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**The Executive Director
Resources and Industry Policy
Department of Planning and Environment
Sydney**

Submission by email only

Tuesday, July 21, 2015

Dear Executive Director,

**SUPPORT FOR A CHANGE TO STATE ENVIRONMENTAL PLANNING POLICY
(MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES)**

On behalf of Climate Change Balmain-Rozelle, one of the largest community-based groups in NSW working for improved climate protection policies, I write to support the proposed change to mining policy in NSW; that is, the removal of clause 12AA of the Mining SEPP.

1. About CCBR

Climate Change Balmain-Rozelle is a 10-year-old community group focussed on bringing together residents in Sydney's inner west who are concerned about human-induced climate change. We have over 800 members and supporters, and are involved in national campaigns on climate policy and renewable energy, state-based campaigns on renewable energy, and local campaigns on issues such as food waste, health and solar energy. We are non-party political and welcome involvement from anyone interested in action to cut local, national and global carbon emissions.

Our unofficial motto is “local action, national leadership”. Our part of NSW is highly privileged from a whole range of indicators, including income, education, professional qualifications, access to good housing, health care, clean air, public transport - and, for some, even harbour views! We accept that, as best we can, we have a certain responsibility to help other communities less fortunate and less well resourced than our own to tackle climate change issues. Having the time to research and write this submission is one small example of this.

2. Support for the change to mining policy

We are not familiar with the political background to the original change to the Mining SEPP in November 2013 and the introduction of clause 12AA, nor to the rationale for the Government’s proposed change now other than the material on the Planning website. As a volunteer-based community group working for improved climate change policies, we make this submission in the interests of the climate, not the mining industry. We express here our “community and stakeholder concern that the social and environmental impacts of a proposal are not being adequately considered or given appropriate weighting by the Department of Planning and Environment or the Planning Assessment Commission”, as the Department’s July 2015 FAQs document for the policy change puts it.

CCBR welcomes the proposed change because, as we understand it, it will mean that any mine that is up for planning approval must satisfy the consent authority that it is in the state’s interests not just from an economic perspective, but from a social and environmental perspective. We support this triple bottom line approach to mining planning approvals. It’s plain sensible.

We see it this way. Under the current NSW mining SEPP, if a proposed mine were forecast to add \$50 million a year to the state’s GDP but as a result of its operation would somehow cause the death of 100 local residents every year, that is irrelevant to the planning process. As things stand, those deaths must not be considered part of the decision making process because only the economic factors need to be taken into account by the planning consent authority.

Under the current SEPP, social and environmental considerations from a project are not given appropriate weighting. This, of course, to borrow Federal Agriculture Minister Barnaby Joyce’s recent phrase in relation to the proposed Shenhua coal mine on the Liverpool Plains, would suggest a world gone mad. NSW planning policies, we suggest, went a little mad in November 2013 with the introduction of clause 12AA; now a little sanity is, we hope, returning.

3. Clause 12AA narrowly defines economic considerations

The existing clause specifies that matters such as employment generation, expenditure and royalties must be considered as economic **benefits**. But it does not mention economic **costs** to the state or the community. These include short- to medium-term costs to the health budget, for example, from air pollution in the location of a coal mine. Long term, the costs of global warming from the mining of fossil fuels are likely to dwarf any immediate economic benefits of a continued coal industry. Climate Change Balmain-Rozelle supports immediate action to transition to a NSW economy that is less dependent on coal mining for employment and royalty payments.

4. Keep it in the ground

Climate Change Balmain-Rozelle believes the scientific evidence is sufficient for planning decisions in NSW to rule out new coal mines. We cite two authorities for this view, although there are more.

First, the Climate Change Authority has reported that to have a 67% chance of keeping under 2°C warming, the world's carbon budget 2000-2050 is 1700 GtCO₂e (although we note that increasingly the scientific view is that 1.5° of warming is a safer limit). (See www.climatechangeauthority.gov.au/reviews/targets-and-progress-review-3, ch 3.) Based on this, the CCA puts Australia's share of this carbon budget for 2013-2050 at 10.1GtCO₂e.

Our second authority, the Climate Council, uses a higher safety threshold, a 75% chance. If all of Australia's coal resources were burned, the carbon released would consume two-thirds of the global carbon budget (based on a 75% chance to meet the 2°C warming limit). It is likely that over 90% of Australian coal reserves are unburnable under even the most generous carbon budget. Australia has 77Gt known coal reserves, enough to produce 150GtCO₂e, 15 times our budget to 2050.

So, sooner rather than later, planning authorities are going to have to say to mining companies: this coal mine, or this CSG site, cannot go ahead because of its contribution to climate change. That time should be now.

We do not suggest this “carbon trigger” should affect planning approval for other types of mining projects.

5. Support for the Minister

As a leading NSW community climate change group, we endorse Planning Minister Rob Stokes' comments on the need for this change, as reported in *The Sydney Morning Herald* on

May 2. "The economy's there to serve society, not the other way around," he said. "While we need economic growth, we need to do it in such a way that improves people's lives and doesn't undermine the capacity to produce long-term economic growth by having a healthy environment." We support this view. Digging up coal and burning it does not create a healthy environment, short-term or long-term.

6. Further review of the Mining SEPP in NSW

We note that the FAQs document states that the removal of Clause 12AA is only the first step in a review of the Mining SEPP. We request that the next review of the Mining SEPP should take into consideration the broader issues of our sections 3 and 4, above, and that our organisation be invited to be involved in any review of the SEPP.

Yours sincerely,

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Vice President

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