

**Co-Existence Cannot be Proclaimed Unilaterally**  
**A submission to the Senate Inquiry into the Impact of Mining in the**  
**Murray Darling Basin by Friends of Felton Inc**

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The coal mining industry would like everyone to think that it co-exists ‘perfectly’ with agriculture. To demonstrate the ‘truth’ of this supposition they cite the Hunter Valley in NSW where there exists a large coal mining industry but also agriculture in the form of wineries, dairies, beef, horses and small crops. So what are people complaining about; clearly it is possible for us to have everything without any trade-offs?

Sadly, there is not much in this world that is ‘clear’. Once we start to burrow down into the facts and the logic, we inevitably come across the inconvenient truth. Assuming that we want to live in a just and honourable society, the truth is probably a game-rule we should agree upon and apply.

To start with you cannot have just one side saying that ‘**we co-exist**’. That’s like an armed mugger saying he gets on ‘very well’ with his victims. Not until those individuals, households and businesses who find themselves living in close proximity to a coal mine actually proclaim that they can and do co-exist with the mine is it possible to conclude that there is co-existence. Only when the affected parties have articulated agreement about the issues that might constitute co-existence is it possible for the population at large to conclude they are hearing the truth of the matter.

There are two affected parties at Felton on the Darling Downs. First, there is the resident community represented by Friends of Felton and secondly there is Ambre Energy Limited representing the proposed Felton Clean Coal Demonstration Project. While Ambre might say they are keen to co-exist with the resident community, the feeling is not mutual. Friends of Felton are adamant that they cannot and will not co-exist with a large coal mine and petro-chemical plant. Friends of Felton hold this belief for many reasons. A few of our major concerns are outlined below.

The number of households that would be affected

The miners’ argument about co-existence really relies on how you define the geography. It might be possible, for example, to say that farmers and miners co-exist in Central Queensland because Central Queensland is a big place and scope exists to put considerable distance

between the respective parties. Certainly it might be possible to establish a mine in Central Queensland and have just a handful of close neighbours, who could be properly compensated. But the Felton Valley is a relatively small land area and this fact changes the dynamic totally. Friends of Felton have determined that there are more than 220 households located within 12 km of Ambre's proposed mine site. If Ambre gets the go-ahead, all the occupants of these households will suffer mine-related externalities of some sort, without getting any compensation or offsetting benefits. If the coal industry really wants to act for the greater good in Queensland it should locate its mines in places where there are few people and little existing infrastructure. If, as the Premier tells us, there are 300 years of coal reserves dotted around Queensland, why try to establish mines in heavily populated areas characterised by top quality soils, long-established communities and an abundance of services?

#### Limited and fragile water resources

Ambre have indicated that their mine would require up to 2,000 ML per year for washing and dust control etc. Finding this quantity of water will be difficult indeed. The first point to recognise is that the supply of water available for consumption is essentially fixed – and highly variable – while the demand is still going up. Toowoomba Regional Council expects that its population will expand rapidly over the next 20-30 years so obviously it will need to command commensurately more water. A similar situation applies to the Brisbane Valley and the Warrego corridor. Secondly, there is no spare water at Felton itself. Everyone relies on ground water and Friends of Felton is extremely worried about the impact of large scale mining on the integrity of local aquifers. Thirdly, Ambre has made vague noises about getting water from the coal seam gas industry located west of Dalby. But such water will not be allowed to go anywhere until it has been treated to tertiary quality by reverse osmosis, or something equally effective and costly. Clearly the issues of where a new coal mine on the Darling Downs would get its water, and who would offer it up, are yet to be resolved.

