



SINGLETON SHIRE

*A community-based group looking to address environmental issues
affecting Singleton Shire residents*

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NSW Coal and Gas Strategy – Scoping Paper, February 2011

Thank you for the opportunity to comment on the above. We trust that you will consider and respond to our comments and those of others outside industry and government, diligently and responsibly.

General comments

The paper is welcome in that it finally recognizes the totality of impacts of mining on the regions in which it occurs. That recognition should have been given decades ago, when the adverse impacts of mining expansion became obvious and were repeatedly made known to government. Perhaps this paper marks the beginning of a more enlightened, responsive and benign phase?

However, the first and second aims of the Strategy are do not encourage this level of optimism:

- Guide the sustainable development of the coal mining and coal seam gas extraction industry and associated infrastructure;
- Minimise the adverse health, environmental, agricultural and land use impacts of the industry.

The order in which these aims are listed, and the use of the term 'minimise', make it clear that the government sees development of the industry as non-negotiable, and that other established industries, communities and natural resources must make way for it even if it causes them damage.

This is the unrepresentative, short-term thinking that has allowed the Hunter Valley to be laid waste to date with no thought to what will remain to underpin communities when the coal and gas are gone or if the market dries up. If government concern was genuinely for the well-being of present and future of generations, the aims would be condensed to read:

- Guide the development of the coal mining and coal seam gas extraction industry and associated infrastructure so they do not impact on the health and amenity of people, biodiversity and water resources, and agricultural industries.

On this basis, the economic benefits of coal and gas would continue to be reaped without prejudicing present and future generations, unlike practice to date.

We note that the State Plan's objectives and targets appear to have been ignored. This is significant because we doubt whether unfettered development of coal and gas will be able to meet the targets.

The Scoping Paper similarly ignores the Initiatives of the National Water Commission and the Commonwealth Government's 'Best Practice Sustainable Development for the Mining Industry'.

Specific issues

There is much to be commended in the scoping paper provided, of course, that they will be acted upon in good faith, and such matters will not be commented on here. Instead, this response will focus on areas of concern, contention or dissatisfaction.

Government initiatives to address community concerns

P4: We are really angry that the Scoping paper describes community concerns as "emerging". Those concerns have been expressed consistently and forcefully over a very long period and have just as consistently been ignored. Because they now have been acknowledged, it is disingenuous to call them "emerging." This deceit leaves the impression that any recommendations that might come from this Planning exercise will be ignored in the future. A comparison can be drawn with the 1996 Cumulative Impact Study and the recommendations in it and its accompanying Air Quality Report (Nigel Holmes Air Sciences) and with the Synoptic Plan 1999 which have been ignored.

P4: Inclusion of the Government's commitments to reduce greenhouse gases and increase renewables stand in Pythonesque contrast to the Government's planned huge increase in the production of coal and gas, and the International Energy Agency's projected figures for the use of both. This is pure, misleading hypocrisy and should be removed from the paper.

P5: The Government's projected expenditure on Clean Coal should be given to allow comparison with that for Solar at \$120m? Is it true that the former exceeds the latter, even though many economists and scientists consider that clean coal is a mirage?

P5: We strongly endorse the need for amendments to improve the capability of the Mining Act 1992 to protect and remediate the environment. The many failures to date indicate the urgent need for high standards and rigorous compliance.

However, if there is to be an effective remediation regime, the following data must also be collected and published annually:

- The total area of land cleared since 1960 for mining, gas extraction and, although not mentioned in the scoping paper, power generation, with each listed by purpose;
- The total area of land remediated since 1960;
- After establishment of a system to assess the quality of remediation in terms of percentage ground cover by vegetation, weeds as a percentage of ground cover, and sustainability:
 - The area of remediated land with ground cover at least as good as similar land that has not been cleared;
 - Weeds as a percentage of ground cover;
 - The area of land that has been remediated to the point of being self-sustaining;
 - The area of remediated land that requires ongoing support;
 - The area of land where remediation has failed to achieve historic ground cover and which requires renewed efforts;
- The area of land cleared during the past year, with each listed by purpose;
- The area of land remediated in the past year, with each listed by purpose;

P5: In this vein, the scoping paper's acknowledgment of the use of public monies to remediate derelict mines is a strong reminder that the sins of those who benefit from coal mining are unfairly paid by future generations unless contemporary governments act with foresight and integrity. The full and true costs of mining, gas extraction and power generation should be paid by those who benefit from them, that is, the companies and consumers.

P5: The strategic assessment documents are essential, but they must be acted upon in a transparent and professionally-advised manner. Evidence of action is usually scarce or poorly communicated.

P5: Does the rigorous community consultation planned for coal gas exploration mean that exploration will be refused if communities oppose it?

Coal and gas industry prospects

P5: The paper states that the majority of growth in the next 25 years will occur in the Hunter. This is a frightening prospect, given the massive destruction of landscape, biodiversity and water resources that has already occurred. Even though the negative impacts are noted in the paper, the statement is so matter-of-fact that it, like the aims, leaves no doubt that the expansion of the coal and gas industry will override every other interest. It seems not to matter that biodiversity has already been drastically reduced, that land remediation has been poor or

that precious water resources have been severely damaged. Does the Government seriously think further damage of these types can be avoided while it gives priority to expansion?

P6: The Strategy proposes that cost:benefit analyses be used to determine whether coal/gas should replace other forms of land use. If these are used in the conventional way, they will assess only economic benefits and costs, and all other values will be excluded. Those other values are important and include:

- the inherent sustainability of traditional and new forms of land use, in contrast to coal and gas, for future generations;
- the beauty of the landscape;
- the impossibility of restoring biodiversity to its previous state;
- the sense of loss experienced by long-term residents forcibly displaced from their homes and farms; etc.

