his office with thank you cards from cancer patients throughout this local town. And I think it went over fairly well.

The health and safety of the workers of Rix's Creek is also paramount. Not only
40 Rix's Creek, but Bloomfield – the Bloomfield Group. We've been, now, to their sights, giving what we call beat cancer at work talks; health initiative talks to reduce the risk of cancer in the workplace. They've held community days for us, particular around the Coal Festival where they held a golf day and raised a significant amount of money so we could grab a hold of that money and put it back into the community
45 to help local cancer patients. This is an organisation that has community and specifically cancer patients to the forefront of their mind, and not only the cancer patient; the carers, the supporters of that person, the family members.

So whilst they're doing their work – day-to-day work, and their workers are there going along, doing what they need to do, it doesn't stop there. It's not a token gesture. This is a buy-in. This is a relationship. This is essential for this particular town. They are in this community, and as far as I'm concerned, they are part of this
5 community, and they're part of Cancer Council and our quest to support those going through a cancer diagnosis. We have four key pillars at the Cancer Council: advocacy, where we advocate to the government for better cancer services; research, where we hand out \$15 million of research, and particularly here locally for the new – Novocastrians of about 5.3 million. Prevention and support are the other two
10 major keys.

And the Bloomfield Group in their quest to help cancer patients – and we know full well they've been touched by cancer in that workplace, so they have a buy-in. They are by far the forefront and ahead of every other coal mine, no matter how small or
15 big they are in the Hunter Valley – and we know there's some much larger coal mines – this organisation is by far the biggest supporter of Cancer Council right across the Hunter region, and in actual fact, right across the state. Thank you very much for your time.

20 MS RICHARDSON: Thank you.

MR PARSONS: I will be saddened if you didn't have a question. I told them that before.

25 MS RICHARDSON: If you would like a question, what town are you from?

MR PEARSON: I have a question.

MR PARSONS: I'm actually from a town called Old Maitland, Ashtonfield, so I
30 travel up that fantastic expressway, 40 minutes away, but have been working in this town now for almost – about six and a-half years now.

PROF O'KANE: And Tony has a question.

35 MR PEARSON: Thank you, Mr Parsons. You mentioned that you've received over \$500,000 in contributions over the last 10 years from Bloomfield group. Roughly what proportion of your total funding requirement would that number mean?

MR PARSONS: Yes, well, that's a really good question. Thanks for that. You're
40 saying, how much money would we then take and put into the local community, or

MR PEARSON: No, no. So, as a proportion of your total funding inflows, what
45 proportion does that \$500,000 represent?

MR PARSONS: State-based or region-based?

MR PEARSON: No, your region.

MR PARSONS: Oh, this region? So this region raises around about 1.2 million. So that's the Hunter-Central Coast region. So if you average that particular amount
5 of money out, it's about – you know – \$50,000 a year. But the – I just want to tell
you – I just wanted to make a point – the significance of the contribution they make,
particularly for the office here in Singleton. This office here – and I know I started
the office, but the – our executive still say, to this day, it's the most successful office
10 in the state. And that's because we can engage locally, on a local level. Where this
office is open – it has been for a bit over six years – other offices just like this, like
community hubs, have closed throughout the state. It's only through the support of
organisations like the Bloomfield group that we can keep this office open and
running.

15 MR PEARSON: Thank you.

MR PARSONS: Hopefully that answers your question.

MR PEARSON: It does, thank you.
20

MR PARSONS: No questions? I was waiting for it. Thanks so much for your time.

MS RICHARDSON: The next and last scheduled speaker for today's hearing is
25 Wendy Wales, of the Dungog Aberdeen Muswellbrook Scone Healthy Environment
Group.

MS W. WALES: So it's the Denman Aberdeen – not Dungog. Denman Aberdeen
- - -

30 MS RICHARDSON: I'm sorry, I misspoke.

MS WALES: That's all right, yes. I would be completely out of territory. Thank
you, Commissioners, for the opportunity to raise DAMSHEG's concerns about Rix's
Creek continuation. My name is Wendy Wales, and I'm speaking on behalf of the
35 Aberdeen Muswellbrook – Denman Aberdeen Muswellbrook Scone Healthy
Environment Group. I would like to acknowledge that we are on traditional land of
the Wonnarua People, and that we're speaking today on World Environment Day.

I would not be here if Bloomfield was producing renewable energy. So we've heard
40 a lot of good things about the company, and, of course, that's not what I'm
challenging, or objecting – making my objection about today. DAMSHEG is an
Upper Hunter group of people committed to a healthy environment, and dust is a
major health issue in our region. Reflecting on the last speaker, cancers are typically
environmental in origin.

45 So there are so many reports and so much detail to address. However, we as a group
are concerned with extracting simple, overall implications to our community and

environment, both locally and globally. Mining either side of the highway for the next 20 years will continue to bust connectivity in the already narrowed section of the Great Eastern Ranges. This wildlife corridor allows for species – plants, insects, animals and birds – to migrate back and forth, depending on conditions, and is seen as a crucial element of climate change resilience. Connectivity is much better than small patches of remnant vegetation, which are way better than nothing or starting from scratch.

The loss of 96 hectares without approval, and an unclear offset penalty, do not restore that now destroyed ecosystem. The Hunter has so much biodiversity to lose by persisting with high-speed habitat destruction of mining for coal. There are many places now that you can look across the valley floor and see mine adjacent to mine adjacent to mine, a wasteland.

