Manning Clean Water Action Group (MCWAG) Inc.

(incorporated under the *Associations Incorporation Act 2009*)
Inc. No. 9895646

PO Box 1050, Taree, NSW 2430

Mob: 0419 496 322 **Email: sheed@midcoast.com.au**

Christopher Sheed OAM
President
Manning Clean Water Action Group
PO Box 1050,
Taree,
NSW 2430

25th January 2013

Dear Sir

Re: Submission in response to the Environmental Impact Statement (EIS) is for the Yancoal Stratford Extension Project SSD-4966

Manning Clean Water Action Group (MCWAG) is an incorporated, "not for profit", community organisation with over 200 members. MCWAG is are opposed to any further expansion of coal mining in the Manning River Catchment.

The existing Stratford coal mine and the proposed extensions are wholly within the Avon River catchment which comprises part of the headwaters of the Manning River. The Manning River provides the drinking water for the Gloucester Council area, Greater Taree City Council area and the Great Lakes Council area.

MCWAG wishes to express in the strongest terms our total opposition to the proposed Stratford Extension Project.

MCWAG will not be addressing specific environmental impacts raised in the EIS. We believe that to do so would imply that we would be prepared to accept the proposal if the Department of Planning were to place conditions on the Project that the Department believe might attempt to mitigate the identified environmental impacts of the Stratford mine extension. We do not believe that any such conditions will adequately address our concerns.

THE HISTORY STRATFORD COAL

The Department gave consent to the original Stratford Coal proposal based on the Environmental Impact Statement (EIS) (Stratford Coal Pty Ltd, September 1994). Consent was given on the understanding that the information provided in that EIS was an honest and accurate account of the Company's intentions.

The original Stratford Coal Environmental Impact Statement, Volume 1 (Stratford Coal Pty Ltd, September 1994) stated (Page ES-1) a planned production of over 23 million tons of coal for a 14 year period:

The Project will comprise an open-cut mine based on the Stratford Main Deposit with a coal preparation plant (CPP) and associated raw and product coal handling and rail loading facilities. The Project will involve mining approximately 23.5 million tonnes (Mt) of run-of-mine (ROM) coal, for a planned production rate of 1.8 million tonnes per annum (Mtpa) of ROM coal for a 14 year period.

Furthermore the original Stratford Coal EIS (1994)stated that the project proposed by Stratford Coal would yield substantially less coal then proposals by other parties and would therefore be "a much reduced project scale in comparison." (Page ES-2):

Significant environmental advantages of the Project are:

(i) A very small operation in comparison to contemporary Hunter Valley coal mines (refer Figures 1-2 and 1-3).

(ii) A much reduced Project scale in comparison to development proposals considered by the previous holders of the Exploration Licences (Authorisations).

The original Stratford Coal EIS (1994) also showed the following figure (Preceding page ES-3):

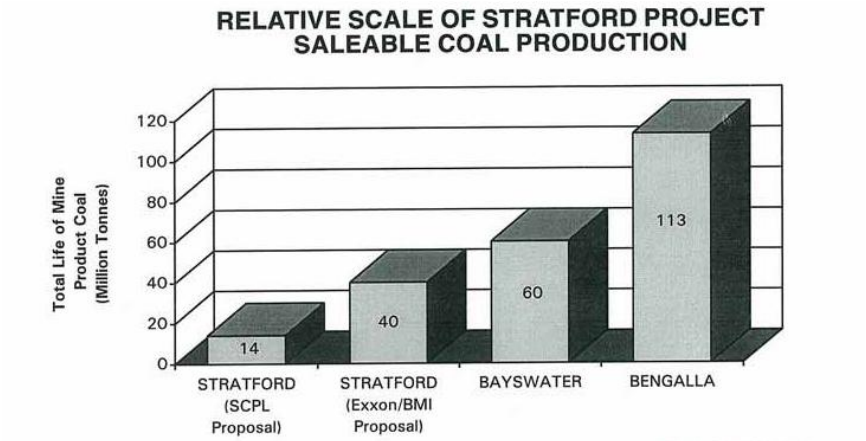


Figure 1-2

Fig 1-2 above shows clearly that the total production of coal from the Stratford mine would be 14 million tonnes,

However page ES-1 (above) claims the production would be 25 million tonnes (1.8 million tonnes per annum for 14 years). These differing claims are very misleading.

