

**ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE**  
**Inquiry into greenfields mineral exploration and project development in Victoria**

Melbourne — 14 December 2011

Members

Mr N. Burgess  
Mr M. Foley  
Mr W. Noonan

Mrs I. Peulich  
Mr G. Shaw

Chair: Mr N. Burgess  
Deputy Chair: Mr M. Foley

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Witnesses

Cr P. Griffin, Mayor, and  
Mr P. Hawkins, Acting General Manager, Shire Development, Moorabool Shire Council.

**The CHAIR** — Welcome. My name is Neale Burgess, I'm the Member for Hastings and the Chair of the Committee; Martin Foley is the Deputy Chair and the Member for Albert Park; on his right is Wade Noonan, Member for Williamstown; Inga Peulich, Member for South Eastern Metropolitan, and on Inga's left is Mr Geoff Shaw, Member for Frankston. Would you like to state your names, your positions and business addresses, please.

**Cr GRIFFIN** — I'm Pat Griffin, I'm the Mayor of Moorabool Shire Council. We're in Stead Street, Ballan.

**Mr HAWKINS** — Peter Hawkins, Acting General Manager of Shire Development.

**The CHAIR** — And you're appearing on behalf of the Council?

**Cr GRIFFIN** — Yes, we are.

**The CHAIR** — Thank you. This is an all-party parliamentary committee and hearing evidence today on the Inquiry into greenfields mineral exploration and project development in Victoria. Welcome to the hearing. All evidence taken at this hearing is protected by parliamentary privilege; however comments you make outside the hearing are not afforded such privilege. Would you like to give an oral submission?

**Cr GRIFFIN** — Yes.

**The CHAIR** — Thank you.

**Cr GRIFFIN** — Thank you for listening to us today. As you perhaps know, Moorabool Shire has a number of mining and extraction companies existing. Bacchus Marsh, in particular, is surrounded by sand mining to the north and coal mining to the south. Our Shire and our predecessor's shire, the Bacchus Marsh Shire Council, have always taken a responsible attitude towards mining and extraction and work very closely with those companies in the past.

As you know, recently Mantle Mining has come to town and it has caused a lot of concern within the community and most of this concern has been about the lack of communication, the lack of consultation, and the lack of transparency that the mining company has done. Mantle did fulfil their legal obligations in terms of the relevant legislation by their advertising but on a very small scale, very small print in newspapers. It has to be accepted that these days a lot of our community don't actually get newspapers anymore, even the local newspapers, so we are submitting that there should be other ways of this consultation and communication being afforded to all the communities. It should be wider, it should be transparent, and perhaps there should be some protocols around it that suggest the information that has to be put forward to communities because a lot of the misinformation causes angst and causes a lot of uncertainty.

**Mr SHAW** — Mr Mayor, did they approach you?

**Cr GRIFFIN** — Mantle Mining approached Council about two years ago, that was before they were awarded their 38,000 hectare mining exploration licence. That's about 20 per cent of our Shire so it's a pretty massive area. They did come and talk to us about plans for a mining exploration licence but there wasn't much else that was presented at that time, and it was so far into the future in terms of we had no works plan, none of that sort of information at that time.

**The CHAIR** — It was cordial, was it?

**Cr GRIFFIN** — It was very cordial. No disparity on the Mantle Mining people but they treat perhaps us with a little bit of like we're ignorant and they missed the fact that we do have a lot of experience with mining and the pitfalls in terms of how mining affects the community.

**The CHAIR** — But do you feel that there was a breakdown of the relationship there when they came to see you, or they started to interact with you and then they stopped?

**Cr GRIFFIN** — No, I don't think there was any breakdown in relationship. There wasn't really a relationship; they made one presentation to us and then the first we saw them, both as a council and the community, was the small ad in the local paper that they'd been granted an exploration licence. The scope of the

licence was very surprising — 38,000 hectares — when it's well-known within our community where the coal is; it's been mined there for some 60 or 70 years so it's no surprise.

**The CHAIR** — Does the grant exceed what is required?

**Cr GRIFFIN** — If you look at the maps, when you look where it extends from the east of Bacchus Marsh all the way up to the west of Ballan — —

**The CHAIR** — But is that all coal?

**Cr GRIFFIN** — Their exploration area, where they're actually drilling holes, is basically just to the south of Bacchus Marsh where the existing coal mine is, and that's where the expectation would be that there is the coal, and that's where the previous work has been done.

