

**Submission
No 153**

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

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PORTFOLIO COMMITTEE NO. 7 – PLANNING AND ENVIRONMENT

That Portfolio Committee 7 inquire into and report on how the planning system can best ensure that people and the natural and built environment are protected from climate change impacts and changing landscapes, and in particular:

- **the adequacy of planning powers and planning bodies, particularly for local councils, to review, amend or revoke development approvals, and consider the costs, that are identified as placing people or the environment at risk as a consequence of: (i) the cumulative impacts of development.**

Community has no voice when it comes to Mining in NSW. They are offered a communication process to object to being contaminated by toxins yet that process is dominated by mining scientists and environmental scientists, who use modelling and minimising for the impacts of health on the community and the environment. When will the Government hear the people of NSW.

Recommendations

- Review the approval process in Mining to give the community a voice
- Review the approval process allowing community more time to review the proponents EIS and consultation for opponents expert opinions
- Review the Independent Planning Commissioners approval process whether by Public meeting or Public Hearing to allow the people of NSW a right to appeal their decision without going straight to the Land and Environment Court.
- To enforce the Independent Planning Commissioners reply and give appropriate feedback to the submissions of the community and their expert's opinions so the community can appeal their decisions. This must be in writing so as a record is held for future review. The reply must be comprehensive and cover and detail individual submissions and expert opinions.

The Independent Planning Commissioners have made no written assessment of the submissions made by the community and their experts Professor Bruce Brew and Professor Mark P Taylor.

Professors Brew and Taylor submitted reports against the approval of the Bowden's Lead Zinc and Silver Mine.

One can only assume the reasons for this are

- The IPC cannot refute these submissions
- The IPC do not understand these submissions
- The IPC had already chosen to follow the directive of the Department of Planning to approve the Bowden's Mine and did not take the submissions into account.

When the experts for the Mudgee community were explicit in their reports opposing the Bowden's Mine and the DPE's opinion that there will be no off-site impacts from this mine, our opinions were disregarded.

We know the mine cannot guarantee no off-site impacts and adverse outcomes to the community.

2/11/2023

Dr Peter Bentivoglio

It is outrageous that NSW Government find it acceptable to contaminate the people of NSW with Lead, Zinc and other toxic metals. That they allow mining to pollute up to dust deposit levels that will destroy drinking water and water ways. That NSW Government have given approval for a tailings dam to leach daily, 1.58 megalitres of toxic lead, zinc and cyanide waste water into the Lawsons Creek and the Cudgegong River.

NSW Government knows the World Health Organization states, there is no safe level of Lead for humans and yet they choose to disregard the International World Health Organization's recommendations to stop the source of lead contamination.

Thank you

Dr Peter Bentivoglio
Neurosurgeon

2/11/2023
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