

Reply to: Georgina Woods
NSW Coordinator
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Submission: Ashton South East Open Cut modification

Thank you for the opportunity to make a submission on this modification application.

Lock the Gate Alliance objects to this modification.

We note that no environmental, social or economic assessment of this modification has been provided, nor has any justification for it been made. This is a poor process and a poor application and we urge the Department to reject the modification for the economic and social harm that it will do.

We do not believe that this modification is necessary or reasonable.

Chiefly, we are very concerned about any delay in the right of the remaining residents of Camberwell in requesting acquisition or mitigation measures by the proponent. The impact of mining on Camberwell has been extreme. The air quality in the village regularly breaches national standards and the area has been depopulated with the encroachment of mines and the buy up of surrounding farmland.

The social impact of this modification has not been assessed at all by the proponent but is considerable: it means months or years of uncertainty and delay for residents who could otherwise plan and make decisions to move on with their lives elsewhere. Acquisition and relocation is not an easy process anywhere, but can be particularly challenging in rural areas where the market for property can be limited and the characteristics of properties can vary greatly. The residents of Camberwell and surrounding properties should not have to wait for an uncertain decision by the proponent to leave if the circumstances suit them in the interim to do so. To amend the consent to prevent these acquisition rights from being exercised prior to a decision by the proponent to commence construction is profoundly unjust and unwarranted.

The Government's actions in making the acquisition process a routine part of development consents for coal mines is costing many private citizens considerable money and stress. It is affecting the value of privately held property, depressing businesses and causing anxiety, sleeplessness and ill-health. If the Government is going to persist in granting development consent to coal mines that have considerable ill-effects beyond the boundaries of properties owned by the mine itself, then it must ensure that full, immediate and acceptable

compensation is offered to every person and business affected by that consent. The negative effect of the consent on these properties is not solely caused by the development, but begins as soon as the consent is granted. Because of the existence of the development consent, the people of Camberwell have no opportunity to sell their property at this point in time to anyone but the mine proponent. It is worthless to any other prospective buyer. No bank would lend on it. Is the Department of Planning going to compensate these property owners for this loss, and for the stress and psychological harm they have endured? They must be able to maintain their right to request acquisition.

Regarding the conditions for maintaining agricultural productivity and beginning the task of offsetting biodiversity impacts, there is no reason why these conditions should not apply prior to the commencement of development at the site. The maintenance of the agricultural productivity of lands owned by the proponent is entirely independent of the mine development and would be necessary regardless of decisions about the mine. Biodiversity offsets take time to establish and improve in their values and so immediate commencement of these conditions, despite any delay in commencement of the mine is of benefit to the community and should be upheld by the Department.

The Government must not let the public and the environment hang on the convenience of coal companies. Commitments that have been made must be fulfilled and it is unreasonable and unjustified for the company to expect to be able to amend its consent and delay implementing conditions that were imposed for the good of the community and the environment.

Sincerely

Georgina Woods
NSW Coordinator
Lock the Gate Alliance