**The CHAIR** — Do we have any indication of why the grant has exceeded that so dramatically?

**Cr GRIFFIN** — Cynically I could say because they could. Mr Hawkins?

**Mr HAWKINS** — Mr Mayor, through you. We understand, Mr Chairman, that an exploration licence has to relinquish 25 per cent of its area after a period of two years and a further amount after that so we assume that they applied for a much larger area than they would potentially need so that they can relinquish that without any effect on the area they really want to look at. And, of course, for the community we field phone calls from people in Ballan expecting their backyards will be dug up but in fact Mantle Mining has no intention of going west of the Rowsley Fault, which is really the limit of the coal available to them.

**Cr GRIFFIN** — I would say some of the other aspects that are concerning to us is there probably should be greater protection afforded to things like native vegetation, and there are some very valuable in the Parwan Basin native grasses and lands down there, but also further than that, it's very valuable farming land. It's been farming land for a very, very long time and it's fertile farming land. It's quite ironic that part of our municipal strategic statement and our planning rules are that we want to protect farming plans, so as to protect farming and the good land there, and this seemed to override that so that's a concern.

A major concern to us is the traffic movements that happen. Currently we have about 140,000 traffic movements around the Bacchus Marsh area with mining trucks and sand trucks, which severely degrade our roads. We get very little in terms of compensation from mining. You're probably aware of the way council rates work and we're limited under the Act that three times the smallest to the largest so it means that the extractive industries in our shire pay very, very little in terms of rates. We get a little bit of compensation from Maddingley Brown Coal in terms of amelioration of roads based on some tonnage that comes out of there, but Maddingley Brown Coal hasn't been a viable coal mine for many years, they used the limited amount of coal that they mine now for fertiliser, and they are a waste dump.

**The CHAIR** — In terms of what?

**Cr GRIFFIN** — They're putting back in — I'm not sure the grade of the wastage.

**Mr HAWKINS** — Through you, Mr Mayor, it's non-putrescible waste they use, a lot from building sites, et cetera.

**Cr GRIFFIN** — So it's not really a viable coal mine. I did note that one of the other submissions that was made to you had a case study about Bacchus Marsh in it and glibly said: 'They're just opening existing coal mines, Mantle Mining'. Well, they're not. They're talking about a new coal mine with strip mining and other things, if the coal is viable that is, and there's a big 'if' in that, in my view.

With regards to the roads, we have very major concerns about the extra traffic on the roads and also the cost of the roads. Just recently in another energy source in terms of wind farms we've been made aware that down into the other parts of the State that VicRoads have put aside \$1 billion for the amelioration of the destruction of roads in the south of the State so we're talking big money in terms of fixing the roads up that happens from this heavy traffic, and our roads are not designed for that.

**Mrs PEULICH** — But in relation to wind farms they've been giving the council powers?

**Cr GRIFFIN** — Yes, indeed. There are negative effects of the extractive industries and we'd also humbly suggest that perhaps if there is mining in our area, if it does happen, that local government and local communities should get royalties from these mines so that they can feed it back into the community so that we can fix some of the issues that happened.

My final remark would be, part of our role of local government is that we stand up for our community, we're advocates for the health and well-being of our community, and health and well-being is just not only direct health effects, it's the anxiety and other issues that are caused by things like the mining companies coming and making their suggestions and the lack of support for the ownership of the land. Under the mining act the mining companies have more rights than landowners, and perhaps that's something that needs to be addressed. There is, of course, negotiation and a financial settlement that works out through that, but perhaps that's not enough; perhaps there has to be a recognition of what people have put into the land. We have a number of farmers who have been there long-term and it's pretty hard to go and tell them, as Mantle Mining have said: 'We'll see you in court'. To say: 'Well, we're going to take your land off you' — I think that the rights of the landowners need to be looked at and all the other social issues that come from that. Thank you.

