NSW Premier Gladys Berejiklian

11 November 2019

Dear Premier,

We write with concern regarding the forthcoming NSW Parliament debates on changes to NSW Planning laws removing the requirement to consider ‘downstream’ harm from carbon emissions and the review of the Independent Planning Commission’s (IPC) role in approving contentious state-significant infrastructure projects. Both moves compromise the stated objectives of land use planning, policy and regulation transparency. The reforms are fundamentally undemocratic, and abrogate the government’s responsibility to protect the environment for other uses such as agriculture and future generations.

Proposed changes to the legislation, Environmental Planning & Assessment Act 1979 and State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, risk compromising the necessary purpose of approving and setting conditions for development projects based on a balance of economic, health, social, and environmental impacts. The IPC was established in response to persistent concerns about political corruption. Changes reducing independence of decision makers are likely to re-open pro-development corruption perceptions.

Coal from the Hunter Valley alone produces about 350 million tonnes of carbon dioxide each year, making it Australia’s single largest source of CO₂.¹ This, and any future emissions, will contribute to Australia’s climate disruption. The public health impacts of climate disruption are already being felt across NSW, nationally and globally as a result of natural disasters including more frequent and intense drought, critical water shortages, bushfires and heat waves.

Against this background, we are gravely concerned about the actions of this government that appear to preference the coal industry over and above the public interest and health. Furthermore, they are doing this at a time where there is a global reduction in the market for thermal coal.

We therefore ask you to withdraw the proposed Environmental Planning and Assessment Amendment (Territorial Limits) Bill 2019. We also ask you to remind the Parliament about the risks of changing the roles and functions of IPC and the importance of such commissions for democracy in NSW and in maintaining the trust of your constituents.

Sincerely,

Terry Slevin  
Chief Executive Officer  
Public Health Association of Australia

Dr Patrick Harris  
PHAA Branch President  
New South Wales

Dr Peter Tait  
Co-Convener, PHAA  
Ecology & Environment SIG

¹ Armstrong F. Coal and health in the Hunter: Lessons from one valley for the world. Clifton Hill, Victoria: Climate and Health Alliance; 2015