The proposed extension anticipates the extraction of up to 2.6 million tonnes per annum for the next 11 years, a potential of a further 28 million tonnes. (Stratford Extension Project, Environmental Impact Statement, Section 2, Project Description, Stratford Coal 2012 p. ES-1)

These figures show that if the Extension Project is allowed to proceed the total coal produced from the Stratford Project over a 25 year period will be in excess of 50 million tonnes.

This is in stark contrast to the claims made in the 1996 EIS that tried to justify the development by claiming "a much reduced Project scale" and a total production of 14 million tonnes.

The Company originally sought to mine for 14 years and extract 14 million tonnes of coal. The 14 years is up and they have extracted over 25 million tonnes. The life of the mine is now over and they have taken nearly double what they anticipated.

For Stratford Coal to now seek to extend the mine reflects an insidious misrepresentation by the proponent in the original EIS of 1974.

It is now time to shut the mine down.

GLOBAL WARMING.

Complete burning of one tonne of coal produces an equivalent 2.86 tonnes of carbon dioxide. The Stratford Extension will generate over 70 million tonnes of C02 (25 million tonnes coal x 2.86) when the produced coal is burnt. This does not include the CO2 generated by the associated extraction and transport activities.

The world is rapidly approaching a "tipping point" beyond which the worst impacts of climate change will not be able to be prevented (Effects of New Fossil Fuel Developments on the Possibilities of Meeting 2°C Scenarios. Ecofys, 2012)

The fossil fuel industry gives no regard to this unfolding global disaster. On the contrary, it is not just business as usual but the fossil fuel industry is actively planning a range of massive new mining projects that will significantly push emissions over what climate scientists have identified as the "carbon budget", the amount of additional CO2 that must not be exceeded in order to keep climate change from spiraling out of control. (*Point of No Return – The Massive climate threats we must avoid*, Greenpeace, 2013).

Australia, through coal mining and coal exports is a leading contributor to global emissions and unless coal mining projects are rapidly scaled back in Australia our role in carbon emissions and global warming will become significantly worse and will find us placed second only to China (Sydney Morning Herald Jan 23rd 2010).

Now is the time for government to have the courage to say "no" to the expansion of coal mining.

PREMIER'S PROMISE

Before the last NSW election, the then opposition leader Barry O'Farrell promised to ban exploration and mining in drinking water catchments if elected. He said: "The next Liberal/National government will ensure that mining cannot occur … in any water catchment area, and will ensure that mining leases and mining exploration permits reflect that common sense; no ifs, no buts, a guarantee."

Barry O'Farrell also signed a Contract with the people of NSW prior to the last election agreeing, if elected, to undertake *inter alia* the following commitments:

“We will give people a real say on issues affecting their local community.”

“We will return planning powers to the community.”

The Gloucester community and the Gloucester Council have clearly expressed in their respective submissions on the Stratford Coal Extension, their opposition to further mining in the picturesque agricultural Gloucester Valley.

The Premier and his government must honour their promise and stop the Stratford Coal extension. To do otherwise would confirm that the Premier has blatantly lied to the people of NSW.

Liberal MPs wearing Water Not Coal T-Shirts: The Coalition had a clear message prior to the March 2011 election - "Water not Coal". Pictured here are the Premier Barry O'Farrell and Minister for Resources and Energy, Chris Hartcher

EMERGING COMMUNITY CONCERNS

As a consequence of the buoyancy of the industry, concerns are emerging within the broader NSW community about the amenity, health, environmental and land use impacts associated with the growth of coal mining and coal seam gas,including:

- Fundamental concerns about the use of coal, due to its contribution to global carbon emissions and climate change;
- Concerns about the cumulative impacts of mining (health and environmental), principally in the Hunter Valley; and

- Concern that open cut mining on the scale of mines in the Hunter Valley will occur in other regions where coal mining is an emerging industry, such as the Gunnedah, Gloucester and the Western Basin. (NSW Coal & Gas Strategy – Scoping Paper 2011)

It is of grave concern that the NSW Government can, supposedly, recognise the concerns of communities and yet continue to pander to the requirements of the mining industry. It is obvious from a scientific point of view (and the evidence exists) that the cumulative effects of open-cut mining are devasting to communities around those mines. The extension of the Stratford coal mine will only expand any environmental and health impacts which already exist; for example, coal dust, water pollution (saline water from the mine), and noise pollution. It beggars belief that any Government can ignore those effects and many others on a community. Measures to mitigate these impacts are negligible as can be seen in the Hunter Valley.

