



# Wybong Action Group <sup>Incorporated</sup>

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**Mr Grant Farrar**  
**Xstrata Mangoola P/L**  
**PO Box 495**  
**Muswellbrook NSW 2333**  
**22 May 2009**

In response to your letter dated 20 May 2009 received 22 May 2009.

## **A. Re: Wybong Road Upgrade Information**

1. At the Denman Community Information Session in relation to the proposed 500kV power line relocation the subject of the Major Wybong Road Upgrade (Roxburgh Road to Mangoola Mine Access Road) was raised by myself as President of the Wybong Action Group, on behalf of the residents of Yarraman, Brogheda, Manobalai and Cuan Cua Parishes (the Wybong Community), many of whom have raised the issue with us, with Evalina Hendry and Jane Yelland, in your presence and a specific request was made for a copy of the Traffic Management Plan relating to the Major Wybong Road Upgrade (Roxburgh Road to Mangoola Mine Access Road) as distinct from the Early Works. Your denial of the issue being raised is surprising but not unexpected as clearly Xstrata Mangoola P/L does not wish to consult with or disclose its plans for the Major Wybong Road Upgrade (Roxburgh Road to Mangoola Mine Access Road) to the Wybong Community and the major quantum of Wybong Road Users.

## **B. Community Consultation**

The Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parish Residents) is distinct from the Denman, Sandy Hollow and Muswellbrook Communities and has its economic, social and transport links direct with Muswellbrook and Sandy Hollow, a historical fact well known to Xstrata Mangoola P/L, RTA and Muswellbrook Shire Council and verifiable from traffic data. Denman is a distant and infrequent destination for Wybong Community residents who are 'outsiders' in that community. Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parish) Residents work hours that generally preclude the potential for any casual attendances to Denman between 3pm and 7pm on weekdays. The newspaper in which the Denman CIS meetings are advertised is not delivered to all residents, if it is delivered at all. Meetings are not advertised on commercial or ABC radio which again is not receivable by all residents due to topography. Hence it is unlikely that Wybong Community members would attend any meetings held at Denman that are advertised particularly when they are advertised as Denman Community Information Sessions, other than by chance or great determination.

1. The Community Information Sessions at Denman, Sandy Hollow and Wybong to which you refer were held in 2008 (not 2009 as incorrectly stated by you), **after the Early Works (Modification 1) approval**, and they dealt only with the Modification 1 Application Early Works.

