

**Submission  
No 78**

## **INQUIRY INTO BENEFICIAL AND PRODUCTIVE POST- MINING LAND USE**

**Organisation:** Social Impacts Alliance

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## **SUBMISSION**

### **Inquiry into Beneficial and productive post-mining land use**

#### **Introduction**

The Social Impacts Alliance is a group of connected communities seeking to raise awareness of the continued failure of the Social Impacts Assessment process within the NSW Planning system and the ongoing gaps in policy and planning that place the experiences, concerns, needs and wishes of community secondary to that of industry.

We welcome the opportunity to lodge a late submission to the Parliamentary Inquiry into beneficial and productive post-mining land use (the Inquiry).

The negative social impacts of the extractive resource industry have been poorly assessed and the communities at the extractive frontier continue to suffer with persistent and ongoing negative impacts, including 24 hour/day noise, dust, blasting, combustion, increased traffic movements, loss of population, loss of place, loss of culture, and loss of well-being.

In 2017, the NSW Government adopted a *Social Impact Assessment (SIA) Guideline* for coal and gas and quarries. In 2021, the guideline was revised and extended to all SSD projects, including renewable energy projects: *Social Impact Assessment Guideline for State Significant Projects (SIA Guideline)*.

Whilst the Guideline has offered proponents, community and practitioners an important framework to ensure social impacts are identified, evaluated and responded to in a comprehensive and rigorous manner, the process of SIA remains flawed.

The question of mine closure and legacy is dealt with lightly from a social impact perspective. Employment and economic growth have been highlighted as social benefits that have outweighed other social components central to people's way of life.

The Social Impacts Alliance has launched a report outlining the key flaws in the process with a set of recommendations identifying necessary improvements. The report can be accessed here: <https://mdeg.org.au/wp-content/uploads/2024/10/Social-Impacts-Alliance-Community-Sacrifice-for-Coal-and-Gas-Digital-Online.pdf>

#### **Significant social impacts and loss of community in mining regions**

The acquisition of properties and subsequent loss of community is a major issue. The pollution generated by very large open cut coal mines has caused significant areas of land and property to be acquired by mining companies. This has hollowed out rural communities and neighbourhood networks, destroyed social fabric and caused the disappearance of entire villages that were previously centres of community activity and socialisation.

In the Hunter, communities have been decimated at Ravensworth, Warkworth, Camberwell, Mt Olive, Bulga, Wybong, Kyuga and many places between Muswellbrook and Singleton.

In the Mudgee region, the villages of Ulan, Wollar and Bylong are entirely owned by mining companies. At Maules Creek, over 80 family farms were bought by Whitehaven Coal, which has hollowed out the community.

Many properties acquired by the mining industry are not adequately maintained with productive farmland being overrun by weeds and houses falling into disrepair and often demolished. Entire landscapes are devoid of people, rural residences and productive activities. These long term impacts are not recognised or assessed.

While the Inquiry is considering beneficial and productive post-mining land use, many current coal mining operations are still seeking to expand production and the area of environmental and social impact. Post-mining land use in some areas, as currently approved, will be pushed back by many years if ongoing mine expansion continues to be approved.

There is no certainty for mine affected communities and this, in itself, is a significant social impact affecting mental health, wellbeing and loss of ability to plan for the future. The lack of assessment of climate change impacts and extreme weather events caused by the fossil fuel industry is a key failure of the planning process in NSW and a key failing of the current SIA Guideline.

The lack of Health Impact Assessment is also a key failing of the planning system.

Because of the scale of mining operations in NSW coal fields water security for agriculture and future industries has been seriously compromised, significant areas of biodiversity destroyed, landscapes altered beyond recognition and rural social fabric decimated. The challenge to fix these major problems is enormous with major long term social impacts.

The consideration of appropriate future post-mining land use must consider how social impacts will be addressed.

## **Climate Change**

We note that the NSW Government has made some significant advances on recognising the impacts of climate change and the need to reduce emissions. The Climate Change (Net Zero Future) Act 2023 with the establishment of the Net Zero Commission, the release of the Climate Change Adaptation Plan 2025 – 2029, the EPA regulation for large emitters, the establishment of Future Jobs and Investment Authorities and the roll out of Renewable Energy Zones are all positive activities.

However, if the NSW Government concurrently continues to approve more coal expansion across the NSW coalfields without considering the social impacts of increasingly destructive extreme weather events, then carbon emissions from fossil fuels will not be controlled.

There is concern that opportunities for successful mine rehabilitation and beneficial land use into the future will be seriously threatened by extreme weather events. The current coal industry operations and the coal chain in the Hunter is already being impacted by extreme heat, storms, flood and fire events.

Climate change is a threat to community and all industry including agriculture, food and water security and health. There is no economic justification for continuing to approve more coal production over a longer period of time in NSW.

Community health and well-being, including mental health, is strongly impacted by the threat of increasingly extreme weather events.

### **Recommended changes to the planning and approvals process**

The Social Impacts Alliance wishes to draw the attention of the Inquiry to the following recommendations to improve the assessment and approvals process for the mining industry.

#### 1. Extinguish Public Hearings through the Independent Planning Commission

Communities impacted by mining projects are currently being discriminated against in NSW by having merit appeal rights denied through the Land and Environment Court while neighbouring communities impacted by any other type of development are afforded this right.

#### 2. Require climate change to be assessed as a social impact

The SIA Guideline is meant to assess the *“consequences that people experience when a new project brings change”* but at present, the Guideline is silent on climate change. The Guideline must be revised to include assessment of climate change impacts and remove the current bias that downplays these impacts on communities.

#### 3. Social Impact Assessment must be resourced

There is a lack of capacity and expertise to oversee rigorous social impact assessment. DPHI's only SIA Specialist resigned in 2022 and the role has never been refilled. We are calling for a fully resourced Social Impact Assessment Team within NSW DPHI.

#### 4. Human rights must be recognised

The United Nations has declared access to a "clean, healthy and sustainable environment" a human right. The Climate Change (Net Zero Future) Act 2023 mandates that action to *“address climate change should be consistent with the right to a clean, healthy and sustainable environment”*. For communities neighbouring large mining projects these rights have been compromised. This is demonstrated by the regular number of air alerts exceeding National Air Quality Standards reported by the Upper Hunter Air Quality Monitoring Network.

The SIA Guideline must assess the maintenance of human rights. The lack of a Health Impact Assessment requirement for large SSD mining projects is a failing of the NSW planning system.

### **Conclusion**

Beneficial and productive post mining land use cannot be achieved in the NSW coal fields while mines continue to expand and new areas of coal release are granted.

The social impacts of mining projects must be better assessed through improvements to the SIA Guideline and better resourcing of expert capacity to review the quality of SIA lodged with large mining projects.

For more information on this submission contact: