

Improving Mining Regulation in NSW – Stage 2

Submission from Sutherland Shire Council

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Thank you for the opportunity to comment on the Integrated Mining Policy – Stage 2.

Whilst it is essential to provide guidelines on policy and reporting, it is apparent that the guidelines produced for the Integrated Mining Policy very much favour the mining industry and not the Local Council or the general public in the Local Government Area that the mining occurs.

Planning agreements with Local Councils remain voluntary and every aspect of the proposed Planning Agreement guideline suggests that a planning agreement is voluntary and is open to negotiation with both parties having to agree. If the mining activity has already been approved by NSW Government, then what leverage has local council got to achieve an outcome that will benefit council and the general public?

Councils will potentially be left with the loss of beneficial land use and the loss of water supply to drinking water reservoirs, wetlands, swamps, creeks and irrigation supplies. Once the mining company has closed and left, if there is no requirement for a planning agreement and conditions of consent issued by NSW Government are not strong enough, then Councils will also be left with the cost of maintaining infrastructure no longer needed, maintaining under-utilised roads and dealing with subsidence issues and cumulative impacts on the natural environment.

It is noted that subsidence remediation areas are excluded from the total mine footprint and do not need to be reported on in the annual review, nor is reporting on subsidence required in any other form. Also noted is the absence of reporting on the proposed upland swamp offset policy. Surely damage to upland swamps, an integral part of the ecology, whether actual or potential warrants reporting on as does subsidence issues as these both affect ground and surface water flows which are vital to maintaining the ecosystems of the impacted area and even 'negligible impacts' may have a critical detrimental effect on the survival of the communities contained within these ecosystems.

It is also noted that the publication of data not required as part of an Environmental Protection Licence is voluntary and the web-based reporting framework is strictly an optional guideline. Councils and the general public are very concerned about the environmental damage mining activities cause.

Mining causes water pollution (groundwater and surface water), loss of amenity, and degradation of swamps, ecological communities, subsidence of land and pollution of land among other impacts. The public do not trust mining companies and by not making reporting of data covering the environmental management of the mine, monitoring data, compliance data, auditing data and operational data mandatory, the level of public trust in mining companies and their activities will wane further. Transparency of mining activities should be mandatory and of the utmost importance, especially as mining occurs in the public domain.

Conclusion

Sutherland Shire Council has in the past been supportive of changes to policy that help improve processes, but not at the expense of the environment or stakeholder involvement. The Integrated Mining Policy has constantly stated that 'importantly, the high standards already in place to manage environmental and community impacts will not change'. The current standards allow for mining to greatly impact on environmental and community standards and there is a distinct lack of transparency and reporting requirements. Council is of the opinion that the proposed Integrated Mining Policy will reduce those already inadequate environmental and community standards, particularly as important aspects of the mining activity that could give the general public assurance that mining was not causing detrimental harm to the environment is voluntary and heavily favours the mining companies.