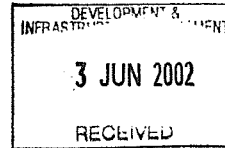




U909

31 May 2002



Mr Chris Wilson
Development and Infrastructure Assessment
Level 4, 20 Lee Street
Sydney NSW 2000

Dear Sir

Ashton Coal Mine Project/Whole of Government Meeting Held at Singleton 7 May 2002

One of the outcomes of the whole of government meeting held at the DMR offices at Singleton on 7 May 2002 was that the Department of Land and Water Conservation (DLWC) would provide to White Mining Limited and their consultants detailed information in relation to a tree planting off-set programme in relation to creek diversion and groundwater matters. The information was to be provided by Thursday, 23 May 2002. At the time of compiling this correspondence the proponent is still awaiting the sought after information. It is extremely disappointing that once again established timeframes have not been adhered to in relation to the above water issues.

As the consent authority for the project could you please insist that the information is provided to White Mining Limited forthwith and we have assumed that the processing of the application by all parties is still continuing.

Your urgent response is sought.

Yours faithfully
HLA-Envirosciences Pty Limited

Alan Wells
Regional Manager

Encl.

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MATTHEW A,
COULD YOU PLEASE CHASE
DLWC FOR TREE PLANTING ADVICE.
ALSO CONSIDER HLA RESPONSE TO
SUBMISSIONS. THANKS

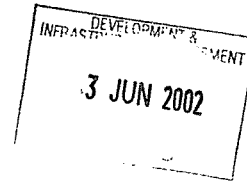
CHRIS W.

3/5/02



U909

31 May 2002



Mr Chris Wilson and Mr Matthew Andrews
Development and Infrastructure Assessment
Level 4, 20 Lee Street
Sydney NSW 2000

Dear Sirs

Ashton Coal Mine Project

Further to your correspondence dated 18 February 2002 please find attached responses to private submissions, special interest groups and business groups in relation the Ashton Coal Mine Project.

Our understanding in relation to submissions made by government agencies is that outstanding matters have been resolved following recent whole of government meetings facilitated by PlanningNSW.

Yours faithfully
HLA-Envirosciences Pty Limited

Alan Wells
Regional Manager

Encl.

U909 Planning NSW Let 31-5-02.doc/AKW:od

**RESPONSES TO SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
1	NA	NA	NA	NA	NA	Yes	Object	<p>(a) Objection to the visual, dust, noise and vibration impacts of the proposed development to their property.</p> <p>(b) Concern over land devaluation.</p> <p>(c) Concern over siltation of tank water due to dust deposition, and associated increase cost for filters.</p> <p>(d) Request for Commission of Inquiry.</p> <p>(e) Frustration at the encirclement of the Camberwell community by mine sites and the associated cumulative impacts to lifestyle and health.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 1

GENERAL:

The identity of the person(s) making the submission has not been disclosed and for obvious reason we have no knowledge of their particular property or its location. In relation to each of the issues referred to us, the following responses are provided:

- (a) The EIS and supporting documentation and information clearly demonstrates the development has adequate environmental safeguards proposed to mitigate against any visual, dust, noise and vibration impacts.

Visuals:

Environmental bunds will be constructed to screen the emplacement areas (eastern and western) from the view of Camberwell residents and northbound highway motorists. The construction of environmental bunds along both sides of the New England Highway will restrict views to the surface structures, open cut and western emplacement. The proponent will re-vegetate the environmental bunds, emplacement areas and creek realignment with indigenous tree, shrub and grass species in accordance with best practice land rehabilitation. Land rehabilitation will be monitored and undertaken on a progressive basis during the life of the Project.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

Non-reflective building materials will be used in the construction of the surface facilities to ensure harmony between the built and natural environments. Night time lighting will be positioned to minimise any impact upon the village of Camberwell and motorists travelling the New England Highway or Glennies Creek Road. Should any floodlights be required they will be shielded and not directed towards public areas and/or private dwellings.

Dust:

Air quality modelling shows that with special precautions, the Ashton Coal Mine Project will be able to maintain air quality within Camberwell village at acceptable levels. The proponent, in conjunction with Holmes Air Sciences, have developed a comprehensive dust management system that incorporates best practice planning controls, best practice engineering controls and best practice controls over the management of the operation to ensure dust emissions are minimised.

The EIS within Appendix F, Volume 2 in conjunction with supplementary information dated 28 February 2002, clearly demonstrates the proponent's commitment to minimising dust emissions by:

- The adoption of reduced hours of operation to ensure that emissions do not occur during the period whilst the nocturnal drainage effect results in north westerly winds;
- The construction of large earth berms and tree plantings to screen the operations from the village within 6 months of commencement;
- The completion of all external overburden emplacement areas within 2 years of commencement and their complete rehabilitation within 4 years;
- The containment of the active mine area to less than 30 hectares;
- Locating all coal handling infrastructure as far as practicable from the village;
- Placing the raw coal storage area in an excavated slot to provide maximum wind protection;
- Ensuring that the mine layout minimises the potential for wind erosion;
- The use of water carts to keep trafficked areas in a damp condition;
- The use of fixed water sprays on all stockpiles;
- The partial enclosure of conveyers, the coal dump hopper and the use of water sprays at the dump hopper;
- Regular grading of roads to ensure that loose dust generating surface material is kept to the lowest practicable level;
- The implementation of speed limits on mine roads;

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

- The use of dust suppression on haul roads;
- The clear marking of roads to minimise trafficked areas and to ensure that traffic is kept to watered areas;
- Drills being fitted with dust control equipment;
- The use of coarse material to stem blasts;
- The use of haul trucks and other earthmoving equipment with upwardly directed exhausts to minimise the generation of dust by exhaust emissions;
- Maintenance programmes to ensure that diesel equipment is maintained properly so that it does not generate excessive black smoke;
- The operation of the mine to ensure that exposed areas susceptible to wind erosion are minimised;
- The use of dust inhibiting agents on long term storage areas;
- Meteorological conditions will be assessed and blasting will only take place when the conditions indicate that blasting emissions can be adequately controlled;
- Out of pit dumping will cease when the 10 minute average wind speeds are greater than 10m/sec;
- Should the running average of the preceding 24 hour PM10 exceed 50ug/m³, suspension of all out-of-pit overburden operations. In-pit alternate dumps will be utilised if available; and
- If the running average of the preceding 24 hour PM10 exceed 150ug/m³, all dust generating operations will be suspended.

In addition to the above best practice controls, the proponent under its community consultation process has offered landowners within Camberwell village the option to enter into market value contracts for the purchase of properties. These binding contracts are triggered by the grant of the mine lease between the proponent and the landowner in return for not objecting to the project.

Noise: Acoustical modelling contained in the EIS within Appendix G, Volume 2 states that some noise impacts are likely to occur during construction, operational phases and under adverse climatic conditions. Measures identified to avoid noise exceedances are listed below:

- Dumping of overburden at low level (<RL 115) on the eastern end of the eastern emplacement will not occur when the wind speed is in the range 1-3m/sec and the direction of wind origin lies in the quadrant between west and north. An alternative of this option is to select mobile plant with sound power levels not exceeding 114dB(A);

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- If the sound power level of mobile plant is greater than 114dB(A), dumping of overburden at high level (>RL115) on the eastern emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of the wind origin lies in the sector between west and northwest. High level dumping should not occur during inversions;
 - Dumping of overburden at low level (<RL100) on the western emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of wind origin lies in the sector between southwest and north;
 - Dumping of overburden at high level (>RL100) on the western emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of wind origin lies in the sector between southwest and north. High level dumping should not occur during inversions;
 - Trucks with a low level of sound emission will be acquired and maintained in good order;
 - Primary and secondary crushers will be selected or modified so that their individual sound power output does not exceed specified levels;
 - The use of conventional reversing beepers should be avoided on the east emplacement when the wind speed is in the range 0.5-3/sec and the wind origin lies in the sector between west and north;
 - The installation and operation of a weather station to measure wind speed, wind direction and potential for temperature inversions; and
 - Noise compliance monitoring for the construction and open cut phases of the project be fully manned and conducted on a monthly basis for the first 12 months of the Project.
- The acoustical assessment contained in the EIS has shown that the Ashton Coal Mine Project can achieve the Environment Protection Authority's (EPA) noise criteria if the above recommendations are implemented.

Vibration /

Blasting:

The Ashton Coal Mine Project has been designed to better the Australian and New Zealand Environment and Conservation Council's (ANZECC) annoyance criteria for both ground vibration and air blast overpressure in relation to blasting (refer to the EIS within Appendix G, Volume 2) for dwellings. A vibration limit of 20mm/sec applies to the 4 drainage culverts located along the Main Northern Railway.

St Clements Anglican Church is an item of environmental heritage of local significance. Blasts have been designed so that the maximum ground velocity levels at St Clements Anglican Church do not exceed 2mm/sec. By limiting the design criteria to 2mm/sec at St Clements Anglican Church ensures that the residences within Camberwell village will not exceed the ANZECC criteria.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

The proponent and St Clements Anglican Church Trustees have agreed that a blast monitor (preceded by structural building assessment) be established and operated in the Church grounds to monitor blasts associated with the Ashton Coal Mine Project.

Blasting operations associated with the project will fall within the adopted criteria.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

- (B) **LAND DEVALUATION:**
There is no evidence to suggest that land in the general vicinity of the Ashton Coal Mine Project will be devalued if the development proceeds. Land values reflect the quality and attributes associated with a particular parcel of land together with lawful usage, structures, improvements and maintenance made by the owner(s). If the project did operate in accordance with conditions of consent, residents could avail themselves to the "safety net land acquisition" clause. Under the safety net land acquisition clause the proponent, at the request of a landowner, could acquire an impacted property at not less than current market value.
Current market value is determined by comparing like properties and property sales in the locality and usually as if the mine was not there. Once again, it is difficult to envisage the Ashton Coal Mine Project causing land to devalue.
- (C) **DUST DEPOSITION IN TANK WATER AND COST OF FILTERS**
The Ashton Coal Mine Project is not expected to exceed the EPA's air quality criteria. White Mining Limited representatives, in addressing a meeting held in the Camberwell Hall on 15 August 2001, "stated" that the company was "prepared to fit a device that directs the initial roof water run-off away from the main tank water storage system and only allows water to flow into the tank after the "first flush". A suitable filtering system can also be provided".
The proponent is prepared to honour its commitment in relation to those residents located within the village of Camberwell and north of the highway for the installation of the above system for the life of the open cut.
- (D) **COMMISSION OF INQUIRY**
The Ashton Coal Mine Project has been designed and will operate to achieve the environmental outcomes and numerous statutory requirements detailed in the EIS. The project is relatively small compared to other coal mining developments in the Hunter Valley.
All of the environmental and socio-economic aspects associated with the Ashton Coal Mine Project are well understood.
The safeguards proposed will mitigate any identified potential impact upon the environment. There is no public benefit to be derived from holding a Commission of Inquiry.
- (E) **ENCIRCLEMENT OF THE CAMBERWELL COMMUNITY – CUMULATIVE IMPACT**
Land use in and around the village of Camberwell is controlled by the Environmental Planning and Assessment Act 1979 (as amended) (the Act) in conjunction with numerous State environmental planning policies, regional environmental plans and local environmental planning instruments.
The EIS for the Ashton Coal Mine Project undertook an assessment of cumulative impacts and concluded that provided specific controls were adopted in relation to air, noise, blasting, water and visuals the Project could proceed without adverse impact to the environment or human health.
The Ashton Coal Mine Project is justified on the basis of its strong economic and social benefits to the upper Hunter Valley and beyond, and the proposed "state of the art" environmental management practices which will ensure the Camberwell community's lifestyle and health are maintained.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
2	Mr	Gregory	Hall	PO Box 670	Singleton NSW 2330		Object	<p>(a) Objection to the increase in noise, dust and blasting impacts, as well as night lighting and subsidence from the proposed mine on his property.</p> <p>(b) Concern over the cumulative impacts of the proposed development, especially in regards to respiratory health, contamination of waterways and related stress.</p> <p>(c) Concern over land devaluation.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 2

