



Scone Equine Hospital

Dedicated expert care

The Secretary
NSW Department of Planning, Industry & Environment
320 Pitt Street
Sydney NSW 2001

24 September 2019

Dear Sir,

RE: MAXWELL UNDERGROUND COAL MINE PROJECT – SSD-9526

Scone Equine Hospital appreciates the opportunity to make this submission to the Department on Malabar Coal's Environmental Impact Statement in respect of its application for an underground coalmine.

Our submission provides information on our business, its place in the regional community, our dependence on the Hunter Valley's thoroughbred breeding industry and our concerns about, and opposition to, this proposal.

Scone Equine Hospital

The Scone Equine Hospital is a local business with a world-class reputation. It is the largest equine veterinary practice in Australia, and the Southern Hemisphere. We employ over 100 people (11 specialists in surgery, medicine and reproduction, 30 veterinarians, 70 support staff) in a practice that in itself is recognised as a world class centre of equine health and research excellence.

We have a proud history of over fifty years servicing our clients in Scone and the Upper Hunter region.

We provide veterinary care for the second largest horse population in the world, the Hunter Valley's thoroughbred breeding industry. As a result of our specialist and world recognised work in the Hunter Valley, we also provide veterinary referral services across Australia's eastern seaboard and internationally.

The Scone Equine Hospital has strong research relationships with leading universities in Australia and around the world and is sought after to field veterinary specialist and expert advice and speakers at national and international conferences.

In addition to our veterinary care, we provide practical training for approximately 40 veterinary students and 30 veterinary nurses each year.

In the Upper Hunter region, we are a large employer of professionals and skilled workers. Our staff and their families are long term residents and proud contributors to our local communities. Our practice sponsors and supports over fifty community groups and organizations and is a sponsor of major horse related events in the Upper Hunter.

SCONE EQUINE GROUP
Veterinary Excellence

Scone Equine Hospital
106 Liverpool Street Scone NSW 2337
PO Box 280 Scone NSW 2337
T +61 2 6545 1333 | F +61 2 6545 2903
info@sconeequine.com.au
www.sconeequinehospital.com.au

SEH Intensive Care Unit | Clovelly
St Aubins Street Scone NSW 2337
PO Box 280 Scone NSW 2337
T +61 2 6545 1433 | F +61 2 6545 1436
icu@sconeequine.com.au
ABN 69 138 546 595

SEH Denman
26 Ogilvie Street Denman NSW 2328
PO Box 41 Denman NSW 2328
T +61 2 6547 2222 | F +61 2 6547 2887
denman@sconeequine.com.au

Our Future – Inextricably linked to the Thoroughbred Breeding Industry

Scone Equine Hospital has substantial plans to invest and grow. These plans include:

- building a State-of-the-Art Veterinary Hospital (an investment in excess of \$12m resulting in construction and on-going employment opportunities);
- increasing the equine-related training and research opportunities available in the local area;
- investing in diagnostic equipment and infrastructure to draw horses and horse people to the area and enhance Scone's reputation as the Horse Capital; and
- expanding and increasing our support of local horse organizations and events.

However, our future is tied inextricably with the future of the Hunter Valley's Thoroughbred breeding industry. Ninety percent of our business depends on the Thoroughbred industry. If the Thoroughbred industry does not exist in the Upper Hunter, our practice does not exist.

For some years now our investment plans have been on hold, as the future of the Hunter's Thoroughbred breeding industry remains uncertain. Decades of bad planning decisions, the issuance of exploration licences and the unremitting pace of mining applications for individual mining projects that have the potential to impact an entire industry have forced us to put on hold our investment in the region. This uncertainty is having a negative effect on investment and the future of our entire industry.

The Hunter Valley's Thoroughbred breeding industry, its critical mass and the benefits that flow from it, including to the network of support industries like our own, cannot be replicated or relocated as a whole.

Mining and gas extraction are relatively short term activities, they take the resources and move on. The Thoroughbred industry has been a sustainable land use for nearly 200 years and counting.

Scone Equine Hospital firmly believes that the Hunter Valley's horse industry is a major, sustainable contributor to the economy and the amenity of the area. The Hunter Valley is recognised as the "Horse Capital" of Australia – a brand that has been developed on a clean and green image, which in turn attracts investment, industry, tourism and residents to the area.

The cumulative effects of mining and resource extraction in the Upper Hunter have pushed the area to a tipping point which if allowed to further expand will destroy the Thoroughbred industry here and cause the area to lose its international identity and reputation.

Malabar Coal's "Maxwell" Underground Coal Project

Scone Equine Hospital has concerns about, and is opposed to, Malabar Coal's "Maxwell" underground coal project located on the former Drayton South site.

Water Security

Water quality, quantity and therefore security is of paramount importance to our industry and our community. Like many other regional areas, the Upper Hunter is experiencing more frequent and lengthy droughts rendering water security increasing and critical importance to our industry, all agricultural industries and our community.

The lack of transparency, questionable modelling, and risks to both our ground and surface water systems posed by Malabar's proposal is a very serious concern – a concern we note that was also raised by the Independent Expert Scientific Committee.

Given the importance of water to our industry and the region as a whole, it is a risk we should not be prepared to take.

Air Quality and Human Health Effects

Scone Equine Hospital recognises that the science regarding the environmental and human health effects of coal mining and coal seam gas extraction is currently inadequate. The “Maxwell” proposal does not properly address the cumulative impacts (both air quality and health effects) of mining in the region.

Research conducted by the University of Sydney and Doctors for the Environment raises serious concerns on the human health effects and social impacts of coal mining on communities – issues that are particularly relevant to communities in the Hunter Valley – particularly communities living near coal mines and coal combusting power stations.

