

Ashton Coal Mine – South East Open Cut Project (MP 08_0812 Mod. 1) – Proposed Modification to Administrative Conditions

Application to modify conditions of the Ashton South East Open Cut (SEOC) Project Approval which impose obligations, or require compliance, at a time prior to the commencement of the project. Modification request made via a letter from Yancoal to Mr Howard Reed of the Department of Planning & Environment dated 19/1/17.

I hereby object to the proposed Modification because it appears to be a ‘back door’ method to overcome the obstacle posed to Yancoal in the form of longstanding Landholder Ms Wendy Bowman, an 81 year old lady.

In what has been a long and essentially unfair contest, Ms Bowman is at a distinct disadvantage in that she does not have the time, the technical knowledge, the economic resources nor the political clout to counter the vast resources of the proponent Yancoal. Plus, at her age she is surely entitled to a little more respect and dignity.

In accord with recent court judgements, Ms Bowman’s rights deserve to be respected and protected in the face of a multinational coal miner attempting to manoeuvre an outcome that suits its commercial objectives. The previous court judgements pertaining to this matter need to continue to hold currency.

Thus I object to the Modification and oppose:

1. the request made in their letter to the Director, Resource Assessments, to change the Schedule 2 Administrative Conditions to allow him to approve commencement prior to acquisition of the properties, and

2. the proposed clause in the attached Table B:

“3 C1 Additional property acquisition of affected Camberwell village residents: In addition to property acquisition requirements within the Project Approval where requested by any affected property owner within Camberwell village, Ashton will enter into purchase negotiations in accordance with the property acquisition conditions of the Project Approval. Amended timing - Upon commencement of development of the Project.”

In conclusion I object to the proposed Modification as it seeks to change the decision of the L&E Court and the NSW Appeals Court that gave the farming community the protection from the potential negative environmental outcomes this project could produce, as well as respecting the right of the farmer to farm their land.