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HUME COAL – COMMISSION HEARING TUESDAY 26 FEB 2019 | Holly Campbell

Good afternoon, my name is Holly Campbell. I served the community on the last council 2012-16 during which time I chaired Economic Development and Tourism. *I was also Vice President of the Southern Highlands Chamber of Commerce.*
I address the Commission and your representatives, ladies and gentlemen:

Today I am going to speak **not on the science of things**. I leave that, to those best qualified.

My previous written submission primarily covered the potential adverse economic effects if the Hume Coal's project was approved.

Instead, as someone whose roots in this shire are generational and who, as a councillor, became aware of the acute issues across the community, I want to speak today about **Human Rights**. At the end I will add a few points for additional consideration.

In short, the Department of Planning has rejected the application as “not in the public interest”.

In gratitude to the Department - even in the restrained language of bureaucracy - their rejection of Hume Coal is damning and unequivocal.

In reference to an earlier presentation this hearing is not about a coal fired power station - its about a coal mine & its relevant impacts.

Human Rights

Australia is one of only 15 nations that **does not recognise the human right to a healthy environment at the federal level. More than 130 nations do indeed recognise such rights.**

Last year, the Australian Panel of Experts on Environmental Law **recommended that environmental democracy in Australia “must have as a foundation, respect for fundamental human rights and, in particular, an enforceable right to a clean and healthy environment”.**

The Stockholm Declaration states: Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, **and he bears a solemn responsibility to protect and improve the environment for present and future generations.**

The following comes from research published by Dr Boyd, Assistant Professor University of Victoria, Adjunct Professor Simon Fraser University entitled:

The Environmental Rights Revolution: A Global Study of Constitutions, Human Rights and the Environment.

Fifty years ago, the concept of a human right to a healthy environment was viewed as a novel, even radical, idea. Today it is widely recognized in international law and endorsed by an overwhelming proportion of countries. **Constitutional law experts observe that recognition of environmental rights has grown more rapidly over the past fifty years than any other human right.**

Supporters argue that the potential benefits of constitutional environmental rights include:

- stronger environmental laws and policies;
- improved implementation and enforcement;
- reduction in environmental injustices;
- better environmental performance;
- greater citizen participation in environmental decision-making;
- increased accountability and
- a level playing field with social and economic rights.

Proving a clear cause-and-effect relationship is always challenging in the social sciences however research demonstrates the incorporation of the right to a healthy environment in a country's constitution leads directly to two important legal outcomes—stronger environmental laws and court decisions defending the right from violations.

When Anglo-American were off-loading their far more viable QLD holdings, they shrewdly bundled what in mining parlance is referred to as 'a dog' (unfair to dogs in my view) and what we now call the Hume Coal project. POSCO, who wanted the QLD projects, had no option but to pick up Hume, and the dog is now in their lap.

It's not an easy problem to solve. From a mining perspective.

Can it be solved? Yes it can, but not from POSCO's perspective.

The Department's findings are encapsulated by the following:

They will extract around 30% only of the resource of which 15% will be used for offshore steel & 15% for offshore energy.

"The department received a total of 12,666 submissions on the project, including more than 5000 submissions from the local area, of which 97% were objections."

Wingecarribee Shire Council objected to the project, while key government agencies including the Department of Industry - Lands and Water, the Environment Protection Authority and Water NSW all raised concerns about impacts on groundwater and surface water.

The Resources Regulator also said the proposed mining method was untested and that the mine could be unsafe for workers.

"The department considers there is currently considerable scientific uncertainty about the level of environmental damage to both groundwater and surface water resources".

"The predicted drawdown impacts on the ground water aquifer would be **the most significant for any mining project that has ever been assessed in NSW.**"

Hume Coal suggests trucking water in. If it wasn't so serious we'd laugh.

How many trucks per day does POSCO think it's going to need to supply meat producers, bloodstock breeders, wineries, wildlife sanctuaries, equine and tourism business so they remain viable. And at what cost? And will they get there in time? Calculate the volume of water and number of trucks required, to keep hundreds and hundreds of acres and how many animals - now disenfranchised of their prime amenity, water – alive, green and productive. What farmer has the time or means to make claims for loss of stock, crops or income against a giant like POSCO. Without water, these businesses and farms are no longer viable. These same businesses provide local employment, and contribute to the local economy.

Logistics and road safety come to mind? The impact of water trucks racing hither and thither on our roads, via what routes, including peak traffic times when school's going in or coming out, or there's a special weekend and the tourists descend. And where will the water come from – our Wingecarribee or Fitzroy Falls Reservoirs which already have dibs on them, especially in times of drought such as the last 12 months where the Southern Highlands was actually coloured red and listed in BOM's **most critically** affected areas in NSW.

In summary I raise the following additional considerations:

1. Wind drift and particulate matter:

Commonly called "dust," scientists and regulators refer to the term particulate matter (PM) to describe the range of particles that exist in the air we breathe. Exposure to PM can be associated with health and amenity impacts. Particles are generated when wind blows over bare ground and different types of stockpiles such as vast stockpile Hume Coal will generate. These larger particles can have amenity impacts as well as health impacts. Fine particles from vehicle exhausts and mobile equipment are also produced at mine sites. People who may be more susceptible to the health effects of fine and coarse particles are:

- infants, children, adolescents and elderly
- people with respiratory conditions such as asthma, bronchitis and emphysema, heart disease and diabetes.

2. Blasting and subsidence:

We all know of the considerable subsidence caused in the Wollondilly shire by coal mining. When on council I pushed the Hume Coal representatives on the matter of underground blasting. Reluctantly, finally they admitted that yes, there would be some underground blasting. So, with a fragile and complex geological structure such as the one within the Hume Coal lease, we can reasonably anticipate risk of subsidence, and risk of water loss and/or water pollution. Risk is in everything. Risk mitigation may be present but it is not a guarantee.

3. Crime:

There is recorded corruption evidence implicating a number of senior members of the influential Construction, Forestry, Mining and Energy Union (CFMEU) in NSW and Victoria. There are established links between the CFMEU and Outlaw motor cycle gangs (OMCGs). The Australian Criminal Intelligence Commission states these gangs are one of the most high-profile manifestations of organised crime, with an active presence in all Australian states and territories. They see themselves as the 'one percenters' who operate outside the law. There is documented evidence of these gangs and the drug trade.

4. Noise Pollution:

Let's consider the of the number of coal trains predicted by Hume Coal - their lengths and volumes trundling noisily and continuously past our paddocks, stables or houses, our backgardens, our schoolyards and our peaceful green valleys, even traversing private property. All day. Every day.

5. **Emotional and psychological cost:** if you threaten a person's livelihood, their way of life, their established community and their lifestyle, you can measure the emotional and psychological impact via medical costs and other, sadder statistics. We have seen what severe drought can do to farming families. While I do not equate the Southern Highlands with Australia's longest and hardest hit drought affected areas, one cannot distinguish between the farmer here - who has given his life to his farm and family, to one out west. Loss, or the threat of impending loss, can be devastating wherever you live, whoever you are.

The Department has reviewed both sides of the argument rigorously. They have looked at the science and listened to the experts. Importantly they have understood the knock-on effect of the tangibles upon the intangibles and recognised that if Hume Coal was to go ahead, our Southern Highlands would be changed forever.

Not for the best.

Not in the public interest.

We hope the IPC will come to the same conclusion.

Thank you for your time and the opportunity to speak AGAINST the Hume Coal project.