**Mr HAWKINS** — Mr Chair, if I might just elaborate on some of the issues regarding traffic that the Mayor has alluded to. We've provided you with maps showing traffic and heavy vehicle movements in our Shire. The map annotated as number one on the top right-hand side is basically indicating the Bacchus Marsh area. The Mayor has talked to you about the sand quarries which produce about 140,000 movements a year. The other large red trucks down here are the movements in and out of the Maddingly brown coal pit. It's run by a group that takes waste out of Melbourne, it comes down the freeway, currently travelling through local roads, Woolpack Road et cetera, to get down to the mining site. These are just some indications of how we're affected in terms of having to resource the construction of those roads.

The other larger map shows the western area of the Shire. There's a very large bluestone quarry in the Dunnstown area to the west of our shire, and the transport is all on local roads to get out to the freeway. Whereas some of the Bacchus Marsh roads are VicRoads roads and the responsibility of others, Council bears almost exclusively the cost of repairs of roads in this area. We've provided you with a chart which just has a bit of detail about how that's broken up.

**The CHAIR** — Thank you. One of the concerns — paraphrasing it really — is that while VicRoads is recognising the damage done to their road and therefore are allocating \$100,000 million to do that, there's no recognition of the damage it's done to the local roads or recompense from the mining organisations?

**Cr GRIFFIN** — Indeed. We've been very grateful for governments in terms of roads to recovery money from the Federal Government and money the State Government has given us, and increased money in the last 12 months has been widely accepted, and flood relief and those things, but roads are a big concern for us. We're a Shire of currently about 26,000 people of 2100 square miles of land and lots of roads, and we have a responsibility for those roads, and it's a major part of our budget.

**Mr FOLEY** — Could I ask has the Council done any work on the overall cost benefit analysis of mining and extractives generally to its Shire's interest, the benefit versus the sort of costs dramas that you've pointed to today?

**Cr GRIFFIN** — We haven't done any exhaustive work but in discussions we've tried to have with Mantle Mining about what is the extent of their mining practices, and they're talking about strip mining which is very mechanised so there are very few jobs, the sort of money from jobs is a bit of a furphy. Sometimes mining companies say they're going to bring jobs to your community and it doesn't really happen — there might be a few maintenance jobs and a few jobs there but it's not big. There are jobs for truck drivers, of course, and things like that.

In terms of the economic gain to the local community it's not very good and many of the people that may work there mightn't live in our community as well. I think it's doubtful that there would be a great direct economic community. I think the salient point is — and I suggested this to the Managing Director of Mantle Mining — that if he was honest and said we're looking at a \$200 million a year export industry to India and stood up the front and said: 'I'm here to make money', instead of telling us that his dry coal is user-friendly to the climate and will save the earth, I mean, that's just ridiculous. They would get a lot more good thoughts from us if they

were honest to us about they're there to make money. There might be an economic benefit to the State, there might be an economic benefit to the country, but it's very doubtful that the local community will get much out of it at all.

**Mrs PEULICH** — But the economic benefit is translated into — not that I'm defending it, I don't wish to engage in it — the sort of additional income that you've been able to derive when you need it — flood relief and so forth.

**Cr GRIFFIN** — Of course.

**Mrs PEULICH** — At the end of the day we can only dispense and disperse and spend the money that the State earns and the State gets. Part of that, unfortunately, is in ways that are legal but may disturb some communities. If I may, just in relation to the jobs, are they local jobs or are they people from outside? And if they're not getting people from the outside, do they not support activities in your Shire?

**Cr GRIFFIN** — Bacchus Marsh is a very interesting place in that it's only 45 kilometres from Melbourne. We're on the edge of the metropolitan area. We're very much a dormitory town. There are 17,000 people living there now, we expect in the next five or 10 years there will be 26,000, and we want to limit the size of the town to about that.

**Mrs PEULICH** — You want to limit the side of the town to?

**Cr GRIFFIN** — About 26,000. We're in a valley so geographically we have an opportunity to limit expansion. No disrespect to Wyndham or Melton, we don't really want the sprawling suburbs; we've got other opportunities in our Shire for disbursed population growth so that's what we would be looking for. In terms of the economic direct benefit, it would be doubtful whether workers who drive to work in the morning and drive back to the western suburbs or Melbourne where they predominantly live, whether there would be much economic benefit directly to the town.

**Mrs PEULICH** — But you haven't done a study?

**Cr GRIFFIN** — No, we haven't done the exhaustive study yet. We're hoping we mightn't need to.

**Mr SHAW** — Mr Mayor, you mentioned that people know where the coal is?

**Cr GRIFFIN** — Yes.

**Mr SHAW** — And you also said that farming is quite fertile in your area and that Mantle Mining has it over 20 per cent of your Shire.