- (a) The proponent understands that Mr G Hall is the owner of land described as Lot 1, DP864142 New England Highway, Camberwell. The property is situated approximately 1.5 kilometres south-east of the village and is shown within the EIS documentation in Figures 1.2, 3.13 of Volume 3.
- The property is some 2.5 kilometres distant from the Ashton Open cut, eastern emplacement, western emplacement and longwall panel 1 and will not be impacted by dust, noise, blasting, subsidence or lighting associated with the project in terms of statutory amenity criteria. The Hall property, due to its distance from the Project, will not be impacted.
- (b) Air quality in the Camberwell village area is currently within acceptable levels. An assessment of cumulative impacts within the EIS concluded that provided specific controls were adopted in relation to air, noise, blasting, water and visuals the project could proceed without adverse impacts to the environment or human health.
- The Hall property has frontage to Glennies Creek. The Ashton Coal Mine Project will not impact upon the water quality of Glennies Creek nor place it under stress. The Ashton Coal Mine Project should result in betterment to the water quality of Glennies and Bowmans Creeks and the Hunter River.
- (c) The property is distant from the Ashton Coal Mine Project and will not be impacted. There is no evidence to suggest that land in the general vicinity of the Ashton Coal Mine Project will be devalued if the development proceeds. Refer to Response (b) - Private Submission No. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
3		Cragg Braye & Thornton Solicitors	(representing Mr and Mrs C Lane of Camberwell)	3 Hunter Street	Singleton NSW 2330	Yes	Object	<p>(a) Concern over increased dust deposition in the Camberwell village and at the Lane property, especially in regards to health of their paraplegic son who suffers from asthma.</p> <p>(b) Objection to the increase in noise and blasting impacts from the proposed mine, to the Lane property.</p> <p>(c) Concern over cumulative impacts on the Lane property and Camberwell village, especially in regards to lifestyle, amenity and land value.</p> <p>(d) Concern over the impact of water quality of Bowmans and Glennies Creek, which the Lane's draw water for irrigation.</p> <p>(e) Request for Commission of Inquiry.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 3

GENERAL:

It is noted that the Lane's property and White Mining Limited on 11 April 2002, entered into an agreement for the voluntary purchase of the property. The purchase is conditional upon the withdrawal of the submission by way of objection to the Project and granting of mine lease.

- (a) The Lane property, known as Lot 3, DP264089 is located south of Camberwell village. The specialist air quality assessment report prepared by Holmes Air Sciences clearly demonstrates that the Lane property will not experience dust levels above the EPA's amenity criteria. Provided specific controls (refer to Response (a) - Private Submission no. 1) are adopted in relation to air quality the project can proceed without adverse impact to the environment or human health.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

- (b) The Lane property will not experience noise or ground vibration levels over the EPA's environmental amenity criteria given the specific controls and proposed "state of the art" environmental management practices recommended for the project in terms of noise and blasting (refer to Response (a) - Private Submission no. 1).
- (c) Please refer to Responses (b) and (e) – Private Submission no. 1 dealing with cumulative impacts and land values. The Lane's lifestyle and amenity will not be adversely impacted by the development proceeding.
- (d) Glennies Creek will not be adversely impacted by the Ashton Coal Mine Project. Agriculturally, the Ashton property will be re-invigorated. Poor agricultural practices of allowing stock direct access to major water bodies such as Glennies Creek will be prevented by the erection of new fencing whilst degraded areas exhibiting scaring and soil erosion will be repaired which will result in better quality run-off.
- The Ashton property will be subjected to major tree planting initiatives consistent with an approved Land Management Plan. The Land Management Plan will provide for grazing, cropping, habitat and riparian corridor plantings. It is our opinion that these improvements to "Ashton" will result in better water quality of Glennies Creek, Bowmans Creek and the Hunter River. The project will not prevent the Lanes drawing water for irrigation.
- (e) Please refer to Response (d) - Private Submission no. 1.
- (f) See comment above under the heading "general" above and Response (d) – Private Submission no. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
4	Mr	Alan	Noble	Glennies Creek	Camberwell NSW 2330	Yes	Object	<p>(a) Criticism of lack of availability of EIS and timing of the EIS review period within the festive season.</p> <p>(b) Objection to the dust, blasting and noise impacts to this property.</p> <p>(c) Concern over subsidence impacts on groundwater in particular to any impacts this will have on his fresh water springs.</p> <p>(d) Concern over land devaluation.</p> <p>(e) Concern over the cumulative impacts of the proposal to his property.</p> <p>(f) Request for Commission of Inquiry.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 4

GENERAL:

The Noble property is located 2.5 kilometres north-east of the Ashton Coal Mine Project on Glennies Creek Road. The Noble property is within the zone of affectation for the Glendell Coal Mine Project and has been identified for acquisition within the consent.

- (a) PlanningNSW extended the period of public exhibition associated with the Development Application and accompanying EIS so as to afford members of the public additional time to make submissions.
- (b) The Noble property will not be impacted by dust associated with the Ashton Coal Mine Project.
- (c) The Ashton Coal Mine Project will not impact upon Mr Noble's use of underground "fresh water springs".
- (d) The Ashton Coal Mine Project will not exceed the EPA's environmental noise criteria and, therefore, will not impact the Noble property or diminish its value. Please refer to Responses (a) and (b) - Private Submission no. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

- (e) Please refer to Responses (a) and (e) – Private Submission no. 1 for cumulative impact.
- (f) Please refer to Response (d) - Private Submission no. 1 for Commission of Inquiry.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
5	Mr Miss	Phillip Casey	Holz Ball	Lot 1 Lethbridge St	Camberwell NSW 2330	Yes	Object	<p>(a) Criticism of lack of availability of EIS and request for extension of time for review of the EIS.</p> <p>(b) Objection to the dust, blasting and noise impacts on the Camberwell community.</p> <p>(c) Objection to impact of Glennies Creek and diversion of Bowmans Creek due to their usage of this water as a source of drinking water in dry times and as house and yard water.</p> <p>(d) Concern over the impacts of the increase in trains for coal haulage, in particular the increased traffic hazard at existing rail crossings.</p> <p>(e) Frustration at the encirclement of the Camberwell community by mine sites. Concern regarding the cumulative impacts to buildings, livestock, lifestyle and medical conditions.</p> <p>(f) Concern over land devaluation and the impacts of subsidence in regards to land usage and property damage.</p> <p>(g) Request for Commission of Inquiry.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 5

GENERAL:

The proponent understands that Mr Phillip Holz sought and obtained development consent for a hardwood furniture workshop on Lot 1, Lethbridge Street, Camberwell. The workshop may give rise to dust, noise and generate additional traffic movements with the making of hardwood furniture. We trust that appropriate environmental safeguards are in place to mitigate any adverse impacts associated with the development. A land option has been offered to P Holz and C Ball. The proponent is awaiting a response.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

- (a) PlanningNSW extended the period of public exhibition associated with the Development Application and accompanying EIS so as to afford members of the public additional time to make submissions.
- (b) Please refer to Response (a) – Private Submission no. 1 for dust, blasting and noise.
- (c) Please refer to Response (d) – Private Submission no. 3 in relation to Glennies Creek. There is no State policy which prohibits the realignment of streams provided the objectives of the Water Management Act 2000 and Fisheries Management Act 1994 are achieved. The EIS and supporting documentation has been intensively analysed by various government agencies and found to be environmentally sound. Although a section of Bowmans Creek is to be realigned, there are significant environmental, ecological and socio-economic benefits that will occur. A blanket prohibition upon stream diversions or realignments would have major consequences for development and infrastructure projects generally across the State. Environmentally engineered solutions which benefit the environment and community as a whole in both the long and short term is the approach taken by White Mining Limited for the Ashton Coal Mine Project.
- (d) The issue of Glennies Creek rail crossing has been considered by State Rail and Singleton Shire Council. These authorities have formed the view that safety has not been compromised.
- (e) Please refer to Responses (a), (b) and (e) - Private Submission no. 1. The EIS documentation contains specialist reports that deal specifically with the issues of subsidence, groundwater, soils, flora, fauna, aquatic-ecological and water management associated with the project. The subsided area will continue to be utilised for the grazing of livestock, cultivation of lucerne crops and provide habitat for terrestrial fauna, avifauna, water bird and fish. The objector's lifestyles and health will not be impacted. This property draws water from Glennies Creek not Bowmans Creek.
- (f) The objector's property will not be impacted by subsidence.
- (g) Please refer to Response (d) – Private Submission no. 1 for Commission of Inquiry.

Note:

The above Responses (a) to (g) are provided as per PlanningNSW correspondence dated 18 February 2002 in respect to 7 bullet points identified in the issues raised column. Please note we have reviewed the objector's correspondence and provide additional responses as an error appears to have been made in identification of issues.

- (a) PlanningNSW extended the period of public exhibition associated with the Development Application and accompanying EIS so as to afford members of the public additional time to make submissions.
- (b) Please refer to Response (a) – Private Submission no. 1 for dust.
- (c) Please refer to Response (a) – Private Submission no. 1 for noise.
- (d) Please refer to Response (a) – Private Submission no. 1 for vibration.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

- (e) Please refer to Response (b) – Private Submission no. 1 for land devaluation.
- (f) The EIS documentation contains specialist reports that deal specifically with the issues of subsidence, groundwater, soils, flora, fauna, aquatic-ecological and water management associated with the project. The subsidised area will continue to be utilised for the grazing of livestock, cultivation of lucerne crops and provide habitat for terrestrial fauna, avifauna, water bird and fish. This property draws water from Glennies Creek not Bowmans Creek.
- (g) The issue of Glennies Creek rail crossing has been considered by State Rail and Singleton Shire Council. These authorities have formed the view that safety has not been compromised.
- (h) Please refer to Responses (a), (b) and (c) – Private Submission no. 1.
- (i) The Ashton Coal Mine Project will not adversely impact upon Glennies Creek.
- (j) Please refer to Response (e) – Private Submission no. 1 for cumulative affect.
- (k) Please refer to Response (d) – Private Submission no. 1 for Commission of Inquiry.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
6	Mr	Trevor	Burgess	PO Box 559	Singleton NSW 2330		Object	(a) Objection to dust, subsidence, water usage and noise impacts to their property from the proposed mine. (b) Frustration at the encirclement of the Camberwell community by mine sites. Concern regarding the cumulative impacts of lifestyle and medical conditions.

RESPONSES TO PRIVATE SUBMISSION NO. 6

GENERAL:

Coal mining is a permissible land use in the area surrounding the Camberwell village, subject to the necessary approvals being obtained. The area is underlain by coal reserves and as such mining companies will endeavour to win the resource in an environmentally acceptable fashion whilst complying with the lands statutes. It is our view that mining will be part of the Camberwell district landscape for decades to come.

The Burgess property (No. 121) is shown on Figure 3.13 (Volume 3) of the EIS documentation. The Burgess residence is located approximately 2-2.5 kilometres from the Ashton Open Cut, eastern emplacement, western emplacement and longwall panel 1. The Burgess residence is distant from the individual aspects of the project and no impacts are envisaged.

