

Stratford Extension Project – SSD 4966

Submission by Chris Russell

Opposing the Extension of Yancoal's Operations Within The Gloucester Basin Against The Expressed Interests Of The Gloucester Community

YANCOAL seeks to 'continue and extend' its mining operations in the Gloucester Basin. It chooses to omit from its application and EIS its full long term intent for the Basin and its community. Instead it refers to a project life of 11 years. It fails to reflect on its history where, in 1995, operations started for what was touted as a short term 'boutique mine'.

The Government similarly has failed to establish effective strategy and approvals policies that can guide coal developments in a way which reflects any concerns for humanness, well-being, and our collective need to seek ways to improve sustainability in the way we live together. Successive NSW governments have seemingly ignored responsibilities that transcend their quite narrow and base motives.

The vast majority of residents in the Gloucester Basin and Gloucester Shire reject these coal developments. The Gloucester Shire Council rejects these developments. The people directly affected must be heard ahead of a company producing tomorrow's problems.

This short submission presents objections to coal developments in the Gloucester Basin and presents opportunities to better regulate developments and operations if they are approved.

FACTS

YANCOAL has chosen to intensify its operations against community opinion. It seeks to act and against the interests and health of directly affected residents. It has done so in full knowledge of the degree of local health issues and its history of poor dealings with its local residents. Some residents have long argued regarding exceedances in noise, hours of operation, reasonable house purchasing action, structural damage, blasting over pressure, green blasting clouds, and operations extending well beyond 'strict conditions'.

There is no social licence.

Because the company and the government have never stated boldly their true intent or even development aspirations for the Basin, people have taken-up or continued residency where they

would otherwise not. This is entirely avoidable. Full disclosure of company development aspirations will enable better long term shire development strategies and better inform individuals who currently discover that they are trapped. It would also enable communities to fully demonstrate their opposition and cause the company to seek other targets in less settled areas – or perhaps even where they are wanted. The company contra argument of ‘commercial sensitivity’ is rejected – in that it is part of their decision envelop regarding mining in closely settled areas. (Too commercially sensitive: seek a sparsely settled area, or one already substantially damaged, or a community prepared to waive this need, or seek some other form of ‘investment’.

YANCOAL is best served by keeping the community in the dark.

Because the approvals system is highly organised and to geared to generate approvals, residents are ALWAYS left to argue the obvious against quite indefensible propositions. Unfortunately, the company's ‘indefensible’ arguments are backed by the mining approval system, legal system, government's financial desires, YANCOAL's power, and the influence of the coal lobby - all acting to block reason and justice.

The community runs cake-stalls and raffles to fight this power. We engage in a game from the sideline.

The cost-benefit analysis (CBA) seeks to present mining as the only alternative. CBA is poorly geared to deal with the unmeasurables and unknowables that concern communities and in large part are real issue for our community.

No strategic alternatives are considered.

The CBA process should encompass a real assessment of health, noise, peace, scenic qualities, free access to our lands for social, environmental and heritage values. It should encompass the mining company's eventual departure, that that is likely to respond rapidly to market pressure, that local economic dependencies WILL be disrupted and that unknown and enduring adjustment support funding will have to be supplied by the government (per their draft SRLUP) in order to sustain some minimal level of economic recovery sufficient to foster new industry.

The CBA does not accommodate rehabilitation failure. The CBA process WILL NOT fully acknowledge the fact that voids MUST be left in the landscape. No void will ever be truly filled. Void filling is an essentially cosmetic ‘least-cost’ activity that leaves a porous rubble mass topped with a scant covering of topsoil which is incapable of enabling regeneration of pre-existing environmental or landuse values. A CBA truly intent on discovering the net economic impact must be based on full life-cycle thinking. It must consider the many unknown or unstudied impacts of coal mining. Of particular concern are the health impacts which will continue well after YANCOAL has left the valley. Similarly the legacy costs of dust infused soils and catchments, contaminated voids, permanently lost productivity, and

permanent loss of momentum in Gloucester's brand development and growth trajectory are just some of the issues that a genuine CBA would consider.

Because of extreme porosity, void sites will not enable drought tolerance. What may look 'nice' for several years is destined to fall on hard times. This failure is not countenanced or costed.

