

Let me tell you about our neighbours, bad neighbours. Gavin Workman

The Preliminary Works Project PWP approval at Russell Vale RV allows an 80,000 ROM coal stockpile. But one line in a 1000 page Environmental Assessment EA document gives them the right (according to DoPE) to also have a high ash coal stockpile. There is no other mention of the stockpile in the EA or any supporting documents. The stockpile is 120,000 tonnes (figure given by a former employee at the mine to the Mercury). This figure is not confirmed or denied by the company when asked at the CCC. So now we have 200,000 tonnes of coal stockpiled on a site with an approval of 80,000 tonnes.

But wait there's more. Next door on an adjoining site is the 2.2 million tonne waste emplacement area. This site is not even included under this approval. It's covered by some dodgy approval by Wollongong City Council in 1990. On top of this waste disposal area Wollongong Coal have stockpile 200,000 tonnes of coal that they intend to process at a later date. Now Wollongong Coal didn't deny the quantity of the coal at the CCC meeting, they just banged on about the terminology of the material. They won't say how or when it will be processed.

So my neighbour has 400,000 tonnes of coal stockpiled on its sites when they actually have an approval for 80,000 tonnes. And this is OK by DoPE, the compliance authority. If we extrapolate these figures, that is 5 times the quantity approved. If WC are approved a 360,000 tonne stockpile does that mean they can stockpile 1.8 million tonnes. Who know what DoPE will allow?

I ask, what is the good of conditions if they are not policed?

Let's just stay with the 360,000 tonne proposed ROM stockpile. At WC's Wongawilli mine they have a ROM stockpile 12m high. The height is kept low to reduce wind erosion. This mine site is in a rural area. Here next door to me they propose a stockpile 33m high (that is an 11 storey building). Situated only 200m from a dense residential area. Doesn't the wind erode the stockpile here? When the southerlies rip through the area I can hear the clay tiles on my roof rattle. The orientation of the proposed stockpile is perpendicular to the southerlies, almost like they are designing worst case scenario. WC's consultant documents show that this mine site has the potential to generate 670 tonnes of dust a year (and that doesn't even factor in the magically appearing 320,000 tonnes of additional stockpile.)

WC will not even consider planting windbreaks on site to reduce wind speed, probably because it was suggested by the community and the site because the site is so small and congested.

If we go back to the emplacement area, this is the waste component of the mine. This vital component is not even included in the planning application. It is like they are throwing their waste over the fence. And guess what, the land that they are dumping their waste on is Council owned land, our land. And the Council receive no remuneration for an international mining company to dump polluting waste on this land. When I read about the financial benefits to the community, I can't see anything about the cost born by the community accommodate WC's waste. And this cost will continue forever with ongoing maintenance of this slag heap.

The emplacement area was only going to be used in the PWP.

In the UEP ROM coal was going to be extracted and exported as is with no processing so there was no use for the emplacement area. The EA states on page 21 "There is no intention to use this emplacement area as part of this project". I even have an email dated 09.04.2014 from DoPE stating "*WC has advised that it has no intention to use this emplacement area as part of the major project application*". Council letter 09.12.2010 says this about emplacement area "*This land was part of the previous waste emplacement area for the colliery activities and is not part of the lease area but under a separate development consent. This land is not*

available for further waste emplacement activities of any kind from colliery activities.” WC UEP EA says “There is no intention to use this emplacement area as part of this Project”. No wonder everyone is confused about what is going on with the emplacement area.

WC/GNRE has operated this mine since 2004. They promise so much and deliver so little. They are still loading off stockpiles with tractors into trucks that drive on unsealed roads. They haven't loaded one teaspoon of coal out of an invigorated crappy old noisy loading bin that they keep promising. Their solution for the noisy bin is to leave it half full. The bin is not even large enough now, how is that going to work? They keep promising a new larger truck loading facility but I would like to suggest that this will be like Bellambi Creek realignment, over four years on and nothing has been done. They are now proposing some dodgy solution utilising the existing pipes that flooded in the first place. This company is just smoke and mirrors, kind of like their finances.

My neighbour is struggling with financing and committing to their basic infrastructure requirements and is now going off on a tangent of installing a coal washery on site, a deshaling plant and increasing the mines tonnage to 6.4m tonnes a year. (Refer to WC's end of financial year report) No doubt these items will be implemented under modifications if this UEP is approved. This company is the master of the modification and gaining approval by stealth. And for some reason this piecemeal application is ok or even encouraged by the DoPE.

