

15 August 2018

Health Minister, Brad Hazzard
Environment Minister, Gabrielle Upton
52 Martin Place
SYDNEY NSW 2000

CC: Mark Gifford, Chief Environmental Regulator, NSW EPA
Michael DiRienzo, Chief Executive of Hunter New England Health,

RE: Request to visit the Hunter region and act to clean up our air

Dear Ministers,

We are writing to invite you to visit the Hunter region and meet with community members to discuss the ongoing crisis of poor air quality that is causing serious health damage. As you would be aware, the open cut coal mines of the Hunter have grown in size and number for a decade. In the last five years alone, production of coal in the region has increased by 20%. The mines are the largest industrial source of coarse particulate air pollution, in the region, accounting for as much as 90% of the PM₁₀. The Bayswater and Liddell power stations are major sources of fine particle pollution, SO_x, NO_x and other toxic air pollutants.

This pollution is harming people. It is difficult for people outside the region to understand the effect this pollution is having on people in the Hunter. We ask you both to come for a one or two day trip to the region to meet affected communities and health professionals to discuss this crisis.

We are disappointed that EPA initiatives to create a Clean Air Strategy for New South Wales and include the coal mining industry in the existing load-based licencing scheme, so that coal mines pay for the damage inflicted by the pollution they create, just as other industries must do, have stalled.

The increase in PM₁₀ pollution in the last ten years corresponds to an overwhelming intensification of open-cut coal mining in the Hunter Valley. Since 1992, PM₁₀ pollution has increased 48%, but three quarters of this rise has occurred in the last twelve years. Predictive modelling commissioned by the EPA indicated that the annual average PM_{2.5} Ambient Air Quality Standard of 8µg/m³ "is unlikely to be attained in Singleton and Muswellbrook into the future as coal production in the Hunter Valley is expected to continue to increase" and that human-made sources of this pollution need to be reduced by 50% to meet the standard.

In fact, annual average concentrations of the fine particle pollution that is responsible for the most serious health impacts have exceeded the national PM_{2.5} standard every year since monitoring began in Muswellbrook.

This region needs stronger action from the Government to protect public health. Even as we write, a large new open cut coal mine is under construction immediately upwind of Muswellbrook and air quality alerts are being issued to the local community.

We invite you to come to the Hunter to discuss these urgent matters with us. We ask that you discuss this problem with the Premier and commit to urgent action ahead of the state election in March.

Yours sincerely,

Dr John Van Der Kallen and Rob McLaughlin on behalf of

Dr Tuan Au, Singleton	Dr Andrew Zdenowski, Newcastle
Dr Robert Vickers, Singleton	Dr Elizabeth Kaiko, Newcastle
Dr Jane Morgan, Newcastle,	Dr Paul Mansfield, Newcastle
Dr Arno Enno, Newcastle,	Dr Steve Robinson, Gloucester
Dr John Ward, Newcastle,	Dr Michael Schien, Newcastle
Dr Nara Jones, Newcastle	Dr Garry Lyford, Gloucester
Dr Simon Morgan, Newcastle,	Gail Curby, Newcastle, Occupational Therapist
Dr Ben Ewald, Newcastle	Dr Virgil Chan, Radiologist, Cessnock
Dr Virginia Leitch, Newcastle	Dr Graeme Horton, Newcastle
Dr Phil Buckner, Newcastle	A/Prof John Boulton, Paediatrician, Newcastle
Dr Karen Buckner, Newcastle	Dr Tracie Hendriks, Raymond Terrace
Dr Lucy van Baalen, Newcastle	Dr Garry Egger, Epidemiologist, Hunter Valley Dr
Dr Jennie Broughton, Newcastle	Susan Feketey, Charlestown
Dr Peter Saul, Newcastle	Dr Abbie Bingham, Newcastle
Dr Emma Campbell	Dr Marie-Anne Hockings, Newcastle
Dr Kathleen Wild, Newcastle	Dr Ken Lambert, West Wallsend
Dr Rochelle Grainger, Newcastle	Dr Erica Epstein, Newcastle

James Whelan, Newcastle, Environmental Justice Australia	Dennis Maisey, Bulga	Bruce Hart, Murrurundi
Alan Leslie, Bulga	Graeme O'Brien, Singleton	Colin Cox, Singleton
Pippa Robinson, Gloucester	Heather Davis, Bulga	Chad Terris, Cessnock
Robyn Bishop, Medowie	Hubert Upward, Bulga	Carl Ferns, Milbrodale
Wendy Wales, Muswellbrook	John Lamb, Bulga	Frank Turnbull, Bulga
Judith Summers, Garden Suburb	Laurence Fletcher, Bulga	Garry Pappin, Broke
Catherine Wroe, Newcastle	Peter Kolatchew, Bulga	Les Hutchinson, Maitland
AnneMaree McLaughlin, Bulga	Paul Harris, Bulga	Jeanette Leonard, Milbrodale
Su Morley, Islington	Tom Jackson, Bulga	Jim Kearns, Broke
Amanda Ashdown, Broke	Aaron Bray, Bulga	Kathy Bootsman, Singleton
Daniel McLaughlin, Ashtonfield	Phil Jones, Broke	Julia Mullins Imrie, Ulan
Greg Crowe, Bulga	Andrew Upward, Bulga	Anita Lawrance, Scone
Melanie Kaban, Bylong	Anna Burnheim, Milbrodale	Martin Cousins, Muswellbrook