The air quality this summer has been significantly poorer than the last nine years. This is also our hottest and driest 12 months. The dust and weather are linked. The hotter and drier, the more significant is the air pollution. Our last drought broke in 2008. Since then, we had a few dry spells, but for the most part good dust-suppressing conditions. The spring of 2016 was ideal: rain followed by sun followed by rain. 2017 spring, 2017-'18 summer, were very hot and dry, and the air monitors went off continuously. Singleton did get good autumn rains, and so the country now looks in good condition; whereas it is desperately dry just up the valley in Muswellbrook. We point this out because climate change models predict we will have more extreme weather events, that our rainfall will come in fewer events, and it will get hotter.

While there is monitoring and modelling of dust to inform the mine operations, we are still experiencing dust particle exceedances. I've attached the Rix's Creek Lane printout, showing extraordinary dust levels. Confirming these observations, Office of Environment and Heritage Dust Watch report for April 2018 has the highest dust activity since 2009, the year of the Red Dawn dust storm. April 2018 was the hottest April on record. This is entirely relevant. The effects of climate change are being felt now, and will continue to intensify, even if we were to stop polluting today. The Paris Agreement, in Article 5.1, states:

Parties should take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases as referred to in Article 4, paragraph 1(d), of the Convention.

Given the dire consequences of flooding, bushfires and droughts people in Australia and around the world are experiencing now, and the impact of acidification, sea level rising, ocean warming, on people and sea life, we ask that you recognise that coal is a massive carbon sink. A very efficient way to keep CO₂ levels from increasing is to stop mining and burning coal, rather than approving 20 more years of extraction. I've just got two more paragraphs, short ones.

PROF O'KANE: Yes, that's fine.

MS WALES: We would urge you to consider the IPCC 2014:

5 *Continued emission of greenhouse gases will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems. Limiting climate change would require substantial and sustained reductions in greenhouse gas emissions, which, together with adaptation, can limit climate change risks.*

10 Continued permanent destruction of the groundwater systems, and then no idea what to do with 143 hectares of toxic final void, six times saltier than seawater, are other reasons we urge – we think it is a poor choice to systematically wreck this land, relentlessly, for the next 20 years. We urge you reject the expansion. We are sick from the attitude the Hunter is already wrecked, and we know we still have so much
15 more worth fighting for. And we would urge all with capacity to make the necessary change to leave this coal in the ground. Thank you.

PROF O’KANE: Thank you.

20 MS RICHARDSON: Ms Wales, did you refer to an attachment? Was there some
- - -

MS WALES: Yes.

25 MS RICHARDSON: - - - data that you - - -

MS WALES: I’ve got – yes, I have two - - -

MS RICHARDSON: Could I just look at that, just so I can read it onto the record as
30 to what it is; and if we could have a copy of that. Thank you very much. So Ms Wales referred to an attachment to her speaking notes, which is two pages, and they’re maps, with various data. So we will take a copy of that, if we may, and that will be placed on the Commission’s website with other material so that people can
35 look at that.

MS WALES: Should I email that to you?

PROF O’KANE: That would be lovely.

40 MS RICHARDSON: Well, if - - -

PROF O’KANE: That would be good.

MS RICHARDSON: - - - you wouldn’t mind speaking to the Secretariat, that would
45 be very helpful, thank you.

PROF O’KANE: We do need to ask Ms Davis if she covered everything, because we did offer her - - -

MS RICHARDSON: Is Ms Davis still here?

5

PROF O’KANE: Did you – can I just ask – did you cover everything? We did say, if you needed time at the end, because you had asked for extra time.

MS DAVIS: No, that’s fine. I’m happy

10

PROF O’KANE: Thank you.

MS RICHARDSON: If I could just indicate, the chair, Professor O’Kane, indicated at the beginning that there is various material that is currently on the Commission’s website under the link for this project, being notes of a meeting with the applicant and the department and other meetings that have been indicated. So that material is available on the website. And, as Professor O’Kane indicated, anyone can make submissions about anything within the next seven days. So if people are interested to see what happened at those meetings, they can go online and see that material and make a submission, if they wish.

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And the other thing that’s made clear; there are public hearing guidelines, which are on the Commission’s website, under the link Policies, which set out general guidelines about the conduct of public hearings, and it includes the fact that, in certain circumstances, the Commission will accept written submissions or comments later than the one-week deadline – that’s one week till next Wednesday – after the hearing; and if the Commission proposes to accept late commissions – sorry – late submissions or comments, it will advertise the opportunity and the revised deadline on the website in relation to that project; so it’s important to keep an eye on that part of the website in relation to this project, because it could contain notifications. Thank you.

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30

PROF O’KANE: Thank you. And can I thank all of you for coming and for your – for speaking, and the various documents you’ve provided to us, and the thoughts and the work you’ve put into it. As you know, for those of you who’ve been to our predecessor body, PAC, hearings before, and early hearings of the IPC, we’re trialling new processes that follow the changes to the legislation that we’re governed by. And so, as we point out in the hearing guidelines, we’re always grateful to receive feedback on processes as well as on the material at hand. So we would be grateful; and they can be, again, emails to the Commission, or speaking to Rob and David who are here. And we look forward to seeing you at various other things. Thank you again.

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45 **MATTER ADJOURNED at 2.40 pm INDEFINITELY**