In that same Scoping Paper the NSW Government says, in response to the community concerns:

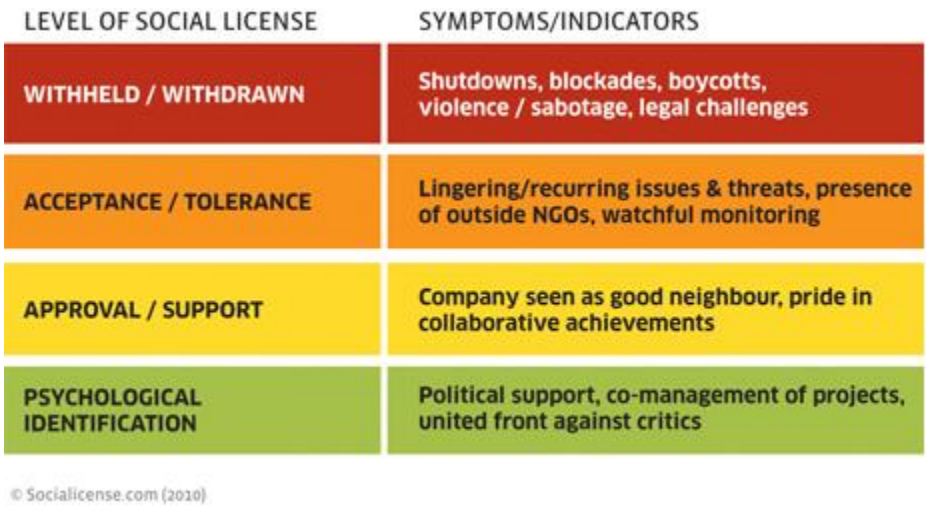
"A commitment to reduce greenhouse gas emissions by 60% by 2050, including a target of 20% renewable energy consumption by 2020, consistent with the Commonwealth's Renewable Energy Target"

Please tell us how the expansion of the Stratford coal mine is in line with the NSW Government's commitment to reduce greenhouse gas emissions. After all, it is universally accepted that when coal is burnt it produces CO2. The Stratford coal may not be burnt in Australia but wherever it is burnt it is producing CO2.

It seems obvious that the NSW Government has no regard to the science relating to climate change and the impact of continued fossil fuel extraction on the climate; otherwise they wouldn't even be considering the expansion of the Stratford coal mine or any others.

SOCIAL LICENSE

A Social License has been defined as "existing when a project has the ongoing approval and broad social acceptance within the local community and among other stakeholders."



From the above chart it can be seen that a social license involve a hierarchy of acceptance. In order achieve a higher level of social license a project needs to demonstrate having a favourable regard across the wider community. The community has to show that is pleased with the proposal and is willingly encouraging it to proceed.

A medium level of social license may be achieved when the community appears disposed to support and approve of the proposal; to agree to it rather than encourage it. This level may be sufficient to allow a project to proceed.

A low level of social license occurs when there are obvious community elements of doubt or reluctance to embrace a project. The community may be simply tolerating rather than approving of the project. A low social license should be a cause for concern to the proponent. Indeed, the proponent should seek to increase the level of social license to at least a medium level before proceeding.

Where no social license exists the proponent will find community consent and approval withdrawn. There may well be a range of obstacles placed in the way of the proposal including blockades and legal challenges. Where no social license exists the proponent loses their legitimacy and credibility and will be confronting head on a grass roots democracy and obvious opposition.

In the case of the Stratford Coal Extension the company has clearly failed to obtain a social license from the Gloucester community. The reasons for this include the company:

- failing to deliver on promises previously made to the community
- failing to understand or anticipate community concerns,
- failing to give reliable information,
- failing to respect and listen to the community,
- failing to recognise the rapidly growing national and international concern over fossil fuels.

In order to prevent community disquiet, stress and unrest a project that does not have a social license should not be allowed to proceed.

The community could be forgiven for perceiving that Stratford Coal does not believe that it requires a community license. The parent company of Stratford Coal is the Yanzhou Coal Mining Company based in the People's Republic of China where such entities appear to be able to operate freely with scant regard to the environment and with any community opposition quickly and often brutally crushed.

There is mounting evidence to suggest that the NSW Government does not care about community opposition to mining, is prepared to support the mining industry against the people of NSW at any cost and also use force to subdue any opposition. The State government has entrusted decision making on mining projects to the unelected Planning Assessment Commission (PAC). There is little or no evidence to suggest that the PAC has any intention of slowing the coal mining industry in NSW.

This position needs to change.

We demand that the Stratford Extension be refused. It can be refused for many reasons; the only reason that it can be approved is because of the need to make money. That is not a reason for destroying people's lives and the environment.

Yours sincerely,

Christopher Sheed