Aaron Bray, Bulga	Christopher Russell, Gloucester	Maree Goodwith, Singleton
John Peel, Newcastle	Michael Campbell, OAM, Jilliby	Monique Shortis, Singleton
Ruth Franklin, Cessnock	Christine Jordan, Maitland	Lyn MacBain, Singleton
Jason Connor, North Lambton	Tom Jackson, Hunter Valley	Colene Novice, Singleton
Kellie Tym, Denman NSW	Phil Jones, Broke	Carol Lennard, Singleton
Tayah Clout, Scone	Colette Houtzaager, Broke,	L B Laycock, Singleton
Zenanee Clout, Scone	Ron Corino, Bulga	Kaylene Brooker, Singleton
Alison Clout, Scone	Warwick Pearse, Bylong Valley	Liz Tudor, Singleton
Lorraine Davies, Newcastle	Protection Alliance	Glenn Kollner, Singleton
Marg Mclean, Singleton	Ian Napier, Pokolbin	John Allen, Singleton
Dani Tucker, Wallsend	Matt Hernandez, Singleton	Marg Weber, Singleton
Ronnie Tucker, Newcastle	Pip Byrnes, Whittingham	Marie Mitchell, Bulga
Cindy Newton, Maryland	Tania Oliver, Jerrys Plains	Margot Paterson, Nurse, Newcastle
Patricia Collins, Martindale	Tash Howard, Singleton Heights	David Mitchell, Newcastle
Kaye Monro, Scone	Jamu Earl, Singleton Heights	Allison Colyvas, Newcastle
Rebecca Butt, Muswellbrook	Mel Hicks, Singleton	Kathy Mathers, Newcastle
Julie Lyford, Gloucester	S Eyles, Singleton	Georgia Brown, Newcastle, Medical student
Judith Leslie, Hunter Valley	Doug Blackmore, Singleton	Karen Thew, Newcastle
Jan Davis, East Maitland	Lindsay Smith, Singleton	
Dianne Montague, Gloucester	Lisa Brock, Singleton	

RECOMMENDED CONDITIONS

APPENDIX M ASSESSMENT REPORT

- storage and management of salvaged items;
- (ii) Conservation Management Plans for historic heritage sites owned by the Applicant outside the disturbance area, including provisions for assisting Council or other regulators with any proposal to list the sites on applicable heritage registers;
- (iii) a Burials Management Plan, prepared in consultation with NSW Health, for the exhumation and reinterment of human burial sites in accordance with applicable statutory instruments such as the *Public Health Regulation 2012*, including provision for installation of a memorial in the local area in the event that reburials occur outside the locality;
- (iv) a Horse Burial Management Plan for the exhumation and reinterment of horse burials; and
- (v) an Interpretation Plan for the broader Bylong Valley locality, including provision for a detailed oral history prepared in consultation with the Bylong Valley community.

47. The Applicant must implement the approved Historic Heritage Management Plan for the development.

TRANSPORT

Monitoring of Coal Transport

48. The Applicant must:
- (a) keep accurate records of the:
 - amount of coal transported from the development in each calendar year (on a monthly basis);
 - number of coal haulage train movements generated by the development (on a daily basis);
 - and
 - (b) include these records in the Annual Review.

Shift changes and school bus routes

49. The Applicant must:
- (a) schedule production shift changes on site to occur outside of school bus hours; and
 - (b) co-ordinate the production shift changes on site with the production shift changes of the Moolarben, Wilpinjong and Ulan mines to minimise the potential cumulative traffic impacts

Sealing of Wollar Road

50. The Applicant must not commence construction until Wollar Road has been sealed along its entire length, unless otherwise agreed by the Secretary.

Roadworks – Upgrades and Safety Measures

51. The Applicant must provide funding towards or implement the road and safety upgrades as specified in Table 16. These measures must be carried out in accordance with the timing specified in the table, unless otherwise agreed by the Secretary.