**Cr GRIFFIN** — Yes.

**Mr SHAW** — Is there any farming areas that are where people know the coal is?

**Cr GRIFFIN** — Yes, indeed; to the south of the town were the Parwan Basin is they are farming communities and it's envisaged the coal seam goes to the south from Bacchus Marsh all the way to Anglesea. Anecdotally it's of differing thicknesses, differing quality. The early work that Mantle Mining has done with the four boreholes that they've already drilled, one is on the western edge, one is on the eastern edge and two are about in the middle. They claim the two in the middle have 50 metre seams, which people around town who have had experience in the past have suggested, yeah, that's probably right; that's what we've found in the past. They've suggested that the quality of the coal is better than Latrobe Valley — that I've seen in the press — but they haven't published the assay figures for those two drilling holes. They've published the figures for the ones on the edges, which were poor indeed, the yield of carbon was about 23 per cent which is much below what even the Latrobe Valley does.

**Mr NOONAN** — Thanks for your submission. I've just got a couple points, I'm trying to sharpen up my own views about some of these things because we're at the latter stages of our inquiry now. Firstly, on the issue of notice we've heard that in other jurisdictions a notice to landholders directly is an effective way to get very clear communication out. Is that something that the council would support as a proposition over what you've experienced in terms of ads in newspapers?

**Cr GRIFFIN** — I would suggest that that's probably the first thing you do, a letter to each landowner, and in our case the 38,000 hectare area, and you'd follow it up perhaps with bigger ads in the local papers and perhaps working with local government like us. We put out a newsletter every quarter and other things we do is we can put out things with rates notices, and people usually read them.

**The CHAIR** — Have you done that on this occasion?

**Cr GRIFFIN** — No. There hasn't been any collaboration in terms of communication with Mantle Mining. To be fair, local government is in a tough position in this, it's hard for us to take a position against something because when permits come to us, and we have to judge these permits, we have to have an open mind.

**Mr NOONAN** — I've just got a couple of quick ones. What's been your experience with the Department of Primary Industries? We've heard criticism from the environmental group, who are represented here today in the gallery, but what has been your experience? You've had one contact with the mine initially. Experience from residents in your municipality has been quite negative but, to be fair, it would be good to get your view about whether you've had any contact with DPI in relation to this process, if you like.

**Cr GRIFFIN** — We haven't had any contact with DPI. The only contact that I've personally had with DPI is looking at their website and getting information. There was a public meeting where there was a spokesman from DPI who ran through processes with us, and I thought that he did a very fine job; he did an overhead show and I think it eliminated a lot to the community. It certainly taught me much about what the process is because as a council, and even in our planning department, sometimes it's new ground to us; these mines have been existing a long time so we're learning as we go along as well.

**Mr HAWKINS** — Through you, Mr Mayor, if you don't mind. Mr Chairman, the Mayor wouldn't be aware of this, the officers have had dealings with DPI in terms of asking them for a copy of the works approval for the site and DPI was very co-operative, they just withdrew some of the personal information that was involved in that approval, landowners' details, and provided that and we've put that on our website for the community to access so we found our relationship with them as being cooperative.

**Mr NOONAN** — The only issue there — and it's probably a minor criticism — that you had to go to them to get that rather than them essentially coming to you and suggesting that this information might be of value to your ratepayers.

**Mr HAWKINS** — And part of that, if you don't me saying so, Mr Chairman, is that we actually are not getting involved in the process. They're required to notify the local government but we're not an approval authority.

**Mrs PEULICH** — You're a referral authority.

**Mr HAWKINS** — They merely have to give us notice that they're going to do their exploration and once they send us a letter to that effect they've done their legislative obligation, which is part of what we're saying about the need for a broader community consultation.

**Mr NOONAN** — This committee is charged with making recommendations and if the recommendation in here is, okay, they've followed their obligations but it would have been more helpful if they were more proactive, that is a recommendation we can make, is that something that you would support?