There is no Australian strategic need to access the coal in Gloucester Basin. This is entirely a YANCOAL need.

There is no need for YANCOAL to mine in closely settled areas when abundant coal is available elsewhere in NSW, OR seriously damaged areas OR sparsely settled areas.

YANCOAL's reason for mining in Gloucester Basin has NO OTHER BASIS than it avoids many costs attached to mining away from people. Regrettably, there's nothing to stop YANCOAL who simply asserts that it is convenient and cheaper to mine the Gloucester Basin than to mine further away. It is an entirely spurious argument that YANCOAL must mine here because it's where the coal is. YANCOAL has quite simple choices.

The upshot of reducing company cost by mining close to people is to impose their hidden and not so hidden costs directly onto communities – in the form of health, amenity, and various intrusions enabled because of the lack of laws and the company's own inability to contain its greed. Thus communities that don't want the intrusion get to pick up the hidden costs.

Interestingly, YANCOAL can in fact operate close to communities AND generate less impact – lower hidden costs. BUT YANCOAL like the rest of the coal community chooses not to – primarily because there is no official mechanism to drive company decision making in this regard.

Community-centric performance measures would sensitise YANCOAL decisions to the costs of accessing coal near communities.

EXAMPLE:

YANCOAL discharges light at night with no effective controls. In a distant place that might be acceptable. In a closely settled area it is a nightly reminder of company power and its dismissive treatment of well-known community opinion. This hidden environmental/psychological/amenity cost can be partly removed from the community and rightly borne by YANCOAL by shrouding all lights to deliver light only within the facility. No direct light transmission should be visible from ANY place outside the YANCOAL perimeter.

Revamped government metrics and imposed biennial targets are needed to drive YANCOAL to continuously improve its performance against all community-centric outcomes. This discipline is well established in other powerful industries – aviation (aircraft noise reduction and curfews) and automotive (safety, emissions, standards).

Enforced performance target-setting will drive coal developments such as YANCOAL's to start as close to settled communities as their operational and cost envelope will permit. Their extensions/modifications decisions over time will be defined by changes in imposed targets and will see companies primarily advance AWAY from areas deserving tighter targets. Thus YANCOAL will be driven to accommodate the costs of its impacts.

In this respect YANCOAL's proposal to adopt 24 hour processing simply would not happen without extraordinary advances in its capability to contain and massively reduce noise over its future 11 years. These advances should be the ONLY basis upon which YANCOAL's application should be considered.

Exceedances should not be specified for community-centric metrics. Instead most exceedances can be predicted – eg atmospheric inversions amplify noise. Action to reduce noise generating operations or stop offending activities is entirely consistent with the company's decision to mine in a closely settled area. YANCOAL rightly should bear this cost – thus shifting it from the community.

Penalties for condition failures are inapt. The penalty should always fit the nature of the performance failure. Thus noise exceedance should be met automatically by operational stop, early effective remedy, public apology. Repeated failure should be met by imposed curfew or cessation of the offending process awaiting formal investigation and approval of the remedy. Operational stops are likely to be the simplest and highest impact penalties to drive operational performance in line with community centric metrics.

Repeat offenders must surely draw into question the worthiness of any future modification or application within NSW.

Conclusion

YANCOAL development should be rejected:

1. YANCOAL's application amounts to an abuse of a system whose design no longer fits the nature of coal developments and their impact on the Gloucester community. YANCOAL knows full well that it CANNOT minimise impacts in any way that will be valued by the community - but it continues to push for ever greater development.
2. YANCOAL knows that the Gloucester Council opposes their development yet they continue to assert their 'right' to mine against the shire's interests.

3. This is an unreasonable development. Permanent vandalism for short-term overseas profit.
YANCOAL and the government know that there is no need to mine the Gloucester Basin – an act that permanently damages the valley for a comparatively miniscule increment in NSW coal production and a miniscule addition to NSW finances – and primarily benefits YANCOAL for no other reason than for overseas profit.
4. The YANCOAL development is not about investment, not about need, not about the welfare of Gloucester or NSW.
5. YANCOAL's proposal will not stand the scrutiny of a full life-cycle CBA and should be stopped now.

Chris Russell
660 Berrico Creek Road Berrico

25th January 2013