- (a) In relation to Mr Burgess' issues of dust, damage from blasting, water supply and noise, please refer to Response (a) - Private Submission no. 1.
- (b) Please refer to Response (e) – Private Submission no. 1. The objector's lifestyle and health will not be impacted.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
6	Mr	Trevor	Burgess	PO Box 559	Singleton NSW 2330		Object	(a) Objection to dust, subsidence, water usage and noise impacts to their property from the proposed mine. (b) Frustration at the encirclement of the Camberwell community by mine sites. Concern regarding the cumulative impacts of lifestyle and medical conditions.

RESPONSES TO PRIVATE SUBMISSION NO. 6

GENERAL:

Coal mining is a permissible land use in the area surrounding the Camberwell village, subject to the necessary approvals being obtained. The area is underlain by coal reserves and as such mining companies will endeavour to win the resource in an environmentally acceptable fashion whilst complying with the lands statutes. It is our view that mining will be part of the Camberwell district landscape for decades to come.

The Burgess property (No. 121) is shown on Figure 3.13 (Volume 3) of the EIS documentation. The Burgess residence is located approximately 2-2.5 kilometres from the Ashton Open Cut, eastern emplacement, western emplacement and longwall panel 1. The Burgess residence is distant from the individual aspects of the project and no impacts are envisaged.

- (a) In relation to Mr Burgess' issues of dust, damage from blasting, water supply and noise, please refer to Response (a) - Private Submission no. 1.
- (b) Please refer to Response (e) – Private Submission no. 1. The objector's lifestyle and health will not be impacted.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
7	Mr Mrs	RA and CH	Mell	Lot 3 Dyrriing Street	Camberwell NSW 2330		Object	(a) Objection to perceived additional dust and noise impacts on their property from the proposed mine.

RESPONSES TO PRIVATE SUBMISSION NO. 7

GENERAL:

It is noted that R and H Mell and White Mining Limited on 8 March 2002 entered into an agreement with the proponent for the voluntary purchase of the property. The purchase is conditional upon the withdrawal of the submission by way of objection to the project and the granting of the mine lease. It is noted the Mells' son has completed an employment registration form.

- (a) Having regard to the issues of dust and noise raised by R and H Mell in their submission, please refer to Response (a) - Private Submission no. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
8	Ms	Sandra	Turner	Glennie Street	Camberwell NSW 2330		Object	<p>(a) There have been numerous problems between Camberwell coal mine and Camberwell community. Relations between the two are stressed.</p> <p>(b) Concerned about increased dust and noise impacts.</p> <p>(c) Government doesn't care and mine doesn't care what the community thinks.</p> <p>(d) Property impacts due to blasting to Anglican Church which is significant to the area and over 100 years old</p> <p>(e) The community of Camberwell is proud of their village and is concerned about the impact on their lifestyles.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 8

GENERAL:

The proponent has offered a land option agreement to purchase the property at market value. Such purchase is conditional upon the withdrawal of the submission by way of objection to the project and granting of the mine lease. At this moment in time Ms S Turner wants to remain at the property.

- (a) We cannot comment on the relationship between the community and Camberwell mine.
- (b) Please refer to Response (a) - Private Submission no. 1 in relation to dust and noise.

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- (c) White Mining Limited in developing the Ashton Coal Mine Project has provided scope for input into the development through the community liaison process. The input of individuals and the Camberwell community in general has helped shape the design of the Project saving the proponent thousands of dollars and reducing environmental impacts.
- The proponent cares enough to offer local Camberwell residents job opportunities and acquisition of properties unlinked to impacts which differentiates it from other mining companies. The various government agencies care, these agencies are vested with ensuring that the well being of the community, individuals and environment is maintained.
- (d) St Clements Anglican Church was identified in the EIS (Volume 1) as an item of environmental heritage of local significance.
- Blasts were designed by White Mining Limited so that maximum ground vibration velocity levels at the church do not exceed 2mm/sec – refer to Section 5.8.2 of Volume 1 of the EIS.
- By limiting the blast design criteria to only 2mm/sec at the church ensures the residences within Camberwell village would not exceed the ANZECC blasting criteria.
- The proponent in discussions and correspondence with the St Clements Anglican Church Trustees have agreed to undertake a structural survey of the property and to install ground vibration and noise monitoring equipment at the church. Should any damage be caused to the Church as a consequence of blasting associated with the Ashton Coal Mine Project, the proponent will undertake building repairs.
- (e) The community of Camberwell have a right to be proud. Similarly, the proponent being a major land owner is proud to be an active member of the community. The injection of employment opportunities into the Camberwell community should have a positive impact upon the lifestyles of those that reside in the district.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
9	Mr Mrs	Alan Robyn	Horadam	60 Glennie Street	Camberwell NSW 2330		Support	(a) Provide direct and indirect employment for residents of the Singleton district. (b) The project will have minimal environmental impacts.

RESPONSES TO PRIVATE SUBMISSION NO. 9

GENERAL

The comments and support provided by A and E Horadam to the project are acknowledged. Importantly, the Horadam's recognise that the Ashton Coal Mine Project is "small scale". It is noted the Horadam's son has completed an employment registration form.

- (a) The socio-economic impacts are detailed within Volume 1 of the EIS.
- (b) The environmental impacts are detailed within Volumes 1 and 2 of the EIS.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
10	Mr Mrs	Robert Kay	Hill	Lot 2 Lethbridge St	Camberwell NSW 2330		Support	(a) Provide direct and indirect employment for residents of the Singleton district. (b) The project will have minimal environmental impacts. (c) Raised issue that nearby mines cause dust, blasting and water quality impacts.

RESPONSES TO PRIVATE SUBMISSION NO. 10

GENERAL:

The comments and support provided by R and K Hill to the project are acknowledged. The Hill's acknowledge the importance of the community consultation process embarked upon by the proponent in designing the Ashton Coal Mining Project. The Hill's son has completed an employment registration form. Contracts for the purchase of the property have been exchanged between the proponent and the Hills.

- (a) The socio-economic impacts of the project are detailed within Volume 1 of the EIS.
- (b) The environmental impacts are detailed within Volumes 1 and 2 of the EIS.
- (c) In relation to the issues of discussing matters and cumulative impact raised within the Hill's submission, please refer to Response (c) - Private Submission no. 8 and Response (e) - Private Submission no. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
11	Mr Mrs	Paul Diane	Richards	94 Glennies Creek Rd	Camberwell NSW 2330		Object	(a) The mine will be about 90 metres away from their front door. (b) Concerned about the dust and possible health impacts.

RESPONSES TO PRIVATE SUBMISSION NO. 11

GENERAL:

The location of P and D Richards property is shown as property no. 115 by Figure 3.13 in Volume 3 of the EIS. The property is located adjacent the Ashton Open Cut on Glennies Creek Road.

Property no. 115 – owned by P and D Richards will be impacted by the Ashton Coal Mine Project – please refer to Section 5.0, Volume 1 of the EIS. The property (along with property numbers 104, 111, 114 and 130) is located within the area of affectation for the Glendell Mine.

- (a) The proponent and the EIS document clearly acknowledge the impact that the Ashton Coal Mine Project will have upon the property and lifestyles of the Richards family. Accordingly, the proponent and the Richards are currently negotiating a settlement satisfactory to both parties.
- (b) Same response as (a) above.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
12	Mr Mrs	Trevor Linda	Byrnes	Lethbridge Street	Camberwell NSW 2330		Support	(a) Provide direct and indirect employment for residents of the Singleton district. (b) The project will have minimal environmental impacts.

RESPONSES TO PRIVATE SUBMISSION NO. 12

GENERAL:

The comments and support provided by T and L Byrnes to the Project are welcomed and acknowledged. The Byrnes' recognise that the Ashton Coal Mine Project is "a small scale mine". The proponent and the Byrnes have entered into an unconditional contract for the sale of the property.

- (a) The socio-economic impacts of the project are detailed in Volume 1 of the EIS.
- (b) The environmental impacts are detailed within Volumes 1 and 2 of the EIS.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
13		ES	Bowman	Crail Redbournberry	Singleton NSW 2330		Object	(a) Objects to interference with Bowmans Creek, Glennies Creek and the Hunter River. (b) No mining under streams or realignment of river flows, or structural changes to river banks. (c) Ecosystem is fragile. (d) Proposal will impact on farmers.

RESPONSES TO PRIVATE SUBMISSION NO. 13

GENERAL:

Our understanding is that ES Bowman owns land within the Rix's Creek Mine Lease some 5 kilometres south-east of the Ashton Coal Mine Project. The submission does not object to mining, rather, the submission maker states where in their opinion mining should not occur.

- (a) The Ashton Coal Mine Project will not adversely impact upon the water quality of the Hunter River, Glennies Creek or Bowmans Creek. Please refer to Response (d) - Private Submission no. 3.

The Ashton Coal Mine Project is a mine of State significance. The work undertaken by the proponent and specialist environmental team clearly demonstrates that a portion of Bowmans Creek needs to be realigned to safely mine the coal reserves.

- (b) There is no State policy which prohibits the realignment of streams provided the objectives of the Water Management Act 2000 and Fisheries Management Act 1994 are achieved. The EIS and supporting documentation has been intensively analysed by various government agencies and found to be environmentally sound. Although a section of Bowmans Creek is to be realigned, there are significant safety, environmental, ecological and socio-economic benefits that will occur. A blanket prohibition upon stream diversions or realignments would have major consequences for development, infrastructure and government projects generally across the State. Environmentally engineered solutions which benefit the environment and community as a whole in both the long and short term is the approach taken by White Mining Limited for the Ashton Coal Mine Project.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (c) There will be impacts upon the environment as reported throughout the EIS document. The safeguards proposed will ameliorate impacts and result in a more robust environment with better water quality and habitat than that which prevails today.

- (d) The project should have a positive impact on farmers particularly as the Ashton property will be rejuvenated for those reasons detailed in the above responses.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
ASHTON COAL MINE PROJECT, CAMBERWELL**

NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
14	Mr Ms	John Tracey	Vollebregt Clarke	PO Box 421	Singleton NSW 2330		Object	<ul style="list-style-type: none"> (a) Concerned about impacts on the Camberwell village. (b) Nearby mines already having an impact. (c) Negative impact on property values. (d) Dust problems. (e) Increased noise. (f) Vibrations from blasting. (g) Negative impact on water quality. (h) The EIS doesn't take into consideration natural disasters. (i) Does not feel secure or satisfied with this proposal. (j) Would like all properties to be installed with water filtrations, air conditioning, regular inspections of properties for damage and be admitted to the affected zone.

