

**Submission
No 21**

**INQUIRY INTO PLANNING SYSTEM AND THE IMPACTS
OF CLIMATE CHANGE ON THE ENVIRONMENT AND
COMMUNITIES**

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The Planning process needs reform urgently. In its capture by mining proponents, the process is inadequate to meet the needs of NSW communities now, let alone adapt to changing climate and environmental conditions.

I would like to tell you about inadequacies in the Department of Planning and the failures of the Planning process in NSW as revealed by my experience with the Bowdens Project in the Mudgee region.

The Department sees its job as the facilitation of mining projects without regard to future impacts, to find a way to allow even the most devastating project to proceed in spite of acknowledged serious impacts on families, farms, land, waterways, businesses the environment and whole communities. This will only be made worse with the impacts of climate change.

There is no one whose job it is to represent the interests of those dispossessed by mining companies and their fervent allies in government. Individuals and communities are left on their own to spend their own time, energy and resources in their own defence and the defence of the environment. Talk of "balance" in this context is infuriating.

The Department adopts the deliberately deceptive language use of mining proponents. Qualifiers like acceptable, manageable, negligible are used to disguise impacts. Talk of proponents considering doing what is practicable or reasonable where possible is used to allow the bare minimum or even no action on impacts.

The well known practice of saying something over and over and over as if that makes it true is common. Rigorous processes, robust studies, highly regulated, strict conditions, independent assessment, adequate offsets... Closer examination of what has actually happened with the Bowdens Project approval process is evidence that saying something firmly and often doesn't make it so. Mentioning something such as climate change is not the same as actually taking it into account.

The planning process is not independent but deeply compromised. The frequent copy and paste of sometimes laughably inaccurate information by the Planning Department of Bowdens documents, then by the IPC of the Department approval document has enraged the Mudgee community. (For example, the assertion that Lue is an area of forestry and fisheries is wrong but repeated. No one ever actually checks.)

The uncritical acceptance of desktop modelling, averaging and estimates conducted by compromised consultants is indefensible and in this case sometimes obviously completely wrong. For example, in the Bowdens Project the Department used generic health consultants to examine increased risks of lead exposure. It was left to the community to engage and pay for actual lead experts Mark Taylor and Barry Noller whose evidence was ignored. Only real time on the ground studies including local knowledge and qualified, specialist experts can give a reliable indication of the true impacts now and into a climate change impacted future.

The situation where fundamental aspects of a proposal are left to post approval solution is a scandal. The Bowdens Project was approved without the proponent showing where the necessary water would come from, how its neighbours and others far afield would be protected from lead poisoning or how creeks and rivers would be protected from acid mine drainage. Expert evidence that there was no water, that lead poisoning is inevitable and

irreversible, and that there would be as ever no way of preventing acid mine drainage was ignored. There was no mention of how the project might consider and adapt to climate change.

The approval of mining projects without assessment of their effects on other businesses and farms should cease. The Department openly stated that the Bowdens Project's devastating immediate and future impacts on agriculture and tourism in the region do not matter and are not relevant to its decision. The approval of projects with nothing but the most token, vague reference to a future under climate change must cease.