**Cr GRIFFIN** — Absolutely.

**Mr NOONAN** — I'll just move on. The last question I have is really about Special Water Supply Catchments. I've noticed that in the information we've been supplied about your municipality is that approximately two-thirds is zoned as Special Water Supply Catchments supplying a large proportion of Geelong and Ballarat's potable water supply. Can you just explain to us what Council has investigated as part of this very, very large exploration licence that's been granted and what consideration this special water supply catchment area has as an overlay with that and essentially who you might be working with inside or outside government to determine what could be the impact of further mining on essentially a very critical resource that we all rely on, and that is water?

**Mr HAWKINS** — Through you, Mr Chairman. In our council we have an Environmental Significance Overlay number one within our planning scheme that covers the potable water supply catchments. The area covered by this mining tenement or this exploration licence includes the Parwan Valley area which provides water runoff which is utilised by farmers both in the Bacchus Marsh Valley and further downstream in the Werribee South market garden, that is water supply for those people as well. Once again, because we are not involved actively in this part of the process, if it goes to a mining activity our expectations are that in our area there would be Southern Rural Water, Barwon Water, Western Water and Melbourne Water who would be the appropriate authorities as well as the Port Phillip & Westernport catchment authorities. We expect that those agencies are involved in assessing their own risks in this matter and we leave it to them.

**Cr GRIFFIN** — But on that, I've had discussions with Western Water with regards to that because some of the exploration area where they're drilling is just behind Bacchus Marsh Treatment Plant, which is run by Western Water, and Western Water had no knowledge of any of this — nothing has been referred to them — so we've actually involved Western Water. None of the water authorities have been involved at all.

**Mr NOONAN** — Can you step us through again — this might be the source of the recommendation, but can you step us through how that process has evolved, what you've done by way of action to involve them, and what they might be doing as a result of the contact that you've made?

**Cr GRIFFIN** — Well, in fact I spoke with the Chairman and Managing Director at Western Water. We had a formal meeting to discuss the effects of this on the Parwan Treatment Works so though then they have initiated their own enquiries about what the effects of it are, so I believe they've taken that up with Mantle Mining.

**Mrs PEULICH** — On the issue of consultation, obviously it's an issue that has been raised by a number of stakeholders and witnesses, I guess much like planning consultation is — even in your portfolio — flawed because there's a significant amount of discretion that is given to Council and to the degree and extent of that consultation, and we know often things flare up when that goes wrong, so I think it's really important that we look at that process. Mr Mayor, you mentioned the issue of councillors who need to vote on matters having been bound by laws as well as legal precedents and being constrained by, for example, the need to demonstrate that open-mindedness and not demonstrating a track record of apprehended bias, which certainly would expose themselves to risk if they voted on the matter, so how could that consultation be meaningful given the context in which councillors are working, and of your 27,000 ratepayers — is that population or ratepayers?

**Cr GRIFFIN** — Population.

**Mrs PEULICH** — What number are actually opposed to major mining exploration?

**Cr GRIFFIN** — Well — —

**The CHAIR** — Precise.

**Mr FOLEY** — Name and birth dates while you're at it.

**Mrs PEULICH** — What's the size of the group, what kind of correspondence have you received? Can we get a handle on that because, again, it's probably a product of a flawed consultation process. It's just to get a handle on how we can improve it.

**Cr GRIFFIN** — I couldn't give numbers or percentages, only to say that in terms of opposition I have only been contacted about people opposed to Mantle Mining, I haven't been contacted by people in favour.

**Mrs PEULICH** — How many would that be?

**Cr GRIFFIN** — Hundreds.

**Mrs PEULICH** — Over 1000?

**Cr GRIFFIN** — No, hundreds. At the public meetings there were a couple of hundred, I suppose.

**Mrs PEULICH** — Mostly landowners?

**Cr GRIFFIN** — No, not mostly landowners at all. Directly affected landowners, on the area where they've got their works program. We're all affected landowners, any one in the 38,000 hectare, but when I say that I've only had people opposing it, that's typical though.

**Mrs PEULICH** — It's not unusual.

**Cr GRIFFIN** — That's right. If I've stopped people in the street and asked them, my gut feeling is I would probably get 20 per cent at least who would say: 'I haven't got a problem with mining because there's already a mine there'. So there is some feeling around that so, to be perfectly honest, that's the way it has to be. With regards to our position as a councillor, we have to keep an open mind and I think that the position that we were in from the MAV and others is that we haven't closed our mind, more information has to come there all the time, so that's the process that I take and other councillors take in terms of with Mantle Mining and other things like that.