If you look at this site from google earth you will notice that huge areas are exposed ground or stockpiles. The roads aren't sealed, the carpark isn't sealed and of course the truck routes through the stockpiles aren't sealed. When is WC going to actually do anything? If you look at their Statement of Commitments you will notice that there is no timing, it is just open ended, another thing that DoPE is OK with. Why doesn't the DoPE stand up for the community in regard to the impact on the surrounding residential area? Why do they continually take the miners' stance and bend over backwards for anything that want? We can't trust an authority like this to administer the approval. Regardless of what conditions are placed on an approval the DoPE will allow them to be watered down, replaced or removed completely. So not only is the planning approval system opaque but the administering of the conditions is also seriously flawed.

RESPONSE TO PLANNING ASSESSMENT COMMISSION REVIEW REPORT PART 1
COMMENTS FROM IRRM Gavin Workman
PAC Recommendation 5
SOCIO-ECONOMIC

The proponent's economic assessment, in particular the estimated costs and benefits, should be updated to reflect the current economic climate.

Gillespie's Economic Assessment was supposed to be an update to reflect the current climate. It failed on numerous levels:

- Coal prices were based on forecasted figures from August 2014 not actual or forecasted figure of today;
- Current coal prices I could find on the net today are \$42.17 thermal and \$85 met coal;
- Personnel numbers employed at the mine were based on figures from 2013;
- Both mines are in care and maintenance so current numbers cannot be used to justify their project as it now only employs 60, so only 60 jobs are at stack. WC has made it very clear

staff number will be drastically reduce from the figures previous used and that all the current workplace agreements will go and will be replaced with contractors;

- Figures and multipliers were taken from the Bulli Seams Operation documents produced by Gillespie and touted as if they were factual;
- The mining fraternity are well known for inflating these figures and that was why an independent consultant was requested, to give everybody realistic figures;
- there is no mention of mine rehabilitation costs even though they take into consideration the current land owned by WC as an asset. Are the bonds sufficient to rehabilitate this site?;
- capital equipment is mentioned even though the expensive items are manufactured overseas;

This whole socio-economic analysis is far more important and carries more weight under the new Mining SEPP therefore it should be more extensive and accurate.

The Gillespie's Economic Assessment naively states that if the impacts of the project are not greater than the \$23m royalty figure then it must have financial benefit. The \$23m should not be used as a contingency for failed evaluation of this mine but should remain intact for the people of NSW to build its infrastructure. The royalties should surely be above and beyond any environmental, social and cultural impacts.

The GHG impacts are stated as being only worth \$150,000 to the planet. This figure is based on extract of coal and its transport to PKCT. It does not include the transport to India, the processing of the coal or its final use. The PWP SOC stated that in 2015 WC would investigate capturing fugitive GHG emissions for the purpose of generating electricity. This commitment has never been done and has not been included in the UEP.

This report does not take into consideration any Government tax relief, subsidies, job sector packages etc. There is no allowance for the millions of dollars that are paid out by the Government to the mining industry.

This report does not take into consideration loss of amenity to local residents, loss in land value in the local area and its development potential and the health impacts created by this mine. The noise impacts are based on NEW criteria from a report that hasn't yet been approved but the noise is excessive when taken from the current approved reports. All the sound mitigation items have been systematically removed and the local community is left exposed to the excess noise. The health impacts from this mine have never been a concern in Government planning policy but given the proponents misleading documents (especially the PM2.5 estimates) the approving authority should require more substantial and independent analysis or health study. Also there is the huge potential impact of the carcinogenic fumes from diesel plant and transport trucks through the community.

Offsets will be provided if the ecology is impacted more than a negligible amount and this negligible amount has been determined by WC consultants. 11 upland swamps will be impacted by this development. There are no like for like offsets available so there will be a monetary offset. How and who will assess these vital and unique upland swamps? The impact and damage is not for the length of the project but for millennium. And what will the monetary offset be used for and who will decide?

PAC Recommendation 6

INDEPENDENT ECONOMIC ASSESSMENT

The final assessment and determination of the project should be informed by an independent analysis of the economic costs and benefits of the project, including any additional information/updated economic assessment provided by the Applicant. The independent analysis should be managed by the Department of Planning & Environment.

WC has ignored this recommendation and in their own arrogance has determined that it is not required.

WC would not consider an independent assessment because it would clearly indicate that this project does not stack up financial and has only detrimental benefit for the community. It would also be a document that WC could control to justify their own agenda.

We are deeply disappointed that DoPE did not manage this recommendation and manage an independent assessment, it is justification of their incompetence and bias towards the mining industry. This recommendation should still stand and an independent economic assessment should be provided.

