

Monday 20 July 2015

Submission to Draft Change to Mining Policy

Central West Environment Council (CWEC) is an umbrella organization representing conservation groups and individuals in central west NSW working to protect the local environment for future generations.

CWEC fully supports the proposal to remove Part 3 Clause 12AA from the Mining SEPP 2007.

This clause, that directs decision-makers to give primary consideration to the significance of the resource, is in conflict with the object of ecologically sustainable development in the *Environmental Planning and Assessment Act 1979*.

The proposed amendment will assist in returning balance to the NSW planning and approvals process for major mine developments. It is critical that environmental and social values are given the same consideration as economic values in the assessment of state significant mining projects.

CWEC recommends that the removal of clause 12AA be implemented immediately.

CWEC considers that this proposed change to the Mining SEPP is a welcome first stage in returning balance to the planning system in NSW.

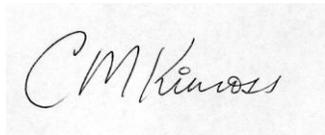
Part 3 clause 12AB (Non-discretionary standards) constrains consent authorities from adopting more stringent environmental standards than the SEPP allows. The action of this provision must be reversed so that development cannot occur if it breaches the standards, but consent authorities are free to adopt more stringent standards where appropriate.

There must also be strengthened provisions to take into account all aspects of cumulative impact of a mining development.

CWEC urges the Department of Planning and Environment to also reinstate third party appeal rights for major mining developments. This will return the planning system in NSW to a fair and just process that allows for an independent and transparent merits review of a planning decision.

CWEC looks forward to future consultation on improvements to planning policy that will redress the balance, regain community confidence and provide open and transparent decision-making.

Yours sincerely

A rectangular area containing a handwritten signature in black ink. The signature is written in a cursive style and appears to read "C M Kinross".

President