Table 16: Road and Ancillary Infrastructure Upgrades

Measures	Timing	Funding	Roads Authority
Construction of the North Link Road ¹ Sealed and to be constructed to the satisfaction of Council and grade separated from mine haul roads.	Constructed prior to closure of the Upper Bylong Road	Component of the development	Council
Construction of the realigned Upper Bylong Road (east link) Unsealed with the pavement standard to the satisfaction of Council with the crossing of the Bylong River constructed to an equivalent flood design as the existing Upper Bylong Road crossing.	Constructed prior to closure of the Upper Bylong Road	Component of the development	Council

Eight Hayes Grandchildren



Public Hearing of the Bylong Coal Project

John L Hayes, as Grandfather, is talking for his eight grandchildren – all aged under 8, who have no voice of their own.

- I am 73 – what will Australia and The Planet look like when they are 73?**
- For the eldest that will be in 2083; and for the youngest in 2091.**

We Need to Change

- All of us – none of us, can continue ripping up good farmlands,
- and exploiting Water,
- and leaving wastelands,
- in the way we are doing it now.

The mines around Bulga and the Hunter are shocking examples of this

Growth, development and technology

have caused:-

- Global warming
- Climate Change
- Pollution
- Toxic residues
- Waste and spoil stockpiles.

And leave us all:-

*to cough, wheeze, eyes to water, and
have skin rashes and.....*

We now know better

- Coal is obsolete
- Dust and air pollutants are harmful to human health and cause allergies, illness and death.
- Solar and wind technology are rapidly replacing fossil fuel.
- Technology enables removing coal and products made using coal from building materials, structures and cars.

There needs to be a just transition away from coal, and refusing the Bylong application should be part of this transition

How will this transition work ?

- Government, Planners and Industry must embrace the new technologies coming forward and give our children and grandchildren the **time space** and **support** to develop them.
- Some examples include renewable energy electric transportation smart houses and offices

Commissioners need to realise that allowing a brand new coal mine in a pristine and productive valley does not contribute to a functioning transition.

Coal mines are done and dusted

- The world is moving on.
- For the sake of my grandchildren, your grandchildren and the worlds grandchildren please acknowledge that the “future” is almost upon us.
- This mine cannot help future generations appreciate natural beauty in the Bylong Valley, nor to draw sustenance from the very productive food bowl that is about to be destroyed.

Time for the Planners to join the new age.

My grandchildren and all our grandchildren call on you three Commissioners to please reject the application.

Public hearing of the Bylong Coal

Project

Presentation by John L Hayes as conveyor of Correct Planning and Consultation for Mayfield Group (CPCFM)

- I have spent the last 14 years in Newcastle, and have been very active within the Community
- CPCFM was formed 8 years, ago following a series of huge public meetings, in 2010.
- CPCFM has a membership of about 500 people concerned about poor planning and poor consultation.

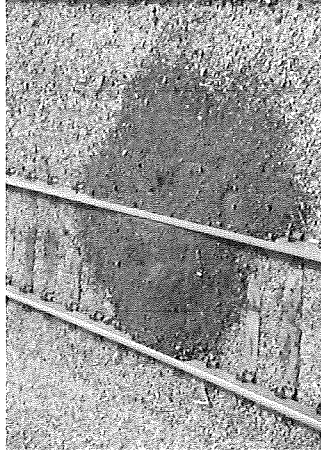
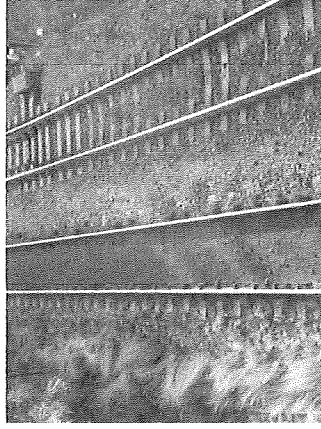
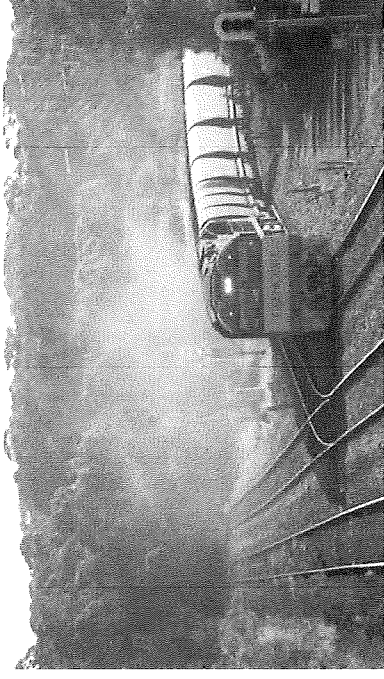
CPCFM is a major player in the campaign for responsible cartage of coal by rail to the Port of Newcastle

- Clean Air, Clean Watercourses, Clean Aquifers, Low Noise, and Safety, are the touchstones of responsible Coal Haulage.
- This mine proposal does not explain how coal will be hauled responsibly
- This mine proposal does not explain the impacts on the Lower Hunter and people of Newcastle

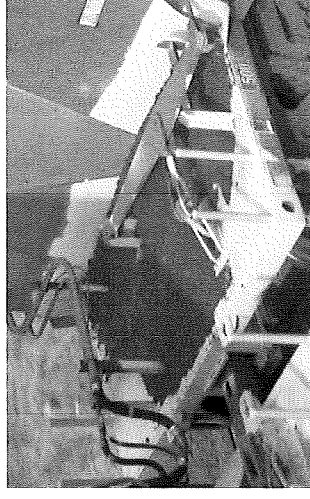
Can the Commissioners find- in the application, how the coal will be transported responsibly?