PAC Recommendation 7

NOISE IMPACT CONSIDERATIONS

The Commission recommends that further consideration of the noise impacts of the project needs to be provided including consideration of further noise mitigation measures as recommended by the EPA. Detailed justification should be provided for any deviations from the existing noise limits in current planning approval. Also clarification should be provided on the outcomes and applicability of the noise audit required in the 2011 approval.

Hatch noise assessment bases acceptable noise levels on decibels above previous coal washery noise levels rather than above ambient residential noise levels. The Preliminary Works project noise levels were based on ambient residential noise. It was only after the production of the Hatch report that WC started talking industrial noise levels. This has not been considered or conveniently forgotten under recommendation 7.

The receivers in the report are located around the site boundary, they do not consider topography or noise transmitted over these receivers. There are mentions of the old locations and numbering system but there is no map showing them to be able to understand comparisons.

There is no mention in the report about exhaust fan harmonics/resonance (infrasound) or the method of measurement or excesses or remediation.

The noise report:

- allows for poly rollers on all conveyor belt but there are numerous areas where steel rollers are used;
- WC are still suggesting more tests rather than installing noise barriers around noisy equipment. Rather than think the time for more procrastinating is over.
- the existing truck loading bins are noisy and WC doesn't want to spend money on them so they intend to leave them partly full so the coal isn't dumped in to empty noisy bins.
- the dominant noise sources are the D11 dozer, the tripper, the stockpile, the sizer building and the loading bins. In WC's reports all of these sources have been systematically excluded from any noise mitigation by saying they don't create enough noise. This is a residential area and all noise reduction methods should be instigated, not just the items WC think are beneficial or what they can afford.

PAC Recommendation 8

PM2.5 EMISSIONS ASSESSED

The PM2.5 emissions from the proposal need to be assessed prior to any determination of the application.

WC currently monitors PM2.5 but do not make data available to the community. There is no requirement under their EPL to do this and EPA is so off side I can't see it ever happening. EPA does not have criteria for PM2.5. Map location of monitors illegible and receivers not indicated at all. For something as deadly as PM2.5 we need 24/7 monitoring in the residential areas. There should also be realtime monitoring along Bellambi Lane, even if other traffic use this road WC are still the cause of the dust generated. WC has previously promised to sweeping Bellambi Lane but they have to do it, this is what WC promises are worth.

Information in the report is all predicted based on ERM modelling from 2012. This data clearly shows the PM10 blanketing the residential areas of Russell Vale and Corrimal but the PM2.5 dust cloud Pacific Environment shows of the lighter particulates are only concentrated in or around the mine site. When you look at the cloud contour it doesn't follow the configuration of the proposed 360,000 tonne stockpile, it doesn't show the huge exhaust fan within the colliery site, it doesn't show the 120,000 tonne high potash coal stockpile and it doesn't show the huge colliery slag heap (politely labelled the emplacement area) that is the largest generator of dust at the site.

PAC Recommendation 9

MINIMIZE AIR EMISSIONS

Consideration of best practice standards needs to be provided to demonstrate that air emissions would be minimised and to justify the proposed increase in coal handling capacity.

The PAE Holmes report was the biggest eye opener produced to date of the far reaching effects of this mine. The colliery site (including slag heap) has the potential to produce over 600 tonnes of dust annually. One of the recommendations is to reduce stockpile erosion by the use of windbreaks, WC just flatly refuse to use wind breaks.

The only option that WC will instigate is water suppression, they will trial wetting agents (operated for 11 years at this site and they are willing to trial something) and of course they will pave their haul roads. These options have been bandied around since day one. All of these methods should have been trial and instigated prior to any coal being extracted.

PAC Recommendation 10

MONITORING SYSTEM TO INCLUDE PM2.5

The mine's existing monitoring and reporting systems should be strengthened to clearly demonstrate compliance with current conditions, environmental standards and reporting goals (i.e. for PM2.5 emissions).

WC has been monitoring PM2.5 since 2013 but no data has been made available to the community, even upon requests via the CCC. It is bizarre that the EPA does not have criteria for PM2.5. The particulate monitors should be located in the residential area rather than in the mine site. The monitoring is to protect the residents rather than showing what is happening on the colliery site. There should also be warning system built, so when concentrations get to a certain level the mine operation is closed down. This realtime monitoring is only used as data to support or confirm a past event but doesn't dealing with actual suppression of dust right at this moment.

PAC Recommendation 11

BELLAMBI CREEK REALIGNMENT

Any new approval should retain the existing requirement to realign Bellambi Creek or a full justification why this is no longer necessary to provide protection to the creek downstream from the pit top surface area.

