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Thank you for the opportunity to speak today.

I don't envy the Commission's position trying to balance the weight of argument from the two opposing sides in this public forum. You could be forgiven in thinking that this is playing out like the final episode of 'Biggest Loser' where the biggest loser wins. But we know that's not true to form because Bulga **has been** the 'biggest loser' twice before and the Courts decided we were the winners on both occasions.

I don't know why we are back here again at a PAC Meeting regarding the Warkworth & Mt Thorley mines. I am a resident of Bulga and I hope you will forgive me for sounding negative about this whole process but I, like many other law abiding and fair minded people, am truly feeling gutted and have lost trust and any skerrick of faith in dealings with Rio Tinto and the NSW Government.

Why are overseas owned mining companies, such as Rio Tinto, exempt from the decisions of the highest courts of this State?

After this Public Hearing, in **the unlikely event of an unfavourable** decision by the Planning & Assessment Commission (PAC) to the Mount Thorley and Warkworth plans, Rio Tinto will simply vary the same application, as they have done before, and re-apply yet again.

Why is foreign owned Rio Tinto given the right, when this right is denied the citizens of this State, to endlessly appeal court decisions?

It is evident that the NSW Government certainly **is** in partnership with Rio Tinto to successfully by-pass the court rejections of coalmining expansion plans such as this. It's a disgrace when a foreign owned mining company like Rio Tinto tells the NSW Government how to '**Do the Business**' on their behalf, to the residents of Bulga and other citizens of NSW. Is this a part of the push for the rights of corporations to challenge laws that interfere with their profits? (* Cartoons - lewis@theherald.com)

Rules **were** changed to favour Rio Tinto's business plans for Mount Thorley & Warkworth mines over the negative social and environmental impacts recognized by the Courts.

No matter what the negative social or environmental impacts are, the DPE will stand with Rio Tinto against the residents of Bulga.

With all due respect to the Commissioners here today, many people now believe that PAC Public Hearings are merely ticking a box in what the Government is 'selling' to us as a fair and equitable public process.

After all this rule changing to suit mining companies, why is the NSW Government and the DPE still calling for PAC Public Hearings such as this one?

Why are they accepting verbal and written submissions from the public?

The imminent introduction of the Integrated Mining Policy also raises concerns that these changes were designed to rein-in the Planning and Assessment Commission (PAC) and weaken PAC's ability to protect the amenity, health and safety of communities, like Bulga, that are close to mines.

I am appealing to you, the members of the Planning & Assessment Commission, to be the arbiters of honesty and fairness.

In its Recommendation of Approval of the MTW projects, the Dept of Planning & Environment said they....."tested the sensitivity of these estimates to changes in key variables, such as the price of coal, and concluded that even if these variables changed significantly over time, the benefits of the project would remain positive.

Even I can see that if '**all the economic wheels fall off this particular coal wagon**', this project won't be economically viable, but..... incredibly, it will still proceed. And the Government, regardless of this economic reality, is still willing to support Rio Tinto, pressing ahead to accept the Mt Thorley & Warkworth mine extension.

With this in mind, we are led to believe that no matter what the economic viability of this mine really is, the DPE will stand with Rio Tinto, and both Mount Thorley and Warkworth mine expansions will be approved.

Yes, we **are** here today to listen to public opinion about whether or not the Mount Thorley and Warkworth mine expansion proposals outweigh the certain demise of the town of Bulga and the Warkworth Sands Woodland.

But our focus should be on the way this debate was enabled **yet again** by the NSW Government.

The Government has totally disregarded the Court's decisions and its DPE is willing to change laws to suit foreign mining companies like Rio Tinto. *If you think of it in biblical terms: "even ~~David~~ David only had to defeat Goliath once!"*

People want access to the courts to ensure that bureaucrats and politicians are held accountable for the decisions they make. They also expect that the Court's decisions will be respected and upheld.

Unfortunately, the Government is attempting to put that right out of the reach of most ordinary citizens, particularly those who oppose the two-time Court loser, Rio Tinto.

This Government has no intention of abiding by the umpire's decision, and has no respect for the integrity of the judiciary and its role in adjudicating disputes between the powerful and not-so powerful.

Not a hint of sympathy for the Hunter Valley residents who are fighting to preserve their environment and their way of life against a mine extension that Rio Tinto itself promised, years ago, it would never seek.

It must not be forgotten that Bulga is not and never was a mining town.

Presently, residents are subjected to excessive levels of dust, noise, vibration and lights not normally experienced in a rural environment. This will worsen if the mine expansions are allowed.

Studies show that proximity to coal production is associated with poorer health, high cardiopulmonary disease risk, chronic lung, hypertension and kidney disease.

Almost 40% of 9 to 15 year old Hunter region children have been diagnosed with asthma. In 2013, Australian Medical Association president Steve Hambleton backed calls for greater air quality monitoring, particularly around schools. Special precautions have been taken in the past by Saint Catherine's K-12 College at Singleton, where students have been brought indoors when it was windy or dusty. Two Upper Hunter schools actually have dust-monitoring devices in place.