RESPONSES TO PRIVATE SUBMISSION NO. 14

GENERAL:

The proponent has held discussions with Ms T Clarke and Mr J Vollebregt and expressed an interest to purchase the property. Mr J Vollebregt has completed and submitted an employment registration form. Mr J Vollebregt is currently building a dwelling in Camberwell being property number 24 – refer to Figure 3.14, Volume 3 in the EIS.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (a) The proximity of Camberwell village to the Ashton Coal Mine Project resulted in ultra-conservative modelling of air quality, acoustics, ground vibration and visuals. The environmental, engineering safeguards and controls (refer Response (a) - Private Submission no. 1) proposed for the Project mitigate adverse impacts on the village. The safety net land acquisition condition of consent is also available to residents should in the unlikely event the EPA's amenity criteria is breached.
- (b) In relation to "other mines already having an impact" please refer to Response (e) - Private Submission no. 1 and Response (c) - Private Submission no. 8.
- (c) In relation to "negative impact on property values" please refer to Response (b) - Private Submission no. 1.
- (d) In relation to "dust problems" please refer to Response (a) - Private Submission no. 1.
- (e) In relation to "increased noise" please refer to Response (a) - Private Submission no. 1.
- (f) In relation to "vibrations from blasting" please refer to Response (a) - Private Submission no. 1.
- (g) In relation to "negative impact on water quality" please refer to Response (d) - Private Submission no. 3, Response (c) - Private Submission no. 8 and Responses (a), (b) and (c) - Private Submission no. 13.
- (h) The EIS has considered flooding and earthquake in terms of natural hazards. Appendix N contained within Volume 2 of the EIS clearly addresses flooding. The geology of the area has been studied extensively as shown by the various specialist reports contained in Volume 2 of the EIS. The geological structure present in the Camberwell district is satisfactory for the development of an open cut and underground mine.
- All structures associated with the built environment will be or are already designed and constructed in accordance with Mine Subsidence Board provisions and/or the Building Code of Australia. The Building Code of Australia makes allowance for such matters as flooding, wind, earthquake, etc.
- In relation to bush fire hazard, the area has a low to moderate rating. However, bush fire management is "built into" the operation of each coal mine. It is the proponent's expectation to enjoy an association with the local bush fire brigade, similar to other mining operations in the upper Hunter Valley.
- The EIS concentrated on flooding (as a natural hazard) as it was thought this hazard was more likely to prevail than any other natural hazard.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (i) The proponent and HLA together with the eminent specialists engaged for the EIS feel very secure and satisfied that the Project is environmentally sound.

- (j) The proponent has consulted and liased with the Camberwell community and has, at public meetings, offered land acquisition, water filters, air conditioning, double glazing and property inspections in relation to the project. Please refer to Response (c) - Private Submission no. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
15	Mr	DJ	Scholz	Lot 4 Glennie St	Camberwell NSW 2330	Yes	Object	(a) Increase in dust by general operations, coal movements and blasting could not achieve a level acceptable in the village. (b) Increase in noise. (c) Decrease in property values. (d) Negative health and socio-economic impacts. (e) The cumulative impacts of all the above would make living conditions in the village unacceptable. (f) Request for Commission of Inquiry.

RESPONSES TO PRIVATE SUBMISSION NO. 15

GENERAL:

Mr D Scholz has entered into an agreement with White Mining Limited for the sale of his Camberwell property conditional that he withdraw his submission of objection against the Ashton Coal Mine Project and the granting of the mine lease.

- (a) In relation to "increase in dust by general operations, coal movements and blasting could not achieve a level acceptable in the village", please refer to Response (a) - Private Submission no. 1 and noise assessment contained in Appendix G, Volume 2 of the EIS.
- (b) In relation to "increase in noise", please refer to Response (a) - Private Submission no. 1.
- (c) In relation to "decrease in property values", please refer to Response (b) - Private Submission no. 1.
- (d) In relation to "negative health and socio-economic impacts", the Project will operate in accordance with the EPA's criteria (which takes into consideration health of humans) whilst delivering the socio-economic benefits detailed in Section 5, Volume 1 of the EIS. The project is required to protect the safety of its workers.

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- (e) Please refer to Response (e) - Private Submission no. 1 in relation to cumulative impacts.
- (f) Please refer to Response (d) - Private Submission no. 1 in relation to Commission of Inquiry.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
16	Ms	Christine	Green	1 Dulwich Place	Camberwell NSW 2330		Support	(a) Provide direct and indirect employment for residents of the Singleton district.

RESPONSES TO PRIVATE SUBMISSION NO. 16

GENERAL:

The comments and support provided by Ms C Green to the Project are acknowledged and welcomed. It is interesting to note that the submission recognises the involvement of statutory authorities in controlling development. Ms C Green has completed an employment registration form.

- (a) The socio-economic benefits of the project are detailed in Volume 1 of the EIS.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
17	Mr Mrs	Bruce Rosalie	Richards	Lot 7 Lethbridge St	Camberwell NSW 2330		Object	(a) Concerned about the increase noise. (b) Concerned about dust and impacts on air quality. (c) Concerned about visual impacts on properties. (d) Negative impact on the value of property. (e) Concerns about the potential cumulative impacts from surrounding mines. (f) More concerned about the open cut proposal than the underground mine.

RESPONSES TO PRIVATE SUBMISSION NO. 17

GENERAL:

B and R Richards own property numbers 111 and 114 as shown by Figure 3.13 in Volume 3 of the EIS. The Richards also own property number 11 within the village of Camberwell as shown by Figure 3.14 in Volume 3 of the EIS.

In relation to property numbers 111 and 114 located along Glennies Creek Road, PlanningNSW are reminded that both these properties have been identified as being within the zone of affectation for the Glendell Mine with an associated land acquisition condition of consent. Accordingly, it is our view that the Glendell Mine will acquire property numbers 111 and 114 if requested to do so by the property owner.

The responses provided below relate to the Richards' property located in the village of Camberwell.

- (a) In relation to "concerned about the increase in noise" please refer to Response (a) - Private Submission no. 1.
- (b) In relation to "concerned about dust and impacts on air quality" please refer to Response (a) - Private Submission no. 1.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (c) In relation to "concerned about visual impacts on properties" please refer to Response (a) - Private Submission no. 1. The eastern emplacement will have an environmental bund constructed along its frontage to Glennies Creek. The environmental bund will be vegetated with native tree, shrub and grass species. Without the environmental bund, the eastern emplacement would be visible from the south including areas within the village of Camberwell. The environmental bund when constructed and vegetated will act as a screen for the emplaced material.
- (d) In relation to "negative impact on the value of property" please refer to Response (b) - Private Submission no. 1.
- (e) In relation to "concerns about the potential cumulative impacts from surrounding mines" please refer to Response (e) - Private Submission no. 1.
- (f) In relation to "more concerned about the open cut proposal than the underground mine" it should be noted that the submission maker is the owner of 3 properties in the area. Two of the properties have been identified within the Glendell Coal Mine zone of affectation and are located immediately east of the eastern emplacement. These properties should be acquired by the Glendell Coal Mine if requested by the owner.
- In relation to the submission maker's property within the village, the Ashton Open-Cut is a small operation of limited size and time duration. The proponent is confident of operating within the EPA's criteria.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
18	Mr	Colin	Stapleton	Lot 2 Glennie Street	Camberwell NSW 2330		Object	<p>(a) Concerned about impacts from dust no matter how often the EIS proposes to use dust suppression methods like water.</p> <p>(b) Wind charts from Mt Owen are not accurate for the Ashton proposal.</p> <p>(c) What are the criteria for calling a halt to operations or moving to another area to reduce dust emissions in a windy period? Who will determine this?</p> <p>(d) Airconditioning units to be installed to residences from people who suffer from dust impacts.</p> <p>(e) Impacts from noise at night and mining equipment.</p> <p>(f) What effect will a 15-meter bund have on radio reception, TV reception and mobile phones in the lower part of Camberwell?</p> <p>(g) Concerned about vibration from washery and crusher.</p> <p>(h) Concerned about visual impacts.</p> <p>(i) Concerned about blasting impacts to properties and from cumulative blasting impacts from other mines.</p>

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RESPONSES TO PRIVATE SUBMISSION NO. 18

GENERAL:

The submission by C Stapleton raises a number of issues which are responded to below. The submission appears to be one of support for the project subject to the imposition of appropriate conditions of development consents.

- (a) In relation to "impacts from dust no matter how often the EIS proposes to use dust suppression methods like water" please refer to Response (a) - Private Submission no. 1, Response (c) - Private Submission no. 8 and Response (a) - Private Submission no. 14.
- (b) In relation to wind roses contained in Figures 3.1 and 3.2, the data was obtained from the Camberwell Mine and Glendell Coal Mine weather station. Air modelling was based on data from Ravensworth / Glendell collected in 1987 and has "the sigma-theta measurements that can, and have been used, to derive the stability information required by the model, and provide more severe wind episode events" - refer Appendix F, Volume 2 of the EIS. The data used in modelling air and noise impacts meets the EPA's criteria.
- (c) The climatic conditions which would trigger "a halt to operations or moving to another area" are detailed in Volumes 1 and 2 of the EIS and contained in supplementary information supplied to PlanningNSW by correspondence dated 28 February 2002. Please also refer to Response (a) - Private Submission no. 1.
- (d) In relation to "air conditioning" please refer to Response (j) - Private Submission no. 14 and Response (c) - Private Submission no. 1.
- (e) In relation to "impacts from noise at night and mining equipment" please refer to Response (a) - Private Submission no. 1.
- (f) The television and mobile phone reception in the lower portion of Camberwell village has always been very poor. The construction of the bunds cannot impact as the repeater stations for both television and mobile phones are in a line of sight to the south-east of the Stapleton residence.
- (g) The washery and crusher will be designed and constructed in accordance with the Building Code of Australia. The underlying geology of the district is well known. The washery and crusher will not result in vibration. The primary and secondary crushers will be selected or modified so that their individual sound power output does not exceed specified levels.
- (h) Please refer to Response (a) - Private Submission no. 1 and Response (c) - Private Submission no. 17.
- (i) In relation to blasting impacts and cumulative blasting impact, please refer to Response (a) - Private Submission no. 1 and Response (e) - Private Submission no. 1.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
19	Ms	Wendy	Bowman	PO Box 14	Singleton NSW 2330	Yes	Object	<p>(a) Their property has been affected by other proposals, and the reliable and uncontaminated water supply that kept their diary property and business going was depleted. The mining impacts left no alternative for the business but to sell out. They have not received compensation as a result.</p> <p>(b) Strongly objects to the possible impacts on the river system.</p> <p>(c) Proposal could cause fracturing to the creek bed.</p> <p>(d) Any attempt to change the course of Bowmans Creek will cause irreparable damage to the watercourse. Cause difficulties during times of high and flood flows.</p> <p>(e) Subsidence along longwalls 4, 5 and 6 will prohibit use of productive agricultural land.</p> <p>(f) Impacts from noise, dust, water quality, vibration and visual intrusion are serious for the Camberwell village.</p> <p>(g) The Camberwell mine is already having significant impacts on the area.</p> <p>(h) The water/river system will collapse under the sheer pressure that it is being put under.</p> <p>(i) Impacts on groundwater have not been identified in the EIS.</p>

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
								<p>(j) Hunter River is already under great stress, any more saline water and contaminants exacerbate the fragile condition of the river.</p> <p>(k) Request for Commission of Inquiry</p>

RESPONSES TO PRIVATE SUBMISSION NO. 19

GENERAL:

(a) The period in which Ms W Bowman refers was characterised by aggressive mining operations with minimal regard to the environment or community. Some of the upstream mines operated without any environmental controls or consents issued under the provisions of the Act, simply because the operations predated the legislation.

For those nearby and upstream mines that began operations after the commencement of the Act, development consents especially in relation to the environment have become stricter based on the information the community has acquired. The information the community has gained is derived from monitoring and observing mining and environmental impacts. The release of scientific and engineering knowledge emanating from research, study and observation of coal mining is normally funded by the industry or individual companies.

It is noted that agriculture in the Hunter Valley, indeed Australia, under went massive change during the period Ms W Bowman refers. Like any industry, agriculture is not immune to socio-economic or climatic change. The poor financial returns at the "farm gate" resulted in traditional agriculturalists (grazers, dairy farmers and market gardeners) leaving agriculture and in some instances abandoning their properties. These periods were characterised by high interest rates coupled with low commodity prices resulting in financial institutions fore-closing on many property owners.

