# **Approval of Warkworth mine expansion is a breach of faith with the people**

January 30th 2014

The Nature Conservation Council of NSW (NCC) has condemned the Planning Assessment Commission’s approval of the expansion of the Warkworth open-cut coal mine near the village of Bulga in the Upper Hunter. [1]

NCC Campaigns Director Kate Smolski said it was highly inappropriate for the PAC to have made a determination while the Supreme Court is still considering a case involving Warkworth mine’s owner Rio Tinto and the Bulga-Milbrodale Progress Association.

Rio Tinto proposes to expand its existing mining operations 350 metres towards the village, mining through an area set aside in 2003 as a biodiversity offset area.

“The proposal to mine an area previously set aside for permanent protection is a serious breach of faith by the company and the state government,” Ms Smolski said.

The offset areas established in the original deed of agreement protect endangered woodlands and maintain Saddleback Ridge as a physical buffer between the mine and Bulga village.

“We strongly oppose the proposal to mine the offset area, which would destroy two endangered ecological communities and fundamentally compromise the integrity of biodiversity offsets as a policy tool in the planning system.”

The proposed destruction of the 2003 offset area has attracted widespread criticism: almost 90% of written objections to the proposal were highly critical of the proposal to mine the offset area.

“The company knew the offset area was underlain with coal resources when they promised to protect the area,” Ms Smolski said. “Hundreds of hectares of endangered woodland were destroyed under the 2003 approval, conditional on the company’s commitment to protect the offset areas in perpetuity.

“The government’s proposal to release the company from its offset obligations under the original approval is a betrayal of the residents of Bulga and the broader community.

“The haste with which the company’s new expansion proposal has been processed by the Department of Planning undermines public confidence in the planning system. We call on the planning minister Brad Hazzard to reject this damaging project.”

The Land and Environment Court ruled in April last year that state government’s approval of the original Warkworth open-cut mine extension proposal was invalid because it would have had:

• significant and unacceptable impacts on biodiversity;

• significant and unacceptable noise impacts on residents; and

• significant and unacceptable social impacts on the local community of Bulga.

Rio Tinto has appealed the Land and Environment Court decision, and the Supreme Court’s ruling on the appeal is now pending.

# **Warkworth mine expansion is a breach of faith**

December 19th 2013

The Nature Conservation Council of NSW (NCC) appeared before the Planning Assessment Commission (PAC) today in Singleton to oppose the proposed expansion of the Warkworth open-cut coal mine near the Upper Hunter village of Bulga.

Rio Tinto proposes to expand its existing mining operations 350 metres towards the village, mining through an area set aside in 2003 as a biodiversity offset area.

“The proposal to mine an area previously set aside for permanent protection is a serious breach of faith by the company and the state government,” said NCC Chief Executive Officer Pepe Clarke.

The offset areas established in the original deed of agreement protect endangered woodlands and maintain Saddleback Ridge as a physical buffer between the mine and Bulga village.

“We strongly oppose the proposal to mine the offset area, which would destroy two endangered ecological communities and fundamentally compromise the integrity of biodiversity offsets as a policy tool in the planning system.”

The proposed destruction of the 2003 offset area has attracted widespread criticism: almost 90% of written objections to the proposal were highly critical of the proposal to mine the offset area.

The Department of Planning in its assessment report has argued that the original offset areas should be set aside because the land is “underlain with substantial coal resources”.

“The company knew the offset area was underlain with coal resources when they promised to protect the area,” Mr Clarke said. “Hundreds of hectares of endangered woodland were destroyed under the 2003 approval, conditional on the company’s commitment to protect the offset areas in perpetuity.

“The government’s proposal to release the company from its offset obligations under the original approval is a betrayal of the residents of Bulga and the broader community. The haste with which the company’s new expansion proposal has been processed by the Department of Planning undermines public confidence in the planning system.

“It is highly inappropriate that this application has been rushed through the in a matter of weeks while a court case is pending.”

The Land and Environment Court ruled in April this year that state government’s approval of the original Warkworth open-cut mine extension proposal was invalid because it would have had:

• significant and unacceptable impacts on biodiversity;

• significant and unacceptable noise impacts on residents; and

• significant and unacceptable social impacts on the local community of Bulga.

Mining company Rio Tinto immediately appealed the decision. The Supreme Court’s ruling on the appeal is now pending.