Our children should not have to deal with these preventable health issues. Who should be held accountable, mining companies or the Government that allows it?

Air quality does have a major impact on the health of residents in the area around the open-cut Warkworth mine. (I, like many others suffer the ill health effects of dust and pollution and carry an asthma puffer with me at all times). The detrimental health effects cannot be ignored and any further expansion of Warkworth mine, will only further exceed the current dangerous levels of air pollution.

The health implications of excessive exposure to particulates are well known. The Hunter Valley is enduring ever escalating dangerous levels of particulates and to approve the Warkworth mine extension would contribute further to the already alarming particulate levels.

The public has an increasing knowledge and growing concern for the proven detrimental health effects of open-cut mining.

In the near future, Rio Tinto and the NSW Government, may well be found responsible in a class action by the people of the Hunter Valley for decisions, such as this present proposal, that are made despite contrary expert findings.

To allow continued and escalating levels of exposure is not only negligent, but a court may well find mining companies and the complicit decision-makers **liable**.

The Managing Director of Rio Tinto Coal repeatedly says 1,300 jobs are at risk if the mine extension is not approved.

The truth would be appreciated and, you would think, essential.

If mining was to cease at Warkworth and Mt Thorley in 2015 as claimed by the EIS, hundreds of jobs would **still** exist in **care**, **maintenance** and **rehabilitation**. Wouldn't that be a part of the long term plan of the mine anyway or maybe they don't intend to worry about care, rehabilitation and filling those

immense voids even if the site is 'mined out'.

Rio Tinto has faith in technology. They have invested millions of dollars to develop driverless trucks and trains to minimise employment.

In April this year, Rio Tinto's chief executive Sam Walsh, promised \$5billion in cost savings and told investors he aims to build a more focused and accountable business.

The loss of jobs in the coal industry is imminent regardless of the success of this appeal. The current oversupply of coal is further depressing the price of coal and Warkworth mine is becoming incredibly uneconomical.

Bulga has been used as a 'scape goat' and blamed by Rio Tinto for proven inadequacies in their previous unsuccessful applications and have encouraged an '**us versus them**' mentality.

The nature of this mining debate not only threatens to divide the Singleton Local Government Area but also destroy the community and township of Bulga.

On the matter of youth unemployment, it's interesting that an independent review in the 'boom times' of October 2012 found that despite Singleton's coal-based high income status, significantly fewer students finished Yr 12. It also found that on a socio-economic scale for employment and education, Singleton was significantly below expectations, given its high economic performance. It also found that a major Singleton open-cut coal mine proposal overstated its benefits and community impacts.

So even in the boom time of mining there were education and unemployment problems for the youth of Singleton. Sadly, as is the case with most country towns, the majority of school leavers have to further their education or apply for employment elsewhere, whether its in NSW or interstate.

Bulga is not and never was a mining town, but because of the mine's proximity, property owners in the Bulga area have had to endure a dramatic decline in the value of their properties and in fact, some cannot sell at all. Any who have managed to sell have not received anything near the prices demonstrated by the local market because of the mine proximity and the threat that it will advance even closer to Bulga. I'm sure this suits Rio Tinto as they can then acquire desperate and despondent people's homes at bargain basement prices.

The people who feel particularly cheated by Rio Tinto and the NSW Government are those residents who bought or built homes, encouraged others to move to or stay in Bulga, or didn't move away when they could, based on the existence of the signed Ministerial Deed of Agreement of 2003. Such dishonesty would make any corporate swindler blush.

Rio Tinto simply dismisses this outrageous situation of their creation, by saying they can't be held responsible for the life decisions of others! But they certainly a great at forcing some people into unwanted 'life decisions'.

The impacts of Warkworth & Mt Thorley mines, on the residents of Bulga and surrounding districts are immense.

Bulga is not, and should not, be defined by the number of people who live there..... just as its future existence should not rely on the whims and profit margins of the foreign owned mining company, Rio Tinto.

Again, Bulga is not a mining town

The extension of this mine means **the loss of not only Warkworth Sands Woodland and the 200 year old village of Bulga** as a place, but also the **displacement of the people** living in this historical, vibrant and tightly knit rural community.

Both the lodging of this current application and its acceptance shows complete contempt for the Judiciary, the environment, the rural community of Bulga and the lifestyle and health that its residents are desperately trying to preserve.

Sadly, it seems clear that the NSW Government thinks that the one Rio Tinto bird in the hand is worth more than the 380 Bulga birds in the bush.

There is a hard road ahead for all the stakeholders in this debate and I'd like to remind the members of the Planning and Assessment Commission, that **all** residents and workers deserve good health, lifestyle choices and secure futures. **There is a lot more at stake here than just jobs.**

I fervently request that this Mining Application that seeks to expand the Warkworth and Mount Thorley mines be denied.