Some rural property owners in the upper Hunter Valley kept abreast of the times by modernising, expanding and drought proofing their operations. Others invested in different forms of agriculture for example (grapes, olives, mushroom, aquaculture, poultry, etc) and tourism whilst some gained employment within the mining industry.

The proponent believes that the possible issue of compensation is clearly a matter between the relevant parties. The claim that the "impacts of mining made it impossible to sustain dairy production needs to be considered in conjunction with all the facts including the prevailing socio-economic circumstances, climate, family pressures together with purported impacts from mining at the time the decision was made to cease milk production.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (b) It is interesting to note that Ms W Bowman "strongly objects to the possible impacts on the river system". Salinity levels in the Hunter River will decline as a consequence of the Ashton Coal Mine Project. Please refer to the EIS documentation and correspondence to PlanningNSW dated 17 May 2002, Response (d) – Private Submission no. 3 and Responses (a), (b) and (c) – Private Submission no. 13. The Ashton Coal Mine Project will enhance water quality and offset impacts caused by upstream mining and poor past agricultural practices.
- (c) Please refer to EIS documentation and correspondence to PlanningNSW dated 28 February 2002 and 17 May 2002 in relation to subsidence and "fracturing of the creek bed".
- (d) Please refer to EIS documentation and correspondence to PlanningNSW dated 28 February 2002 and 17 May 2002 in relation to changing "the course of Bowmans Creek". It is the proponent's understanding that the realignment of Bowmans Creek will not cause "difficulties during times of high and flood flows" for the reasons detailed in the above documentation.
- We iterate Response (b) – Private Submission no. 13 that there is no state policy which prohibits the realignment of streams provided the objective of the various statutes are achieved.
- (e) The comment that "subsidence along longwalls 4, 5 and 6 will prohibit the use of productive agricultural land" is contradictory to Ms W Bowman's earlier assertion that mining impacts left no alternative for the business but to sell out. The inference being that the Ashton property was no longer suitable for agriculture.
- The proponent acknowledges within the EIS document that areas along Bowmans and Glennies Creek are Class 1 lands, that are suitable for agriculture, intensive horticulture and cropping. The more open areas of the site are Class 3 and are suited for pasture or for the occasional crop in the form of positive improvement. As reported within the EIS document and supported by specialist agricultural consultants – Sanders and Associates, land practices will be implemented to enhance agricultural production whilst allowing for the potential impacts from underground mining. These include:
- Upgrading of the irrigation system. Pipelines will be installed up through the centre line of the longwall panel;
 - Fences will be erected in alignment with the mine's gate roads. This will provide corridors for cattle movement;
 - Fodder crops will be re-cultivated on the flats, which comprise the Class 1 agricultural soils;
 - The EIS are supporting documentation predicts that there will be little impact upon shallow rooting crops as moisture is obtained through the soil and subsoils not ground water;
 - The proposed management practices for the site and the re-activation of fodder crops on the good quality agricultural soils are a benefit to local and regional agriculture.

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The proponent is desirous of enhancing the environment whilst ensuring that agricultural productivity of the land is optimised. To solve final use associated with the property, PlanningNSW should impose a condition of consent that a Land Management Plan be prepared that takes into consideration the various competing requirements of government agencies.

Unlike previous land owners who have not continued to invest monies into the property, White Mining Limited is firmly of the view that the Ashton property is an asset that can be developed simultaneously with the coal mine and for the purposes of agriculture.

(f) In relation to the comment that "impacts from noise, dust, water quality, vibration and visual intrusion are serious for the Camberwell village", please refer to Response (a) and (c) – Private Submission no. 1, Response (b) and (d) – Private Submission no. 2, Response (d) – Private Submission no. 3, Response (a) – Private Submission no. 13.

(g) We cannot comment on the relationship between the community and Camberwell Mine. Please refer to Response (e) – Private Submission no. 1 and Response (c) – Private Submission no. 8.

(h) This is an emotive statement. However, Ms W Bowman is partly correct in stating that the river system will collapse under the sheer pressure if development proceeded unchecked. Provided each particular land use (agriculture included) designs, constructs and operates with appropriate safeguards the river system and the environment as a whole is maintained or enhanced for the benefit of future generations.

The Ashton Coal Mine Project will deliver social and inter-generational equity ensuring the health, diversity and productivity of the environment is enhanced for the benefit of future generations.

(i) The EIS within Volumes 1 and 2 in conjunction with supporting information forwarded to PlanningNSW and DLWC on 28 February 2002 and 28 March 2002 details potential impacts on groundwater on a worst case basis. The impacts have been clearly identified in the EIS.

Further clarification, as per correspondence to PlanningNSW dated 17 May 2002 has assisted government agencies to enhance their knowledge and understanding of the project and groundwater.

(j) The Ashton Coal Mine is a zero discharge mine. In relation to salinity please refer to Response (b) – Private Submission no. 2, Response (d) – Private Submission no. 3, Response (c) – Private Submission no. 8, Responses (a), (b) and (c) – Private Submission no. 13 and responses provided in relation to the Bowman submission above.

(k) In relation to the request for a Commission of Inquiry, please refer to Response (d) – Private Submission no. 1. Our understanding is that following the meeting held 7 May 2002 within the Singleton DMR building with strategic government agencies is that the project and environmental offsets are well understood.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
20	Mr Mrs	Gary Tanya	Hassett	PO Box 346	Singleton NSW 2330		Object	(a) Impact on lifestyle. (b) Concerned about noise impacts. (c) Concerned about impacts from lights at night during mining. (d) Concerned about dust impacts. (e) Concerned about blasting and vibration impacts. (f) Negative impacts on property values. (g) Concerned that environmental monitoring will not take place. (h) Impact on livestock, horses.

RESPONSES TO PRIVATE SUBMISSION NO. 20

GENERAL:

The Hassetts are currently seeking an appraisal of their property.

- (a) In relation to the issue of "impact on lifestyle" please refer to Responses (a), (b), (c) and (e) – Private Submission no. 1, Responses (c), (d) and (e) – Private Submission no. 8, Response (a) – Private Submission no. 14 and Response (d) – Private Submission no. 15.
- (b) In relation to the issue of "concerned about noise impacts" please refer to Response (a) – Private Submission no. 1.
- (c) In relation to the issue of "concerned about impacts from lights at night during mining" please refer to Response (a) – Private Submission no. 1 whilst noting the Ashton Open-Cut will not be operating between the hours of 10.00pm and 7.00am.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (d) In relation to the issue "concerned about dust impacts" please refer to Response (a) – Private Submission no. 1.
- (e) In relation to the issue "concerned about blasting and vibration impacts" please refer to Response (a) – Private Submission no. 1.
- (f) In relation to the issue "negative impact on property values" please refer to Response (b) – Private Submission no. 1.
- (g) In relation to the issue "concerned with environmental monitoring will not take place" the proponent is committed to establishing a real time monitoring station to monitor performance against conditions of consent and relevant licences and approvals.
- (h) The project will not adversely impact upon livestock (especially horses) given the small maximum instantaneous charge weights to be used for the Ashton Open-Cut which will only deliver 2mm/sec ground vibration at the church.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
21	Mr	Alistair	Bowman	24 Hickson Street	Merewether NSW 2291		Object	(a) Owns a dairy farm and farms daily. Milk tankers visit the farm daily for picks. (b) The registered "right of way" through the lease area, in the underground mining sector has yet to be completed.

RESPONSES TO PRIVATE SUBMISSION NO. 21

GENERAL:

The Alistair Bowman property is currently being negotiated between the relevant parties. It is anticipated that the submission, by way of objection will be withdrawn in the very near future.

- (a) It is acknowledged that Mr A Bowman runs a dairy farm and that tankers pick-up daily from the property. The proponent notes that this property continues to be used as a dairy farm notwithstanding the submission made by Ms W Bowman about mining impacts making it impossible to sustain dairy production.
- (b) The survey of the "right of way" will be undertaken by a registered land surveyor immediately following the granting of consent. The conceptual route has been agreed between the relevant parties and awaits final survey.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
22	Mr Mrs	Neville Margaret	Smiles	"Glenview Park" 5831 New England Highway	Camberwell NSW 2330	Yes	Object	<ul style="list-style-type: none"> (a) Increase in dust impacts on the community. (b) Concerned about increase in noise impacts. (c) Concerned about cumulative impacts. (d) There will be social consequences to Camberwell community. (e) Negative impacts on property values. (f) <u>The future amenity of the area post mining.</u> (g) Concerned about subsidence from underground operations. (h) If approved Camberwell village will be surrounded by mines having considerable, noise, air quality, water and other impacts. (i) Request for Commission of Inquiry.

RESPONSES TO PRIVATE SUBMISSION NO. 22

GENERAL:

The property owned by N and M Smiles is shown as property number 126 on Figure 3.13, Volume 3 of the EIS document. A number of meetings and discussions have been held between the property owner and the applicant concerning possible acquisition of property number 126. It is unclear whether this matter will be resolved in the immediate future.

(a) In relation to the issue "increase in dust impacts on the community" please refer to Responses (a) and (e) – Private Submission no. 1.

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- (b) In relation to the issue "concerned about increase in noise impacts" please refer to Responses (a) and (e) – Private Submission no. 1.
- (c) In relation to the issue "concerned about cumulative impacts" please refer to Response (e) – Private Submission no. 1.
- (d) In relation to the issue "there will be social consequences to Camberwell community" please refer to Responses (c) and (e) – Private Submission no. 8, Response (a) – Private Submission no. 14 and Response (d) – Private Submission no. 15.
- (e) In relation to the issue "negative impacts on property values" please refer to Response (b) – Private Submission no. 1.
- (f) In relation to the issues "future amenity of the area post mining" the lands associated with the Ashton Coal Mine Project will continue to be utilised for various forms of agriculture whilst the environment will be enhanced given the significant investment in works associated with habitat replacement and embellishment.
- (g) In relation to the issue "concerned about subsidence from the underground" it should be noted that underground mining will not impact the Smiles' property. The impact of subsidence will impact those areas identified within the EIS documentation. Those areas the subject of subsidence will be continually monitored and maintained as per the EIS documentation.
- (h) In relation to cumulative impacts please refer to Response (e) – Private Submission no. 1.
- (i) In relation to the request for a "Commission of Inquiry" please refer to Response (d) – Private Submission no. 1.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
23	Mr Mrs	Kevin Trish	Patterson	19 Dawson Street	Camberwell NSW 2330		Object	<p>(a) Concerned about cumulative impacts.</p> <p>(b) Community already impacted on from surrounding mines.</p> <p>(c) No amount of proposed ameliorative measures as outlined in the EIS will prevent some impact to this community.</p> <p>(d) Concerned about air quality. Over the years as more mines have began operations the air quality has gradually deteriorated.</p> <p>(e) Concerned that cumulative impacts from other proposals such as the Sodium Sulphate Plant will have an impact on rainwater.</p> <p>(f) The EIS is inaccurate.</p> <p>(g) Negative impacts on property values.</p> <p>(h) The applicant should be prepared to add compensation to the proposal to acquire property in the village at market value.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 23

GENERAL:

The Patterson family and the proponent have held numerous discussions concerning the possible acquisition of their property. An option agreement to purchase the property has been negotiated between the parties conditional upon the submission of objection being withdrawn and the granting of the mine lease. Both Kevin and Trish have registered for employment. A notice withdrawing their submission should be lodged with PlanningNSW shortly.

