

Premier Mike Baird  
GPO Box 5341  
Sydney NSW 2001

**TWENTY POINTS TO ACHIEVE BALANCE**  
FOR COMMUNITIES AND THE ENVIRONMENT  
IN THE COAL MINING AND CSG APPROVALS PROCESS

Your government's decision to repeal Section 12AA (Resource Significance) of the Mining SEPP should return some balance for people in the mining decision process. However far greater policy adjustment/reform is needed for the process to become accountable to the people and the state.

The main problems with the process are:

1. Your mining bias against people. Nowhere is safe for rural people.
2. No mining company identifies the FULL scale of their venture – they hide the true scale until a foothold (approval) has been achieved.
3. Evidence provided by mining companies is essentially expert-assisted self-advocacy. The expertise is bought. Adverse impacts are underplayed. Benefits are always overstated. State financial contributions are never acknowledged.
4. Evidence from communities is essentially gathered by unpaid technical experts drawn from wherever they can be found. Communities do not have the resources to produce a 1000 page report and ultimately must deal with the EIS presented in just 28-60 days.
5. Mining companies may continue amending proposals based on community objections (which can never be complete) and appealing decisions until they get their way. Communities frequently cannot launch a merits based appeal.
6. Mining and CSG companies have favoured access to decision makers. Industry lobbyists and leaders too frequently are ex politicians and ex senior public servants. 'Boys club' relationships spill over into assumptions, agreements and decisions made by government against communities.
7. Communities do not enjoy comparable access.
8. Government's reluctance to act on principle on legacy projects approved or enabled in the period of extraordinary NSW corruption.

The following twenty points are designed to ensure the approvals process is fully informed of project impact from the first EIS. That communities and environment are given priority consideration. That mining companies are obliged to fully disclose their fully developed project's potential scale and impacts. That coal mining and CSG companies are very tightly controlled as short-lived permanently damaging developments. That communities are recognised as long term high value investments in their own right - with dependencies and development trajectories which will be adversely impacted by the imposition of relatively large damaging industry where it doesn't fit. That the obscenely close relationships between Government and the fossil fuel industries are ended.

The NSW Minerals Council and Government should welcome these points. Their adoption will reassert community well-being as the central reason for being. Should coal mining/CSG projects not proceed due to the following points, we can rest assured that the system has worked - for people the environment and our essential transition from fossil fuels.

Strategically, the transition from fossil fuel is underway. Current coal mining and CSG production exceeds Australia's needs. Coal mining will continue its long-term downward employment trend. We need now to ensure that new fossil fuel projects are absolutely essential and do not come at the expense of communities or the future.

## TWENTY POINTS

1. No exploration within 10km of a closely settled area
2. Reinstate community merit based appeals. End the interminable appeals/amendments afforded to companies
3. Accept community social and environmental impacts as credible expert evidence - not 'objections'
4. Require full disclosure in the EIS of the proposal AND its potential for future development
5. Require no application be allowed beyond potential developments identified in the original EIS
6. End the 'modifications backdoor' set up to circumvent full disclosure in the EIS
7. Require developments and extensions only in directions away from settled areas – thereby obliging mining proposals to disclose in the original EIS the maximum impact on the community – no impact creep
8. Require year on year improvement in community and environmental impacts
9. Eliminate allowable exceedances of defined impact criteria
10. Require 'in kind' penalties on a rising scale instead of meaningless financial penalties (eg *Noise Exceedance*: suspension of night operations, suspension of rail loading, denial of future extension potential, closure)
11. Require compensation payment to displaced property owners at full market value of alternative equivalent property – determined by them with local experts
12. Transfer title for such properties NOT to the mining companies but to the community's Shire Council as the future governmental custodians of the land during and post mining. There should be no place for mining company ownership, guardianship or future profit from their 'compensation'
13. End the nonsense of environmental offsets. Mining companies should not determine offset lands
14. Redefine Prime Agricultural Land - this time WITHOUT Minerals Council involvement
15. Identify other classes of productive land and water courses for degrees of protection
16. Recognise that full health risks and environmental/agricultural/food risks as being unknowable and that therefore the Precautionary Principle be readily applied
17. Purge from government and public service the lobbyists OR make them entirely visible AND give community the same credence and access
18. Recognise that coal mining and CSG are damaging and avoidable developments. There are better more wholesome and prosperous futures without them
19. Place greater priority on the future impacts on community development and unemployment due to eventual coal industry closure
20. Recognise that coexistence is a myth – only promoted by pro-mining interests and those communities with few natural development options

It is entirely possible to rapidly implement all of these 20 Points. Apply them for existing proposals, apply them as principles in current decision making, cool the relationships with all levels of the coal/CSG lobby, require companies to acknowledge that existing mines/CSG and employment in a community will hold no sway for future applications, and invent a new way forward based on new industry that is clean of lobbyists.

GRIP looks forward to your response.

Dianne Montgue  
President GRIP

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