Human health problems identified to date include impaired growth and neurological development of children and infants, high blood levels of heavy metals, higher prevalence of birth defects, greater chance of low birth weight (which is also a risk factor for future obesity, diabetes and heart disease). Adults have shown to have higher rates of death from lung cancer and chronic heart, respiratory and kidney disease. There are also increased chances of developing other cancers and hypertension. Some studies have also shown higher rates of miscarriages and stillbirths.

Available research reveals highly alarming results, results that should be seriously tested through a human health study in the Hunter Valley. There is a duty of care that this Government has to the Hunter Valley communities and the research conducted by doctors and credible institutions should not be ignored.

It is of concern that this proposal does not adequately assess cumulative air quality impacts in a region known to regularly record hazardous exceedance levels in air quality, thereby placing at risk the health and wellbeing of the Hunter community and vulnerable agricultural industries.

Noise, Blasting, Vibration

Noise, vibration and blasting in close proximity to Thoroughbred breeding studs and communities of people who reside on those studs, is a serious concern. We note Malabar Coal’s comments regarding blasting during the proposal’s construction period and potentially at other times during the life of the project.

It is not a sustainable proposition for proximate studs and those who rely on them or tourism based businesses, to suggest that these businesses will not be impacted by noise, blasting, associated dust deposition and vibration, or subsidence for a period of 3 years or longer.

Equine Critical Industry Cluster Analysis

Contrary to the requirements of NSW Agricultural Impact Statements, a comprehensive assessment of the impacts of this proposal on the Upper Hunter’s Equine Critical Industry Cluster has not been undertaken.

Other Environmental Impacts

We note with concern other environmental impacts based on the preliminary analysis conducted by the Hunter Thoroughbred Breeders Association – including those relating to landscape, reputational impacts, and potentially irreversible risks to the Upper Hunter’s Indigenous and European heritage and landscape.

Lack of Cumulative Impact Assessment

Despite the clear Departmental and NSW requirements for the assessment of cumulative environmental impacts of State Significant Development proposals, it is unacceptable for proposals to conduct environmental assessments on the “project alone” and disregard the requirement for, and deep community concern of, the cumulative impacts of mining proposals on our environment and community.

Uncertainty

For over two decades (since the granting of EL 5460) and particularly since 2011, three development proposals for mining on the former Drayton South site, directly opposite Australia’s and the Hunter’s largest and key thoroughbred studs, has created social disharmony, community uncertainty and investment uncertainty.

The relentless number of coal mining proposals (including modifications) in this area is negatively affecting the community (including its cohesion and character), access to infrastructure (including housing, education and social services), the health and well being of the community (physical and mental), personal and property rights, decision making (particularly with respect to generational and private investment), fears and aspirations and the overall quality of life in the Upper Hunter.

Incompatible Development

As the Department is aware, the Hunter Valley’s Equine Industry Cluster is the only Centre of Thoroughbred Breeding Excellence in the world that is not protected by its Government. Both the Kentucky USA and Newmarket UK equine clusters are recognised and protected from the incursion of incompatible land use.

Scone Equine Hospital acknowledges the findings of previous Independent Planning Commissions relating to the incompatibility of coal mines and Thoroughbred breeding operations in close proximity, air quality and greenhouse gas emissions, groundwater and surface water impacts, heritage impacts, noise and blasting, social impacts and the principles of Ecologically Sustainable Development (ESD) and inter-generational equity.

In support of our concerns we particularly draw to your attention to the:

- 2015 Planning Assessment Commission report on the Drayton South Coal Mine, which recommended the Hunter’s Thoroughbred breeding industry should be protected through the establishment of appropriate buffers, exclusion zones or preservation measures;
- 2019 Independent Planning Commission decision to refuse a five year extension to the proponent of the Dartbrook underground coal mine due to impacts relating to air quality, noise, subsidence, groundwater and greenhouse gas emissions; the lack of rigour in the assessment of environmental and social costs of that project in the Cost Benefit Analysis; and because the proposed extension would not be in accordance with the principles of ecologically sustainable development or inter-generational equity; and
- 2019 Independent Planning Commission decision on the Bylong open cut and underground coal project – particularly its conclusions regarding the unacceptable and long lasting environmental impacts on groundwater; no evidence to support the claim that impacted Biophysical Strategic Agricultural Land (BSAL) could be rehabilitated post-mining to BSAL- equivalent; the impacts on heritage and natural values; greenhouse gasses and the principles of ESD – particularly inter-generational equity.

Conclusion

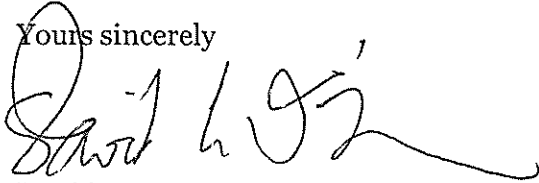
For the reasons outlined above, we oppose Malabar Coal’s application for an underground coal mine at the former Drayton South site.

Further, we express our serious frustration that despite over a decade of election promises, Ministerial statements and Government policies there is no certainty or protection for the

Thoroughbred industry in the Upper Hunter so that we can invest, grow and prosper with confidence. Equally there is no certainty, and a constantly eroding sense of place, for the non-mining community here, which has been a key element of the Upper Hunter's social fabric, economic diversity and resilience.

This situation is contrary to the NSW Government's agricultural, tourism, diversity and transition policies for the Upper Hunter as espoused in the Strategic Land Use Policy for the Upper Hunter and the Hunter Regional Policy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David O'Meara', with a long, sweeping horizontal stroke extending to the right.

David O'Meara

Director