**RESPONSES TO PRIVATE SUBMISSIONS LODGED WITH PLANNINGNSW
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- (a) In relation to the issue "concerned about cumulative impacts" please refer to Response (e) – Private Submission no.1.
- (b) In relation to the issue "community already impacted on from surrounding mines" it should be noted that these mines operate on less strict environmental criteria than that proposed for Ashton. In terms of acoustics and air quality, Camberwell residents are below the EPA's critical levels. This issue is subjective but it's the environmental amenity criteria that is the "yard stick" to measure against.
- (c) Please refer to Response (c) – Private Submission no. 13.
- (d) Please refer to Response (a) – Private Submission no. 1.
- (e) In the consideration and determination of the Sodium Sulphate Plant development application and accompanying EIS the proponent is confident that the consent authority in conjunction with the relevant government agencies and members of the public made an informed decision on the project was made with appropriate conditions and safeguards.
- (f) A conservative approach has been adopted by the proponent, and specialists who compiled the EIS document. The EIS document is based upon ground truthing, monitoring, research and reporting against relevant standards.
- (g) Please refer to Response (b) – Private Submission no. 1.
- (h) The applicant is prepared to acquire properties at an agreed market value plus some legal cost only for those residents who wish to relocate. The proponent has also offered employment opportunities, both Trish and Kevin have registered for jobs.

If the project proceeds and environmental criteria was exceeded the "safety net" land acquisition condition of consent would come into effect and the proponent would purchase the property.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
24	Mr	Robert	Bailey	Glennie Street	Camberwell NSW 2330		Object	(a) Concerned about impact on air quality. (b) Concerned about impacts on water quality. Impacts of the underground operations on Bowmans Creek and Glennies Creek. (c) Concerned about visual impacts on the community. (d) Concerned about traffic impacts due to increased movements. (e) Concerned about noise impacts. (f) Negative socio-economic impacts. (g) Concerned about health impacts. (h) Negative impact on lifestyle.

RESPONSES TO PRIVATE SUBMISSION NO. 24

- (a) In relation to the issue "concerned about impact on air quality" please refer to Response (a) – Private Submission no. 1.
- (b) In relation to the issue "concerned about impacts on water quality" impacts of the underground operations on Bowmans Creek and Glennies Creek please refer to Response (d) – Private Submission no. 3, Responses (a) and (b) – Private Submission no. 13, Responses (b), (c) and (d) – Private Submission no. 19.
- (c) In relation to the issue "concerned about the visual impacts on the community" please refer to Response (a) – Private Submission no. 1.
- (d) In relation to the issue "concerned about traffic impacts on the community" the EIS clearly discusses the level of traffic impact associated with the Ashton Coal Mine Project. Minor road upgrading will be required to conform with the requirements of the Roads and Traffic Authority and Singleton Shire Council.

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These road works will benefit the travelling public and increase safety along the New England Highway and Glennies Creek Road.

- (e) In relation to the issue of "concerned about noise impacts" please refer to Response (a) – Private Submission no. 1 and note that the Ashton Open-Cut will not operate between 10.00pm and 7.00am.
- (f) In relation to the issue of "negative socio-economic impacts" the proponent disagrees. There are very real positive socio-economic benefits that will accrue to the local district, regionally and nationally with the commencement of the Ashton Coal Mine Project.
- (g) In relation to the issue of "health effects" please refer to Response (e) – Private Submission no. 1, Response (c) – Private Submission no. 8, Response (a) – Private Submission no. 14 and Response (d) – Private Submission no. 15.
- (h) In relation to the issue of "negative impacts on lifestyle" please refer to Response (a) – Private Submission no. 14, Response (c) – Private Submission no. 8 and Response (c) – Private Submission no. 3. The Bailey's lifestyle and amenity will not be adversely impacted by the development proceeding.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
25	Mr Mrs	JC and J	McInerney	76 McInerney Road	Camberwell NSW 2330		Object	<p>(a) Concerned about health, lifestyle and environmental impacts.</p> <p>(b) Concerned about dust and noise impacts.</p> <p>(c) Concerned about overburden dump which proposed to be very close to their house.</p> <p>(d) Company has ignored most affected properties.</p> <p>(e) Concern about water quality and water supply.</p> <p>(f) Their concerns were not addressed properly at the public meeting.</p> <p>(g) Village surrounded by mines.</p> <p>(h) Concerned about cumulative impacts.</p> <p>(i) Concerned heritage impacts on the area/village.</p> <p>(j) Strongly objects to the impacts to waterways and diversions.</p> <p>(k) EIS is inaccurate.</p>

RESPONSES TO PRIVATE SUBMISSION NO. 25

- (a) In relation to the issue "concerned about health, lifestyle and environmental impacts" please refer to Response (e) – Private Submission no. 1, Response (c) – Private Submission no. 8, Response (a) – Private Submission no. 14 and Response (d) – Private Submission no. 15 about health impacts.

Please refer to all of the above responses in relation to environmental impacts and safeguards proposed within the EIS.

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- (b) In relation to the issue "concerned about dust and noise impacts" please refer to Response (a) – Private Submission no. 1.
- (c) In relation to the issue "concerned about overburden dump which is proposed to be very close to their house" specialist air quality and acoustical modelling shows no exceedance of the EPA criteria.
- (d) The Ashton Open-Cut is a small scale – short lived component with confined impacts. If the project proceeds and environmental criteria was exceeded, the "safety net" land acquisition clause would come into effect. The proponent and specialists who drafted the EIS are confident of the predictions within the document.
- (e) The McInerney property has frontage to Glennies Creek. The Ashton Coal Mine Project will not impact Glennies Creek. Please refer to Response (c) – Private Submission no. 1 relating to dust deposition in tank water and replacement filters.
- (f) The public meetings were independently chaired and facilitated. If the McInerney's were of the view that their concerns were not addressed properly at the public meeting, opportunity existed prior to the completion of the EIS to make representation to the proponent. The proponent's contact details were widely and frequently distributed to the community.
Furthermore, the McInerney's have made their concerns known through the EIS process and these have been captured. Further discussions of concerns can and will continue to take place between the proponent and residents.
- (g) In relation to the issue "the village is surrounded by mines" please refer to Response (e) - Private Submission no. 1 and Response (a) – Private Submission no. 14.
- (h) In relation to the issue "concerned about cumulative impacts" please refer to Response (e) – Private Submission no. 1.
- (i) In relation to the issue "concerned about heritage impacts of the area / village" please note that no items of environmental heritage are located on land associated with the Ashton Coal Mine Project. Two items of environmental heritage each of local significance are located at Camberwell, these being the St Clements Anglican Church and Camberwell Community Hall. St Clements Anglican Church is located closer to the Ashton Open-Cut and blasts have been designed not to impact this building. The blasts will not impact the Camberwell Community Hall.
- (j) In relation to the issue "strongly objects to the impacts to waterways and diversions" please refer to Responses (a), (b) and (c) – Private Submission no. 13, Responses (b), (c), (d), (e), (f) and (j) – Private Submission no. 19.
- (k) In relation to the issue that the EIS is inaccurate please refer to Response (f) – Private Submission no. 23.

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NO	TITLE	FIRST NAME	SURNAME	ADDRESS	ADDRESS 2	REQUEST FOR COI	POSITION	ISSUES RAISED
26	Mr Mrs	Larry Jo	Burgess	PO Box 117	Singleton NSW 2330		Object	<ul style="list-style-type: none"> (a) Frustration at the encirclement of the Camberwell community by mines. (b) Object to the increase noise, blasting, night lighting, visual, odour and dust impacts from the proposal on their property and the Camberwell village. (c) Concern over impacts to the historic St Clements Church from blasting. (d) Concern over the cumulative impacts of the proposed development, especially in regards to respiratory health, lifestyle and related issues. (e) Concern over the cumulative impacts of the proposed development. (f) Concern over land devaluation. (g) Concern over siltation of tank water due to dust deposition, and associated increase cost for filters. (h) Criticism of the timing of the review period coinciding with the festive season.

RESPONSES TO PRIVATE SUBMISSION NO. 26

GENERAL:

The Burgess property is outside the area of impact.

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- (a) In relation to the issue "frustration at the encirclement of the Camberwell community by mine sites" please refer to Response (e) – Private Submission no. 1.
- (b) In relation to the issue "object to the increase noise, blasting and night lighting, visual and dust impacts on their property" please refer to Response (a) – Private Submission no. 1.
- (c) In relation to the issue "concern over impacts to the historic St Clements Church from blasting" please refer to Response (j) – Private Submission no. 25.
- (d) In relation to the issue "concern over the cumulative impacts of the proposed development, especially in regards to respiratory health, lifestyle and related issues" please refer to Responses (f), (g) and (h) – Private Submission no. 24.
- (e) In relation to the issue "concern over the cumulative impacts of the proposed development" please refer to Response (b) – Private Submission no. 1.
- (f) In relation to the issue "concern over siltation of tank water due to dust deposition, and associated increase cost for filters" please refer to Responses (a) and (c) – Private Submission no. 1.
- (g) In relation to the issue "criticism of the timing of the review period coinciding with the festive season" please refer to Response (a) – Private Submission no. 5.

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AUTHORITY	SUMMARY OF ISSUES
1. Minewatch Gail Collins PO Box 728 Muswellbrook NSW 2333	(a) Criticism of lack of availability of EIS and timing of review period over the festive season. (b) Information contained in the EIS is inadequate and requires further investigation. (c) Concern over subsidence impacts to groundwater and proposed change of course of Bowmans Creek. Request that these matters are further investigated. (d) Request for Commission of Inquiry.

SUBMISSION NO. 1 – MINEWATCH NSW INC

- (a) In response to the comment "criticism of lack of availability of EIS and timing of review period over the festive season" PlanningNSW extended the period of public exhibition associated with the Development Application and accompanying EIS so as afford to members of the public additional time to make submission.
- (b) A conservative approach has been adopted by the proponent and specialists who compiled the EIS document. The EIS is based upon ground truthing, environmental monitoring, research and reporting against relevant standards.
- (c) The Ashton Coal Mine Project will not adversely impact upon the water quality of the Hunter River, Glennies Creek or Bowmans Creek. Glennies Creek will not be adversely impacted by the Ashton Coal Mine Project. Agriculturally, the Ashton property will be re-invigorated. Poor agricultural practices of allowing stock direct access to major water bodies such as Glennies Creek will be prevented by the erection of new fencing whilst degraded areas exhibiting scaring and soil erosion will be repaired which will result in better quality run-off.

There is no State policy which prohibits the realignment of streams provided the objectives of the Water Management Act 2000 and Fisheries Management Act 1994 are achieved. The EIS and supporting documentation has been intensively analysed by various government agencies and found to be environmentally sound. Although a section of Bowmans Creek is to be realigned, there are significant safety, environmental, ecological and socio-economic benefits that will occur. A blanket prohibition upon stream diversions or realignments would have major consequences for development, infrastructure and government projects generally across the State. Environmentally engineered solutions which benefit the environment and community as a whole in both the long and short term is the approach taken by White Mining Limited for the Ashton Coal Mine Project.

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The EIS within Volumes 1 and 2 in conjunction with supporting information forwarded to PlanningNSW and DLWC on 28 February 2002 and 28 March 2002 details potential impacts on groundwater on a worst case basis. The impacts have been clearly identified in the EIS.

Further clarification, as per correspondence to PlanningNSW dated 17 May 2002 has assisted government agencies to enhance their knowledge and understanding of the project and groundwater.