2. The Early Works Road Works detailed in the Modification 1 Application and associated Traffic Management Plan included the construction of the Mine Access Road and its Intersection with Wybong Road and ONLY cosmetic issues dealing with the “making safe” of Wybong Road [such as minor curve widenings, centre line making and signage].
3. The Traffic Management Plan relating to the Early Works Approval stated:
  - [Traffic Management Plan, Mangoola Coal Project, Early Works Program, Sept 2008](#)  
S3.3, p8           “[Upgrade works on Wybong Road WILL require separate Traffic Management & Traffic Control Plans.](#)”,
  - S3.6, p8           “[This TMP ONLY relates to access and traffic arrangements as part of the Mangoola Coal Early Works Program](#)”
4. The three Early Works meetings you identify were attended by a number of Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parish) Residents and members of Wybong Action Group and inquiries of Muswellbrook Shire Council, Xstrata Mangoola P/L and the Parsons-Brinkerhoff Engineer present concerning the Major Upgrade of Wybong Road (Roxburgh Road to Mangoola Mine Access Road) confirmed that [the meetings were ONLY concerned with the defined Early Works and that further documentation and meetings concerning the FUTURE Major Upgrade of Wybong Road \(Roxburgh Road to Mangoola Mine Access Road\) would occur when preliminary designs were available FOLLOWING further investigation of that section of roadway with no specific planning of works for that section of road having yet been compiled.](#)
5. The reason the Major Wybong Road Upgrade was raised by Wybong Action Group at the [Denman Community](#) Information Session in April 2009 in relation to the proposed 500kV power line was because [there has been NO COMMUNITY CONSULTATION held by Xstrata Mangoola P/L whatsoever concerning the specific details of the Major Wybong Road Upgrade \(Roxburgh Road to Mangoola Mine Access Road\) as distinct from the Early Works.](#)
6. The detailed information that the Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parish) residents and Wybong Road users are seeking, that has NOT been made available to date, is the information related to the Major Wybong Road Upgrade ([Roxburgh Road to Mangoola Mine Access Road](#)) including (again):
  - A. Upgrade Roadworks Scope and Sequence -  
carriageway and sealed shoulder widths, alignments, environmental drainage controls, excavations (locations, depths, lengths), construction methods, indicative timetable and sequence, proposed locations of material dumps, site sheds and truck accesses,
  - B. Traffic Management Plan & Traffic Control Plan - Proposed speed restrictions, lane and road closures,
  - C. vehicle bypasses and Traffic Control methods,
  - D. Proposed design of any intersection reconstructions or reconfigurations at:
    - a) Mangoola Road/Wybong Road,
    - b) Limvardy Road/Wybong Road,
    - c) Castlerock Road/Wybong Road,
    - d) Ridgelands Road/Wybong Road,
    - e) Wybong PO Road/Wybong Road,
  - E. Proposed location and design of any temporary school bus stops and any school bus stop reconstructions or reconfigurations,
  - F. Proposed location and extent of any roadside vegetation and tree clearing
  - G. Measures proposed to reduce events of and likelihood of conflict between native animals, stock and road users.

7. This information is required by the Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parish) Residents and Wybong Road users pursuant to Consent Condition 51 (below) and we fail to understand Xstrata Mangoola P/L's refusal, reluctance and inability to provide this information or engage in Consultation with the Wybong Community regarding the Major Wybong Road Upgrade (Roxburgh Road to Mangoola Mine Access Road).

51. Prior to carrying out any development on site, the Proponent shall prepare (and subsequently implement) a construction traffic management plan for the project to the satisfaction of the RTA and Council; and following approval, implement the plan to the satisfaction of the RTA and Council. The plan shall include specific measures in relation to:
- speed limits, warning signage, barriers and repairs on Wybong Road, based on a detailed road safety audit;
  - restriction of project-related traffic to the nominated access routes, including an effective driver education and self-policing penalty system;
  - restriction of heavy vehicle access during school bus hours; and
  - consultation with the local community and relevant agencies regarding the project and traffic management measures.

**Table 1 Summary of Wybong Community & Wybong Road Users Consultation**

Date	Activity	Information Provided
4 Dec 2007 – current	Ongoing meetings with MSC	In camera and privy to MSC & XTA
Dec 2007 – current	Consultation with (OBS) Osborne Bus Service	In camera and privy to OBS & XTA
Sept 2008 Newsletter	Newsletter <a href="http://www.xstrata.com/operation/mangoola/publications/">http://www.xstrata.com/operation/mangoola/publications/</a>	The Wybong Road Upgrade [June 2008] loosely described and without detail was NEVER COMMENCED and was superseded by the Early Works Application - with details of the Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade <u>to follow on completion of the Early Works</u> [see 3. above]
Jan 2009 Newsletter	Newsletter <a href="http://www.xstrata.com/operation/mangoola/publications/">http://www.xstrata.com/operation/mangoola/publications/</a>	No mention of Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade or any road works
18 Feb 2009	MCCCC minutes <a href="http://www.xstrata.com/operation/mangoola/publications/">http://www.xstrata.com/operation/mangoola/publications/</a>	No mention of Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade or any road works
Feb-April 2009	Meetings with residents along Wybong Rd East	11 one on one meetings were apparently held with a lesser number of residents purely to advise them of roadwork and offer driveway sealing. These meetings were In camera and privy to MSC, XTA & the individual resident concerned ONLY – The meetings were NOT PUBLIC MEETINGS.
18 March 2009	Denman Community Information Session	No <u>detail</u> (Traffic Management Plan, Concept or Design Drawings) of Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade was available. The Manager (Earthworks) was not made available when questions re: Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade were asked between 6 & 7pm
Oct 2008 – April 2009	Distribution of Flyers	NO Flyers related to the Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade. Not all flyers were distributed to residents of Yarraman, Brogheda, Manobalai and