These very real costs are evidently not appreciated by politicians and bureaucrats who live and work well-removed from the coal and gas industries. They cannot be reduced to dollars.

Cost:benefit analyses allow only for the costs of things which can have an economic value placed on them to be offset against economic benefits. Thus, poor health and even deaths can be seen as acceptable if the costs of early deaths, caring for sick people and loss of workforce are seen to be more than covered by the economic benefits of mining! The physical and emotional stresses suffered by the affected people are simply not considered! If it were not for the fact that governments have consistently ignored such pain over the past 30 years, it would be inconceivable that such heartless calculations would be used to decide the future of the people who live in proximity to coal and gas industries, and who provide the bulk of their workforce. Does anyone seriously think the Hunter Valley and the State will be better off if a permanent horse industry is wiped out for a very ephemeral coal mine? Or if the once-beautiful landscape is permanently scarred by artificial mountains of spoil, empty holes, and land bare of cover or covered by weeds? All these values must be protected.

P6: It is good that the paper acknowledges that uncovered rail wagons are believed by many to be substantial sources of emissions to air. That belief has been persistently dismissed to date by NSW authorities, in contrast to Anglo American Coal in Queensland which now coats its coal loads to reduce emissions. The regulations imposed on all other industries to cover their loads are simply not imposed on what has to be among the dirtiest of industries. This deliberate omission must be rectified, especially in view of the huge increases in coal to be transported. The technology to do this is inexpensive.

P6-7: The paper also acknowledges the fact that the people of the Hunter receive a disproportionately small share of the revenue accruing to State coffers. This is all-too-apparent in congested roads, poor public transport (including too few passenger trains), and delays in accessing medical and dental attention. This is inequitable, especially so given that these are the people who produce the coal and power and bear the brunt of the health and amenity costs.

P7: The terrible loss of Aboriginal heritage is noted in the paper. It is a national disgrace that thousands of years of history have been knowingly permitted to be wiped out for the sake of a few dollars of short term benefit. Furthermore, although it is far younger than aboriginal heritage, the paper should also acknowledge the loss of so much European heritage in the form of old buildings, homestead areas and villages. Even historically important ones are either bulldozed or poorly maintained.

Although scant, it is refreshing to read, for the first time, an acknowledgment that the landscape has been desecrated by the coal industry, but alarming to note that the Government intends that it will continue to do so. For long-time residents of the Hunter and visitors accustomed to the well-embedded and worldwide view that the Hunter is a beautiful place, the drive along the New England Highway is a huge shock! The combined bombing of World War II could not have done worse. It is now impossible to return the landscape to its prior form, so whatever sculpting is done, it will be an artificial construction, lacking its original beauty. The cost of this to local and national amenity cannot be calculated, while quantification of the cost to tourism will be huge and permanent.

The paper matter-of-factly accepts that areas of high value biodiversity conservation values, already scarce by the paper's own admission, may be further reduced. This is an appalling act to inflict on future generations and the environment. The paper's resort to biodiversity offsets as a means of compensation are a very poor mechanism because they cannot recreate what is lost and because history shows that even they can fall to a persistent mining company.

The water resources of the Hunter cannot be allowed to be damaged more than has already occurred. Once done, the effects are, to all intents, permanent. No mining or gas exploration should be permitted unless an independent, competent and thorough hydrologic study of the Hunter as a whole system is carried out. There is no point in studying parts of the system, as so much of it is interrelated, and limited studies will not be able to predict effects elsewhere. No more mining or gas exploration should be permitted until this has been done and the areas at risk must be quarantined from any future exploration.

The paper promises improved regulation and enforcement. Residents of the Hunter have come to expect that government will choose to ignore residents' complaints about mining practices and infringements of their consents. Where they are addressed, it is rare for a company to be taken to task and where fines are imposed, they are laughably small and inconsequential to the huge finances of the companies. Better regulation and enforcement will occur when exploration is not permitted until each proponent undertakes a full study of the health, social, biodiversity and water resource risks that would be a consequence of mining. If this results in a go-ahead licence, government must have the courage to impose truly rigorous requirements, and enforce them rigorously.

The paper refers to the need for better communication. In doing so, it totally misses the point. If government is serious about this, consultation, not just communication, is what is desperately needed. *Consultation* means genuine listening, consideration and response. The meaning of

the word is completely negated when the community is brought to meetings where it is shown a detailed proposal and told why concerns raised will not be addressed. This problem can be rectified if consultation begins at the stage of a concept proposal, and continues thereafter, so that outcomes acceptable to all can be obtained.

This is not to say that the need for *communication* is negated by good consultation. In truth, it is an essential component of the process so that everyone is fully aware of developments as they occur. Only in these ways will trust be built and maintained.

Benefits of these initiatives

To return to the beginning of this response, the language of the listed benefits again drives home the message that when conflict occurs between mining and other things, the government will always give preference to mining. This was further reinforced in the presentations by Minister Kelly and Mr Kitto at the Singleton Forum where it was made abundantly clear that nothing will stop government's push for more mining, simply because the resource and demand is there. It is not the place here to discuss why this argument is dangerous and misleading but government should take time to reflect on the dangers to which it thereby exposes the economy and the future.

In short

The existence of the Scoping Paper is a very welcome step forward, but it contains many inaccuracies, misunderstandings and unacceptable assumptions and implications. The paper should be seen as only the beginning of a genuine dialogue with the community to find sustainable and acceptable ways forward. The level of mistrust and dissatisfaction toward government and the coal industry in the community has been amply demonstrated in the recent Forum in Singleton and in NSW Minerals Council just reported study. It will take ongoing serious effort by government and the coal industry if the community's trust is to be won.

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