(d) In relation to the request for a Commission of Inquiry, the Ashton Coal Mine Project has been design and will operate to achieve the environmental outcomes and numerous statutory requirements detailed in the EIS. The Project is relatively small compared to other coal mining developments in the Hunter Valley. All of the environmental and socio-economic aspects associated with the Ashton Coal Mine Project are well understood. The safeguards proposed will mitigate any identified potential impact upon the environment or host community.

The proponents understanding following the meeting held on 7 May 2002 within the Singleton DMR building with strategic government agencies is that the project and associated impacts, safeguards and environmental offsets are comprehensively understood.

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AUTHORITY	SUMMARY OF ISSUES
<p>2. Minewatch NSW Gail Collins PO Box 728 Muswellbrook NSW 2333</p>	<p>(a) Submission on behalf of its members. (b) Concern about air quality. (c) Concern about noise impacts. (d) Concern about blasting impacts. (e) Concern about water quality impact. (f) Concern that the proposal does not meet ESD principals.</p>

SUBMISSION NO. 2 – MINEWATCH NSW INC

- (a) The proponent acknowledges that Minewatch NSW Inc has made a submission to PlanningNSW in relation to the Ashton Coal Mine Project at Camberwell in the upper Hunter Valley.
- (b) In relation to the issue "concern about air quality" the following response is provided:
- Air quality modelling shows that with special precautions, the Ashton Coal Mine Project will be able to maintain air quality within Camberwell village at acceptable levels. The proponent, in conjunction with Holmes Air Sciences, have developed a comprehensive dust management system that incorporates best practice planning controls, best practice engineering controls and best practice controls over the management of the operation to ensure dust emissions are minimised.
- The EIS within Appendix F, Volume 2 in conjunction with supplementary information dated 28 February 2002, clearly demonstrates the proponent's commitment to minimising dust emissions by:
- The adoption of reduced hours of operation to ensure that emissions do not occur during the period whilst the nocturnal drainage effect results in north westerly winds;
 - The construction of large earth berms and tree plantings to screen the operations from the village within 6 months of commencement;

**RESPONSES TO SPECIAL INTEREST GROUP SUBMISSIONS LODGED WITH PLANNINGNSW
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- The completion of all external overburden emplacement areas within 2 years of commencement and their complete rehabilitation within 4 years;
- The containment of the active mine area to less than 30 hectares;
- Locating all coal handling infrastructure as far as practicable from the village;
- Placing the raw coal storage area in an excavated slot to provide maximum wind protection;
- Ensuring that the mine layout minimises the potential for wind erosion;
- The use of water carts to keep trafficked areas in a damp condition;
- The use of fixed water sprays on all stockpiles;
- The partial enclosure of conveyers, the coal dump hopper and the use of water sprays at the dump hopper;
- Regular grading of roads to ensure that loose dust generating surface material is kept to the lowest practicable level;
- The implementation of speed limits on mine roads;
- The use of dust suppression on haul roads;
- The clear marking of roads to minimise trafficked areas and to ensure that traffic is kept to watered areas;
- Drills being fitted with dust control equipment;
- The use of coarse material to stem blasts;
- The use of haul trucks and other earthmoving equipment with upwardly directed exhausts to minimise the generation of dust by exhaust emissions;
- Maintenance programmes to ensure that diesel equipment is maintained properly so that it does not generate excessive black smoke;
- The operation of the mine to ensure that exposed areas susceptible to wind erosion are minimised;
- The use of dust inhibiting agents on long term storage areas;
- Meteorological conditions will be assessed and blasting will only take place when the conditions indicate that blasting emissions can be adequately controlled;

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- Out of pit dumping will cease when the 10 minute average wind speeds are greater than 10m/sec;
- Should the running average of the preceding 24 hour PM10 exceed 50ug/m³, suspension of all out-of-pit overburden operations. In-pit alternate dumps will be utilised if available; and
- If the running average of the preceding 24 hour PM10 exceed 150ug/m³, all dust generating operations will be suspended.

In addition to the above best practice controls, the proponent under its community consultation process has offered landowners within Camberwell village the option to enter into market value contracts for the purchase of properties. These binding contracts are triggered by the grant of the mine lease between the proponent and the landowner in return for not objecting to the project.

(c) In relation to the issue "concern about noise impacts" the following response is provided:

Acoustical modelling contained in the EIS within Appendix G, Volume 2 states that some noise impacts are likely to occur during construction, operational phases and under adverse climatic conditions. Measures identified to avoid noise exceedances are listed below:

- Dumping of overburden at low level (<RL 115) on the eastern end of the eastern emplacement will not occur when the wind speed is in the range 1-3m/sec and the direction of wind origin lies in the quadrant between west and north. An alternative of this option is to select mobile plant with sound power levels not exceeding 114dB(A);
- If the sound power level of mobile plant is greater than 114dB(A), dumping of overburden at high level (>RL 115) on the eastern emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of the wind origin lies in the sector between west and northwest. High level dumping should not occur during inversions;
- Dumping of overburden at low level (<RL100) on the western emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of wind origin lies in the sector between southwest and north;
- Dumping of overburden at high level (>RL100) on the western emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of wind origin lies in the sector between southwest and north. High level dumping should not occur during inversions;
- Trucks with a low level of sound emission will be acquired and maintained in good order;
- Primary and secondary crushers will be selected or modified so that their individual sound power output does not exceed specified levels;
- The use of conventional reversing beepers should be avoided on the east emplacement when the wind speed is in the range 0.5-3/sec and the wind origin lies in the sector between west and north;

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- The installation and operation of a weather station to measure wind speed, wind direction and potential for temperature inversions; and
- Noise compliance monitoring for the construction and open cut phases of the project be fully manned and conducted on a monthly basis for the first 12 months of the Project.

The acoustical assessment contained in the EIS has shown that the Ashton Coal Mine Project can achieve the Environment Protection Authority's (EPA) noise criteria if the above recommendations are implemented.

- (d) In relation to the issue "concern about blasting impacts" the following response is provided:

The Ashton Coal Mine Project has been designed to better the Australian and New Zealand Environment and Conservation Council's (ANZECC) annoyance criteria for both ground vibration and air blast overpressure in relation to blasting (refer to the EIS within Appendix G, Volume 2) for dwellings. A vibration limit of 20mm/sec applies to the 4 drainage culverts located along the Main Northern Railway.

St Clements Anglican Church is an item of environmental heritage of local significance. Blasts have been designed so that the maximum ground velocity levels at St Clements Anglican Church do not exceed 2mm/sec. By limiting the design criteria to 2mm/sec at St Clements Anglican Church ensures that the residences within Camberwell village will not exceed the ANZECC criteria.

The proponent and St Clements Anglican Church Trustees have agreed that a blast monitor (preceded by structural building assessment) be established and operated in the Church grounds to monitor blasts associated with the Ashton Coal Mine Project.

Blasting operations associated with the project will fall within the adopted criteria.

- (e) In relation to the issue "concern about water quality impacts" the following response is provided:

The Ashton Coal Mine Project will not adversely impact upon the water quality of the Hunter River, Glennies Creek or Bowmans Creek. Glennies Creek will not be adversely impacted by the Ashton Coal Mine Project. Agriculturally, the Ashton property will be re-invigorated. Poor agricultural practices of allowing stock direct access to major water bodies such as Glennies Creek will be prevented by the erection of new fencing whilst degraded areas exhibiting scarring and soil erosion will be repaired which will result in better quality run-off.

There is no State policy which prohibits the realignment of streams provided the objectives of the Water Management Act 2000 and Fisheries Management Act 1994 are achieved. The EIS and supporting documentation has been intensively analysed by various government agencies and found to be environmentally sound. Although a section of Bowmans Creek is to be realigned, there are significant safety, environmental, ecological and socio-economic benefits that will occur. A blanket prohibition upon stream diversions or realignments would have major consequences for development, infrastructure and government projects generally across the State. Environmentally engineered solutions which benefit the environment and community as a whole in both the long and short term is the approach taken by White Mining Limited for the Ashton Coal Mine Project.

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The EIS within Volumes 1 and 2 in conjunction with supporting information forwarded to PlanningNSW and DLWC on 28 February 2002 and 28 March 2002 details potential impacts on groundwater on a worst case basis. The impacts have been clearly identified in the EIS.

Further clarification, as per correspondence to PlanningNSW dated 17 May 2002 has assisted government agencies to enhance their knowledge and understanding of the project and groundwater.

Glennies Creek will not be adversely impacted by the Ashton Coal Mine Project. Agriculturally, the Ashton property will be re-invigorated. Poor agricultural practices of allowing stock direct access to major water bodies such as Glennies Creek will be prevented by the erection of new fencing whilst degraded areas exhibiting scaring and soil erosion will be repaired which will result in better quality run-off.

The Ashton property will be subjected to major tree planting initiatives consistent with an approved Land Management Plan. The Land Management Plan will provide for grazing, cropping, habitat and riparian corridor plantings. It is our opinion that these improvements to "Ashton" will result in better water quality of Glennies Creek, Bowmans Creek and the Hunter River. The project will not prevent the Lanes drawing water for irrigation.

- (f) In relation to the issue "concern that the proposal does not meet ESD principals" the following response is provided. Volume 1 (Section 8) of the EIS describes the principles of ecologically sustainable development and how it relates to the Ashton Coal Mine Project.

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AUTHORITY	SUMMARY OF ISSUES
<p>3. Hunter Environment Lobby PO Box 449 Singleton NSW 2330</p>	<p>(a) Objection to lack of rehabilitation of final void. Suggestion that excess overburden from other mines in the area should be utilised to fill void.</p> <p>(b) Lack of demonstration within the EIS that meets ESD objectives, specifically no net loss of biodiversity.</p> <p>(c) Criticism that the flora and fauna assessment is not comprehensive – lack of consideration of seasonal impacts, degree of uncertainty, invertebrate and aquatic species.</p> <p>(d) Generally supported rehabilitation proposals. Suggested indigenous native vegetation should be regenerated on the balance of the site not to be mined.</p> <p>(e) Concern over lack of consideration to habitat of Regent Honeyeater.</p> <p>(f) Objection to greenhouse gas emissions from the project and lack of compensatory measures.</p> <p>(g) Criticism that alternatives to the proposed development are not adequately addressed, and fails to consider the benefits of not proceeding.</p> <p>(h) Request for independent environmental monitoring and reporting panel due to lack of confidence in environmental performance of other coal mines in the area.</p>

SUBMISSION NO. 3 – HUNTER ENVIRONMENT LOBBY

- (a) The final void conceptual design will result in a dish like structure with the base being approximately 70-80m in elevation with the slope of the batter reaching up to 110m. The proponent is not opposed to course reject being utilised to fill the void to achieve an improved final landform. Any excess overburden from other mines in the area and the timing of such will be under constant consideration.
- (b) The flora and fauna assessment is comprehensive. PlanningNSW by correspondence dated 2 January 2002 sought additional information in relation to a number of species given that the original fieldwork took place in winter and spring.

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NPWS by correspondence dated 18 January 2002 sought additional information in relation to fauna species that at the time were recently listed under the Threatened Species Conservation Act.

HLA's specialist staff undertook additional field work and provided the necessary responses and reports by correspondence dated 28 February 2002.