		Cuan Cua Parishes. <u>Following the issue of nil flyers received at Brogheda being raised at the April Denman CIS several copies of a single flyer were dumped, in petulance, into a Ridglands Road letterbox and onto the adjacent roadway. They did not relate to the Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade as was requested.</u>
April – May 2009	Flyers, letters and meetings with users of Castlerock Road School Bus Stop	Privy only to parents of children currently using the School Bus Stop and WITHELD from the Wybong Community and Wybong Road Users. NOT PUBLICLY ADVISED. The Wybong Community and Wybong Road Users had no prior knowledge of the relocation of the Castlerock School Bus Stop or warning that the new road surface was a School Bus Stop and not a vehicle carriageway.
January – April 2009	Meetings with OBS	In camera and privy to OBS & XTA. Privy only to parents of children currently using the School Bus Stop and WITHELD from the Wybong Community and Wybong Road Users. NOT PUBLICLY ADVISED.

8. The contact details provided on flyers connected to an offshore call centre where operators were/are instructed to take a name and obtain a contact phone number AND RECORD/IMPART **NO OTHER INFORMATION**. I am aware of numbers of calls being made to this contact response line and **it is KNOWINGLY UNTRUE of Xstrata Mangoola to state that only one call had been received.**
9. Inquiries were made of Xstrata Mangoola by Wybong Action Group in August and September 2008 and a detailed submission made regarding the Proposed Early Works to occur on Wybong Road.
10. The Denman Community Information Sessions (March and April 2009) **would expect** to see a markedly reduced attendance from the Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parishes) but NOT a reduced requirement for information and consultation from those who attended specifically in relation to the Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade for reasons of:
  - a. Numbers of non-Xstrata-contract residents in the Management Zone have diminished substantially following property purchases by Xstrata Mangoola P/L and the subsequent public letting of ONLY a small number of properties ie the area has been depopulated by Xstrata Mangoola P/L, many properties are vacant and in gross disrepair (see MCCC minutes: <http://www.xstrata.com/operation/mangoola/publications/>).
  - b. Denman is a distant, indirect, infrequent and uncommon destination for the remaining residents of the Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parishes) for the reasons given (A above.)
  - c. The Denman Community Information Sessions are advertised ONCE only in a newspaper that is NOT delivered to all residents of Yarraman, Brogheda, Manobalai and Cuan Cua Parishes prior to meeting dates, if it is delivered at all.
  - d. The Denman Community Information Sessions are NOT advertised on commercial or ABC radio which is again limited in reception by topography.
  - e. An Agenda or List of Specialist Attendees and interview times (eg Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade Manager) is NOT provided.
  - f. Attendance at Denman Community Information Sessions, discussions, submissions and attempted telephone contact with Xstrata Mangoola P/L and/or Muswellbrook Shire Council has proved a fruitless exercise for many residents as they are frequently told, "if you don't like the situation then maybe it is time you moved on and lived somewhere else."
  - g. Xstrata Mangoola P/L has held NO MEETINGS at Wybong Public Hall subsequent to September 2008.**

### C. Wybong Road Upgrade Documentation

1. The ONLY Traffic management Plan in existence to public knowledge is [Traffic Management Plan, Mangoola Coal Project, Early Works Program, Sept 2008] that states:
  - S3.3, p8 “Upgrade works on Wybong Road WILL require separate Traffic Management & Traffic Control Plans.”,
  - S3.6, p8 “This TMP ONLY relates to access and traffic arrangements as part of the Mangoola Coal Early Works Program”
2. Any Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade Traffic Management Plan or Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade Traffic Management Plan or Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade documents subsequent to the Early Works Documents, EA and Application, developed in conjunction with Muswellbrook Shire Council and RTA are in camera and privy to Xstrata Mangoola P/L, Muswellbrook Shire Council and the RTA and are not publicly available or accessible and NO CONSULTATION has been held in relation to any such documents or plans.