#### Crude assessment processes

Historically, coal miners have found it easy to establish in Queensland. If we look at the establishment of coal mining in Central Queensland it is possible to make some useful observations. First, it has been relatively easy for the coal miners to purchase the land needed because the footprint of mining is small relative to the value of the coal that can be extracted and the target area sought was sparsely populated – at least compared to the Darling Downs. Secondly, community resistance to the entry of coal mining has been minor, notwithstanding many bitter fights over appropriate compensation between mining companies and individual



property owners. In any event, community resistance to coal mining (like any monstrous intrusion) is always a **direct function of the number of close neighbours that are created** by the entry, establishment and operation of the mine. (Ambre Energy seems to have forgotten or overlooked this simple truism when they chose Felton as a site for their mine proposal). Thirdly, the EIS processes, meant to rigorously and critically test the environmental acceptability of new mine proposals, have done nothing of the sort. The consultants who perform EISs are paid for by the proponent and they tend (later if not sooner) to find a way to manage and mitigate the various impacts until they are deemed to be acceptable.

It is quite apparent that EISs have been widely perceived by miners as routine affairs leading to the granting of an environmental authority prior to the commencement of operations. In this context, the EIS is a means of identifying potentially negative impacts and then devising mitigation strategies that cleverly manage-away the impacts. No attempt is made to assess impacts in terms of those that can be reasonably and satisfactorily mitigated versus those that mine-neighbours deem to be unacceptable because the impacts cannot be satisfactorily mitigated and managed.

Friends of Felton do not believe that the existing Terms of Reference applying to EISs are rigorous enough to protect the interests of affected communities, or the best interests of future generations. In terms of *life on earth* coal mines are fleeting affairs. But in the process of removing the mother lode, the miners leave behind nothing but desolation. History suggests to us that the highly productive basalt soils of the Felton Valley **would not be restored** by the reclamation works proposed and if our water resources get lost too, the place would become unproductive and practically uninhabitable. Friends of Felton believe that the EIS terms of reference should include a requirement for a **cost benefit analysis going forward at least 100 years**. Unless the EIS does this it is ignoring a duty of care to future generations – who would, we suspect, appreciate preservation of places that are aesthetically beautiful, culturally significant and agriculturally productive.

#### Concluding comments

The enormous backlash against the coal mining industry witnessed throughout Eastern Australia over the last 2-3 years was clearly not anticipated by either the mining industry itself or by State Governments. If the industry had the foresight to see what lay ahead, it would not have gone barging into some of the nation's finest agricultural regions – confident it could

trample over the top of resident landholders without a murmur of dissent. And if the state governments of Queensland and NSW had the foresight to see what was coming they would not have pretended that the EIS process is capable of delivering fair and reasonable outcomes; rather they would have put in place pre-emptive land use planning regulations to stop miners from trying to enter and establish in ‘sensitive’ areas.

Of these two players, we are most critical of the state governments. Miners are entitled, even obliged, to respond to market dictates; but governments exist to protect the public interest and to correct market failure where and when it threatens the greater good. The anti coal mining movements that have sprung up in regional communities over the past few years are anecdotal evidence of failure on the part of state governments to recognise a problem and fulfil their responsibilities to current and future generations.

There must be at least two reforms going forward. First, state governments must move quickly to put in place land use planning provisions that keep large scale mining out of iconic farming areas. Without getting into too much detail, these areas will be characterised by relatively high settlement density, top quality natural resources for the purposes of producing food and strong social networks. The Felton Valley could be used as the ‘no-go’ benchmark.

Secondly, State Governments should move quickly to reform the EIS process. Although discredited by a ‘one-sided track record’, we believe there remains a role for the EIS process – particularly for application in areas not protected by land use planning dictates. But the EIS process must be seen to be thorough, objective and clinical. Most importantly, the EIS terms of reference should make-clear the circumstances under which a proposal is likely to fail eg, because the impacts, as identified, are unlikely to be satisfactorily managed in practice.

For the purpose of protecting sensitive rural communities and giving greater certainty to the mining industry, the Commonwealth Government should force the States to undertake key reforms along the lines outlined in this submission.

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Friends of Felton Inc