

Dear Sir/Madam,

Proposal for Modification 4 to Project Approval MP10_0046 – Russell Vale Colliery Preliminary Works Project

I object to the proposal for Preliminary Works Project Modification 4 Belambi Creek Gully at Russell Vale Colliery, operated by Wollongong Coal Ltd (WCL). The reasons for my objection are as follows:

Sets a risky precedent

Allowing the modification would set a bad precedent. It could encourage companies to delay works required by the Department of Planning and Environment (DoPE). It sends the message to companies that if they hold off on their obligation for as long as possible, they may be relieved of it.

Undermines the authority of the DoPE

Allowing the change would also undermine the authority of the DoPE, as companies could presume that they can override DoPE decisions simply by holding off on doing what they've been required to do.

Undermines the DoPE process

Moving the goal posts now, by changing the condition many years after it was due to be met, makes a mockery of the Department's approval process.

Insufficient capital should not be the basis of a mining company's condition of approval being changed

WCL cited shortage of capital as the principal reason for the proposed change. Shortage of capital should not be regarded as a valid reason for putting communities and the environment at risk. Allowing the change for this reason sets a risky precedent.

Under the proposed option, Bellambi Creek will continue to flow through a deteriorating concrete culvert that runs directly under the colliery stockpile and working area, risking ongoing contamination of the creek. If WCL doesn't have sufficient capital to pay for the modification, how would it be able to fund the works required to halt or clean up contamination?

The modification would not prevent further pollution events

Bellambi Creek has been polluted numerous times since WCL has been operating Russell Vale Colliery. Every one of those pollution events could have been avoided if Bellambi Creek was realigned. However, WCL's documents say that under the proposed option Bellambi Creek will still not be protected from further pollution events.

Puts a company's interests ahead of people, property and environment

The realignment of Bellambi Creek is meant to protect residents. Through failing to carry out the flood mitigation works, lives and property are being put in danger. WCL's interests are being put ahead of people, property and the environment.

Privatization of profits should equal privatization of costs

WCL mined and sold the coal under approval, but failed to meet the conditions of the coal extraction. It is only fair and just that it adheres to, and pays for, the realignment of Bellambi Creek.

Erodes public trust in processes

For all the reasons outlined above, allowing the change would erode public trust in the processes currently in place.

Moreover, if something goes wrong as a result of a modification to the condition there is likely to be significant public backlash.

Conclusion

It is six years since the realignment of Bellambi Creek was due to be completed. It is now time for the Wollongong Coal to stop deferring and to instead get on with the job of addressing the issues it has created in the course of generating private profits.

Yours sincerely,

Name withheld