### D. Response to Other Specific Issues

1. The Wybong Community (specifically the Castlerock Community) School Children have been relocated from the safety of the Castlerock Road School Bus Stop and were **NEGLIGENTLY** placed at risk at the hazardous intersection of Ridgeland Road and Wybong Road solely for the convenience of Xstrata Mangoola P/L in the location of a gravel stockpile and not because of the immediate re-construction of the Castlerock Road School Bus Stop. **Xstrata Dumps Children for Gravel!**
2. Line marking, signage and placement of moveable barricades at the relocated bus stop (pictured below) did NOT OCCUR prior to its commencement of use and occurred **SEVERAL DAYS AFTER** a serious child safety incident on the day of the bus stop opening was reported to the NSW Police and referred by members of the Castlerock Community, Wybong Community and Muswellbrook Shire Council Environment Committee to the Mayor and referred to the Muswellbrook Shire Council Traffic Committee.



3. The location of the Major Wybong Road (Roxburgh Road to Mangoola Mine Access Road) Upgrade Road Contractor Site Shed and any associated Traffic Control Plan mentioned is privy to Muswellbrook Shire Council and Xstrata Mangoola P/L and is NOT a public document nor has any associated Traffic Control Plan mentioned been subject to any Community Consultation or provided to the Wybong Community or Wybong Road Users for information.

4. The tree clearing between 17000 & 18300 was described in document numbers 98 PBH 540 1000 C0402 Rev F & 98 PBH 540 1000 C0403 Rev E as "Remove required trees and overhanging branches to improve clear zones and sight distances" which implies selective felling rather than the clear felling from fence line to fence line for over 1 km of numerous old growth and hollow bearing Red Gums, Ironbarks and Spotted Gums from "The Forest". The trees to be felled were not marked as such in the months or even days prior to felling and no prior consultation took place with the Wybong Community. No overhanging branches were removed, instead ALL TREES in the road reserve were felled and chipped immediately in situ.

Again,

The Wybong Community must rely upon the NSW Department of Planning to ensure that Wybong Community (Yarraman, Brogheda, Manobalai and Cuan Cua Parish) Residents and majority Wybong Road Users, are fully consulted concerning, and informed of pending road changes, to ensure their safety and the safety of all users of Wybong Road, during the lengthy 8-12 month Wybong Road Upgrade wherein rural, residential and unfamiliar road users will shortly, by the minute vie, with ever changing road conditions and pathways between, amongst and through heavy road construction machinery and mine related traffic, on what effectively will become a seven km long, major construction site, as we have learned from our experience and dealings with that Xstrata Mangoola P/L that we cannot rely on Xstrata Mangoola P/L to abide its Conditions of Consent or concern itself with Residents, Road Users or School Children's Safety.

We believe that the Department of Planning, given such full and accurate detail of the COMPLETE LACK OF COMMUNITY CONSULTATION - WYBONG ROAD MAJOR UPGRADE [BENGALLA LINK RD (Roxburgh Rd) TO MANGOOLA MINE ACCESS ROAD] by Xstrata Mangoola P/L, such as we have detailed, can only find that Xstrata Mangoola P/L have not adequately consulted the Wybong (and wider Wybong Road User) Community or complied with Consent Condition 51 and we rely on the instruction of the Department of Planning for Xstrata Mangoola P/L to be compelled to do so forthwith.

Sincerely,



John Shewan  
President  
Wybong Action Group  
Cc Mr Phil Jones