Coal trains pollute

- Locomotives could hardly be considered environmentally friendly !
- Tracks are littered



- Wagons have carry back coal both inside and outside



How do they Pollute ?

- Carry back coal - remains in wagons after they are unloaded escaping via:-
 - doors not sealed
 - sucked out the top
 - dropping from the undercarriage
- Falling coal and spills - generally prior to the train reaching the main line from:-
 - the top of the load
 - the train platforms
 - the wagon exterior
 - train mishaps
- Water drainage is when wet coal drains excessive moisture from loaded wagons due to:-
 - Coal water applications
 - rain

PM 10 and PM2.5 equivalents

- 170m tpa of coal exported equates to :-
 - 425 tonnes of potential PM2.5 dust that's four full coal wagons of coal
 - 1700 tonnes of potential PM10 dust that's sixteen full coal wagons of coal
- That dust goes into the Air and Water Courses

To attack the health of you and me, our dogs, cats and fish and the total environment.

Do we really want Bylong mine to look like Bulga?

Nil Consultation

In August 2018 130 Hunter residents including more than 30 doctors wrote to Environment Minister Upton and Health Minister Hazard asking them to discuss worsening air quality from expanding coal mines.

- Minister Upton refused and Minister Hazard and his department referred it to a committee.
- This is typical of hundreds of consultation requests and subsequent refusals.

Locations most impacted

- Consistent high volume photographic evidence very clearly indicates that the major coal train losses are from unloaded wagon within about 30kms of the Port.
- Some minor loss occurs within 5kms of loading.

Clear evidence shows that it is Newcastle people that “wear” the coal train emissions.

Approval for the Bylong mine should be withheld because no assessment has been made, on the City and Port of Newcastle, of the new Coal trains from this mine.

Faulty research outcomes and lack of prosecutions

- Formal research to identify coal train losses has been very problematic.
- The lack of sound research results has been a factor in the lack of prosecutions by the EPA, Planning, and Rail operators.
- Where is the Bylong Mine proposal evidence to show that their trains are different from all the others?
 - 20 train movements (10 loaded and 10 unloaded) per day.
 - 7,300 trains (584,000 wagons and 29,200 diesel locos) per annum is unquestionably a major cumulative impact on Newcastle
 - 1,600,000 wagons choking the corridor to the Port over the mines life

It defies belief that Bylong coal trains will not pollute Newcastle.

How has this proposal addressed the issues of coal haulage?

Coal lost from Hunter Valley Coal Trains

Quote from CPCFM submission to ARTC and others.

“Since our last meeting a huge volume of coal has been lost from coal wagons, CPCFM estimated this to be:-

	Number of wagons	Number of consists	Coal loss per consist	Coal lost in tonnes
Loaded Wagons	1,505,000	21,500	3kg	64.5
Unloaded Wagons	1,505,000	21,500	300kg	6,450
Total				6,514.5

Neither the ARTC, EPA or Chief Scientist NSW, and other researchers have disagreed with the estimates

What will be the consent conditions?

Before any approval is granted CPCFM recommends to the Commissioners that the conditions of consent requires all loaded and unloaded coal trains to have a formal Certificate Of Fitness before travelling on the Main Line.

For the Loco and train

Loco has no oil, fuel or other leaks.
Loco has no visible emissions.
The trains brakes are operational.
The wagons are structurally sound
The wagon wheels and axles have no abnormal noise
The wagons doors close and seal

For the coal wagon contents

The coal is contained totally within the coal wagons dimensions
There is no visible coal on the coal wagons exterior
The exposed surfaces of the coal in the wagon is treated in a manner to prevent emissions
Coal, coal dust and coal liquid are not leaking
Empty wagons have been washed and are totally clean both inside and outside

Surely the community health must be considered foremost.

We must insist there is enough material before the Commission to refuse the Bylong application.

On behalf of myself, my grandchildren and the community

Thank you for listening to us.

And I will let Pope Francis have the last word, from his document – released to the world in 2015, before the Paris Climate talks:

We know that technology based on the use of highly polluting fossil fuels - especially coal, but also oil and to a lesser degree gas - needs to be progressively replaced without delay.

Pope Francis - Laudato Si ' "Praise Be to You". Par.165