

HUNTER VALLEY

WINE AND TOURISM ASSOCIATION

21 November 2019

Productivity Commission
Level 3, 201 Elizabeth Street
Sydney NSW 2000

Dear Sir/Madam,

Re: The Hunter Valley Wine & Tourism Association (HVWTA) writes to lodge the following submission with Government.

The HVWTA have worked with and been impacted by a number of mining proposals in the Hunter Valley. We remain highly concerned as to the process of this enquiry and the history of Government obvious co-operation in working in close liaison with major mining companies.

The Independent Planning Commission is the only possible entity that might allow a more level ground for serious discussions to be aired in regard to major project on Regions. We have seen progressive dilution of fairness and a very deliberate reduction in scope and independence to the point that Government along with the Mineral Council has made the Independent Planning Committee relatively useless.

Now is the time to reinstate the Committee with effective power to undertake and complete its tasks in a manner that is independent, professional and seen by all parties as such.

Therefore, the HVWTA oppose the following:

- Since 2008, the vast majority of mining applications have been approved (over 90%)
- Without the IPC this figure would be closer to 99% as despite increasing health and environmental concerns, the Dept of Planning has only recommended refusal for three mines since 2008 - Rocky Hill, Hume and Coalpac - none of which are in the Hunter Valley.
- It's essential that we maintain independent decision making in mining approvals to prevent



corruption as recommended by ICAC

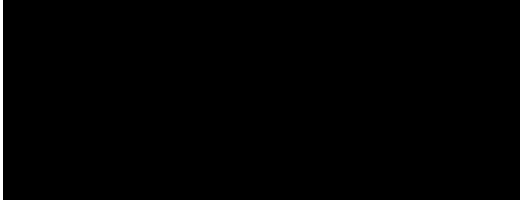
- As a mining affected community, we are at a significant disadvantage to the companies in the planning process. Even when we win (for example, in the case of Drayton South) the mining companies simply keep submitting new proposals. Drayton South has been refused four times by the IPC and yet our community is now being forced to spend our time and money opposing yet another proposal at this same site (now called Maxwell). This creates a huge burden in time and cost that our community bears every time we oppose a mining proposal. This cost would be significantly reduced if NSW adopted a more rigorous gateway assessment process that including social impact as part of its technical analysis.
- We are the silent majority who are experiencing the impact to our health, the reduction in available land and water, the drop in our property values, the social changes in our community (reduced volunteerism, greater percentages of community mobility, loss of social cohesion), the industrial-scale transformation of our local landscape and the negative impact to our established, sustainable industries such as agriculture, tourism and food production.
- Despite being the people most disadvantaged and most negatively affected in this process, a recent review of all of the recommendations of the Dept of Planning and the IPC (formerly the PAC) since 2008 revealed that community objections including concerns regarding air quality and health have been almost entirely ignored - particularly by the Dept of Planning.
- We expect our concerns to be weighted more seriously in this process and we urge the Government to consider its future legal liability if it continues to prioritise economic benefits over the health and wellbeing of thousands of residents.
- We recommend broadening the scope of matters that the IPC can consider to include safety, the financial capacity and solvency of the proponent, the expertise of the proponent and the track record of the proponent and any major operational partners and contractors.
- We recommend that the IPC should be directed to adopt the precautionary principle - at all times putting the health and wellbeing of communities and our environment first.
- We recommend that the IPC should be directed to prioritise sustainable and diverse local economies in its decision making - not to allow economic monocultures to develop that may create hardship or limit opportunities for communities like ours in the future.
- We recommend ensuring that the IPC has an independent panel of scientific experts at its disposal to enable it to properly investigate differing opinions between communities, the Department and the companies and that it is independent in every way from the Department of Planning.



- We recommend that the EPA should be placed under the direction of the IPC so that it can properly police and enforce the environmental protections that the IPC puts in place.
- We recommend that the IPC should also review every sale or transfer of a mining license to ensure that every proponent has the experience and the financial capacity to safely operate its mine and to deter speculators from entering the industry as more experienced operators sell their more marginal assets.

The Association would be pleased to meet with your offices should you wish to discuss our concerns in more detail or please contact me directly on [REDACTED].

Regards,



Director

Hunter Valley Wine & Tourism Association

