

Submission by [REDACTED] to the IPC review

I have personally attended, and/or addressed, several IPC and many PAC hearings, as well as having made written submissions. These have all been to do with the impacts of proposed coal-related projects.

I consider it critical that such an independent body looks at all the issues and information, as it has become clear to me over the 15 years I have been following coal and gas impacts that our government, especially our Planning Department, is not as objective as one would hope.

The public has lost trust in fair decisions, as the Mineral Council and the extractive industries seems to be given access to decisionmakers' ears far more than do the people to be impacted. The IPC has helped restore that trust. To remove it is an unconscionable return to the possibility of corruption in Planning as we have seen in the past in NSW.

As many projects classed as 'state significant' no longer have serious issues like water, pollution, heritage and biodiversity overseen by relevant agencies, the IPC is extremely important to take on that role. It must not be left up to the Planning Dept. and Minister; these issues are too important.

We have seen Planning recommend approval of many very damaging projects, such as Bylong; in fact it is a rare occasion (three?) when they have recommended against a mine. And those have been perceived by the public to be because of other powerful influences, or politics, not for justice. No amount of 'rigorous conditions' can alter the damage, even if such conditions were adhered to, monitored, and breasch punished, which in reality is not the norm.

What Planning says happens only on paper; it is not what people and regions experience, as I found in researching my book, [REDACTED]

Landuse conflict, especially between agriculture and mining, is rife, and it is not only the land itself impacted but the associated water. In our current drying climate, we all know that water is critical, and yet it is not being protected, for food or the environment, against overuse by mining. Landowners can see the injustice of Planning decisions, such as at Maules Creek, but their objections are over-ruled. Now they watch their fears come to

pass as mines there take the water they need, able to outbid for it, let alone abusing their conditions of use.

All over the state this has been the experience of landowners and communities with Planning. Ask the people of Bulga as they try to breathe in their dust-laden, air and noise polluted hell from Rio Tinto's approved expansion, where the final decision was so blatantly in the latter's favour, despite the community twice winning in court. Had an IPC been able to look at that, perhaps justice would have been served.

I would beg that the IPC be strengthened rather than weakened. The 2010 ICAC recommendations re the Commission should be implemented: that it be given quasi-judicial status, appointment of its members be open to public scrutiny and that they be fulltime. The IPC must remain totally apart from Planning, and be given more resources to be fully informed. The public values this rare example of transparency and independence and it must not be reduced.

All members of the public should be allowed to address IPC hearings; they are the main forum for third party input and a crucial check on government, especially as they replace merits appeal rights.

I have read the full IPC report from the Bylong project and it is impressively detailed, with all inputs considered and backed. Planning and the proponent's studies and modelling are not the only 'facts', but they used so often to be the only ones taken into account. What the IPC did is exactly the degree of scrutiny such projects, with such longterm possible adverse impacts, deserves and that our state needs.

If exploration licences were to respect our state mapping of values like equine and viticulture clusters and Biophysical Strategic Agricultural Land, and hence not be given out over such areas in the first place, we would not have this ludicrous situation of an IPC needing to decide years down the track, when so much money has been spent by the company and the community has been so seriously diminished and harmed. Policy must be set to ensure this.

That the Bylong decision included a measure of dealing with Scope 3 GHG emissions, to limit its coal exports to nations complying with the Paris

Agreement, was purely sensible. It is not arduous or unprecedented, despite what the hard-lobbying Minerals Council says.

We place restrictions on other sorts of trade with customers and governments in other countries, such as we don't sell our uranium to countries that are not signatories to the International Atomic Energy Agency safeguards and we insist our Uranium exporters comply with the rules of the Nuclear Suppliers Group.

Global warming knows no borders and if we remove even such minimal steps as this from the IPC's purview, we make a mockery of our Paris commitments and of our duty to our children and grandchildren, for inter-general equity.

It was made clear in the Rocky Hill judgement that our global carbon budget will not allow any increase in carbon emissions, so not to include such impacts of a project is highly negligent and to remove such from the IPC's ability will show the world that NSW does not care about Climate Change.

I call it Climate Chaos, and as bushfires burn all around me and I wait with car packed ready to evacuate, I am even more appalled that NSW is considering this move.

We need a strong IPC!

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