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\* There is no protection for agricultural land under the Gateway process. The Regulation must be amended to create a strict exclusion, and must apply to all projects not determined before the creation of the amended regulations.

\* The new Gateway provisions are contradictory, implying at one point that the Panel will not even have the power to recommend rejection of a mining application.

\* The process to verify biophysical strategic agricultural land is subject to the discretion of the Director-General of the Department of Planning, who only needs to “have regard to” the verification criteria. This is appropriate caution for protection of land, but there should not be any discretion to remove land from the map if it meets the criteria.

\* The next steps should be the introduction of exclusion zones to protect surface water and groundwater resources from CSG and coal mining.