- (c) The support by Hunter Environment Lobby to the Ashton Coal Mine Project rehabilitation proposals is acknowledged. The suggestion that "indigenous native vegetation should be regenerated on the balance of the site not to be mined" needs to be "weighed-up" against the requirements and expectations of all stakeholders in the Development Application process.
- (d) The Regent Honeyeater was considered within the EIS (refer Appendix J, Volume 2). The conclusions reached were that "some potential habitat occurs within the study area for this species. Narrow-leaved Ironbark is relatively common in the study area as has been identified in all reviewed reports in the local area". It was concluded that the site may provide limited seasonally abundant foraging habitat for this species, however, due to the relative abundance of the Narrow-leaved Ironbark and presence of the Rough-barked apple in the local area, the impact to this species is likely to not be significant. The report went onto state that "the loss of the northern woodland will not result in a loss of a significant amount of foraging resource. Impacts are expected to be short term, as it is recommended that Narrow-leaved Ironbark be used as visual screen plantings and in rehabilitation of mined areas". The proposed development is unlikely to have a significant impact on the continued survival of the species in the region.
- (e) In relation to the greenhouse gas emissions, please refer to Section 5.14 of the EIS and Appendix F Volume 2. The most significant practical measures that the development can take to minimise possible greenhouse emissions is to ensure that the coal resource is mined in the most energy efficient manner. This is also in the interests of more efficient operation of the mine and the design of the mine has been undertaken to ensure that it will operate as efficiently as possible.
- (f) Volume 1 – Section 7 of the EIS document clearly provides an analysis of feasible alternatives and addresses such issues as mining method, mine plan, mine design and infrastructure, coal transport, coal preparation, reject disposal and consequences of not proceeding.
- (g) The Ashton Coal Mine Project will undertake environmental monitoring and reporting in accordance with conditions of development consent. Penalties can be imposed through consent and various licence conditions through lack of environmental performance. The proponent does not seek to be known as the owner – operator of coal mine not achieving appropriate environmental performance.

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AUTHORITY	SUMMARY OF ISSUES
<p>1. Nardell Coal Corporation Paul Jury Managing Director Suite 3902, Level 39 Australia Square 264 George Street Sydney NSW 2000</p>	<p>(a) Objects to the proposal.</p> <p>(b) NCC owns land within the Ashton proposal.</p> <p>(c) NCC was not consulted in the feasibility study and preparation of the EIS.</p> <p>(d) The major concerns are lack of consultation, incorrect landownership information, incorrect mining tenements information, Brunker Lane is accessed by NCC and Ashton EIS indicates that they plan to use this access. The coal haulage route is on land owned by NCC and the EIS has not adequately addressed cumulative impacts.</p>

SUBMISSION NO. 1 – NARDELL COAL CORPORATION

The proponent's understanding is that the submission made by Nardell Coal Corporation dated 5 February 2002 in respect to "DA 309-11-2001-1 Proposed Ashton Coal Mine Project" has been withdrawn.

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AUTHORITY	SUMMARY OF ISSUES
<p>2. Glendell Joint Venture Vai Istomin Liddell Coal Operations PO Box 7 Singleton NSW 2330</p>	<p>(a) Objects to the proposal.</p> <p>(b) Concern about cumulative impacts.</p> <p>(c) Concerned that the proposal may compromise the purpose of GJV's investment but result in pressure for GJV to purchase more land.</p> <p>(d) Concern about detail of final landform and land use for the open cut operations to be located on land owned by GJV.</p>

SUBMISSION NO. 2 – GLENDELL JOINT VENTURE

- (a) In relation to the issue "objects to the proposal" the following response is offered. The proponent is fully aware that the approved Glendell Open Cut Coal Mine Project is located immediately north of the proposed Ashton Coal Mine Project.
- The proponent respectfully requests that the Ashton Coal Mine Project be afforded the same rights as is offered other applicants and that the Project be considered on its merits.
- (b) The proponent has engaged eminent environmental specialists to consider not only the environmental impacts which may arise from the Ashton Coal Mine Project but potential cumulative environmental impacts caused by other mines in the area including Glendell Open Cut.
- The EIS study team are confident of the impact assessment (described as conservative and worst case) and state of the art environmental monitoring regime to be established to protect the host community and Camberwell residents.
- Our understanding is that the various government agencies have carefully analysed the EIS and its findings and concluded that the coal mine can function with appropriate controls to meet established environmental criteria.

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Visuals:

Environmental bunds will be constructed to screen the emplacement areas (eastern and western) from the view of Camberwell residents and northbound highway motorists. The construction of environmental bunds along both sides of the New England Highway will restrict views to the surface structures, open cut and western emplacement. The proponent will re-vegetate the environmental bunds, emplacement areas and creek realignment with indigenous tree, shrub and grass species in accordance with best practice land rehabilitation. Land rehabilitation will be monitored and undertaken on a progressive basis during the life of the Project.

Non-reflective building materials will be used in the construction of the surface facilities to ensure harmony between the built and natural environments. Night time lighting will be positioned to minimise any impact upon the village of Camberwell and motorists travelling the New England Highway or Glennies Creek Road. Should any floodlights be required they will be shielded and not directed towards public areas and/or private dwellings.

Dust:

Air quality modelling shows that with special precautions, the Ashton Coal Mine Project will be able to maintain air quality within Camberwell village at acceptable levels. The proponent, in conjunction with Holmes Air Sciences, have developed a comprehensive dust management system that incorporates best practice planning controls, best practice engineering controls and best practice controls over the management of the operation to ensure dust emissions are minimised.

The EIS within Appendix F, Volume 2 in conjunction with supplementary information dated 28 February 2002, clearly demonstrates the proponent's commitment to minimising dust emissions by:

- The adoption of reduced hours of operation to ensure that emissions do not occur during the period whilst the nocturnal drainage effect results in north westerly winds;
- The construction of large earth berms and tree plantings to screen the operations from the village within 6 months of commencement;
- The completion of all external overburden emplacement areas within 2 years of commencement and their complete rehabilitation within 4 years;
- The containment of the active mine area to less than 30 hectares;
- Locating all coal handling infrastructure as far as practicable from the village;
- Placing the raw coal storage area in an excavated slot to provide maximum wind protection;
- Ensuring that the mine layout minimises the potential for wind erosion;
- The use of water carts to keep trafficked areas in a damp condition;

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- The use of fixed water sprays on all stockpiles;
- The partial enclosure of conveyers, the coal dump hopper and the use of water sprays at the dump hopper;
- Regular grading of roads to ensure that loose dust generating surface material is kept to the lowest practicable level;
- The implementation of speed limits on mine roads;
- The use of dust suppression on haul roads;
- The clear marking of roads to minimise trafficked areas and to ensure that traffic is kept to watered areas;
- Drills being fitted with dust control equipment;
- The use of coarse material to stem blasts;
- The use of haul trucks and other earthmoving equipment with upwardly directed exhausts to minimise the generation of dust by exhaust emissions;
- Maintenance programmes to ensure that diesel equipment is maintained properly so that it does not generate excessive black smoke;
- The operation of the mine to ensure that exposed areas susceptible to wind erosion are minimised;
- The use of dust inhibiting agents on long term storage areas;
- Meteorological conditions will be assessed and blasting will only take place when the conditions indicate that blasting emissions can be adequately controlled;
- Out of pit dumping will cease when the 10 minute average wind speeds are greater than 10m/sec;
- Should the running average of the preceding 24 hour PM10 exceed 50ug/m³, suspension of all out-of-pit overburden operations. In-pit alternate dumps will be utilised if available; and
- If the running average of the preceding 24 hour PM10 exceed 150ug/m³, all dust generating operations will be suspended.

In addition to the above best practice controls, the proponent under its community consultation process has offered landowners within Camberwell village the option to enter into market value contracts for the purchase of properties. These binding contracts are triggered by the grant of the mine lease between the proponent and the landowner in return for not objecting to the project.

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Noise:

Acoustical modelling contained in the EIS within Appendix G, Volume 2 states that some noise impacts are likely to occur during construction, operational phases and under adverse climatic conditions. Measures identified to avoid noise exceedances are listed below:

- Dumping of overburden at low level (<RL115) on the eastern end of the eastern emplacement will not occur when the wind speed is in the range 1-3m/sec and the direction of wind origin lies in the quadrant between west and north. An alternative of this option is to select mobile plant with sound power levels not exceeding 114dB(A);
- If the sound power level of mobile plant is greater than 114dB(A), dumping of overburden at high level (>RL115) on the eastern emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of the wind origin lies in the sector between west and northwest. High level dumping should not occur during inversions;
- Dumping of overburden at low level (<RL100) on the western emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of wind origin lies in the sector between southwest and north;
- Dumping of overburden at high level (>RL100) on the western emplacement should not occur when the wind speed is in the range 0.5-3m/sec and the direction of wind origin lies in the sector between southwest and north. High level dumping should not occur during inversions;
- Trucks with a low level of sound emission will be acquired and maintained in good order;
- Primary and secondary crushers will be selected or modified so that their individual sound power output does not exceed specified levels;
- The use of conventional reversing beepers should be avoided on the east emplacement when the wind speed is in the range 0.5-3/sec and the wind origin lies in the sector between west and north;
- The installation and operation of a weather station to measure wind speed, wind direction and potential for temperature inversions; and
- Noise compliance monitoring for the construction and open cut phases of the project be fully manned and conducted on a monthly basis for the first 12 months of the Project.

The acoustical assessment contained in the EIS has shown that the Ashton Coal Mine Project can achieve the Environment Protection Authority's (EPA) noise criteria if the above recommendations are implemented.

Vibration /

Blasting:

The Ashton Coal Mine Project has been designed to better the Australian and New Zealand Environment and Conservation Council's (ANZECC) annoyance criteria for both ground vibration and air blast overpressure in relation to blasting (refer to the EIS within Appendix G, Volume 2) for dwellings. A vibration limit of 20mm/sec applies to the 4 drainage culverts located along the Main Northern Railway.

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St Clements Anglican Church is an item of environmental heritage of local significance. Blasts have been designed so that the maximum ground velocity levels at St Clements Anglican Church do not exceed 2mm/sec. By limiting the design criteria to 2mm/sec at St Clements Anglican Church ensures that the residences within Camberwell village will not exceed the ANZECC criteria.

The proponent and St Clements Anglican Church Trustees have agreed that a blast monitor (preceded by structural building assessment) be established and operated in the Church grounds to monitor blasts associated with the Ashton Coal Mine Project.

Blasting operations associated with the project will fall within the adopted criteria.

Land use in and around the village of Camberwell is controlled by the Environmental Planning and Assessment Act 1979 (as amended) (the Act) in conjunction with numerous State environmental planning policies, regional environmental plans and local environmental planning instruments.

The EIS for the Ashton Coal Mine Project undertook an assessment of cumulative impacts and concluded that provided specific controls were adopted in relation to air, noise, blasting, water and visuals the Project could proceed without adverse impact to the environment or human health.

The Ashton Coal Mine Project is justified on the basis of its strong economic and social benefits to the upper Hunter Valley and beyond, and the proposed "state of the art" environmental management practices which will ensure the Camberwell community's lifestyle and health are maintained.

White Mining Limited is part of the Camberwell community as is other coal mines. White Mining Limited work in a co-operative manner with all stakeholders to ensure that mining operations meet the relevant environmental criteria and community expectations.

- (c) The proponent acknowledges that the Glendell Joint Venture (GJV) are required to purchase lands as a condition of development consent. The proponent is confident that both mining operations will be able to comply with the relevant environmental criteria applying to both projects. We do not envisage GJV being required to acquire additional lands because of the Ashton Coal Mine Project.

IAN TO COMMENT RE: SUBSEQUENT MEETINGS

- (d) The final void conceptual design will result in a dish like structure with the base being approximately 70-80m in elevation with the slope of the batter reaching up to 110m. The proponent is not opposed to course reject being utilised to fill the void to achieve an improved final landform. Any excess overburden from other mines in the area and the timing of such will be under constant consideration.