[redacted]

Re: Submission to the NSW Productivity Commissioner Regarding the Review of the NSW Independent Planning Commission

Dear Commissioner Achterstraat,

Thank you for the opportunity to make comment regarding the Independent Planning Commission review. We have lived in the Upper Hunter for eighteen years and have witnessed the continued expansion of open cut coal mining. The competition for land use, the deterioration of air quality, community dislocation, declining property values and deterioration of visual amenity in our local area are major concerns for us.

The Department of Planning has given little weight to these matters in its assessment of coal mining project applications as demonstrated by its recommendations to approve the Anglo Drayton South Project (twice), the recent Dartbrook Mine restart project and the Kepco Bylong project.

It is our view that the IPC:

- plays a critically important role as a safeguard against corruption in the NSW planning system.
- provides the independent objective assessment of State Significant Development projects
- provides the circuit breaker between powerful industry groups, lobbyists and the government decision making
- provides a forum for the community to have a real voice in the decision making process
- provides more time for under-resourced local communities to more fully assess the thousands of pages contained in project Environmental Assessments placed on public exhibition.

The thresholds for the referral of matters to the IPC are appropriate in requiring 25 objections or objection by the local council. Local community members are the ones who are most impacted by these projects and issues like air quality, community dislocation, lack of intergenerational equity and impact on nearby (proximal) property values must be properly considered. We feel the IPC should be given the ability to put conditions on companies to protect the local community.

The extent to which the IPC should rely on the Department of Planning's assessment report is problematic. The communities in heavily open cut mined areas, who witness constant breaching of conditions with little or no penalty to the operators, have little trust that the Department of Planning, Industry and Environment have the desire to protect these communities. There needs to be truly independent assessment of all EISs to give communities protection and solutions to their concerns. It currently appears that the Department of Planning, Industry and Environment give the greatest weight to economic considerations rather than community and environmental impacts.

Resourcing of the IPC is a matter for government to address, as long as it is adequately resourced so it can perform its role truly independently.

We think the Independent Planning Commission's Secretariat should not come from the Department of Planning, Industry and Environment. The IPC's practice of providing transcripts of all interactions with proponents and agencies is vital and must be continued and enhanced if possible. The best practice to safeguard independence would be for the IPC to maintain their own secretariat.

Thank you for the opportunity to provide a submission to this review. We need to remember why the PAC/IPC was formed in the first instance. We strongly urge that the IPC remain truly independent.

Yours sincerely

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