This is the penultimate issue of this mine. A condition requiring GNRE/WC to safeguard the creek from flooding was included in the PWP. The condition has never been met and the only reason given is that they cannot afford it (the coal has been extracted but they cannot afford it). It is still one of the points in their argument, that it is more cost effective for them to retain the culvert. Financial concerns are still driving the decisions at this mine and the option for this requirement.

The realignment was required to be completed 13.10.12, it is now three years overdue and there is still discussion about what scheme will be built.

Under the latest scheme the flood water will still enter the stockpile area but will be detained by raising the roads around the stockpile, like a big detention basin. This latest proposal is designed for a 100 year flood frequency but once the water is detained there is no detail on how the water will be treated. This will mean the dirty contaminated water will be dumped down Bellambi Creek. (WC's existing settlement pond on site is not maintained and in a heavy rain event scours the sediment from the bottom and flushes it down Bellambi Creek. The EPA has told us that they are perplexed about the use and design of this pond but want to do anything about it or monitor the outflows into the creeks. WC and the EPA have a history of doing the bare minimum and polluting our creeks and riparian zones.)

The proposed new scheme is only partially completed after all this time and WC will undertake further detailed design about how or if the water will be treated.

Culvert and pipes are prone to blockages, that is why Wollongong City Council have blockage policies, but an open channel is foolproof and it also creates a simulated riparian zone allowing a corridor between the escarpment and the sea.

Why isn't this PWP condition completed. Still the only reason given for its delay is money. The report conclusion sums up the inadequacies of this project perfectly: *Although Approach 1 provides full protection of the creek downstream of the pit top surface area, the option to divert the clean water around the stockpile area was considered impractical by Wollongong Coal Limited in terms of operational and cost efficiencies.* The site is too small and congested to operate a mine of this size without impacting on the surroundings and the financial aspect again. If they don't have the money or the space to operate this mine it should not be here. It is imperative that we protect the creeks and the residents in the area. For too long this company has had disregard to both with the help of DoPE and the EPA.

It should be completed and operating prior to any extraction of coal under any future approval.

PAC Recommendation 12

CONTRIBUTION FOR BELLAMBI LANE DETERIORATION

The proponent should negotiate with Council and Roads & Maritime Services regarding maintenance contributions to mitigate impacts from the increase in truck movements along the haulage route.

The UEP will create 172,000 truck movements on Bellambi Lane per year. A B double truck will wear the road the equivalent of 22,000 cars. This will mean the road surface will deteriorate excessively with the UEP. WC is directly responsible for this excessive wear and should directly bear the cost. The amount of contribution should be resolved prior to any approval of the UEP. WC has only just commenced consultation with Wollongong Council. WC is the masters of procrastination and will draw this negotiation out for as long as possible.

PAC Recommendation 13

TRUCKING TIME CONSIDERATIONS

Consideration should be given to further limiting the hours of truck movements.

WC has ignored this recommendation and in their own arrogance has determined that the trucks will operate at the times negotiated. There are no options here therefore WC have not made any attempt to consider this recommendation, they have simply thumbed their nose at the community and the PAC.

Residents of Bellambi Lane have noticed and documented truck movements along the street and have found that there is a greater concentration of trucks after six o'clock than during the

7am to 6pm period. They have also noticed that after 6pm the trucks tend to be older and not as well maintained.

WC did not even consider increase in truck size or increase in truck fleet numbers during the 7am to 6pm period, it appears they don't have the ability (both managerial and financial) to have alternatives.

PAC Recommendation 14

NOISE REDUCTION BELLAMBI LANE

Proponent should investigate and cost a number of options to reduce the noise impacts to the most effected residents along Bellambi Lane, particularly those near the intersections with the Princes Highway and the Northern Distributor. Options to be considered by the proponent, should include, but not be limited to:

a. construction of a coal truck parking area (for trucks to wait prior to the commencement of haulage hours) within the mine boundary;

b. construction of a noise barrier near the intersections of Bellambi Lane/Princes Highway and Bellambi Lane/Northern Distributor; and

c. use of pavement modifications along Bellambi Lane to reduce truck/trailer banging.

a. Trucks enter the site about 6am and sit idling until they loaded at 7am. There has been discussion at the CCC about this and the community don't want this to escalate with an increase in trucking. The truck park area should have sound wall around it or no trucks should be allowed to enter the site until after 7am.

b. I believe this recommendation came out of the noise created by trucks braking at the lights and accelerating away from them. This situation will only get worse when the truck number increase dramatically if there is an approval for 3mt. It has been demonstrated that there will be 172,000 truck movements per year if this approval is granted, this will mean that WC and the approving authority need to find another method of getting coal off of this site without destroying a neighbourhood or peoples lives.

c. The UEP will create 172,000 truck movements on Bellambi Lane per year. A B double truck will wear the road the equivalent of 22,000 cars. This will mean the road surface will deteriorate excessively with the UEP. WC is directly responsible for this excessive wear and should directly bear the cost. The amount of contribution should be resolved prior to any approval of the UEP.