The difficulty has been that it hasn't been good information that's come to us and it's been really hard to comprehend, in particular with Mantle Mining putting out releases to the Stock Exchange, and one tends to get cynical about that when there are peaks and troughs in their share prices and they put one out and you look at it and you go: 'It doesn't look right'. So it's really hard to get good information.

**Mrs PEULICH** — On that point, if consultation is going to improve it needs to be good quality information. Who should be responsible for the preparation of that information? In many instances councils — as we saw say with the wind farms debate — don't necessarily have the technical skills nor the inclination to spend thousands of dollars commissioning that, so whose responsibility should it be to get accurate information out as part of that consultation?

**Cr GRIFFIN** — I can't remember what the DPI Department was called, it was called Earth something.

**Mr NOONAN** — Earth Resources.

**Cr GRIFFIN** — That's right. I would think they would be the appropriate ones; to me they had the expertise and they obviously would be independent, I would suspect. I think that would be appropriate, that they be the ones who collate the information and disseminate it somehow.

**Mrs PEULICH** — So therefore if they're responsible for putting information out, to whom should those responses come back to? Should they come back to you or should they come back to them? Do you have a view as to that?

**Cr GRIFFIN** — I think it should be done on a local basis so as we work with the Department of Planning on things like wind farms and other issues, that we can work with them with our planning people and the appropriate officers and our communities. You wouldn't want to have it too widespread in terms of how it all gets funnelled back in, and it's appropriate that local government handles that.

**Mr HAWKINS** — Through you, Mr Chair, if I might just add one thing. Part of the tension of the community is — if you're aware of the IAP2 spectrum which goes from inform through to empower people — the community often in consultation thinks it means empowered, they have a say of yes or no. Traditionally, as you know, mining has had a favoured position with governments, it's always been seen as an important resource, there's a greater public good. Even if the Committee was to recommend to government that we still stay at the informed level and we don't allow any further participation, it's the extent and the capacity of that information to be absorbed by landowners and others to make sure that they understand what's proposed.

The uncertainty that's created by this very, very large mining exploration; there's a whole bunch of people who are being aggravated by this that need not be aggravated by this release if it were restricted to the area that it was generally interested in.

**The CHAIR** — Mr Mayor, I've got a question for you and then a follow-up possibly. You indicated that you thought there should be further powers of allowing or not allowing mining to take place in particular areas and more control. Where do you think those controls should sit? Do you think Council should have the power to veto or the power to consider and decide?

**Cr GRIFFIN** — I'm not in favour of the Council having the power to veto and things like that, not a final veto. With planning now I think the system works quite well. We have our issues at VCAT over the years, of course, but I still think predominantly it works well.

**Mrs PEULICH** — Depending on whether you win or lose most of the time.

**Cr GRIFFIN** — In terms of the rights of the landowners in particular, I think that the current approach where the mining industry can just come and say we're going to do what we want and you can take us to court but it's just compensation, you know. I think that there has to be a better way of the approach with landowners, there has to be a better mediation than having to go to court. I think there has to be somewhere where the rights can be mediated on instead of making it too legal because that's the frustration of the people.

I must say I've been to the public meetings and there has been people from groups called Shut the Gate and other things like that, and activists who chained themselves to the thing, and I have a lot of sympathy with what they're doing because when you listen to what they're saying and telling the community to do, it's not great civil disobedience, it's just standing up for your rights, it's not being bullied by the mining industry, because the approach that Mantle Mining has taken in particular has been one of being a bully — coming onto the site, or adjacent to someone's property on a road site, and drilling this big hole and making lots of noise and saying: 'You haven't got any rights'. Even though people do have rights they get bullied, and I think that's something that needs to be addressed.

**The CHAIR** — I asked you before about where the relationship broke down and you said you didn't think it had broken down, but everything that you've said since then indicates to me fairly strongly that it did break down. At one point you said that you had suggested to them if they actually told the truth that would be much better, and nearly everything else that you've said has been in some way critical of the way Mantle Mining has conducted themselves and, as you've already heard, we've not had the opportunity of hearing the other side of that. I guess that identifies and brings into stark contrast the fact that it's very difficult to get people in the right position to make an objective judgment on something that is going to be, hopefully, of long-term benefit to the State but is clearly going to trample on people's rights at the grassroots level. That's the balance that our recommendations are going to have to take into account and therefore the things that we're trying to figure out about how that would be best handled. If you left it all to the mining companies, clearly that's not going to be really of any benefit to the local community. And if you leave it all to the local community I think we're hearing from you there would be very little mining going on in any of the areas that we're talking about.

You've already said that there are basically no jobs created, trucks everywhere, no compensation, so I would be guessing that there would want to be a very, very strong case before you'd be approving mining in that area, even though there's already mining there. The point that I'm trying to make is that there is a strong conflict between the rights of both parties here and then the benefit to the State as a whole. That's what we're trying to sort through.

**Cr GRIFFIN** — If you take, for example, the approach of the wind farm developers — we're not always in favour of the wind farm developers in terms of some of the things that have happened — but they take a much more consultative approach. They have come in and they have been much more open about their activities. They don't have the same strength of the mining act behind them so perhaps they may be different, but they have run much stronger and longer community consultation. I can again be critical of some of the things and some of the denial that they've showed about the effects of their wind farms; however, I don't knock their sincerity in wanting to deal with the communities because they've shown all the way along that they want to deal with the communities, so it does happen. We can have disagreements but we are still working together to reach a resolution. We haven't been able to find that with Mantle, and not because we're against them, it's because they haven't made themselves available. I think that's the important issue because in a lot of cases we feel — and I think it's a community feeling — they've hidden behind the fact that they have their rights under the mining act and they're going to use them.

**Mr NOONAN** — It's hard to have a relationship under those circumstances.

**Cr GRIFFIN** — It is. They've made that obvious, they've said that at a public meeting: 'We've got our rights and if we have to we'll use them'. Puts up the red flag a little bit.

**The CHAIR** — No doubt. That's obviously why we need people in the correct positions to be able to adjudicate these sorts of things.

**Mr HAWKINS** — Mr Chairman, just taking on the Mayor's comments about wind farms, and Moorabool was proactive in developing a policy — I'm not saying that we guided the Government's hands — but certainly many of the things in our policies were adopted and became part of the planning considerations for wind farms, but even there the fact that they've recognised the need to make wind farm operators negotiate with residents within two kilometres of those turbines sets in place a mechanism that allows some discussion, some negotiation.

Part of all of this, of course, is that at the exploratory process there may never be a mine, and the data says that 1 in 1000 are actually turning up with some hole in the ground, so how much expense do you put these companies to, but it's uncertainty in the community, they don't know what's expected, they think if we don't fight it now it might be too far down the track to fight it later. And because they perceive no rights in the matter they start to fight at the start rather than saying: 'Let's wait and see if this is a genuine thing because then they've got to come and talk to us', and that's not part of the process now.

**Mr NOONAN** — Could I just ask a really quick one because I'm conscious that Inga's on time watch this morning, which is fair enough. If there was a Royalties for Regions type program which operates in various forms in other states where, I think — to go to your submission — you talk about local government could share more directly in the benefits associated with mining, would that be something that would appease some residents if they thought that there would be a direct stake in the economic benefits associated with future mines in a municipality like yours?

**Cr GRIFFIN** — It would probably appease some of the residents but some of the people who are most directly affected who don't want to give up their properties, and in fact they will be giving up their properties even though after they've taken all the coal out they're going to fill it all back in and plant trees. It will appease some but what it will do is it will help the difficulties in our community in terms of roads and other things that we would be able to remedy. It would be wonderful if we could receive royalties and build ourselves a big football stadium or something, or bigger swimming pools, but that's not the idea of royalties from our perspective; it's to make sure that our community is not disadvantaged.

**The CHAIR** — Protecting the assets.

**Cr GRIFFIN** — Yes. Thank you.

**The CHAIR** — Thank you very much. Today's proceedings will be become a public record. Within the next couple of weeks you will be sent a transcript of what has been done today and feel free to make any grammatical or punctuation changes that you feel exist, but nothing to the substance of the document. On behalf of the Committee thank you very much for being here; we really appreciate your time it.

**Cr GRIFFIN** — Thank you.

**Mr HAWKINS** — Thank you.

**Witnesses withdrew.**