The recommendation states 3 items to be investigated but clarifies it by "shall include, but not limited to". There are numerous other noise generators and suppression in regard to coal transport that hasn't been touched on in the recommendation. WC are no even trying to reduce the noise and the impact on the community.

PAC Recommendation 15

ADDITIONAL COAL VOLUME + INFRASTRUCTURE

No increase in the currently approved maximum rate of extraction should be approved without clear demonstration that facilities can handle the additional volume without unacceptable impacts for local residents.

The infrastructure for the whole pit top should be completed, tested and functioning prior to the extraction of any coal under the UEP. GNRE/WC has operated this mine since 2004 and they are still loading coal off the stockpile with tractors. With each new application they keep promising more but nothing is ever finished or completed and finance is usually the reason. The assessment that was undertaken by Hatch assessed the completed UEP pit top equipment, most of this infrastructure will not be completed for 4 years (time frames are stated in WC EA). The assessment should be done on a staged basis as each completed piece of infrastructure is finished.

The infrastructure promised under the PWP and its modifications has still not been completed and they are still loading off the stockpile with tractors on unsealed roads. If this application is approved they will be continuing this process with 3mt per year. Given WC's record, the entire infrastructure for the whole pit top should be completed, tested and functioning prior to the extraction of any coal under the UEP. This company simply cannot be trusted.

The Hatch report does not account for PM2.5 particulate matter and relies on an air quality assessment done in 2012. It should be noted here that no air quality assessment has included the high potash coal stockpile that have suddenly appear on the site. At present this additional high potash coal stockpile is 120,000 tonnes above the approved 80,000 tonne active coal stockpile.

The noise assessments and monitoring on site have indicated unacceptable noise exceedances that are generated by the conveyors and stockpile. These items operate 24/7 and the current stockpile only accounts for 22% of the proposed stockpile. The proposed stockpile is also going the creep further east into the residential area. If the current stockpile has problems, the proposed will have massive impacts.

Why do they need to increase allowable extraction volume, they are only extracting 4.5mt over 5 years, that is less than 1mt per year. The extraction program in WC's EA states that the extraction rate of 1mt will not be exceeded in any single year, therefore why is this even being considered. Even WC Response to PAC Review Report part 1 states that there will be an average annual production of 934,000 tonnes.

ADDITIONAL COMMENTS

Following is a summary of additional commitments which WCL commits to from the additional work undertaken for this report: WC commitments mean nothing unless they have a time frame and they are regulated. Previous commitments made by WC have slipped and disappeared.

•Implement the following noise mitigation measures:

oFitting surface conveyors with poly rollers wherever possible; Wherever possible is a green light to do nothing. It is the covered conveyor scenario all over again.

oMaintain a volume of coal in bins at all times to minimise noise; How do they intend to ensure this happens. It is easy to say but it is entirely dependent on coal in to coal out. Are WC going to have someone there monitoring it all the time trucks are loading? Details required.

oUndertake a trial to determine the efficiency of tripper automation to reduce noise produced by falling material; Why are they still trialling operations, they have operated since 2004. If there is a problem with the tripper fix it prior to approval, don't allow WC to default on yet another promise.

oUndertake real time noise monitoring to confirm the need for noise barriers; If there is a problem with the noise barriers fix them prior to approval, don't allow WC to default on yet another promise.

•Implement the following dust mitigation measures:

oTrial the use of chemical wetting agents on haul road and stockpiles, and report the results of the trial in the Annual Review; Why are they still trialling operations they have operated since 2004 and recently trialled wetting agents on the slag heap.

oSealing of the proposed haul road; and GNRE/WC have been promising this from day one, 11 years on they are still just proposing it. All roads on site should be sealed prior to any coal extraction under UEP.

oInclude PM2.5 monitoring results in regular monitoring reports. This should be covered in their EPL and made available to the community. There should also be PM2.5 monitoring in the residential areas not just on the mine site.

•Undertake detailed design of the dry sediment dam to ensure that there is sufficient treatment capacity; and This is very vague, in which area of the site, what flood frequency, sufficient treatment capacity for what?

•Consult with WCC regarding WCL's contribution to the maintenance of Bellambi Lane. These negotiations should have been completed prior to the second PAC review and not merely a commitment to consult. A consultation does do not mean a resolution or contribution.

A revised Statement of Commitments will be included in full in Part 2 of the Response to the PAC Review Report

